

# A “Republican Form of Government”

by Alfred Adask

“The United States *shall* guarantee to every State in this Union a *Republican Form of Government*. . . .”

Article 4 Section 4 of the Federal Constitution is particularly interesting because it’s one of the few sections of the Constitution which expressly *mandate* specific obligations for the Federal Government. In contrast, read Article 1, Section 8, Clause 1:

“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . . .”

Note that while this section grants Congress the power to “lay and collect Taxes,” etc., it does not *mandate* that Congress shall do so. If Congress wants to “lay and collect taxes,” they can; they have the power to do so. But if Congress doesn’t want to “lay and collect taxes,” they don’t have to; they can refuse to exercise their power of taxation.

But under Article 4, Section 4, Congress has no such discretion. They *must* “guarantee to every State in this Union a *Republican Form of Government*. . . .”

The Federal mandate for a “Republican Form of Government” is echoed in Article 1, Section 2 of the Texas Constitution which reads,

“INHERENT POLITICAL POWER; REPUBLIC FORM OF GOVERNMENT. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands

pledged to the preservation of a *republican form of government*, and subject to this limitation *only*, they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient.” [Emph. add.]

In other words, the *only* form of government that can *ever* be lawful in Texas is a “*republican form of government*”. We Texans can change our State government any way we please, any time we please, “subject to *one* limitation *only*”—that we preserve a “*republican form of government*”—no matter what. I suspect that several other state constitutions include similar guarantees of a “republican form of government”. Seems that early Texans also thought a “*republican form of government*” was absolutely vital.

### Republican mystery

Problem is, *what* is a “republican form of government”?

I’ve been intrigued by that question for several years, but a clear definition of the concept has persistently eluded me.

For example, according to the 1<sup>st</sup> Edition of *Black’s Law Dictionary* (published in 1891),

**REPUBLICAN GOVERNMENT.** A government in the republican form; a government of the people; a government by representatives chosen by the people. Cooley, Const. Law 194.

Gee, that’s about as helpful as defining “black” as a “dark color”. You’d think they could you be a bit more precise, no? If there was a concise definition there, I wasn’t smart enough to see it.

I kept wondering why such an important concept was so poorly defined. After all, isn’t it a fundamental rule of lexicography that definitions don’t include the word being defined? If so, why did *Black’s* use “*republican form*” to define “*republican government*”? Were they merely negligent or intentionally trying to obscure the concept?

*Black’s* 4<sup>th</sup> Edition (published in 1968) provides virtually the same definition of “republican government” as *Black’s* 1<sup>st</sup> (1891). Once again, we’re essentially told that “republics” are very “republican”.

That’s not very elucidating. I couldn’t believe that “representation” was all the founders sought to guarantee in Article 4 Section 4 of the Constitution. After all, virtually every form of government—even dictatorships and communists—have some kind of “representation” for the people.

I simply couldn’t believe the Founders wasted quill and ink on Article 4 Section 4 of the Federal Constitution to simply mandate that the government allow the people to have representatives. A “Republican form of Government” had to mean much more. Further, the mysterious failure to concisely define a concept as fundamental and mandatory as “Republican Form of Government” implied that the meaning might be so important that it was intentionally obscured.

But what could that definition be?

### Military intelligence

I read the comparative definitions of “democracy” and “republic” in *U.S. Government Training Manual No. 2000-25* for Army officers (published by the War Department on November 30, 1928). Those definitions illustrate that in 1928, democracy was officially viewed as dangerous and our military was sworn to defend our “Republic”:

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**DEMOCRACY:** A government of the masses. Authority derived through mass meeting or any other form of “direct” expression. Results in mobocracy. Attitude toward property is communistic—negating property rights. Attitude toward law is that the will of the majority shall regulate, whether it be based upon

deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences. Results in demagogism, license, agitation, discontent, anarchy.

**REPUBLIC:** Authority is derived through the election by the people of public officials best fitted to represent them. Attitude toward property is respect for laws and *individual rights*, and a sensible economic procedure. Attitude toward law is the administration of justice in accord with fixed principles and established evidence, with a strict regard to consequences. A greater number of citizens and extent of territory may be brought within its compass. Avoids the dangerous extreme of either tyranny or mobocracy. Results in statesmanship, liberty, reason, justice, contentment, and progress. . . . [Emph. add.]

These military definitions were improvements over *Black’s* 1<sup>st</sup> and 4<sup>th</sup> Editions. We can tell that the Army regarded “democracy” as contemptible and “republic” as noble, but otherwise, the essential meaning of “republican form of government” remained elusive.

### Who hold sovereign power?

My search for the meanings of “republic,” “democracy” and “republican form of government” ended with *Black’s* 7<sup>th</sup> Edition (1999). Unlike previous editions, *Black’s* 7<sup>th</sup> doesn’t even define “republican government”—but it does offer an illuminating definition of:

REPUBLIC. n. A system of government in which the people hold sovereign power and elect representatives who exercise that power. It contrasts on the one hand with a pure democracy, in which the people or community as an organized whole wield the sovereign power of government, and on the other with the rule of one person (such as a king, emperor, czar, or sultan).

Ohh, that's a *beauty!* I'd read that definition several times since 1999 without recognizing the inherent implications. But once I saw the implied meaning, I was electrified.

First, note that definition focuses on "sovereign power". Who "holds" sovereign power? The answer to that question provides the *essential distinction* between a republic, a democracy and a monarchy (and probably all other forms of government).

But what is "sovereign power"?

It's pretty obvious that the words "sovereign," "king" and "monarchy" are so closely associated as to be almost synonymous. Further, in Western civilization, whenever one or more individuals hold "sovereign power," it's almost certain that such power flows from *God*. For example, to be an earthly "sovereign" (King), one must gain the authority of sovereignty from *God*. This is the fundamental premise for the "divine right of kings" (sovereigns). I.e., God is the source of all "divine" rights.

All other sources of authority are transient and simply based on raw power, survival of the fittest, and the idea that "might makes right" ("right" meaning "sovereign power"). Without a claim of *divine* origin of right, such "sovereign" powers are subject to constant challenge by anyone who believes his personal power

is comparable or superior to that of the existing King. But gilded with the presumption of a *divine* origin and implied Godly approval, "sovereign powers" can't be lawfully challenged by any mortal man. Such powers are, by definition, superior to any form of man-made (secular) political powers.

The idea that sovereign powers flow *directly from God* is consistent with the "Declaration of Independence" which reads in part,

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*. . . . [Emph. add.]

Clearly, just as the "divine rights" of English kings flowed from God, so did our "unalienable Rights".

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Further, if “*all* men [including kings] are created *equal*,” then it follows that whatever “divine rights” were accorded to *kings* by God in 1776 must be *equal* to whatever “unalienable Rights” were simultaneously granted to “all men” by God as established by the “Declaration of Independence”. After all, if all men (kings and commoners) are created equal, their God-given rights must likewise be equal. Ergo, “unalienable Rights” and “divine rights” should be synonymous. If so, any “divine right” that was recognized in English law as belonging to English kings in 1776 should also be included among the bundle of “unalienable Rights” accorded to Americans by the 1776 Declaration.

### Government’s purpose



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The third sentence of the “Declaration of Independence” reads:

That to *secure* these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. [Emph. add.]

Here we see the primary *purpose* for our “Form of Govern-

ment”: “to *secure* these rights”.

What “rights”?

Answer: The “unalienable Rights” (including Life, Liberty and the pursuit of Happiness) mentioned in the Declaration’s previous (second) sentence. Thus—if “unalienable,” “divine,” and “sovereign” rights are virtually synonymous—then the primary legitimate *purpose* for our government is to “secure” our God-given, unalienable (sovereign) Rights.

And who, pray tell, is the recipient of the Declaration’s sovereign/unalienable Rights? Is it We the People in a *collective* sense? Or is it We the People in an *individual* sense?

The correct answer is “individual”.

God endows *me* with “certain unalienable Rights,” and He endows *you* with “certain unalienable Rights” and He endows each of our neighbors with “certain unalienable Rights”.

At the moment of creation, *each* of us—as *individuals*—are equally “endowed by our Creator” with “certain unalienable Rights”. The idea that we are endowed *individually* (rather than collectively) with identical sets of sovereign/unalienable Rights is further supported by the State constitutions and the Bill of Rights which make it clear that virtually all of our sovereign/unalienable Rights are held as *individuals*.

### All for none and none or all?

OK—big deal, hmm? We hold our unalienable Rights as “individuals”. Someone alert the media.

Well, actually, it *is* a big deal because—if you’ll recall—the *Black’s* 7<sup>th</sup> definition of “republic” implies that the essential distinction between a monarchy, a republic and a democracy is determined by *who* holds the “sovereign powers”:

**REPUBLIC.** n. A system of government in which the *people* hold sovereign power and elect representatives who exercise that power. It contrasts on the one hand with a pure democracy, in which the people or community as an *organized whole* wield the sovereign power of government, and on the other with the rule of *one person* (such as a king, emperor, czar, or sultan). [Emph. add.]

Therefore, what is a *republic* and (by implication) a “Republican Form of Government”?

*Black’s* 7<sup>th</sup> does not expressly answer that question but it does provide enough contrasting definitions to allow us to deduce the mysterious meaning of “republic”.

First, a monarchy is the most easily understood form of government since the sovereign powers are held exclusively by *one* individual—the king. He alone has God-given, unalienable Rights. All others are “subjects” who have no legal authority or right to resist the King’s will.

However, distinguishing between a democracy and a republic is more subtle. *Black’s* 7<sup>th</sup> explains that in both a democracy and a republic, the sovereign powers are held by the *people*. Therefore, the first time you read that definition, you may be both confused and reassured. In either case, you see that the “people” hold the sovereign powers. OK, sounds great. We the People. Of the people, by the people, for the people. People, people, people. Sounds just like the all-American answer we’d expect to hear because we’ve been told all our lives that, in this country, the *people* are sovereign.

Uh-huh. But if you read the phrase defining a democracy again, you’ll see that “people” is qualified by “as an organized whole.” I believe that qualification is the key to understanding a republic.

If the “people” in a democracy hold sovereign power as an “organized whole,” they hold that power as a *collective*. Unlike a monarchy where *one* individual (the king) holds all sovereign power, in a democracy, the sovereign power is held by the collective, by the *group*. But—in a democracy *no* individual holds any sovereign power.

OK. *Black’s* 7<sup>th</sup> defines “republic” as a system of government in which the “people hold sovereign power.”

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So if a monarchy has *one* sovereign individual . . . and a democracy has *no* sovereign individuals . . . then it would seem to follow that in a republic . . . *all* individuals hold sovereign power!

Do you see the difference between a democracy and a republic?

In both forms of government, the *people* hold the sovereign power—but in the democracy those powers are held by the people as a *collective*, while in the republic, those powers are held by the people as *individuals*.

### **Individually-held, God-given unalienable Rights**

Thus, a “republic” is a system of government which recognizes

that each person is *individually* “endowed by his Creator with certain unalienable Rights.” I am individually endowed, you are individually endowed, our neighbors are each *individually* endowed.

Why is this *individual* endowment important? Because it doesn’t matter how the majority votes in a republic—they can’t arbitrarily deprive a single individual of his sovereign/unalienable Rights to “Life, Liberty and the pursuit of Happiness” unless some of those unalienable Rights have been expressly delegated to government through the Constitution.

In a republic, the majority can’t vote to incarcerate (or execute) all the Jews, Blacks, Japanese or patriots. Why? Because in a republic, “all men are created equal and endowed by their Creator with certain unalienable Rights”—and no man or collection of men (not even a massive democratic majority) can arbitrarily deprive *any* individual (even if he’s a “kike,” “nigger,” “gook,” “political extremist” or “religious fundamentalist”) of his God-given, unalienable Rights.

Why? Because in the American republic, every man holds the position of “sovereign” (one who enjoys the “divine rights of kings”). The American republic is essentially a nation of kings. Thus, as per the Declaration of Independence, a “Republican Form of Government” is one which *recognizes and “secures” each individual’s “sovereign powers”—his individually-held, God-given, unalienable Rights.*<sup>1</sup>

### **A republic’s covenant**

In a republic, every individual’s unalienable Rights cannot be violated or arbitrarily denied by any mortal man or democratic majority—*unless* that individual first violates his covenant with God. This principle is based on the premise that our “unalienable Rights” are *conditional*; they are given to each of us by God on condition that we obey the balance of God’s laws (like “Thou shalt not kill, thou shalt not steal, etc.). If an individual chooses to violate God’s law, he breaches his covenant with God, and his claim to God’s protections, blessings

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and endowment of “unalienable Rights” is forfeit.

For example, if it can be proved in a court of law that a particular individual has broken his covenant with God to “not kill,” that individual forfeits his own unalienable Right to Life and may be lawfully executed. An eye for an eye, a tooth for a tooth . . . do unto others as you would have government do unto you.

However, in a republic, execution cannot be lawfully imposed on isolated individuals or groups who haven’t *individually* breached their covenant with God. Why? Because that individual has God-given, unalienable Rights. Those individually-held rights are the basis for his defense. That’s the foundation for his presumption of innocence.

Why? Because the votes and opinions of all mankind taken together are trivialities when compared to God. If God endows an individual with a particular Right, the whole of mankind lacks sufficient collective authority to arbitrarily revoke or violate that right—unless that individual has first breached his covenant with God.

### Divine endowment

This Biblical interpretation may seem like so much “holy rolling,” but it has great significance in a “Republican Form of Government”. For example, in a republic, you can only be charged with a crime if you injure the person or property of another sovereign individual. So long as you don’t injure, rob or kill another sovereign (and thereby violate *his* God-given, unalienable *Rights*), there is no crime. In a republic, there can be no crimes “against the state” (the collective)—only against God. Likewise, except for certain biblical prohibitions (like working on the Sabbath), there are no “victimless crimes” in a republic.

However, in a democracy, the majority (or their presumed agent, the government) can vote that any act is a crime (hate speech, for example), even if no individual’s life, person or property is damaged. Thus, “victimless crimes” and “crimes against the state” (which are almost impossible in a true republic) are common under democracy. Why? Because there are no legitimate *victims* in a democracy. Why? Because, in a democracy, no individual has any unalienable Rights.

Without rights, you can’t be a victim; there’s nothing to damage. For example, to shoot a homo sapien without unalienable Rights is legally indistinguishable from killing a cow. Without God-given, unalienable Rights, there’s nothing intrinsic to violate.

Sure, the democracy may vote that murder is wrong (at least when committed against the majority). But that democratic collective can likewise vote that murdering Jews, Blacks, homosexuals, patriots—or even specific individuals like Jesus Christ—is quite alright. As citizens of a democracy, we each have no more *individual* rights than cows. Without individually-held, God-given rights “secured” by a “Republican Form of Government,” we have no intrinsic value and may be fairly characterized as “human resources”. In a democracy, we each have no individually-held, unalienable Rights to shield us against the arbitrary will of the majority or their agents: government.

Think not? Ask Vickie Weaver about her unalienable Right to Life



in our fair “democracy”. FBI hitman Lon Horiuchi simply shot her in the head like any other dumb animal. Why? Because, as a citizen of a democracy (where the sovereign powers are held by the *collective*) Vickie Weaver had no *individual* right to Life. Same was true for the Branch Davidians. Same is true for you and for me. In a democracy,

there are no individually-held, unalienable Rights so we are all individually defenseless against the majority and/or the government.

Look at the ranchers and farmers in Klamath Falls, Oregon. They’re losing their homes to save some suckerfish. They’re shocked to learn that our government doesn’t recognize or secure their “unalienable Rights to Life, Liberty and the pursuit of Happiness” (property).

But the truth is that—as citizens of a *democracy*—those individual ranchers don’t have *any* unalienable Rights to their property. The democracy has “spoken” (if only by its silence). The majority has presumptively ruled (at least, they haven’t complained loudly) that endangered suckerfish are more important than the “suckers” who allowed themselves to become citizens of a democracy.

The citizens of Klamath Falls are learning that, as a tiny minority in a national democracy, they are as defenseless as Jews in a Nazi concentration camp.

### Slowly, slowly, cookie frogee

This doesn’t mean that a democratic government can do virtually anything it wants. It has to be careful. It can’t murder so many citizens or steal so much property that the majority of citizens of the democracy wake up and vote to stop government from killing or robbing individuals.

So a democratic government has to be sneaky. It has to control public opinion. It has to follow (almost worship) the public opinion polls. It can only implement so much abuse as the public will endure without actually getting angry enough to vote the s.o.b.s out. As a result, the only thing a democracy fears is public exposure.

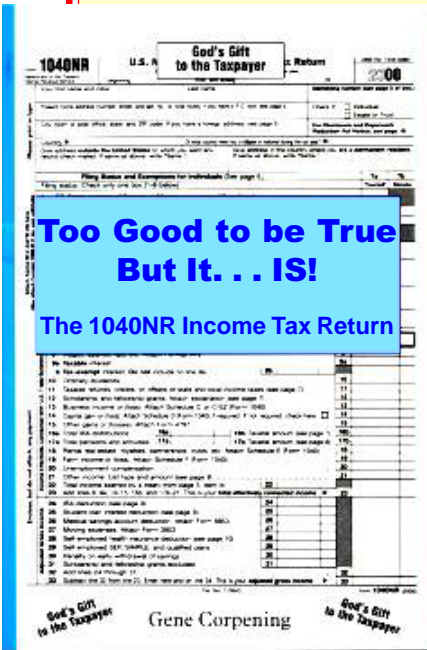
Conversely, in a republic, it’s simply unlawful for an FBI hitman to kill a woman holding a baby and get away with it. In a republic, government officials can’t flambe’ a bunch of kids in Waco and walk away with promotions and a fat pensions. In a republic, you can’t effec-

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*She had no idea what that meant.*

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tively “seize” another person’s property by declaring that property can no longer be used to raise cattle if that use adversely affects the lowly suckerfish. In a republic, *individuals* have unalienable Rights; suckerfish don’t. Thus, the rights of individuals are superior to the interests of suckerfish. In a republic, neither a 99% democratic majority nor the Gates of Hell can lawfully prevail over the God-given, unalienable Rights with which every *individual* is endowed.

See the difference?

In a monarchy, *one* individual holds the sovereign powers. In a democracy, *no* individual holds sovereign powers. But in a republic only, *all* individuals hold “sovereign powers” (God-given, unalienable Rights).

Where would you rather live? Where *only one* individual had sovereign powers? Where *no* individual had sovereign powers? Or where *all* individuals (including you) have sovereign powers?

### Democratic disabilities

*Black’s 7th* defines “democracy” as a system of government in which, “the people or community *as an organized whole* wield the sovereign power of government.” This implies that in a democracy, the *people* hold the sovereign power—but do so in the capacity of a single, artificial *collective*—not as an association of *individual* “sovereigns”.

Thus, democracy is a *collectivist* political philosophy characterized by a lack of individually-held, God-given, “unalienable Rights”. Also, note that the logical correlative of the *collective* rights of the “group” is the *absence* of rights for each *individual*. This absence of individually-held, God-given rights is the central feature of all collectivist philosophies (communism, socialism, etc.) since these systems presume that “sovereign power” is held by the *collective*, but not by any individuals.

Therefore, by definition, no citizen of a democracy can hold God-given, “unalienable Rights” to Life, Liberty and the pursuit of Happiness” as an *individual*.

Why? Because, if a democracy recognized the legitimacy of *individual* rights as God-given and thus superior to any claim of “collective” rights, the power of the democracy and majority rule over specific individuals or minorities would disappear. By simply invoking his God-given, unalienable Rights, any individual could thumb his nose at virtually any vote by the democratic majority. So long as I have an unalienable Right to Life, it matters not if 250 million Americans all vote to hang me. So long as I am *individually* “endowed by my Creator with certain unalienable Rights,” I can tell the whole world to “stuff it” by simply invoking my *individually*-held, unalienable Rights.

Do you see my point? By *definition*, a democracy can’t work—can’t exercise the arbitrary authority of the majority over the minority—can’t even *exist* where unalienable Rights are granted to *individuals* by the supreme authority of *God*.

And, at least coincidentally, according to Brock Chisolm, former Director of the UN’s World Health Organization, “To achieve world government, it is necessary to remove from the minds of men, their

*individualism*, loyalty to family traditions, national patriotism and *religious* dogmas.”

Do you see how a democracy—which denies both *individual* rights and the *God* that granted them—could diminish the republican forces of individualism and faith that would naturally resist one world government? Do you see how a “democratic form of government” might be ideal for implementing a New World Order?

In fact, if you’ll read the United Nation’s “Universal Declaration of Human Rights” (adopted Dec. 10, 1948), you’ll see that Article 21(b) explains the basis of the U.N.’s one-world government:

“The *will of the people* shall be the basis of the *authority of government*; this shall be expressed in periodic and genuine *elections* which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.” [Emph. add.]

The basis for the authority of all U.N. governments isn’t God, but the “will of the people” as expressed in “periodic elections” (rather than fixed constitutions). That’s a democracy, folks. And that 1948 U.N. “Declaration” is probably the political foundation for the world’s 20<sup>th</sup> century march toward our “beloved” democracy.

Think not?

Read Article 29(2) of the same U.N. “Declaration”:

“In the exercise of *his rights and freedoms*, everyone shall be subject only to . . . the rights and freedoms of *others* . . . in a *democratic society*.” [Emph. add.]

In other words, despite the considerable list of rights which the U.N.’s “Declaration” claims to

provide for all individuals, those individually-held “human rights” are absolutely subject to the “rights and freedoms of others”. Note that “others” is plural. Thus, the individual’s rights are always subject to that of the *group*, of the *collective*. In other words, whenever two or more are gathered in the U.N.’s name, a single person’s claim to “individual rights” is meaningless.

As a collectivist form of government, the U.N. democracy is funda-

## ***If I were feeling sassy***

and I met a high-ranking IRS official, I might say, “Look, I filed my de-taxing affidavit and did the UCC Redemption process, so I’m *through* with you guys! I’ll *never* file another income tax return as long as I live!”

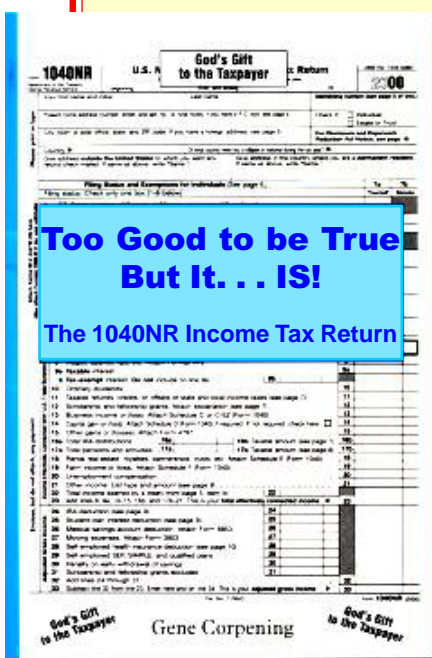
Guess what that IRS official might say:

“That’s fine, Mr. Corpening. We have no objection with that. You’re eighteen, and we respect your right to file those papers. In fact, why didn’t you file them *twenty years ago*?”

**And I’d be standing there with pie on my face!**

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mentally indistinguishable from communism or socialism.<sup>2</sup> More importantly, by rejecting the concept of individually-held, *unalienable* Rights, every democracy (including the U.N., the New World Order and/or the United States) must likewise reject the *source* of those unalienable Rights: God.

Like all *collectivist* political systems, democracies must be *atheistic*. Although a particular democracy may allow its subjects to engage in some religious activity, none of those religious principles can be officially recognized or given any authority by the collectivist state. (Can you say “separation of church and state,” boys and girls?)

### Collective self-destruction

But democracies aren't merely dangerous to individuals, they're even dangerous to the collective because—without individually-held, unalienable Rights—there is no defense against unlimited government growth, taxation, regulation or oppression. A massive, unlimited New World Order (or American bureaucracy) is the inevitable expression and consequence of the principles of democracy.

Consider: In 1978, William E. Simon (Secretary of the Treasury in the Nixon and Ford administrations) complained that the federal expenditures exceeded \$1 billion a day. Twenty-three years later, our federal government spends about \$56 billion per day. Of course, our economy has grown since 1978, and inflation has reduced the value of \$56 billion in today's dollars to about \$20 billion in 1978 dollars.

Still, did federal expenditures (and taxes, regulations, and intrusion into private lives) grow at least ten-fold in the last 23 years because the citizens of our “democracy” *voted* for that growth? Or did it grow because in a democracy, we have no claim to the *individual* rights that would automatically inhibit such extraordinary government growth?

In a “Republican Form of Government”—where individually-held, God-given rights are presumed and “secured”—government can't grow except by the *express* will of the people as demonstrated through constitutional amendments. But in a democracy, where there are no God-given, individual rights to inhibit government growth, the will of the collective is expressed *only* every two years in the form of elections. Once elected, our “representatives” are empowered to vote for virtually *anything* and *everything* they want since they're presumed to enjoy the support of the majority of the collective. Unless the people complain bitterly and even vote against incumbents—without individually-held, God-given rights, there is no restriction on government growth in a democracy.

For the most accurate information on the so-called “income” tax and the 16th Amendment, see:  
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In a democracy, government can take your guns. They can take your kids, your property and your cash. In fact, they can take your life. Every one of those “takings” (and thousands more) are possible and absolutely legal because subjects of a democracy have *no* individually-held, unalienable Rights to protect them against arbitrary exercise of government power.

If it’s lawful for government to take virtually anything it wants from subjects of the democratic collective, then it’s certainly lawful for government to create and enlarge as many bureaucracies and enforcement agencies as it deems necessary to implement the unrestricted takings.

Do you see my point? God-given, unalienable Rights don’t merely protect us as individuals from government oppression, they are the fundamental bulwark that protects the whole nation against the growth of massive, governmental bureaucracies.

### The “First” Bill of Rights?

So what is the “Republican Form of Government” that’s *mandated* by Article 4 Section 4 of the Federal Constitution?

Answer: A system of government that recognizes the God-given, unalienable Rights of *individuals*.

And what did the “Declaration of Independence” say was the fundamental purpose for all just government? “To secure these *rights* . . . .”

Which rights?

The “unalienable Rights” given to each *individual* by God and referenced in the previous sentence of the Declaration.

Thus, the first obligation of the “Republican Form of Government” *mandated* by Article 4 Section 4 of our Federal Constitution is to secure God-given, unalienable Rights to *individuals*. Not secure rights to the *collective* or some king—but to secure unalienable Rights to every *individual*.

And note that while, “among these are Life, Liberty and the pursuit of Happiness”—this general list of unalienable Rights is not exhaustive. It is obvious that there are other, unspecified unalienable Rights which must also be “secured” by government. If so, Article 4 Section 4 of the Federal Constitution might be viewed as the original “Bill of Rights”.

Consider: The Federal Constitution was adopted in 1789. The Bill of Rights (first ten amendments) was adopted in 1791. But, in 1791, some people argued against adopting the Bill of Rights because 1) all unalienable Rights were already protected under the Constitution; and

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2) by expressly specifying some Rights, government might later be able to argue that other rights which were not specified did not exist or were not protected.

Until recently, I viewed those 18<sup>th</sup> century arguments as unconvincing. But now that I see that a “Republican Form of Government” is one that recognizes and “secures” *all* God-given, unalienable Rights, I also see that Article 4 Section 4 of the Federal Constitution (and similar sections in State constitutions) seem to guarantee *all* unalienable Rights to *all* individuals.

Thus, the 1791 Bill of Rights may have truly been unnecessary, redundant or even counterproductive. Worse, by focusing on the specific rights enumerated in the first ten amendments, we may have lost sight of the “mother lode” of unalienable Rights: the Article 4 Section 4 guarantee of a “Republican Form of Government” (one that “secures” our unalienable Rights).

By focusing on each specific right in the Bill of Rights, it’s become possible for democratic government to whittle away at each right whenever political conditions allow them to do so. They don’t attack all our rights at once; they simply whittle away a little at “due process” today, “freedom of speech” tomorrow, and the right to “keep and bear arms” next month. In a sense, it’s arguable that the Bill of Rights might allow government to “divide and conquer” our rights on a one-by-one basis and thereby slowly “cook” our freedoms like so many frogs. However, such cannibalism seems strictly prohibited under Article 4 Section 4 guarantee of a “Republican Form of Government”.

### **The mandate remains**

So far as I know, the last President to refer to this nation as a “republic” was John F. Kennedy. Since then, all presidents have referred to the United States only as a “democracy”—a political system which, by definition, *cannot* recognize the unalienable Rights and sovereign powers of *individuals*.

Does our current government secure our God-given, unalienable Rights? Obviously not.

Obvious conclusion? We no longer live in a republic. Instead, we’re entrapped in a democracy where unalienable Rights are not recognized or “secured” and no individual or minority is safe from the majority’s/ government’s arbitrary exercise of power or oppression.

Nevertheless, Article 4 Section 4 of the Federal Constitution is *still there*, un-amended, and *mandating* that “The United States *shall* guarantee to every State in this Union a Republican Form of Government . . . .”

So we seem to have a constitutional conflict. Our Federal and (some) State constitutions mandate a republic, but our government only provides a democracy.

I suspect that this conflict between the Article 4 Section 4 mandate for a “Republican Form of Government” and our modern democracy can be exploited as a defense against government oppression. I suspect that a defendant who 1) understands the full meaning of a



“Republican Form of Government” and 2) demands that the Article 4 Section 4 guarantee of such government be enforced—may raise a constitutional conflict or “political question” too embarrassing for most prosecutors to face.

If so, cases against defendants might “disappear” if those defendants essentially argued that, as *individuals* “endowed with certain unalienable Rights,” they could not be subject to the statutes, regulations and enforcement activities of a democracy—which, by definition, denies unalienable Rights.

More importantly, any government official who’s taken an Oath of

Office to support and defend the Constitution is duty bound to “guarantee” a “Republican Form of Government” and the attendant “unalienable Rights”. Therefore, if an official sought to impose rules or regulation upon you that were based on democratic principles rather than unalienable Rights—that official might violate his Oath of Office and incur personal liability.

So, if you claim you still have the unalienable Rights referenced in the “Declaration of Independence” and seemingly guaranteed by Article 4 Section 4 of the Federal Constitution, will government *publicly* admit that it’s not so? Even if government can prove that you don’t have unalienable Rights, you’re not in a “State of this Union,” or the Republic is long dead, they’d be unlikely to make those admissions publicly since doing so could alert the

democratic majority that they’ve been betrayed. Once “officially” alerted of their loss of individual rights, the public might rise up and vote (the democracy’s one remaining “right”) to restore the Republican Form of Government.<sup>3</sup>

Ironically, democracy only works if the public has no idea of what kind of mess they’re really in. If your courtroom defense threatens to “sound the alarm,” gov-co may decline to prosecute.

Further, I suspect that most government prosecutions for minor offenses (traffic, family law, etc.) take place in courts of *equity* rather than law. One axiom of equity jurisdiction is that the plaintiff must have “clean hands” to initiate a case in equity.

So, what would happen if the government tried to sue or indict you in a court of equity and you advised the court that the



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government's "hands" were "unclean" since it was operating as a *democracy* rather than the "Republican Form of Government" mandated by the Federal and (possibly) State constitutions? Could failure to provide a "Republican Form of Government" cost government its standing to sue in equity?

Similarly, Article 4, Section 4 might not only offer an intriguing defense against government prosecution, it might even provide a basis for aggressively *suing* a governmental entity or official that violated or refused to "secure" our unalienable Rights. Until Federal and State constitutions are amended to remove the republican mandate, there appears to be no wiggle-room, no excuse for not providing the People with a "Republican Form of Government".

If so, any governmental agent or agency that's put on proper notice of their constitutionally-mandated duty to provide us with a "Republican Form of Government"—and nevertheless continues to prosecute us as a subjects of the unauthorized democracy—might be personally exposed to financial and even criminal liability. More, intentional failure to provide a "Republican Form of Government" is arguably treason (a hanging offense). In fact, it's arguable that (like all collectivist political systems) democracy itself is anathema to the Declaration of Independence, treason to the Constitution, and blasphemy to God.

Faced with charges that they've knowingly refused to provide a "Republican Form of Government" and "secure" our "unalienable Rights," what could government agents do? Admit to a jury that the American people haven't had any unalienable Rights since the 1930s? I don't think so. But even if they made that admission, would the jury believe them? Probably not.

And therein lies the great vulnerability of a democracy imposed through deceit and enforced public ignorance. Government secretly imposed the democracy, because they knew the American people would never accept it, if they understood that abandoning the republic meant abandoning their unalienable Rights. As a result, government is in the awkward position of a teenage boy who brings a hooker home while his folks are on vacation. If his parents come home early, the kid must either hide the whore or pass her off as his history teacher—but he can't possibly admit that he's got a whore in the house. Likewise, our government can't openly admit it's brought the disease-bearing whore of democracy into our republic. Ohh, she's here alright, but all gov-co can do is act innocent, keep a big supply of condoms handy and hope we don't find out she's not our long-lost Aunt.

### **What shall we do?**

How can we eject the democratic bitch? The "Declaration of Independence" offers guidance:

"That whenever *any* Form of Government becomes destructive of these ends [securing our unalienable Rights], 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.” [Emph. and bracket add.]

In short, we have an unalienable Right (some say, “duty”) to *abolish* the democracy which denies our individually-held, God-given Rights. Based on the Article 4 Section 4 “guarantee,” we can *demand* restoration of the “Republican Form of Government” that secures our unalienable Rights. Such overthrow won’t happen soon since a successful referendum against democracy is a “political question” that will require a massive effort to educate the public to the blessings of a Republic and the disabilities of democracy.

However, for now, we can begin that educational process by simply challenging government to provide the “Republican Form of Government” that’s guaranteed by our Federal and (some) State constitutions. As our understanding grows, and more people begin to defend themselves based on the constitutional guarantee of a “Republican Form of Government,” we might see atheist democracy begin to crack, then crumble.

### Summary

1. Unlike monarchies and democracies, only a true Republic can “secure” God-given, unalienable Rights to all *individuals*.
2. A “Republican Form of Government” is guaranteed to every “State of the Union” by Article 4 Section 4 of the Federal Constitution (and also some current State constitutions).
3. Contrary to those constitutional guarantees, our current government operates as a democracy which, by definition, recognizes the people’s rights as a single *collective*, but denies their God-given, unalienable Rights as *individuals*.
4. The conflict between the constitutionally-mandated “Republican Form of Government” and our de facto democracy may provide a powerful strategy for challenging government enforcement programs which—implemented under the guise of *democracy*—ignore any individual’s claim of God-given, unalienable Rights under the mandatory *Republic*.

In essence, the logic of this strategy might run something like this:

1. The “unalienable Rights” granted by God and declared in the “Declaration of Independence” are the constitutionalist’s “holy grail”. These are the rights to travel, to own firearms, to raise your children without government interference, to engage in any occupation that you desire, to worship God without restriction and to enjoy the “freedom” that every patriot seeks but hasn’t found since the 1930’s.
2. A “Republican Form of Government” is one that “secures” our God-given, individually-held “unalienable Rights”.
3. Article 4 Section 4 of the Federal Constitution mandates that,

“The United States shall guarantee to every State in this Union a Republican Form of Government . . . .”

4. Virtually every government official has taken an Oath of Office to support and defend the Federal Constitution.

5. The Oath of Office should obligate all government officials to support and defend a “Republican Form of Government” that “secures” our “unalienable Rights”.

6. Any official who knowingly supports and defends a democracy that denies your unalienable Rights may be personally liable for violating his Oath of Office, violating the Constitution, and committing criminal acts including treason. If two or more officials knowingly work together to deny or deprive you of your unalienable Rights and a Republican Form of Government, they may be guilty of conspiracy.

**O**f course, my analysis could be wrong. Maybe a “Republican Form of Government” does not necessarily secure unalienable Rights. If so, you’ve read this long-winded article for nothing.

But if my analysis is generally correct, legal arguments based on a thoroughly researched and properly presented demand for a “Republican Form of Government” may be powerful.

More research must be done, but for now, I believe this argument will make ‘em blink.

<sup>1</sup> Not every “republic” conforms to this definition. For example, the former “Union of Soviet Socialist Republics” claimed to be composed of “Republics,” but merely used that word as a political label. Those “Republics” were actually collectives where sovereign power was held by the collective, not individuals.

<sup>2</sup> If you read Article 22 of the U.N.’s “Declaration”: “Everyone, as a member of society, has the right to *social security* . . . .” Does this imply that modern “social security” is a U.N. program? Is it possible that mere possession of a Social Security card is construed as evidence of your status as subject in an *international* democracy?

<sup>3</sup> The “right to vote” is the *only* right guaranteed to the citizens of a democracy. Hence the importance of the Federal Election Commission and enforcement of “voting rights”.

