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## **Obama and Perilous Delusions of Democracy**

**by James Bovard**

When Barack Obama was inaugurated on January 20, there was euphoria across the land and millions of people cheered in the streets of Washington. Many people are convinced that American democracy has been redeemed and that the federal government no longer poses a peril to individual rights. Since the people's choice is now at the helm of the U.S. government, Americans are free.

The Founding Fathers scorned the doctrine that the election of one person could purify or redeem an entire political system. The notion that choosing a supreme leader is the epitome of democracy is the result of philosophical doctrines that spread shortly before the American Revolution.

Early Americans' thinking on representative government was shaped by the abuses inflicted by the British Parliament. The Sugar Act of 1764 resulted in British officials' confiscating hundreds of American ships on the basis of mere allegations that the shipowners or captains were involved in smuggling; Americans were obliged, in order to retain their ships, to somehow prove that they had never been involved in smuggling — a near-impossible burden.

The Stamp Act of 1765 obliged Americans to purchase British stamps to be used on all legal papers, newspapers, cards, dice, advertisements, and even academic degrees. After violent protests throughout the colonies, Parliament rescinded the Stamp Act but passed the Declaratory Act, which announced that Parliament "had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever." The Declaratory Act meant that Parliament had the right to use and abuse the colonists as it chose.

Many American colonists believed that, for them, British representative government was a fraud. The "Declaration of the Causes and Necessity of Taking Up Arms," issued by the Second Continental Congress on July 6, 1775, a few weeks after the Battle of Bunker Hill, highlighted the crimes of the British Parliament. (The Declaration of Independence, issued almost a year later, concentrated on King George III as the personification of British abuses.) This Declaration, written

by John Dickinson and Thomas Jefferson, complained that “the legislature of Great-Britain, stimulated by an inordinate passion for power ... attempted to effect their cruel and impolitic purpose of enslaving these colonies by violence....” The Continental Congress demanded to know,

What is to defend us against so enormous, so unlimited a power? Not a single man of those who assume it, is chosen by us; or is subject to our control or influence....

### **Freedom and democracy**

Americans and British profoundly disagreed on the source of their freedom. Many British believed that freedom depended on vesting unlimited power in Parliament, since they believed the only threat to their freedom came from the king and his lackeys. Sir William Meredith praised the British constitution in 1769 because it was the privilege of the Englishman alone “to choose those delegates to whose Charge is committed the Disposal of his Property, his Liberty, his Life.” In 1768, the speaker of the House of Commons announced, “The freedom of this house is the freedom of this country....” As Professor John Phillip Reid observed in 1988,

This new or “radical” constitutional theory was a departure from the British tradition of defining liberty without having its preservation depend on specific institutions, presaging the nineteenth century and the general British acceptance of what in the eighteenth century had been constitutional heresy — that liberty and arbitrary power are not incompatible, if the power that is arbitrary is “representative.”

Because Parliament supposedly automatically had the concerns of the entire British Empire at heart, Americans were told they had “virtual representation,” regardless of the fact that they could not vote for any member of Parliament. The British claimed that the Americans were free because they were permitted to petition members of Parliament with their grievances, even though their petitions were routinely not accepted or read.

“Slavery by Parliament” was the phrase commonly used to denounce British legislative power grabs. Americans believed that the power of representatives was strictly limited by the rights of the governed, a doctrine later enshrined in the Bill of Rights. Pamphleteer John Cartwright in 1776 derided “that poor consolatory word, representation, with the mere sound of which we have so long contented ourselves.” James Otis, an influential Massachusetts lawyer, asked,

Will any man's calling himself my agent, representative, or trustee make him so in fact? At this rate a House of Commons in one of the colonies have but to conceive an opinion that they represent all the common people of Great Britain, and ... they would in *fact* represent them.

One New York critic declared in 1775 that it was inconceivable that Americans' liberty should depend "upon nothing more permanent or established than the vague, rapacious, or interested inclination of a majority of five hundred and fifty eight men, open to the insidious attacks of a weak or designing Prince, and his ministers."

### **The influence of Rousseau**

At the same time that the Americans were fighting a revolution against the fraud of representation, continental Europe was becoming entranced by a new doctrine. From the 1600s onwards, the abuses of monarchs made representative government increasingly attractive. Unfortunately, at a time when most continental Europeans had scant political experience, the doctrines of Jean Jacques Rousseau swept the intellectual field.

Rousseau's 1762 book, *The Social Contract*, merged contemporary romanticism and mysticism with 18th-century political thought. Rousseau gave people an engraved invitation to delude themselves about the nature of majorities, government, and freedom. He asserted that representative governments are based on the "general will," which, naturally, could be different from the conscious will of the people themselves:

It follows from what has gone before that the general will is always right and tends to the public advantage; but it does not follow that the deliberations of the people are always equally correct. Our will is always for our own good, but we do not always see what that is; the people is never corrupted, but it is often deceived, and on such occasions only does it seem to will what is bad.

Regrettably, Rousseau provided few hints on how either rulers or ruled could recognize the general will. The fact that people opposed surrendering more power to government simply proved they did not know their own will.

Rousseau waved a philosophic magic wand over representative government and pretended that his doctrine of the general will had solved all its problems. As historian William Dunning noted in 1920, "The common interest and the general will assumed, through [Rousseau's] manipulation, a greater definiteness and importance than philosophy had hitherto ascribed to them. They became the central features of almost every theory of the State."

Rousseau's doctrine of the general will became the invocation of rulers seeking unlimited power. Hitler's Volk was the Teutonic rendition of Rousseau's doctrine. J.L. Talmon, author of *The Origins of Totalitarian Democracy*, concluded that Rousseau "was unaware that total and highly emotional absorption in the collective political endeavor is calculated to kill all privacy ... and the extension of the scope of politics to all spheres of human interest and endeavor ... was the shortest way to totalitarianism."

### **America's Founding Fathers**

In contrast to Rousseau, the Founding Fathers were keenly aware of the potential abuses of popular government. The American Revolution was based on cynicism about the fraud of representation in the British Parliament. The French Revolution, following Rousseau's doctrine, was based on the delusion that the people are infallible and that democratic government automatically pursues the common good. One revolution was based on distrust of government, the other on messianic expectations from a change in form of a government.

While John Adams naively declared in 1775 that "a democratical despotism is a contradiction in terms," few Americans held that belief by the mid 1780s. Judge Alexander Hanson declared in 1784, "The acts of almost every legislature have uniformly tended to disgust its citizens and to annihilate its credit." One commentator in the 1780s, noting the early dashed hopes of democratic governments, declared that the usurpation of "40 tyrants at our doors, exceeds that of one at 3,000 miles." James Madison wrote in *The Federalist Papers*,

Complaints are every where heard ... that [government] measures are too often decided, not according to the rules of justice, and the rights of the minor party; but by the superior force of an interested and over-bearing majority.

Unfortunately, the doctrines of Rousseau have had far more influence on subsequent thinking about democracy than the insights of Madison and other Founding Fathers. Throughout American history, more attention has been paid to the rhetoric of democracy than to its substance. Lysander Spooner, a Massachusetts abolitionist, ridiculed President Lincoln's claim that the Civil War was fought to preserve a "government by consent." Spooner observed, "The only idea ... ever manifested as to what is a government of consent, is this — that it is one to which everybody must consent, or be shot."

George W. Bush's presidency became a disaster in part because he behaved as if winning votes entitled him to unlimited power at home and abroad. Obama's rhetoric is thus far not as bad as the worst of the Bush team's verbal strutting. (Who could forget White House counsel Alberto Gonzales's 2004 assertion of a "commander in chief" override of federal law?)

But many of Obama's supporters have Rousseau-like doctrines that could make it easy for the new president to spurn the leashes the Constitution imposes on all presidents and federal officials. Unfortunately, most Americans seem to have learned little from the Bush presidency, aside from the fact that George W. Bush was a liar and a buffoon. American democracy needs a strong dose of the Founders' realism on representative government.

*James Bovard is the author of [Attention Deficit Democracy](#) [2006] as well as [The Bush Betrayal](#) [2004], [Lost Rights](#) [1994] and [Terrorism and Tyranny: Trampling Freedom, Justice and Peace to Rid the World of Evil](#) (Palgrave-Macmillan, September 2003) and serves as a policy advisor for The Future of Freedom Foundation.*

**This article was originally published in the April 2009 edition of *Freedom Daily*.**