

Rule of Law, Not Politicians

The government seizes your property, gives it to a politically powerful ally, and you are powerless to stop it. Such is the sad fate, you may think, of individuals and businesses in China or Venezuela. But this is happening in America, where our government increasingly relies on politics or ideology, rather than the rule of law, to guide its actions. It has created doubt and anxiety which undermine the stability of our free enterprise system and can only further erode trust in government.

The elevation of politicians above law pervades the entire federal bailout process. In their rush to assist U.S. automakers, executive branch officials ignored Congress and diverted funds meant for financial firms to underwrite the Chrysler bankruptcy. Even worse, the government cast aside centuries of legal precedent dictating priority be given for debt repayment to "secured" creditors, such as the retired Indiana teachers and police officers whose pension funds made loans to Chrysler. Instead, more politically

Our insecure freedoms

powerful "unsecured" creditors were awarded first place in line. Transparent and consistent bankruptcy laws are vital to American commerce, allowing creditors to take calculated risks. Hard-working citizens lose money when politicians arbitrarily change the rules. When the pension funds for those Indiana retirees sued to protect their rights, judges all the way up to the Supreme Court shamefully rubber-stamped the government's uncompensated seizure of property.

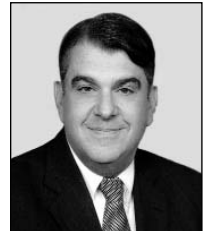
It has in fact taken another federal judge's ruling to remind the Federal Reserve that freedom of information laws require government to disclose which financial firms received emergency government money and

the loan amounts. Determined to keep this data secret, the Fed is appealing.

Other instances of government's disrespect for the rule of law have had equally damaging consequences. For years, the federal government has refused to fully enforce immigration laws, and our hospitals and other medical facilities are burdened with uninsured illegal aliens, complicating health care reform efforts. The Attorney General's decision to cast aside career prosecutors' judgments on CIA interrogators and instigate new investigations may be popular with some ideologues, but it threatens national security and the concept of impartial justice. And the proliferation of federal "czars" — unconfirmed, unelected officials who answer only to the President on critical areas like manufacturing and the environment — skirts the constitutional limits on executive power and shields decisions from accountability.

At the core of our prosperity is the expectation that a stable rule of law would protect all those who invest their money in America. The impact of moving the goalposts for a favored few may not be immediate, but over time, many businesses and jobs will be lost or never created because of politicized financial risks.

If government and politicians can get away with devaluing the rule of law to redistribute your assets and rights, what can't they get away with?



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