Understanding the Principle

The principle of popular sovereignty holds that the power to govern comes from the people themselves and only from them. The Framers and most other Americans disagreed with the idea that the power to govern lay in the hands of monarchs who gained it by “divine right,” a right granted them by God. Instead, the Declaration of Independence stated that governments derived their just power to govern “from the consent of the governed.”

The Constitution set out to make this principle a reality by allowing the people to rule themselves through the vote. By voting for political candidates of their choice to represent them, the people empowered certain persons to make laws for them. If the people approved of how these elected officials represented them, the people could vote to keep them in office. If not, the people could vote them out of office.

The Constitution at Work

Early in the Constitution, Article I, Section 2 establishes that a major body of the people’s representatives, the House of Representatives, will be “chosen every second year by the people of the several states.” The people would vote directly for these representatives. For a second major body, the Senate, Section 3 states that the people would exercise an indirect vote. First, they would vote for representatives to their State legislatures, and then those legislatures would vote for senators. But in 1913, States ratified the 17th Amendment, which gave Americans the right to vote directly for their senators in Congress.

In the Constitution’s first few decades, popular sovereignty did not extend to all the people. For example, women, African Americans, and white males without property were barred from voting and thus from giving their consent to be governed by elected representatives. But over the years, changes were added to the Constitution that extended the right to vote to more of the populace. The 15th Amendment granted black adults the right to vote in 1870. In 1920, the 19th Amendment extended the right to vote to all adult females. And in 1971, the 26th Amendment lowered the voting age to 18, extending popular sovereignty to still more Americans.

ELECTING THE PRESIDENT

Article II of the Constitution enforces popular sovereignty by giving the people the right to “give their consent” to the person who will govern them as President. But as with the original senatorial election process, the people do not elect the President directly. Instead, members of each State vote for electors who pledge to vote for a particular candidate for President. The candidate (or slate of electors) who wins the greatest number of popular votes in the State wins all of that State’s electoral votes. The candidate with the greatest total number of electoral votes wins the presidency.

While this method, referred to as the electoral college system, was agreed on when the Constitution was written, it now strikes many Americans as cumbersome and unnecessary. As a result, every now and again a movement to do away with the electoral college is mounted and the argument is made for direct election of the President by the people.

Questions for Review and Discussion

1. What idea did the Framers reject in favor of the principle of popular sovereignty?
2. Describe the ways in which popular sovereignty is exercised directly and indirectly under the Constitution.