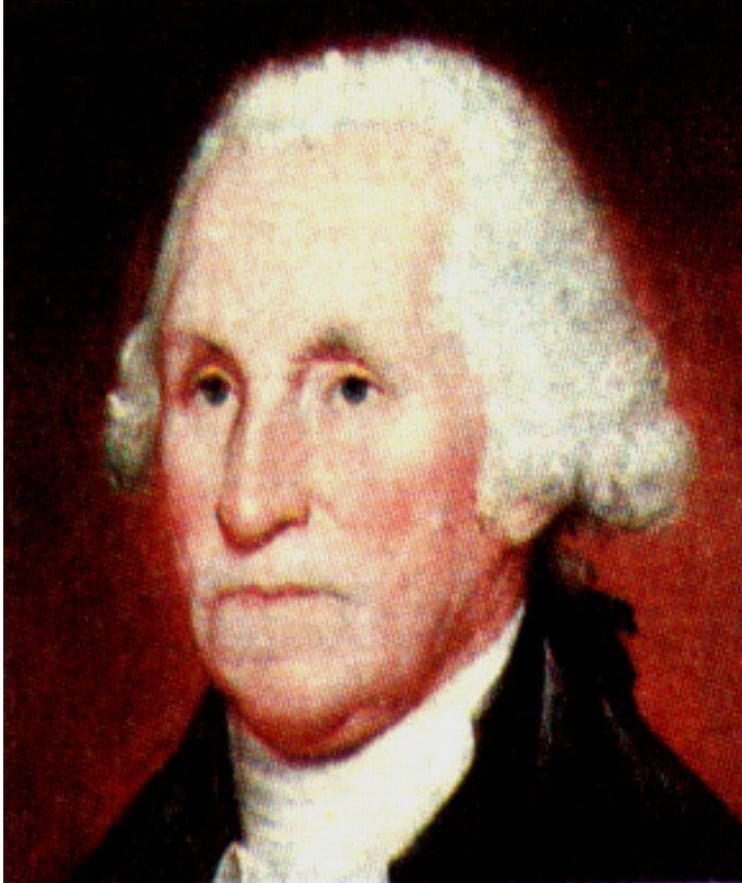


THE ESSENCE OF REPUBLICANISM AND CRITICISM



NYRON MEDINA

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By Nyron O. Medina

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INTRODUCTION

The modern world after the American revolution has been bequeathed with a benevolent form of government called **Republicanism**. It has largely replaced the tyrannical forms of government that has held sway for millennia and has caused the death of untold millions. Republicanism can best be defined as a government for **all** classes, groups and peoples. It is a government that does not allow the will of the majority or of any special interest group to influence government to tyrannize the people or a minority.

Even though a democratic method is used to put government in power, the government is obliged to recognize the **absolute** rule of law, to the point of the **immutability of law**. This means that the essence of Republicanism is that part of the **Bill of Rights** that contains the **First Right**, and therefore emphasizes the immutability of Law. Republicanism, in fact says that the Rights of man, especially the **First Right** is God-ordained and are thus **inviolable and inalienable**. This defines the limits of government power and authority.

Tyranny has always been an effort to squash **criticism**. This is because the **First Right** in a sinful world has most often been manifested in the criticism of government and religion. Republicanism has sought to protect the **First Right** and its verbal child of criticism, thus criticism strives more in the soil of Republicanism, and brings with it all the corrections and progress that society needs. Some countries are truly Republican, some are half-Republican (like Trinidad and Tobago), some are false republics and some, anti-Republican. While a half-republic can overturn Rights that are meant to be immutable, by a two-thirds majority, Republicanism admits no such deviation. May all learn about Republicanism in this booklet, and appreciate their freedoms. Amen.

THE ESSENCE OF REPUBLICANISM AND CRITICISM

1. A **Republic** embodies **rule by law** and not by **majorities** or **special interest groups**.

“James Madison, he points out, who was particularly influential in the drafting and ratification of the Constitution, was especially distrustful of majorities and wanted to create a “republic,” not a purely majoritarian democracy. A “Republic,” in Madison's view, would have features that would guarantee the liberties of certain minorities from the tyranny of majorities.” Derek H. Davis, “Preserving the Constitution” in, James E. wood, Jr. and Derek Davis, editors, **Problems and Conflicts Between Law and Morality in a Free Society**, p. 224.

2. A **Republic** is defined as a government which derives all its powers from the **great body of society**, not from an **inconsiderable proportion**, a **favored class** or a **handful of powerful special-interest groups**.

“ ... we may define a republic to be, or at least may bestow that name on, a government which derives all its powers directly or indirectly from the great body of the people, and is administered by persons holding their offices during pleasure for a limited period, or during good behavior. It is essential to such a government that it be de-

rived from the great body of the society, not from an inconsiderable proportion or a favored class of it; otherwise a handful to tyrannical nobles, exercising their oppressions by a delegation of their powers, might aspire to the rank of republicans and claim for their government the honorable title of republic.” James Madison, **The Federalist Papers**, p. 241.

3. Again, the **essence of Republicanism** is the protection of the **rights even of minorities** from the combined interests of the majority, the immutability of the **rule of law** and it not being used as a tool for oppression by the majority against the rights of any class or any minority, being the important thing.

“The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country

and number of people comprehended under the same government. **Ibid**, p. 324.

4. **Republicanism** is also meant to protect the **weaker individual** as well as the **stronger**, with no class or group favored over another.

“Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign as in a state of nature, where the weaker individual is not secured against the violence of the stronger; and as in the latter state, even the stronger individuals are prompted, by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves; so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful.” **Ibid**, pp. 324 - 325.

5. In a **Republic** the president or whatever he is called, has no spiritual jurisdiction at all, (and this implies that no legal entity can be set up with even a particle of spiritual jurisdiction over the beliefs of others).

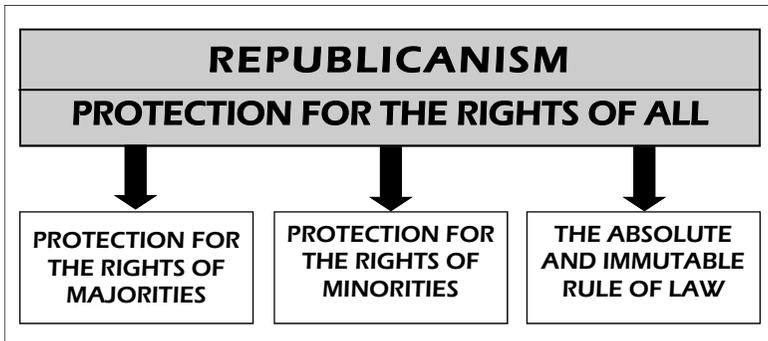
“The President of the United States would be an officer elected by the people for *four* years; the king of Great Britain is a perpetual and *hereditary* prince ... The one has no particle of spiritual jurisdiction; the other is the supreme head and the governor of the national church! What answer shall we give to those who would persuade us that things so unlike resemble each other?” Alexander Hamilton, **The Federalist Papers**, p. 422.

6. **Republicanism** is meant to impose restraint upon **local factions** or **special interest groups** from influencing the leaders of the nation to become **despots** of the people or **against a minority group**.

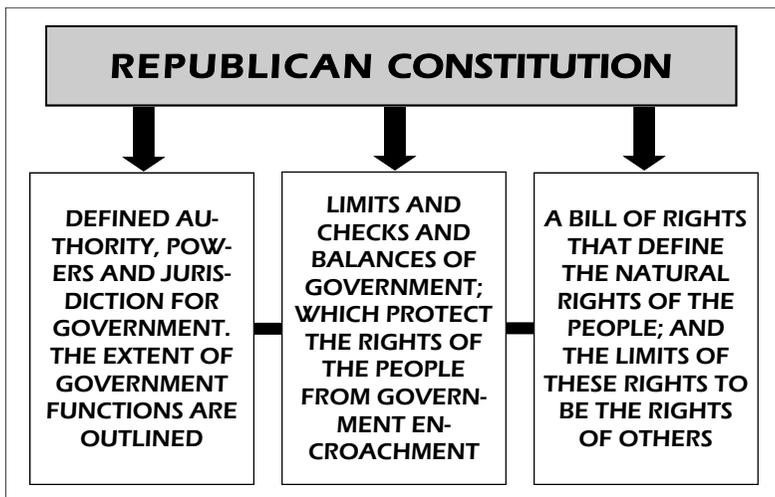
“The additional securities of republican government, to liberty, and to property, to be derived from the adoption of the plan under consideration, consists chiefly in the restraints which the preservation of the Union will impose on local factions and insurrections, and on the ambition of powerful individuals in single States who might acquire credit and influence enough from leaders and favorites to become the despots of the people ...” **Ibid**, p. 521.

7. Thus a chart of **Republicanism** shows its real aim is the protection of the **rights of all groups**, including **minorities** from the tyranny of the majority. This implies the **absolute rule**

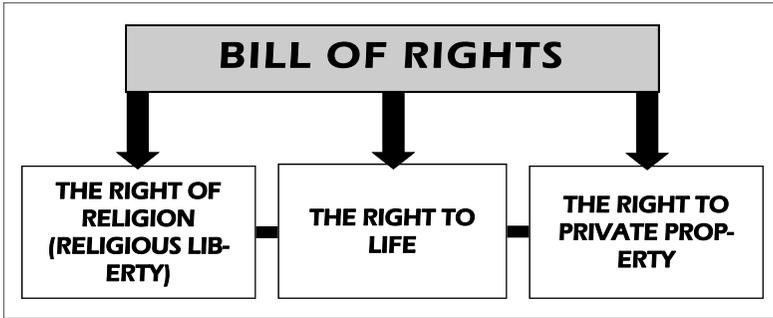
of law in almost an **immutable** sense.



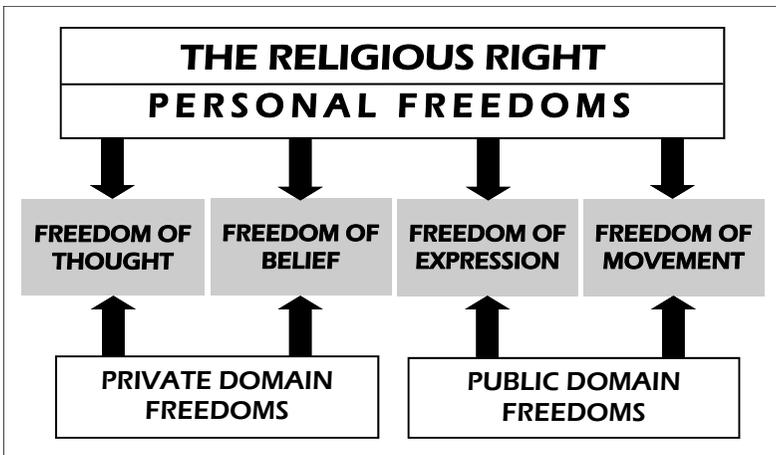
8. To achieve protection for the rights of all, means a Republican constitution must have the following.



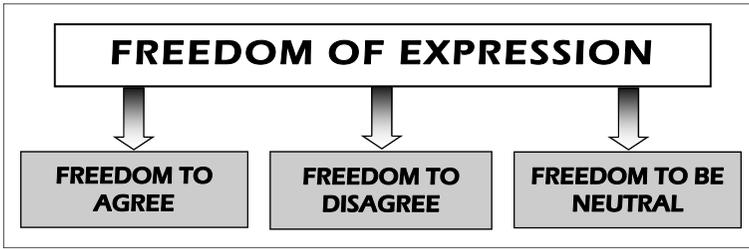
9. The **Bill of Rights** can be summed up as the **three foundational** Rights of man that are under protection.



10. Under the **Right of Religion** called the **First Right** there are **Personal Freedoms**. These are natural freedoms over which no man has any jurisdiction; but God and the individual to whom these freedoms belong. These freedoms are as follows:



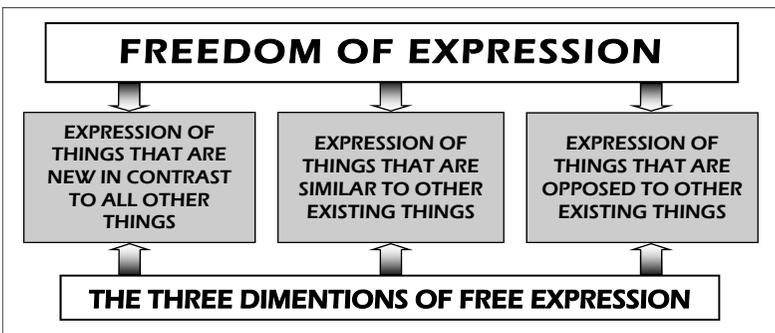
11. Under the personal freedom called **Freedom of Expression** there are freedoms that **define free expression**. Without them there are **no free expressions**. They are:



12. Under the personal freedom of **Freedom of Expression**, agreement or disagreement **naturally** brings with it two basic patterns of expression, that also determine freedom of expression.

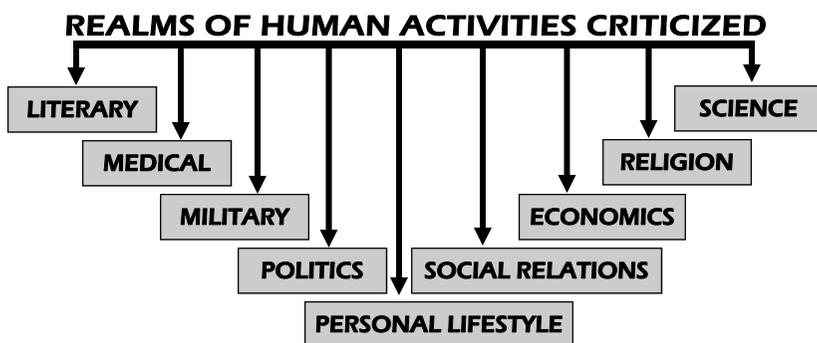


13. There are **three dimensions** of free expressions that determine **Freedom of Expression**. To curtail any part thereof is to attack this personal freedom. These are the three dimensions:

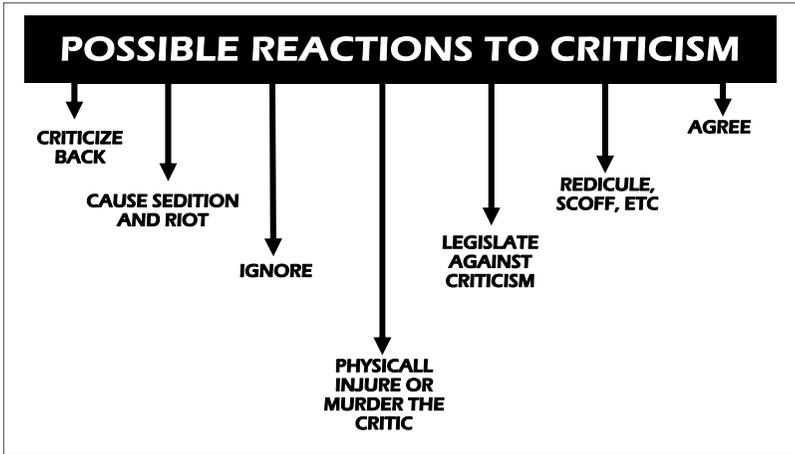


14. The plain and simple fact of the matter is, that once **Republicanism** has a **Bill of Rights** that protect the **Religious Right**, and thus the **personal Freedom of Freedom of Expression**, it would also protect the **Freedom to criticize**, thus to say things **opposed** to all other things. To attack **criticism** and thus the **personal freedom of freedom of expression** is plainly an act of **anti-Republicanism**.

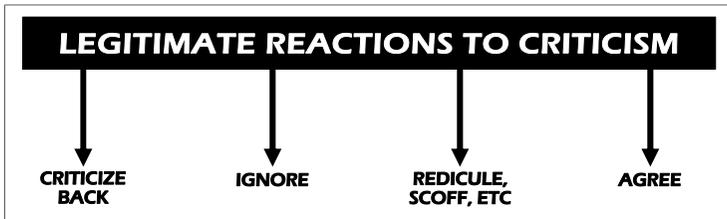
15. In an imperfect and sinful world **CRITICISM** spans all the **different realms of human activities**. The various realms of human activities that can legitimately come under criticism are presented below. Why should only religious criticism be excluded or legislated against?



16. There are various possible reactions to all criticisms. The following are outlines of these possible reactions.



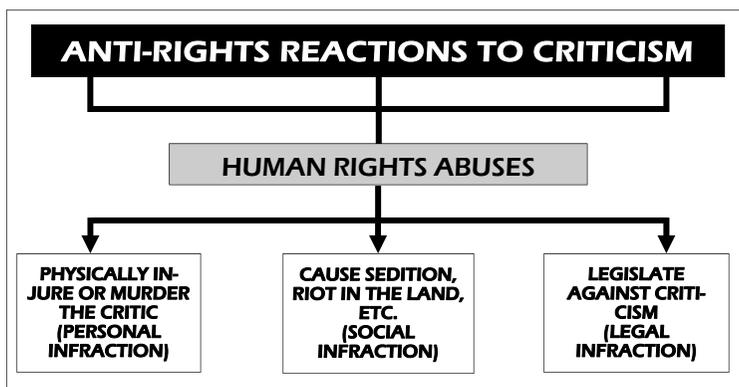
17. There are certain **legitimate reactions to criticism** allowed by the **Bill of Rights**, and these reactions must obviously be within the **limits of the Rights of others**. They are:



18. However there are certain **anti-Rights** and **anti-social** reactions to criticism which are against the **Bill of Rights** and thus the **Rights of others**. They are:

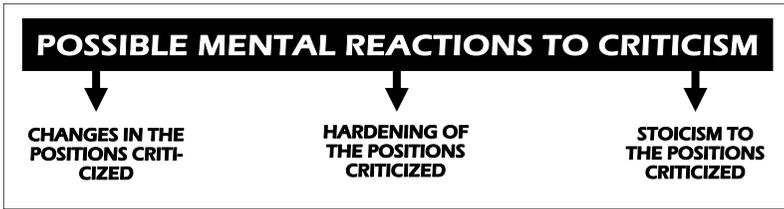


19. These three illegal reactions or **anti-Rights relations to criticism** can be labeled as different **infractions** to the Rights of Man that define **human rights abuses**. They are what is forbidden in Republicanism and even in international law, and should NEVER be done in any truly **free state**. These **human rights abuses and infractions** are:

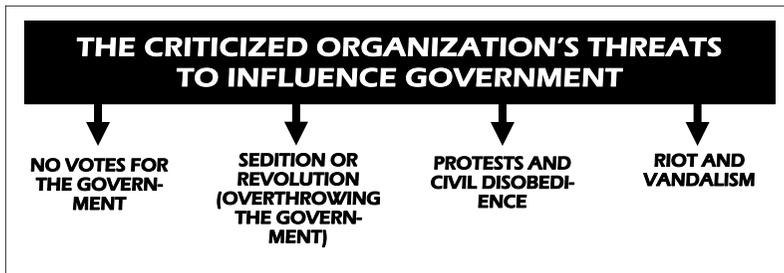


20. Criticism is a natural personal freedom and the **mental reactions** of those criticized that are possible are not illegal to civil law, because these reactions are expressions of **Freedom of Thought** and **Freedom of Belief**. This being the case, criticism should not be legislated against as it is not of itself harmful to society. To legislate against criticism would mean legislating for **one group against another**, thus **breaking the essence of Republicanism**.

These are the possible mental reactions to criticism:

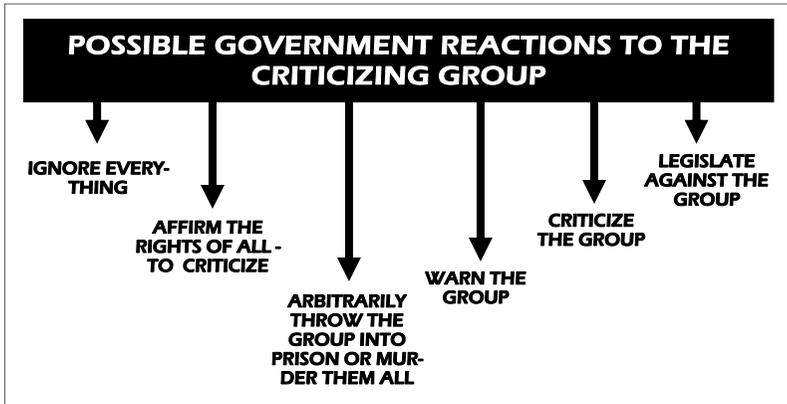


21. There are **possible ways for a government to react** to a group that criticizes, (whatever). This reaction of the government could be due to the threat of civil disobedience, sedition, or breaking the Law by the organization that is criticized, or a reaction based on a deputation of representatives from the criticized organization to the government seeking state protection. First of all here are the **only possible threats** of the criticized organization to seek to influence government to protect them.

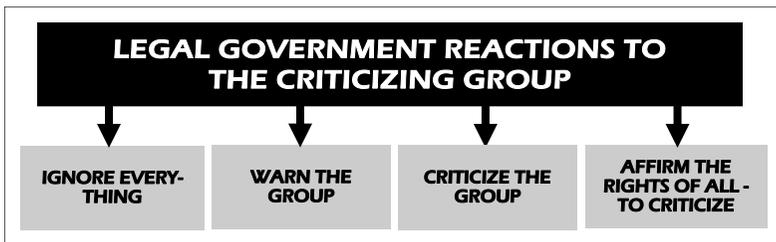


22. **Government's reactions to the group** that criticizes falls into various categories. Some are legitimate and some illegal, at which point the government will be tyrannizing one group in honor of another so breaching the essence of Republicanism.

Here are the possible government reactions to the criticizing group.



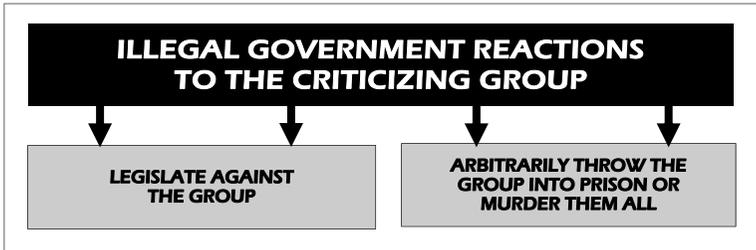
23. The only legal operation or responses of the government to the criticizing group that ensures their constitutionality or legality are the following.



24. Of course the **illegal government reaction** to the criticizing group falls into a category that makes the government tyrannical, so breaching the civil compact to protect the Rights of all. This is also anti-Republicanism.

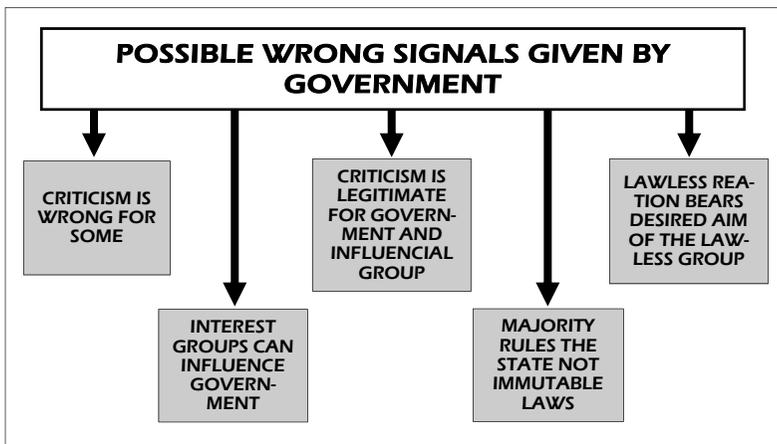
25. There are various possible ways for a government

to illegally respond to a criticizing group by legislation. All these actions constitute tyranny. They are as follows:



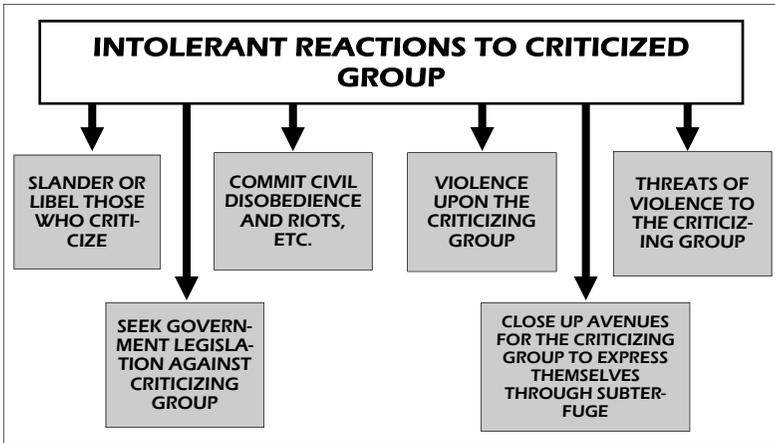
26. If the government warns or criticizes the group for criticizing, while it may freely do so, these very actions of the government may send the wrong signals to society and the criticizing group.

Here are the possible wrong signals that can be given by government to society at large by warning and criticizing the criticizing group.

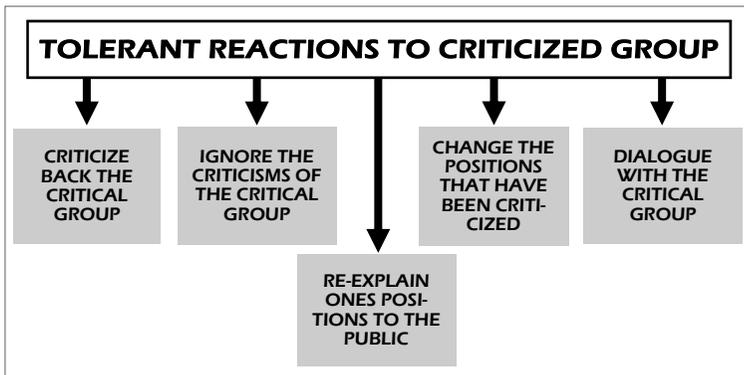


27. The criticized group can react in an **intolerant**

way to criticisms. The possible reactions that constitute **intolerance** is as follows.

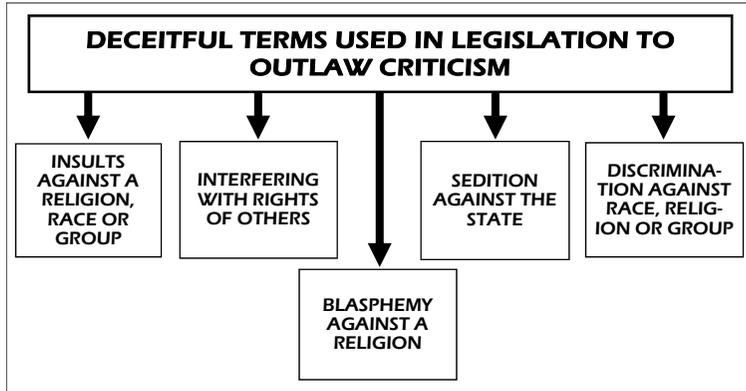


28. The best **tolerant** reactions of the criticized group are all within the Law of the state, and should be the code of action for criticized groups. The best possible reactions that constitute **tolerance** are as follows.



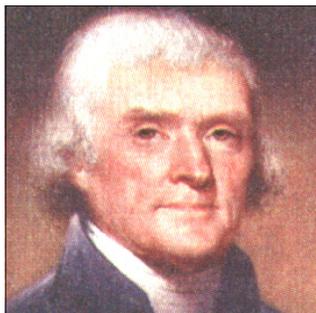
29. There are possible terms a government can use against the criticizing group to **deceitfully claim that their criticisms are wrong** and to

legislate against the criticism. Since it is not natural to legislate against criticisms of anything. Such **legislations against criticism** may take the following forms:



30. Thus the best thing government can do in a religious crisis is to **keep out** of the religious argument altogether, once no law is breached or the Rights of others are respected. This is why the **First Right** of the U.S. Constitution which expresses **Republicanism** states:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free



Thomas Jefferson

exercise thereof; or abridging the freedom of speech, or of the press ...” **The Constitution of the United States**, p. 21.

31. The Constitution of Trinidad and Tobago likewise express the essence of Republicanism in this statement.

“Where as the People of Trinidad and Tobago—
(a) have affirmed that the Nation of Trinidad and Tobago is founded upon principles that acknowledge the supremacy of God, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator ...

(d) recognize that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law.” **The Constitution of Trinidad and Tobago (1976)**, pp. 10,11.

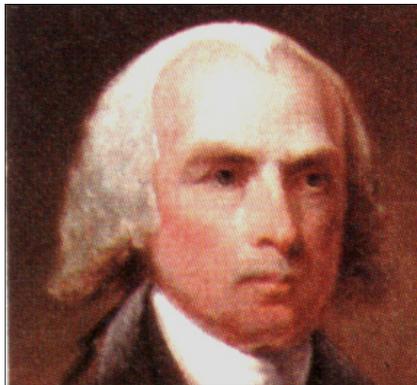
32. We are even told of this wonderful clause which enhances Republicanism and thus the protection of one’s inalienable rights.

“This Constitution is the supreme law of Trinidad and Tobago, and any other law that is inconsistent with this Constitution is void to the extent of the inconsistency. **Ibid**, p. 11.

33. The Bill of Rights in the Trinidad and Tobago Constitution is certainly Republican. Some of its clauses tells us:

“ ... the right of the individual to life, liberty, security of the person and enjoyment of property and the right not to deprived thereof except by due process of law ... freedom of conscience and religious belief and observance; freedom of thought and expression ... freedom of the press.” **Ibid**, p. 15.

34. In the old 1974 Constitution, even though the form of expression of **Article 9** and **10** are not transferred to the 1976 Constitution cited before, the thoughts expressed in these articles have never been amended, and thus are the essence of the freedom clauses of the 1976 Constitution. Here are articles 9 and 10.

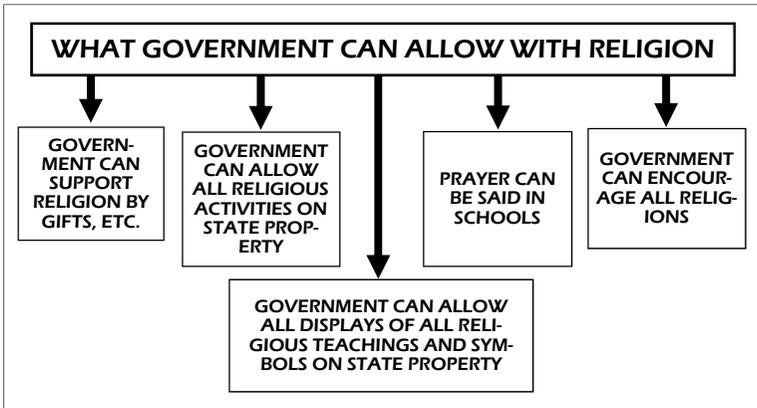


James Madison

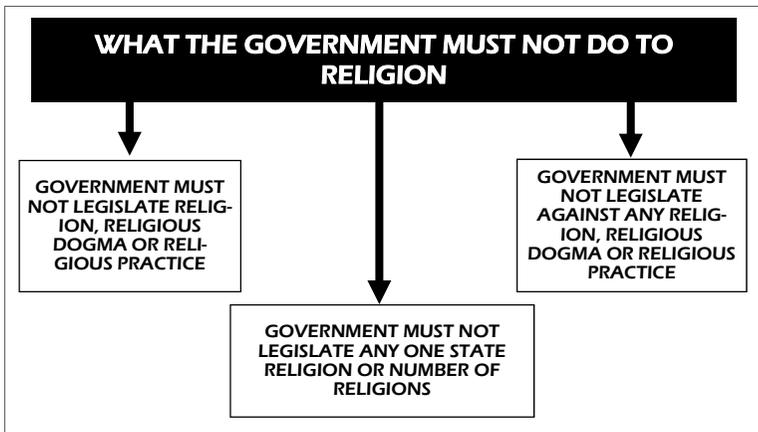
“No restrictions shall be imposed on any person against his will in the enjoyment of his freedom of conscience including freedom of thought and of religion, freedom to change his religion or belief and freedom either alone or in community with others, and both in public and in private, to manifest and propagate his religion or belief by way of worship, teaching, practice and observance ... No restriction shall be imposed on any person against his will in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions, freedom to receive ideas and information (whether the communication is to the public generally or to any class of persons) and freedom from interference with his correspondence.” **The Constitution of Trinidad and Tobago (1974)**, pp. 8,9.

35. Thus both the US Constitution and the Trinidad and Tobago Constitution define what the Government can do in its relationship to religion and yet not transgress the law. Even though Trinidad and Tobago is a **half-republic** or a **semi-republic** by virtue of the fact that the clauses that are supposed to be **immutable law** can be altered by a two-thirds majority vote in parliament, thus having a majority rob the minority or the people, of these God-ordained rights, it still affords citizens a good amount of fair protection.

The following points show what government can do within the legal limits of the Law.



36. However, what the **first right** in the Bill of Rights forbids is all that is required of government and no more. Here are the requirements.



37. This is the summary conclusion of what constitutes **Republicanism**; the dos and don'ts of government, the limits to their function, the protection of the Rights of all, and **the rule of Law**

in an immutable sense to protect the Rights of all minorities from being encroached upon by a few powerful special interest groups or by the majority, this is all what true Republicanism is all about. Proverbs 14:34.



Patrick Henry said:
“Give me liberty or give me death!”.



The Thusian Institute for Religious Liberty®
PO Box 5044 Tragarete Road Woodbrook
Port of Spain, Trinidad and Tobago
religiousliberty@diplomats.com
tirl@firstfreedomdefense.com
868-625-0446/393-5610