



Written by [Joe Wolverton, II, J.D.](#) on June 27, 2017

Code of Federal Regulations: 30 Miles of Paper

The Code of Federal Regulations (CFR) contains 180,000 pages, [Business Insider](#) reported on June 26.

“On standard paper, these pages would be about sixty feet tall if stacked,” *Business Insider* contributor Nathan Bryant writes. “That is roughly equivalent to the height of a six-story building. If those same pages were laid end-on-end, they would be over thirty miles long,” he added.



That’s not just a problem for printers, it’s a problem for people trying to make a living in the United States.

The cost of compliance with these federal regulations is roughly \$2 trillion a year, according to separate reports published by the National Association of Manufacturers and the Competitive Enterprise Institute.

Added to that fiscal burden is the fact that the federal government spends nearly \$70 billion enforcing its own regulatory requirements.

President Donald Trump has promised to cut regulations by 75 percent. To date, the regulatory schemes built up for generations remain intact, with the Trump administration merely requesting that federal agencies to review their processes and to eliminate unnecessary regulations.

In light of the recent decision by the Supreme Court granting nearly limitless power to bureaucrats to define property rights, one is reminded of the words of Thomas Jefferson. Speaking of the accumulation of powers into one branch of the general government, the author of the Declaration of Independence wrote: “It will be no alleviation that these powers will be exercised by a plurality of hands, and not by a single one. 173 despots would surely be as oppressive as one.”

Liberty in the United States today is not under attack from one, single identifiable despot, but from hundreds of federal agencies and commissions, each of which is permitted by the president to exercise immense legislative, executive, and judicial power.

What is relevant to Americans today is the realization that such consolidation of government authority, in the hands of one (or many) agents of the federal government, is tyrannical and will eventually lead to the denial of the full panoply of rights all of which should be shielded from bureaucratic despotism.

Apart from the accumulation of powers being accomplished by these alphabet agencies, there is another aspect of this growth of government that is anathema to our republican form of government.

One of the royal abuses of power in the “long train” listed by Thomas Jefferson in the Declaration of Independence seems to accurately describe these agencies’ autocratic agenda: “He [the king] has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.”

It can be argued that the usurpation by the executive branch of the lawmaking authority is the very definition of the consolidation of power into one branch of government — an act described by James



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Madison as “the very definition of tyranny.”

It is then easy to see why Heritage Foundation researchers James Gattuso and Diane Katz said that “the unparalleled increase in regulatory burden spells a decline in economic freedom and individual liberty.”

In this as in almost every other case of the slow suffocation of liberty under reams of paper pushed out onto the people by petty tyrants, history is a reliable guide to understanding the problem.

In his seminal study of the end of ancient Rome, *Decline and Fall of the Roman Empire*, 18th-century historian Edward Gibbon identified an over-bloated bureaucracy as one of the contributors to the collapse of the once mighty superpower:

The number of ministers, of magistrates, of officers, and of servants, who filled the different departments of the state, was multiplied beyond the example of former times; and (if we may borrow the warm expression of a contemporary) “when the proportion of those who received exceeded the proportion of those who contributed the provinces were oppressed by the weight of tributes.” From this period to the extinction of the empire it would be easy to deduce an uninterrupted series of clamors and complaints. According to his religion and situation, each writer chooses either Diocletian or Constantine or Valens or Theodosius, for the object of his invectives; but they unanimously agree in representing the burden of the public impositions, and particularly the land-tax and capitation, as the intolerable and increasing grievance of their own times.

Another historian, Tacitus, lived at the time of Augustus and witnessed the unwinding of the republic first-hand. Tacitus, too, pointed to the increasing power of the bureaucrats as a reason republican liberty was becoming a myth in his time. He reported that the Roman Empire under Caesar Augustus employed 1,800 bureaucrats throughout the whole of the expansive empire.

While 1,800 bureaucrats may sound like a lot, that’s far fewer than those regulation-writing civil servants employed by the state of Nevada alone!

In 1963, historian and journalist William Henry Chamberlain summed up Rome’s situation this way:

Absolute imperial power replaced the complex check-and-balance system of the republic. The famous Senate declined from a vigorous state council, filled with civilian and military executives, into an ornamental rich men’s club. The Roman populace was no longer in a mood to fight for its constitutional liberties; it was lulled to sleep by the time-honored method: *Panem et circenses* [bread and circuses]. So long as it received free food at public expense, and elaborate games and spectacles, it ceased to concern itself with public affairs.

In his *Democracy in America*, French aristocrat Alexis de Tocqueville warned what would happen should government become a means of regulation of the lives of Americans: “Such a power does not destroy, but it prevents existence; it does not tyrannize, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to be nothing better than a flock of timid and industrious animals, of which the government is the shepherd.”

While President Trump’s efforts to rein in the runaway regulators is to be commended (should they actually reduce the size of the bureaucracy), Americans must recognize that in them lies the ultimate and unalienable sovereignty in this country, and they must call out any lawmaker, justice, or president who violates his oath and capitulates to tyrants by funding these federal agencies that are choking the life out of the American middle class.



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