

From the President: Irish Stew

Tamzin A. Rosenwasser, M.D.

In one of his novels, Kurt Vonnegut writes of Eliot Rosewater, a GI who went insane after killing in combat people whom he later found to be a teenager and old men, that the books that he cherished while in a mental hospital “gave off a smell that permeated the ward, like Irish stew, or like flannel pajamas that haven’t been changed for a month.”

If only the wisdom of the past were as ineradicable as the smell from the books that contain it.

The Idea of Freedom in History

Freedom, like relativity and the wheel, has a radical simplicity. That old Golden Rule, reciprocal rights, and the rule of law just about sum it up. But along with the rational side of the human being, the biological side wars within his mind, refusing to grant to other humans that which he demands for himself. Perhaps we can conceive of that refusal as the Original Sin, the Fall, the seed of evil in every heart.

Despite the refusal of one human being to grant another the freedom he demands for himself, as we trace our early history, from situations where humans lived in isolated bands characterized mostly by bonds of kinship, or in larger, more settled groups, where the many were often in servitude to the few, the idea of freedom, whether understood well or poorly, somehow took root, and now seems to be discussed all over the world.

Likewise, with the advent of Judaism and Christianity, the idea of a historic timeline became embedded in the human psyche. We were on a journey, with a final destination, a home—rather than simply on a treadmill. I can no more grasp the totality of history than others, but the Greeks appear to have originated the institutions of participatory government, and of mercy toward former foes, several centuries before Christ. The Romans recognized certain superiorities of the Greeks and incorporated them, and later, after the fall of Rome and during the Dark Ages, Irish monks in isolated monasteries kept the books of the past, preserved their wisdom, and allowed for a re-flowering of freedom in Western Europe. From there, it leaped the Atlantic with the early Americans.

Due to the power of early sovereigns, the Church and State had become conflated into one. The sovereign spread the religion, and then progressed to forcing it upon those under his power—even though the religious doctrine in question, here Christianity, does not call for the use of force, but rather of love and example.

Americans based their nation upon the idea that freedom is a necessity, for two reasons: the human relationship with God demands freedom of conscience, and only with freedom of action, to work, to speak, to produce, and to own, with security from arbitrary dictates and usurpations, can human beings support and enlarge life, the ultimate human value.

Freedom, like the wily coyote, has been baited, poisoned, trapped, and shot, but when the assailants turn around, there

freedom stands, just like the wily coyote humorously observing her assailants before once again frustrating their designs.

Those who have served the cause of freedom command our authentic admiration and respect. A lone Chinese man confronting a tank, a Cuban outlasting his cowardly captors’ tortures for years, Alexander Solzhenitsyn facing monstrous dictators with the truth, or our own American Founders staking their lives, their fortunes, and their sacred honor on the outcome of our Revolution, furnish us with the examples of integrity, tenacity, and steadfastness to which we should attach ourselves. Never surrender, never give up, have faith in the future, and do everything you can to implant freedom firmly.

Freedom Protected in the U.S. Constitution

The U.S. Constitution was written to protect freedom by severely constraining the powers of government.

The Constitution gives Congress the power to: “lay and collect Taxes, Duties, Imposts and Excises, to pay the debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; to borrow Money on the credit of the United States; to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States; To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures; to provide for the Punishment of counterfeiting the securities and current Coin of the United States; to establish the Post Offices and post Roads; to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries; to constitute Tribunals inferior to the Supreme Court; To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations; To declare War, grant Letters of Marque and Reprisal, and make rules concerning Captures on Land and Water; to raise and support Armies, but no Appropriation of money to that Use shall be for a longer Term than two Years; to provide and maintain a Navy; To make Rules for the Government and Regulation of the land and naval Forces; To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; to provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States, respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful buildings; And To make all Laws which shall be necessary

and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.”

That is all.

The President’s powers are laid out in Article 2, Sections 2 and 3: “The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in cases of Impeachment.

“He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur, and he shall nominate, by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments. The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

“Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take care that the laws be faithfully executed; and shall commission all the Officers of the United States.”

Such is the Constitutional power of the President: ***No more; and no less.***

Usurping Power, Shirking Duty

What occurs in the United States on a daily basis has no warrant in the Constitution and is demonstrably unlawful. Yet we have ignored and glossed over that situation, to our peril.

Our most exceptional American feature is our founding upon a specific philosophy of government, the first ever so founded, as far as I can discern, and that philosophy took into account a very clear-eyed view of how human beings function in reality; later, the USSR also came to be founded upon a specific philosophy, but one that ignored empiric knowledge of human beings in favor of a theoretical construct about human beings and the way human affairs function.

When one, or a small group, decides what seems to them to be best for the ignorant multitudes, their mistakes become amplified; those deciders in reality are the same flawed people as those they deplore. This argues for the decentralization of power, and the strict limitation of government power, more than any other factor.

In becoming a physician, the most difficult thing to learn is judgment, and some never learn it; this is likewise the most difficult thing to learn in all the rest of life. However, the misjudgments most of us make never lead to dire consequences beyond our own and maybe a few other lives. In contrast, misjudgments precipitated by hubris,

narcissism, ignorance, and blind ideology on the part of those with power over a nation reverberate for centuries. Woodrow Wilson’s decision to involve our nation in the Great War fundamentally changed our nation from one attending to our own concerns, to one attending to concerns in which we have no direct interest.

Franklin Delano Roosevelt carried out a coup d’etat on our Constitution. Others have followed in his vile footsteps. Judge Andrew Napolitano recently dwelt on that in an article¹ in which he delineates some ways in which Presidents and members of Congress violate the Constitution they have sworn a solemn oath to preserve, protect, and defend.

While seizing many unconstitutional powers, Congress has shirked the defense of the United States, despite the money spent on weaponry and personnel. Our borders are open to our enemies. To my knowledge, no letter of marque and reprisal has been issued, despite a declaration of war on the United States issued by Osama Bin Laden in 1996, and thousands of people have been killed at his incitement and with his assistance since. Yet, as Judge Napolitano points out, Congress has seen fit to concern itself with how much water a toilet tank holds, how your physician treats your illness, and how fast you can drive your car, not to mention the hundreds of other irritants affecting every area of our lives, and degrading the quality of it.

Congress passes bills without reading them or knowing what is in their hundreds of pages; Congress writes bare frameworks of law, and then hands them over to a multitude of agencies to flesh out, often with thousands of pages of regulations—witness the unconstitutional enactment of Medicare and the thousands of pages minutely governing every aspect of it. Yet, how would it be if you ordered X-rays or echocardiograms but never read them? Suppose you treated a patient without any idea of the results of the tests you had ordered for that patient? How about if, instead of attending, yourself, to the exact orders for a septic patient, your orders to the nursing staff read simply: Give some powerful antibiotics and support his blood pressure, and institute usual measures if renal or respiratory failure develop?

What Can We Do?

In a sign of hope, the Oklahoma House of Representatives passed, by more than 90 to 3, a Resolution telling the federal government to adhere to the Tenth Amendment, which reads, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” You can call Congress at (202) 224-3121, and remind them of that. You can join DownsizeDCdotorg (I write the address that way to prevent spamming), and put pressure on Congress.

I tell my patients that it is better to have a physician spend a few minutes making sure nothing is amiss than to spend months getting chemotherapy. Likewise, it is always better to delay disaster, even if it looks impossible to avert it, because some favorable circumstance may intervene. It is better for all of us to attend to the affairs of our nation, than to wonder how to extricate ourselves from the manifold fetters of government after they have been thrown around us.

Tamzin A. Rosenwasser, M.D., is board certified in internal medicine and dermatology, and now practices dermatology. She served as president of AAPS 2007-2008. Contact: juperbeatrix@aol.com.

REFERENCE

¹ Andrew P. Napolitano, Most Presidents ignore the Constitution, *Wall Street Journal*, Oct 28, 2008, p A17.