HON. RON PAUL OF TEXAS BEFORE THE U.S. HOUSE OF REPRESENTATIVES February 11, 2004

A Wise Consistency

A wise consistency is the foundation of a free society. Yet everyone knows, or thinks they know, that consistency is the hobgoblin of little minds. How many times has Ralph Waldo Emerson been quoted to belittle a consistent philosophy defending freedom? Even on this floor I have been rebuked by colleagues with this quote, for pointing out the shortcomings of Congress in not consistently and precisely following our oath to uphold the Constitution.

The need to discredit consistency is endemic. It's considered beneficial to be flexible and pragmatic while rejecting consistency; otherwise the self-criticism would be more than most Members could take. The comfort level of most politicians in D.C. requires an attitude that consistency not only is unnecessary, but detrimental. For this reason Emerson's views are conveniently cited to justify pragmatism and arbitrary intervention in all our legislative endeavors.

Communism was dependent on firm, consistent, and evil beliefs. Authoritarian rule was required to enforce these views, however. Allowing alternative views to exist, as they always do, guarantees philosophic competition. For instance, the views in Hong Kong eventually won out over the old communism of the Chinese mainland. But it can work in the other direction. If the ideas of socialism, within the context of our free society, are permitted to raise their ugly head, it may well replace what we have, if we do not consistently and forcefully defend the free market and personal liberty.

It's quite a distortion of Emerson's views to use them as justification for the incoherent and nonsensical policies coming out of Washington today. But, the political benefits of not needing to be consistent are so overwhelming that there's no interest in being philosophically consistent in one's votes. It is a welcome convenience to be able to support whatever seems best for the moment, the congressional district, or one's political party. Therefore, it's quite advantageous to cling to the notion that consistency is a hobgoblin. For this reason, statesmanship in D.C. has come to mean one's willingness to give up one's own personal beliefs in order to serve the greater good-- whatever that is. But it is not possible to preserve the rule of law or individual

liberty if our convictions are no stronger than this. Otherwise something will replace our republic that was so carefully designed by the Founders. That something is not known, but we can be certain it will be less desirable than what we have. As for Emerson, he was not even talking about consistency in defending political views that were deemed worthy and correct. Emerson clearly explained the consistency he was criticizing. He was most annoyed by a foolish consistency. He attacked bull-headedness, believing that intellectuals should be more open-minded and tolerant of new ideas and discoveries. His attack targeted the flat-earth society types in the world of ideas. New information, he claimed, should always lead to reassessment of previous conclusions. To Emerson, being unwilling to admit an error and consistently defending a mistaken idea, regardless of facts, was indeed a foolish consistency. His reference was to a character trait, not sound logical thinking. Since it's proven that centralized control over education and medicine has done nothing to improve them, and instead of reassessing these programs, more money is thrown into the same centralized planning, this is much closer to Emerson's foolish consistency than defending liberty and private property in a consistent and forceful manner while strictly obeying the Constitution.

Emerson's greatest concern was the consistency of conformity. Nonconformity and tolerance of others obviously are much more respected in a free society than in a rigidly planned authoritarian society. The truth is that Emerson must be misquoted in order to use him against those who rigidly and consistently defend a free society, cherish and promote diverse opinions, and encourage nonconformity. A wise and consistent defense of liberty is more desperately needed today than any time in our history. Our foolish and inconsistent policies of the last 100 years have brought us to a critical junction, with the American way of life at stake. It is the foolish inconsistencies that we must condemn and abandon. Let me mention a few:

Conservatives Who Spend: Conservatives for years have preached fiscal restraint and balanced budgets. Once in charge, they have rationalized huge spending increases and gigantic growth in the size of government, while supporting a new- found religion that preaches deficits don't matter. According to Paul O'Neill, the Vice President lectured him that "Reagan proved deficits don't matter." Conservatives who no longer support balanced budgets and less government should not be called conservatives. Some now are called neo-conservatives. The conservative label merely deceives the many Americans who continuously hope the day of fiscal restraint will come. Yet if this deception is not pointed out, success in curtailing government growth is impossible. Is it any wonder the national debt is $7 trillion and growing by over $600 billion per year? Even today, the only expression of concern for the deficit seems to come from liberals. That ought to tell us something about how far astray we have gone.

Free Trade Fraud—Neo-mercantilism: Virtually all economists are for free trade. Even the politicians express such support. However, many quickly add, "Yes, but it should be fair." That is, free trade is fine unless it appears to hurt someone. Then a little protectionism is warranted,

for fairness sake. Others who claim allegiance to free trade are only too eager to devalue their own currencies, which harms a different group of citizens--like importers and savers--in competitive devaluations in hopes of gaining a competitive edge. Many so-called free-trade proponents are champions of international agreements that undermine national sovereignty and do little more than create an international bureaucracy to manage tariffs and sanctions. Organizations like NAFTA, WTO, and the coming FTAA are more likely to benefit the powerful special interests than to enhance true free trade. Nothing is said, however, about how a universal commodity monetary standard would facilitate trade, nor is it mentioned how unilaterally lowering tariffs can benefit a nation. Even bilateral agreements are ignored when our trade problems are used as an excuse to promote dangerous internationalism.

Trade as an issue of personal liberty is totally ignored. But simply put, one ought to have the right to spend one's own money any way one wants. Buying cheap foreign products can have a great economic benefit for our citizens and serve as an incentive to improve production here at home. It also puts pressure on us to reassess the onerous regulations and tax burdens placed on our business community. Monopoly wages that force wage rates above the market also are challenged when true free trade is permitted. And this, of course, is the reason free trade is rejected. Labor likes higher-than-market wages, and business likes less competition. In the end, consumers--all of us--suffer. Ironically, the free traders in Congress were the most outspoken opponents of drug reimportation, with a convoluted argument claiming that the free-trade position should prohibit the reimportation of pharmaceuticals. So much for a wise consistency!

Following the Constitution—Arbitrarily, Of Course: Following the Constitution is a convenience shared by both liberals and conservatives--at times. Everyone takes the same oath of office, and most Members of Congress invoke the Constitution, at one time or another, to make some legislative point. The fact that the Constitution is used periodically to embarrass one's opponents, when convenient, requires that no one feel embarrassed by an inconsistent voting record. Believing that any consistency, not just a foolish one, is a philosophic hobgoblin gives many Members welcome reassurance. This allows limited-government conservatives to massively increase the size and scope of government, while ignoring the deficit. Liberals, who also preach their own form of limited government in the areas of civil liberties and militarism, have no problem with a flexible pragmatic approach to all government expenditures and intrusions. The net result is that the oath of office to abide by all the constitutional restraints on government power is rarely followed.

Paper Money, Inflation, and Economic Pain: Paper money and inflation have never provided long-term economic growth, nor have they enhanced freedom. Yet the world, led by the United States, lives with a financial system awash with fiat currencies and historic debt as a consequence. No matter how serious the problems that come from central-bank monetary inflations--the depressions and inflation, unemployment, social chaos, and war--the only answer

has been to inflate even more. Except for the Austrian free-market economists, the consensus is that the Great Depression was prolonged and exacerbated by the lack of monetary inflation. This view is held by Alan Greenspan, and reflected in his January 2001 response to the stock market slump and a slower economy--namely a record monetary stimulus and historically low interest rates. The unwillingness to blame the slumps on the Federal Reserve's previous errors, though the evidence is clear, guarantees that greater problems for the United States and the world economy lie ahead. Though there is adequate information to understand the real cause of the business cycle, the truth and proper policy are not palatable. Closing down the engine of inflation at any point does cause short-term problems that are politically unacceptable. But the alternative is worse, in the long term. It is not unlike a drug addict demanding and getting a fix in order to avoid the withdrawal symptoms. Not getting rid of the addiction is a deadly mistake. While resorting to continued monetary stimulus through credit creation delays the pain and suffering, it inevitably makes the problems much worse. Debt continues to build in all areas--personal, business, and government. Inflated stock prices are propped up, waiting for another collapse. Mal-investment and overcapacity fail to correct. Insolvency proliferates without liquidation. These same errors have been prolonging the correction in Japan for 14 years, with billions of dollars of non-performing loans still on the books. Failure to admit and recognize that fiat money, mismanaged by central banks, gives us most of our economic problems, along with a greater likelihood for war, means we never learn from our mistakes. Our consistent response is to inflate faster and borrow more, which each downturn requires, to keep the economy afloat. Talk about a foolish consistency! It's time for our leaders to admit the error of their ways, consider the wise consistency of following the advice of our Founders, and reject paper money and central bank inflationary policies.

Alcohol Prohibition—For Our Own Protection: Alcohol prohibition was a foolish consistency engaged in for over a decade, but we finally woke up to the harm done. In spite of prohibition, drinking continued. The alcohol being produced in the underground was much more deadly, and related crime ran rampant. The facts stared us in the face, and with time, we had the intelligence to repeal the whole experiment. No matter how logical this reversal of policy was, it did not prevent us from moving into the area of drug prohibition, now in the more radical stages, for the past 30 years. No matter the amount of harm and cost involved, very few in public life are willing to advise a new approach to drug addiction. Alcoholism is viewed as a medical problem, but illicit drug addiction is seen as a heinous crime. Our prisons overflow, with the cost of enforcement now into the hundreds of billions of dollars, yet drug use is not reduced. Nevertheless, the politicians are consistent. They are convinced that a tough stand against usage with very strict laws and mandatory sentences--sometimes life sentences for non-violent offenses--is a popular political stand. Facts don't count, and we can't bend on consistently throwing the book at any drug offenders. Our prisons are flooded with non-violent drug users--84% of all federals prisoners--but no serious reassessment is considered. Sadly, the current war on drugs has done tremendous harm to many patients' need for legitimate prescribed pain control. Doctors are very often compromised in their ability to care for the seriously and terminally ill by overzealous law enforcement. Throughout most of our history, drugs were legal and at times were abused. But during that time, there was no history of the social and legal chaos associated with drug use that we suffer today. A hundred years ago, a

pharmacist openly advertised, “Heroin clears the complexion, gives buoyancy to the mind, regulates the stomach and the bowels and is, in fact, a perfect guardian of health.” Obviously this is overstated as a medical panacea, but it describes what it was like not to have hysterical busybodies undermine our Constitution and waste billions of dollars on a drug war serving no useful purpose. This country needs to wake up! We should have more confidence in citizens making their own decisions, and decide once again to repeal federal prohibition, while permitting regulation by the states alone.

FDA and Legal Drugs—For Our Own Protection: Our laws and attitudes regarding legal drugs are almost as harmful. The FDA supposedly exists to protect the consumer and patients. This conclusion is based on an assumption that consumers are idiots and all physicians and drug manufacturers are unethical or criminals. It also assumes that bureaucrats and politicians, motivated by good intentions, can efficiently bring drugs onto the market in a timely manner and at reasonable cost. These same naïve dreamers are the ones who say that in order to protect the people from themselves, we must prohibit them from being allowed to re-import drugs from Canada or Mexico at great savings. The FDA virtually guarantees that new drugs come online slower and cost more money. Small companies are unable to pay the legal expenses, and don’t get the friendly treatment that politically connected big drug companies receive. If a drug seems to offer promise, especially for a life-threatening disease, why is it not available, with full disclosure, to anyone who wants to try it? No, our protectors say that no one gets to use it, or make their own decisions, until the FDA guarantees that each drug has been proven safe and effective. And believe me, the FDA is quite capable of making mistakes, even after years of testing. It seems criminal when cancer patients come to our congressional offices begging and pleading for a waiver to try some new drug. We call this a free society! For those who can’t get a potentially helpful drug but might receive a little comfort from some marijuana, raised in their own back yard legally in their home state, the heavy hand of the DEA comes down hard, actually arresting and imprisoning ill patients. Federal drug laws blatantly preempt state laws, adding insult to injury.

Few remember that the first federal laws regulating marijuana were written as recently as 1938, which means just a few decades ago our country had much greater respect for individual choices and state regulations in all health matters. The nanny state is relatively new, but well entrenched. Sadly, we foolishly and consistently follow the dictates of prohibition and government control of new medications, never questioning the wisdom of these laws. The silliness regarding illegal drugs and prescription drugs was recently demonstrated. It was determined that a drug used to cause an abortion can be available over the counter. However, Ephedra--used by millions for various reasons and found in nature--was made illegal as a result of one death after being misused. Individuals no longer can make their own decisions, at an affordable price, to use Ephedra. Now it will probably require a prescription and cost many times more. It can never be known, but weight loss by thousands using Ephedra may well have saved many lives. But the real issue is personal choice and responsibility, not the medicinal effect of these drugs. This reflects our moral standards, not an example of individual freedom and

responsibility.

Foreign Policy of Interventionism—General: Our foreign policy of interventionism offers the best example of Emerson's foolish inconsistency. No matter how unsuccessful our entanglements become, our leaders rarely question the wisdom of trying to police the world. Most of the time our failures prompt even greater intervention, rather than less. Never yielding to the hard cold facts of our failures, our drive to meddle and nation-build around the world continues. Complete denial of the recurrent blowback from our meddling--a term our CIA invented--prompts us to spend endlessly while jeopardizing the lives of hundreds of thousands of people. Refusing even to consider the failure of our own policies is outrageous. Only in the context of commercial benefits to the special interests and the military- industrial complex, molded with patriotic jingoism, can one understand why we pursue such a foolish policy. Some of these ulterior motives are understandable, but the fact that average Americans rarely question our commitment to these dangerous and expensive military operations is disturbing. The whipped up war propaganda too often overrules the logic that should prevail. Certainly the wise consistency of following the Constitution has little appeal. One would think the painful consequences of our militarism over the last hundred years would have made us more reluctant to assume the role of world policeman in a world that hates us more each day.

A strong case can be made that all the conflicts, starting with the Spanish-American War up to our current conflict in the Middle East, could have been avoided. For instance, the foolish entrance into World War I to satisfy Wilson's ego led to a disastrous peace at Versailles, practically guaranteeing World War II. Likewise, our ill-advised role in the Persian Gulf War I placed us in an ongoing guerilla war in Iraq and Afghanistan, which may become a worldwide conflict before it ends. Our foolish antics over the years have prompted our support for many thugs throughout the 20th Century--Stalin, Samoza, Batista, the Shah of Iran, Noriega, Osama bin Laden, Saddam Hussein, and many others--only to regret it once the unintended consequences became known. Many of those we supported turned on us, or our interference generated a much worse replacement--such as the Ayatollah in Iran. If we had consistently followed the wise advice of our early presidents, we could have avoided the foreign policy problems we face today. And if we had, we literally would have prevented hundreds of thousands of needless deaths over the last century. The odds are slim to none that our current failure in Afghanistan and Iraq will prompt our administration to change its policies of intervention. Ignoring the facts and rigidly sticking to a failed policy--a foolish consistency--as our leaders have repeatedly done over the past 100 years, unfortunately will prevail despite its failure and huge costs. This hostility toward principled consistency and common sense allows for gross errors in policy making. Most Americans believed, and still do, that we went to war against Saddam Hussein because he threatened us with weapons of mass destruction and his regime was connected to al Qaeda. The fact that Saddam Hussein not only did not have weapons of mass destruction, but essentially had no military force at all, seems to be of little concern to those who took us to war. It was argued, after our allies refused to join in our efforts, that a unilateral approach without the United Nations was proper under our notion of national

sovereignty. Yet resolutions giving the President authority to go to war cited the United Nations 21 times, forgetting the U.S. Constitution allows only Congress to declare war. A correct declaration of war was rejected out of hand. Now with events going badly, the administration is practically begging the UN to take over the transition--except, of course, for the Iraqi Development Fund that controls the oil and all the seized financial assets. The contradictions and distortions surrounding the Iraqi conflict are too numerous to count. Those who wanted to institutionalize the doctrine of pre-emptive war were not concerned about the Constitution or consistency in our foreign policy. And for this, the American people and world peace will suffer.

Promoting Democracy--An Obsession Whose Time Has Passed: Promoting democracy is now our nation's highest ideal. Wilson started it with his ill-advised drive to foolishly involve us in World War I. His utopian dream was to make the world safe for democracy. Instead, his naiveté and arrogance promoted our involvement in the back-to-back tragedies of World War I and World War II. It's hard to imagine the rise of Hitler in World War II without the Treaty of Versailles. But this has not prevented every president since Wilson from promoting U.S.-style democracy to the rest of the world.

Since no weapons of mass destruction or al Qaeda have been found in Iraq, the explanation given now for having gone there was to bring democracy to the Iraqi people. Yet we hear now that the Iraqis are demanding immediate free elections not controlled by the United States. But our administration says the Iraqi people are not yet ready for free elections. The truth is that a national election in Iraq would bring individuals to power that the administration doesn't want. Democratic elections will have to wait.

This makes the point that our persistence in imposing our will on others through military force ignores sound thinking, but we never hear serious discussions about changing our foreign policy of meddling and empire building, no matter how bad the results. Regardless of the human and financial costs for all the wars fought over the past hundred years, few question the principle and legitimacy of interventionism. Bad results, while only sowing the seeds of our next conflict, concern few here in Congress. Jingoism, the dream of empire, and the interests of the military-industrial complex generate the false patriotism that energizes supporters of our foreign entanglements. Direct media coverage of the more than 500 body bags coming back from Iraq is now prohibited by the administration. Seeing the mangled lives and damaged health of thousands of other casualties of this war would help the American people put this war in proper perspective. Almost all war is unnecessary and rarely worth the cost. Seldom does a good peace result. Since World War II, we have intervened 35 times in developing countries, according to the LA Times, without a single successful example of a stable democracy. Their conclusion: "American engagement abroad has not led to more freedom or more democracy in countries where we've become involved." So far, the peace in Iraq--that is, the period following the declared end of hostilities--has set the stage for a civil war in this forlorn Western-created

artificial state. A U.S.- imposed national government unifying the Kurds, the Sunnis, and the Shiites will never work. Our allies deserted us in this misadventure. Dumping the responsibility on the UN, while retaining control of the spoils of war, is a policy of folly that can result only in more Americans being killed. This will only fuel the festering wounds of Middle East hatred toward all Western occupiers. The Halliburton scandals and other military-industrial connections to the occupation of Iraq will continue to annoy our allies, and hopefully a growing number of American taxpayers.

I have a few suggestions on how to alter our consistently foolish policy in Iraq. Instead of hiding behind Wilson's utopianism of making the world safe for democracy, let's try a new approach:

-The internal affairs and the need for nation building in Iraq are none of our business.

-Our goal in international affairs ought to be to promote liberty and the private-property/free-market order--through persuasion and example, and never by force of arms, clandestine changes, or preemptive war.

-We should give up our obsession with democracy, both for ourselves and others, since the dictatorship of the majority is just as destructive to a minority, especially individual liberty, as a single Saddam Hussein-like tyrant. (Does anyone really believe the Shiite majority can possibly rule fairly over the Sunnis and the Kurds?)

-A representative republic, loosely held together with autonomy for each state or providence, is the only hope in a situation like this. But since we have systematically destroyed that form of government here in the United States, we can't possibly be the ones who will impose this system on a foreign and very different land 6,000 miles away--no matter how many bombs we drop or people we kill. This type of change can come only with a change in philosophy, and an understanding of the true nature of liberty. It must be an intellectual adventure, not a military crusade. If for no other reason, Congress must soon realize that we no longer can afford to maintain an empire circling the globe. It's a Sisyphean task to rebuild the Iraq we helped to destroy while our financial problems mount here at home. The American people eventually will rebel and demand that all job and social programs start at home before we waste billions more in Iraq, Afghanistan, and many other forlorn lands around the world.

-The Constitution places restraints on Congress and the executive branch, so as not to wage war casually and without proper declaration. It provides no authority to spend money or lives to spread our political message around the world. A strict adherence to the rule of law and the Constitution would bring an immediate halt to our ill-advised experiment in assuming the role of world policeman. We have been told that our effort in Iraq has been worth the 500-plus lives lost and the thousands wounded. I disagree--with great sadness for the families who have lost so much, and with so little hope for a good peace--I can only say, I disagree and hope I'm wrong.

Fighting Terrorism With Big Government—A Convenience or Necessity? Fighting terrorism is a top concern for most Americans. It is understandable, knowing how vulnerable we now are to an attack by our enemies. But striking out against the liberties of all Americans, with the Patriot Act, the FBI, or Guantanamo-type justice will hardly address the problem. Liberty cannot be enhanced by undermining liberty! It is never necessary to sacrifice liberty to preserve it. It's tempting to sacrifice liberty for safety, and that is the argument used all too often by the politicians seeking more power. But even that is not true. History shows that a strong desire for safety over liberty usually results in less of both. But that does not mean we should ignore the past attacks or the threat of future attacks that our enemies might unleash. First, fighting terrorism is a cliché. Terrorism is a technique or a process, and if not properly defined, the solutions will be hard to find. Terrorism is more properly defined as an attack by a guerrilla warrior who picks the time and place of the attack because he cannot match the enemy with conventional weapons. With too broad a definition of terrorism, the temptation will be to relinquish too much liberty, being fearful that behind every door and in every suitcase lurks a terrorist- planted bomb. Narrowing the definition of terrorism and recognizing why some become enemies is crucial. Understanding how maximum security is achieved in a free society is vital. We have been told that the terrorists hate us for our wealth, our freedom, and our goodness. This war cannot be won if that belief prevails.

When the definition of terrorism is vague and the enemy pervasive throughout the world, the neo-conservatives--who want to bring about various regime changes for other reasons--conveniently latch onto these threats and use them as the excuse and justification for our expanding military presence throughout the Middle East and the Caspian Sea region. This is something they have been anxious to do all along. Already, plans are being laid by neo-conservative leaders to further expand our occupations to many other countries, from Central America and Africa to Korea. Whether it's invading Iraq, threatening North Korea, or bullying Venezuela or even Russia, it's now popular to play the terrorist card. Just mention terrorism and the American people are expected to grovel and allow the war hawks to do whatever they want to do. This is a very dangerous attitude. One would think that, with the shortcomings of the Iraqi occupation becoming more obvious every day, more Americans would question our flagrant and aggressive policy of empire building. The American people were frightened into supporting this war because they were told that Iraq had: "25,000 liters of anthrax; 38,000 liters of botulinum toxin; 500 tons of sarin, mustard, and VX nerve gas; significant quantities of refined uranium; and special aluminum tubes used in developing nuclear

weapons." The fact that none of this huge amount of material was found, and the fact that David Kay resigned from heading up the inspection team saying none will be found, doesn't pacify the instigators of this policy of folly. They merely look forward to the next regime change as they eye their list of potential targets. And they argue with conviction that the 500-plus lives lost were worth it. Attacking a perceived enemy who had few weapons, who did not aggress against us, and who never posed a threat to us does nothing to help eliminate the threat of terrorist attacks. If anything, deposing an Arab Muslim leader--even a bad one--incites more hatred toward us, certainly not less. This is made worse if our justification for the invasion was in error. It is safe to say that in time we'll come to realize that our invasion has made us less safe, and has served as a grand recruiting tool for the many militant Muslim groups that want us out of their countries--including the majority of those Muslims in Saudi Arabia, Pakistan, Afghanistan, and the entire Middle East. Because of the nature of the war in which we find ourselves, catching Saddam Hussein, or even killing Osama bin Laden, are almost irrelevant. They may well simply become martyrs to their cause and incite even greater hatred toward us.

There are a few things we must understand if we ever expect this war to end.

First: The large majority, especially all the militant Muslims, see us as invaders, occupiers, and crusaders. We have gone a long way from home and killed a lot of people, and none of them believe it's to spread our goodness. Whether or not some supporters of this policy of intervention are sincere in bringing democracy and justice to this region, it just doesn't matter--few over there believe us.

Second: This war started a long time before 9-11. That attack was just the most dramatic event of the war so far. The Arabs have fought Western crusaders for centuries, and they have not yet forgotten the European Crusades centuries ago. Our involvement has been going on, to some degree, since World War II, but was dramatically accelerated in 1991 with the first Persian Gulf invasion along with the collapse of the Soviet system. Placing U.S. troops on what is considered Muslim holy land in Saudi Arabia was pouring salt in the wounds of this already existing hatred. We belatedly realized this and have removed these troops.

Third: If these facts are ignored, there's no chance that the United States-led Western occupation of the oil-rich Middle East can succeed (70% of the world's oil is in the Persian Gulf and Caspian Sea regions). Without a better understanding of the history of this region, it's not even possible to define the enemy, know why they fight, or understand the difference between guerilla warrior attacks and vague sinister forces of terrorism. The pain of recognizing that the ongoing war is an example of what the CIA calls blowback and an unintended consequence of our foreign policy is a great roadblock to ever ending the war.

Judicial Review: Respect for the original intent of the Constitution is low in Washington. It's so low, it's virtually non-existent. This causes many foolish inconsistencies in our federal courts. The Constitution, we have been told, is a living, evolving document and it's no longer necessary to change it in the proper fashion. That method is too slow and cumbersome, it is claimed. While we amended it to institute alcohol prohibition, the federal drug prohibition is accomplished by majority vote of the U.S. Congress. Wars are not declared by Congress, but pursued by Executive Order to enforce UN Resolutions. The debate of the pros and cons of the war come afterward--usually following the war's failure--in the political arena, rather than before with the proper debate on a declaration of war resolution. Laws are routinely written by un-elected bureaucrats, with themselves becoming the judicial and enforcement authority. Little desire is expressed in Congress to alter this monster that creates thousands of pages each year in the Federal Register. Even the nearly 100,000 bureaucrats who now carry guns stir little controversy. For decades, Executive Orders have been arrogantly used to write laws to circumvent a plodding or disagreeable Congress. This attitude was best described by a Clinton presidential aide who bragged: "…stroke of the pen, law of the land, kinda cool!" This is quite a testimonial to the rule of law and constitutional restraint on government power. The courts are no better than the executive or legislative branches in limiting the unconstitutional expansion of the federal monolith. Members of Congress, including committee chairmen, downplay my concern that proposed legislation is unconstitutional by insisting that the courts are the ones to make such weighty decisions, not mere Members of Congress. This was an informal argument made by House leadership on the floor during the debate on campaign finance reform. In essence, they said "We know it's bad, but we'll let the courts clean it up." And look what happened! The courts did not save us from ourselves.

Something must be done, however, if we expect to rein in our ever growing and intrusive government. Instead of depending on the courts to rule favorably, when Congress and the executive branch go astray, we must curtail the courts when they overstep their authority by writing laws, rubber stamping bad legislation, or overruling state laws. Hopefully in the future we will have a Congress more cognizant of its responsibility to legislate within the confines of the Constitution. There is something Congress, by majority vote, can do to empower the states to deal with their First Amendment issues. It's clear that Congress has been instructed to write no laws regarding freedom of speech, religion, or assembly. This obviously means that federal courts have no authority to do so either. Therefore, the remaining option is for Congress to specifically remove jurisdiction of all First Amendment controversies from all federal courts, including the Supreme Court. Issues dealing with prayer, the Ten Commandments, religious symbols or clothing, and songs, even the issue of abortion, are properly left as a prerogative of the states. A giant step in this direction could be achieved with the passage my proposed legislation, the We the People Act. Conclusion: Emerson's real attack was on intellectual conformity without a willingness to entertain new ideas based on newly acquired facts. This is what he referred to as the foolish consistency. The greatest open-minded idea I'm aware of is to know that one does not know what is best for others, whether it's in economic, social, or moral policy, or in the affairs of other nations. Believing one knows what is best for others represents the greatest example of a closed mind. Friedrich Hayek referred to this as a pretense of knowledge. Governments are no more capable of running an economy made fair for everyone

than they are of telling the individual what is best for their spiritual salvation. There are a thousand things in between that the busybody politicians, bureaucrats, and judges believe they know and yet do not. Sadly our citizens have become dependent on government for nearly everything from cradle to grave, and look to government for all guidance and security.

Continuously ignoring Emerson's advice on self-reliance is indeed a foolish consistency which most of the politicians now in charge of the militant nanny state follow. And it's an armed state, domestic as well as foreign. Our armies tell the Arab world what's best for them, while the armed bureaucrats at home harass our own people into submission and obedience to every law and regulation, most of which are incomprehensible to the average citizen. Ask three IRS agents for an interpretation of the tax code and you will get three different answers. Ask three experts in the Justice Department to interpret the anti-trust laws, and you will get three different answers. First they'll tell you it's illegal to sell too low, then they'll tell you it's illegal to sell too high, and it's certainly illegal if everybody sold products at the same price. All three positions can get you into plenty of trouble and blamed for first, undermining competition, second, for having too much control and gouging the public, and third, for engaging in collusion. The people can't win.

Real knowledge is to know what one does not know. The only society that recognizes this fact and understands how productive enterprise is generated is a free society, unencumbered with false notions of grandeur. It is this society that generates true tolerance and respect for others. Self-reliance and creativity blossom in a free society. This does not mean anarchy, chaos, or libertine behavior. Truly, only a moral society can adapt to personal liberty. Some basic rules must be followed and can be enforced by government--most suitably by local and small government entities. Honoring all voluntary contractual arrangements, social and economic, protection of all life, and established standards for private property ownership are the three principles required for a free society to remain civilized. Depending on the culture, the government could be the family, the tribe, or some regional or state entity.

The freedom philosophy is based on the humility that we are not omnipotent, but also the confidence that true liberty generates the most practical solution to all our problems, whether they are economic, domestic security, or national defense. Short of this, any other system generates authoritarianism that grows with each policy failure and eventually leads to a national bankruptcy. It was this end, not our military budget, which brought the Soviets to their knees.

A system of liberty allows for the individual to be creative, productive, or spiritual on one's own terms, and encourages excellence and virtue. All forms of authoritarianism only exist at the expense of liberty. Yet the humanitarian do-gooders claim to strive for these very same goals.

To understand the difference is crucial to the survival of a free society.