



Written by [Steve Farrell](#) on October 27, 2010

Is Democracy the Voice of God?

Back in August 2010, Judge Vaughn Walker engaged in the increasingly-played tyrannical game: “Stroke of the pen. Law of the land. Kinda cool!” when with no other authority than his own high opinion of himself and his revolutionary view of what he’d like California and American law to become, he struck down California’s Constitutional Marriage Amendment (previously known as Proposition 8).



Without a second thought, some conservatives instantly screamed in protest: “One judge wiped away the votes of seven million people!”

They were right. But was that the best they could do? Selwyn Duke, a contributing editor at this site, protested that the argument of his fellow conservatives had rhetorical value, but little else. “The reality is that if the Proposition 8 vote had been swung a few percentage points the other way, the measure wouldn’t have passed, and the left could be citing the will of the people to buttress its cause.”

“Right and wrong,” he continues [in his August 14th column](#), “aren’t determined by popular will.”

What some Americans miss by reasoning on such a superficial level of “we won the vote! Ha! Ha! — So you’d better obey!” is that we are in the midst of a very real and hot ideological war which will end in either liberty or slavery. Will it be the secular humanists and their determined communist, socialist, fascist, and anarchist allies, or the Judeo-Christians and their constitutionally conservative, pro-limited government, firm believers in and defenders of an American legal foundation of fixed, fundamental, and eternal laws? When confronting that daunting question, defending so vital and sacred a principle as the preservation of marriage and family on the shifting sands of majority opinion seems shortsighted, shallow, and sure to fail.

Don’t we need to stand up for those great moral and legal fundamentals boldly, and do so with intelligence and persuasion, humility and love, and with a better sweep of how the issue fits in to the big picture? A big picture that includes this: the American Founders gave us a republic — not a democracy — or what both Jefferson and Adams called “a government of laws and not of men”?

I think we know the answer. As to putting too much credence in majority opinions — and worse than that: “polling data” — the Founders by and large flatly rejected the ill-founded and presumptuous idea that the democratic will as found in the majority view is “the voice of God.” Yet we occasionally still hear it. And sure enough someone will quote Benjamin Franklin saying: “The judgment of a whole people is infallible,” to prove their point. But before they get the chance, I will kindly remind them what Franklin really said:

The judgment of a whole people *if unbiased by faction, undeluded by the tricks of designing men*, is infallible.

And that makes *all* the difference! The whole people have never been unbiased by faction, nor undeluded by the tricks of designing men. And under normal circumstances they never will be until the King of Kings whose right it is to reign on Earth comes and grabs hold of the reins. Barring his arrival



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today or tomorrow to save us from ignorance and sin, James Madison, the Father of the Constitution, warned of the reality of things as they stand now: “men are not angels” (see Federalist 51) and so wisdom dictates that they should never run the risk of concentrating political power: not in the hands of the one (Monarchy), the few (Aristocracy), or the many (Democracy).

What he and his fellow founders proposed and produced as the solution to those three defective systems (pure democracy generally thought of as the most volatile, violent, revolutionary, and short-lived of them all) was:

1. a mixed government that offers the best elements of each;
2. mixed forms of representation (the House elected directly by the people, the Senate by their respective state legislatures, the President by specially selected electors, and Supreme Court justices by the nomination of the President and the 2/3rds sustaining vote of the Senate);
3. frequent elections (but even this is mixed with elections every two years for the House, every six years for the Senate, via a biennial 1/3 rotation, every four years for the President, and as to the judges, which are appointed not elected, appointment for life dependent upon good behavior);
4. separation of the three great powers (legislative, executive, and judicial);
5. a variety of checks and balances to make this separation meaningful and workable;
6. a unique system of federalism or mixed sovereignty (between the federal and state governments) that specifies which few powers (and no more) are delegated to the federal government with all the remainder, the great bulk of them, retained by the states and the people;
7. a Bill of Rights that upholds the Higher Laws of Nature (discovered by reason) and of Nature’s God (confirmed by revelation) including most vitally: freedom of religion, speech, and press, the right to habeas corpus, to right to trial by a jury of peers, to right to face our accusers, to right to have witnesses for our defense, to right to petition the government, and so forth; and
8. a written Constitution that all the people can read, easily comprehend, and cite in their defense.

Or in other words: not a democracy at all, but an inspired *republic*, the greatest republic ever devised. One that permits, encourages, and protects input from the people, or self government, yes, but in a very elaborate, guarded fashion, so as to prevent the weaknesses, lusts, and ambitions of imperfect men from concentrating in any one place, so as to decrease the likelihood of the overthrow of liberty in a single day, or by a single vote.

And besides this, the Founders understood that for even this system to work and endure, the people must be educated and moral. Rarely taught today is one of the most fundamental reasons why the Founders thought freedom of religion and speech so vital to the health of the republic. It is this: their hope that left unmolested, truth and morality would triumph among the people, producing, in turn, an electorate moral enough and educated enough to uphold free government. Or to put it another way, the Founders didn’t believe the definition of successful self-government was ‘the right of the people to vote on which neighbor to rob, which church to blow up, which industry to pillage, whose or which rights to subvert, which group to favor and disfavor, and whether or not it would be okay to commit national suicide. Yet without education, without God, without people smart enough and disciplined enough to live wise and moral lives, these are the very things the people get into their heads and their hearts that they do have the right to do.

An ancient prophet leader gives this commonsense warning:

For as their laws and their governments were established by the voice of the people, and they who chose evil were more numerous than they who chose good, therefore they were ripening for



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destruction, for the laws had become corrupted.

Yea, and this was not all; they were a stiffnecked people, insomuch that they could not be governed by the law nor justice, save it were to their destruction.

Which is precisely the problem with democratic forms of government. One mob decision, one majority vote to impose wickedness, sin, and tyranny on one's neighbor or competitor for whatever the rationale; and political, economic, and religious liberty may end then and there, or a week, month, year, or decade later.

But our *republic* has survived these 223 years and counting!

Simply, this is why it shows a lack of wisdom to make our first or primary appeal to nothing more than a popular vote in order to justify vital matters like the defense of marriage, or to appoint a man or woman to what has become (without justification in the Constitution) so powerful an office as the President of the United States (I refer to the growing movement in the states to scrap the Electoral College).

Again, by way of contrast, our Founders' republic makes the road to tyranny via the plans of conspirators or the wanderings of the ignorant or the misguided desires of the lazy and lustful, a far more arduous, complicated ordeal. It makes it so that each change in the law fights a difficult, prolonged battle between competing forces and interests, all mixed up as they are, checking and balancing each other as they do, rarely harmonizing in an instant, or even a decade as is the case. Thus, the good, the just, and the wise are given time to rally their forces, get the word out, so that wisdom and virtue, truth and knowledge may yet prevail ... and the voice of God may actually, on occasion, find a home in the law, or in a Congress, and even lodge there for a season.

And *that* makes all the difference too.

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