

December 1985

RIPON FORUM

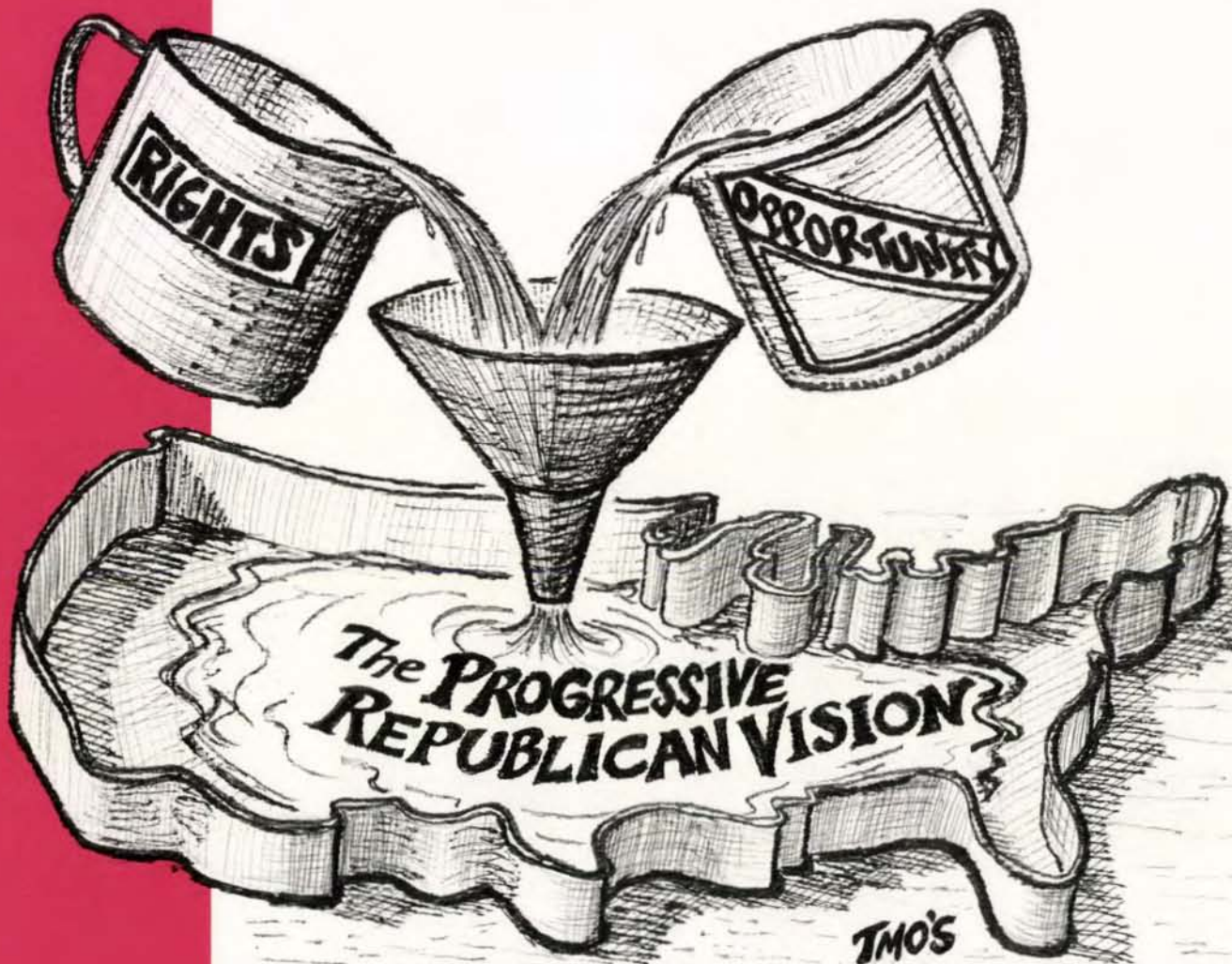
Volume XXI,
No. 4
Price: \$1.50

Conversation with John
Danforth

Progressive
Republican Vision

Forming The
Organization of the
Magazine

The Bankruptcy of
Political Philosophy



RIPON FORUM

Editor's Column	2
Profiles and Perspectives: A Conversation with John C. Danforth	3
Reforming The Organization of the Pentagon: Tom Donnelly	7
Editorial: The Progressive Republican Vision: The Joining of the National and Democratic Ideas	8
A House Divided on Comparable Worth: James S. Haney	12
Comparable Worth: Making The Market System Work for Everyone: Tanya Melich	15
Legal Services for the Poor: Encouraging Private Sector Fulfillment of a Public Responsibility: Frederic R. Kellogg	16
George Israel: The Herald of a New Southern Republicanism	18
Slade Gorton: The Profile of a Washington Senator	19
The Chairman's Corner: The Bankruptcy of Political Philosophy: Jim Leach	21
6 Library Court	23
Washington Notes and Quotes	24

RIPON FORUM

Editor: William P. McKenzie

Editorial Board: Daniel J. Swillinger Dale Curtis
Alfred W. Tate Steven Klinsky
Jayne A. Hart Darla Atwood
Gem E. Meyer

Art Director: Robey Graphics
Cover: Terrence O'Sullivan

THE RIPON FORUM (ISSN 0035-5526) is published bi-monthly in 1985.

In the publication the Society hopes to provide a forum for fresh ideas, well researched proposals, and a spirit of creative criticism and innovation in the Republican Party. Manuscripts and photographs are solicited, but do not represent the views of the Society unless so stated.

Contents are copyrighted 1985 by the Ripon Society, Inc., 6 Library Court, S.E., Washington, D.C. 20003.

Second class postage and fees paid at Washington, D.C. and additional mailing offices. Postmaster: Send address changes to Ripon Forum, 6 Library Court, S.E., Washington, D.C. 20003.

Subscription rates: \$25 per year, \$17.50 for students, servicemen, Peace Corps. Vista and other volunteers. Overseas, add \$6. Please allow five weeks for address changes.

The Ripon Society Inc., Kenneth J. Grossberger, president, is a Republican research and policy organization whose members are business, academic, and professional men and women. It is headquartered in Washington, D.C., with National Associate members throughout the United States. The Society is supported by chapter dues, individual contributions, and revenues from its publications.

Editor's Column

Abraham Lincoln's political vision was unique, Herbert Croly wrote at the turn of the century, and the reason was simple: the Illinoian was able to combine rights with opportunity. And he did so by insisting that a vital national government must protect the rights of all individuals, which in turn would maximize opportunity for every American.

In this Forum we editorialize that progressive Republicanism is directly related to the vision of Lincoln, and that modern progressive Republicanism combines rights and opportunity by joining together what Croly called the "national" and "democratic" ideas. Rights and opportunity are also the focus of other articles in this issue, and in the spirit of creative tension that marks progressive Republicanism, Ripon members Tanya Melich and Jim Haney provide alternative views on the issue of comparable worth. Ripon Society chairman Jim Leach presents a "mainstream Republican agenda," and argues that progressive Republicans must also combine principle with pragmatism. And Ripon Congressional Advisory Board member John Danforth reminds us that the creation of opportunity is related to global matters, too, and that the complex problems of international trade will have much to say about expanding opportunity in the next decade.

—Bill McKenzie

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION:

1. Title of Publication: Ripon Forum. 2. Date of Filing: December 6, 1985. 3. Frequency of Issue: Bi-Monthly. A. No. of issues published annually: 6. B. Annual Subscription Price: \$15. Washington, DC 20003. 4. Complete Mailing Address of Known Office of Publication: 6 Library Court, S.E., Washington, DC 20003. 5. Complete Mailing Address of the Headquarters or General Business Offices of the Publishers: 6 Library Court, S.E., Washington, DC 20003. 6. Name and Address of the Publisher: The Ripon Society Incorporated, 6 Library Court S.E., Washington, DC 20003. Name and Address of Editor: William P. McKenzie, 6 Library Court, S.E., Washington, DC 20003. 7. Owner: The Ripon Society, Inc., 6 Library Court, S.E., Washington, DC 20003. 8. Known bondholders, mortgages, and other security holders owning or holding one percent or more of total amount of bonds, mortgages or other securities: none. The purpose, function, and nonprofit status of this organization and the exempt status for Federal income tax purposes: has not changed during preceding 12 months.

10. Extent and Nature of Circulation	Average No. of Copies Each Issue During Preceding 12 Months	Actual No. of Copies of Single Issue Published Nearest to Filing Date
A. Total No. of Copies Printed	2700	2700
B. Paid Circulation		
1. Sales Through Dealers and Carriers, Street Vendors, and Counter Sales	15	10
2. Mail Subscriptions	2485	2248
C. Total Paid Circulation	2500	2258
D. Free Distribution by Mail, Carrier or Other Means: Samples, Complimentary, and Other Free Copies	150	200
E. Total Distribution	2650	2458
F. Copies Not Distributed		
1. Office Use, Left Over, Unaccounted, Spoiled After Printing	50	242
2. Returns from News Agents	0	0
G. Total	2700	2700

11. I certify that the statements made by me above are correct and complete: William P. McKenzie.

Profiles and Perspectives
Profiles and Perspectives
Profiles and Perspectives
Profiles and Perspectives
Profiles and Perspectives
Profiles and Perspectives
Profiles and Perspectives
Profiles and Perspectives

Profiles and Perspectives

A Conversation with John C. Danforth

The Wall Street Journal wrote recently that the issues surrounding international trade have "attained top priority," and that Missouri Senator John Danforth has become a "symbol of the new concern over America's trade policy." The lanky, 49 year-old legislator, and ordained Episcopal priest, has indeed become a congressional leader on foreign trade, and his words have particular clout now that he has assumed chairmanship of the Senate Committee on Commerce, Science, and Technology. That title goes along with another relevant position: the chairmanship of the Senate Finance Committee's International Trade Subcommittee.

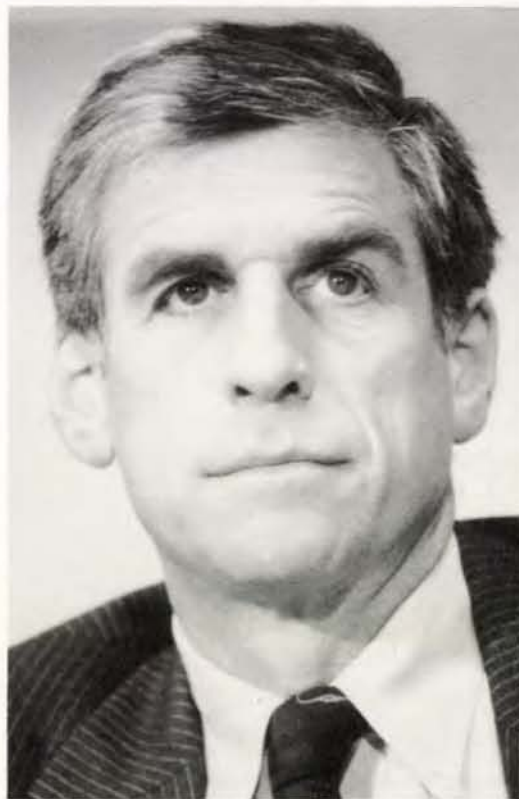
But it should come as no surprise that the St. Louis native has become a "symbol" of the "new concern" over America's trade policy. Nearly ten years ago, the moderate Republican senator began earnestly studying foreign trade problems, and in a speech before the Blue Springs, Missouri Chamber of Commerce in January 1978, he said: "It is not free trade and it is not fair trade if Americans play by the rules and our competitors do not."

Yet to assume that Jack Danforth is a protectionist would be a mistake. He is not a Smoot or a Hawley, those legislators whose protectionist actions precipitated the Great Depression. In fact, in this interview with **Forum** editor Bill McKenzie, he makes it clear that protectionism is a "defeatist" policy and a strategy in which there is no hope.

Ripon Forum: We all know that the American economy has been hamstrung by trade with such foreign nations as Canada and Japan. But to what extent are those deficits exacerbated by the fact that strong nationalistic pressures exist in every country and those sentiments prevent nations from recognizing that competition now takes place in a global economy?

Danforth: It's very difficult to quantify the degree to which any single component of the trade problem is responsible. A lot of people have attempted that with respect to the value of the dollar. They've said it's 60 percent or 70 percent of the problem.

But the nationalistic pressures are clearly part of the problem. At the same time, we have to solve the problems of non-tariff



barriers and of countries trying to take advantage of the system. And they take advantage not only in the direct way of tariffs and quotas, but also in a lot of gimmicky ways that are quite nationalistic.

Ripon Forum: Like?

Danforth: Like imposing unrealistic standards on imported products, and requiring endless inspections and numerous forms to be filled out. Or, it could be the simple refusal to deal with people from other countries. I can't quantify it, but there's no doubt there's a lot of economic nationalism.

Ripon Forum: During a recent visit to the United States, Japanese Prime Minister Yasuhiro Nakasone told a reporter: "In the medium- and longer-term perspective, we shall make efforts to change [our] social and economic fabric or structure so that it will be a harmonious one with the world." Do you believe that?

Danforth: I think it's a great statement, and I have no doubt that he means it. But the problem is going to take more than a statement from the prime minister. It's going to take a constant effort to open up their market and deal with the rest of the world on the basis of some degree of reciprocity. To date, the basic position of Japan has been that they export as little as they can get away with and only what they don't produce themselves. Basically what they want to do is import raw materials, bauxite and oil.

Ripon Forum: Reinhold Niebuhr, a theologian who had a tremendous influence on American foreign policy thinking, argued that the will-to-power is strong within nations. Is it unrealistic for us to sit here and assume that a nation will ever overcome its strong nationalistic interest in the name of a global economy?

"When you look at it purely from the standpoint of national self-interest, Japan can't have it both ways."

Danforth: When you look at it purely from the standpoint of national self-interest, Japan can't have it both ways. You can't milk the international economy dry forever, and that's what they're doing.

"Japan has more of a stake than we do in rebuilding the system, and not letting it fall apart, which it is."

My hope is that the Japanese will realize that they have more of a stake than anybody else in a functioning international system. When the U.S. trade representative testifies before the Senate Finance Committee and expresses doubt about whether the General Agreement on Tariffs and Trade (GATT) works, which Clayton Yeuter did in November, Japan should be sounding the alarm. They have built their economy on international trade. We haven't. There isn't anything that they make that we either don't make or can't make. So they have more of a stake than we do in rebuilding the system, and not letting it fall apart, which it is.

Ripon Forum: So how do you make them realize that rebuilding the system is in their best interest?

Danforth: I don't know, and I don't know if it does any good to preach at them. Not that I think that they've heard all the preaching. But I also think that they are very attentive to what the mood is in this country and, indeed, throughout the world.

I want to tell you something very interesting. In November, there was a reception at the British Embassy for Prince Charles

and Princess Diana. As Prince Charles was moving through the room, he was introduced to Mike Smith, who is the deputy U.S. trade representative. As Prince Charles was shaking hands with him, do you know what Prince Charles said? "What are we going to do about Japan?"

It's not just the Americans who are feeling perturbed; it's the rest of the world, too. And you cannot use the rest of the world forever without putting something back in. That's a matter of basic interest, just as a farmer realizes that he can't use his land forever without putting something back.

"There is a limit to which other countries can push us."

I met in November with Owen Bieber, president of the United Auto Workers, and he raised the question, what's the future of the U.S. auto industry if the Japanese and then the Koreans and then everybody else keep increasing their imports into this country? Similarly, we just had a textile bill pass the Congress, and we're going to continue considering trade legislation. There is a limit to which other countries can push us.

Ripon Forum: You were quoted recently in *The New York Times* as saying that: "What the Reagan administration means by free trade is that our markets should be open to other countries' goods. The converse also has to be true. We have to be able to sell in other markets. And getting into those markets will never be accomplished just by complaining." To what extent can protectionist legislation open other markets?

"... the nature of protectionism is defeatist. It's not interested in trade."

Danforth: Protectionist legislation can't, because the nature of protectionism is defeatist. It's not interested in trade. But market opening efforts are useful.

Ripon Forum: And what would those measures be?

"But if you don't sometimes retaliate in selective cases against unfair trade practices, then you're taken for granted."

Danforth: Specifically, enforcing Section 301 of the Trade Act, which provides for retaliation against unfair trade practices. The president has indicated that he is going to use Section 301, but that remains to be seen. I think that he's threatening its use, but eventually you have to be willing to retaliate. Not for the joy of retaliation, or because anybody takes pleasure in it. But if you don't sometimes retaliate in selective cases against unfair trade practices, then you're taken for granted. The figure of speech I use is that it is like a football referee who blows his whistle but never marks off the yardage. Nothing happens, and you lose

your credibility. We've lost our credibility.

Ripon Forum: Are you optimistic that these retaliatory measures will work?

Danforth: Yes.

Ripon Forum: Why?

Danforth: Because if you operate in international trade, it has to be pursuant to the system. It's not goodwill that counts; it's the systems that counts. And the system has to function, although it doesn't now because the rules are never applied. It's lawless.

Ripon Forum: Let's return to a point we discussed a moment ago. The trade dilemma certainly has nationalistic elements, but there are also other components, such as protectionist measures, low foreign wages, a high U.S. dollar, subsidized foreign production, fraud, and the expansionist trade policies of nations with centralized economies. Which of these are the most important?

Danforth: They're all important, and so are U.S. budget deficits. But the high dollar is the number one problem.

Ripon Forum: What is being done to counter those problems? Do we have a trade policy? If so, who's in charge of it?

"It's conventional wisdom to say that the U.S. doesn't have a trade policy. Sure it does. It's not a very good policy, but it is a policy."

Danforth: The president. The administration has a trade policy and it has to be controlled by the president. We in Congress can pass general legislation, and we can pass some good legislation as well as some bad legislation, but the daily management of our trade policy has to come from the president. Congress can set some general directions, but we are terrible at specifics.

It's conventional wisdom to say that the U.S. doesn't have a trade policy. Sure it does. It's not a very good policy, but it is a policy. The president feels very strongly about trade; he has a very strong free trade position. He's very concerned that we're going to have a rerun of Smoot-Hawley, and there are people in the administration who reinforce that position, just as there are those who question it.

Ripon Forum: After Labor Day you met with the president and other members of Congress on the issue of trade, and again you were quoted in *The New York Times*, this time as saying the president should "bend a little" on trade. How would you urge him to "bend a little?"

Danforth: I think he has to be more flexible in defining the distinction between protectionism and the enforcing of existing U.S. laws and trade agreements. I don't think that everything that moves is protectionist. For example, the bill which I and 32 other members of the Senate introduced on November 20 is a "generic" approach to trade; it is not product specific, and it is designed to seek greater market access for U.S. exports. But I can just see the newspaper comments calling this "protectionist legislation."

Ripon Forum: To what extent is the trade dilemma accentuated by the fact that a considerable number of Washington lobbyists have at least one major Japanese client?

Danforth: None. The trade problem is statistical, although it is also measured in the lives of people. And what are those affected by the trade dilemma going to do?

Ripon Forum: What is Jack Danforth's response to that question?

Danforth: I spend a lot of time on trade and the whole of our basic problem is to try to provide some correction and purpose to U.S. trade policy.

Ripon Forum: But what about the severe dislocation problem that is taking place and will continue to take place as we adapt to a more global-oriented economy. You've used the term "managing the disaster." How do you "manage the disaster" in the short-term?

Danforth: Trade adjustment provides short-term assistance for people who've been dislocated.

Ripon Forum: What other short-term measures do you support?

Danforth: I'm for job training and for some financial help for people who are untrainable. But I'm really not a protectionist because you never get beyond the disaster. There's no hope, there's no future. The best adjustment is a growing economy.

Ripon Forum: Originally, Republicans were protectionists. They favored tariffs during Abraham Lincoln's day so that U.S. industries could grow and compete. Why doesn't that apply today?

Danforth: I don't know. I'm not a historian.

Ripon Forum: Let me refer then to a speech by Donald Trautlein, the chairman of Bethlehem Steel, whose company has lost \$1.8 billion since 1981. In a London address this year, Trautlein said that: "the U.S. government stands alone among nations in permitting up to 20 percent of our country's steel requirements to be supplied by imports. No other major steel-producing nation in the free world is even a net importer . . . Even in the U.S. there comes a time when our government leaders [must] say, 'enough is enough.'"

If Donald Trautlein were with us today, your argument would be that protectionism is self-defeating. But what long-term hope could you offer him, especially when his industry is losing so badly in the short-term?

Danforth: I'd ask him if he sees any hope ever. Do you believe that the steel industry is a basket case? Do you think that it is a permanent basket case, or do you think that we can still compete with the rest of the world? Is there a future? Those are the kinds of questions that really drive trade policies.

I'm not beyond offering short-term protection for industries, provided it's a key industry and there's an end to it. I was sort of the father of the voluntary restraints for automobiles. I introduced a temporary quota bill for automobiles in February 1981, but it later became voluntary restraints. The aim of the bill was not to provide permanent protection, but rather to provide a limited period in which an industry could regroup.

Ripon Forum: How is the trade dilemma going to affect the GOP? For example, more than 10,000 textile workers have been laid off this year and the industry's unemployment rate is 13 percent. Many of those jobs were lost to foreign competition, and a substantial number were located in the South, particularly the Carolinas, where the Republican Party has had considerable electoral success.

"Beyond the trade issue, there is a really important question that must be asked: how do we view ourselves as a people?"

Danforth: Some people think it is going to be very tough when the president vetoes the textile bill, which Congress recently

passed. But beyond the trade issue, there is a really important question that we have to ask ourselves as a people. How do we view ourselves? Do we see ourselves as members of special interests with special interest agendas and with demands on our politicians that must be met or else we will defeat them? Or, instead do we view ourselves as something fundamentally more than members of interest groups? Do we view ourselves as people who have a common stake in the future of the country and its welfare? This is the kind of issue that really should be put to the people, and it probably will.

During a two week period last spring, we received 341 letters from people who said, "Cut the budget." But during the same time we received 8,391 from people who said, "Don't cut my program." How do we handle that? Is the job of a person in government to try frantically to meet the demands of people regardless of whether other people will lose their jobs? The textile people want protection, so you got it. But other people will lose their jobs if the bill becomes law, not to mention the cost of clothing would go up significantly. Is the job of the person in politics to just march from the textile people, to the steel people, to the auto people and say, "You're on, whatever you want." That's what we saw in the last election and my feeling is that if it's presented to people that way, most of them would say, "Absolutely not. That is not what I want of my politicians."

"I think that we should say that we're not going to become protectionist, or dish out favors to whatever interest group will produce the 51st percentile of the population for us. We're going to stand for a country that has a future."

We have to try to look at what we are doing with our country. What kind of place we are making, what kind of future do we have. We can begin now what amounts to a liquidation and people can march off with whatever they can bundle under their arms. But that's what we'd be doing—liquidating—if we became protectionist and failed to counter big budget deficits.

I think that what we should do is say, "No, we're not going to go that route. We're not going to become protectionist, we're not going to be dishing out all the favors to whatever interest group will produce the 51st percentile of the population for us. We're going to stand for a country that has a future."

Ripon Forum: Is the Senate institutionally capable of providing

that kind of leadership?

Danforth: I think it is because the problem has not been in the Senate. We passed the budget resolution and Gramm-Rudman. We've got a pretty good record. We've sort of gone off the reservation on the textile bill, but not by that big a vote.

Ripon Forum: You have said that your legislative work on world hunger, which includes efforts on behalf of African drought victims and, earlier, on behalf of Cambodian people, has been the most satisfying of your career on Capitol Hill. To what extent do we have an obligation to develop the markets of Third World nations, and how can that be accomplished?

Danforth: 40 percent of our trade is now with lesser developed countries, so it's very important. We have a strong economic and political interest in a healthy economy throughout the rest of the world. If we're going to have markets for our products, then we're going to have to have a world which will have the wherewithal to buy from us.

Ripon Forum: But how do we develop Third World economies?

Danforth: First, we must get our budget deficits down. So much comes back to that. It's not fair to other countries to run up our interest rates like we have. Their bad financial situation is not so much their own doing, but the fact that we've pushed them into it. For example, the International Monetary Fund has adopted the position that Third World nations, such as Chile and Argentina, must get their economic house in order. So how do they do that? They erect trade barriers and produce a lot, and then try to export it, to dump it. That's created a trade problem, and is another way in which we have been unable to come to grips with our budget deficit.

Ripon Forum: If and when U.S. budget deficits come down, what sort of time frame do you envision for developing the markets of African nations?

Danforth: Where I've traveled in Africa, it's pretty hard to say. It's really bleak. It's very depressing, very depressing.

Ripon Forum: So those Third World economies that are most likely to develop soon are not in Africa, but rather South America?

Danforth: I'd love to see Africa develop. It's pretty hard, however, to see what they've got going for them. But since the drought has ended in most of Africa, things may be turning around. It would be nice to see something that they could export. And they probably could. The Sudan could produce a lot of food. Yet there again we have an international glut of food. The situation is just not very optimistic, although the response of Americans to the need in Africa was wonderful. Many, many lives were saved. Yet to develop a stronger base for food products in African nations—that will take bold steps by governments there and a strong, long-term commitment by the U.S. and other western nations.

.....

IF YOU ARE TIRED OF THE POLITICS OF EXTREMISM AND LOOKING FOR PRAGMATIC, INDEPENDENT THINKING, THEN YOU WANT THE RIPON FORUM.

Don't confuse us with the likes of *The Nation* or *The American Spectator*. Or publications akin to *The Progressive* or *National Review*. We are a group of independent thinkers and we offer intoxicating ideas.

Why? To force you—as well as ourselves—to think beyond traditional means. If you don't want to be challenged, then don't read on—we are not the magazine for you.

But if you appreciate fresh thinking and disparate opinions, then you may never be the same after reading the *Ripon Forum*.

Please sign me up for a one-year, \$15 subscription to the *Ripon Forum*.

Please sign me up for \$25 as a National Associate Member of the Ripon Society (includes magazine subscription).

Name _____

Address _____

City/State/Zip _____

Make checks payable to the Ripon Society and return to: The Ripon Society, 6 Library Ct. SE, Washington, DC 20003.

Reforming the Organization of the Pentagon

by Tom Donnelly

Like a sleepy hamlet nestled at the rim of some Alpine ravine, the Pentagon seems blissfully unaware of an avalanche about to engulf it.

“Like a sleepy hamlet nestled at the rim of some Alpine ravine, the Pentagon seems blissfully unaware of an avalanche about to engulf it.”

The avalanche in the overstretched allegory represents the increasingly powerful movement to reform the organization of Department of Defense (DoD). And the longer DoD chooses to ignore the need to change the way it buys weapons and prepares for war, the weaker the department's hand in shaping the changes sure to come. Also at stake is the continuing bipartisan political support for the continued modernization of the nation's military deterrent.

Movement Towards Reorganization

The movement toward reorganization of the Defense Department has moved beyond universities and think tanks, beyond the studies of military historians and strategists, beyond the books of liberal military reformers such as James Fallows, beyond the meeting rooms of the House Military Reform Caucus. It now includes those in the military “establishment” in Congress, such as Senate Armed Services Committee chairman Barry Goldwater and House Armed Services Committee chairman Les Aspin (it might seem odd to classify Aspin as a member of the military establishment, but he's proving to be a much more moderate committee chairman than his past reputation might suggest). And, with the formation of the president's Blue Ribbon Commission on Procurement, headed by that wild-eyed radical David Packard, former chief executive of computer giant Hewlett-Packard and deputy secretary of defense during the Nixon administration, it would seem that the White House has even recognized the need to address some aspects of Pentagon reorganization, if only as a political necessity.

Tom Donnelly is a reporter for Defense News in Washington, D.C.

Yet, as interest in changing the way the Defense Department runs its shop is nearing a peak, the one player absent from the starting line-up is the Pentagon itself. As report after report appears calling for reorganization, culminating in the recent Senate Armed Services Committee staff report, now known as the Nunn-Goldwater report for the heavy backing given the report by Senators Goldwater and Sam Nunn, ranking Democrat on the committee, the Pentagon remains strangely silent. It's official responses have ranged from a curt “No comment” to more sullen answers that all translate into “Leave us alone.”

“. . . it would seem that the White House has even recognized the need to address some aspects of Pentagon reorganization, if only as a political necessity.”

For example, when the Nunn-Goldwater report was released, the lone comment came from public affairs head Robert Sims. “The decision-making machinery is running smoothly. Our civilian and military leadership meshes as rarely in the past. Civilian control is unquestioned, but proper military advice is sought,” he said.

“One reason for the lack of leadership from DoD on the issue is Defense Secretary Caspar Weinberger's extreme laissez faire style of management.”

One reason for the lack of leadership from DoD on the issue is Defense Secretary Caspar Weinberger's extreme *laissez faire* style of management. He has repeatedly contended, “If it ain't broke, don't fix it.” But as Robert W. Komer, undersecretary of defense for policy during the last years of the Carter administration said about Weinberger: “He has specialized in getting a lot of money out of the White House and the Congress, and my hat's off to him on that score. But Cap Weinberger came in with no
continued on page 10

EDITORIAL

The Progressive Republican Vision: The Joining of the National and Democratic Ideas

The Reagan years have proven to be a time in which the role of ideology has been restored to the forefront of American politics, and critics of the president's conservative philosophy have argued that this administration should be less interested with its ideology and more concerned with the pragmatic implications of its policies. That reaction is thoroughly American, of course, because we as a people pride ourselves on being pragmatic, on making things work. Such a bent is not altogether wrong either, because an ideology that gives little consideration to implementation is irrelevant if not idolatrous.

Yet neither is ideology necessarily wrong. As the ancients contended, without a vision the people perish. Ideology's importance thus lies in providing a set of ideas and principles around which debate on relevant issues can be structured and national priorities can be arranged. Political scientist Everett C. Ladd put it this way in an address last year at the American Enterprise Institute: "National responsibility does require a persuasive articulation of the way national organization of some sort must be employed to fulfill the promise of American life."

Political parties are responsible for providing a "persuasive articulation," and conservatives have been the most vocal within the GOP recently in providing such. But progressives also have a vision, and its focus is on what Ladd claims to be the two competing ideas of the "American ideology." The first is the "national idea," which gives expression to the need for a vital national government, and the second is the "democratic idea," which rests in the primacy of the individual and is manifested in a distrust of big institutions and central authority.

According to Herbert Croly in his work *The Promise of American Life*, the only American president to have combined these two ideas is Abraham Lincoln. "Lincoln's vision placed every aspect of the [turmoil of the 1850s] in its proper relations," Croly wrote. And he did so by providing a vision that was both nationalistic and responsive to diverse local needs.

Since Croly's book was completed in 1909, there might be an argument that other recent presidents have done likewise. But at the risk of thumping our own chest, it is not surprising that Lincoln is Croly's choice. The Republican vision Lincoln put forth underlies the progressive Republican vision of today, and the uniqueness of the latter lies in combining the national idea with the democratic idea.

The National Idea

Consider, for example, the work of progressive Republicans like Charles Mathias in the area of civil rights. The Maryland senator, who is retiring in 1987 after 26 years in Congress, has dedicated a substantial part of his political life to promoting the extension of basic civil rights and civil liberties. *Newsweek* columnist Meg Greenfield wrote recently that Mathias, "is a Bill of Rights freak. He reads in and about the Constitution . . . Throughout the Watergate time and ever after, when an administration sought to overreach its authority, especially in marauding against an individual or in abusing its powers or encroaching on guaranteed rights, when it lied or snooped or denied due process, you could be sure you would hear from Mathias . . . It is his passion."

The guaranteeing of rights has been the passion of other progressive Republicans, too. Connecticut Senator Lowell Weicker's filibuster against legislation to permit sectarian prayer in the schools and to limit the jurisdiction of federal courts was instrumental in stalling the New Right's social agenda during the Reagan administration's first term. And in August 1985 progressive Republicans Mathias and Hamilton Fish joined Senate Majority Leader Robert Dole in filing an amicus brief with the United States Supreme Court to protest an attempt by the Reagan administration to weaken the 1982 Voting Rights Act. Moreover, the extension of that Act, which was first passed in 1964, was due largely to the efforts of moderate and progressive Senate Republicans who made it clear to President Reagan that, despite the opposition of some conservatives within his administration, he should sign this legislation.

"The promotion of rights through a vital national government is directly related to the creation of opportunity."

The progressive Republican commitment to the concept of rights is deeply rooted in the "national idea" because without a strong

federal government, basic civil liberties would not have been extended this nation's minorities. This was particularly true during the tumultuous 1960s. Many conservatives argued then that states should be allowed to settle racial issues. Most often, however, that meant doing little or nothing to rectify historic wrongs. Not until Congress passed federal civil rights legislation in the 1960s, at the instigation of progressive Republicans like Jacob Javits, did some of the racial issues that had long troubled this country begin to be resolved. As Ladd said, states rightists "failed to appreciate the need for central organization to address needs of the entire nation—where the fulfillment of individualism requires things that political and economic individualism is unable by itself to achieve."

The promotion of rights through a vital national government is also directly related to the creation of opportunity. In fact, opportunity is not possible without an assurance of rights. The recent comments of New Jersey Governor Thomas Kean, a progressive Republican who was reelected in 1985 with 60 percent of the state's black vote, make this particularly clear. On election night Kean told *The New York Times*, his Republican "vision," which he plans to speak out on around the country, encompasses support for both affirmative action programs and minority business quotas. The reason is simple: "The message of dependence, in my experience, is not what the black community wants. What they do want is opportunity and they want to make sure that opportunity is there . . . where everybody is going to be at the same place in the starting gate."

"The idea of a level playing field is essential to the progressive Republican vision ."

The idea of a level playing field is essential to the progressive Republican vision and dates back to the turn of this century when progressives within the GOP were responsible for such important pieces of legislation as the Fourteenth Amendment, the Sherman Anti-Trust Act, the Homestead Act, the creation of the Food and Drug Administration and the Department of Labor, and child labor laws.

The Democratic Idea

Yet not all progressive Republican attempts to promote rights and create opportunity are expressions of the "national idea." Others, such as the legislation put forth in September 1983 by moderate Republican John Heinz to promote neighborhood development, have rested in the "democratic idea" and its distrust of overly-centralized institutions.

"Not all progressive Republican attempts to promote rights and create opportunity are expressions of the 'national idea.'"

By providing federal matching funds to neighborhood development organizations, the Pennsylvania senator's legislation, which

Congress passed in late 1983, sought to combine the competing forces of centralization and decentralization. The level of federal aid was based upon the amount of money an organization could raise from local institutions. And the federal dollar was unattached so that a neighborhood development organization could best determine how to create new jobs, stimulate business development, improve vocational training, and provide neighborhood clean-up and protection services.

Similarly, eleven years before, the Nixon administration signed into law general revenue sharing, a concept which was promoted by Republican Congressman Melvin Laird and designed to provide state and local governments with the flexibility required to resolve their own problems. The federal government raised the money through income taxes, but passed it back to the states through open-ended grants. And the only significant provisions were that states could spend their funds for "normal and customary use," while localities had to spend their funds for "necessary and ordinary capital" expenditures, or "priority expenditures," such as public safety and transportation, environmental protection, health and hospitals, and social services for the poor and aged.

Perhaps the hopes progressive Republicans have in the "democratic idea" have been summed up best by Senator Mark Hatfield. When the Oregon Republican introduced legislation in 1973 to challenge the powers of big government, big labor, and big business, by providing alternative means for financing neighborhood governments, he said that he did not "dispute the need for the federal government to take dramatic and forceful action in response to many of the crises that we face. But I do maintain that the goals of social and human liberation . . . will never be wrought exclusively through the means of the federal government's centralized power."

Combining the Two Ideas

Yet does a distrust of centralized power square well with the need for a vital national government? At first glance, no. But, as Croly said, either idea without the other means an insufficient vision of government. The "national idea" minus a concern for the individual leads to oppression, and the "democratic idea" without an awareness that a large society needs some central organization leads to rights for the few.

"Either idea without the other means an insufficient vision of government."

The creative tension that is to be found in the combination of these two ideas is particularly essential to the growth of the GOP. While Democrats on the left still assume that government is the solution, Republicans on the right maintain that government is the problem. As long as the latter "reckless proclamation" continues, Ladd says, the GOP "will be prevented from establishing a mature and convincing public philosophy."

Creativity is thus needed to explore the proper role of government, and to avoid the pitfalls of both polarities. And perhaps that creativity is best exemplified by the vision of Lincoln, which provided the GOP with a wealth of understanding and held that the promotion of rights through a vital national government leads to a maximization of opportunity for all individuals. Republican Party officials might recall that, because as Ladd claims, "the critical element will be the breadth of the party's vision." ■

Donnelly, continued from page 7

experience of defense management. Moreover, the Republicans have traditionally favored decentralizing defense management, after the Democrats, many say, 'over-centralized' it. Weinberger came in saying he was going to devolve a lot of power back to the services; he did. But Weinberger is not a strong secretary of defense."

The most vocal opponent of reorganization attempts is Navy Secretary John Lehman. Leery of attempts to centralize management of the Defense Department, Lehman warns in dire tones of a "Prussian" militarism behind efforts to develop a central organ for strategic planning, either in the office of the defense secretary or under the chairman of the Joint Chiefs of Staff.

In a June, 1984 *Washington Post* article, Lehman characterized those pushing for reorganization as "bureaucrats-in-uniform in Washington, violating every sound military axiom." Quoting a 1956 speech by Hubert Humphrey, he defended the current bureaucracy: "By this method, the United States has solved the great dilemma of how to keep a democratic nation militarily strong without injecting into that nation's body politic the fatal germs of militarism."

Citing the interception of the *Achille Lauro* hijackers by Navy aircraft as an answer to "the cheap-shot artists who try to portray the military as not being able to tie their shoelaces," Lehman has seized every opportunity to beat back the onrushing forces of reorganization; he's the Pentagon's "point man" on the issue.

The Nature of DoD

But underlying the positions of both secretaries is a stronger and more subtle force. What prevents the Defense Department from being a party to reorganization is the structure of the department itself. Or, as military historian Edward Luttwak of the Georgetown University Center for Strategic and International Studies, and author of *The Pentagon and the Art of War*, puts it, "Bureaucracy is destiny."

"What prevents the Defense Department from being a party to reorganization is the structure of the department itself."

What that neat epigram means is that Lehman's program agenda—building a 600-ship Navy—is dictated by his bureaucratic imperatives. And what opens Secretary Weinberger to charges of weakness is his inability or at least unwillingness to restrain the divergent desires of the separate services.

The senior military advisers to the secretary of defense, usually the Joint Chiefs of Staff but also including strong service secretaries such as Lehman, are driven by the nature of the organization of the defense department. The result is, according to critics such as Komer, "The Navy goes this way, the Army goes that way, the Air Force goes up and the Marines have to have an amphibious landing. So you really don't have a unified strategy. What you really have are four service strategies which are sort of loosely cobbled together by the joint staff and approved by the chiefs."

In a recent speech to Congress, Aspin similarly noted, "There's a popular belief that greedy contractors foist toys upon the services for their own ends. But actually it is the various interest groups or constituencies within the services that commonly mandate new weapons systems. The Navy, for example,

has its air warfare, surface warfare and submarine warfare constituencies, each of which demands its dues. It's a bit like local politics; the mayor can't pave all the streets in one neighborhood and ignore the others, he must spread the paving around the wards. The goal is not—or ought not to be—to gratify the submariners and the surface warfare types each year the budget is put together. (The ward politics approach) keeps peace in the Pentagon, but we ought to be keeping peace in the world."

In fact, these problems are not news within the Pentagon. Several recently retired members of the Joint Chiefs of Staff, including former chairman Air Force Gen. David Jones, former Chief of Naval Operations Elmo Zumwalt and former Army chief Edward Meyer, have leveled like criticisms at the Joint Chiefs organization. Jones' appeal, in an article "Why the Joint Chiefs Must Change," was actually published while he still served as chairman. His denunciation was an admission that even the nation's top military officer could not bring about change from within. Unfortunately, these officers have only spoken out when it was too late in their day to make changes. As Komer observes, "The time for a chairman to make his pitch is at the beginning of his command."

And even past secretaries of defense have identified the need for reorganization. Former Secretary of Defense James R. Schlesinger told the Senate Armed Services Committee that "the central weakness of the existing system lies in the Joint Chiefs of Staff. The existing structure, if it does not preclude the best military advice, provides a substantial barrier to such advice. Suffice it to say that the recommendations and the plans of the chiefs must pass through a screen designed to protect the institutional interests of each of the separate services.

"The general rule is that no service ox may be gored. If, on rare occasions, disputes do break out that adversely affect the interests of one or more of the services, the subsequent turmoil within the institution will be such as to make a repetition ill-advised. The unavoidable outcome is a structure in which log-rolling, back-scratching, marriage agreements and the like flourish."

The National Security Act of 1947

The defense destiny that we are now living is a result of the National Security Act of 1947, when the basic structure of the three services under the secretary of defense was established. The act was amended in 1949 and again in 1958, with the intent of unifying direction of defense effort.

However, these amendments have succeeded only partly in achieving that aim. The 1958 amendment, proposed by President Eisenhower, was the more significant of the two, and had three objectives. The first was intended to clarify and strengthen the authority of the secretary of defense in relation to the individual services in order to clearly establish the secretary's authority over all defense activities.

The second objective was to improve the quality of the military advice given to civilian leaders by granting greater authority to the chairman of the Joint Chiefs of Staff and giving the chairman full control over the joint staff. However, the Congress restricted Eisenhower's original proposals, limiting the scope of the chairman's power to managing the joint staff on behalf of the four members of the Joint Chiefs, who are also the heads of the services.

Third, Eisenhower attempted to achieve unity of operational field command by separating the military services from the "unified" and "specified" combat commands which are actually responsible for the waging of a war—the planning and

execution of the battlefield strategy. The services, organized for ground, air and sea warfare, would recruit, train and equip the armed forces. The unified and specified commanders, organized by geographic theater and combat function, would lead forces in wartime. This division of tasks, incorporated in the 1958 amendments, called for the current nine unified and specified commands. The combat commanders have never had a clearly defined peacetime mission, however. Consequently, the running of the nation's military effort has been left almost entirely to the separate services.

Since 1958, little significant change has occurred in the organization of the Defense Department, although various assistant secretaries have been added to the secretary of defense's domain. Bureaucracies overseeing the management of the defense department's health and reserve manpower affairs have come into being, and earlier this year, a new position of assistant secretary for acquisition and logistics—popularly known as the "procurement czar" or "weapons czar"—was created.

"[Senator] Goldwater has said that reorganization will be his top priority during the remainder of this, his last, term in the Senate."

The closest thing to a comprehensive attempt by the Defense Department to silence the critics came October 9, when Weinberger spoke to the National Press Club to lay out the Reagan administration's defense strategy. The speech only added more strength to the drive for reorganization. As Komer characterized the speech: "It was billed as 'The New Strategy.' And he said, 'We have been making revolutionary changes in the old obsolete strategy that has been pursued by our predecessors. We now have a bright, shiny new strategy.' And guess what it is: deterrence. Now, damn it, we've had a deterrent policy since 1945. And every administration, Republican and Democratic, has subscribed to deterrence. Besides which, it's not a strategy, it's a strategic aim. To achieve that aim, you need a strategy, which is how you go about getting deterrence. That speech didn't talk about strategy. It talked about policy, it talked about aims, it talked about programs, but the one thing that speech on strategy didn't talk about was strategy."

Schlesinger admits that the advice offered to the secretary of defense "is generally irrelevant, normally unread and almost always disregarded. The ultimate result is that decisions regarding the level of expenditures and the design of the forces are made by civilians outside of the military structure." The result of Weinberger's weak leadership has been that irrelevant and unread advice has not been disregarded.

So, for the first time in 25 years, the Pentagon seems due for a major overhaul. With life-long loyalists like Goldwater lined up on the side of reorganization, the political pendulum has swung clearly to the forces for change. Goldwater has said that reorganization will be his top priority during the remainder of this, his last, term in the Senate.

Senate Armed Services Committee Report

The major focus for the organizational reforms is likely to be the Senate Armed Services Committee report. A 645-monster, titled *Defense Organization: The Need for Change*, the report specifies 34 major problem areas with DoD and prescribes no

less than 91 remedies. Among the major recommendations of the study is a move to abolish the current Joints Chiefs of Staff structure and replace it with an independent joint military advisory council consisting of a chairman and four-star military officers on their last tours—a council of "wise men."

Other recommendations of the study are to create three "mission-oriented" undersecretaries of defense and generally streamlining the defense secretary's office, strengthening the control of the unified commanders, and getting the Congress out of defense budget "micromanagement"—the line by line scrutiny of defense budgets.

Yet perhaps the true nut of wisdom in the report, which links it with the drive for unification expressed by the Eisenhower reforms of 1958, is contained in a 25-page appendix prepared by Bob Goldisch of the Congressional Research Service on attitudes toward the concept of a unified, general staff. He concludes that "in retrospect, the vehemence of objections to an elite general staff, based on the assumption that such an organization would threaten American political democracy, seems misplaced. Modern scholarship has stressed that modern German militarism (in the late 19th and early 20th centuries) resulted from the interaction of long-standing German attitudes and beliefs with new pressures and social myths arising from circumstances peculiar to the late 19th century . . . It suggests that the power and prestige of the German General Staff was more a product of Prussian or German militarism rather than a creator of it." A reconsideration of such a unified structure would "reflect a changed, deeper and more substantial acceptance and understanding of the nature of wars and military institutions," he wrote.

While organizational reform is likely to have the most profound and long-lasting effect on the Defense Department, procurement reform is more likely to grab newspaper headlines. It's also likely to be the "back door" through which major organizational reforms would slip.

"Will the Pentagon become a part of the process, or will the avalanche, poised just above Caspar Weinberger's head, come crashing down?"

And it's really the procurement scandals of the past year—the overpriced claw hammers, ashtrays and toilet seats—which have given much of the political momentum to the more fundamental changes. Money is also a medium which Congress understands. If efforts to achieve reform are stonewalled by the Pentagon, the Congress will simply exact its will by cutting budgets. House Armed Services Committee chairman Aspin is currently holding a series of hearings titled "What Have We Got for Our \$1 Trillion"—meaning the four years of Reagan defense budgets—and he's said that it will be difficult to get increased or even as large defense budgets without indications from DoD that the money is being wisely spent. Komer adds, "I think the most powerful reason forcing us toward defense reorganization is the need to get more for our money."

The media attention may be drawn to the procurement scandals and reforms, but they've ushered in the movement for more lasting organizational reform of the Defense Department. With moderate and conservative backing, a political consensus has crystallized around the Senate report. Will the Pentagon become a part of the process, or will the avalanche, poised just above Caspar Weinberger's head, come crashing down? ■

Comparable Worth: Making The Market System Work for Everyone

by Tanya Melich

Are all Americans going to have a fair chance to compete in the nation's economic life or are cultural biases from another time going to continue to make that next to impossible? This is the key question underlying the issue of pay equity.

Pay equity, or comparable worth, is a method aimed at eliminating deeply rooted, systematic patterns of discrimination in which wages for entire occupations have been artificially depressed because principally women and minorities are employed in them.

Pay equity seeks to establish a wage policy based on the actual job to be performed, not on the employee's gender or race. The goal is to insure that women and minorities are paid wages equivalent to those paid to white males for jobs requiring comparable skill, effort and responsibility under similar working conditions.

To implement this policy, an organization (1) studies its existing wage scales to identify discrimination; (2) prepares a job evaluation which establishes a new wage system eliminating gender and racial bias; and (3) adopts an economic plan that takes into account the cost of implementing the new wage structure.

Old Biases

The pay equity issue has come to the fore because the increased participation of women in the work force has totally changed its character. While the majority of women now spend more of their adult life working outside the home than in being homemakers, the conditions under which they hold these jobs still reflect the environment that existed when the work force was composed predominantly of men.

As women seek to be fairly hired, paid and promoted, they find themselves continually in conflict with those who support the environment of the "old ways of doing things," with its cultural baggage that certain jobs are not "suited" for women and that "men are worth more in the job market than women." Women face a work culture which pays lip service to opposing gender-based discrimination but in reality often perpetuates it.

Wage statistics clearly show the effects of this discrimination. Women overall still earn only about 61 percent as much as men, despite some impressive gains by female professionals. The real wage gap for young white men and women appears to be widening, according to a 1984 study by a Census Bureau official. About 80 percent of all women workers are concentrated in occupations in which women compose 70 percent or more of the work force, and these occupations are those with the lowest pay

with little opportunity for advancement.

Pay equity seeks to lessen the effects of such overt discrimination, in addition to institutional discrimination. Overt discrimination is easy to identify and manifests itself through attitudes that a "woman can't do this job" and will be of less economic value than a man. But institutional discrimination is more difficult to identify. It is usually evident in beliefs that men and women are thought to be naturally different and thus should do different kinds of work. Job and pay assignments reflect this deeply held, often not even articulated, attitude that women are inferior employees.

Moreover, institutional discrimination can be used to cover up overt discrimination. Employers may recruit from sources where one sex predominates on the assumption that the probability of finding qualified workers is higher. Employers also may use screening procedures that while they seem bias-free are not and result in the hiring of employees who fit their biases. The result of these kinds of actions is occupational segregation.

"Pay equity is not an attack upon the American market system . . ."

There are some, of course, who cling to the neoclassical theory that in a free market economy discrimination is a temporary aberration and that market forces will eventually correct such an imperfection. But Americans are fortunately not people bound by theoretical constructs. They are pragmatic. Most believe in the capacity of the free market to produce wealth better than any other economic system. But they have never waited for the hoped-for correction when they thought citizens were truly being treated unfairly or when their health, safety and security were threatened. They have taken action to improve the situation. And in that willingness to act for the public good has come the widening of opportunities for all.

" . . . rather, it is another step in a long historical progression toward giving more Americans the opportunity to enjoy the fruits of capitalism."

For example, from the passage of the first protective tariff on July 4, 1789, through the Sherman Act of 1890, the Wagner Act of 1935 and the Civil Rights Act of 1964, Americans have corrected the market to fit their concerns when they believed it was required. Sometimes these changes have come about because of broadly based political pressures, as in the passage of

Tanya Melich is president of Political Issues Management, a former chair of the Ripon Society, and a frequent contributor to the Ripon Forum.

health and welfare legislation during the Progressive and New Deal eras, and at other times because of more narrow pressures as in the establishment of the Federal Reserve System in 1914. The result of this historical phenomenon has been a combination of local, state and federal law which has made the United States a healthier, safer and fairer place to live.

Contrary to the arguments of its opponents, pay equity is not an attack upon the American market system, rather it is another step in a long historical progression toward giving more Americans the opportunity to enjoy the fruits of capitalism. Most advocates of comparable worth believe that the U.S. economic system has served the nation well, but that it has not served women, nor minorities, as well because of historical and cultural factors. Sexual and racial discrimination have kept many of them from fully competing. In essence, comparable worth is no more than one of several efforts to integrate all citizens into the market system in a more meaningful way.

Problems Encountered

But the difficulty arises in establishing a mechanism to evaluate existing jobs using a new set of values. A re-evaluation takes time and money. Most private and public sector employers do not want to bother. They profess support for the goals of eliminating discrimination but are uneasy about cost and a potential destabilizing effect upon their employees.

Numerous pay equity job evaluation studies are presently being prepared by employers in order to determine the expense of implementation. (There have been over 100 state and local government pay equity initiatives in the last four years.) Minnesota, the first state voluntarily to identify wage discrimination in its civil service system and to seek its elimination, budgeted 0.3 percent of its total biennial budget for implementation. The cost will be spread over several years. Washington State, which also voluntarily identified discrimination in its civil service system, refused to implement pay equity and was taken to court. The case has been appealed to the U.S. Supreme Court.

"There are practical ways to deal with a backpay problem that need not grievously harm the financial stability of a firm or government."

For many employers, however, the most feared expense is not in the establishment of a new evaluation system, which by its nature will pinpoint areas of discrimination, or in the probable upgrading of some jobs. They fear that the discovery of discrimination could lead to a demand by employees for back pay. The settlement of these claims could run into millions of dollars and is probably the major stumbling block to the adoption of pay equity. Yet there are practical ways, i.e. long-term payments, compensatory benefits, to deal with a backpay problem that need not grievously harm the financial stability of a firm or government.

Moreover, the argument that destabilization will seriously harm employees is even less plausible. Given the reckless method by which some employers precipitously fire long-standing employees, the near total disregard for employees during and after merger and takeover battles, and the dwindling of the number of firms that seem to care about the security of their employees, the argument is essentially a strawman. A new wage

structure and the upgrading of some job classifications will not be as traumatic to employees as the stress and strain they have suffered in the last four years.

Clarification

Considering the heat some opponents have generated over pay equity, it is not surprising that there is confusion about its meaning. To clarify:

First, job-evaluation systems are not new. They were initiated over 65 years ago by business in part to establish pay rates for jobs not closely connected to external labor markets and to use as a mechanism for resolving conflicts over pay differentials.

Second, implementation is to be on a firm-by-firm level and is to be done by each individual firm. Supporters *do not* want the federal government to establish wage rates for an entire labor market or for any geographical region of that market, that is to be left to market forces. Supporters only want a firm's evaluation of jobs to be unbiased and that pay scales be measured on that basis.

" . . . government would not set pay scales, except for its own employees."

Third, government would not set pay scales, except for its own employees. The government's only requirement for firms would be that they not discriminate in whatever pay system they establish. The concept of comparable worth *does not* create a government wage-setting board as its critics claim.

Fourth, comparable worth evaluations require that wages be determined by whatever criteria are necessary to make the jobs productive, not by the sexual or racial makeup of an occupation. There is to be the comparing of jobs, not the comparing of employee characteristics—unless they have direct relevance to the successful performance of the job.

Fifth, Title VII of the 1964 Civil Rights Act expressly prohibits gender-based wage discrimination, as well as discrimination based upon race, religion and national origin. In 1981, the U.S. Supreme Court ruled in *Gunther v. County of Washington* that wage discrimination involving jobs that were comparable, though not equal, was illegal. If the Reagan administration enforced the present law, there would be no need to pass any federal laws to implement pay equity.

Conclusion

To institute a meaningful pay equity system demands a commitment by the employer and employees to a change in values. It means discarding the belief that a woman's work is economically less productive and thus inferior in the marketplace. It requires recognition that there is something terribly wrong with values that award higher pay to janitors, toll collectors, zoo keepers and parking lot attendants than to teachers, nurses, child care specialists, librarians and secretaries.

Pay equity could bring about a greater understanding that many so-called women's jobs represent the vital foundation of a strong and just nation and in the process encourage an increase in their economic as well as social value.

If given a chance, the market can respond to the challenge. We owe it to ourselves and to our belief in fairness and justice to try. ■

A House Divided on Comparable Worth

by James S. Haney

One of the strengths of the moderate Republican movement throughout the country has been its incredible tolerance for opposing points of view. Although there is considerable agreement on broad objectives—a balanced federal budget or strong defense—the moderate Republican means to achieve those objectives frequently appear as competing public policy options. Many would argue that this has been the strength of the GOP center.

“Comparable worth is but one of a variety of means which could be used to improve the condition of women in the work force. But I believe it is the wrong option and that it fails to achieve its purported objective.”

Comparable worth, in my opinion, is but one of a variety of means which could be used to improve the condition of women in the work force. But I believe it is the wrong option and that it fails to achieve its purported objective.

Despite dramatic changes occurring in integrating the work force and the increasing number of men and women in nontraditional jobs, some special interests—public employee unions and some women’s groups—seek to move from *equal opportunity* to state-mandated equal results. In this sense, comparable worth is similar to affirmative action *quotas*. Supporters hope that by prescribing wage increases for some women, they can accelerate the achievement of the *universally shared goal* of closing the wage gap. Sometimes “economics” in action is merely politics in disguise.

Comparable worth is *not* equal pay for equal work. Federal and state laws already require that men and women with equal qualifications holding the same or similar jobs should be paid the same amount. Comparable worth or “pay equity” suggests that equal pay should be given to *different* jobs judged to have “comparable worth” value. Comparable worth is an extension of that all too familiar theme that, “We know what’s best for

you,” and that the state can determine the “worth” of very *different* jobs.

The Subjective Process of Assigning Comparable Worth

Advocates of comparable worth claim they can evaluate very dissimilar jobs like bricklayers and dietitians, barbers and legal secretaries by adapting the job evaluation techniques used in the private sector. They begin by *selecting a set of factors* on which they believe all jobs can be evaluated.

In Wisconsin, 12 factors are being used including such things as knowledge required, consequence of error, effect of actions, job complexity, amount of discretion, contacts, hazards, stress and physical efforts. After preliminary work, stress was found to correlate negatively with pay—that is, the greater the stress the lower the pay—so it was dropped as a compensable factor.

Through surveys and committee evaluations, *a value is assigned for each of these factors*. Point totals for each job are then added up to *arrive at one number* which is supposed to reflect the “worth” of the job. While this technique borrows from the job evaluation systems used in the private sector, it ignores their two most essential components. First, private businesses generally do not attempt to evaluate *all* jobs in one survey. They do not compare sales jobs with janitorial positions, nor do they compare clerical positions with machinist positions. Instead, they conduct separate studies within each *major job family*.

Second, private sector job evaluation studies are always tied to *market wages*. Comparable worth studies ignore this important link.

According to the National Academy of Sciences, “No universal standard of job worth exists.” Each job’s value can only be determined by reference to the existing market wages. Without reference to the marketplace, the values assigned must necessarily be arbitrary. Indeed, even proponents of comparable worth have noted the subjectivity of the comparable worth process. In a national publication, the Public Employees Union, AFSCME, urged its members to watch the process very closely because “the factors can be chosen and weighted to produce whatever results are desired.”

Wage Competition

Comparable worth is being advanced at this time to address “wage inequities” largely in the public sector. But business and government compete in the same labor market, so significant changes to public salaries can have a disruptive effect on private employers. On average, public employees in Wisconsin presently earn about \$1,800 more a year than private employees. (It

James S. Haney is president of the Wisconsin Association of Manufacturers and Commerce, a founder of the New Republican Conference in Wisconsin, and a longtime member of the Ripon Society.

is ironic that in Wisconsin comparable worth proponents have chosen to begin their fight for higher pay with relatively well-paid state employees.)

Since governments employ more professionals, you might expect the average public employee wage to be somewhat higher, but the public/private wage gap in Wisconsin is 2.5 times the national average. If an average comparable worth raise of 15 percent to 20 percent is granted to female-dominated professionals as preliminary survey results suggest, this gap between what public and private employers pay is bound to widen further. The result will be clear: businesses, especially small business, will be unable to compete with the state for highly-qualified employees.

In fact, if the preliminary findings of the Wisconsin Task Force are confirmed, state-paid secretaries would make 150 percent of the market wage in Milwaukee and Madison, 172 percent of the market wage in Green Bay, and 198 percent of the market wage in Superior! Comparable worth will cause similar differences for hundreds of other jobs in state employment.

The Social Cost of Comparable Worth

When business people face increased labor costs with no increase in productivity or revenue, they must often make the difficult choice of laying off workers or going out of business. Some state programs funded by limited federal funds or user fees will face the same choice. Under comparable worth these programs would have to provide some employees with substantial raises even though the programs's revenues remain fixed. In these cases, some state employees will face unemployment while others may get a windfall.

Australia's experience with comparable worth confirms this. Studies suggest that after comparable worth was implemented there, female employment grew at a slower than projected pace in the public sector, and actually fell by 17 percent in manufacturing. While advocates of comparable worth claim it will be a weapon against the feminization of poverty, in Australia women with fewer skills made up most of the newly unemployed. There may also be a disparate impact on women of color who tend to be the newest entrants into the work force.

“Although I believe both the theory and mechanics of comparable worth to be flawed, I share concern with many moderate Republicans over three distinct problems of sex discrimination.”

Comparable worth will impose a second social cost on women. By raising the salaries of traditionally female occupations, comparable worth will provide an incentive for women to stay in these jobs. Comparable worth discourages the very integration which has improved the status of women in our society. In fact, June O'Neill, the director of the Women's Policy Center at the Urban Institute, said comparable worth will “likely retard the substantial progress that has been made in the past decade.”

Alternatives to Comparable Worth

Although I believe both the theory and mechanics of comparable worth to be flawed, I share concern with many moderate

Republicans over three distinct problems:

1. There remains some sex discrimination in our society,
2. The work force is sex segregated, and
3. There are problems with some public sector compensation systems.

“Raising the wages of some public sector employees will not address the root causes of sex discrimination in our society.”

Comparable worth is an incomplete solution which may even exacerbate these three concerns. I am proud that during the debate about comparable worth in Wisconsin, the business community did not simply oppose comparable worth—we offered alternatives. Instead of running out horror stories of jobs that are undervalued, *we focused on adding value to those jobs.* Working with a majority of the women in the state Legislature, we developed a series of programs which we felt would fight discrimination, promote integration, and redress compensation. To fight sex discrimination, we called for strengthened enforcement of the state's equal pay laws and more aggressive affirmative action programs. To promote integration of the state's work force, we proposed more flexible and imaginative career ladders, day-care facilities, career counseling, succession planning, and education and training for state employees willing to try new fields. To address some remaining compensation problems we suggested increased bargaining rights for the state's employee unions.

“Comparable worth will insure that wage-setting becomes a political rather than an economic problem. There must be—and are—better alternatives.”

Finally, we recognized that the problems education and socialization have wrought will require education and socialization to change. We proposed working with elementary school teachers, high school teachers and guidance counselors to make sure they do not constrain the job horizons of our young. In addition, we felt children should be exposed to men and women in nontraditional fields very early in their education.

Conclusion

Raising the wages of some public sector employees will not address the root causes of sex discrimination in our society. Arbitrarily raising the pay of selected female-dominated jobs will not reduce sex segregation in the work force, but may actually provide disincentives to integration. Problems with public compensation systems should be dealt with through collective bargaining. State-run wage boards are a profound and fundamental shift from the market and collective bargaining forces of a free economy. Comparable worth will insure that wage-setting becomes a political rather than an economic process. There must be—and are—better alternatives. ■

LEGAL SERVICES FOR THE POOR:

Encouraging Private Sector Fulfillment of A Public Responsibility

by Frederic R. Kellogg

The creation of a federal agency to ensure legal services has long been a suspect notion, but today even some of its most conservative critics concede the need for a coherent approach to providing equal access to justice. Since the 1960s this role has been assumed by the controversial Legal Services Corporation (LSC), but recently opponents have sought to eliminate funding for that agency. Although they have not been successful in eliminating the Legal Services Corporation's more than \$300 million annual budget, they have placed severe budgetary constraints upon it.

Yet never before have budgetary constraints been so evident in preventing fulfillment of a public responsibility, highlighting the need for private and voluntary involvement. In the face of congressional momentum toward rolling back the national deficit, federal involvement should thus stress initiatives whereby the current level of services may be maintained or increased, through dramatically raising the level of private bar involvement.

"In the face of congressional momentum toward rolling back the national deficit, federal involvement should chiefly stress initiatives whereby one current level of services may be maintained or increased, through dramatically raising the level of private bar involvement."

Major proposals that Ripon has recently made towards that aim are (1) federal assistance toward utilization of third year clinical legal studies programs to develop young lawyer expertise and interest in field organization work, as well as standards of excellence generated by the law schools; (2) incentives such as student loan repayment agreements requiring terms of service

in field organizations in exchange for federal college and law school loan assistance; (3) incentives and technical means for lawyers and law firms to contribute a portion of their time to supporting qualified field organizations or pro bono legal work; and (4) encouragement of more ideals like Interest On Lawyers' Trust Accounts (IOLTA), designed to create a fund for providing legal services from private instead of public money.

The opportunity—and the political climate—now exist for the LSC to define a long-range plan for expanding the private and voluntary role to its maximum permanent extent. The American legal profession, with an annual income of \$32.5 billion in 1983, is the wealthiest in the world. Should the federal government, through the Legal Services Corporation, succeed in transferring substantial responsibility for legal services for the poor, elderly and handicapped to the private bar, it could become a model of privatization of a government function, of professional responsibility of the highest order, and a beacon for renewal of public confidence in the legal profession.

Developing An "Honest" Program

As a former Secretary of Health, Education and Welfare, Elliot L. Richardson, has observed, the public is ill served by an approach to government whereby programs are designed and implemented to address a perceived public need, without any realistic assessment of the degree to which the program itself will—or can—actually fulfill that need. The consequence is simply to inflate public expectations, which are eventually bound to be disappointed, causing a corresponding loss of confidence in government generally.

"Unfortunately, reliable information as to the actual needs of the client population is apparently scarce."

Unfortunately, reliable information as to the actual needs of the client population is apparently scarce. While a number of studies have addressed the question, there appears to be no comprehensive survey data, nor has there been any comprehen-

Frederic R. Kellogg, J.S.D., is a former president of the Ripon Society and now is in private legal practice in Washington, D.C. This article was excerpted from the author's recent Ripon policy paper, "Federal Involvement in Legal Services for the Poor."

sive attempt to define and address the question on a national basis.

There is one approach to evaluating need, however, which seems to have escaped attention: comparing the experience of civil legal services insurance programs, which now serve some 12 million Americans who are covered by some form of legal insurance plan. According to the National Resource Center for Consumers of Legal Services in Washington, D.C., the range of annual insurance premiums for such plans is between \$30 to \$50, depending on the scope of coverage. The major general areas of service are real estate transactions, wills, divorces, landlord-tenant matters, and consumer and debt problems.

While the nature of this work is somewhat different from the principal areas that engage LSC lawyers, the areas of involvement are surprisingly close; the four areas which take up 75 percent of the time of LSC-supported staff attorneys are family, housing, income maintenance and consumer/finance.

Given the fact that the \$30-\$50 premium range incorporates the cost of marketing and administration, and assuming that this must also be accounted for in the level of LSC funding, it would appear that a comparable level of legal service for the current poor population would cost roughly \$1,348 million by the following calculation:

$$\frac{\times \text{ (total cost)}}{33,700,000 \text{ poor persons}} = \$40 \text{ (cost for one)}$$

Hence, if the current total of federal and non-federal funds is \$386 million, and no significant impact is attributed to LSC programs designed to foster private attorney involvement, the level of service is below equal access by a factor of 3.5.

In conclusion, by comparison to civil legal insurance plans the level of LSC services is, under current economic conditions, roughly three to four times too low for an "honest" program, fully serving the client population. This estimate, while rough, is apparently the only one that can be made.

Utilization of Third-Year Clinical Legal Studies Programs

Several pronounced trends indicate a clear opportunity for enhancing nationwide a commitment to legal services for the poor throughout the nation's law school faculty and student community: (1) the trend toward clinical training to fill a curricular "vacuum" in the third year, reinforced by the need for "internship" programs to supplement an otherwise entirely classroom education for the nation's lawyers; (2) the need for an alternative to a pronounced curricular orientation toward the needs of established private law firms alone; and (3) the proven receptivity of law school students, faculties and administrations to opportunities for direct exposure to socially desirable service-oriented clinical training. Added to this is the high, and rising, cost of legal education, which places full utilization of the third year at a premium.

The past decade has witnessed considerable growth of clinical training programs in the nation's law schools, designed to provide direct "hands-on" exposure to legal problems and practice. Such programs have increasingly filled the third-year law school curriculum, which suffers from the fact that all basic courses necessary to pass bar examinations and enter a general law practice may comfortably be completed in two years. While clinical programs continue to grow, they lack focus. Indeed, the lack of a clear focus in the third year generally, combined with the sense of an unbalanced curricular orientation toward success in mainly corporate practice, has contributed to rising alienation on the campuses of leading American law schools.

"The time appears right for mobilizing the nation's law schools toward professional training to provide legal services for the poor, elderly and handicapped."

The time appears right for mobilizing the nation's law schools toward professional training to provide legal services for the poor, elderly and handicapped. This should be feasible at low federal cost, principally through the organization and coordination of existing resources. Moreover, the prospects for increasing the voluntary share of the national burden can be explored through programs implemented at funding levels which should not impair the current level of delivery of services. The following proposals might achieve this objective.

National Law School Advisory Council. One approach, consistent with the statute creating the Legal Services Corporation, is the creation of an advisory council, consisting of law school deans and their delegates, designed to explore and develop the prospects for a coordinated national program for clinical education for legal service to the poor. Such a council could receive support services from the Legal Services Corporation at moderate cost.

Through this council a number of useful objectives might be reached, including (1) the development of standardized programs for clinical instruction of legal services students; (2) expansion of law student participation as interns in existing legal services field offices; (3) law school participation in developing computerized brief banks to assist the private bar in pro bono legal services work; and (4) development of law school field offices to extend the current geographic reach of current law school internship programs.

Meetings of the council could be timed to coordinate with regular meetings sponsored by the Association of American Law Schools, thereby controlling the federal cost.

National Bar Association Advisory Council. Similarly, LSC might create a council of state and local bar associations and their representatives, designed to explore further steps which can be taken to mobilize private bar involvement in legal services work. Considerable contact has already been established in advancing the IOLTA and other programs in concert with the private bar, and this council would simply endow an already existing relationship with greater creative and organizational potential. Meetings could be coordinated with the regular meetings of the American Bar Association and its divisions.

Incentives Toward Entry Into Legal Services Field Organizations

It has been mentioned that the increasing cost of legal education has placed a greater premium on use of the third year of law school. Added to this is the fact that the rising cost of higher education generally, from the first year of college onward, has forced greater dependence nationwide on financial aid, of which a principal source is the federal Direct Loan Program. Law students, who may depend on considerable financial aid to complete the seven years of college and law school, often find themselves in considerable debt on entering their profession and hence unable to consider low-salary legal services-type employment.

continued on page 20

George Israel: The Herald of a New Southern Republicanism

by Michael E. Lewyn

Traditionally, the Deep South has been the home of only the most conservative Republicans, and in many of the Deep South states the GOP primary electorate is composed primarily of an odd-mixture of fundamentalist Christians and country-club conservatives. Elected Republican officials are thus usually hardliners, like Senators Jesse Helms of North Carolina and Jeremiah Denton of Alabama.

Recently, however, a new kind of Republicanism has spread throughout the South, and it was evident in North Carolina last year in the election of five Republican congressmen. Three of the five were moderates by local standards, and two of the three defeated more conservative primary opponents. Moreover, North Carolina's moderate Republican Governor James Martin drew more votes than Senator Jesse Helms did in his reelection campaign. And in 1986 moderates may complete their takeover of the North Carolina GOP by electing Representative James Broyhill to the Senate seat of hardliner John East, who announced his retirement this fall.

"The trend towards the center in the South is not just limited to North Carolina. Consider the work of George Israel, the 37 year-old-mayor of Macon, Georgia."

But the trend toward the center is not just limited to North Carolina. In Georgia, for example, the 37 year-old mayor of Macon, Georgia (population 120,000) is George Israel, a Republican of whom *Business Atlanta* wrote: "[Israel] rejects any stock label such as even the trendy 'populist conservative,' preferring instead to style himself a fiscal conservative, a progressive on civil rights and a pragmatist on most other matters."

Israel's progressivism has been evident in his support of affirmative action, but also in his attempts to reduce Macon's substandard housing, which is three times the national average. To reduce that figure by the year 2000, the city has created the private, non-profit Greater Macon Housing Corp. Under Israel's guidance, this joint public/private venture, which was founded in 1982, has lined up assistance from government as well as real estate developers, bankers and builders. Moreover, the venture underscores Israel's commitment to creative federalism, a commitment which also includes serving on the board of the National Leagues of Cities.

Israel's new style Republicanism has been translated into considerable electoral success. After serving on the Macon City



Council for four years, the former life insurance salesman became mayor in 1979 and was reelected in 1983 with nearly 70 percent of the vote. More impressively, he received an astounding 44 percent of the black vote, a percentage higher than more noted moderate Republicans like Pennsylvania's John Heinz and Connecticut's Lowell Weicker received in their 1984 Senate reelections.

While Israel's Republicanism is not doctrinaire conservatism, he does believe that success for Republicans lies in "selling a dream—the dream of less government intrusion, better free enterprise, and the belief that we as individuals have the ability on our own to succeed in life—and even fail."

That sentiment is not peculiar to southern Republicans, nor wholly out of line with progressive Republicanism. But it is a particularly dominant theme in the South, where since the civil rights era government has been seen as the problem, not a solution. Among even moderate southern Republicans then, one must expect a more standard conservative orientation towards government and its potential.

That doesn't mean, however, that George Israel finds government a distasteful line of work. As many Israel watchers conclude, he most likely will be the GOP's 1990 gubernatorial nominee. Democratic incumbent Joe Frank Harris is probably unbeatable in 1986, but since he will be ineligible for reelection in 1990, Israel's first crack at statewide office will come then. And even one of his likely opponents, Georgia Lieutenant Governor Zell Miller, concedes that Israel might make a difficult opponent. "[Israel's] the most attractive political personality in Georgia today," Miller says. The reason should be instructive to Republican Party officials who are searching for prospective candidates in the South. As Georgia GOP chair Bob Bell told the *Atlanta Journal*: "If I had to mold a Republican political candidate for any position in Georgia, I couldn't mold a better one than George Israel. He has a proven track record of being able to attract voters from all segments of the public." ■

Michael E. Lewyn, a native of Georgia, is a third year law student at the University of Pennsylvania and a frequent contributor to the Ripon Forum.

Slade Gorton: The Profile of a Washington Senator

by William P. McKenzie

Slade Gorton puts his slender frame down into his Senate office chair, and immediately his silver hair and professor's profile tell you that here is a man whose ambition will not blind you. The first-term senator from the state of Washington speaks in tones that are neighborly, and reassures you that not all within the United States Senate are consumed by a desire to make the nightly news. Some, in fact, relish the minutiae of legislative detail, and seek to make the Senate and its numerous committees work.

"... the functioning of the nation's business must be left to people like Gorton who recognize that politics is more than theater."

A sense of theater is important to politics, of course, and a Slade Gorton thus will never capture the public's imagination. Yet the functioning of the nation's business must be left to people like Gorton who recognize that politics is more than theater. As the former Washington State House majority leader says, "[politics] is the most important form of decision-making today."

Making decisions in the political environment requires that one be willing to accommodate, and Gorton says that is "one of the geniuses of the American political system. My inclination is that although any group first has a rigid ideology, it doesn't take long to change. Even Jerry Falwell has made distinct [changes] over the last ten years."

The reason the Senate lends itself institutionally to people like Gorton is that the work demands less of a vision, and more of an ability to solve problems. The vision which Ronald Reagan has, and the skills required to communicate it, make for a good executive. But they don't function well in a legislative chamber, where the talents of an admittedly "problem-oriented" individual like Gorton are demanded. Moreover, the Senate needs members like Gorton, who, after serving twelve years as Washington's attorney general, is more comfortable in a legislative environment than in an executive capacity.

But, unfortunately, legislative skills have been relegated to secondary status in the current political climate in Washington, D.C., where political observers have been blizzed by the visionary capacities of a White House occupant who follows a long line of visionless presidents. The Gorton attention to detail has become less important than the broad brush strokes of the current executive.

Without that attention to detail, however, the execution of this administration's agenda and the functioning of the government would not have been possible. Compromises on Social Security and deficit reduction have each been achieved over the last six years with the aid of detail-minded Senate Republicans. And a



substantial part of that work has been accomplished through the "Gang of Five," a collection of moderate Republicans which includes John Chafee, Charles Mathias, Mark Hatfield, Mark Andrews, and Robert Stafford.

Gorton argues that the number of moderate Republicans in the Senate is even greater than the "Gang of Five," or the ten or twelve other moderate Republicans who are regularly noted. In fact, the bespectacled legislator claims, the Senate class of 1980, of which he was considered one of the two moderates, contains several such Republicans. Look at the work of Iowa's Charles Grassley, who has opposed the Reagan administration on agricultural policies, and Indiana's Dan Quayle, whose skepticism about large defense spending increases has been contrary to the administration's line. Those actions, Gorton says, would hardly have been predicted in 1980.

His own legislative priorities have been the budget and macroeconomics, and the 57 year-old Washington native sits on the Senate Budget Committee, the Senate Banking, Housing, & Urban Affairs Committee, and the Senate Committee on Commerce, Science & Transportation. A particular interest is deregulation, and while Gorton came into office at the end of substantial deregulation in the airline and trucking industries, he believes that the process should continue. But it should be done wisely, which means not "trashing" important regulatory commissions like the Securities and Exchange Commission and the Federal Trade Commission.

Slade Gorton's respect for his Senate work is matched by a demonstrable admiration for his colleagues. During a 45-minute interview, he emphasizes more than once the "tremendous respect" he has for the majority of this nation's senators. And the genuineness with which he makes those remarks does not leave a visitor thinking the man protesteth too much. The Senate might be a den of lion-sized egos, but there are some who can combine being a good legislator with a true gentleness. ■

William P. McKenzie is editor of the Ripon Forum.

“Rather than choosing between high salary job opportunities and the possibility of facing loan default, law students might be given the opportunity to perform much needed legal work for the poor.”

Rather than choosing between high salary job opportunities and the possibility of facing default, law students might be given the opportunity to perform much needed legal work for the poor during the period immediately after graduation in return for partial loan forgiveness, at the rate of a given percentage of the total for each year devoted to such work. Similar loan forgiveness incentives have already been enacted by Congress to influence entry level decisions of teachers, particularly for areas experiencing teacher shortages such as elementary schools, Head Start and programs for the mentally disabled.

It should not be difficult to explore the potential effectiveness of student loan forgiveness for legal services work, through data available on law school campuses. The degree of law student dependence on student loans, and the prospective influence of incentives, should be measurable with some reliability through polling.

Other federal incentives, to reach students not burdened by student loans, can be devised, including post-J.D. training and preference for federal employment. Once the entry-level decision has been made and a lawyer has spent at least a year in legal services work, an ongoing program—like an LSC “reserve lawyer” program—should be in place to utilize that lawyer’s training and experience for further casework, consultations, preparation of brief banks, and other service mainly on a voluntary basis. The eventual reward for a given period of service could take various forms, but some form of national recognition—thereby encouraging the interest of the legal profession in pro bono work—might be recommended.

Promotion of Private Pro Bono Legal Services

Private pro bono legal work has a long tradition in this country. The charitable legal aid societies which existed before federal funding through the Legal Services Corporation are only the organized component of the commitment to social responsibility which has motivated a substantial portion of the American legal profession. The principal factor constraining pro bono work, which has increasingly affected today’s lawyers, is specialization of knowledge and research. A communications lawyer who may wish to participate in pro bono work may feel too narrowly trained, and unable to find ready access to the research and pleadings necessary to dealing with a housing or welfare case.

“The LSC Support Centers are suited to the development of a nationwide brief bank and access system to assist the private bar.”

The time is fast approaching when every law firm, no matter how small, will have electronic data processing and transmittal

equipment which could provide access to such data. Meanwhile, the LSC Support Centers are suited to the development of a nationwide brief bank and access system to assist the private bar.

Creation of Private Funds For Legal Services Work

In 1981, the Florida Bar Foundation initiated the aforementioned Interest On Lawyers’ Trust Accounts, thus providing a mechanism by which small amounts of funds, or funds held for a short duration, held by private attorneys could be placed in a common NOW account. The average monthly interest accrues to an independent body for use in providing legal services to the poor. With 15 percent of the state’s attorneys participating, Florida raised over \$1 million in the first year, and estimated that, for every two thousand additional attorneys electing to participate, an additional \$1 million would be generated.

“The LSC might also explore proposals whereby lawyers might share their own funds, not just that of their clients.”

The IOLTA program has since expanded into more than thirty states, and its surprising success demonstrates the willingness of the private bar and the local bar associations to take concrete steps to provide legal services for the poor through private and voluntary means. The LSC might also explore proposals whereby lawyers might share their own funds, not just that of their clients. In addition to client trust accounts, lawyers and law firms often maintain significant cash balances of their own funds which could be placed in NOW accounts in a program precisely like the IOLTA, yielding perhaps as much or more than the IOLTA program.

Further avenues are open to exploration, such as inviting law firms to commit some portion of contingency fees to LSC work, in exchange for access to computerized brief banks on legal issues surrounding personal injury, product liability or the like.

Conclusion

The Legal Services Corporation is at a crossroads. With an annual budget in excess of \$300 million, and a significant segment of political opinion committed to its abolition, it is highly vulnerable to the movement toward draconian congressional deficit reduction plans. Even at its present funding, the LSC’s services to poor, elderly and handicapped meet a fraction of the need, and truly equal access would cost the taxpayers well in excess of one billion dollars each year.

The only chance for an adequate national program of civil legal services to the poor, elderly and handicapped is to transfer the burden as much as possible to the private bar. The federal role in this transfer can be crucial, through assistance to the law schools and bar associations, and enactment of incentives like student loan repayment forgiveness for legal services work. There are already strong indications that the law schools and bar associations will contribute to the effort to privatize legal services, thereby demonstrating professional responsibility of the highest order, and restoring national confidence in the legal profession. ■

The Chairman's Corner: *The Bankruptcy of Political Philosophy*

by Jim Leach

In contrast with the political landscape of most western democracies, political parties in the United States have historically been more pragmatic than philosophic. Yet even by American standards there has seldom been more confusion about the role and meaning of political parties than today.

“ . . . unless we Republicans rethink the role of political philosophy, our capacity to deal effectively with the issues of our time may be in jeopardy.”

We Republicans particularly seem to be losing our philosophical moorings, and unless we rethink the role of political philosophy, our capacity to deal effectively with the issues of our time may be in jeopardy.

Democratic Disarray

This is not to say that the Democrats are presenting a more attractive alternative or are in less disarray; rather, it is to emphasize that because they are in such pell-mell retreat, Republicans must take the greatest care to insure that we lead with vision, not just a vengeance. Dwelling on the mistakes of our opposition isn't good enough, although understanding them may be helpful in avoiding comparable errors.

What the American public witnessed this past year in the Democratic Party was a battle of the old versus the new, symbolized in the Mondale-Hart primary clash. Despite enormous opportunities to articulate responsible issue differences with the administration, the Democrats shot themselves in their own feet by rejecting modern relevance and instead opting for the tired notion that more government is better government. They allowed themselves to become the party of constituencies, not ideas: of the parochial, not the national interest.

In the Republican Party we have the converse problem. Unlike the Democrats, who would be wiser to seek new solutions to old problems, we Republicans would be better served by emphasizing older approaches—like a balanced budget—to new problems. We cripple ourselves by experimenting with social

theories which jeopardize our philosophical underpinnings. We cannot go wrong emphasizing old values, yet there appears to be an inexplicable tendency to ignore our traditions.

“Moderates have failed to articulate a cohesive philosophy and come to stand too frequently for a knee-jerk in-between-ism rather than pragmatism or principle.”

Traditionally, the Republican Party has stressed individual rights and governmental pragmatism. Republican roots are those of Lincoln and opposition to slavery; of Teddy Roosevelt and the creation of our system of national forests; of Wendell Wilkie and responsible internationalism; of Eisenhower and pragmatic decision-making; and of Robert Taft and Barry Goldwater and their emphasis on individual initiative.

“Yet in the most profound ways it is the moderate wing of the Republican Party which is the repository of the mainstream Republican tradition.”

Although first to endorse the principle of an Equal Rights Amendment at a national convention, the Republican Party has now become the first to sanction its abandonment; although founded on the Lincolnian notion that rights, to be valid, must be colorblind, Republicans are in danger of downgrading civil rights concerns at home and downplaying human rights positions abroad; although committed to the separation of church and state, the Republican Party is toying with the constitutional revisionism through the imposition of state-crafted prayer in public schools.

Moderate Republican Responsibility

In this context of a party whose philosophy is being increasingly dictated by narrow and often angry groups which have social axes to grind, the burden of responsibility for failure to lead rests with the Republican moderates.

Jim Leach is a member of Congress from Iowa and chairman of the Ripon Society.

In the past two decades we moderates have let the Republican Party down. We have failed to articulate a cohesive philosophy and come to stand too frequently for a knee-jerk "in-betweenism" rather than pragmatism or principle. Moderates have stood silent when concern should have been trumpeted and been noisy about the least-relevant social issues. The New Right has been allowed to set the Republican Party's philosophical agenda and new groups have come to put new and often distorted meaning to labels like conservative.

Yet in the most profound ways it is the moderate wing of the Republican Party which is the repository of the mainstream Republican tradition. Today's moderates are yesterday's individual rights conservatives. Today's conservatives are yesterday's narrow issue activists.

" . . . it is clear that the philosophical underpinnings most conducive to the GOP's long-term viability are those emphasizing individual rights and limited government."

While it may seem ironic for moderates today—who are perceived and to some degree are stepchildren of the Rockefeller-Scranton wing of the modern Republican Party—to emphasize the Goldwater-Taft tradition, it is clear that the philosophical underpinnings most conducive to the party's long-term viability are those emphasizing individual rights and limited government.

Competing with the Democrats to develop new social programs and crafting policies that simply imply a middle ground on spending issues does not provide sufficient basis for leadership in the 1980's. Rockefeller Republicanism had its time and place, but moderates today have to be more fiscally attuned. We must put as much creativity into restraining the budget as our party mentors did in funding new causes.

Americans today are crying out for pragmatism in government—for a restrained fiscal policy, for a non-interventionist foreign policy, for greater reliance on individual initiative and protection of individual privacy.

These are the traditional values of the Republican Party. Americans will come home to the Republicans if we Republicans come to our traditions. The Far Right must not be allowed to take over the Republican Party by default. We must make it clear we are a party of individual rights rather than socialized values, of principle rather than opportunism; and that we have a responsible agenda of action.

Mainstream Republican Agenda

What should an agenda of mainstream Republicanism include?

It should begin with foreign policy, for here rests the gravest danger to national security, and indeed to the survival of civilization.

The fundamental distinction between this generation of citizens of the world and all previous ones is that we have the capacity to destroy ourselves. The U.S., as the leader of the free world and the center of technological innovation, has a special responsibility to lead endeavors to control arms that threaten the future of the world.

We have a responsibility to strengthen rather than deprecate international institutions such as the United Nations.

"An agenda of mainstream Republicanism should begin with foreign policy, for here rests the gravest danger to national security, and indeed to the survival of civilization."

A realistic view of the world demands that we not view every event in the Third World through the lens of East-West relations. Countries, like people, must be respected for what they are rather than for their usefulness to others.

Interventionism is an idea whose time on the clock of history may not precisely have passed. But problems of law and morality aside, there are increasingly few examples where an interventionist foreign policy is proving effective. Vietnam, Lebanon, Nicaragua stand out for the United States; Afghanistan for the Soviet Union. In this century, as in the last, the strength of nationalistic instincts has yet to be comprehended by larger countries in their relations with smaller nations. The desires of people to make their own mistakes, to preserve and advance their own culture and way of life, cannot be quenched by foreign armies.

On issues of individual rights, Republicans must recognize that differences between men and women may be a biological fact, but equality before the law is an ethical imperative.

We can hardly proclaim concern for human rights abroad if women are not given equal protection under the Constitution at home; if blacks and hispanics are not given full voting protection; if legal services are not provided to the poor or to those who, because of their sexual preference, are an unpopular minority.

The Republican Party was born out of the ultimate civil rights cause—ending slavery. It must not turn its back on its roots. Dismantling apartheid in South Africa must be considered as great a social imperative in this century as ending slavery was in the last. The G.O.P., after all, is the party of Lincoln, not Jefferson Davis.

Likewise, the Republican Party must maintain its concern with our environment. In the 1960's and 1970's Republicans lost the political support of most minorities. It also lost a generation of young people concerned with deteriorating quality of the American environment. To the Teddy Roosevelt wing of our party, James Watt was an aberration.

All Americans have a responsibility to be stewards of the environment. Our clean air policy, national park system and offshore leasing policy must be based on an understanding of the impact that callous use of natural resources can have on future generations.

In final measure, mainstream Republicans have an obligation to move the Republican Party away from excessive reliance on ideology and back to its base of sensible pragmatism. The real divisions in the Republican Party today are not between liberals, moderates, and conservatives; they are between pragmatists and ideologues. Ideologues discuss issues abstractly; they stress the negative; pragmatists make government work; they are optimistic, future oriented.

It is pragmatism as well as principle that moderates must appeal to today. The question at hand is whether reasonable people can govern reasonably; whether pragmatism or narrow ideology will govern relations between man and state, and state and state. ■

6 Library Court

The Ripon Society honored Senator Jacob K. Javits on Monday, November 25 at a dinner in New York City at the Time-Life Building's Tower Suite, and more than 130 guests, including former Secretary of State Henry Kissinger, Senator John Chafee, Ripon Society Chairman Jim Leach, and Congressmen Ben Gilman and Bill Green, turned out for the event. Javits, who served in Congress for 34 years and was considered one of its leading liberal Republicans, urged the audience, which consisted of a number of young business executives and GOP activists, to maintain their commitment to the principles of equality and justice. "We have a profound mission to perform politically," the former senator said, "and this can be achieved through promoting the effectiveness of private enterprise" and preserving a "commitment to compassion."

Javits also told his Republican listeners that they should make use of the adjective "progressive," reminding them of the positive results of the civil rights legislation of the 1960s and exhorting them to remain "devotees of the concept of a national party which Lincoln so vividly believed in." The New York legislator, whose battle with Lou Gehrig's disease has not diminished his commitment to public service, also urged those in attendance to "translate dreams into reality" and concluded with this remark: "I rally you to this cause. Whether in the majority or the minority, progressives have a great function to play. We liberals or progressives can propel the engine of power forward and appeal to the highest instincts of the American people."

The announcement by Senator Javits's longtime congressional ally, Charles Mathias, that he will not seek a fourth term in the United States Senate in 1986, surprised some observers, but the veteran of many congressional wars on civil rights and environmental stewardship leaves behind a legacy that progressive Republicans will long remember. The Maryland senator's independence has been widely praised, and it ultimately cost him the coveted chairmanship of the Senate Judiciary Committee, which Senate conservatives secured for South Carolina Senator Strom Thurmond. But Mathias has remained a serious challenge to conservatives in this administration, especially those who seem determined to roll back civil rights advances. In fact, during his announcement speech the three-term senator told a crowded Senate Caucus Room that there is "a tide in politics that will come again, and be in full flood." When it does, of course, it will be due largely to Charles Mathias . . .

Civil rights was the focus of a recent social policy paper prepared by the House Wednesday Group, a group of moderate Republicans, and the study proposed amendments to 12 federal programs with an emphasis, the *Washington Post* said in a November 18 editorial, "on supporting and refining social programs so that they foster self-sufficiency rather than long-term dependency." The report calls for more assistance to low-income mothers attempting to leave welfare, more support for home and community-based long-term health care, and greater flexibility for students struggling to pay off student loans . . .



The Honorable and Mrs. Jacob Javits, Senator John Chafee, and Ripon President Kenneth Grossberger.

Washington Post White House reporter Lou Cannon wrote recently that 1985 "may be the year the GOP decided to stop conceding the votes of black Americans to Democrats." Citing the reelection of New Jersey's moderate Republican Governor Thomas Kean, and the support Kean received from a majority of the state's blacks, Cannon said the triumph provided "ratification of the wisdom of competing for black support, rather than conceding black opposition."

That message won't be lost on Republican candidates, and it may have an effect on the next GOP nominee in Maryland, where Senator Mathias always ran well among black voters. But look also for southern conservatives like South Carolina's Carroll Campbell and North Carolina's James Broyhill to appeal to their state's black vote . . .

A final note: The Ripon Society's new executive director is Darla Atwood, who joins the Society after serving three years on the staff of Senator John Chafee. The Washington State native replaces Jayne Hart, who now is assistant director of congressional relations for the American Medical Association. Hart was responsible for the substantial growth in the Ripon Society over the last three years, and that new level of activity was made evident in the Society's dinners this year in honor of Vice President George Bush and Senator Jacob Javits. Atwood is now coordinating plans for future events in the Midwest.

Washington Notes and Quotes

While many look back at the November summit between President Ronald Reagan and Soviet General Secretary Mikhail Gorbachev as something akin to "Much Ado About Nothing," it's instructive to review the sideshow tactics adopted by American political groups present in Geneva.

Note first that Congress's proper role in foreign policymaking has long been debated, but it's generally agreed that Congress ought not to appear to undermine any president preparing to negotiate with the Soviet Union.

Reagan used this argument to his advantage in 1984 to secure new life for the embattled MX missile as an early round of arms control talks approached. Similarly, House Speaker Thomas P. "Tip" O'Neill agreed to postpone October debate of a broadly supported comprehensive test ban resolution after being urged to do so by Secretary of State George Shultz.

As November summit talks approached, foreign policy critics in both parties reaffirmed their support of the president. Tip O'Neill stressed that Reagan represented all Americans while Ripon Society chairman Jim Leach, who has been consistently skeptical of the administration's approach to arms control and U.S.-Soviet relations, emphasized that, "at least 90 percent of the problem is on the Soviet side. It is the Russians, after all, that have erected an Iron Curtain over Eastern Europe . . . that have invaded Afghanistan and used chemical weapons in Laos and Cambodia . . . that are inspiring senseless insurrection in Africa . . . and that have built an armed force in excess of any legitimate purpose."

Unfortunately, American political groups on the left and right pursued a different and less useful approach in Geneva. Liberal activists, including the Reverend Jesse Jackson and representatives of the nuclear freeze campaign and other arms control groups, met privately with Gorbachev. Undoubtedly mindful of the potential for publicity, competing coalitions of women's groups led by the likes of Bella Abzug and Phyllis Schlafly traveled to Geneva to cultivate press attention.

All in all, it's difficult not to view their actions as silly, possibly even counterproductive to American security interests. Moreover, troubling analogies exist elsewhere in foreign policy.

While New Right conservatives frequently complain that Congress ought not interfere with the president's conduct of foreign policy, many of the same conservatives have circumvented U.S. law by raising private funds for the Nicaraguan "contras." Likewise, most support federal funding of the National Endowment for Democracy, which encourages the Republican and Democratic Parties, the U.S. Chamber of Commerce and the AFL-CIO to finance political efforts in other nations which may or may not coincide with U.S. foreign policy.

It's no secret that moderate Republicans too often default when faced with political opportunity, but in this case most would argue that notions of insitutional loyalty and common sense have served them well. After all, Americans understand the U.S.-Soviet summitry in the nuclear age is the domain of presidents, not unelected politicians and political action committees.

Defunding Family Planning

As of early December, some of the same conservative politi-

cians and political action committees and their congressional allies have likely been defeated in an effort to defund most domestic family planning agencies.

For two decades, federal funds have been provided with strong bipartisan support to finance educational and contraceptive services to low income women and families. At issue now is whether public and private family planning programs receiving federal funds can continue to use private funds to provide abortion-related information and counseling.

Federal law has effectively prohibited the use of U.S. funds for the advocacy or provision of abortion for many years, but this new controversy first gained attention in 1984 when the administration announced its intention to defund the largest international family planning programs which operate in developing nations in which abortion is legal. Many viewed the pronouncement as election-year rhetoric, but amendments passed last summer allowed the administration to deny a majority of U.S. funding to the United Nations Fund for Population Activities and the International Planned Parenthood Federation.

In a related concession to the right, the U.S. Agency for International Development recently announced a new policy of providing millions in funding to groups which refuse to provide information on contraceptive methods other than the "rhythm" method of natural family planning—a policy change being contested by many, particularly Republican Representatives Nancy Johnson and Olympia Snowe, who argue that women in developing nations should be allowed to make an informed choice among contraceptive options.

Seeing an opportunity to advance the anti-abortion agenda one step further, Representative Jack Kemp and Senator Orrin Hatch unveiled legislation in October which would curtail federal funds for family planning clinics in this country that offer privately-financed information on abortion.

Kemp and his allies, principally the National Right-to-Life Committee, argued that federal family planning funds should not be allowed to indirectly "promote" abortion. While defending reproductive freedom of choice, Planned Parenthood and its allies argued that family planning programs reduce demand for abortion and cited 1981 federal statistics to indicate that federal funding had prevented 800,000 unplanned pregnancies and 400,000 abortions in that year alone. Others suggested that less responsible pro-life groups were attacking contraception, not abortion, and that Kemp's legislation was motivated by a need to consolidate New Right support for a likely 1988 presidential bid.

By November, conventional wisdom held that the Kemp-Hatch Amendment would prevail, at least in the House where strong pro-life forces have won virtually every debate since 1977 relating to federal funding and abortion. But the House Appropriations Committee defeated the Kemp Amendment by a margin of 37-16, with Republicans Silvio Conte, Bill Green, Bill Lowery, Tom Porter, Carl Pursell, Joe Skeen and Ralph Regula crossing party lines to support federal family planning.

The legislative outlook? House efforts to overturn the committee decision are unlikely in the near future and, thanks to our Founding Fathers, the Republican-controlled Senate is generally viewed as less supportive of Kemp/Hatch than the Democrat-controlled House. Like any abortion-related debate, however, you'll hear about this issue again . . . and again . . . and again.