

Ron Paul's FREEDOM REPORT

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Ron Paul's *TEXAS STRAIGHT TALK*

October 10, 2005

Our Political Federal Courts

The nomination of White House lawyer Harriet Miers to the Supreme Court has raised questions about her qualifications and political ideology. Conservatives and liberals alike fear that Ms. Miers will not represent their views, and will rule on issues in ways that harm our nation. But clearly we are not asking the right questions about Supreme Court nominees. **The issue is not how candidates intend to wield judicial power, but rather whether they understand that the Constitution imposes limits on that power in the first place.** We are guilty of permitting our federal courts to become politicized, when the proper role of those courts is to protect us from the very abuses that arise from politics.

Instead of viewing federal judicial nominees as liberals or conservatives, we ought to be viewing them as *activists* or *originalists*. Judicial activism is a popular and often misused term in politics today, but if we define it properly we can better understand the problem with our courts. *Judicial activism* is the practice of judges legislating from the bench, by interpreting law in a manner that creates an outcome to fit their political views. But judicial activism is more than this. **Activist federal judges not only craft laws, they also ignore the laws in place — particularly the enumerated powers listed in Article I of the Constitution and underscored by the 9th and 10th amendments.** By ignoring the strict constitutional limits placed on the federal government and bulldozing states' rights, federal judges opened the door to the growth of wildly extra-constitutional government in the 20th Century. **Activist courts enable activist government.**

The bitterness and controversy that often surround the nomination of Supreme Court justices in recent decades make perfect sense when we consider the lawmaking and

lawbreaking power that activist federal courts possess. Federal courts in general, and the Supreme Court in particular, have long since ceased serving as referees who guard against government overreaching. Instead they have become unelected, unaccountable purveyors of social policy for the entire nation. Bitter partisan fights over Supreme Court nominees are inevitable simply because so much is at stake.

How did this come to pass? Unfortunately, our nation has embraced the flawed notion that only scholars, judges, or attorneys are qualified to understand and interpret the Constitution. We have come to accept that constitutional law must be revealed to us from on high by our black-robed masters. Yet nothing could be further from the ideal of constitutional jurisprudence envisioned by our founders. The Constitution is written in plain, forthright text, and there is nothing mystical about it. It simply establishes a system of shared, limited power between the three branches of the federal government, while reserving most government power to the states themselves.

It seems that schoolchildren once knew far more about the Constitution than many adults do today. Yet we cannot hold intelligent opinions about Supreme Court nominees unless we understand this basic constitutional framework. **It is therefore incumbent upon every American to read the text of the Constitution, study the history of its drafting and ratification, and consider whether federal judicial nominees will properly abide by their originally intended roles.**

The Constitution, above all, is a document that limits the power of the federal government. The fundamental point that has been lost in our national discourse is: the Constitution prohibits the federal government, including the federal judiciary, from doing all kinds of things. Until we have federal judges who understand this, it matters little what political stripes or experience they bring to the bench. **The Constitution does not empower government and grant rights. It restricts government in order to safeguard preexisting rights.** When federal courts disregard this principle, acting as legislatures or failing to enforce constitutional limitations, we get the worst kind of unaccountable government.

Dr. Paul addresses the House of Representatives

The Coming Category 5 Financial Hurricane

The tragic scenes of abject poverty in New Orleans revealed on national TV by Katrina's destruction were real eye-openers for many. These scenes prompted two emotional reactions. One side claims Katrina proved there was not enough government welfare, and its distribution was based on race. The other side claims we need to pump billions of new dollars into the very federal agency that failed (FEMA), while giving it extraordinary new *police* powers. **Both sides support more authoritarianism, more centralization, and even the imposition of *martial law* in times of natural disasters.**

There is no hint that we will resort to reason now that the failed welfare policies of the past 60 years have been laid bare. Certainly no one has connected the tragedy of poverty in New Orleans to the flawed monetary system that has significantly contributed to the impoverishment of a huge segment of American society.

Congress reacted to Katrina in the expected irresponsible manner. It immediately appropriated over \$60 billion with little planning or debate. Taxes won't be raised to pay the bill — fortunately. There will be no offsets or spending reductions to pay the bill. Welfare and entitlement spending is sacrosanct. Spending for the war in Iraq and the military-industrial complex is sacrosanct. There is no guarantee that gracious foreign lenders will step forward, especially without raising interest rates. **This means the Federal Reserve and Treasury will print the money needed to pay the bills.** The sad truth is that monetary debasement hurts poor people the most — the very people we saw on TV after Katrina. Inflating our currency hurts the poor and destroys the middle class, while transferring wealth to the ruling class. This occurs in spite of good intentions and misplaced compassion.

We face a coming financial crisis. Our current account deficit is more than \$600 billion annually. Our foreign debt is more than \$3 trillion. Foreigners now own over \$1.4 trillion of our Treasury and mortgage debt. We must borrow \$3 billion from foreigners every business day to maintain our extravagant spending. Our national debt now is increasing \$600 billion per year, and guess what, we print over \$600 billion per year to keep the charade going. But there is a limit and I'm fearful we're fast approaching it.

Runaway inflation is a well-known phenomenon; it leads to political and economic chaos of the kind we witnessed in New Orleans. Hopefully we'll come to our senses and not allow that to happen. But we're vulnerable and we have only ourselves to blame. The flawed paper money system in

existence since 1971 has allowed for the irresponsible spending of the past 30 years. Without a linkage to gold, Washington politicians and the Federal Reserve have no restraints placed on their power to *devalue our money* by merely printing more to pay the bills run up by the welfare-warfare state.

- This system of money is a big contributing factor in the exporting of American jobs, especially in the manufacturing industries.
- Since the last link to gold was severed in 1971, the dollar has lost 92% of its value relative to gold, with gold going from \$35 to \$450 per ounce.
- Major adjustment of the dollar and the current account deficit can come any time, and the longer the delay the greater the distortions will be in terms of a correction.
- In the meantime we give leverage to our economic competitors and our political adversaries, especially China.
- The current system is held together by a false confidence in the U.S. dollar that is vulnerable to sudden changes in the economy and political events.

My suggestion to my colleagues: **Any new expenditures must have offsets greater in amount than the new programs.** Foreign military and foreign-aid expenditures must be the first target. The Federal Reserve must stop *inflating the currency* merely for the purpose of artificially lowering interest rates to *perpetuate a financial bubble*. This policy allows government and consumer debt to grow beyond sustainable levels, while undermining incentives to save. This in turn undermines capital investment while exaggerating consumption. If this policy doesn't change, the dollar must fall and the current account deficit will play havoc until the house of cards collapses.

Our spending habits, in combination with our flawed monetary system, if not changed, will bring us a financial whirlwind that will make Katrina look like a minor storm. Loss of confidence in the dollar and the international financial system is a frightening possibility — but it need not happen if Congress can curb its appetite for buying the people's support through unrestrained spending.

If Congress does not show some sense of financial restraint soon, we can expect the poor to become poorer, the middle class to become smaller, and the government to get bigger and more authoritarian — while the liberty of the people is diminished. The illusion that deficits, printing money, and expanding the welfare and warfare states serves the people must come to an end.

September 26, 2005

Praising the Texas Gulf Coast Response to Rita

It appears there were very few deaths in Texas due to Hurricane Rita, for which we should be very thankful. We can only wonder whether God was watching over us, sparing our nation from another calamity on the heels of Hurricane Katrina. Yet we also should recognize that competent and thorough planning ensured the safety of those in South Texas.

In the 14th Congressional District, local leaders did an exceptional job of preparing for Hurricane Rita. Officials and citizens in Galveston and Brazoria counties deserve special praise for showing the nation and the world the right way to prepare for a natural disaster. They proved that the best emergency planning takes place at the state and local level by people who know the local citizens, roads, coastlines, and topography.

The 14th District was fortunate to escape the worst of Rita. Brazoria County came through the storm mostly unscathed, with some wind damage and power outages. Surfside Beach and Freeport were worst hit, but coastal areas further south in Matagorda County thankfully suffered little or no damage.

Galveston Island suffered the worst destruction, but much of it was caused by fires from downed electrical poles. As of today some of the island already has power, a remarkable achievement considering the storm hit just 48 hours ago.

Evacuation of Galveston County residents began on Monday and Tuesday, leaving plenty of extra time to move those in nursing homes and hospitals. The coordination of city buses for those without cars was magnificent: all buses left from a central community center, and a hotline was set up for those who needed a ride to the staging area. A private organization called the Citizens Response Team also assisted in making sure everyone who needed a ride received one. Special provisions were made to allow pets on the buses, which prevented any agonizing decisions. Televised images of the long line of buses leaving Galveston in an orderly convoy provided a stark contrast to events in New Orleans just a few weeks ago.

Residents of Brazoria and Galveston counties followed the designated evacuation routes perfectly, and experienced no problems until they reached Harris County and points north. The real traffic problems were caused by the huge

exodus of Houston drivers. State officials will have to reconsider evacuation routes out of Houston, but Brazoria and Galveston counties clearly were not part of the problem.

Local police and emergency personnel in Galveston worked 12-hour shifts and stayed up all night Friday monitoring the situation. They had special cell phones and satellite phones that work even when cell towers are overloaded or knocked down, ensuring they could communicate no matter what. The City even had a plan in place for decision making in the event the mayor was not available.

When the storm did hit Galveston, local emergency personnel had help from fire departments in nearby Dickinson, Friendswood, and La Marque. Galveston Police Chief Kenneth Mack reported that there was no looting whatsoever, a testament to a job well done. Special kudos are in order for Galveston Mayor Lyda Ann Thomas and Galveston City Manager Steve LeBlanc. Both provided plain-spoken,

calm, collected, confident leadership throughout the week. Neither was overwhelmed by the task at hand or the national media spotlight. Every city in the nation must be jealous of the big-time leadership exhibited in a town of just 60,000 people.

The people of South Texas relied not on FEMA or federal Homeland Security, but rather on themselves, their families, their neighbors, their local police and fire crews, and their local officials. The Texas Department of Public Safety and Governor Perry played strong supporting roles, but the real work was done locally, community by community. Nobody in Washington can know what is best for Galveston or any other community when facing a natural disaster. Of course federal tax dollars should be returned to South Texas to fund rebuilding in ways that strengthen our

infrastructure against future hurricanes. But the real lesson of Katrina was taken to heart in Texas: **local citizens must take the initiative and take care of themselves when emergencies arise.**

Congratulations to everyone in the 14th district for the tremendous show of Texas self-reliance in the face of Hurricane Rita.

The people of South Texas relied not on FEMA or federal Homeland Security, but rather on themselves.

FRIDAY, OCTOBER 7, 2005

Dr. Paul Addresses the House of Representatives

Staying or Leaving

Supporters of the war in Iraq, as well as some non-supporters, warn of the dangers if we leave. But isn't it quite

possible that these dangers are simply a consequence of having gone into Iraq in the first place, rather than a consequence of leaving? Isn't it possible that staying only makes the situation worse? If chaos results after our departure, it's because we occupied Iraq, not because we left.

The original reasons for our pre-emptive strike are long forgotten, having been based on false assumptions. The justification given now is that we must persist in this war or else dishonor those who already have died or been wounded. We're also told civil strife likely will engulf all of Iraq.

But what is the logic of perpetuating a flawed policy where more Americans die just because others have suffered? More Americans deaths cannot possibly help those who already have been injured or killed.

Civil strife, if not civil war, already exists in Iraq — and despite the infighting, all factions oppose our occupation.

The insistence on using our military to occupy and run Iraq provides convincing evidence to our detractors inside and outside Iraq that we have no intention of leaving. Building permanent military bases and a huge embassy confirms these fears.

We deny the importance of oil and Israel's influence on our policy, yet we fail to convince the Arab/Muslim world that our intentions are purely humanitarian.

In truth, our determined presence in Iraq actually increases the odds of regional chaos, inciting Iran and Syria while aiding Osama bin Laden in his recruiting efforts. Leaving Iraq would do the opposite — though not without some dangers that rightfully should be blamed on our unwise invasion rather than our exit.

Many experts believe bin Laden welcomed our invasion and occupation of two Muslim countries. It bolsters his claim that the U.S. intended to occupy and control the Middle East all along. This has galvanized radical Muslim fundamentalists against us. Osama bin Laden's campaign surely would suffer if we left.

We should remember that losing a war to China over control of North Korea ultimately did not enhance communism in China, as that country now has accepted many capitalist principles. In fact, China today outproduces us in many ways — as reflected by our negative trade balance with her.

We lost a war in Vietnam, and the domino theory that communism would spread throughout southeast Asia was proven wrong. Today, Vietnam accepts American investment dollars and technology. We maintain a trade relationship with Vietnam that the war never achieved.

We contained the USSR and its thousands of nuclear warheads without military confrontation, leading to the col-

lapse and disintegration of a powerful Soviet empire. Today we trade with Russia and its neighbors, as the market economy spreads throughout the world without the use of arms.

We should heed the words of Ronald Reagan about his experience with a needless and mistaken military occupation of Lebanon. Sending troops into Lebanon seemed like a good idea in 1983, but in 1990 President Reagan said this in his memoirs:

"We did not appreciate fully enough the depth of the hatred and complexity of the problems that made the Middle East such a jungle ...In the weeks immediately after the bombing, I believed the last thing we should do was turn tail and leave ...yet, the irrationality of Middle Eastern politics forced us to rethink our policy there."

During the occupation of Lebanon by American, French, and Israeli troops between 1982 and 1986, there were 41 suicide terrorist attacks in that country. One horrific attack killed 241 U.S. Marines. Yet once these foreign troops were removed, the suicide attacks literally stopped. Today we should once again rethink our policy in this region.

It's amazing what ending military intervention in the affairs of others can achieve. Setting an example of how a free market economy works does wonders.

We should have confidence in how well freedom works, rather than relying on blind faith in the use of military force to spread our message. Setting an example and using persuasion is always superior to military force in showing how others might live. Force and war are tools of authoritarians; they are never tools of champions of liberty and justice. Force and war inevitably lead to dangerous unintended consequences.

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

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About the F.R.E.E. Foundation

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