

Populist #10 Constitutional Democracy as a Defense against Centralized Power, continued

Included in the many benefits assured by a well-constructed and constitutionally-based democracy, none deserves to be more carefully studied than its propensity to control and even break the possibility for centralized state power. The danger of such power is widely known, and we in America have seen its effects expand almost continuously in the past century.

The advocate of republican governments, including the currently existing American Republic, never experiences a feeling of greater consternation than when thinking about their susceptibility to this dangerous flaw. A moderate and thoughtful person, therefore, will not fail to give the highest priority and consideration to any plan which, without violating the essential principles of freedom and liberty, will implement a capable solution for it.

Actions by governments that encroach on freedom and liberty, perpetuate endless foreign wars and entanglements, and secure loyalties to special interests rather than to the people, introduced into a society that has a growing or fully centralized power, have been the deadly afflictions that have caused republics throughout the world to collapse. The valuable improvements made by the United States Constitution on both ancient and modern republican models, can never be praised too much; but it would be an indefensible favoritism to assert that these improvements have effectively deterred such dangers as much as was originally wished for and anticipated.

Complaints are heard everywhere in our country, from exemplary citizens of every background, that our government is too overreaching, too powerful, and too intrusive into our daily lives; that the public good is too often ignored in the competition for power between the two major political parties, and that proposals in government are too often decided, not according to the rules of justice and liberty for all, but by the arrogant force of an overbearing and self-interested political elite.

No matter how strongly we may wish that these complaints were baseless, the evidence of known facts throughout our nation's history will not allow us to deny that they are in many ways true. It will be found, through a forthright examination of our circumstances, that some of the hardships which we currently experience have been wrongly attributed to the actions of our government, but it will also be found at the same time, that actions of our own federal government have been even more-often responsible for our greatest disasters; and especially for that continuously-growing distrust of the federal authorities and fear for our private rights, which reverberates from one end of the country to the other. These are primarily, if not entirely, effects of the consistent injustice with which a drive for centralization has contaminated our public administration.

Centralized power, in its most core values, is adverse to the ideals of individual liberty and freedom; both of which are essential pillars of a free society. Such power renders the individual to none other than the lowest form of existence; lifting the community as a whole, special interests, or goals of a political party, above the rights of the individual. To deny liberty to any individual in favor of the self-serving interests of another individual or any group, is to render useless the ideals of freedom upon which our country was founded.

There are two methods of curing this disease which is running rampant throughout our government: one, by removing its causes; the other, by limiting its effects.

There are also two methods of removing the causes of an overbearing centralized government: one, eliminating government entirely, since its existence itself creates the potential for such dangers; and two, by giving to every current and future political leader, the exact same understanding of and desires for justice.

Of the first remedy, it could not be more honestly stated than it is even worse than the disease itself. Government is a necessity, although it often functions only as a necessary evil; it relates to our current problems the same way that air relates to fire; without air, the fire will immediately die. But, it could not be any less foolish to completely abolish government, which is essential for political life and stability, because it encourages those who wish to enslave us, than it would be to attempt the elimination of air, which is essential to all life, because it gives to fire its destructive power.

The second so-called remedy is as impossible as the first is dangerous. As long as the will of humankind remains imperfect, and we are at liberty to exercise it, we will continue to see political leaders acquiesce to enticements that lead to unjust actions for our country. The protection of this liberty is the first object of government. From this protection, different ways of thinking, both just and unjust will continue in perpetuity, and ensures the division of our political leaders into different parties and vested interests.

No person is allowed to be a judge in their own cause because their own interests would certainly cloud their judgment, and most likely corrupt their integrity. Even more so, a body of people, such as our political leaders, is also unfit to be both judges and participants at the same time, yet what are many of the most important acts of the government? They are generally not actions concerning the rights of individuals or the people, but actions concerning the benefit of the legislators themselves!

And what are the different sections of our government, but proponents and parties to the causes which they control? When a law is proposed considering federal funding or the regulation of industry; when approval is given to wage war; when any action of the federal government occurs, are those involved in the decision-making not judges of their own cause? The power over using America's military might, the power over all public funds and the power to control taxation seem to be actions that require the highest level of impartiality; yet there are, perhaps, no legislative or executive acts in which greater opportunity and enticements are given to those in power to trample on the principles of liberty and justice.

It is futile to hope that reasonable and just politicians will always be able to alter these clashing self-interests and render them all subordinate to the public good. Such politicians will not always be in charge, and as our own history has proven to us, they are normally in such a minority that they can rarely effect any positive change for the people.

The point to which we are brought now is that the causes of centralized power cannot be removed, and that the only remedy to strive for, is the control and reduction of its effects.

As it is a widely accepted precept that cause can often times be inferred from effect, we can thus see that the intrinsic causes of centralized power are inherent in the nature of our government's republican structure. Understanding the sources of our problems is of the utmost importance when designing a plan to control their effects. Our politicians have often shown a personal zeal and ambition for pre-eminence and power; this in turn has divided many of our citizens into two separate, but yet nearly indistinct political parties, and into a third, non-participating majority. The actions of our politicians and their associated parties have instilled in the people mutual animosity, and have rendered them much more disposed to attack and oppress each other, than to cooperate for their common good. What remedy can there be for this situation, but in a change of the system which has produced it!

Without additional oversight over the government by the people themselves, the federal authorities will continue to exercise their power in an increasingly unjust and despotic manner. To simply move forward without changes to our federal structure, is the same as approving the actions of our government; since just a basic understanding of history teaches us that such actions, without changes to prevent them from reoccurring, are sure to repeat.

As a matter of both logic and law, We the People, the constituent sovereign, the creators of government, cannot, under any circumstance, be subject to the will of the createe, the government. Yet for nearly our entire history, the people have experienced such an existence. Has any positive change in our history originated in the government, or have the federal authorities only acquiesced due to intense pressure from the people themselves? The government has stridently resisted nearly all positive change; including voting rights, ending foreign wars, slavery, taxation, and the like. It has more often acted as an enemy, rather than a friend, to liberty

The true remedy for this situation is through the establishment of a Constitutional Democracy in these United States. By a Constitutional Democracy, I mean a system of federal government in which the final check and balance on the power of the federal authorities lies directly in the hands of all the people of the country, with the Bill of Rights serving to protect the liberty every citizen.

The powerful elites who control our government have regularly, and self-servingly, argued that the People are not qualified or do not know enough to be trusted to make their own laws. To counter those opposed to empowering the People, one needs only look to the record of the last century, in the greater than twenty states where the People make laws by initiative. In those states, the People have legislated responsibly, and many times more so than their elected representatives. When given the opportunity, We the People will enact laws that serve and protect ourselves rather than the powerful special interests who are now so well-served by our elected legislatures. One may also look to the fifth number of these papers to counter such self-serving arguments, which examined the opinions of Thomas Jefferson, who believed so strongly in the right *and* capability of the people to govern themselves.

These same powerful elites that control our government will also argue that even if the People were more capable of self-government, that it would still be foolish to entrust them with their own destiny. They will argue that the People need direction, and rulers to prevent us from destroying ourselves. Yet, under the rule of the few in our American Republic, we have experienced endless war, unjust foreign entanglements, nearly insurmountable debt, crimes against the rights and liberty of people based on race and gender, the enslavement of an entire race, and the annihilation of another. One would be hard-pressed to find a society filled with more destruction!

History has proven that entrusting our liberty to a small number of people in the government has failed. It takes only simple logic to concur that the fewer there are in power, the greater the potential for them to take advantage of their power and infringe on our rights; taking our country on a path that is opposed to the principles of liberty and justice. It may also be remarked that, where there is a consciousness of unjust or dishonorable purposes, it is always deterred by distrust in proportion to the number whose approval is necessary. Expand the number of people involved in the decision making, and extend their sphere, and you take in a greater variety of parties and interests; thus making it less probable that a majority of the people will have a common ambition to violate the rights of other citizens; or if such a common ambition exists, it will be much more difficult for all who feel it, to find its strength and to act in unison with each other.

It is with this that I find it proper to quote the opinion of James Wilson; co-signer of the Constitution and former Supreme Court justice. Mr. Wilson stated clearly that it is the People who should rule, and that representation was only necessary due to the exigencies of the time; which we can plainly see no longer exist today:

*"The Legislature ought to be the most exact transcript of the whole society. Representation is made necessary **only because it is impossible for the People to act collectively.**"*

I will continue this discussion on the necessity of changing our system of government to that of a Constitutional Democracy, in my next paper, on September 8, 2005.

In the spirit of liberty and prosperity,

Franklin