

107TH CONGRESS
1ST SESSION

H. CON. RES. 48

Expressing the sense of the Congress in reaffirming the United States of America as a republic.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2001

Mr. PAUL submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Expressing the sense of the Congress in reaffirming the United States of America as a republic.

Whereas the form of government secured by the Declaration of Independence, the American Revolution, and the Constitution of the United States is a republic—not a democracy;

Whereas the Nation’s founders understood that pure “democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths” (Federalist No. 10);

Whereas throughout the 224-year history of the United States as an independent and sovereign nation, the peo-

ple of the United States have never exercised power as a democracy;

Whereas the people of the United States have always acted by and through the Federal Union of the several States, electing Members of Congress from each of the several States and the President and Vice President by electoral votes proportioned to the number of Members of Congress representing each State;

Whereas in the 2000 election for choosing electors for President and Vice President, it appears that the President-elect and Vice President-elect have won a majority of the State electoral vote, but not a plurality of the nationwide popular vote;

Whereas the prospect of electing to office a President and Vice President who did not win the largest number of popular votes has generated proposals calling for a constitutional amendment to provide for the direct popular election of the President and Vice President;

Whereas such a national popular election for President and Vice President disregards the constitutional integrity and inviolability of the 50 States as independent and sovereign governments;

Whereas in their foresight and wisdom, the people of the United States, meeting by representation in State conventions, adopted a national Constitution preserving the independence and equal standing of the 50 States;

Whereas the Federal system of equal and independent States is an essential safeguard against shifting wills of the majority overriding the unchanging rights of the minority;

Whereas to preserve the rights of the minority from a tyranny of the majority, the Constitution of the United

States struck a principled balance between the people of the most populous States and the people of the least populous States;

Whereas to that end, the Constitution of the United States provides that the legislatures of each of the several States, without interference from Congress or any other branch of the Federal Government or State governments, determine the manner of election of the President and the Vice President by State electors from each State;

Whereas the number of electors is distributed in accordance with each State's representation in the House of Representatives and in accordance with each State's equal standing in the Senate, not by a direct nationwide election in accordance with population alone;

Whereas the constitutionally prescribed system in the 2000 election for choosing electors for President and Vice President continues to function as originally designed, protecting minority and States' rights from the exercise of majority power; and

Whereas the electoral college system thereby preserves the diversity of the American people and maintains the United States as a Federal republic—not as a democracy: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of the Congress that the
 3 United States is not a democracy—but a republic—and
 4 that the present constitutionally prescribed means by
 5 which the President and Vice President are selected State
 6 by State is essential to preserving the diversity of the citi-
 7 zenry of the United States and to maintaining the United

- 1 States as a Federal republic composed of independent and
- 2 sovereign States.

