

Name: _____

Date: _____

AMERICAN HISTORY - WHY FREEDOM MATTERS

CONSTITUTIONAL REPUBLIC VS DEMOCRACY - WHO WINS?

A **Constitutional Republic** is a form of government where the **people** hold the **power** but elect representatives to exercise it, and the people and government are **bound or limited** by a written constitution.

Democracy is a form of government where **the people hold the power and make decisions**, either directly or through elected representatives, there are no limitations or rules to follow.



Example, “my truth” or “the Bible’s Truth”?

Which is correct in God’s eyes? For people to decide what is right or wrong or the Bible to tell us what is right and what is wrong?

Constitutional Republic is a direct reflection of Christ-like rule. People are governed by a rule-book that tells the people how they may and may not act. It gives limits to what people can do and directs them how to live in a just way.

A democracy allows **no limits** to what is right and wrong. It allows human sin to rule and allows insanity to spread in a contagious manner.

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Democracy is a form of government where **the people hold the power and make decisions**, either directly or through elected representatives:



There is even a simpler way to explain the troubles of majority rule. Ask yourself how many of your day-to-day choices would you like to have chosen through the democratic process of majority rule.

Would you want the kind of car you own to be decided through a democratic process, or would you prefer purchasing **any car you please**?

Would like your choice of where to live, what clothes to purchase, what foods you eat, or what entertainment you enjoy to be decided through a democratic process?

I am sure that at the idea that these choices should be subject to a democratic vote, most of us would deem it a terrible attack on our liberties.





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So what is the difference between republican and democratic forms of government?

John Adams explained the difference when he said, “You have rights that came before all earthly governments; rights that cannot be changed or restricted by human laws; rights that came from from the Great Legislator of the Universe (GOD).”

Nothing in our Constitution suggests that government is a **grantor** of rights. Instead, government is set up as a **protector** of rights.

Understanding that it is government that poses the greatest threat to our liberties, the framers (people who wrote the US Constitution) used negative phrases to describe Congress throughout the first 10 Amendments to the Constitution, such as: shall not abridge, infringe, deny, disparage, and shall not be violated, nor be denied.

In a **Republican** form of government, there is **rule of law**. All citizens, including government officials, are **accountable to the same laws**. Government power is **limited and decentralized** through a system of **checks and balances**.

Government intervenes in civil society to protect its citizens against force and fraud, but does **not intervene** in the cases of peaceable, voluntary exchange.



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Let's compare the framers' vision of a Republic, with that of a Democracy.

According to Webster's dictionary, a democracy is defined as "government by the people; especially: **rule of the majority.**" In a democracy the majority rules either directly or through its elected representatives. **As in a monarchy,** the law is **whatever the government determines it to be.** Laws do not represent reason. **They represent power.**

Is a Democracy a Christ-like way to rule? Why or why not?



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AMERICAN HISTORY - WHY FREEDOM MATTERS

CONSTITUTIONAL REPUBLIC VS DEMOCRACY - WHO WINS?

1 Samuel 8:1-22

Israel Asks for a King

When Samuel grew old, he appointed his sons as Israel's leaders.

2 The name of his firstborn was Joel and the name of his second was Abijah, and they served at Beersheba.

3 But his sons did not follow his ways. They turned aside after **dishonest gain** and **accepted bribes** and **perverted justice**.

4 So all the elders of Israel gathered together and came to Samuel at Ramah.

5 They said to him, "You are old, and your sons do not follow your ways; now appoint a king to lead us, such as all the other nations have."

6 But when they said, "Give us a king to lead us," this displeased Samuel; so he prayed to the Lord.

7 And the Lord told him: "Listen to all that the people are saying to you; **it is not you they have rejected, but they have rejected me as their king**."

8 As they have done from the day I brought them up out of Egypt until this day, forsaking me and serving other gods, so they are doing to you.

9 Now listen to them; **but warn them solemnly** and let them know **what the king who will reign over them will claim as his rights**."



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1 Samuel 8:1-22

10 Samuel told all the words of the Lord to the people who were asking him for a king.

11 He said, “This is what the king who will reign over you will claim as his rights: He will take your sons and make them serve with his chariots and horses, and they will run in front of his chariots.

12 Some he will assign to be commanders of thousands and commanders of fifties, and others to plow his ground and reap his harvest, and still others to make weapons of war and equipment for his chariots.

13 He will take your daughters to be perfumers and cooks and bakers.

14 He will take the best of your fields and vineyards and olive groves and give them to his attendants.

15 He will take a tenth of your grain and of your vintage and give it to his officials and attendants.

16 Your male and female servants and the best of your cattle and donkeys he will take for his own use.

17 He will take a tenth of your flocks, and you yourselves will become his slaves.

18 When that day comes, **you will cry out for relief from the king you have chosen, but the Lord will not answer you in that day.”**

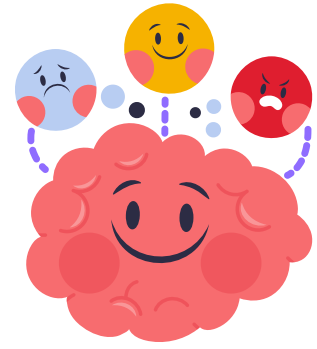
19 **But the people refused to listen to Samuel. “No!” they said. “We want a king over us.**

20 Then we will be like all the other nations, with a king to lead us and to go out before us and fight our battles.”

21 When Samuel heard all that the people said, he repeated it before the Lord.

22 **The Lord answered, “Listen to them and give them a king.”**





According to Webster's dictionary, a democracy is defined as "government by the people; especially: rule of the majority."⁹

In a democracy the majority **opinion** of the people rules either directly or through its elected representatives.

As in a monarchy, **the law is whatever the government determines it to be.**
Laws do not represent reason. They represent power.

The restraint is upon the individual instead of government. Unlike the rights envisioned under a republican form of government, rights in a democracy are seen as **privileges and permissions that are granted by government** and can be taken away by the government.

There is considerable evidence that demonstrates the disdain held by our founders for a democracy. James Madison, in Federalist No. 10, said that in a pure democracy, "**there is nothing** to check the inducement to **sacrifice the weaker party or the obnoxious individual.**"⁹

At the 1787 Constitutional Convention, Edmund Randolph said, "that in tracing these **evils to their origin** every man had found it in the turbulence and follies of democracy."⁹

John Adams said, "Remember, democracy never lasts long. **It soon wastes, exhausts, and murders itself.** There was never a democracy yet that did not commit suicide."⁹

Later on, Chief Justice John Marshall observed, "Between a balanced republic and a democracy, **the difference is like that between order and chaos.**"⁹

In a word or two, the Founders knew that a democracy would lead to the same kind of tyranny the colonies suffered under King George III.

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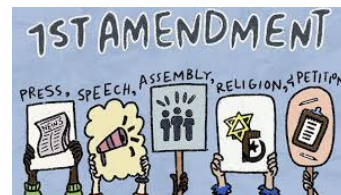
AMERICAN HISTORY - WHY FREEDOM MATTERS

THE BILL OF RIGHTS

The First Amendment

The First Amendment of the United States Constitution provides several protections. This includes the right to peacefully express ideas by speaking or writing and gather with a group for different reasons.

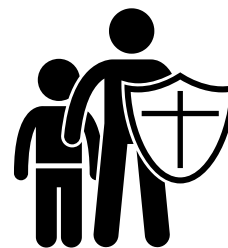
The First Amendment also protects against the government establishing a religion. It protects the freedom to practice your religion. The government cannot make laws that target specific religious practices or put too much burden on people's worship. Congress also has to let the media say what they want and allow people to peacefully protest in public.



The Second Amendment

People have the right to have a well-regulated militia. They can have arms too. It is **vital** for a free country not to take away this right because it protects the First Amendment.

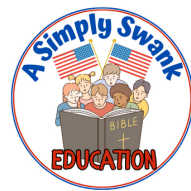
The founders wanted to make sure that people were allowed to keep and protect themselves. They wanted people to be able to defend themselves against any threat, including against their own government or tyranny. The Second Amendment was included in the Bill of Rights because many people were concerned about what would happen to their rights if they did not protect them.



The Third Amendment

The Third Amendment says that the federal government cannot force homeowners to let military people live in their houses. Before the Revolutionary War, legislation gave British soldiers the right to occupy private residences on behalf of the crown.





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THE BILL OF RIGHTS

The Fourth Amendment

The Fourth Amendment protects you from unreasonable search and seizure. This means that the government can't come to your house unless they have a warrant. They also can't take anything away from you.

Officers can't search your house or your body unless they have a good reason. They have to go to a judge first and present just cause to come into your home to search for evidence that you are doing an illegal thing.



The Fifth Amendment

The Fifth Amendment protects people who are accused of crimes. It says that a grand jury must start severe criminal charges. The accused cannot be tried twice for the same crime, and they cannot have property taken away without just compensation.

The person also has the right against self-incrimination and has to be given fair procedures and trials, which protect them from being imprisoned without due process of law.

The Founding fathers believed that property was one of the natural rights. They protected this right by putting it in the Fifth Amendment. The government can take the property, but they have to pay for it.





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The Sixth Amendment

The Sixth Amendment provides additional protections when you are accused of a crime, such as the right to have a public trial. You can have your witnesses and have a lawyer help you with the case.

If you are arrested, and then you are charged with a crime, you still have rights. You have the right to have your trial soon and in public so that everyone knows what is happening. A jury will then decide the case. This jury will be composed of civilians from where you live if that is what you wish.

You also have the right to know what you are accused of doing wrong and see the witnesses against you. You also have the right to a lawyer if you can't afford one—and if not, then the government will pay for it.



The Seventh Amendment

The Seventh Amendment is about the right to a jury trial in federal civil cases, like lawsuits. It gives you the right to have a due process.

Due process means that the government must treat its citizens fairly. The government must follow laws and procedures when it wants to restrict or take away your rights, like your right to life, liberty, or property. This makes America a country where people are treated as equals because everyone's rights are protected equally under the law





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The Eighth Amendment

The Eighth Amendment prevents people from being punished too much for crimes. It stops authorities from imposing excessive bail and fines and punishing people in ways too cruel or unusual. The Constitution guarantees you many rights, like the right to a fair trial and protection from cruel punishment.

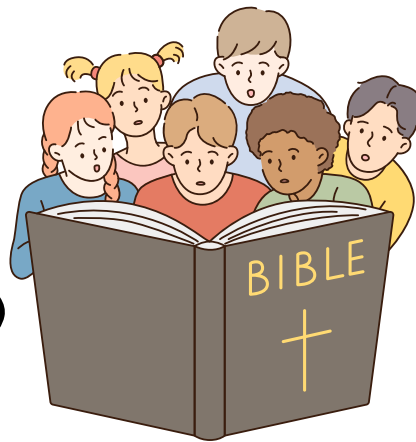


The Ninth Amendment

The Ninth Amendment says that the list of rights in the Constitution does not mean people don't have other rights. Americans value their freedom to make essential choices. They can do what they want to do, as long as it doesn't hurt other people.

The Ninth Amendment is about people's rights not listed in the first eight amendments or other places in the Constitution. This can make it hard to know what these rights are.

The Ninth Amendment is crucial for personal liberty. People think that the rights that are not listed in the Constitution are up to us to decide. This can be a problem because people are balancing personal liberty and democracy.





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The Tenth Amendment

The Tenth Amendment says that if the Federal Government does not have the power in the Constitution to do something, then it belongs to the state government or individuals.

People disagree on how much power the government should have. For example, some people think that the state and national governments should do whatever they want. Others say that it is more important to divide power between and within governments. The Founders agreed on this: the federal system is a good idea for America.

The Founders wanted a government that was strong but not too powerful. One way they did this was to create a federal republic. The national government had specific powers, and the other ones were left with the states or the people.

A federal republic is a form of government where power is divided between a central government and regional governments.

The central government has limited powers, and the regional governments retain some autonomy.

The people hold the ultimate power, but elect representatives to exercise it.



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