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**Ethics in Government**

**By Richard Backus**

Rousseau in his famous "Social Contract" states that "What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses". This is the basis of law in the free world. Man must give up a right, that of grabbing all (and having to protect it himself) possessed by the original earth's inhabitants under their "natural liberty", and agreeing to follow certain rules limiting his rights to grab all (but with a right to public protection of what he has gained by laws agreed to by his fellow citizens.) In personal relations, this agreement consists of following certain agreed-upon rules called "morals" limiting his conduct. In business such rules are called "ethics" which are morals codified by laws.

Life under both these social and business rule is like a basketball game, where rules have been formulated restricting what each player is permitted in pursuing success. There are referees chosen to interpret and administer these rules. In a modern professional game most players try to push these rules to the limit in their zeal to win. The referees must take into account what behavior he can reasonably expect from fallible humans, and allow a certain leeway in enforcing these rules. If they allow too much bending of the rules, then basketball starts to look a lot like football. Too little allowance for all-too-human behavior results in a frustration in the player's desires and abilities to succeed. Both are harmful to the game.

Members of the Republican party, in relation to ethics (and laws) want very loose laws restraining the government in enforcing those rules concerning business practice, but want tight rules (laws) in their possession and disposal of their profits. Unfortunately they also are prone to bending the laws when it comes to making their profits, and very serious in the enforcing of tight rules with regard to their retaining them. For the Republicans this is very much like participating in a basketball game in which it wants no rules to be applied to them when on offense, but very strict rules applied when on defense. This is a classic example of talking out of both sides of their mouths at the same time. They want both tight and loose laws simultaneously, both favoring themselves.

At least they are consistent in paying taxes to support their programs. They don't want to pay anything to a government to remedy the social consequences of unethical and criminal business practices which they profit by without government oversight as they "stretch" what few laws are prevalent. This has resulted is a society in which there is less tax money allocated to Christian charity, and tons of money spent on security (local and overseas), an increase in the defense budget, and in a prison population which is, percentage wise, the largest in the world. This has resulted in major expenditure of taxpayer money in the construction of even more prisons, with greater incarceration costs. But these laws, causing this large increase of incarceration in the general populace, certainly look a lot like those nasty government regulations so abhorrent to the Republicans.

After observing the widespread and flagrant abuses that have surfaced recently, caused by government "referees" looking the other way or by Congress's unwillingness or inability to create laws to control these "natural" tendencies in (business)men (especially those establishing adequate penalties for breaking them), new laws designed to establish ethics in business are

necessary. Because of the failure of the U.S. government's to deal with these abusive practices, I have joined a group formed to institute an Article V Convention to modify our present Constitution. One absolutely necessary change would be explicit laws requiring ethics in business practices in the U.S. The site that has been established to support this effort is [foavc.org](http://foavc.org) and I would encourage everyone interested in good government to enroll in it.