

RIPON FORUM

JAWS OF
VICTORY

JUNE 1, 1977

VOL. XIII, No. 11

50 cents

Politics: Massachusetts

WAITING FOR RICHARDSON

by Dick Behn

To recapture the governorship of Massachusetts, the Republicans need (1) a budget deficit; (2) a prison riot; and/or (3) Elliot Richardson.

Richardson, now ambassador to the Law of the Sea Conference, would be the most formidable candidate the GOP could field. In a recent poll, he topped Gov. Michael Dukakis(D) by a 42-39 percent margin. Richardson, however, has given no indication that he intends to return to his home state. His presence on the ticket with Sen. Edward Brooke in 1978---with whom Richardson once competed for the GOP nomination for state attorney general---would provide Massachusetts with needed top-of-the-ticket strength.

A poll last year by the Boston Herald-American showed that Richardson and Brooke had the strongest political ratings in the state. The favorable-unfavorable ratio for Brooke and Richardson were 74-18 and 69-15, respectively. By comparison, Sen. Edward M. Kennedy's favorable-unfavorable percentages were 69-25 and Dukakis' were 56-38.

Richardson's popularity as measured by Becker Research was at its peak in Massachusetts---considerably higher than when he served as attorney general and lieutenant governor of Massachusetts in the 1960s. Dukakis, however, has also recovered some of the popularity he lost as a result of sharply increased taxes early in his term as governor. Those taxes not only reversed a campaign pledge Dukakis made in 1974, but also contributed to mutilating Dukakis' relationships with the Democratic legislature.

In the last year, however, Dukakis' stringent fiscal policies have won favor with the business community. His relations with the legislature have ameliorated---particularly with Senate President Kevin Harrington. An improved economy has spared the state new taxes. Dukakis' personal style has also become politically faddish. He is an ascetic, hard-working, humorless campaigner who makes up in drive what he lacks in charisma.



At one point, Dukakis' relations with the legislature were considered certain to guarantee a strong primary challenge. By comparison, Jimmy Carter looked like a master of legislative liaison. The Senate, in particular, has been traumatized this year by the extortion trial and conviction of two of its leaders (one Democrat and one Republican). As a result, such a challenge is less likely. One former liberal supporter, State Sen. Alan D. Sisitsky (D), is considering a contest, saying, "The arrogance of his pledge to bring us the best state government Massachusetts has ever had is matched only by the poverty of his performance in office."

Liberal disenchantment with Dukakis--- as with Carter---has been compensated for by Dukakis' ability to pick up conservative support. The only Democrat seriously mentioned as a conservative challenger to Dukakis is former Massachusetts Port Authority executive director Edward J. King. King, now president of the New England Council for Economic Development, has also considered running as an independent or a Republican.

Republicans would desperately like to see the Democrats have the sort of divisive primary that enabled the GOP to hold the governorship in the 1960s and early 1970s. Ambitious politicians who could challenge Dukakis---Lt. Gov. Thomas P. O'Neill III, Attorney General Francis X. Bellotti, and Secretary of State Paul Guzzi---are not about to commit political suicide.

A divisive primary helped kill the reelection chances of Gov. Francis Sargent (R) in 1974. There is still the possibility that overly optimistic revenue projections could create a state financial crisis in 1978, thereby generating a Democratic fight. Or overcrowding in the state's prisons could create the kind of explosive penal problems that plagued Sargent. The former governor does not intend to seek another term.

So instead of a Democratic donnybrook, a three-way fight is shaping up for the Republican nomination. Despite the political capital Richardson generated by guaranteeing a \$730 million loan to the General Dynamics Corp. shipyard in Quincy (in one of his last acts as outgoing commerce secretary), Richardson is being written out of the gubernatorial race. If he changes his mind in the next several months, two candidates---Middlesex Sheriff John

Buckley and House Minority Leader Francis Hatch, Jr.---will probably drop out of the GOP race. Like Richardson, both are progressive Republicans. Unlike Richardson, they will have to work hard to create statewide names for themselves

Richardson has reportedly told Buckley that running for President in 1980 would be a full-time task if he decided to make the race. Seeking the Massachusetts governorship would hinder rather than help pursuit of that goal.

Buckley's progressive credentials will hamper his ability to win the GOP primary unless he can succeed in luring liberal independents into the party fold. He's won a reputation for penal reform while pushing for a prohibition on handguns and decriminalization of marijuana.

Buckley's stands on those issues alienate conservative Republicans--- who have been attracted by the fiscal responsibility advocated by Frank Hatch. Hatch's backing for state aid to local communities along with his criticism of the state's pension system have given him needed credentials in this area. His legislative position has also given him wider organizational ties and credits in the state.

Nevertheless, a conservative challenge has been built around the candidacy of Edward F. King, director of Citizens for Limited Taxation. King, a former leader of the conservative faction on the GOP State Committee, led the fight last year against a graduated income tax. He is trying to forge a fiscal-social conservative alliance that will include anti-busing blue collar Democrats. But like Buckley and Hatch on the progressive wing, King is partly in the race because bigger name GOP conservatives decided not to enter. State Sen. David Locke, for example, is considered a more likely candidate for attorney general.

One handicap for progressives and aid to conservatives was last year's takeover of the state organization by State GOP Chairman Gordon Nelson, a Reagan backer. Nelson has dedicated himself to rebuilding the party at the grassroots and attracting conservative Democrats to the GOP.

Less drama surrounds the reelection chances of Sen. Brooke. A formidable challenge had been anticipated from



year is critical because it will determine the caliber of next year's opponent. A weak opponent in 1972 allowed Brooke to save over \$300,000 for 1978. He expects to raise another \$200,000 at a birthday fundraiser in September.

State Rep. Charles Flaherty, the state Democratic chairman, is now the most active pursuer of the Senate nomination. There are persistent rumors that Attorney General Bellotti may enter the race and equally persistent denials from Bellotti, who has regained the political credibility he lost by defeating an incumbent Democratic governor in a 1962 primary.

Brooke has been running hard for his reelection---both in Washington and in Massachusetts. He recently became ranking Republican on the Senate Banking, Housing and Urban Affairs Committee, and has moved into the forefront of a number of progressive issues. Neither his outspoken advocacy of school busing nor his recent divorce appear to have seriously hurt him. His sizable campaign bankroll may also have given potential opponents negative vibrations.

True speculation, meanwhile, centers on the really important question of Massachusetts politics. Will Joseph Kennedy III run for Congress and if so, where? Kennedy himself says he doesn't know what he's going to do. That, of course, doesn't inhibit the conjecture. ■

U.S. Rep. Michael Harrington (D), an outspoken liberal from the state's North Shore. Harrington, however, suffered two setbacks last fall. A public power referendum he backed failed at the polls. And an unknown airline pilot, William Bronson, came uncomfortably close to unseating him. Harrington's public image was further tarnished by imprecise press reports of his association with slain Chilean dissident Orlando Letelier.

Family considerations were reportedly the ultimate factor in Harrington's decision to seek reelection rather than the Senate. His ambitions already have attracted strong Republican and Democratic candidates to the congressional race and placed his reelection in some jeopardy.

Bellotti or Tom O'Neill, son of the speaker of the House of Representatives would be formidable challengers to Brooke. Both are expected to wait until the results of fall polls are available before they make final decisions. Brooke's official position is that he is running scared. "Campaigning" this

JAWS OF VICTORY: \$4.50

Bargain copies of Ripon's highly-praised book on the 1972 Presidential election are now available from Ripon's Washington office. Originally published at \$10.95, copies are available for \$4.50 (postage and tax included) from:

Ripon Society
800 18th Street N.W.
Washington, D.C. 20006

THE RIPON SOCIETY, INC. is a Republican research and policy organization whose members are young business, academic and professional men and women. It has national headquarters in District of Columbia, chapters in fifteen cities, National Associate members throughout the fifty states, and several affiliated groups of subchapter status. The Society is supported by chapter dues, individual contributions and revenues from its publications and contract work.

THE RIPON FORUM is published semi-monthly by the Ripon Society, Inc., 800 18th St., N.W., Washington, D.C. 20006. Second class postage rates paid at Washington, D.C. and other mailing offices. Contents are copyrighted © 1976 by the Ripon Society, Inc. Correspondence addressed to the editor is welcomed. (Ripon FORUM, Box 226, Charlestown, Mass. 02129.)

In publishing this magazine the Ripon Society seeks to provide a forum for fresh ideas, well-researched proposals and for a spirit of criticism, innovation, and independent thinking within the Republican Party. Articles do not necessarily represent the opinion of the National Governing Board or the Editorial Board of the

Ripon Society, unless they are explicitly so labelled.

SUBSCRIPTION RATES are \$15 a year, \$7.50 for students, servicemen, and for Peace Corps, Vista and other volunteers. Overseas air mail, \$6 extra. Advertising rates on request. Please allow five weeks for address changes.

Editor: Dick Behn

Editorial Board:

Robert D. Behn, Chairman
Clifford Brown
Robert H. Donaldson

Tanya Melich
Robert G. Stewart
Ralph Thayer

Contributing Editors: Clifford Brown, Glenn Gerstell, William A. Koelsch, Daniel J. Swillinger, Richard W. Rahn, John A. Rehtuss, Thomas A. Sargent, Richard Cleveland, Mark Frazier, Peter Berg, Martin Sours, and William K. Woods.

Technical Editor: Brian J. McCarthy

Commentary: Electoral College

ENDING AN ELECTORAL ANACHRONISM

by Clara Link

Editor's Note: The following article is a reply to "In Defense of an Imperfect College" by Michael C. Maibach in the May 1 FORUM.

To maintain the legitimacy and power of the Presidency, it is essential that voters weigh the possible consequences outlined by Michael Maibach in the May 1 FORUM against the real dangers of retaining the Electoral College system.

In a close election, the Electoral College can easily deny the Presidency to the candidate who has the highest vote count. In the event of an Electoral College tie, the House of Representatives selects the President. The voice of individual citizens is then diluted to insignificance, and the unsavory possibility of a bought-and-paid for President is increased. A President chosen by the House of Representatives would not be accepted by the people as their President. He would, in fact, be a political captive of the House.

Under the Electoral College system, the presidential candidate who wins the plurality of votes in a state wins all the electoral votes of that state, thus disenfranchising all the citizens who voted for the loser. Maibach's argument that "abolition of the Electoral College would put the great federal idea into question" is false." Since the time of George Washington, Americans have looked upon the President as the national leader of all the people ---not as the chairman of the several states.

The argument that the Electoral College ensures a truly national campaign is also false. Presidential candidates now concentrate strategy, funds, and campaign time in the states that have the most Electoral College votes. If each individual citizen's vote is counted in the grand total of votes from all 50 states, presidential candidates would have to campaign vigorously for votes in all sections of the nation.

Furthermore, party leaders in small and one-party states would inevitably work harder for the candidates of their respective parties if the Electoral College were abolished. Republicans in the South would work to add to the total

vote of the Republican candidate. Democrats in New England would work hard to add to the total vote of the Democratic candidate. Party leaders would know that individual votes in every state could make the difference in the nationwide total. Citizen participation in presidential elections would increase.



Maibach expressed alarm that direct election of the President would make it difficult to determine the winner. Not so. The proposed direct election amendment requires a runoff between the two top vote-getters in even no candidate receives 40 percent of the vote. Voter all across the nation are accustomed determining the official winner through local level runoffs. A runoff is slightly uncomfortable for the candidates, but is a great comfort to the citizens. It settles the question of who is the legitimate winner.

Elimination of the Electoral College would force the two major parties to face up to the threat of encroachment by minor parties. Republicans and Democrats would have to be more responsive to the concerns of voters and would have to nominate candidates with ability to communicate, inspire confidence, and lead.

Citizens perceive the President as representative of all the people. All the people should have the right to express their choice; to know that their votes were counted. ■

Contributor Note: Clara Link is a member of the national board of Common Cause from California.

Commentary: BUREAUcracy

HATCH ACT REFORM

by Jennifer W. Frutig

Proposed legislation to amend the Hatch Act would enable the nation's 2.8 million federal employees to actively participate in political campaigns. The chairman of the House Post Office and Civil Service Subcommittee on Civil Service, U.S.Rep. William Clay (D-Mo.), has reintroduced a bill to amend the Hatch Act, H.R.10. The bill was vetoed by President Ford last year and the veto was sustained by the House of Representatives.

In spite of support from various government employee unions, passage of the bill is in doubt. Earlier this year, there was speculation that the bill would pass and be signed into law by President Carter. Now, after the surprise defeat of the common situs picketing bill, H.R. 10 may be in trouble. Congress instead may opt for a substitute bill introduced by U.S.Rep. Joseph Fisher(D-Va.)

The purpose of H.R.10 is "to restore to federal civilian and Postal Service employees their rights to participate voluntarily, as private citizens, in the political processes of the nation, to protect such employees from improper political solicitations, and for other purposes." The bill prohibits federal employees from using official authority or influence on elections, contributions, or voting and denies the right of political activity to those in "sensitive positions," such as the Internal Revenue Service, the Central Intelligence Agency and the Justice Department. The bill would permit federal employees to run for political office (on vacation leave), work on political campaigns, participate in demonstrations, and solicit contributions.

Under the provisions of the bill, the Civil Service Commission would be responsible for education, enforcement, and investigation. The bill would establish a Board of Political Activities of Federal Employees with three members appointed by the President to hear all cases of violations. Any investigation would be subject to a 90-day limit, which is unrealistic considering the speed of the federal bureaucracy.

Two unions that support the bill are the American Federation of Government Employees (AFL-CIO) and the National Asso-

ciation of Government Employees. Kenneth T. Blaylock, the national president of the American Federation of Government Employees praises the bill as the "Federal Employees Political Emancipation Act of 1977" for restoring full citizenship to federal employees. He argues that federal employees have a constitutional right to freedom of speech and association, that they have legal and moral rights as citizens, and that the bill is in the general public interest.

Alan J. Whitney, the executive vice president of the National Association of Government Employees states that his union is "in complete agreement that federal employees should be permitted to take part in political activity." He supports H.R.10 for incorporating the recommendations of the Commission on Political Activity of Government Employees and declares that leaves of absence should be permitted federal employees wishing to run for public office. Whitney, however, feels that the bill's provision for penalties concerning fund raising for political purposes while on duty should be stronger.

The National Federation of Federal Employees, the "oldest and largest independent union of federal career employees," supports the original Hatch Act and "legal protections against political strong-arming of federal workers." However, George Tilton, the associate general counsel, states that H.R.10 has "many provisions in it that are worthy of merit." He praises the section which prohibits employees from using official authority concerning political activity.

Tilton is critical of several provisions of the proposed law, particularly those regarding the IRS, the CIA, and Department of Justice employees---sections he calls "overly broad and confusing." He also feels that White House employees should not be exempt from politicking on duty." He suggests that federal employees running for political office be required to take a leave of absence (without pay) at least 60 days prior to the election. He also suggests that the proposed board, rather than the Civil Service Commission, be given the authority to conduct investigations. Employees should then have the right of appeal to the courts with disputed cases

referred to the attorney general. Tilton specifically states that "penalties for illegal solicitation of political contributions by supervisors should be increased.

U.S.Rep. Joseph L. Fisher(D-Va.) has introduced a substitute bill which would permit federal employees to become active in state and local politics while retaining the existing prohibitions on activity in federal elections. Fisher represents a district which is heavily composed of federal government employees, and his constituent mail has been primarily opposed to H.R.10.

Republican U.S.Rep. Newton Steers, who represents a Maryland district in which federal employees are also heavily represented, opposes H.R.10, but supports the more moderate approach of Fisher's bill. Steers declares, "I do not think that pressures on employees will be great if we limit participation to state and local contests, where the job of a civil servant's boss would not rely on the outcome of an election."

House Minority Leader John Rhodes(R-Ariz.) and U.S.Rep. Edward Derwinski(R-Ill.), ranking minority member of the House Post Office and Civil Service Committee, both oppose the bill. Another committee member, U.S.Rep. John Rousset(R-Cal.) voted in favor of the bill last year and is presumed to take the same stance this year.

On the Democratic side, U.S.Rep. Morris Udall of Arizona favors the bill because he feels that "we need to permit federal employees more freedom to participate in legitimate political activity, and that we also need to protect them from improper influence from superior officials. H.R.10, in my view, meets these goals as well as could be expected. Udall's mail has been heavily against the bill, but the pre-typed postcards tend to betray the identity of the conservative organizations behind the mail. Individually written letters are about evenly divided on the subject. U.S.Rep. Charles Wilson(D-Cal.) is strongly in favor of the bill and plans actively to support its passage. Most of his mail is running in favor of H.R.10.

The fate of the bill depends on the votes that Rhodes, special interest groups, and public opinion can muster against it. Congressman Fisher's alternative would provide an excellent testing ground for employee political activity at the state and local level. Such a test would provide a valuable measure of the impact of more inclusive legislative on the federal merit system. ■

Contributor Note: Jennifer Frutig is a former researcher for the Republican National Committee and a member of the District of Columbia Chapter of Ripon.

Ripon: Update

NEW YORK U.S.Rep. Jack Kemp (R-N.Y.), after toying seriously with the idea of running for governor in 1978, has set his sights instead for Sen. Jacob Javits' seat in 1980. The conservative Buffalo-area congressman who made a national name for himself with his tax-reduction proposals, almost challenged Javits for the same post in 1980. Kemp says he was tempted by the possibility of putting his economic ideas to work on the state level, but accepted the political realities of New York politics: "...I'm practical enough to know there's the right time and the right place. In this case I think it's obvious. [Assembly minority leader] Perry Duryea and [Senate majority leader] Warren Anderson will be running against Gov. Carey. They have been at that level for so long, the practical political side of it is that they are about ready to end up in

a duel for the nomination." Duryea is given the lead for the nomination and has engaged Bailey-Deardourff to do political consulting for the race. He is, however, edging himself gradually toward the nomination, ensuring that it will be worth getting if he goes after it wholeheartedly. Although Duryea is widely respected as a potential candidate, his staff is considered weak. Anderson is considered a less viable candidate but he has more power since the Senate is GOP-controlled. Should Javits retire in 1980, one logical Republican progressive who would seek to succeed him is U.S. Rep. Hamilton Fish who represents a rural Hudson Valley area.

CALIFORNIA Though his popularity has diminished, California Gov. Jer-ry Brown is still clearly ahead of his GOP rivals, according to a recent poll by Mervin Field. Brown defeats Attorney General Evelle Younger 55-30 percent. Doing even worse are San Diego

Mayor Pete Wilson (57-20 percent) and Los Angeles Police Chief Edward Davis (57-24 percent). Even former Gov. Ronald Reagan would lose, 53-36 percent. One possible GOP nominee dropped back further from GOP consideration when U.S.Rep. Bill Ketchum(R) joined the organizing committee for gubernatorial backers of Assemblyman Ken Maddy(R).

OHIO Ohio Gov. John Rhodes prevented further deterioration of his chances of being renominated and reelected when Hamilton County GOP Chairman Earl T. Barnes was elected state chairman. Kent McGough, who led the party during a recent series of election losses, resigned to enter the consulting business. Barnes defeated former Lt. Gov. John W. Brown 24-19 with the backing of Rhodes and Cuyahoga County GOP Chairman Robert E. Hughes. Barnes put a "personal" interpretation on his victory while others indicated it strengthened Rhodes in a projected primary with State Sen. Donald E. "Buz" Lukens and Cuyahoga County Commissioner Seth C. Taft. Lukens would have arch-conservative support and Taft would have access to Cleveland-based aid. Coming off last year's big Democratic win---taking the electoral votes, a Senate seat, two congressional seats, control of the State Supreme Court and a "veto-proof" legislature---Democrats are itching to retake the governorship. Likely candidates are Lt. Gov. Richard Celeste(D) and Attorney General William J. Brown(D).

MAINE Gov. James Longley, Maine's Independent maverick, is threatening to run for reelection. Angry at the problems his budget encountered in the state legislature, Longley told the press, "I haven't changed my mind but that doesn't mean that I don't have the right to change my mind." Longley's threats may strengthen his lame-duck status as well as his legislative proposals. Given Longley's unpredictable nature, it is feared that he might again be angered by the legislature during the next year sufficiently to reconsider his return to the insurance business. U.S.Rep. William Cohen(R) has postponed till his decision on whether to run for the governorship or against Sen. William Hathaway(D) until this summer.

WEST VIRGINIA Despite speculation that Gov. John D. Rockefeller IV will seek the seat of Sen. Jennings Randolph (D) in 1978. Rockefeller denies it, saying,

"It's not for me. There's nothing in the world that would get me to do that. I want to be governor." Former Gov. Arch Moore(R), on the other hand, is interested---if Randolph decides to call it quits as expected.

GEORGIA Sen. Sam Nunn(D) has been a thorn in the side of his fellow Georgian in the White House. Carter would be foolish, however, to try to dump him in 1978. Both Nunn and Gov. George Busbee(D) are prohibitive favorites for reelection, according to a recent poll.

TEXAS Many Republicans, from former Ambassador Anne Armstrong and State GOP Chairman Ray Hutchinson to U.S.Rep. James Collins have been mentioned as possible challengers to Gov. Dolph Briscoe(D). Between his advocacy of Texas' energy interests and the state's \$1 million budget surplus, Briscoe's popularity has recovered from an early 1976 slump. The Texas Poll conducted by Belden Associates recently found 64 percent of the electorate approved of Briscoe's performance.

NEW YORK The New York State Senate is the only Republican-controlled legislative body in the ten most populous states. It is dominated by conservative but pragmatic conservatives whose political realism allowed them to increase their margin of control in 1976. One reflection of their political judgment was their decision to sup-



port reduced penalties for possession of marijuana in this year's legislative session. New York's Conservative Party, however, needed an issue with which to remind GOP senators that their votes are critical to the GOP's continued success at the polls. The conservatives therefore launched a concerted effort to block marijuana law reform. Such exertions are distasteful in the eyes of the party's onetime candidate for mayor of New York City, William F. Buckley, Jr., who thinks that "citation-diversion" is a more appropriate response to marijuana. He writes: "Any explicit conservative party is especially vulnerable to the charge of unthinking traditionalism, and it is awful to think of the contempt the party will earn itself if it succeeds in its current endeavor."

TENNESSEE President Jimmy Carter is disturbed at the possibility that Sen. Howard Baker (R) may get a virtual free ride in 1978, according to the Memphis Press-Scimitar's Wendell Potter. He therefore has been urging the likes of Knoxville banker Jake Butcher, U.S. Attorney Mike Cody, and House Speaker Ned McWherter to challenge Baker. Meanwhile, State Rep. Harold Sterling, who ran Ronald Reagan's Tennessee campaign last year, will seek the GOP gubernatorial nomination if he can raise sufficient funds. The conservative Memphis real estate broker will probably face the party's 1974 gubernatorial nominee, Lamar Alexander, who is favored to win the nomination.

NEW HAMPSHIRE New Hampshire Gov. Meldrim Thomson's handling of the Seabrook anti-nuclear demonstrators was

controversial in his home state, but he may have hit on a solution to the state's fiscal problems, according to the Concord Monitor's Tom Ferriter: "New Hampshire, as nearly everybody knows, does not have enough money to pay for even minimal public services. That, of course, is a big reason why Thomson had to resort to a nationwide appeal to pay for housing, feeding and guarding the Seabrook demonstrators. There are many other things the state cannot afford these days, and Thomson might well be thinking of seeking donations for some or all of these things. Instead of going to the governor and the legislature for money---as they have become accustomed to doing---the people who run state agencies might in the future launch fundraising appeals through the national news media." New York City should have thought of that, notes Ferriter.

MONTANA A three-way primary may be shaping up for Sen. Lee Metcalfe's seat in 1978. Metcalfe's health problems are aggravated by other factors, according to the Washington Post, whom he told earlier this year, "I'm no teetotaler, but I also take a lot of medication because of my bad knees." Democrats interested in the position include Gov. Thomas L. Judge, U.S. Rep. Max Baucus, and House Speaker John B. Driscoll. Although GOP prospects in the state improved last year when the party picked up one congressional seat, five State Senate seats, and nine State House seats, there is no logical Republican Senate candidate. The party has a tendency to pick arch-conservative candidates who dissipate possible opportunities.

RIPON FORUM

Published semi-monthly by the Ripon Society, 800 18th St., N.W., Washington, D.C. 20006. Second class postage paid at Washington, D.C. and other mailing offices.