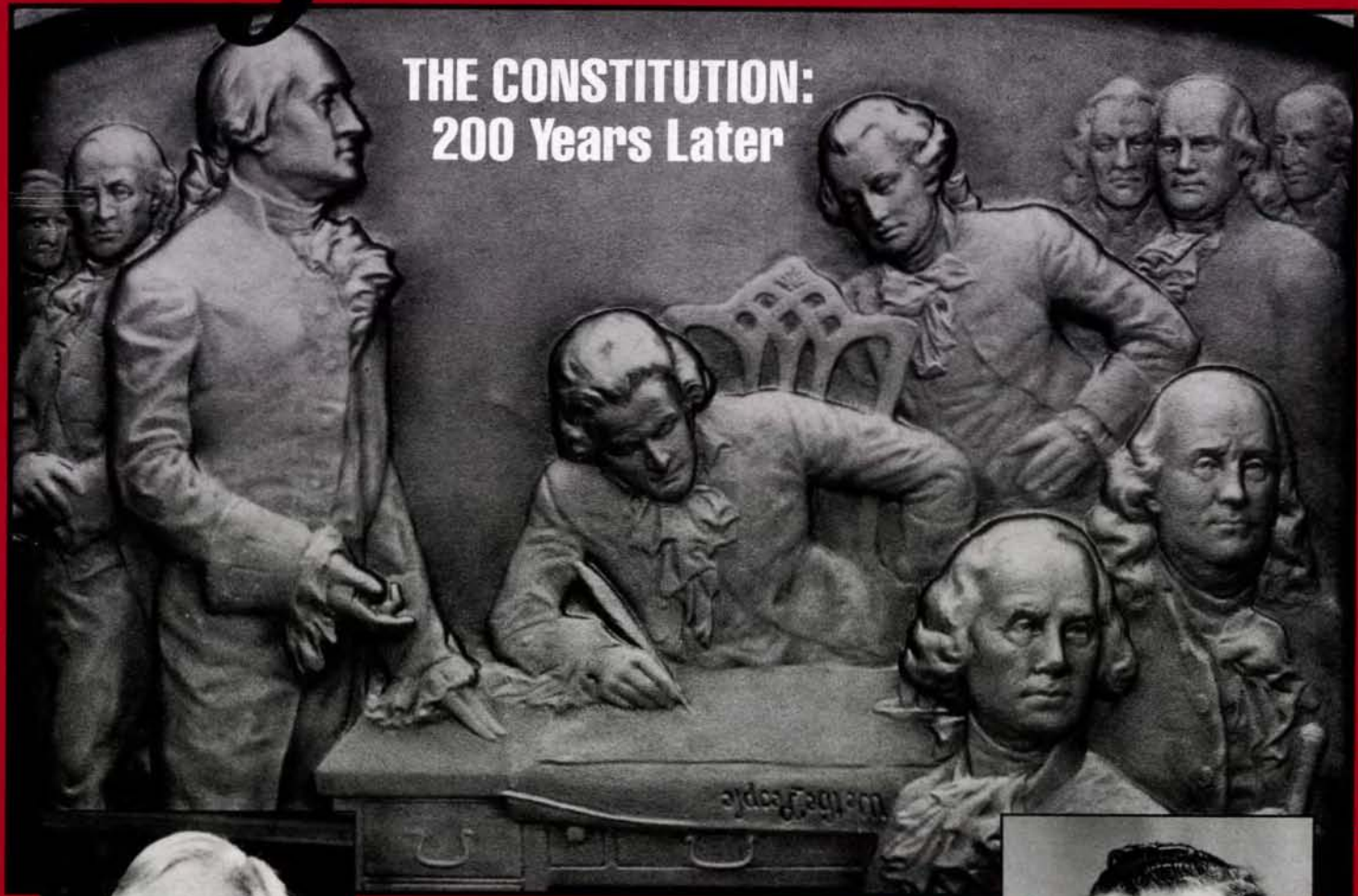


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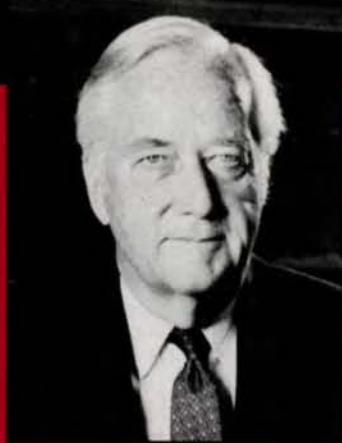
forum

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THE CONSTITUTION: 200 Years Later



CHARLES MATHIAS:

"It's obvious the framers were constructing a very broad outline of government which needed continual definition."



WILLIAM COLEMAN:

"The Constitution is a document to whose original intent we must adhere, but that doesn't mean what most people say today."

Photo: National Archives

EDITOR'S COLUMN

The nomination by President Reagan of Federal Judge Robert Bork to the United States Supreme Court has dominated the national news for the last eight weeks. The judge's confirmation by the United States Senate was uncertain as this issue of the *Ripon Forum* went to print, but the primary principle involved in the debate over Judge Bork remains clear: what role should the judiciary play under our constitutional form of government?

Commenting on that question in this issue—and others related to the Bicentennial of the United States Constitution—are former Maryland Senator Charles Mathias and former Transportation Secretary William Coleman. Mathias retired from 25 years of public life in 1986, and in addition to being one of the Senate's foremost constitutional thinkers he also served on the Senate Judiciary Committee. Secretary Coleman was a member of Gerald Ford's Cabinet, and as a lawyer in Washington, D.C. he has been involved in numerous civil rights cases. This includes the 1954 *Brown v. Board of Education* desegregation decision.

Also in this issue, Tanya Melich, a political consultant in New York and a past chairperson of the Ripon Society, discusses Judge Bork's nomination, as do Republican Senators Robert Packwood and Arlen Specter. Although each analyzes the particulars of the Bork nomination, they raise timeless questions about how judges are selected and discuss the principles that should guide our courts.

The work of two Ripon Educational Fund Mark O. Hatfield Scholars—Kris Hemming Lou and John Anelli—is presented in this issue as well. While their work, like that of all Hatfield Scholars, does not necessarily reflect the views of the Ripon Society nor of Senator Hatfield, they provide relevant analysis on issues that will dominate the headlines beyond Judge Bork: arms control. Both articles are excerpted from papers completed in 1986 and 1987, and those papers reflect the Hatfield Scholarship's interest in funding and promoting inquisitive research.

—Bill McKenzie

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A Conversation with CHARLES MATHIAS



Charles Mathias was denied chairmanship of the Senate Judiciary Committee in 1981 by the political maneuverings of conservative senators, but the work the former three-term Maryland senator did on that committee will continue to outshine the posturing that dominates Washington life. In 1964, for example, Mathias, then a third-term congressman, was an original sponsor of the Civil Rights Act. In 1965 he was the chief sponsor of the Voting Rights Act and later in 1982 he assumed the same role in ensuring that Act's extension. The University of Maryland Law School graduate also introduced the Fair Housing Act of 1968 and was a Senate leader in the efforts to establish a national holiday for Dr. Martin Luther King, Jr. Such work adds evidence to what Newsweek columnist Meg Greenfield recently wrote of Washington in the 1960s: "The principal agitators in town for dramatic civil rights legislation were liberal Republicans. . ."

Senator Mathias, now retired from government and practicing law in Washington, D.C., shows in this interview with Forum editor Bill McKenzie that progressive Republicans still speak out about civil rights. He also presents some of his views on the Constitution, the greatest part of which he says is the Preamble. According to the former Senate Rules Chairman: "The Preamble is a wonderful summary of our purposes of government."

RIPON FORUM: President Reagan's nomination of Federal Judge Robert Bork to the United States Supreme Court has received an avalanche of criticism, much of which centers around Mr. Bork's positions and rulings on such issues as the exclusionary rule on evidence and the 1972 *Roe v. Wade* abortion decision. In your estimation, what role *should* a person's beliefs play in the selection of judicial nominees, particularly Supreme Court nominees?

MATHIAS: First, we have to contemplate the constitutional provisions for appointing judges. The act of appointment is split into two distinct phases. One is the suggestion of a name, the nomination by the president, and the second is the confirmation by the Senate. These two acts taken together constitute an appointment.

The reasons for making a nomination can be very varied. The president may like the candidate's judicial temperament or be impressed by his intellectual capacities. The nomination may also stem from the person's political career or ideological tendencies. The Senate, in performing the second stage of the appointment process, can consider the same characteristics. And it has done so on frequent occasions. Approximately 20 percent of all Supreme Court nominations have been rejected by the Senate. I don't believe any of them were rejected for being corrupt or dishonest, which means that questions about policy and ideology provided the primary grounds for rejection.

RIPON FORUM: What qualifications *should* we look for in judicial nominees? Is the cast of mind most important, or is it something else, like judicial philosophy?

MATHIAS: Integrity and intellectual capacity are basic qualifications. Beyond that, there is the elusive quality of judicial temperament, such as the ability to look objectively at facts and reach a rational

conclusion without interjection of personal bias or emotion. There is also the more difficult area of awareness of the world. That may be assessed by past activities or political offices held or the fact that a candidate served on a law school faculty. Such awareness is not an essential quality, but it is a measure of the person's capacity for judicial duty.

RIPON FORUM: Is it possible to have a well-hewn judicial philosophy and still examine facts objectively?

MATHIAS: I think it is; there are many judges who attain that. But I don't think there is any human being who can totally divorce himself or herself from their life's experiences.

RIPON FORUM: You would say, then, that it is fine to consider ideological beliefs?

MATHIAS: It is clearly within the Senate's role to look at ideology. There are many historical precedents, as well as the current need to examine Judge Bork's ideology.

RIPON FORUM: Recently, there has been renewed debate over the role the judiciary should play in determining public policy. Some contend that the courts, particularly the Supreme Court, should not be a policy-making body. James Madison, however, argued that the courts should be an "impenetrable bulwark against every assumption of power in the legislative branches." What role should the courts play in our public life?

MATHIAS: Under our system of checks and balances the courts must address public problems in the absence of action by either the executive or legislative branches. A ready example is the "one-man, one-vote" case. For more than a century state legislators had assumed the responsibility of creating and adjusting congressional districts. But in the 1950s and 1960s they

proved incapable of discharging that responsibility. The stalemate resulted in congressional districts being out-of-kilter in nearly every state. Since Congress could not resolve this problem either, the Supreme Court was thrust into this vacuum. It made policy, if you will, but it did so on the principles embedded in the Constitution. The House of Representatives was designed to represent people on a proportional basis, and when it no longer did so, the Court imposed the one-man, one-vote rule. In such a situation, how can the courts be faulted for making policy, particularly when they do so out of constitutional necessity?

RIPON FORUM: So judicial decisions that determine policy, such as the 1972 abortion decision in *Roe v. Wade*, are fine and proper under the Constitution?

MATHIAS: It's interesting that, like the one-man, one-vote rule, *Roe v. Wade* was the result of the legislative branch's inability to reconcile the abortion issue. Congress had a full opportunity to act, but proved itself completely incapable of reaching a decision. The abortion issue was of enormous social importance and some guidelines needed to be established. Instead of being guilty of judicial activism, the Court actually found itself as the place where the buck stopped. It made the decision the other branches of government were too pusillanimous to make.

RIPON FORUM: As you know, there is a raging debate today between those who think that judges should focus on the framers of the Constitution original intent and those who think that the Constitution must be left open to modern interpretation. What is your thought on this? How should we interpret the Constitution?

MATHIAS: If by original intent you mean a literal search for the 55 delegates' intent, then that becomes a ridiculous exercise. I imagine the 55 delegates would also think that would be a ridiculous exercise. It is obvious they were framing a very broad outline of government which needed continual definition. In fact, many of the framers continued to "flesh out" the Constitution after they became federal officeholders and members of Congress.

Understanding original intent is difficult enough because the Constitutional Convention was held in secrecy and the framers deliberately did not keep an official journal. Not until almost 40 years after the Convention adjourned did James Madison's private notes become available. They threw some light on debates, moti-

"If by original intent you mean a literal search for the 55 delegates' intent, then that becomes a ridiculous exercise."

ations and intentions, but their release occurred after the early Supreme Court had made several critical interpretations.

It is just impractical to adhere rigidly to "original intent." The Constitution is the organic law of the country. Blackstone said the law is the expression of the "ethic of the nation," and perhaps that is the key to the problem. Although the Constitution's general principles are stable, the ethic of the nation may have to be evaluated in new conditions and circumstances as one generation succeeds another.

RIPON FORUM: If the Constitution is organic, then what will it look like in another 200 years?

MATHIAS: That's a very interesting question. The Constitution obviously has to stretch a great deal. Technology's impact is already making that necessary. The Fourth Amendment, which deals with the right of people to be secure in their homes and persons, is a good example. It was framed with the memory of the colonial experience of houses and offices being invaded by Redcoats. Today, there are technical invasions that don't require physical entering, but they do invade privacy in ways that boggle the mind. To preserve individual privacy and freedom, we must apply the principles of the Fourth Amendment to those new technologies.

The Constitution will also have to follow new frontiers, just as it did while the United States moved from 13 states to 50 states. We now have political or military control over several more territories, so does the Constitution follow the flag there? And who is to say that someday we won't have a space colony? Would the Constitution equally be applicable? Is it currently applicable to astronauts?

We must also look at the very real possibility of creating new intelligence. Already we have machines with memories, and it is possible that machines can be developed which act upon prior experiences. In other words, they'll be able to think. How will the Constitution apply to that kind of intelligent robot?

RIPON FORUM: Will our existing document be strong enough to reflect the "nation's ethic" in 200 years?

MATHIAS: That depends on the American people. The Constitution has an element of transcendentalism. It is the Constitution because we think it is. If we ever stop thinking it is, then it becomes a dry, antique parchment. Whether it continues to have force depends on the attitude of the American people. That is why it is important to pause and reflect on the Constitution, just as we are doing this year.

RIPON FORUM: Every so often people clamor for a new constitutional convention. Could a modern gathering produce such an equally outstanding document?

MATHIAS: Well, it's an admission of defeat to say that we couldn't have another successful constitutional convention. I would hope that our democracy has progressed, rather than regressed. And we shouldn't preclude a convention because we think the Constitution is so perfect that not a word of it should be changed. That isn't the case.

Having said that, we should also remember that there are moments in history which can't be repeated. When the Constitution was written, the United States was newly independent and in a creative mood. A sense of history pervaded the Convention. The 55 delegates were well aware of their work's enormous historical importance, and they all made personal sacrifices for independence. They had literally risked their lives, fortunes, and sacred honor in a way that no subsequent convention is likely to have done. It is the fruit of that particular talent and circumstance that would not be available for any further convention. So, unless circumstances absolutely required it, I would oppose a new constitutional convention. What we would lose is likely to be greater than what we would gain.

RIPON FORUM: There has also been criticism that the Constitution is too difficult to amend. Should we keep it that way, even though a number of proposals, like equal rights for women and balancing the budget, have considerable relevance?

MATHIAS: The Constitution ought to be

difficult to amend. There shouldn't be a constant stream of amendments. As we discovered with the 18th Amendment, it is difficult to correct errors of amendment.

RIPON FORUM: The recent Iran-contra hearings made it clear that the U.S. is now engaged in complex international arrangements that did not exist in 1787. Does the Constitution apply adequately to modern foreign policy making?

MATHIAS: Yes, with one exception. The exception is when Congress and the president have an apparently irreconcilable difference, such as in Nicaragua. The Constitution does not have a very good means of resolving such differences. The result is end-runs like the Iran-contra affair. That's one failure that should be addressed in the Constitution or by legislative structuring. The War Powers Act is a step in that direction, but it doesn't cover the whole area.

The Constitution does provide that the president is commander-in-chief of the military, that he can enter into negotiations with foreign powers, and that he will receive the envoys of foreign powers. It also sets up a clear role for the Senate to ratify treaties and confirm ambassadorial appointments and for Congress to determine that a state of war exists. The Constitution allows that lesser states of hostility can exist lower than total war. For example, it provides for issuing Letters of Marque and Reprisal and rules for making captures on land and water. The Iran-contra problem might have been avoided if General Secord had applied for Letters of Marque. The Constitution contemplates ambiguous states of hostility, limited warfare, which was recognized in the 18th century and which in fact is authorized if the proper congressional procedures are followed.

RIPON FORUM: What is your favorite clause, article or amendment in the Constitution?

MATHIAS: That's like asking a father which is his favorite child. The First Amendment has great appeal, so does the 14th Amendment. But when you get right down to it, you can't beat the Preamble: ". . . to form a more perfect Union, Establish Justice, insure domestic Tranquillity, provide for the common defense, promote the general Welfare and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution of the United States of America." The Preamble is a wonderful summary of our purposes of government. It has to be my favorite part of the Constitution. ■

A Conversation with WILLIAM T. COLEMAN, JR.



In late September 1987, lifelong Republican William T. Coleman, Jr. joined Barbara Jordan and Andrew Young in testifying against the nomination of Robert Bork to the United States Supreme Court. But the former Ford Cabinet official did not do so until after he gave the issue full deliberation. Coleman, a Harvard Law School graduate, spent long hours contemplating his decision, which resulted in The Wall Street Journal calling him and Jordan "The most forceful witnesses at the hearings."

In his interview with Forum editor Bill McKenzie, Secretary Coleman shares his thinking on a number of issues. Among them is the appropriate responsibilities of the federal and state governments. Says Coleman: "A principle of federalism is that a state has the right to do certain things without federal intervention." The Washington, D.C. lawyer also relates his experience in trying the 1954 Brown v. Board of Education desegregation case, and says "the country has not moved far enough or fast enough in promoting civil rights." According to the former law clerk to Justice Felix Frankfurter, the United States is "building up for a big explosion."

RIPON FORUM: It took the Constitution nearly a decade to develop, from 1777 when the Articles of Confederation were proposed to February 21, 1787 when the United States Congress called for a convention that would revise those Articles and "render [them] adequate to the exigencies of Government and the preservation of the Union." What were the key debates during that period and what legacy did they leave?

COLEMAN: The first debate was over the manner in which the federal government could raise money. The second debate dealt with the extent to which the national government could conduct foreign policy. And the third debate was concerned with whether states could impose restrictions on other states.

But it is important to remember that the original constitutional convention was called to amend the Articles of Confederation, not to write a new Constitution. That is important because there is a great risk that if we ever called a new convention, it would be open to everything. Nothing in the Constitution prohibits another constitutional convention from rewriting the entire document and that is why I've always been very opposed to calling a new convention.

RIPON FORUM: If you had been a delegate to the Constitutional Convention of 1787, would you have favored the Virginia Plan, which called for a strong federal government with a bicameral legislature?

COLEMAN: It's hard to project what I would have called for because so much has worked out better than anyone thought. I don't know whether I would have supported the Virginia Plan, because our national government has evolved into a much stronger entity than anyone imagined. The fact that the national government came about through a process of development,

rather than as stated in the original Virginia Plan, may have strengthened it.

RIPON FORUM: So it wasn't inevitable that a strong national government would fill the vacuum created by a collection of states?

COLEMAN: It is inevitable that the country started the way it did because the process of development has given us more strength than originally intended. We wouldn't be as strong today if we started with a system like modern France, whose strong national government runs the provinces. The diversity of our states provides a tremendous resource. If everything had originally been run from Washington, I don't think we would have been as successful.

"We wouldn't be as strong today if we started with a system like modern France, whose strong national government runs the provinces. The diversity of our states provides a tremendous resource."

RIPON FORUM: How should we view the Constitution? Is it an "organic document," as Senator Mathias alludes to elsewhere in this issue, or is it a document to whose original intent we must adhere?

COLEMAN: It is a document to whose original intent we must adhere, but that doesn't mean what most people say today. The original intent was in many cases to leave certain provisions intentionally vague so they could be developed in the future. Most of the great clauses did not originally say a, b, c, and d. That is one of the reasons the Constitution still serves us well today. Its vagueness is the reason it is the oldest written constitution.

RIPON FORUM: But what constraints prohibit Supreme Court justices from im-

posing their personal views on a vague concept and perhaps taking the Constitution in a peculiar direction?

COLEMAN: The best confidence and proof is that with almost 200 years of history and nearly 110 justices, very few have tried to impose their own views. Most people appointed to the Supreme Court understand judicial responsibility in varying degrees: you must seek objective standards which can be measured against time.

For example, due process is a very vague concept. But there are certain objective standards to which a responsible judge would say, this is the parameter. If a judge has seen defendants always being convicted without proper defense, then he would understand due process instinctively. He or she would recognize that a good lawyer may have prevented someone from going to jail.

These are concepts with which certainly the English speaking world has struggled for many years and for which there are standards. If you deviate too far from the standards, the bar and legal scholars will object. Most people want to be within the unrestricted middle and not on either extreme.

RIPON FORUM: Let's consider the 14th Amendment, which was passed after the Civil War and which ensures that no person shall be denied life, liberty or property without due process and that no person shall be denied equal protection under the law. Does that Amendment apply equally to women, Hispanics and the handicapped?

COLEMAN: My views on that question differ from most people. It is clear that the 13th, 14th and 15th Amendments were passed primarily to protect blacks, who had been defined as 3/5th of a citizen in the Constitution. But from the time the 14th Amendment was passed, many others received the benefits of its protection before blacks. Then as the country developed and Americans realized that most human beings aren't white, the Court went back to the Amendment's original purpose: to protect the rights of blacks.

I have no objection to women being protected by the 14th Amendment, or handicapped people, or even Iranians. But in doing so, you lose sight of the fact that if you protect, say, women, there are certain considerations that have nothing to do with race. The obvious example is the right to use a restroom facility. It doesn't offend me to have a provision that stipulates one

restroom for men and another for women. But it does offend me to have one restroom for whites and another for blacks. That's completely different: when you're considering sex there is a rational basis for making a distinction in certain circumstances.

Now, today, people like Ed Meese, the attorney general, and Brad Reynolds, the assistant attorney general for civil rights, are trying to stand the 14th Amendment on its head. Consider the debate about affirmative action. The legislative history of *Brown v. Board of Education*, which led to the desegregation of American public schools, makes it clear that the government should consider race irrelevant. But that doesn't mean that because a government action may adversely affect a white person, it should not be undertaken. All the Supreme Court has said is that we've spent 300 years building a system in which irrational distinctions based on race have been imbedded in the fabric of our laws and culture. You cannot expect the quality of life will be equal on the day race is mandated irrelevant.

RIPON FORUM: But the 14th Amendment does not say "no black person" shall be denied due process or equal protection. It says "no person."

COLEMAN: Take a step back. The 14th Amendment was designed to overrule the *Dred Scott* decision which said that blacks were not persons or citizens. The first sentence of the 14th Amendment says that all persons born or naturalized in the United States are citizens of the United States. If you go back and read Roman or Greek law, when a person became a citizen of Rome or Athens they had complete respect and rights. That is what the 14th Amendment was trying to do for black people.

But, look, I don't mind any person using the 14th Amendment to protect their rights. They just shouldn't be allowed to use it at the expense of blacks, for whom the Amendment was basically adopted.

Justice Harry Blackmun's position is the next best position: we want a government and Constitution that is color blind. Of course, our society still does not operate on a color blind basis. So I think it is wrong to say that the few cases where the government or union or employer acts to ensure equal opportunity are incorrect.

RIPON FORUM: Let's consider the Tenth Amendment. It reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respec-

tively, or to the people." What meaning does that Amendment have today, particularly since the Supreme Court ruled in 1985 in *Garcia v. San Antonio Metropolitan Transit Authority* that the federal government can establish wage and hour regulations for state and local employees? **COLEMAN:** Without disrespect to the Court, I hope that case will be overruled in the next few years. A principle of federalism is that a state has the right to do certain things without federal intervention. The Court agreed with that principle in *Garcia*, but went off course by saying that this dispute over the exercise of power should be determined by Congress, not the Court. One reason it ruled in that manner was that every state has two senators in Congress. But that denies our whole history. Senators are national officers, not state officials. They do not necessarily protect the states' interest.

More important, what the Court really did in *Garcia* was to overrule *Marbury v. Madison*, which established the right of judicial review. It is the only instance in which the Court has ever said that even though there is a dispute between two parties and a constitutional right exists, Congress, not the Court, must make the decision. The *Garcia* case was wrongly decided because it held that the Court has no power to decide this conflict.

RIPON FORUM: In establishing the doctrine of judicial review, Justice John Marshall said: "It is emphatically the province and duty of the judicial department to say what the law is." How does that comment square today with the debate over judicial activism?

COLEMAN: In a constitutional democracy there will be disputes between the states and disputes between the federal government and the states. Under our Constitution it is clear that the Supreme Court is ultimately to resolve such disputes. It is less clear that the Court is supposed to resolve disputes among the branches of the federal government, although over time a tradition has developed that allows for such.

This country is too diverse and would be too explosive if such difficult issues could not be submitted to a body that operates in secret and puts into writing their reasons. The Court is supposed to be more objective, so it can resolve some tough problems. Look at the New Deal legislation. The political process could not re-

solve all those major changes. The Court had to assess where they fit in among the Constitution's fundamental principles. I don't know if we could have gotten through that tremendous upheaval without

"Often, the original intent was to leave certain provisions intentionally vague so they could be developed in the future . . . That vagueness serves us well today and is the reason this is the oldest written constitution."

the Court. The one time we couldn't resolve something judicially led to the Civil War.

RIPON FORUM: So is the current debate over judicial activism overblown?

COLEMAN: What's happening is that the real judicial activists are the conservatives. They're the ones trying to rewrite the Constitution and impose their views which they couldn't get through federal legislation. The right to an abortion is a good example. It is difficult to read the Constitution without finding the right to privacy.

RIPON FORUM: But the right to privacy isn't really explicit in the Constitution.

COLEMAN: I think it is; consider the right to be free of unreasonable search and seizure. It does not say search and seizure applies only to the criminal process. But even more important, civilized people have certain rights that are so fundamental you don't even put them in a document. The greatest right any American has is the right to be left alone. If you want to have sexual intercourse in your home and use a contraceptive, the government should not be able to prevent you from doing so. That would be impugning a basic right. The

same thing is true about abortion. If a woman gets pregnant, she ought to have some determination over what to do with her body. The activists are the ones trying to prevent that.

RIPON FORUM: As a young attorney, you were involved with the 1954 *Brown v. Board of Education* desegregation suit. Could you take us back to those days and describe the deliberations?

COLEMAN: You really have to go back to the 1930s. Two lawyers were keenly involved: Dr. William Hastie, who later sat on the Court of Appeals for the Third Circuit, and Charles Houston, who had the fortune to have Thurgood Marshall as a pupil. History has never given them credit for selecting cases which would end racial segregation in America. *Missouri ex rel. Gaines v. Canada*, for instance, was decided in 1938 and it ruled that refusing to admit a black student to the all-white University of Missouri law school, even though the state offered to pay tuition to an out-of-state school, violated equal protection of the laws.

In similar cases, Marshall, Hastie and Houston always put the question to the Court in a way that would assure ultimate victory on the major issue, namely that segregation itself was in violation of the Constitution. Even if they didn't win on the specific question presented, they could establish that separate was not equal. Their strategy was wonderful, because by the time *Brown* was argued most people involved on our side felt that the Court would probably declare the segregation of the schools unconstitutional. The real problem was how to move from a strictly segregated society to one that was not segregated.

RIPON FORUM: And how have we done?

COLEMAN: The country has not moved far enough or fast enough. It is building up for a big explosion. Very few people realize that by the year 2010, white Protestants will consist of only 30 percent of the population. With the new influx of immigrants from Latin America and the Far East, it will be a tragedy not to change our attitudes. We are doing better than in 1940, but we lack indignation.

I want a color blind society too, but the mechanisms which make color a detriment must be removed. That requires using the tools of government which have kept the system from being where it should. ■

IS THE RIGHT WING "MOONING" MOON?

A stunning new indictment of Reverend Sun Myung Moon and the Unification Church appears in September's *American Spectator*, written by assistant managing editor Andrew Ferguson. Ferguson ticks off example after example of how right-wing activists welcome Moon and church-related organizations as legitimate members of the conservative movement, and compares this naivete with Moon's actual agenda of personal worldwide domination.

Among other bizarre details, Ferguson recalls the alleged "brainwashing" of young recruits in the 1970s, the mass weddings (marriages are strictly controlled by Church authorities), and quotes speeches outlining Moon's aim of controlling the world economy.

Ferguson argues the Right's affection for Moon flows from his virulent and well-financed anti-Communist crusade, and he sharply questions why they wink at Moon's questionable ethics and grandiose authoritarian agenda:

"Moon gave conservatives many reasons to ignore the unpleasantness and refrain from questioning his growing [political] involvement—millions and millions of reasons, all with little pictures of George Washington on them. . . . [But] Is a methodically deceptive, anti-family, socialistic, utopian, theocratic one-worlder who think's he's God a plausible ally, a **reliable** ally, in the conservative cause? And if he's acceptable to Washington conservatives, who isn't?"

"DO-NOTHING" REPUBLICANS

Only a few months ago, the **Ripon Forum** sang the praises of the Senate

"If Reverend Sun Myung Moon is an acceptable ally to Washington conservatives, who isn't?"

Republican majority, giving them the credit for providing genuine progressive Republican leadership in the face of White House irrelevance and congressional Democratic irresponsibility. But since the GOP lost Senate control, they've inexplicably fallen back into an obstructionist role. Unless the situation is played very carefully, that's bad news for the nation, and our party.

Republicans have little to gain from obstructionist tactics. Since the Great Depression, Republicans have nearly always suffered from the image of being the "no" party. With the Democrats campaigning as the party of federal largesse, it's been an easy trap for Republicans. The best example occurred in 1946-48, when the GOP controlled both houses of Congress and focused largely on blocking President Truman's policies at every turn. Truman was able to denounce the "do-nothing" Congress, win re-election, and restore a Democrat majority.

From 1980, the Senate Republican leadership—people like Baker, Dole, Domenici, Lugar, and so many others—wisely avoided the trap. With Tip O'Neill and company playing the frustrated "no" role in the House, the Senate leaders stepped out in front to smooth out the president's rough edges on issues ranging from taxes, to farm policy, to social programs. As a result, noted political observers agreed with their colleague Norman

Ornstein who said, "There is little doubt the Republican Senate is the governing institution right now."

Oddly enough, Senate Republicans didn't emphasize this record of achievement with a national campaign theme in 1986, and many vulnerable incumbents were defeated on local issues. Now in 1987 the Senate GOP has blocked or delayed campaign finance reform, a defense authorization bill, and an emergency supplemental spending bill. They refused to even participate in as basic an exercise as writing the 1988 budget.

To be sure, the Democrats are up to their usual tricks. Earlier this year, Majority Leader Byrd has already voiced support for new federal programs with a minimum price tag of \$11-15 billion. The Democrats' budget includes a roughly equivalent "unspecified" tax increase. The defense and spending bills included pushy arms control requirements that threatened to tangle up negotiations in Geneva.

But Republicans are always being knocked as the reactionaries in the way of progress. We don't need to confirm the charge. Unless the senators are prepared to justify their tactics by offering a progressive agenda to the voters in 1988, they're only asking the American people to give the Democrats a less obstructed path.

"SUICIDAL TUESDAY"

Next year's "Super Tuesday" primary was created to boost the South's influence in nominating Democratic presidential candidates by bunching 20 mostly Southern state primaries together on one day early in the process, March 8, 1988. The idea was that Democrats would have to trim their liberal sails to survive in conservative Southern seas.

But while Super Tuesday may be a

good idea in terms of streamlining the process and simplifying campaign schedules, it is shaping up to be a whopper of a disappointment for its organizers.

Let's begin with the outdated notion that an unifying Southern political culture still exists. It doesn't.

Except for Jimmy Carter in 1976, the South hasn't voted solidly for a Democratic contender in decades. As the Democratic Party platform moved to the left, large blocs of Southerners broke away to support fellows like Barry Goldwater, George Wallace, and Ronald Reagan. Since Georgia Senator Sam Nunn withdrew from the '88 race, there is no Democratic candidate with a clear lead among Southern voters except the Reverend Jesse Jackson, who is hardly what the Super Tuesday promoters had in mind.

Moreover, the region's political demographics are increasingly diverse. Millions of Southerners today are transplants from other regions, even other countries, and carry with them "foreign" political loyalties. Traditional small-town courthouse-dominated politics are a long way from booming metropolitan areas like Atlanta, Dallas, Raleigh-Durham, or Miami. Reactionary Christians are large in number, well-organized, and politically independent.

Combined with the rise of competitive two-party politics at the statewide level in most of the South, the Super Tuesday idea seems like a suicidal longing by local Democrats for conditions that no longer exist. Indeed, Republican contender Dole has taken to reminding leaders that eight states—South Carolina, Missouri, Arkansas, Tennessee, Georgia, Alabama, Virginia, and Texas—allow Democrats to cross over and vote in the Republican primary.

If he and/or the other GOP candidates succeed in winning many Democratic votes, it could signal the consolidation of partisan realignment across the South in favor of the Republican Right, and further exile into the wilderness for conservative Southern Democrats.

ABORTION CENSORSHIP

Must we enter the mined swamp of abortion politics, which has divided and hurt the Republican Party more than it could possibly have helped? Well, when the nation's Number One Republican has decided to reopen his campaign against women's hard-won rights—rights sup-

ported by a majority of Republicans—it's time to speak out.

To call the president's proposed new regulations on abortion just plain dumb would be like calling Limburger sharp cheese. In short, what Reagan has directed the Department of Health and Human Services to propose is barring federal funding from any clinic that mentions abortion as an option for pregnant women who do not want to have a baby. Furthermore, any clinics that offer both federally-funded family planning counseling and privately-funded abortion counseling would have to split the services into two physically distinct locations.

"To call the president's proposed new regulations on abortion just plain dumb would be like calling Limburger sharp cheese."

In case no one remembers, abortion is legal in every state, is supported with some ambivalence and reservations by a clear majority of Americans, and has survived several major legislative and judicial challenges. That the country's top health agency would consider restricting information made available to women—most of them young, poor, and ignorant—on their legal medical options is appalling and nothing but coercive censorship.

The regulations would also further the Religious Right's senseless battle to sink family planning and contraception right along with abortion. Family planning services are effective in preventing unwanted pregnancies, and improving women's and children's overall health. What public policy good could possibly come of returning poor, young women to the days of ignorance and often compulsory pregnancy? Would this actually give us a morally preferable outcome?

Under the Constitution, no one can restrict the right of the churches and activists to denounce what they see as the sin of abortion, to spread information that discourages sexual activity, or to provide counseling and support to women who decide to give birth to an unwanted child. But

as long as Congress and the Supreme Court agree that abortion is a legal choice left to an individual's moral judgment, the Executive should be prevented from cutting off information that allows women to make a wise and safe decision.

HITLER IN THE PERSIAN GULF

And finally, what is going on in the Persian Gulf?

Since the Bay of Pigs, America has swung wildly between total withdrawal from all things risky and interventionist, and unilateral intervention to make abstract, ringing statements about American ideals. The swings aren't necessarily related to the facts in each case.

So what are the facts this time? First, there is a mutual hatred between Americans and Iranians these days, with well-known origins. Granted that we helped create the conditions that brought on their revolution, and the more recent arms-for-hostages deals were a humiliating mistake. But the bloody mullahs have led their country to new heights of terror and repression, reinforced by foreign adventurism. The Iranians' defense of their actions reeks of 1930s Hitler.

Second, we are pulled by conflicting diplomatic demands. Our allies need Gulf oil more than we do, but have whined loudly about getting involved. Our presence was precipitated by the threat of a Soviet diplomatic initiative, something we may not like but which seems inevitable given new leadership in the Kremlin. And finally, while we should talk about protecting moderate Arab regimes like Kuwait and Saudi Arabia from Iranian threats, let's not kid ourselves—we're defending "our" oil first and their legitimacy second.

The bottom line is this: a devastating chain of events for America and our allies would ensue if Iran forced Iraq, and in turn the other Gulf states, into submission. With the Hitler analogy in mind, we have solid strategic, economic, and moral reasons to try and put a lid on the Iranians. Should they attack us first, we should retaliate in kind.

But until that happens, or even if it does, we must keep cool heads and enlist wider international pressure to end the war, with a distant eye on a "cold peace." A cease-fire and arms embargo to both sides would be a tall order even to begin, but are only the first steps needed to protect Western interests. ■

SCHOOL-BASED HEALTH CLINICS: *Scapegoats or Solutions?*

BY HARRIETT STINSON AND
N.G. BOSTICK

A student collapses and is rushed to an emergency room. His family is startled by the diagnosis of diabetic coma. Three years later, a comprehensive school-based clinic opens in his school and several previously undetected cases of diabetes are discovered. These students learn diabetic health care.

Over 62 U.S. communities have established comprehensive school-based clinics in or near junior and senior high schools in areas where adolescents are medically underserved. Concern over the rising rate of teen pregnancies was the impetus for forming the first school clinic in 1973, but experience proves that such clinics meet with far greater acceptance from students, parents, and the community when they address the full spectrum of adolescent health problems.

Today's comprehensive school-based clinics offer a wide-range of services that are otherwise unavailable or inaccessible to the youth they serve. These include general health assessments, athletic physicals, immunizations, hearing and vision testing, nutrition counseling, pre- and postnatal care, along with programs dealing with suicide, substance abuse, family planning, and saying "no" to sex, gang involvement, and all forms of health-risk behavior.

Start-up costs for a typical clinic are \$80,000 to \$100,000. Yearly operating costs are approximately \$100,000 to \$125,000. In terms of medical savings, each clinic virtually pays for itself. For

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"Nearly any physician who has ever treated a pregnant teen will tell you that it is ignorance, not information, that gets a teen in trouble."

example, it costs up to \$125,000 to subsidize the neonatal intensive care of a premature infant born to a teen. By preventing one premature birth to a pregnant student, the prenatal class can save taxpayers an amount equal to the cost of running a school-based clinic for a year.

Phil Porter is the director of the Robert Wood Johnson Foundation which has helped to fund several clinics. He reports that comprehensive health care at schools is three and a half times less costly than the same care received in hospital emergency rooms. In West Dallas, Texas, for instance, hospitalization rates for 15- to 18-year-olds without a school clinic are 70 to 80 percent higher than for those attending one of the two West Dallas Youth Clinics. This difference comes to a savings of \$1 million per month. (The West Dallas Youth Clinics found that 30 percent of their patients had previously undiagnosed health problems, including 100 heart murmurs.)

Unfortunately, ultra-conservative opinion-makers are proliferating the no-

tion that school-based health clinics "exist primarily to dispense birth control information and to make abortion referrals" (a quote from *FYI*, 1/1987 published for legislators by the California Republican Caucus). U.S. Secretary of Education William Bennett accuses school-based clinics that offer family planning services of "abdication of moral authority" by encouraging teenagers to have "sexual intimacy on their minds." Jimmy Swaggart proclaims that "Sex education classes in our public schools are promoting incest." Phyllis Schlafly adds her assertion that "Sex ed is the principal cause of teenage pregnancy."

Meanwhile, teens watch an average of 24 hours of television each week. There are approximately 20,000 scenes of suggested sexual intercourse and behavior, sexual comment, and innuendo in a year of prime-time television, and TV portrays six times more extramarital sex than sex between spouses.

The "bible" for the far right's opposition to sex education is Utah researcher Stan E. Weed's study, which was summarized in a *Wall Street Journal* piece last October, "Curbing Births, Not Pregnancies." "One must reconcile the rise in teen pregnancies," Weed states, "with major program efforts that show a fivefold increase in teen-age clients and a twenty-fold constant-dollar increase in funding." Weed concludes that family planning programs succeed in reducing teen birth rates by increasing abortions to teens. However, data from the Alan Guttmacher Institute and the Bureau of the Census shows that in the period Stan Weed discusses, the pregnancy rate increased *less* than the rate of sexual activity among teens. (Weed's study ignored the crucial variable of in-

creased sexual activity among teens.) Government funding has increased two and a half times, not "twenty fold," and there has been a threefold, not fivefold, increase in teen clients in family planning programs.

No school-based clinic offers abortion services. Dispensing birth control on campus or through local family planning clinics is always the decision of local school boards following community meetings of parents, faculty, clergy, and health practitioners. All clinics include the encouragement of abstinence in their family planning counseling. Written parental consent is always required before students may receive campus medical care. The parental consent form provides a clear description of all clinic services.

According to Sharon Lovick, director of the Support Center for School-based Clinics, only seven percent of student visits are for birth control. Despite this low percentage, school-based clinics are proving very effective in reducing teen pregnancy rates, some by as much as 56 percent. They have increased the proportion of pregnant adolescents who stay in school and have an excellent record of preventing repeat pregnancies among adolescent mothers, low birthweight infants born to teens, and infant mortality. One study shows that a clinic in Baltimore has succeeded in convincing teens to postpone the age at which they initiate sex by nearly a year.

"The prenatal class can save taxpayers an amount equal to the cost of running a school-based clinic for a year."

Opponents of school-based clinics ignore comparison studies like that of a South Carolina county with a clinic and three neighboring counties without clinics. This study, reported in the June 26, 1987 *Journal of the American Medical Association*, compared EPR's (estimated

pregnancy rates, not birth rates) of girls ages 14 to 17 (EPR = live births plus miscarriages plus induced abortions/1000 population). "Three years after the implementation of the School/Community Program," the study concludes, "the EPR for the intervention portion of the target county shows a remarkable, sustained decline. This downward trend is not observed in the comparison counties." There were pregnancy increases in the three counties without the clinics.

Medically underserved youth mostly come from families where health care and future planning are rare. Therefore, all school-based clinics encourage youth to plan for their futures, set educational goals, and learn preventive health care. Key to this training is helping youth develop the assertiveness skills needed to say "no" to drugs, alcohol, gang involvement, and sex. Contrary to Phyllis Schafly's proclamation that "the facts of life can be told in fifteen minutes. . ." professionals have learned that teens must be assisted and supported in deciding to abstain from sex and that information about contraceptives must also be communicated. Neither is adequate by itself.

In 1985, we spent \$16.65 billion in the United States on families begun when the mother was a teenager. As moderate Republicans, it behooves us to convince our legislators and policy-makers to listen to physicians and the public, and not to the far-right opinionmakers.

Nearly any physician who has ever treated a pregnant teen will tell you that it is ignorance, not information, that gets a teen into trouble. That's why the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, and numerous health and community organizations support school-based clinics for teens that are medically underserved.

In their most recent Health Plan for Children, the American Academy of Pediatrics, District IX, California, recommended that "All school children from the 6th through the 12th grade should receive required courses in family planning. Family planning services are badly fragmented at the present time. It should be part of an on-going health care program with better accessibility for all."

Less than one percent of parents refuse permission for their teenage children to participate in sex education programs.

In a 1986 *TIME* magazine poll, 84 percent of adults responded that school health clinics should make birth control information available to students. A recent Harris poll revealed that 67 percent of adults favor requiring schools to establish direct links with family planning clinics.

"A clinic in Baltimore has succeeded in convincing teens to postpone the age at which they initiate sex by nearly a year."

Currently, state and national Republican legislators are facing significant ultra-right pressure to oppose all bills to study, fund, or provide tax incentives for starting school-based clinics. Progressive Republicans can serve as the bridge between our legislators and the communities and medical professionals who see the need for them. We must make sure our legislators consider the studies that show how effective school-based clinics are in reducing pregnancies, drop-outs, suicide, drug addiction, alcoholism, and other serious health problems prevalent among medically underserved youth.

Republican officials should be key leaders in supporting school-based clinics and forming policies to ensure that each clinic continues to be locally controlled and emphasizes abstinence and parental consent and involvement.

Surgeon General C. Everett Koop, M.D. in his report on AIDS represents the majority of physicians and concerned Americans in stating that: "Adolescents and pre-adolescents are those whose behavior we wish to especially influence because of their vulnerability when they are exploring their own sexuality. . . . Teenagers often consider themselves immortal, and these young people may be putting themselves at great risk. . . . Those of us who are parents, educators and community leaders, indeed all adults, cannot disregard this responsibility to educate our young. The need is critical and the price of neglect is high." ■

ROBERT BORK: *The Sophist Judge*

BY TANYA MELICH

In ancient Greece, clever philosophers who often reasoned in a brilliant but specious and hollow manner were called sophists. Judge Robert Bork is a modern version of that antiquated philosophical school, as shown by his writings and statements both prior and during the recent Senate Judiciary Committee hearings. His sophistry has allowed him to be morally insensitive to the needs of ordinary men and women.

Judge Bork's guide for judicial interpretation of the Constitution is based upon his theory of neutralist principles. In 1986 he wrote that judges should not be "guided by some form of moral philosophy," which he saw as "typically inadequate to the task."

Instead, a judge's responsibility is in essence to work out syllogisms. According to Bork, the Constitution provides a judge "not with a conclusion but with a major premise. That premise states a core value that the Framers intended to protect. The intentionalist judge [one guided by 'original intent'] must then supply the minor premise in order to protect the constitutional freedom in circumstances the Framers could not foresee."

In no instance, however, does Bork theorize that moral reasoning should enter into the process. Human nature, of course, contradicts such limited reasoning. Americans want their judges to be fair and impartial, but none of us—whether journalist or judge—has a purely objective view of life's experiences. We are not creatures

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"Judge Bork's neutralist framework has placed him in a straightjacket from which he now seems to want to escape."

solely of logic and do not make decisions in a moral vacuum. We are guided by our reason, our education, our background, our passion, and, particularly, our moral philosophy.

The framers made repeated references to the importance of morality in determining the nation's direction. John Adams most eloquently stated this in his *Thoughts on Government* when he wrote: "The noblest principles and most generous affections in our nature" must be called forth to create "the noblest and most generous models of government." A Constitution based upon such principles would bring with it "good humor, sociability, good manners and good morals."

Future interpreters of the Constitution were expected to consider the moral values clearly expressed in the Preamble: justice, domestic tranquility, and liberty. The national debate over the Constitution's ratification reveals that most early Americans hoped future generations would not so narrowly interpret their objectives as to guarantee only those rights explicitly written in the Constitution.

To protect the nation from such a possibility, the new nation ratified the Ninth

Amendment: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." In other words, the people have certain rights which are so fundamental that no free government can take them away regardless of whether they are enumerated in the Constitution. This foresight is emblematic of the Constitution's actual intent.

But Judge Bork's "neutralist principles" conflict with this intent, for he interprets the Constitution as protecting only those rights specifically stated. In fact, for over 25 years Bork has been developing his opinions about the law. He has a clear theory about how the Constitution should be interpreted and to understand the approach he would follow as a judge, one must assess how he has applied his judicial theory to specific cases. Looking at the totality of his work—not just his statements in several days of hearings—one finds:

- He believes that the decision upholding a woman's right to choose whether to have an abortion is "un-constitutional;"
- He says that there is no general right to privacy in the Constitution and dismisses the Ninth Amendment as a source for that right;
- He does not believe that women are covered by the equal protection clause, yet he opposes the Equal Rights Amendment;
- He supported the right of a state legislature to prohibit a married couple's right to use contraceptives;
- He opposed the decision outlawing government-mandated sterilization of habitual criminals;
- He opposes the protection of the First Amendment for political

speech that advocates civil disobedience or the overthrow of the government;

- He has held that, instead of requiring employers to clear a work place of hazards that harm fetuses, women can be required to be sterilized in order to keep their jobs;
- He has held that, during licensing hearings, nuclear power plants located near earthquake faults need not prove how they would protect their plants;
- He has opposed virtually every effort to outlaw racial segregation: the prohibition of racially restrictive covenants, poll taxes, and discrimination in public housing accommodations; the adoption of the principle of one-man, one-vote; and the promotion of affirmative action and expansion of open housing laws.

Even though Judge Bork has said that he abhors racial discrimination, and now believes that civil rights laws are legitimized by the 14th Amendment, one must question the judgment of a man who could so consistently and harshly object to the expansion of liberty.

Judge Bork's neutralist framework has placed him in a straightjacket from which he now seems to want to escape. But in so doing, he comes across as an opportunist, not a man of principle with a set of carefully crafted morals. Can you really believe him when he says that he was mistaken in calling the principle underlying the civil rights laws "unsurpassed ugliness" and that he now believes in this paraphrase of Edmund Burke's approach to law: "You look at each measure and ask whether it will do more good than harm."

Even if you do, Judge Bork is caught in a trap: if he ignores his own moral values, and weighs a case's pros and cons according to intellectual sophistry, then he is abdicating his responsibility as a judge. Yet if he accepts Burke, then Judge Bork must abandon his theory of neutralist principles.

So if confirmed, what will the judge do? Ignore his consistent attacks against the expansion of constitutionally protected rights for individual Americans? I think not. He will be a judicial activist justifying his opposition to those rights within the framework of his neutralist philosophy. That is one of the primary reasons the president selected him.

It is unfortunate, but the former professor has so deeply immersed himself in specious reasoning that he has become an intellectual prisoner to the syllogism and seems to have forgotten that the law's main purpose is to serve real flesh and blood people. As Chief Justice Charles Evans Hughes, a Republican, told Justice William O. Douglas upon the latter's ascension to the Supreme Court: "You must remember one thing. At the constitutional level where we work, ninety percent of any decision is emotional. The rational part of us supplies the reasons for supporting our predilections."

Judge Bork seems unwilling to admit this to himself or the American people. His cold, morally bereft approach to the law is a mockery of the qualities of the ideal judge—open-minded, fair, and guided by an awareness of the human impact, not the abstract effect his decisions will have. Our liberty is too precious to turn over to that bloodless, abstract world of neutral principles and sophistry. ■

What Other Republicans Say about Robert Bork:

Senator Robert Packwood:

"After listening to Judge Bork in the hearings, and more importantly, after meeting with him twice personally, I am convinced that Judge Bork feels so strongly opposed to the right of privacy that he will do everything possible to cut and trim the liberties that the right to privacy protects. . . . He will do everything he can to reverse the private right of an individual woman to choose whether or not to have an abortion.

"My 25 years in elected public office, plus my reading of history, teaches me that governments—liberal or conservative—will, on occasion, try to take away individual liberties to achieve a goal the government thinks is right.

"From the passage of the Alien and Sedition Acts in 1798, through the internment of Americans of Japanese ancestry by Franklin Roosevelt, through Joe McCarthy, and through Watergate, we see a consistent pattern of government trying to take away our liberties.

"Given my view that we should preserve and protect those liberties we now have so that we, in turn, can pass them on to our children a bit more secure than we received them from our parents, I have no choice but to oppose the confirmation of Judge Bork to the Supreme Court."

Senator Arlen Specter:

"I shall vote against Judge Bork on confirmation to the U.S. Supreme Court because I believe there is substantial doubt as to how he would apply fundamental principles of constitutional law. . . . My judgment on Judge Bork is based on the totality of his record with emphasis on how he would be likely to apply traditional constitutional principles on equal protection of the law and freedom of speech. . . .

"I am troubled by his writings that unless there is adherence to original intent, there is no judicial legitimacy; and without such legitimacy, there can be no judicial review. This approach could jeopardize the

most fundamental principle of U.S. Constitutional law—the supremacy of judicial review—when Judge Bork concedes original intent is so hard to find and major public figures contend that the Supreme Court does not have the last word on the Constitution.

"I am further concerned by his insistence on Madisonian majoritarianism in the absence of an explicit constitutional right to limit legislative action. Conservative justices have traditionally protected individual and minority rights without a specifically enumerated right or proof of original intent where there are fundamental values rooted in the tradition of our people." ■

REMEMBERING THE "SAGE OF EMPORIA"— WILLIAM ALLEN WHITE

BY MIKE ETHEREDGE

Some observers compare the 1980s under the Reagan administration to the 1950's or 1920's as an era of business boosterism and private indulgence. And yet the polls show continued strong support for a generally progressive agenda.

As the Reagan era closes, progressive Republicans must work toward integrating their new vision into the agenda for the GOP and the nation. For historical inspiration, they could look to a man who emerged still another generation before—in the last half of the 1890s, the McKinley era, "the gay nineties."

Like the '50's and the '20's, the McKinley era was a time of Republican-led economic expansion and social contentment. Yet toward the end of that era, an activist, reformist movement erupted in the country and, uniquely in the historic two-party ebb and flow, remade the majority party. A guiding light of that movement burst forth from the plains of Kansas in the person of journalist William Allen White, the prairie progressive, philosopher, and politician.

In 1895, at age 27, White returned to his small-town birthplace of Emporia, Kansas to buy and edit the *Emporia Gazette*. In 1944, still a resident of Emporia, White died. He was eulogized nationally as a valued adviser to presidents and worldwide as the "Sage of Emporia." For almost 50 years, his books, articles, and editorials had blazed a new vision of enlightened, common-sense liberal Republicanism.

And this although White was born, raised, and reached his first fame as a diehard conservative Republican in that

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most Republican of all states, Kansas.

In his first *Gazette* editorial, White declared he would support Republican candidates "first, last, and all the time." In his autobiography, White called himself a "cocksure reactionary" during that period. The small-town editor gained a national reputation with a scathing, pro-Republican, anti-populist editorial in the McKinley-Bryan contest of 1896. The national GOP printed a million copies of "What's the Matter with Kansas?" and White's anti-populist diatribe spread like a prairie fire across the country.

Yet four presidential elections later, in 1912, White breathed fire as a lieutenant of Teddy Roosevelt in the Bull Moose insurgency. After returning to the GOP fold, White continued to advocate the sweeping series of progressive social and economic reforms. Though a self-proclaimed "peace monger," he disdained the pre-World War II isolationists of his party in favor of an outspoken internationalism.

What accounted for this turnabout? By all accounts, the catalyst for White's ideological transformation was his encounter with Theodore Roosevelt. In his autobiography, White compared his first meeting with Roosevelt to Paul's conversion on the road to Damascus.

White and his wife Sallie went to Washington, D.C. in the summer of 1897. It was White's first trip to the East, and his purpose was to dissuade McKinley and the new president's industrialist mentor Mark Hanna from appointing White postmaster of Emporia (White had said he took a "monastic vow" against holding political office). Roosevelt, then an assistant Navy secretary, had seen White's famous editorial and heard of his first book, a collection of short stories about Western life. T.R. sent for White to have lunch with him.

So the portly, completely unathletic White and the burly, legendary sportsman Roosevelt met. White said Roosevelt dominated his life and political beliefs from that moment on:

"I was afire with the splendor of his personality . . . he poured into my heart such visions, such ideals, such hopes, such a new attitude toward life and patriotism. . . . I remember his disgust with the plutocracy that Hanna was establishing in the land . . . for the reign of privilege he was constructing, for the whole deep and damnable alliance between business and politics. . . . That was the order which I had upheld, yet so strong was the young Roosevelt . . . that I made no protest and adopted his dictum as my creed."

Roosevelt sent his book *American Ideals* to White, further impressing upon the Kansas journalist T.R.'s reformist indictment of the McKinley-Hanna "plu-

ocracy." The two began a vibrant correspondence, friendship, and political alliance. White's close association with Roosevelt kept him at the center of national events for the next 20 years, through the ups-and-downs of Roosevelt's career.

However, White's transformation from laissez-faire conservative to crusading liberal was, according to friend and biographer David Hinshaw, neither as sudden nor complete as the Damascus Road image implies. White descended from Kansas stock which had swarmed into the pre-Civil War territory aflame with Aboli-

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"White increasingly channeled his moral ardor toward tolerance and the defense of civil rights."

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"Will the GOP of 1988 thrive by making a transition from a rock-ribbed conservative ideology to a more pragmatic progressive philosophy?"

He took as forthright a stand against the pre-World War II isolationists as he had against the Klan. When the Committee to Defend America by Aiding the Allies was looking for a nationally and internationally prominent chairman, they chose White, and he accepted. White was credited with mobilizing American opinion early for what he termed "no longer a battle of empires but a battle of ideals."

By the time of White's death in 1944, the progressive vision which he had championed with Teddy Roosevelt and the reformist Republicans had been appropriated by Teddy's Democratic cousin, FDR. The successful passage of Republicanism from McKinley's economic expansion to T.R.'s social and moral "expansion" has not been repeated since.

But White's experience may offer inspiration to today's generation of Republicans as they face the post-Reagan era. Will the GOP of 1988 thrive by making a similar transition; from a rock-ribbed conservative ideology to a more pragmatic, progressive philosophy? Or will it sputter from the ill-effects of economic excess and social indifference? We are about to find out. ■

**LOOK SOON
FOR THE
25TH ANNIVERSARY
OF THE
RIPON FORUM!**

THE TEST BAN, TECHNOLOGY, AND TRUST

BY KRIS HEMMING LOU

On February 25, 1987, the Soviet Union ended its self-imposed 19-month moratorium on nuclear testing. Arms control proponents, who had hoped for an arms agreement during this period, have lamented the missed opportunity. Of particular disappointment was the inability of the superpowers to negotiate a Comprehensive Test Ban (CTB) treaty. Proponents of such a treaty have argued that the technical capability for adequate verification has long existed. Moreover, it has appeared to CTB proponents that the Reagan administration has presented technical arguments against a CTB to avoid confronting the political implications of such a treaty with the Soviets.

This study proposes significant changes in the present approach to arms control. The changes involve a shift from competitive tactics in negotiations toward a more clearly defined emphasis on the joint benefits of a CTB. Further, the formulation of proposals, before negotiations with the Soviet Union, will have to include both the executive and legislative branches of government to insure a "good faith" approach to negotiations. The study will also demonstrate how a proposal for a CTB presents an opportunity to cultivate cooperative monitoring systems, which in turn can build confidence in an arena of distrust.

Verification of a CTB

The success of arms control proposals has hinged on the issue of verification.

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*" . . . it is necessary for
each side to perceive
consistent behavior in the
other"*

Simply trusting the Soviets to adhere to arms agreements would obviously endanger U.S. national security. As a result, national technical means (NTM) of monitoring Soviet activity have been researched and developed at great effort and cost to treat the symptoms (nuclear weapons) of our adversarial relationship. Unfortunately, verification has been a very poor substitute for trust.

Both sides have attempted to reach agreements based on their own capabilities to monitor the other with technical means which involve little or no cooperation. Both sides have been reluctant to agree to intrusive means of monitoring, such as on-site inspection. The reluctance to agree on intrusive means has severely limited the scope of previous agreements by neglecting significant weapons systems which require some form of on-site inspection and a greater commitment to cooperation. Without intrusive means of monitoring, arms control agreements will always limit some systems, but allow for others.

Intrusive, cooperative measures have been continually rejected for political, rather than technical, reasons. Each side

has found it unacceptable to allow the other access to military facilities to monitor the construction and storage of weapons. This conflict between the technical and political acceptability of verification schemes is also evident in the issue of a CTB. The conflict, however, is of a different nature.

The Reagan administration recognized that an agreement on a CTB would seriously slow, if not halt, research and development of new technologies. This includes aspects of the Strategic Defense Initiative (SDI). As a result, the administration reversed U.S. support of a CTB and increasingly raised doubts about the adequacy of technical means to monitor nuclear tests, even with on-site inspection.

Indeed, for many years technical understanding of the seismological aspects of monitoring nuclear tests has been misrepresented for political concerns. Yet in the meantime, seismologists have solved the problems of monitoring nuclear tests as small as one kiloton (a one-kiloton limit is well below the levels necessary to develop strategic weapons). In fact, the difference between one kiloton and the five-to-ten range required for weapons development is so great that "cheating around the edges" would not come close to endangering national security.

An agreement on a CTB would thus effectively halt the development of new weapons. This poses a serious dilemma to U.S. arms control policy makers. In the past, the U.S. has consistently followed a policy of exploiting its technological advantage to maintain parity or gain superiority. The Soviet Union has consistently acquired the same technology within a relatively short period of time, which has resulted in an escalation of the arms race. The dilemma now facing policy makers is to assess the viability of the current policy,

which has created the present situation, against the possible benefits of practically freezing nuclear weapons technology with a CTB.

Given Soviet General Secretary Mikhail Gorbachev's willingness to accept on-site inspection systems and the latest achievements in technology, it is reasonable to assume that the Soviet Union would agree to a proposal asking for on-site seismic stations to monitor nuclear tests. The critical issue, then, concerns the political implications such a proposal would have on the future of the nuclear arms race.

The CTB and Trust

The use of the term "trust" in conjunction with arms control can create misconceptions. To avoid confusion, our use of trust will assume the following definition: a confidence in the reliability of another without careful investigation.

It is important to note how a CTB would promote such trust. First, the verification provisions themselves require a system of remote, on-site seismic stations. The Soviet Union has already offered to cooperate with the emplacement of these unmanned seismic stations during CTB negotiations. Such stations would allow both sides to avoid the delicate political problem of requiring on-site inspection teams, while maintaining a virtually tamperproof, reliable monitoring system. A critical difference between this system of verification and existing systems based on non-cooperative technical means is the accuracy of the measurement which eliminates gray areas of controversy. The result is a common security based on mutual accommodation, rather than mutual fear.

It should be emphasized that the situation described above does not assume a higher degree of trust than already exists. It does assume, however, that such a program would tend to improve trust over an extended period of time. For trust to develop over time it is necessary for each side to perceive consistent behavior in the other.

In addition, a test ban monitoring system would function with the expectation to prove violation against the presumption of compliance simply because the Soviets would not be able to successfully "hide" nuclear tests above one kiloton. This does not suggest that the U.S. should ignore discrepancies that might arise, but that such occurrences could be investigated

with the presumption of compliance. This constructive approach would be less susceptible to political manipulation, and more likely to foster improved confidence in each other's consistent behavior.

Negotiating a CTB

Before a proposal can be presented to the Soviets, it must first be able to survive the competing bureaucratic factions in the administration. Too often the administration has failed to make up its collective mind over competing options advanced by various agencies.

The president has also demonstrated that he prefers to delegate responsibility for arms control policy. This disinterest in arms control deepens the negative influence of competing agencies within the administration. Thus, if a CTB proposal were to survive the intramural negotiations, it would likely contain such divisive conditions that anti-CTB groups would be served by a Soviet refusal.

To overcome this dilemma, CTB supporters in Congress must intensify the initiative to eliminate funding for nuclear tests above one kiloton. Support for the movement could be won by introducing the following program:

- 1) Funding for nuclear tests above one kiloton will be suspended until the administration puts forth a proposal for a one kiloton threshold CTB to the Soviet Union.

This first condition forces the administration to adopt the principle of a CTB, yet does not require a unilateral moratorium until the Soviets agree to a CTB.

- 2) The formulation of the proposal must include a congressional committee, whose purpose will be to guarantee the negotiability of the proposal when it reaches the bilateral negotiations.

To avoid misrepresentation of fact and abuse of verification concerns, Congress must mediate the intramural negotiations by limiting the range of debate to relevant details.

- 3) Congress must be represented at the bilateral negotiations to ensure "good faith" conduct of the U.S. position.
- 4) If the CTB proposal is rejected by the Soviet Union, Congress must review the process and determine inflexibility on the part of the Soviets before funds for nuclear testing are reactivated.

The objective of the review process is to determine whether the U.S. position

could be reasonably altered, or if the proposal's failure is due to Soviet unwillingness to commit to a CTB.

This program for congressional intervention assumes that at least parts of the administration would have to be pressured into acting in accordance with CTB legislation. Although these circumstances may not be new, the extent to which Congress must intervene approaches coercion. The present state of arms control policy, however, dictates that policy formulation requires an ultimate authority—the power of allocation. If Congress can coalesce around the principle of a one-kiloton threshold CTB, the legitimate authority of allocation can be employed to temper the destructive influence of inter-agency competition.

Conclusion

Since the Limited Test Ban of 1963, 28 new types of nuclear weapons have been developed. Among these are MIRVed missiles and cruise missiles. Both are systems which the U.S. refused to prohibit at the time of development because of the temptation to exploit a technological advantage. In each instance the Soviet Union has kept pace with American technology so that both sides have simply increased the quantity and quality of their nuclear arsenals. Unfortunately, this same lack of foresight is still prevalent.

The causes and effects of the continued emphasis on technology are clearly widespread. One of the effects, however, is that our ability to politically, economically, and psychologically cope with technology, as the answer to national security, is lagging far behind. The structure of relying on technology is so extensive that actions which do not reform fundamental assumptions will fail to take control of the arms race. The approach to arms control as a competitive forum with an underlying distrust in our "opponents" will have little effect in reversing the arms build-up.

A proposal for a one-kiloton threshold CTB, although it requires unprecedented congressional intervention, reverses both the arms race and the competitive, win-lose orientation of the arms control process. It does not require trust in the Soviet Union, but it does provide verification procedures which offer the opportunity to build confidence in the consistency and reliability of each nation's behavior—a modest first step toward trust. ■

ABANDONING SALT Less Than Meets The Eye?

BY JOHN ANELLI

The analysis to follow assesses the likely impact of the Reagan administration's decision to abandon SALT II on the future course and nature of U.S.-Soviet military competition. This is a condensed version of a more detailed study which was completed in November, 1986.

While not condoning the administration's decision, nor denying that the SALT process has contributed to U.S. national security over the past 15 years, the analysis concludes that the administration's critics have based their opposition to the SALT decision on arguments which are in many respects unsatisfactory.

Abandoning SALT—The Administration's Perspective

Many of the Reagan administration officials who assumed executive responsibility in 1981 harbored deep suspicions about the nature of the Soviet regime and the true objectives of its foreign policy. The president's own view of the Soviet Union as an inherently ambitious, relentless, and opportunistic adversary was central to his administration's belief that detente, as practiced through the 1970s, could not provide a viable framework for the conduct of U.S.-Soviet relations. Against this background of general distrust and ideological hostility, specific complaints against the record of Soviet compliance with the provisions of SALT II precipitated the administration's May 27, 1986 decision to abandon the treaty.

In the fact sheet accompanying the pres-

John Anelli is research director of the House Wednesday Group and a recipient of a recent Mark O. Hatfield Scholarship.

ident's May 27 statement, three Soviet violations, among the many cited, were singled out as being "particularly disturbing." They included: the encryption of missile test telemetry; the testing and deployment of the SS-25, which the administration claims is a new ICBM prohibited by SALT; and the construction of a large phased-array radar complex near Krasnoyarsk in Central Siberia, the siting and orientation of which the administration claims violate critical provisions of the 1972 ABM Treaty.

Abandoning SALT—Opposing Views

In evaluating the administration's case against the Soviets, three questions need to be considered. First, is there sufficient evidence to support the charges which the administration has made? Second, if the charges are in fact sustainable, how might they endanger U.S. security if left unaddressed? Third, how great are the risks which the administration's decision might entail?

In particular, a decision to shift the arms race into higher gear in response to a marginal U.S. breach of SALT II would damage Moscow's long standing effort to enhance its image among U.S. allies in Western Europe. In this case, one can argue, the Soviet strategy of courting the Allied left may create its own rationale for a restrained response. In addition to such geopolitical considerations, there is every indication that the Soviets are no more eager than we to engage in an expensive new round of quantitative arms competition.

The response of Soviet leaders to the initial U.S. act of treaty abrogation supports the view that a dramatic Soviet re-

sponse, in the absence of either a dedicated strategic buildup by the United States or an unanticipated breakthrough in SDI, is not in the cards. While labeling the U.S. decision to abrogate SALT a "major mistake," the Soviet leadership has indicated that they see "no reason to hurry up" with any specific response.

Regarding the question of the SALT decision's impact on the stability of the strategic balance, it should be pointed out that stable nuclear deterrence is primarily a function of the technical characteristics of nuclear weapons and not of their number. While stability at lower numerical aggregates is preferable to stability at higher aggregates, the maintenance of stability is for the most part dependent on factors unrelated to the size of opposing arsenals. But in terms of limiting the qualitative, as opposed to the quantitative development of superpowers' arsenals, SALT's record has been a very modest one. Under the SALT regime, in fact, weapons development has gone on in almost every conceivable direction.

Because the essential requisite for stability is that nuclear weapons themselves remain capable of surviving attack, it appears, ironically, that progress in weapons design, rather than the body of negotiated agreements on arms limitation, is pointing the way toward increased stability. The trend in U.S. and in Soviet strategic force postures toward the development and deployment of more survivable, mobile ICBMs such as the SS-24, the SS-25, the Midgetman (the latter two systems arguably prohibited by the SALT II Treaty), as well as toward an increasing emphasis on invulnerable sea-based strategic forces, will enhance stability whether or not the deployment of these systems is accompanied by off-setting reductions in other weapons. ■

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“TRUTH IN SCHEDULING”: *What Really Matters*

BY RICK HOROWITZ

They say they're trying to help us—the kindly folks at the Department of Transportation, that is. After wading through thousands of complaints every month from angry travelers whose flights were delayed or whose baggage was sent who-knows where, Transportation Secretary Dole (that's the She-Dole, the one who's just left, not the He-Dole) has decided to do something about it.

She's issued a ruling, a ruling that will require the major airlines to provide statistics about late flights and lost luggage; that way, customers about to take to the not-so-friendly skies can choose the most reliable way to go. By early next year, you should be able to find out from your travel agent or from the airlines themselves how often your favorite flight gets to its destination within fifteen minutes of its scheduled arrival time.

And you'll be able to find out from the department just which airlines are most likely to play Hide-and-Seek with your suitcase. That's good news, too.

Good news—but not great news. We highly seasoned travelers (and even lightly seasoned travelers, for that matter) know there's more to happy flying than just getting there on time with our luggage waiting for us. If Mrs. Dole—or her successor—truly wants to help, she ought to insist on getting the numbers that *really* matter.

For instance?

• How many busy signals do you get when you're calling to make a reservation?

• When you finally get through, what percentage of the time do you reach an actual human being right away, instead of a recording telling you to hold for “the first available agent”?

Rick Horowitz is a Washington columnist and radio commentator.

• While you're on hold, what percentage of the time do you get total silence, which makes you think you've probably been disconnected?

• What percentage of the time do you get exciting information about some new excursion fare from Peoria to Podunk, which makes you think you'll fall asleep right there on the line?

“Highly seasoned (and lightly seasoned) travelers know there's more to happy flying than just getting there on time with our luggage.”

• What percentage of the time do you get a tape loop playing “Tie a Yellow Ribbon to the Old Oak Tree” over and over again, which makes you think you'll commit suicide?

• When an “available agent” does appear at last, how many advanced degrees do you need to understand the “Super Saver” requirements?

Important information? You bet—and we haven't even gotten to the airport yet. When will we get these other vital numbers?:

• How many miles is it from the nearest airport parking space to the airline's check-in counter?

• What percentage of check-in windows will have little signs above them that say “Closed—Use Next Window”?

• How many staircases are there between the check-in counter and the gate,

forcing you to unload and reload your handy-dandy rolling luggage cart every twenty seconds?

Now you've made it to the plane—what else do you need to know? Plenty:

• How many of the airline's free magazines are popular favorites like “Drainpipes Illustrated”?

• What percentage of seriously overweight people are assigned to the middle seat in three-across seating?

• What is the average number of stitches needed to close scalp wounds from the doors of the overhead baggage racks?

• How many different ways can the captain say “mechanical problems” without ever saying “mechanical problems”?

• How many minutes after take-off does one of the bathrooms go out of order?

• What percentage of flight attendants won't spill coffee onto somebody's lap at least once during the flight?

• How many hours before dinner is served is dinner actually cooked?

• What is the maximum number of packs of honey-roasted nuts a determined passenger can get before they cut off the supply?

• What percentage of in-flight movies star Sylvester Stallone or Arnold Schwarzenegger?

• What is the average number of times the plane bounces when its wheels hit the runway?

• How long do passengers spend standing at their seats before anybody remembers to open the doors and let them out?

• And finally, what percentage of time will somebody three rows ahead of you take your garment bag by mistake and disappear into the crowd forever?

Give us some of those answers, Mrs. Dole or whoever, and you'll certainly be earning your pay. ■

A New Game Plan in Central America

BY JIM LEACH

As peace seems to be on the verge of either breaking out or breaking down in Central America, American policy in the region is deserving of timely review.

The debate over contra aid leaves the impression that issues in the hemisphere are black and white. In fact, they are increasingly muddy. Offended by a Reaganistic foreign policy, liberals have clearly erred by ignoring Sandinista excesses. Overthrowing Somoza may have been a righteous act, but the re-legitimation of tyranny—albeit of the left rather than the right—under the Sandinistas is inexcusable.

Conservatives, on the other hand, by assuming that policies which stretch the law and the Constitution are excusable because they are realistic have also erred, perhaps more grievously. Not only has recent American policy proven to be dubiously moral, but every indication exists that it has been counter-productive. The most profound base of popular support the Sandinistas currently have is their opposition to foreign intervention and their will to defend the sovereignty of the state against the anarchistic tactics of the contras.

Since the Vietnam War, Americans have developed a tendency to be introspective and, too often, self-centeredly critical about foreign policy. The perspective liberals tend to forget is that at the outset of Sandinista rule in 1979, the U.S. government went out of its way to give the new Nicaraguan leadership the benefit of

doubt. In the immediate aftermath of the overthrow of the Somoza regime we provided more aid to the new government than had ever been given the former dictator. Unfortunately, the new rulers—philosophically and psychologically—opted for confrontation over cooperation, even to the extent of adopting a national anthem decrying Yankee values. The revolutionary mischief perpetuated abroad by the Sandinistas and the debasing of human rights at home in short order defined Nicaragua as a leftist, militarized enclave.

Given a turn of events that witnessed the “Castro-ization” of a formerly pacific country, symbolized by pilgrimages of Daniel Ortega to Moscow, it is not surprising that both the Carter and Reagan administrations chose to shift attitudes toward the new government.

Reasonable people, however, came to differ on the most effective means of dealing with the Sandinistas. Many Americans developed grave doubts that an approach which violates international law, U.S. law and our constitutional process could be effective, moral or sustainable. It was not at all clear that the best antidote to leftist radicalism was rightist intervention. Few outside the inner sanctums of the White House could honestly conclude that groups which burn crops, kill priests, and attack civilian rather than military targets were the moral equivalent of our founding fathers.

But the question remains whether interventionism of the nature we have let loose in this hemisphere is not itself destructive of the aims we seek. The Sandinistas deserve to be isolated and left-wing tyranny extirpated as a cancer in our hemisphere. Neighboring countries deserve firm commitments of U.S. support in the event of Nicaraguan aggression. But if we

are to advance the rule of law and democratic values, our policies must be differentiated from those of our adversaries. The people we support cannot themselves be above the law and defiant of the principle of self-determination which is the keystone of our own Declaration of Independence.

It is in this context that acts like the mining of Nicaraguan harbors, which precipitated our withdrawal from the jurisdiction of the World Court, are so disheartening. Isn't it better to seek legal, rather than violent, recourse to international problem solving? Isn't it better to give succor, rather than cold shoulder, to the peace process?

Unfortunately, it appears the administration has lost control of events. In semi-privatizing the conflict, in giving the green light to an obscure lieutenant colonel in the bowels of the White House to circumvent law and military chains of command, the U.S. government has armed, equipped and trained a cadre of modern-day Hessians which may not be accountable to diplomatic initiatives in the region.

The White House has thus presented Congress the thorny dilemma of determining whether and when to capitulate on an additional contra aid package. It is my judgment that the time has come to say “No”—not out of a fluffy respect for the Sandinistas, but out of a realpolitik understanding of our own history and values. A new game plan is needed—one that respects Nicaraguan culture, but which does not ensconce the status quo. People power, as Cory Aquino has found, is sometimes best advanced from within, not from without; by citizens rubbed raw with personal grievances, not by armchair Rambos concerned more with the politics of their own society, than the social concerns of the developing world. ■

Jim Leach is a member of Congress from Iowa and chairman of the Ripon Society.

. . . at the Ripon Society-Bow Group Conference . . .



(L to R) Senator Richard Lugar, The Right Honorable Timothy Raison, MP, Ambassador Elliot Richardson, and Bow Group Chair Cheryl Gillan.



Fred Kellogg, Ken Grossberger, Harry Jeffreys.

WASHINGTON

Mark Alan Stamaty

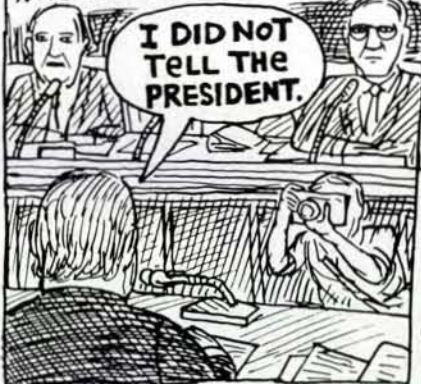
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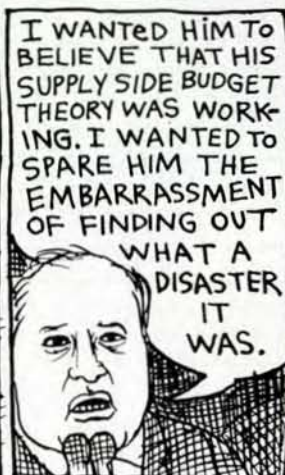
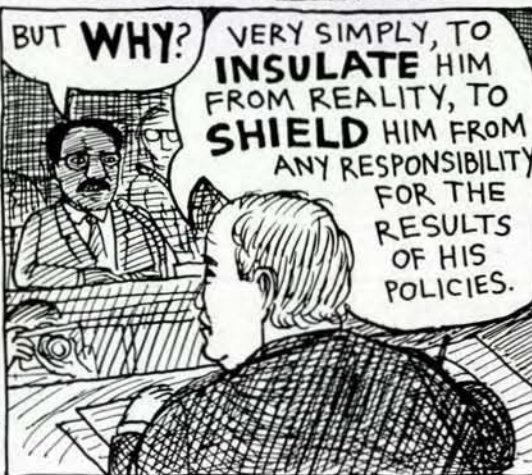
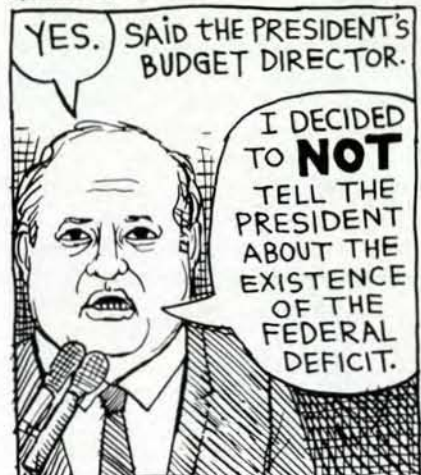
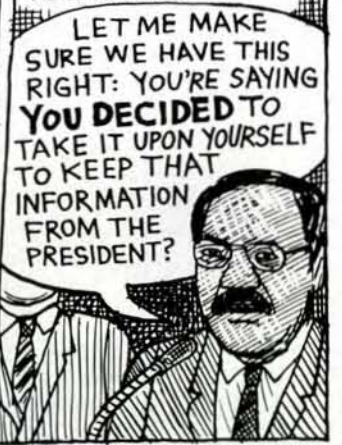
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The Fifth Transatlantic Conference of the Ripon Society and the British Bow Group was held in Washington, D.C. from July 8-12, and like the prior meetings of the two policy organizations the 1987 Conference had a broad representation of American and British participants.

Leading the British delegation were newly-elected Member of Parliament David Shaw and M.P.s Timothy Raison, Michael Knowles, and Jeremy Handley. The British delegation of 25 also consisted of former Bow Group Chairman Niranjan diva Advita and former M.P. Keith Best.

U.S. Chairman of the 1987 Conference was Senator Richard Lugar, the ranking Republican on the Senate Foreign Relations Committee. Senator Lugar delivered a keynote address on the interrelationship of arms control, international trade and promoting democracy abroad. Master of ceremonies for the keynote banquet was former U.S. Ambassador to the Court of St. James Elliot Richardson (the address was also televised over C-Span, the politics cable channel).

The first session of the 1987 Conference, however, drew the most attention. Canadian Minister of Defence Perrin Beatty unveiled for the first time on American soil Canada's new "White Paper on Defence." As reported recently in *The New York Times*, Canada's efforts to revitalize its military have been controversial and Beatty addressed those points in his speech. "Canada's fate is too closely intertwined with the other western democracies for us to remove ourselves from the playing field," the 37 year-old Cabinet minister told a Washington, D.C. press conference. "Moreover, we view the defence of the upper half of North America as a role uniquely suited to Canada."

That last point has created concern within some Canadian and American circles, since Canada will acquire between 10-12 nuclear-powered submarines over the next two decades. Peace activists have protested the introduction of nuclear submarines to Canada's navy and some American military observers wonder who will maintain Arctic sea lanes. As the *Times* reported, "The Government of Prime Minister Brian Mulroney . . . has decided on a land, air and sea buildup to reinforce its claim to sovereignty over tens of thousands of square miles of Arctic Sea."

But U.S. Secretary of Defense Casper Weinberger reassured Beatty of his

interest in the plan during a luncheon sponsored by the Ripon Society on the Conference's opening day. Held at the Park Hyatt Hotel in Washington, D.C., the gathering was attended by leading American and Canadian defense officials, including Canadian Ambassador to the U.S. Alan Gottlieb.

The keynote speaker for the British delegation was M.P. Jeremy Handley, who spoke of the challenges facing the next Thatcher administration. Among them, the Richmond, England representative said, are greater privatization and improved delivery of social services to Britain's poor.

Other speakers during the four-day conference, which focused on arms control, international trade and the promotion of democracy, included Richardson, Brazilian Ambassador to the United States Marcilio Marques Moreira, U.S. Deputy Secretary of Commerce Clarence Brown, Ripon Society chairman Jim Leach, *Harper's* editor Christopher Hitchens, *Dallas Morning News* reporter Mark Nelson, *Ripon Forum* editorial board member Steven Klinsky and Manufacturers Hanover Managing Director John Price. Members of Parliament Raison and Michael Knowles also spoke on Third World aid and international trade, respectively, and Niranjan diva Advita and David Shaw spoke on British labor policies and retiring the Third World debt.

The Conference, which was sponsored by the Manufacturers Hanover Trust Company, Electronic Data Systems, Inc., and the Joseph E. Seagrams Company, concluded with a lively debate on international trade. U.S. Chamber of Commerce chief economist Richard Rahn debated AFL-CIO economist Rick Krashevski on the issue "Resolved: The Doctrine of Free Trade is Obsolete." The debate, which was also televised over C-Span, was followed by a vote among Conference participants. As if the outcome would be surprising in a Republican Party-Conservative Party gathering, free-traders prevailed.

Dates for next year's Ripon-Bow Conference, which will be held in London, are July 18 - 21. For more information, please contact Mark Uncapher, 6 Library Court SE, Washington, D.C. 20003.

Republican of the Year Award Dinner

The Ripon Society also hosted its annual "Republican of the Year" awards dinner on July 9, and this year's honorees were women who have made a contribution to the GOP's growth. Billed as a "Salute to Republican Women," the dinner honored such leaders as Betty Ford, Nancy Kassebaum, Shirley Temple, Loret Miller Ruppe, Jeane Kirkpatrick, Claudine Schneider, Olympia Snowe, Virginia Smith, Carla Hills, Mary Louise Smith, Selwa Roosevelt, Mary Stanley, and Pearl Bailey. Speaking on behalf of their 35 fellow honorees, Peace Corps Director Ruppe and Nebraska Representative Smith told the audience of their experiences in appointed and elected office and made note of the distinguished history women have had in the GOP's development.

Senators Nancy Landon Kassebaum and Daniel Evans were co-chairs of this year's dinner and both served as emcees of the July 9 banquet. More than 250 guests were in attendance, and the *Washington Post* and D.C.'s Channel 5-TV reported the "Salute to Republican Women" Dinner, which was held at the Park Hyatt Hotel.



(L to R) Senator Nancy Landon Kassebaum, Ambassador Shirley Temple Black, Peace Corps Director Loret Miller Ruppe, and Congresswoman Connie Morella.



(L to R) Mike Ailsworth, Jayne Hart and Jim Sammons.

WASHINGTON NOTES AND QUOTES

Last fall, we reported that conservative columnist George Will was concerned about the deficit's lasting legacy for American conservatism and the GOP. In a *Newsweek* column he had remarked, "In 1980 the conservative critique of liberalism boiled down to this essence: liberalism has lost the capacity to establish rational priorities and make hard choices. Less than six years later that has a hollow ring."

During wide-ranging remarks to a Republican audience on Capitol Hill in August, Will reiterated his remarks by denouncing the Right's militant advocacy of both tax cuts and a military buildup, saying the ballooning federal debt will put pressure on the defense budget for decades. "The sad truth is that the modern conservative, given a choice between lower taxes and deterring the Soviet Union, chooses lower taxes." He added that today's breed of moderate Republicans seem to be the only ones left who insist on fiscal responsibility.

FLASH! There's a new progressive Republican in Congress! Christopher Shays, 41, won a come-from-behind special election campaign to defeat a better known, better-financed Democratic opponent in Connecticut's 4th Congressional District. Shays succeeds progressive Republican Stewart McKinney, who died May 8 of AIDS-related problems.

Shays opposes aid to the contras, is pro-choice on abortion, and emphasizes cutting the budget deficit. To overcome his opponent's advantages, he shook a lot of hands in movie lines, train stations, and beaches. The opponent also made a critical gaffe during a debate; when asked a question about AIDS, she quipped, "You mean, which one of us has it?" The audience was not amused.

In booming Fairfax County, Virginia, the state's largest local GOP organization is once again in the hands of moderates after several years of control by Christian Right activists. The key reasons appear to be the Right's continuing narrow focus on social issues like pornography and abortion, rather than the pressing debate over traffic and development; and an energetic counter-purge by moderates who were themselves ousted several years ago.

Conservative political analyst Kevin Phillips says "Reagan's decline is good news for the GOP." While suggesting it

may be difficult for the Party to move away from Reaganism during the nomination campaign, he suggests the president's difficulties may allow the Republicans "to catch up with the flow of history—by which I mean embrace a more moderate ideology, hone a recognition that the high-powered cutting-edge years of conservatism are behind us and [appreciate] that the key . . . challenge of the next presidency will be effective, consolidationist governance." Phillips strongly suggests the man for the job is Senator Robert Dole.

Interesting notes from the national convention of Young Republicans held recently in Seattle. First, in a contest for chairman of the enthusiastically conservative YR's, a moderate, Richard Jacobs, of Jackson, Tennessee, who opposed the 1984 platform plank on abortion was the victor over a "pro-life" candidate.

Second, after addresses by six Republican contenders, Representative Jack Kemp seemed to enjoy the loudest response, while the Reverend Pat Robertson was received "coldly," according to T.R. Reid in the *Washington Post*. And third, while most candidates emphasized their commitment to the Strategic Defense Initiative, the contras, and cutting the deficit, Senator Robert Dole used blunt language in noting the need for Republicans to demonstrate "compassion and sensitivity" toward poor, homeless, and unemployed Americans.

While all seven Democratic presidential hopefuls took time to address the late June convention of the League of United Latin American Citizens (LULAC, the nation's largest Hispanic organization), only one Republican did: Representative Jack Kemp. LULAC's president, Oscar Moran, who is the group's first Republican leader, felt it was a slap in the face. Kemp, who received perhaps the most enthusiastic ovation of any of the hopefuls, spoke on his usual themes of equal opportunity and free market economics, and said the GOP should be "taking risks to open doors."

In the broadest reshuffling of the House GOP leadership since 1980, Representative Dick Cheney (WY) was voted to succeed Jack Kemp as the Republican Conference chairman. Cheney, a widely

respected conservative, was President Ford's chief of staff. His position is third in the GOP leadership behind Republican Leader Bob Michel (IL), and Whip Trent Lott (MS), and could vault him to the No. 1 spot sooner rather than later—Michel is contemplating retirement, and Lott a Senate seat.

Good news! Vermont Governor Madeleine Kunin has announced she will run for re-election next year, and not for the Senate seat being vacated by progressive Republican Senator Robert Stafford. That leaves a clear path for progressive Republican Representative Jim Jeffords to succeed him; earlier reports of a tough primary challenge to Jeffords haven't materialized.

We couldn't help passing this along. Speaking on the budget deficit, President Reagan recently said: "Congress acts like a newborn baby—it has an insatiable appetite at one end, and no responsibility at the other."

We got a great chuckle out of the *New Republic's* clever appellation for Secretary of Education William Bennett. A cover story on the ever-creative Bennett named him "Secretary Smarty-Pants."

A bipartisan majority of members of the House of Representatives have signed up for this year's version of the Balanced Budget Amendment to the Constitution, but don't expect the Democratic leadership to bring it up anytime soon.

Among the cosponsors is a long list of moderate and progressive Republicans: Douglas Bereuter (NE), Rod Chandler (WA), Bill Clinger (PA), Harris Fawell (IL), Bill Goodling (PA), Fred Grandy (IA), Steve Gunderson (WI, 92 Group co-chair), Nancy Johnson (CT, 92 Group co-chair), Jim Leach (IA, Ripon Society chairman), Lynn Martin (IL), Jan Meyers (KS), John Miller (WA), Tom Petri (WI, a Ripon Society co-founder), Carl Pursell (MI), Tom Ridge (PA), John Rowland (CT), Pat Saiki (HI), Olympia Snowe (ME), Tom Tauke (IA), and Fred Upton (MI). ■