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POLITICS: PRESIDENCY

WILL PEKING PLAY IN PEORIA?

by Dick Behn

If Mao Tse-Tung could vote in the Republican primaries next year, it seems a safe bet that he would back Ronald Reagan, given the two men's mutual aversion to the Soviet Union. So it is difficult to understand how the President's China visit will boost his chances of winning reelection—except that visiting Mao is doing what Gerald Ford does best at times—acting like the President, rather than a politician.

The difference was dramatically demonstrated in Ford's appointment of John F. Stevens to a place on the Supreme Court. The solid competence and professional handling of the appointment contrasted strongly with the adverse reaction that greeted the Sunday Morning Massacre a few weeks earlier. Ford pleased no constituencies, mollified no antagonists, and elicited no hallelujah choruses with the Stevens appointment. And for that reason, it looked all the more impressive. Judicial competence not political advantage was the obvious consideration, and it showed.

Ford needs more such displays of quiet competence if he expects to be reelected. He can't out-mesmerize Reagan on the campaign trail. He'll never win the hearts of those ultra-conservatives who believe Reagan will dismantle the Washington Monument within the first minutes after inauguration. And Ford will never be able to talk tougher than a professional cowpoke.

But behind the big media splash Reagan's presidential announcement received were the evident signs that Reagan was not President and had a lot to learn before he could possibly assume that role. He fumbled questions on defense in Washington while managing to admit that he had not had time to read the morning newspapers. The Washington Post's Lou Cannon noted that, "In Charlotte, Reagan floundered when reporters pressed him for his views on desegregation and demonstrations." His response to earlier civil rights sit-ins was, "There can never be any justification for breaking the law." That response could haunt him the question is that activities of anti-busing activists; it is the sort of redwood-botulism remarks that have plagued Reagan before.

Although simplistic solutions have always

seemed to be Reagan's great advantage in the political world, those solutions will unquestionably come under closer scrutiny in the presidential campaign—especially by political reporters unhappy about the way the 1972 campaign was covered. Knight Newspapers' Loye Miller, Jr., reflected Reagan's problem when he recently quoted Hugh Foster, president of the Pullman Transport Leasing Corp., after Foster listened to Reagan: "I think the governor has got to sharpen up his platitudes. A lot of us share the viewpoint he stands for, but things just aren't as simple as he says they are: getting the government out of business, for example—nobody can do that."

Reagan's announced goal of cutting \$90 billion from the federal budget and shifting this financial burden to the states is bound to spark endless controversy. As the Ripon Society noted after Reagan's announcement of candidacy: "Reagan's solution is not to cut government but rather to shift the burden from the federal level back to the states and localities...Ripon takes no issue with this goal. A shotgun approach of cutting the federal budget \$90 billion and thus eliminating federal spending for education, welfare, housing, Medicare, food stamps, community and regional development and revenue sharing—to mention a few—will not get government 'off our backs.' Instead, it will place the burden upon levels of government which in most cases are ill-equipped to handle problems national in scope."

Reagan's record as governor of California is also likely to come under increasing scrutiny. As the Wall Street Journal's Norman C. Miller noted in an analysis: "Mr. Reagan's rosy recital of his record ignores some other material facts...The state budget more than doubled during his tenure, rising to about \$10 billion from \$4.5 billion...California taxes rose substantially under the Reagan administration...The \$5.7 billion in 'direct tax relief' that Mr. Reagan talks about resulted from partial tax rebates enacted during a few periods when the state had fat surpluses...Mr. Reagan's claim that he held state government employment steady for eight years isn't precisely correct...Mr. Reagan also is apparently exaggerating when he claims that the tightened eligibility rules imposed by the October 1971 welfare law had cut 400,000 persons from the rolls when he left office last January."

Some of the journalistic comments on Reagan's prospects for success are instructive—and disturbing:

Tom Braden: "What Californians know and the rest of the country has not yet taken into account is that Reagan begins his campaigns from the far right, rousing the true believers to a high pitch with the kind of rhetoric with which he stirred the Goldwater forces in 1964. The little old ladies in tennis shoes securely enlisted, he then moves to the center, with pragmatic and common-sense ideas which cannot be faulted by citing his record."

Robert Ajemian(TIME): "Reagan seldom looks or acts politically hungry. When a group of his former staffers and appointees got together last month for a lunch, some expected him to solicit their help. He never mentioned the subject. Recently, while his staff was quarreling about whether he should appear at a meeting of California county chairmen, Reagan excused himself and told them to decide."

David S. Broder: "The purpose of Reagan's running is very clear: to lead a conservative counterrevolution against the 40-year growth of the bureaucratic welfare state in Washington. He has the singular virtue of stating his objectives in unmistakable terms...That kind of force can be generated—legitimately—in our country only by a sustained mandate from the voters, expressed not merely in the election of an individual as President but in a victory for his party that gives it control of the Congress and Executive for long enough to put its program into effect...If the conservatives of this country are honest with themselves and the voters, they will campaign for that kind of victory and not just the nomination and election of Ronald Reagan...If Reagan is elected on his own, as Nixon was, he will in a short time be as frustrated—and dangerous—as Nixon was. And that serves no one's interests, least of all true conservatives."

Richard Reeves(New York Magazine): "I don't remember once hearing Edward Kennedy's name mentioned while I was on the road—which is terrific for him. If Ronald Reagan takes Ford in the Republican primaries—a very real possibility—there is going to be a rationale for Teddy to come in and save the Democratic party and his country from the dreaded forces of reaction and darkness, Reagan and George Wallace."

Mary McGrory:"...it is a little hard to make Reagan a 'kooks' candidate or even a Republican George Wallace when he and the President are so united on the issues that matter to the right. Except on detente, there isn't a dime's worth of difference. The crucial difference is that the right wing believes Reagan when he says he will dismantle the federal bu-

reaucracy and cut down the welfare rolls and move against busing. To conservatives, Reagan is the real thing. And that's why Gerald Ford is walking the White House floor."

Rowland Evans and Robert Novak:"While preaching the evangelical conservatism that delights the Republican Party's dominant right wing, Reagan avoided the hip-shooting that destroyed Goldwater in 1964. Moreover, his advisers have salted his prepared statements with a phrase here and there retreating from unrelieved anti-detente and pro-big business dogmatism...Where Reagan last week differed from the Goldwater of a decade ago is the absence of offhand, extreme-sounding Reagan pronouncements on Social Security, nuclear warfare and the like. In fact, Reagan erred on the side of caution last week. Weak spots of his opening press conference in Washington were his refusal to discuss his opening of defense spending and New York fiscal problems for lack of detailed knowledge—inadvertent deferral to the incumbent President's expertise."

Joseph Kraft: "The moderate tone of Ronald Reagan's coast-to-coast campaign debut demonstrates that he cannot be laughed off as merely the Goldwater of 1976 or a broken-down actor. Sweeping changes in national mood—with respect to institutions, on issues and in the mode of selecting candidates—work in his favor. Though I do not think he will be either Republican nominee or President, he presents a sharp challenge to Gerald Ford. The more so as he comes at the President from the center, not as expected, from the far right."

Godfrey Sperling, Jr.: "The impact of Ronald Reagan on the President is already considerable—even before a vote is counted in a single primary: President Ford has, for weeks, been veering toward the right to woo the conservative Republicans who might well become Reagan supporters... To all this presidential jiggering and hopping around, occasioned by the Reagan bid for the office he holds, Mr. Ford has been surprisingly acquiescent...The President's equanimity in all this is attributed to his political acumen. That is, he feels he has a much better chance of beating Mr. Reagan if he treats him in a gentlemanly way than if he offends him and those conservative Republicans who may well be undecided now as to whether to vote for Mr. Reagan or Mr. Ford."

Christopher Lydon:"The McGovern model is not entirely discouraging to those Republicans who want an ideological party. It demonstrated at least that issue-drive activists can control their party's nomination...The confidence of the Right is just such a candidate, a Goldwaterite on whom 'extremist' labels would not stick in two California campaigns, a true believer who can yet make conservative doctrine sound like sweet reason to a new American majority."

POLITICS: STATES

and 1968), wants to run for the Senate this time—Harold Stassen's old antagonist says, "I tried, you know."

Harold Stassen is at it again. The former boy-governor of Minnesota who practices law in Philadelphia when not running for the Presidency (1948, 1952, 1964, 1968), wants to run for the Senate this time—Hugh Scott's Pennsylvania seat. As Richard Nixon's old antagonist says, "I tried, you know."

HAWAII

Sen. Hiram Fong (R) is not expected to announce his political intentions until early in 1976, but the expectation is that the three-term senator will retire despite widespread feeling that he may be the only Republican capable of holding the seat for the GOP. Fong is reportedly tired after three decades of public service and under family pressure at age 68 to retire to his banana farm. If he decides to leave Washington, the GOP's best bet may be former Gov. Bill Quinn, who has attended to business and legal interests in recent years and thus may be an attractive "nonpolitical" personality at age 58. Democrats will apparently lose both their incumbents in the House of Representatives since U.S.Reps. Patsy Mink and Spark Matsunaga both seem ready to battle through a primary for the Senate nomination. Those vacancies may present the GOP with a real opportunity to capture the seats; State Sen. Fred Rohlifing (R) recently resigned his seat in order to run for the Matsunaga seat. Rohlifing's decision to resign in order to seek higher office may set an uncomfortable precedent for other Hawaii officeholders; he is conceded a good chance of winning election on the basis of his impressive 45 percent run against Matsunaga in 1972. He has also been considered a possible heir to the Fong seat, although in the upcoming congressional campaign he may face Cecil Heftel, the Democrat who came close to upsetting Fong in 1970. Rohlifing has pledged to base his campaign on antidock strike legislation and protection of privacy issues. Both congressional seats seem likely to attract a large collection of Democratic aspirants since Fong's probable retirement has set off the shakeup of the decade for Hawaii politicians.

KENTUCKY

The 1975 gubernatorial debacle was the seventh in a continuous line of electoral defeats for the Kentucky GOP. There is now talk of insurgency among many Republicans against the leadership of the party which has led the GOP down the line since the late 1960's. Among the targets of such an uprising may be State GOP Chairman Clyde Middleton, party Executive Director Larry VanHoose, Jefferson County Chairman Tilford Payne, and House Minority Leader Harold DeMarcus. One challenge of interest would be a race by Lexington State Rep. Larry Hopkins for the House minority leadership. Hopkins is an independent Republican who seems to win against strong Democratic challenges in his marginal House seat in southwest Lexington. His movement into the challenge leadership would also signify possible interest in the 1979 gubernatorial race.

MICHIGAN

"Michigan's whole political future hangs on Ford and the economy," a top GOP official observed recently. In particular, the fate of the Senate seat now held by the ailing Philip A. Hart (D) hangs in the balance. U.S.Rep. Marvin Esch (R) appears to have a fairly clear shot at the GOP nomination—in contrast to the situation six years ago when the nomination of Lenore Romney to oppose Hart caused some intraparty bruises. (One of those bruised was then-Republican Donald Riegle, who has since changed parties but is again seeking the Senate seat.) Esch's shot is not completely clear, however. The resignation of the Federal Trade Commission Chairman Lewis Engman in late November has led to speculation that the bright, capable Engman might seek the Senate nod. Although Engman attended the Michigan GOP's annual Mackinaw conclave in September, he has made no party contacts in the interim and probably has a name recognition factor close to zero. University of Michigan Regent Deane Baker has been running for close to a year but his name recognition among GOP voters is probably little higher. One unknown is the intention of former U.S.Rep. Robert Huber (R), who ran unsuccessfully against Lenore Romney in the 1970 primary and was equally unsuccessful seeking reelection to Congress in 1974. He was at Mackinaw as a potential candidate and allegedly conducted a poll on which to base his decision. A Conservative Party candidacy by Huber isn't out of the question. Finally, State Sen. Robert Davis (R) recently urged former Gov. George Romney (R) to enter the race, but Romney has declined to do so. Davis was joined by five other state senators. If Esch can surmount those hurdles, his path is clear. He's been traveling the state for a year and received additional publicity from President Ford's endorsement of the busing alternatives amendment he sponsored in federal law. The amendment urged federal courts to consider non-busing alternatives in order to implement integration. In contrast to the Republicans, the Democratic Senate contest will not be settled short of a primary. Three heavyweights and one lighter-weight are expected to collide; U.S.Rep. Riegle; U.S.Rep. James O'Hara, who represents a blue-collar, suburban Detroit district; Secretary of State Richard H. Austin, a black who ran a close race for Detroit's mayoralty several years ago, and State Sen. John Otterbacher of Grand Rapids, 33. If insight into human nature was the determinant of elections, psychologist Otterbacher might have the edge, but publication of a paper on "The devel-

opment and evaluation of a state-trait measure of perceived guilt" is not like to sway Democratic voters—regardless of the desirability of development of a reliable instrument of measuring perceived guilt in politicians. So the Democratic primary is expected to be a three-way race. The position of the United Auto Workers should be interesting, since they should be hard-pressed to develop a unified choice. Riegler's former Republican credentials may still be harder for the Democrats to take than Ronald Reagan's Democratic credentials are for Republicans.

VERMONT A recent poll by the Burlington Free Press revealed that Sen. Robert Stafford (R), seeking reelection next year, has the highest official favorability rating in the state, 49%. By comparison, Gov. Thomas Salmon (D), who has set up a committee to do polling for the Senate race, has only a 36% favorability rating. Only 18% rated Stafford unfavorably, compared to 36% who gave bad marks to Salmon. Sen. Patrick Leahy (D) had a 47% favorable rating and U.S. Rep. James Jeffords (R) had a 40% favorable rating. Meanwhile, State Treasurer Stella Hackel (D), a conservative, and Lt. Gov. Brian Burns, a liberal, are squaring off for the Democratic gubernatorial nomination. On the State GOP Committee, John McClaughry, who ran unsuccessfully for the GOP's nomination for lieutenant governor in 1972, ignited a small controversy in Republican politics by protesting the selection of former Treasury Secretary John Connally as the party's fundraiser speaker in November. McClaughry objected to Connally's selection because his "economic program is essentially that of Mussolini, shorn only of its more objectionable trappings." McClaughry finds Connally's support for universal compulsory national service especially repellant. In objecting to the selection, McClaughry said: "If the Vermont Republican Party, founded to prevent the spread of slavery, is now to countenance the leading modern advocate of slavery as its annual dinner speaker, its leaders will have repudiated the central principle of our party's existence merely to improve their chances of selling a few more \$50 tickets." McClaughry, a conservative who describes himself as a Jeffersonian Republican, prompted columnist Nicholas von Hoffman to write: "...the conservatives who, you'd think, might listen to him are really not so much politically conservative as they are socially grouchy. These dyspeptics suffer from the sort of bad public dispositions which permit them a morose, angry joy out of making students ineligible for food stamps, although they basically support the program inasmuch as it is primarily designed to keep food prices up and not to feed the needy... Disagreement over ideas is almost totally outside their political or even personal experience, so they have to interpret what [McClaughry's] doing as a ploy to further his ambitions.

As he says, "All they want to do is sell tickets to the dinner and fill the house. They'd bring in King Kong as banquet speaker if he could do that, and we all eat bananas and like it." McClaughry carried the dispute over into the state GOP committee, charging GOP National Committeeman Roland Seward with undemocratic leadership. Implying that Seward was dumb as well as dictatorial, McClaughry said: "What I'm trying to do is wake up the members of the state committee, who have marched in lock-step to the orders given them. We have lost any semblance of being a democratic, decision-making body and are simply being given our instructions—and the principle person giving those instructions is Roland Seward." The last person to tangle publicly with Seward was the former GOP state chairman; he lost his job.

WASHINGTON The King County Democratic Party Executive Committee recently passed a resolution suggesting that Seattle Mayor Wes Uhlman (D) "seek further offices under some other party banner." The liberal Democratic group made the move after Uhlman expressed opposition to a referendum backing a 12 percent corporate profits tax. Although Uhlman has been mentioned as a possible gubernatorial candidate in 1976, he was unperturbed by the action: "I've been a Democrat ever since I got into political life. I'll continue to be a Democrat, but I don't necessarily agree with everyone else who says he is a Democrat." The tax referendum was defeated in the November election by a 2-1 margin so Uhlman's political future is not in jeopardy. The Democratic field for the 1976 gubernatorial nomination is likely, as usual, to be crowded. Gov. Daniel Evans (R) has yet to take himself out of the race, although King County Executive John Spellman, another GOP moderate, has already announced. The 1976 Senate picture is confused by Washington state election law, which allows Sen. Henry Jackson (D) to wait and see if he receives the 1976 Democratic National Convention nomination for President before deciding if he seeks to continue his Senate career by filing for reelection. If he does leave his seat open, the betting is for a race between U.S. Rep. Brock Adams (D), who heads the House Budget Committee, and State Attorney General Slade Gorton, an outspoken moderate. If Gorton attempts to move up, then King County Prosecuting Attorney Christopher Bailey is expected to run for his vacant post. Secretary of State Bruce Chapman (R) is expected to seek reelection if he decides against challenging Lt. Gov. John Chertbourg (D), an entrenched incumbent.

Contributor Notes: U.S. Rep. Tom Railsback represents the 19th C.D. in Illinois and is the ranking GOP member of the House Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice. James Harrington is the FORUM's Maine correspondent.

POLITICS: PROFILE

MAINE GOV. JAMES B. LONGLEY, INDEPENDENT

by James Harrington

Over 11 months have passed since James B. Longley was inaugurated as governor in the Augusta Civic Center. Longley, Maine's 67th chief executive, surprised most political experts by running and winning as the candidate of his own Independent Party. Never before had the Down Easterners elected an independent as governor, but Maine voters reacted to Watergate with the politics of the unusual.

While progressive Republican William S. Cohen was reelected to Congress by an unprecedented margin, other incumbents fared less fortunately. The state's other congressman, a Democrat, was unexpectedly upset, and numerous incumbents in the State House and Senate were defeated. It was clear that Maine residents wanted a change of policy and style from their political leaders. Longley was the right person at the right time. He stressed the need for Maine voters to elect a businessman, not a politician. The major party candidates seemed like typical pols compared to the atypical insurance executive. James S. Erwin, the Republican who had lost two bids for the office, managed to capture a poor 23 percent of the vote. James Mitchell, the Democrat who was a former Muskie aide, received 36 percent. Longley received 39 percent.

Longley benefited from his appointment in the early 1970's as chairman of the Maine Management and Cost Survey Commission; the commission's recommendations for more frugal government spending gave substance to his later frugal campaign rhetoric. Longley pledged to cut the budget, opposed oil refineries, and criticized the price fixing of milk. His positions attracted support from independents, moderates, environmentalists, and fiscal conservatives. His slogan was "Longley, Think About It," and respectable 41 percent of the GOP electorate thought enough about it to vote for him.

Longley's first year in office has been a stream of conscious controversy, although he seems to have kept voter sympathies. His spartan, outspoken style is a natural for the media. His staff meetings start at 7 a.m. His aides frequently remain at their desks six days a week, frequently well into the evening. Meanwhile, big-spending state executives found themselves without jobs. His accessibility to the electorate complemented his decisiveness in dealing with state problems.

Although the electorate appears happy, the legislature has not been. Longley has had considerable difficulty in cooperating with the Republican-controlled Senate and Democratic-controlled House. Within days of his inauguration,

Longley enraged the legislators by stating that those who leaked information to the press were "pimps." State Rep. Richard Carey (D) proudly displayed an "I Am A Legislative Pimp" button. Longley convened a joint session of the legislature to offer a half-apology.

The independent governor was embroiled in controversy throughout the duration of the legislative session. He demanded undated letters of resignation from his department heads, sought the resignations of the entire Board of Trustees of the University of Maine, and failed to make reasonable compromises with legislative leaders. A disgruntled Rep. Carey addressed the legislature: "I would like the message to reach the governor that he was not elected God, nor was he elected king. He was elected governor and as such, he has to live within the law, not above it."

Longley's problems with the legislature were largely a result of his style and political inexperience. Lacking the ability to compromise, he failed to understand the principle that the legislature is a coordinate branch of the government. He expects the same loyalty from the legislature that he demands from his staff. And he did not appreciate the complexities of a government divided between the Republicans, the Democrats and an independent. Because he is not used to delegating authority to his own staff, he is not accustomed to respecting the authority delegated to the legislature by the constitution. Legislative leaders accustomed to giving advice as well as consent, have found themselves rebuffed on both counts. As a result, Longley has vetoed 26 items, only 13 of which were sustained. The consequences of his actions were illustrated when Longley vetoed a state medical school as an extravagance, but later needed to go to Boston for surgery to re-repair knee ligaments torn while playing tennis.

It is obvious that Longley has had difficulty adjusting to his role as chief executive. Previously, he directed a Lewiston insurance company with fewer than 30 employees. As governor, he is responsible for approximately 13,000 employees. He has been unable to grasp the lack of state worker productivity and the absence of incentives for increased productivity by state workers. In the insurance industry, successful employees found that new sales were rewarded with bonuses and salary increments. The premiums for meritorious service in government are less lucrative. State government policies also have to be conceived in larger blocks of time than insurance policies. The insurance industry appears to have imposed a certain limited vision on Longley as state chief executive which is obvious in the limited time frame in which he operates.

operates.

Longley's harshest critics contend that he is hypocritical. On the one hand, he has blasted the University of Maine faculty for requesting salary hikes. (The average professor has received about a four percent raise over the last three years while the cost of living increased about 30 percent.) On the other hand, Longley gave several of his own employees raises of 30 percent over a 10-month period. Longley contended that his aides were substantially underpaid (\$125 a week) when hired. Supporters of the Maine faculty point to numerous departures from the faculty for more lucrative positions. Longley's problem with the university stems from its size and role. Longley wants courses and degrees geared to fields which meet the demands of private industry. He is also concerned with the duplications in the statewide university system. Longley's approach is typically cost-analytic. As one critic observes about the Bowdoin-graduate-turned-governor: "Longley is an enthusiastic supporter of the University of Maine so long as it is self-supporting. He fails to appreciate the benefits the state receives from operating a first-class university system."

Other critics blast the governor for the amount of time spent travelling out of state. Longley has pledged in his campaign that he would not use the state plane as much as it had been. Longley justifies his journeys as attempts to find new jobs for Maine residents by attracting major industry. Longley is deeply concerned with the state's 9.3% unemployment rate and is soliciting private industry to help reduce it. Presently, he is trying to get an independent auto manufacturer to locate in Portland. Longley's critics instead suggest that his travelling is motivated by his own higher political ambitions; Longley has encouraged speculation that he might support an independent national ticket. Some skeptics claim he is seeking a spot on such a ticket.

Even Longley's critics find areas in which to praise the governor. He sincerely seeks to relate to the electorate. He eats in working-class diners. He joined the search for a lost boy in northern Maine. He insisted on traveling to prisons to talk with prisoners before deciding their parole status. He genuinely feels government is too big. He has turned down over a dozen federal grants because they would have made the state too dependent on the federal government. He maintains a frenetic work pace which was once complemented by jogging in pre-surgery days. His two appointees to the state Supreme Court have won widespread support; one was an assistant attorney general and the other was David Nichols, a former state GOP chairman. Outside of his immediate office, Longley receives credit for appointment of the most meritorious applicants to state posts.

Admittedly, Longley has been generally successful in keeping his campaign promises. Although the \$703.4 million biennial budget is the largest in the state's history, its size was limited by Longley's hiring freeze and departmental cutbacks. Longley's supporters claim that without him the budget would have been closer to \$900 million.

Despite his achievements, there is a growing feeling in the state that Maine voters will soon become disenchanted with the maverick governor. He has changed a number of his positions, including his state on offshore oil refineries. Environmentalists claim such refineries are a threat to the state's tourism industry. Longley's constant claims that he is a businessman, not a politician, are becoming tiring. Several employees of his insurance firm have been hired to work in his office despite their complete inexperience in government. And like Spiro Agnew, Longley has adopted an antagonistic attitude toward the press. He is convinced that he attracts special press scrutiny because he is an independent, a charge which press generally views as hogwash. As one reporter has observed, "The governor can be a perfect charmer as a man, one-to-one...but he can lie to you when you question him as a reporter." Like Agnew, Longley has been skillful in using the media to get his points across while attacking the media for allegedly trying to subvert him. As a broadcast reporter has observed, "Longley does not understand the watchdog role of the news media. Ask him a probing question and he takes it as a personal attack." Longley apparently believes his image should be presented to the citizenry exactly the way he packages it.

The outlook for easing tensions with the legislature is not good. Longley has suggested that the special session begin in April rather than January. If a compromise is not reached, the legislature may use its new power to call itself into session. Further confrontation is clearly on the governor's menu. It could be a long and unproductive three years until the end of Longley's term. ■

1976 NATIONAL ISSUES CONFERENCE

The Ripon Society is sponsoring a National Issues Conference in Washington, D.C. the weekend of February 27-29. The purpose of the conference is to develop moderate Republican positions on issues of major importance to the electorate in 1976. Further information may be obtained from Vicki Golden, Conference Director, Ripon Society, 1609 Connecticut Ave., N.W., Washington, D.C. 20009.

COMMENTARY

CORRECTING THE FEDERAL PRISON SYSTEM

by Tom Railsback

Crime is clearly one of the most serious threats to our national welfare today. More than 20,000 persons were murdered, and \$2.6 billion worth of property was stolen in 1974, as overall crime that year increased by 18 percent ...the biggest one-year jump since the Federal Bureau of Investigation began keeping records in 1930. Perhaps the most depressing aspect of the crime picture is the fact that teenagers were arrested for nearly one-third of all crimes, despite the fact that they account for only 16 percent of the population. Further, there was a nine percent jump last year in the number of teenagers involved in all crimes. Present indications are that the 1975 reports will be just as depressing since crime has already risen 13 percent during the first six months of this year.

It is my belief that this country's criminal justice system is probably the poorest system of any of the developed countries. It hurts me to say that because I believe we are so much more advanced than other countries in almost every other area...science, education, technology, etc. But the facts of life are that we have the highest rate of recidivism of any of the developed countries of the world. The saddest indictment of our system is that when youthful offenders under the age of 21 enter our criminal justice system, we can predict with a reasonable degree of accuracy that over 50 percent of them will be re-imprisoned within five years. This figure does not even take into consideration those individuals who commit new crimes but are too "smart" to get caught again nor those individuals who are rearrested and reconvicted but not sentenced to prison.

Many people believe that the purpose of prisons is solely the punishment of criminals. I am convinced, however, that we should incarcerate offenders not only to reprimand them for anti-social behavior, but also to rehabilitate them and redirect their conduct so that society will not be threatened by their eventual release. Unfortunately, all too often we only realize the first goal and prisons remain fundamentally places of custody rather than correction.

As a lawyer and as one particularly disturbed by the disproportionate number of crimes committed by young people, I was one of those in the Illinois State Legislature who worked on a new state juvenile reform act to provide different treatment for juvenile offenders. At that time, we were concerned mostly with the harsh, uneven treatment being handed out to first offenders, who, perhaps with a little extra help might be prevented from embarking on a life of crime. We were especially disturbed by the stigmas attached to a formal criminal record,

and were also determined to see that young offenders not be confined with hardened criminals who would "teach them the ropes."

When I came to Congress, that same concern prompted me to take a more comprehensive look at the nation's crime problem. I found that there was too much fragmentation and proliferation of Federal programs along with a lack of focus on juvenile problems. In the spring of 1971, the jurisdiction of the House Judiciary Subcommittee on which I serve as the ranking minority member was expanded to include the oversight of our nation's correctional system. The subcommittee spent numerous hours touring various correctional institutions: Soledad, San Quentin, the infamous Santa Rita Rehabilitation Center, the Oakland Community Treatment Center, the new youth facility in Pleasanton, the Delancy Street Project and the San Diego County Jail, all in California; Waupun, Fox Lake, and the Oregon School for Girls in Wisconsin; and Joliet, Vienna, the St. Charles Boys Reformatory, the Girls Reformatory at Geneva, and the notoriously overcrowded Cook County Jail in Illinois. We also visited the federal institutions at Lewisburg and Allenwood, Pennsylvania; Springfield, Massachusetts; Lorton Reformatory in Virginia; and the Leavenworth Prison in Kansas.

When we embarked on these visits, I was frankly naive about prison conditions. From my conversations with inmates, officials, and correctional officers at these institutions, I can testify to certain common characteristics that are pervasive throughout the nation's correctional systems. If Dostoevski was correct that "the degree of civilization in a society can be judged by entering its prisons," we have a long way to go. Many of our institutions are antiquated, overcrowded, and characterized by tension and violence. This is true in spite of many well-intentioned efforts by administrative personnel, who simply do not have the resources necessary to provide rehabilitative services.

Because of what I learned on the Judiciary Subcommittee visits, I am convinced we must take the following corrective steps:

1. Adequately separate youthful offenders from adult offenders from the period of arrest through incarceration and release.
2. Provide a speedy trial to determine the guilt or innocence of the accused.
3. Examine alternatives to incarceration such as pre-trial diversion, which can be particularly meaningful for juveniles and first-time offenders.
4. Recruit more counselors, probation of-

ficers, and others who can help rehabilitate youthful offenders and prevent further adult criminal acts. Top-flight professionals will have to be paid enough to make these positions attractive.

5. Locate facilities near urban areas where professional people can be recruited on either a full-time or part-time basis, and where it is easier for inmate relatives and friends to visit, and from where inmates can make an easier transition to society.

6. Set up diagnostic facilities that will permit better initial evaluation of incoming inmates and which will also help in determining to what facility an offender should be assigned.

7. Provide for a review mechanism to ensure more uniform sentences—at least within a given jurisdiction—in order to afford equal justice under the law.

8. Provide for a Federal Correctional Ombudsman, a third party charged to investigate inmate and staff complaints in order to help relieve the frustrations and tensions that build up in correctional institutions.

9. Encourage more relevant prison industries and pay a small minimum wage for inmates working in these programs.

10. Provide better counselling and vocational/educational training to prepare an inmate for his return to society.

11. Establish a revolving fund for making loans to offenders released from prison, so they will not have to resort to crime during the critical weeks after release.

In addition to these "correctional" concerns, my conversations with inmates reenforced

my appreciation of their preoccupation with parole. Inmates are often denied parole release without any notification by the Parole Board for the reasons for the denial—or any suggestions for what the inmate could do to improve his chances of receiving parole in the future. Such ignorance creates considerable resentment and hostility among inmates. In the last Congress, the Judiciary Subcommittee began public hearings to investigate the need for parole reform. This year, I again sponsored a Parole Reorganization Act, H.R.5727, to deal with some of the problems of our present parole system. The bill would establish an independent Board of Parole, consisting of a national board and five regional boards. It provides for more equitable parole procedures and assures due process for inmates in the initial parole hearings and in parole revocation or appeal hearings. This fall the House passed the Parole Reorganization Act, and a similar measure was approved in the Senate. The legislation is now pending in a joint House-Senate Conference Committee, on which I am serving as a conferee. Hopefully, a parole reform act will soon become law.

There are times when our crime problems seem insurmountable. Our statistics too often translate into wasted lives, a fearful citizenry, and a national nightmare. However, to give up on the problem is to make the criminal life a more attractive one. If that is done, everyone will lose—the offender, the average citizen, and the society in general. Only by focusing attention on the means of improving and expanding our approaches to the problems will a solution become possible. ■

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