

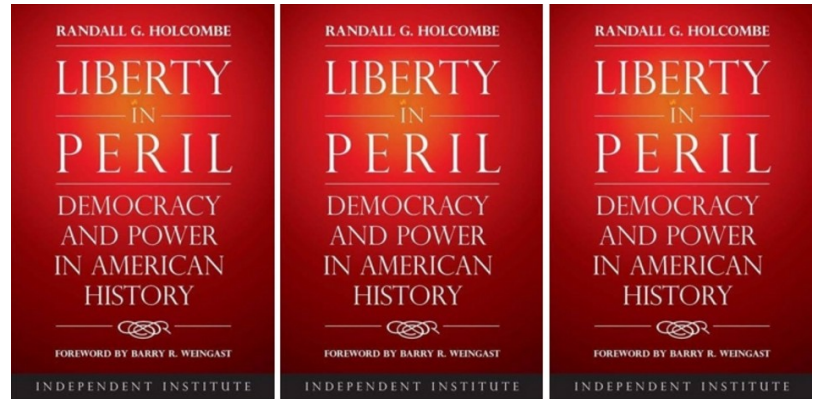


Written by [Joe Wolverton, II, J.D.](#) on November 25, 2019

## Book Review: “Liberty in Peril: Democracy and Power in American History”

*“There must certainly be a vast fund of stupidity in human nature, else men would not be caught as they are, a thousand times over, by the same snare; and while they yet remember their past misfortunes, go on to court and encourage the causes to which they were owing, and which will again produce them.”*

— *Cato’s Letters No. 13, January 21, 1721 (John Trenchard)*



When asked what system of government is found in the United States, nearly everyone would respond, “Democracy.”

While incorrect, people can be forgiven for this error. Americans and their leaders for decades have referred to the government as a democracy and touted the “democratic” ideals they believe to be enshrined in the Declaration of Independence and the U.S. Constitution.

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Now comes Independent Institute’s latest book — *Liberty in Peril: Democracy and Power in American History* — to set the record straight and to reveal through the author’s chronicle of the subtle and destructive shift from liberty to democracy that has seen the United States slouch closer to a Roman conclusion.

“Liberty is in peril,” writes Dr. Randall G. Holcombe, the author of *Liberty in Peril*, “because our founding principles are being replaced by the democracy of popular opinion and special-interest groups, instead of freedom from the powers of government.”

Holcombe’s rehearsal of the truly revolutionary change in America from a people jealous of their liberty and determined to deny despots of the power to put them in political chains is at once empowering and embarrassing.

It took less than two centuries — the blink of an eye historically — for the United States to shift from a liberty ethos to a democracy ethos. The failure of people, politicians, and pundits results in skewed views of history and incorrect consideration of current events.

These distortions are important because the incompatibility of liberty (understood by the Founders as freedom bounded only by natural rights and the express consent of the governed) and democracy (majority rule) is dismissed. That’s an oversight that is played out daily in the nation’s courts, in media headlines, and in minds of a people who think that it’s freedom’s fault that we find ourselves constantly in conflict one with another. But democracies do not safeguard freedom. As James Madison pointed out, they instead are “as short in their lives as they have been violent in their deaths.”

As anyone who has bothered to read the words of the men who wrote our Constitution knows, America is not a democracy and most of the men whose signatures appear at the bottom of that document would have left without endorsing it had they thought for a minute they were creating a democracy.



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There is so much invaluable information contained within the covers of Holcombe's *Liberty in Peril*. The historical narrative set forth by the author is accurate and supported by an impressive bibliography.

That said, the book describes our descent from the world's truest protector of our people's life, liberty, and property to a people ruled — yes, ruled — by an elected oligarchy that rather than protects our property has sent “swarms of officers” to destroy and seize it.

And our liberty has likewise been imperiled by decades of unconstitutional acts of a government whose powers were once described as “few and defined,” but who now regulates everything dear to human existence and has mouthful by mouthful swallowed the sovereignty of the several states.

One of the longest lunges toward federal supremacy was the purported ratification of the 14th Amendment to the U.S. Constitution. “While many factors have conspired to increase the scope and power of the federal government over its history, no amendment to the Constitution has conferred more power to the federal government than the Fourteenth” Holcombe explains.

The War Between the States, as Holcombe styles the bloodbath that followed the declaration of secession by several of the southern states, resulted in great leap forward for the accumulation of federal power and an immeasurable infringement on the ability of the states to resist federal overreach. For the first time, the government seated in Washington, D.C., regarded the states as nothing more than subordinates with the obligation of carrying out the will of the potentates on the Potomac.

“Prior to the ratification of the Fourteenth Amendment, it was presumed that the Constitution placed limits on the actions of the federal government, but that it did not bind the states,” Holcombe writes. “The Fourteenth Amendment for the first time explicitly extends federal power to cover actions of the states,” he adds.

While there are arguments as to whether the Fourteenth Amendment was ever constitutionally ratified, it inarguably forever altered the structure of government as established by the Constitution. In fact, it was the launching pad from which the shuttle of supremacy blasted off.

From that moment, the federal beast ranged farther and farther outside of its constitutional cage, until the Leviathan devoured the cage itself and set its sights on extending its tentacles into every state, every home, and every life.

### **Enter the Progressive Era**

Progressive intellectuals and politicians championed an expansive role for the federal government, one that sought to actively promote people's economic well-being while also protecting their rights. At first, the Progressives aimed mainly at limiting the economic power of the nation's new industrialists, but soon they sought to create and expand safety-net programs such as Social Security, which looked out for the financial health of older Americans, and welfare programs that targeted the most economically disadvantaged.

Once Americans realized that the rules of “democracy” empowered them to elect men who would weave a gigantic safety net under them from cradle to grave, there was no end of people prepared to cast such votes and no end of politicians prepared to be the beneficiaries of that franchise.

Next, Holcombe lists the Great Society as a milestone on America's road away from republican liberty and toward democratic rule.

Until the 1960s, the federal government expanded in scope and power mainly in response to what people perceived were major problems. In contrast, President Johnson's Great Society reforms were



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enacted at a time when things were getting better. They established anti-poverty programs as poverty rates were falling and healthcare programs as health indicators and life expectancy were improving. The Great Society programs, which were created because they were popular, firmly established democracy as the primary principle underlying government, displacing liberty.

Due in large measure to the federal government's consolidating of control over the curriculum in the country's schools, Americans have forgotten the Founders' reasons for shedding blood on Lexington Green and Bunker Hill and all the other battlefields of the War for Independence. We don't understand the concepts of liberty as understood by our ancestors. We have little to no knowledge of the sources — ancient, continental, and British — from which our fathers learned the timeless principles of liberty and limited government.

Our schools teach of a consolidated government, of a "Supremacy Clause," and of a federal government that is responsible for feeding, clothing, teaching, and taking care of every American, and of most of the world. Holcombe warns where this thinking will take us.

"The dangers of democracy are not as readily apparent as the dangers of dictatorship, but they are just as menacing. Unfortunately, many Americans do not appear to fully understand these dangers as they continue to push the foundations of their government away from liberty and toward democracy," Holcombe laments.

*Liberty in Peril: Democracy and Power in American History* is [available from the Independent Institute](#).



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