1.1 Foundations of American Government

Explain how democratic ideals are reflected in the Declaration of Independence and the U.S. Constitution.

Life is a power struggle. Collectively government reflects how we as a people resolve that struggle. The essence of our government has been codified in the words of the United States Constitution. Our limited government was and is rooted in historical tradition, theory, conflict and compromise. Both the writers of our constitution and the vast majority of voters today have settled upon a representative democracy. A balance between governmental power and individual rights has been a hallmark of American political development. Our limited government is rooted in the ideals of natural rights, popular sovereignty, republicanism and social contract. Political disputes invariably collide at the intersection of power and rights, legitimacy and authority.

Fundamentally our Founders maintained an essential commitment to a limited government. The United States government would set boundaries as laid out in explicit formal expressed powers. The new government would be comprised of three branches – the legislative, executive and judicial – all separate but responsible for checking and balancing each other. This separation of powers not only limited government but also fulfilled the promise of our revolution. Ultimate legitimacy and authority is found in the people. Popular Sovereignty is the idea that the government’s power comes from the will of the people or the “consent of the governed.” Popular sovereignty could only be safeguarded if government was limited. The Constitution diluted power even more by creating a federal form of government. In this way power and authority would be shared between central, state and local governments. In the end the rule of law would protect not only the liberty but also the equality of all.

The experiment that is American republican government is rooted in the laboratory of history. Certain individuals and the debates they initiated have proven to be critical in the development of the fundamental ideas that make up our political thought. Key documents instruct American thought on limited government, natural rights, popular sovereignty, republicanism and social contract.

The English commitment to the rule of law traces at least back to the Magna Charta (1215) when the nobles rose up and challenged the king’s absolute rule. Yet arguably the truest ancestor of American representative democracy is Thomas Hobbes (1588-1679). In his seminal book Leviathan (1651) Hobbes found man to be “nasty and brutish” in his “state of nature.” Therefore a just society required consent through a social contract, a constitution, in order to protect the rights and liberties of the “body politic.” John Locke’s Second Treatise on Government (1690) aimed to resolve the sovereignty question. The “laws of nature” established certain standards; equality of all for instance, and it was the role of government to protect these absolute rights. Locke also emphasized popular sovereignty as the legitimizing authority in building a social contract rooted in natural rights. Montesquieu’s Spirit of the Laws (1748), however, gave form to many of these foundational commitments. Republicanism, representative democracy, cannot be preserved through virtue alone. The rights of man can only be protected when governments dilute their legitimate authority through the separation of powers. Montesquieu’s clear delineation of legislative, executive and judicial functions provided a prototype of good government. Our democratic ideals can clearly be seen as offspring of these foundational texts.

The story of American government has its seminal texts as well. Historians note that some of our first colonists who signed The Mayflower Compact (1620) were committed to “equal laws” enacted for all peoples for the “general good.” Yet it was the towering achievement of Thomas Jefferson credited for authoring the Declaration of Independence (1776). Along with help from John Adams and Ben Franklin, 3 Jefferson’s transformative text still serves as a manifesto of freedom to oppressed peoples around the world. Written with the specificity of a lawyer’s brief, our Declaration makes our purposes quite clear:

“We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.”
There can be little doubt as to our first principles. Limited government, natural rights, popular sovereignty, republicanism and social contract can all be found in our Declaration. It was James Madison, however, who is credited for superintending the conflict and compromise in Philadelphia that ended up as our United States Constitution (1789). In the heat of a Philadelphian summer in 1787, 55 delegates codified into a social contract a constitution based upon democratic ideals. The work of George Washington, Alexander Hamilton, James Madison and members of the “Grand Committee” assembled a blue print for a unique form of political democracy in the United States. The Grand Committee was responsible for solidifying the Great Compromise (Virginia and New Jersey Plans). Today it still stands. The U.S. Constitution is the longest lasting and most durable government charter in human history. By adding a Bill of Rights our founders sealed a “body politic” that would have vindicated the work of Thomas Hobbes and those political theorists that could only have dreamed of a true and just commonwealth in their day.

**Explain how models of representative democracy are visible in major institutions, policies, events, or debates in the U.S.**

Why government at all?

The word “government” is derived from a Latin word that means, “to manage.” As societies grew more and more complex governments were formed to help manage group norms. These norms are established in the form of laws and public policies. Here our norms have been collected in a written social compact, a constitution. American constitutionalism was established to clearly delineate legitimate policy-making power and to extend ultimate authority to all by giving equally certain inalienable rights. Loyal to a republican form of government, the United States was founded on popular sovereignty. Power and rights, legitimacy and authority are found in the hands of the people who have been endowed with certain inalienable privileges and prerogatives.

Certain salient concepts give breath to the grand American experiment in self-rule. Nevertheless, tension between governmental power and individual rights has characterized American political development.

Whereas direct democracy empowered the people to rule without representatives, the framers of our constitution opted for a representative democracy (a type of democracy founded on the principle of elected officials representing a group of people) known to history as a republican form of government. In this way the untrustworthy passions of the people were insulated through the direct election of qualified representatives. Republicanism in theory hopes to represent all of the people and not just majorities. The original constitution only allowed for the direct election of the House of Representatives. The 17th Amendment eventually allows for the direct election of Senators.

Tensions continue to exist over how best to sustain representative democracy in the United States. Three primary models of representative democracy can be observed in our major institutions, policies, events and debates. The first model emphasizes participatory democracy. Participatory democracy is a model of democracy in which citizens have the power to decide directly on policy and politicians are responsible for implementing those policy decisions. A second model emphasizes a pluralist democracy. Pluralist democracy is a model of democracy in which no one group dominates politics and organized groups compete with each other to influence policy. A third model emphasizes elite democracy. In this model the primary political decisions are made and enforced by a select group of advantaged citizens (well educated, wealthy). All three models can be readily seen in the American political arena.

A close look at our Founding documents and the events that give them context suggest that all three representative democracy models have been present since our beginning. Early on in our political history Federalists and Anti-federalists debated the proper meaning and placement of power and rights in American representative democracy. In Federalist 10, one of many Federalist essays written to advance the new constitution, James Madison argued strongly for a pluralist democracy. The best way to protect the rights of the people from dangerous factions is to encourage a large republic of competing groups. Conversely the Anti-federalists argued a large pluralistic republic would result in an unwieldy polity. A large republic, they argued in an essay entitled Brutus 1, would increase the power and rights of certain elite while diminishing the power and rights of the people. This debate still continues.
So too today we see the tension between these three representative democracy models in our institutions, policies, events and debates. Groups like the Tea Party and Occupy Wall Street demonstrate the ability of everyday citizens to affect policy from the grassroots. Participatory democracy is alive and well in America today. So it can be said for pluralist democracy. Interest groups like the U.S. Chamber of Commerce and the Sierra Club compete against each other over environmental policy both locally and at the national level. Elite opinions as well continue to play a disproportionate role in our major institutions, policies and events. Elected officials, appointed public servants, corporate voices and even entertainment figures often guide and direct our most pressing debates.

From the beginnings of our republic the ideals of American representative democracy have been translated into reality in various ways. Three models of representative democracy – participatory, pluralist and elite – are reflected through our major institutions, policies, events and debates. Tension between governmental power and individual rights has characterized American political development. At stake nothing less than the legitimacy and authority of our government.