

Populist #13 Deficiencies of Our Current Federal System, continued

In the last two numbers of this series of papers, we have begun to analyze some of the glaring deficiencies of our current system of government which are most dangerous to the preservation of our liberties. Even though the leaders and famous commentators of our day speak primarily of our *physical* security, when the American spirit was in its infancy, our language was different; *Liberty* was the primary object. The first thing I have in my heart is American liberty. The second is prosperity, which cannot be justly achieved without the first. For remember, of all *possible* evils, despotism is the worst, and the one to be most dreaded by the people. If we are to continue along this dangerous path of ignoring liberty for the sake of security, we will have no one to blame but ourselves for the continual growth of despotism; a despotism which has already begun to enter our civil administration; a despotism which has also begun to wreak havoc on our Constitution and Bill of Rights. Perhaps this country never saw so critical a period in our political concerns.

Our Constitution does have many notable features which were created for the preservation of our liberty; but it must be admitted that our federal system is defective. Under close examination, we can clearly see that it has a number of dangerous flaws that have led to the situation under which we labor today. Besides, it is a certainty confirmed by the infallible experience of human history, that every person, and every body of people, once entrusted with power, is always naturally inclined to increase it, and also naturally inclined to aspire to a position of power over everyone and everything that stands in their way.

As we have previously studied in brief, the Congress is so poorly designed that your most beloved rights can be sacrificed by what would be only a small and almost inconsiderable minority. In concurrence with many of our nation's founders, John Adams clearly stated:

"A representative assembly is the sense of the people, and the perfection of the portrait, consists in the likeness."

Can the only democratic portion of our government, the House of Representatives, be shown to consist of the true "sense of the people?" Does it resemble the people of our country in any way at all? Do you present your own choices, your own complaints, and your own desires in person? Since at the time of our nation's founding, this was said to be impossible, were you given the right of proper representation on your behalf? Do you have a right to send someone from your city or town for that purpose? Do you have a right to send someone specifically from your county? Do you currently have a right to send more than just one representative for approximately every six-hundred seventy-nine thousand of you? Can anyone who represents nearly three-quarters of a million people ever be presumed to actually know or even be remotely familiar with your individual situations; such as your ability to pay taxes, and when they should be increased, reduced, or eliminated? Is there really any possibility of personally giving our representatives any of this information? Unfortunately, after an honest and thoughtful consideration, each and every one of these questions can only be answered in the negative.

Keeping this analysis of our system in mind, let me ask you, where are the *people* in the House of Representatives? Where is this honorable and exalted democratic part of our venerated system of government? Are not our so-called representatives truly nothing more than accomplices, collaborators, and cronies of the Senate or their associated political parties? This branch would be more appropriately named the *Junior House of Lords*, as it now contains more of the features of our aristocratic branch of Congress, the Senate, than that of the people. Those who make up this branch of government have been eternally more devoted to cooperation, collusion, and compromise with each other and the other branches of government, than to their sworn duty, which is to act as the watchful guardians of the rights and liberties of their constituents.

Our nation's founders said that the basis of a good, proper, and just government would lie in the three balancing powers; that members of each branch of government would be inherently motivated by their own personal interests and aspirations, and that the only way to ensure the rights and liberties of the people was to create a perpetual clash of interests between two of the branches, which would be balanced by the third. This hypothesis assumes, first of all, that the ever-fallible human mind was actually skilled enough and competent enough to create three exactly co-equal branches of government. Secondly, it assumes that these co-equal parts would then have views and interests so different and distinct from each other as to prevent a coalition between any two of them for the destruction of the third, or the rights and liberties of the people.

In studying this hypothesis further, one must also ask, if the administrators of our government are motivated primarily by personal views, interests, and ambitions, how can the well-being of the people ever be the result of such opposing and colliding interests? In nearly every federal action of our day, we have already found the answer to this question; corporate and other special interests now take precedent over the people with such regularity, that acceptance and complacency have become pervasive amongst us.

It is a necessity that we also consider the fact that our Constitution was formed out of accommodation and compromise; that it was created at a time when the people had a great deal of confidence in their leaders to obey the law *voluntarily*. Because of this, the framers of it, in many instances, did not limit and check their powers enough to be adequate for perpetuity. The proper solution to these, as well as previously-discussed problems, is in the creation of a Constitutional Democracy in our country, by which I mean a form of government where the final check and balance on the power of the federal authorities is directly in the hands of the People, with the Bill of Rights serving to protect the liberty of all citizens. Although essential to this overall review of our government, this solution, as well as the actual structure required to bring it to fruition, will be best discussed in future papers.

With this in mind, I intend to first complete my analysis of the flaws of our current system, and I am repeatedly motivated by these words from Thomas Jefferson:

"I am not discouraged by a little difficulty; nor have I any doubt that the result of our experiment will be that we are capable of governing ourselves without a master."

It is the Senate, and its most dangerous defects, which will be the topic of my next paper on October 20, 2005.

In the spirit of liberty and prosperity,

Franklin