

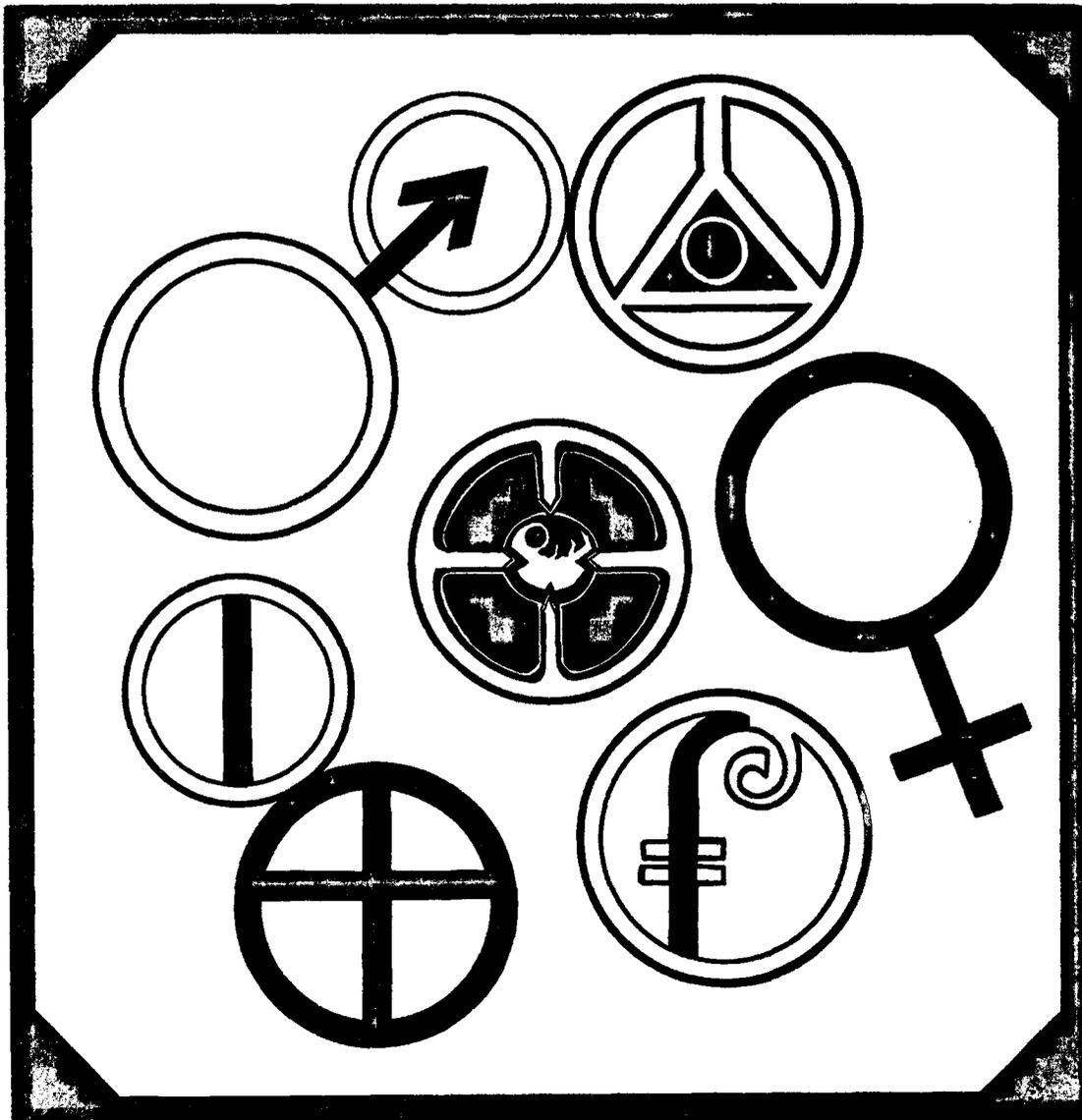
Big Elephant Hunting in Texas

RIPON FORUM

APRIL, 1973

Vol. IX, No. 7

ONE DOLLAR



Diagnosing Abortion and the Court

CONTENTS

Commentary

What the Country Needs Now: Energy .. 4

Tanya Melich, the FORUM Editorial Board's resident environmentalist, contends that compromises between environmentalists and energy interests will have to be reached if the United States is going to be able to develop sufficient energy resources without large-scale dependence on the Middle East.

Bind Him Down From Mischief 6

Gregory G. Rushford, once active as a researcher-writer in Congress and the McCloskey presidential campaign and now working with a public affairs consulting firm in Washington, D.C., explains the task of the Senate's Church-Mathias committee investigating presidential war powers. The committee should begin hearings this month.

The Supreme Court and Legitimate State Interest 8

In the first of two Commentary articles on abortion, Robert G. Stewart, president of Ripon's Cambridge Chapter and a third-year law student at Harvard University, analyzes the Supreme Court's decision on abortion.

The Abortion Decision 10

In the second Commentary article on abortion this month, John C. Robbins, chief executive officer of Planned Parenthood-World Population, explains the implications of the Supreme Court's decision for state legislation.

At Issue

Regulated Compensatory Voucher Plan .. 21

Dr. S. Francis Overlan, now director of the Education Voucher Project at the Center for the Study of Public Policy, has extensive experience in the education field as a teacher, administrator and researcher. In this article, he explains how his regulated compensatory voucher plan would meet some of the objections of traditional critics of Milton Friedman's idea.

Presidential Commissions 26

Presidential commissions have a tendency to produce more headlines and research contracts than results. Attorney Anthony Mohr has some proposals to improve their efficiency and efficacy.

Features

Politics: Reports 11

Douglas S. Harlan, who was the GOP's congressional candidate in Texas's 21st C.D. in 1972, holds a Ph.D. in government from the University of Texas at Austin where he is now a law school student. He summarizes the current state of Texas politics in "Home on the Connally Range."

Politics: Reports 16

Abortion, Kentucky, Utah, New Mexico, and South Carolina.

Politics: Profiles 19

South Dakota Treasurer David Volk

Politics: People 19

Duly Noted: Books 28

The New Majority and American Presidents and the Presidency.

Duly Noted: Politics 29

Letters 30

14a Eliot Street 31

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THE RIPON FORUM is published semi-monthly by the Ripon Society, Inc., 14a Eliot Street, Cambridge, Massachusetts 02138. Second class postage rates paid Boston, Massachusetts. Contents are copyrighted © 1972 by the Ripon Society, Inc. Correspondence to the Editor is welcomed.

In publishing this magazine the Ripon Society seeks to provide a forum for a spirit of criticism, innovation, and independent thinking within the Republican Party. Articles do not necessarily represent the opinion of the Ripon Society, unless they are explicitly so labelled.

SUBSCRIPTION RATES are \$10 a year, \$5 for students, servicemen, and for Peace Corps, Vista and other volunteers. Overseas air mail, \$10 extra. Advertising rates on request. \$10 of any contribution to the Ripon Society is credited for a subscription to the Ripon FORUM.

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•Margin Release

BREED'S HILL — Dogooder liberals are getting a bad image these days. Like the Black Panthers and the Chicago Seven, dogooder liberals have become passe. Everybody is down on the dogooders. Their social idealism was apparently hopelessly naive. Their penchant for expending tax monies on ambitious projects to right social evils was apparently financially irresponsible. And their willingness to assume employment as dogooder bureaucrats, dogooder researchers, dogooder program organizers and dogooder baloney-pushers marked them as thinly-veiled advocates of paternalism.

The fruits of dogooder efforts are in disrepute. After all, weren't we in Vietnam to promote democracy? But did we? Wasn't OEO started to destroy poverty? But did it? Weren't the Manpower programs (perhaps "People-power" would have been less chauvinistic) begun to end unemployment? But did they? Wasn't busing supposed to remedy segregation? But nobody will let it. David Halberstam's book destroys the image of *The Best and the Brightest*. Howard Phillips is fast at work destroying OEO. Manpower is being scuttled. President Nixon is attempting to get the federal government out of the dogooding business.

Dogooding is definitely "out" these days. Tough pragmatism is in. Belt-tightening is in. Austerity is in. Budget-cutting is in. And in New York City, all the mayoralty candidates talk about the in thing: law and order. In Washington, the President criticizes soft-headed judges and probation officers. In Massachusetts, prison guards demand that the corrections commissioner be fired and the prison be returned to their control. (The guards claim it had been turned over to prisoners.) In a suburb of Albany, parents mobilize to combat juvenile delinquency after two pet rabbits were kidnapped and held for \$20 ransom. In Ridgefield, Conn., the PTA president resigns after her dog was hung from a tree on her front lawn as a protest against her support for the inclusion of Eldridge Cleaver's *Soul on Ice* in a high school course. In New Jersey, a former attorney general turns from prosecuting polluters to defending them and admits to perhaps overzealous prosecution in his former capacity.

Not that there aren't pockets of dogooder liberalism left; the President's budget proposals seem to have produced a rallying standard for the forces of dogooding. But the dogooding heyday is over. The important issues are the price of hamburger, the danger of mugging, busing of little school children and the property tax rate. No one is much worried about institutional racism, the fate of democracy in Latin America, the deterioration of public housing or the improved regulation of campaign expenditures.

The dogooder is dead. Long live numero uno. But before the dogooder is buried, an epitaph must be composed:

*Here lies young Dogooder Liberal
Who erroneously thought man more than mineral.
Born in the Sixties
In the midst of squalor
He died in the Seventies
From presidential pallor.
He thought poverty medieval
And communism pure evil
But came to find out
That his best efforts
Turned to a rout
When official reports
Said the devil did it.*

db.



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Editorial Board COMMENTARY

What the Country Needs Now: Energy

by Tanya Melich

One of the greatest problems facing the United States over the next 13 years will be the discovery and development of clean, safe and cheap sources of energy.

While exact energy requirements are difficult to forecast, the U.S. Bureau of Mines has predicted that the United States total energy consumption, if the present standard of living is to be maintained, will almost double from 68,810 trillion BTU's in 1970 to 133,396 trillion BTU's in 1985. Measured another way, this means that per capita energy consumption will rise from 337 million BTU's in 1970 to 563 million BTU's in 1985.

Our present ability to fill these needs is precariously deficient. If immediate,

major changes are not made in the nation's approach to energy production, most energy analysts claim that the U.S. could suffer a major breakdown in energy supplies sometime within the next five years.

There are a variety of reasons why this ability to keep up with demand has disappeared.

1. Research and development of new sources of energy have been minimal, mainly because the President and Congress have given them low priority. A private study prepared in 1966 for the White House predicted that the nation's energy resources seemed adequate through the end of the century. No one seems to have anticipated the major increase in demand, which has occurred.

2. The sudden appearance and popular appeal of the environmental issue has slowed any major attempts to develop new energy sources.

3. The environmentally cleaner qualities of natural gas and its fixed, low price have forced railroads, residences, businesses and electrical companies to switch from coal and oil. During World War II, coal furnished 70 percent of the nation's energy supply, now it provides 20 percent. Coal production has dwindled considerably. Its output for this year is expected to be no more than 580 million tons — only a 5 percent increase in five years.

4. Domestic oil exploration has dropped 40 percent in the last 14 years. U.S. ground oil is so deep that it costs, in most cases, more to drill than the oil will bring on the market. Off-shore drilling and the building of the Alaskan pipeline have been stopped temporarily by environmental considerations. Even if production increased, there is presently a shortage of refineries. (No one wants one built near his town or city.)

5. International political and security considerations, a dearth of tankers and docking space, high costs and quotas have kept oil importation low.

6. Fear of nuclear energy and the high costs involved in making nuclear plants safe have slowed their widespread use.

Unfortunately, the articulation of alarm and the voluminous material on the energy crisis have not yet moved the nation to action. Instead, they have

helped move the nation to argument.

The debates divide in two directions. One argues growth versus no-growth. The other accepts that growth is a necessary element for maintaining the nation's well-being with controversy centering around the means for obtaining energy.

Unlike the second debate which uses for persuaders statistics and technical arguments, the no-growth controversy is rooted in ethical and philosophical tones.

The no-growth advocate desires no-growth because he believes that continuation of the present energy production system will destroy the ecological balance of not only the nation, but eventually the world.

He claims that economic systems are like biological systems. Both have rapid periods of growth leading to maturity and survival is insured by a leveling off to a so-called steady state. If the system does not stop growing, it collapses. The Club of Rome study, *Limits of Growth*, exemplifies this theoretical approach.

On the other hand, the no-growth antagonist argues that what was good enough for the American frontier is good enough for modern America and that there can be no progress without growth.

No-growth seems superficially appealing if your philosophical bent is toward an unencumbered, aesthetically pleasing life in the style portrayed by the painters Rousseau and Gauguin. A return to nature, on first thought, seems the way out.

The trouble with this argument is its premise: because technological development has created some havoc with nature, the way to save nature is to stop technological advance. Ignored here is the undeniably impressive improvement in health levels, standards of living, and availability of food and shelter, to mention just a few examples, in those nations with high energy consumption.

In the last four years, U.S. energy consumption has increased faster than the nation's Gross National Product (measured by the U.S. Department of the Interior on the basis of energy consumed per dollar of GNP). This is a heartening reversal since it is largely due to greater use of air-condition-

ers, appliances and cars. To a lesser degree, it has been caused by more energy-intensive processing of industrial raw materials and by a slowing-down in the adaptation of technology for increasing the efficiency of energy uses.

The growth viewpoint must logically win the first debate, but the nation's policy toward growth must not be that of the old American frontier. It must be a policy stressing growth that improves the quality of our life and produces technologies to protect our environment.

We must learn to conserve energy. (Do we really need all those air-conditioners, cars and appliances?)

We need an energy industry that is made to realize through governmental and private pressures (I fear it will not respond by itself) that environmental considerations must be one of its major concerns. The industry must begin to find more nonwasteful ways of developing energy.

We need enlightened environmentalists who recognize that some sacrifice of natural beauty may be necessary if the overall quality of our life is not to degenerate. The energy industry need not gain all it seeks, but it does deserve some help in solving the nation's supply problem.

We must recognize that we will not save ourselves from the pressures of the industrialized world and the ravages of pollution by stopping the industrial machine, which must develop technologies to lessen these pressures and end pollution.

The problem is one of degree. The public and, more likely more often, the government will have to decide when an off-shore drilling platform should be built instead of leaving an ocean view unmarred or when to approve the erection of a nuclear plant's cooling tower to protect the fish at the expense of the scenery.

The federal government must establish an all encompassing energy policy outlining goals which will most benefit the nation over the next 25 years.

There must be general guidelines of U.S. energy needs, but there must also be guidelines, partially already developed by the Environmental Protection Agency, of our ecological needs.

The government should also prepare

a comprehensive catalogue identifying all of our natural resources. For years, the Department of the Interior has done such identifying but not on an all inclusive scale. The government should also encourage development of techniques, protective of the ecosystem, to utilize these resources.

For the immediate future, we need a policy which allows the price of natural gas to rise in order to make it competitive with oil and coal, a temporary lifting of oil quotas, leasing of off-shore land for oil and gas drilling with strict environmental controls, governmental funding for developing environmentally safer methods for coal mining and for cleaner methods for using coal, greater funding for research into adapting cheap geothermal and solar energy plants, leasing of more oil shale lands, and mass education on the relative safety of nuclear energy and on the need to conserve energy.

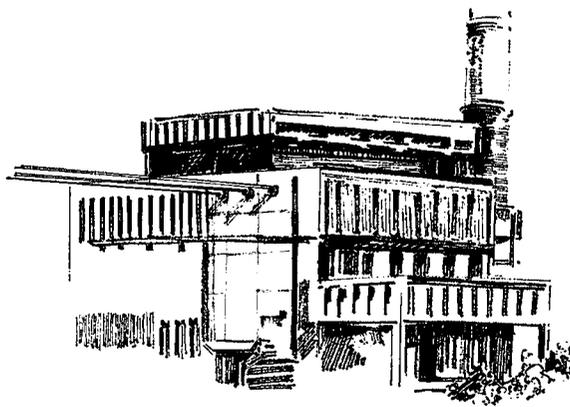
Developing new supplies of energy takes several years. Assuming we begin to develop ours immediately, the energy crunch for the U.S. could be

will have upon our international relations and our trade policies.

In 1970, the total cost of all imported fuels to the U.S. was \$3.6 billion of which petroleum imports cost \$3.4 billion and natural gas \$0.2 billion. Most of this came from the Western Hemisphere. Oil importation from the Middle East is presently negligible.

The United States must now begin to buy petroleum products from the Middle East. They are cheaper and of better quality than those sold in the Western Hemisphere. Our entry into the Middle Eastern market is expected within the year.

Middle Eastern oil is presently selling at \$3 a barrel but the price may rise to \$4 when the United States begins buying it. Secretary of the Interior Rogers C. B. Morton predicts that by 1985 we will be buying 38 percent of all our energy supplies from Middle Eastern nations. Other observers claim that by then we will be importing 15 million barrels of Middle Eastern oil daily which at the expected price of \$5 a barrel will come to \$27 billion a year.



over by 1985. Until then, we are going to have to import more petroleum than we strategically should.

This will mean that the price for a gallon of gasoline will rise sharply. In 1972, Americans paid an average of 37 cents a gallon while Italians paid 99 cents, the French 81 cents and the West Germans 77 cents. Such higher costs may be a mixed blessing if Americans are forced to use their cars less, but such a major change in life styles can certainly not be expected.

But more serious than a price hike is the impact increased oil importation

The holding of large sums of dollars in the hands of potentially hostile Middle Eastern nations and U.S. dependence upon these nations for over a third of its energy supply are dangerous prospects for the U.S.

The sooner we begin developing our own energy supplies, the sooner these possibilities and that of massive power and fuel failures will disappear. The present situation is serious and will be so for several years. Let us hope that Congress and the President will soon take the steps necessary to solve this latest crisis. ■

COMMENTARY

Bind Him Down From Mischief

by Gregory G. Rusbford

Within days of the North Korean invasion of June 24, 1950, President Harry S Truman made the decisions to defend South Korea, to increase aid to Indochina, to strengthen the United States forces and assistance in the Philippines, and to order the Seventh Fleet to prevent a Chinese attack on Formosa; that these tactical maneuvers in June 1950 became institutionalized in this nation's Asian policy is the understatement of a generation. On December 16, 1950, by Proclamation 2914, President Truman declared "the existence of a national emergency." That proclamation has resulted in some 300 laws which grant certain powers to the Executive under conditions of a national emergency — laws which cover the spectrum of American life.

Harry Truman's proclamation was premised upon "recent events in Korea and elsewhere (which) constitute a grave threat to the peace of the world," and emphasized that "the increasing menace of the forces of communist aggression requires that the national defense of the United States

be strengthened as speedily as possible."

Presidents of the United States are consistent, if at all, in accumulating power and each successive Administration — in proverbial domino fashion — has continued the state of national emergency. President Richard Nixon, hopefully having concluded the last of the wars by proxy with the Soviets and Chinese, recently told South Carolina legislators that "the chances for us to build a peace that will last are better than they have been at any time since the end of World War II." In his familiar style, the President noted that he spoke to a Southern legislature "for the first time" as President; another presidential first may now be in order — termination of the national emergency. If it is true, as Dr. Henry Kissinger declared, that relations with the Chinese communists are moving from hostility to normalization, then the President's relations with the United States Congress and the citizenry should not be conducted under wartime conditions.

Sen. Charles McC. Mathias, Jr. (R-Md.) asserted in a *Wall Street Journal* interview in January that "There is a tremendous opportunity here for President Nixon. If he really wants to restore power to the people, one way is to help redress this balance, and do what the Founding Fathers intended; and see that power is dispersed throughout the political system. He could do that without sacrificing any real powers and prerogatives of the presidency. He has a historic opportunity to look at the problem broadly, not narrowly." Mathias, who, with Sen. Frank Church (D-Id.), co-chairs the newly created Special Senate Committee on the Termination of the National Emergency, intends to take a hard look at these open-ended and vague laws (open-ended because once the President has acted, there is no provision for congressional or judicial review; vague because of the often imprecise, broad language as to the constitutional limit or duration of the powers). Recommendations will be made to terminate "those emergency powers no longer justified due to changed circumstances, and to extend those that, in the judgment of Congress, are still necessary." Even should President Nixon terminate the emer-

gency, until the laws are tightened, any future incumbent will be free to restore by proclamation near dictatorial powers.

A February 1970 article in the *Boston College Industrial and Commercial Law Review* caught the eye of Sen. Mathias. The article noted that "some 60 percent of the nation's population have lived their entire lives under a continuous unbroken chain of national emergencies." The effect upon our constitutional system by open-ended presidential powers makes the Congress optional, and the Senator urged on the Senate floor the rejection of the jocular advice of one George Washington Plunkitt, the Tammany Hall ward boss, who asked, "What's the Constitution among friends?"

There are several unusual facets to the Special Committee. It is co-chaired by Mathias and Church. It includes an equal representation of Republicans (Clifford P. Case, Clifford P. Hansen and James B. Pearson) and Democrats (Philip A. Hart, Claiborne Pell and Adlai E. Stevenson). It hopes to complete its review and recommend legislation within six months if possible, and hearings will feature constitutional law experts, members of the current and preceding Administrations, and noted presidential scholars. In the initial press release of January 14, the co-chairmen declared that the powers to be reviewed "extend to every aspect of American life. Through Executive emergency powers, the government may mobilize production, control the distribution of foods, goods, and services, strictly regulate wages and prices, purchase or seize property, control communication and transportation, restrict travel, commerce and, in some cases, curtail personal liberties."

Many Americans recall with shame the internment of Japanese-Americans during World War II, and they probably assume that safeguards were taken long ago against such a recurrence. Consider, then, Section 1383, 18 U.S. Code, which says, "Restrictions applicable thereto, enters, remains in, leaves, or commits any act in any military area or military zone prescribed under the authority of an Executive Order of the President ... shall ... be fined not more than \$5000 or imprisoned not more than one year, or both." Truman's emergency proclama-

tion summoned "all citizens to be loyal to the principles upon which our Nation is founded." Could not this sweeping authority have been used during the McCarthy hysteria, or during later anti-war demonstrations? Given the volatile inner city conditions, could a President declare riot areas off limits to certain classes of citizens? Having survived domestic tensions for over 20 years without mass internments, there is no reason to become wildly excited over imagined scenarios; but this is one statute with implications the Special Committee certainly will not overlook.

Other presidential powers are very much a part of contemporary life; but they originated in different generations for different purposes. Section 5 (b) of the Trading with the Enemy Act of 1917 authorized the President to regulate international trade and financial transactions in wartime. In 1933, President Franklin D. Roosevelt rushed the Emergency Banking Act — an omnibus measure with a necessary reorganization of a collapsing banking system in the Depression — to Congress. The unprinted bill was reported out of committee within an hour, and passed both houses before midnight on May 9. Section 5 (b) of the 1917 act had been amended; the President only had to declare a national emergency to activate those wartime powers. A court in 1962 acknowledged that the Depression had ended, but President Lyndon B. Johnson used Section 5(b) and the Korean War emergency proclamation to control U.S. investments abroad during the 1968 balance of payments crisis. This was the legal rationale which rendered meaningless the clear direction under the Constitution for the Congress to regulate foreign commerce.

Sen. Mathias has pointed out the manner in which President Nixon announced his dramatic domestic and foreign economic policies in August 1971, policies which Mathias happened to support: "With a single speech on August 15, President Nixon did more than months of Senate hearings to dramatize the enormous arsenal of powers within the grasp of the Executive. Wielding authority granted him by law, the President drastically changed the economic course of the

Nation and the world. By the time Congress returned three weeks later, it was required to legislate in a radically altered political and economic context."

In 1962, the House Judiciary Committee compiled a list of 241 statutes activated by the national emergency which affected the jurisdiction of 17 committees. For instance, the Committee on Agriculture's jurisdiction over sugar quotas is tempered by a presidential right during emergencies to suspend the quota provisions of the Sugar Act. This affects not merely the parochial sugar lobby, but delicate areas of foreign economic and political policy. The congressional voice



in defining relations with, say, Cuba, the Philippines, or South Africa is considerably diminished by the President's discretionary power to make the crucial economic decisions.

The Committee on Armed Services has difficulty enough in monitoring CIA activities, yet, because of the national emergency, "Contracts for supplies and services, under the Central Intelligence Agency Act of 1949, may be negotiated without advertising if determined to be necessary . . ." It would not hurt the CIA a bit if the Congress could learn what this statute has meant over the years.

As the Ellsberg trial develops to probe the legal relationship between the First Amendment and top secret designations, such as President Dwight D. Eisenhower's Executive Order 10501 (November 5, 1953), another act from 1953 could become significant: The restrictions on the making of photographs and sketches of properties of the military establishment (originally to be effective for the dura-

tion of World War II) are continued "until six months after the determination of the national emergency proclaimed by the President on December 16, 1950."

The House Committee on Un-American Activities (HUAC), now somewhat more tactfully named the Committee on Internal Security, may well be aware of the President's right to declare an "Internal Security Emergency whereupon certain defensive measures shall be provided." We hope that the Special Committee will establish what this could entail; and we hope for legislation to ensure congressional knowledge of any standby plans which have been prepared, and to ensure subsequent congressional review of the actual conditions should such an internal security situation ever become necessary. At the very minimum, the Congress should be able to flatly ratify or reject in a reasonable time period any declared security emergency.

From these examples, it is clear that the Committee has assumed Herculean labors. The chances for success seem reasonably bright; in part, because unlike other issues concerned with the constitutional imbalance — the impoundment of funds, Executive privilege, withholding of information — the Special Committee is able to work in an atmosphere of cooperation. Nobody knows exactly what powers are available and what powers may be unnecessary; the logic for a thorough congressional review is persuasive. In Mathias's words, that "emergency powers should be available only for brief periods when Congress is unable to act, and for purposes directly related to the emergency at hand," is both obvious and long overdue.

Attorney General Richard G. Kleindienst and President Nixon (who has nevertheless continued the emergency) have indicated their support for the Committee. The Liberty Lobby and other conservative groups have likewise expressed support. For constitutional conservatives, any attempt to restore congressional oversight of near dictatorial emergency powers recalls Thomas Jefferson's warning against an uncontrolled Executive: "Let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution." ■

The Supreme Court and Legitimate State Interest

by Robert G. Stewart

When the government must make a decision which strikes at the very souls of the people — their concepts of life and liberty — it is important that it be correct, that it be made well, and that it be made by the right body.

The Supreme Court's decision in *Roe v. Wade*, as it pertains to the right of a state to prohibit abortion, warrants comment on all three counts.

The abortion controversy allows for no morally neutral position. Any legal norm which orders basic values is a collective moral judgment. To prohibit abortion is to make a judgment that fetal life is more important than the right of a woman to control her own bodily processes. To decide that abortion is a matter of individual choice is to decide that individual liberty in our legal system is more important than fetal life. To permit abortion only in certain circumstances is to balance specific moral considerations.

The judgment of the Court in *Roe v. Wade* was that in the first six months of pregnancy our legal system must value the individual liberty of the woman higher than fetal life. After that, the state can value fetal life higher, except when the life or health of the woman is threatened.

There is no consensus that this is a morally correct judgment. Reasonable people heatedly differ on the morality of abortion, depending upon their view of the theological, philosophical and scientific evidence. So it is all the more important that at least the final decision be made well and that it be made by the right body.

The majority opinion in *Roe v. Wade* is almost ludicrous. The crux of the problem was to interpret the Fourteenth Amendment: "No State shall . . . deprive any person of life, liberty or property without due process of law . . ." After a stormy history of debate, Supreme Courts have developed a substantive meaning for "due process of law." When a legitimate state interest collides with a fundamental individual right preserved by the Constitution, the state can prevail only if it can show a "compelling" need to assert its interest to the detriment of the individual right. A balance such as this seems inherent in a Constitution which makes the state sovereign, but whose amendments enumerate basic individual rights which are to be protected from the sovereign.

This balance requires ascertaining the fundamental right, identifying the state interest and demonstrating that the state interest is or is not sufficiently "compelling" to override the individual right. But the majority in *Roe v. Wade* never even got off the ground.

The Court first deliberated over whether laws prohibiting abortion interfere with a "fundamental" right of a woman. Earlier Court decisions had identified the right of privacy as a fundamental one, emanating from other more explicit rights in the Constitution. The Court seized on this right and concluded that it is "broad enough" to encompass a decision on whether or not to bear a child, even after the child is conceived.

Earlier in the opinion, the Court had insisted that it need not decide whether the fetus was a human being. But can the notion of privacy be

taken seriously in this context without assuming the answer to that very question — whether the fetus is a human being whose life is lost as the direct result of a "private" decision to abort it? This question, which has plagued scholars for centuries, is at the very heart of the abortion issue for many.

But few would seriously maintain that the concept of liberty in a free society does not encompass *some* "fundamental" right of personal control of the internal processes of one's body. The only real question in the abortion area, it seems, is whether the state has a sufficient interest to abrogate that right. Having felt compelled to engage in an unnecessary deliberation over the "fundamental" right involved, the Court could at least have attempted to reason out the real question.

The Court, however, was unable even to identify coherently what interest the state had in prohibiting abortion. First, it held that the fetus is not a "person" within the meaning of the Fourteenth Amendment, and thus not entitled by right to state protection of its life. The majority could find no definition of "person" in the Constitution — no use of the word which on its face indicated that the Founding Fathers contemplated a fetus — and no case to guide it. The Court then concluded that since abortions were not so widely prohibited in the nineteenth century at the passage of the Fourteenth Amendment as they are now, the framers of the Amendment did not have the fetus in mind.

In effect, the Court said that for some reason, in the nature of things, we are locked into this nineteenth century view (if anyone really believes that the framers of the Amendment did or did not hold this view). But why cannot a court expand the notion of person or life to conform with changing social values just as it has expanded other notions such as privacy itself on which it leans so heavily?

After concluding, then, that the state interest cannot be the protection of an individual right of life, the Court decided that a state cannot adopt one theory of when a fetus becomes a human being (as opposed to a legal "person") and impose that theory on the citizenry in justification of abortion laws. Thus, we are led to believe that

the state interest cannot be protection of human life as an abstract either.

What then is the state interest? The Court appears to have found a legitimate state interest in the protection of "potential" life.

Therefore, having found such a legitimate interest, the Court proceeded not to *demonstrate* whether the interest was "compelling" enough to justify infringing individual liberty, but merely to cavalierly *state* that it was — but only after six months of pregnancy, when the fetus is "viable." Why? Because at that time the fetus is capable of sustaining "meaningful life" outside the womb. That, however, is nothing more nor less than a definition of "viable."

But having boxed itself into a vague notion of potentiality of life, the Court could do no better, for potentiality covers a spectrum of time at least from conception, and any stopping place in that spectrum can only be arbitrary.

What is also troublesome is that no mention is made of other possible legitimate state interests. What of second order effects such as how the existence of an absolute right to abort a fetus, even in the first six months of pregnancy, might change the very value society places on human life itself? Is this not a legitimate concern? Or is it just "not compelling?" Many feel that this goes to the very heart of the problem, and the Court simply ignored it.

Doubtless, the opinion had to be written to command a Court majority. Nonetheless, no issue which causes such moral, institutional and political soul-searching should receive such shoddy resolution.

We cannot even take comfort in knowing that at least the Court was the proper institution to make the decision, however badly it went about it. This question has no clear answer, theoretically or politically.

In a democratic society, one in which people govern themselves, there are certain ideals, such as life and liberty, which are much too fundamental to be defined by interpreting old words in a Constitution; they must be defined or ordered by the people themselves or by their accountable representatives. Justice Byron White, in dissent, put it this way: "... I find no constitutional warrant for imposing such an order of priorities on the peo-

ple and legislatures of the states. In a sensitive area such as this, involving as it does issues over which reasonable men may easily and heatedly differ, I cannot accept the Court's exercise of its clear power of choice by interposing a constitutional barrier to state efforts to protect human life and by investing mothers and doctors with the constitutionally protected right to exterminate it. This issue, for the most part, should be left with the people and to the political processes the people have devised to govern their affairs." (41 U.S.L.W. 4246)

As appealing as this concept is, it is not without its theoretical retort. Our democratic system has also built into it a check on the kind of tyranny which even a society which governs itself can impose — that of the majority on the minority. This check is a system of courts which acts to preserve all individual rights, regardless of the source of the infringement. One might argue from this that the more fundamental the values or rights at issue, the better it is that an objective court, not the people themselves, decide the issue, particularly given the practical realities of the legislative process.

An argument can also be made that majority rule itself evolved from a possibly outdated conception of man which denies any absolute order to values and therefore looks only to a nose count of individual arbitrary beliefs for collective decision making. If, instead, men have fixed, shared values, established and ordered by a God or another absolute, there may be no pressing need to make every basic value judgment by majority rule, even within our system. Any deliberative body can merely reason out the right answer.

Finally, it cannot be forgotten that the Supreme Court is accountable. New members are appointed by an elected

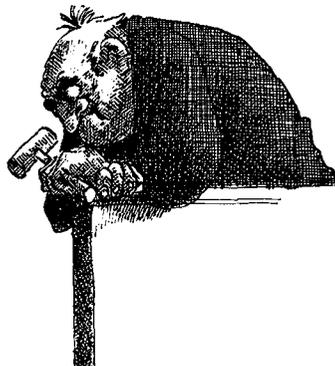
President and confirmed by elected senators. Members are impeachable, and the Constitution they interpret is amendable. We tend not to think of these processes as tools of accountability.

If theory offers no clear answer as to how such decisions should be made, what does institutional politics tell us?

When any decision involving deep-seated beliefs must be made, there is a serious problem in preserving institutional credibility. The Supreme Court has a heavy stake in avoiding the appearance of an arbitrary and seemingly despotic exercise of its power. When it acts in an emotional area such as abortion, one which commands no moral consensus, the Court can destroy its credibility as an institution, regardless of its substantive decision, and take a step toward the disestablishment of the entire governmental structure. A truly sensitive Court might well leave such issues to the legislature, as Alexander Bickel has suggested.

But that does not give us a clear answer either. History has brought in no verdict as to whether court action in sensitive areas has pushed us toward anarchy, revolution or a complete loss of credibility. People still use the courts and, by and large, do what courts tell them to do, albeit sometimes slowly and grudgingly. Extreme outrage at a particular decision might lead only to the attempted passage of emotional constitutional amendments; general dissatisfaction with the Court only to the election of a President who promises to change its membership. We have seen both. But these are the very tools of accountability the system provides; and when they are used, the system is working.

Morality, social theory and politics really give no clear answer as to how the abortion issue ought to have been decided or who should have decided it. But this much can be said. Once the Court decided to make the decision, it owed the people whose respect it must maintain more than just a reasonable compromise. It owed them a credible explanation of the result and some hint that the real concerns of the people were addressed. It owed them a sense of security that the result proffered was more than an arbitrary, fist-slammng decision. ■



The Abortion Decision

by John C. Robbins

When does a conservative prove to be liberal, and a liberal approve of conservatism? When it comes to interpretation of abortion law, that is when! The conservative Supreme Court, in its January decision, delighted many liberals with its statement of what is essentially sound conservative doctrine: That the state should keep its nose out of the business of a woman and her doctor dealing with a pregnancy she does not want.

Indeed, many conservatives across the country are expressing support for the Court's vindication of the right of individual privacy. Exceptions are those conservatives who, as is the case of the Conservative Party in New York State, have had their positions preempted by some form of Catholicism. Whatever the support and the opposition, the Court has overthrown some or all aspects of the abortion laws in each of the 50 states. In New York State, with its liberal 1970 law, only the provision limiting abortions to the first 24 weeks of pregnancy is clearly unconstitutional. In Washington, Hawaii and Alaska, the comparable time limits and the restriction limiting abortions to residents are now illicit. And in the rest of the states, the changes that are required in order to make the existing abortion laws fully

constitutional are not worth the drafting time.

The Court's decision was principally as follows:

1) There are so many different views of when "life begins" that the law should not try to effect a determination.

2) The right of privacy of a woman to make a decision with her doctor prevails over any state interest.

3) Abortion during the first trimester of pregnancy has been proven to be so much safer than carrying a pregnancy to term and giving birth that the state must not attempt to regulate in this field, other than through its regular licensing of doctors.

4) As to abortions during the second trimester, the state may issue regulations to protect the health of the woman.

5) During the third trimester, or after the fetus has become "viable," the state may act to ban pregnancy terminations except when they are necessary to protect the life or health of the woman.

It is apparent from Justice Harry A. Blackmun's decision that the Court believes abortion stands no more in need of special state legislation than do such operations as an appendectomy or a tonsillectomy. A health code that regulates all medical practice should be sufficient for any state to handle its relationship with the performance of abortions.

But mankind is set in its ways, and we are all *used* to having abortion laws — even those of us who have objected to their nature. Planned Parenthood is receiving the following query from friendly state officials all over the country: "What sort of abortion law should we be introducing into our legislature?" And if we, through our affiliate, reply, "You don't really need a law," the answer comes back, loud and strong, "Look! Politically, we *do* need a law!"

So we have had drafted a handy, dandy, portmanteau statute that we think can supply any state with an abortion law. It reads as follows:

1. Every female in this state shall have the right to decide whether or not to have an abortion. No individual shall be obliged to participate in an abortion procedure if such participation

is contrary to the conscience or religious beliefs of that individual.

2. No person shall perform an abortion other than a licensed physician or other person duly licensed to perform such procedures. No abortion shall be performed during the last trimester of pregnancy except when it is necessary in the judgment of a licensed physician for the preservation of the life or health of the woman. No abortion shall be performed subsequent to the first trimester of pregnancy except in a licensed hospital or comparable facility duly licensed to perform the specific procedure.
3. Every licensed hospital or clinic where abortions are performed shall make available to abortion patients information about family planning services.

Truthfully, there is little more that a state can say without possibly legislating more than the Court allows.

A number of state and lower federal courts took action immediately following the Supreme Court decision to declare existing state restrictive laws invalid. Federal courts have taken such action at least in Massachusetts, Michigan, Nebraska, Ohio, Rhode Island and Tennessee, and state courts have done so at least in Arizona and Minnesota.

Attorneys general of several other states were unwilling to accept the Court decision at face value. Some said it would not take effect until the states immediately involved in the test cases, Georgia and Texas, had had an opportunity to be heard. Some said it would not affect *their* states because they had separate cases on appeal to the Supreme Court. The Georgia and Texas attorneys general chose to ask for rehearings. On February 26, the Supreme Court summarily dismissed the requests for a rehearing and all the other cases involving abortion that were being appealed to its precincts. Thus, the Court left no doubt that the January decision was binding on all states.

But the possibility remains that either attorneys general or state legislatures will continue to attempt to frustrate the clear intent of the Court, either by trying to enforce existing

legislation, or by passing new laws that attempt to place unconstitutional restrictions on a woman's privacy. Such road-blocks should, in the light of the Court's decision and its February action, be easily dispelled in either state or federal courts. Any person threatened with criminal prosecution under a restrictive statute may seek an injunction against prosecution and a declaratory judgment that the statute is unconstitutional.

What problems then remain? The first is the massive job of creating a whole new aspect of the health delivery system. There are medical standards to be agreed upon, training to be performed, clinics to be established, hospitals to have their efforts redirected, and counselling services to be set up. And there are countless women to be educated as to their rights, to the advisability of making their choice about each pregnancy *early*, and to the desirability of using contraception in order to avoid having to make such choices.

Second, there is the frightening prospect of dealing with the continuing opposition to abortion. The breadth of support for a liberalized — or conservatized — treatment of abortion is, unfortunately, all too quiet. The noisiest reaction to the Court's decision is coming from the "Right-to-Life Group." Right-to-Lifers are convinced that, in some mysterious way, human life begins at the moment of conception. Abortion, therefore, constitutes in their view a form of homicide, nor will they admit the right of others to disagree with them. They are a minority, even of Roman Catholics. They are loud. They are intense. They are well financed. Through a referendum held in Michigan last November, they also proved that they are well organized and politically astute.

And they are vigorously opposed to the Court's decision. They now appear to be gathering their forces to support some form of constitutional amendment that would nullify the Court's action.

So the victorious battle in the courts has not yet decided the war. Conservatives and liberals together, who rejoiced at the news that the Court had upheld the right of freedom of choice, must be on their guard lest that freedom be pulled out from under them. ■

POLITICS: REPORTS

Home on the Connally Range

by *Douglas S. Harlan*

The outside observer seeking to understand what he may think to be the bizarre world of Texas politics can simplify things by recognizing two basic facts: (1) Texas is Democratic, and (2) Texas is conservative. If he understands these two facts, he will know most of what he needs to know. Despite the tides of time and the socio-economic changes that elsewhere have resulted in dramatic political changes, these fundamental facts remain unchanged in Texas.

V. O. Key and other noted political scientists have described Texas politics in ideological terms: liberal vs. conservative. Many Texas politicians would support that characterization, especially those who have participated in some of the classic liberal-conservative factional battles within the Democratic Party. Although there have been heated battles fought under the liberal and conservative banners, the ideological characterization of Texas politics is misleading.

Most of the real issues in Texas are not liberal-conservative; they are es-

tablishment-antiestablishment. There is much to oppose in Texas, and the important decisions have been whether to oppose or to accommodate. The establishment has not opposed; it has accommodated. As a result, the key issue has been whether or not the existing establishment should continue. The establishment has done well in perpetuating itself by clouding this issue and by preempting ownership of the state's two most important political symbols: "Democrat" and "conservative."

A curious result of the establishment-antiestablishment division is that Republicans (mostly conservative) and liberal Democrats have often found common cause in state politics. Both Republicans and liberal Democrats are "outs" — and antiestablishment. This common bond has frequently transcended their ideological differences, and common action at the polls — or in the legislature — has been the result. The most open, most publicized, and most significant common effort was the 1971 opposition to former Democratic House Speaker Gus Mutscher (now a convicted felon) and his iron-fisted domination of the house. The coalition of reform-minded Republicans and liberal Democrats was dubbed the "Dirty Thirty," and as a result of their opposition and revelations produced by the stock fraud scandal, state political leadership underwent a change in the 1972 elections unmatched in recent decades: the incumbent governor, lieutenant governor, attorney general, and speaker of the house (all conservative Democrats) met defeat at the polls, and over 50 percent of the members of the state legislature failed to return to their old seats. They were replaced (with occasional exceptions) not by Republicans or liberal Democrats, but by (surprise!) other conservative Democrats. The cast of characters changed, but their ideological and political hue did not. It remains to be seen how they will stand on reform issues, but at the moment it appears that the change in personnel will produce little change in policy. Despite the new faces, the establishment remains in the saddle.

There is a lot of talk about 1974 being a "watershed" year in Texas politics. But, then, there was talk two years ago of 1972 being a watershed

year — and 1970 before that — and earlier still, 1968. Had Heraclitus lived in Texas during the last decade when the ingredients of political change were so plentiful, he would be famous for having said, "There is nothing permanent except change — and Texas politics."

1974 may be different. Changes which have occurred — or are likely to occur — could be the basis for reshaping the nature of party competition and producing reforms that are long overdue. Foremost among these changes are the following:

1. The death of Lyndon B. Johnson. With the death of LBJ, the strong-willed and determined leadership enjoyed by the Texas establishment in past years is gone. There is no replacement of comparable stature on the horizon. The naturally divisive tendencies within the Democratic Party are likely to be indulged, and there is no available source of leadership to mend them.

2. The "Connally Conversion." The expected conversion of John Connally to the Republican ranks will complete the eradication of high-powered leadership among Texas Democrats. Connally — with Johnson — kept things together despite the makings of change in the past decade. Connally alone might be able to maintain the *status quo* for awhile, but should he not switch, he seems uninclined to fight.

3. Four-year terms for statewide officers. Voters approved a constitutional amendment in 1972 which provides four-year terms for statewide office-holders beginning with the 1974 elections. The lure of four-year terms (or the fear of waiting four years to make a move) may prompt a number of ambitious Democrats to move "ahead of schedule." Bruising primary contests and major offices without incumbents would increase Republican opportunities.

4. Redistricting suits. The Supreme Court heard arguments on February 26 concerning two Texas redistricting suits, one involving congressional districts and the other involving the state house of representatives. Since the legislature is not likely to allow the courts to draw either congressional or legislative district boundaries, overall benefits for partisan competition will probably be minimal. Republicans do

stand to gain, however, from an expected court requirement that existing multi-member legislative districts be eliminated, a requirement that would also benefit ethnic minorities.

5. Constitutional revision. Texans are engaged in the process of revising their cumbersome and outmoded constitution. Special interests have achieved "vested" status in the present constitution through almost innumerable constitutional amendments, so constitutional revision gets at the heart of much that needs changing. If the new constitution is submitted for ratification in the 1974 election, it will have a substantial impact on turnout.

6. Election law changes. Two changes in the election code present-



ly being considered by the legislature will have, if passed, a substantial impact in 1974. The first, changing the primaries from May and June to August and September, could affect the decisions of numerous candidates. The present early February filing deadline often serves as a deterrent to potential candidates who do not wish to commit themselves that far in advance of the general election.

The second election law change under consideration is voter registration

by party affiliation. The lack of a party registration requirement has helped keep Republican primary voting very low, with hundreds of thousands of Republicans voting in the Democratic primary.

In 1972, Republican primary votes totaled 114,007 in the gubernatorial contest (less than 5 percent of the total cast in both primaries), yet Hank Grover, the primary winner, polled 1,533,986 votes in the general election. By comparison, Florida's latest Republican gubernatorial primary totaled 358,997 votes with the party nominee getting 746,243 votes in November. Florida's general election primary ratio is 2 to 1, while Texas's ratio is 13 to 1. A party registration requirement would significantly increase turnout in the Republican primary, and by taking away as much as two or three hundred thousand conservative votes would have the side effect of strengthening the position of liberals in the Democratic primary. The stronger the liberal Democrats become, the greater are the Republican opportunities.

If Texas is ever to become a two-party state, Republicans must win the governorship. Even though Texas does not have a "strong" governorship, the psychological consequences of winning the office, combined with wise use of the very real appointive power, would move the state to the brink of a genuine two-party system.

Republican hopes for 1974 are based in large measure on the "weakness" of Gov. Dolph Briscoe, who, you recall, insisted on being referred to as "Democratic gubernatorial nominee Briscoe" when recognized by the chair at the Democratic national convention last summer. The high spot of his performance at the convention came on nomination night when he passed the Texas delegation's vote (when all other states had voted and there was no one to pass to) and, upon finally announcing the tally, cast his own vote for both George Wallace and George McGovern — in the same breath and without batting an eye. Texas Democrats groaned because of the political consequences, and other Texans just groaned.

The Wallace-McGovern episode at the convention is symptomatic of what seems to be a major Briscoe weakness:

an inability to make up his mind. Briscoe's wife, Janey, is strong-willed and decisive, and the Governor's harshest critics refer to him as the "First Man." To them Briscoe is a dilettante, a man who ran "because he wanted to be Governor of Texas not because of what he wanted to do as Governor of Texas."

Despite Briscoe's lack of strength and personal appeal, it is by no means certain that he will have strong primary opposition. Texans traditionally give their governor a second term. That tradition will likely be reinforced by a "no new taxes" performance by Briscoe which, combined with the powers of incumbency, could scare off would-be challengers. The elements of change mentioned above, however, might work against the normal pattern.

There is no scarcity of potential opponents for Briscoe. New Lieutenant Gov. Bill Hobby, son of Oveta Culp Hobby (Eisenhower's first secretary of HEW) and William P. Hobby (former governor), has clear gubernatorial ambitions. To support his ambitions, he has vast personal wealth. Hobby will run for governor someday; the question is "when."

With the new four-year term for statewide officers, Hobby might feel inclined to move now rather than wait. After six years as lieutenant governor, he could be sorely bruised by legislative battles which, in Texas, focus far more on the lieutenant governor and house speaker than on the governor. Furthermore, if he waits and if Briscoe is defeated by another challenger, he would still have to face an incumbent the next time around. In addition, he might be faced with a stiff primary contest even in seeking reelection as lieutenant governor. House Speaker Price Daniel, Jr. (son of the former governor and senator) has vowed that he will serve only one term as speaker. Most observers are not expecting him to be happy in the role of mere house member after having been speaker. Moving to the other end of the capitol is a logical move.

John Hill, the new attorney general, is another state officeholder with clear gubernatorial ambitions. Hill, in fact, has already run for the office (in 1968), and he does not try to hide

his desire to run again. Hill, like Hobby, is faced with the problem of timing: should he move now (against an incumbent) or should he wait four years (and face the uncertainties of a large field of candidates)?

The change in primary dates would work to Hill's advantage. If the primary is moved to summer, that gives him a longer time to build a record to run on — and he is vigorously at work building one. Hill's "thing" is pollution control, and he is actively prosecuting suits against some of the biggest industries in Houston (Champion Paper and Armco Steel, among others). Aside from his apparent belief in the justness of his cause, Hill seems to have reasoned that the "big boys" would not support him anyway, so kid glove treatment is not required. And voters are responsive to his program. Houstonians, more than any other Texans, live and breathe pollution, and they are ready to bring it to a halt — even at the price of closing plants, if necessary. John Hill may give them what they want — even at the price they seem willing to pay. If he does, he surely must ask himself, "why wait?"

Bob Armstrong, the second-term land commissioner, is also believed to harbor gubernatorial ambitions. He is in no danger of a serious primary challenge for re-election, so he is under no pressure to move on that account. As an additional deterrent, Armstrong does not have the financial resources of any of the other potential contenders. Despite these handicaps, he does have an advantage the others do not have: he would enjoy the unified support of the liberal faction. In conservative Texas that might seem a disadvantage, but in a multi-candidate field it almost assures the liberal's choice of a runoff position. With a moderate stand on most issues, downplaying the word "liberal," and a party registration law, Armstrong would be formidable. As a result, he may be under some pressure from his liberal constituency to make the race. Serving another term as land commissioner would give him eight years in that office, a good start toward a claim of adverse possession on the job. Long-time holders of minor statewide offices have never made it to the top. If he wants to move, 1974 offers the op-

portunity.

This early, it is difficult to predict with certainty how many, if any, of the major prospects will seek the Democratic nomination. But almost as certain as the fact that the wind blows in Lubbock is the fact that there will be one or more "color" candidates, akin to candidate Looney in 1972 and frequent candidate Johnnie Mae Hackworth. For those who observe politics as a spectator sport, a Briscoe-Hobby contest would have all the flair of choosing between a bowl of oatmeal and a bowl of cream of wheat, and the minor candidates would provide spectator diversion. Hill and Armstrong, however, are strong personalities, and a wide-open primary with one or both of them could spell an end to the genteel custom of affording an incumbent governor a second term if he wants it.

Republican prospects for winning the governorship in 1974 are good. Briscoe's weak leadership combined with the possible consequences of the Connally conversion offer a golden opportunity. A key question affecting Republican chances is, "What will John Connally do about the governor's race? Will he get involved, or will he sit it out?" There are advantages to Connally from each point of view. If he should become involved and be able to take credit for the first Republican victory in the governor's race, his party credentials would soar. On the other hand, an assignment from Nixon would free him from the dangers of involvement, and should the Republicans lose, it would not reflect on his prestige. Many Republicans believe that Connally must establish his credentials at home in order to have a viable base for 1976, and they believe the only way he can do that is to help Republican candidates in 1974 — and to have them win.

Even if Connally does not take an active role in the campaign, his conversion would mean a lot to Republican candidates. Many conservative Democrats have passively supported the state establishment because of its successful preemption of the motivating symbols in the state. "John Connally, Republican" would mean to many conservative Democrats that "conservative" was more important than "Democrat" and would free them

to support Republicans for state office for the first time. Non-Texans may have difficulty understanding this, so they may have to accept it on faith. But there are many conservative Democrats who have remained Democrats in large measure as a result of Connally's influence. If Connally becomes a Republican, they will follow his lead — and renounce in name what they have for years renounced in fact in national politics.

Another key factor affecting Republican chances is intra-party fighting, which raged in 1972 and appears likely to rage again in 1974. Those involved in the fighting have contended not so much over what they hope will be as over what is. That means the fighting has been over what is largely illusory power — and will remain so until the governor's office is won.

The leading Republican contender for the nomination is former State Sen. Hank Grover, the party's nominee in 1972. Grover came within 100,000 votes of winning, the closest race ever run by a Republican. His showing was greatly aided, however, by the 200,000 vote performance by the La Raza Unida candidate. (Another La Raza candidate in 1974 could tip the balance to the Republican nominee in a close contest.)

Grover is an attractive, hard-working campaigner who shines on television, but he has managed to alienate himself from the upper and middle echelons of party leadership. At the state convention in Galveston last year, after having won the party nomination over the opposition of most top state party leadership, Grover inexplicably called for the state executive committee to oust the leadership — a call to arms for which he did not have the troops. As a result, he further alienated himself and created wounds which may never heal.

One party leader, who is no fan of Grover, is concerned that the upper echelons of party leadership might become more preoccupied with beating Grover than with beating the Democrats. If that is so, there is no evidence of any action being taken which is necessary to achieve such a goal.

All those who oppose Grover do not do so for personal or party power-struggle reasons. Many believe he can-

not win in November due to his inflexible attitude on some key issues, such as his stand on recruiting ethnic minorities into the party. During the '72 campaign, Grover stated publicly that he did not want the votes of ethnic minorities and was not working to get them. Many Republicans, aside from their belief that a vote is a vote, believe that the Mexican-American vote, if not the black vote, has Republican potential, and Grover's attitude stands in the way of achieving that objective.

Grover, at this point, is the odds-on favorite to win the nomination. He has the advantage of having run a close race when few expected him to, and he is campaigning now as if the primary were next month. The only way to "stop Grover" is either to produce a genuine "star" as a candidate or to greatly expand participation in the Republican primary.

The "star" system is limited since the only legitimate star in the Texas Republican galaxy is George Bush — and Bush has firmly removed himself from consideration. Anne Armstrong, rapidly achieving star status through non-elective positions, has made a Shermanesque statement concerning the governor's race. Many Republican leaders doubt that she could beat Grover anyway, unless primary participation were to expand greatly.

Primary participation is critical because of the impact of Houston, Grover's home town, on primary results. Under present turnout, Houston accounts for about 30 percent of the total primary vote and staunchly backs Grover, forming a base that is almost impossible for other candidates to overcome. One way to make the primary competitive would be to dilute the traditional Republican primary vote. A party registration law or an effort by Connally to recruit conservative Democrats into the primary would, at a minimum, triple participation. With that many new voters, the nomination could go to any of a number of prospective candidates — of which Grover would still have to be considered the leader at present.

Houston U.S. Rep Bill Archer is being given increasing consideration as a prospective candidate. Archer, like Grover, is a former member of the

state legislature and a former Democrat. He shares the same base of support in Houston as Grover, and an Archer-Grover contest would inevitably make a sizable dent in Grover's home town support — including financial support. Archer is young, articulate, and an effective campaigner, but he has not had statewide exposure. As an indication that he may be working to achieve this, he was the master of ceremonies last month at a statewide fundraising function in Austin. Although he has all the ingredients of being a formidable contender, anyone seeking to persuade him to run would have to give persuasive evidence that his chances of victory in both the primary and general election were excellent, otherwise he would be foolish to give up a safe seat in Congress.

Although there are not many other names being actively discussed at the moment, there will undoubtedly be several candidates in the primary — and barring unforeseen circumstances, Grover will be one of them. The big question mark in the Republican primary is the role Connally will play. There are those who believe he will have to put his fingerprints on somebody, and it is almost certain that if he does, they will not be on Hank Grover.

Although the governor's race is the keystone for Republican growth, there are opportunities for significant Republican gains in '74 independent of the governor's race.

Texans elect eight statewide officers each election year, ranging from governor to railroad commissioner. Among those statewide officers is State Comptroller Robert Calvert, 81, who faced serious primary opposition in 1972 and is in store for more of the same in 1974. State Treasurer Jesse James, 68 years old and tainted by the Sharps-town Scandal, almost fell victim to former Republican State Rep. Maurice Angly in 1972. He will also face stiff primary opposition. Agriculture Commissioner John White, a 23-year incumbent, is less vulnerable than Calvert or James, but he campaigned actively for the McGovern ticket and thereby created troubles for himself in some quarters. Lieutenant Gov. Hobby, Attorney General Hill, and Land Commissioner Armstrong may vacate their jobs in order to seek the governorship.

Thus, pending developments, Republicans have arguable chances in at least six of the seven races below the governorship as well as the governorship itself.

For the first time ever, Republicans have a pool of potential candidates with elective and campaign experience from which to draw statewide candidates. Maurice Angly is mentioned as a possible candidate for treasurer again or for attorney general. State Sen. Ike Harris of Dallas is a possible candidate for attorney general or lieutenant governor, although he leans toward the latter. Byron Fullerton, associate dean of the University of Texas Law School and former Republican candidate for lieutenant governor, is mentioned again as a candidate for lieutenant governor or for governor. Rayford Price, a former Democratic speaker of the house, is mentioned as a possible candidate for lieutenant governor. Zack Fisher, former aide to Sen. John Tower and present aide to U.S. Rep. Bob Price, is a possible candidate for agriculture commissioner. State Rep. Sid Bowers of Houston is sounding out the possibilities of a race for comptroller or treasurer, and George Bush, Jr., is considering making a statewide race.

Three key factors are responsible for a more bullish attitude by party leaders toward congressional races: (1) the advancing age of many Democratic incumbents, (2) the stimulus from improved showings in the 1972 congressional campaigns, and (3) the potential impact of Connally.

Any plans for congressional races must be tempered at the moment by uncertainty over redistricting. There is considerable speculation that the Supreme Court will overturn a three-judge district court's ruling that Texas congressional districts are unconstitutional. Should the Supreme Court reverse the lower court, the legislature is not expected to change the districts at all. Should the lower court ruling be affirmed, however, Republicans can expect the legislature to do all in its power to reduce Republican representation. One seat each from Houston, Dallas, and the Panhandle would be hard to deny under any scheme, but the second Dallas seat could be jeopardized. Any fancy footwork to pair Dallas U.S. Reps. Alan Steelman and

Jim Collins could result, however, in creating a district that would make either Dale Milford (24th C.D.) or Ray Roberts (4th C.D.) susceptible to a successful Republican challenge. San Antonio could be given a second full congressional seat in redistricting, and the legislature's efforts to draw a "conservative" district for one of its own members could create a new Republican seat.

If the districts remain as they are, Republicans should hold their present four seats and stand a good chance to pick up at least one more (O.C. Fisher's in the 21st) and possibly another (Ray Roberts's in the 4th). A strong challenge against George Mahon (19th C.D.) would be justified since the district is Republican at higher levels of competition and since Mahon's age, 74, is a factor working to Republican advantage.

Party leaders are looking to the advancing age of many Texas Democratic congressmen (one over 80, three over 70, and five over 60) and are planning ahead. A number of young, aggressive candidates will likely run in 1974 who, even if they are unsuccessful, will be in a prime position for success in 1976. That lesson was learned in the 21st district with an under-30 candidate in 1972. Of the 20 Democratic congressmen from Texas, few will have a free ride in November of 1974.

The outlook for success in state legislative races is also dependent upon the outcome of a redistricting suit. Most observers expect the Supreme Court to require single-member districts to be established in every county in Texas, and if that does occur, Republicans stand to gain seats in Fort Worth, Austin, El Paso, Corpus Christi — and possibly additional seats in Dallas, Houston, and San Antonio. From the current 17 seats (out of 150), Republican representation might grow by 10 or more as a result of single-member districts. If Connally intervenes, the number could increase.

For the first time ever, the state Republican organization is sponsoring a series of fundraising dinners to raise money for legislative candidates. With money raised and reserved for legislative campaigns, the opportunity afforded by redistricting is more likely to be realized.

It will take more than money, however, to transform the small minority presently in the legislature into a large enough bloc to become a power in its own right. Effective candidate recruitment is essential to success, and no candidate recruitment program is yet under way. Nor has a forum been established to give prospective candidates exposure. State leadership is aware of the need for this kind of effort, however, and a major effort should be forthcoming.

Republican opportunities in Texas next year are potentially greater than in any year before — maybe greater than in all the good years combined. Texas Democrats realize this, even more than Republicans do. Most statewide officeholders act as if they hear elephant tracks behind them (if not the thunder of a herd), and sources close to Gov. Briscoe say the Governor is far more concerned about the November election than the primary.

Whether or not all these opportunities unfold is a very "iffy" matter, depending upon what the courts do, what John Connally does, what Democratic ambitions prevail, what the legislature does — and what Republicans do. The Republican Party cannot afford to wait to see how all of the pending questions are answered. It must act as if everything will fall into place, and plans must be made on that basis. All of the "ifs" could be resolved favorably to Republicans and still have 1974 pass without significant change unless Republicans are prepared to take advantage of what arises. They must assume the best and proceed with vigor.

If, after the elections of 1974, it can still be accurately said that most of what an outside observer needs to know to understand Texas politics is that it is Democratic and conservative, then it will be another generation before two-party competition will become a reality. ■

ONE MORE YEAR;

RENEW TODAY

POLITICS: REPORTS

ABORTION

The safety of abortion on a large scale has been demonstrated conclusively by data covering two years of liberal abortion in New York City, according to New York City Health Services Administrator Gordon Chase.

In a report covering two years of abortions in New York City (July 1, 1970 - June 30, 1972), Chase outlined the major trends seen and pointed to the success of abortion in New York City — both in terms of safety for the estimated 402,059 women who were served, and in terms of the favorable impact of abortion on various public health indices.

"Overall, the (New York State Abortion) law has been an enormous success in New York City," Chase said. "Our hospitals and clinics have provided prompt, dignified care to vast numbers of women — rich and poor, resident and non-resident alike. This care was accompanied by an outstanding safety record and by a sharp increase in the proportion of women receiving earlier — and, therefore, safer — abortions."

First trimester abortions (those performed during the first 12 weeks of pregnancy) rose from 69 percent of the total in the first three months under the law, to 76 percent in the whole of Year 1, to 79 percent during Year 2. For New York City residents, the increase was even more dramatic: from 73 percent in Year 1, to 81 percent in Year 2.

"There is now exceedingly small risk attached to first trimester abortions performed with proper medical safeguards," Chase emphasized, adding that "we have not had a first-trimester death . . . since July, 1971."

Actually, the New York City abortion safety record, as a whole, showed constant improvement during the first two years under the law, with the death rate dropping from 4.6 deaths per 100,000 abortions in Year 1, to a remarkable 3.5 for Year 2.

"When you compare our figures with those of other countries," Chase

pointed out, "you get a better idea of how well we're doing. In Great Britain, for example, the rate was 27.8 during the first year of liberalized abortion. And, in Sweden and Denmark, the average rate was 39.2 in the 1960's."

Like every other surgical procedure, abortion has attendant complications, but here, too, the trend has been favorable overall, with the rate of reported complications dropping from 8.5 per 1,000 abortions in Year 1, to 7.2 in Year 2.

The New York City two-year abortion data also adds to the mounting evidence that liberal abortion has had a favorable impact on maternal and infant mortality and out-of-wedlock births.

"It's still early to draw definite conclusions," Chase remarked, "but it does appear that abortion offers an important alternative to women who are themselves at risk of mortality, or whose children are — for example, very young women, unwed mothers who generally get poorer prenatal care, women who have had many previous births and pregnancies, women nearing the end of their fertile period, and women with medical handicaps.

"Since the abortion law went into effect," he continued, "there has been a definite improvement in the maternal mortality picture. The overall maternal death rate for the two-year period under the new abortion law was 37.7 per 100,000 live births, a statistically significant 28 percent decline from the preceding two-year period, when it was at a rate of 52.2."

Infant mortality, which had also been on the decline in New York City, dropped to an all-time low in 1971, the first full year of abortion. And, out-of-wedlock births, which had been increasing dramatically in recent years, dropped in 1970-71 for the first time.

Chase also pointed out that abortion on a large scale has not swamped the city's health system, as many originally feared. About two dozen free-standing clinics are now performing more than half of the abortions in the city. Although these clinics

originally served primarily non-residents, an increasing number of city residents are now using the clinics — and thereby easing some of the load on the city's municipal and voluntary hospitals.

The report also cited a number of other trends that have been borne out by the two-year data.

- * Out-of-city residents have continued to account for an increasing proportion of abortions — 61.7 percent of all abortions in the city during Year 1, increasing to 66.5 percent during Year 2.
- * Incomplete or "botched" abortions have declined sharply in the two years under the abortion law, indicating that the abortion law is reducing the incidence of criminal abortions.
- * A majority of the women who sought abortions in New York City were in their twenties. Overall, however, the proportion of teenagers increased from 24.2 percent in Year 1, to 28.8 percent in Year 2.
- * While non-residents were more likely than residents to be terminating a first pregnancy (61 percent for non-residents vs. 38 percent for residents in Year 2), the proportion of women terminating second or subsequent pregnancies grew in both groups in the second year.

"We in New York City feel abortion-on-request is indeed feasible on a large scale," Chase said. "We have ironed out many of the problems that surfaced when this service was first made available, and we are making headway against other problems that have cropped up along the way." ■

KENTUCKY

LEXINGTON — Only local and legislative elections will be held in Kentucky in 1973, and very little interest has been created for most of the more important contests. Some of the 1973 results, however, could have a bearing on the important United States Senate race in 1974 when moderate Republican Marlow Cook's seat is up for grabs.

Republicans now are at their lowest ebb in over a decade in the Kentucky General Assembly, with only 27 of 100 house seats and 11 of 38 senate seats. After the 1971 loss of the governor's office and the 1972 defeat of former Gov. Louie Nunn for the Senate seat vacated by John Sherman Cooper, one would logically expect the GOP to start rebuilding. Instead, the Republican organization still spins its wheels, talking now about the 1978 Senate race as the logical target for a complete Republican comeback. Such talk obviously does not make Sen. Cook comfortable.

Democrats, under Gov. Wendell Ford and State Chairman J. R. Miller, are naturally pleased about the 1972 Senate victory of their protege, Walter Huddleston. Ford and Miller plan to keep up their sweep by knocking off Cook in 1974, possibly with Ford himself.

The most important local races concern the offices of mayor and county judge in Louisville and Jefferson County and the new position of metro mayor in Lexington and Fayette County. The Louisville and Jefferson County offices are partisan, while the elections in the new metropolitan government for Lexington and Fayette County are non-partisan.

Democrats now hold the City Hall and Courthouse in Louisville. A tough primary between Alderman Dr. Carroll Whitten, party organization choice for mayor, and insurgent Harvey Sloan, a young doctor, could again open up the doors for the GOP. However, the only announced Republican mayoralty candidates, Joe Glass and C. J. Hyde, do not offer strong challenges to either Whitten or Sloan. Prior to his dismissal for firing the chief of police while the mayor was out of town, Joe Glass was Louisville's director of public safety in the Republican Administration of former Mayor Kenneth Schmied. (When the Mayor returned, he fired Glass and reinstated the chief.) C. J. Hyde, prior to being fired and switching his registration to the Republican Party, was chief of police in the present Democratic Administration of Mayor Frank Burke.

In the race for county judge, incumbent Todd Hollenbach, a very ambitious young man, could be upset by Commonwealth Attorney Edwin

Schroering, the highest elected GOP official in the County. Schroering, however, has a problem in his office's alleged mishandling of a grand jury investigation into police corruption in Jefferson County.

Voters in Lexington gave overwhelming approval in 1972 to the merger into a single metropolitan government of the Lexington and Fayette County governments. The highest office in the new government will be that of metro mayor. Incumbent Lexington Mayor Foster Pettit, an independent Democrat, may be challenged for the new post by Police Court Judge James Amato, an organization Democrat. The virtually non-existent Republican Party in Lexington first decided to try to become involved in that non-partisan race, but now seems to have backed off due to Pettit's popularity with many Republicans.

One of the Lexington metro government's new features is the election of



Marlow Cook

most councilmen by district, a unique step in the present organizational structure of most Kentucky cities. Thus, many new faces in politics are seeking the 12 council posts from districts, resulting in a "talent drain" for the Republicans and Democrats seeking candidates for the General Assembly seats from Lexington.

The 1973 elections may give Gov. Ford another boost in his plans for political domination if he can keep his heavy Democratic majorities in the legislature and maintain Democratic control over the City Hall and Courthouse in Louisville. If he is success-

ful, Sen. Cook may be in for rough sledding in 1974.

Observers will also be closely watching Lexington's election to see what tone will be set for the new metro government which takes office in January 1974. Pettit was a strong supporter of the merger, while Amato was quiet during the two year period in which the charter was written and the referendum held. By his new programs and attitude, Pettit has thoroughly shaken the old political establishment in Fayette County, while Amato would be more willing to work with the "powers that be" in local government. Pettit's present high level of popularity, coupled with the recent 70 percent approval of the merger, makes the present Mayor a heavy favorite for the office of metro mayor. ■

UTAH

SALT LAKE CITY — Sen. Wallace Bennett (R) has not yet announced his senatorial intentions for 1974, but outgoing GOP State Chairman Kent Shearer has urged his fellow Republicans to "fashion contingency plans" for a possible Bennett retirement.

In the wake of the GOP's poor congressional showing in 1972, Shearer has told state Republicans that they must learn to emulate Utah Democrats, who have a habit of choosing their candidates early. In the case of the 1974 Senate race, Shearer says that the Democrats have evidently appointed Salt Lake City attorney Donald B. Holbrook. (He does not preclude several other possibilities, however, including U. S. Rep. Wayne Owens, Utah Education Association executive Daryl McCarty, Salt Lake County attorney Carl Nemelka, and former Democratic National Chairperson Jean Westwood.)

While Holbrook is gearing up, says Shearer, Republicans are sleeping. "Confronted with all this activity, we Republicans remain, as we have in years past, unskillful but graceful, and generally somnolent. As is our wont, we remain so convinced of the righteousness of our cause that we plan late, even in the face of all objective

evidence that our adversaries plan early and *are doing so right now*," Shearer has told Republican Utahans.

Shearer has spelled out five key qualifications for a possible Republican successor to Bennett. He should be:

— young enough to attract the youth vote and maintain seniority;

— a proven vote getter ("Too often, politically, pigs in the poke for major office tend to be only pigs.");

— not ugly ("Charisma" may be overrated, but it certainly has elected some numbskulls, fortunately most of them on the other side of the political fence.");

— a Mormon, but a "tolerant" Mormon ("He must not be the sort, however, who appears to condemn to eternal hell all those who are not entirely immersed in that persuasion.");

— capable of organizational and fundraising duties.

Shearer named three possible candidates who meet his qualifications: Salt Lake City Mayor E. J. "Jake" Garn, former Utah GOP Chairman Richard Richards, and Attorney General Vernon Romney.

Shearer will be stepping down from the chairmanship after the state GOP convention in May. Republicans are also seeking a new chairman for the Salt Lake County GOP, where Chairman Jack Bowen is quitting. ■

NEW MEXICO

ALBUQUERQUE — Affable State Rep. Murray Ryan, a 50-year-old mining company executive, was elected state chairman at a quiet and uneventful GOP State Central Committee meeting on January 6 in Albuquerque.

In a State Central Committee session distinguished by the lack of contests (only one of six positions was contested), the participants seemed more interested in presentations and awards than in constructive planning, which is urgently needed in New Mexico. The GOP enjoyed only limited success in the November elections. While electing a United States senator, re-electing a two-term United

States representative, and carrying the state for Nixon, the GOP made only moderate gains in races at the county level and lost ground again in the state legislature. From a high point in 1966, the GOP has steadily lost representation in both chambers. They now number only 19 of 70 representatives in the house and 12 lonely Republicans in the 42-member senate.

Ryan has an easy act to follow as party chairman. Retiring Chairman Thomas F. McKenna, an Albuquerque attorney and former State Supreme Court judge, was a mild and colorless leader. McKenna, lacking in both experience and power, allowed the party to be relegated to minor roles relative to the highly efficient (and successful) Domenici for Senate Committee and CRP.

Pete V. Domenici was the first Republican elected to the Senate in more than 38 years and has stated that he intends to "personally rebuild and remake the Republican Party of New Mexico." Domenici's personal selection for the party post, Ryan will be expected to do much of the organizational work in a state where the Democrats outnumber the GOP by a 5-2 margin.

Not the least of Ryan's problems will be the expected primary crowd in the 1974 governor's race. Rumors that U. S. Rep. Manuel Lujan, Jr. will enter that campaign have been denied by his Washington, D.C. staff, but that is not the final word. Other potential candidates include: ex-Chairman McKenna; Albuquerque City Commissioner Harry Kinney; former YR Chairman Skeet McCulloch; former State Sen. John P. Eastham; State Sen. William Segó; and State Rep. Colin McMillan. One reason for the intense interest in the governorship is the attempt by current Gov. Bruce King to amend the state's constitution to allow himself another term. King is considered highly vulnerable at this point. ■

SOUTH CAROLINA

COLUMBIA — The month of February was a big one for Palmetto State Republicans with the visit from Rich-

ard Nixon and his address to the legislature. This historic visit, the first time a President has ever spoken to the South Carolina legislature, will, in all probability, provoke the South Carolina GOP hierarchy to shout, "Look who came to visit."

But the hierarchy has a right to be proud, because Nixon used the legislative podium to make his first foreign policy statement since the signing of the ceasefire agreement. Nixon spoke of the ceasefire, using the usual "peace with honor" statement, but he over-shadowed it with talk of the military. He stated that "A nation that is not strong militarily is not worth talking to," and that "America is strong militarily."

Turning away from confrontation to negotiation, Nixon said, "We will renew discussions that we have been having in the past with our friends in Europe," a group that did not play a major role in his first Administration. He also re-emphasized talks with both China and Russia.

The purpose of Nixon's visit was to thank the legislature for its resolution of support for the ceasefire, the first legislature in the nation to do so, and he kept on the theme of Vietnam and world peace until the end of his speech when he switched to his new domestic policy.

Nixon's trip was a good reminder of his South Carolina landslide, and should provide the local Republicans with something to talk about for a while.

The State of South Carolina can be added to the list of states with a proposed "shield law" for the press. The bill, authored by GOP State Rep. George Dean Johnson, should pass the house, but there will be trouble for the bill in the slower-moving senate.

There is also trouble for the Equal Rights Amendment, most of it coming from GOP State Rep. Sherry Shealy. This will probably pass the house over her objections and, just as the shield law, stall in the senate.

Republican gubernatorial speculation for 1974 centers on the two Dents — new Republican National Committee Counsel Harry Dent and new Commerce Secretary Frederick Dent — and the 1970 Republican candidate for lieutenant governor, James M. Henderson. ■

POLITICS: PROFILES

DAVID VOLK

PIERRE, S.D. — South Dakota State Treasurer David Volk (R) credits Sen. Barry Goldwater's 1964 presidential campaign for drawing him into politics and the Republican Party.

Two years after Volk strongly aided the Goldwater effort, he joined the staff of former U. S. Rep. Ben Reifel as a field representative for South Dakota's 1st C.D.

Volk, before he was drafted into the Army, spent three years as an aide to Reifel. He believes the lack of strong leadership for South Dakota Republicans, which used to be provided by Reifel, former U. S. Rep. E. Y. Berry, former Sen. Karl Mundt and former Gov. Nils A. Boe, is a contributing factor in the current atrophy of the South Dakota GOP. Reifel and Berry retired in 1970, and both were immediately replaced by Democratic congressmen. Mundt has been incapacitated for several years due to illness and, when he retired in 1972, he was replaced by one of the Democratic congressmen, James Abourezk. Gov. Boe retired in 1968; he was replaced by Gov. Frank L. Farrar, who was promptly defeated in 1970 by Democrat Richard Kneip.

The results of the 1972 elections were almost as disappointing for the GOP as those of 1970. Although they recaptured the 2nd C.D., they were still blocked from the governorship and lost operational control of the state legislature.

Another contributing factor to that

defeat, according to Volk, was the image of the GOP marketed by the Democrats, which portrayed the party as "obstructionist" and representative of "special interests." The "obstructionist" label came from the opposition of GOP legislators to the Governor's income tax proposals. The "special interests" tag was exacerbated by the Watergate and ITT scandals, says Volk. As one of two state officials to win statewide election in 1972, Volk maintains that the GOP has to "take away this image." In speeches across the state, Volk has told the GOP that it must convince voters that "special interests aren't welcome."

Volk and the Republican state auditor both won relatively narrow elections, by respective 8,000 and 9,000 vote margins. And although the basis of their support came from different sections of the state, they both ran better than recent Republican state candidates for constitutional offices.

The youngest statewide official in South Dakota history, the 25-year-old Volk received the Republican convention nomination without opposition while most interest was focused on the five-way Senate race.

"What followed then was four months of person-to-person campaigning. Having very little money and no name identification, I relied on old friends to give me food and lodging as I travelled back and forth across the state, taking what time was necessary to convince people that a 25-

year-old could handle their state funds. Taking advantage of my last name, many dedicated friends plastered the state with long red, white and blue posters reading, 'Vote Volk.'"

Volk's opponent, Meade Hallock, was chosen after the Democratic convention when the original candidate became ill. Hallock ran a low-key campaign at first, but heated up his efforts in the stretch, attacking Volk's youth.

The Vietnam veteran feels that Hallock's attacks boosted his popularity on South Dakota campuses from which a large portion of his support emanated. Although Republicans still dominate Democrats in state registration, Volk views his election as one more indication of the state's voters to stress candidates over party.

He claims to have no long-range political ambitions besides re-election to a four-year term as state treasurer in 1974 and a role in rebuilding the strength of the state party, although Volk does say that he will "see in the future" about other political posts.

Volk has also tasted defeat. Before being drafted, Volk worked hard on President Nixon's campaign in 1968. Upon his discharge in 1971, the graduate of Northern State College in Aberdeen worked for Tom Reardon, a GOP anti-war moderate, in his Senate campaign. Reardon's primary defeat left Volk "demoralized."

"I firmly believed that if the Republican Party was going to succeed in South Dakota it had to nominate and elect some more moderates and young people."

Now, Volk wants to work to open up the GOP's "closed shop." "We have to make politics more fun out here," he says. ■

POLITICS: PEOPLE

● FORUM Diet Baloney Award: To Sen. Lowell P. Weicker, Jr. (R-Conn.). Sen. Weicker announced on March 8 that he would henceforth cease to "burden the public and the press with grandiose declarations on contracts and grants we did — or did not — secure." The Connecticut Senator's office will no longer release announcements crediting the Senator with bringing money which he did nothing to get into the state. However, said Sen. Weicker, "I only reserve the right to protect my political flank by reminding the people of Connecticut once a year that this is my policy."

● California State Assembly Minority Leader Robert Monagan has resigned to take a job as an assistant secretary of the federal Department of Transportation. Monagan, who was reportedly upset over the poor showing of Assembly Republicans in the last election, has been replaced by Assemblyman Robert G. Beverly. Beverly will be replaced as caucus chairman by Frank Murphy and Murphy will be replaced as Republican whip by Dixon Arnett. The new line-up provides the GOP with an all-moderate cast for the first time in many years.

● Presidential Politics Department: While former Treasury Secretary John B. Connally keeps us all in suspense concerning which day he will choose to announce his sudden conversion to Republicanism, he has

selected as his chief fundraiser another former Treasury secretary who also is a former Navy secretary who also is a former Democrat who also is a millionaire, **Robert B. Anderson**, who served as President **Dwight D. Eisenhower's** Treasury secretary. Anderson now concentrates on trade deals with Eastern Europe.

● **Robert C. Odle**, the executive director of the National Republican Finance Committee, who also served as director of personnel and administration for the Committee to Re-elect the President, "was less than candid in his interview with FBI agents," according to the summary report on the FBI's Watergate investigation which Acting FBI Director **L. Patrick Gray** submitted to the Senate. But it appears that for 1973, Odle has resolved to mend his ways. Appearing before the Massachusetts State Republican Finance Committee, Odle observed that "the \$1.00 political tax checkoff is a disaster," and that "full disclosure has taken a lot of the fun out of fundraising." Odle further observed that the Committee to Re-elect the President has \$4.8 million left over, but that "several pending lawsuits could wipe it out if the lawyers don't first."

● When **Don Young** (R) was nominated for Congress in 1972, he was a sacrificial lamb against the late U. S. Rep. **Nick Begich** (D). But when the returns came in from the special election to choose a successor to Begich, Young combined an unexpectedly strong showing in southeast Alaska with traditional Republican strength in Anchorage and Juneau to win a 3,000 vote victory over former Democratic State Chairman **Emil Notti**. A television endorsement of Notti by Sen. **Edward M. Kennedy** (D-Mass.) may have hurt rather than helped the Democrat; Republicans exploited the Kennedy endorsement as counter to the pro-pipeline, anti-gun control sentiments of the state. Notti's own reticence to issue a blanket condemnation of gun control may also have hurt him, but Young was aided by a larger staff and campaign treasury and by Alaska's distaste for "outside" interference (such as the TV spots by Kennedy, Sen. **Henry "Scoop" Jackson** (D-Wash.) and House Speaker **Carl Albert** (D-Okla.)).

● The Pittsburgh Republican hierarchy have given their blessing to a Democrat to be the Republican opponent to Democratic Mayor **Pete Flaherty**. **Thomas A. Livingston**, one of the city's top criminal lawyers, was awarded the Republican nomination despite his refusal to change his party registration or to back a Republican slate. Another of Livingston's conditions may also be met — that there be no Republican primary. The decision to back Livingston was attacked by both Pittsburgh's Ripon Chapter and the Shadyside Young Republican Club, which denounced the party leadership for its failure to develop "any responsible alternative to the present policy of Mayor Pete Flaherty," and charged that the GOP would be better off with no candidate than with Livingston, who appears to be strongly aligned with the conservative Republican Allegheny County District Attorney, **Robert W. Duggan**. Livingston, in fact, is defending one of the ultra-conservative detectives under indictment for bribery. Ripon and Shadyside are considering a write-in effort in the GOP primary. Two young Republican leaders, **Barry Stern**, a Republican candidate for the legislature, and **Mike Haye**, the representative on the State Central Committee from Pittsburgh, have joined the movement "The Committee to Elect a Republican." A meeting was called for March 22 for all Republican committee people from Pittsburgh. The media and the committee people have given tremendous support to this movement.

Flaherty is generally considered a shoo-in for re-election.

● In Philadelphia, District Attorney **Arlen Spector** has decided to seek re-election. Philadelphia GOP leader **Billy Meehan** reportedly told Spector that he would support him for the governorship only if he ran for district attorney again. Spector, in turn, said that he would run only if the GOP put up a competent slate of judicial candidates.

● The secret of California government is out. "State government in California runs on jelly beans. If we ever run out of jelly beans, well I don't know how this state would function," said Gov. **Ronald Reagan**, in announcing his decision not to run for the Senate in 1974. The Governor keeps a big jar of beans on his office desk.

● Big Republican California contributors are considering pooling their resources to block a divisive gubernatorial primary in 1974. The "Blair House Group," named for a dinner held last year at the Blair House in recognition of the group's financial contributions to the Nixon campaign, was scheduled to meet in March to discuss ways of avoiding the drain on their combined financial resources that a primary would cause. According to one member of the 30-man group, "We're not trying to be kingmakers. But I think we can persuade the candidates it will be very detrimental to the party, and to them, if everybody runs and we have a big donnybrook, a big bloodletting, in next year's races." In other gubernatorial developments, Attorney General **Evelle Younger** has announced that he is the "strongest" and "most electable" candidate the Republicans could nominate; the conservative United Republicans of California have indicated that they will probably support Lieutenant Gov. **Ed Reinecke**; and Mrs. **Patricia Hitt**, who resigned recently as assistant secretary of HEW, has returned to California, perhaps to join an eventual gubernatorial campaign by **Robert Finch**.

● California's State Senate is once again evenly divided, 20-20, after Republicans and Democrats split two special elections for vacant seats. Conservative State Assemblyman **John Stull** (R) won the latest senate race in San Diego County with an impressive 60 percent of the vote in a seven-person field.

● Despite the embarrassment of the disclosure that he graduated neither from college nor law school, **William P. Clark, Jr.** has been confirmed by the California State Commission on Judicial Appointments to serve an interim appointment to the California State Supreme Court. The Commission ruled 2-1 to uphold Gov. **Ronald Reagan's** controversial appointee.

● New York Conservative Party Chairman **J. Daniel Mahoney** has announced that the party has chosen the "beaver" as its symbol. **New York Times** reporter **Peter Kihss** has done some research, however, and has quoted some beaver observations from a **Sports Illustrated** article by **Bill Gilbert**. Said Gilbert: "Beavers are constantly turning up in little enclaves supposedly well behind the front lines of civilization and then running everyone else out. The native population often invites in or at least welcomes the first penetration by beavers, believing that the creatures will be an adornment to the countryside. Later, innocent nature lovers discover that, given a figurative inch of babbling brook, beavers will make a literal half-mile of muddy bog. Once they have gotten a big webbed foot in the door, beavers are harder to dislodge than commissars." It sounds like Republicans should help make beavers an endangered species.

Regulated Compensatory Voucher Plan

The regulated compensatory voucher system is not Pentagonese for a contingency plan detailing an emergency airlift of medics into Thailand. It is a revised version of the voucher plan first articulated by economist Milton Friedman and since denounced with dogmatic ferocity by virtually every American educational association worth its weight in textbooks. However, the real reason for opposition to vouchers, according to Dr. S. Francis Overlan, is "fear of change." It is ironic that vouchers have not elicited more support from teachers and parents because the voucher plan would foster the kind of diversity and innovation which traditional school systems stifle. Dr. Overlan is currently the director of the Education Voucher Project at the Center for the Study of Public Policy, a nonprofit research and development organization in Cambridge, Massachusetts. Overlan, who is also a lecturer on education at Harvard University, was, until July 1972, the acting superintendent of the New Trier Township High School District in Winnetka, Illinois. He has extensive experience both as a teacher and as an administrator.

by Dr. S. Francis Overlan

In the eighteenth century, Adam Smith proposed education vouchers. He suggested that the government finance education, but that it do so through parents — giving them the money to hire teachers directly. One of Adam Smith's assumptions seems to have been that, if given choices and the money to back them up, parents would be at least as assiduous as government officials in getting the best education for their children.

In 1962, economist Milton Friedman revived this basic voucher proposal through his book *Capitalism and Freedom*. While conceding the desirability of having the government finance education, Professor Friedman saw little or no merit in having the government manage a monopolistic public school system. Instead, he suggested that American schools be "denationalized" and that classical marketplace theory be applied to them. He summarized his proposal thus:

Governments could require a minimum level of schooling financed by giving parents vouchers redeemable for a specified maximum sum per child per year if spent on 'approved' educational serv-

ices. Parents would then be free to spend this sum and any additional sum they themselves provided on purchasing educational services from an 'approved' institution of their choice. The educational services could be rendered by private enterprises operated for profit, or by non-profit institutions. The role of government would be limited to insuring that the schools meet certain minimum standards, such as it now inspects restaurants to insure that they maintain minimum sanitary standards.

There have been attempts — some salutary, some pernicious — to adapt vouchers to American education. The G.I. Bill of Rights after World War II was essentially a voucher plan. Veterans could choose their own educational goals and seek a responsible educational agency to help them meet those goals. The agency thus received a maximum per student grant from the government. During the 1950's, one clearly unconstitutional version of vouchers was applied to elementary and secondary pupils in the United States. Several Southern legislatures, in an attempt

to maintain purposeful school segregation, passed laws giving parents money to send their children to segregated "white academies." Federal courts quickly and firmly put an end to this scheme. More recently, other state legislators have introduced partial-cost voucher legislation designed specifically to support parochial schools. These parochial bills have consistently been struck down by the courts.

Support from the political right and efforts to use vouchers for unconstitutional purposes have aroused opposition to the education voucher concept. And there has been plenty of opposition. Not unexpectedly, the single largest bloc of resistance has come from public educators and from associations that have traditionally defended public school interests: the National Education Association, the American Federation of Teachers, the American Association of School Administrators, the Council of Chief State School Officers, the National School Boards Association, and the National Parent-Teacher Association. Many of these groups have joined a coalition which has the single expressed purpose of defeating any attempt to test the value of vouchers. Formal opposition to vouchers has also been expressed by groups with narrower interests regarding educational and social policy. These opponents include Americans United for Separation of Church and State, the American Jewish Congress, the Baptist Joint Committee on Public Affairs, the National Association for the Advancement of Colored People, and the American Civil Liberties Union.

A fairly standard set of objections emerges from reviewing condemnations by anti-voucherites. On the basis of past experience, some opponents argue that every voucher plan would promote racial and economic segregation or be designed for unconstitutional public support to religious schools. (Other opponents, curiously enough, fear that vouchers would promote school integration and not bring support to faltering parochial schools.) On the basis of no particular experience, still other critics fear that vouchers would spur false claims and hucksterism among school teachers and administrators. Some anti-voucherites seem to believe that any program dependent on family choice would overtax the interest and intelligence of parents, especially low-income parents. Another argument runs thus: If both public and private schools become eligible for government money, the private schools would keep out, suspend or expel difficult students — making public schools even more obviously "schools of last resort." This, in turn, would mean the death of public education in America. A final criticism arises from the expectation that any voucher program would result in severe administrative problems during transition as well as the creation of an unwieldy bureaucracy.

Despite the appearance of rationality, some of these objections merely screen self-interest and contentment with the *status quo*. Vouchers could bring important changes, and change is fearful. Undoubtedly, some public educators simply do not want to foresake the system over which they have gained considerable control. And some teacher union officials probably see the decentralization implied by vouchers as a threat to uniform contracts and to efforts to increase their influence (if not to gain control) over educational policy. Even though some voucher opposition is less

than ingenuous, the rational objections, shared by people with honest doubts, deserve thoughtful consideration. There is good reason to fear that Friedman's *unregulated* voucher scheme, for example, might result in social class and racial segregation in schools, that parents might be gulled by educational profiteers, or that public schools might become "pauper schools" or "dumping grounds."

Taking these serious concerns into account, the Center for the Study of Public Policy (a non-profit research group in Cambridge, Massachusetts) devised a "*regulated compensatory voucher plan*" in 1969. The plan was developed with financial support from the Office of Economic Opportunity and has built into it protections against the pitfalls that thoughtful critics of unregulated vouchers anticipated.

The Center's proposal contains certain fundamental features in common with all voucher plans. The instruction a youngster receives, for example, would not be determined by where his parents buy or rent a home. If some parents want Montessori schooling for their children and if they can find such a school (or recruit appropriate teachers), the children would have a Montessori program — so long as minimal state requirements for private schools are met. If other parents want their children drilled in the three R's, and if some group of teachers is willing and able to provide such traditional instruction, this highly structured school would be eligible for public support through vouchers. If other groups — small or large — want "open classrooms" of the British variety or "individualized programs" using contemporary education hardware and software, they would have these options available to their children.

The underlying theory of the regulated compensatory plan is a basic voucher theme: schools should be tailored to the needs and interests of individual students rather than be a middle-ground compromise fitting a plurality of students living in a certain neighborhood. Diversity



among schools would be spurred by competition for students and their vouchers. Attractive schools would have more applicants and the incentive to accommodate them, since each student would bring additional money. Unattractive schools would have few students and little money. The latter would be forced to close down, to live on a shoestring, or — more optimistically — to change their ways.

Beyond these elements shared with earlier proposals, the regulated compensatory voucher plan contains distinctive and stringent protections such as the following:

— No school may discriminate against pupils or teachers on the basis of race or economic status, and all schools must demonstrate that the proportion of minority students enrolled is at least as large as the proportion of minority applicants.

— Schools must be open to all applicants.

— Schools must accept the voucher as full payment for all educational services. In other words, no school may require parents to make additional payments out of their pocket.

— Schools must make available to parents information about such matters as the school's basic philosophy of education, number of teachers, teacher qualifications, facilities, financial status, and pupil progress. In short, schools must provide sufficient information to enable parents to make wise decisions when they select schools.

— Schools must have uniform standards for suspension and expulsion of students.

— Schools must maintain and publish accounts of money received and disbursed in a form that would allow parents and other citizens to determine whether a school was getting the resources to which it was entitled on the basis of its vouchers, whether a school operated by a church was being used to subsidize other church activities, and whether a school operated by a profit-making corporation was siphoning off excessive amounts to the parent corporation.

— Schools must meet all existing state requirements for private schools regarding curriculum, staffing and the like.

— If any school has more applicants than places, it must fill at least half of these places by picking applicants randomly and fill the other half in such a way as not to discriminate against ethnic minorities.

A governing board would be elected (or appointed by the existing local board of education) to ensure that these regulations are fairly and fully implemented. And, should all of these regulations insufficiently protect the rights of minority and poor children (a disproportionate number of whom suffer scholastic disadvantages), the plan includes a distinctive *compensatory* feature. While the value of the voucher would be roughly equal to the current per-pupil cost of the local public school, for academic underachievers the value of vouchers would be supplemented with additional government funds. This compensatory regulation is designed to help schools develop and operate special programs for these children. It is also aimed at as-

sureing the attractiveness of harder-to-teach youngsters in a competitive market for admissions. Milton Friedman had proposed that the wealthy be allowed to supplement the government vouchers with their own money, thereby virtually assuring economic and racial segregation. The regulated compensatory voucher plan, by contrast, provides government supplements for academic underachievers. Such students would become attractive to schools.

The array of protections built into the regulated compensatory voucher plan deals directly with many liberal criticisms of vouchers. The guarantee of free and equal access by race, the random selection procedure in case of overenrollment, the compensatory voucher for academic underachievers, the prohibition against out-of-pocket supplements by more affluent parents — all of these regulations

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provide protections against racial and social class segregation of school children. The requirement that schools meet existing state standards for private schools and that they provide a wide variety of information about themselves, as well as the institution of a local governing board to disseminate and verify this information, provide reasonable safeguards against false advertising that might adversely affect parent choice — even if one assumes that after a year or two parents would not find out the truth. The regulation concerning uniformity of suspension and expulsion codes, together with the guarantee of free and equal access for *all* applicants, means that public schools would less likely than now be tagged as "schools of last resort."

The church/state issue is not so easily regulated if one wants to be fair at all. Ultimately, only the U.S. Supreme Court can determine the constitutionality of vouchers for religiously affiliated schools. At least two theories can be advanced, however, whereby parochial schools may constitutionally participate in a regulated voucher plan. The first theory holds that the essential feature of the voucher program — its reliance on individual freedom of choice — makes it constitutionally immune. The premise of this theory is that vouchers of the kind proposed by the Center for the Study of Public Policy put effective control of educational funds into private hands — those of parents. The government, then, does not support religion and has not become entangled. An alternative theory rests on the proposition that the value of vouchers for parochial schools could be discounted from the cost of *secular* instruction only. Parochial schools, for example, might get only eighty percent of the value of the government voucher. Until the constitutionality of the regulated compensatory voucher plan is determined by the Supreme Court, the Center proposes that the decision regarding experimental participation by religiously affiliated schools be left to the locally-elected school boards. Hopefully, some board ready to test

the regulated voucher plan would invite participation by parochial schools. Then the issue would be resolved, not in the cracker barrel, but in the Court where it belongs.

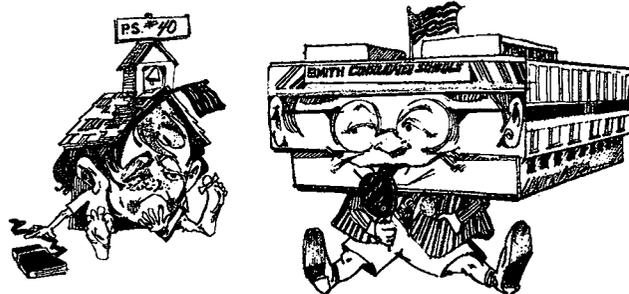
Surely, there will be, as many voucher opponents predict, some serious problems connected with changing from the *status quo* to a voucher system. Each person will weigh these difficulties from his own perspective. If satisfied with business-as-usual at his neighborhood school, he will view each difficulty as a gargantuan dislocation. If less than satisfied or downright disgruntled with the education his child is receiving, he will see the probable benefits as outweighing the difficulties. Measuring the relative weight of problems of change is simply another way of expressing basic approval or disapproval of new proposals.

In any case, when regulated, a voucher plan need not imply the dissolution of public education, if one has any confidence in public school boards, administrators, and teachers. No voucher school — whether private or public — would have an unfair edge in competition with any other voucher school. Financing would be equalized per pupil; harder-to-teach children could not be locked out. Under regulations such as these, no effective public school should fear extinction. But under such rules, inferior public and private schools will get a clear message from consumers.

While each regulation of this new voucher plan does protect against any educational practices contrary to the public interest, the whole plan has as its foundation a significantly different definition of "public education." Since the 19th century, schools and colleges have been classified as "public" solely because they were owned and operated by a governmental body. Colleges are called "public," for example, even when many people cannot afford their tuition. In New York, Boston, Philadelphia, and elsewhere, exclusive high schools are "public" even though only a handful of students can meet their admission requirements. The familiar neighborhood school rates the name "public"

Clearly, such traditional definitions as these conceal as much as they reveal. They classify schools entirely by who runs them, not by how they are run. A subtle but important shift in emphasis could clear up the confusion. A school would be called "public" if it were open to everyone on a nondiscriminatory basis, if it charged no tuition, and if it provided full information about itself to anyone interested. Conversely, a school would be called "private" if it excluded applicants in a discriminatory way, charged tuition, or withheld information about itself. In this light, how a school is run becomes more important than who runs it. No public money would be used to support "private" schools in the new sense of the word. And any group that operates a "public" school (in the new sense of that word) would be eligible for government funds. This re-examination of terms undergirds the regulated compensatory voucher plan.

Given the strength of opposition to vouchers in any form, there is more progress to report on the regulated model than one might expect. And, of course, there is considerably less progress than the staunchest proponents had hoped for. Thus far, six school districts have been awarded OEO grants to study whether they want to proceed to a demonstration: Alum Rock in San Jose, California; Gary, Indiana; New Rochelle, New York; Rochester, New York; San Francisco, California; and Seattle, Washington. Four of these school districts — the larger cities — have decided not to go ahead: Gary, Rochester, San Francisco, and Seattle. One plausible explanation is that large city school districts, beset with strikes or threats of them, with near bankruptcy, with school desegregation struggles, and with increasing numbers of "disadvantaged" children, do not have the courage or the strength to test so controversial an educational idea. Some teacher organization officials, however, would like to take credit for the defeats. In February 1973, after the Rochester Board of Education rejected a plan to experiment with vouch-



despite the fact that people must live in the neighborhood to attend it and neighborhood residence is conditioned by a large downpayment and the right skin color. Finally, whole school systems are identified as "public" even when they refuse to give anyone information about what they are doing and how successfully. On the other hand, schools are classified as "private" merely because they are owned and operated by private organizations. People persist in calling these schools "private" even when, as increasingly happens, they are open to every applicant on a non-discriminatory basis, charge no tuition whatever, and freely share any information they have about themselves.

ers, the National Education Association explained that the decision was the culmination of a ten-week anti-voucher campaign conducted by their state and local affiliates.

Since the Board of Education in New Rochelle, New York is just beginning serious consideration of whether and how to apply the regulated voucher system to its schools, their possible participation remains an open question. The best news to date has come from Alum Rock in San Jose, California, where the school board decided last spring to test out the desirability and practicality of the regulated compensatory voucher plan. The project, begun last September in six of Alum Rock's sixteen elementary schools,

enrolling over three thousand students, is what OEO calls a "transitional phase of the voucher demonstration," since only public schools (as traditionally defined) are eligible for vouchers. California law does not permit at this time public expenditures for private educational services. But to create as much diversity as possible, thereby increasing the range and significance of parent choice, each of the participating voucher schools has launched from three to five distinctive mini-schools on its campus. One elementary school contains a "basic skills" mini-school, a mini-school

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for individualized instruction designed by Behavioral Research Laboratories, a "fine arts and creative expression" mini-school, and a futuristic program called "School 2000." (This limited and publicly managed voucher demonstration has the support of the local teachers' organization.)

The Alum Rock Board of Education had committed itself to add more schools next fall if the first year's operation proved reasonably successful. And in February 1973, after considering the options of withdrawing from the experiment, of continuing the project with the same handful of schools as last year, or of inviting the participation of additional public schools next year, the local school board approved expansion to up to eleven more schools. The Alum Rock Board of Education has also committed itself to exploring the desirability of moving to the *full* regulated voucher plan, should the transitional model continue to work out and should legislation be passed in Sacramento enabling the inclusion of private schools. Most importantly, even the transition model is putting to the test important features of any voucher plan. Preliminary and necessarily premature results are encouraging. Before the experiment began, participating schools were integrated, reflecting fairly accurately the racial composition of the district as a whole (approximately 50 percent Spanish-surname, 10 percent black, 4 percent Asian, and 36 percent white). The experiment has not thus far disturbed this balance. Parent choice and the voucher method of financing has created wide diversity of educational offerings. Each school has at least three mini-schools, giving parents the option of choosing both the neighborhood school and a preferred style of education. In matching mini-schools to students, parents have displayed discernment to a degree not anticipated by even the staunchest proponents of vouchers. Data collected this fall show that over a third of all parents with two or more children attending the voucher schools chose to send their other children to different mini-schools. As one Chicano parent with two of her children in two distinct mini-schools explained, "I like vouchers. They give us choices like the rich."

At the same time, there have been the problems that any reasonable person would have expected of a program in its infancy. Some of the Alum Rock teachers and parents feel that during the first year the mini-school descriptions circulated to parents were vague and couched in pedagogue.

The committee of parents and school personnel charged by the local board of education to oversee the voucher project has not fully exercised its powers. And the more complex and more precise accounting system required by vouchers has not been fully installed. But none of the problems has proved overwhelming; each is being remedied in preparation for the expanded program next year.

Alum Rock is a beginning, and there are other signs of cautious optimism. The state assembly in Connecticut has passed special legislation to permit up to six *full scale* voucher demonstrations in that state. Legislators in at least three other states are considering similar bills. Last fall, the schools of Hartford, Connecticut asked the Office of Economic Opportunity for money to study the feasibility of the regulated voucher plan under the new Connecticut enabling legislation. Other school districts in four separate states have made initial inquiries about the applicability of vouchers to their schools.

In recent months, rumors and then reports of the discontinuance of the Office of Economic Opportunity have caused doubts about whether the struggle to test vouchers would be abandoned. Publication of the proposed "Budget of the U.S. Government: Fiscal Year 1974" provides the essential assurances that voucher proponents need. That budget contains the following note: "The 1974 request for the National Institute of Education (HEW) includes \$23.9 million to continue the educational voucher demonstration and other projects designed to test ways to provide equal educational opportunities." Voucher experimentation is slated to continue, but under new auspices.

The creators of the regulated compensatory voucher plan at the Center for the Study of Public Policy persist in their belief that this plan has sufficient merit to be tested in a handful of school districts across the nation. Whether the plan ultimately threatens the quality of schooling in America as opponents fear or whether it guarantees continual renewal and excellence as proponents hope, only carefully controlled experimentation in four or five school districts out of the thousands in the nation can establish for open-minded citizens. If the regulated plan has some minor deficiencies or needs the streamlining that only practical wear and tear can demonstrate, these flaws should be exposed and then remedied. Those who expect social and educational policy to be influenced by facts rather than fads or traditions will want the regulated voucher plan tested, not rejected without free and open discussion nor without careful and controlled tests. If the voucher idea proves successful, school districts across the country may be willing to apply the lesson. If it proves to be a mistake, manpower and energy should be put to devising and testing other promising remedies for ailing public and private schools.

Adam Smith's proposal that the government finance education, but that parents be given the choices and money to back them up, has been resurrected, examined, and then reburied several times since the eighteenth century. Finally, and in the relatively unknown Alum Rock district of San Jose, California, Adam Smith has one foot in the door of the American schoolhouse. The test in Alum Rock and the courage of school boards elsewhere will determine whether and how far he will enter. ■

Presidential Commissions

Presidential commissions seem to come and go, but Presidents and policies appear to remain the same. The Paley Commission under President Truman, for example, investigated natural resource control and development. But despite President Truman's enthusiasm for the commission's proposals, few were implemented. The recent National Commission on Materials Policy under President Nixon was charged with nearly the same task but the future of its recommendations may be no more encouraging. The article's author is Anthony Mabr, currently a clerk for a federal judge in Los Angeles. Mabr was a 1971 graduate of Columbia Law School, a staff member on the 1968 Nixon campaign and a delegate to the White House Conference on Youth in April 1971.

by Anthony Mabr

Ever since George Washington appointed a blue-ribbon task force to investigate the cause of Shay's Rebellion, the Presidential Commission has been a political ornament. There have been commissions on violence and on libraries, panels on business taxation and conferences on hunger, a President's Task Force on Telecommunications, a Youth Advisory Committee to the Selective Service System, and a President's Commission on the Supply of Plywood and Softwood. More than 132 of these bodies have appeared since 1965. So often has report followed report that a member of the Eisenhower Commission, U.S. District Judge A. Leon Higginbotham, wrote a plea for "a national moratorium on any additional temporary study commissions to probe the causes of racism, or poverty, or crime, or the urban crisis." Five months later, the Scranton Commission was christened.

Everyone knows the usual reception of these groups. Lyndon Johnson ignored the Kerner report. President Nixon "totally rejected" the conclusions of the Commission on Obscenity and Pornography. Vice President Spiro Agnew blasted the Scranton Commission long before it began conducting hearings, and former New Haven Police Chief James F. Ahern, a commission member, said that "it took the President as long to draft a statement of his reactions to the report as it had taken us to compile it." In the area of government reorganization, six commissions reaching back 30 years have accomplished almost nothing. And although Harry S Truman hailed the Paley Commission's efforts, very few of its ideas were utilized. Now, 20 years later, another National Commission on Materials Policy is in the process of duplicating Paley's efforts.

Occasionally, an entire commission has evaporated,

and the result is wasted time and taxpayers' money. In August 1967, President Johnson appointed a Task Force on Telecommunications to study communications policy in preparation for a meeting with over 90 governments. He asked for the final report in August 1968. Many contracts went out to research institutes, but somehow the report never appeared. The group still was bumbling along when President Nixon was inaugurated. Finally, he disbanded it, and the United States fared badly at the subsequent international conference, due to a dearth of information, much less a clear policy. At this writing, the report still is not officially published despite an expenditure of at least \$1 million.

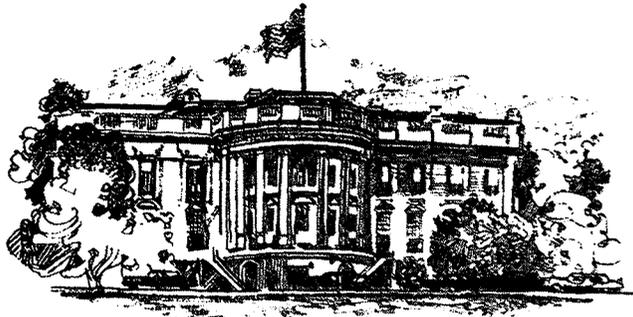
Exasperating? Then consider the opposite case: the President's Commission on Law Enforcement and Criminal Justice churned out several volumes containing over 200 recommendations. Lyndon Johnson requested \$50 million for "pilot programs," a pittance considering the number of projects contemplated. Some target communities received not more than \$75. For example, Evansville, Indiana got \$112 for a drug-abuse education program and \$89 for drug detection equipment.

There are several basic reasons for these difficulties. Despite their good intentions, many commissioners lack the time to do an adequate job. Their staffs usually operate under short deadlines. Politicians harass many commissions; and too often, infighting among the members mars their credibility.

It must be said that most U.S. commissioners take their work seriously. Judge Higginbotham gave up his summer vacation to serve on the Eisenhower Commission. Former Sen. Fred Harris (D-Okla.) told the author that he devoted between half and two-thirds of his personal time

to the Kerner Commission. And when the Warren Commission was probing the circumstances surrounding John F. Kennedy's death, the former Chief Justice himself flew to Texas and raced down the stairs at the Dallas book depository to help settle the Oswald controversy.

But some members find that they have made one commitment too many. The admission of one attorney is indicative of the problem: "Those were busy days for me. In addition to the purportedly part-time job as the mayor in a City Manager city, I was the Chairman of the Legislative Committee for the cities of the State of Washington as well as the President of the National League of Cities which made me the chairman of various committees relative to national problems as well as international municipal problems. In addition to that, it was necessary for me to maintain a law practice to support myself and my family. Under those circumstances there could have been meetings (of the National Advisory Committee on the Reform of Selective Service) called which I could not possibly attend."



Early deadlines are a second obstacle to commission effectiveness. Usually, these groups are given a two-year term, hardly an adequate period in which to study such subjects as urban violence or pornography. Judge Thomas D. Gill of the Connecticut Juvenile Court remembers the final months before the 1970 deadline for the Obscenity report: "There were more meetings, more sub-reports to read. The work always had been substantial, but now it was even more demanding." Life on the Kerner Commission at one point became even more frantic. David Boesel of that commission's staff lamented, "We were working around the clock. We slept in our offices — they brought in cots — and we never left. It was crazy. We'd be found in our underwear darting across the hall in the mornings, just before people came to work."

Racing against the clock forced the Kerner Commission to farm out many projects to university institutes and private think-tanks. With only a few months to consider the issues, some of the researchers simply did not complete their work. Others submitted what they themselves considered shoddy work.

The most glaring problem confronting most task forces, however, is politics. The very people who create these organizations are only too willing to sabotage them for a few votes. An excellent illustration of this process is the Commission on Obscenity and Pornography. It had been operating smoothly and professionally until one particular hearing in the Senate Caucus Room. About 30 or 40 groups had been testifying, recalls University of Wash-

ington sociologist Otto N. Larsen, a commission member, when a "hippie contingent" appeared and voiced its opposition to the entire commission. Their leader loudly accused the panelists of "lingering McCarthyism;" and when Larsen challenged him to back up that remark, the interloper replied, "I have the answer in this box." Whereupon, he fished out a pie and threw it at Larsen. Of course, the media collected numerous pictures of Mr. Larsen dripping in whipped cream.

As silly as the incident was, it succeeded in publicizing the commission's work. Letters poured in, discussing not only the hippies, but pornography in general. Congressmen began to notice the group, as did individuals on the White House staff. And as the controversy mounted, subtle hints materialized. Long before the final document went to press, said Judge Gill, "there were informal indications that a liberal report would not receive an enthusiastic response" from the President. Moreover, congressmen began mentioning casually that their constituents expected an unbending call for morality.

Meanwhile, the external pressure exacerbated already existing tensions among the commissioners. Looking back at the experience, Father Morton A. Hill, president of Morality in Media, told this author that he considered the whole affair to be slanted. "There was no community (or public) viewpoint heeded nor taken into consideration. The commission viewpoint by and large represented the media establishment and the academic establishment. There was no adequate cross-section of views. The commission was stacked." In a separate interview, Otto Larsen blamed Hill and another conservative, Charles Keating, for the infighting. "They just didn't like research, period," he growled. It seems that some experimenters at the University of North Carolina were analyzing physiological reactions produced by salacious material. The activities occurred under commission supervision and were quite above-board. But Hill became upset because one measuring index was the frequency of ejaculation. He promptly informed Jack Anderson, who in turn exposed the commission's methodology.

Obviously, the commission system can use an overhaul. Before commissions can become effective and cease wasting the public's money, several changes are necessary.

1. A few congressmen and senators should be included in any national commission. This automatically would give Congress a vested interest in the result and would improve the commission's standing among politicians. With greater legitimacy, perhaps more task force recommendations would become law.

2. Commissioners should reserve a large time block in which they could devote virtually all of their energies to the assigned task. After working with the Kerner Commission's Advisory Panel on Private Enterprise, Lawrence Stone, a law professor at Berkeley, commented that infrequent meetings and truncated schedules are the natural obstacles when "you appoint a bunch of fancy people involved in other matters. It would be better," he continued, "to take a month off, get some staff, and write the whole thing." This approach has been used successfully in the past. The White House Conference on Youth churned out

over 550 recommendations while sequestered in the Rocky Mountains for a week. A brief, focused period often is more productive than dozens of meetings strewn across two years.

3. Congress should consider adopting the British system in which the Chief Executive must respond in detail to each commission recommendation and state precisely why he rejects any of them. As Sen. Fred Harris said in an interview, "a President who appoints a commission with the taxpayers' money should react to its ideas. Otherwise it is a waste." (Incidentally, it would not be a bad idea to follow another British custom: to require the commission research to proceed in confidence until all findings are complete and ready for publication.)

4. Finally, the President and the Congress should realize that not every crisis is appropriate for commission treatment. In the past, the most successful efforts have come from the smaller, technical commissions. Many suggestions of President Truman's Airport Commission became law. The key proposals of Dwight D. Eisenhower's Commission on Finance and Credit are now part of the Small Business Act. And Dean Sherwood Berg of the Uni-



versity of Minnesota Agricultural School reported that the National Advisory Commission on Food and Fiber, which he chaired, translated 70 percent of its proposals into legislation.

Nor can commission topics be charged with political overtones. In the words of one commission veteran, Ira Heyman, the topic must be one about which there is already some consensus. Heyman, who was general counsel to the Skolnick Task Force on Violent Protest, argued that there must be two conditions precedent before a commission approach is worthwhile: first, the commissioners must be able to demonstrate to the public that a value subliminally shared by most of the public is being violated. Second, they must demonstrate that technical methods are available to solve the difficulty. Only then should the nation and its leaders endorse the group's work.

These suggestions and others like them are piecemeal approaches. Even with them, the commission system will retain its farcical image until politicians take their reports seriously. When a White House aide is instructed to monitor a task force and discourage controversial proposals (which happened with the Kerner Commission), or when excessive publicity forces people to brainstorm in front of television cameras, the final reports will be nothing more than worthless prose. To be sure, people will continue to serve because, on a selfish level, the experience is invaluable. Educators mingle with senators; lawyers woo new clients. But the affair still will remain a sport, enhancing nothing more than the members' egos, until some changes are made. ■

DULY NOTED: BOOKS

● **The New Majority**, by Patrick J. Buchanan. (Published by the Girard Bank of Philadelphia, 1973, 79 pages, no price indicated) Contemporary American politics can be described in 79 pages and a simple dichotomy: The Liberal Establishment vs. The New Majority. As Mr. Buchanan, a special consultant to the President, describes the 1972 elections, the result was nothing less than "a victory of 'the New American Majority' over the 'New Politics' a victory of traditional American values and beliefs over the claims of the 'counter-culture,' a victory of 'Middle America' over the celebrants of Woodstock Nation." But the elections did not end this conflict, Buchanan observes in anticipation, for "with the submission of the 1974 budget to Congress — the President has made clear his priorities, and the battle seems about to be joined." Thus Buchanan foresees "A collision between Congress and President, between the nation's regnant ideology on one hand and the nation's political majority on the other." On the establishment's side are all the liberals who "still dominate the Senate, the great foundations, the national media, the prestige universities, the arts. They publish and promote and review most of the books the nation buys and reads. They are not without power." In contrast, "The President who has won the allegiance of the majority of Americans has confidence in himself and his leadership, but has no great Establishment behind him — in Dr. Moynihan's phrase, no 'second and third orders of advocacy.'" Funny; as I recall it, Dr. Daniel P. Moynihan used the phrase about the absence of "second and third orders of advocacy" in reference to the President's own staff — implying, in his farewell speech to the White House, particular concern that the President's Family Assistance Plan had not received enough support from those like Mr. Buchanan. But do not be troubled with the details; on to the political holy wars and hope that those moderates do not try to save us from self destruction. Reviewed by Robert D. Behn.

● **American Presidents and the Presidency**, by Marcus Cunliffe. (American Heritage Press, 1972, 446 pages, \$9.95) British author and historian Marcus Cunliffe's republished book is a sprightly, fast-moving but superficial glance at the presidency of the United States. It is, by his own admission, an overview — both of the history and the issues surrounding the presidency. He divides his review into three historical periods: the basic evolution (George Washington to Abraham Lincoln); the era of limiting factors (Abraham Lincoln to William McKinley); and the growth in power (William McKinley to Richard Nixon). Intruding into this neat chronological trilogy are passages or, in some cases, whole chapters devoted to issues of the presidency which seep beyond the historical period around which the particular section is focused. The issues are the stuff of which great books are written — the President as party leader, the power struggle between the President and Congress, and the problems of succession, to name just three. Indeed, most of 1973's political themes are touched on somewhere. Cunliffe dwells on Andrew Jackson and John Tyler who, like Richard Nixon, were forceful Presidents who preferred a relatively weak federal government. And he paints a sympathetic sketch of Martin Van Buren who, like David Broder, saw the strengthening of political parties as the key to government in the public interest. It is disappointing, in this regard, that Cunliffe sheds no historical light on the impounding dispute currently in full heat in Washington, D.C. Cunliffe's style is that of the magazine writer — light and entertaining. He uses understatement (Sherman Adams's "minor impropriety") and humorous analogies ("it is tempting to speculate that the national game of politics has influenced the development of the American version of football") to make his points. At times, Cunliffe is sloppy (his description of Sen. Edmund S. Muskie, the 1968 vice-presidential candidate, as a "little known governor from a minor state") and often uneven. He provides brief but valuable insights into some lesser known Presidents such as James Polk and artfully weaves some fascinating and not well known incidents into the

central issues of the book (e.g., the resignations of Senators Roscoe Conkling and Thomas C. Platt of New York in a patronage dispute with President James Garfield). But too often he leaves the reader in the dark with mere passing mention of an obscure situation (Andrew Jackson's "Peggy Eaton affair") which he claims to have been critical to the development of the office. On the whole, *American Presidents and the Presidency* takes the smorgasbord approach. Every President, every presidential election, every presidential scholar, and every presidential theory is displayed on Cunliffe's table. But for the yearning student or even the modestly well-informed political observer, it is too much variety with too small helpings which leaves the reader like the eater who fills up on the cheap hors d'oeuvres and has little stomach left for the real thing. Reviewed by Martin A. Linsky.

DULY NOTED: POLITICS

● **"Democrats Begin Plugging Away at Side Issues,"** by Jack Zaiman. *Hartford Courant*, February 25, 1973. Although Connecticut Gov. Thomas J. Meskill's proposed tax cuts will undoubtedly win him political points in preparation for the 1974 gubernatorial campaign, *Courant* columnist Jack Zaiman predicts that the Democrats will find a fruitful field of side issues — just as they did between 1951 and 1955 with Gov. John Lodge (R). "Overall, Ambassador Lodge's performance as governor during that period was good. But the Democrats got to him on a side issue — that he couldn't make up his mind and that he usually was late for functions." Despite such "side issues" as Meskill's handling of the bus strike and his pay raises for top assistants, Zaiman says that Meskill may have a budgetary gimmick up his sleeve. He has put Connecticut's share of revenue-sharing funds in a trust fund, which he may combine with other sequestered funds to produce a big 1974 tax break for the state's voters.

● **"Secret Memo Names Reagan Inner Guard,"** by Harry Farrell. *San Jose Mercury*, February 1, 1973. Referring to a memo issued after a September 2, 1970 hotel meeting in Los Angeles, *Mercury* political editor Harry Farrell writes, "It indicates that as long ago as September, 1970, the small group of Reagan's staffers and ex-staffers (although not the governor himself) was planning to dominate crucial GOP decisions four years into the future." Issued by Paul Haerle, who was recently elected state GOP vice chairman, the memo parcelled out responsibilities for key political developments in California through 1974, such as the selection of national committee representatives, selection of a Los Angeles County GOP chairman, solution of the "problem" of the notoriously independent San Diego County GOP chairman, and coordination of a possible campaign by Gov. Reagan or Lieutenant Gov. Ed Reinecke in 1974. When former National Committeewoman Eleanor Ring was asked by Farrell whether she thought the memo indicated an attempt by the Reagan "palace guard" to dictate party affairs, Mrs. Ring said, "It looks like that, doesn't it?"

● **"Who's for Senator?"** by Frank Nye. *Cedar Rapids Gazette*, March 4, 1973. "From the way Iowa Republicans are licking their chops you'd think they already had unseated U. S. Sen. Harold Hughes, the Democrat who comes up for re-election next year." Because of Hughes's role in the Iowa Democratic Party's rejuvenation, Iowa Republicans have a particularly hard spot in their hearts for him. *Gazette* political columnist Frank Nye indicates that there will be plenty of Republican hopefuls if Gov. Robert Ray decides to seek re-election instead of challenging his Democratic predecessor. Among the would-be candidates are State Rep. David Stanley, looking for a rematch of his 1968 race with Hughes; former Sen. Jack Miller, looking for a comeback after his 1972 upset; U. S.

Rep. William Scherle, looking for a promotion; and former Lieutenant Gov. Roger Jepsen and Veterans Administration administrator Donald Johnson, both perhaps looking for new jobs.

● **"Hoosier Rises, Taking Time,"** by Saul Kohler. *Memphis Commercial Appeal*, January 21, 1973. In an interview with *Newhouse News Service's* Saul Kohler, Indianapolis Mayor Richard Lugar said, "My preference is to be chief executive of whatever I do. Yes, I admit I am interested in being chief executive of the United States, but I am a patient man. It could be that 1976 will not be the right year. Well, I have time. There is no reason to go in for a gesture of futility." Lugar admitted that increasing his name recognition was a "long and torturous process. But it is worth the effort, because my view of national politics is that it is not a short run or an overnight success." The 40-year-old mayor indicated that he did not believe that the step from mayor to president was an insurmountable one. "Only after someone challenges the view do people believe it can be done and then all the shibboleths are broken."

● **"Bold Challenge Against Demos,"** by David Nordan. *The Atlanta Journal and Constitution*, March 11, 1973. "Since many elections past, the Georgia Republican fathers have been gathering at the party gates to weep and mumble and study the bones in an effort to figure what they did wrong again," writes David Nordan, *Journal* political editor. "The signs have always indicated the same things: their candidates were, with a few exceptions, a bunch of goats or sacrificial lambs; and their grass-roots organization functioned like it had been put together by an Arab general." But Georgia Republican Chairman Bob Shaw says things will be different in 1974. "First of all, Shaw is holding out a list of potential candidates which without question comprises the best-looking group the party has come up with in many years." The gubernatorial and senatorial challenges may be weak re-runs of previous races but the 1974 congressional races (which featured only two real contests in 1972) may present new challenges to the Democratic Party. The Minnesota Vikings quarterback, Fran Tarkenton, is considering running against U.S. Rep. Robert G. Stephens in the 10th C.D., for example. State Representatives Paul Coverdell and George Larson, both from Atlanta, are supposedly considering a run for the 5th C.D. seat recently captured by Andrew Young (D). In all but two of the state's 10 congressional districts — those belonging to U.S. Representatives Phil Landrum and Howard "Bo" Ginn — Shaw is contemplating serious races. To accomplish this, a team of full-time, paid organizers is being assembled under Richard McBride, a former campaign aide to 1972 senatorial aspirant Fletcher Thompson.

● **"A 'Packard' Plan for '74 GOP Races,"** by Earl Behrens. *San Francisco Chronicle*, March 15, 1973. According to *Chronicle* political editor Earl Behrens, White House pressure might be applied to get Attorney General Evette J. Younger, State Controller Houston Flournoy and Lieutenant Gov. Ed Reinecke to seek re-election rather than the California gubernatorial nomination in 1974. Behrens says there is speculation that the White House would prefer David Packard, former undersecretary of defense, as the gubernatorial nominee and Robert Finch, former HEW secretary, as the senatorial nominee.

● **"The Submerging Republican Majority: The 1972 Election in South Dakota,"** by Alan L. Clem. *Public Affairs* (Governmental Research Bureau, University of South Dakota), February 1973. "In 1956, 1962, and 1968, (Sen. George) McGovern was the only major Democratic candidate who won in South Dakota; in 1972, he was one of only two major Democratic losers in the state. Of course, in 1972, he was running for President and, in 1974, he will be running for another term in the Senate. The question is, will his popularity in the state increase or decline." If a possible Democratic primary between McGovern and Gov. Richard F. Kneip develops, University of South Dakota Professor Alan L. Clem concludes, "It would certainly be a political donnybrook, not unlike the Nebraska-Oklahoma football game of Thanksgiving, 1971."

LETTERS

The Goodell Gang

F. Clifton White is his own best publicist, and I am surprised that J. Brian Smith ("The Emerging Republican Youth, February 1973 FORUM) would take White at face value. Sen. James Buckley did not have the most youth support during the 1970 New York senatorial campaign. Sen. Charles Goodell did.

If Mr. Smith had checked with the local New York press or a member of former Sen. Goodell's staff, he would have learned that youth were the major base of the Senator's support. He would also have learned that young people composed an integral part of the Goodell campaign — 90 percent of the leadership and staff were persons in their late teens, twenties and early thirties.

And finally, for the record, Buckley did not have more youth support than Goodell and Ottinger, but less.

TANYA MELICH
New York, New York

Intellectuals

I am a Riponian with probably too many interests for my well being, but only one of them concerns me here. My primary interest is pure science. As a researcher in quest of knowledge alone, I am distressed at the antipathy I encounter.

It is something which ought to concern Riponians, but is seldom if ever mentioned: the pervasive anti-intellectualism exhibited by this strange group known historically as the Republican Party. I find this negative emotion, which is also extremely widespread within the Democratic Party (and all America), but tolerated there, tragic, because intellectuals and intellectuals are no more or less human than anyone else. In a society which claims to be fair and democratic, it is grossly unfair that those who happen to have brains are often systematically excluded from positions of responsibility in civil affairs — particularly so within the Republican Party. What is the particular sin of possessing brains?

I happen to believe that our greatest President was the man from the woods of Illinois, who was not an intellectual, but who was very much a philosopher, and not only tolerant of but accepting of intellectuals. He respected brilliance, but was not an intellectual precisely because he was a much bigger person than that: his personality could encompass intellect and earthiness at the same time. If our Society imitates Lincoln, perhaps it ought to address the question of how he lived with such a broad life-view, and how we can do the same. And further that we presently need another such person very sorely. Someone who has a boondocks understanding of our ills, a deep personal wisdom, and an abiding faith in freedom, but also a thirst and tolerance for new and challenging ideas. I am tired of millionaire Presidents, whether they be Texas ranchers, Boston aristocrats, or California press-haters. I look for a true people's President, who is popular, representative, but who is not intoxicated with power; one with whom "Anyman" (or "Anygroup") can reason.

So what, right? Is this not what everyone wants, you say? No. The missing ingredient is intellect. If we are to have a great President ever again in our increasingly complex and computerized society, he must be not only humble and humane, but "brainy!"

I would like to see someone within the Ripon "think-tank" in Cambridge address this problem. Just how do intellectuals function in an anti-intellectual party?

MIKE HANSEN
Pocatello, Idaho

Libertarianism

Reading the February 1973 FORUM one could hardly miss an apparent sudden enthusiasm for "libertarianism." In his article, "The Case for Libertarianism," Mark Frazier summarizes that creed as follows:

Libertarians hold to a basic tenet that no man may initiate force or theft against any human being, for any purpose. They envision a society

in which all relationships are peaceful, where each individual has sovereign power over his own person and whatever property he has received through voluntary contracts.

This might be acceptable were it written in the 1960's as a preface to John Locke's *Second Treatise on Civil Government*. But the age of the unfettered, atomistic individual has long since passed (if it was ever more than a romantic illusion) — and happily so. We live in a nation of 210 million people, with an economy which generates over one trillion dollars in "voluntary contracts" each year. Life is complex, and — unfortunately — not all relationships between our citizens are peaceful, or seem likely to become so. The United States thus needs powerful political agencies to facilitate and organize the immense and often-conflicting forces within our society.

Americans have traditionally been critical of their government; suspicious of its powers. But they have also recognized that the absence of law is an unsatisfactory index of either freedom or well-being. For just as important as negative liberty (characterized by a minimum of government-imposed restraint), is positive liberty (exemplified by collective efforts to broaden and extend the opportunities available to all citizens). We have, therefore — for our happiness, if not our survival — chosen to confer substantial power on groups, associations, and governments, desiring that these surrogates will act affirmatively to further the general welfare as well as reactively to fend off usurpers and tyrants. And this is as it should be; the Electoral College infidelity of Roger Lea MacBride notwithstanding.

PETER V. BAUGHER
President
New Haven Ripon Chapter

Youth Issues Program

Upon reading "The Emerging Republican Youth" by J. Brian Smith in your February 1973 issue, I was somewhat surprised but mainly amused by Smith's criticisms of the Young Voters for the President (YVP). During this past campaign I served as Director of Field Activities for the YVP in Washington, D. C., and feel compelled to reply, if only for the sake of clarity. I feel that Mr. Smith is a trifle misguided as to the work and objectives of the YVP organization, and under a slight misconception as to the effect of the Youth Issues Program.

The concept behind the formation of the Youth Issues Program is admirable; to bring the issues of the campaign to the college campus for discussion. It so happens that I was working at a college in Westchester County, New York one day last fall, and was able to witness one of Mr. Smith's presentations. I was, to say the least, sorely disappointed. As Mr. Smith breezed past our recruitment table he did not as much as nod to the volunteers who were working with me (nor, for that matter, did he acknowledge me, although we had never met and he did not know me). I wish he had seen the glances he drew on the campus in his three-piece suit while toting a junior executive briefcase. When I entered the symposium room, I found it poorly attended, with the audience generally composed of already Republican youth.

Perhaps the reasoning behind this demeanor is contained within Smith's article. He states that "The future leadership of the nation presently resides on the nation's campuses. It is there that the issues are discussed and debated with the most fervor." To me, this statement smacks of elitism; that non-college youth have little to offer the country and that they are unconcerned with political issues. I have experienced that although the priorities may be different, food prices and Vietnam are discussed with as much fervor on the job as they are on the campus. If this is the attitude of the participants in the Youth Issues Program, I can see its only effect as reinforcing the already negative Republican stereotypes: the image of our party composed of the well-to-do, wearing suits and short hair, and flowing forth profusely with cute rhetoric.

Smith alleges that the YVP excluded college youth, and placed its main emphasis on the blue-collar among the young. This accusation is wholly inaccurate, and I am surprised that Mr. Smith is so poorly informed to believe it. The YVP College Program, under the director-

14a ELIOT STREET

ship of Ken Rietz and George Gorton, put together college organizations in all of thirty-eight states, with contacts in all fifty. The membership by election day included more than one quarter of a million students on campuses all across the country. The purpose of finding these people was to involve them in the actual process of the campaign and the election itself. Can this be called an exclusion of college youth? Are written endorsements from more than 250 student leaders a sign of excluding college youth? I would say that involving so many individuals in a program like this gained more support for the President than preaching to a handful of the intelligentsia from a podium. I feel that in the long run, the Republican Party will benefit from Rietz and Gorton's approach. Mr. Smith proudly points out that F. Clifton White had attributed the success of his youth campaign for Sen. Buckley to "giving them a chance to get involved." It is an acknowledged fact that the YVP volunteers participated in massive registration drives, telephone canvasses, and office work as well as the renowned parties and concerts. (It is also worthwhile to note that the youth co-ordinator of the Buckley effort was George Gorton.) As the YVP participant now looks back on the good time and great effect he had upon the 1972 campaign, he or she is far more likely to remain involved in Republican politics than one who merely sat in on a question and answer session with some Republican kid in a suit for ten or fifteen minutes. The emotional commitment, so important in maintaining an active volunteer roster, was far greater in the YVP program.

The Youth Issues Program did have its place in the campaign, this being the discussion and analysis of the concerns of the voter. I was glad to have had this help during the hectic days of the campaign, but speech in itself is not enough. When Mr. Smith left his campus stops, the student audience was still completely bombarded with literature and argument from the opposition. Here is where the YVP proved the more efficient. Our organization gave the student body a constant awareness that not all students were against "Four More Years," and that even some of their friends (the "long-hairs," the "jocks," and the "freaks") were active in the Nixon campaign right on campus. In these numbers, they found constant reinforcement for their position as well as a rebuttal to the opposing stands.

In conclusion, let me once again draw upon Mr. Smith's article. He quotes Abraham Lincoln as advising us to "Let the people know the facts and the country will be saved." I am in complete agreement on this point, but feel that Smith is being naive in seeing this one tactic as all that is needed to conduct a political campaign. If we Republicans are to increase our registration, let us increase our appeal to the people. Let us have speeches and discussion of issues, while at the same time remembering that a social drive, an economic drive, and a competitive drive combine with the intellectual drive to attract a voter. We must strive to appeal to all of the interests and needs of a voter if we hope to win his support.

EDWARD MEYERS
Director of YVP Field
Activities
Worcester, Massachusetts

Corrections

Names of two authors were misspelled in the March FORUM: Ann Cuninghame ("Getting Involved in Crime and Corrections") and George Gorton ("Getting College Republicans Out of the Closet"). Like they say, in like a lion, out like a lamb. In the same issue ("Energy, Energy, Who's Got the Energy?"), the White House Office of Science and Technology was somehow identified as the "Office of Science and Theology." However, that office apparently does not conduct Sunday church services at the White House. And finally, in the December FORUM, State Rep. Michael J. Obuchowski, 21, was identified as a Republican. Obuchowski is a Democrat. In fact, of the 11 members of the Vermont House of Representatives who are 26 or younger, only three — Thomas R. Haley, Jr., 25, Gregory E. Reed, 20, and James H. Douglas, 20 — are Republicans.

● **Melvin Dittman**, vice president of the New Haven Chapter, has been appointed to the Republican Advisory Committee of New Haven.

● **Ralph Loomis**, former Ripon executive director, has been appointed manager of urban and rural affairs for the U. S. Chamber of Commerce. He will be based in the Northeast.

● The next meeting of the **National Governing Board**, to be held in New York City, is scheduled for the weekend of April 28-29.

● **Anne Marie Borger** has completed the production of a new Ripon Society brochure. (A new decade = a new brochure.) Several thousand copies are now glutting the Ripon warehouse at 14a Eliot Street.

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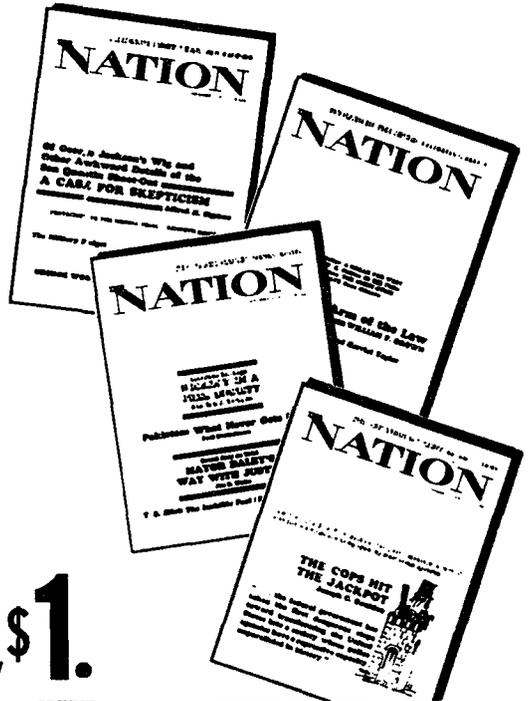
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