



Written by [Joe Wolverton, II, J.D.](#) on November 29, 2015

## Speaker Ryan Reverses Course, Continues Consolidation of Power

Within three weeks of being elected the speaker of the House, Paul Ryan reneged on a promise to return to the rules of the House and re-enshrine representative government to the people's branch.

Ryan promised that he would restore "regular order" to the House of Representatives and would fix the "broken" system that was both hedging up the path to passage of some legislation and giving preferential treatment to other (pet project) legislation. His promise was undoubtedly intended to help secure the support of constitutionally minded congressmen for his grab for the speaker's gavel.



Typically, as we all learned from watching *Schoolhouse Rock*, a bill has to wend its way along a well-marked, but difficult path from being offered by a representative to being presented to members for a vote for or against. That's not quite the way it has worked in recent years, however.

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Under the Boehner regime, bills would be vetted by the leadership and those he or his lieutenants liked would be given what might be described as "most favored legislation" status, finding their way to the floor without being submitted to committee consideration or being opened for amendments.

While working his whisper campaign to replace Boehner, Ryan criticized this cloakroom-cum-committee system, saying, "The committees should retake the lead in drafting all major legislation. When we rush to pass bills, a lot of us do not understand, we are not doing our job."

Well, guess who's decided now that he's in control, that some bills need to be rushed through and that things aren't quite as broken as he thought?

As reported by *The Atlantic* on November 24: "In the wake of the Paris attacks, Ryan brought the American SAFE Act — a bill to rewrite refugee vetting rules — to the floor without committee hearings, without input from experts or agencies, and without opportunities for amendment from members of the House."

Ryan's rejection of the rules in favor of consolidating his control of the legislative process is symptomatic of a disease that is pandemic around Washington, D.C. — Potomac Fever.

All too often, as seems to be the case with Paul Ryan, erstwhile friends of the rule of law will draw nigh unto the Constitution with their lips, while their hearts, sadly, remain far from it.

Too often, once the candidate becomes the congressman, or in this case, once the member of the House becomes the speaker of the House, he channels Procrustes — who in Greek mythology stretched or cut the legs off strangers to get them to fit his iron bed — by stretching or slashing the Constitution and the



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rules of the House to make them more closely conform to (or to justify) his decisions.

There seems to be an amnesia that afflicts elected officials once they cross the Potomac into the halls of the national government. The fidelity they swore to the Constitution is abandoned, and the Constitution is forced, like the weary pilgrims who ended up in Procrustes' iron bed on their way to Eleusis, to endure painful tailoring according to the whims of the one who promised such comfort.

This disconcerting centripetal trajectory of power away from the people and toward a few federal officials — speaker of the House, president, Supreme Court justice, to name a few — is anathema to the centuries-old Anglo-American principle of the consent of the governed as the *sine qua non* of legitimate government.

When a government official (elected or appointed) usurps authority and acts outside the pre-arranged boundaries of his office, then he has voided those acts and renders them, as Thomas Jefferson once wrote, “*ab initio*, null, void, and of no force or effect.”

In the case of Paul Ryan, he was correct when he said just a few weeks ago that the American people expect their elected representatives to adhere to an orderly system of lawmaking, a system that will offer ample opportunity to rank and file members to read, consider, and change legislation that will ultimately affect all of them.

In the article in *The Atlantic*, the authors blame the “24-hour news cycle” for compelling Ryan to flip flop on his preference for taking the traditional tack in the road to enacting legislation:

Under pressure to act, Paul Ryan scheduled an immediate vote on the American SAFE Act, positioning House Republicans precisely within the zeitgeist of their constituencies. The alternative — wading through the detailed legislative requirements of regular order — would have put the congressional GOP behind the news cycle and behind the headline-grabbing GOP presidential candidates and governors who had been dominating the airwaves with talk of banning Syrian refugees.

What is it about the allure of key lights that makes otherwise honorable people do things they once regarded as inimical to sound order and good government?

More importantly, how are the media able to effect such rapid reversals?

The manifold federal campaigns and elections are broadcast in brilliant color using smart boards, iPads, and virtual reality displays. One appointed expert after another analyzes every word — sometimes every syllable — spoken by candidates and they do it with cloying glee. The Left chides the Right and the Right bashes the Left with moderators doing their best to play the disinterested straight man in this pantomime of power whose plot is nothing but a series of formulaic set-ups followed by equally predictable punchlines.

What is the point of the show? The point of the show is to keep the federal government circus constantly whirling before the eyes and screaming loudly in the ears of every American, entertaining them with a show that is so simplistic as to merit constant mockery yet so sophisticated that many in the audience actually pay attention to the melodrama.

The lasting effect is that after the curtain falls (and until it rises again in a couple of years) the audience hears the words “government” or “power” and they think of Washington, D.C. It doesn't matter to the producers of the show if the audience fears, laughs, loves, or loathes the federal government as long as they recognize its supremacy and remain in awe — whether with reverence or rebellion — of its power.



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This is why issues of state importance or acts of state nullification are never covered on the news channels so many of us watch. The monied cabal that funds those companies realizes that any substantive mention of state government might draw attention away from Washington, and that would never do.

How's the plan working out? *The Atlantic* sees it playing out quite according to the script:

According to a remarkable [report](#) by Karen DeYoung in the *Washington Post* this summer, the decades-old trend of centralization in executive-branch national security decision-making has dramatically accelerated in recent years. High-level officials throughout the federal government complain of increased micromanagement from the National Security Council, which grew from a staff of 25 during the Carter administration to [approximately 400](#) today.

For now, Ryan is playing his role and reading his lines exactly as they were written. It is up to his constituency to let him know how much they value the rule of law and the Constitution. If they fail to hold him accountable for his lapses, it is likely that the show will go on, only with a new company of actors every few years.

*Photo of Speaker of the House Paul Ryan: AP Images*



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