

House Resolution 340

By: Representative Franklin of the 43<sup>rd</sup>

### A RESOLUTION

1 Informing Georgia Supreme Court Chief Justice Carol W. Hunstein that Georgia is a  
2 republic, not a democracy; recognizing the great differences between these two forms of  
3 government; and for other purposes.

4 WHEREAS, on February 16, 2011, Georgia Supreme Court Chief Justice Carol W. Hunstein  
5 appeared before the Georgia General Assembly for the State of the Judiciary address, and in  
6 her speech Chief Justice Hunstein mistakenly called the State of Georgia a democracy; and

7 WHEREAS, the State of Georgia is, in fact, a republic and it is important that all Georgians  
8 know the difference between a republic and a democracy – especially the Chief Justice of the  
9 Georgia Supreme Court; and

10 WHEREAS, the word "republic" comes from the Latin *res publica*, which means "the public  
11 thing" or "the law," while the word "democracy" comes from the Greek words *demos* and  
12 *kratein*, which translates to "the people to rule"; and

13 WHEREAS, most synonymous with majority rule, democracy was condemned by the  
14 Founding Fathers of the United States, who closely studied the history of both democracies  
15 and republics before drafting the Declaration of Independence and the Constitution; and

16 WHEREAS, the Founding Fathers recognized that the rights given to man by God should not  
17 be violated by an unrestrained majority any more than they should be restrained by a king  
18 or monarch; and

19 WHEREAS, it is common knowledge that the Pledge of Allegiance contains the phrase "and  
20 to the Republic"; and

21 WHEREAS, as he exited the deliberations of the so-called Constitutional Convention of  
22 1787, Founding Father Benjamin Franklin told the awaiting crowd they have "A republic,  
23 if you can keep it"; and

24 WHEREAS, a republic is a government of law, not of man, which is why the United States  
25 Constitution does not contain the word democracy and mandates that "the United States shall  
26 guarantee to every State in this Union a Republican Form of Government"; and

27 WHEREAS, in 1928, the War Department of the United States defined democracy in  
28 Training Manual No. 2000-25 as a "government of the masses" which "[r]esults in  
29 mobocracy," communistic attitudes to property rights, "demagogism,...agitation, discontent,  
30 [and] anarchy."

31 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
32 the members of this body recognize the difference between a democracy and a republic and  
33 inform Georgia Supreme Court Chief Justice Carol W. Hunstein that the State of Georgia is  
34 a republic and not a democracy.

35 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized  
36 and directed to transmit appropriate copies of this resolution to Georgia Supreme Court Chief  
37 Justice Carol W. Hunstein, all Justices of the Georgia Supreme Court, and all Judges of the  
38 Georgia Court of Appeals.