

When the men who made our Constitution walked out of Independence Hall, at the end of their labors, a crowd of people had gathered to eagerly inquire what kind of a government had been devised. One lady rushed up to the venerable Dr. Ben Franklin with the question --

"Dr. Franklin what kind of government do we have?" He answered --

"A Republic, if we can keep it."

Everybody knows that something is very wrong in these United States of America, as of today, but everybody is confused as to what is wrong and more confused as to what to do about it. Some will not admit this because they have a vested interest in the status quo and are trying to bolster their belief in it and justify their stand. The rest of us cannot see what is wrong because all our governmental philosophy rests upon an idea which is only partly true. It is this 20th century worship of this thing called democracy.

We are getting to the point where we justify almost any governmental thievery, tyranny or extravaganza by saying "well the people voted for it so it must be right."

However, in the last analysis this slavish dependence on the will of the majority, is only another way of saying that might makes right. If we could keep before us at all times a healthy suspicion of the rightness of the majority instead of this slavish worship of its sanctity, this system called democracy might still be, if used on a local basis, our governmental salvation.

The world passed through the stage where "the king can do no wrong," ~~It survived the long trial~~ under "the divine right of kings." Is it possible that future generations will see us as struggling through a similar bog of faith in the rightness of the will of the majority?

Sometimes something very precious slips from our grasp and is gone years before we realize we have lost it. Evidence is voluminous that the

Roman Empire was out of existence several centuries without people of those days actually realizing that it was gone in the sense that we can look back upon it now and recognize when its existence came to an end.

Today, here and there, one can find American citizens who are beginning to realize that the Great Republic of the United States of America had its jugular vein cut some 39 years ago with the ratification of the 16th and 17th amendments. When almost at the same time Woodrow Wilson began to speak of this country as a Democracy instead of a Republic, he spoke the truth for with the passage of those two amendments we lost our Republic and became a Democracy. Even though we did not realize it at that time we actually undermined the work of the Founding Fathers and scuttled the Republic.

When the men who fashioned our government set up this Republic they deliberately turned their backs on a Democracy. They did this because they were students of history and could find no record anywhere in the story of

mankind where Democracies had endured as safeguards of liberty. And safeguarding liberty is the only reason for the existence of our government.

The underlying philosophy of our Republic was two-fold:

1. That men are born with certain unalienable rights.
2. That governments are instituted among men to protect those rights.

Democracies of the past had never been able to protect peoples rights.

On the contrary the record disclosed that Democracies had invariably gone to seed as mobocracies, which called into being the indispensable man on horseback who paternalistically solved the problems of the day with tyrannical power. The temporary blessings of such government disappear soon after the safeguards to liberty are one by one surrendered and when the real situation becomes apparent the people are so corrupted with paternalism and so devoid of ability to do anything without direction that they are incapable of restoring power to themselves and have to content

themselves with whatever little in the way of freedom and liberty an occasionally beneficent sovereign would graciously grant them. Let us be clear about this. Government is force and force is a dangerous weapon to play around with. It is necessary to be sure but it must be carefully watched and guarded against. This force has two faces--one is its police power and the other is its taxing power. These two powers make up government and they must be watched as carefully as a fire . If they ever get out of control they destroy ruthlessly.

Now the ever lengthening fingers of our national government and its increasing control over so many phases of our lives, only bears out the contention of the Founding Fathers that a constitution setting up a type of government which would prevent us from throwing away our liberties for some real or imagined temporary security was a necessity and that a Democracy could never do this for us. Hence, they rejected the idea of a Democracy and set up a Republic made up of sovereign states with each

state delegating certain powers to the national government and reserving to themselves all other powers. And to make this effective the government was set up on a pattern since known as "checks and balances" so elaborate and yet so sane that only our folly in taking away two of the most vital of these balance wheels could make possible the tremendous mess in which we find ourselves today. It can be safely said that the whole course of history might have been vastly different if we had not been so quick to ratify and accept these two aforementioned amendments.

Perhaps we ought to say that this is no tirade against any real democratic way of life. It was always intended that within the confines of state lines the people should practice varying degrees of democracy but that such legislation should not cross state lines. Even this prohibition was sufficiently elastic to allow the states to delegate power to the national government to meet new conditions as they might unfold. It was reasoned that so long as the States held veto power over

national legislation in the Senate and so long as the taxing power of the national government remained circumscribed by the constitutional prohibitions no great harm could result. So this is no trumpet call for Facism. It is a protest against a foolish abandonment of a great and successful experiment in government and the substitution therefore of a system which all history discredits and which is fast leading us into the quicksands of fatalistic despair and discouragement. It is a protest against scuttling the Republic and boarding a Democracy.

Let us look first at the 17th amendment and see if we can understand how this changed the whole character of our government; how it killed the Republic and gave birth to Democracy. In part it reads as follows: "The Senate of the United States shall be composed of two Senators from each State elected by the people thereof for six years: and each Senator shall have one vote." This amendment was ratified and became part of the Constitution in 1913.

What did it change? Here is the original idea as found in Section 3 of Article I of the original constitution. "The Senate of the United States shall be composed of two Senators from each state, chosen by the Legislature thereof for six years; and each Senator shall have one vote." A brief comparison will show that what the 17th amendment did was to substitute popular election as a means of electing Senators in place of their election by the State Legislatures. It is hard for me as of this date to understand the enthusiasm with which this destructive piece of legislation was approved and ratified as part of the fundamental law of the land. Of course this was the era of the Initiative, the Referendum, and the Recall--popular government running riot. Fortunately most of this foolishness has run its course and demonstrated its uselessness but before it was found out it had succeeded in undermining one of the chief checks on hasty and ill advised national legislation.

The founding fathers set up a government which was to be partly by the

people as citizens of the whole nation and partly by the States which were sovereign in all respects except those in which they delegated certain specific powers to the national government. They did this purposely to give the states, as sovereign governments, veto power over any hasty emotional legislation which the popularly elected House of Representatives might pass. When the 17th amendment became law the States lost all vestige of control over the national government. Some governmental students, aware of the calamitous results which would ensue finally brought into being the Governor's Council which meets to discuss and advise but which is completely powerless to stem the tide or even change its direction. The smaller states were the heavy sufferers. They lost prestige and voting power. Where heretofore they had the same voting power in the Senate as the biggest state in the land they now had only two more national representatives who had to look for re-election to the same kind of electorate as did the members of the lower house. Only the longer

tenure of the Senators enabled some of them, the ones farthest removed from re-election time, to vote with any degree of independence from the upsurging popular spirit of the times.

Right here some will rise up and loudly declare -- "what is wrong with that?? Isn't that democracy?" The answers are -- "yes it is democracy and there may be much wrong with it".

When Senators know that they have to line up with the people for votes, they cannot actually be a Senator as they are supposed to be but are merely another representative sitting in another house. Nine-tenths of the veto power which the states were supposed to have over the national legislature went out of existence with the acceptance of this 17th amendment.

No longer could the State governments through their legislatures and their governors influence national law making. The term U. S. Senator from Illinois or New Hampshire no longer meant that these men represented

their state. It only meant that a certain geographical area contained the voters who elected them. The story is told that Thomas Jefferson, who was in France while the Constitution was being formed, was dining at Mt. Vernon with President Washington and during the dinner the talk turned to the new Constitution. Jefferson expressed qualified approval of it but said he did not like the idea of the Senate. "Why," he asked, "should we not have only one house in the national legislature."

Washington listened calmly and then asked Mr. Jefferson why he had poured his coffee into his saucer. Jefferson said it was to give it a chance to cool off. Washington said "That's why we need a Senate with veto power."

Jefferson lived to see the day when he leaned on this Senate; when his rosy dreams of an enlightened and virtuous agricultural nation went into discard as he saw the nation rapidly filling up and great cities growing into what he called "national cancers." If those men who set up our Constitution were right in their belief that the states should have

some veto power over national legislation how much more do we need it in these tumultuous modern times.

Of course the people should have their part in national legislation. That is why we have a popularly elected House of Representatives and that is why certain classes of legislation must be initiated only by this popularly elected House. But everyone who is at all conversant with the shifting ways of public sentiment ought to welcome some sort of "holding up" agency. Our present government is like a souped up hot rod without any brakes.

And what has been the result of all this? Well, in the first place, it has diminished the power of the state governments and correspondingly increased the power of the national government. By so doing it has taken government farther away from the people. It is almost impossible for the average citizen today to influence the course of government. Huge special interests with powerful lobbying organizations and great propaganda

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machines now pressure governmental bodies in the interests of the organizations involved. Of these doings the average citizen catches only an occasional glimpse and even if he does not like what he sees he cannot hope to do much about it. Even the most doubtful measures can be made to appear above board in the hands of skillful propaganda artists. And besides all this, Washington, D. C. is far away and a billion dollars is only a name for an undisclosed amount of money, which somehow or other you are not going to have to pay anyway, and what can you do about it?

The national government has now grown so huge, at the expense of the power of the states that even Congress has largely abrogated its powers to the unwieldy alphabetical agencies who rule over many of the facets of our lives without being elected by the people and without even the most cursory "by-your-leave".

If this is modern democracy it certainly is not government by the people. The people literally have nothing to say about the way they are

governed under these agencies. They have no control over the appointment of people to these agencies, no veto over their arbitrary rulings and no way to get them out of their positions of power. Again let me say, this may be modern democracy but it is not government by the people. It is government by Boards. It is government of whatever pressure group happens to get the upper hand at the moment.

In no sense of the word is it government of, by, or for the people.

Now all this is the direct result of the octopus growth of the Federal government, at the expense of the state governments because the state governments no longer have any control over Federal legislation. And as the state governments lost, the people lost. It is much easier for people to control government close to home. It is much harder for special interests to control 48 state governments which are close to the people than it is to influence one national government so far removed from most of its people that they have no way of knowing, let alone, influencing the

course of events.

This is the direful result of the emasculation of the United States Senate. This is what the 17th amendment helped to bring us. It should be repealed at once.

However it had a team mate. To thoroughly centralize power you must have money and lots of it. Hence we must now look at the 16th amendment and see where it fits into this picture. It too adds to the dazzling glory of modern democracy but even though it may be a government of the people since they certainly pay heavily for it, it is most certainly not by the people nor for them. The 16th amendment makes it possible for government by Boards and Commissions to be paid for giving us government over which we have no real control. In the sense that people pay more for such government than ever before in our history it may be called government of the people but it is not by the people nor for the people.

Now once more let us return to our earlier statement that government

is force. Any government is force, all governments are force -- even the best government is organized force. This force is of two types, the police power and the taxing power,

Police power is relatively helpless without taxing power so the greater the taxing power the greater the police power.

It was a realization of this, which we have apparently forgotten, which made our forefathers fence in the national governments power to directly tax its citizens. It was well realized that overwhelming power on the part of the national government could never take place so long as its funds were limited. And so long as its funds were limited its police power was held in check. But in 1913 when the income tax amendment got into our constitution a real revolution took place even though few realized at that time that a revolution was in process. The former real limitations on taxing power were gone. The liquidation of the Republic was complete-- a Democracy had been born and subsequent events have shown that a government

with power to confiscate a citizens wealth can corrupt him with confusing ideas to the place where his actual sovereignty can also be confiscated.

Can you imagine the consternation that would show on the face of one of the constitution's founders--a man who went into the army as a volunteer and fought seven years war rather than pay a cent tax on a pound of tea-- when that same man should contemplate the gigantic taxing power of our present government in an effort to cover a budget of 85 billion dollars per year. I don't know whether the word "billion" was as yet in the dictionary at that time but if it was there it meant about as much as it did the word eternity. For that matter it doesn't mean too much more to us today.

Consider for a moment and decide for yourself what would have happened 40 years ago to a government snooper demanding the right to look into every corner of your business -- how much you pay each person -- whether or not you may work overtime yourself -- whether you can hire your

wife -- how much you give to charity -- and how much your private bank account is. Consider what your father's reaction would have been to some of the questions now boldly asked by census enumerators. These things could not happen then because there was no money to pay for police power to make possible this entering wedge of gestapo government.

Consider also the consternation on the faces of men of 1776 when they are told that their descendants pay to the government in one way or another about 1/3 of all they make and that they have so far forgotten the struggles of the forebears that they put up little or no fuss about it.

For instance, when you buy a \$2,000 automobile, you pay taxes on about 200 transactions--to the tune of \$624. There are 116 hidden taxes on a man's suit, 150 on a woman's hat. On some items, such as coal, gasoline, and cigarettes, taxes amount to more than the real value of the product. On others, such as bread, beef, and milk, the consumer pays more than half the value of the product in taxes.

For an average American family with a yearly income of \$3,500, Federal income tax amounts to \$300. It's estimated that the same family pays out about \$800 a year in hidden taxes to Federal, State, and local governments. The average family with a \$4,500 - a - year income pays \$455 in income tax and about \$1,039 in hidden taxes. It totals up to somewhere near \$5 billion -- The question is how much is really necessary.

Did you know that -- The Veterans Administration still sends pension checks to about 9,000 widows of Civil War veterans. What's more, Uncle Sam still remembers several widows of Mexican War (1848) vets with monthly checks. This ought to prove once and for all that the male of the species is more dead than the female.

Did you know that you can get from the Federal government a pamphlet entitled "Mortality among Hutch-raised Rabbits." Have you ever heard of a treatise called, - "The Reproductive powers of the Iowa Chicken Hawk."

The puny taxes which the colonists objected to sufficiently to

to fight a long war for independence made them refuse to give to the national government any taxing power other than tariff and excise taxes. They knew that inherent in any government is the tendency to take from its people by one pretext or another every dollar it can get and to use such dollars to get more. This in short is the way in which the income tax has been used. The inevitable result is a wide open door to billions in tax money. This is the opening to the acknowledged pressure of government money, jobs and influence on elections -- this allows public opinion to be largely a matter of government propaganda -- it opened the gate to the tremendous machinery of intimidation and domination of trading between vast political and economic groups and to the insidious but powerful idea that you must not do anything to hinder the transformation of Uncle Sam to that of Santa Claus. It is modern democracy but it is not government by the people.

The answer that is usually given to all this is that large pressure

groups such as the farmers, the labor groups and big business through the aid they get from government make it possible for a type of prosperity to be spread wide enough so that the statement can be made -- "We never had it so good". This may be so -- for the moment. But the real question is -- how much better are we off politically.

You see, if the American Colonist in 1776 had been willing to give to the British Crown even a 100th part in income tax of what we pay today, George III would have salaamed before them and granted them their every wish. Financially they would have never had it so good but politically and from a governmental point of view, they would have been impoverished. But again we are met with the stone wall argument that since the people voted for this it must be right and again I say that this slavish worship of the will of the majority will, if not realized and understood by enough people, send us further and further away from those governmental principles which gave this nation its greatest glory and

happiness. Is a man any less a slave just because he voted to make himself one. Is his liberty any less gone just because most of the people decided to throw it away. Does not the iniquitous doctrine of tax and tax, spend and spend, elect and elect so you may tax more and spend more and elect more -- does not that pickpocket theory of government undermine, weaken, and finally destroy just as surely as if a man on horseback had ordered it. Does the fact that people voted for it make it any the less dangerous.

And where is the man, of either party today, who after reading the pages of history, can conscientiously deny the final outcome of such governmental philosophy.

The truth is that no well informed person on either side of the political fence denies it. All are worried about it. But the question is asked -- what would you do? Will you withdraw support from farm prices? Will you take the government out of the field of price control? Will you

stop special concessions to labor and to big business. Will you be willing to bring our boys home and withdraw from European and Asian entanglements. Will you be willing to assume the responsibility for the economic recession which would follow if you stopt this unlimited governmental spending and which must necessarily precede any return to economic sanity? Which of the powerful groups, business, labor, the farmer, would be willing to give up its hold on government.

In vain do you point out that whether we do it deliberately or let it be done by disasterous inflation that business recession will eventually come and that the longer it is put off the worse it will be. You are met with the memories of the 30's -- you meet the scoffing rejoinder -- "we never had it so good".

To really see the problem in its stark nakedness ask yourself the following questions.

1. Will the political office holders and their employees be willing

to relinquish the death grip they have now on ever growing public tax money?

2. Will the farmers be willing to give up parity?

3. Will large corporations be willing to relinquish their governmental connections and their foreign aid programs which pay for their huge export business?

4. Will labor-unions be willing to surrender their immunity to anti-trust laws and submit to regulation?

5. Will the millions who monthly receive government checks look with favor upon reducing taxation?

6. Will the military be willing to come home and build up our defenses and let the rest of the world settle their own troubles?

Yet all of those things will happen whether we want it or not. It is only a matter of whether we do it with an intelligent idea of what we are doing or whether we await our doom with the philosophy of the

Frenchman who said -- "After us -- the deluge". When that time comes even our vaunted Democracy will no longer save us from Facism on the one hand or communism on the other. It will be too late to sit down and sensibly plan our way out. Blood may flow in civil war and which ever side wins our children's children will live under tyranny of one kind or another and mankind will have to begin once more the oft repeated miserable, cruel and bloody climb back to freedom. Those who will not heed the lessons of the past are condemned to repent of all of its mistakes.

The thing which makes the situation look so bleak to me is that neither party seems to be willing to stake its victory on telling people the truth. Tall promises are given -- in place of the only promise anyone can truthfully give -- blood, sweat, toil, and tears. Yes -- we had a great Republic but we couldn't keep it.

The final irony of all this is that we have put ourselves in the ridiculous position of preaching our old way to other countries while at

home to hasten to adopt the age-old mistakes of others.

The republic as set up by the founders was a successful experiment in political science and it made possible a successful experiment in economic science namely, free private enterprise.

Today the Republic is gone -- a Democracy of sorts is in its place and Free Enterprise which carries with it all other freedoms, is shackled and bleeding and awaiting the death blow.

It is possible that the day might still be saved if we did not have such an all powerful and uncontrolled federal government. For example everybody agrees that the day of complete laissez-faire is gone. The problem of regulation vs free enterprise is with us. If some sort of compromise whereby the large and powerful organizations whatever their category could be sensibly regulated while the smaller ones allowed the traditional american freedom of enterprise a good balance might still be achieved. This can't be done under an uncontrolled and all powerful

government.

As surely as night follows day so surely will the age-old pattern
once more unfold.

As bad as the situation is, it is not hopeless if we could only
get enough people to see and understand the problem.

Recognition of a problem is the first step toward its solution.

Ben Franklin deserves his reputation for wisdom. We had a Republic
but we couldn't keep it. Can we get it back again?