



The Center for
SOCIAL LEADERSHIP

Freedom & the Fine Print

Critical Points to Consider Before the 2010 Election

Oliver DeMille

Please Distribute This Document Freely

Provided that the content and links are left intact, as is, without editing, and that proper credit and attributions are made to Oliver DeMille with the [Center for Social Leadership](#).

Copyright Notice

© Copyright 2009 by [The Center for Social Leadership](#). All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical. Any unauthorized use, sharing, reproduction, or distribution of parts herein is strictly prohibited. You may and are encouraged, however, to freely distribute this document as a whole, without any changes or editing, or reprint its content as long as the links are left intact, and proper credit and attribution are included.

About Oliver DeMille



[Oliver DeMille](#) is the founder and former president of [George Wythe University](#), a co-founder of the [Center for Social Leadership](#), and a co-creator of [TJEd Online](#).

He is the author of [A Thomas Jefferson Education: Teaching a Generation of Leaders for the 21st Century](#), and [The Coming Aristocracy: Education & the Future of Freedom](#).

Oliver is dedicated to promoting freedom through [leadership education](#). He and his wife Rachel are raising their eight children in Cedar City, Utah.

Oliver's latest book, [FreedomShift: 3 Choices to Reclaim America's Freedom](#), is on the presses at this very moment. We invite you to order this timely and inspiring book at a presale discount of 30% now through November 15th. [Click here](#) for more details.

Connect With Oliver:



When the Bush Administration lost the support of Congress to Democrats in the 2006 midterm election, it simply turned its focus to pushing its agenda through administrative policy in the numerous governmental agencies. The Obama Administration has said that it will do the same thing if it loses the House and/or Senate in the 2010 midterm election!

Devotion to Government

Some people *believe* in big government. They have a deep faith that it can and *should* solve the world's problems. Those who are most zealous in this conviction feel that any government that doesn't fix all problems is either evil or weak.

According to this narrative, "evil" governments are strong enough to fix everything in the world, but for some reason (usually greed or power) they don't or won't. Such governments must therefore be changed, reformed and newly led by those who can see the great potential of a government committed to perfecting the world.

And weak governments, according to this view, must be strengthened in order to have the power to create the ideal world we all want.

In either case, those with a deep devotion to the potential of a caring, committed and ubiquitous government want our present U.S. government to grow.

Some want it to grow mostly for the good it could do around the globe, and for fear of what could happen to the international order if the U.S. fails to maintain and expand its superpower influences. Another group is more interested in domestic progress, in making the United States more socially responsible, equitable, and idealistic—all under the increasingly watchful and involved power of the federal government.

Granted that these labels may be a little simplistic; but historically, the first group is typically known as Republicans and the second as Democrats. For much of the twentieth century, the GOP was the party of big business and Democrats were the party of the little guy.



The new stereotype, however, has progressives pushing for bigger government at home and a more limited role abroad, with conservatives wanting to slow Washington's control over U.S. citizens but [increase America's global extension of power](#).

A third group, independents, want the government to live within its means—to do the basic roles (like national security and good public schools) that they assert are best accomplished by the state while leaving everything else, including fixing most of the world’s problems, to non-governmental entities.



The [populists](#), most recently embodied in the tea parties, want nearly the same thing as independents—but promote it much more impolitely. As a result, the majority of [independents don't trust the tea party movement](#), and even most Republicans have an uneasy feeling about them (something akin to how mainstream Democrats in the LBJ era felt about the leftist Woodstock crowd).

defined more by its tactics than its goals.

The populist left (e.g. the “isms” such as radical environmentalism, extreme feminism, etc.) faces similar challenges. Populism is usually

Also, the limited-government group is divided by multiple factions who usually mistrust each other even more than they dislike those promoting universal government.

Into all this, enter the American voters. When they think the government is led by “tax-and-spend liberals,” they vote for anti-incumbent, anti-Washington, limited-government candidates. When they feel that Washington is being run by “unfeeling do-nothing conservatives,” they elect progressives who promise to tax and spend.

The Age of the Big Spenders

But strangely enough: regardless of which party wins, [Washington’s expenditures increase](#). This is simply the way Washington now works. On the one hand, this seems to be [what the voters want](#). Republicans, Democrats and independents alike all have pet projects they want the government to spend more money to expand. Certainly the far left supports increased spending.

This leaves only the far right, currently led mostly by the tea parties (even though they are not all conservatives), really wanting to cut all government spending. But even arch-conservatives have their favorite spending habits—they can’t agree about whether to cut or increase expenditures on defense, education, or entitlements, among other things. Tea partiers are widely divided on what to keep and what to slash, whether to implement across-the-board cuts like Britain or be more surgical in cauterizing spending hemorrhages.

Part of the problem is embedded in the old philosophical observation that, in any conflict, “being *against* something” is never as powerful as “being *for* something.” Conservatives, liberals, independents, moderates, special interests on the left

and right, the various groups on the far left, and the overwhelming majority of American voters want government to spend more money on *something*. Many, perhaps a majority, of the tea parties and other limited-government groups also have certain things they hope government will increase expenditures to accomplish.

This leaves a very small group of the electorate that is really against government spending. Here we have two visions pitted against each other. One side envisions using government money to fix things. Real things. Things that matter. Things that are full of human emotion, passion and deep meaning.

These “things” have enough stories to fill volumes: the loving father allowed to die by the insurance company, the mother weeping because her child didn’t get into the prestigious charter school and is now relegated to a life in the slums, the woman brutalized and forced to watch her husband tortured and her child raped by the agents of a tyrant whose statues fill the distant nation, the Chinese man standing in front of the tank demanding freedom.



“Government is needed to fix these things,” this side argues.

“Now let’s fund _____.” [Fill in the blank.] This is a compelling and powerful argument. It argues *for* something, and it asks each of us to vote for it. How can we deny such an argument? Our very humanity is at stake, right?

The other side, those few who really don't want the government to spend anything more, who truly propose cutting spending everywhere and living within our means, has a vision of...well...

What exactly *do* they want?

Where are their emotional stories? Their tales of abuse, evil and wrongs to be righted?

Unfortunately, all too often, the best they come up with is criticism of national leaders as “socialists,” “idiots” or “power-hungry.” But this doesn't reach most voters.

Instead, many Americans wonder: “What? Their strongest argument is that our kids will owe too much? That's the best they can do? *Really?* This is all about them not wanting to spend their money? But [what about those who suffer](#)? Those who desperately need freedom? What about them? Who cares if it costs a lot? Where is their spirit of ‘our lives, our fortunes, and our sacred honor?’”

Lost Vision

From the Revolutionary War to the era of Lincoln and up through World War II and the Korean conflict, the vision most Americans fought for was freedom. This vision was more powerful even than the vision of more government spending.

But today few Americans deeply *feel* what the concept of “freedom” even means. The problem, unfortunately, is cyclical. The only way to truly grasp the meaning and value of freedom is to be deprived of it, or at the very least to truly fear that you will entirely lose it. Today’s American citizens have little concept of what it is like to live in a nation without freedom, and even less fear that our freedoms could soon be lost.

Throughout history, with only rare exceptions, most people have yearned for freedom in a world where they had very little liberty or opportunity. And nearly always the greatest thing keeping them enslaved or un-free was (and is—in most of the world) their own government. Fortunately, and unfortunately, Americans just don’t get this.

People whose experience is that their own government is the greatest threat to their freedom (and this includes the vast majority of all humans throughout history) see that the first rule of freedom is to keep the government under control, and the second—to use government for good—can only be enjoyed by those who have the first rule decisively in place.

Both sides are right and wrong. The real answer is found in a combination of the best thinking from both views. In short: The government must spend for the right things, and it is the first role of any free people to keep the government clearly and securely in its place. It should be given certain, clearly defined powers, and it should not be allowed to do anything else. Period. Otherwise, freedom is lost. Always. There is no exception in history.

Two Paths to Freedom



Of course, this is the legacy of the American founding, but how can modern Americans be expected to catch this vision when they have never been enslaved or feared such a possibility? Sadly, it is exactly at the point where the people can't imagine losing their freedoms that they are in the most danger. Rome is usually cited as the example of this, but the list is much longer: Athens, Jerusalem, the Ottomans, Beirut, Russia, Germany, East Germany, Cambodia, Vietnam, Columbia, etc.

Ask Victor Frankl about his freedoms in 1920. Or the Japanese-American community in 1935. Freedom can be lost. In fact, it is lost much more often than it is maintained in history. And when freedom is lost, it usually happens quickly.

This may sound extreme to modern American ears, perhaps, but history is what it is. Reality is reality. Few nations ever obtain freedom. Of the small number that does become free, even fewer keep their freedom. And freedom is only, ever, maintained while the people keep the government under control. If we can't even control the government's spending, no matter which party is in power and regardless of citizen outbursts or widespread concern, the people have lost control of government.

If history is any indication, we have two options to turn our nation back toward freedom. The first is to lose our freedom, learn for ourselves how valuable it really is, and then earn it back. This is the long, most painful, and most likely path to freedom.

A second option is to learn from history, internalize the experience of nearly all human beings in our world's experience, and [pay the price](#) to put appropriate limits on government and keep it in its place. This requires fully funding the government in all its proper roles as determined by the principles of sound, freedom-protecting government and as directed by the people, and otherwise allowing the government to do and spend *nothing*. This path is easier and better than the first. The rise of independents shows some potential for this option, but [a lot of work is ahead](#) if this is to become America's future.

Still, one thing remains a major challenge: The easiest of all paths is to simply let freedom fade and dwindle away. Those with unbounded faith in government will continue to increase centralized power, spending, and the reach of the state into every aspect of life. They have the momentum of at least thirty years (and clearly the stage was being set for this trend long before), sometimes led by one party and at other times by the other. All citizens need do to follow this path is focus on themselves and let the public domain keep going in its current trajectory.

In other words, if the only role of citizens is to vote and perhaps serve on a jury occasionally, we will continue on the road to out-of-control government. It remains to be seen which of these directions we will take.

The People as Overseers of Government

The problem with defining our citizenship mainly by voting is that elections are only one way the disciples of bigger government increase the size, scope, power and controls of government. In fact there are at least four major strategies of expanding government. In a free society, the people are the overseers of all four.

Strategy One: Elections

In this approach, those who support big government attempt to convince voters to elect candidates who promise to increase the size of government programs—or who promise something else but once elected turn to growing government. One party promises to limit government but really only slows the domestic growth while expanding America’s international involvements; the other promises to pull back abroad but only slows global interventionism while significantly expanding government programs at home.

In other words, when voters push for less government they get more, and when they vote for more they get a lot more. Another facet of government growth is that when voters send a mandate of government reduction, which happens in nearly every midterm election and more than a few presidential elections, the big-government advocates use one or more of the following strategies to keep growing government despite the expressed will of the electorate.

Strategy Two: Courts

The state, federal and Supreme courts can change government through decisions from the bench. Jefferson was concerned about the potential dangers of this power, and leaders ever since have raised the possibility of judicial overreach. For example, the Supreme Court decision and commentary on [*Butler v. the United States*](#) had the effect of basically telling the nation that the federal government can do whatever it wants (regardless of what the Constitution says) as long as its it attempting to benefit the general welfare of the nation.

A number of other cases, from 1803 to the present, have significantly—at times drastically—restructured, revised or reallocated the powers of our government. The greatest danger occurs where a generally conservative court is in power at the same time as a conservative Congress and White House, or when all three are liberal. This diminishes the check/balance process and tends to lead to collusive increases in government power and the decrease of freedoms.

In the first two years of the Obama era, the Court was the one generally conservative branch standing against the liberal Congress and White House. Predictably, conservatives were pleased with Court decisions that slowed the liberal agenda, while the White House was audibly frustrated with the Court.

Strategy Three: Treaties

The Constitution basically consists of the seven original articles ratified in 1789, the amendments, the treaties made pursuant to the Constitution, and the various definitions the courts have given to the words of the Constitution. Indeed, instead of a 9-page document the Constitution now consists of literally reams of complex details.

For example, while schoolchildren are (hopefully) taught about the three branches of government and the state/federal split of sovereign powers, few Americans can explain how the [Bretton Woods treaty](#), [NAFTA](#) or the [Treaty of Rome](#) changed our basic governmental system. Yet such changes are hugely important to modern America.

Populists on the left and right like to carry the Constitution in their pocket; but I doubt anyone hauls around the volumes of our *de facto* Constitution. When people feel that Washington is broken, and lament that nothing can fix our national problems, they are expressing the overwhelming complexity of our government model as it now stands.

The greatest danger of this is that we are now dependent on experts to tell us what our Constitution is, as shown by numerous Administrations which have routinely engaged teams of attorneys to study the potential constitutionality of their proposals. The American founders wanted the people to be the overseers of government, to be able to simply read the Constitution and compare it



to what the government is doing. When this occurs, we are living under the democratic principle of constitutional government.

But when only the experts can tell us what is constitutional and what is not, the people simply cannot be overseers of government. They can vote in elections, but cases and treaties and executive policies can simply ignore the will of the people. This system, where a small group gets to determine what is constitutional and the masses just have to accept the power of this group, is an [aristocratic system](#).

Congress can alter this system, and until it does Washington will be irreparably broken. But our representatives are highly unlikely to do anything about this until the citizens demand it. The great benefit of a [democratic republic](#) is freedom; but its greatest weakness is that if the people stop overseeing government and leave it to the experts, freedom is lost.

Strategy Four: Agency Policy

Furthermore, when Congress passes a law, the executive government agency responsible for implementing that law writes up a set of policies on how to enforce the law. Sometimes one law requires numerous agencies to develop policy, such as the 2010 Health Care law.

In this policy process, agencies can emphasize certain things in the law and de-emphasize others. They can create numerous new policies they think are necessary to carry out the law, in essence making their own set of “laws” that were never anticipated or intended by Congress.

In this system, we are governed by numerous government policies that were never voted on or even discussed by our elected officials. Unelected bureaucrats have immense power in this, and can and do reduce freedom dramatically regardless of what the voters or elected representatives want.

Of course, such ability to make laws enforceable by policy is necessary in many cases, but it must be closely overseen by Congress if we want to remain free. Congress has the power to closely watch and respond to any abuses of policy, but often policies go unnoticed or unchanged by elected officials.

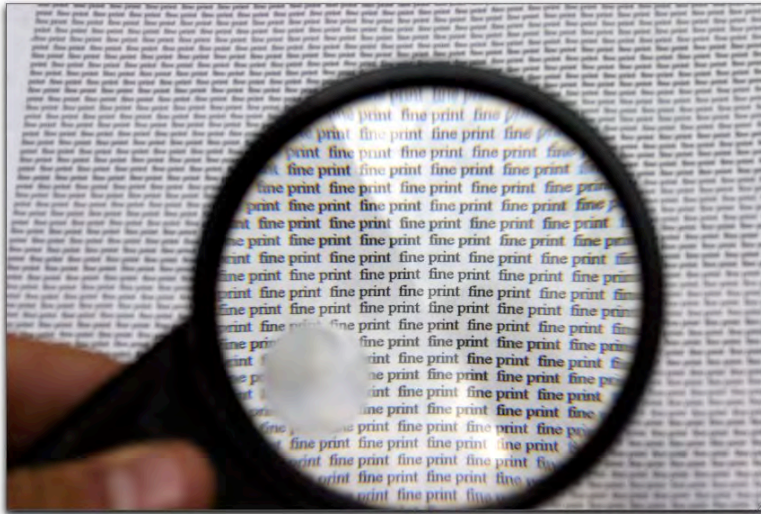
It is the responsibility of elected representatives to oversee all executive policy, but ultimately it is up to the people to ensure that this occurs. In societies where this happens, the people usually remain free. In nations where this doesn't occur, the people always lose their freedom. There are no exceptions in history.

The Duty of Citizens

Congress can oversee the courts, treaties and agency policy, and it has the power to keep all of these in line. But it must have the courage and will to do so.

And let's be clear: This will only occur in Congress at a large enough scale to make a difference when the people demand it of their elected officials.

As long as a group of a few [experts](#)—in Congress, the courts, treaty-making circles and government agencies—read, strategize, and make decisions on the constitutional and legal codes of our nation which the masses simply never consider or understand, then simple voting will have very little impact on the governance and future of our society.



Herein lies the great challenge of freedom: A democratic republic can only work in a nation where the average citizens read, understand and [know the fine print](#) of laws, court cases, treaties and policies at the same level as the President and all government officials.

It goes without saying that this requires a system that is not

complex and reams-deep in language that is self-contradictory and indecipherable. This is how the founders designed it, because there are no examples in all of human history of nations staying free without such citizens. Unless we become this kind of people, we will lose our freedom. It really is this simple.

When the Bush Administration lost the support of Congress to Democrats in the 2006 midterm election, it simply turned its focus to pushing its agenda through administrative policy in the numerous governmental agencies. The Obama Administration has said that it will do the same thing if it loses the House and/or Senate in the 2010 midterm election.

In short, we have lost control of our government, regardless of which party is in power. It is no longer a government “by the people,” and won’t be [until the regular citizens read and understand the court cases, laws, treaties and policies of the government](#). If we want to be free, we must get to work on this kind of study. The two bits of good news on all this are 1) the Internet, which makes many of the details and documents available to all, and 2) the rise of actively engaged independents and other independent-thinkers who study the fine print.

Some may say that simply reading reams of government loquacity is a monumental waste of time. That is what the scribes and bureaucrats of non-free nations have always said. The fine print matters—if we are to maintain freedom. All that is required for fine print to continue to proliferate is for it to remain unstudied. But like the creep of black mold, it grows mostly in the dark. This is the whole point of [government by elites](#).

Others may say that it is too late for such remedies. More and more it seems unavoidable that our generation will witness epic challenges in our day. A silver lining may be that our government will be streamlined by force of circumstance, and we may have the opportunity, or perhaps our children, to make meaningful changes to restore our forms and freedoms—if we own our role as Overseers.

While there are many who feel a deep faith in big government, the future of freedom depends on more people who do their duty as free citizens. Until more of us dig deeply into the fine print of our government, the future of freedom is bleak.



About The Center for Social Leadership

The Center for Social Leadership (CSL) is a think tank and action organization dedicated to building [social leaders](#) for the 21st Century.

Humanity is experiencing dramatic changes. Traditional leadership is broken. Conventional human organization based on hierarchies and formal authority is outdated. Human consciousness is evolving. Technology has transformed the way we interact and enhanced our ability to have impact—for good or ill. The Center for Social Leadership was formed to steer these changes to improve the health of society, preserve freedom, and ensure peace and prosperity for humanity. A new vision of leadership is needed. Not the old, hierarchical, positional, authoritative, privileged-elite leadership, but a new democratic, action-determined, service-oriented leadership. Through this social leadership mankind can achieve unprecedented happiness and fulfillment.

Learn more and engage with CSL by [reading our e-book](#) and joining our mailing list at www.TheSocialLeader.com.

“It’s not about someone doing everything. It’s about everyone doing something.”

