

# A new separation of powers Let's tear up the blank check!

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I have a question for you. How many of you have ever met a man who could give birth to a baby? Please raise your hands. *Not a single person? Where have you guys been, anyway?* How many of you have noticed that in athletic events of strength and endurance, women don't compete against men?

As we all know, men and women tend to complement each other in their personalities, interests, and skills. These differences naturally lead to a specialization of roles in marriage, and the result of specialization is a separation of powers between a husband and wife. A wife tends to focus on creating an attractive and nurturing home environment, while a husband tends to focus on maintaining the equipment and facilities of the home.

## Government

It turns out that, just as in marriage, a specialization of roles in government naturally emerged over time, and the result is a separation of powers in government. Three main roles emerged: the creation of laws, the execution of laws, and the adjudication of laws. So, as a result, three branches of government emerged over time: the legislature, the executive, and the judiciary.

Now, let's go back to the 1700s. In the 1700s, the French intellectuals looked across the English channel, and they admired the British Parliamentary government over there in Britain because it allowed a lot more freedom than the French monarchy allowed. As a result, about 1750, a French theorist by the name of Montesquieu created a theory about the structure of government, and in creating his theory, Montesquieu conceptualized the British government in terms of the three branches of government. Montesquieu argued that a government operates best when it has the three branches. This is similar to saying that a marriage works best when there is a specialization in roles that is natural to men and women, respectively.

## American government

In 1787, about 10 years after the declaration of independence, representatives of the American states gathered in Philadelphia to draft a new constitution to replace the Articles of Confederation. The Articles had been adopted a few years before, and its government had only one branch — a legislature. But now, in 1787, the Americans were going to do it right, and what did this mean? Doing it right meant designing a government that followed the example of the British government as conceptualized by Montesquieu: there would be three branches — a legislature, an executive, and a judiciary. Each branch would serve a specialized role, so this government would realize the separation of powers conceived by Montesquieu in his theory of government.

## New separation of powers

Now we come to 2010, and what can we say about this form of government 220 years later? Let me put it this way. Suppose that we could rub a magic lantern and conjure up a genie, and the genie grants us one wish to improve our government, what would we wish for? I'd like to hear your suggestions. [Take a few suggestions from the audience.]

Our number one wish is to make the government fiscally responsible. The government needs to live within reasonable limits of borrowing and spending, just as every business must do and as every household must do.

Now, the bad news is that we don't have a magic lantern. But the good news is that we *do* have a solution that will make government fiscally responsible. And what is the solution? Montesquieu would find the answer quite interesting because the solution is to establish a new separation of powers. This is a separation of powers between the people and the government in fiscal matters: the people will establish the budget total, while the government will determine spending priorities.

More specifically, under the current system of government, we, the citizens, have given the government a blank check, allowing the legislature to vote itself as much of our money as it wants. This is why a representative government is fiscally irresponsible. After all, imagine that when your family needs more money, you could gather them around the dinner table and simply vote yourself more money. Your family wouldn't know where to stop spending would it? This is the problem with a representative government.

So how do we solve the problem? We need to tear up the blank check that we've given to the government!

### **Let's tear up the blank check!**

Now, get your blank-check fliers ready and wait for me. [Get blank-check poster off poster stand.] All right, let's hold them high! The reason that government is fiscally irresponsible is that we've given the government a blank check. So what do we need to do to fix the problem? *We need to tear up the blank check! So let's do it!* [Tear up blank-check poster while crowd tears up blank-check fliers.]

We tear up the blank check, and we replace it with a filled-in check, as shown in the poster. (The posters are on the website, by the way.) The filled-in check establishes a ceiling on government income, with the ceiling expressed as a percentage of the income of the economy. Say, for example, the ceiling limits government income to 10% of the income of the economy. This allows government income to grow as the income of the economy grows.

Now, the people can change the ceiling in response to a request by the legislature or through an initiative process. So listen to this: over time the people can *lower* the ceiling on government income through an initiative process. *This* is the only realistic plan that I have ever heard of for reducing the size of government, and what makes the plan realistic is that a reduction is based on a direct, popular vote for it.

### **Let's summarize**

We tear up the blank check so that the government can no longer vote itself money without restraint. We do this with a citizen-controlled ceiling on government income. This will establish a new separation of powers in fiscal matters: the people will determine the budget total through their ceiling, while the government will determine spending priorities. This will transform government from an institution that is fiscally irresponsible to an institution that is fiscally responsible.

One last word. If you'd like to help promote this idea, please contact me here or at the website. The website name is *LetsTearUpTheBlankCheck.com*. Thank you!