

# Ron Paul's FREEDOM REPORT

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## **An Indecent Attack on the First Amendment**

*Dr. Paul addresses the U.S. House of  
Representatives*

We will soon debate the *Broadcast Indecency Act of 2004* on the House Floor. This atrocious piece of legislation should be defeated. It cannot improve the moral behavior of U.S. citizens, but it can do irreparable harm to our cherished right to freedom of speech.

This attempt at regulating and punishing indecent and sexually provocative language suggests a comparison to the Wahhabi religious police of Saudi Arabia, who control the “Commission for the Promotion of Virtue and Prevention of Vice.” Though both may be motivated by the good intentions of improving moral behavior, using government force to do so is fraught with great danger and has no chance of success.

**Regulating speech is a dangerous notion, and not compatible with the principles of a free society. The Founders recognized this, and thus explicitly prohibited Congress from making any laws that might abridge freedom of speech or of the press.**

But we have in recent decades seen a steady erosion of this protection of free speech. This process started years ago when an arbitrary distinction was made by the political left between *commercial* and *non-commercial* speech, thus permitting government to regulate and censor commercial speech. Since only a few participated in commercial speech, few cared — and besides, the government was there to protect us from unethical advertisements. Supporters of this policy failed to understand that anti-fraud laws and state laws could adequately deal with this common problem found in all societies.

Disheartening as it may be, the *political left*, which was supposed to care more about the 1st Amendment than the *political right*, has ventured in recent years to curtail so-

called “hate speech” by championing *political correctness*. In the last few decades we’ve seen the political-correctness crowd, in the name of improving personal behavior and language, cause individuals to lose their jobs, cause careers to be ruined, cause athletes to be trashed, and cause public speeches on liberal campuses to be disrupted and even banned. **These tragedies have been caused by the so-called champions of free speech.** Over the years, tolerance for the views of those with whom campus liberals disagree has nearly *evaporated*. The systematic and steady erosion of freedom of speech continues.

Just one year ago, we saw a coalition of both left and right push through the radical Campaign Finance Reform Act, which strictly curtails the rights all Americans to speak out against particular candidates at the time of elections. Amazingly, this usurpation by Congress was upheld by the Supreme Court, which showed no concern for the restrictions on political speech during political campaigns. Instead of admitting that money and corruption in government are not a consequence of too much freedom of expression (but rather a result of government acting outside the bounds of the Constitution) this new law addressed a symptom, rather than the cause, of special interest control of our legislative process.

And now comes the right’s attack on the 1st Amendment, with its effort to stamp out “indecent” language on the airways. And it will be assumed that if one is not with them in this effort, then one must support the trash seen and heard in the movie theaters and on our televisions and radios. For social rather than constitutional reasons, some on the left express opposition to this proposal.

But this current proposal is dangerous. Since most Americans — I hope — are still for freedom of expression of political ideas and religious beliefs, no one claims that anyone who endorses freedom of speech, therefore, endorses the nutty philosophy and religious views that are expressed. We should all know that the 1st Amendment was not written to protect non-controversial mainstream speech, but rather the ideas and beliefs of what the majority see as controversial or fringe.

The temptation has always been great to legislatively restrict rudeness, prejudice, and minority views, and it's easiest to start by attacking the clearly obnoxious expressions that most deem offensive. The real harm comes later. But "later" is now approaching.

The failure to understand that radio, TV and movies more often than not reflect the peoples' attitudes prompts this effort. **It was never law that prohibited moral degradation in earlier times. It was the moral standards of the people who rejected the smut that we now see as routine entertainment.** Merely writing laws and threatening huge fines will not improve the moral standards of the people. Laws like the proposed *Broadcast Indecency Act of 2004* merely address the symptom of a decaying society, while posing a greater threat to freedom of expression. Laws may attempt to silence the bigoted and the profane, but the hearts and minds of those individuals will not be changed. Societal standards will not be improved. **Government has no control over these standards and can only undermine liberty in its efforts to make individuals more moral or the economy fairer.**

Proponents of using government authority to censor certain undesirable images and comments on the airwaves resort to the claim that the airways belong to all the people, and therefore, it's the government's responsibility to protect them. The mistake of never having privatized the radio and TV airwaves does not justify ignoring the 1st Amendment mandate that "Congress shall make no law abridging freedom of speech." When everyone owns something, in reality nobody owns it. Control then occurs merely by the whims of the politicians in power. From the very start, licensing of radio and TV frequencies invited government censorship that is no less threatening than that found in totalitarian societies.

We should not ignore the smut and trash that has invaded our society, but laws like this will not achieve the goals that many seek. **If a moral society could be created by law, we would have had one a long time ago.** The religious fundamentalists in control of other countries would have led the way. Instead, authoritarian violence reigns in those countries.

If it is not recognized that this is the wrong approach to improving the quality of the airways, a heavy price will be paid. The solution to decaying moral standards has to be voluntary, through setting examples in our families, churches, and communities — never by government coercion. It just doesn't work.

But the argument is always that the people are in great danger if government does not act by:

- Restricting free expression in advertising;
- Claiming insensitive language hurts people, and political correctness guidelines are needed to protect the weak;
- Arguing that campaign finance reform is needed to

hold down government corruption by the special interests;

- Banning indecency on the airways that some believe encourages immoral behavior.

If we accept the principle that these dangers must be prevented through coercive government restrictions on expression, it must logically follow that all dangers must be stamped out, especially those that are even more dangerous than those already dealt with. This principle is adhered to in all totalitarian societies.

That means total control of freedom of expression of all political and religious views. This certainly was the case with the Soviets, the Nazis, the Cambodians, and the Chinese communists. And yet these governments literally caused the deaths of hundreds of millions of people throughout the 20th Century. This is the real danger, and if we're in the business of protecting the people from all danger, this will be the logical next step.

It could easily be argued that this must be done, since political ideas and fanatical religious beliefs are by far the most dangerous ideas known to man. Sadly, we're moving in that direction, and no matter how well intended the promoters of these limits on the 1st Amendment are, both on the left and the right, they nevertheless endorse the principle of suppressing any expressions of dissent if one chooses to criticize the government.

When the direct attack on political and religious views comes, initially it will be on targets that most will ignore, since they will be seen as outside the mainstream and, therefore, unworthy of defending — like the Branch Davidians or Lyndon LaRouche.

Rush Limbaugh has it right (at least on this one) and correctly fears the speech police. He states: "I'm in the free-speech business," as he defends Howard Stern and criticizes any government effort to curtail speech on the airways, while recognizing the media companies' authority and responsibility to self-regulate.

Congress has been a poor steward of the 1st Amendment. This newest attack should alert us all to the dangers of government regulating freedom of speech — of any kind.

[*The Broadcast Decency Enforcement Act of 2004*, H.R. 3717, passed 391 to 22 on March 11, 2004.]

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*Ron Paul's Texas Straight Talk*  
A Weekly Column  
February 23, 2004

### **Greenspan's Black Magic**

In testimony before the House Financial Services Committee last week, Federal Reserve Chairman Alan Greenspan

painted a rosy picture of the U.S. economy. In his eyes, the Fed's aggressive expansion of the money supply and suppression of interest rates have strengthened the financial condition of American households and industries. If this is true, however, our nation's "prosperity" is merely a temporary illusion based on smoke and mirrors. True wealth cannot be created simply by printing money; families and businesses cannot prosper by getting deeper in debt.

In fact, economist Frank Shostak of the Ludwig von Mises Institute throws cold water on Chairman Greenspan's assertions in an article entitled "Running on Empty." Mr. Shostak cites statistics showing that American families have never been deeper in debt, never saved so little, and never consumed so much more than they produce. **By any objective standard, U.S. families are treading on very shaky economic ground.**

Never mind, says Mr. Greenspan. Mortgage refinancing, made wildly popular by artificially low interest rates established by the Fed, will be the saving grace of American households. They can simply borrow against their homes to finance living beyond their means, a practice encouraged by Fed policies. But what happens when home prices stop going up? What happens when families reach a point where they cannot make payments on two, three, or even more mortgages? How can the Fed chairman equate mortgage credit with real economic growth?

Mr. Shostak also demonstrates that American businesses aren't doing much better. As consumers exhaust their ability to borrow, they necessarily buy fewer goods and services. The ratio of business liabilities to assets is very high, price-to-earning ratios are still unrealistic, and investment capital remains scarce. Business may be better than it was two years ago, but the fundamentals are far less healthy than Mr. Greenspan would have us believe.

Debt is the fundamental problem the central planners at the Fed will not address. **The total U.S. federal debt is more than \$7 trillion, and government spending as a percentage of gross domestic product has never been higher, except during World War II.** Mr. Greenspan's attempts to stimulate economic growth by printing money become more and more tenuous: today the Fed must create nearly \$7 of new debt in the form of new fiat currency to generate only \$1 of new GDP. Twenty years ago that \$7 figure was less than \$1.50. Clearly this is a race that has run its course.

As financial analyst Jay Taylor explains, **the disturbing increase in the debt-to-GDP ratio illustrates that printing more money is the only solution federal policy makers know.** Federal debt naturally grows faster than income — while there are no limits to how fast the printing presses can run, there are natural limits to economic growth.

The end may come when foreign central banks realize the dollars they receive are worthless, or when they find

other places to turn for income. When that day comes, interest rates will rise, perhaps dramatically. At that point, not even Mr. Greenspan will be able to save the economy from the painful correction necessitated by his easy-credit, easy-money policies.

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## Ron Paul's Texas Straight Talk

A Weekly Column

February 2, 2004

### Spending and Lying

The Congressional Budget Office issued a sobering report last week showing that federal debt, already more than \$7 trillion, will increase \$2.4 trillion by the end of this decade. **The single-year deficit for 2004 will be nearly \$500 billion.**

The *federal spending frenzy* of the last few years is well documented, but these latest figures have congressional Republicans and the White House scrambling to figure out how to explain the budget mess to voters in November. **Having abandoned even the limited-government rhetoric of the Reagan and Gingrich years, mainstream Republicans now must attempt to out-pander the Democrats. The Medicare bill is clear evidence of this.**

Some conservatives have criticized Mr. Bush's spending requests, but their votes don't always match their words. True fiscal conservatives in Congress have only one choice: **Vote NO on all spending bills**, especially the 13 annual appropriations bills. This is the only honest measure of whether any member of Congress truly wants *smaller government*. It's galling to hear members who voted for the Medicare bill and huge increases in 2004 agency budgets complain about excessive spending.

Already, the \$400 billion price tag attached to the new Medicare drug bill has been exposed as a predictable lie. Just one month after passage of the bill, the White House admits the cost may be one-third higher, roughly \$540 billion. Yet even this bait-and-switch tactic is deceptive, because independent groups estimate the true cost of the Medicare bill will be **one trillion dollars over ten years.**

Even in the midst of this flood of red ink, the president is busy finding programs to *expand*. He plans to *increase* funding for the rotten National Endowment for the Arts by \$20 million in 2005, while *expanding* the space program to make trips to Mars and the moon that will cost hundreds of billions. Of course NASA and the NEA represent very small slivers of the annual budget, but the dollar amounts are far less important than the tone set by the president. The White House wants to pretend that deficits don't matter, that more revenues will materialize in the future, and that **burdening our grandchildren to win votes today is morally acceptable.**

Faced with a severe budget crisis, the federal govern-

ment should do what any family or business would do in similar circumstances: drastically reduce spending and sell off assets. **It is preposterous that the federal budget has more than doubled just since 1990**, and surely the republic would survive a return to 1995 or 2000 spending levels. Furthermore, **the government owns trillions of dollars worth of land and other assets, assets that should be sold to pay off the mounting national debt.** Why should additional debt and new taxes be forced upon the American people to pay for government sins, especially when the spendthrift politicians have substantial assets at their disposal?

Government is incapable of austerity measures for a very simple reason: the money it spends belongs to others. Unless and until federal politicians are voted out of office for their sins, we can only expect the spending, borrowing, taxing, and printing of fiat money to continue.

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**WEDNESDAY, FEBRUARY 4, 2004**

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## **Congress Abandoned its Duty to Debate and Declare War**

*Dr. Paul addresses the U.S. House of Representatives*

There is plenty of blame to go around for the mistakes made by going to war in Iraq, especially now that it is common knowledge Saddam Hussein told the truth about having no weapons of mass destruction, and that Al Qaeda and 9/11 were in no way related to the Iraqi government. Our intelligence agencies failed, for whatever reason this time. But their frequent failures should raise the question of whether or not secretly spending forty billion taxpayer dollars annually gathering bad information is a good investment. The administration certainly failed us by making the decision to sacrifice so much in life and limb, by plunging us into this Persian Gulf quagmire that surely will last for years to come.

But before Congress gets too carried away with condemning the administration or the intelligence-gathering agencies, it ought to look to itself. A proper investigation and debate by this Congress — as we're now scrambling to accomplish — clearly was warranted prior to any decision to go to war. An open and detailed debate on a proper declaration of war certainly would have revealed that U.S. national security was not threatened — and the whole war could have been avoided. **Because Congress did not do that, it deserves the greatest criticism for its dereliction of duty.**

There was a precise reason why the most serious decision made by a country — the decision to go to war — was assigned in our Constitution to the body *closest to the people*. If we followed this charge, I'm certain fewer wars would be fought, wide support would be achieved for just defensive wars, there would be less political finger-pointing if events

went badly, and blame could not be placed on one individual or agency. This process would more likely *achieve victory*, which has eluded us in recent decades.

The president reluctantly has agreed to support an independent commission to review our intelligence-gathering failures, and that is good. Cynics said nothing much would be achieved by studying pre-9/11 intelligence failures, but it looks like some objective criticisms will emerge from that inquiry. We can hope for the best from this newly appointed commission.

But already we hear the inquiry will be deliberately delayed, limited to investigating only the failures of the intelligence agencies themselves, and may divert its focus to studying intelligence gathering related to North Korea and elsewhere. If the commission avoids the central controversy — **whether or not there was selective use of information or undue pressure put on the CIA to support a foregone conclusion to go to war by the administration** — the commission will appear a sham.

Regardless of the results, the process of the inquiry is missing the most important point: the failure of Congress to meet its responsibility on the decision to go, or not go, to war. The current mess was predictable from the beginning.

Unfortunately, Congress voluntarily gave up its prerogative over war and illegally transferred this power to the president in October of 2002. **The debate we are having now should have occurred here in the halls of Congress then.** We should have debated a *declaration of war resolution*. Instead, Congress chose to transfer this decision-making power to the president to avoid the responsibility of making the hard choice of sending our young people into harms way, against a weak, third-world country. **This the president did on his own, with congressional acquiescence.** The *blame game* has emerged only now that we are in the *political season*. Sadly, the call for and the appointment of the commission is all part of this political process.

It is truly disturbing to see many who abdicated their congressional responsibility to declare or reject war — who timidly voted to give the president the power he wanted — now posturing as his harshest critics.

*Nothing in this publication is intended to aid or hinder the passage of legislation before Congress.*

### **About the F.R.E.E. Foundation**

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