

An employer and employee have a legal relationship between them that gives the employer an authority to prescribe certain rules of conduct or laws that the employee must follow. The employer has authority to make such rules not because it has more wealth and assets than the employee, but because the employee has entered into a legal agreement with that employer. The same is true with the legal relationship between a master and servant. The servant is legally bound to follow the commands of his master, but not those of another master.

A colonel in the military has the authority to make commands or laws that majors, lieutenants, and privates must obey and follow. There is a legal relationship between them since they each have placed themselves under a Military Code and the Articles of War which require them to obey all lawful orders of a superior officer. However, a private in the American army is not required to obey the orders of a colonel from the German army as there is no legal relationship between them. There thus is no authority for a German colonel to give him laws or orders to follow.

A King has the authority to give laws and commands which his subjects must follow because of their relationship to the king as subjects of his kingdom. The king has control over the land and also provides protection for the people of his kingdom, creating a legal relationship between him and the subject.

We thus see that there are many valid sources of a law, but the authority that is needed for one to obey a law or be subject to a law from a particular source depends upon one's relationship to that source. If there is no legal relationship, there can be no authority for a law. A king cannot make people of another land or kingdom subject to his laws. A general from England cannot give commands to a buck private in the American army because there is no common relationship between them. The president of General Motors has no authority

to make rules for an employee of Joe's auto body shop. In each case there is no legal relationship between the two parties.

Also, according to this principle of authority and law, is the fact that true lawful authority is not derived from force or power or wealth, but from a legal relationship between the two parties involved. When laws exist because of force or power, it is despotism or tyranny, not authoritative law. Many despotic governments have existed throughout history because they were based upon the concept of "might makes right." Force and power are not a substitute for a lawful relationship. God could certainly play the despot and compel obedience by force, since He has the power to do so. But that is not the way God works. His authority comes from legal and spiritual relationships between Him and His people.

### **Legislative Authority**

Today we have the situation of legislative bodies, such as the State Legislature or Congress, existing as a source for making laws. The question we face is what is the authority for these legislative bodies to make laws we are subject to? This can only be answered by determining the relationship we have with the legislative body in question.

The fundamental concept of American government is that all political power which exists resides in the people.

**The Constitution of Virginia, 1776, Sec. 2.** That all power is vested in, and consequently derived from the people; that magistrates are their trustees and servants, and at all times amenable to them.

**Constitution of Massachusetts — 1780.** All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.<sup>5</sup>