

Ideal Health Care Reform...Made in Japan?

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The RIPON FORUM

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Bungle in the Jungle

Brookings' Bill Frenzel and
Heritage's John Robison explain
Clinton's budget woes



Also: The Supreme Court:
Objective Law vs. Social Consensus

The Ripon Forum

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227 Massachusetts Avenue

GOP Summittime

Summer is the time for conventions and the GOP proved to be no exception as four of the larger Republican organizations convened to discuss the future of the Party. Even more exciting was that many of the events hinted a more mainstream tone than in previous years. **The Young Republicans** elected a moderate as its new chair, the **College Republicans** toned down its usual social conservatism in exchange for more emphasis on fiscal conservatism, and the **Conference for a Republican Majority** discussed ways in which moderate Republicans could better organize at local levels in order to provide a more inclusive and broad-based party.

On June 25th, at its convention in Charleston, West Virginia, the **Young Republican National Federation** elected Irv Bisnov, a moderate from Texas, as the new Chairman. Mr. Bisnov is a Dallas C.P.A. who said he is excited about Republican prospects for the future. "Once [the American people] get the first Clinton tax bill they will come running to the GOP at record speed," Bisnov said. The YRs are betting that Bisnov's moderate ideology will provide a more tempting GOP for disenfranchised Clitonites.

"Re-energized" and "rededicated" were the buzz words as the **College Republicans** gathered for their 50th Biennial National Convention. The CRs touted the event, held July 15-18, as the largest ever with an

expected 800 delegates and an impressive list of attendees. Speakers included Republican heavyweights such as **RNC Chairman Haley Barbour**, **Congressmen Bob Dornan (CA) and Newt Gingrich (GA)**, **Senators Trent Lott (MS), Phil Gramm (TX), Bob Dole (KS), and Kay Bailey Hutchinson (TX)**.

Speakers lambasted Clinton's planned middle-class tax hike which Dornan derided as "taxation without hesitation" All agreed Clinton and his spending priorities have been a big boost for the Party.

The message of the **First Annual Conference for a Republican Majority** was the necessity of an "inclusive" Republican Party in order to assure victory in upcoming elections. Chaired by former Congressman **Bill Frenzel (MN)**, the meeting featured prominent GOPers such as **Sen. Nancy Kassebaum (KS), and Rep. Jim Leach (IA), Rep. Amo Houghton (NY), Rep. Bill Thomas (CA), and Rep. Steve Horn (CA)**. Panel discussions on "Economic Growth/Fiscal Responsibility," "The Environment" and "Women's Rights/Individual Choice" were held along with strategy discussions on "Convention Politics and Grassroots Organization," "Primaries and General Elections Tactics," and "Broadening the Base of the Party." The event was co-sponsored by **The Ripon Society, the Republican Mainstream Committee, and the National Republican**

Coalition for Choice.

Snoqualmie Pass, Washington was the scene for the **12th Annual Cascade Conference**, sponsored by the **Mainstream Republicans of Washington** which drew over 100 people and ran from May 21 - 23. Attendees at the conference included party activists, public officials, and representatives from the private sector. The theme of the conference was "The Future of the Republican Party: Anti-Witchcraft Platform or Electing Republicans to Office" in response to a portion of the extremist Washington State Republican Party platform which stated that no "witchcraft" be taught in schools. Speakers at the conference included **Ken Eikenberry**, the state Republican Party Chairman, **U.S. Senator Slade Gordon (WA), and former Congressman Tom Campbell (CA) of the Republican Majority Coalition.**

The Ripon Educational Fund will be sponsoring a bi-partisan policy conference in September in St. Paul, Minnesota entitled "Issues Facing the '90s." Invited speakers include Reps. **Bill Clinger, Jim Leach, Tim Penny, Marty Sabo, and Lieut. Gov. Joanelle Dyrstad** who was just named the first woman chair of the National Conference of Lieutenant Governors. For more information on the Conference please contact Jean Hayes at Ripon National at (202) 546-1292.

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To understand the argument of those who support the gay and lesbian ban in the military, some have suggested this analogy: Walking down the street, you encounter 40 people, half who are men and half who are women. You are all placed in one room. You will do everything together. Eat. Sleep. Work.

Then of course there is the dreaded shower. Will you be comfortable with the fact you will have to shower, day after day, with both men and women whom you really don't know? No, of course not. But what does this have to do with gays in the military?

The fact is it doesn't, but this is how those who oppose lifting the ban have justified their opinions. "We can't sacrifice our defense for a social experiment," they say. "Such behavior could damage morale," say others.

Congress has been inundated with letters on this issue. Those who live in military strongholds and southern bible belt states are more apt to be opposed to the removal of the ban. Their ideas are similar to the ones held by 46 percent of those who responded in a recent *U.S. News and World Report* poll and believe homosexuals choose to be gay and lesbian and who therefore oppose civil rights for gays. Former news anchor and freshman Congressman Henry Bonilla, R-Texas, said that he too has heard similar opinions from his district but that he was more in line with the military's position.

"I believe in equal rights for everyone, whether it crosses ethnic lines, religious lines, or sexual behavior, it's nobody's business what someone's lifestyle is," Bonilla said. "I worked and welcomed gays working in our newsrooms over the years. But this is different. This is something that involves tension, close quarters, long times away from home, morale, and our defense is not something that we can go around worrying about whose needs are satisfied; ... when it's time to perform, all this reality and political correctness is out the door."

Unfortunately, the prejudice gays and lesbians must endure runs deep. In fact, critics of the ban identify their crusade with the discrimination women and minorities

The Ban

Plays On

encountered when they, too, wanted to fight and to serve their country.

In 1941, the U.S. Navy issued this directive when African Americans wanted to serve in the Naval branch of the Armed Forces: "The close and intimate conditions of life aboard ship, the necessity for the highest possible degree of unity and esprit-de-corps; the requirement of morale — all these demand nothing be done which may adversely affect the situation. Past experience has shown irrefutably that the enlistment of Negroes (other than for mess attendants) leads to disruptive and undermining conditions..." Of course now this statement sounds almost archaic.

In 1993, a Department of Defense directive states "The presence of such members [gays and lesbians] adversely affects the ability of the Armed Forces to maintain discipline, good order and morale...to facilitate assignment and worldwide deployment of service members who frequently must live and work under close conditions affording minimal privacy..." The directive has been in effect since 1943.

Like African Americans, women, and all other minorities, homosexuals in the military are harassed. Some are actually beaten. Some are killed. But unlike being a minority or being a woman, the military will now ask gay and lesbian service people to hide what is inherently part of them. This "Don't ask, Don't tell" policy is about as ludicrous as asking one to hide the fact one's hair is brown.

Others disagree. You don't have to tell anybody, you know, that you're gay. You can just keep it to yourself, hoping nobody finds out, living in fear and preparing for the worst. Because if they do find out, or if somebody mentions it to somebody else, or they see a picture you keep in your wallet,

you've lost your job, your career and your respect. You are discharged for something that the gay community agrees is as predetermined as being left handed, or a woman, or black.

If this isn't bad enough, it's also a huge waste of money. In 1990 alone, the military discharged 1,000 service members at a cost of \$27 million to retrain and replace those who were gay and lesbian. Between 1980 and 1990, the military let go over 16,919 service members at a cost of \$493,195,968 to replace them. In most cases, these charges were brought against men and women who had served admirably and had no other tarnish on their record than that of being homosexual.

For a good example, we need only to look north. Second Lt. Michelle Douglas of Canada decided she could no longer stand it. After being taken to a hotel and verbally grilled for two days on whether she or her friends were lesbians, she filed suit. As a result, the Canadians lifted their restrictions on gays due to the court action she brought against them.

Although gays and lesbians had been allowed to join the Canadian military since 1988, they could not be transferred or promoted. With the new policy, this has changed and tolerance is included in the attitudinal training classes required of all service people. The high command now dictates that no harassment of gays and lesbians will be allowed and, if reported, will not pass without punishment of the guilty party. To date, there have been no resignations or infractions reported. In Canada, and now in their military, tolerance is the credo.

But we are two separate countries. The U.S. military consists of 1.7 million people who come from every race and nationality. Each time a new subset is introduced, we hear the tired excuse that we cannot jeopardize military strength. Throughout United States' history, we have learned that in diversity lies, not less, but more strength. It's the American way. To exclude gays and lesbians from military service, to prevent them from serving their country, simply is not in our national character or tradition.

- MIMI CARTER

WANEY Chicago Tribune

The Changing UN Mission:



A Modest Proposal

by John O. Sutter

What should America do about Bosnia? Many have been debating whether we should bother about the Muslim Slavs of Bosnia or just write them off.

First, we must realize that conflicts in the former Yugoslavia have been festering ever since Dobrica Cosic (formerly the President of Yugoslavia) gave an intellectual backing to the claims of Greater Serbia and Slobodan Milosevic took control of the Serbian Communist Party and began the persecution of the majority Albanians in the province of Kosovo. Two years have passed since Serbs launched open warfare against the Slovenes and Croats who, after voting for independence, seceded from the Communist Serb-controlled Yugoslavia. Already politicians and pundits have forgotten Serb annihilation of

Vukovar and bombardment of Dubrovnic and its inhabitants. It's already a year since the Serb leaders suspended their invasion of Croatia in order to start the conquest of the formerly peaceful Bosnia-Herzegovina.

This situation is not unlike the international anarchy in the Thirties when the peace after World War I was broken. The Japanese military invaded China, Italy invaded Abyssinia, and the German army marched into parts of Czechoslovakia. Those invasions effectively killed the weak League of Nations, which had been set up to prevent wars.

There are two lessons from the Thirties: one is that diplomacy does not appease bellicose national leaders and does not solve international conflicts; it

Sutter Continued on page 22

Bungle in the Jungle: It's Not Allright With Me....

Bill Clinton says his budget plan will work. Brookings' Bill Frenzel says he thinks otherwise.

Twenty years ago, all of official Washington talked earnestly of eliminating deficits. There was even talk of paying off some of the national debt. And why not? At that time, a federal surplus year, fiscal year 1969, was still a recent memory.

Because persistent and growing deficits were not perceived as a major problem in the 1970s, neither Presidents, nor Congresses, took them seriously. Early in the decade, Congress put Cost Of Living Adjustments (COLAs) into the Social Security system. Ironically, this was an act of frugality to stem even greater benefit increases, but it was the beginning of unchecked entitlement growth.

After Watergate, Congress began to flex its fiscal muscles. It laughed off presidential initiatives, both Republican (Whip Inflation Now) and Demo-

crat (the \$50 rebate) and it used its new Budget Act to inflate presidential budgets with expansionary stimuli. Congress dreamed of a Vietnam "peace dividend" but awoke to discover the dividend was spent long before it was payable.

The spending of the 1970s produced regular deficits but turned out to be only a warm-up for the Olympian spending that would follow. The deluge began with the later Carter military budgets, but flood stage was reached under President Reagan in the 1980s. Congress, whose power of the purse gives it primary spending culpability, used the Reagan military challenge to the "Evil Empire" to ratchet up its spending for its own constituencies.

After twelve years of Republican control of the White House, two versions of Gramm-Rudman, one Reagan and two Bush fiscal summits, and endless promises of balanced budgets, the deficit flood continues to rise. That period produced more than a \$2 trillion river of red ink. The national debt about doubled to more than \$4 trillion.

What only some expected has now become true. David Stockman's 1981 vision has become a nightmare. He foresaw \$200 billion deficits "as far as the eye could see." The bad dreams of Stockman's first Democrat successor at the Office of Management and Budget (OMB), former Congressman Leon Panetta, must be much worse.

PRESIDENT CLINTON AND HIS ECONOMIC TEAM

Against the dismal fiscal backdrop

of huge debt, the rising deficits, and unfunded liabilities too horrible to contemplate, President Clinton has entered at stage left. He was only partially aware that the star was not on his dressing room door, but rather on the door of the Legislative Branch. The fiscal tasks confronting him would have made Houdini blanch.

The President did not talk much of fiscal policy during his campaign. His promises could, most charitably, be described as "fuzzy." After midsummer 1992, words such as budgets, deficits and spending cuts seldom passed his lips. There was little hard evidence in the campaign that this "New Democrat" Clinton would handle deficits like "Cold Warrior" Nixon handled China, but that hope existed.

Clinton promptly appointed an economic team which nurtured that hope. The team was centrist, surely to right of the Democrat center. The team and its captain, the President, were then cloistered in the Roosevelt Room of the White House for a few days, searching for spending cuts and formulating the Clinton *Vision for America*. For deficit hawks who had cheered the New Democrat, the *Vision*--and the budget which followed--was a crushing disappointment.

THE VISION OF AMERICA

The *Vision* relied on the world's largest tax increase in history to cover new spending and to produce modest, short-lived reduction in the deficit. That modest reduction produced a deficit of just over \$200 billion in FY 1997, his

last year. Thereafter, the deficit was calculated to soar again.

The news got worse when the Congressional Budget Office, the somewhat objective financial arm of the Congress, scored the *Vision*. Its projection of the Clinton policy showed a deficit for FY 2003 of about \$400 billion, a painful illustration of the futility of chasing deficits with new taxes instead of spending cuts. More to the point, it showed a baseline deficit of over \$320 billion for 1993, and over \$600 billion for 2003.

Reality, always inconvenient and unpleasant for budgeteers, had raised its ugly head. The business community began to get nervous. With health care spending still absent from the *Vision*, the CBO uncapped baseline deficit was too large a dose of reality. It was clearly not what the voters had in mind last November.

All told, the *Vision* promised less net spending reductions than the total military spending cuts. Spending cuts were to total \$331 billion, but \$100 billion of them were really Social Security tax increases and fees, and then there was a \$162 billion item for new "investment" spending. The spending cuts actually net to about \$70 billion over 5 years.

In the same period, the world's record tax increase included \$328 billion in new taxes, less \$83 billion in tax reductions, plus the \$100 billion in misdescribed Social Security taxes and fees. Those new taxes net to about \$345 billion and most of them will be absorbed by new spending.

The relationship of spending cuts of \$70 billion to new taxes of \$345 billion is about one to five. This fact is somewhat removed from the two to one ratio cited by OMB Director Panetta

early in the economic team's deliberations on the budget.

Finally, the *Vision* is at least partially in conflict with congressional spending priorities. The Congress concentrates on funding and increasing old programs invented by old Congressmen. Mr. Clinton focuses on spending for the new promises of a new President. When the Executive Branch quarrels with the Legislative, history shows they both win. Only the taxpayers lose.

WHERE THE VISION WENT WRONG

The Clinton economic plan is less of a vision than a sight. On its face it is neither deficit-reducer nor expense-cutter. Stripped of its rhetorical guises, it has little else to recommend it. However, there are some basic flaws, other than its numbers, that deserve special recognition:

1. It follows the Democrat propensity of trying to reduce deficits by raising taxes. The blunt fact is that taxes alone can't catch skyrocketing expenses. Expenses must be cut or capped. Our indexed tax system grows revenues at about the rate of gross domestic product growth. If taxes are raised to eliminate the deficit completely, the deficit will grow right back in a few years unless expenses are curtailed.

The President seems to understand this phenomenon as it applies to health costs, but other costs are rising faster than GDP growth, as well.

2. The President and his economic team gave up too soon in their search for more and larger expense cuts. The President has said that they worked very hard in the Roosevelt Room, and that the minuscule cuts were enough. Very few people would agree.

Budget success is not measured by

hours in a meeting, or sweat expended. Real, permanent deficit cuts are the only test.

3. The *Vision* and budget are documents presented as free of smoke and mirrors. Such statements should be tender and tasty, because the makers thereof usually have to eat them. A more accurate statement would be that the smoke and mirrors are different than in the past, but the style is not.

Each time new spending is not subtracted from spending cuts, or taxes are described as spending cuts, or interest costs are underestimated, or a major element (health care) is not presented, but savings are claimed, the economic team's nose grows a bit.

Each President gets about one good shot at the budget. Reagan took his in 1981; Bush in 1990. Neither was a resounding success. Clinton may be lucky enough to get another chance, but that is not likely. His best shot was 1993, and, so far, it has been a misfire.

He chose insufficient deficit reduction which actually allows the deficit to soar in the years after his term. He chose insufficient expense reduction or limitation, which insures that costs will continue to run away from revenues. His tax program is a mistake, especially that part of it which falls on people he promised to protect. It is a job-reducer rather than a job-builder.

In short, the opportunities have been missed. The once-in-four-years chance has been wasted. What seemed to be a young, vigorous New Democrat now appears a tired old one instead.

Bill Frenzel is a former congressman from Minnesota and is now a resident scholar at the Brookings Institute.

His tax program is a mistake, especially that part of it which falls on people he promised to protect.

"This is ground control to Major Bill: You've got it wrong." by John Robson

If, "It's the Economy, Stupid", the successful leitmotif of the Clinton presidential campaign, was slated for discard after he assumed office - - we should pause a moment. The economic health of the country rightfully continues to dominate the consciousness of the American people. In part, this is caused by the conflicting economic news in the sawtooth recovery we have been experiencing. But more directly, it is the seriously flawed tax-and-spend economic program proposed by President Clinton that is suppressing economic growth, sapping consumer confidence, pushing inflation and interest rates higher, and giving the jitters to the financial markets. All this is underscored by the contrast between the robust 4.7% economic growth in the last full quarter of 1992 -- the final quarter of the Bush Administration -- and an anemic .9% growth in the first quarter under Clinton.

At this point, the fate of Clinton's economic plan in the Congress is uncertain--primarily because enough members of his own party have rebelled to throw the whole thing up in the air. This rebellion is not a result of the peripheral episodes like \$200 haircuts, and White House travel of-office irregularities, which have captured so much media attention. No, this rebellion is the result of a bad economic proposal that has scant prospect of accomplishing Clinton's

stated (and desirable) objectives of stimulating economic growth, creating jobs, inducing investment and savings, and

If enacted, the Clinton economic program would reduce U.S. employment by 3.2 million jobs and real economic output by \$450 billion by 1996.

reducing the Federal budget deficit. In fact, one widely known economist predicts that, if enacted, the Clinton economic program would reduce U.S. employment by 3.2 million jobs and real economic output by \$450 billion by 1996. Let's look at the reasons for these dark predictions.

Foremost, there is no evidence that any society ever taxed its way to prosperity. And the Clinton economic plan proposes the largest tax increase in the history of this Republic.

Then there is "Clinton's Gap." Clinton's Gap is not a dental irregularity, a scenic wonder or a historic mountain pass; rather, it is the consistent incompatibility between the economic objectives Mr. Clinton says he wants and the economic programs he proposes to accomplish them.

For example, the President says he wants to create more jobs. But we know that a burdensome tax increase will have the opposite effect. Jobs are created by savings and investment, yet Clinton's plan jumps the top individual tax bracket to near 40% (from the present 31%), imposes a 36% bracket on individuals with \$115,000 income and couples with \$140,000. So right off, the potential savings pool from upper-middle and higher income individuals is gobbled up by the tax collector.

Then Mr. Clinton proposes to increase the corporate tax rate from 34% to 36%. Does anyone think that this will induce companies to hire more workers? Does anyone think that this will encourage businesses to invest more in job creating new equipment or facilities? Of course not. The effects will be precisely the opposite.

Mr. Clinton says he wants to help small business--because he knows that in the past decade most of the 18 million new jobs created have come from small business. But what he doesn't seem to know is that about 80 percent of U.S. businesses -- proprietorships, partnerships and Sub-Chapter-S corporations -- pay their taxes

under the individual income tax code so that the sharp increases in individual tax rates will suck up resources from small business entrepreneurs --resources which could otherwise be used to start and expand job creating small business activity.

One should also recognize that some of Clinton's proposals which relate to the taxation of foreign activities will drive high-paying U.S. jobs in research and technology away from the U.S. to foreign sites. A number of large multinational firms have already noted this perversity in the Clinton plan.

And while we're on the subject of job creation, there is a wealth of solid empirical evidence which suggests that when the costs of employment go up, employment goes down. Yet, apparently oblivious to these facts, the Clinton Administration has already enacted obligatory family leave, proposed increasing the minimum wage and prohibited the replacement of striking employees. All of these will increase employment costs and suppress job creation.

President Clinton persistently refers to his economic plan as a "deficit reduction plan." The question is: "Will it be?"

Under the Clinton plan, some deficit reduction occurs over the next five years, but it is not absolute reduction. By their own numbers, it is reduction against what the deficit might otherwise be without any deficit control. In fact, Federal spending in 1998 will be \$301 billion higher than today and over \$1 trillion will have been added to the national debt. Then, after five years, the Clinton program shows a huge resurgence in the budget deficit.

To put this plan into context, we have some instructive experience on the correlation between higher taxes and budget deficits. According to the Joint Economic Committee of the Congress, every dollar of higher taxes between 1947 and 1990 has been associated with \$1.59 more spending. In fact, the last four tax increases have been followed by budget



deficit increases and between 1962 and 1991 there were 47 tax increases yet only one balanced budget (1969).

The way to attack the budget deficit is not to raise taxes but to cut spending. And here is a major design flaw in the Clinton economic plan. **For every dollar of spending reduction there, the American people get four dollars of new taxes,** a far cry from Clinton's well-publicized campaign promise of two dollars of spending cuts for every dollar of new taxes. Besides that, nearly three-quarters of all the spending cuts are from one place: the defense budget. And the proposed cuts are scheduled to come at the end of the five year period while the new taxes and increased domestic spending come at the beginning. Moreover, many of the proposed cuts and higher taxes are highly speculative (for example, \$22 bil-

lion in supposed savings from "streamlining government" and other "administrative efficiencies.") Martin Feldstein, a former member of the President's Council of Economic Advisors and a highly respected economist, estimates that behavioral changes by taxpayers most heavily impacted by Clinton's tax proposal (for example, seeking tax shelters, reducing income-producing work efforts, etc.), will result in only one-quarter of the revenues projected in Clinton's plan actually ending up in the Treasury.

So, when subjected to a reality check, Mr. Clinton's claim that he is offering the nation a tough deficit reduction plan looks pretty weak.

Robson continued on page 26

Welfare Reform

Rhetoric, Reality & Redemption

by Faye M. Anderson

THE RHETORIC

In 1992 candidate Bill Clinton promised to "make welfare a second chance; not a way of life" by requiring that all recipients enroll in an education and training program, and if after two years they have failed to find a job, they must perform community service in exchange for assistance. Failure to do so would lead to the termination of benefits.

Now that it is 1993, the American people are becoming disillusioned with President Clinton's inaction. He now, from time to time, dons the vestment of welfare reform. Following a series of hair raising missteps that contradict his claim of being a "new Democrat," this rhetorical dressing is widely perceived as a cynical and hollow gesture to establish his *bona fides* as a centrist.

The new Secretary of Health and Human Services, Donna Shalala, who, as chairman of the Children's Defense Fund, made clear her antipathy toward the very welfare-to-work programs that candidate Clinton espoused, is now responsible for administering the system. Indeed, during her confirmation hearing, Secretary Shalala was chided by Senator Daniel Patrick Moynihan (D-NY) for devoting only one sentence in her opening statement to welfare reform.

The need for welfare reform transcends mere party lines, campaign promises and accountability. Apart from the moral imperative to assist recipients to make the transition from

poverty and hopelessness to economic independence and productivity, there is a fiscal imperative to relieve this drain on our financial and human resources.

THE REALITY

The reality is this: in 1991, the last year for which statistics are available, 4.3 million families and 8.4 million children - 12.9 percent of all children -- were dependent on Aid to Families with Dependent Children (AFDC). This compared with 3.5 percent of children in 1960 and 11.2 percent of children in 1980. In 1990 spending on all welfare programs, such as AFDC, food stamps and housing subsidies, totaled \$211.9 billion compared with \$28.9 billion in 1960, and \$159.3 billion in 1980. In constant 1990 dollars, welfare spending represented 3.9 percent of the gross national product in 1990; in 1960 and 1980, it represented 1.4 and 3.6 percent, respectively.

What has this spending wrought? Among other things, it is partially responsible for the concentration of poverty in our urban centers, the destruction of urban school systems, rising levels of crime and violence in our schools and neighborhoods and the exacerbation of racial and class tensions. Additionally, it has further weakened the two-family structure because of policies that foster single parent families and ensure that one in five children lives in poverty.

By providing incentives that link assistance to progress toward personal responsibility and economic independence, the government can play a crucial, albeit limited, role in breaking the cycle of intergenerational dependency. To this end, the Family Support Act of 1988 mandates that all states establish a Job Opportunities and Basic Skills Training (JOBS) program, to help recipients obtain assistance in making the transition from welfare to work, recognizing that a job is the surest exit out of welfare.

Despite the statistics and evidence demanding change in our national welfare program, those in Congress and the White House have decided we should wait. Therefore, included in this year's budget reconciliation resolution passed by the House of Representatives is the Clinton administration's proposal to *delay* for one year a work participation requirement for unemployed parents who receive AFDC. The resolution also delays for one year development of criteria by which the Department of Health and Human Services must evaluate states's performance under the JOBS program, the program under which the President's promise to "end welfare as we know it" will be measured.

These proposed delays, coupled with proposed increases in spending on traditional welfare programs, such as food stamps and Head Start, and the failure to appoint a bipartisan welfare reform task force, belie the rhetoric of welfare reform. President Clinton's penchant for task forces is indicative of the priority he attaches to an issue; the absence of a high profile welfare reform task force seemingly places this issue off the President's radar screen.

THE REDEMPTION?

The President can redeem his campaign promise by focusing on the tragedy of continued welfare dependency, with its dashing of hope and crippling of spirit. He must move beyond this rhetoric or risk fueling the growing suspicion of many African Americans that the President's idea of "welfare reform" is no more than a thinly-disguised signal to white voters that he will stand up to certain special interests, meaning blacks. There is also the temptation to lump this inaction in the same category with his contrived Sister Souljah

By providing incentives that link assistance to progress toward personal responsibility and economic independence, the government can play a crucial, albeit limited, role in breaking the cycle of intergenerational dependency.

contretemps of last June and his withdrawal of the controversial nomination of Lani Guinier as assistant attorney general for civil rights at the U.S. Department of Justice.

President Clinton can begin by appointing a *bipartisan* task force, independent of his newly appointed interagency welfare bureaucracy group, to undertake a comprehensive review of federal and state programs and policies. The task force must develop short and long term strategies to break the cycle of dependency. The review must pay particular attention to intended and unintended consequences of any proposed reform. In addition to workfare, the task force must also make recommendations as to the usefulness of proposals that have been characterized by welfare advocates as "punishing" children for the irresponsibility of their parents. These reforms include denial of additional benefits to single mothers who have more children, a reform supported by 57% of African Americans, according to a 1992 survey taken by the Joint Center for Political and Economic Studies.

As one who grew up in one of the most economically depressed communities in the nation, the Bedford-Stuyvesant section of Brooklyn, New York, and who knows firsthand a child's humiliation of sitting in a welfare office waiting to see a caseworker, there is nothing more punitive than consigning a child to a future of defeat; to a life in which he or she rarely sees an adult gainfully employed, where hope is crushed and a teenage pregnancy is the only preparation required for a lifelong job -- as a welfare mother.

The goal of welfare reform must not be to "reinvent" the welfare bureaucracy by streamlining the administration of benefits or *de-stigmatizing* recipients through the use of technology such as the Electronic Benefit System praised by Vice President Albert Gore. Instead, the goal of a welfare reform must be two-fold: 1) moving recipients toward economic independence and personal responsibility; and 2) promoting the formation of two-parent families. Anything less is no more than welfare as we now know it. **R**

Faye M. Anderson is executive director of the Council of 100, a national organization of African American Republicans.

V[✌]tes for \$ale

By Ned Cabot

On May 7, President Clinton offered a campaign finance reform plan that opens the door to fundamental political change. It provides the best opportunity in many years to reduce dependence on special interest money and would promote political competition by reducing incumbents' spending while providing additional resources for challengers.

The President's plan would restore the integrity of the presidential campaign finance system that was established after the Watergate era. This system has been undermined by the use of "soft money" contributions -- some as large as \$450,000 each -- from labor unions, corporations, and wealthy individuals. Soft money donors avoid federal contribution restrictions by giving to party organizations, which then spend the money on behalf of federal candidates for party related activities. More than \$80 million in soft money entered the last presidential election, in about equal amounts for each party. The President's plan would end the use of soft money in federal campaigns.

The legislation would also extend to congressional races a system of spending limits tied to public benefits. Former Senator Paul Laxalt (R-NV) -- President Reagan's campaign manager in 1980 and Republican Party general chairman in 1984 -- said the present congressional campaign finance system has "far too much emphasis on money and far too much time spent collecting. It's the most corrupting thing I see on the congressional scene."

The Senate bill would provide vouchers for broadcast time, print advertisements, and mailings as well as television and mail discounts for those congressional candidates who limit their spending. These public benefits would be funded by eliminating the existing tax deduction lobbyists take for business related expenses. In addition, the President has proposed banning the common practice of contributing to or soliciting funds for Mem-

Big contributions from special interests
... allows House incumbents to get re-
elected at record rates and build vast
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bers whom they have lobbied in the past twelve months. It is vital that we break this connection between special interest and money process so that congressmen and senators will make reasonable and rational decisions without the pressure of moneyed power brokers.

If this proposed funding system had been in effect during the last Senate elections, it would have cut incumbents' campaign spending by \$37 million which is nearly a third. Challengers' spending would have been reduced by just less than \$1 million. Furthermore, challengers would have benefited from new resources, including an additional \$12 million in vouchers, for expenses such as television ads, for Senate challengers alone.

The Senate bill would also ban PAC contributions altogether. Should this provision be ruled unconstitutional, new restrictions on individual PAC contributions and aggregate PAC donations would be enforced. For instance, the bill which Congress passed last year reduced PAC contributions to no more than 20 percent of the total contributions received by each Senate candidate. To level the political playing field further, the bill would ban the use of taxpayer-funded mass mailings (the frank) during election years.

Opponents of reform have argued that the Senate bill is pro-incumbent and even partisan. But the facts are clear and indisputable. The current system of financing congressional campaigns gives an *overwhelming* and unfair advantage to incumbents of either party.

The situation is worst in the U.S. House of Representatives. The founding fathers intended that it should be the body closest to the people which is why they provided for House elections every two years. Big contributions from special interests has effectively reversed that arrangement. This money allows House incumbents to get re-elected at record rates and build vast war chests to scare off serious challengers thus making the House a body with little true competition.

Today most Houses races are "financially uncontested." For example, in 237 of the 406 races in 1990 where incumbents were running for reelection, there was either no challenger at all, or one who had only \$25,000 or less in campaign resources

to oppose an incumbent with an average war chest of \$632,000. Not surprisingly, *none* of these challengers won.

Many opponents of campaign finance reform make an argument which is

simply contrary to the facts. To beat incumbents, they say, you must have the ability to outspend them. Thus spending limits are said to be pro-incumbent.

That argument is inaccurate for two reasons. First, in a system without spending limits, incumbents will almost always be able to raise more money and outspend challengers. As a practical matter, caps on total spending will usually only limit incumbents because only incumbents will raise as much as the cap permits.

Second, anyone who has been in politics and run campaigns knows that it is possible to beat an opponent who outspends you two-to-one. One can overcome those odds. But you can rarely overcome odds of five- or ten-to-one. To give challengers of both major parties a fair shot, spending limits and some public resources are indispensable.

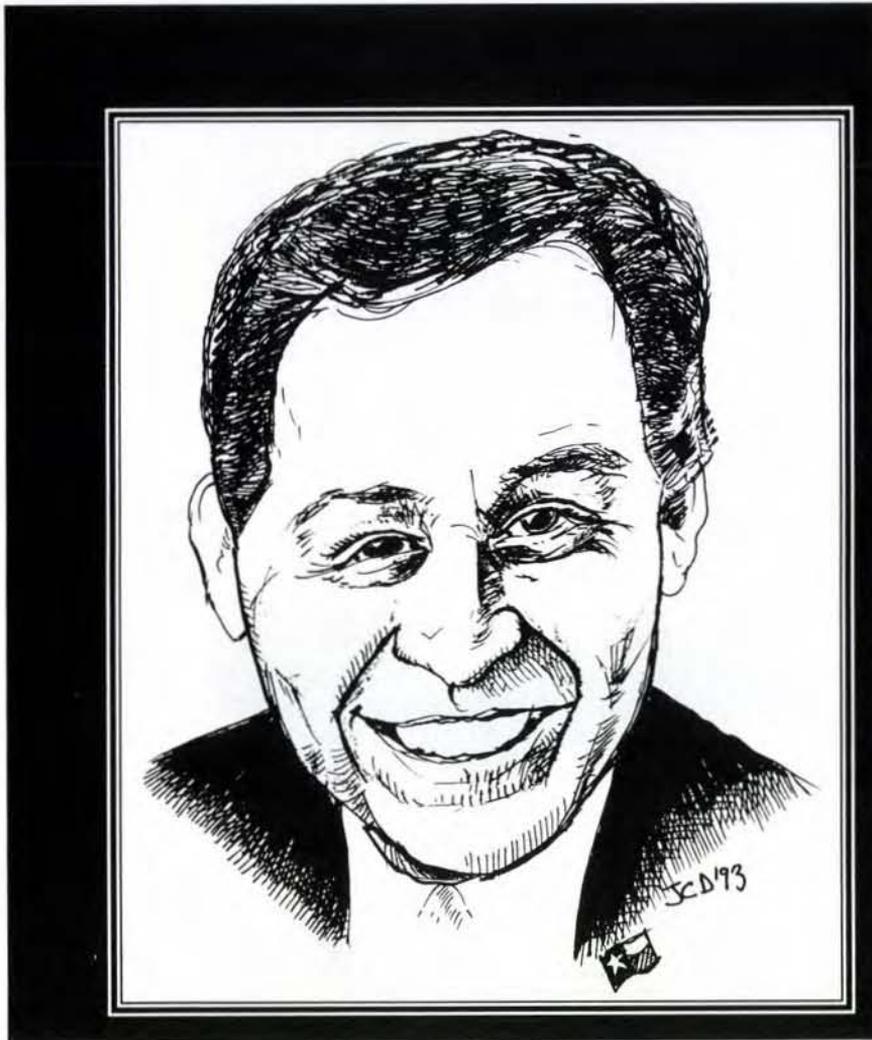
Senate Republican Leader, Senator Bob Dole, R-Kans., has criticized the President's campaign finance reform proposal as anti-Republican. However, during a recent interview on NBC News' *Meet the Press*, he acknowledged that campaign finance reform, including public benefits, is the key to Republican competitiveness in the House. "You know, I've told my Republican friends in the House if they were smart, they would accept the public financing provision and sunset it after four years," Dole said. "That would give us enough time to take over the House of Representatives."

As Senator Dole conceded, campaign finance reform would be good for Republican challengers simply because there are so many more Democrats than Republicans in the House.

Is campaign finance reform consistent with Republican principles to support limits on total spending and public, taxpayer funded resources for political candidates? In 1992, a majority of Republican challengers for the House thought so.

Cabot continued on page 26

Profiles and Prospectives



Freshman Congressman Henry Bonilla *is an anomaly to Texas politics. He says he's not a moderate, although he's pro-choice, but says he is a conservative but voted for big money programs such as the Space Station and the Super Collider. He says he cares about the people of his district, which with 58 counties along the Mexican border is the one of the poorest sections of the state, but supports no specific health care reform plan or urban planning program.*

Why did he run for
Congress?

Lone Star

People in my district ... want spending cut first. They don't support taxing social security, they don't support raising energy taxes. It's a philosophy interwoven throughout Texas and the border, even in 98 percent Hispanic communities.

FORUM: Was your first run for Congress your first political experience?

BONILLA: I come from the private sector and I'm just a worker, a manager, and understand how to balance budgets and payrolls and all that. So really to speak of, although I did do some public relations for Governor Thornburgh, and it was very important to his following through on some big commitments that he made to the people of Pennsylvania, I guess that was, to a great degree, political involvement, but it was very brief, it was less than a year, and it was over a decade ago.

FORUM: What made you leave the television industry and enter the political arena?

BONILLA: People think it sounds corny, but I felt a real calling and a necessity because the person who was holding this seat was the antithesis of every value that we all hold dear to our hearts, I think not just in Texas, but in many communities in this country, and I believe that we need to be fiscally responsible, and my opponent believed that we needed to raise taxes and give congressmen pay raises. He was rated as the number one spender in the entire Texas delegation. And being a fiscal conservative -- as a matter of fact, we checked with the National Taxpayers' Unit, and the bills that I've sponsored as of Friday would put me in the negative \$9 billion category. So I feel like we need to cut spending first before we ever consider taking another dollar out of the pockets of the working people of this country.

So all these issues, and plus there were a lot of other factors related to the incumbent that I thought, how could they do this, how can we be redistricted into this area and be forced to accept a guy who's been in politics all his life, and even made no secret of wanting to benefit himself more? He's since been indicted and is going to trial in July, so I guess things played out the way we expected.

FORUM: When you ran against Albert Bustamante you claimed he was out of touch with voters' concerns. Are you worried that you too might fall out of touch with your voters, and what will you do to prevent this from happening?

BONILLA: Well, I've always been the kind of person, who enjoys doing a lot of things and staying in touch with what I feel keeps one's finger on the pulse of what people are doing

in this country. I come from a low income background, and I still go all the time to my old neighborhood to visit my parents. Just by being aware of what it is the folks in the heartland are concerned about, I think it's something that's always just been second nature to me.

So I can't imagine following that role of losing touch, but, hey, if I lose touch, I hope people work doubly hard to throw me out, so I'm not concerned about it. I come from the private sector. I'll go back to work and I don't need to be a career politician anyway.

FORUM: You are the first Hispanic Republican to represent Texas in Congress and represent a district that is primarily Democratic in origin. During your campaign, there were Bonilla/Clinton stickers in your district. What does that say about the 23rd District and how will you effectively represent this constituency which is so politically heterogenous?

BONILLA: And it's also 70 percent minority. I have faith in people's good judgment, and I went out into all my area, every community in my area, and talked to people early on. We started early and worked hard for almost a year and a half solid. Democrats in Texas are different from the Democrats in Washington, and I point that out everywhere I go. People in my district -- I just went out to 25 counties during the Easter break -- they want spending to be cut first, they don't support taxing social security, they don't support raising energy taxes. It's a philosophy interwoven throughout Texas and the border, even in 98 percent Hispanic communities.

And they also are very angry about the gays in the military issue. I said it's because a lot of those families, again, come from a legacy of, "My father was Democrat, my grandfather was Democrat," back in the days of LBJ and Sam Rayburn and all those Democratic historical figures that really entrenched that state into thinking that you just have to vote Democrat. I say, look, you haven't changed; the Washington liberal Democrats have changed. You don't have this in common with them, you don't have X in common with them, you don't have Y in common with them, do you? And they go, "No, I don't because I don't believe that we need to be taking more money out of our pockets right now to pay for boondoggles that the President wants to pay for. I don't believe that we should have

On gays in the military:

"Our defense is not something that we can go around worrying about whose needs are satisfied; we have to worry about ... defending our country or the lives of the people in the service. It's time to perform and all this reality and political correctness is out the door."

gays in the military. I believe in a strong defense, they don't."

So in separating philosophically, because a lot of folks, especially in Hispanic neighborhoods, have a strong link to their parents, and they don't want to think that, "My dad was wrong or my mom was wrong, and I'm right." They want to think -- and this is accurate -- they want to believe that they were right and now I'm right and voted for the same things even though the labels on the parties are different. I always call [Republicans] the free enterprise party too, and the taxpayer party, which I believe is indisputable.

And so as I make those arguments out there, that's exactly how I was able to capture more voters. In the case of President Bush last year, he blended too much with the establishment up here and he got in big trouble. That's why you had Clinton/Bonilla supporters.

FORUM: As a freshman, how are you handling the politically hot issue of gays in the military? Are you approaching it differently from your freshman colleagues, or are you listening strictly to your voters' concerns?

BONILLA: I'm listening to the military's opinion and I'm listening to the voters' opinions, and it's consistent with my opinion. I believe in equal rights for everyone, whether it crosses ethnic lines, religious lines, or sexual behavior, it's nobody's business what someone's lifestyle is, and I worked with and welcomed gays working in our newsrooms over the years. But this is different, this is something that involves tension, close quarters, long times away from home, morale, and our defense is not something that we can go around worrying about whose needs are satisfied; we have to worry about when it comes down to defending our country or the lives of the people in the service, it's time to perform, and all this reality and political correctness is out the door. So I'm a realist in that regard, and I think that we need to preserve that, and if the military, one day the enlisted people and the brass, the Joint Chiefs, come to us and say, "Now it wouldn't be disruptive, and now it's something that we all agree that needs to be

done," I'll say, okay, so it's not going to affect morale, and you're for it, then I would consider changing my position on that. But we have to do, as elected officials, everything we can to make the military's job easier, and this makes it harder.

FORUM: One of your colleagues recently chided your supporters saying that as a freshman you have no political pull. Yet, you are the only freshman in recent memory to be assigned to the Appropriations Committee. How did you do it?

BONILLA: Well, everyone's victory in their district is unique, but when I won, I went to the leadership and said we've penetrated a culture that's never been penetrated before by Republicans, even though people like Reagan and Bush and Gramm are popular in those areas, we leapfrogged all that by a 20-point margin in a border district.

Back when I was campaigning for this Appropriations seat, I said, what are we going to say to the people? Did we do all we could back in '92 to help telegraph to this culture that the Republicans care about this district and that it is special to them? And the leadership right down the line, whether it was Bob Michel or Newt Gingrich or Bill Archer, they all said, "You're right."

Senator Gramm likes to say, and it really kind of humbles me and makes me feel the significance of what happened because sometimes when you're in the game you don't understand how significant it is, but he said my existence in this job is a threat to the Democratic Party as it exists now in Texas. That just really makes me realize the magnitude of it, and that is what the leadership recognized. We made headway by my being the first Republican Hispanic elected from Texas. So I'm just delighted to be on the wave of this historic change in politics in Texas. It's very exciting.

FORUM: You've entered a class of legislators that have dubbed themselves reformers, and you yourself support term limits of 8 years, the balanced budget amendment and the line-item veto. With Republicans out of the majority and the White

House, how do you propose to push such reforms through, and do they represent the priorities of your district?

BONILLA: They all represent the priorities of my district. All of the GOP Freshmen have listed our reforms. For example, we want to cut committee staffs, and put them in writing and are trying to advance them. Although there are 48 of us now, we don't have the clout that we need to really push it through. We're trying to work with the Democratic freshmen, but they sold out to the leadership immediately and even the media hammered their reforms as being very, very watered down. The leadership told them, "We don't want any of this," and they said, "Okay. Can we just put some token reforms forward?" and that's what they did. So they sold out, and we didn't sell out. Our freshman Republicans are more vocal and strong-willed than any group in Washington. So we hope we can continue rattling cages.

FORUM: What is your perception of Perot and his constituency?

BONILLA: Well, Perot understands how to communicate with the media. The media salivates over his appearances and sound bites, so he knows how to take advantage of them.

FORUM: Well, he has come out and he has scared people to death on the North American Free Trade Agreement (NAFTA). South Texas will really benefit from the passage of NAFTA, but even Congressman Kolbe of Arizona is having doubts of whether it will pass. What are you saying to your colleagues on both sides of the aisle to encourage support for NAFTA? And what do you feel the President must do to make sure he doesn't lose the Republican votes he may have today?

BONILLA: Perot is misguided on this. As I have said before, he is right on a lot of issues, and that's why he gets the kind of reaction he does from the general public, but on NAFTA he's dead wrong. Anyone who's done any research on the increase of free trade or increased trade with Mexico has seen that it will be a job creator. I don't understand where he gets his facts. He's apparently a

protectionist, he wants to live in the '50s, when our economy, the world economy, was different.

If we had frozen the way we operated back in '63, where would we be in the world standing in terms of free trade? In '73, and then in '83, and here we are in '93 again, and we can't just mark time and stand still and think that we're still going to be positioned the same way economically in the world as we were in previous generations. And he wants us to freeze while the rest of the world moves forward. And I think that just common sense and facts and figures prove that he's wrong. So he can go and do whatever he wants on that, and that's his privilege, it's a free country.

Most studies will confirm that it's not the border areas or Texas that's going to benefit most; it's midwestern companies. Job creation has already begun on the West Coast, the East Coast, New England and the Midwest, so everyone in the country shares equally on this. There are many companies that have moved to Mexico that would have had to fold if they hadn't moved, so at least they go into Mexico.

We can't be concerned about everything Mexican operations do, we can't be concerned about whatever China does, or Korea, or anybody does with their workers. So in many cases these companies would not be manufacturing goods, sending them back here, which creates jobs for countless numbers of people; we wouldn't have that if it wasn't for companies willing to be more flexible with Mexico.

FORUM: Are there any federal programs which show themselves to be beneficial in improving health care in rural areas like your district? And secondly, what do you hope to see in the new health care package that could improve access in this community?

BONILLA: Well, my area is unique. I think what we need in health care is tort reform, and I'm not hearing that as much out of the secret negotiations that Hillary has been holding. Tort reform would help us tremendously in this country, and especially with health care. Most will agree that will drive costs down 30 to 40 percent just like that. I

On health care reform:

"Tort reform would help us tremendously in this country, and especially with health care. Most will agree that will drive costs down 30 to 40 percent just like that. I don't understand why this isn't being discussed more.

Bonilla moves beyond stereotypes

don't understand why this isn't being discussed more.

I also think we need to empower people more to be responsible for health care. If we continue to tie business to this, it's going to get worse. We didn't tie life insurance to employment benefits, we didn't tie auto insurance to employment benefits, and those, although they're costly, have not reached the crisis proportion that they have with medical benefits. So we need to get it off of business' back. They got into this in the beginning because they wanted to attract employees, and it becomes more of an incentive, but it was never meant to solve the country's health problems.

So we need to move more to a private system where people understand what they're paying for. That way they're better shoppers. Americans are the worst shoppers for health care. We spend more time shopping for videotapes and new cars and mobile phones than we do for the best price for hospitals, and we need to cut that out. I've been guilty myself.

So tort reform and empowering people, weaning them off of business carrying the ball would be tremendous. Standardizing health care forms. And beyond that, people who are poor, I absolutely think that we ought to provide them vouchers or tax credits to buy their own health care insurance. But, still, they have to be responsible for being good shoppers and being good consumers because that's the only way you drive prices down.

FORUM: Are there any specific urban development programs that you think are going to be key down in the Southwest? Are there any sort of programs that you think, besides NAFTA, that would improve those areas?

BONILLA: I generally believe that the free market and private enterprise should be left to guide improving conditions versus government programs.

FORUM: What is your impression of the Republican National Committee and what do you believe Chairman

Haley Barbour is doing to promote the "big tent" theory?

BONILLA: I think Haley Barbour is right on target in trying to create the "big tent" theory. I have not had the privilege of meeting him personally, although I have heard him speak, and as Republicans we need to look at what we have in common. If you go to church and you have 10 commandments or 10 philosophies that guide you, you don't throw out your members just because you have a difference of opinion on one or two issues, you still work together and you go to church every Sunday. Likewise here, we shouldn't let one or two issues divide us because if we do, the liberals, the liberal Democrats, are going to be laughing at us in future years because they're going to laugh at how divisive we are. We're going to become more like them, and I think that would be a disaster.

So I'm thrilled that Haley Barbour -- and also Rich Bond, who just left the RNC, was very strong about his advice, and I've said that myself on a couple of occasions before Republican groups. Let's look at what links us together and work together because otherwise we're going to have someone continuing to be in the White House and people continuing to win elections that are much more socialist oriented.

We believe, first of all, in terms of where they work, we are always the friends of small business, we are always fighting for less regulation. The liberal Democrats are always fighting for more regulation. We're constantly fighting bureaucracies. We feel like the middle class working people, which I was for most of the years of my life, should be able to keep as much money as possible and that the strength of our country comes from permanent private sector jobs. We don't believe that, as a good man from California asked the President the other day, that we can tax and spend ourselves into prosperity.

So the more we allow the free enterprise system to work, and the capitalistic system, the better off working people are going to be. So we're constantly fighting to lower their taxes, we're constantly fighting to create less regulation and bureaucracy and paperwork for their employers, so they can be more productive, get higher wages, and create more jobs. **R**

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Make No Law

Supreme Court justices should be less interested in special interest group appeals and more interested in interpreting the law.

by Kris Kobach

When President Clinton finally selected Ruth Bader Ginsburg to replace Byron White on the Supreme Court, the announcement sounded strangely like a political nomination for a Cabinet post. Clinton hailed Judge Ginsburg as a champion of the women's rights movement and a successful political crusader for a noble cause. The national media quickly ran a political "litmus test" on Ginsburg attempting to nail down her positions on various controversial issues. Was the President living up to his campaign promise to appoint someone with "an expansive view of the Constitution and the Bill of Rights, someone who believes in the constitutional right to privacy?" Would Ginsburg oppose **Bowers vs. Hardwick** and support the constitutional protection of homosexual activity? Kate Michelman, president of the National Abortion Rights League, expressed misgivings: "Her criticism of **Roe v. Wade** is cause for concern. We look forward to a thorough Senate Judiciary Committee hearing to determine whether Judge Ginsburg will protect a woman's fundamental right to privacy." President Clinton labelled Ginsburg a "centrist," acceptable to politicians of both the Left and the Right. All this rhetoric suggested something very disturbing - many of our nation's

leaders have seriously distorted view of the Supreme Court's role in our political system.

Such statements reinforce an insidious and growing misconception in America today - that the Supreme Court Justices are merely politicians with robes; political hacks who bring an agenda with them to the Court and lobby their fellow Justices accordingly. This sentiment is shared by some members of the Senate Judiciary Committee and was dramatically illustrated in the politicized attack on Robert Bork in 1987. Misconceiving the Supreme Court as a super legislature which generates pseudo statutes to override acts of Congress, they vilified the judge for holding politically incorrect views. This attitude persisted in the confirmation hearings of Anthony Kennedy, David Souter and Clarence Thomas. The prospective Justices were asked, in effect, "What constitutional "rights" will you create or repeal for us when you get on the Court?"

No doubt, the American public will hear more of the same in the Ginsburg confirmation hearings. It is high time we consider the pitfalls inherent in viewing the Court this way.

This approach to judicial appointments weakens the very foundation of constitutional democracy. Rather than

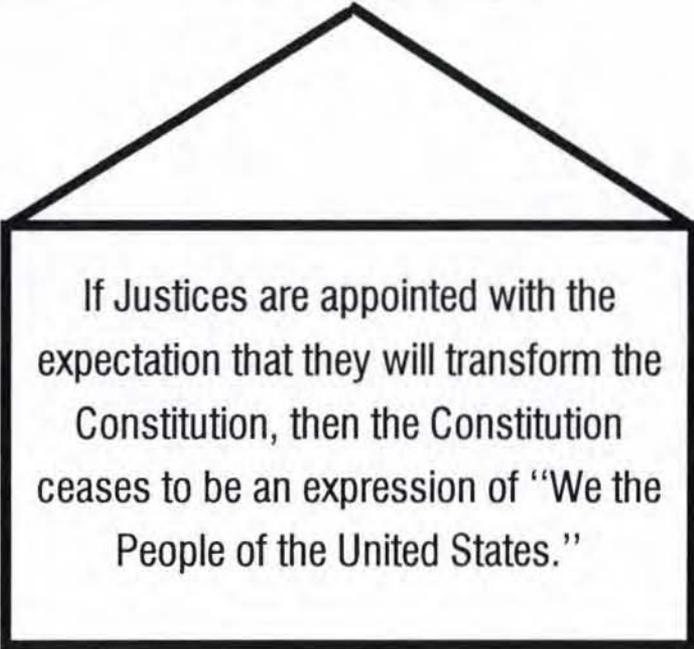
expecting Justices to objectively interpret and apply the Constitution, many politicians want their favorite to **amend** the Constitution. Justices are not assessed on the basis of their intellect and objectivity, but according to what their predicted decisions will be. Revisiting the fundamental law of the United States is reduced to a simple vote of nine people; get five on your side and you win. By playing fast and loose with the meanings and by ignoring others, the Justices can transform the Constitution without any formal amendment ever taking place.

Meanwhile, Article V of the Constitution, which stipulates how the document is supposed to be amended, is abandoned. Article V requires any amendment proposed by Congress to be ratified by the legislatures or ratifying conventions of three-fourths of the state (a "super majority.") Unfortunately, many politicians and interest groups would rather not go to the trouble of persuading the people of 38 states to adopt their amendment when all they need is a few more votes on the Supreme Court.

This is not a new phenomenon. It began in the 1930s when Franklin Delano Roosevelt sought a way to overcome the problem that much of his New Deal

legislation was unconstitutional. The Supreme Court struck down the National Industrial Recovery Act of 1932, the Agricultural Adjustment Act of 1934, the Railroad Retirement Act of 1934, the Bituminous Coal Conservation Act of 1935, and the lower federal courts issued hundreds of injunctions against other New Deal programs. The Constitution limited the powers granted to Congress, and these acts overstepped the boundaries of Congressional authority. Roosevelt faced a choice: either give up the idea of a national regulatory welfare state or amend the Constitution. He opted for the latter course, but was unwilling to subject his proposals to the scrutiny and deliberation stipulated by Article V. As he admitted in his fireside chat of March 1937, he regarded the formal amendment process as an opportunity for his enemies to stall or defeat his cherished programs. In other words, he feared he might lose the game.

So he changed the rules. He would amend the constitution without actually changing a word in the document. Launching his infamous Court packing plan of 1937, he proposed that when any Justice reached the age of 70 and did not retire, the President should have the power to appoint another Justice to serve alongside the elderly members of the Court. Roosevelt couched the scheme in terms of helping the Court cope with its work-



If Justices are appointed with the expectation that they will transform the Constitution, then the Constitution ceases to be an expression of "We the People of the United States."

load, but the duplicitous calculation was obvious: the President would get the opportunity to appoint six new, sympathetic Justices immediately, and 5 to 4 decisions against the New Deal would presumably have gone 10 to 5 the other way. Although the Senate Judiciary recognized Roosevelt's scheme to be an "utterly dangerous abandonment of constitutional principle" and rejected it, the Grim Reaper and the attractions of retirement lent the President a hand. Within four years, he was able to appoint seven new Justices to the high court, all of whom were willing to modify the Constitution for the President.

The year 1937 and after, immediately saw a revolution in the American political system. The new Justices turned the Commerce Clause of Article I into an all encompassing license for federal regulation. Where previously a wide array of economic and industrial decisions were left to the states or

to private individuals, Washington assumed the power to regulate even the most trivial minutiae of economic activity. This transformation was more drastic than any of the formal amendments to the Constitution, with the possible exception of the 13th and 14th Amendments. Constitutional scholar Bruce Ackerman goes so far as to argue that the post 1937 changes ushered in a "new constitutional regime." Ever since then it has been plainly obvious that changing the Constitution is possible without formally amending it; one merely has to appoint Supreme Court personnel willing to do the job.

Why does it matter if there is another way of amending the Constitution? Because it matters a great deal **who** does the amending. The Constitution grants the authority to make policy to office holders who are periodically held accountable for their decisions. Elections ensure that such representatives remain the people's ser-

vants, not their rulers. The role of the Supreme Court is to be the ultimate judge of when such political bodies overstep their powers and threaten the rights of the people or the structure of the political system. *But who is to guard us from our guardians?* The Justices of the Supreme Court are unelected, unaccountable, life-tenured individuals with the capacity the will of elected majorities. The only answer is that the Justices must regard themselves as bound by the Constitution. That means being bound by the plain meaning of the various clauses and amendments at the time of ratification, not being free to add new meaning whenever they see fit. As obvious as this may sound, it bears repeating; for many legal Academes have lost sight of this fundamental principle, and many in the political realm would prefer to bury it.

If Justices are appointed with the expectation that they will transform the Constitution, then the Constitution ceases to be an expression of "We the People of the United States." Instead, it becomes the authority by which nine unelected individuals rule a nation of 260 million. In relinquishing our control over the content of the Constitution, we sell the nation's soul for a particular decision which appears all important in the drama of the moment. It is not the high court's function to do an end run around Article V and amend the Constitution at the behest of the party in power. Only a

super majority of the American people or their agents can legitimately change the fundamental law of the land.

So what does all of this mean for the upcoming confirmation hearings? First, it means that Clinton must refrain from defending Judge Ginsburg on the basis of litmus test issues like abortion. This approach only reinforces the misconception of the Supreme Court as a body entitled to mold the Constitution as it sees fit. Ironically, Ginsburg's own statements suggest that she would not take her political agenda with her on to the Court. Unfortunately, many misguided supporters would have her do otherwise. Second, the Senate Judiciary Committee should stop running their hearings like a political inquisition. The Senators must ascertain not what Ginsburg's political views are, but whether she is willing to put them aside in interpreting the Constitution. They must also determine whether she is willing to bind herself by the limitations on the Court's power described above.

Third, people must realize that the gender, race or religion of a Supreme Court Justice is largely irrelevant. When Senator Joseph Biden proclaims that Ginsburg will make a great Justice because of her success in advancing women's rights, he gravely misconstrues the job of the Court. If Ginsburg becomes a great Justice, it will not be because she represented the views of women. The Su-

preme Court has no business representing **anyone**. They are there to apply the Constitution objectively, not to shape it according to the demands of various social groups.

Fourth and finally, interest groups who seek constitutional protection for their causes must stop marching in front of the Supreme Court building or outside Senate Confirmation hearings. By asking the Court to consider their views, they tempt Justices to abuse their authority. As Justice Antonin Scalia mused in last year's abortion decision: "How upsetting it is that so many of our citizens (good people, not lawless ones, on both sides of this abortion issue, and on various sides of other issues as well) think that we Justices should properly take into account their views, as though we were engaged not in ascertaining an objective law but in determining some

kind of social consensus."

If constitutional protection is sought for a freedom which receives ambiguous treatment in the text of the Constitution (as is undeniably the case with abortion), then both sides need to take their case to the people of America and seek an amendment in accordance with Article V. Of course, it is much easier to demand that the Justices do the amending instead. But for any principle to gain the privilege of being deemed a **Constitutional right**, it must win the endorsement of a super majority of the American people. Only this can ensure that constitutional democracy does not wither away to see constitutional oligarchy grow in its place. **R**

Kris W. Kobach is a Teaching Fellow in Political Science at Yale University and a student at Yale Law School.

QUANTUM POLITICS

*Greening State Legislatures
for the New Millennium*

by

William R. Bryant, Jr.
Michigan House of Representatives (1970-)
Republican Leader Emeritus

"Insights are as applicable in the Minnesota as in Michigan. I appreciate his optimism and belief in the human spirit [where] transformation starts."—*Ken Nelson, Dem. Farm Labor State Representative, Minnesota, 1973-92*

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If Ginsburg becomes a great Justice,
it will not be because she
represented the views of women.
The Supreme Court has no business
representing **anyone**. They are there
to apply the Constitution objectively,
not to shape it according to their
views.

U.N. Must Be Assertive

Sutter Continued from page 5

merely whets their appetites to expand their conquests further. The other lesson is that the United Nations, which was set up "to save succeeding generations from the scourge of war," could suffer the same fate as the League, unless it is transformed into an effective institution to overwhelm the war makers, free from the whims of individual autocrats.

A TIME FOR UNIFIED ACTION

It's time to call the bluff of the bullies who thrive on attacking the inhabitants of smaller and weaker nations. It's time to stop the Chamberlainian policy of appeasing the aggressor by endlessly negotiating unenforced cease-fires and repeatedly announcing consideration of vague peace options to be implemented some time in the distant future. It's time to stop dealing with Milosevic (who started these bloody adventures), Radovan Karadzic (the Serb proconsul in Bosnia), and other Serb hard liners who have participated in sham peace negotiations while continuing the genocide. The United Nations, the United States and other nations should recognize neither the regime of Milosevic nor that of Karadzic, and should insist that any future peace negotiations be only with peace loving Serbs from the democratic Opposition.

At the end of the cold War, allowing aggression by anti-democratic Serb leaders against their neighbors to take place and continue year after year is a threat not just to the peoples of Europe, but ultimately to Americans and all other peace-loving peoples of the world. Moreover, this is not a problem for Europeans or for Americans acting alone to solve. (The U.S. has neither the ability nor the authority to serve as the world's policeman.) This problem, affecting the human race, is one for the entire world. Therefore, it should be dealt with by the peoples of the world through their global institution. What is needed is a true "global policeman," organized by the United Nations, which must be strengthened and made more effective. All countries concerned with ending wars, but especially the genocide being perpetrated by Milosevic, Karadzic, Vojislav Seselj (the ultra-nationalist Serb hard liner), and the Serb generals, should be persuaded to provide armed contingents for peace enforcement by the U.N., as recommended by Secretary-General Boutros-Ghali in his *An Agenda for Peace*.

Military aggression should be countered by superior military force. Hundreds of thousands of military personnel in well armed units of the U.S. Army and other countries are being

maintained at taxpayers' expense around the world. However, not only the United States, Canada, and other NATO countries (including Turkey), but also the Scandinavian countries, Russia, Ukraine, Pakistan, Indonesia, Brazil, Nigeria, etc., should all be encouraged to provide contingents. The military officers in charge of the U.N. peace-making forces should be selected for their ability, not their nationality, and they and their troops should represent first of all the United Nations.

In addition to tightening the naval blockade of the Danube and other regions under Serbian control, Milosevic, Karadzic, and their generals should be given an ultimatum to stop fighting and lay down their arms, or else aircraft under U.N. command would commence bombing the bases of Serb fighters in Bosnia and strategic targets in Serbia. These should include not only artillery batteries and other military sites in the field, but also munitions factories, air and river ports, rail centers, and key bridges. To keep casualties of civilians to a minimum, as well as to induce them to have second thoughts about supporting their jingoistic leaders, announcements of the bomb attacks should be well publicized shortly before they occur (without specifying the exact times and places).

Unfortunately, it was a charade for military and civilian leaders of the United States and other NATO countries to pretend that only by NATO's patrolling the seas and air, could the Serbian military and para-military forces be stopped in Bosnia. The U.S. Government then made a second error and

All countries concerned with ending wars... should be persuaded to provide armed contingents for peace-enforcement by the U.N., as recommended by Secretary-General Boutros-Ghali in his *An Agenda for Peace*.

abetted the Serbian aggression from the outset by publicly ruling out the use of U.S. ground forces, while suggesting it was up to the Europeans to provide them. Ground force contingents must come from both the Americans and the Europeans, as well as other countries, as mentioned above.

The threat by itself of overwhelming United Nations

ground forces, including American contingents, should cause the Serb militarists -- who until now have faced only smaller and weaker opponents -- to cease their attacks. If the mere threat does not achieve its objective, U.N. peace-making ground forces should pursue and defeat the aggressors. Meanwhile, the lightly armed British and French "peacekeepers" -- who have not been able to keep the peace and defend the Bosnian people -- should have been converted into well-armed "peace-makers". The superior U.N. forces should then be able to pacify and restore order in the Slavic countries involved in this war.

THE U.N.'S RESPONSIBILITY

Leaders -- civilian as well as military -- who incite, launch and justify military aggression and genocide should be held individually accountable for their crimes against humanity. Through all forms of media, the United Nations and countries supporting it should make this plain, particularly to those people whose national leaders, *agents provocateur* and propagandists have instigated these crimes. The U.N. forces should proceed to arrest the suspected war criminals, who should then be tried not in some national court but in a permanent International Criminal Court. This court must be organized as soon as possible (and not be restricted to trying only suspected Serb, Croat and Muslim Slav, war criminals of the current war).

Next, a U.N. Transitional Authority should be set up to take over the reins of government in not only the victimized country of Bosnia, but also the aggressors' country, Serbia. The UNTA should take effective control of the ministries of foreign affairs, defense, public security, information, education, and finance, and it should recruit qualified professionals from around the world to serve in the interim. As a U.N. led disarmament program is carried out, the UN would begin the restoration of peace. After helping displaced refugees on the spot, it would assist them to return home if they wished.

Eventually the UN should arrange free and fair elections and referendums in Bosnia, Kosovo, Vojvodina, and the rest of Serbia to determine their future as far as possible according to the wishes of the inhabitants, including those still displaced abroad (something which was not allowed for Cambodians). In addition, the European Community should offer other small Slavic states, as well as Slovenia and possibly Croatia, integration into the community to help assure their peaceful economic and political future.

THE U.S. MUST PROVIDE LEADERSHIP

While the Serb leaders have tried to carve a Greater Serbia out of Kosovo, Slovenia, Croatia, and Bosnia, the world has been waiting for a sign of leadership from the Americans,

such as was demonstrated in the American struggle for independence by Washington, Adams, Franklin, and Jefferson,

It appears that many Americans are ahead of their leaders in adapting their world view to the needs of the world of the 21st Century and in wanting to help create an effective world organization with enforceable world law and order.

and during World War II, by Roosevelt. Yet the absence of a daring call from American leaders today is partly based on the fear that the people are not yet ready.

But in a recent poll by American Talk Issues Foundation on Structures for Global Governance, 82% of 1200 respondents felt that the U.N. should be empowered to arrest persons who commit serious international crimes. When specific crimes were mentioned, 78% felt that the U.N. should have the authority to arrest lawbreakers who invade and occupy other countries, while 83% felt that the U.N. should arrest offenders responsible for egregious human rights violations including making war against groups within their own country. In the same poll, on the question of attitude towards institutions necessary for effective international security and law enforcement, 68% favored having a global police force; and 77% a world court. At the same time that 86% felt the U.N. should be made more effective, 58% were ready for a limited, democratic world government.

It appears that many Americans are ahead of their leaders in adapting their world view to the needs of the world of the 21st Century and in wanting to help create an effective world organization with enforceable world law and order. In view of this, let us American citizens and the Congress get behind our President to promote a world-wide effort to support, reform and empower the United Nations, enabling it to tackle the situation in the former Yugoslavia and to set a precedent for the handling of "regional conflicts" that may continue to arise in the future. **R**

John O. Sutter is 1st Vice President of the World Federalist Association of Northern California.

There can be little doubt that life in our nation is undergoing change. The images of Norman Rockwell are held dear but seldom seen. The atoms of the nuclear family have been split. Our highly mobile society has required us to live away from our roots in an anonymous atmosphere that does not encourage our deeper and better instincts. The 'X' of Malcolm X stands for the unknown family of origin and may someday be worn by those who lost their roots by forces other than the slave trade. A divorce rate above 50 per cent has changed our standard of monogamy to one of sequential monogamy. With almost all adults in the work force there is a family revolution akin to that of the Industrial Revolution when the family unit came off the farm and learned to deal with members being "employed outside the home." Now that no one is at home, children are raised by television with no one around to teach responsibility or character development. The list of used-to-be's goes on and on and everyone has their favorite image of the crumbling family.

"Family values" are a rallying cry because we know that families are important. They are the chosen glue of the human community. We have rooted both our individual and common life in the soil of family. The notion that this soil is becoming exhausted and no longer capable of sustaining us is frightening. Out of moral conviction or concerns for consequences, many want to do something. Individuals struggle to hold their own cluster together or to find constructive alternatives to its absence. People come to the church this writer serves looking more for a family than for God. In addition, schools struggle to teach the parenting and social skills families used to teach. Businesses provide day care centers for workers. Courts grapple with the violence and abuse of dysfunctional families. Hospitals must draft and redraft policies on health care decisions as the reality of absent relatives becomes more frequent. Government reaches further into abandoned family turf with rules about prenatal care, child care, schools and nursing homes.

Those who seek only to follow the trends of our society and live off its gleanings commission polls to find out where the center is and position themselves for the best pickings. These marketers and politicians are content to let the changes take their

Religion and Politics: Does anyone oppose this marriage?

by Frank Wade

course. Their assumption is that people will be whatever people will be and one adapts to the result. Others draw on religious, moral or social convictions and are more proactive. They seek positions of leadership in order to influence the shape of family life. These latter are the focus for this article.

One particular concern is for those who would use the force of law to shape the life of the family. They argue for platforms and policies that would insure their concept of "Family Value." Often using the language and the zeal of faith, they purport to hold an absolute truth to which all must adhere. Concern for an image of the nuclear family begins to block compassion or respect for the larger human family. By taking a single issue and declaring it more important than all other issues, family value zealots claim the moral high ground in any discussion. The apparent goal is to join God in the privilege of creating something in their own image. Finally and logically, they seek the force of law to ensure adherence to their view.

The problems with such an approach are legion even if one can understand the source of its energy. Family and family values are intimate parts of life. They do not respond well to the blunt instruments of the law, policy and platform. These are intended for the broad strokes of our society. They apply to all people at all times. Family life and family values do not. Thomas Jefferson who designed the separation of Church and State knew that the integrity of the state remained dependent upon values such as honesty, integrity, and responsibility that are generated by religion. He did not see the State as the developer of such intricate motivations.

Victor Hugo pointed to the slow and delicate nature of character formation when he said that reform must begin with one's grandmother. Law is not the way to develop our natural character because law must apply to all people at all times. There is no single way to be moral nor any national approach to responsibility. Family forms and values are not fixed but vary from time to time, place to place and family to family. A sexually responsible homosexual person needs more than "abstinence" to make sense of his or her life. The single parent cannot find meaning when thought of as an incomplete couple. "Just say no" is weak

competition to the appeal of drugs and larger prisons are even less effective.

Does one then abandon the effort to influence values and join those who would let nature take its course? Let us hope not.

The intimacies of family life and values respond best to the subtler instruments of society. Values are not formed by law but by example, by teaching and by the consistent presentation of cultural norms. Churches have traditionally played a key role in this enterprise, but are rapidly losing access to the breadth of the population. Our cultural norms are now shaped by television, advertising and the press. Those concerned about family and values can turn their attention to these media. Reminding the heads of networks, agencies and news organizations that they are in fact the molders and shapers of value and character in this nation no matter how firmly they see themselves as mere reporters and reflectors would be a good starting place. *Time* magazine recently reported that 15 to 18 percent of teens rely on "entertainment" to teach them about sex. That is not only a lot of young people, it is more than participate in the life of a faith community. Influencing a few advertisers will have more effect on our society than a dozen legal restrictions.

In the long run, truth does not need to be propped up by law. If the values we proclaim are part of truth, they will stand on their own. Many of our compatriots forget that point and apparently feel compelled to make truth real by force. There are Christians who have lost the distinction between evangelism which is proclaiming the truth and imperialism which is conquering in the name of one's own point of view. All that truth needs is to be told, modeled, experienced, and retold. Truth about our lives and our closest relationships is an intimate and even delicate thing. It is not well conveyed with broadsides nor well planted with excessive force.

The family is changing and our values seem to be changing as well. One can shrug and wait for the dust to clear in order to discover what we have become. One can rush at the world with broadsword and axe in order to save some tradition in distress. Or one can reach for subtler instruments of society and work to be the teachers of values, the modelers of behavior, and the definers of our cultural norms. The new pulpit and classroom is the television set. **R**

Dr. Frank Wade is the Rector of St. Alban's Church in Washington, D.C.

There are Christians who have lost the distinction between evangelism which is proclaiming the truth and imperialism which is conquering in the name of one's own point of view.



New Law Would Give Challengers A Fighting Chance

Cabot Continued from page 13

Common Cause ran an intensive campaign to press congressional candidates to commit themselves to the basic principles of campaign finance reform, including spending caps, limits on PACs, and public resources for candidates. A majority of Republican challengers for the House endorsed these principles. They did so, I assume, because they were forced to cope directly with the unfairness of this current system.

Is it consistent with Republican principles to give public money to candidates? Since public funding for elections began, every Republican candidate for president except John Connally (a lapsed Democrat) has apparently thought so, for each has accepted public funds for his own campaigns. These candidates include George Bush, who took more than \$125 million, and Senator Dole, who accepted \$8 million.

The national vice-chairman of the Republican Mainstream Committee, John Buchanan Jr., a former Republican Member of Congress from Alabama, endorsed a bill last year that was similar to President Clinton's campaign finance reform proposal. Mr. Buchanan wrote:

"Campaign finance reform is essential to reverse the public's perception that [Congress] has fallen to the wolves of special interests and corruption. ... In the 11 years since I left Congress, I've watched at a distance as public respect for the institution I served faithfully has plummeted. The nation has looked on in frustration at Congress's inability to grapple with the budget deficit, the savings and loans crisis, health care, and other pressing issues. ... Our system needs reforms that will level the playing field for challengers."

Reformers at the beginning of this century fought to curb the power of corrupt political machines which dominated the politics of that era. Today, incumbents and party officials of *both* major parties have forged bonds with special interest groups who want something from government. Republicans must fight to curb the power of these new machines for the same reason that reformers of an earlier era opposed the old machines. Because special interests shouldn't be able to use big money to have a special claim on government.

When the Ripon Society was founded, their members were among the leaders in the fight to end racial discrimination. Now once again moderates must help lead the fight to revitalize our democratic process. **R**

Ned Cabot is Chair of Common Cause.

Robson says "We cannot tax our way to prosperity."

Robson continued from page 9

We still have yet to mention the two mammoth "wild cards" in the Clinton program that will have a potentially damaging effect on economic growth, jobs, and deficit reduction. These are, of course, whatever energy tax emerges from the legislative process and Hillary Clinton's health care reform package.

Overall, it is not unfair to characterize Mr. Clinton's proposed economic plan as a program crafted with a focus on politics rather than economics. But I suppose this is not so surprising for a President who has a limited frame of reference on economic and business

matters, never having held a private sector job.

Indeed, Mr. Clinton has missed a unique opportunity to deliver to the American people a truly tough deficit reduction/pro-economic growth package that relies on spending cuts, not new taxes, and features broad incentives for saving and investment like capital gains tax reduction.

We might yet be rescued from this flawed economic plan by -- surprisingly enough -- Congress, particularly the Senate. Already they have killed off Clinton's wasteful "stimulus package"

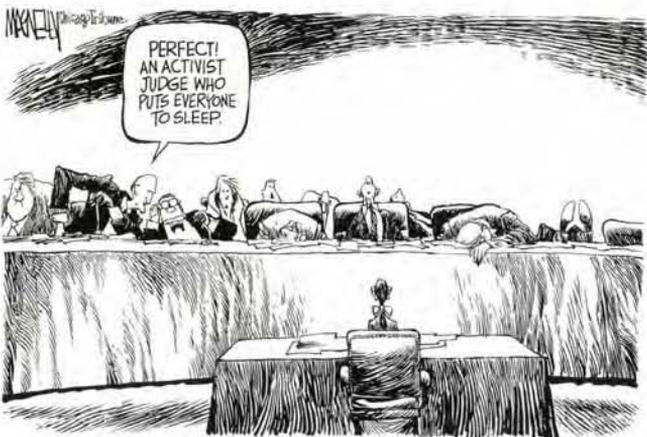
and have forced the Clinton Administration to regroup on the design of the proposed economic program.

The reason for this rebellion against the Clinton economic plan is the recognition by Senators that this nation is not undertaxed - it is overspent. And they sense that the American people are serious about addressing the problem. **R**

John Robson is a visiting Fellow at the Heritage Foundation. He served as Deputy Secretary of the Treasury in the Bush Administration and was CEO of a Fortune 500 corporation.

The Lighter Side

McKENZIE Chicago Tribune



Extending Universal Coverage: American Reform in Japanese Perspective

by

Scott A. Kupor and Aki Yoshikawa

As any international comparison bears out, no other industrialized country spends more money on health care than the U.S.; nor does any other country share the dubious distinction of failing to provide adequate coverage for over 14 percent of the population. Japan is no different than any other industrialized nation bar the United States, spending only \$142 billion for health care in 1990, just over 6 percent of national income. Not only has Japan achieved success in cost containment, but it continues to provide universal coverage to its 123 million residents through a combination of employment and municipality based health insurance plans. While the system is not without its pitfalls, the Japanese health care system works well. As the American public awaits the Clinton Administration's health care reform package, we should consider two important lessons from the Japanese system. Incorporating the Japanese experiences into our decision making process can help policy makers avoid the mistakes of the past while planning for the future.

First, the Japanese experience has shown that segmentation of health insurance coverage can work. When the Japanese Ministry of Health and Welfare (Koseisho) instituted universal coverage in 1961, they utilized an extant infrastructure created by various occupational groups. These insurance societies, organized around professional or trade groups, had been forming gradually since the 1920s. After World War II decimated the Japanese medical infrastructure, Koseisho chose to revitalize the framework of the original insurance system, overlaying uniform rules (i.e. co-payment obligations and benefit packages) on these private insurance groups and create a safety net for those without coverage. This group by group segmentation -- independently administered insurance schemes organized by employer or trade group -- coupled with formal, overarching regulations has provided a mechanism for the efficient collection of premium contributions and the smooth

diffusion of information across insurance societies.

As it exists today, the Japanese insurance system is composed of three main sections, each administered individually. Society managed health insurance (Kumiai) covers workers at large firms, government managed health insurance (Seikan) covers people at small and medium sized firms, and the National Health Insurance System (Kokuho) covers the self employed, retirees, and workers at the smallest companies. Although each of these systems covers a population with unique socioeconomic, demographic, and geographic characteristics, the insurance system as a whole provides efficient

The Japanese have created a system of uniform benefits, income-based premiums, government subsidization, and cost shifting in an overall plan that combines the strengths of employer-based insurance coverage with an efficient and equitable allocation of resources.

and equitable coverage through systematic cross subsidization across insurance societies. Excess premiums collected by the financially sound insurance societies (mainly large companies' Kumiai) are redistributed to the financially weaker systems, such as Kokuho and the separately funded system for the elderly. In a sense, this systematic mechanism of redirecting surplus premiums from the wealthy to the poor has replaced the inefficient, haphazard practice by

which U.S. hospital costs shift to paying patients in order to shore up financial losses incurred from treating Medicare, Medicaid and uninsured patients. Hence, the Japanese have created a system of uniform benefits, income based premiums, government subsidization, and cost shifting in an overall plan that combines the strengths of employer based insurance coverage with an efficient and equitable allocation of resources.

In light of this, the Clinton Health Care Task Force's intention to allow large companies to opt out of the HPICs can work if carefully thought out. The experience of the Japanese government has led them to appreciate the need to spread more evenly the burdens of health care across all payers. It is clear that efficiencies of scale and scope can be achieved by allowing large companies to negotiate their own health care

arrangements, but equity in the delivery of care and the future solvency of the U.S. government demand that some degree of income redistribution from the wealthier to the poorer groups occur. The Japanese have shown that market segmentation and decentralized management of insurance societies can be not only efficient, but also distributionally just.

The second major lesson to be learned involves the organization of insurance coverage at the municipal level. As both the U.S. and Japan have recognized, collecting premiums and providing insurance coverage for employees of large companies is logistically straight forward. Providing for the self-employed, however, proves more difficult because the administrative efficiencies of scale and scope that are available to big businesses are largely absent. Recognizing these limitations, the Japanese undertook a systematic strategy to gradually expand the classes of persons covered under the Kokuho insurance system.

In its efforts to establish universal coverage in 1958, the Japanese government made each municipal government responsible for the organization and management of its own Kokuho insurance society. This decision was largely arrived at out of political expediency and the desire to restore physician confidence in the system by giving local leaders direct control. In retrospect, however, the decision to invest local leaders with responsibility for their constituents allowed for the gradual insurance coverage of all Japanese citizens as well as the creation of regionally tailored insurance schemes. Approximately 3,200 Kokuho societies exist today, covering in excess of 43 million Japanese. Premiums are collected mainly in the form of a local household tax, while additional funding is provided by the government and by cross subsidization from the wealthier employee societies.

At a time when American distrust of government has reached an apex, the Clinton Health Care Task Force could do

well to push down control of reform initiatives to local community leaders. As the Japanese have recognized, restoring the confidence of local physicians (who have felt largely left out of reform discussions) and of local leaders (who have felt helpless in the wake of increasing financial burdens on the county health care systems) is essential to the successful implementation of health care reform. The administration of a recently passed managed competition bill by Governor Chiles (D) of Florida which creates 11 regional purchasing groups can also benefit from attention to Japan's utilization of municipality leadership to extend health care coverage. Local

autonomy also allows for the integration of public health initiatives and the normal delivery of care in a way that caters to the specific needs of a specific population. With the increasing emphasis on prevention in American medical care, the ability to harmonize public health and education with the delivery of primary care can also be facilitated by the local administration and financing of care.

With emotions and expectations running high in the wake of impending reform, the need to maintain a clear sense of objectivity remains equally great. The Japanese experience provides us with an opportunity to evaluate the implementation and potential effectiveness of tried and true financing and delivery mechanisms before we venture into uncharted waters. We should seize the opportunity to learn from the experience of others in order to develop the most efficient and equitable health care system in the world; information remains our most valuable commodity. **R**



Scott A. Kupor, A.B and Aki Yoshikawa, Ph.D. are both from Stanford University's Comparative Health Care Policy Research Project at the Asia/Pacific Research Center.

White House Follies

by Harry Phillips

The Clinton Administration's tortoise like progress in filling thousands of subcabinet level positions makes it likely that many of these positions will remain unfilled during the current millennium. As with any presidency, many factors are considered in the process of turning perfectly good people into government bureaucrats.

There are pressures to give jobs to politicians who want to bring to the federal government the same skills and talents which have caused Congress to function so smoothly. There are candidates for jobs whose names are floated like balloons in the event someone somewhere has some dirt on them after which they are allowed to twist in the wind for awhile because watching people squirm in public is a favorite activity in Washington. And there are the campaign workerbees who made it all possible and whose first jobs upon arriving in Washington will probably be as food servers at Gino's Pizzeria while they wait for THE CALL.

But if you are a genuine FOB (Friend of Bill) or FOH (Friend of Hillary), you can pretty much punch your own ticket. Being a DEM is considered mandatory. And it doesn't hurt to be a VRP (Very Rich Person) who had the foresight to make a sizable campaign contribution back in those dark and gloomy days when the odds of Bill Clinton becoming president were about as promising as Barney the Dinosaur's (actually, if kids could vote, we would now be calling him President Dinosaur). Even Nixon would have gotten better odds from the Vegas bookmakers.

But the most important prerequisite for a government position in this administration is to meet the EGG diversity criteria. EGG is Washington-speak for someone who can provide the ethnic, gender, and geographic (EGG) balance necessary to create a government which "looks like America."

Much of the appointment process is proceeding in "slow-mo" because of the President's and First Lady's reported desire to personally review the credentials of nominees for top government positions. Lengthy background investigations are necessary because apparently no one pays Social Security taxes on the illegal aliens they hire these days. And let's face it, Clinton did have about a jillion people to appoint (as opposed to George Bush who simply kept on most of the Reaganites when he arrived in 1988 and we all know how pivotal **they** were in his reelection campaign). But most of the gridlock has been caused by the EGG Rule.

President Clinton has embarked on a laudable quest to create a government which reflects the diversity of the melting pot we call America and the fact that more than half of the population is female. However, it's doubtful he can even make

it "look like New York" where over 100 nationalities are represented. What about the hundreds of thousands of homeless people? And the millions of poor people? There are even some Republicans. In both groups. Will they be represented in the government? Referring to one of Richard Nixon's least memorable Supreme Court nominees, the late Nebraska Senator Roman Hruska once remarked that "even mediocre people deserve representation" on the Supreme Court. Should overweight people be included in the EGG? How about short people? And because most Americans who are eligible to vote don't and thus are the largest single chunk of the electorate, what about placing an apathetic person in charge of something in Washington? I say it can't hurt! Where does one draw the line? As editorialized in *U.S. News and World Report*, the problem with a hiring policy which resembles a Chinese menu (One from Ethnic Column A, another from Gender Column B, etc.) is that it promotes diversity for diversity's sake and to the perceived exclusion of a person's skills and talents. Thus, nominees could be robbed of the credit they deserve if they are worthy of their jobs and become judged, to paraphrase the famous quote by Dr. Martin Luther King, "by the color of their skin" instead of "the content of their character." What should really count are the policies the administration will pursue to help those who have been disenfranchised and forgotten and abused. **R**

TOP 10 PERKS OF LIVING IN THE WHITE HOUSE

10. Exit out of Arkansas **and** live rent free for at least four years.
9. Sign executive order forcing McDonald's to deliver.
8. Turn Bush's horseshoe pit into giant bird feeder.
7. Let Socks run wild and enjoy watching Secret Service agents fall all over themselves trying to corral her.
6. Yell "Look at all those poor suckers" while flying over downtown Washington traffic jams in presidential helicopter.
5. Make Yeltsin more nervous by calling him on the hot line in the middle of the night, saying, "Sorry, wrong number."
4. Invite Ozark Mountain Boys Precision Washboard Drill Team to next state dinner.
3. Drop water balloons from third floor window on visiting Republican congressmen.
2. Convince Christophe to discount \$200 haircuts in exchange for naming the presidential coiffure, "The Christie", and making it the national haircut.
1. As an unsuspecting nation looks on, wear polka dot jogging shorts while sitting behind desk in Oval Office during next televised address to nation.

Harry Phillips is a Washington-based writer.

BILL'S SCORCHED EARTH POLICY

Bill and Hillary Clinton like to party. They hosted Bill's 25th college reunion at the White House, have entertained friends, media personalities, Washington insiders, and hundreds of Hollywood notables since taking residence at 1600 Pennsylvania Avenue in late January. They even had a massive tent erected over the South Lawn so that they could socialize outside and late into the evening. Well, the Clinton's entertainment bill will apparently end up "costing the taxpayers a pretty penny," according to *The Washington Post*. It seems that for the 20 days that the tent stood, the lack of sunshine and thousands of feet that trampled the grass killed the lawn. The South Lawn of the White House must be completely resodded. WNQ wants to know where was **Al Gore** when the South Lawn needed him? He was probably boogying down at the James "I feel good" Brown concert with **Tipper** and **Al Sharpton**, but that's another story.

Reason Magazine's Charles Oliver had an interesting fact to report in last month's issue. The U.S. Department of Health and Human Services conducted an investigation of 261 major universities who were inappropriately charging the federal government for expenses. The University of Wisconsin ranked first in the improper billing category having charged Uncle Sam \$10.5 million for things such as maid service and fresh flowers for the university's chief executive officer. Coincidentally, the report was made ready just in time for the arrival of the new HHS Secretary and former chief executive officer of the University of Wisconsin, **Donna Shalala**.

TAKING ON THE TAXMAN

Moderate Republican **Christine Todd Whitman** has beaten back rival GOP challengers and has positioned herself to take on Democrat New Jersey Governor, **Jim "I'll tax you till you drop" Florio**. Light on taxes and heavy on tolerance, Whitman is running a campaign that is strikingly familiar to her near upset victory over popular two term Senator, **Bill Bradley**. Florio, however, does not have a NBA championship ring to pull him through a tight political contest. His administration has imposed some of the highest tax increases in New Jersey history. Seeing little bang for their new tax bucks from a Democrat Governor and a Democrat controlled legislative branch, New Jersey voters in 1991 put Republican legislators in firm control of the Assembly and Senate. In 1993, Florio will have a difficult time regaining the trust of the average New Jersey voter. However, Christine Todd Whitman must still wage a tough and aggressive campaign. Recent polls show both candidates in a statistical deadheat. The "Taxman of Trenton" may be down, but he is certainly not out ... yet.

DEMOCRATIC DEFICIT?

A recent Democratic National Committee survey asks potential contributors to rate the issues most important to them. The multiple choice list includes health care reform, campaign finance reform as well as funding the fight against AIDS, but does not include the topic that Bill Clinton receives most of his letters about from the American people: Deficit reduction. The DNC should realize that ignorance is not bliss.

LAST ACTION HERO

WNQ's political favorite this month is **Sen. John Chafee** (R-RI) for spearheading the new health care reform proposal that 23 Republican senators have helped develop including **Senate Minority Leader Bob Dole** (R-Kan). The package is said to be the Republicans' substantive effort that could effectively rival the President's plan due for release at the end of September. Although conservative critics have labeled the Chafee proposal "Clinton II," Chafee's new plan is only similar in that it relies on pooling consumer purchasing power to negotiate improved, private, and competitive health plans. The Chafee plan differs from the Democrat's in the amount of government involvement needed for regulation. "Clearly this would have a serious impact on small business," Chafee told the *Washington Post*. "I don't think we can afford health care reform at the cost of jobs."

GONE PACing

Congresswoman Susan Molinari and Congressman Dick Zimmer recently announced the formation of their new PAC, *Committee for Responsible Government*, which will work to support and fund candidates who are "fiscally conservative and socially tolerant." The PAC will be headed by Wall Street investment banker **Lewis Eisenberg**. The committee's literature calls for candidates' with "a belief in equal rights, individual liberty and compassion for those in need." Molinari has said the PAC's chief concern is to get Republicans elected and broaden the base of the Party. No one at Ripon can argue with that philosophy. **R**

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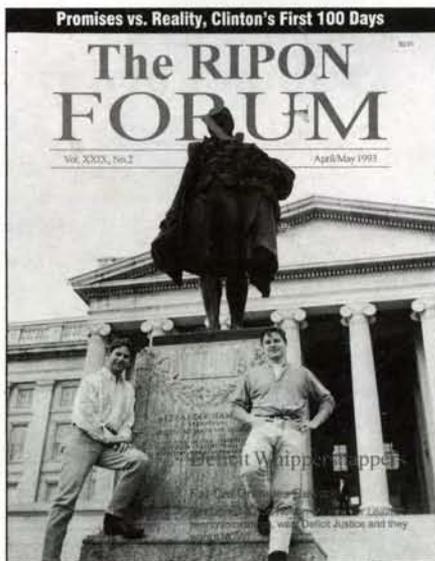
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