



Getting Involved in Government

Defining the Issue

In its most basic form, America's constitutional and democratic form of government is unique. It provides a process where citizens can act collectively to pool resources, address problems, capitalize on opportunities and create strategies enhancing the common good. If we want a nation that is secure, well-educated, just, prosperous, healthy, compassionate, and viable, we need citizens actively involved in public institutions.

This system employs *Separation of Powers*. The legislative, executive and judicial branches of government are created and power is shared between them. A system of checks and balances exists where the powers of one branch can be challenged by another branch. The process ensures that no one branch of government can be the dominant ruling authority for the nation.

Some political pundits are saying that concept of Separation of Powers needs to be revisited, and the system of checks and balances needs to be redefined. Others say that the system is working as America's founding leaders intended. As citizens with an interest in public affairs, where do we need to go, and what adjustments, if any, do we need to make from here?

AFBF Policy

Farm Bureau Beliefs - We believe in government by legislative and constitutional law, impartially administered, without special privilege.

We believe in the representative form of government—a republic—as provided in our Constitution, in limitations on government power, in maintenance of equal opportunity, in the right of each individual to freedom of worship and in freedom of speech, press and peaceful assembly.

We believe that legislation and regulations favorable to all sectors of agriculture should be aggressively developed in cooperation with allied groups possessing common goals.

The Constitution - The U.S. Constitution is well-designed to secure individual liberty by a division of authority among the legislative, executive and judicial branches and the diffusion of government powers through retention by the states and the people of those powers not specifically delegated to the federal government. The Constitution is the supreme law of the land and changes in the original intent and meaning should be made only through constitutional amendments.

We demand the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of its constitutionally delegated powers.

We oppose the centralization of power and responsibility in the federal government because it violates the Constitution.

Executive Branch - We recommend that the executive branch:

- Exercise restraint in seeking broad, discretionary powers from Congress;
- Avoid interpreting laws beyond the scope affirmatively spelled out by Congress;
- Refrain from issuing executive orders which exceed constitutional and statutory guidelines and withdraw any orders which exceed such guidelines;
- Be prohibited from binding the United States to future international conventions or treaties that do not undergo the same risk/benefit analysis required of U.S. laws and regulations; and
- Be allowed to use presidential line item veto.

We oppose the executive branch creating positions, such as czars, that are not elected and not accountable and are duplicating and usurping responsibility from other departments and agencies.

Legislative Branch - Congress must assume the responsibility to preserve our federal system by reversing the trend toward centralization of authority in the executive and judicial branches. Congress, government agencies and their employees should be subject to the same laws as are the people of the United States. We call upon Congress to amend existing laws which govern the power and authority of regulatory agencies to provide that in every instance a person accused of a violation shall be deemed innocent until proven guilty and urge that all future laws follow this principle. We urge Congress to:

- Avoid delegation of broad, discretionary powers to the executive branch and its regulatory agencies;
- Enact corrective or conforming legislation where the Supreme Court or Appellate Courts have invaded the legislative area;
- Place less emphasis on passing new laws that further restrict the freedom of Americans and, instead, give greater emphasis to its oversight responsibility so that the original intent of Congress will be better implemented by the administrative agencies;
- Enforce a code of ethics clearly delineating the conduct and activities that should be expected of its member; and
- Expand oversight of the rulemaking process.

We support:

- Each tax increase being voted on by a roll call vote;
- Regulations promulgated as a result of congressional action being reviewed by the congressional committee of jurisdiction prior to implementation to ensure that the legislative intent is being followed;
- The Senate confirming or denying, within 90 days, the President's judicial nominations;
- Reading of legislation be required before voting; and
- All bills being publicly available three days before a vote is taken.

We oppose:

- Automatic tax increases;
- Public officials leaving office from taking employment with those they formerly regulated for a period of two years;
- Open-ended land purchase authorization that would allow federal agencies to purchase additional land without Congressional approval;
- Any federal programs taking over private sector responsibilities; and

- Unfunded mandates.

Judicial Branch - We believe in an independent judiciary, impartial administration of law without special privilege and issuance of judicial decisions based upon law and not the personal opinion of a judge. The judicial function should be performed by the judicial branch and not by executive agencies. We support:

- Judicial decisions based upon legislative intent;
- Appointment of Supreme Court Justices with the best qualifications, including a minimum of 10 years of experience in a state supreme court or a federal court;
- The rights of the victim being at least equal to those of the accused or convicted;
- Legislative or judicial processes to prevent judges from releasing criminals on technicalities after a jury renders a guilty verdict;
- A requirement that judges be citizens of the United States in order to be appointed to the bench.

We oppose courts overlooking the rights of the victim in an overzealous effort to protect the accused or convicted; lifetime appointment of judges; and using any foreign, secular or religious law, policy or treaty.

OFBF Policy

Checks and Balances - Specific criteria should be developed before creating dedicated or “rotary account” funds. State government should reduce reliance on fee and permits to fund programs and should recognize that fees are a form of taxation.

Philosophically, OFBF supports giving the General Assembly and the Governor the primary oversight for funding priorities. Essential state programs should be funded by state tax dollars. Those programs not essential to state government should be studied and possibly referred for consolidation or elimination. To ensure rigorous consideration of programs, Ohio should adopt a “zero-base” budget system for general revenue funds.

Judicial Elections - All judges should be elected in a general election and only be appointed to fill the term if a current judge cannot fulfill his/her duties. The role of the court is to interpret the law and Constitution(s), rather than making new law via decisions.

Discussion Questions

1. How would your council members describe the present state of affairs in American government? Is our current system of checks and balances working, or should adjustments be made?
2. For those council members who see the system as working as intended, what attributes of each branch need to be recognized to ensure that the system continues to work in the future. For those council members who see the system as needing some adjustments, what factors need to be changed so one branch does not have dominance over the others?
3. What events in your community have sparked the greatest output of people getting involved in civic issues – elections, taxes, quality of life factors, defense, business, special program?
4. How could your community council get involved in civic issues through participation in county Farm Bureau programs?