

WHO WON WHAT WHERE WHY?

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Elections: Analysis *by Robert D. Behn, Howard L. Reiter
and Daniel J. Swillinger*

Education: Proposals for Change

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Contributing Editors: Clifford Brown, Glenn Gerstell, Howard Reiter.
Circulation Dept.: Judith H. Behn.

Art: Leslie Morrill.

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EDITORIAL

Now What?

Like President Nixon, the Ripon Society is gratified and a bit amazed at the landslide proportions of the President's re-election. That his large lead of the summer has held up throughout a long and sometimes bitter campaign we attribute to two factors: the President's obvious mastery of the situation and McGovern's obvious lack of mastery. The landslide was an impressive personal victory for Mr. Nixon and his re-election committee (CRP). Operating independently of the Republican Party, the President's re-election campaign accelerated a trend toward ticket-splitting and party non-alignment that reached unprecedented proportions in the 1972 elections. Though this trend has benefited the President in the short run, its long-term implications for American politics are for increasing voter cynicism and unstable government. The Ripon Society, though happy that the President waged a moderate campaign, urges President Nixon to assist in building the Republican Party as a force for domestic policy in a way that he failed to do in his first term and in the campaign of 1972. The party now stands weakened by the landslide election, not merely because it lost seats in the Senate, but because it will have trouble dispelling the shady image of Watergate without a presidential housecleaning.

I. The Two Strategies: Invisibility vs. Invective

Mr. Nixon and his campaign manager Clark MacGregor ran a moderate campaign that was in welcome contrast to the polarizing GOP strategy of 1970. The President emphasized his own positive accomplishments in a series of radio broadcasts, toned down the rhetoric of his running mate, dropped his early emphasis on the busing issue, and despite considerable provocation did not respond directly to the more extreme polemics of his opponent. Most important, he had a record of extraordinary success in foreign policy, which we believe may mark 1972 as a year of historic reorientation in American and world diplomacy. His victory shows dramatic increases in every group and in every region in the country and in this respect surpasses even Eisenhower's showing of 1956.

Mr. Nixon's skill in avoiding pitfalls was in marked contrast to Sen. McGovern's clumsy and inept campaign, which was never able to recover from the impression it made in the nominating convention, the Eagleton affair and in its reversal of stands on key issues. In the last two months the prime tactic of Sen. McGovern and Sargent Shriver was to taunt Mr. Nixon with personal attacks in an attempt to provoke responses in kind. To be sure, many of the attacks had a strong basis in fact. The Watergate affair and Wheat Scandal are probably criminal, the political sabotage is inexcusable, and the failure to disclose campaign financing sleazy. Moreover, Mr. Nixon's failure to debate issues directly was based on a tactic of presidential invisibility that is hard to square with the ideals of American democracy.

But Mr. Nixon has learned from his past mistakes

to control his own responses as well as those of his running mate. As a result, McGovern was left looking extreme, not because of his programs, which he was quick to downplay under extreme pressure, but because of the hollow echoes of his shrill rhetoric. As a result, the voters perceived a gap in competence between the two men.

We believe that the "competence gap" and Mr. Nixon's restrained strategy explains the election far better than any slicing of regional, ethnic or ideological groupings, because the plain fact is that Mr. Nixon registered enormous gains with all groups. His best performances were with former Wallace 'backlash' voters (whom the Southern Strategy courted) and with affluent 'frontlash' voters (whom the Southern Strategy predicted would desert him). He won both the South, which McGovern-Shriver wrote off, and the six big Northern industrial states, where the Democratic ticket concentrated most of their effort. His percentage share of Jewish and Catholic votes was up by nearly one-half from 1968; his share of the under 30, over 50 and black voters meanwhile increased by over one-third.

The President's broad popular support gives him a rare opportunity to address issues in terms of their merits for the country as a whole instead of their appeal to particular groups of voters. For the first time in his national political career, the American people have given Richard Nixon an impressive personal victory. His challenge will be to use this in a positive way.

For the Democrats the failure of the strategy of invective has implications well beyond the election. Sen. McGovern might have pursued an alternative strategy. He might have placed emphasis on himself as a unifying and conciliatory candidate. This would have required meaningful concessions to the men and groups he defeated at the Miami Convention. It would have required, for example, agreements about the future control of the Democratic Party, the disposition of McGovern financial lists, and the role of George Wallace. The strategy of invective was McGovern's way of saying that he could get more votes from Mr. Nixon's mistakes than he could from the support of other Democrats. Frank Mankiewicz kept insisting during the campaign that sooner or later the President would have to respond in kind to McGovern and especially to Shriver, who participated in the invective with particular glee. The Democratic ticket made a total commitment to this strategy—with disastrous results. Now the battle for control of the Democratic Party will have to be fought with more public bloodletting.

II. Ticket-splitting, Non-alignment and Cynicism

This does not mean, however, that the Republicans are likely to profit automatically from the disarray of the Democrats. For the election is noteworthy as the climax of a decade of great change in the American party system. Those who see this election as bringing



a period of rapid party realignment are mistaking the nature of the change. The immediate trend is not toward realignment but toward non-alignment. The 1972 election has accelerated a movement toward unprecedented ticket-splitting and anti-party feeling, in which a growing number of voters move back and forth between candidates in disregard of party labels. To measure the rise in ticket-splitting, one need only compare the coattail effects of the 1972 landslide with those of 1964. The 1964 Johnson landslide resulted in a Democratic increase of two Senators for a total of 67 and 38 Congressmen for a total of 295. The 1972 Nixon landslide, by contrast, has brought his party a net loss of two Senators and a gain of 12-14 Representatives. Another measure of ticket-splitting is the number of states in which statewide races split between Presidential, Senatorial and Gubernatorial candidates of different parties. Of 39 states which had the opportunity to split in 1972, 23 did (59 percent). In 1964 only 17 of the 40 states (43 percent) split, despite the fact that Republicans were due for a rebound in the Senate from the bad recession year of 1958. In 1956, 20 out of 43 states split (46 percent).

The percentages of ticket-splitters in 1972 were also unprecedented. In past years a 10-15 percent margin of difference between statewide candidates of the same party has been considered high in all but a few states. This year 19 states had margins over 15 percent and 8 states were over 30 percent. In only 9 out of 39 states was the margin under 10 percent (see the table below). The ticket-splitting in local and congressional contests also provided many unusual patterns.

In some respects the trend toward ticket-splitting is healthy. As Walter DeVries and V. Lance Tarrance argue in their important book, *The Ticket-Splitter: A New Force in American Politics*, it is the sign of a well-informed and independent-minded electorate who follow events closely and know candidates by name. But ticket-splitting also contains some disturbing elements: a more volatile and unpredictable electorate, party irresponsibility and a growing cynicism about politics.

When ticket-splitters become the focus of an election the candidate's strategy shifts accordingly. He takes his own party loyalists for granted and concentrates his efforts on the non-party voter. This, in turn, alienates the loyalists who become increasingly willing to join the ranks of the non-aligned. As the ticket-splitters grow, elections become much more volatile, coalitions become much more fleeting, elected officials can count on much less loyalty from their party colleagues, fewer programs can be carried out in domestic policy, cynicism about the ineffectiveness of government grows, and demagogic appeals that seem 'non-political' become more alluring. In short, non-alignment may lead to unstable government, party irresponsibility and voter alienation. (For the unfortunate side effects of ticket-splitting, see David Broder's book, *The Party's Over*.)

The remedy for this is not to lecture voters on the dangers of ticket-splitting, but to begin with the parties themselves and give them greater integrity, programmatic content, and a coherent governing strategy. This was not done by either party in 1972. Mr. Nixon's own strategy was to encourage ticket-splitting by running above the party and ignoring scandals in his own ranks. This might have been a short-term necessity, but it has accelerated a disturbing long-term trend toward party irresponsibility. Thus, though the United States again has a President of one party and a Congress of another, it is wrong to say that 1972 leaves the party situation very much the same as it was.

By increasing the number of non-aligned voters it leaves both parties weaker and confidence in politics diminished. This is evident in the turnout. Of 139.6 million citizens of voting age only 55 percent voted in 1972, the lowest proportion since 1948, though this may in part be due to the larger number of young, first-time voters, traditionally a low turnout group.



III. The Need for Party Building

For the Republican Party 1972 nevertheless presents an opportunity. A weakening of party loyalties benefits the GOP in the short run because it is the minority party. If it can win public confidence in its programs and integrity before the Democrats heal their divisions, it may emerge a majority party by the end of the decade. A major obstacle to its growth, however, has been President Nixon's inattention to domestic policy. The major realignments of the past were produced by fairly consistent efforts by the Federal Government in a direction that the vast majority of Americans understood, eventually accepted, and associated with a party of the President. What is required now is a second term with a commitment for excellence in domestic policy comparable to that for foreign policy in the first term. To give this some kind of chance for success will require close attention to party-building in congressional relations. If Mr. Nixon is able to make his Administration stand for something, it will be a first step toward convincing voters at all levels to prefer Republicans consistently to Democrats of all factions. If, on the other hand, Mr. Nixon continues to allow the GOP congressional relations and domestic policy to take care of themselves he will fritter away his second term as he did his first, proposing disconnected policies and chasing one scapegoat after another—the students, the press, the welfare mess, the unions, the spendthrift Congress.

Mr. Nixon, in short, needs a coherent domestic policy to match his foreign policy. It took him careful planning and three years of persistent effort to bring about a shift in Great Power relations. It will take no less effort to reverse the growing cynicism of the American people toward their political parties and toward their government. The problem of leadership, however, is more difficult in the domestic sphere than in foreign affairs, for it requires the passage of bills by the Congress and the use of the Republican Party as an instrument of change.

Mr. Nixon should not expect the Democrats to give him much room for maneuver. They are likely to begin as soon as possible the kind of rebuilding that Ray Bliss accomplished for the GOP after the Goldwater debacle or that Paul Butler attempted for the Democrats in the second Eisenhower term. Moreover, they have a party structure that, with new reforms, is healthier and more resilient than that of the GOP, and they will have an off-year National Issues Convention to present a programmatic alternative to the President. If America is to be governed effectively over the long-term, it will have to be by responsible programmatic parties, not transient presidential coalitions that remain above politics. If the Nixon Administration is to stand for something principled in domestic policy over the next four years, it will have to be something Republican. It will have to show that the Republican ideal of limited and decentralized government also means effective and compassionate government; it will have to show that Republican adherence to traditional values also means progress, innovation and equal rights for all Americans.

The Ripon Society therefore urges the President to assist in the building of the Republican Party as an instrument of effective domestic policy. It urges him to restore the GOP as a party of principle and limited government during his Administration and beyond it. ■

TICKET-SPLITTING BY STATE (Based on Preliminary Returns)

Thirty-nine states had the opportunity to split between President and Governor and/or Senator. (We exclude states where the split occurred at lower level statewide offices — e.g., the Pennsylvania Auditor's race.) Of these 39, 23 did split and 16 did not. The splits involved a proportion of voters unprecedented in a Presidential landslide year and in many cases unprecedented in state history. The table below measures the difference in percentage vote between Nixon and GOP Gubernatorial and Senatorial candidates. This does not, of course, show the full extent of ticket-splitting even on a statewide level. (In New Jersey, for instance, which shows no difference between the President and Clifford Case, county figures suggest that their over-all percentages are drawn from different constituencies.) But the figures in the right hand column do at least provide a minimal measure of ticket-splitting. (Preliminary statistics are based on incomplete returns.)

State	Republican % for Pres.	Gov.	% for Sen.	Minimum % of Ticket-splitters
Northeast				
Maine	61	—	47	15
N.H.	65	42	43	23
Vermont	65	44	—	21
Mass.	45	—	65	20*
R.I.	53	47	46	7
N.J.	63	—	63	0
Delaware	59	48	49.5	11
W. Va.	64	56	34	30
South				
Va.	68	—	51	17
N. Car.	69	51	54	18
S. Car.	71	—	63	8
Ga.	75	—	45	30
Ala.	76	—	34	42
Miss.	80	—	41	39
La.	67	—	19	48
Ky.	64	—	48	16
Tenn.	70	—	62	8
Ark.	69	24	38	45
Oka.	74	—	52	22
Texas	66	49	54	17
Midwest				
Ind.	67	57	—	10
Ill.	60	49	63	14*
Mich.	56	—	52	4
Minn.	51	—	43	8
Iowa	59	59	45	14*
Mo.	61	55	—	6
West				
N. Dak.	62	49	—	13
S. Dak.	53	40	43	13
Neb.	70	—	52	18
Kansas	71	37	73	36*
Mont.	58	45	48	13
Colo.	67	—	49	18
Wyo.	69	—	71	2*
Idaho	64	—	53	11
Utah	68	30	—	38
Wash.	56	50	—	6
Oregon	53	—	54	1*
N.M.	62	—	54	8
Alaska	59	—	78	19*

* Denotes states in which GOP candidates ran ahead of President Nixon. These include Senators Brooke, Percy, Pearson, Hansen, Hatfield, and Stevens. All but Hansen are members of the moderate GOP Wednesday Group. Governor Ray, another GOP moderate, ran slightly ahead of the President in Iowa.

Needed: A Successor For The Southern Strategy

by Robert D. Bebn

"The Southern Strategy is working," proclaimed Harry S. Dent as he watched the returns election night. "In fact, it's working all over the country."

Dent's first public confession that the White House had indeed followed a Southern Strategy slipped through his euphoria as the President—though not the Republican Party—swept both the South and the nation. But Dent's enthusiasm for the Southern Strategy might not have been shared that evening by Republican Sen. Gordon L. Allott of Colorado.

Allott was seeking his fourth term but was defeated by a Republican—

or at least a former Republican. Senator-elect Floyd K. Haskell has served as the Republican leader in the Colorado House of Representatives and, in 1968, as the state chairman for Nelson Rockefeller's campaign for the GOP presidential nomination. But then came the Southern Strategy. "I objected to the attempt to put Harrold Carswell, a known racist, on the Supreme Court," said Haskell, and so he switched parties. The Southern Strategy may have worked for Richard Nixon in Colorado, but it did not work for Gordon Allott.

Haskell was one of those Republicans whose support the advocates of the Southern Strategy were willing, indeed wanted, to write off. They were to be lost because of the "inevitability" of the historical trends which predicted their defection and because of the conservative Republican policies which forced that defection; the difference between cause and effect was never sorted out. In *The Emerging Republican Majority*, Kevin Phillips, the chief ideologist of the Southern Strategy, wrote:

Only a small minority of 1968 Nixon backers—perhaps several million liberal Republicans and independents from Maine and Oregon and Fifth Avenue—cast what may be their last Republican presidential ballots because of the partisan re-alignment taking place.

Haskell, however, was from Colorado. And he made his decision to defect to the Democrats before President Nixon moderated his campaign image (if not some of his aides' tactics) and demonstrated his tactical brilliance in foreign affairs. It was the distinct contrast between the images portrayed by the Nixon and McGovern campaigns that brought the President's 1968 liberal Republican supporters back into the Republican camp—at least at the presidential level.

But did not forget that the theory of the Southern Strategy is that it will build a *Republican* majority and any national majority, by definition, includes majority control of Congress. But Congressman Fletcher Thompson of Georgia, Sen. Jack Miller of Iowa, former Gov. Louie B. Nunn of Ken-

tucky, Sen. J. Caleb Boggs of Delaware or former Postmaster General Winton Blount of Alabama will not be part of any emerging Republican majority. All lost their races for the Senate, either for seats held by the GOP in the last Congress, or for seats in the Southern heartland of the "Emerging Republican Majority."

The GOP did pick up two seats in the South. (If you define the South to be the old Confederate States, Republicans gained in North Carolina and Virginia; if a broader definition is used, the GOP also gained Oklahoma, but lost Kentucky.) But it still has only 7 of 22 Senators from the eleven states of the Confederacy.

This contrasts with the eleven states of the Northeast (using Phillips's own definition of the region) where the GOP holds a majority of the Senate seats. One wonders how long the GOP must wait until the Southern emerging majority emerges. The GOP lost Senate seats in the North, Mid-West and West, and though this will shift the intra-party balance in the Senate towards the South, the overall result did little to elect a Republican majority leader.

Another region in the vanguard of Phillips's emerging Republican majority is the "Sun Belt." "It is not a coincidence that this conservative trend is best exemplified by California, Arizona, Florida and Texas," he wrote. Population shifts were to be crucial to both the Sun Belt's conservative influence and its importance to the GOP:

... the conservative Sun Belt cities are undergoing a population boom — and getting more conservative . . . Centered in the Sun Belt, the nation's heaviest suburban growth is solidly middle-class and conservative.

Phillips gleefully observed that:

In 1970, California, Arizona, Florida and Texas, almost alone among the fifty states, will gain ten new Congressmen and electoral votes, principally at the expense of the urban Northeast and Great Lakes.

The redistribution of electoral college power (California +5, Florida +3, Texas and Arizona +1 each) had little effect on Nixon's electoral majority,

and when the congressional vote was tallied in those ten new districts, Phillips's inevitable trend produced only four new GOP Congressmen.

But if GOP Chairman Robert Dole, the man on whom there was most institutional pressure to declare a Republican victory, could say after the returns were in, "This is a personal triumph for Mr. Nixon, and not a party triumph," then perhaps the GOP is prepared for a complete and open examination of what strategy it should pursue to obtain majority party status. But to do this it must first understand and accept the basis of Richard Nixon's landslide re-election.

If we are to believe the pollsters—and after all they did predict the final outcome extremely accurately—the voters made their presidential selections between the lesser of two evils. Republicans seeking other offices attempted to campaign against George McGovern, but most had a difficult time convincing the voters that in fact their opponent was McGovern. ("I'm not running for President," was the standard Democratic line this year.) Only Richard Nixon was so fortunate in the selection of McGovern as an opponent, and even for him the greater evil has now vanished.

Furthermore, the electorate perceived President Nixon's special competence to be in foreign affairs. But while diplomatic aptitudes may be a prime prerequisite for voter approval of presidential candidates, the Republican Party will clearly require broader leadership from the President if it expects to elect Republicans to Congress, let alone to gubernatorial mansions, city halls and state capitols. Republican candidates can hardly base legislative and gubernatorial campaigns on the President's detente with China and the Soviet Union.

The Republican Party needs a clear and apparent philosophy of government. It needs programs and policies which match the party ideology to the government's current agenda of problems. It needs to demonstrate competence with these problems that evinces further trust and further electoral support.

The high level of ticket-splitting in this election is indicative of the electorate's ability to separate candidates—

at least at the top of the ticket—from their party. The fluidity and sophistication of the American electorate requires identification of positive programs and projections of personal competence. The election demonstrated that Texas Democrats cannot take the Chicano vote for granted, that black Chicagoans are capable of massive crossovers to an attractive Republican candidate, that Midwestern voters have developed extraordinary ticket-splitting propensities, that such traditional Republican strongholds as the "nonpartisan" Minnesota legislature are no longer Republican bastions and that low-key campaigning by "safe" Republican officeholders in states like Maine or Iowa is no longer sufficient to thwart energetic Democratic aspirants. In short, the 1972 campaign showed that the electorate is becoming choosy . . . that the "good guys" apparently do not all belong to one party.

If this is true, there must be some doubt as to whether the GOP, as suggested by Frederic V. Malek, Nixon's deputy campaign chairman, can turn the Republican Party into the vaunted "new majority" merely by taking the canvassing reports of the Committee to Re-elect the President and using them to convince Nixon voters that the GOP is the better brand. Malek predicted that "a reasonable proportion" would switch party registration. However, in California, where Malek had 100,000 volunteers working on the

canvass, while the voters were preparing to vote overwhelmingly for Richard Nixon (56 to 44 percent), they were also registering in overwhelming proportions as Democrats.

Further, it is important to note that the GOP did not use the canvass to attempt to convince anyone to vote for Richard Nixon, but only to identify the Nixon voters so they could be rallied to the polls on election day. Thus, it is not at all obvious that a new knock on the door will now convince these voters to register Republican, or to vote for another Republican candidate.

This is particularly true, given the thrust of John Connally's "Democrats for Nixon." The objective of this, the most public of all the re-election committees, was clearly not to forge new Republican loyalties, but to encourage ticket-splitting. John Connally's message was that it was quite legitimate to vote Democratic as long as you first voted for Richard Nixon for President. A vote to re-elect the President was your patriotic duty; a vote for the other Democrats was your partisan responsibility. Any new GOP effort to convert Democrats to Republicans will have first to overcome the impact of Connally's T.V. commercials, which actually re-enforced Democratic party loyalties.

Political majorities are forged during the national campaigns when national issues are clearly debated. In the intervening periods, preparation for these campaigns and solidification of political victories is the norm. The claims of both Richard Nixon and George McGovern notwithstanding, this election did not include a catalytic debate on national issues. Consequently, there is no coherent coalition on which the Republicans can build. The common denominator of the President's victory—George McGovern—has been annihilated. The GOP must build its future on a more solid foundation than antagonism to a defeated candidate. As Bob Dole said election night, "The key to the whole thing is what the President does." Said Dole, "He's still a Republican and we're going to have to adopt a strategy to bring some of his new majority into the party or in support of the party." ■



The Non- Emerging Republican Majority

by Howard L. Reiter

The long-range question that the 1972 elections can provide a partial answer to is, can a deliberate policy of racism at home and slaughter abroad produce that evanescent Republican majority longed for since the 1930's?

The usual answer is no, and the usual reason given is the enormous level of ticket-splitting between the top of the ticket and other levels. Rather than a year for Republicans, 1972 was a year for incumbents. In the Senate, 20 out of the 25 incumbents on the ballot in November were re-elected, and in the other eight races, the victors were four Democrats and four Republicans. (Those defeated incumbents were mostly Republicans, but age was probably the decisive factor: they averaged fifteen years older than their opponents.) Similarly with the governors: seven out of nine incum-

bents won, and the nine other races were won by five Democrats and four Republicans. Perhaps most revealing were the defeats of the two Senatorial nominees most closely linked to the Nixon-Agnew regime, Blount of Alabama and Chafee of Rhode Island, both defeated by able Democratic liberals.

The races in the House provide another oft-cited example. Only three Presidents besides Nixon won with more than 60 percent of the vote: Harding, Franklin Roosevelt in 1936, and Lyndon Johnson. Harding had a House 69 percent Republican; Roosevelt's was 77 percent Democratic; Johnson's was 68 percent Democratic; Nixon's will be 44 percent Republican. Never has a margin so large produced coattails so short.

It can easily be seen that even without looking at any other races, it is clear that Nixon did not produce a Republican realignment. One easy measure is turnout. It has been argued by some—Walter Dean Burnham and James Sundquist—that in realigning elections such as 1860, 1896, 1928, and 1932, turnout is unusually high because of intense concern about the issues of the day. My own research indicates that the generalization about past elections does not always hold, but it is clear that with a turnout of 55 percent in 1972, the electorate was not energized to the point of reconsidering basic party allegiances.

There is yet another, perhaps more sophisticated, way of demonstrating that 1972 was not a realigning election. A realignment almost by definition requires sharp differences among voting groups. Franklin Roosevelt's appeal was strongest among low-income groups and ethnics, and so he led a realignment into the Democratic Party; Dwight Eisenhower's appeal was broadly distributed across all groups, and so it was purely a personal appeal devoid of partisan considerations. This is not to say that Eisenhower did not do better among Republicans than among Democrats, only that his margin over most GOP candidates was about the same in all groups.

Which model does Nixon's vote follow? One measure, used by Everett Carl Ladd, Jr. in *American Political Parties*, is the standard deviation, a

statistical measure that reveals how much variation there is from state to state in an election. Nixon's standard deviation was lower than any Republican's in recent years, and probably throughout history. In other words, Nixon's appeal—or McGovern's lack thereof—was more evenly distributed from state to state than any other Republican has probably achieved. (The District of Columbia has been omitted in these computations.)

If Nixon's vote was more national than ever, we might expect that he gained among the states where he had fared poorest in 1968, to pull them up to the national average. Here, we ought to compare McGovern's showing to Humphrey's, because of the third-party factor. For one thing, since most Wallaceites switched to Nixon in 1972, it would be misleading to look at Nixon's 1968 vote without Wallace's included. And second, there is the factor of John Schmitz.

Schmitz's one-percent showing nationwide has caused analysts to overlook the significance of his vote. First, he was unable to secure a spot on the ballot in quite a few states, including some Southern states where Wallace had run best. Had Schmitz made it onto fifty ballots, his total would surely have been much higher. And second, his paltry national total masked some impressive totals in a number of states, mostly in the Far West. If we are to lump the Nixon and Wallace votes of 1968 together, to be consistent we should lump Schmitz and Nixon together in 1972. After all, most of Schmitz's support undoubtedly came from Nixon and Wallace supporters.

So the convenient way to analyze trends from 1968 to 1972 is to concentrate on the Democrats. Here the trends are clear. In states won by Humphrey in 1968, the Democratic presidential vote dropped more than ten points in 1972; where Nixon had won, the Democratic vote fell less than four points; and where Wallace had won, McGovern's total was less than two percent under Humphrey's. The Democrats lost the most where they had run best.

This general principle holds for key population groups, too, although not always perfectly. Table 1 shows Gal-

lup poll results from 1968 and 1972. Since the final Gallup 1972 results had not been published at the time of this writing, I used the "semi-final" survey from October, which had Nixon at 59 percent and McGovern at 36 per-

erate, and there is surely little hope for Bartlett, Helms, McClure, and William Scott.

The rightward trend will most likely be ratified at the 1976 national convention, and it can most easily be

country at home." This is the same Nixon who accurately foresaw that Johnson's landslide would destroy him; how will a similar landslide affect Nixon?

Recent statements suggest a similar isolation from reality. On October 21, Nixon told the nation, "In the years to come, if I am returned to office, I shall not hesitate to take the action I think necessary to protect and defend this nation's best interests, whether or not those actions meet with wide popular approval." He quickly beat a retreat, assuring his audience that he reflects the values of most Americans. But then on November 5, he told Garnett Horner, "The average American is just like the child in the family. You give him some responsibility and he is going to amount to something. If, on the other hand, you make him completely dependent and pamper him and cater to him too much, you are going to make him soft, spoiled and eventually a very weak individual."

This, then, will be the next four years of the Nixon-Agnew Administration. We will have drift at home along with a philosophy of Presidential stewardship that combines benign neglect for those who need affirmative government action with a Justice Department and Supreme Court adequately prepared to keep the children in line. And power will devolve, not to the people, but to state and local governments that are as insensitive as Nixon to the needs of the victims of the corporate state.

It will be a great four years for the American right. ■

TABLE 1
Nixon Gains from 1968 to 1972, According to Gallup.

	1968 Share	1972 Share	Gain
Republicans	86%	93%	+ 7
Democrats	12	36	+24
Independents	44	63	+19
Protestants	49%	65%	+16
Roman Catholics	33	61	+28
Professional, business	56%	69%	+13
Clerical, sales	47	67	+20
Manual	35	52	+17
Under 30 years old	38%	56%	+18
30-49 years old	41	61	+20
50 years old and older	47	65	+18

cent, with 5 percent undecided. Distributing the undecideds equally between the major candidates closely approximated the final outcome, and so that was done for all other groups. Only among the age groups does the generalization not hold. And while we have no figure to prove it, Nixon probably — and deservedly — scored minimal gains among blacks in 1972. But by and large, his improvement was largest among hitherto anti-Nixon groups.

In short, Nixon's victory was like Eisenhower's — so evenly distributed across the population that there are few seeds for particular partisan advantage. The pro-Nixon tide was clearly a response to candidates, and not parties.

If the electorate has not been realigned, have the parties? So many previously obscure Democrats were elected to the Senate that it would be hazardous to predict their leanings. But on the Republican side, clearly the party has moved a few steps right. Of the retirees, only John Sherman Cooper can be considered truly progressive, but Margaret Chase Smith, J. Caleb Boggs, Len Jordan, and Jack Miller were moderate enough to have supported Hugh Scott in leadership fights. Contrast them — along with the two hard-liners among the retirees, Allott and Mundt — with the new breed. Only the most rose-tinted Riponites have dared to label Domenici a mod-

abetted by the Nixon Administration. The first decision of the second Nixon Administration was to retain Agnew, and the first promise was to keep appointing more Rehnquists to the Supreme Court. Like all generals who wage the last war during this one, Nixon and Agnew soft-pedalled busing to avoid the mistakes of 1970, but a *New York Times* story reveals that new and tougher anti-busing measures are being prepared. It will not be a happy four more years for black Americans.

Add to this the fact that domestic policy bores Nixon, who once told Theodore White, "I've always thought this country could run itself domestically without a President; all you need is a competent Cabinet to run the



The New Congress

by Daniel J. Swillinger

The President sought a New Majority and he received one, but the Republican Party received a body blow. In a year when control of the Senate was within reach and a substantial increase in GOP House members seemed likely, the President will face a 93rd Congress which may be even less receptive to his programs than the last two Congresses.

There is no pattern to explain the net loss of two Senate seats except that the President's victory was not enough to stave off defeat for incumbents like Caleb Boggs and Gordon Allott nor enough to elect any challenger, with the possible exception of William L. Scott in Virginia.

What is clear is that while the balance of power in the Senate has shifted Southward for the GOP, the dominant Northern liberal Democrats are stronger than ever. Even the President's fervent desire for an "ideo-

logical majority" remains unconsummated.

A more difficult Senate takes on greater importance if the Administration decides to present a comprehensive domestic program and to seriously lobby for its passage. While foreign affairs could be conducted from the White House, with little or no congressional involvement, domestic policymaking cannot be. The President will require the support of liberals of both parties. Senate Democrats, finally without the handicap of a chamber full of presidential prima donnas, may well use their majority to forge instead a Democratic Party program to compete with Mr. Nixon's.

The makeup of the Republicans also signals trouble for Sen. Hugh Scott's effort to be re-elected Minority Leader. He was chosen by a 24-20 vote in 1971. The defeat of Margaret Chase Smith, Jack Miller and Caleb Boggs means the certain loss of three Scott votes. Of the new Republican Senators, only Pete Domenici and Dewey Bartlett can be expected at this point to vote for Scott.

Scott apparently is not expecting a challenge. He has left for a month-long trip to Asia.

Republicans must also fill the chairmanships of the Campaign Committee (now held by Peter Dominick who is up for re-election in 1974), the Policy Committee (Allott) and the Conference (Mrs. Smith).

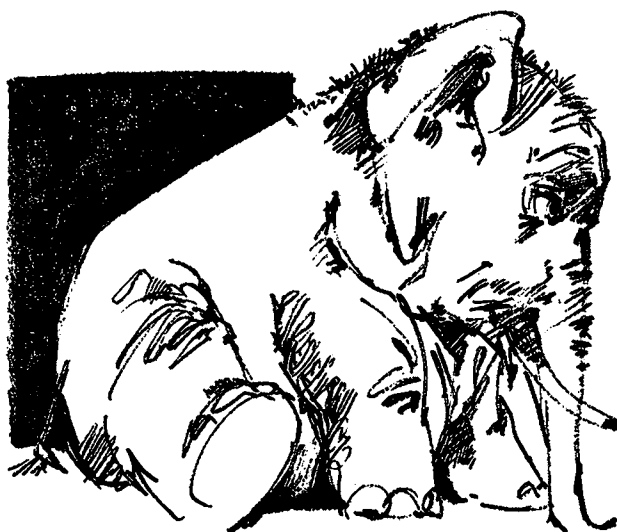
On the other side of the Hill, a net gain of a dozen or so seats by the

GOP is almost no victory at all, since several of the seats were gained as the result of redistricting. There is no significant pattern here either, although the net gain in the South was not as large as expected.

It may be that the apparent death of Hale Boggs is more important than any electoral change, since it is likely that the new Majority Leader will be more liberal than Boggs (Tip O'Neill of Massachusetts and Sam Gibbons of Florida are most often mentioned) and hence more difficult for Mr. Nixon to deal with.

The Republican leadership will probably remain unchanged, although John Anderson may be challenged again by a conservative for the chairmanship of the House Republican Conference. Jack Kemp of New York is making noises as if he might want that assignment this time, as another conservative battle ribbon in his march toward a 1974 primary challenge to Sen. Jacob Javits.

The fact that Mr. Nixon will have the same old troubles with the new Congress (and without the offsetting advantage of using it as a campaign whipping boy) means it is unlikely that a meaningful record of Republican-sponsored domestic legislation will be the product of "four more years." And once again, the GOP will then have failed to produce a Republican domestic policy to carry the party for the next decade in the manner that the New Deal carried the Democrats for 40 years. ■



Politics: Reports

Editor's Note: This 50-state survey of election results replaces "Politics: People" this month.

ALABAMA: Alabama was to provide the GOP with one of the seats they needed for control of the Senate. Instead, while President Nixon swept the state with 76 percent of the vote, Sen. **John J. Sparkman** (D) got 64 percent over **Winton M. Blount**. Blount, the former postmaster general, tried to link Sparkman with McGovern and busing. But Blount apparently failed to shed the Alabama GOP's country club image and Sparkman won the blessing of the bankers (he heads the Senate Banking and Currency Committee) and Gov. **George Wallace**. Although Alabama lost one seat in Congress, the six incumbents who ran for re-election were all successful.

ALASKA: Sen. **Ted Stevens** (R) ran ahead of President Nixon with 78 percent of the vote compared to the President's 63 percent. But most of the attention in Alaska was centered on the seat of the state's missing Representative, **Nick Begich** (D). The state's voters rejected appeals to elect State Sen. **Don Young** so as not to lose seniority from a vacancy in the seat of Begich, who is still missing from a campaign flight with House Majority Leader Hale Boggs. Gov. **William A. Egan** has indicated he will initiate proceedings for a presumption of death hearing soon, which would be followed by a special election. Both the Republican and Democratic candidates for the seat are uncertain since the GOP may seek a stronger candidate than the moderate Young and Mrs. Begich has indicated her possible interest in the seat.

ARIZONA: Retired baseball umpire **Jocko Conlan** must have been happy with the call. The voters ruled his son, **John**, the winner of Arizona's new seat in Congress by a 54 percent margin. Conlan's victory was largely credited to the coattails of President Nixon, who rolled up a 65 percent plurality in the state. Many moderate Republicans defected to **Jack E. Brown**, the Democratic opponent of the ultra-conservative Conlan. Republicans were aided by the state's straight ticket mechanism and retained control of both houses of the legislature. Although recall petitions for Gov. **Jack Williams** (R) have not yet been filed, there is some indication recall supporters might try to embarrass Williams by presenting the petitions during a Republican governors' conference in Phoenix in December.

ARKANSAS: Gov. **Dale Bumpers** (D) won the most smashing election triumph of any elected governor this year, winning 76 percent of the vote over Republican **Len E. Blaylock**, a forthright but colorless campaigner. By comparison, GOP Senate candidate Dr. **Wayne Babbitt** did surprisingly well with 39 percent against Sen. **John L. McClellan**, who had the tacit support of Vice President **Spiro Agnew** and Congressman **John P. Hammerschmidt**, who easily won re-election. Congressman Hammerschmidt, the state's lone Republican Congressman, is a close friend of McClellan and a likely candidate for the seat of Sen. **J. William Fulbright** in two years. In further contrast to President Nixon's 69 percent majority, Republicans also failed badly at the legislative levels. Blacks, who had backed the GOP under former Gov. **Winthrop Rockefeller**, switched en masse to the Democrats this year. Four blacks were elected to the legislature for the first time in this century, but all were Democrats. The presidential campaign drained funds that might have been used for local efforts. Black Republicans were also hurt by the candidacy of the Republican candidate for attorney general, who ran a close race against a progressive Democrat, **Jim Guy Tucker**, who may have gubernatorial ambitions. One bright spot for the GOP was a strong race by Pulaski County Clerk **Jerome Climer** who received 41.5 percent in his race for secretary of state.

CALIFORNIA: The election of a Democratic legislature in 1970 may have been the most important ingredient in the congressional elections here. Five new seats were to have been apportioned among two likely Republicans, two likely Democrats and one tossup. The tossup went to former Congressman **George E. Brown, Jr.** (D) in the 38th C.D. In the other districts, the electorate voted as anticipated: Assemblyman **Leo J. Ryan** (D) won in the 11th C.D. outside of San Francisco, Assemblywoman **Yvonne Brathwaite Burke** of Democratic National Convention fame won in Los Angeles's new 37th C.D., Republican **Clair W. Burgener** is President Nixon's new Congressman in San Diego County's new 42nd C.D., and **William M. Ketchum** now represents the 36th C.D. around Bakersfield. In two other hotly contested races, Congressman **Paul N. McCloskey, Jr.** won 60 percent in his new 17th C.D., thus avoiding the fate contemplated by state GOP leaders who wished to redistrict him "into the San Andreas fault." Congressman **William Mailliard** (R), who had been in a tight race for his seat in the 6th C.D. in the San Francisco area, defeated his opponent with 52 percent, despite a strong McGovern showing in San Francisco. And despite President Nixon's 55 percent showing in the state, Democrats realized Republicans' worst fears by winning control of the legislature's lower house, 51-29. A 19-19 tie continues in the California State Senate.

COLORADO: Lightning struck a few Republican politicians in Colorado this year . . . Democratic lightning. The lightning may have been generated in part by the impact of politicians on the environment and vice versa. Sen. **Gordon Allott** (R) was unseated by a former Republican, **Floyd K. Haskell** (D), by less than 5,000 votes and, in the 1st C.D., Congressman **James D. McKeivitt** (R) was unseated by **Patricia Schroeder**, a Denver attorney who won 53 percent of the vote. On the brighter side for Republicans, they won two other congressional seats: **James T. Johnson**, a moderate Fort Collins attorney, won a tight race for the seat being involuntarily vacated by Congressman **Wayne N. Aspinall** (D) and Sen. **William L. Armstrong**, 35, won nearly 63 percent of the vote in winning Colorado's new 5th C.D. Armstrong defeated former Congressman **Byron L. Johnson** (D).

CONNECTICUT: Connecticut's conservative Republican Governor, **Thomas J. Meskill**, won a mandate without an election when both houses of the legislature switched to the Republican side this fall. The switch was the culmination of a year of wrangling between the Republicans and Democrats over redistricting. The Republicans rolled up 22-14 and 92-58 margins in the upper and lower houses behind a 59 percent performance by President Nixon. The victories continued the startling reversal of Republican prospects in the state which began with the election of Gov. Meskill and Sen. **Lowell Weicker, Jr.** in 1970. Republicans also picked up one congressional seat; State Rep. **Ronald A. Sarasin** (R) defeated Congressman **John S. Monagan**, splitting the congressional delegation 3-3. Both Congressman **Robert H. Steele** and **Stewart B. McKinney** won strong victories, placing them in positions to vie in 1974 for the governorship or Sen. **Abraham Ribicoff's** (D) seat.

DELAWARE: Few words can describe the results of the election as far as the Delaware GOP was concerned: practically unmitigated disaster. Sen. **J. Caleb Boggs** (R), who did not really want to seek re-election, was defeated by a 29-year-old New Castle County Councilman, **Joseph R. Biden, Jr.** Boggs was never convinced he was in campaign trouble until the eve of the election. A series of Philadelphia-broadcast television spots with President Nixon failed to turn the Biden tide and Boggs was defeated by 3,000 votes while Nixon got nearly 60 percent of the vote. Biden had waged an aggressive, well-organized campaign with few issues. Unlike Sen. Boggs, Gov. **Russell W. Peterson** (R) had long been known to be endangered by his actions on tax issues. Although Peterson ran well in the northern part of the state, Democrat **Sherman W. Tribbitt** picked up enough support in normally Republican southern Delaware to eke out a 51 percent victory. Ironically, Peterson's Republican running mate for lieutenant governor was elected — as was Congressman **Pierre "Pete" du Pont** (R) whose 62 percent victory was about the only bright spot for Republicans. Another progressive Republican, Wilmington Mayor **Henry**

G. Haskell, Jr., was also defeated. Haskell's efforts on behalf of racial harmony in Wilmington evidently hurt him badly in the city's ethnic neighborhoods.

FLORIDA: President Nixon received 72 percent of the vote here. But otherwise, the Republicans did not do as well as expected. Although Republicans gained 43 seats in the legislature's lower house, they failed to gain the expected majority status in either house. The lineup is now 120-110 in the lower house and 25-14 in the Senate where the Republicans picked up seven seats. Of the three new congressional seats, the GOP had talked of picking up all three. Instead, they elected one new Republican to Congress, L.A. "Skip" Bafalis in the 10th C.D. The two Democratic winners were State Sen. William D. Gunter, Jr. who delivered a resounding defeat to Jack Insko, an ally of former Congressman William Cramer, and William Lehman, a Miami auto dealer who won an easy victory in the 13th C.D. Early in the campaign, Insko had suggested that he would "charge Jane Fonda with treason and ship Ramsey Clark to North Vietnam to be attorney general there."

GEORGIA: State Rep. Sam Nunn is the great-nephew of former Congressman Carl Vinson. Congressman Fletcher Thompson is a Republican. Nunn had the backing of Gov. George Wallace and Sen. Herman Talmadge, who usually restricts his campaigning to Herman Talmadge. Thompson had the backing of Richard Nixon, Spro Agnew and Barry Goldwater. Nunn didn't like McGovern. Thompson didn't like Jane Fonda. The voters liked Nunn. His real advantage may have come in the strength of his organization which utilized the assistance of all of the state's top Democrats who feared a Republican more than each other. Republicans failed to make any congressional inroads and, in fact, lost Thompson's 5th C.D. seat. Andrew Young, a former aide to Dr. Martin Luther King, became the first black Congressman from Georgia in more than a century. Young defeated a moderate Republican from Atlanta, Rodney Cook, 53 to 47 percent. However, Republicans did make further inroads into the Democratic majority in the legislature, particularly in the affluent suburbs of Atlanta.

HAWAII: President Nixon received over 62 percent of the vote in Hawaii, but both incumbent Democratic Congressmen were re-elected. The Republican congressional candidates made strong bids, however. State Sen. Fred W. Rohlfing limited Congressman Spark M. Matsunaga to less than 55 percent of the vote (compared to almost 73 percent in 1970); State Rep. Diana Hansen received 43 percent against Congresswoman Patsy T. Mink, who had been re-elected without opposition in 1970.

IDAHO: The seat of retiring Sen. Len Jordan stayed in Republican hands — those of Congressman James A. McClure, who defeated a slightly less conservative Democratic candidate, William E. Davis with 52 percent of the vote. McClure's margin, however, was far less than President Nixon's 64 percent or the percentages amassed by Republican Congressman Orval Hansen (69 percent) or Congressman-elect Steven D. Symms (58 percent). McClure's efforts to link his opponent with agricultural boycotts may have made the difference. Symms, though he made many conservative comments in the southern Idaho section of the district, sounded liberal on the mine safety issues which are important to northern Idaho and ran well in that section. The Republicans increased their majorities in the state legislature, perhaps fueling an effort to unseat Gov. Cecil Andrus (D) in two years.

ILLINOIS: The election held mixed blessings for Illinois Republicans. Sen. Charles Percy with 61 percent of the vote topped President Nixon's 59 percent, but even Percy's margin of victory was exceeded by Republican Attorney General William Scott. Scott's victory makes him probable gubernatorial or senatorial material in the wake of the narrow defeat of Gov. Richard B. Ogilvie who was defeated by Daniel Walker's 51 percent plurality. Republican Ogilvie's loss was engineered by the defections in normally Republican downstate Illinois where voters were particularly aggravated by Ogilvie's tax policies. However, it is a tribute to the progressive Ogilvie that Walker could announce in the news media shortly after his election that no new taxes would be needed.

The financial health of Illinois can be attributed to Ogilvie. Although Mayor Richard Daley's Cook County machine suffered a setback when Daley's heir-apparent, Edward Hanrahan, was defeated by Republican Bernard Carey, Daley did hold onto two other important patronage positions: Illinois secretary of state and chief clerk of the Cook County circuit court. Republicans picked up two suburban Cook County seats: former Cook County School Superintendent Robert P. Hanrahan won an easy victory in the 3rd C.D. and Samuel H. Young (R) won slightly more than 51 percent of the vote in the 10th defeating Congressman Abner J. Mikva who attempted to transfer his popularity to a new suburban district. Downstate, Republican Edward R. Madigan collected nearly 55 percent of the vote in his election to the 21st C.D. The legislature remained Republican.

INDIANA: Thirty years after he was first elected coroner, Dr. Otis R. Bowen presided at the interment of the Hoosier Democratic slate. Former Gov. Matthew Welsh was unsuccessful in doing what he had done in 1960 — survive the Nixon coattails, which this year stretched to over 66 percent. The coattails were more than enough to boost Dr. Bowen into the gubernatorial office with 57 percent of the vote. Nixon's coattails also came close to unseating Congressman Ray J. Madden (D) in the 1st C.D. where Republican Bruce R. Haller got over 49 percent and Congressman J. Edward Roush (D) in the 4th C.D. where Republican Allan E. Bloom received over 48 percent. Nixon's coattails did help defeat Congressman Andrew Jacobs, Jr. in the 11th C.D., however, but most of the credit for Jacobs's defeat probably belongs to National Committeeman Keith Bulen whose organization put the Rev. William H. Hudnut III into office. The 11th had been gerrymandered to aid the Republican effort, but Hudnut only barely squeaked in with 51 percent. Republicans also made gains in the state legislature, strengthening their majorities in both houses.

IOWA: If there are lessons to be learned from the 1972 elections, they must be in Iowa which re-elected a moderate Republican governor, gave President Nixon a surprisingly small 58 percent of the vote, terminated the career of a two-term conservative Republican Senator in favor of a relatively unknown former congressional aide and turned two incumbent Republican Congressmen out of office. Iowa now has two liberal Democratic Senators, Harold Hughes and Dick Clark, who defeated Sen. Jack Miller with 55 percent of the vote. Gov. Robert Ray meanwhile received 58 percent of the vote. His election, along with that of his running mate for lieutenant governor, Arthur Neu, boosts the hopes of moderate Republicans. They were stung, however, by the defeat of Congressman Fred Schwengel, a liberal Republican who was defeated by the man he edged out two years ago, Edward Mezvinsky. Congressman Neal Smith (D) overwhelmed Congressman John H. Kyl, with 60 percent in the new 4th C.D. into which both were thrown by redistricting.

KANSAS: Kansans demonstrated a remarkable ability to split tickets on election day, electing Republican Sen. James B. Pearson (72 percent), Democratic Gov. Robert Docking (63 percent), and giving President Nixon a 68 percent victory margin. While four incumbent Republican Congressmen won overwhelming victories with over 70 percent of the vote, Congressman William R. Roy, a Democrat selected by Republican National Chairman Robert Dole as his key target, breezed back to Washington with 61 percent. In other statewide offices, Republican State Sen. Dave Owen, 34, defeated a 68-year-old Democrat for the lieutenant governor's post while former National Young Republican Chairman Tom Van Sickle won the state treasurer's post after defeating the Republican incumbent in a primary. The Democratic attorney general won re-election, however, on a law and order campaign.

KENTUCKY: The McGovern label did not stick on Democrat Walter "Dee" Huddleston, who won 51 percent of the vote to defeat former Gov. Louie B. Nunn for the U.S. Senate. Nunn had hoped to ride into Washington by tenaciously clutching President Nixon's Kentucky-fried coattails (which were 63 percent long). He had no luck. Neither did Republican Phil Kaelin, Jr. who was attempting to unseat politically astute Congressman Romano L.

Mazzoli in the 3rd C.D. or Republican **Laban P. Jackson** laboring against the famous name of Democrat **John B. Breckinridge** in the 6th C.D. Both Republicans lost. Even Republican Congressman **Tim Lee Carter's** margin in the 5th C.D. dropped from 80 percent in 1970 to 73 percent this year.

LOUISIANA: Most observers had expected a closer contest among the three aspirants for the seat vacated by the late Sen. **Allen J. Ellender**. State Sen. **J. Bennett Johnston, Jr.** had little difficulty, however, in resisting the 66 percent Nixon tide and defeating Republican **Benjamin C. Toledano** and independent former Gov. **John J. McKeithen**. Toledano had a built-in handicap because only 2.8 percent of the state's voters register with his party. The election results meanwhile strengthened Republican National Committeeman **David Treen**, who won election to Congress in the 3rd C.D. with 52 percent. Only one other congressional district had a Republican campaign.

MAINE: Maine voters did not have the "big box" this year to encourage straight party voting. Having dispensed with that, Maine voters also dispensed with a venerable Maine institution, Sen. **Margaret Chase Smith**. Having eyed Mrs. Smith's seat for six years, the realization of Congressman **William D. Hathaway's** aspiration was perhaps not as surprising as it seemed. Mrs. Smith campaigned frugally as usual. Hathaway had been steadily on the campaign trail all year. The loss of the prestigious Republican was slightly counterbalanced by the election of Bangor Mayor **William Cohen** to Hathaway's seat. Cohen also campaigned vigorously all year and won over an opponent who had greater name recognition at the campaign's outset. Republicans improved their control of the state legislature.

MARYLAND: Only 48.5 percent of Maryland's eligible voters voted for President, but 61 percent of them voted for President Nixon, who carried every county in the state, including liberal Montgomery County. The biggest surprise in the state was the margin of victory of Anne Arundel County Clerk **Marjorie S. Holt** (R), who won election to Congress from the new 4th C.D. with 59 percent of the vote.

MASSACHUSETTS: The lead editorial in the *Boston Globe* three days after the election featured the spate of Massachusetts jokes which emerged as the result of Tuesday tallies. Explanations of the President's aberrant loss in the Bay State ranged from the influence of Sen. **Edward M. Kennedy** to the liberal, anti-Nixon outlook of most Massachusetts voters and the strong influence of the liberal student vote. Moreover, the state has always had a strong base of anti-war feeling and it was the only state where Sen. McGovern received 50 percent of the primary vote. Meanwhile, another presidential candidate may be spawning in Massachusetts. In acknowledging his 65 percent victory, Sen. **Edward W. Brooke** refused "to rule myself out" of the 1976 presidential race. Brooke's ability to attract ticket-splitters, however, was not sufficiently transferred to State Rep. **Martin Linsky**, who was defeated by Congressman **Robert Drinan**, 50 to 45 percent in the three-man 4th C.D. race. Faced with a strong Nixon tide in the district it was a creditable performance by Linsky. Elsewhere, Republicans retained one seat which had been expected to turn Democratic; former congressional aide **Paul Cronin** defeated Vietnam Veterans' leader **John Kerry** in the 5th C.D. The GOP lost a squeaker in the 12th C.D. where former legislator **William Weeks** (R) asked for a recount after his 1,200 vote loss to Democrat **Gerry Studds**. The Republican Party's most important loss came in the legislature where diminutive Republican delegations in both houses were further depleted; in the 40-seat State Senate, the GOP won only two of the seats challenged by the Democrats. One famous name in the politics of busing was defeated. Congresswoman **Louise Day Hicks** (D) was replaced by Democrat **John J. Moakley**, a Boston councilman who ran as an independent.

MICHIGAN: Late in the afternoon of election day, Michigan Democrats took steps to extend the hours of polling from 8 p.m. to 10 p.m. When a Republican federal judge turned down their suit, they took their case to a Democratic state appeals court judge who ordered Detroit polls only to remain open. Republicans found a

quorum of the Michigan Supreme Court who after 9 p.m. ruled that the Detroit polls must close at 8 p.m. But the Detroit City Clerk ruled they would stay open in defiance of the Supreme Court and stay open they did. Michigan voters had 76 items on which to vote that rainy election day and many stood in line for up to three or four hours. The low turnout aided Republican Sen. **Robert P. Griffin** who won re-election with 52 percent of the vote. The Democrats failed in their efforts to bring out the Democratic voters in Detroit. President Nixon, meanwhile, picked up sufficient Wallace voters throughout the state to win a 55 percent victory. While the partisan makeup of the state's congressional delegation remains unchanged, conservative, anti-busing champion **Robert J. Huber** will be a new addition to the Republican side. The closest contests came in the 6th C.D. where Congressman **Charles E. Chamberlain** (R) won re-election with slightly more than 50 percent of the vote and in the 12th C.D. where Congressman **James G. O'Hara** (D) edged out **David M. Serotkin** with less than 51 percent of the vote. Republicans lost two seats in the lower house of the legislature for a 60-50 split, but they had expected to do much worse as a result of redistricting. Four seats were lost by less than 200 votes. The GOP remains in control of the State Senate whose members were not up for re-election. Commenting on the results, one Republican official called them "unbelievably good."

MINNESOTA: President Nixon won less than 52 percent of the vote in Minnesota and the effects were felt not only in the nonpartisan state legislature where the Conservatives (Republicans) were soundly defeated by the Liberals (Democrats), but in several congressional races as well. Congressman **John M. Zwach** (R) narrowly retained his 6th C.D. seat. Republican **Jon O. Haaven** received only 41 percent of the vote in his effort to unseat Congressman **Bob Bergland** in the agricultural 7th C.D. Congressman **Bill Frenzel** (R), however, won an impressive victory in the 3rd C.D. with 62 percent of the vote. Meanwhile, in the spawning ground of Democratic presidential candidates, Minnesota's U.S. Senate seats, Sen. **Walter F. Mondale** won a convincing 56.7 percent, adding further lust(er), perhaps, to his presidential ambitions.

MISSISSIPPI: The Mississippi Republican Party made a strong showing in the state this year. Not only did President Nixon win his largest margin of victory in the country (78 percent) in Mississippi, but two Republican Congressmen were also elected. Although the GOP had hoped to pick up three seats, moderate Republican **Carl Butler** was drowned in the tide of Sen. **James O. Eastland** in the 2nd C.D. Republican **Gil Carmichael** rolled up a creditable showing of about 40 percent of the statewide-vote, but both he and Butler were victims of Eastland's strength in the Delta area of the state. Aided by the support of former Gov. **John Bell Williams**, Republican **Thad Cochran** won a narrow plurality in the 4th C.D. Republican **Trent Lott** had the support of retiring Congressman **William Colmer**, for whom he had been a legislative aide, and received 55 percent in the 5th C.D. The Mississippi GOP was also buoyed by the election of close to three dozen Republican election commissioners.

MISSOURI: Christopher "Kit" Bond (R) is not as famous as Sen. **Thomas Eagleton** or as old as his Democratic gubernatorial opponent, **Edward L. Dowd**. But unlike Dowd who dismissed the 33-year-old Bond by referring to him as "Kid," Bond is the governor-elect. The Republican state auditor received 55 percent of the vote, providing Missouri with its first Republican governor in 30 years. Bond's running mates, Attorney General **Jack Danforth** and Lieutenant Governor-elect **William Phelps**, also won election behind President Nixon's 62 percent victory. Other Republican statewide hopefuls and all but one congressional aspirant were not so lucky. Former GOP National Committeeman **Gene Taylor** won easily in the 7th C.D. where Congressman **Durward L. Hall** was retiring, but the Republican candidate in the 6th C.D., **Russell Sloan**, was unsuccessful. A former Northeast Missouri State College football coach, Sloan ran on the slogan, "It's Fourth Down and Goal to Go America." The Democrats in the 6th C.D. held the line with an extensive media campaign. Republicans gained slightly in the legislature but are still a minority there. When Sen. Eagle-

ton comes up for re-election in two years, he is unlikely to face strong opposition. Big GOP names will likely wait instead for Sen. **Stuart Symington's** seat in 1976.

MONTANA: One is increasingly hard-pressed to find a Republican governor in that former bastion of the GOP — the plains and mountain states. Lt. Gov. **Thomas L. Judge** (D) is a former Helena advertising agency owner who has been trying to get elected governor for a decade. Despite the President's 58 percent of the vote, Judge won a 54 percent victory over Republican **Ed Smith**. Sen. **Lee Metcalf** eked out a smaller victory, defeating Republican **Henry S. Hibbard** with only 52 percent. The electorate also returned both incumbent Congressmen, one from each party. Congressman **John Melcher's** (D) smashing victory in the 2nd C.D. improves his credentials as a likely successor to Sen. **Mike Mansfield**.

NEBRASKA: Democrat **Terry Carpenter** has been in Nebraska politics for 50 years. He has been in both parties. At the age of 72, he almost made it into the U.S. Senate. While President Nixon received 70 percent of the vote and all three Republican Nebraska Congressmen received over 60 percent, Sen. **Carl Curtis** (R) won only 52 percent of the vote against Carpenter. Many Nebraskans apparently felt they owed the maverick Democrat a higher office after all his years in state politics. (He was last in Washington as a Congressman from 1933-35.) And although Curtis is younger than Carpenter, he was less than gracious in his approach to his youthful constituents. One test of gubernatorial talent came indirectly when Lieutenant Governor **Frank Marsh's** wife ran for the nonpartisan unicameral legislature and defeated a veteran legislator. Marsh is considered a strong Republican possibility against incumbent Gov. **J. J. Exon** (D) in 1974.

NEVADA: It had been thought that Republicans missed their opportunity in Nevada to send one of their own to Congress — after the defeat of Congressman **Walter Baring** in the Democratic primary gave them an opening. However, northern Nevada realtor **David Towell**, 35, was able to tack a narrow 52 percent win on President Nixon's 64 percent landslide in the state. Control of the legislature's lower house, however, passed to the Democrats, 25-15, while the Republicans continued their minority status in the upper chamber.

NEW HAMPSHIRE: New Hampshire was less kind to Sen. **George McGovern** in November than in March. He received only 35 percent of the vote in the Granite State while Democratic Sen. **Thomas J. McIntyre** was turning back Republican **Wesley Powell** with nearly 57 percent. Maverick Republican **Meldrim Thomson, Jr.** did manage a 42 percent plurality in the gubernatorial battle, providing **Manchester Union Leader** publisher **William Loeb** with at least one editorial triumph. Thomson beat conservative Democrat **Roger J. Crowley** with 39 percent and independent Republican **Malcolm McLane** with 20 percent. It was a respectable showing for McLane, who entered the race after a moderate failed to win the primary of either party. The Concord mayor has already announced he is considering running in the 1974 gubernatorial primary. In another early pronouncement, Congressman **Louis C. Wyman**, who won 74 percent of the vote in his re-election bid, has said he will seek to succeed Sen. **Norris Cotton** whose seat is up in 1974. Publisher Loeb has accused Wyman of sabotaging Powell's campaign. Wyman and former Gov. Powell are not on good terms. Republicans increased their hold on the legislature and elected **John F. Bridges**, son of the late Sen. **Styles Bridges** to the Executive Council. Bridges may also be upwardly mobile on the political ladder.

NEW JERSEY: A smooth running Nixon operation and a skeletal campaign by Senator **Clifford P. Case** (R) propelled both men to 63 percent victories in the Garden State. Neither the McGovern campaign nor the senatorial efforts of Democrat **Paul J. Krebs** ever really got off the ground. But while the Republicans were running well statewide, in the Republican stronghold of Bergen County there were some strong personal victories by popular Democrats. Both Nixon and Case posted strong victories in the county, but two former Republicans, **Joseph Job** and **Gill Job** were elected to their positions as sheriff and

county surrogate, respectively. (The Jobs are now talking about returning to the GOP.) The victories of the conservative Democratic duo were matched by an overwhelming showing by Congressman **Henry Helstoski** (D) who had been opposed by a moderate Republican state senator who was given a strong chance to defeat Helstoski. A shakeup in the Bergen GOP leadership may be in the offing since the Job brothers were drummed out of the GOP by the Bergen GOP Chairman, **Anthony Statile**, who is a protege of former State Chairman **Nelson Gross**. Gross was piqued at Joseph Job's independent candidacy against him for Senator **Harrison Williams's** seat in 1970. County Chairman Statile's job may be on the line. Congressman **James J. Howard** also survived the Republican tide to defeat **William Dowd**, a youthful conservative and former White House Aide, for the second time. Elsewhere in the state, Republicans picked up a seat in the newly apportioned 13th C.D. with State Sen. **Joseph Maraziti** and retained retiring Congresswoman **Florence Dwyer's** seat with a strong showing by State Sen. **Matthew J. Binaldo**. However, instead of reversing the 9-6 Democratic lead in the congressional delegation, the Republicans still trail 8-7.

Progressive Middlesex County GOP Chairman **Harry Richardson** earned a large share of the credit in the victory of his county freeholder slate and the unexpectedly close contest between Congressman **Edward J. Patten** (D) and Republican **Fuller H. Brooks**, who received almost 48 percent of the vote. In contrast, liberal Mercer County Chairman **Harry Sayen** is under fire because of the loss of the Mercer County freeholder ticket.

Congressman **Robert A. Roe** in the 8th C.D. as well as Howard and Helstoski are now prime gubernatorial candidates. The Republican congressional delegation has its gubernatorial aspirant too: Congressman **Charles W. Sandman**, who rolled up a smashing victory in the 2nd C.D. The failure of the transportation bond issue was a defeat for moderate Republican Governor **William Cahill**. Coupled with the defeat of his income tax proposal in the legislature, the bitter fight over the renomination of the state's controversial education commissioner, and the recent conviction of his closest associate, Secretary of State **Paul J. Sherwin**, on bribery charges, the bond defeat was a severe setback for the Governor.

NEW MEXICO: The election of **Pete V. Domenici** to the U.S. Senate is credited to Pete Domenici, not Richard Nixon. Domenici, who gained weight and started wearing baggy clothes after his gubernatorial defeat two years ago, benefitted from a strong organization effort, particularly among Indians and Spanish-speaking residents. Domenici supporters were successful in pinning a "Texas" label on Democrat **Jack Daniels**. Republican Congressman **Manuel Lujan, Jr.** and Democratic Congressman **Harold Runnels** easily won re-election.

NEW YORK: President Nixon swept three Republican nominees for New York Court of Appeals into office but Republican candidates further down the ballot in New York were less fortunate. Republicans picked up one congressional district as the result of redistricting and defeated one incumbent but failed in efforts to unseat former Republican Congressman **Ogden Reid**. **Angelo D. Roncallo** (R) won election in the new 3rd C.D. on Long Island and **Benjamin A. Gilman**, a liberal Republican legislator, defeated Congressman **John G. Dow** (D) in the 26th C.D. Republican Congressman **Peter A. Peyser** defeated former Congressman **Richard L. Ottinger** (D) with 53 percent of the vote. Ottinger was the liberal Democratic candidate for the U.S. Senate in 1970, but in his bid to return to Congress, Ottinger sounded more like conservative Democratic Congressman **Mario Biaggi** from the neighboring 10th C.D. In another neighboring district, Congressman Reid defeated Republican **Carl A. Vergari** by taking 52 percent of the vote. Reid had been a top target of Republican leaders. Republicans increased their dominance of both houses of the state legislature as the result of their own redistricting plan.

NORTH CAROLINA: It was a very good year for North Carolina Republicans of both moderate and conservative persuasions. TV broadcaster **Jesse Helms** (R) won 54 percent of the vote in earning the right to succeed to the seat of Sen. **B. Everett Jordan** (D), who was

defeated in the Democratic primary. While the conservative Helms, who opposed revenue sharing and the SALT agreements, was winning, a Republican moderate narrowly won the governorship. State Rep. **James E. Hols-houser**, 37, defeated a high-spending Democrat, **Hargrove "Skipper" Bowles, Jr.** Although the rest of the statewide GOP ticket was defeated, including moderate attorney general candidate **Nicholas Smith**, the Holshouser win bids well for moderate influence in the Tarheel GOP. Republicans also picked up 20 seats in the Democratic legislature. Seats of the three retiring Congressmen remained in the same parties so the delegation is still 7-4 Democratic. Davidson College chemistry professor **James G. Martin** (R) won handily in the 9th C.D. where the retirement of Congressman **Charles R. Jonas** was predicted to result in a close race.

NORTH DAKOTA: North Dakota elected a new Democratic Governor, Congressman **Arthur A. Link**, while giving solid margins to President Nixon (62 percent) and Congressman **Mark Andrews** (73 percent). **Richard F. Larsen** (R) was narrowly defeated for the gubernatorial position by Link (51 percent), who decided not to seek re-election to Congress when one of the state's districts was eliminated. The legislature remains in Republican hands.

OHIO: The big issue in Ohio was the proposed repeal of the state income tax. The repeal was strongly opposed by education and retail labor organizations in the state which brought out a strong Democratic vote. And while 60 percent of Ohio's voters favored President Nixon, the electorate replaced a Republican majority in the lower house of the legislature with a Democratic majority of 58-41. The results confirmed fears of Republicans who felt that the presence of the conservative-backed repeal referendum would bring a Democratic turnout, just as a right-to-work referendum in 1958 resulted in Republican disaster. The referendum was soundly defeated by a 5-2 margin. In the congressional races, there were no surprises. State Sen. **Ralph Regula** (R) won the seat of Congressman **Frank T. Bow** (R) who died shortly after the election, and State Sen. **Tennyson Guyer** (R) won election in the 4th C.D. Congressman **William Mins-hall** (R) turned back a determined challenge by a narrower-than-expected margin in the suburban Cleveland 23rd C.D.

OKLAHOMA: The Oklahoma Republican Party gained a Senate seat and lost a House seat. So while the GOP controls both Senate seats, all House seats are now held by Democrats. Congressman **Ed Edmondson**, a liberal Democrat who moved rightward with his constituents, lost the Senate race to former Gov. **Dewey Bartlett**, who in 1970 lost a gubernatorial battle that many Republicans felt he should have won. The GOP lost the seat of retiring Congressman **Page Belcher** (R), however, in the 1st C.D.

OREGON: **John Schmitz** got 5 percent of the vote in Oregon and President Nixon received over 52 percent, but the GOP's big loss came in the Oregon legislature where the lower house moved from Republican control to solid 58-41 Democratic leadership. In the Senate, Republicans retained a 17-16 lead. Republican Sen. **Mark O. Hatfield** defeated former Sen. **Wayne Morse** in a contest where Morse's age and the "seniority" issue were major factors. In other state races, liberal Secretary of State **Clay Myers** (R) won a relaxed (61 percent) victory and moderate conservative Attorney General **Lee Johnson** (R) won a closer election, boosting both for possible gubernatorial ambitions in 1974.

PENNSYLVANIA: President Nixon's 59 percent victory margin helped boost the gubernatorial ambitions of at least two Republicans and one Democrat. Philadelphia Mayor **Frank L. Rizzo** redeemed his pledge to hold George McGovern's plurality in Philadelphia to under 100,000. Although a Democrat, Rizzo backed Nixon and kept the margin to 89,000. Although Pennsylvania Gov. **Milton J. Shapp** is eligible for re-election in 1974, Rizzo has pledged to oppose his nomination. He may run as a Republican but he will probably have opposition from Congressman **H. John Heinz III** (R) and Philadelphia District Attorney **Arlen Specter**, who managed Nixon's campaign in the state. Heinz won 3-1 in a district that is 2-1 Dem-

ocratic. In the only statewide races, Auditor General **Robert Casey** (D) and State Treasurer **Grace Sloan** (D) capitalized on their better name recognition to turn back energetic challenges by two Republicans. Although the lower house of the legislature is designed to be controlled by Democrats, Republicans took control in the election. And while the upper house is designed to be Republican, Democrats held their slim lead there.

RHODE ISLAND: Little Rhody was a big rout for the GOP. Highly favored former Attorney General **Herbert DeSimone** (R) lost the gubernatorial battle as did former Gov. **John Chafee** (R) in the senatorial race. De-Simone's opponent, Warwick Mayor **Phillip W. Noel**, won about 53 percent of the vote, slightly less than the percentages amassed by Sen. **Claborne Pell** and President Nixon in the state. Republicans lost all but Attorney General **Richard Israel's** post and may be a long time picking up the pieces of their defeat.

SOUTH CAROLINA: The protege outran the old master strategist in South Carolina. President Nixon got 71 percent while Sen. **Strom Thurmond** (R) got only 64 percent. Post-election scuttlebutt suggested that this might be the last term for the 70-year-old former Democrat, who was probably the chief original protagonist for the southern strategy. In the 6th C.D. where Congressman **John L. McMillan** once held sway, a 52-year-old businessman-farmer, **Ed Young**, will become the state's second Republican Congressman. Young was aided by the name recognition afforded by his television farm show. Young followed the pattern of two other Republicans in Colorado and Nevada. All three Republicans watched as moderate-liberal Democrats defeated three aging and conservative chairmen of key House committees. Then the three Democratic challengers themselves fell victim to the Republicans, who were aided by disgruntled supporters of the incumbent Democrats. Republicans made strong legislative showings in South Carolina's urban areas and nearly doubled their minority strength in the lower house.

SOUTH DAKOTA: **George McGovern** was unable to make a last stand, even in his native South Dakota. Fellow Democrats running for Senator and Governor were more successful than McGovern. Congressman **James Abourezk** (D) easily won the seat from which Sen. **Karl Mundt** (R) is retiring and Gov. **Richard F. Kneip** (D) won an easy re-election. Both had conservative Republican opponents. Republicans did pick up Abourezk's old House seat, however, with **James Abdnor** winning 55 percent of the vote in the 2nd C.D. Congressman **Frank E. Denholm** (D) piled up a large majority in his re-election effort, completing the checkered partisan results.

TENNESSEE: Election Day was good to Tennessee Republicans. Not only did President Nixon carry the state with 68 percent and Sen. **Howard Baker, Jr.** win an easy 62 percent re-election bid, but the Republicans picked up one congressional seat and held their own in two other threatened districts. Former State Personnel Commissioner **Robin Beard, Jr.** unseated Congressman **William Anderson** in the 6th C.D. with 55 percent of the vote and threatened Republican Congressmen **LaMar Baker** and **Dan Kuykendall** won easily in seats which Democrats had redistricted to hurt their re-election chances. Democrat **Bob Clement**, son of the late Gov. **Frank Clement**, won a post on the Public Service Commission and may be pushed for the governorship in two years. Republicans, however, made gains in the legislature where the Democratic lead is now only 50-47 in the lower house and 18-14 in the Senate despite Democratic efforts to boost their chances by redistricting. Organization of the legislature is expected to provoke extensive intra-party maneuvering as Republicans seek enough defections to give them control of the House and black Democrats seek enough concessions from either party to make their organization voters worthwhile. But although the Republicans made gains in the state, there is little evidence of an Aquarian age of party harmony. Sen **Bill Brock** failed to show up at Baker's victory party and there are strong differences between Sen. Brock and Gov. **Winfield Dunn**. Brock is reportedly backing Dr. **Nat Winston** of Nashville for the governorship in 1974 while Dunn is supposedly backing Congressman Kuykendall. The

possibility that Dunn might contest Brock's renomination to the Senate in 1976 has strained relations between supporters of the two men. Senators Baker and Brock may also be possible contestants for another office: the Presidency.

TEXAS: Texans split their ballots in sufficient numbers to provide victory margins for Richard Nixon, Republican Sen. **John G. Tower** and Democratic gubernatorial candidate **Dolph Briscoe**. But the victory margins for Tower (53 percent) and Briscoe (48 percent) were still relatively narrow. Original forecasts were for an easy race for Briscoe after his primary victory in the spring. What was supposed to be a downhill race for Briscoe, however, almost went too far downhill. The contest was complicated by the inclusion of **Ramsey Muniz** of the La Raza Unida Party, who picked up 6 percent. Although Muniz failed to attract wide support in southern Texas, he won enough votes to demonstrate that no political party can ignore the independence of Chicano voters. After a major campaign effort, President Nixon won a majority of the Chicano vote in Texas, compared to about 10 percent in 1968. In contrast to **Henry Grover**, whose campaign received little organizational support, Tower's campaign seemed synonymous with the Committee to Re-elect the President on whose coattails he rode back to Washington. CRP did not endear itself to many Texas Republicans, however, because of its general independence from other GOP efforts. In the 5th C.D., **Alan Steelman**, the former executive director of the President's Advisory Council on Minority Business Enterprise, sent Congressman **Earle Cabell** into retirement. Steelman's energetic door-to-door campaign in Dallas (in contrast to a lackluster Cabell effort) may have helped pull in several new Republican legislators from the area. In the 13th C.D., Congressman **Graham Purcell** (D) and Congressman **Robert Price** were thrown into the same district and Price came out the winner with nearly 55 percent of the vote. In the 21st C.D., Congressman **O.C. Fisher** won a 16th term despite a determined challenge from **Doug Harlan**, a young Republican political science professor. Republicans made some small gains in the legislature, but the biggest change in that body is its increasingly diverse nature — in contrast to its formerly "clubbish" atmosphere.

UTAH: It was a bad year for Utah Republicans. While almost 68 percent of the voters were supporting President Nixon, an incredible 69 percent were supporting Democratic Gov. **Calvin L. Rampton**. Ticket-splitting also carried over to the congressional races where Congressman **K. Gunn McKay** (D), in the 1st C.D., turned back a Republican challenge and Democrat **Wayne Owens**, in the 2nd C.D., upset Congressman **Sherman P. Lloyd**. The only bright spot was that the legislature remained in Republican hands.

VERMONT: While President Nixon got 63 percent of the vote and Congressman **Richard Mallary** got 65 percent, state Republicans were stunned by the gubernatorial victory of Democrat **Thomas Salmon** over **Luther Hackett**, the hand-picked candidate of outgoing Gov. **Deane C. Davis**. Hackett was the victim of a strong campaign by the more liberal Salmon and the loser of several debate formats with the Democratic candidate. Salmon's underdog image and good press relations also aided his effort. Hackett, meanwhile, had alienated the progressive wing of the party led by Attorney General **James Jeffords**, who was defeated by Hackett for the GOP nomination. Jeffords offered to become party chairman as an act of party unity. Hackett vetoed the idea. Now, Republican moderates are organizing to prevent the appointment of a conservative to succeed **Russell F. Merriman**, who is resigning to become co-chairman of the New England Regional Commission. The rest of the state offices remained Republican as did the state legislature.

VIRGINIA: George McGovern is a Democrat. So is Sen. **William B. Spong, Jr.** In Virginia, that may have been enough to defeat the moderate Spong. It certainly was the biggest handicap for the incumbent, who managed to avoid commenting on his presidential preference until three pro-McGovern students extracted an admission that he would vote for the South Dakotan late in the campaign. Both parties have been in the throes of an ideological realignment in the state and the Senate

winner, Congressman **William L. Scott**, was representative of the conservative element which took control of the GOP earlier this year. Spong was penalized by a similar liberal takeover among the Democrats. Such prominent Democrats as former Gov. **Mills E. Godwin** refused to endorse Spong although Godwin later admitted he voted for him. Godwin is considered a prime candidate for governor on a conservative-Republican fusion ticket next year. In the election aftermath, Gov. **Linwood Holton** (R), who is ineligible for re-election, urged Godwin to change parties if he aspires to the governorship. (Godwin was active in the Nixon campaign in the state.) Holton also rejected the suggestion of Democratic State Chairman **Joseph T. Fitzpatrick** that the moderate Holton become a Democrat. The 4th C.D. seat being vacated by Congressman **Watkins M. Abbitt** was won by Republican **Robert W. Daniel, Jr.**, a 36-year-old businessman-farmer. Daniel received slightly less than 50 percent of the vote in a four-man race. In the 6th C.D. where Congressman **Richard H. Poff** retired earlier this year, former state legislator **M. Caldwell Butler** (R) won election with 54 percent. And in the 8th C.D. which Congressman Scott vacated, State Rep. **Stanford E. Parris**, 43, was the victor in another four-man race.

WASHINGTON: Four Republican governors were in tax trouble this year. Three were defeated in the primary or general election. The fourth, Gov. **Daniel J. Evans**, won 53 percent of the vote against a former governor, **Albert D. Rosellini**, who used to have his own tax problems. Republicans lost control of the lower house by a narrow 51-48 margin and were further weakened in the Senate. Congressman **Mike McCormack** (D) gathered sufficient strength, almost 53 percent, to turn back Republican **Stewart Bledsoe** in the 4th C.D. In the 1st C.D., the race between Republican **Joel Pritchard** and Democrat **John Hempelmann** had not been decided at press time. Hempelmann led by about 1,000 votes but the absentee votes had yet to be counted. And in the 7th C.D., maverick Republican **J.J. "Tiny" Freeman**, who embarrassed Republicans by operating his campaign from a bar, won only 12 percent of the vote.

WEST VIRGINIA: An aide to Secretary of State **John D. "Jay" Rockefeller IV** says the decision of his defeated boss to run for governor again in 1976 is similar to remounting a horse after being thrown once. "You have to get back on to show you can do it." Gov. **Arch A. Moore's** victory was partly attributed by Rockefeller to his own stick-to-itiveness. The voters doubted whether he meant to stay in the state. Moore aired television commercials showing New Yorkers being asked, "How would you like to have a Governor of New York from West Virginia." Massive ticket-splitting allowed 63 percent of the voters to favor Nixon, 55 percent to favor Moore and yet 66 percent to favor Sen. **Jennings Randolph** (D) over his Republican opponent. The entire four-man Democratic congressional delegation returns intact.

WISCONSIN: The on-again, off-again campaign of Congressman **Alvin E. O'Konski** (R) ended on an off note on election day. O'Konski was odd-man out after Wisconsin lost a seat in redistricting. Congressman **David R. Obey** (D) will represent the 7th C.D. In the 8th C.D., where Congressman **John J. Byrnes** (R) is retiring, Republican **Harold V. Froehlich** won a tight election with less than a 4,000 vote plurality. Froehlich, a conservative who moderated his image in the campaign, was hurt because he lived outside of Brown County, the district's most populous region. While Froehlich lost Brown County, another out-of-county resident, political novice **Thomas E. Petri** (R), won a state senate seat by carrying his portion of the county. The Republicans lost two seats in the state senate, where they still have a narrow majority, however, and gained slightly in the lower house. The Democrats were generally better organized and better financed, clouding the GOP's chances of winning back the governorship in two years.

WYOMING: President Nixon won 69 percent. Sen. **Clifford P. Hansen** won 71 percent. But **Bill Kidd** got shot down by Congressman-at-large **Teno Roncalio** with his usual narrow margin (52 percent this year). The results are significant because Wyoming voters not only split parties, they split ideologies — electing the very conservative Hansen and the very liberal Roncalio.

At Issue:

Financing Local Education

A three-judge federal court has handed down a ruling invalidating Texas's school financing methods because of the wide disparity in per pupil expenditures, ranging from \$60 to \$585 per pupil in Texas districts. The Supreme Court will hear the case of San Antonio Independent School District v. Rodriguez during this term and its decision is expected to have possible wide repercussions for the current reliance on local property taxes to finance education. In his Ripon Prize-winning essay, David A. Hoines analyzes the effects of a similar California decision, Serrano v. Priest. The solutions Hoines suggest may help balance demands for more equality in taxing and school expenditures, while allowing local districts continued flexibility in how much and how they spend school funds. Hoines wrote his article as a law student at the University of Santa Clara in California and is now a graduate student at Boston University in Massachusetts.

by David A. Hoines

Education more than any single force will mold the citizen of the future. That citizen in turn will really determine the greatness of our society . . . It is time to reflect on our mounting needs and on our present deficiencies. More than 1 million students . . . drop out of schools, their talents wasted, their intelligence lost to the Nation, their futures shadowed by their failure, and our failure.¹

Despite modern educational techniques, achievement levels are actually on the decline in the California school system. Recently-released reading scores of pupils tested in Los Angeles County in 1971 indicate that the students' reading level is far below the national average. The sharpest decline in the 1971 test results, compared with 1970 reading scores, was among first grade pupils and particularly the highest achieving students. In addition, scores for Chicano and black students remained far behind those of Anglo students in the suburban sections of the district.²

Quite expectedly, the problem of illiteracy is linked in a derivative way to the inability of school districts to raise sufficient revenue. The constitutionality of California's

school funding system was recently addressed by the California Supreme Court in *Serrano v. Priest*,³ a case that may be to school financing what *Brown v. Bd. of Educ.*⁴ was to school integration. The Court, by a 6-1 majority, held that the California public school financing system, with its substantial dependence on local property taxes, arbitrarily "discriminates against the poor because it makes the quality of a child's education a function of the wealth of his parents and neighbors."⁵ Therefore, stated the Court, this funding scheme violates the equal protection clause of the fourteenth amendment.⁶

The issues confronted in *Serrano v. Priest* are by no means unique to California. Except for Hawaii, all state systems of education depend in some degree for fiscal support upon taxes approved, levied, and collected within the respective school districts. Most often, the basic component of these revenue schemes is the local property tax.

The problem is not merely one of constitutional theory. Alternatives to the present system must be politically acceptable to state legislatures and their constituencies. They must be fiscally and economically manageable for our financially beleaguered units of local government. And, most important of all, they must not dilute the already unsatisfactory quality of public education.

This article examines in some detail California's existing methods for funding instruction. These proposals, described in the context of California's public programs, are of general conceptual applicability in many other jurisdictions.⁷

Financial support for public schools is a function of the combined efforts of federal, state, and local governments. Local governments supply the largest portion, approximately 56%, of the total revenue. The state contributes 35% and the remainder is supplied by the federal government and other miscellaneous sources.⁸ Each school district is guaranteed an annual minimum of \$355 for each elementary school pupil and \$488 for each high school student.⁹

Local governments rely for their contribution on the property tax. The property tax is the product of a simple multiplication of two variable factors: (1) the assessed valuation of real property within a school district, and (2) the rate at which the local entity taxes that property.¹⁰ First, the local tax assessor annually fixes a value on each piece of real property within the district. Second, the county board of supervisors determines the rate at which the property is taxed. The taxable value of property and the rate at which that value is taxed are subject to fluctuation, since they are the result of independent determinations by separate authorities.

State aid to local schools is broken down into three forms: basic aid grants, equalization aid, and supplemental aid.¹¹

Every school district, regardless of the amount of revenue collected from local property taxes, is entitled to a "basic aid grant" of \$125 per pupil. If this sum, plus the funds generated by local taxes, amounts to more than the statutory minimum (\$355 per elementary pupil, \$488 per high school student), the district is not entitled to either equalization aid or supplemental benefits.¹²

Equalization aid is designed to enable those districts that cannot, even with the basic aid grant, meet the required financial expenditures per child. This aid is distributed in inverse proportion to the value of real property within a given district. The State Superintendent of Public Instruction uses a three-step process in computing the amount of equalization aid to which a district is entitled. First, he determines how much local property tax revenue would be generated if the district were to levy a hypothetical tax at a rate of \$1 per \$100 assessed valuation in elementary school districts and \$.80 per \$100 in high school districts. Second, to that figure he adds the basic grant of \$125 per pupil. Third, if the sum total is less than the required minimum (\$355 per elementary pupil, \$488 per high school student) the state contributes the difference.¹³ Thus, poorer districts unable to raise the requisite amount are assured of the basic minimum.

Supplemental aid is an additional state program provided for those districts that are particularly poor, but are willing to make an extra local effort. A high school district whose assessed valuation of real property does not exceed \$24,500 per pupil is eligible for a supplement of up to \$72 per child if its county board of supervisors sets the local tax rate above a given statutory level. An elemen-

tary school district with an assessed valuation of \$12,500 or less per pupil may obtain up to \$125 more for each child if its local tax is high enough.¹⁴

At first blush, this seems to be a fair and impartial system. Each district, regardless of wealth, is assured of at least the minimum funds required by statute. However, in terms of actual revenue distribution, the fairness of this heavily property tax-oriented system is more apparent than real. The following table illustrates the varying per student expenditures in 1968-69 in three Los Angeles County school districts which had widely disparate property values.¹⁵ These figures indicate that the wealth of a particular district based on local property values bears a direct relationship to the amount of money available for public education within that area.

TABLE I

School District	Assessed Valuation of Real Property Per Pupil	Actual Per-Student Expenditures
Baldwin Park	\$ 3,706	\$ 577.49
Pasadena	13,706	840.19
Beverly Hills	50,885	1,231.72

To demonstrate the point, consider the following hypothetical situation, based on the figures from Baldwin Park and Beverly Hills. Assume that each of these districts levies an identical tax rate of \$2 per \$100 assessed valuation of property. The resulting figure would be the amount of local contribution for public education. To this figure we then add the state contributions of basic aid grants, and if necessary, equalization aid. The results would be:

TABLE II

School District	Assessed Valuation, at \$2 per \$100	Basic Aid Grant of \$125	Equalization Aid	Total Per Pupil Expenditure
Baldwin Park	\$ 74.12	\$ 199.12	\$155.88	\$ 355.00
Beverly Hills	1,017.70	1,142.70	.00	1,142.70

These figures indicate that the basic aid grant is meaningless for Baldwin Park. Whether the state aid is in the form of basic aid or equalization aid, or a combination of the two, the result is the same—Baldwin Park will have only \$355 per pupil for financing its public schools. Furthermore, the term "equalization aid" is misleading. It merely assures school districts the statutory minimum amount for school funding.

The tax rates of the various districts are another factor contributing to the inequalities in California's funding program. The actual figures for 1968-1969 in Baldwin Park and Beverly Hills show the tax rate in Baldwin Park to be more than twice that of Beverly Hills: \$5.48 per \$100 assessed valuation for the former, while only \$2.38

per \$100 assessed valuation for the latter.¹⁶ Only this extra tax effort by Baldwin Park permitted as high a per student expenditure as it had in 1968-1969 (\$577.49).

This analysis leads to only one conclusion: the schools in Beverly Hills were receiving more than twice the revenue per pupil than those in Baldwin Park, while its residents were taxed at a rate of less than one-half that of those living in Baldwin Park. The result is that "affluent districts can have their cake and eat it too; they can provide a high quality of education for their children while paying lower taxes. Poor districts by contrast, have no cake at all."¹⁷

"... the wealth of a particular district based on local property values bears a direct relationship to the amount of money available for public education within that area."

The California Supreme Court did not propose an alternative to the current method of providing schools with financial support.¹⁸ The ruling simply forbids a system which makes the quality of a child's education dependent on the wealth of his neighbors. It does not require the imposition of a uniform statewide taxation and expenditure scheme. Nor does it proscribe the use of the real property tax.¹⁹ The legislature, therefore, is free to implement other policy preferences, the sole requirement limited to affording each district an equal capacity for revenue raising.²⁰

One approach to the problem would be to implement a uniform statewide tax system. Under this program, the tax rate per assessed valuation of real property would be identical throughout the State. The revenues would be siphoned off into a central fund and redistributed to the respective school districts. The amount is apportioned to the individual school districts on an equal per student basis. For example, the result could be a statewide tax base of \$4 per \$100 assessed valuation of real property, with a resulting revenue distribution of \$800 per student.²¹

Since this plan would antagonize important local interests, it is probably politically infeasible. The primary obstacle is the fear of stripping control of schools from the local area.²² Advocates of local control often argue that educational needs vary from district to district, and that the local community is best suited to determine and meet these needs. This contention has merit, particularly in light of the growing demands of urban minorities for greater control of their own communities. Alvin Toffler in *Future Shock*, has observed the anger generated "by the ineffectiveness of the schools, and by what they rightfully regard as blatant race prejudice, black parents backed by various community forces, have demanded that the entire school system be cut up into smaller 'community-run' school systems."²³

Powerful industrial and business interests must also be reckoned with. Mrs. Sarah Carey of the Lawyers Committee for Civil Rights Under Law, while testifying before the Senate Select Committee on Equal Opportunity in Education, noted the antagonism of such interests towards centralized systems: "Industry would prefer to deal

with local tax assessors than with statewide systems For example, U.S. Steel in Gary, Indiana, would probably fight tooth and nail to avoid changing a system under the local tax assessor, who happens to work part-time for them."²⁴

Another alternative, using property taxes, is more promising because it allows for continued community control and may not be as repugnant to large financial interests. Under this proposal, the legislature would be required to establish a sliding scale for the amount of funds available to each school district. The decisive factor would be the tax effort exerted by a district. There would be a statutory minimum and maximum allowance for each district for educational expenditures. Within these limits, each district would be free to determine the amount it wished to spend, which would in turn trigger a corresponding tax on local real property.²⁵

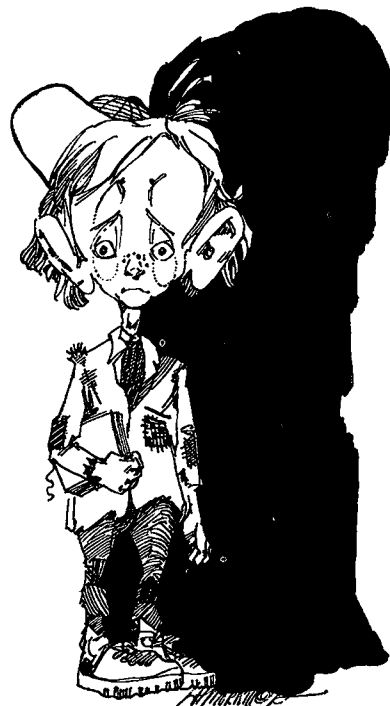
The statute establishing such a system might read as follows:

Section 1. In fixing the rate of real property tax which may be levied for all school purposes in any school district in any fiscal year on each one hundred dollars (\$100) of assessed valuation, except as provided in Section 5, the board of supervisors for each county shall:

(A) Adopt a final budget for each school district within that county for each fiscal year.

(B) Itemize each budget to set forth the necessary revenues and expenditures, by function and object, in each fund to operate the public schools of the district as authorized by law. The funds shall be apportioned to each school within each district on an equal per student basis.

Section 2. The tax rate for real property located within each school district shall correspond to the expenditure per student prescribed by the county board of supervisors, not to exceed the maximum expenditure per student nor



to be less than the minimum expenditure per student, in the following ratio, or proportion thereof:

TABLE III

Local Tax Rate Per \$100 Assessed Valuation	Permissible Per Student Expenditure
Minimum	Minimum
\$2.00	\$ 600
\$3.00	\$ 800
\$4.00	\$1000
\$5.00	\$1200
\$6.00	\$1400
Maximum	Maximum
\$7.00	\$1600

Section 3. If the total amount of the monies received from such taxes in any school district exceeds the total amount of that school district's budget, the excess shall be transferred to the Superintendent of Public Instruction.

(A) The Superintendent shall distribute these funds to those districts that are unable to produce the per student expenditure required by the tax rate for real property within that school district. Any remaining funds shall be kept in his custody for use in the following fiscal year for the purposes specified herein.

Section 4. If the derived funds from excess revenue described in Section 3 are insufficient for the purposes described in Section 3(A), the remainder shall be provided by the State Treasury.

Section 5. Nothing herein contained shall operate to restrict any school district in providing the necessary funds required for special programs for physically, emotionally and educationally handicapped students, vocational training, and special curricula in art, science and other fields designated by the Superintendent of Public Instruction.

Section 6. It is the intent of the legislature to provide in this title a special method of computing the limitation of the rate of real property tax which may be levied for all school purposes in any school district in any fiscal year.

This statute would represent the basic property tax and school expenditure scheme for the entire state.

Section 1 requires the county board of supervisors to decide how much the district wants to spend on its schools. The citizens of each district actually determine this figure either by a direct vote on the issue or indirectly through election of the board.

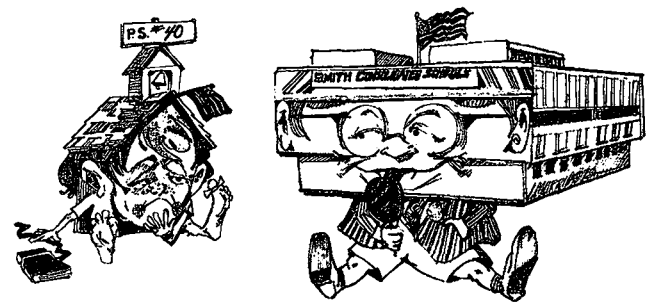
Section 1(B) instructs the board of supervisors to individually itemize expected revenues and expenditures in the budget. The budget is a matter of public record and available for inspection by any interested person. Funds are to be apportioned equally within the district on a per student basis. The amount a school receives is based on its number of students.

Section 2 fixes the tax rate per \$100 assessed valuation of real property within each district. After the community has determined the budget for the entire district, reduced to a per student ratio, the tax rate chart indicates precisely the rate to be set on property in that district. The statutory minimum and maximum for the tax rate and corresponding school expenditures cannot be circumvented by local governments. The figures indicated in the charts are subject to yearly recomputation.

Section 3 requires any school district in which property values are high enough to generate funds exceeding permissible expenditures to deposit the surplus with the Superintendent of Public Instruction. Utilizing the Superintendent for centralization and redistribution of school funds avoids the creation of another state bureau for purposes that may logically be delegated to an established office.

Section 3(A) directs the Superintendent to distribute excess revenue to districts with a high enough tax rate to justify a higher per pupil outlay than local property taxes produce.

Section 4 is simply the inverse of Section 3(A). If the revenue generated by wealthier districts does not account for the expenditure requirements of the poorer districts, the deficit will be paid from the State Treasury. Thus,



every district is assured that it will receive the funds justified by its tax rate.

Section 5 permits pilot programs for the improvement of public instruction. Formation of special curricula is at the discretion of the Superintendent. He is not restricted to those specifically mentioned.

Section 6 is a statement of legislative intent. It is designed to eliminate any uncertainties surrounding this law, particularly if a case or controversy arises which may require judicial construction.

Applying this system to the factual situation in *Serrano*, it becomes obvious that a rich district, such as Beverly Hills, would generate substantially higher revenues than it could permissibly spend. This excess would be redistributed to poorer districts with a sufficient tax level to require a high per pupil expenditure, but where local property values are inadequate to produce the requisite amount. Should the deficiencies of the poorer districts exceed the surplus created by the richer districts, the difference is paid from the General State Treasury.

The plan eliminates the inequalities found in *Serrano*: some districts with relatively high tax rates generating proportionately lower amounts for the financial support of schools. Rich districts would no longer "have their cake and eat it too," and poor districts, by contrast, would no longer have "no cake at all."²⁶

Opponents of this and similar proposals object that such a plan does not insure equality.²⁷ Since it does not require a uniform expenditure per student statewide, they contend, it does not comply with the equal protection standards announced in *Serrano*. In theory this plan would

permit as great an actual disparity of per student expenditures among the districts as presently exists. Some districts could simply choose to spend less, others more. A minimum expenditure requirement is no guarantee of equality.

Such objections do not recognize the purpose and inevitable effects of this proposal. It contains, to some extent, a built-in equalizing mechanism. If a richer district raises its tax rate and spends more, it will in the process enrich the central education fund. The revenue siphoned off from such districts will inevitably find its way into poorer districts. For example, under the pre-*Serrano* system a tax rate of \$2.38 per \$100 assessed valuation produced \$1231 per student in Beverly Hills. Under this new plan, Beverly Hills would have to tax at a rate of \$5.00—more than twice the present rate—in order to spend even \$1200 per student. But this high a rate in that district would produce over \$2500 per student. This extra \$1300 per student—more than half the revenue collected—would go into the central fund.

On the other hand, suppose that Baldwin Park elected to spend at its present per student ratio—\$577 per student. In the first place, it would be forced to spend at least \$600 per student, the new statutory minimum. But it could lower its tax rate to \$2.00 per \$100 assessed valuation. This combination would create a deficit in the central fund which would, at least to some degree, be absorbed by the surplus created by the richer districts. Any remaining deficit would be paid from the central fund.

Precisely how much money will be required to conform school financing to constitutional standards has yet to be determined. It is quite conceivable, indeed probable, that it may well require an increase or combination of increases in other schemes utilized for the support of State programs and responsibilities.

Retaining property taxation as the essential ingredient for school support appears to be politically as well as constitutionally acceptable. Furthermore, control of school policy and needs are reserved by the respective communities, who are better able to resolve peculiar problems to their satisfaction.

This plan will undoubtedly meet opposition from wealthier districts. Residents of these districts will have their property taxes increased. However, the fruits of this increase will be siphoned off into poorer districts. A wealthy resident may object to paying for the education of children a hundred miles away. He will point to the strong American tradition of community financing and control of schools. Why should he pay more for his children to receive no better education than they presently obtain?

The answer is three-fold. First, the people of the State of California have placed a tremendous importance on education. State law requires mandatory school attendance for all persons between the ages of six and sixteen.²⁸ Expenditures for educational endeavors account for the largest share of the state budget dollar.²⁹

Second, many other legitimate governmental functions are financed on the basis of a citizen's ability to pay. Any public assistance to a specified group has this charac-

teristic. Government's ability to help those who need it presupposes this principle.

Third, we are dealing with a child's right to an education under the equal protection clause. The command of the fourteenth amendment overrides objections from property owners to higher taxes.

A third financing scheme employs elements of the previously discussed programs, yet contains provisions that may be more agreeable to the interests of a wider range of taxpayers. The most attractive facet in this plan is a drastic reduction, perhaps even complete elimination, of the property tax as the vehicle for support of public instruction. Furthermore, localities would be able to retain much of their present control over neighborhood school policies and expenditures.

The key component to this proposal is the establishment of a meaningful minimum per student expenditure on a uniform basis throughout the state. Much argument and debate has been directed at ascertaining this foundation figure. The results are varied and inconsistent.³⁰ However, for purposes of illustration, the amount of \$800 per student has been selected, which represents the approximated amount currently spent in California for public education.³¹

"Advocates of local control often argue that educational needs vary from district to district, and that the local community is best suited to determine and meet these needs."

Another important aspect of this proposal is the division of the total property base throughout the state into two classes: residential property and business property. Residential property includes multiple dwellings as well as single family units. Business property includes vacant lots, commercial and industrial property, railroads and public utilities, and farms.³² The state would levy a uniform statewide tax on all business property for school purposes, grades kindergarten through high school, which would be based on the average tax rate currently levied against all business property. This eliminates uneven distribution of taxable wealth among school districts which results from a fortuitous concentration of business and commercial property in an area.³³ These funds would be combined with the current amount in the State School Fund. The balance of the required revenue would be provided from an increased income tax.

Any district desiring to spend more than the foundation minimum is so permitted. Additional revenue for such programs, however, must be obtained at the local level, utilizing the elements of the Equalized Tax Base Plan previously outlined.³⁴

The mechanics of this proposal are graphically illustrated by actual budget figures for the fiscal year July 1, 1969, to June 30, 1970. For the school year 1969-1970, the total revenue required to finance an instructional program with a foundation level of \$800 per pupil would have been \$3.6 billion.³⁵

Raising this \$3.6 billion first requires assessing business property and levying the appropriate tax rate. A tax rate of \$3.88 per \$100 of assessed valuation would be levied against a statewide business roll of \$23.7 billion. The resulting revenue, \$919 million, would be added to the current money in the State School Fund.³⁶ The resulting amount would be the sum of:

Proceeds of statewide business property tax: \$ 919,000,000
 Current funds in State School Fund:³⁷

a) Basic aid	567,817,929
b) Equalization aid	446,881,643
Total	<u>\$1,933,699,572</u>

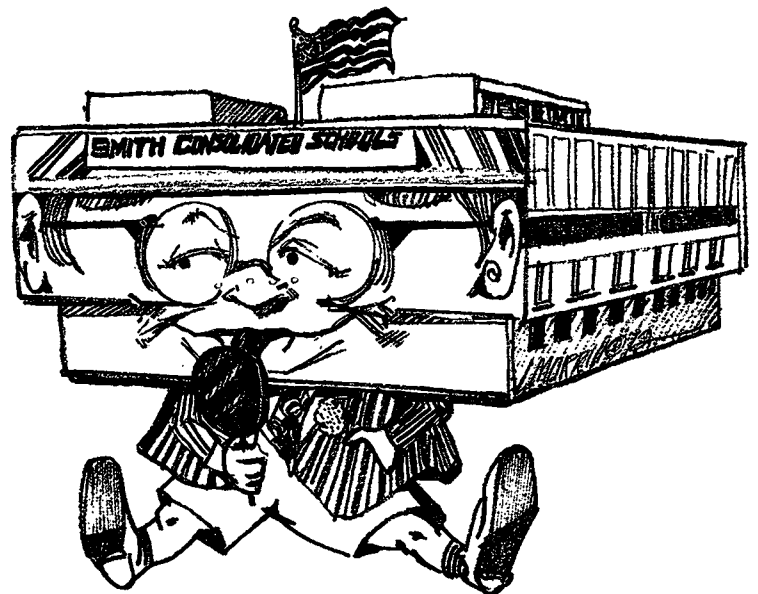
The remainder required to support the guaranteed foundation level is \$1,676,300,428.

An increase in the income tax, either at the personal or corporate level, or both, would be the source of this remaining money. There are several substantial reasons for preferring the income tax as the vehicle for property tax relief. The first factor to be considered is the elasticity of the income tax (elasticity is defined as the average growth rate of a tax or the total tax structure compared to the average change in the incomes of citizens). The annual growth rate of General Fund revenues depends upon the elasticity of various taxes. For example, over the past twelve years the personal incomes of Californians have increased at the average annual rate of 7.2 percent. General Fund taxes are increasing at the average annual rate of 7.6 percent. Therefore, California's tax structure has a growth rate slightly in excess of the growth in personal incomes (i.e., growth in taxes is 105 percent of personal income growth). Hence, reliance upon an elastic tax, such as the personal income tax, reduces the need for periodic tax increases while the adoption of inelastic tax measures, such as a cigarette tax, will not provide a revenue source that meets growing expenditure needs unless the tax rates are continually increased.³⁸

The progressive nature of the income tax also provides desirable advantages not available with other taxes, such as a sales tax, which is essentially regressive in nature. The income tax is based on net income at both the personal and corporate level. Furthermore, the graduation of the tax rates provides a built-in equity not available in other categories of taxes—it places a heavier tax burden on those who can afford it best. Contrarily, a sales tax, which is based on the sale of consumer products, produces heavier liability for the less affluent than the more affluent. A simple example will serve to illustrate the point: If A earns \$10,000 annually and spends it entirely on consumer goods and other essentials needed to provide for himself and his family, and B earns \$100,000 annually, yet spends only \$10,000 on similar items, both A and B are contributing identical amounts to the support of government. On the other hand, the graduated personal income tax requires B to make a much larger proportional contribution than A because B is in a superior financial position to make such contributions.

In 1969, personal income for Californians was \$83 billion.³⁹ The total taxes collected by the state from these earnings were \$1,170,980,000,⁴⁰ or 1.41 percent. At the corporate level, total taxable income in the same year was \$7,450,000,000⁴¹ and the taxes collected were \$605,995,000⁴² or 8.13 percent. These figures indicate that the income tax in California is at a low rate, particularly in the personal category.

"The decision in Serrano is long overdue . . . The legislature is now free to devise a solution to problems previously frozen since the earliest days of public instruction."



Financing the entire remainder of the school budget by sole use of the personal income tax would necessitate a mere rise in the tax rate of approximately 2 percent, from 1.41 percent to 3.43 percent. Also, a possible rise in corporate income taxes would ease this to some extent, depending upon the decree of the legislature.⁴³

The net effect of this entire program is: (a) establishment of a decent quality of education for all children throughout the state, (b) elimination of the effect of variations in wealth with respect to that portion of the tax rolls which exhibits the greatest assessment variation (business and commercial property), (c) insure businesses that they would pay public school taxes at a uniform rate, regardless of the location of plants or offices, and (d) place upon the home owner the burden of educational expenditures above the foundation level, thus giving more meaning to the concept of local options⁴⁴ while eliminating the invidious discrimination created by use of the local property tax condemned in *Serrano*.

The decision in *Serrano* is long overdue. It is indeed a credit to the California Supreme Court that it took the initiative in this area. This ruling has liberated educational politics in California from domination by wealthier districts. The legislature is now free to devise a solution to problems previously frozen since the earliest days of public instruction.

This Court has indeed taken a giant step in furtherance of a basic proposition eloquently set forth by Thomas Jefferson:

I think by far the most important bill in our whole code is that for diffusion of knowledge among the people. No surer foundation can be devised for the preservation of peace and happiness . . . Preach a crusade against ignorance; establish and *improve the law for educating* the common people . . . the people alone can protect us against the evils [of misgovernment].⁴⁵

FOOTNOTES

1. Address by President Lyndon B. Johnson, National Education Association, July 2, 1965.
2. *Los Angeles Times*, Nov. 16, 1971, § 2, at 1, col. 2. Furthermore, the United States Civil Rights Commission found that in California only 64 percent of Mexican-American high school students and 67 percent of black high school students graduate, while 86 percent of white students receive their high school diploma. *San Jose Mercury*, Dec. 8, 1971, § 1, at 2, col. 3.
3. 5 Cal. 3d 584, 96 Cal. Rptr. 601 (1971).
4. *Brown v. Board of Education*, 347 U.S. 483 (1954).
5. *Serrano v. Priest*, 5 Cal. 3d 584, 589, 96 Cal. Rptr. 601, 604 (August 30, 1971) (Wright, D.J., and Peters, Tobriner, Mosk, and Burke, J.J., concurring in opinion by Sullivan, J., McComb, J., dissenting).
6. *Id.* at 589, 96 Cal. Rptr. at 604.
7. The impact of *Serrano* is illustrated by the fact that it has been followed in the recent federal district court cases of *Van Duzart v. Hatfield*, 40 U.S.L.W. 2228 (D. Minn., Oct. 12, 1971), and *Rodriguez v. San Antonio Independent School District*, 40 U.S.L.W. 476 (W.D. Tex., Dec. 23, 1971). Both cases held that reliance upon a property tax system virtually identical to California's for support of public education violated the equal protection clause of the fourteenth amendment. However, in *Spano v. Board of Education*, 40 U.S.L.W. 2475 (N.Y. Sup. Ct., Jan. 21, 1972) they rejected a similar attack against the New York public school financing scheme. Also, see *McInnis v. Shapiro*, 293 F. Supp. 327 (N.D., Ill. 1969); *Burruss v. Wilkerson*, 310 F. Supp. 572 (W.D. Va. 1969), for further examples of public school financing schemes similar to California's.
8. *Serrano v. Priest*, 5 Cal. 3d 584, 589, 96 Cal. Rptr. 606 n.2. (August 30, 1971).
9. *Id.* at 594, 96 Cal. Rptr. at 606.
10. *Id.* at 592, 96 Cal. Rptr. at 606.
11. *Id.* at 594, 96 Cal. Rptr. at 607.
12. *Id.* at 593, 96 Cal. Rptr. at 607.
13. *Id.* at 593, 96 Cal. Rptr. at 607.
14. *Id.* at 593, 96 Cal. Rptr. at 607.
15. *Cal. Dept. of Ed., Cal. Public Schools. Selected Statistics, 1968-1969* (1970) Table IV-11, pp. 90-91. Cited in *Serrano v. Priest*, 5 Cal. 3d 584, 594, 96 Cal. Rptr. 601, 608 (1971).
16. *Id.* Table III-16 at 43. Cited in *Serrano v. Priest*, 5 Cal. 3d 584, 598, 96 Cal. Rptr. 601, 610 (1971).
17. *Serrano v. Priest*, 5 Cal. 3d 584, 600, 96 Cal. Rptr. 601, 611-12 (1971).
18. Furthermore, the existing system is still operative until the State Legislature has an opportunity to conform to the standards enunciated in *Serrano*. *American Bar Association Journal*, Dec. 1971, Vol. 57 at 1232. *Serrano v. Priest*, 5 Cal. 3d 584, 96 Cal. Rptr. 601, rehearing denied Sept. 22, 1971, modified, 5 Cal. 3d 884a, — Cal. Rptr. — 1971).
19. John E. Coons, Professor of Law at U.C. Berkeley, has stated identical conclusions. *San Francisco Chronicle*, Nov. 1971, This World at 22, col. 4.
20. The entire discussion of alternative financing schemes assumes that the property tax will be retained. It is not maintained that the property tax is the only or the best vehicle. But the analysis here covers primarily what is necessary to conform property taxation to Constitutional standards. As pointed out in *infra*, a more centralized method of financing is likely to encounter overwhelming opposition. For an example of non-property tax school financing, see footnote 22 (*infra*).
21. Hawaii presently has a similar system in operation.
22. The Canadian province of New Brunswick instituted a similar plan in January 1967. The province assumed the entire cost of financing education. All communities are provided with a substantially identical standard for educational purposes. To implement this program, the province abolished the local county governments and reduced the number of school districts from 422 to 33. A central department of education is responsible for budgets in the individual districts, and works with each district in determining its financial requirements. To finance this scheme, which more than doubled education costs,

- New Brunswick restructured its tax system. Property and nuisance type taxes were eliminated, and a uniform real estate tax of 1.5 percent of market value, assessed not locally but by the province, was enacted. A 10 percent surtax on income tax was levied, and sales taxes increased from 6 to 8 percent. The result of this plan has been centralization of school districts, dissolution of county governments, a more equal distribution of educational services throughout the state, elimination of wide disparities in property taxes among land owners, and a fixing of responsibility for school support. In some areas there has been a noticeable upgrading of educational quality. The criticism revolves around the still high dropout rate and the limited degree of autonomy afforded local school boards. *Saturday Review*, Nov. 20, 1971, at 88.
23. Alvin Toffler, *Future Shock* 273 (1970).
24. *San Jose Mercury*, Sept. 29, 1971, at 8, col. 1.
25. This idea was expressed by Coons, Clune and Sugarman, *Educational Opportunity: A Workable Constitutional Test For State Financial Structures*, 57 Cal. L. Rev. 305, 317-322 (1969).
26. *Serrano v. Priest*, 5 Cal. 3d 584, 600, 96 Cal. Rptr. 601, 611-612 (1971).
27. See, e.g., Arthur Wise, "The California Doctrine," *Saturday Review*, Nov. 20, 1971, 78 at 82.
28. Cal. Educ. Code § 12101 (West 1969).
29. "Budget summaries indicate that in 1970-1971 more than \$2.4 billion will be spent by the State of California for all facets of education. These expenditures represent 39.5 percent of the General Fund dollars that will be expended during the budget year . . ." Legislative Analyst to the Joint Legislative Budget Committee, *Analysis of the Budget Bill of the State of California for the Fiscal Year July 1, 1970 to June 30, 1971* at 173.
30. A Statement of National Policy by the Research and Policy Committee for Economic Development, *Education for the Urban Disadvantaged: from Preschool to Employment* (March 1971).
31. *San Jose Mercury*, Jan. 10, 1972 at 19, Col. 3.
32. Legislative Analyst to the Joint Legislative Budget Committee, *Analysis of the Budget Bill of the State of California for the Fiscal Year July 1, 1969, to June 30, 1970* at 192.
33. "The commercial and industrial property which augments a district's tax base is distributed unevenly throughout the state. To allot more educational dollars to the children of one district than to those of another merely because of the fortuitous presence of such property is to make the quality of a child's education dependent upon the location of private commercial and industrial establishments. Surely, this is to rely on the most irrelevant of factors as the basis for educational financing." *Serrano v. Priest*, 5 Cal. 3d 584, 601, 96 Cal. Rptr. 601, 612-613 (1971).
34. Furthermore, the ration of the local tax rate and the permissible per student expenditure would be reduced to account for the \$800 per pupil guarantee.
35. *Supra*, fn. 32 at 192, 193, Table 12 fn. 1. The discussion concerns financing of Elementary, High School, and Unified Districts. Financing California Community Colleges is not considered or discussed.
36. *Id.* at 192-193.
37. *Id.* at 192-193, Table 12.
38. *Id.* at A-50.
39. Legislative Analyst to the Joint Legislative Budget Committee, *Analysis of the Budget Bill of the State of California for the Fiscal Year July 1, 1970, to June 30, 1971* at A-36, Table 13.
40. *Id.* at A-38, Table 15.
41. *Id.* at A-35, Table 12.
42. *Id.* at A-38, Table 15.
43. However, business would be contributing to educational support due to the tax levied on commercial property, and it may therefore be inequitable to substantially raise the rate of the corporate income tax. Furthermore, California citizens would be relieved of \$1,262,400,000 in residential property taxes (this figure derived by subtracting the proposed business property tax roll, \$919 million, from the total local contribution for 1969-1970, \$2,181,400,000. See Legislative Analyst, 1969-1970 at 175, Table 1).
44. *Supra*, fn. 32.
45. Patricia Cayo Sexton, *Education and Income* 251 (1961).

Toward School Decentralization: The New York City Model

As with corporations and government, school systems sometimes reach a size where they become too big and inefficient to adequately meet the educational needs of the children they are meant to serve. Despite the controversy over the Brownsville pilot project several years ago and the more recent controversy in the Canarsie section of Brooklyn, New York City has moved ahead with the decentralization of its mammoth school bureaucracy. This report was prepared by Thomas O. Jones and Felicia Clark, co-chairmen of New York Ripon's Education Committee.

by Thomas O. Jones and Felicia Clark

Three years ago, the New York State Legislature passed the Decentralization Act of 1969 to give increased authority and responsibility to 31 local school districts spread throughout the five boroughs of New York City. This act gave the new Community School Boards all the powers formerly held by the City Board of Education, with respect to the control and operation of all pre-kindergarten, nursery, kindergarten, elementary, intermediate and junior high schools.

The local boards can now:

- Hire a community superintendent of schools;
- Determine matters relating to instruction;
- Hire and discharge employees under their jurisdiction, subject to centrally negotiated union contracts;
- Manage and operate the schools and their facilities;
- Exercise significant fiscal and budgetary powers;
- Contract with outside agencies for services, such as food, building maintenance, and some personnel.

The new boards assumed office on July 1, 1970 after two chaotic pilot years. The process of change has been difficult in many districts, as community groups have vied for power. Primarily, however, such political activity was the result of years of community frustration at not being able to affect the school system. Now, the potential for change is there; learning to exercise it is a slow and painful task.

The districts have an average of 25 schools and 27,000 students: each district is considerably larger than, for example, Scarsdale, New York. The local boards and their district staffs must be prepared to:

- Attract and manage the best instructional personnel available, and suited to the specific local environment;
- Ensure that financial and personal resources are allocated on the basis of a clear set of educational objectives;
- Monitor, evaluate, and improve the educational process based on current needs;

- Develop new approaches where older methods are not working;

- Keep the community informed and involved.

The major problem they face is to translate these philosophical goals into immediate and fiscally practicable actions. For example:

- What is "a clear set of educational objectives?"

- What does "keeping the community involved" mean?

- What is "the local environment?"

- And, most difficult of all, how can local school boards "improve the educational process based on current needs?"

The "educational objectives" of a white collar, suburban area may differ radically from those of an East Harlem or a Bedford Stuyvesant. No civilization has ever succeeded in involving the total community. Given power, many people tend to forget their neighbors and assume familiar bureaucratic roles. Furthermore, "improving the educational process" is a fragile, highly experimental and highly uncertain operation.

Given these difficulties, why should local school boards succeed any better than larger central boards? The answer, simply stated, is that larger school systems with huge central staffs have lost touch with the communities they are supposed to serve. In New York City prior to decentralization, reading scores were well below grade level in many schools, the drop-out rate was rising, and parents felt helpless in trying to affect change in their schools. A group of parents in the Bronx, for example, began to compile their own set of statistics to prove that, first, the quality of instruction rendered to their community's schools was lower on an average than that available in other city schools and, second, the then-existing administrative structure was not capable of allocating its resources in an equitable manner. A good part of the problem, of course, was that experienced teachers chose to go to the newer schools in white, middle-class neighborhoods, lowering the average experience level of teachers in South Bronx much below the school system's average. Experienced principals tended to do the same, and too few Negro or Puerto Rican prin-

cipals were licensed to serve these areas.

Inevitably, questions arise about the present system of assigning teaching credentials. These questions invariably frighten the unions and the established bureaucracies, but changing the process of determining who can teach, potentially has a profound impact on the quality of education. The issue of teaching credentials raises such questions as:

- Is it possible that experience, in conventional terms, cannot always be equated with expertise?
- Do life experiences teach a man nothing about his race, his country, and his neighborhood and its problems? Is he less well-equipped to teach his neighborhood's children than a long-term member of the public school system?
- Does simply having two or more years of teacher-training necessarily turn out the best teachers for the poor, the urban, the migrant and the black child?

When a painter, a poet or a lawyer cannot offer children the fruits of his experience because he is not a licensed teacher, then something is wrong.

The widespread search for educational alternatives to the traditional public schools clearly illustrates the exasperation of the public with the present state of affairs. Urban residents are tired of having things done *to* them. They are demanding a role for themselves in the education of their children. Decentralization offers parents that opportunity. And it brings with it the hope that the community, by using the special knowledge that comes through intimacy with problems peculiar to its home district, can come up with new solutions.

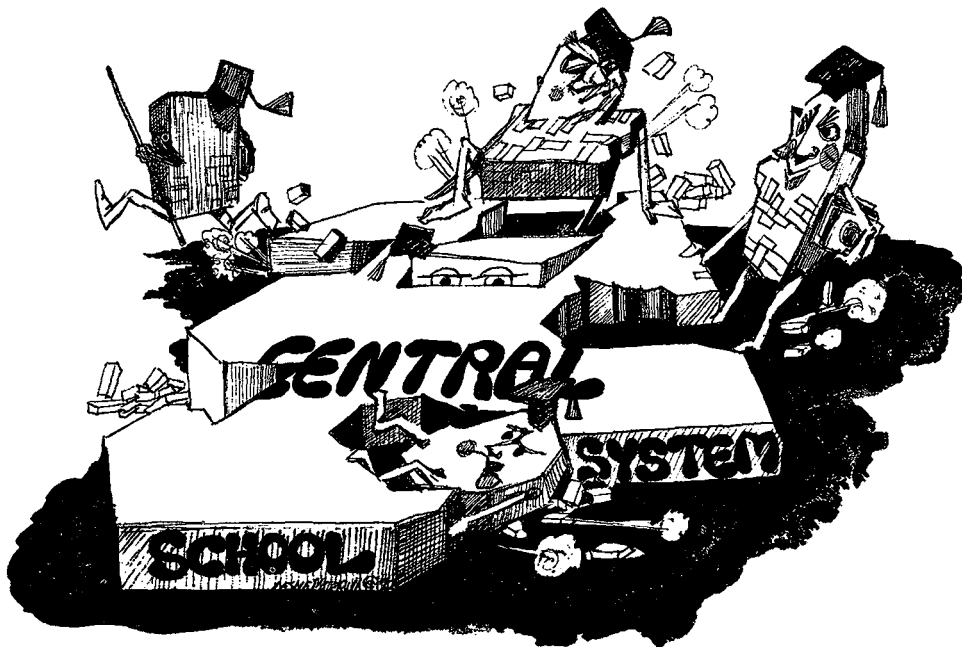
One example of how decentralization can work within a very small unit is New York City's Park East, the one-year-old model for New York's comprehensive high school. With, as yet, only 300 students, Park East is run by an elected community board of parents, teachers, students and neighborhood residents. The school's director

and teachers are chosen by this board, not assigned from central headquarters. Relatively few hold appropriate NYC licenses. Yet the school has a long waiting list of both student and teacher applicants.

Although Park East is part of the public school system and the NYC Board of Education pays the bills, it is also an integral part of the Yorkville-East Harlem community which it serves and it leans heavily on local resources. Two hospitals contribute space and staff to the teaching of basic biology and health career education. Professional architects and planners teach planning and drafting in their studios. Other schools, public and private, use Park East students as assistant teachers as part of the school's human services career curriculum. But Park East believes it has only scratched the surface in its use of neighborhood materials for learning and in its response to local educational requirements.

The Park East model offers a promising alternative — in effect, an education voucher system within a fully decentralized public system. Supported by a lump-sum services contract with the NYC Board of Education, Park East receives approximately what other high schools get per pupil but can spend the money largely as it pleases, on personnel, teaching materials of its choice, etc., so long as it turns out an educated student body within the City's achievement terms. It is the essence of decentralized administration within the nation's largest school system.

In school districts throughout the United States, small groups of parents, teachers and students are attempting new modes of education specifically suited to their local needs. The success of their efforts is in direct proportion to the leeway they are allowed for experimentation within their present educational bureaucracies. Decentralization can bring new dimensions to the search for educational alternatives: contracting, multi-disciplinary social services, erosion of the benevolent oligarchy, a healthy cynicism toward education theorists, and a new look at credentials and services from the educational consumer viewpoint.



Decentralization can offer our schools a number of significant assets: first, a far shorter decision-making link between parents and administrators; second, visibility as to how the tax dollar is spent; third, recognition of the invaluable resources available to schools in their own neighborhoods, such as museums, hospitals, banks, stores, parks and government services; and fourth, closer community and parental evaluation of personnel and programs.

Often unnoticed is another significant benefit decentralization can bring to our urban centers. If used wisely, decentralization can be a strong force for rationalizing human services on a neighborhood level across a broad range of problems and programs (health, crime, environmental protection) by moving decision-making into the realm of the consumer, with municipal services administered from a local neighborhood office, and service areas re-districted into congruent patterns, instead of the crazy-quilt of overlapping districts prevalent in most cities.

Noticeable national counter-trends are emerging, however. Open enrollment, as practiced for the last two years by the City University of New York's accepting *all* applicants, may undermine the battle to improve high school education, school by school, or district by district. Growing efforts to implement land-use planning on a regional basis carries a concomitant shift of responsibility for public services to larger rather than smaller entities.

Decentralization itself also carries some potential dangers. Wallace Sayre, in his monumental analysis of "Governing NYC," warned that decentralization would result in fragmentation, social and racial segregation, and budgetary inefficiency. Other opponents of decentralization claim that the struggle for neighborhood control may produce negative effects: principally, that the elimination of centralized control may encourage nepotism and graft in hiring, may drain off public energy into political battles, and may result in a confusion of goals.

However, decentralization has arrived in NYC legally and legislatively with the support of those whom Sayre believed would be hurt the most — the poor and the ethnic and religious minorities. Other communities across the country are following similar routes, and for many, New York's decentralization has not gone far enough.

Today proponents of decentralization have acquired some peculiar bedfellows. Black separatists see it as a tool to gain control of their children's futures. White supremacists support it for the same reason. As the opponents of busing gradually bring functional integration to its knees, the neighborhood, parent-controlled school is politically "in." This is a formidable line-up indeed in support of a philosophy which only four years ago was seen as frighteningly radical. Any political situation which brings together too many powerful forces on one side of an issue must be carefully scrutinized to prevent the loss of the ultimate goal of good education in the battle for ascendancy between local power groups.

In the final analysis, however, the trend toward involving all segments of society — the private sector, the commercial sector, and the neighborhood — is essential if we are to have an effective, world-related school system for all our children. ■

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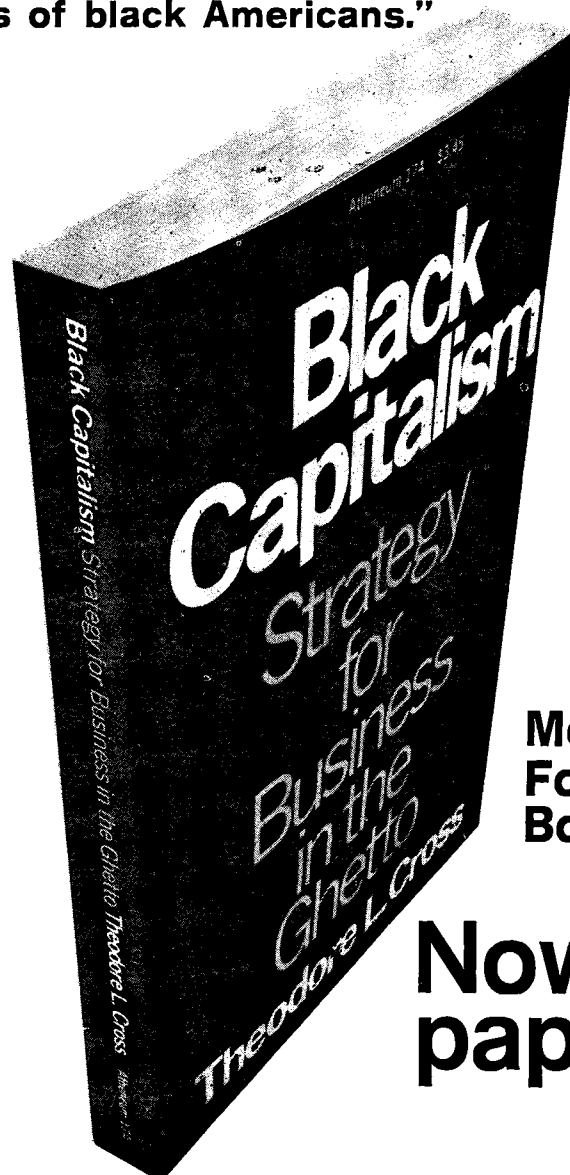
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"I say 'Watch out' for those gatekeepers in our society who now say to black people 'Fellows, capitalism is not for you. Stay out of the big game. You will only go to the cleaners.' I say 'Watch out' because those who are looking so assiduously after your interests are also busy perfecting a new reading machine that will abolish a quarter of a million key punch operator jobs only recently won by your brothers and sisters. And do not fail to note that those who now would separate you from capital also happen to be the grandchildren of ancient protectors who, fifty years ago, told Negroes in the south to tend to their jobs in the cotton fields and not to worry about trying to own some of the machines that put them out of work."

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—from the author's preface

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Duly Noted

● **"The Republican Opportunity,"** by A. James Reichley. *Fortune*, October 1972. *Fortune's* associate editor is critical of the Republicans' negative campaign appeals. Reichley admits that the Republicans' "don'ts" are still probably more appealing than the Democrats' "do's," but concludes that "they hardly provide a firm basis on which to build either the party's or the country's future." Reichley feels that the conservative coalition which President Nixon's strategists have attempted to build is particularly fragile and susceptible to the slings and arrows of outrageous Democrats because it fails to appeal to the aspirations of voters or to deal with the critical domestic problems of America. Finally, says Reichley, "Competition for the 1976 nomination makes news and is bound to claim a good deal of political energy during the next four years. But if the Republicans do not acquire greater confidence in their ability to perform as the governing party and develop more positive and creative policies, the identity of their next candidate may not have much more than academic significance."

● **Almost to the Presidency,** by Albert Eisele. (The Piper Co., 1972, \$10.95.) More than anything else, journalist Albert Eisele's biography of Hubert Humphrey and Eugene McCarthy is candid and complete. Eisele succeeds in creating a fascinating insight into two of the most influential political figures of our day, both of whom happen to be Minnesotans. The book abounds in revealing and oftentimes uncomplimentary insights and quotations about his subjects. An astute description of Humphrey is given by one of his former legislative assistants: "He's a whirling dervish who absorbs things fantastically quick, but the idea of Humphrey reading a book or sitting down long enough to seriously think about the implications of what he was doing is hard to imagine. He was so active that I don't think he had time to think about the big things. I think also that it was impossible for Humphrey to think without speaking. As a physiological process, I doubt he's ever thought of anything that he never talked about, which is something of a liability." As for McCarthy, it was apparent even in his first campaign for the House of Representatives (1948) that he was an intellectual but impractical politician. Mayor Joe Dillon of St. Paul states that McCarthy often voiced his preference for Plato rather than Aristotle: "I always thought he figured he was Plato, that he felt the elite should rule, that they're entitled to rule by virtue of sheer intelligence." It is Eisele's conclusion that Humphrey was too absorbed in the visions of the Great Society and in his own unfulfilled yearning for the presidency to recognize that the Vietnam War was a great moral evil that could destroy everything he dreamed of. He ends the book with Congressman John Blatnik's observation that Humphrey and McCarthy "both knocked each other out of the ring in 1968 and the loss was for the whole liberal philosophy, the liberal cause itself . . . If only they'd pulled together, one of them would have been President, not Richard Nixon, and we'd have been out of the war by now . . . It's a real tragedy." Reviewed by James Manahan.

● **"The New Road for the Democrats,"** by Irving Kristol. *Wall Street Journal*, October 13, 1972. "... In the course of the past decades, the Democratic Party has become less of a traditional American political party and more of a European-style ideological movement . . . Textbooks on American government smugly used to say—many still do, I'm sure—that the crucial difference between American and European political parties is that ours are only mildly ideological while theirs are essentially so . . . Hence, American politics is mainly a 'pragmatic' enterprise, in which 'common sense' always triumphs over theoretical dogma . . . This traditional view of American politics used to be largely true—but is not nearly so true today. The Republican Party still fits the formula; its capture by a right-wing movement led by Senator Goldwater was indeed an aberration, one which it would just as soon forget . . ." Obviously Irving Kristol has

never watched Barry Goldwater or Ronald Reagan address a Republican Convention.

● **The Strange Case of Richard Milhous Nixon,** by Jerry Voorhis. (Paul S. Erikson, Inc., 1972, \$8.95.) Former Congressman Jerry Voorhis's book is a campaign anti-biography. Like its mirror image, the campaign biography, a work of this character is written to influence the outcome of an election. The difference is that the campaign biography is designed solely to inflate its hero; the campaign anti-biography, solely to deflate. Only in the first seven pages, entitled "What's Past is Prologue," does the author show the special competence born of firsthand experience of Mr. Nixon, who defeated him for re-election to Congress in 1946. The rest is a scissor-and-paste compilation from what surely must be one of the largest files of anti-Nixon clippings around. Sources of the supporting statements and confidently cited data are seldom identified. Innuendo, grandiose phrase-making ("the war system is sociologically bankrupt"), unverified assertion (the newly uniformed White House guards "are said to" address Nixon as "Your Excelling Excellency"), wild historical parallels, dogmatic conviction ("if the national sovereignty means anything," banks must be nationalized), and just plain fantasy (the myth of the Nixon "secret plan" to end the war is not only repeated but elaborated) are blended with recognizable fact in proportions which seriously undermine the credibility of the whole. Beyond credibility of facts lies credibility of interpretation, and here again the book shows all the defects of its genre. The unifying element of the book is not a problem or an issue but a person, one whom Voorhis dislikes and to whom he attributes, on the basis of his reading of the evidence, two seemingly malevolent intentions, namely the desire to win and perpetuate himself in public office and the desire to reorder the world according to his own perceptions of the way it should be. The weakness of interpretation lies in Voorhis's attempts to present these Nixonian goals and the policies resulting from them as aberrant behavior in American politics. At the beginning of his book, Voorhis identifies himself as the "first victim of the Nixon-Chotiner formula for political success," which is later defined as a combination of "relentless accusation against his opponents—accusations that stopped just short of treason . . . (and) shrill outcry against control of people's lives by a handful of Washington officials." Not a bad description of *The Strange Case* itself. Reviewed by William A. Koelsch.

● **Impact,** published monthly by Al L. Ripskis. 2605 39th Street, N.W., #309, Washington, D.C. 20009 (\$5 a year). Underground journalism has hit the Department of Housing and Urban Development. According to Editor Ripskis, there is a lot of muck to be raked at HUD: administrative disorganization, unneeded and wasteful studies, mistresses entertained at public expense, bureaucratic shuffling on the implementation of a lead-paint removal program, and blatant incompetence by HUD officials. In his maiden issue, Ripskis tells fellow employees, "The Department we work for has been sullied by scandals, waste, mismanagement and corruption to the point where (HUD Secretary George) Romney himself has admitted that HUD is actually contributing to urban decay rather than reducing it." He urges HUD employees to join OPERATION HUD to sniff out corruption in the Department and points out that "the fact remains that you and I and the other 15,000 HUD employees have contributed to the mess. Romney and his political appointees could not have created the present conditions without at least the passive cooperation of the rest of us." The impact of *Impact* will be interesting.

● **The Almanac of American Politics: The Senators, the Representatives, their Records, States and Districts, 1972,** by Michael Barone, Grant Ujifusa, & Douglas Matthews. (Gambit, 1972, \$4.95, 1030 pages.) For four months, the *Almanac* has been tested as a FORUM reference work. At the conclusion of this test period, the *Almanac* has become invaluable as a guide to congressional politics. The *Almanac* may not be a required reference book for every home library, but it is a source of invaluable data on the makeup of Congress. Long B.N. (Before Nader), former FORUM Editor Matthews and cohorts compiled their compendium of Congressmen and their districts.

But the book is not as dry as the title might indicate. It is replete with anecdotes: Congressman Sam Steiger's alienation from the congressional establishment as the result of a radio show comment that many Congressmen were drunks. The rhetoric is sparkling, not archaic, understated but not dry: "Oklahoma has a rather peculiar history, which was once distorted in a musical comedy produced for the Broadway stage." And the copy is solid, well-researched and well-documented. Each district is analyzed for demography, voter habits, political history, and incumbent performance. Major organizational ratings, key congressional votes, and election results are also tabulated. In sum, it is one reference book you can read for enjoyment as well as edification. For those who cannot afford the Nader profiles of incumbent Congressmen (at \$450 per pound set), the *Almanac* is a good, maybe even preferred, substitute. Reviewed by Dick Behn.

● **Shadow on the Alamo**, by Harvey Katz. (Doubleday & Co., 1972, \$6.95.) In early 1971, as a result of a Securities and Exchange Commission investigation, it became known that several prominent conservative Democratic state officeholders in Texas had made quick profits in stock deals under circumstances that suggested that they had been given the opportunity to make these profits in exchange for their securing the passage of some doubtful banking legislation. This became known as the "Sharpstown Scandal." **Shadow on the Alamo** describes the coverups and evasions by those accused of profiting from their offices and, more importantly, the retributions visited on those who kept the issue alive in the 1971 session of the state legislature. For some time, the entire state legislature and executive branch tried very hard to pretend that the scandal did not exist, and the only people who called attention to the emperor's lack of clothes were a small group of Republican and liberal Democratic members of the legislature who became known as the "Dirty Thirty." In the end, the Dirty Thirty members were rewarded for their persistence: in the 1972 primary elections, mainly because of the scandal, the voters threw out the entire top layer of state officeholders, all Democrats. The white hat-black hat characterizations are overdone by Katz in the book, which sometimes reads like an underground newspaper editorial knocked off after a couple of beers and a couple of phone calls, but it is nevertheless an instructive lesson in the kind of things that politicians do when they get caught and the kind of political courage that it sometimes takes to expose them. Reviewed by Richard F. Smith.

● **Parties: The Real Opportunity for Effective Citizen Politics**, by John S. Saloma III and Frederick Sontag. (Knopf, 1972, \$7.95.) Although **Parties** was published this past spring to take advantage of the 1972 political book market, it is perhaps more useful as contemplative reading after the hustle and hassle of the campaign season. The authors, who include first Ripon president John Saloma, have outlined the ineffectiveness of American parties and the mixed blessings of party reform, described some of the new factors in party politics (such as the role of political consultants), and proposed alternative strategies for citizen efforts to revitalize the parties and thereby the government. With Republicans already looking for the successor to Nixon and Democrats trying to figure out where they went wrong with McGovern, the next four years provide a "real opportunity" for citizen politicians. **Parties** provides helpful guidelines for the citizen who wants to affect his party as well as a framework within which the activist can rethink his role. The Saloma-Sontag book has an excellent footnoted bibliography for those who really care about the future of the parties and want to know how they got to the present state. Reviewed by Daniel J. Swillinger.

● **The Shame of the Prisons**, by Ben H. Bagdikian and Leon Dash. (Pocket Books, 1972, \$1.25.) "Prisons do not stop crime. They only punish it," note **Washington Post** reporters Ben H. Bagdikian and Leon Dash. The two make the usual recommendations: elimination of victimless crimes, smaller prisons which should be located in urban areas to facilitate contact with inmate families, conjugal visits, furloughs, more relaxed prison regulations on mail and visiting, an end to arbitrary parole boards and indiscriminate extensions of indeterminate sentences, better employment training and educational opportunities and greater public accountability for the officials who operate our nation's prisons. As the compilation of a series of articles in the **Washington Post**, **Shame** offers no startling revelations or suggestions, but it offers the insight of Bagdikian's own arranged prison "sentence" and the hopeful conclusion that "it is not the noblest of reasons, but prison reform could come because it costs too much to do anything else." The present system of incarceration is a social and financial disaster. Halfway houses and other correctional innovations may not be panaceas for the country's criminal justice problems, but they are an improvement if only because they are more humane and less expensive. Reviewed by Dick Behn.

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LETTERS

Native Americans

My basic thesis is simple: that it is well past time that the Native Americans become full-fledged American citizens in our modern society, with no special barriers or treaties (treaties are made with other countries, not with internal interest groups). In other words, I simply propose freedom for Native Americans in the U.S., socially, economically, administratively, politically. No special favors. Just the same fair shake we all deserve. (See August 1972 FORUM.)

To accomplish this end I propose the final interment of the whole concept of "reservations" (euphemism for "concentration camps") for anybody. After all, where are the "reservations" for other ethnic minority or even majority groups? I think we would all resist such an idea. Yet Native Americans are supposed to love it there. This smug notion smacks of the "slaves-loved-the-plantations" syndrome, and is totally repugnant to true Republicanism.

The term "termination" has been used in the past and is used today, as a rallying point for arguers on both sides of the "reservation question." I am aware that many sincere people, including many Native Americans, oppose termination. But I contend that Native American opposition to termination stems from a short-range economic fear rather than any longer-range fear because, in the long run, the end to reservations must occur if we are ever to achieve the free and equal society the Constitution guarantees to all!!

To achieve what I propose, some specific actions would have to be taken nationwide:

(1) All reservations must be declassified as such entirely.

(2) The B.I.A. must be abolished.

(3) All present reservation land must be deeded completely over to individual Native Americans, Indian families, or to tribal councils (or similar bodies); in any case, this land must be deeded to Native Americans, even if some must be "recruited" from, say Oklahoma, to take an acre in Oregon — call it the "Native American Homestead Act" if you will. I realize the whole idea of land ownership runs counter to most Indian cultures, but we all must face the reality that private ownership is here to stay. My hope is to guarantee an equal place for Native Americans by such ownership.

(4) After this deeding over, Native American owners may keep, sell or lease land just as anyone else.

(5) Special ancestral grounds, such as the religious site near Taos, New Mexico, must in a great many cases be returned to the Native Americans (even if it sometimes means sacrifice by other Americans, who would have to be relocated at government expense), but this time not in the form of private land, but as "National Historical and Cultural Parks" (similar to Nez Perce Park in Idaho).

(6) Where possible, some additional lands must be deeded to Native Americans, especially where they have been dislocated recently (as in the case of Chicago's "ghetto Indians.")

(7) Because of the great cultural gap that has persisted between Native Americans and the dominant late arrivals, economic, educational and health services must be maintained indefinitely (but at much higher levels than at present) even after political freedom has been achieved, and until acculturation is accomplished.

(8) To show the true depth of the conviction of present-day America to resorb its original people on an equal and free basis, great Native Americans of the past should be honored whenever and wherever possible. There are far too many "Custer avenues" and "Bridger streets," and all too few named "Tatanka Yatanka Blvd." This is more than tokenism, for along with action programs to improve their lot, they would have the symbolism of Native American-named statues, cities, avenues, and other shrines to look to with pride, just as Illinoisians revere statues of Lincoln.

(9) Specific bills must provide bilingual or multi-lingual schools, which teach two cultures, with no more

obvious or implied bias (e.g., "savage redskins"), so that the cultural gap will eventually close.

(10) Special legal aid clinics must be set up to help Native Americans in their acculturation, as American law is one of the greatest hurdles they face in understanding this alien culture called the U.S.A.!

(11) A special, Native American-run (with "outside" advisors) job-training corps should be instituted to help young Indians find ways to live and work productively in modern America, without sacrificing all their traditional values.

I have proposed an honorable way to end forever the terrible chapter in human history which has humiliated a great people. The past cannot be erased, but its policies needn't be continued indefinitely in the name of tradition. America was not discovered in 1492; it was discovered by Native Americans over 15,000 years ago!

Thus I stand opposed to Ripon's endorsement of President Nixon's non-termination stance. It is short-sighted, and not in the long-range good of anyone. I believe a far better and more progressive stand is the one I have sketchily outlined. It would benefit the Republican Party in a very natural way: it would help to return it to its traditional humanism, and would attract support because of its basic theme of **opportunity for people.**

MIKE HANSEN
Pocatello, Idaho

A Word of Praise

In the past I have been critical of the Ripon FORUM as being an uneven publication, ranging from brilliant to drab.

Since, in my judgment, your August issue was brilliant, may I congratulate you on the whole thing. I did not find a weak article in it, and was particularly impressed by the (John) McClaughry article ("Expanded Ownership") and by the guest article of my former State GOP Chairman, George Thiss ("Reforming the National Committee").

BILL FRENZEL
Member of Congress

Quotas and Goals

The author of "Civil Rights: The Politics of Backtracking" (September 1972 FORUM) correctly laments "the emotional and confused goals vs. quotas debate." Once he has unburdened himself of these sentiments, which are entirely praiseworthy, he steadfastly resists the temptation to help others unravel the confusion. He was not, however, so successful in resisting the itch to join others in compounding it.

The concept of "equality" is riddled by ambiguity. The equivocation is particularly dangerous because the term both states a condition and suggests a favorable judgment of value; that is, the mention of "equality" is intended to inspire deep feelings of approval and to anesthetize criticism of specific policy recommendations justified on the grounds they promote "equality." The factual condition of "equality" may be defined by at least two irreconcilable criteria. The first may be called the "proportionate shares" rule; a group is treated equally if it attains rewards (jobs, income) proportional to its share of the entire population. The second is to treat individuals identically with other persons, without regard to such irrelevant considerations as race, religion and the like. These criteria are irreconcilable. The second calls on the government (or university or private employer) to disregard irrelevant personal attributes in making decisions; the first explicitly demands that they be taken into account. The distinction is further smeared when the "proportionate shares" goal is used to evaluate the success or failure of the "equal opportunities" rule. In practice, advocates of the "proportionate shares" criterion come to favor the reestablishment of a society where rewards are once more passed out on the basis of memberships in groups genetically or ethnically defined. Ironically, liberals in good standing once viewed differential privileges on the basis of hereditary caste as downright immoral and reactionary; now many certified liberals see the practice as progressive. Which points to an interesting truth about politics: If you stand still, you will eventually lap the field.

The author approvingly quotes Congressman Louis Stokes' statement: "... I would have thought that Jew-

ish Americans, more than any other group, would be aware of the importance of getting guarantees of equality in writing." So far as the equal opportunity rule is concerned, that is true; but I am unaware that Jews have ever demanded any guarantees, written or not, of proportionate shares. (Historically, quotas have been used to discriminate against Jews, not to discriminate in their favor.) It is no accident — as the Marxists would say — that the New York City Equal Opportunities Commission (opportunities, yet) seems rather more concerned about the slender proportions of blacks and Puerto Ricans in the public educational bureaucracy than it is among the white wings (Italian) or on the police force. (See Walter Goodman's splendid article in the *New York Times Sunday Magazine* for September 10, 1972.)

I am both bemused and distressed by the author's naivete. He apparently finds it rather unbecoming of President Nixon to hunt for Jewish votes. Untidy though it may be, democratic politics inevitably becomes bribery of aggrieved elements of the electorate. I do not believe that the author would be so morally fastidious as to condemn the past efforts of politicians to capitalize on the grievances of blacks by promising to erase entitlements of caste that, among other things, deprived them of the right, or equal opportunity if you will, to cast ballots and run for public office in Southern states.

BENJAMIN WALTER
Nashville, Tennessee

Voted "No"

I read with great interest your story entitled "Closing the Door After the Party" in the September 1, 1972 issue of the Ripon FORUM.

As a Delegate to the Republican National Convention from the Michigan Delegation, I was very surprised to read, as you recorded, that all of Michigan's 48 votes were cast in favor of amending the Rules. As the Delegate who cast the single "No" vote, I would like it recorded that only 47 of Michigan's votes were cast in favor of the Amendment.

As with most organizations that deal mainly in criticizing (not constructively), I think it would be of value to your readers to publish correct information.

As a lifelong Republican, I resent the implication that the Republican Party has closed its doors; and as a Delegate, I cannot see how the new rules close the doors to any group.

It would be interesting to me to know why the Ripon Society calls itself a Republican organization. From all of the literature that I have read, I am still looking for "constructive" criticism rather than just plain criticism of the entire Republican Organization.

ANTHONY J. GAROFALO
Chairman
Ottawa County Republican Party
Holland, Michigan

Dissolution Proposed

Editor's Note: The following letter was addressed to Ripon president Howard Gillette, Jr., and is reprinted with the author's permission.

* * * *

If you sent me the copy of your letter of September 17 to Clark MacGregor in which you endorsed President Nixon as a means of impressing me, you failed entirely.

I think the very least a so-called Republican organization could do would be to endorse our candidate for President. I have followed the asinine statements, positions, and policies of your organization for the past four years and want you to know that it does nothing but fill me with complete disgust in that persons such as yourself would use and abuse the name of the Republican Party as you do.

The letter that you wrote me concerning the legal actions you are taking against the Republican Party in relationship to our adoption of new Rule 30 is further indication that you care less about the Republican Party or its future. I personally believe that you are using your organization in abusing the Republican Party to bring about the defeat of Constitutional Government in America. I have never been impressed with your society in the past, I am not impressed with your society and its actions at the present time, and I doubt if there is anything that you will do in the future that will impress me.

The greatest thing that could happen to the Republican Party would be for your society to announce its dissolution and asking your current members to register in the party that reflects their philosophy and then join in with the regular party organization to express themselves.

CLARENCE E. WARNER
Republican State Chairman
Oklahoma City, Oklahoma

14a ELIOT STREET

● Chicago's new chapter officers are Jared Kaplan, president; Harry E. Estell and Paul S. Kimball, Jr., vice presidents; Mary H. Anderson, secretary; and Tomas M. Russell, treasurer. A. Richard Taft and Russell will join Kaplan on the NGB. In addition to the chapter's officers and NGB members, its board of directors includes Margot Adler, Gene L. Armstrong, E. David Cooldge III, David F. Ellbogen, Robert L. Friedlander, Margaret Ann Haas, Kenneth E. Gray, William T.W. Kwan, Heather Ramsey, Kathryn K. Schreiner, and Gloria L. White.

● The New Jersey Chapter sponsored a debate on the transportation bond issue November 2 at the Eagleton Institute of Rutgers. Speaking for the bond issue was Raymond Bateman, president of the New Jersey State Senate. Opposing its passage was Forrest Markowitz, a Rutgers graduate student and co-chairman of the anti-bond group, Citizens for Responsible Transportation. (The bond issue was defeated.) The session was moderated by Professor Paul Lyon, who heads Princeton University's interdisciplinary program on transportation studies. The debate was the second sponsored by the New Jersey Chapter. In the spring, the discussion on the proposed state income tax was held, featuring Assembly Majority Leader Richard DeKort (pro) and State Sen. Wayne Dumont (con), a former gubernatorial candidate.

● New officers of the Nashville Chapter are Leonard Dunavant, president; Chase Lane, vice president and program director; Cary Miller, secretary-treasurer; Bill Gib-

bons, political director; Jerry Smith, membership chairman; Bob Kabel, research. Dunavant is a Vanderbilt graduate now working for Sen. Howard Baker and Kabel is a member of Gov. Winfield Dunn's staff. The NGB members will be Dunavant, Gibbons and former Nashville president Robert H. Donaldson. The Nashville Chapter held meetings in September with Alfred Adams, unsuccessful candidate for Congress in the 5th C.D. and in October with Jim Rau, an unsuccessful candidate for the state legislature from Nashville. On November 8, the chapter met with Lamar Alexander, a former aide to Baker, Dunn and President Nixon, and Lee Smith, Dunn's chief policy assistant, for a post-mortem of the election results.

● The District of Columbia Chapter held a meeting October 31 in Washington to discuss the future role of the Society in the Republican Party.

● Daniel Swillinger, Ripon political director, and Martin Koldyke, of Chicago, have been elected to three-year terms on the Common Cause Board of Governors.

● Justice Sol Wachtler, the successful Republican-Liberal candidate for the New York State Court of Appeals, spoke at a meeting of the New York Chapter, October 24. Justice Wachtler has favored the decriminalization of victimless crimes.

● The Boston and Cambridge Chapters held a joint post-election analysis of national election returns November 14 with a panel including David Nyhan of the *Boston Globe*; Frank Morgan, Boston Bureau Chief for *Newsweek*; Jack Saloma, University of Massachusetts professor and first Ripon president; and Josiah Lee Auspitz, another former Ripon president and now a teaching fellow in government at Harvard.

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