



Why Equal Justice Matters

By Richard W. Rahn

TYRANNY EMERGES FROM A DOUBLE STANDARD THAT FAVORS THE ELITES

More than two years ago, several independent researchers, investigative journalists and columnists (including yours truly) began providing evidence and reporting on apparent funds from Russian government-controlled entities funneling into U.S. environmental groups. The Russian intent was to help the political action activities of the environmental lobby to stop, or at least delay, oil and gas development in the United States.

The Russian government is highly dependent on the revenues coming from oil and gas exports, and it is clearly in its national interest to do what it can to keep the price of oil high. Many in the press and the administration are allies of the environmental groups that were recipients of the Russia money, so the potential for substantial and extensive violations of U.S. laws were ignored by many news outlets and the Justice Department.

Suddenly, with the revelations that Russians and other foreign interests are hacking into political party emails, and perhaps

voting machine systems, there has been a newfound concern that foreign interests maybe doing illegal things to alter election and policy outcomes. The fact is that the “hacks” are nothing more than another way for foreign interests to affect U.S. political processes — like the contributions to the environmental groups.

There is evidence that the monies the Russians spent on the U.S. and other environmental groups did indeed slow oil and gas development, thus keeping petroleum products prices higher than they would have been otherwise. The result — American consumers were raked over to the tune of tens of billions of dollars, thus reducing real living standards — all because a politicized Department of Justice failed to do its job.

From the time of the American founding, the idea of the rule of law — as contrasted with arbitrary decisions by government officials and unequal justice — was acclaimed as a basic principle, even though America, in practice, fell short. Slavery, though legal in parts of the United States, violated the rule of law in its failure to treat all equally. Subsequently, by denying rights to some, “Jim Crow” laws and other forms of racial and religious discrimination violated the concept of equal justice. Despite past sins, America has almost totally eliminated legal, racial, ethnic and religious discrimination, but at the same time there has been a rise in unequal treatment based on one’s political beliefs or personal loyalties.

Only those oblivious to the obvious have failed to see that the Department of Justice has become increasingly politicized. Examples abound: The failure of former Attorney General Eric Holder to turn over documents to Congress related to Operation Fast and Furious as he was legally required to do; the failure to bring legal action against Lois Lerner and other Internal Revenue Service officials for clear violations of the administration of the tax law; the failure to hold IRS Commissioner John Koskinen accountable for lying to Congress about records the IRS had but failed to provide, and again for clear violations of the rules regarding the administration of the tax laws; the failure of the FBI to investigate (to date) Hillary Clinton’s lying to Congress, under oath, about the number of emails she had provided — despite the evidence of her taped

testimony and the FBI’s own findings; and, the failure of the Justice Department to bring action against Mrs. Clinton for destruction of evidence — both emails and devices — after the legal demand of Congress to preserve such records. The above is just a small sample of the Justice Department’s failure to uphold the rule of law and equal justice.

All of this matters, because it is fundamentally corrupting and, if not reversed, will lead to an increasing tyranny by those in government over the citizens. As Thomas Jefferson warned, “When government fears the people, there is liberty. When the people fear the government, there is tyranny.” A government that fails to uphold the rule of law, the protection of private property, individual rights and equal justice undermines economic growth. Economic growth depends on capital formation — that is, saving and its productive investment. Both individuals and businesses become increasingly reluctant to invest in economies where the rule of law is being undermined and is uncertain. It is no surprise that countries that strictly enforce the rule of law, including property rights’ protection, tend to have a much higher standard of living than those that do not.

The FBI and the Justice Department depend extensively on the willingness of the citizens to voluntarily assist them in many matters, such as providing information in background investigations. If these agencies are increasingly viewed as partisan and corrupt, the populace will be less and less inclined to speak with their staffs and be helpful — which is not good for law enforcement and for civil government.

Now that the FBI and the Justice Department have a newfound concern over foreign influence on the U.S. political process, it will be interesting to see if their investigations will extend to the corrupt enrichment of their own political friends or is just a partisan exercise.

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