

Liberty: The Highest Political End

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Mark Twain supposedly once quipped that "No man's life, liberty or property are safe while the Legislature is in session." He must have had the Pennsylvania General Assembly in mind.

With more than 5,000 bills introduced and more than 240 new Acts on the books this legislative session alone, state politicians regularly exceed their legitimate and properly limited role as defenders of our Liberty. But just how bad are things in Harrisburg?

Recently, the Commonwealth Foundation completed a first-of-its-kind analysis of every single bill that became an Act during the 2003-2004 legislative session to date. We evaluated every new law by answering a very simple question, "Does this Act expand or contract the Liberty of the people of Pennsylvania?"

Unlike most special interest groups that consider only a handful of laws on selected issues, our analysis reflects the fact that every law ultimately has an impact on the Liberty of all Pennsylvanians. As a result, The Liberty Index provides Pennsylvanians with the fairest and most comprehensive analysis of the overall performance of their state legislators and governor.

With legislators' "Liberty Index" scores ranging between 17 and 54 on a 100 point scale, the condition of Liberty in Pennsylvania is in tatters. Instead of filling the role of protector of citizens' "certain inalienable rights," our politicians are increasingly trying to assume the paternalistic role of provider. The problem, however, is that government has nothing to give of its own. It can only give that which it first takes away from someone else--by depriving that individual of his Liberty, particularly the fruits of his labor.

As a whole, the General Assembly's average Liberty Grade was a D (a Liberty Index score of 28.84446), with more Fs (111) than As, Bs, and Cs combined (89). As parties, the Republicans earned an average Liberty Grade of C- (32.93080), while the Democrats earned an average Liberty Grade of F+ (23.94085). Governor Ed Rendell, who technically voted "yes" on every bill by signing them into law, earned a Liberty Grade of F- (17.37813).

Interestingly, the highest and lowest Liberty Grades were earned by Republicans. Rep. Daryl Metcalfe (12th District--Butler) scored the highest A (53.77567), while Sen. Joe Conti (10th District--Bucks) scored the lowest F- (17.28487). The highest scoring Democrat in the General Assembly--Rep. Greg Vitali (166th District--Delaware), who earned a B- (40.91110)--outscored more than 80 percent of the Republicans.

Most telling, however, of why our Liberty is in such bad shape are the scores of the General Assembly's "leadership"--the members of the House and Senate who decide which bills come to a vote in the first place. Speaker of House John Perzel (172nd District--Philadelphia), arguably the most powerful Republican in the state, earned a solid F (20.70967) in his defense of Liberty--ranking him 193rd out of 203 House members. As a whole, the average Liberty Grade for the General Assembly leadership members was a woeful F+ (22.52410), with 24 Fs, 4 Ds, and 2 Cs.

Clearly, the strict limits on the power of government envisioned by our Founding Fathers have been thrown off by today's modern politicians. Indeed, many of our state legislators will likely disagree with our analysis of legislation and its impact on Liberty. That is understandable, particularly given their poor performance. We, however, hold dearly to Lord John Acton's declaration that "Liberty is not a means to a higher political end. It is itself the highest political end."

The standard for Liberty is high because so much is at stake. History has demonstrated that Liberty is far too important for it to be a mere legislative afterthought. Philadelphian Benjamin Franklin understood this when he reminded his fellow countrymen that "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."

Unfortunately, most of the bills passed during this legislative session were designed to provide some level of "safety" for some Pennsylvanians. Be it in the form of pharmaceutical welfare for seniors, "economic development" welfare for corporations and other quasi-government entities or through the expansion of other non-core government programs, Franklin noted that the costs of such governmental "safety" are irreconcilable with government's limited role as the defender of Liberty.

Fortunately, however, our "certain unalienable rights" can be restored. Mankind is not tired of Liberty, as Benito Mussolini declared in 1923. But it will require our legislators--and the people who elect them to office--to once again make Liberty the highest political end, not merely a means to another political goal.

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