

Ron Paul's FREEDOM REPORT

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THURSDAY, JULY 15, 2004

Dr. Paul addresses the House

End the Two-Party Monopoly!

Mr. Speaker, political operatives across the country are using state ballot access laws to deny voters the opportunity to support independent presidential candidate Ralph Nader. For example, one New York election lawyer publicly stated that *partisan election lawyers should take advantage of New York's complex and costly ballot access procedures to keep Mr. Nader off the New York ballot*. Meanwhile, a state party chairman in Arizona has hired a team of lawyers for the sole purpose of keeping Mr. Nader off the Arizona ballot.

The effort to keep Mr. Nader off the ballot shows how ballot access laws preserve the two-party monopoly over the political system by effectively disenfranchising supporters of third parties and independent candidates. While the campaign against Mr. Nader is an extreme case, supporters of the two-party monopoly regularly use ballot access laws to keep third-party and independent candidates off ballots. Even candidates able to comply with onerous ballot access rules must devote so many resources to simply getting on the ballot that their ability to communicate ideas to the general public is severely limited. Perhaps the ballot access laws are one reason why voter turnout has been declining over the past few decades. After all, almost 42% of eligible voters have either not registered to vote or have registered as something other than Democrat or Republican.

The United States Constitution gives Congress the authority to regulate the time, place, and manner of federal elections. Thus, ballot access is one of the few areas where Congress has explicit constitutional authority to establish national standards. In order to open up the political process, I have introduced the *Voter Freedom Act* (H.R. 1941). H.R. 1941 established uniform standards for ballot access so third

party and independent candidates can at last compete on a level playing field.

The blatant attempt by a major party to keep Ralph Nader off state ballots demonstrates how restrictive ballot access laws are used to preserve a political monopoly, limit voter choices, and deny the rights of millions of Americans who support third parties and independent candidates an opportunity to effectively participate in the political process.

I call upon my colleagues to remedy this situation by supporting my Voter Freedom Act.

[The Voter Freedom Act (H.R. 1941) was introduced and referred to the House Committee on House Administration.]

Dr. Paul's Texas Straight Talk

August 30, 2004

A Texas Platform for the GOP

As the 2004 national GOP convention begins Monday, we should be prepared to hear a Republican agenda that sounds more like FDR or Woodrow Wilson than Barry Goldwater or Ronald Reagan. A party that once defined itself by the fundamental conservative principle that government power should be used sparingly and judiciously, now supports a program of bigger government at home, more militarism abroad, and less respect for constitutional freedoms. An examination of the Texas state GOP platform reveals just how far the national Republican party has strayed from true conservative principles and the ideal of limited constitutional government.

First and foremost, the Texas GOP is serious about reducing the size and scope of government. The party platform calls for strict congressional adherence to the 10th Amendment, and the abolition of all federal agencies not authorized under a strict interpretation of the Constitution. It urges a return to truly republican government, based on limited federal powers and states rights. The language of

the platform is refreshingly frank, with quotes like, “We believe that government spending is out of control and needs to be reduced” and “We respect our Founders’ intent to restrict the power of the federal government over the states and the people.” In fact, whole sections of the document are devoted to worthy subjects like “limiting the expanse of government power.” Contrast these words with what you’ll hear this week from the big-spending, big-government Republicans from Washington.

The Texas party platform is similarly bold when it comes to **terrorism, civil liberties and privacy**. Rather than promoting the current mantra that security is our ultimate goal, the platform reminds us that liberty is our most important value. The platform calls for repealing portions of the Patriot Act, calls for less information gathering by government, opposes property seizures without due process, and opposes the creation of a national ID card. The platform asserts “A perpetual state of national emergency allows unrestricted growth of government,” and “We believe the current greatest threat to our individual liberties is overreaching government controls established under the guise of preventing terrorism.” You won’t hear this kind of language at the national Republican convention.

The Texas GOP platform also calls for a congressional audit of the Federal Reserve Bank and demands full public access to the written minutes from Fed board meetings. Such an audit could at the very least serve to educate the American people about Fed inflation and the dangers of fiat currency. In Washington, the Federal Reserve system is virtually never discussed by Congress or the administration, despite its enormous impact on our economic well-being. Monetary policy is simply off the table as a political and policy matter for both national parties, but the Texas GOP recognizes the importance of sound money.

When it comes to **2nd Amendment rights**, the Texas GOP platform is uncompromising. It calls for outright abolition of the Bureau of Alcohol, Tobacco and Firearms. It also calls for repeal of all laws infringing upon 2nd Amendment rights. This is another example of grassroots conservatives in Texas taking a position that Republicans in Washington lack the courage to endorse.

Education? The Texas GOP platform calls for the abolition of the Department of Education. **Taxes?** Texas Republicans urge the repeal of the 16th Amendment and the abolition of the IRS, an agency the platform says is *unacceptable to taxpayers*. On dozens of other issues, from abortion to activist judges to religious freedom, the Texas Republican party promotes true conservative values and strict adherence to the Constitution. Real conservatives

should demand the same from the national Republican Party this week in New York.

Dr. Paul’s Texas Straight Talk
August 2, 2004

Useless Conventions

Not all Americans know their taxes fund both the Democratic and Republican presidential conventions. In fact, the political parties receive nearly \$15 million apiece from the Federal Election Committee to hold their conventions. Checking the little box on your 1040 form to give one dollar to the parties changes nothing, as the convention money comes from general revenues whether you check the box or not.

Massachusetts and New York taxpayers face an even bigger burden, as security costs and police overtime pay likely will run another \$25 million in state and local taxes for each convention. **Why should taxpayers be expected to pay for private political conventions?** There is nothing sacred or noble about political parties, nor do they serve any altruistic purpose. Political parties per se have no basis in the Constitution, yet they hold tremendous power over our lives. **Today’s modern two-party political process has narrowed voter choices and emasculated political courage.** The parties enjoy a virtual stranglehold on national politics, thanks to outrageously restrictive ballot access laws and campaign finance rules that reward status-quo incumbency. They also receive millions in

federal matching funds.

Potential candidates find they cannot wage effective campaigns without major party fundraising help, but such help comes with strings attached. **Once a candidate receives money, he is expected to closely parrot party positions on issues. Once elected, he is expected to put the party ahead of principle when it comes to voting and procedural matters. The result is bland candidates who offer nothing but the same old tired statist ideas.**

Modern political conventions are nothing more than taxpayer-funded *infomercials* for the major parties. It’s been nearly 30 years since a real nominating process took place at a presidential convention, and the party platforms themselves are not debated at all. Since the only purpose of these events is to cast the host party and its nominee in the most favorable light, surely the two campaigns — which have raised tens of millions of dollars already — should foot the bills.

Perhaps the worst thing about party conventions is the

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rhetoric. Conventions lend themselves to pandering, as few politicians can resist the temptation to tell a national television audience how well they will run the country if elected. The problem is that government is not supposed to run the country — we're supposed to be free. Conventions bring out the worst passions in voters, passions based on the fatal conceit that government is the solution to all of our problems.

For those who believe in limited constitutional government, last week's convention speeches were almost unbearable. One speaker after another extolled their benevolent plans for America, always in the form of new programs and new spending. Of course no convention would be complete without assurances that even more money will be spent on the failed federal education bureaucracy. The speakers also promised free health care for all, without the slightest explanation of how health care became a "right." All of these promises were made, of course, without any mention of exactly what constitutional or moral authority authorizes such grand schemes.

Americans don't need new federal programs, and they certainly don't need more federal control over their schools. They don't need a disastrous government-run medical system. **What Americans do need is a federal government that provides national defense, secures our borders, and does very little else.** Needless to say, you won't hear the parties suggesting such a platform anytime soon.

Dr. Paul's Texas Straight Talk
August 16, 2004

Election Monitoring — Insulting Yet Inevitable

Earlier this month Secretary of State Colin Powell, at the request of several members of Congress, invited the Organization for Security and Cooperation in Europe (OSCE) to monitor our upcoming elections. It is the second time this international organization, of which we are a member, has monitored U.S. elections — the last time was the congressional elections of 2002.

Of course neither the OSCE, nor any other international organization, should have a say in how we conduct elections in the United States. But then again, neither should the federal government. Unlike the other member states of the OSCE, the United States has a federalist system where no single national authority runs our elec-

tions. Under Article II, presidential elections — as opposed to congressional elections — are run by the states themselves. Hence the electoral college, which essentially gives us 50 state elections.

Therefore the invitation was not Secretary Powell's to extend. I would bet the idea of OSCE monitors might be received with some hostility by many state and local governments.

We should be wary about organizations like the OSCE that seek to involve themselves in our electoral process. The OSCE in particular has a terrible record in the newly democratic countries of central Europe, where it normally operates. According to groups that follow the conduct of the OSCE, this organization does much more to undermine free elections than to promote them.

In Bosnia in 1996, for example, the OSCE gave its seal of approval to parliamentary elections despite the fact that an impossible *107 percent* of the possible voting-age population had voted. In 1998, the OSCE observer team that was to monitor the cease-fire between the Serbs and Albanians was caught sending targeting information back to the U.S. and European Union in advance of the U.S.-led attack on Serbia. This year, the OSCE approved the election of Mikheil Saakashvili in the former Soviet Republic of Georgia with a Saddam Hussein-like *97 percent* of the vote! There are dozens more similar examples.

The problem with the OSCE is that it really is just a policy tool of its larger member countries, primarily the U.S. and European Union. Both the U.S. and EU have made the grave mistake of manipulating the political and electoral process in the former countries of Eastern Europe, leading, ironically, to the remarkable comeback of former communists in most of these new democracies. **Have we spent 40 years and countless billions of dollars in our struggle against communism to engineer the return of these kinds of people to power?**

Asked last week about monitoring the U.S. elections, an OSCE spokesperson displayed the arrogance typical of these international bureaucrats, responding, "The U.S. is obliged to invite us."

The real issue goes much deeper than this election, foreign monitors, and the corrupt OSCE, however. The real issue is the sovereignty the United States voluntarily gives up every time it joins an international organization like the United Nations or the OSCE. We have unwisely joined organizations like this so as to meddle in the elections of other member countries, but when they wish to meddle in ours, we cry *foul*. We want it both ways — to meddle in the

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affairs of other countries but to be immune from their meddling in ours. But it doesn't work that way. Having created this monster, it is now coming back to haunt us.

We send more than \$25 million to the OSCE each year, financing almost ten percent of the organization's budget. It is time to end this waste of money. We need to end our membership and participation in the OSCE immediately. When we undermine the sovereignty of other nations, we undermine our own sovereignty as well.

Dr. Paul's Texas Straight Talk

August 9, 2004

Police State USA

Last week's announcement that the terrorist threat warning level has been raised in parts of New York, New Jersey, and Washington, D.C., has led to dramatic and unprecedented restrictions on the movements of citizens. Americans wishing to visit the U.S. Capitol must, for example, pass through several checkpoints and submit to police inspection of their cars and persons.

Many Americans support the new security measures, because they claim to feel safer when the government issues terror alerts and fills the streets with militarized police forces. As one tourist interviewed this week said, "It makes me feel comfortable to know that everything is being checked." It is ironic that tourists coming to Washington to celebrate the freedoms embodied in the Declaration of Independence are so eager to give up those freedoms with no questions asked.

Freedom is not defined by safety. Freedom is defined by the ability of citizens to live without government interference. Government cannot create a world without risks, nor would we really wish to live in such a fictional place. Only a totalitarian society would even claim absolute safety as a worthy ideal, because it would require total state control over its citizens' lives. This doesn't stop governments, including our own, from seeking more control over and intrusion into our lives. As one Member of Congress stated to the press last week, "People who don't want to be searched don't need to come on Capitol grounds." What an insult! The Capitol belongs to the American people who pay for it, not to Congress or the police.

It is worth noting that the government rushes first to protect itself, devoting enormous resources to make places like the Capitol grounds safe, while just beyond lies one of the most dangerous neighborhoods in the nation. **What makes Congress more worthy of protection from terrorists than ordinary citizens?**

To understand the nature of our domestic response to the September 11, 2001 attacks, we must understand the nature of government. Government naturally expands, and any crises — whether real or manufactured — serve to justify more and more government power over our lives. Bureaucrats have used the tragedy of 9/11 as an excuse to seize police powers sought for decades, such as warrantless searches, internet monitoring, and access to bank records. It should be no surprise that the recently released report of the 9/11 Commission has but one central recommendation: bigger government and more spending at home and abroad.

Every new security measure represents another failure of the once-courageous American spirit. The more we change our lives, the more we obsess about terrorism, the more the terrorists have won. As commentator Lew Rockwell of the Ludwig von Mises Institute explains, terrorists in effect have been elevated by our response to 9/11: "*They are running the country. They determine our civic life. They shape our private life. They decide how public resources are spent. They may dictate who gets to be the next president. It should be obvious that the government doesn't object. Not at all. The government benefits, by getting ever more reason for ever more money and power.*"

Every generation must resist the temptation to believe that it lives in the most dangerous time in American history. The threat of Islamic terrorism is real, but it is not the greatest danger ever faced by our nation. This is not to dismiss the threat of terrorism, but rather to put it in perspective. Those who seek to whip the nation into a frenzy of fear

do a disservice to a country that expelled the British, fought two world wars, and stared down the Soviet empire.

Liberty is lost through complacency and a subservient mindset. When we accept or even welcome automobile checkpoints, random searches, mandatory identification cards, and paramilitary police in our streets, we have lost a vital part of our American heritage. America was born of protest, revolution, and mistrust of government. Subservient societies neither maintain nor deserve freedom for long.

Dr. Paul's Texas Straight Talk

September 9, 2004

Reject the National ID Card

Washington politicians are once again seriously considering imposing a national identification card - and it may well become law before the end of the 108th Congress. The much-hailed 9/11 Commission report released in July recommends a federal identification card and, worse, a "larger

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network of screening points” inside the United States. **Does this mean we are to have “screening points” inside our country where American citizens will be required to “show their papers” to government officials? It certainly sounds that way!**

As I have written recently, the 9/11 Commission is nothing more than ex-government officials and lobbyists advising current government officials that we need more government for America to be safe. Yet it was that same government that failed so miserably on September 11, 2001.

Congress has embraced the 9/11 Commission report uncritically since its release in July. Now Congress is rushing to write each 9/11 Commission recommendation into law before the November election. **In the same way Congress rushed to pass the PATRIOT Act after the September 11 attacks to be seen “doing something,” it looks like Congress is about to make the same mistake again of rushing to pass liberty-destroying legislation without stopping to consider the consequences.** Because it is so controversial, we may see legislation mandating a national identification card with biometric identifiers hidden in bills implementing 9/11 Commission recommendations. We have seen this technique used in the past on controversial measures.

A national identification card, in whatever form it may take, will allow the federal government to inappropriately monitor the movements and transactions of every American. History shows that governments inevitably use the power to monitor the actions of people in harmful ways. Claims that the government will protect the privacy of Americans when implementing a national identification card ring hollow. We would do well to remember what happened with the Social Security number. It was introduced with solemn restrictions on how it could be used, but it has become a de facto national identifier.

Those who are willing to allow the government to establish a Soviet-style internal passport system because they think it will make us safer are terribly mistaken. Subjecting every citizen to surveillance and “screening points” will actually make us less safe, not in the least because it will divert resources away from tracking and apprehending terrorists and deploy them against innocent Americans!

The federal government has no constitutional authority to require law-abiding Americans to present any form of identification before they engage in private transactions. Instead of forcing all Americans to prove to law enforcement that they are not terrorists, we should be focusing our resources on measures that really will make us safer. **For**

starters, we should take a look at our dangerously porous and unguarded borders. We have seen already this summer how easy it is for individuals possibly seeking to do us harm to sneak across the border into our country. In July, Pakistani citizen Farida Goolam Mahomed Ahmed, who is on the federal watch list, reportedly crossed illegally into Texas from Mexico. She was later arrested when she tried to board a plane in New York, but she should have never been able to cross our border in the first place!

We must take effective measures to protect ourselves from a terrorist attack. That does not mean rushing to embrace legislation that in the long run will do little to stop terrorism, but will do a great deal to undermine the very way of life we should be protecting. Just as we must not allow terrorists to threaten our lives, we must not allow government to threaten our liberties. We should reject the notion of a national identification card.

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THURSDAY, JULY 22, 2004

Dr. Paul addresses the House

Protecting Marriage from Judicial Tyranny

Mr. Speaker, as an original cosponsor of the *Marriage Protection Act* (H.R. 3313), I strongly urge my colleagues to support this bill. **H.R. 3313 ensures federal courts will not undermine any state laws regulating marriage**

by forcing a state to recognize same-sex marriage licenses issued in another state. The *Marriage Protection Act* thus ensures that the authority to regulate marriage remains with individual states and communities, as the drafters of the Constitution intended.

The practice of judicial activism — legislating from the bench — is now standard procedure for many federal judges. They dismiss the doctrine of *strict construction* as outdated, instead treating the Constitution as fluid and malleable to create a desired outcome in any given case. For judges who see themselves as social activists, their vision of justice is more important than the letter of the law they are sworn to interpret and uphold. **With the federal judiciary focused more on promoting a social agenda than on upholding the rule of law, Americans find themselves increasingly governed by judges they did not elect and cannot remove from office.**

Consider the *Lawrence* case decided by the Supreme Court last June. The Court determined that Texas has no right to establish its own standards for private sexual con-

duct, because these laws violated the court's interpretation of the 14th Amendment. Regardless of the advisability of such laws, the Constitution does not give the federal government authority to overturn these laws. Under the *Tenth Amendment*, the state of Texas has the authority to pass laws concerning social matters, using its own local standards, without federal interference. But rather than adhering to the Constitution and declining jurisdiction over a state matter, the Court decided to stretch the "right to privacy" to justify imposing the Justices' vision on the people of Texas.

Since the *Lawrence* decision, many Americans have expressed their concern that the Court may next *discover* that state laws defining marriage violate the Court's wrongheaded interpretation of the Constitution. After all, some judges simply may view this result as taking the *Lawrence* decision to its logical conclusion.

One way federal courts may impose a redefinition of marriage on the states is by interpreting the full faith and credit clause to require all states, *even those which do not grant legal standing to same-sex marriages*, to treat as valid same-sex marriage licenses from the few states which give legal status to such unions. This would have the practical effect of nullifying state laws defining marriage as solely between a man and a woman, thus allowing a few states and a handful of federal judges to create marriage policy for the entire nation.

In 1996, Congress exercised its authority under the full faith and credit clause of Article IV of the Constitution by passing the *Defense of Marriage Act*. This ensured each state could set its own policy regarding marriage and not be forced to adopt the marriage policies of another state. Since the full faith and credit clause grants Congress the clear authority to *prescribe the effects* that state documents such as marriage licenses have on other states, the *Defense of Marriage Act* is unquestionably constitutional. However, the lack of respect federal judges show for the plain language of the Constitution necessitates congressional action so that state officials are not forced to recognize another states' same-sex marriage licenses because of a flawed judicial interpretation. The drafters of the Constitution gave Congress the power to limit federal jurisdiction to provide a check on out-of-control federal judges. **It is long past time we begin using our legitimate authority to protect the states and the people from judicial tyranny.**

Since the *Marriage Protection Act* requires only a majority vote in both houses of Congress (and the president's signature) to become law, it is a more practical way to deal with this issue than the time-consuming process of passing a constitutional amendment. In fact, since the *Defense of Marriage Act* overwhelmingly passed both houses, and the president supports protecting state marriage laws from judicial tyranny, there is no reason why the *Marriage Protection Act* cannot become law this year.

Some may argue that allowing federal judges to rewrite the definition of marriage can result in a victory for individual liberty. This claim is flawed. The best guarantor of true liberty is *decentralized political institutions*, while the greatest threat to liberty is concentrated power. This is why the Constitution carefully limits the power of the federal government over the states. Allowing federal judges unfettered discretion to strike down state laws, or force a state to conform to the laws of another state, leads to centralization and loss of liberty.

While marriage is licensed and otherwise regulated by the states, government did not create the institution of marriage. In fact, the institution of marriage most likely pre-dates the institution of government! Government regulation of marriage is based on state recognition of the practices and customs formulated by private individuals interacting in civil society. Many people associate their wedding day with completing the rituals and other requirements of their faith, thus being joined in the eyes of their church — not the day they received their marriage license from the state. Having federal officials, whether judges, bureaucrats, or congressmen, impose a new definition of marriage on the people is an act of social engineering profoundly hostile to liberty.

Mr. Speaker, Congress has a constitutional responsibility to stop rogue federal judges from using a flawed interpretation of the Constitution to rewrite the laws and traditions governing marriage. I urge my colleagues to stand against destructive judicial activism and for marriage by voting for the *Marriage Protection Act*.

[*The Marriage Protection Act* (H.R. 3313), was introduced by Liberty Caucus member John Hostettler on October 16, 2003, and referred to the Committee on the Judiciary.]

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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