

The Radical Moderate

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Preface

I was born a lucky person. I had two parents that loved me, three older siblings to toughen me up and a safe community where I lived. Even more important, my parents grew up much tougher than I had to and their values were instilled in me from a young age. By the time I realized that politics and public policy were my passions at the age of 20, I had been given the opportunity to follow them. It is those passions and that opportunity that have led to the publication of this book.

I thought about the need for a new brand of politics during years of attending political events and watching meaningless debates on television shows such as “Crossfire” - where liberal and conservative speakers shouted at each other for thirty minutes. Recently, I went to a bookstore to survey the choice of books that espouse a middle way for solving our political challenges. Guess what, there are no choices. All of the political books are written by the Ann Coulters and Glenn Becks on the right, and the Al Franken on the left. These books do not have any pragmatic solutions by my way of thinking. Rather, they are just appealing to a reliable audience and wholly designed to make money for the author. Now, there is nothing wrong with making money. However, the fact that extreme conservative and liberal books dominant our choices should not be viewed as evidence that they are true, advisable or can stand the test of time. They can’t

and they won't. We need more choices in our political dialogue. We need some moderate choices.

This book will seek to define in detail the concept of Radical Moderate thought. I will utilize examples of how that thought takes form in solving divisive political issues. The book, though, has another purpose. I want to raise lots of questions in the hope that other people will have answers. I believe that the world can solve any problem if it is committed to effectuating a solution no matter how out of the box that solution seems at the present. Among the difficulties of buying into such thought is that some issues may take years to solve. Some issues may take decades or even centuries to solve. Some may take even longer. I do not address a solution for the Israeli-Palestinian conflict in this book because I do not have one. However, I believe that one exists. I believe that if enough people commit to Radical Moderate thought that over time the solutions will become apparent.

Radical Moderate thought has always been present in our everyday lives providing solutions to some of our most vexing problems. However, the concept of Radical Moderate politics has not previously taken a form, found its voice or had a vehicle to nurture its growth in contemporary American political discussion. That should change. This book is an attempt to begin a dialogue for this brand of politics. I have created a blog – <http://www.theradicalmod.com> - where readers can provide their own interpretation on how Radical Moderate solutions can affect public policy (or even private sector policy for that matter). It is my hope that such thought will grow and be nurtured utilizing a concept a friend of mine terms “mass participation”. Simply put, mass participation is the idea that having a thousand people send in their jokes to a late night show will produce an equal result to having a professional team of ten joke writers. Ten people are only capable of having a limited number of experiences. The world is very dynamic and mass participation is a vehicle to capture the changing times.

I attempt to address all of the major issues of our times in this book. Most certainly, I will miss some of them or understate the importance of others. Some of that is because I lack a certain amount of knowledge of how to address the issue. Some of that is my lack of deep passion toward a particular topic. For example, I have very strong personal feelings about immigration policy and less so about environmental policy. Both are important. Both deserve attention. However, I am just one person trying to make sense of all of our public policy. Therefore, if you believe that my analysis is flawed or my conclusions are just plain wrong then come up with better ones and I will be listening. The basis of Radical Moderate politics, much like the scientific method, is to reach an analysis and results that are sound and can be classified as accurate. In short, I want to get it right.

It is not easy to get it right. We live in a very complicated and diverse world. Every aspect of our lives involves enormous complexities and there is no shortage of opinions on what choices we should be making on a daily basis. Take an example as seemingly simple as what we eat. Most doctors recommend that people eat a little bit of everything in small meals throughout the day. That seems like common sense advice but few people actually follow it. Rather, people tend to deal in extremes. During Thanksgiving, we stuff ourselves until we are numb. Only days later, we try to starve ourselves to compensate for what we overdid at the Thanksgiving table. Our body is confused and stores fat up fearing that it will not have access to food for a long period of time. In

short, we make a mess of our diet. Any reasonable person knows that this feast and famine approach makes no sense. It must be changed.

There have to be better solutions available to solve the great issues of our time. The United States of America faces significant long-term structural issues: we have an unsustainable fiscal model; we have lost the global competitive edge in our educational system; and our political system seems to be more and more dysfunctional. I, for one, though, am optimistic about the future. I am optimistic because I believe America has always found its way before. We have made mistakes but learned from them. We have suffered losses but grown stronger as a result.

America, though, will not solve these great issues utilizing the failed ideologies of the past. It is time to adapt. It is time to embrace pragmatism and solutions. It is time to reject dogma and outdated tradition. It is time to recognize that one can still hold onto their personal values while accepting a public compromise that is better for the largest number of people.

I started off by stating I am lucky. There is one more huge reason why this is true – because I was born in America. This is the greatest country on Earth. We have the best economic model and we are an exceptional nation. I have been afforded enormous opportunities here that I never would have known had I been born in the streets of India or the deserts of Africa. It is my responsibility to give back because of this.

I have tried to give back by serving on my local school board for four years. I have tried to give back by serving six years as the Pulaski County Clerk following an administration that had been under Grand Jury indictment. I have tried to give back by running for Arkansas Secretary of State in 2010 only to be the first Democrat to lose that office in 140 years. I cherished every moment that I was allowed to serve the public in elected office. It was the least I could do for what I have been given in life.

All of these experiences reaffirmed what one of my cousins told me when I was a teenager: “In politics, timing is everything.” I don’t know if the timing is right for a Radical Moderate brand of politics and public policy. That will be for others to judge. What I do know is that the tit-for-tat politics prevalent today is not working. This is much bigger than rich versus poor or haves versus have-nots. This is about whether the longest running democracy in the world can continue to flourish or be cast aside as a historical anomaly. This is a conscious choice and we all need to get it right.

Chapter One: The Overview

Aristotle believed that all things should be taken in moderation.

One of the main teachings of Confucius evolved into the ‘Doctrine of the Mean’ which espouses moderation and the avoidance of excess.

The influential Greek and Roman author, Plutarch, was quoted as saying: “Moderation is best, and to avoid all extremes”.

The virtue of moderation is as old as the world itself. Still, the concept of moderation as a lens to view contemporary American politics is not currently in vogue. Extremism is the predominant feature of our political system and by extension our public policy. Moderation has unfortunately been branded as “weakness” while extremism is

seen as “principled”. This book is designed to set the record straight and re-define moderation as wise, prudent and strong.

Most people have a sense of what it might mean to be a moderate. A moderate is someone that can see both sides of an argument and rejects extreme positions. Critics will sometimes describe a moderate as “mushy” or “riding the fence”. Neither of those phrases describes me personally. My friends use words such as “hard-nosed”, “persistent”, “brash” or “relentless” to explain my personality. Since I am not interested in being a ‘mushy moderate’ I am offering a better description. I am looking to create a brand of politics that is pragmatic, innovative, and politically aggressive – thus, The Radical Moderate.

Radical Moderates believe strongly that common sense should be part of political thought. A Radical Moderate is willing to fight for a middle of the road solution with the same passion and commitment that extremes on the left and right fight for their issues. We are willing to speak out against extremism from any quarter and should never be described as mushy. Reason is the guiding principle of a Radical Moderate. Reason applied with an ‘in your face’ type of style. Radical Moderates don’t sit in the back of the room and wait for someone else to set the agenda. I guess you could say we are moderates with an attitude.

A Radical Moderate believes that the future of the country is more important than the fate of any political party. The word radical in this context means revolutionary. The founding fathers were Radical Moderates. They were fighting against the oppression of the British. Their commitment included the penalty of death had they not prevailed. Martin Luther King, Jr. was a Radical Moderate. He believed in non-violent civil disobedience. This is juxtaposed against the leftist teachings of Malcolm X. Martin Luther King, Jr. wanted to change the system from within while Malcolm X wanted to completely overthrow it.

A Radical Moderate is willing to fight to defend this country when there is no other choice, such as World War II in the 1940s. On the other hand, a patriot’s spirit prevails when questioning the wisdom of a conflict in Iraq in the early twentieth century. The former war was fought out of necessity and survival while the latter war was one of choice. History is littered with wars of choice that ended poorly. A Radical Moderate is slow to anger but fast to settle a fight brought to his doorstep.

A Radical Moderate believes that capitalism is the best economic system in the world. We are willing to pay as much in taxes as is needed for the government to provide essential services. Essential government services are defined as those things that the free market would not otherwise handle effectively. Capitalism works best when it is regulated only as a last resort instead of a first option. Capitalism allows people with talent, work ethic, and who make good decisions to start with little economic means and become the new industrialists. A Radical Moderate wants to allow the best elements of capitalism to flourish and the worst elements to be regulated when it is universally agreed that a free market solution is not the best answer.

Radical Moderates do not engage in class warfare. Class warfare is the language of pessimism and class mobility is the language of optimism. Radical Moderates have a perspective that the world is full of opportunities rather than problems. Pitting one class of Americans against another class of Americans is, well, Un-American. That is why we advocate for class mobility.

Even the most conservative thinkers allow for some exceptions to free markets and capitalism. Modern day police and fire departments could be branded socialistic in nature because the government forces taxpayers to fund these institutions instead of letting the free market handle law enforcement. Most of us do not think of the police as a socialist concept because we assume that the private sector would not be capable of handling the same duties. Also, most people generally do not mind that people who pay less in taxes still receive a similar amount of law enforcement protection as those that pay a large amount in taxes. Somehow, it seems fair that everyone be treated equally when it comes to law enforcement. It must be pointed out, though, that this acceptance of “shared cost” for law enforcement is a choice that society has made. The choice was made a long time ago and it has not been questioned since. Regardless, it was a choice to depart from the principles of totally free markets wherein each person would be responsible for their own security. The only reason our law enforcement system is not branded as “socialism” is because it has been done this way for longer than anyone can remember. It’s tradition so the conservatives do not call it socialism.

There are many examples of Radical Moderate thinking in American history. One example is post-World War II U.S. Military policy. President Harry Truman integrated the military in 1948. At the time, there were people of a conservative bent who viewed this as a social experiment that broke long held rules of not mixing races. There were people of a more liberal bent who viewed the decision as moving forward the cause of social justice while spurring race relations in other areas. However, it is doubtful that Truman held either perspective. More likely, he simply saw the need for more people to serve in the military because of the bloody war ending and the emerging struggle with communism. The *moderate* position was balancing the need for more military men against the reality that the white population held strong opinions supporting segregation. The *radical* position was throwing political caution to the wind and revolutionizing an institution knowing that the initial integration might not work. Daring to try something new by implementing a common sense solution to a complicated problem, fully realizing the possibility of failure, is a classic example of Radical Moderate political thought.

Where can a person find such thought in our current time period? The practice of public schools distributing condoms and teaching abstinence to students is one example. Conservative political thought believes that passing out condoms encourages teenagers to have sex by making the act more convenient and mainstream. Liberal political thought believes that teaching abstinence is naïve and that teenagers will engage in sex regardless of what they are taught. A Radical Moderate believes that the two concepts are not mutually exclusive. There is absolutely no question that abstinence is the only guaranteed way for a girl to keep from getting pregnant. However, thousands of years of genetic coding has made teenage boys and girls highly interested in having sex with each other. The lack of presence of condoms is not going to stop teenagers from engaging in sex. The thing that having a condom might do is prevent a teenage pregnancy.

Pregnancy is not the only issue that arises when teenagers have sex. There is also a possibility of passing along sexually transmitted diseases. The condoms may not work as well to thwart that danger as they will to prevent pregnancy; but a condom does offer some protection. Therefore, it is critical that teenage boys and girls hear about the dangers of having sex. The message that irresponsible sex could dramatically and negatively change a young person's life should be repeated to them constantly. Since

reason does not always prevail over fundamental human desires, access to condoms does allow for young people to take some responsibility for their actions. Some of the students will choose abstinence and others will choose safe sexual practices. A Radical Moderate assesses the pros and cons of an issue and, in this example, decides that both schools of thought must co-exist to lower the chances of a negative outcome.

Radical Moderate thought transcends any political party. At any given time, the Democratic Party or the Republican Party may co-opt its ideas. That is not a problem. In fact, that is the ultimate goal. Political parties are a subset of political thought. Political parties are vehicles for political thought to grow. The Democratic Party is associated with the modern day version of liberal and progressive thought. The Republican Party is associated with the modern day version of conservative thought. Radical Moderates need to find a place in both major American political parties. The more moderates there are in leadership the more problems will be solved. This is not a call for a third political party in the United States. Historically, Americans have never taken to the concept of a third party. More importantly, though, a third party is likely to force ideological purity from its members. The highest calling of a Radical Moderate is to alter the political dialogue and raise the standards of governing.

I attended the dedication of the Clinton Presidential Library in Little Rock, Arkansas on November 18, 2004. It was a cold and rainy day. Perhaps, that made the day even more memorable. President Clinton was joined on the stage by then current President George W. Bush, former President Jimmy Carter, and former President George Herbert Walker Bush. Former President Clinton spoke and the key principle of his speech was the following statement:

“America has two great dominant strands of political thought. We're represented up here on this stage: conservatism, which at its very best draws lines that should not be crossed; and progressivism, which at its very best breaks down barriers that are no longer needed or should never have been erected in the first place.”

Radical Moderate thought exists at the intersection of liberal/progressive and conservative thought. Middle class America is an example of such an intersection. Problems tend to be solved by people that have the combination of enough money/influence in a local community and that are also willing to roll up their sleeves. These are the people that are vested in the outcome. The poorest folks seldom have the time to survey the larger landscape and get involved with change because they are busy trying to make ends meet. The richest folks often write checks without leaving their gated communities to find out what is really being done with the money. It is the people in the middle who are left to make the decisions that ultimately have the greatest effect on our futures. These people have a strong enough work ethic to push through tough times but the wisdom to understand the limitations in their locality.

Radical Moderate thought also has a very personal element. Individual accountability is at the core of this concept. Let's use diets as an example. Almost all adults are aware of what types of food are healthy and what types are decidedly not. Growing up, my family owned several McDonald's restaurants. Eating french fries was one of the most enjoyable and memorable parts of my childhood. I would eat french fries four or five times a week. The first birthday party that I remember was at McDonald's.

Now, though, I fully realize that eating fries every day will kill me. It will actually increase my cholesterol to the point that I will have a heart attack and die at an earlier age than is necessary. Therefore, I quit eating those delicious fries - even though they were free.

From a Radical Moderate perspective, Americans must first accept that no one else is responsible for their personal health. It is not your neighbor's responsibility that you eat right. It is not the government's responsibility. Once you turn eighteen, at the latest, it is no longer your parent's responsibility. The person accountable for your health is you.

Government does have a role to play in one's health. A great example of this is the food pyramid. The food pyramid was adopted by the United States government and is designed to help people lead a healthier life. Another example is that the Government – through the public school system - requires that children receive certain shots at a young age so they will not contract disease (and spread it to others). This is a responsible position to take. If we relied solely on the free market then many parents would choose, or simply be unaware, to not have their children take these shots. The rest of the population would have to suffer greatly for these poor decisions. Conservative thought might call this a “nanny state” mentality. They would be wrong. The reward to society so far outweighs the intrusion into one's private life that it is proper for the government to enforce this policy. There are certainly ways that the government could reach too far into a person's individual freedom, but *a limited role that focuses on regulating instead of controlling* is a proper use of government resources.

One of the great political debates of the early 21st Century is whether the United States should adopt a Canadian or European style of national health care. This is a topic examined in great detail later in the book. It should be noted that I first started writing this book in 2007. That was before Barack Obama was elected President and before his health care package passed Congress in one of the most contentious political battles of the earlier 21st Century. The pros and cons of that new law are still in the process of working themselves out at this time.

For now, let's take one straight forward example of where individual accountability and group health care come to loggerheads – wearing a helmet while riding a motorcycle. It is a common feeling among motorcyclists that they should not be mandated to wear helmets. Rather, they want to be allowed to make an individual choice. A Radical Moderate believes a person should have that choice. You are an adult and you have every right to make a choice that dramatically increases risk to your health, namely that you might fall off the motorcycle and obtain a traumatic brain injury. Where we draw the line is what happens after the traumatic brain injury.

Radical Moderates would say that a person who is wearing a helmet but still receives a traumatic brain injury due to a crash should be kept alive through the generosity of Medicaid (or other appropriate program). They made a smart decision by wearing the helmet but it was not enough to stop the injury. On the other hand, the individual that made a conscious decision to not wear a helmet *should not receive government paid health care*. They decided to take a huge risk and then make the taxpayers subsidize that risk. That is really bad public policy. If they have private health insurance or sufficient assets to pay their bill then that works out fine. If they do not, then they have made their informed decision and they will probably die soon after the hospital decides to quit accepting the lack of payment for its expensive services. Since not wearing a helmet is

such a dangerous decision, society should require that all motorcyclists sign a written release stating that the government will not pay for their risk should they be unlucky. If they won't sign the written release then they should at least be required to purchase a health care rider that would cover the expense of their treatment if they have a brain injury resulting from their non-helmet wearing motorcycle accident. There must be accountability. Of course, the other alternative is to simply pass and enforce a law that makes everyone riding a motorcycle wear a helmet.

This solution will seem cruel to some people and overly intrusive to others. However, is it not crueler to use the precious resources of the medical community on a person that so knowingly and recklessly put themselves at risk when we have babies that are not receiving all the medical care that they need? The world has limited time and resources and has to make choices of what can be done and what must sit on the backburner. I vote to shift resources to those that are not responsible for their tragedy and away from those that are responsible. Welcome to Radical Moderate thought. Now, does that sound mushy?

Radical Moderates do not claim to have all the answers but will strive to ask all of the hard questions. Radical Moderates seek to reject extremism in all forms and are against reactionary solutions to problems. Preserving sacred cows and avoiding taboos has no place in this new way of political thinking.

One of the fallacies of hard line liberal/progressive and conservative thought is that there is only one answer to every question. Are the answers that worked in the 1950s still workable today? Did the women's movement and civil rights movement teach us nothing? Furthermore, the injustices that were being fought against fifty years ago are not present in contemporary society in the form that made them so unconscionable at that time. The world changes. Radical Moderates give deference to the lessons of the past without turning those lessons into dogma. In fact, dogma is the chief rival of Radical Moderate thought.

Any movement needs to be driven by ideas. I attended a meeting of the Democratic Leadership Council (DLC) in November, 1995 as President of the Arkansas Young Democrats. There were many memorable experiences during that trip. Some of the experiences were uplifting such as hearing Senator Bob Kerrey (D-Nebraska) state that being on the school board was the most important job in America. I was so inspired that I actually did get elected to my local school board in 1999. Some of the uplifting experiences from that 1995 trip later made me very cynical. Our delegation had the opportunity to visit the Oval Office. Years later, when the Monica Lewinsky scandal broke, I learned that we had been in the Oval Office just one day apart from the first time President Clinton had "sexual relations" with Ms. Lewinsky. Of course, he lied about this until it was clear that he was caught. I knew this lesson before, but that incident just confirmed to me that one must fight for important ideas even if the messenger is flawed.

One of the significant legacies of the DLC is the contribution it made to finding a "third way" to attack problems. Radical Moderate thought is at least a first cousin to this third way approach. One of the "third way" ideas was welfare reform legislation which became a landmark achievement of President Clinton's tenure. This reform changed the mindset of welfare as a life long handout to a temporary helping hand. There are a lot of statistics available to show that welfare reform increased the workforce and had a favorable influence on the overall economy. There is no question that the welfare rolls

declined immediately and significantly following the enactment of welfare reform. The legislation was bi-partisan because Clinton had previously vetoed two harsher Republican proposals before compromising on the final product just months before his 1996 re-election bid.

My experience with welfare reform was more localized. When I took over as Director of Operations of our family McDonald's business in 2000, I realized that we had a lot of single mothers working at our restaurants. The great majority of them were hard-working, decent people that appreciated their employment. However, there were some that clearly were upset that they could not stay on welfare longer. They exhibited an attitude of entitlement to government support. I knew full well that a job at McDonald's was not a path to prosperity for most. Still, I thought it important for people to understand that the only path to a better life was through hard work and making good decisions. That is tough love but that is the Radical Moderate approach.

Civil rights activist and perennial Presidential contender, Jesse Jackson, was very upset when welfare reform passed. He and many other liberals decried what they viewed as the punitive nature of making single mothers work instead of having the government pay them not to work. I doubt there is anyone in the United States who thinks it is an ideal situation to take a woman away from her children and put her into a situation where she must work to survive. It is no better to take a man away from raising a family. However, that is America. Hard work is the only real and fair way that people advance from one generation to the next. The children of these parents at least will understand that the world does not owe them anything and that they will have to work their tail off if they want to better themselves. It is a pleasant thought to imagine a world where the government could pay people not to work without crippling the work ethic of those individuals. The truth, though, is that will not happen. The longer a person stays on government assistance the more they lose their self-worth and independence. If it could be quantified it would look like a sliding scale. Each month of government assistance chips away at the native survival instincts that we all possess at birth. It is fine to allow people to be helped for a short period while they are in desperate circumstances, but not forever. Once you believe that maxim, the rest is just drawing lines and making tough decisions.

Liberal thought defended the welfare system for far too long. It was clear well before the late 1990s that the system had serious negative effects upon the families that it was supposed to be serving. On the other hand, conservative thought would hold that the government should not provide any assistance whatsoever to anyone who currently receives welfare such as food stamps. That goes too far. America has the means as a country of providing some short-term relief and it should. When people start to abuse that relief it should be cut-off. Finding the balance is the difficult task that keeps a Radical Moderate busy. The instinct to help someone with a short-term need is as basic as the olden day tradition of pitching in to build your neighbor's barn. It is instinctive to help people when a tornado or hurricane ravages a community. A Radical Moderate believes that help should be provided long enough for people to get back on their feet, not indefinitely. One of the easiest ways to determine it's time to stop increasing government spending is when a program becomes a budget buster. Americans must understand our fiscal limitations and live within our means.

Radical Moderate thought is respectful of the concept that sometimes a great idea finds its origin in either liberal/progressive or conservative thought. The introduction of the welfare system by liberal thinkers was not destructive to our way of life. Rather, it was the failure to control the growth of such programs and eliminate their paternal aspects that caused the damage. One of the factors that led to a failure of the 1960s model welfare system was that *the consumers of the system changed over time*. The people that grew up during and following World War II lived through tremendously difficult circumstances. They likely understood the difference between a hand up and a handout. Later generations had the benefit of living in economically advanced times with a higher quality of life. The welfare system, though, did not adapt to the changing culture. If anything, the welfare system probably became more liberal when it should have been tightening back up. The downside of the New Deal programs was not realizing that the attitude and work ethic of people could diminish over time. In essence, the expectations for a better life started exceeding the willingness to work for that better life – some people started to feel “entitled”. This is unsound economics and won’t work in the long-term.

In addition to the consumers changing over time, the public’s perception of those consumers has also changed. In the 1930s, if a woman was single and had five children it was assumed that this was through no fault of her own and everyone was very willing to be of assistance. In more recent times, the public would assume a single woman with five children was lazy and kept having babies just to collect welfare money. In truth, the 1930s image and the 2010s image are likely much more complex. Women were not expected to work at all in the 1930s. They were expected to take care of the children. Now, the public expects women to work and take care of children. Is that reasonable? Is that the best public policy? This is a deeply complex problem to solve.

Radical Moderate thought is highly dependent upon historical context. In the example above, I assert that the generation of people that first received welfare was tougher, grittier, and more deserving of the programs. Can I prove this? Probably not. I don’t know how I can measure this except for the personal stories that have been handed down in my family over the years. My father would tell me how he didn’t think of himself as poor because everybody was in the same economic situation. My father, though, was a doer. He would not just go around his neighborhood and make money mowing lawns. He would hitchhike to communities thirty miles away and mow lawns there. There was no government program to make it easier for him to accomplish his task. He just figured it out. That type of work ethic isn’t seen in the generations of the early 21st century, especially among the children of individuals who have known nothing but government support their entire lives. One of the biggest differences is that my father’s generation did not feel “entitled” to anything. I am not sure that he even knew what that word meant.

Historical context, therefore, is highly pertinent to understand the failures of the welfare system. What worked for the World War II generation became a failure for later groups of people. The system, though, is still workable. It just needs to adapt with the times. A solution that works for one context does not necessarily work for another context. In fact, it usually does not. Maybe that is why Thomas Jefferson believed we needed to change our laws every 19 years. He was talking wholesale changes. Throw out all the laws and just start over. That is revolutionary. That is radical. Maybe we

don't have to throw out every law each 19 years, but sunset provisions could be placed on new laws requiring reauthorization of them at a certain time in the future. Regardless of whether we follow Jefferson in a literal way, the most sensible and logical solution is to stop allowing old thinking, antiquated laws and dogmatic philosophy to become the status quo.

Radical Moderate thought is best when focused on highly complex issues that appear to have simple solutions. In the education community dogma dominates the thinking. If you are not an "education expert", then your ideas are quickly dismissed. During my four years on a county school board, I constantly complained that there was not enough innovation going on both in our classrooms and in the manner that we administered the district. Instead, we were following the same approaches that had led our students to mediocre results. The lack of innovation is so prevalent in the public school system that the mediocrity acts like cancer cells eating away at the positive aspects of the system until the overall body is immobilized. Changing that dogmatic mentality would result in more positive outcomes in the public school system.

Throughout this book, you will be challenged. Everything that you have ever been told about public policy will come under scrutiny. Some of the most cherished public policy principles such as Social Security, Headstart and enforcement of drug laws are called antiquated. That, in itself, is not unique. All of those principles, and many more, have been challenged by voices on the right or left for a long time. What makes this critique different is that the programs are being attacked because of their lack of effectiveness or their lack of sustainability. In other words, it was the right choice to implement the principle in the first place but once it stopped working efficiently it became time to radically alter the approach or completely end it.

If you are reading this book from the perspective of a strongly held political ideology, either liberal or conservative, you will disagree at least half of the time with the conclusions. What is more important, though, is the process. We need to be asking the right questions. Once we find the answers, we need to have the political will to do something to change our course. When we know with a moral certainty that a program or approach will not work in the long-term, we must use our common sense and summon our God given courage to make a stand. Why? Because future generations of Americans deserve to have the same chance that we were given – the chance to live in the greatest country on Earth. The chance to fully access the American Dream by utilizing the many opportunities that the greatest economic system ever created – capitalism – affords to every individual.

While economic security is certainly a huge part of the American Dream, it is not the whole thing. Rather, the Dream must include freedom from intolerant laws. The Dream must include the opportunity to access world-class schools. The Dream must include safe neighborhoods and a future that is not overburdened by debt and unsustainable fiscal promises. Otherwise, the United States is just another country - we are just average. Well, no American should be satisfied with being average. We should want our homeland to be exceptional in every way. That is the true American Dream and an adherence to Radical Moderate principles is the best way to make the Dream accessible to the greatest number of people. And, the time to start is right now.

Chapter Two: The Economy And Jobs

It has been said that the best welfare program is a job. It could also be said that the government should not create a job as a welfare program. Rather, the government should focus on helping the free market and private sector create jobs as a way of reducing the need for welfare programs. A Radical Moderate believes that growing the economy and creating jobs is the best remedy to welfare.

In August, 1996, President Clinton signed a welfare reform bill known as the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. In a sense, the bill was a break from the recent past and an affirmation that the capitalist economy would succeed if people lived within a culture of hard work. From 1996 through 2010, the number of people receiving welfare payments has been cut by more than half nationally.

Why did I use the term “recent past” when talking about welfare? Because the term “welfare” has changed its meaning completely since the time of the Great Depression in the 1930s. The change has taken place because America has changed dramatically since that time. In the 1930s, no one wanted a handout. They just wanted a job. Welfare was viewed as a last resort and only for those who truly had no other options for survival.

Welfare has been the focus of an ideological divide since its inception in the United States during the Great Depression. On one side of the divide, liberals believe that government exists to ensure that every citizen, regardless of their work ethic, has a minimum economic floor through which they cannot fall. On the other side, conservatives believe government is the problem and that if it would remove itself the economic conditions for everyone, including the poorest Americans, would improve. Welfare is a very emotional issue for the two political extremes. The mere word, “welfare”, immediately conjures up a specific image. If one is a liberal, welfare means that a single, working mother is able to feed her children each week. If one is a conservative, welfare means an able-bodied man is sitting at home watching ESPN highlights while collecting a government check for doing nothing. Each image is powerful. Each image is probably correct in some circumstances. However, neither image scratches the surface of what welfare actually means to the individual receiving it or to the overall economy.

The typical American knows that we live in a capitalist system but puts almost no thought into the nuts and bolts of how the system is supposed to operate. However, almost every American considers himself an expert on “welfare”. Everyone has some example of why welfare is either bad or good. The majority of Americans are fearful of creating “too much welfare” which they may define as “socialism”. This is one of the reasons that the 2009-2010 debate over health care reform was such an emotional and hard fought issue. When the opponents of reform were railing against “a government takeover of health care” they may as well have been railing about “extending welfare to undeserving people” – in contemporary political rhetoric the two statements are really the same thing.

What is “capitalism”? And what is “socialism”? Although there are no universally agreed upon textbook definitions for either word, it is commonly held that each economic system emphasizes different driving forces. In a capitalist system, private ownership of the means of production and the accumulation of profits are the primary values that drive

the economy. In a socialist system, the government is the driving force behind the economy and the means of production are owned by the state. The way that a government integrates a “welfare system” into their model (or doesn’t) also defines the role of workers in the economy. Being a worker in a capitalist economy simply means that one works for a private individual that owns the entity for which one labors. Being a worker in a socialist economy means, theoretically, that the entity one labors for is owned by oneself, along with a whole bunch of other people.

First and foremost, it must be made clear that Radical Moderates are capitalists. We believe in the private ownership of property and the means of production. We believe in profits and competitive markets. We believe that risk takers should be rewarded. We reject socialism primarily on the basis that it is an ineffective economic model. Over the long term, socialism creates a laggard economy that is detrimental to the overall good of its citizenry.

Many of our political debates are really arguments over the definition of capitalism. This is the battle for the high ground. Americans believe in capitalism. Welfare is not the enemy of capitalism. Welfare is simply a subset of values within the broader definition of capitalism. Every capitalist system has some form of welfare attached to it – every single one. Individuals who receive food stamps and corporations that receive tax breaks for locating in a specific geographic area are both forms of welfare. Both are simply *rules within the economic system*.

Because Radical Moderates are staunch capitalists, it is important to better define what capitalism has meant from a historical standpoint and what it means today. So, what is capitalism and how did it end up being the driving force behind the American economy? A clearer understanding comes from looking backward about 235 years ago.

The central principle of conservative economic theory, and possibly all modern economic theory, was popularized by author Adam Smith. Adam Smith was a Scottish moral philosopher who has become widely credited as the father of modern economics and capitalism. Smith wrote two books, *The Theory of Moral Sentiments* (1759) and *The Wealth of Nations* (1776), wherein he writes of a phenomenon called “an invisible hand”. The term, “invisible hand”, is something that most people can conceptualize even if they have no idea what point Adam Smith was trying to make. Since the concept of an “invisible hand” is so fundamental to modern economic thought, it is worthy of closer examination. The term, while having served its place in economic theory, is largely outdated.

The following paragraph gives you an example of the context Smith used to describe his principle of an invisible hand in *The Theory of Moral Sentiments* (1759). In this case, he is talking about how the poor benefit from the self-interest of the rich.

The rich ... consume little more than the poor, and in spite of their natural selfishness and rapacity, though they mean only their own conveniency, though the sole end which they propose from the labours of all the thousands whom they employ, be the gratification of their own vain and insatiable desires, they divide with the poor the produce of all their improvements. They are led by **an invisible hand** to make nearly the same distribution of the necessaries of life, which would have been made, had the earth been divided into equal portions among all its inhabitants, and thus without intending it, without knowing it, advance the interest

of the society, and afford means to the multiplication of the species. When Providence divided the earth among a few lordly masters, it neither forgot nor abandoned those who seemed to have been left out in the partition. These last to enjoy their share of all that it produces. In what constitutes the real happiness of human life, they are in no respect inferior to those who would seem so much above them. In ease of body and peace of mind, all the different ranks of life are nearly upon a level, and the beggar, who suns himself by the side of the highway, possesses that security which kings are fighting for (Emphasis added).

Adam Smith's thought evolved between 1759 and 1776 when he wrote *The Wealth of Nations*. It is still advisable to let Smith's original text speak for itself in the following paragraph:

As every individual, therefore, endeavours as much as he can both to employ his capital in the support of domestick industry, and so to direct that industry that its produce may be of the greatest value; every individual necessarily labours to render the annual revenue of the society as great as he can. He generally, indeed, **neither intends to promote the public interest, nor knows how much he is promoting it.** By preferring the support of domestick to that of foreign industry, he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, **he intends only his own gain, and he is in this,** as in many other cases, **led by an invisible hand to promote an end which was no part of his intention.** Nor is it always the worse for the society that it was no part of it. **By pursuing his own interest he frequently promotes that of the society more effectually than when he really intends to promote it.** I have never known much good done by those who affected to trade for the publick good. [Emphasis added].

A popular quotation meant to illustrate Smith's thinking is found in the following quote also from *The Wealth of Nations*:

It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity but to their self-love, and never talk to them of our own necessities but of their advantages.

In other words, self-interest makes everything better. Historians have disagreements about Smith's intellectual evolution between his two books. There are also disagreements about whether Smith meant this passing phrase to play such a dominant role in his economic theory. Regardless, the term "invisible hand" is forever burned into the economic dialogue of American politics.

A more modern definition of "invisible hand" is the following: A natural force that guides free market capitalism in a competition for scarce resources. In a free market,

each participant will try to maximize self-interest and the interaction of market participants, leading to the exchange of goods and services which enables each participant to be better off than when simply producing for oneself. Regulation is not needed to ensure that the mutually beneficial exchange takes place because the “invisible hand” guides market participants to trade in the most beneficial manner available.

The “invisible hand” theory makes a certain amount of sense. The economy is an incredibly large moving operation that seems to act of its own accord all of the time unless something is done to affect it. So, what exactly is the invisible hand doing? Is the invisible hand completely neutral? How do we know when the invisible hand is at work instead of regulation, monetary policy or tax cuts? The problem with the invisible hand theory is that there is no accountability with this policy. One cannot tell when it is working correctly or when it’s not. Therefore, it is impossible to know when it needs to be tinkered with or left alone.

A Radical Moderate is willing to concede that the “invisible hand” theory of economics has been better than nothing during the last couple centuries. However, it is outdated, overly simple, and unaccountable as a modern day economic model. It has also been politicized into meaning that government should not play a role in the economy – a laissez-faire approach. It’s disturbing to think that the dominant economic theory that still permeates the intellectual and philosophical rationale of conservatives is a concept that was developed by a man who lived in the late 1700s. This was a time when society was just starting to understand electricity and did not have light bulbs. There were no telephones, cars, airplanes, radio, television, internet or Facebook. Yet, there are a great many people who want to rely on Adam Smith’s passing references to the invisible hand as the basis to run a modern global economy. Does that make sense?

The “invisible hand” theory needs to be replaced with a better analogy of how the economy operates in the twenty-first century. We need a new lens through which to view the inner workings of capitalism. Therefore, Radical Moderate thought offers the Traffic Intersection Theory of the economy.

Imagine the intersection of two main thoroughfares in a big city. The intersection has several turn lanes and a complicated light system. There are hundreds of cars waiting for their chance at any given point to pass through the intersection. Sometimes, it is rush hour and the intersection is at its peak in terms of traffic flow. Sometimes, it is late at night and the ebb and flow is dramatically lower and much more manageable.

Imagine that the cars represent the private sector players in the economy such as businesses and consumers. The intersection light system and speed limit represents the laws and regulations placed upon the private sector by the government. The size and scope of the entry points to the intersection represent the particular segment of the economy. There is an intersection for banking, retail, agriculture, etc. There may be multiple intersections clustered very near to each other representing the complexity of that economic sector. In short, the economy is much like the traffic flow through a big city and the intersections represent the critical junction points which determine the back and forth of economic activity.

Now that you have a mental picture of how the traffic intersection and the economy are analogous it’s possible to examine some more specific attributes of the system. The timing of the intersection lights are agreed upon economic laws. For example, one green light is on for thirty seconds allowing enough traffic to pass through on one thoroughfare.

Then, another green light allows the other traffic artery to proceed forward for forty seconds because it has a higher car count. Some people are allowed to turn with a protected arrow while others are not. The timing of the lights ensures that each car has a fair opportunity to proceed through the intersection unabated.

If you have ever sat back and watched a busy intersection for an hour or so you understand this analogy. Because of holding political signs I have witnessed the beauty of a well-managed traffic intersection many times. I have also seen how close the entire system is to breaking down if people don't follow the rules.

Most people pass through intersections and respect the basic structure of how it works. However, some people intentionally push the envelope. Those people see the yellow light in the distance and speed up thereby passing through the intersection after the light has already turned red. Their attitude is they are going to get their way and everyone else can wait. These overly aggressive drivers occasionally create accidents which slows down the intersection for everyone else who followed the rules and did nothing wrong.

To further illustrate this point, let's examine what would happen to traffic patterns if intersections existed in a different format: First, an intersection that has no lights at all; second, an intersection that is over-regulated; and, third, an intersection designed to benefit only certain kinds of traffic.

A busy intersection without any traffic lights would be survival of the fittest. The most aggressive drivers would have their way. Those people willing to take great risks would pass through the intersection with the most frequency. The people driving the largest vehicles would also have an advantage. The threat of losing their life in an accident would be far less for those drivers thereby making them more daring. Less aggressive drivers in smaller cars would wait for longer periods of time before passing through the intersection. In fact, many would decide to just avoid the intersections completely and instead take a longer and less efficient path to their destination. The aggressive drivers would get into a lot of wrecks and the intersection would have to be cleared during the day with some frequency. This activity would back-up traffic at the intersection forcing cars to move in other directions. However, if the other intersections did not have a light system either then the same issues would soon arise at those locations as well. It wouldn't take long for an entire city to become paralyzed by the accidents, back-ups and uncertain travel patterns of the vehicles. This result is undesirable for traffic or for the economy. A traffic intersection without a light system is very inefficient.

At an over-regulated intersection, the traffic would move very slowly. This type of intersection would have a reduced speed limit and each car passing through would have to be stopped by a police officer who would conduct a safety inspection of the vehicle. The officer would check for cracks in the windshield, working lights and whether the muffler was adequate. The vehicles would be very road safe but the drive times for people would increase dramatically. People would soon avoid the hassles of the intersection and find different travel paths to their destination. A traffic intersection that is over-regulated is also very inefficient.

At an intersection where certain kinds of traffic are favored, a traffic cop would direct particular lanes of cars to move through faster than other cars. This direction would create a distinct advantage to the traffic favored by the police officer. The people

in cars that were not favored would soon look for other travel paths. Again, this would be very inefficient and possibly unethical unless there was a legitimate reason to treat this traffic differently.

In practicality, the only way to allow traffic patterns to have a natural flow is to create a light system that takes into account the number of cars that should naturally move through the intersection. This means that someone must determine what is in the best interests of all involved and that person is responsible to make the rules of the game for everyone. In a city, this person is usually an engineer that is skilled in determining traffic patterns. When drivers believe that the rules are not fair they have the right to air their grievance to this official. If enough people lobby the official and a modification makes sense then the traffic flow can be changed. This is the same thing that happens in an efficient and moderately regulated economy. Instead of engineers, the government empowers regulators to set the rules and handle the flow of the economy. When done properly, the economy will proceed forward in the most efficient way possible.

Conservatives are not going to like the Traffic Intersection Theory. They do not want the government to have any role in the economy. However, this is not possible in modern times. Furthermore, it is not desirable. Government has a role to play and this new theory provides a paradigm for how to construct that role. True capitalism will always have rules of the game. The rules must be well-constructed and fair. The key is that the Government should be *regulating the economy* rather than controlling it. There is a critical difference.

There is a very recent example demonstrating why the Traffic Intersection Theory is a better model than the "Invisible Hand". That example is commonly known as the Financial Meltdown of September, 2008. Historians are just starting to unravel the catastrophe that led to the biggest recession since the Great Depression of the 1930s.

The beginnings of the financial meltdown occurred at least a decade before the collapse. The basic problem centered around an overly optimistic view of the U.S. housing market. People were buying houses they could not afford. People who could afford houses were re-financing to acquire money to purchase other things that they could not afford. Banks, mortgage companies, and financial institutions acted as if the certainty of ever increasing housing prices was written into the U.S. Constitution. It was not.

The overly optimistic view of housing created a bubble. The bubble created opportunities for speculators to make fast cash at high rates of return. The way they made this money was by making the financial system surrounding mortgages much more difficult than it had to be. Instruments known as mortgage-backed securities and credit default swaps were created. The problem was *that these instruments were very risky but were perceived as safe* because they received quality grades from rating agencies and many people believed the U.S. government was standing behind the value of them. The U.S. government did not want to stand behind them but eventually had to because of the financial crisis. That is what one calls a self-fulfilling prophecy.

When the bubble completely burst in September 2008, the occupant of the White House was a solid conservative who had made tax cuts and keeping government out of the economy a hallmark of his political career. His name was George W. Bush. Facing a possible global depression, President Bush oversaw the largest single government intervention in the economy since the 1930s and the New Deal. Bush bailed out banks in

a program known as the Troubled Asset Relief Program (TARP) utilizing \$700 Billion in taxpayer money. So much for the Invisible Hand taking care of everything.

Time will tell but it appears that President Bush made the correct decision to allow the government to intervene so profoundly in the U.S. economy. It is disturbing, though, that he and other conservatives, pretended in their political philosophy and accompanying rhetoric that such intervention was not legitimate. The truth is, if government regulation and intervention is good enough for a crisis it should be good enough for a more stable time. An ounce of prevention is worth a pound of cure. Indeed, in his autobiography, *Decision Points*, Bush makes his seminal point about capitalism in the following paragraph:

Above all, our country must maintain our faith in free markets, free enterprise, and free trade. Free markets have made America a land of opportunity and, over time, helped raise the standard of living for successive generations. Abroad, free markets have transformed struggling nations into economic powers and lifted hundreds of millions of people out of poverty. Democratic capitalism, *while imperfect and in need of rational oversight*, is by far the most successful economic model ever devised. (Emphasis added).

A Radical Moderate can agree with every word of the quote from Bush. The key phrase is “rational oversight”. Rational oversight means the government has to have a role because it is the only player that represents the interests of everyone involved. Bush did not mention the phrase “invisible hand” in *Decision Points*. However, whether he consciously knew it or not, his words and his actions debunked the idea of an “invisible hand”. Faced with the hard choice of letting the economy self-destruct or saving it, Bush picked the latter. By doing so, he was giving tacit approval to the need for a more sophisticated way of viewing our very complex modern economy. The Traffic Intersection Theory fits the bill.

Once one accepts the premise that government has a role to play in the economy, it’s easy to then move to a discussion of the degree and nature of that involvement. This is a complex topic. There are no easy answers. It is not a great political sound bite the way that the conservative mantra of “get government off our backs” plays in the popular media. A Radical Moderate, though, is interested in more than just political rhetoric. We only want the amount of government necessary to provide certainty and stability in the otherwise free markets. Nothing more, but most certainly nothing less.

Context is hugely important in understanding history and to shaping the future for a Radical Moderate. This point is illustrated in a popular quote that the 30th U.S. President Calvin Coolidge made to the American Society of Newspaper Editors in Washington, D.C. on January 25, 1925.

...it is probable that a press which maintains an intimate touch with the business currents of the nation is likely to be more reliable than it would be if it were a stranger to these influences. After all, **the chief business of the American people is business.** They are profoundly concerned with buying, selling, investing and prospering in the world (Emphasis added).

This was the age of the “Roaring Twenties” which was seeing real Gross National Product growth of 4.2% per year from 1920 to 1929. The Gross National Product was the most accurate measurement of that era. That growth represented a real boom time. This Coolidge quote and the rapid economic expansion is the part of the story that most people already know. He is remembered as a laissez-faire adherent in the finest traditions of Adam Smith. The full truth, though, is that Coolidge had a much more nuanced view of economics and the role of government.

Historian Robert Sobel paints a picture of President Coolidge as a man who believed government had a role to play in the economy, but that role was not from the federal level. Sobel stated that:

As Governor of Massachusetts, Coolidge supported wages and hours legislation, opposed child labor, imposed economic controls during World War I, favored safety measures in factories, and even worker representation on corporate boards. Did he support these measures while president? No, because in the 1920s, such matters were considered the responsibilities of state and local governments.

So, what did Coolidge believe in his heart of hearts about government regulation of the economy? It is impossible to know for certain. Hindsight tells us that the analysis was considerably more complicated than popular history has portrayed – much like the economy itself.

What history unequivocally tells us is that the “Roaring Twenties” did not represent a fundamental shift in the traditional business cycle. While the growth of the automobile and radio industries did alter the economy fundamentally, it was consumer spending that drove the boom years of the 1920s. Though a subject of debate, it was likely that same level of overconsumption that led us into the Great Depression of the 1930s.

Both the starting date of the Great Depression and the underlying causes of it are the subject of much debate among authors and scholars. It is not the job of a Radical Moderate to end those debates on a prevailing side. Rather, it is important to understand the basic theories and respect the fact that there is some level of truth in each of them. Therefore, the economic prescription for avoiding and solving similar catastrophes must draw from each of the theories.

The most popular date given for the beginning of the Great Depression is October 29, 1929. While that date really represents the end to an entire month of huge stock market instability, it is the date that many historians view as the “Great Crash”. On that “Black Tuesday”, the Dow Jones Industrial Average completed a two day drop of 24.5% of its value. That sudden and mammoth of a percentage drop had never happened before and has never happened since. In short, the market dropped one quarter of its economic value in 48 hours. This stock market crash was the headline of newspapers worldwide. While there was some economic recovery in 1930, the date of October 29, 1929 will likely be the most popular beginning date of the Great Depression throughout history.

When the Great Depression started is of much less importance than two other questions. Why did it happen at all and how did we get out of it?

One of the great philosophical divides between the contemporary liberal/progressive economic thinkers and the conservative economic thinkers is what caused the Great Depression and what remedies led to the end of it. Liberals are convinced that the policies of President Roosevelt ended the economic downturn. Conservatives believe

that the policies of Roosevelt actually prolonged the Depression and that it was the economic activity necessary to fight World War II which ended the era.

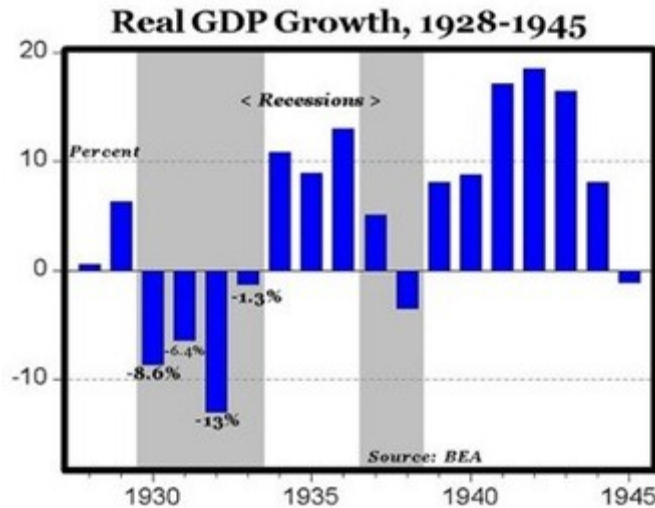
Roosevelt employed demand-driven economics utilizing the principles of British economist John Maynard Keynes as his prescription for dealing with the Great Depression. The foremost Keynesian play is to have government pick up the slack in spending when the private sector is not doing this itself. Government, therefore, becomes the spender of last resort running up short-term deficits that can be paid off later down the road. This is why Roosevelt instituted all of the jobs and infrastructure programs that are so famous from the 1930s such as the Works Progress Administration. Roosevelt also moved to set up the modern day social safety net with the passage of the Social Security Act of 1935. Finally, he started unprecedented regulation of private business as a way for the government to play referee against the excesses of unfettered capitalism. Everything from the sale of stocks to wage and hour laws were instituted.

While many modern day conservatives want to paint Roosevelt as a socialist type of figure, a Radical Moderate pushes back hard against that type cast. Rather, we believe Roosevelt was simply trying to *save capitalism* by making the general public believe in it again. Many citizens found it hard to believe in capitalism during the days of 25% unemployment. The American brand of government intervention was much more moderate than what occurred in Hitler's fascist Germany. The Roosevelt form of government intervention was a hand up. It was meeting people half way.

There is no question that Roosevelt's New Deal policies did not completely solve the issues of unemployment and economic growth. However, there is also no question that economic conditions significantly improved during his tenure. The chart below shows that the unemployment rate was roughly 25% during his first year in office while it had dropped to 10% on the eve of World War II:

<u>Depression Era</u> Unemployment Statistics				
Year	Population	Labor Force	Unemployed	Percentage of Labor Force
1929	88,010,000	49,440,000	1,550,000	3.14
1930	89,550,000	50,080,000	4,340,000	8.67
1931	90,710,000	50,680,000	8,020,000	15.82
1932	91,810,000	51,250,000	12,060,000	23.53
1933	92,950,000	51,840,000	12,830,000	24.75
1934	94,190,000	52,490,000	11,340,000	21.60
1935	95,460,000	53,140,000	10,610,000	19.97
1936	96,700,000	53,740,000	9,030,000	16.80
1937	97,870,000	54,320,000	7,700,000	14.18
1938	99,120,000	54,950,000	10,390,000	18.91
1939	100,360,000	55,600,000	9,480,000	17.05
1940	101,560,000	56,180,000	8,120,000	14.45
1941	102,700,000	57,530,000	5,560,000	9.66
Source: U.S. Bureau of the Census, <i>Historical Statistics of the United States, Colonial Times to 1957</i> (Washington, D.C. , 1960), p.70.				

The below chart shows that, with the exception of a recession in 1938, the Gross Domestic Product rose during the 1930s under Roosevelt's leadership.



Progressives believe that it was a lack of government intervention in the economy that created the Great Depression instead of just a severe recession. Progressives also believe that the interventionist policies of Roosevelt saved the economy in a way that the standard business cycle was not capable of accomplishing.

Radical Moderates agree that the New Deal was the best option available to the political leadership in the short-term. We agree that the government has a role to play in the economy to make sure that the traffic flows efficiently through the intersection. However, there were long term problems created by the New Deal that must be acknowledged. The biggest was the static retirement age dictated by the Social Security Act of 1935. The retirement age *should have been tied to the increase in life expectancy*. If that one simple thing had been done, the system would be financially solvent today and forever.

Conservatives believe that Roosevelt only worsened the Great Depression with his policies. They believe that the government should have stayed out of the intricate workings of the economy and instead only focused on the monetary policies which regulated the flow of capital to businesses. Conservative economist, Milton Friedman, once a supporter of the New Deal, turned against Keynesian policies as an academic in the 1950s at the University of Chicago. He believed that the Great Depression could have been avoided with better monetary policy and that the New Deal was not needed or helpful. The following quote summarizes his position:

The Fed was largely responsible for converting what might have been a garden-variety recession, although perhaps a fairly severe one, into a major catastrophe. Instead of using its powers to offset the depression, it presided over a decline in the quantity of money by one-third from 1929 to 1933 ... Far from the depression being a failure of the free-enterprise system. It was a tragic failure of government.

Friedman believed that businesses and entrepreneurs would have created jobs and grown the economy out of its depths if they had simply had access to much needed capital. Instead, the tight supply of money led to the failure of banks across the United States. Once that happened, Friedman argued, there was no way for the economy to bounce back in its natural cycle. There is likely some truth in the point that a restrictive money supply created hurdles for an economic recovery. It should be noted that the response to the great recession of 2008 has been to continue the policy of low interest rates and “cheap money”.

Still, a Radical Moderate cannot completely buy what Friedman is selling. First and foremost, his economic doctrine does not take into account the political reality of the Great Depression. One quarter of the American people were unemployed. Farms were being foreclosed upon across the country and there was little confidence that capitalism actually worked as an economic system. While monetary policy is one of the ways that the government can help to regulate the traffic intersection, it is not the only way. Moreover, it is the least demonstrative way to inject confidence back into the mind of the public. Jobs created by the Works Progress Administration (WPA) were more than just an economic stimulus, they were tangible and visible examples of a recovery. They were beacons of hope in a time of terrible despair.

A Radical Moderate would likely never support programs quite as massive as the WPA again. They were the right move in the 1930s because people were out of work through no fault of their own. The 1930s generation of workers never had access to mass higher education, unemployment benefits or anything resembling the social safety net of today. Therefore, the government was right to take drastic and bold action – *at the time, this was an innovation*. Such huge job programs would be out of context in the modern global economy for two reasons. One, one could not create a program large enough to truly alter the overall economy. Two, the type of jobs that move the 21st century economy are much higher tech and knowledge-based. While the government is helpful in providing the research and development which leads to high tech jobs, it is not a good place to house those jobs over the long-term.

The causes and the successful economic remedies of the Great Depression are an important topic that will continue to be debated. For a Radical Moderate, though, several things are clear. First, Roosevelt was right to intervene in the economy and that involvement had a generally positive effect. Second, Roosevelt was right to create a basic social safety net which instilled confidence in the American worker. Third, no one considered the long term fiscal problems of not tying the social safety net to *objective criteria* such as life expectancy and willingness to work. Fourth, the conservative preference for monetary policy alone would not have been enough to either avoid the Great Depression or emerge from it quickly. Recovering from the Great Depression required all the tools available in the toolkit.

The economy has grown much more complex since the days of the Great Depression. The composition of the workforce is much more diverse, the skills needed for jobs are much more education-based, and all economies are now tied to the “world-shrinking” effects of globalization. Also, the fundamentals of the business cycle are changing in the United States.

A June, 2011 McKinsey Report on Jobs and America’s Future brought to light some interesting findings:

First, the American economy has been experiencing longer “jobless recoveries” during the last two decades than what was typical in the past. It took roughly six months for employment to recover to its pre-recession level after each post-war recession through the 1980s, but it took 15 months after the 1990–91 recession and 39 months after the 2001 recession. At the 2011 pace of job creation, it could take more than 60 months after GDP reached its pre-recession level in December 2010 for employment to fully recover. In other words, the American economy has shown the ability to become more productive following recessions at the expense of the American worker.

Second, the new economy is suffering from education and training gaps. Under current trends, the United States will not have enough workers with the right education and training to fill the skill profiles of the jobs likely to be created. The analysis of the McKinsey Report suggests a shortage of up to 1.5 million workers with bachelor’s degrees or higher in 2020. At the same time, nearly 6 million Americans without a high school diploma are likely to be without a job. There will be jobs that those at the bottom end of the educational spectrum will not be qualified to perform.

Third, Americans have become much less mobile than in the past. One out of every five Americans moved annually in 1985. That statistic has trended downward to the point that only one in ten Americans now move annually. Since workers that have been laid off often do not have transferable skills they face increasingly lengthy job searches. Additionally, because of the aging of the population, higher rates of home ownership, and the rise of dual-career families, many Americans today are much less willing or able to move for a job than they were in the past. That has created a geographic displacement between the jobs and the people.

Fourth, the bad job creation news is not limited to the aftermath of recessions. Between 2000 and 2007, the United States posted a weaker record of job creation than during any decade since the Great Depression. Total employment from 2000 to 2007 increased by 9.2 million—less than half the rate of increase of preceding decades—and 1.2 million of those jobs were in sectors directly fueled by the credit bubble. The McKinsey Report raises the question of whether this is now the “new normal” or whether the economy can return to the job creation rate it experienced before 2000. Regardless, the trend is clearly headed in the wrong direction and must be addressed somehow.

The McKinsey Report identifies several components that comprise a daunting task of re-tooling the American economy. The economic challenges are systemic to our current situation and are not the exclusive by-product of either Republican or Democratic policies. The issues are much deeper than that. Therefore, the solutions have to also be deeper and more nuanced than old style partisan approaches.

So, what is the Radical Moderate economic plan for the 21st century?

There are four primary things which need to be done as a government and as a people: One, invest in research and development that can be handed off to the private sector; Two, bring the fiscal house in order through a reduction in future discretionary spending and an increase in taxes to pay off our past obligations; Three, foster an education system and lifelong training environment that enables the American worker to continue being the most productive economic engine in the world; and, Four, create a regulatory environment that uses the balanced Traffic Intersection Theory of the economy.

Government research and development is an appropriate use of taxpayer money and is the first step toward a stronger economy. Over the years, there have been a multitude of private sector advancements that began as government research and development projects. One of the biggest and most important to contemporary life is the development of the internet.

The internet was initially a creature of university research and was later nurtured by the U.S. military and such government agencies as the National Science Foundation. While commercial uses were developed by the private sector, almost all of the groundwork was laid by the government. Additionally, the economic development of the Silicon Valley region was jump started by the presence of Stanford University and its affiliates such as the Stanford Research Park. Using money from NASA and the U.S. Air Force, Doug Engelbart invented the mouse and hypertext-based collaboration tools in the mid-1960s, while at Stanford Research Institute (now SRI International). The Engelbart lineage of researchers led indirectly to the creation of high-tech companies such as Cisco, Apple and Microsoft.

Government research and development has also led to many specific technologies and innovations. The Global Positioning Systems (GPS) which make travels easier to navigate was started by the U.S. Defense Department. The original inspiration for the technology dates back to the desire to monitor the movements of the Russian space satellite, Sputnik, in 1957. Other government-backed innovations include the lithium-ion battery, hybrid seed corn, and gene splicing.

Since the height of the space race of the 1960s, the amount of government research and development as a percentage of GDP has been on the gradual decline. In 1976, the United States government invested almost 1.3% of GDP back into long-term research and development projects. That percentage dropped below 1.0% in 1996 and has ebbed and flowed to a resting point slightly below 1.0% in 2010. That lack of investment will create scientific and technological shortfalls in the future if the trend is not turned around. A basic tenet of Radical Moderates is that all tax expenditures should meet the test of investments or they should not be continued. Research and development in new technologies is the ultimate investment and is money well spent.

The second step toward a stronger economy is bringing the fiscal house in order through a reduction in future discretionary spending and an increase in taxes to pay off the past obligations. During the course of writing this book, the unthinkable nearly happened. For the first time in the history of our nation, the political leaders were seriously considering defaulting on the obligations of the United States by refusing to extend the debt ceiling. While some may argue about the proper way to control the deficits and pay off the debts, no one should be having serious disagreements about whether to pay them at all. The debts must be paid.

A Radical Moderate understands some of the frustrations of the so-called Tea Party activists of the 2010s. These activists see the fiscal house of the United States as unsustainable and they want to employ hard-line tactics to do something about it. A Radical Moderate shares their fiscal concerns. It is necessary to be realistic and soberly admit that the current fiscal path is headed for ruin if the direction is not changed. However, Radical Moderates would not blow up the American economy to resolve the issue. A balanced approach is preferred.

The answer to the deficits and the debt is found in both reduced future spending and increased taxes. The only real questions are when and how accomplish these things. The Commission on Fiscal Responsibility and Reform introduced the intriguing idea of creating a new, bi-partisan Cut-and-Invest Committee. The entity would be charged each year with identifying 2% of the discretionary budget that should be cut and also identifying how to redirect half of that savings, or 1%, into high-value investment. It is that type of structural reform that is needed to set America back on the right fiscal course.

Even with smart decision-making, the reality is that cuts will have to be made in a great deal of traditional spending in order to have a chance of balancing the annual budget. At the very least, these expenditures must not be allowed to grow at their current pace. Without fiscal responsibility, the American entrepreneur could lose faith in our system and be less likely to invest their time and capital into creating new jobs. One of the greatest contributions that government has made to the economy in the last 80 years is providing a stable and orderly monetary system that business people could predict and rely upon. That stability is in danger now.

Taxes will have to be raised someday. Waiting until our fragile economy begins to show consistent signs of growth and job creation following the great recession of 2008 is the rational approach. Raising taxes is inevitable, though. The longer the wait, the longer it will take to achieve balance. The taxes should be borne by everyone. That means personal income taxes, sales taxes, property taxes and everything else. If taxes are raised a little bit across the board then no particular group will have to shoulder an unreasonable amount of the weight. That is the fair approach.

My liberal friends are going to barbeque me over not suggesting that all tax increases be directed towards the highest income earners. To be clear, that segment of the population has done quite well over the years, especially since the Bush tax cuts. They should be one of the first groups whose taxes increase. However, increasing taxes only on the “rich” will not bring the fiscal house in order. The math does not add up. It might be smart electoral politics to engage in class warfare but that is not the Radical Moderate approach. Everyone has to share in the burden. Everyone had the opportunity to benefit from government spending (education loans, farm subsidies, entitlement programs, health care programs, etc.) and everyone must help pay the bill owed.

The third step is fostering an education system and lifelong training environment that enables the American worker to be the most productive economic engine on Earth. Over the last century, America has always been a leader in productivity. This is unquestionably because this country has remained the truest to the free market capitalist economic system during that period and has always figured out ways to stay more competitive than other global economies. That competitive edge has been slipping in recent decades.

A 2007 Report from the International Labor Office, which is associated with the United Nations, indicated that the United States still led the world in productivity. At that time, the U.S. worker provided \$63,885 of value added per person. The closest countries behind the U.S. were Ireland (\$55,986), Luxembourg (\$55,641), Belgium (\$55,235) and France (\$54,609) – all in U.S. dollars. However, part of that lead was because Americans worked longer hours. For example, Norway actually had the highest productivity on an hourly basis at \$37.99 followed by the United States (\$35.63) and

France (\$35.08). So, American workers were still the most productive on an annual basis but not on a per hour basis.

The American productivity lead is narrowing, though. In East Asia, where productivity levels showed the fastest increase, doubling over ten years, output per worker was up from one-eighth in 1996 to one-fifth of the level found in the industrialized countries in 2006. In general, it is a good thing for the world economy that productivity levels are on the rise across the globe. However, as the competition becomes stiffer, America will have to work harder and smarter to stay at the top and insure the high quality of life that is directly connected to economic gains.

How does America stay Number One? It is important to increase the education and skill proficiencies of the workforce. In particular, the skills of our workers need to match the skill sets of the jobs that will be created in the coming decades. Gone are the days of reading, writing and arithmetic. The ability to respond flexibly to complex problems, communicate effectively, analyze and manage information, work in teams and produce new knowledge that leads to innovative solutions will be integral traits of the future workforce. The days of standing on an assembly line and riveting a screw into something are over. People who can think will be in high demand.

Teaching people to think starts at birth. The process ends about two seconds before the last breath is taken. In between, every American needs to focus on learning more every second of every day. That is the level of commitment required to maintain the economic edge and the accompanying benefits of a rising quality of life. Learning is lifelong. How to do this will be addressed in the Education chapter. Suffice it to say, it is critical to our economic future that the United States wins at educating its children and its adults.

The fourth step is to create a regulatory environment that uses the balanced Traffic Intersection Theory of economics. Radical Moderates are huge advocates of the free market capitalist system. That system, though, must have rules. Those rules must be fair. The biggest flaw in the “invisible hand” economic approach of Adam Smith is that it does not account for who makes the rules. Here is an example: I had a professor my freshman year of college that stated he could beat the Super Bowl winning San Francisco 49ers with a group of Boy Scouts *if* he was allowed to make the rules for the game. The first rule was none of the 49ers could touch, let alone tackle, any of the Boy Scouts! Therefore, the size, speed, knowledge, maturity and all the other advantages of the 49ers would be cancelled out because the Boy Scouts had a game-changing rule on their side. That same type of inequity occurs when the economic rules of the game are out of whack.

Describing the government regulatory apparatus could be the subject of an entire book. It is vast. The U.S. Government at all levels regulates almost every aspect of life in some respect. It checks the food, it monitors the water quality, it tells one how fast to drive, where one can smoke and almost everything else that can be imagined. That is why it is easy for conservatives to claim the people are “over-regulated”. Like a broken clock, conservatives are correct at least a couple of times a day in this criticism. However, for the most part these regulations make sense and are in the best interest of the public. These regulations generally have checks and balances which enable the public to participate in their creation and continuation. The government regulations work most of the time. Again, this is about regulating rather than controlling.

The regulatory apparatus should be constantly examined. There is no question that certain sectors of the economy would grow faster if regulatory agencies would not overburden them. It really comes down to accountability. It is imperative that agencies such as the EPA and Labor Department are making rules that truly reflect the delicate balance between the safety of individuals and the needs of a growing business. The best way to sustain a growing economy over the long-term is to have a fair and effective system of regulation. The goal is smooth riding not traffic intersections with frequent wrecks or burdensome checkpoints.

There are a multitude of other approaches that might help foster economic growth. All ideas should be put on the table. However, there is one idea that should be debunked as *a plausible solution*. That is the idea that if left alone free markets alone will always correct themselves and that this is preferable to government intervention.

There is one indisputable fact about world economic history – it runs in cycles. Since the beginning of economic activity there has been boom and bust times. The first economic bubble that is generally accepted by historians is the tulip mania period in Holland between 1636 and 1637 when the price of one tulip bulb rose dramatically before falling just as quickly. Some estimates are that one tulip bulb sold for 10 times the *annual wages* of a skilled craftsman. Of course, tulips are not very valuable in a sane world so the bubble burst rather hastily. Still, the mere existence of a “tulip bubble” shows the volatility of economies and the mob hysteria that overcomes a population of people in a free market system at times.

Here is another indisputable face – if left to run its course, the business cycle and the underlying free markets will eventually correct themselves *at some point*. The statement “at some point” cannot be emphasized enough. It is unknown how long it actually takes for a free market to correct itself because it is very rare that the cycle is allowed to complete without intervention.

There is a good reason why governments try to aid the economy when it is on a down cycle. That is because the alternative involves a great degree of pain being endured by the businesses and workers that bear the brunt of recessions. That is why letting free markets always self-correct is a solution, *just not a plausible solution*. The Great Depression is our example.

The benefit of hindsight can be used to examine what transpired when Roosevelt utilized the government to intervene in the economy. That intervention, aided by our involvement in World War II, resulted in a steady economic recovery and created a new social safety net that remains in place today with some modifications. There’s no way to know what would have happened had there been *no government intervention in the economy*. One can only speculate.

It’s possible that the economy would have eventually corrected itself. People might have changed their behavior even more dramatically and toughed out the bad times. After awhile, the economy likely would have started creating jobs again and things might have returned to some state of normalcy. The question is how quickly this would have happened. My guess is that the earliest this would have occurred was around 1940 – which is actually when it actually did occur. In other words, I don’t believe that leaving the economy completely alone would have sped up the economic recovery more than what actually transpired. Can I prove this? No. But, your own common sense could lead you to the same conclusion. Do your own research and make a decision for yourself.

For purposes of argument, let's say that the economic recovery following the Great Depression could have come at a quicker pace than it did. Maybe unemployment would have been a couple of percentage points lower each year than it actually was during that period. However, there is really no evidence to indicate that the economy would have recovered any faster than it did.

There is a second scenario that should be considered under the hypothetical of what might have occurred had the government not intervened. It's an ugly scenario. Bear in mind, this was a time period when unemployment reached 25% and the income of the average American family fell by 40% from \$2,300.00 to \$1,500.00 annually between 1929 and 1933. Some people responded by stopping the payment of their taxes. This was also the time of the Dust Bowl when farmlands were rendered useless. Roughly one-third of the nation's farmers lost their land between 1929 and 1933. Some farmers advocated violent resistance to foreclosures. As a testament to the public's mood on the subject, North Dakota Governor William Langer authorized his National Guard to stop the foreclosure of farms and small businesses and was quoted as saying: "Shoot the banker if he comes on your farm. Treat him like a chicken thief."

There was a valid concern that the public would no longer allow the government to do nothing in the face of these desperate times. Socialist and communist movements had led to dictatorships in Germany and Italy. Those movements also were viable in 1930s' America. In Minnesota, the Farmer-Labor socialist movement adopted the "Cooperative Commonwealth" platform of 1934. Its preamble spoke to many of the struggling farmers and workers around the United States:

We declare that capitalism has failed and that immediate steps must be taken by the people to abolish capitalism in a peaceful and lawful manner, and that a new, sane, and just society must be established, a system in which all the natural resources, machinery of production, transportation, and communication shall be owned by the government and operated democratically for the benefit of all the people, and not for the benefit of the few.

It is possible that the American people could have abandoned the system of capitalism completely in the 1930s. The times were desperate and people were willing to listen to extreme voices. From a risk/benefit standpoint, government intervention significantly decreased the odds that America would turn away from capitalism and toward something much, much more radical in nature.

America did not turn toward socialism. Nor has it since. Nor will it as long as capitalism is perceived as fair and equal to the market participants. This is the great achievement of the Roosevelt Administration – he made the American people believe that capitalism could still work given some modifications.

A Radical Moderate believes that as long as the United States maintains a form of capitalism that is freer than all other forms of economic systems around the world then the competitive edge of the country will not be lost. This is the secret formula that makes America exceptional. In a democracy, the people can choose to alter the economic system to a more cooperative style of capitalism without ruining the fundamental system – as long as the economic system remains leaner than those of the competition. This is what happened in the 1930s. America altered its capitalist system but did not go nearly

as far as Italy and Germany. While the actions of Roosevelt were viewed as radical for the time, history has proven it to be quite moderate.

There is another conservative argument that does not hold water. It is the rhetoric that government should not be in the business of “picking winners and losers” in the economy. If taken at face value, who could disagree with such an argument? It’s not up to the referees in a sports contest to decide who wins or loses; it’s their role to be sure that the established rules are followed by all. However, the analogy about the San Francisco 49ers and the Boy Scouts in many cases this is happening. The rules of the game already favor one side over another. The rules of the capitalist game typically favor the smartest, fastest, hardest-working people. The rules favor the best educated, best connected and best capitalized people. Right or wrong, the government has been in the business of picking winners and losers for a very long time. It’s nothing new. It’s our history.

At various points in the past, the government has helped the oil industry to the detriment of other types of fuel. It has favored railroads. It has favored the car industry. It has favored textile factories. The list could go on and on. In a democracy, certain interests are going to get their way from time to time. The important point to remember is that “picking winners and losers” is something that happens in any form of capitalism. It is not ideal. Most often, it is not very efficient. However, “picking winners and losers” does not automatically equate with socialism. That type of rhetoric is a red herring.

The American economy is the greatest the world has ever seen. It has created unprecedented wealth and raised the standard of living for all people. Even the poorest Americans have access to a quality of life higher than most people on the planet and certainly higher than everyone did a century ago. Capitalism has worked in America and it will continue to do so if it is modernized.

The economy is complex and will never respond to quick fixes or silver bullets. Tax policy is important, but it is just a piece of the puzzle. Stimulus packages have their place in a bad recession but they do nothing to create long-term growth. The key to a robust and growing economy is to have all the systems of society firing in the right direction. The education system must be turning out people that can think and react to changing times. A health care system that maximizes the resources while serving the greatest number of people possible is critical. The system of justice must be fair both in perception and in reality. The regulatory agencies must be even handed in allowing the “traffic” to flow through the economy smoothly. Most of all, America must never lose its entrepreneurial spirit.

It has always been told that small businesses create more job growth than larger businesses. That has been the conventional wisdom among elected officials for decades. The problem is there is no hard evidence to back up this contention. Most of the data shows that small businesses (generally defined as having less than 500 employees) create jobs at about the same percentage as large businesses. If one digs a little deeper, though, one finds that it is really a subset of small businesses that is responsible for most job creation. That subset is new business start-ups.

Start-ups account for only about 3% of U.S. employment, but are responsible for nearly 20% of the gross number of jobs created from year to year. This grouping is the only one that disproportionately creates jobs. The net new jobs from start-ups can be credited for substantially all of the net job growth in the U.S. over a stretch of roughly

three decades starting in the late 1970s. This is because, by definition, start-ups only add workers initially instead of increasing and shrinking the employment rolls.

Since the disproportionate amount of job creation is attributed to start-ups, the American society should learn to embrace this reality. Schools should teach entrepreneurship and encourage children to start businesses at a young age. It should be part of the curriculum with grades. Private lending institutions should find ways to loan small amounts of money to new businesses – a practice called micro-lending. Government tax breaks need to be fair across the board and not stilted toward only the largest corporations. Most of all, though, every American needs to embrace this lifestyle as the norm. Starting a business and failing is noble. Often, that is how the greatest business people in history have gotten their start – by failing first. Much like Thomas Edison who had to try 2,000 different ways before he made his first successful light bulb, today's entrepreneur has to try and fail to start the next great business. When a person starts thinking of the economy from this perspective, that person starts challenging the dogmatic and stale economic remedies that they have heard all of one's life, then that person will start thinking like a Radical Moderate.

Chapter Three: Taxation; Fiscal Policy And Entitlements

President John F. Kennedy once said that a rising tide lifts all boats. He said this in the context of cutting taxes during the early 1960s. Cutting taxes is sometimes the right thing to do to move the economy forward. Cutting taxes is not always the right answer, though. Sometimes raising taxes will keep the economy from overheating and will pay for essential needs of the American public. This is basically a Keynesian view of taxation.

A bedrock principle of conservatism is that it is always a good time to cut taxes. Wanting to cut taxes all of the time is similar to wanting a coin to land on heads every time. When the coin lands on heads one could claim they were a genius for predicting the event. When the coin lands on tails one could blame a liberal/progressive for the event. In other words, there is no accountability in taking the position that taxes should always be cut. Have you ever asked a conservative if there is a magic level at which all taxes should be set? They would likely not have an answer. It is a fallacy to believe that taxes should be cut year after year until they reach zero. At some point, it would no longer be helping the economy grow. Rather, it would simply be ending a productive revenue stream that pays for roads, schools, military, law enforcement, and other essential public services that are almost universally desired by the public. Additionally, those are all things that form the foundation of a stable and certain economic environment which foster growth.

It has also become synonymous with liberal/progressive thought that raising taxes is always the best way to raise revenues. This is simply not true. If you raise taxes in a slow economic climate then you will worsen that slowdown and tax revenues are likely to actually decrease. The essential question that needs to be answered is whether the money that is being taxed could be more productive in the hands of the taxpayer or the

government. The majority of the time the answer is going to be in the hands of the taxpayer. However, there are times, such as wartime, in which the government is the proper place for the money. The free market has not yet discovered a way to wage wars with only private resources.

A Radical Moderate views money as an investment. The money might be invested in an education, a home or a personal computer. These are generally productive uses of money. On the other hand, the money might be spent on expensive jeans, alcohol or gambling. These are generally unproductive uses of money. Keep in mind, people have every right to spend their money unwisely. What the government views as an unproductive use of money might well be seen by the private citizen as entertainment or a vice to blow off steam instead of hiring a therapist which would be more expensive. It is not the place of the government to make the decision for the citizen. Rather, the citizenry must first decide what services they want the government to provide for them knowing that they get to keep the remainder.

Every tax dollar paid into the United States Treasury, focusing on the federal government for now, needs to pass the test of being *an investment rather than just spending*. In fact, the federal government should eliminate all “spending” and only use money for “investments”. The key then becomes understanding the difference between the two concepts.

“Spending” does not provide any long term benefit while “investments” do have such a payoff. Purchasing fruits and vegetables to eat is an investment while using money to eat chocolate cake is most likely an example of spending. There are some freaks of nature who just need calories to survive and can eat anything. Utilizing money for college tuition is an investment while taking money to purchase cigarettes is spending. The government should not be in the business of spending. Rather, it should only utilize money on investments. Building a bridge that connects two local economies and will last fifty years is very likely a good investment of taxpayer dollars.

Health care can be examined from this perspective. If the government were to provide subsidized check-ups for every American that might be an investment. However, if the government pays to treat someone when they have already developed lung cancer that expenditure looks a lot like spending. The investment in preventive health care is relatively cheap compared to the costly price of treating someone that has already contracted a serious illness. Pre-natal care versus post-natal treatment for mothers is likely another contrast between an investment and spending. It seems cruel to assert paying for a person with lung cancer is not an investment. It might even be a cruel thing to say. That does not make it false, though. The key here is to draw the contrast. It is clear that the best investment of health care dollars is in the preventive care as opposed to the treatment care.

Are there things in the federal budget that are simply spending and not investments? Of course, there are. However, on paper many things look similar and that is why the U.S. Congress should be expected to work hard to tell the difference. Probably there are some lawmakers who believe that every expenditure meets the criteria of an investment. The investments need to be prioritized until the tax money to pay for them runs out. Once the money runs out, the investments stop. That is the way things work at the state and local levels for the most part. Those government entities are not allowed to borrow. Rather, they must have balanced budgets. The federal government, though, is allowed to

borrow money and that makes all the difference in the world. State and local entities have to make tough decisions deciding what they “want” versus what they “need”. To paraphrase that great rock band, *The Rolling Stones*, you can’t always get what you want but you’ll get what you need. The federal government ignores this reality. It pays for everything it needs and borrows the rest to pay for it wants.

At the beginning of 2011, the debt owed by the United States Treasury had surpassed \$14 trillion. That amounts to roughly \$45,000 for each of the 308 million American citizens. Now, you may be telling yourself that it is acceptable to borrow money for things that you want. That can be true if the things you want are investments. Consider the ways that people use credit cards. I know a friend that utilized credit cards as a means of financing his way through law school. That was an investment. He would have rather used a form of credit with a lower interest rate but that was not an option. Some people go to nice restaurants and charge it to their credit card. If they are unable to pay the bill at the end of the month then they have just engaged in spending.

The reason it is critical to clarify the difference between investments and spending is because there is an annual federal deficit and a national debt. I do not know of any silver bullets for dealing with our national debt. The deficit is the annual amount of money that is spent by the federal government over and above what is brought in through taxes. Due to the 2008 Great Recession, the annual deficits have exploded to unprecedented levels. In 2009, our deficit was \$1.4 trillion; in 2010, it was \$1.3 trillion; and in 2011, it was again \$1.3 trillion. These numbers are really shameful. It is certainly not the sole responsibility of the Obama Administration but it has done little to make the situation any better during his first couple of years in power.

This number could be made zero at any time but it would take willpower to do so. It would most likely involve decreasing the spending in a traumatic fashion but it could be done. The other two options are to raise taxes or to grow the economy and therefore create higher tax revenues. This type of austerity might cause protests and could even evolve into violence. That type of reaction was the norm for European countries during the Great Recession of 2008 through 2010. But this is America, right? Our citizens wouldn’t take to the streets in a violent fashion just because someone was cutting their college loans or Social Security. Surely not. The people making the budget decisions, Democrats and Republicans, for the most part have their heads in the sand. They have ideas but little backbone to follow through on them.

If it was true that every dollar of federal expenditures was a good investment then the right answer would be to raise taxes until it could pay for everything that was wanted. I am not at all convinced that the current budget meets such stringent criteria. However, it would be nice to have a debate which at least addressed the issue of which investments are most important to the American people and which ones could be lived without. Essentially, *it’s time to start ranking our priorities*.

The only people who like rankings are the people listed at the top of them. I attended undergraduate and law school at the University of Arkansas at Fayetteville. I had 3.9 GPA in undergrad. I was Phi Beta Kappa. I worked hard and had the grades to prove it. I figured that law school would be commensurate with my undergrad experience. It wasn’t. I remember exactly how I felt when I saw my first semester grades. In law school, they rank you from first to last. Yes, someone is actually described as “last” in their class. I ranked right in the middle out of 120 students. I

didn't like being in the middle. However, the person directly below me in the rankings probably did not enjoy their place in life either.

Here is the upside to my story. I still graduated. I still became a lawyer. Not everyone made the cut, though. About twenty percent of my first year law school class dropped out at some point. They ranked at the bottom. They wanted to be lawyers but did not have what it took or lost interest. This is the same thing that needs to happen to our spending choices. Not every program will make it. The weakest programs will not survive the cut. The people who left my law school were not bad people. In fact, they were smart, hard-working and worthy people. However, there was a cut line and they did not make it. It was not the end of their world. It was just the end of their law school world. Government programs need to be ranked and then the bottom ones need to be cut out until a sustainable financial status is reached. From a logical standpoint, it's really not any more difficult than that. However, logic is not typically the overarching principle guiding the federal budget process.

How does the national deficit go on year after year? I have developed a saying so that I can comprehend this conundrum. If the liberal/progressive (Democratic Party) policy is to tax and spend then the conservative (Republican Party) policy is to borrow and spend. A Radical Moderate believes that first there must be a balanced budget each year. Borrowing is a great idea if the money is used for an investment that will be paid off at some point. The priorities of the early twenty-first century United States government do not lead me to the conclusion that it should borrow even one dollar to pay for everything that it currently provides. Now is the time to tighten the belt, shave off the spending that provides the least productive return and grind it out until there is a balanced budget each year.

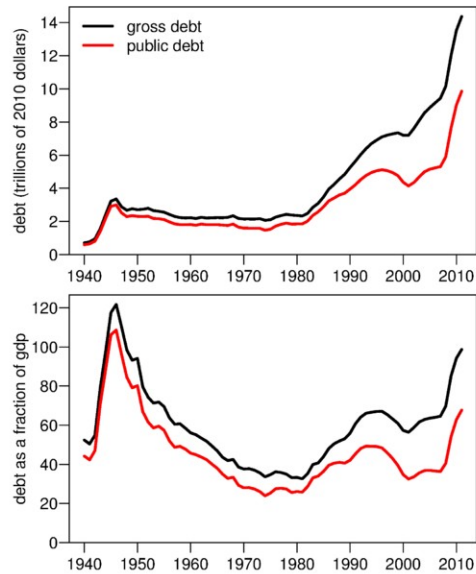
That will only solve the most immediate challenge. The second challenge will be running enough of a surplus that make interest payments can be made on the current national debt. The final challenge is to run surpluses large enough to start paying down the principal of the \$14 trillion debt. This may sound like pie in the sky right now. I am sure that every successful business person that first began as an unsuccessful business person heavily in debt thought their situation appeared as well. However, that did not stop them from succeeding. Success begins with the commitment that failure is not an option.

Radical Moderate thought is outraged at the lack of accountability in the federal budget process. The left and right blame each other and no one takes responsibility. This next analogy will offend a great many people so I make this disclaimer up front. Let's say that the left is one parent and the right is the other parent. Let's say that the American taxpaying public is the child. The child wants the parents to purchase them a Corvette, provide a healthy allowance and travel money. This is all on top of providing the food and lodging which is the moral obligation of the parent. Let's say the parents get together and determine that they have enough money to partially pay for a used Honda Accord and a small allowance. Let's say the travel money is simply not an option. The child then demands that the parent provide everything that was requested or the child will file for emancipation, essentially firing the parents. The parents then decide to go to the bank and obtain a loan for the Corvette, the healthy allowance and plenty of travel money for Disney World, Cancun and that sort of thing.

In the example, the child is happy in the short-term. The parents are saddled with debt, though, and later will have nothing to show for the expenditures made except a promissory note at the bank. If one were to ask the parents why they made the unwise decision to borrow the money they would probably say that they were worried that they would lose the love of their child. Hopefully, the parents would then be told they had shirked their responsibility and they were failures in providing a good example to their child. This is essentially what has happened to the federal government. The American public, utilizing an array of lobbying groups and through polling, has indicated to the federal government that the public wants to spend more money annually than is brought into the United States Treasury. For some reason, likely the fear of losing an election, the elected leaders in Washington, D.C., and many in State Legislatures, have allowed the public to get more and more without paying for it. The Radical Moderate understands that sooner or later the check will come to the table and somebody will have to pay.

Did I just call the American public a child? No. However, I did use an analogy wherein the American public was the child of the left and the right. Did the analogy make sense to you? Feel free to draw your own conclusion then. The job of the elected officials is to explain to the American public what is attainable. There should be no sugarcoating. The American public may not initially enjoy the truth. The American public might vote out of office anyone speaking the truth. This process might very well repeat itself every two years for a couple of decades until things are straightened out. During this time, the left will blame the right and the right will blame the left. At some point, though, the American public will realize that the truth is all that remains. When that day occurs, the financial troubles in the United States of America will begin to be solved. That is the end goal for a Radical Moderate regarding the economy – to live in a country with sound fiscal priorities utilizing free markets moderately regulated by sensible government oversight.

It is critical to understand the fiscal history of the country, where it stands currently and where it will likely end up if nothing changes in the coming decades. The following chart measures the federal debt as a percentage of U.S. Gross Domestic Product (GDP) between 1940 and 2010. It is the most comprehensive way to view our federal debt because it takes the view of the relative context of the times. Our economy was much smaller in 1940 than in 1970 and further in 2000. When one views the federal debt as a percentage of GDP, it becomes an apples to apples comparison.



In 1940, before the start of World War II, the federal debt as a percentage of GDP was 52.4%. Just six years later, the war had caused that number to increase to 121.7%. It's no secret why that happened. World War II was the most expensive enterprise in American history. It was necessary for survival so the necessary monies were spent to win the war.

The federal debt percentage then steadily dropped for the next thirty-five years. It might have dropped even faster had it not been for the U.S. involvement in the Vietnam War. Clearly, though, the commitments made in the 1960s to Medicare and other social programs started to take hold of the federal budget. This shift was not apparent initially, though. In 1981, the federal debt percentage reached only 32.5% of GDP. Since 1981, however, the federal debt percentage has been on a fairly steady climb reaching 57.3% in 2000 and 83.4% in 2009. In 2011, it edged over 100% for the first time since World War II.

This fiscal path is unsustainable. The situation is different than 1946. America is not coming out of a defensive war to protect its freedoms from dictators. The 1946 levels of debt made sense. The federal debt of today does not. Furthermore, the long-term fiscal future is much gloomier than today. The following chart was produced by The National Commission on Fiscal Responsibility and Reform in late 2010:

Figure 1: Debt as a Percent of GDP

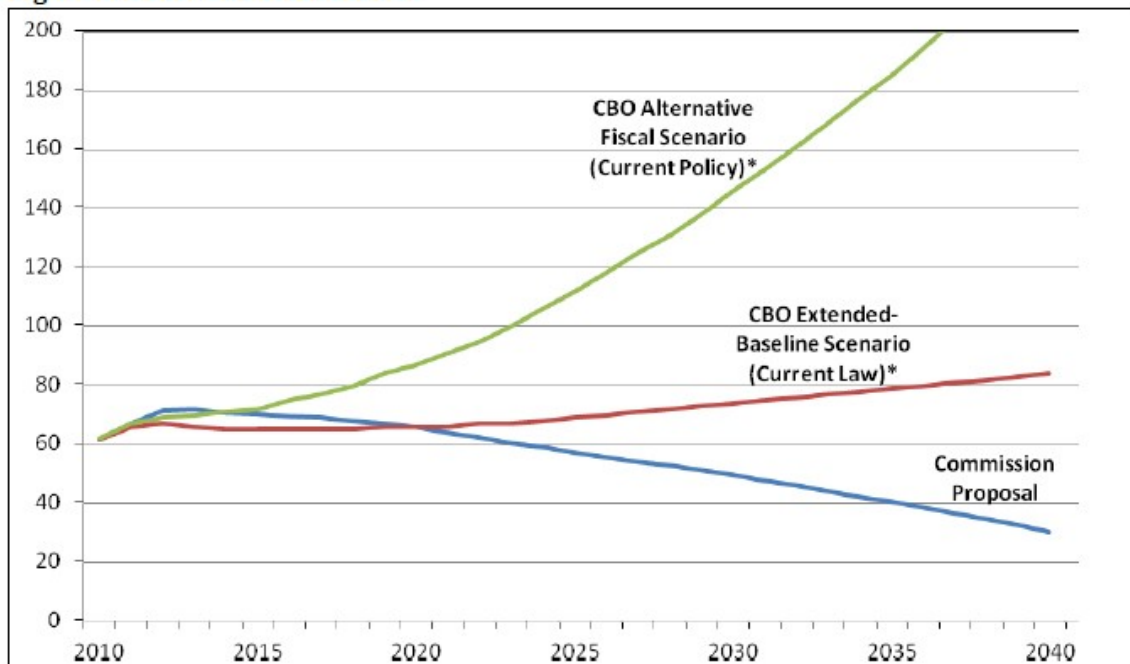


Figure 1: Debt as a Percent of GDP

The Extended-Baseline Scenario generally assumes continuation of current law. The Alternative Fiscal Scenario incorporates several changes to current law considered likely to happen, including the renewal of the 2001/2003 tax cuts on income below \$250,000 per year, continued Alternative Minimum Tax (AMT) patches, the continuation of the estate tax at 2009 levels, and continued Medicare “Doc Fixes.” The Alternative Fiscal Scenario also assumes discretionary spending grows with Gross Domestic Product (GDP) rather than to inflation over the next decade, that revenue does not increase as a percent of GDP after 2020, and that certain cost-reducing measures in the health reform legislation are unsuccessful in slowing cost growth after 2020.

This is not a pretty picture to say the least. The Commission offered a reasonable alternative to the current path. However, under the rules of the Commission, there was not enough agreement to force this proposal to a vote in the U.S. Congress in 2011. Therefore, it remains another report collecting dust.

The consequences of continuing upon an unsustainable path are myriad. Let’s look at this in terms of a health condition of a fictitious person, Joe Taxpayer. Joe is thirty years old. Both his mother and his father are diabetics. Joe is a little overweight but not that bad. Joe eats mostly fast food and junk food though he sometimes eats a healthy meal. Joe does not exercise very often. From time to time, he’ll jog or join a fitness center right after the New Year for a month or two. Otherwise, his body receives little exercise and never on a sustained, regular schedule. Joe thinks to himself, “I’m not in great health but I’ll be fine.”

By the time Joe is forty years old, he has gained some more weight. He no longer bothers to jog or even join a fitness center. He never exercises. He continues his poor eating habits. He goes to the doctor for a check-up and is told he is a diabetes candidate. Joe does not like what the doctor is telling him so he decides not to go back.

At fifty years old, Joe has not changed any of his habits. He feels rundown all the time. He refuses to go back to doctors because all they tell him is how to live his life in a way that he does not want to live it. He is in pain from time to time. He knows that his body is not what it once was but he still hopes for the best.

Joe is now fifty-two years old. He has started to lose his appetite and his weight has dropped. His legs are weak all the time and his mobility is lessened. Then, he starts having some vision problems. He is squinting at the television all of the time. He decides that he cannot see well enough to drive his car anymore so he does not renew his license. His family asks him to go and see the doctor again but he tells them to mind their own business.

A few months later, Joe has a heart attack. He is rushed to the emergency room. Since he has not been to a doctor in twelve years they run all kinds of tests on him. They discover he has diabetes. Amazing. Who could have seen that coming? The doctors tell him he probably acquired diabetes at least five years before he had his heart attack. And that is not his only problem. He has lost his vision in his right eye and is slowly losing vision in his left eye. Joe is also in kidney failure. His kidneys are only working at around 10% efficiency. His blood is turning into poison because his kidneys are not extracting the toxins properly.

The doctors tell Joe that he'll have to go onto dialysis or he'll die. Joe agrees now that there is a problem with his health. The dialysis requires Joe to go to a clinic three days a week for four hours. The doctors cannot save his eyesight. He is now completely blind.

The doctors tell Joe he has to start exercising and eating a more balanced diet. He tells them he will. However, he finds it much more difficult to exercise than when he was thirty. The exercise is very painful. Also, he is getting almost no results initially. He becomes frustrated and quits. Joe resorts back to his old habits that formed over decades of neglect to his body. Then, one day, at the age of fifty-three, Joe Taxpayer has another heart attack and dies.

This cannot be anywhere near a true story, right? No rational person would allow this situation to happen to them, would they? Well, this health story occurs every day somewhere in America. All of the warning signs are there. All of the possible remedies are known and available. Professional advice is sought and ignored. Pain starts to kick in but nothing is done to improve the situation. Finally, trauma occurs. The person realizes this is now a big deal and makes an effort to change. However, the effort is too little, too late and the end is at hand. Folks, this kind of story happens all of the time with conditions such as diabetes, lung cancer, or you name it. This is not make-believe. It is the brutal truth.

Is a health situation such as contracting diabetes over a twenty year period analogous to the fiscal health of an entire country? Let's analyze the possible outcomes of the United States over the next several decades and you can decide for yourself.

The first scenario is that the spending or tax policies do not change at any point in the coming decades. This is the "bury our heads in the sand" approach. If that happens, then there will be no choice except to borrow more and more money to finance the spending. That means there must be people willing to extend loans to the United States. The best way to describe these people would be "bankers". Bankers are a predictable group of people. They loan out money and expect a return on their investment. Their

return is controlled by the interest rate they charge for the loan. If a banker makes a smart loan at a fair interest rate they cannot fail in their quest to make money. The only thing that keeps a banker from making money is when the person or entity receiving the loan cannot pay it back and defaults. Therefore, bankers don't want to loan money when there is a significant chance of default.

In modern times, buying the debt of the United States has always been considered a safe bet. After all, it is the largest economy in the world and has always paid up before. However, a Radical Moderate believes that worldview of American public debt is changing. There is no way to prove that foreign countries are losing confidence in American debt. Still, there are some red flags waving.

First, the prestige of the U.S. Dollar has been declining over the last two decades or so. During most of the modern economic era (since World War II) the dollar has been the benchmark denomination for other countries and viewed as the best example of how currency should work. However, that worldview is changing. The dollar is being challenged by the Euro in the near term and will likely be challenged by the Chinese Yuan in the long term.

Second, our largest foreign banker, China, has publicly expressed displeasure with the American fiscal situation in recent years. In March, 2009, Chinese Premier Wen Jiabao said: "We have lent a huge amount of money to the U.S., so of course we are concerned about the safety of our assets." At the end of 2011, China held approximately \$900 Billion in American debt. That was approximately 21% of the debt owned by all foreign countries. It represented roughly 6% of the overall \$14 trillion in U.S. Debt. It should be noted that roughly 50% of U.S. Debt is held by the U.S. Government itself. While the argument can be made that the Chinese would not be parking cash in U.S. Treasury Bonds if they did not have confidence in the U.S. economy, *it is still startling to have a communist country essentially scolding America for spending too much money.* Who would have thought that possible in the 1950s?

Third, the most alarming reality is that America has a lot of unfunded liabilities that it has agreed to pay for in future years. In particular, the 2009 Social Security and Medicare Trustees Report shows the combined unfunded liability of these two programs has reached nearly \$107 trillion in today's dollars. That is a major problem. Where will the money come from? Will it be borrowed? Will the promised benefits be cut? Something has to give and foreign creditors know this to be true.

It is not good for foreign countries to ever have a substantial position of leverage over the U.S. because of their debt holdings. While friendly countries such as Japan and the United Kingdom are the second and third largest foreign holders of American debt, more suspect countries such as Venezuela, Libya and Iran are part of the Oil Exporting Countries which together rank fourth on the list. These are not your friendly neighborhood bankers that one sees at the Friday night football game. In short, doing nothing opens the door for too much influence from countries that do not share the American values of freedom and democracy.

The second scenario not slowing down the spending and starting to raise the taxes to pay for the spending. This is the "nobody wants to admit it" approach. Raising taxes is the only way to dig out from under the annual deficit and the overall debt. There, I said it. Taxes have to be raised. Of course, I don't currently hold a political office so this admission is not exactly a profile in courage. Regardless, it is an economic reality.

The problem with raising taxes is that it might have a serious negative effect on the overall economy depending upon when the tax raise takes place. Traditional Keynesian economic thought suggests that a government should wait until the economy is growing before raising taxes. The dual effect of this timing is that it raises government revenues and keeps the economy from overheating in the same instance. There are a couple of problems with this approach, though. First, it is hard to always know when the economy is about to start growing. Conservatives will tell you that no matter how much growth there is, there would be more by simply cutting more taxes. Even with no hard evidence, they will make the claim anyway. Second, only raising taxes sends a signal that spending priorities are in line and do not need to be changed. That is the wrong message. Third, there is the political problem. Politicians are generally scared of ever raising taxes and a growing economy might not be enough for them to pull the trigger.

A Radical Moderate does not advocate for solely raising taxes as a way of balancing the commitments with the revenues. There is no question that raising taxes slows economic growth. Having said that, taxes must be raised as part of an overall solution to the deficit and debt problems. The reason taxes must be raised is that a crushing debt has a serious negative effect on the economy. It is a choice of when and how to implement tax increases. It's not in the government's power to choose when and how the "bankers" will call the note or when markets will make a run against the U.S. currency. A painful preventive surgery is preferable to being rushed to the hospital for a heart attack.

The third scenario is to not raise the taxes but to slow down the spending. This is the "quickest form of political suicide" approach. Entitlements such as Medicare and Social Security have worked for their intended purposes. They have brought an entire age group of people out of poverty. These social contracts were the right moves at the time and the programs have been successful at increasing life expectancy and quality of life for our senior citizens. However, their success has, and will continue to come, at a significant cost. Moreover, no one could have foreseen how improvements in health care technology would lengthen life expectancies making the success of these programs the very thing that will eventually destroy the fiscal sustainability of the programs.

Making cuts to entitlements without any corresponding tax increases would be a political non-starter. Senior citizens are the most reliable voting bloc of Americans, especially in non-Presidential election years. There is no reason to believe they would allow their benefits to be cut or be willing to take all of the pain in balancing the budget. The only way this would work is if every two years for a decade almost every candidate that ran for Congress, Republican and Democrat, agreed to cut entitlement benefits. They would lose each time to any candidate that promised to maintain entitlement spending. After awhile, maybe a generation, the American public might get the message and vote into power the entitlement spending hawks. Most likely, not. I will believe it when I see it.

The fourth scenario is to cut spending, invest in the future and raise taxes where appropriate. This is the "Radical Moderate" approach. This approach makes every constituency upset. The conservatives will be upset that taxes are being raised. The liberals will be upset that benefits are being cut or frozen. Senior citizens, conservative or liberal, will be upset with losing any of their benefits or simply reducing the benefits compared to inflation.

The Radical Moderate approach, though, is the only rational way to deal with the annual deficit and the overall debt. It helps to view this daunting task from an individual perspective instead of from a faceless government view. A responsible and independent American citizen would do a couple of things to address a personal financial situation as dire as our country faces. First, he would get a second job because that would *increase his revenues*. Second, he would stop going out to dinner and taking a vacation because that would *reduce his expenditures*. Third, he would *invest in himself* by taking a night class to gain skills that will help him compete for a better career opportunity.

The above approach is not very original. In fact, it is essentially a true story about my father, Mike O'Brien, and how he dealt with his debt. My father always wanted to be a great businessman. He tried business after business and saw each one of them fail. Then, he opened up his own restaurant. The restaurant also failed but besides just failing it ran up a great deal of debt. My father approached his two brothers that were attorneys and asked for advice. They both told him that he should file for bankruptcy and wipe away most of the debt. He declined to do that. He believed that if he filed for bankruptcy it would forever destroy his credit record and he would never realize his dream of being a great business owner.

Instead of filing bankruptcy, Dad took a lucrative paying job with the railroad. The wages were great for the times. The problem was that he had to leave behind a wife and children to be out on the road all the time. He would send the money home to my mom so she could pay the on-going bills along with the accrued debt. The family (I was not born yet) figured out how to get by without their father. There were other O'Briens all around Sioux City willing to help out in their time of need. In short, Dad pulled himself up by his bootstraps and regained the ability to seek credit in the future. In 1973, when he had the opportunity to purchase a McDonald's franchise, that decision made all the difference in the world.

Entitlements

The Social Security Act passed in 1935 during the depths of the Great Depression was backed by the leadership of Franklin Roosevelt and his New Deal program. By any objective evaluation, the Social Security program has been an incredible success. Over the years, it has substantially raised the standard of living for senior citizens. Current estimates show that as many as 40% of people aged 65 or older would be living in poverty without the benefits provided by the Social Security program. Social Security is also wildly popular among the American people. Polling shows that even younger people, who understand they may not receive full benefits at retirement, are generally supportive of the program. Social Security is commonly known as the Third Rail of politics – you touch it and you die politically. Social Security is the most politically protected government program in the history of the country and no significant political leaders have ever mounted a sustained or serious challenge to change it. That is exactly why there is a need to reform Social Security and why the time is now rather than later.

Most people think they know how Social Security works. However, most people are wrong. Social Security is often described as a trust fund but in actuality, it does not operate as such. Most people think that the money they are paying into the program is

being deposited somewhere like a savings account or an individual retirement account. Again, they are wrong. Social Security is a welfare program. It is a program that takes money directly from one group of people – workers – and immediately transfers that money to another group of people – retired senior citizens. Social Security is welfare. It is a noble welfare program but welfare nonetheless. How and why did the program end up the way that it has? Good question. Let's examine the history.

I remember talking to my uncle, Hank Avilla, right before my high school graduation. Somehow, we ended up talking about Social Security. At one point, Uncle Hank looked at me and said: "Do you know why they made the retirement age for Social Security 65 years old in 1935?". I replied: "No". Uncle Hank then answered his own question: "Because nobody lived that long in 1935. The government did not expect to have to pay anything out to people". Uncle Hank was right. In 1935, white women were the only demographic of people that, on average, lived to be 65 years old. The average white man only lived to be 61. Black women were only expected to live to be 55.2 years of age while black men only reached 51.1 years on average. This made the overall figure 61.7 years of age for all Americans.

The fiscal soundness of Social Security has taken a hit as the life expectancy for senior citizens has increased over the years. By 1950, the average life expectancy had reached 68.2 years of age. By 1980, it had reached 73.7 years. In 2010, the average life expectancy was 78.3 years for Americans. During this time period, medical technology has advanced tremendously. It is also possible, though not clear, that Social Security benefits have helped to increase life expectancy.

It is a great thing that people are living longer. Hopefully, people will live longer and longer in the future. It is also a game changer. It means that the assumptions upon which Social Security was created no longer hold true. The average life expectancy has increased almost 17 years since 1935 while the full retirement age did not increase at all throughout the years. Now, the retirement age is gradually increasing to age 67 using a phased in approach.

In 1937, there were 53,236 Social Security recipients and it cost the program \$1,278,000 to pay them their benefits. By 1950, there were 3.5 million recipients receiving \$961 *million* in benefits annually. By 1980, there were 35.6 million recipients receiving \$120.5 *billion*. Did you notice the jump from millions to billions? By 2008, there were 50.9 million recipients receiving \$615.3 *billion* in benefits annually. The growing cost of Social Security means that roughly 21% of all federal expenditures are spent on this program making it the number one cost of the federal government.

This explosion in Social Security costs has created a fiscal path that cannot be sustained. The consequence of these costs is that the balanced ratio of people working to pay taxes versus the people receiving the benefits is out of whack. In 1950, there were 16.5 workers paying for the benefits of one Social Security beneficiary. Ten years later, in 1960, that number had reduced to 5.1 workers for each beneficiary. As of 2010, that ratio was only 3.2 to 1 and it is predicted to reach a 2 to 1 ratio by the year 2040. There will simply not be enough people pulling the wagon compared to how many people are trying to ride. The math does not work.

The Social Security tax is one of the most accepted on the books. This might be because most people pay it automatically in their paycheck deductions and they do not have to calculate it every Spring with their income tax, unless they are self-employed.

The employee pays 6.2% of the earnings each pay period and then the matches it for a total of 12.4%. What is important about this system is that the total compensation for an employee is really 106.2% of what they are told they are being paid. However, they never receive the extra 6.2% because it goes to the Social Security Fund. This system works well, but it should be better understood. Interestingly, many Americans pay more in employment taxes each year than they do in federal income taxes.

The Social Security program cannot be viewed in isolation. Rather, it must be understood through the larger perspective of the federal budget. Since its creation in 1935, the Social Security fund has consistently brought in more money than it has paid out. However, that money was never invested into anything else. Rather, the surplus funds were diverted to pay for other federal spending. In return, the government placed “special issue securities” into the Social Security fund. Critics call these “IOU’s” while the government compares them to Treasury Bonds backed by the full faith and credit of the United States. Either way, they are pieces of paper which state the money will be repaid at some point *in the future*. Those pieces of paper totaled somewhere around \$2.5 trillion in 2010, when for the first time the program started paying out more money than it was bringing in.

It is very important to point out that Social Security has not been a contributor to the federal debt in the past. In fact, it contributed \$2.5 trillion toward government spending. The government, though, chose to spend that money instead of letting it build up. Social Security will start contributing to deficits and the debt in the future for the basic mathematical reasons explained earlier.

The Social Security program is well worth saving. It will not be easy, though. Once it becomes clear that there is not enough money to go around there will be three choices of how to keep the program afloat. One, can increase the employment tax rate. Two, reduce benefits to everyone or just to specific groups. Three, do a combination of these two options. The problem with any of these choices is that it will expose Social Security as a welfare program, rather than a true retirement fund. When that happens, I predict the program will lose a great deal of its political support. If that happens, the survivability of the program in its current form will be in question.

There has been plenty of talk about how to deal with the impending collapse of Social Security. Conservatives have tried a couple of times to privatize the program. Progressives typically just bury their heads in the sand and say there is not really a problem. Neither solution will work alone. A Radical Moderate would be open to some type of new structure allowing people to invest some portion of their future benefit. The reason is simple: there are not any better choices. If nothing is done to change the program, some day there will be less or no benefits to future generations. In 2037, at the current pace, there would have to be an immediate 22% across-the-board benefit cut to current and future beneficiaries to maintain a fiscal balance in the program.

I would rather take the chance of investing some of the money than face the certainty that the program will go bankrupt. How would a more privatized program work exactly? I don’t know but it is time to find out. In addition, the retirement age should be increased and tied to life expectancy. This would both fulfill the promise of a strong supplemental retirement benefit that was made in 1935 and create fiscal sustainability of the Social Security program for the foreseeable future.

Medicare is a social insurance program administered by the United States government, providing http://en.wikipedia.org/wiki/Health_insurance health insurance coverage to people who are aged 65 and over; to those who are under 65 and are permanently physically disabled or who have a congenital physical disability; or to those who meet other special criteria. It was signed into law in 1965 by President Lyndon B. Johnson. Medicare, just like Social Security, is financed by payroll taxes. The worker contributes 1.45% of his earnings and the employer matches that contribution with an additional 1.45% for a total of 2.9%. Combined with Social Security, the total payroll tax burden is 15.3% split evenly by the worker and the employer.

Medicare is divided into parts. Part A covers “Hospital Insurance”; Part B covers “Medical Insurance”; Part C covers “Medicare Advantage Plans”; and Part D covers “Prescription Drug Plans”. Generally, Medicare pays for 80% of any approved medical cost and the individual must cover the remaining 20% cost with private supplemental insurance or by paying out-of-pocket. Medicare is not a single-payer system though it is often described as such by commentators.

Medicare was brought into law by the same political forces that wanted the United States to have a single-payer health insurance program. However, that was clearly not an alternative at the time. In 1948, President Truman had begun the push for a national health care system but he had no chance of passing such a plan through the Republican Congress. From 1953 to 1961, no movement on health care was possible because President Eisenhower had the ability to veto it. Passage of Medicare was only feasible after the Democratic landslide of 1964 that provided sufficient majorities to vote in some kind of health care program. Even with that, proponents were careful to enact a proposal that catered to a group of Americans with a consistent record of voting – senior citizens.

The other major reason for enacting a health care insurance program for seniors was the failure of the free market to provide reasonable alternatives for this group. The only health care plans available to seniors were very expensive and most people could not afford them. Prior to 1965, only half of the senior citizens had medical insurance. Since seniors traditionally require more medical care but have less current income than younger generations, the market for their health insurance was broken. This made a government program seem much more reasonable than it would have otherwise. Today, almost all senior citizens have medical insurance because of Medicare.

Medicare has proven to be just as politically popular as Social Security. It has also proven to be just as expensive. In 2009, Medicare alone comprised 13% of the federal budget. Add in Medicaid (health insurance for the poor) and CHIP (health insurance for children), together the three health insurance programs comprise 21% of the federal budget. The best way to summarize where this is headed is to use the words of the 2011 Social Security and Medicare Boards of Trustees Report:

Projected long-run program costs for both Medicare and Social Security are not sustainable under currently scheduled financing, and will require legislative corrections if disruptive consequences for beneficiaries and taxpayers are to be avoided.

The financial challenges facing Social Security and Medicare should be addressed soon. If action is taken sooner rather than later, more options and more time will be available to phase in changes so that those affected can adequately prepare.

In short, the math does not work and the people in charge are begging for the American people to come to this realization and tell their elected officials to do something about it.

Monetary Policy

Everyone likes the idea of “cheap money”. The phrase “cheap money” gives off the impression that money is easy to make. It almost sounds like *free* money. However, cheap money is not free money because it must be paid back at some point. Understanding this basic distinction, puts one halfway toward understanding the role of the United States Federal Reserve.

Before examining the role of the Federal Reserve, let's look at its history. In 1791, which was after the U.S. Constitution was ratified, the government granted the First Bank of the United States a charter to operate as the U.S. central bank until 1811. Unlike a previous attempt at a centralized currency during the Revolutionary War, the increase in the federal government's power, allowed national central banks to possess a monopoly on the minting of U.S. currency. Nonetheless, the First Bank of the United States came to an end under President Madison because Congress refused to renew its charter. The Second Bank of the United States was established in 1816, and lost its authority to be the central bank of the U.S. twenty years later under President Andrew Jackson when its charter expired. Both banks were based upon the Bank of England. Ultimately, a third national bank, known as the Federal Reserve, was established in 1913 and still exists to this day. Interestingly, Andrew Jackson, who hated banks, was the only U.S. President to preside over a completely debt free government.

The Federal Reserve Act of 1913 was born primarily out of a severe Panic of 1907 which saw a 50% decrease in the New York Stock Exchange and several runs on banks. The Federal Reserve was created as a unique entity that was both public and private and also spread out throughout the country geographically. The Fed, as it is often called, has a great deal of power today and a much broader mission than it had in 1913. The Fed is expected to not only serve as the central bank and address banking panics, but it is also expected to keep inflation in check and help assist the goal of full employment. Many people, especially on the right, believe the Fed is too powerful.

Whether one likes or dislikes the Fed, everyone acknowledges that it is a powerful player in the U.S. economy. In the last decade, it has kept interest rates very low making the cost of money to businesses cheap. Recently, the Fed engaged in an activity known as “quantitative easing” as a way to stimulate the economy by monetizing debt. To many, including Radical Moderates, this creative financing looks like a gimmick that undermines the credibility of our federal reserve system. Time will tell if we are right.

Why is the Fed so important? Because it has the power to make the flow and supply of money into the American economy very easy or very hard. The Fed has the power push down the interest rates that people and businesses are charged when they obtain a

loan. When the economy is slow, lower interest rates will encourage more people to take on a loan, start a business, and create jobs. When the economy is overheating, rising interest rates keeps inflation from eating away at the purchasing power that economic growth brings along with it. When the Fed is on the top of its game, it can perform this balancing act and help moderate the peaks and valleys of the U.S. economy. When the Fed is making mistakes, those policies can lead to bubbles that are very painful when they burst. Many people believe that is exactly what happened when a cheap money supply allowed the housing bubble to grow much bigger than it should have and the bursting of that bubble led to the Great Recession of 2008.

It is not clear whether Fed policies were a driving force that caused the housing bubble. Then Fed Chairman, Alan Greenspan, does not believe that was the case. He argues that short term interest rates had become “decoupled” from mortgage rates and that changes in the global economy caused the crisis. These are his words from a March, 2009 Wall Street Journal guest opinion article:

As I noted on this page in December 2007, the presumptive cause of the world-wide decline in long-term rates was the tectonic shift in the early 1990s by much of the developing world from heavy emphasis on central planning to increasingly dynamic, export-led market competition. The result was a surge in growth in China and a large number of other emerging market economies that led to an excess of global intended savings relative to intended capital investment. That ex ante excess of savings propelled global long-term interest rates progressively lower between early 2000 and 2005. That decline in long-term interest rates across a wide spectrum of countries statistically explains, and is the most likely major cause of, real-estate capitalization rates that declined and converged across the globe, resulting in the global housing price bubble.

Of course, who the heck knows? I mean, really, this is high brow stuff. While the debate is important to future decision-making, it is close to impossible to know how one thing led to another.

From a Radical Moderate perspective, the Federal Reserve is an imperfect system that could use an upgrade. However, the how and when to do this is not yet determined. The system has worked for a long period of time. It is currently better than the known alternative approaches. Those approaches, which are certainly radical, include letting other types of currencies compete with the U.S. Dollar. In other words, individual Americans could print their own money and try and get people to use it. Additionally, people could buy things with precious metals (e.g. gold and silver) or through bartering. This competition, the theory goes, would act as a check to the monopoly that the Federal Reserve has on the American currency.

Nothing should be dismissed out of hand. Still, the country would be better served if the Federal Reserve stayed closer to its core missions instead of coming up with tricks such as quantitative easing. That kind of money manipulation just fuels the conspiracy theorists. If they continue down the path of backing “funny money”, then trading in gold will not seem so radical anymore. Hopefully, The Fed will learn from its past and that bridge will not have to be crossed in the future.

Tax Policy

Conservatives love to speak about the Reagan tax cuts in 1981 as the silver bullet that made the economy grow again. Additionally, they view the Reagan tax cuts as the blueprint for every economic challenge that our country faces. Well, simply put, I believe they are completely wrong. The Reagan tax cuts were well timed and did improve the economy. It was the correct move for that era. However, the tax cuts took place in a very special context that has not repeated itself in the last three decades. It represents the exception and not the rule.

The rule is that it is better to cut taxes when the economy is headed toward a recession and to raise taxes when the economy is overheating. This is the policy espoused by 20th Century English economist John Maynard Keynes (1883-1946). An example of this theory is when Herbert Hoover raised taxes in 1932 and probably worsened the effects of The Great Depression. Keynesian theory would have kept those tax rates lower until the economy had recovered. That is what President Reagan would do fifty years later and it proved to be the right move.

Let's examine the context of the Reagan tax cuts in 1981 and then compare them to the Bush tax cuts in 2001 and 2003. When President Reagan took office, the highest federal income tax rate was 70%. He cut that rate down to 50% in 1981 and then cut it again down to 28% in 1986. The reason why these cuts were successful is that the economy was in recession and the tax rates were still at the high levels that were put in place during World War II. In other words, these tax rates were long overdue to be cut and Reagan was able to reduce them at the absolute perfect time. His tax cuts, along with the work of Federal Reserve Chairman, Paul Volcker, led to the longest peacetime expansion of the economy since World War II. This record was later to be eclipsed by President Clinton. Another reason for the Reagan economic expansion is that he increased defense spending by borrowing money, thereby providing the economy a stimulus. The long-term fiscal soundness of Reagan's increased defense spending is very much in question, but its positive effect on the short-term economy is not. It worked.

The tax cuts of 2001 and 2003 under President George W. Bush were not well timed and did not have the benefit of being dramatic enough to spur economic growth. Since the top federal income tax rate in 2001 was 39.1%, the Bush tax cuts were only a reduction of 4.1% to 35% in 2003. Reagan had the good fortune of reducing tax rates by 42 percentage points, from 70% to 28%, while Bush only reduced them by 4.1 percentage points. The result is that the Bush tax cuts did little to actually stimulate the economy. Their only tangible benefit was to reduce the tax load on the highest earning Americans and increase the national debt. If he would have left the tax rates alone, the fiscal health of the country would likely be much better than it is today. This does not mean that all problems would be solved. Rather, they would be incrementally less.

The most serious problem with conservative dogmatic belief in the potency of tax cuts is that they somehow "pay for themselves". There is no tangible proof that this is true. For example, the Bush tax cuts of 2001 and 2003 did not pay for themselves.

Budgeted spending under President George W. Bush averaged 19.9% of GDP, similar to his predecessor President Bill Clinton although tax receipts were lower at 17.9% versus 19.1%.

The pronouncement that tax cuts “do not pay for themselves” will draw harsh criticism from conservatives. That is fine. A Radical Moderate only requires proof and evidence to change his opinion. When, and only if, conservatives can demonstrate how and when tax cuts have paid for themselves will I say that I’m wrong. I am not too worried.

There is no question that one of the main ways to bring the American fiscal house in order is to reduce the rising levels of annual spending in the federal budget. Without going into a detailed analysis of all federal programs, the following challenge can still be made – everything needs to be on the table. That means defense spending, farm subsidies, health care spending, and all other programs. Everything means everything: no sacred cows.

The 2010 Commission on Fiscal Responsibility and Reform Report entitled “The Moment of Truth” is an excellent analysis of where the fiscal situation stands and offers many specific policy changes that could be made to alter the current course and solve the challenges. Even though the report recommendations were never voted on by Congress, they are still worthy of discussion in a piecemeal fashion. Some of the most intriguing proposals involve how to lower spending.

One of the most powerful Commission reforms would be limiting the power of Congress to spend by altering its procedural rules. The recommendation was to require a separate non-amendable vote in the House of Representatives and a 60-vote point of order in the U.S. Senate to spend above a set amount of caps. If the caps were exceeded, that would trigger an across-the-board abatement in spending by the amount that the appropriations exceed the caps. The Commission called this a ‘belt-and-suspenders approach’ that enforces discretionary caps through both a front-end point of order (to block passage of a bill that exceeds the caps) and a back-end, across-the-board abatement (to cut spending by an amount sufficient to bring it back in line with the caps if the point of order is waived). In short, this policy would create accountability in the budgeting process that does not currently exist.

Two other Commission proposals would create more sensible approaches for spending on wars and natural disasters. Under the first proposal, the President would be required to have annual limits on war spending. This would force everyone to focus on what an individual war was costing versus the overall defense budget which is on-going and more focused on events that could happen in the future rather than the present. Under the second proposal, disaster fund budget authority would be limited to the rolling average of disaster spending in the most recent 10 years, excluding the highest and lowest year. Any unused budget authority would be rolled forward to increase disaster funding in the following year. Any spending above the disaster fund limit would be offset with reductions in spending or subject to the 60-vote point of order mentioned earlier. Both of

these provisions are examples of sensible ways to address foreseeable situations with unknown price tags. That is Radical Moderate thinking.

The Commission Report offers a number of other proposals, both big and small, that show it was a genuine attempt from a bi-partisan group to solve problems. The Report advocated increasing the gasoline tax by 15 cents per gallon and eliminating earmarks. The Commission would also simplify the tax code for individual payers by lowering the marginal rates and eliminating certain tax code spending and exemptions. Combined with reforming the corporate tax code to make America more competitive with foreign countries, the tax system would be made simpler, more fair and still provide stable revenues to fund the expenditures. The tenor of the Commission Report is that there must be shared sacrifice to accomplish the task at hand. That is definitely the correct approach.

So, where does this whole discussion leave us? The tax and fiscal policies, the monetary policies, and the spending policies all serve the same purpose. They are designed to provide the foundation upon which moderately regulated free markets provide economic growth in our country. That economic growth then creates additional tax revenues that provide for an even stronger foundation. However, since 1973, when the United States became a borrower nation instead of a lender nation, that same cycle has worked against it. Today, America is headed in the wrong direction and a halt must be brought to the march down this unsustainable path.

Not only does the path need to be changed, it is important to make sure that any new path will be followed and not dismantled by future generations repeating the mistakes of the past. The national debt needs to be paid off, annual deficits need to be eliminated and investments need to be made in the areas of highest priorities. This is a daunting task but there might be one way to accomplish all of the goals at once.

Conservatives have strongly held beliefs in three principles that combined could provide a solution to our national debt. First, conservatives believe that people and entities should make good on their obligations. Second, they do not want to raise taxes at all. Third, they really hate the idea of raising taxes when that new money goes to additional government spending. Looking at all three principles as a whole, an obvious solution presents itself: only raise taxes in the future to pay down the national debt. Huh? Let's dig deeper into this concept.

A conservative would have to agree that the national debt must be paid off someday. Walking away from the obligations is out of the question so it is inevitable that the debt will be paid at some point in the future. Since conservatives do not want to raise taxes for more spending programs, why not simply write it into the U.S. constitution that this will not be allowed? In other words, all new tax revenues from a date certain (e.g. January 1, 2014) would only be utilized to pay down the principal and interest on the national debt. None of the new tax money could ever be utilized to pay for any new or existing programs. Those programs would have to survive on the current stream of revenues.

Conservatives will not be happy about raising taxes to pay down the national debt. However, they will understand the logic. They know that the debt must be paid so they could at least get an assurance that the new taxes would accomplish this task. In return, current government programs would have to survive on the current level of taxes – which they do not at the present. That means overall spending would have to come down. That part of the deal would make conservatives happy. They hate the current level of government spending but they really hate government spending on new programs.

Since all annual spending would come from a set group of taxes, government programs could only expand through economic growth. Furthermore, a Constitutional Amendment could be written stating that the “new taxes” designed to pay down the national debt would automatically be suspended whenever the economy was in recession. Recession would be defined as two consecutive quarters of negative economic growth. This would put Keynesian economic policy into law. When the economy started growing again, so would the pay down of the debt.

This new, and quite radical, structure would force the American people and their elected officials to make the hard choices based on priority spending. Many popular programs would be cut completely. This would infuriate the political left. However, it would finally expose the fact that simply raising taxes on the wealthiest Americans will not fix the fiscal problems. Everyone will have to pay higher taxes to pay down the national debt. Until the national debt is paid off, most likely decades from now, all citizens will be in the same lifeboat and will need to work together to keep the waves from coming over the sides and capsizing the entire craft.

I very much dislike the idea of writing such a provision into the U.S. Constitution. However, that is likely the only way to enforce something this painful. It is a simple approach and is easier to remember than anything that has been tried in the past: New taxes pay for eliminating the debt and current taxes must sustain spending or programs must be trimmed. That is fair. That is responsible. That is the Radical Moderate way to solve a problem. Again, when both the debt and the annual deficit reach zero, a new debate can be started. Until then, let's agree to pay the past obligations and not create any new ones until they can be afforded.

Chapter Four: Health Care

The idea of making sure every single American has access to quality health care is a noble goal. It sounds like the right thing to do. Who is against everyone having health care? No one. The key question, though, is how to accomplish this daunting task. I do not profess to personally have a deep understanding of the health care industry. Therefore, I will take Radical Moderate principles and provide an overview of how they

might affect the goal of assuring everyone has the opportunity to be covered in the most meaningful and efficient way possible.

The first thing that must be done is to take a look at the current situation. Between 1992 and 2008, there has been a consensus that between 40 million and 48 million Americans do not have any health insurance at all. This means that if these people come down with the flu, break a leg, or develop cancer they must bear the cost of health care expenses out of their pocket or rely upon the charity of health care providers. This is not an enviable position. Most of the people that do not have health insurance are in that position because they cannot readily afford the cost of the premiums. And there are some people that actually can afford health insurance but choose not to get coverage because they rarely get sick.

Why is it that so many Americans cannot afford health insurance? There is no simple answer to this question. The cost of health care has risen significantly over the years. The U.S. Department of Labor reported that in 2004 the cost of health care rose by 7.9 percent which was almost three times more than the inflation rate of 2.7% that same year. The Centers for Medicare and Medicaid Services reported that the overall cost of health care doubled from 1993 to 2004. In 1997, health care accounted for 13.6% of the gross domestic product (GDP) of the United States. By 2006, that figure had risen to 16%. Health care is a huge component of the overall economy and one that has been very difficult to manage. Why has the cost of health care risen steadily for such a long period of time, at a much greater pace than inflation on other items? Again, there is no simple answer but there are some clues that can be examined.

First, the American health care system is geared more toward providing *excellent* health care than providing *adequate* health care. It is generally agreed that the United States has some of the most talented doctors and the most advanced medical procedures of any country in the world. There is a price for this excellence, though. It seems that countries such as Canada and France are able to provide health care to all citizens because they have systems that focus on providing a Honda Accord type of care rather than a Lexus type of care. Accords are very dependable vehicles and are a good value but they are not in the same league as the Lexus. Do Americans want the Lexus of health care quality? Do Americans need the Lexus of health care quality? These are two very different questions.

Let's tackle the question of whether Americans want the highest quality of health care. Imagine you are in the following situation:

You have just been diagnosed with an aggressive form of cancer. The doctors state you might be dead in six months unless you fight hard and undergo experimental treatments. You have a spouse and three young children. You have health insurance and you want to live.

Now, ask yourself whether you want adequate health care quality or excellent health care quality? The difference may have a life or death consequence for you. You are probably wondering what it means to have adequate versus excellent health care. At a minimum, it means having access to the *most talented and experienced doctors* as opposed to adequate doctors. These are the people that set the curve in medical school and are nationally recognized as being at the top of their field. By definition, there is a limited supply of these people on the planet. That lack of supply is why they are so expensive to access.

The first way to make health care services more accessible to everyone is to lower the soaring costs associated with these services or, at least, slow the costs down. A 2006 report from PriceWaterhouseCoopers stated that 86% of health care costs go to pay for medical services such as hospital care, physician care, medical devices and prescription drugs. Therefore, you have to directly address these components and look for ways to save money on each of them in order to achieve greater affordability.

One sure way to lower the cost of paying a doctor is to allow more people to become doctors. If the number of doctors in the United States were to double that would eventually lead to lower salaries. That would reduce one of the costs on a health care bill. There is a consequence of increasing the number of doctors, though. The greater the number of people allowed to attend medical school and become doctors will most likely have the effect of watering down the talent level of the doctors in practice. In short, this means a cancer doctor will be less expensive but *potentially* less qualified to provide you with advice. It is uncertain whether increasing the number of doctors in the United States will decrease the quality of care but it is a likely result. The real question is how much it would reduce the quality – perhaps it would only be a slight reduction. As for costs, the basic principles of economics tells us that increasing the number of doctors would lower salaries and act as a price reduction to the consumer.

The American Medical Association (AMA) would most likely not be supportive of increasing the number of people that can become doctors every year. In 1904, the AMA created the Council on Medical Education. Some people believe that the goal of the Council was to shut down medical schools already in existence. Since the AMA's creation of the Council in 1904 through 2004, the U.S. Population (75 million in 1900, 288 million in 2002) increased by 284%. However, the number of medical schools actually declined by 26% over the same time period. Does that make sense? The AMA would probably argue that the closed down schools were not producing quality doctors. A skeptic would say that the effect of this trend has been to keep the compensation of doctors elevated through the years. The New York Times quoted an unnamed President of a County Medical Society at an AMA meeting stating: “Our mentor has always been Hippocrates, not Adam Smith”. Maybe that should change. Among the difficulties of allowing doctors to operate outside of a true free market is that they become the sole judge as to whether or not the number of medical schools, and therefore the number of future doctors, is sufficient. This occurs because the AMA is in charge of the accreditation process. Essentially, the medical profession is allowed to artificially reduce the supply of doctors much in the same way that a planned economy operates. It is a highly anti-free market approach.

I believe more people should become doctors and I mean that both literally and as a broader philosophy. There are a lot of routine health problems – such as the flu – that could be treated without the need to consult a full-fledged doctor. What if there was a “doctor-light” or a “super-nurse”? A labor market needs to develop around health care professionals that have extensive training in the health care trade even though they lack enough credentials for the formal titles. There is precedent for these type of jobs. There already are paramedics and physician’s assistants that can perform a multitude of critical tasks though they are not allowed to cross over into other health care situations. In addition to the basic training involved, it is likely that the key ingredient to becoming a good paramedic is the knowledge and experience that comes from the repetition involved

with the job. When one does something over and over again for years that person becomes an expert. Who would you rather have at the scene of your car accident – a first year resident doctor or a paramedic with 15 years of experience?

Certifications, classifications and titles would still be important for a health care system with more medical professionals in the labor market. Transparency would be crucial. For consumer choice to work, the patient has to know what the various options entail. Of course, price would be the first indicator. The more expensive medical professionals would likely be the ones with the most training. The less expensive providers would likely have less education – though, not necessarily have less experience.

There are attempts at this kind of broadening of the health care provider market in today's world. Walk-in clinics provide immediate medical attention that is short of what an Emergency Room can provide but is still considered reliable health care. A person can simply show up at one of these clinics and someone will help them with their cold or flu. However, the costs are likely not much better than with the current system. Imagine, though, if someone could be trained to just deal with colds. A person with a two-year degree, common sense and a love for seeing sick people all day could likely acquire a great deal of skill in serving that specific patient population.

Do I lack respect for what doctors do? Absolutely not. In fact, my whole premise is that doctors deserve so much respect their time should be reserved for making more complex and critical health care decisions. The routine and easy decisions could be made by someone with much lower educational requirements for certification. Doctors will always be needed. There is a need for more of them and also more medically trained professionals that can support a broad system of health care at a lower cost to the consumer. The health care consumer needs *more choices*. Choice leads to diversification and competition. Competition leads to lower and more accurate pricing for services. That leads to the option for lower health care premiums.

Purchasing the newest and most advanced medical equipment leads to increased health care costs. The biggest expense behind the equipment is the cost of paying people to design it. It might be easier to picture by remembering the way that the telephone industry has developed. First there were landline phones. Then someone created the cellular phone. Then someone created the Blackberry. Then came the iPhone. Each time a new technology was brought to the market the initial cost was high. Over time, the technology became a commodity and the price went down. Basic cell phones that do not take pictures or provide access to the internet are now relatively cheap. Remember, basic cell phones and landline phones still perform the basic function of allowing people to talk to each other. However, most people are willing to pay a higher cost for the more innovative gadgets and that creates an incentive for companies to continue to bring those products to market.

The same principle applies in the creation of advanced medical equipment. The difference is that this equipment can cost a million dollars for just one unit. Furthermore, within a year or two someone will create a *slightly* better machine that will also cost a million dollars or more. What happens to the old machine? Sometimes, it is simply discarded. Again, do you want your cancer treatment to be conducted with an *adequate* piece of equipment or an excellent piece of equipment? It is all relative. In the 1800s, an X-ray machine would have been an incredibly advanced piece of equipment.

Now, the X-ray machine is still an “adequate” piece of equipment but the MRI is dramatically better. An MRI machine shows a doctor so much more information about a patient. This comes at a high cost, though. Even an early model MRI might have cost \$1 million while a more recent model costs \$3 million. There are differences between the early and modern MRI devices to be sure, but the differences are relative. Again, you can buy a Honda Accord MRI or you can buy a Lexus MRI. They both get you where you want to go but one of them has a lot more bells and whistles. The bottom-line is that a viable secondary market needs to be developed wherein adequate and affordable medical equipment is utilized to lower the costs of health care.

The third component of rising health care costs is in pharmaceuticals. The pharmaceutical industry is a favorite target of the national Democratic Party. The general presumption is that pharmaceutical companies make a ton of money without any concern as to whether the American public can afford their products or not. There may be some truth in this presumption but there are clearly economics involved in the price of drugs. A substantial part of the cost of manufacturing drugs comes from the expense of research and development. It is no coincidence that American pharmaceutical companies come up with the most innovative drugs on the planet. These drugs are then utilized to make people healthier, extend lives and, in some cases, save lives that would otherwise be lost. Again, do Americans want *excellent* drugs or *adequate* drugs? The adequate drugs would probably be cheaper but they may not save as many lives.

The cost of drugs can be very perplexing if a person does not understand how the industry works. Generic drugs are very cheap but new drugs are incredibly costly. The main reason for this is that pharmaceutical companies are allowed to patent their new drugs for a lengthy period of time. Brand name drugs are generally given patent protection for 20 years from the date of submission of the patent. This allows them to have a *monopoly on that drug* and to essentially set the price that people will have to pay. Pharmaceutical companies argue that the patent protection is simply acknowledging the tremendous costs involved with developing new drugs. This argument, though, has a weakness. The first patent laws were written in America in 1790. At that time, the pace of technological change was very slow. Protecting something for 20 years did not seem like a long period of time. In the modern world, though, technology changes monthly and a much shorter period of patent protection would serve the same purpose but be much more in line with the current pace of things. Would it be possible to protect the research and development of companies with a shorter patent protection period? A 2002 article in Forbes magazine concluded that a better option was to give drug patents a shorter term of 15 years but to not start the clock until the FDA approves the drug. Regardless, it is important to re-examine how these patent laws affect the free market and artificially inflate the price of drugs to the consumer. The patent protection time periods could definitely be shorter.

There are certainly other factors that increase the costs of health care. One item that the political right points to is medical malpractice lawsuits and the cost of defensive medicine performed with the intent of avoiding any liability. I will fully admit that I once made my living for five years as a trial attorney. Though I never litigated a medical malpractice case, I certainly knew other attorneys that did. My personal philosophy is that the civil justice system is one of the great equalizers in American society and that medical malpractice is not the serious issue that those on the right make it out to be.

However, I remain open to persuasion if other Radical Moderates can show me the data of why caps on damages and other restrictions would both lower costs and retain the right to a jury trial for individuals prescribed in the U.S. Constitution. What I do know is this: In Arkansas, it is very expensive to bring a medical malpractice case, the chances of winning are not very good, and because of that only the most meritorious cases ever receive any attention from the Plaintiff's bar.

Another significant cost to the health care system is the care that is provided during end-of-life situations in the last several months before a person dies. Because this topic is different in kind than discussing doctors, equipment and drugs, I have examined it at length toward the end of this chapter. In short, end-of-life care is expensive and morally hard to quantify.

Do Americans want the highest quality of health care? Of course they do. The next question is whether Americans *need* the highest quality of health care. Before going any further, let's consider the premise of the question. Who determines whether you need the highest quality of health care? Should you get to make that determination? Should your employer get to make the determination? Should a government agency? Should an insurance company? Should the decision be made by a mixture of all of these interests? Are you beginning to see why this is such a difficult issue to address?

I, for one, would like to determine whether I need the highest quality of health care versus an adequate level of care. My guess is that most people share that opinion. This one basic premise is the main reason that a single payer health care system with the United States government calling the shots is both unlikely to happen and not necessary to achieve the progressive goal of allowing everyone the opportunity to be covered. People such as Michael Moore are quick to look toward Europe for answers in the area of health care. There is a reason that the pilgrims left the Old World. There is a reason why our forefathers fought the Revolutionary War. There is a reason why the United States had to bail out Europe in World War II. Americans are an independent people that want the freedom to make our own decisions. Americans do not want or need to follow European models on a regular basis. That does not mean that there are not aspects of those systems that should be studied. It does mean that a wholesale adoption of a European health care system should not be made. It would likely not work here.

The government can play an important role in health care, though. While most Americans would prefer to drive a Lexus rather than a Honda Accord, many Americans can only afford the Accord and would be completely satisfied to have it. The same could be true for health care but Americans need a better understanding of what type of value they are receiving for what they are paying. Most Americans know that an Accord costs between \$20,000 and \$25,000 and that a Lexus costs between \$60,000 and \$70,000. How many Americans, though, know how much an MRI should cost? How many Americans know how much a three day hospital visit for pneumonia should cost? How many Americans know how much any health care service should cost? One of the reasons that there is so little knowledge about what health care should cost is that *most Americans do not directly pay the bill to the health care provider*. The great majority of people have health care insurance through their employer. Have you ever wondered why most health care insurance is provided by employers? It is not written in the U.S. Constitution that this has to happen. Rather, this is just the way the system developed. There is a back story.

During World War II, the U.S. Government imposed a number of restrictions on American businesses designed to keep the status quo at home and to win the war abroad. One of those restrictions was the 1942 Stabilization Act. The Act limited the wage increases that could be offered by businesses. Because so many men were fighting the war, the supply of labor was low and the demand was high. Had the government not intervened, this would have dramatically inflated wages and created a challenge in balancing the U.S. economy that the government did not want to deal with. However, the 1942 Act did allow businesses to adopt employee insurance plans.

The demand for health care services had increased dramatically between 1920 and 1940 because of the rapid advances in medical technology. In addition, health insurance started to develop in the 1930s with the formation of Blue Cross and Blue Shield and the advent of hospital and doctor insurance payments. This system was maturing right as the country was about to enter a global war. Once the war started, and the government started controlling wages, businesses utilized health insurance as a way to attract scarce labor. The employer-based health insurance system was also aided by favorable tax treatment and a 1949 National Labor Relations Board ruling that pension and insurance benefits were “wages” that could be negotiated by labor unions on behalf of their members.

Thus, the employer-based health care system was borne. It was not planned. It was not particularly well thought out in advance. It just happened. Furthermore, it is still what we have in 2012. Therefore, the person that receives the health care service is often the least knowledgeable about what the medical options are and what those options should cost.

The free market cannot operate effectively if the consumer is not knowledgeable about their choices. When consumers believe that they can receive the same quality of service from one company at a lower price they will often decide to switch to another company. This is the exact type of free market pressure that does not happen in the health care industry. Since most people think of health care in terms of something that their employer is paying for they defer to the employer to find the best deal. Let's think this through. Health care is a benefit that the employer is providing to the employee as a form of compensation. It is essentially a way to recruit people to a particular company or organization. What would happen if instead of the company paying health care insurance premiums directly to the health care provider the employer paid this amount of money to the employee and let the employee pay the health care provider? Most likely, the employee would pay a great deal more attention to what they were getting for their money. Or, at a minimum, the savvy employees would pay a great deal more attention.

No one knows right now if moving away from employer paid health care benefits would drive down or even keep health care costs in check. It makes sense, though, and is worth a try to see if it would work. The employers would need to pay the employee directly the amount of money they previously had paid in premiums to the health care provider. The government could then make this health care compensation tax free to the employee. Currently, the employers are the ones that receive the tax deduction as an expense of doing business. Therefore, the new system would not cost the employee any more money. Employees would then have the option of picking out their type of coverage. Some employees would choose to keep some of the money instead of using it for health care. Some employees would take additional money out of their pockets to buy

even better health care than they previously had. Health care providers would be forced to provide the greatest quality of care at the lowest possible price or worry that consumers would not use their service. These are simple principles of supply and demand.

In any free market solution mistakes would be made. Some people would choose a health care plan that was very economical but did not cover the type of ailment that they end up contracting. That is how a free market works. Some people make great decisions and other people make bad decisions. Over time, people learn from their bad decisions and make better ones. The people who make bad decisions would suffer the consequence of not being covered. That leaves the question of what do they do then? This question goes to the heart of the matter. Whose responsibility is it to make sure an individual American has quality health care coverage – or, any health care coverage at all?

A Radical Moderate does not believe that health care is a right provided for in the United States Constitution. Rights are reserved for things that do not have an economic cost associated with them. Rights are political guarantees that apply equally to everyone. There is a right to free speech and free assembly. There is a right to bear arms. There is a right to a trial by jury and a reasonable bail. Make no mistake, access to health care is not a right provided by the United States Constitution. Rather, health care is something that a person has an *opportunity to obtain* within the strictures of a capitalistic system. If the government were to declare that every American had a right to health care that would be making it a political right. That could only be accomplished in a socialized medicine society. A Radical Moderate would fight true socialized medicine that undermines free market principles. However, we would also fight to expand the access to quality health care to as many Americans as possible within a capitalistic model. There is no contradiction here. It is absolutely possible to create a health care system that is based on capitalism but is regulated by government rules that allow for *almost universal coverage* of all our citizens.

I can already hear the liberals screaming that it is inhumane to not provide health care to every single American. The distinction I am drawing is the difference between idealism and realism. It would be pleasant to think that the government could simply wave a wand and all of a sudden everyone would have access to quality health care. It would not happen that way, though. It is much more humane to view this as an issue of providing people an *opportunity* to have access to quality health care. Socialism guarantees outcomes at the expense of quality, efficiency and functionality. Capitalism guarantees quality, efficiency and functionality at the risk of having negative outcomes. Therefore, there is a choice to be made. A Radical Moderate believes a rising tide lifts all boats. As the standard of health care rises across the board even the most economically disadvantaged people will have access to better health care than they would otherwise.

Achieving *almost universal coverage* is no easy task. My lack of knowledge about the inner workings of the health care system keeps me from having very specific ideas for this goal. However, I know it is possible. The reason I know this is that every other aspect of one's life is able to achieve this goal. In our capitalist system, it is possible to achieve *almost full employment* most of the time. The Great Recession of 2008 notwithstanding, the unemployment rate is typically in the range of 5% to 6% historically in modern times with higher fluctuations for short periods. If it's possible to have an employment situation where almost everyone has a job then the same principle could

apply to health care coverage. Let's be clear, though. Given a choice, some people will try to game the system and choose to not have coverage until their situation is dire. Then, they will try to obtain cheap coverage after they are already sick. It is important to address that group of people in some form or fashion.

Let's look at the choices that people might make in a system where they have the power to choose. In particular, I want to focus on the choices that the poorest of working families might make. In 2001, I was running the family business of seven McDonald's restaurants. We had traditionally provided health care benefits for our salaried management team but for no one else. Since McDonald's is such a large corporation, though, we had an opportunity to be creative with the large pool of people that were being insured. After months of research and planning, we were able to establish a health care package that gave every one of our 350 employees the *opportunity* to purchase some form of health care coverage.

Around one-third of our employees were teenagers that were not interested in purchasing a permanent health care plan. The focus of our plan was to attract people that worked 40 hours per week. The plan we offered was essentially "starter health care". It allowed for an emergency room visit, regular visits to a general practice doctor, and \$2,000.00 in hospital bill payments. In short, this was not great health care coverage. However, it was something. The most realistic aspect about the coverage that we offered was the price. Any McDonald's employee, part-time or full-time, could purchase the health care for around \$10.00 per week or \$520.00 per year. Keep in mind that the average full-time employee was making \$7.00 per hour or roughly \$14,000.00 per year before any taxes.

When we launched the health care package very few people initially showed any interest. I then started calling people into my office to find out why they were not signing up. The most common reason given was that the premium was "too expensive". There was really not a way to provide any cheaper coverage than the plan we developed so I dug deeper. After asking people what other things they spent money on I came up with the two main expenditures that were competing with health care premiums: cell phones and cigarettes! I have never smoked (at least not inhaled) but I do have a cell phone. I can clearly live without smoking and if I needed to I could certainly live without a cell phone. I can guarantee you that a person making \$14,000 does not need to spend money on cell phones and cigarettes. However, in a free capitalist society we allow people to make bad decisions because the alternative is allowing the government to make decisions for us.

Over time, we started to get more people to sign up for this "starter health care" package. It involved changing a cultural mindset, though. Changing such a mindset is hard work. In 2001, the people choosing to pay for cell phone service and cigarettes, instead of health care, were really not making responsible choices. They had grown up in a culture where the people most influencing their lives were also being irresponsible. This specific group of McDonald's employees also lacked an inner drive and belief in themselves that is key to success in a free market. Don't get me wrong, they were capable people. They just needed to learn how to make better decisions in their life. Some of them did and some didn't.

A Radical Moderate should not support *mandating government-funded health care coverage* for people that make such irresponsible choices. We also do not want to

patronize these individuals. Simply put, we want to shift the responsibility to them to make decisions that affect their life. This is no easy task, though, given the context of how the health care system has developed as an employer-paid model. Let's take a look at the Patient Protection and Affordable Care Act of 2010 – universally known as “Obamacare”.

One of the reasons I supported Barack Obama over Hillary Clinton in the 2008 Democratic Presidential Primary was because of his approach to health care. Let me explain with a story. I spent a week in Iowa during late December, 2007 and early January, 2008 campaigning for Barack Obama. I was born in Iowa and have relatives all across the state. I would travel from Des Moines to Cedar Rapids to Ames working on rallies, knocking on doors and generally freezing my tail off since it is very cold in Iowa during that time of year. When I was driving back and forth I had a lot of time to listen to political radio ads – and there were a lot of them. When it came to health care, the Clinton campaign was attacking Obama for *not covering enough people under his plan*. Obama countered that his plan was workable and would still cover *almost everyone*. From the average person's point of view, the two candidates were splitting hairs. However, I saw a difference in philosophy or at least in style. I thought that Clinton would again try to pass a universal health care system – likely a single payer – and that it would go down in flames much like her 1993 health care plan did. I thought Obama would take a more pragmatic approach, be willing to compromise and end up with something that would move the ball down the field even if it did not cover all Americans.

Those Iowa radio ads preceding the Caucus on January 3, 2008 were foretelling. When President Obama took office, he forged ahead with a health care plan that proved very unpopular in public polling. However, he persisted, he compromised, and he passed major health care reform for the first time in the history of the country. He did something that every Democratic President since Harry Truman had tried to do. And, history now shows that his party paid a huge political price in the 2010 Elections. Say what you want about President Obama's health care plans. But, don't say that he misled the American people. He made very clear during his Primary campaign and General Election campaign that he was going to pass a health care reform bill. He followed through on his word.

So, what exactly is Obamacare and what does it mean for the future of health care? If a person listens to the very loud critics on the right, Obamacare is a government takeover of health care that will lead to soaring costs, higher taxes, rationing, lower quality care and the loss of jobs. One must assume that the Earth will still spin on its axis but maybe Obamacare will affect that down the road also. If a person listens to the most liberal critics of Obamacare, it was a half-hearted effort at health care reform that sold out on the public option, never took seriously a single payer system and won't be enough to really change the dynamic.

It is because of the polarization regarding Obamacare by both extremes that makes me the most hopeful. If neither of them like it there is bound to be something good about it. The truth is it is not yet known what the effect of President Obama's health care reform will have on the system in the long-term. It has definitely brought about certain policy changes. The main engine of change – the individual mandate to purchase health care insurance – was not Obama's original thought. Rather, that honor goes to Republican President Richard Nixon.

Requiring individual Americans to purchase health care coverage from private companies has been a hallmark of conservative thought on this issue since it was first proposed by President Nixon. Influential Conservative think tanks such as the Heritage Foundation pushed this idea for years. This is a quote from Heritage scholar Robert Moffitt in an April, 2010 op-ed for *The Washington Post*:

Yes, in the early 1990s, we, along with other prominent conservative economists, supported the idea of such a mandate. It seemed the only way to solve the "free-rider" problem, in which individuals can, under federal law, walk into any hospital emergency room nationwide and rack up big bills at taxpayer expense.

Our research in the ensuing two decades has led us to realize our initial idea was operationally ineffective and legally defective. Well before Obama was elected, we dropped it. In the spring 2008 edition of the Harvard Health Policy Review, I advanced far better alternatives to the individual mandate to expand coverage, relying on positive tax incentives and other mechanisms to facilitate enrollment in private health insurance. This is what researchers and fact-based policymakers do when they discover new facts or conduct deeper analysis.

People do change their minds from time to time. A Radical Moderate has no problem with that. However, there is a credibility issue with this change in philosophy. Specifically, there is ample evidence to show that conservatives never wanted any kind of health care reform at all – ever. Flip flops such as this one lead a reasonable person to believe that maybe the right did not really advocate the individual mandate – they just advocated obstructionism. Regardless, the individual mandate, which in their own words was a conservative idea, is now the law of the land.

There are a lot of other specifics that were enacted into law by Obamacare. Below are listed some of the key components:

- An attempt was made to stop insurers from discriminating against a consumer based upon pre-existing medical conditions (This is due to take full effect in January, 2014);
- Each state is required to have a health care exchange whereby individuals and small businesses can come together to compare prices and buy insurance;
- Individuals will have to pay a penalty if they do not purchase insurance;
- Businesses with over 50 employees that do not offer health insurance have to pay into the system to make up some of the difference;
- Medicaid eligibility was expanded; and
- Dependents (children) are allowed to stay on their parents' insurance until age 26.

According to the Congressional Budget Office, Obamacare will reduce the number of uninsured Americans by around 30 million people. That would leave around 20

million people still without health insurance. Estimates of how the act will affect the national debt are wildly different. Republican experts predict mammoth deficits and Democratic experts predict mild deficit savings. Only time will tell. Much will depend on conservative efforts to keep the act from being fully implemented through Congressional efforts not to fund it and state Attorneys' General lawsuits to enjoin it.

I first started writing this book in 2007. That was long before Obamacare had taken shape and long before the visceral political battles that were fought to enact it following President Obama's 2009 Inauguration. The jury is still very much out on what it means. However, I am arguing that the President took a Radical Moderate approach to the issue even if the final policy adoptions were not optimal.

The consequence of the 2009 and 2010 health care reform effort is that the debate has now moved forward. Our country turned away from the stalemate and lack of change that permeated the health care sector for decades. The best course of action now is to tweak the new law rather than to throw it out. It is very likely to lead to a more affordable and overall better health care system than what was in place before its passage.

The individual mandate for a person to purchase private health insurance is not an ideal way to solve the problem of covering uninsured Americans. However, it is probably the most workable. The system of requiring people to purchase vehicle liability insurance has stabilized that market and makes it safer for everyone that drives. Yes, it is forcing people to make a good decision. It is better that they choose to make a good decision but when they refuse to do so the government has little choice but to act.

A Radical Moderate can have principled differences with both the individual mandate and with various aspects of Obamacare. However, a true economic conservative cannot credibly argue against the individual mandate. One reason has already been mentioned, it has been these hypocrites who have supported the idea for decades. Still, even if one looks past that, there is a more fundamental dichotomy that is inescapable – conservatives do not have the guts to see their economic theory through.

To be a true economic conservative that believes in free markets, a person cannot be consistent with his principles and still support the socialized funding of Emergency Rooms in the United States. By law, an Emergency Room must provide treatment to any person – whether they have insurance or not – that presents themselves with an emergency illness. This means that a person can simply not purchase health insurance, whether he cannot afford it or he just wants to save the money, and thereby receive free health care that is funded by all those individuals who do pay. A true economic conservative would seek to abolish this legal requirement and let people die on the doorstep of the Emergency Room. The only alternative is to give them socialized medicine.

Nobody likes the idea of letting someone die on the doorsteps of a health care facility, including Radical Moderates. However, we have room within our belief system to modify a situation to fit a circumstance. In the ideologically pure world of conservative economics, the only course of action is to deny the uninsured person care. Otherwise, the whole foundation of conservative thought is destroyed. So, which is it? True to their conservative principles, or let them die? It is pretty clear that conservatives are not going to support changing the mandatory care law for Emergency Rooms. Principles be damned – they don't have the guts to carry through with their beliefs because the consequences of those beliefs are too severe.

If only for this one reason alone, the most pragmatic course of action is to force individuals to purchase health care insurance. Once that is done, there is no longer the dilemma of denying anyone care at the Emergency Room – that issue is solved.

The debate, though, over what expenses the government should pay for is not yet settled and likely will rage on forever. It is difficult to contain health care costs while at the same time providing critical care to people in need.

One example is providing quality health care to those individuals at the end of their life. Specifically, I am focusing on people that have some type of serious medical condition or disease that is very expensive to treat. The statistics focusing on the cost of health care at the end of life are hard to quantify. For years, I have heard that about 50% of all health care costs occur during the last six months of a person's life. In my research, I could not find a study to validate that figure. However, according to Dr. Jonathan Bergman of the University of California at Los Angeles and author of a 2010 study on this issue, "we end up spending about a third of our overall health care resources in the last year of life." Regardless of the exact figure, it makes common sense that a huge part of someone's medical resources are utilized right before that someone dies. This is the case for two major reasons: One, an effort is being made to save the life of someone that has been in an accident or has been fighting a disease such as cancer; and two, often the person being treated is an older person who is battling the complicating health factors that come with aging in addition to the reason they are currently being treated.

The issue of end-of-life health care costs should be approached with a great deal of caution. It is an incredibly serious subject. The topic of death, of course, is much broader than just how we handle the health care aspect of it. None of us want to face death, yet it is inevitable. However, no one wants to quantify what a human life is worth at the end of our time here. Everyday the *quality of life is quantified* yet talking about the *end-of-life* has always been taboo. Avoiding the topic, though, will not make the issue go away.

When discussing end-of-life health care from a political standpoint, it is easy to envision grandma being pulled off the life saving respirator by some faceless and uncaring bureaucrat. However, most people do not think about grandma being denied an aggressive surgery because some faceless and cost conscious insurance adjuster is making the decision. Currently, the government will pay any amount of money to give whatever treatment a Medicare recipient wants for end-of-life care regardless of the chances of success. On the other hand, an insurance adjuster is not under the same requirement – they can stop payment on the policy whenever they believe the coverage is not mandated under the terms of the contract.

Let's look at this another way. In the Medicare system, the government will take a *more socialist approach* to end-of-life health care. It will make all payroll taxpayers fund the unlimited costs of care for a person that is likely to die soon or is already terminal. There is no ceiling. There is no concern for cost. In the private insurance system, the carrier will take a *more capitalist approach* to end-of-life health care. The adjuster will look at the policy, determine what the beneficiary has contracted and paid for, and then make a decision of whether to fund the procedure, care, etc. The main difference is that the private insurer views the situation as having limited resources that must be paid for with existing funding. The government views the situation as if the funding does not

have to currently exist – it can be borrowed with the hope someone will pay the bill in the future.

Radical Moderates are free market capitalists. We believe that there has to be accountability in all public and private systems. At the end of the day, revenues and expenses need to be aligned. Otherwise, it's really just a chaotic system that will eventually fall down under its own weight. End-of-life care is not the exception to this rule. It must live under the same basic economic laws as every other aspect of life.

How big is the problem? A November, 2009 report was broadcast by the television show "60 Minutes" examining this issue. One of the patients they followed was 85-year old Dorothy Glas. Mrs. Glas was a former nurse who had signed a living will expressing her wishes that no extraordinary measures be taken to keep her alive. During her last two months of life, she was shuttled between a nursing home and community hospital in New Jersey, suffering from advanced heart and liver disease. Notwithstanding her age, dire medical condition and expressed desires, Mrs. Glas was seen, and billed, by 25 different specialists during the two month period before she died. She even saw a psychiatrist because they said she was depressed. She told the psychiatrist, "Of course, I'm depressed, I'm dying." A hospital spokesman stated that all the tests were appropriate and an independent physician told the reporter that the case was "fairly typical".

The "60 Minutes" report also included interviews with two people that framed the issue well in Radical Moderate terms. The first was with Dr. Elliot Fisher who is a researcher with the Dartmouth Institute for Health Policy, who conducted a detailed analysis of Medicare records for patients in the last two years of their lives. He had this to say about the American health care system:

In medicine we have turned the laws of supply and demand upside down. Supply drives its own demand. If you're running a hospital, you have to keep that hospital full of paying patients. In order to, you know, to meet your payroll. In order to pay off your bonds.

David Walker, who once led the Government Accountability Office and now heads the Peter G. Peterson Foundation, which is a strong advocate for reducing government debt, summed up the larger macroeconomic situation:

The perverse incentives that exist in our system are magnified at end-of-life....We have a system where everybody wants as much as they can get, and they don't understand the true cost of what they're getting. The one thing that could bankrupt America is out of control health care costs. And if we don't get them under control, that's where we're headed.

Walker cited the lack of consumer involvement in choosing their own medical care as a driver in soaring health costs. The problem exists at every stage of health care from birth to death but becomes prohibitively expensive at the very end-of-life.

Without a doubt, the price tag of end-of-life care is a huge driver of costs. Under our current system, there is no way to ever contain costs. As medicine has advanced and

gotten better at keeping us alive, the possibilities for life increasing surgeries, treatments and pharmaceuticals has made almost anything possible for a price. David Walker points out the obvious economic reality of unlimited demand and limited supply:

Every other major industrialized nation but the United States has a budget for how much taxpayer funds are allocated to health care, because they've all recognized that you could bankrupt your country without it....we ration now. We just don't ration rationally. There's no question that there's gonna have to be some form of rationing. Let me be clear: Individuals and employers ought to be able to spend as much money as they want to have things done. But when you're talking about taxpayer resources, there's a limit as to how much resources we have.

In short, health care is subject to the same economic realities that all other areas of our life. That is why health care costs continue to soar every year – unlimited demand and limited supply.

What is the solution to expensive end-of-life care? Or all other health care demands, for that matter? For starters, it is necessary to acknowledge that every aspect of life is rationed in some manner. Typically, price is the main reason for this reality. People buy less gas when the price goes up thereby sacrificing some trip they wanted to take. People move from houses to apartments when mortgage payments become too difficult to pay. People don't eat out at their favorite restaurants when the budget is tight. People ration every day. It is part of life.

Rationing already occurs in the health care system, too. Those people without health care insurance, must endure long waits at an Emergency Room. Those people with private insurance, can only receive the care they contracted and paid for as defined by an adjuster. Those people on Medicare, don't have access to the doctors that have opted not to accept the lesser reimbursements the system pays for services. The health care system rations every day. It is part of life. The only remaining question is, to turn David Walker's phrasing, "do we ration rationally?"

The American health care system has many admirable qualities. However, the failure to face the realities of supply and demand have left the system broken. Obamacare did not address end-of-life health care. To the extent it came within a mile of addressing it, a Republican measure within the bill was labeled as "death panels" by conservative demagogues during the 2009 and 2010 debate over reform. Politically, talking about death in a rational way is like playing with dynamite. Therefore, this part of the system is still broken and will remain so until someone can adopt a Radical Moderate approach to fixing it.

Difficult decisions regarding health care for dire situations have to be made all of the time. In the opening chapter, I raised the issue of how to handle a motorcyclist that suffers a traumatic brain injury because they did not wear a helmet. The reason why this topic is important is that studies show that wearing a helmet while operating a motorcycle decreases the risk of several types of injuries happening such as damage to the skull, face and brain. For example, an October 2009 study conducted by the National Highway Traffic Safety Administration (NHTSA) found that there was a 40% higher rate of traumatic brain injuries among unhelmeted motorcyclists involved in wrecks versus helmeted motorcyclists. The combined data set contains information on 104,472

motorcyclists involved in crashes in 18 States during the years 2003, 2004, and 2005. The NHTSA study data set is compelling.

Have you had time to digest the brain injured motorcyclist example yet? Again, the person has no private health insurance. They are counting on the fact that the rest of the taxpayers will want to keep them alive. Keeping them alive, mind you, could easily cost \$1 million per year. Is that the right thing to do?

The motorcyclist scenario could be debated extensively by Radical Moderates and others. It is not an easy call to say let a person die even though he fully understood a risk, decided to proceed with the dangerous behavior anyway, and then expect other people to bear the downside of that risk. It creates a moral dilemma. If one comes down on the side of providing medical care to a person that refused to limit his risk exposure, how is that not socialism? When a person expects others to pay for his risks, what else can you call that? It is your personal choice to accept a socialistic solution to a problem but you at least have to acknowledge it as such.

There are Radical Moderates that would not ever take the motorcyclist off the machines. They would just come to some other resolution of the matter. Personally, I don't see another resolution of the situation after the fact. If a person is going to stand for something, maybe it should be for making the motorcyclist wear a helmet as a matter of law *or* make him sign an informed consent form stating he will not wear a helmet but will also not be eligible for public assistance if he receives a brain injury that wearing a helmet would have avoided. These are the only two logical conclusions that I can see. This type of choice permeates the discussion of health care.

The unhelmeted motorcyclist involved in a crash is a classic example of the risk involved with choices. The same debate could be extended to wearing seat belts, use of tobacco and other statistically risky behaviors. We already allocate for these risks in the private insurance markets. Now, we must face the fact that the same risks apply even where public insurance such as Medicaid is involved.

One of the main points I am advocating is that choices need to be more closely connected to the consumer. Patients need to be utilizing the available health care knowledge base and making decisions that are economically sensible. A move away from adjusters and third parties deciding the best way to treat someone needs to be made. Radical options along those lines need to be offered to create a system where this can happen efficiently.

There are two other radical ways to reform health care that deserve an examination. The first approach is not one that I personally agree with but it was suggested by a friend and it could work. This would basically be a dual system of health care that would involve mandating that everyone pay into a socialized health care system but would allow people to opt out of the system and still maintain a private market alternative. In essence, this is what happens in regards to the public schools and the police. Public schools are primarily funded through property taxes that all property owners have to pay whether they have children in the public school system or not. Sales taxes also make up some of the money that go to the public schools. Still, no one is required to send his children to the public schools. People with enough money can send their children to a private school. Public and private schools compete against each other in the marketplace. The same thing occurs with police protection. Everyone has to pay to fund the police but the richest people sometimes pay for private security just to protect them and no one else.

The reason why this system makes a certain amount of sense is that it allows an individual to continue to have some freedom in their health care choices *if they can afford to carry private health insurance*. Also, this would lead to having two systems of health care: one for the masses and one for the elites. The two systems would compete against each other. A person could even purchase health insurance allowing them to access the elite system for certain types of procedures even though for most things he would only have access to government health care.

This bi-furcated model has proven workable, though not necessarily ideal, in education and police protection. It would allow the people who really want to access private health care a true option if they can afford it. Many middle-class Americans will argue that they don't like being relegated to government health care. However, they can do something about this by figuring out how to pay more money to enter the private system. Again, this idea is not my favorite but it appeals to one of the basic tenets of the American Dream – if a person works hard, makes lots of money and can afford to do something then he won't be held back from doing it. Also, it provides a level of security for everyone else.

A second radical approach would be to create government health care based upon behaviors. Socialized medical care could be made available for all health issues that people are born with or have through no fault of their own. For example, if a person is born with autism then the government will pay for his health care. However, if a person contracts lung cancer because of years of smoking he will have to rely upon his private health insurance – the government will not pay for his care.

The upside of a health care system based upon behavior is that it would increase the incentives for healthy lifestyle choices. It would also provide a safety net for individuals that are unhealthy through no fault of their own. Of course, someone would have to make the rules and decide what health issues were based upon behavior and what issues were inevitable based upon your unique DNA. That would be difficult and many people would not view it as fair. For certain, that would be a radical approach and would likely change the way the entire health care system operated.

What a Radical Moderate can say without hesitation is that the current health care system is not working in a coherent and efficient manner. It is in desperate need of free market reforms such as consumer empowerment and transparent pricing. There is so much tradition and inertia in the system that it cannot be reformed quickly in a piecemeal fashion. Still, that is what President Obama did in 2010 because the only other option was completely maintaining the status quo. Health care reform is likely to be President Obama's most significant public policy achievement. Even by his critics, the changes he brought to bear will likely be viewed more favorably in the years to come. This will be the case if for no other reason than he challenged the traditions and moved the debate forward.

Chapter Five: The Environment And Energy Policy

There are few political issues that have less room for compromise than the status of the environment. The reason is that the condition of the environment is almost entirely a scientific issue. Therefore, it needs to have a scientific solution or it cannot have a final

resolution. There is no guidance from our Founding Fathers on how to proceed. They could not have possibly imagined the environmental issues that would arise in our time. Worse yet, the conservative political community does not believe there is enough agreement among the scientific community to reach a consensus on whether or not a problem even exists. Whatever term is applied, global warming, climate change, etc., the fate of our environment is essentially locked to a certain destiny. That destiny might be much ado about nothing or it might literally mean the end of the world as we know it. It could be a Noah's Ark type of doom and gloom. In short, no matter what choice is made regarding the environment, it's a gamble.

If you have never played the game of Texas Hold'em you are doing yourself a disservice. Texas Hold'em is one of the many variations of a game called poker. Texas Hold'em has been the most popular version of poker during the early twenty-first century. I played poker as a kid with my relatives and I still do. I started playing Texas Hold'em around 2004 when it became popular on ESPN. The reason a person should play this game is simple: it teaches one about how odds and risk work together. This is exactly the kind of thinking needed in regard to environmental issues.

The thing that the environment and Texas Hold'em have in common is that the cards in the deck are pre-set but the players do not know what they are until the hand is over. There is a great deal of strategy involved while playing the hands. A great poker player can significantly enhance his chances of winning a given hand and an overall match. However, even the greatest poker players in the world are limited by the cards they receive from the dealer. If it is pre-determined by the cards that a player will lose a hand then there is almost nothing you can do to change the result except to fold his cards and survive until another hand is dealt.

Let me give a more specific example. I played in a poker tournament in Tunica, Mississippi several years ago. I was involved in a hand that was very complicated. I ended up having a full house after four cards were showing to the table. Each individual player has two cards that the rest of the table cannot see. This is an incredibly strong position. There was only one card left to be dealt. Based upon all of the available information, I knew I had a 97% chance of winning this hand. Therefore, I bet all of my chips on the hand hoping that the other player would fold or that he would lose even if he called my bet. The other player called. I was absolutely right. The other player had a lower full house. There was only one card left in the deck that could beat my hand. Again, there was only one card left to be dealt from the deck. I was sitting pretty and felt great about my decision. Then, I lost.

The dealer turned over the only card in the deck that could beat my hand. I had played the hand perfectly. I had a 97% chance of winning considering that I did not know what card was next in the deck. I would have made the same decision over and over again unless I had X-ray vision and could see what the next card was going to be. However, when I lost, my night was done. All of my chips were gone. For me, the game was over.

For anyone that has played poker, this same scenario has happened many times over. It has happened to me scores of times. The reason for this is that a person cannot guarantee victory when playing poker, he can only increase his odds of success. The cards in the deck are pre-set and nothing one does can change the order in which they will reveal themselves. This is very similar to our environmental future. There isn't

anything that can be done to change the scientific chronology of our environmental future. The best that can happen is that the odds of this chronology will be in our favor.

In short, whether a great deal is done or nothing at all to address our environmental future, it's a gamble. In my poker experience in Tunica, I lost \$200.00 in my tournament. The potential stakes involving our environmental future are astronomically greater. If a miscalculation is made, climate change could mean rising ocean levels, droughts, constant tsunamis, unbearable temperatures and a whole lot of other apocalyptic events. It could mean the end of the civilized world.

If the end of the civilized world has even as much of a 3% chance of occurring at some point in the next hundred years, there should at least be a vigorous debate now regarding the risk management philosophy to utilize to lessen the chances of complete annihilation. I have seen too many "3% chances of losing" in poker turn into - "you just lost" - to be dismissive of the low chance of failure, huge price for being wrong scenario. A Radical Moderate wants to fully understand the odds before committing to a course of action. This is simple risk assessment.

I wish I could say that this approach to the environment was my original thought. It wasn't. Instead, I was googling various environmental topics when I came across a YouTube video by a man named Greg Craven. He created the video sometime in 2007. By the time I watched it in late 2010, there had been over 7 million viewings of it. The basis of his video was approaching the issue of climate change from a risk management perspective. Apparently, this initial video created an online debate about the climate change issue. That debate eventually led him to write a book entitled: "What's the Worst That Could Happen: A Rational Response to the Climate Change Debate". Craven wants everyone to do their own analysis but his conclusion is that the risk of doing nothing is too high given the chance of catastrophe from a wrong guess.

An individual Radical Moderate can be on either side of the scientific debate regarding our environmental future. In the end, though, it should be agreed that a risk management process needs to be adopted to address our environmental future and that process must involve balancing our energy needs with our environmental concerns. There is room to argue about the "facts" of this debate but there is no room to argue about the decision-making process that arrives at those facts.

If one is not a scientist, then it is very difficult to gather all the available information on possible climate change and come to a definitive conclusion on causes or consequences in the future. Even if one is a scientist learned in the field, it is challenging to come up with models that can accurately explain what has transpired in the past. It is even more vexing to accurately predict what will happen to the climate in the future. Still, many scientists have tried.

It is clear that the opinion of the vast majority of scientists in the world is that the average temperatures of the planet have been on the rise during the last 100 years and that man-made carbon emissions are the predominant reason for this change. The National Academies of Science of over 30 countries agree with this position. The countries represented in this list include: Russia, China, United States, India, Japan, Germany, Canada and others. It is a diverse list. Moreover, there is almost universal agreement among scientific bodies of national and international standing. They all agree that man-made climate change is occurring.

There is a dissenting opinion in the scientific community. Individual scientists have issued opinions that climate change is either not occurring or that it is not being caused by the activities of mankind. While these individual scientists are not the majority in any particular scientific organization, they do represent a loud and significant voice when viewed as individual dissenters. Since I am not a scientist, or otherwise expert in this field, I will provide two typical statements representing both the majority opinion and the dissenting opinion and let you draw your own conclusions:

First, speaking for the vast majority is the January, 2001 statement by the Intergovernmental Panel on Climate Change:

An increasing body of observations gives a collective picture of a warming world and other changes in the climate system... There is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities.

A more recent statement was reported by the U.S. Global Change Research Program in June, 2009:

Observations show that warming of the climate is unequivocal. The global warming observed over the past 50 years is due primarily to human-induced emissions of heat-trapping gases. These emissions come mainly from the burning of fossil fuels (coal, oil, and gas), with important contributions from the clearing of forests, agricultural practices, and other activities.

These statements have either been adopted or co-opted by the vast majority of scientific institutions around the world that have conducted research and issued opinions on the matter. Now, when I state that the “vast majority” of scientists believe in these basic assertions, I am not talking about a slight majority of 51%. Rather, almost all scientists, likely 90% or higher, follow the majority opinion. In short, there is almost universal agreement among scientists that climate change is the real deal.

Next, for the dissenting opinion, we have Richard Lindzen of the Massachusetts Institute of Technology and member of the National Academy of Sciences:

We are quite confident (1) that global mean temperature is about 0.5 degrees C higher than it was a century ago; (2) that atmospheric levels of CO₂ have risen over the past two centuries; and (3) that CO₂ is a greenhouse gas whose increase is likely to warm the earth (one of many, the most important being water vapor and clouds). But – and I cannot stress this enough – we are not in a position to confidently attribute past climate change to CO₂ or to forecast what the climate will be in the future.

Another dissenting statement is made by Hendrik Tennekes, the retired Director of Research at the Royal Netherlands Meteorological Institute:

It is my professional opinion that there is no evidence at all for catastrophic global warming. It is likely that global temperatures will rise a little, much as IPCC predicts, but there is a growing body of evidence that the errant behavior of the Sun may cause some cooling in the foreseeable future...The political dichotomy about climate change is fueled by gross exaggerations and simplifications on both sides of the fence.

These are the basic positions of the two sides as seen from an overarching view. The details of the scientific debate are exhaustive and not particularly useful to non-scientists. The evidence could, and has been, the subject of an entire book. The debate was also popularized by former Vice President Al Gore's movie, *An Inconvenient Truth*, in 2006. It is my personal opinion that there is climate change occurring and that the most likely cause is humankind. However, I don't know exactly what, and possibly more important, exactly when this will cause significant and catastrophic effects for our planet. Many will argue this is already happening. A lot more will argue this will happen by the end of this century. Either way, that is a big problem that cannot simply be left for future generations to grapple with. A plan of action is needed in case the worst predictions are accurate. That is the only prudent course of action.

A Radical Moderate finds little usefulness to engaging in the divergent ideologies regarding climate change. Each side, the vast majority and the distinct minority, fully believe they are correct. Both sides are passionate in their views. Each group has the same level of faith that most people have in their religion. There is no room for compromise to either of them. Since Radical Moderates cannot find a way to solve this debate, we must simply move down the road from it. We must debate issues that do have solutions. We must avoid the rhetoric and seek to achieve an attainable result.

The debate that a Radical Moderate should spend most of his time contemplating is how to *balance the interests of current energy needs with environmental safety issues*. While the debate over climate change is the most renowned issue that occupies today's politics, there have been issues from the past that still persist. The battle over clean air and water was primarily settled in the 1970s but is still alive and well among conservative think tanks. Smog caused by manufacturing plants has come under control in the United States but is a growing problem in the developing world. Landfills that are at capacity are both unseemly and an environmental issue that calls for expanded recycling. In short, there are more issues at play than just global climate change, though it is the most important.

Radical Moderates look for issues that can be solved with some certainty. We look for a balancing of interests between moving the economic engines of the world forward while minimizing the environmental damage that progress brings with it. We want manufacturing jobs and clean air. We want energy production jobs and clean water. We want to be pro-growth and pro-environment. At the human level, we want a person to be able to pay their light bill and not be laid off due to an economy constrained by environmental concerns. This is the true debate and the one worth fighting over at this time.

There is no better illustration of how this balance can be elusive than the example of the Deepwater Horizon explosion and the subsequent polluting of the Gulf of Mexico in 2010.

For years, I had accepted the logic that offshore oil drilling was safe. Prior to the Deepwater Horizon explosion in April, 2010, there had not been a serious oil rig spill off the American shores since 1979. Oil rigs usually don't blow up and create leaks. Usually, oil tankers are the culprits or intentional actions such as when Iraqi troops unleashed oil into the Persian Gulf in 1991. Therefore, I assumed, as did most reasonable people, that the typical oil rig was a generally safe way to extract oil and that any spill could be contained without a huge problem developing. I was wrong. That happens to Radical Moderate sometimes. A balanced and principled approach is taken based upon what seems to be common facts. However, in this case, the facts were totally wrong. The result was an explosion that killed 11 people and injured 17 others and then a subsequent oil spill that went unabated for five months in the middle of 2010. It was the largest accidental marine oil spill in the history of the world.

Two of my assumptions were that the technology and regulation relating to oil rig spills had evolved for the better between 1979 and 2010. After all, the technological gains in the rest of the economy were staggering during this time period. However, both of those assumptions were dead wrong. Undoubtedly, the lack of regulation and the lack of advancement in technology to avoid a Deepwater Horizon type accident went hand in hand. The agency in charge of regulating offshore drilling was named the Minerals Management Service (it has since been renamed and divided into two separate agencies). To say that the MMS was a joke of an agency is really giving them too much credit. Rather, the MMS was a corrupt government agency that was allowed to run amok and not do its job for decades.

Several reports investigating the MMS show a plethora of corrupt behavior. This was really bad. *The highlights include:*

- a failure to collect the full amount of royalties owed by oil companies to the American taxpayer (likely in the Billions);

- a dozen MMS employees had used marijuana, cocaine, and engaged in sex with energy company representatives;

- MMS regulators in the Gulf region had allowed industry officials to fill in their own inspection reports in pencil and then turned them over to the regulators, who traced over them in pen before submitting the reports to the agency;

- MMS staffers that routinely accepted illegal gifts; and

- a revolving door between MMS regulators and high-paying oil industry jobs following departure from government service.

Is it any wonder that virtually no advancements were made between 1979 and 2010 in safety regulations and the underlying technology that could have avoided or mitigated a catastrophe such as the Deepwater Horizon five-month oil spill?

The decades of corruption leading up to the Deepwater Horizon spill were some of the most abject failures of government to properly do its job that I have seen in my lifetime. Even the aftermath of Hurricane Katrina in 2005 could be blamed on a lack of understanding that such a situation was possible and the relatively short time frame

before things got way out of hand. There is absolutely no excuse for the government and oil industry being so cozy to the detriment of the American taxpayer and citizen. This cannot be allowed to happen again.

While on the topic of drilling for oil, there are two additional topics worthy of discussion. The first is offshore drilling in general. Conservatives in the 2008 Presidential Election pushed this issue hard. They came up with the slogan “Drill, Baby, Drill” as a way for America to create jobs and also become energy independent. At the time, there was a common belief among the general public that offshore drilling was generally safe. From a Radical Moderate perspective, offshore drilling will always be part of our energy production mix. However, in light of the Deepwater Horizon catastrophe, the burden has now shifted and the oil industry should provide a much higher level of safety standards than it has been asked to provide in the past. The government regulatory agency watching this industry is currently in the process of being reformed and that is long overdue. Until there are much better assurances, there doesn’t need to be an increase in the pace of offshore drilling, especially in the deeper areas of the sea.

The second topic is the Arctic National Wildlife Refuge (ANWR) located in Alaska. The debate over drilling for oil in a portion of this refuge has been going on since 1977. It has been a popular target for conservatives to paint environmentalists as extreme. Environmentalists contend that the area would be irreparably harmed and that any oil discovered would have a minimal effect on world markets. Conservatives believe the area could be a bonanza of oil and help lead America away from dependency on foreign oil resources.

Where should a Radical Moderate stand on ANWR drilling? I don’t know. This is really more of a scientific question. There is no real evidence that America can drill its way out of dependence on foreign oil. On the other hand, there is a strong argument for utilizing every resource. If the oil industry can drill in ANWR and generally protect the natural eco-system then they should probably be allowed to do so. However, should the oil industry be trusted to do the right thing? I doubt it. Regardless, while ANWR has been a loud and passionate debate, it is really a distraction from the greater issues that face our energy future. Moreover, it is not a comprehensive, long-term solution.

America, and the world, needs to establish and harvest a renewable energy source that will last for the foreseeable future while having the lowest possible risk of harming our environment. From the Radical Moderate perspective, there is one energy source that provides the *best overall option* even though it has hurdles to overcome – that option is nuclear power.

I started writing this section of the book right on the heels of the tsunamis in Japan that led to an unprecedented nuclear threat involving four reactors in March, 2011. Three of the reactors suffered partial meltdowns and the fourth leaked radioactive material directly into the atmosphere. The tsunamis were created by the largest earthquake in Japan’s recorded history which measured 9.0 on the Richter scale. The health effects of the release of radiation into the air and water supply in Japan may not be fully understood for years. Exposure to dangerous levels of radiation may not cause immediate health problems but significantly increase the chances of problems in the future. One U.S. scientist, Frank von Hippel of Princeton University, estimates that around 1,000 people will eventually die of cancer because of that radiation exposure.

What is understood is that the Japanese government withheld information that the public definitely had the right to know about. The government did an awful job of keeping its citizens informed of pertinent facts and that negligence may have increased the health threat. This public relations debacle caused a justifiable amount of backlash against the Japanese government and the nuclear industry. As of November, 2011, only 10 of Japan's 54 reactors were generating electricity, a sharp reduction for an industry that once supplied 30 percent of the country's supply of electricity. Without any question, there should be exhaustive study of the nuclear problems that occurred in Japan and those lessons should be shared with the rest of the world.

Nuclear power, though, is the best available option for mankind to balance the interests of powering our planet with as little risk as possible to the environment. This is a bold statement following the huge problems that occurred in Japan. Regardless of the public perception problems with nuclear power, it has the *best chance of achieving all of our goals*. These goals include being a renewable energy source that is carbon-free and proven to work in large scale. That does not mean nuclear power is an ideal or challenge-free option. Rather, it is the option that has the most upside.

Fossil fuels power the world today. Whether it is oil that is converted into gasoline or coal used to produce electricity, fossil fuels represent the most abundant, convenient and proven way to create energy. However, they also might be causing our climate to change for the worse or even pushing it toward catastrophe. Or, they might not. It's not known for sure but there is certainly a risk of that being the case.

As of 2004, fossil fuels were the source of 87% of the energy production in the world. The leading fossil fuel was oil at 38%, followed by coal at 26% and natural gas at 23%. Other sources of energy included hydroelectric and nuclear with 6% each. If only the amount of electricity generated by nuclear power is considered than its share was around 19%. Solar, wind and geothermal as a group were slightly less than 1% of the overall mix of energy sources. These are the facts. Like it or not, this is the starting point.

Liberals want to dramatically increase the use of wind and solar power. They view this as a panacea that will fix all energy problems. Conservatives laugh at this view and consider it incredibly naïve to believe the United States can effectively scale up its production of wind and solar. A Radical Moderate believes the production of alternative fuels should be increased even though it will not be a significant percentage of our energy mix for decades. Wind and solar power are starting so far behind the other sources of energy that even if they double in percentage mix every ten years it would take 40 years to reach 16% of the overall equation. Meanwhile, their increased usage will likely require expensive subsidies financed by taxpayers. This is a choice that needs to be discussed but it is not a viable solution in the near term. The market economics and the potential to scale up wind and solar power is just not there right now.

Hydroelectric power is a great way to produce electricity. However, it suffers from the same challenges as wind and solar in terms of its ability to increase as a percentage of the overall mix. In the early part of the twentieth century hydro power accounted for about half of the United States electricity needs. As the country grew rapidly the production of hydro power could not keep pace. Also, the best spots for hydro power were taken early and now it is becoming more difficult to find suitable locations that can produce a power source big enough to make a significant impact.

Renewable, non-fossil based energy alternatives should be explored and perfected. The truth, though, is they will not be able to keep pace with growing world energy demands anytime soon, if ever. Furthermore, rising industrial countries such as China and India are going to use the relatively cheap fossil fuels and they are not all that concerned with any possible environmental consequences.

The big three sources of energy are oil, natural gas and coal. They comprise 87% of our current energy mix and will continue to be the lion's share of the energy pie for decades to come. That is just a fact. And, if an alternative source of energy isn't identified and supported, they will always represent a high mix.

It is not practical to discuss oil as the energy of the future for America. First and foremost, there isn't enough of it. The United States accounts for about 25% of the world's petroleum consumption, while producing only 6% of the world's annual petroleum supply and having only 3% of the world's known oil reserves. Additionally, foreign oil accounts for around 65% of the amount consumed every year by the American public. And, a sizeable portion of that comes from countries whose politics are diametrically opposed to the American way of life – especially the Muslim Theocracies in the Middle East. Perhaps even more important than the national security issues involved with American dependence on foreign oil is the fact that a huge amount of wealth is being transferred to countries that supply the oil addiction. The bottom-line is that a move away from oil as the primary energy source needs to be made as quickly as possible.

Natural gas is an interesting fuel source. It is cleaner than either oil or coal but it still produces carbon dioxide. It is about 30% cleaner than oil and almost 50% cleaner than coal. Another reason it is interesting is that it has the capacity to power automobiles. While environmentalists would still argue against natural gas because they believe it worsens climate change, no one can argue that it would be better to use *domestic natural gas* rather than *foreign oil* to fuel our cars. As of 2011, there are already about 10 million natural gas powered automobiles around the world in diverse places such as Argentina, Iran and India.

For a variety of reasons, it is difficult to estimate how much natural gas America has in its reserves. Most experts describe it as abundant and the National Petroleum Council has stated there is enough natural gas in the United States to meet over 75 years of domestic production. One thing is very clear, about 85% of America's natural gas demand is produced domestically. In addition, about 95% of the natural gas imported comes from that friendly neighbor to the north, Canada. In short, natural gas is a much cleaner and much more domestically available energy resource than oil which also has the capacity to power our vehicles. It remains to be seen if the natural gas industry can use this to its advantage and increase the overall mix of its product in the energy pie.

From a purely economic standpoint, though, there is no better source of energy for the United States than coal.

So why not use more coal? After all, America has a huge abundance of coal. Some experts estimate that America's coal supply would support energy self-sufficiency *for hundreds of years*. Around 50% of the electricity currently powering our country is derived from coal-fired power plants. Electric cars are already growing in common usage by the American public. Coal is the real deal in terms of an immediate and virtually limitless amount of energy in America. However, coal *might* be the biggest contributor

to global warming. As discussed earlier, that may prove to be a game-changer that leads to an Armageddon type of ending for the world. Of course, it *might* not. No one knows for sure.

In the interim, market economics will likely make coal the immediate option for our growing energy needs. While environmentalists have succeeded in bringing the creation of new coal-fired power plants to a near halt, there are still about 600 of them in the United States and they are not going to shut down anytime soon. And, they don't need to until a better source of energy that is scalable is found. Rather, coal needs to be the bridge to the next generation of cleaner fuel sources.

Thus, through the process of elimination, nuclear power remains the frontrunner. Nuclear power is the best available option as the energy resource of the future for a couple of reasons. First, nuclear power produces very few greenhouse gases when producing electricity. It is on similar levels to wind and solar power in this respect. This makes it much more attractive than oil, natural gas and coal because it will not worsen global climate change. Second, nuclear power will never run out. All of the fossil fuels will run out someday and there is no way to replace them. That day might be 100 years from now but they will run out. Third, nuclear power can easily be scaled up. This is the problem with wind and solar energy. They cannot easily be mass produced. Nuclear energy already produces about 20% of the electricity in the United States and 80% of the electricity in France. Fourth, nuclear power could become even safer if thorium is utilized as fuel for the reactors in the future. Thorium is safer and more abundant than the uranium fuel currently used.

No one is saying that nuclear power is completely safe. The first nuclear power plant to generate electricity for a grid went online in Russia in 1954. Since that time, there have been at least 20 nuclear and radiation accidents that involved fatalities. However, two points need to be made here. One, a lot of these accidents occurred in earlier decades when the safe use of nuclear technology was less understood. Second, there have been a lot more than 20 airplane crashes during the same period of time. In the contemporary world, there will always be some accidents related to our use of advanced technology. A lot of people die in car wrecks every day but there is still a greater benefit to using automobiles in the highly mobile world today.

There is no doubt that the biggest fear of people is that of a nuclear accident and/or meltdown at a power plant. There are three instances that were very real, very scary and even tragic for some: Three Mile Island (1979); Chernobyl (1986); and Fukushima Daiichi in Japan (2011). For Americans, though, it was the Three Mile Island scare of 1979 which burned into the public mind that nuclear power was too dangerous to expand in usage.

There are two important points that need to be made in the discussion of what happened at Three Mile Island: 1) It was a very serious situation; and 2) Not one person died or is expected to die because of the accident at the power plant. If you are a skeptic of nuclear power you should do your own research into what happened at Three Mile Island. Basically, here's what happened:

On March 28, 1979, an accident began occurring at the nuclear power plant located near Harrisburg, Pennsylvania known as "Three Mile Island". The problem started with failures in the non-nuclear secondary system, followed by a

stuck-open pilot-operated relief valve in the primary system, which allowed large amounts of nuclear reactor coolant to escape. These mechanical failures were made worse by the initial failure of plant operators to recognize the situation as a loss-of-coolant accident due to inadequate training and human factors. For instance, a hidden indicator light led to an operator manually overriding the automatic emergency cooling system of the reactor because the operator mistakenly believed that there was too much coolant water present in the reactor. All of these issues led to a core meltdown in Unit 2 (a pressurized water reactor). The result was that approximately 2.5 million curies of radioactive gases and approximately 15 curies of radioiodines were released. The situation was eventually brought under control. The Kemeny Commission Report concluded that “there will either be no case of cancer or the number of cases will be so small that it will never be possible to detect them.” Clean-up of the site lasted 14 years until 1993 at the cost of about \$1 billion. The incident was rated a five on the seven-point International Nuclear Event Scale.

Again, the Three Mile Island accident was a very serious situation but it did not end up harming anyone according to all reliable evidence sources. However, the accident became emblazoned in the mind of the American public. Additionally, in what must have been the most improbable of coincidences, the accident happened only 12 days after the release of a movie entitled: “*The China Syndrome*”. The plot of the movie involves a California nuclear power plant that has an accident and nearly goes into nuclear meltdown. The movie features well-known actors such as Jane Fonda, Michael Douglas, Jack Lemmon and Wilford Brimley. The combination of the real life accident at Three Mile Island and the movie accident in “*The China Syndrome*” turned American public opinion very much against the nuclear power industry and helped curtail the development of new plants that were scheduled to come online in future years.

While Three Mile Island was very scary to the American public, the accident at the Fukushima Daiichi in Japan was much more serious and caused greater upheaval to its country. At the time of this writing, that tragedy has not been fully examined the way that it will be in the future. However, nothing compares to the disaster at Chernobyl in 1986. A 2008 report put the confirmed deaths related to Chernobyl at 64. It is fully understood, though, that there will be many more over the years because of the amount of radiation that was released. A low end figure is around 5,000 with many credible reports predicting tens of thousands of premature cancer deaths. An estimate from the environmental group Greenpeace contends that 200,000 will die because of exposure to Chernobyl.

I will not spend any time defending the Chernobyl accident in Russia or trying to convince anyone that it could not happen again. Rather, there remains a healthy skepticism of whether the Russians knew what they were doing or cared enough about safety to protect their own people. While I am confident in advocating the expansion of nuclear power in the United States, the same cannot be said for Russia. They have a lot of proving themselves to do before the world should sign off on their nuclear power expansion. Of course, the Russians have not typically listened to the Western powers and there is little reason to believe they will when it comes to nuclear power either.

So, nuclear power has had its troubles. The easiest thing for a politician would be to demagogue it. After all, if something goes wrong the statements of support will look really bad as scenes of thousands of people are being evacuated from their homes. However, a Radical Moderate cannot operate under the premise that the safest political path is the best public policy. My proposition stands: *Nuclear power is the best available option taking into account our energy alternatives.*

Besides having the political will to move forward with nuclear power plant expansion in the United States, there are three issues that will have to be addressed. One, the high cost and long period of time it takes to construct a nuclear plant; Two, what to do with the nuclear waste that is generated from the plants; and, Three, the regulation of nuclear plants will have to be highly effective but also more streamlined – there is no room for error.

It is prohibitively expensive and time-consuming to construct a nuclear power plant. Depending upon the size and other factors, a new nuclear power plant can easily cost between \$10 billion and \$20 billion. There are 104 nuclear power reactors currently in operation in the United States and there are 440 nuclear power reactors in 30 countries worldwide. The only reactor currently under construction in America *was started in 1974 and is still not completed.* Because of these issues, it is very difficult to attract private capital to invest in new construction. Allowing more competitive forces into the electricity market will likely discourage investment even more. This is because it takes way too long to see a return on the investment. In addition, there are much quicker and cheaper ways to construct power plants – for example, coal-fired plants.

It does not have to take forever to build a nuclear power plant. The two biggest factors in building a new plant are the amount of regulation that must be complied with and whether there is an underlying infrastructure of trained people and available assets to support the industry. The United States had a good mix of all of these factors prior to the loss of public and political support in the 1970s. France was able to quickly go from virtually no nuclear program to 80% of its electricity being produced by nuclear plants. The reason is that in 1974 their Prime Minister, Pierre Messmer, decided to make it happen. He pushed through, without much parliamentary involvement, an ambitious plan to move away from fossil fuels. Between 1974 and 1983, France went from having only 8% of its electricity produced by nuclear plants to having 49% produced by them. That share increased to 75% by 1990. Many people did not like what Messmer did but the results have spoken for themselves. During that same time period, France went from burning coal and oil 53% of the time to only 11% of the time in producing electricity. The world could learn a lot from the French on how to go nuclear.

The disposal of nuclear waste in the United States has not been resolved. Currently, nuclear waste is stored at each individual plant around the United States. That will only work for so long, though. It has been understood since at least 1957 that there needed to be a long-term storage solution for nuclear waste produced by power plants. The Nuclear Waste Policy Act of 1982 created a timetable and procedure for establishing a permanent, underground repository for high-level radioactive waste by the mid-1990s, and provided for some temporary federal storage of waste, including spent fuel from civilian nuclear reactors. State governments were authorized to veto a national government decision to place a waste repository within their borders, and the veto would stand unless both houses of Congress voted to override it. The Act also called for developing plans by

1985 to build monitored retrievable storage (MRS) facilities, where wastes could be kept for 50 to 100 years or more and then be removed for permanent disposal or for reprocessing. The thinking was that by that time new technology would be in place to permanently dispose of the waste.

The Nuclear Waste Policy Act was amended in 1987 to designate Yucca Mountain, Nevada as the only site that would be utilized in the country for the disposal of nuclear waste. Construction began the next year on a state of the art facility to safely store the waste. The site immediately became a political hot potato and was finally de-funded by the Obama Administration in 2009. This was a classic example of how expedient politics overrides necessary public policy. Obama campaigned hard against the Yucca Mountain project in the early primary state of Nevada and the state's senior U.S. Senator, Harry Reid, was the majority leader in Congress making it virtually impossible to complete the project. Thus far the failed project has cost taxpayers tens of billions of dollars and will likely never be finished.

Where will the nuclear waste of the future be stored? How can a regulatory system be constructed that will balance safety and costs? Can nuclear plants be built that can withstand earthquakes, floods, terrorist attacks, etc.? These are all great questions. Questions that need to be answered. I believe they can be answered. Regardless, some serious choices need to be faced both as a nation and as a world. The environmentalists have said that greenhouse gas producing fossil fuels must go. Fine. Then, from where does the power come? Wind and solar power are not going to cut it anytime soon. Nuclear is a real and viable option. One question remains: Is there enough political will to face the energy needs and solve this problem before it is too late?

If ever there was a need for government to play a role in the economy it is with the energy sector. This is for two basic reasons. The first reason is that energy is something that has been easily monopolized in the past. The second reason is the dangers to our environment from the generation of power – such as nuclear reactors.

Radical Moderates want free market solutions. However, the production, generation and distribution of energy are things that have never worked well in a completely free market. This is because such an industry could easily be monopolized. For example, since electricity has to be transmitted via lines it has always made sense for one company to own those lines. If that company was allowed to be the sole provider they could increase electricity rates to an above optimal level. Without government regulation, the electric companies could charge whatever price they wanted. While it is not written into the U.S. Constitution that people have the right to access electricity at a fair price, it may as well be. Electricity has become such a basic ingredient of a high quality of life that no one – conservative, liberal, libertarian – would ever consider making it a luxury. Therefore, the government has to play a role to keep the electric companies, and all of the energy companies, honest.

The other basic role of government in the energy industry is to make sure that the production of power is as safe as reasonably and cost-effectively possible. The examples of the Deepwater Horizon catastrophe, Three Mile Island and the debate over ANWAR all illustrate why this role is important. It cannot be left to the private market to determine the safety of a nuclear power plant. This would not work. Even the most conservative of free market economists would likely agree with this assessment. That is

why a new economic paradigm such as an effective Traffic Light Intersection model that monitors and regulates this market is needed.

One of the downsides of government regulation of markets is that it makes the average person think that the government can change the laws of physics. In other words, just because the government has a role to play in markets does not mean that it can alter the underlying fundamentals of how the markets operate. Indeed, the government should not even try to do so because it is a waste of time and resources.

Because of public opinion, though, the government often tries to exert influence in one particular aspect of the energy industry, the price of gasoline. It is one of the most potent political issues surrounding the balance between environmental needs and maintaining a strong American economy. Most people understand that the price of gasoline is closely correlated with the price of crude oil. It is also understood that the price of crude oil is part of a global market that cannot be solely dictated by any particular oil-producing country – though groups such as OPEC do have influence on the price.

Americans are accustomed to gasoline prices that are substantially lower than prices in the rest of the world. Most countries heavily tax gasoline. When the price of gasoline increases, the approval ratings of the incumbent U.S. President, and most members of Congress, typically are pushed downward. Gas prices, though, have not increased significantly over the last 40 years in the United States when considered from a relative standpoint despite public perception to the contrary.

A 2005 analysis by University of Michigan-Flint Finance and Economics Professor Mark J. Perry showed that the seeming increase in the price of gasoline in the United States was an “illusion”. He compared gas prices over time by calculating the cost of 1,000 gallons of gas purchased at the average price in a given year, as a percentage of per-capita disposable income in that year. For example, in 1935, when gas prices were 17 cents per gallon and annual disposable income was \$466, the cost of 1,000 gallons of gas was 36% of average disposable income. In 2005, with gasoline costing around \$2.10 a gallon, it takes less than 7% of our disposable income. The “cheap” gas of the '60s and '70s cost about 12% as a share of income. Yes, the price of gasoline has increased but not as fast as the average income of Americans.

Americans, therefore, pay less for gasoline both in real terms and as a percentage of income. Still, the public perception is that the price of gasoline is always “too high”. It is true that Americans do not have access to alternative modes of transportation such as high-speed trains. Therefore, it does make a certain amount of sense that our prices should be lower – especially in the rural areas.

All of this discussion, though, avoids the elephant in the room. It avoids the most relevant question: Should Americans be paying more for gasoline? The answer, regrettably, is probably yes. No one wants to hear that. I doubt that there will ever be a serious piece of legislation that proposes to increase the taxes on gasoline in the United States. It would be terrible politics. The only constituency that would support it is the environmental lobby and they are not very strong. In addition, it would be a burden to Americans that commute to low-paying jobs and people that live in rural areas. That is a fact. However, that does not mean it is not the best public policy for the most number of people.

Increasing the tax on gasoline – and thereby increasing the cost for a gallon of it – would serve numerous needs. The first effect of raising the price of gas would be to decrease the demand for the product. Then, the money raised could be utilized to pay down the national debt. The money could be spent on researching alternative sources of energy. The money could be used to maintain the interstate system. All of those are priorities and an increased gas tax is the most logical way to pay for them. In addition, increasing the price of gas would persuade people to start driving more fuel efficient vehicles. It would serve as an incentive to car pool and use more public transportation, where it is available. Most of all, though, it would have the benefit of weaning the American public off of its addiction to foreign oil.

Any reasonable person must come to the conclusion that the American public is addicted to foreign oil. As with any addiction, it is hard enough to admit there is a problem and it is even more difficult to actually do anything to stop it. As of 2011, little has been done to stop our addiction. Raising the gasoline tax is definitely bad politics, but refusing to deal with the American public's addiction to oil is *even worse public policy*. Something must be done. Raising the gasoline tax would work. Don't hold your breath, though, because I don't see any way that it will happen. However, being a Radical Moderate means at least starting the discussion.

The other reason why raising the gasoline tax *might* be great public policy is that man-made climate change *might* be the real deal. The world *might* be headed toward a horrific ending. And it *might* not. The truth is, only models can be created and predictions made. Going back to my poker analogy, though, there is a chance that the game could be over completely. There may even be a really strong chance that the whole planet will virtually come to an end. Utilizing that perspective, is it really such a radical idea to raise gasoline taxes and utilize that money to decrease the chance that the end of the world will occur?

There are probably other public policy options available that could be beneficial to our future that have not been mentioned in this chapter. I offer up increasing the gasoline tax because it is the most straight-forward way to attack the problem. Conservatives will argue that the United States should be drilling for oil in Alaska and off of its two coasts. That is fine. It is a great political argument and maybe a halfway viable public policy option. But, it would only delay the inevitable. Demand for oil will only increase as the world population rises and more countries develop their economies. Finding and harvesting more American oil, if it can be done, will only last for a relatively short period of time. Then, it will be back to the discussion of alternative fuels and better fuel efficiency. Why not just try and solve the problem now and save some of our environment too?

Perhaps a more doable public policy initiative would be increasing the amount of money the U.S. government spends on energy research and development. In June 2010, the American Energy Innovation Council (which includes Bill Gates from Microsoft; Jeffrey Immelt from General Electric; and John Doerr, a venture capitalist that funded Google and Amazon) urged the government to more than triple spending in this area. Currently, the U.S. spends less than \$5 billion a year on energy research and development, excluding one-time stimulus projects. In contrast, the government spends about \$30 billion annually on health research and \$80 billion on military research and

development. Bill Gates came out in favor of reducing greenhouse gas emissions but believed it was not possible with current technology.

Most of the current innovation in the energy sector involves how to better extract fossil fuels from the Earth. Until recently, there has been little focus on developing new sources of renewable energy. The energy companies make huge margins on known products such as oil so there has been little profit incentive to look for a way to put their companies out of business. That is one of the reasons the market is not operating efficiently.

Throughout this chapter, I have focused on the macro picture. Energy is usually seen through this perspective. The use of energy resources such as electricity and gasoline are so fundamental to our daily lives that they dominate the macro-economic landscape. Quite simply, a high quality of life is impossible without them. This quality of life, though, comes at a cost. Since a lot of effort has been made to demonstrate the challenges involved with maintaining that standard of living from a global perspective, I will finish on how it affects the individual person.

Radical Moderates struggle with the effect that energy costs have on an individual – especially the poor in America and the average person who is very poor in developing countries. From their standpoint, *the end of the world could happen at the end of the week*. These people are living hand to mouth. Their ability to pay the rent, the light bill and the cost of transportation is always in doubt. They would be the hardest hit by an increase in the price of gasoline. They would be hardest hit by a carbon tax that would eventually increase their electric bill. These cost increases would have very real consequences. For these people, their energy costs are a matter of survival.

It is important to keep these economically poor individuals in mind when trying to address an environmental and energy balancing act. These are the people that will feel the squeeze of the policies that are enacted. Can you really blame the Chinese worker who labors for \$15 (U.S. equivalent) per day for not caring if the plant he works at is polluting the planet – when the effects of that pollution might not occur for 50 years? This guy is just trying to feed his family *today*.

The environmentalist lobby is working hard to stop the construction of new coal-fired plants in the United States. A question must be raised, though: What will happen to the cost of electricity as demand increases and supply decreases? The answer is the cost will rise and the poorest Americans will suffer the most. If global climate change is the real deal and the Earth is on a collision course with destruction, then suffer they must. However, along the way, let's at least try to balance our interests so the people at the bottom of the totem pole don't get crushed. I wish that the environmental movement would take a more pragmatic tone and come up with solutions instead of just trying to stop the energy resources currently being utilized. One must do more than just say "no".

Solving our energy challenges is much more complicated than slogans such as "Drill, Baby, Drill!" from the right or demonizing the energy industry by the left. The risks are unknown and the costs are very hard to calculate. The only way to solve such a complex problem is to put everything on the table and start taking some Radical Moderate steps. It's important to get started because time is running out.

Chapter Six: Trade Policy

The United States lost 5.5 million manufacturing jobs between 2000 and 2009. In October 2009, there were only 11.7 million Americans working in the manufacturing sector. That was the lowest gross total since before World War II in 1941. Plant closings hit rural America especially hard. When factories close down in a smaller community it is demoralizing to everyone that lives there. Of course, it is not just the factory workers that lose their jobs. It is the service providers that also lose their incomes. Then, the best and the brightest children start moving away for better opportunities. The vicious cycle does not end until the entire town becomes a mere shadow of the once proud community. Losing a manufacturing plant is awful. It has very real consequences, and, for many American communities, it is inevitable.

When factories close in a community the people living there want to believe that better times are just around the corner. They want someone to give them hope that the jobs will come back. They desperately want and greatly need leadership from their elected officials. However, that seldom comes. Why? Because very few politicians want to deliver the bad news – most of those jobs are gone forever. It is human nature to react negatively to bad news. Therefore, politicians would rather tell people what they want to hear whether there is a factual basis or not for the statements.

Most of our elected officials are honorable and hard-working people that truly do believe things will get better just around the corner. However, a small portion of our officials are either being naïve or willfully dishonest. Either way, the result is the same. The jobs are not coming back and no one is facing this reality. There is an opportunity to create new and different jobs but the old style manufacturing positions are leaving forever.

Why do factories close down? One of the biggest reasons is because of foreign trade. It is cheaper and more efficient to produce many manufactured items in other countries. This is the reality. How quickly this occurs can be regulated but little can be done to fully stop the trend. In fact, it is not in the best interest of our country to fully stop the trend. Because, on the flip side, jobs created through foreign trade eventually are higher paying and more secure in an uncertain future. That news, though, is of absolutely no comfort to the person that just lost a good paying job that he has held for the last twenty years. In some cases, multiple generations of families have held jobs at that same manufacturing plant.

The reason I lead with the bad news is that the American people deserve to hear the truth. Many of them will not want to hear it, but there is still the need to hear it. Listening to the voices that say things will get better right around the corner will only make things worse off five or ten years from now. It is better to face the brutal truth today and start planning on how to deal with it. This principle is at the heart of being a Radical Moderate.

Our trade policy needs to be expanded. Without a doubt, it needs to be expanded with sensitivity toward the consequences on communities. However, my argument is that this transition has and will occur whether it is embraced by the affected populations or not. I would rather hear the bad news today instead of after it is too late to do anything about it.

Why is expanded trade the best course of action? The world is growing smaller each day. Advancements in technology such as the internet and its applications such as Facebook are breaking down communication barriers. There are still places in the world that are remote but even those places probably sell Coca-Cola. Trade policy, though, is still very archaic in its approach. The purpose of U.S. Trade policy has traditionally centered on protecting American businesses and workers from having to compete against “low-wage” countries. That certainly made sense for a period of time. However, that rationale is quickly disintegrating. Furthermore, trade policy, while usually compartmentalized, is really just another aspect of our foreign policy which has significant consequences on a myriad of issues such as democratic reform, genocide and war. How long will America pretend that it can maintain artificial barriers such as protectionist tariffs and quotas when every other aspect of life is seeing barriers torn down?

A Radical Moderate understands history. There are reasons why countries developed the way that they did. Villages turned into cities, cities turned into city-states, city-states turned into countries, countries turned into continents. Now, because of technological advances in communication, we are reversing the trend of getting big and instead becoming smaller again. For example, the average teenager is closer friends with people on Facebook than with their neighbor two doors away. Some of those Facebook friends live in other states. Soon, a lot of them will live in other countries. To the youth, geographical barriers are becoming less and less important. Their culture is changing and this shift will only accelerate over time.

Trade policy, it seems, is based on tradition. Regardless of where one lived in the world, farming was the main industry for centuries. Farming was necessary to live and revered as a cultural value to be protected. With advancements in farming production and transportation, it became possible to buy and sell agricultural products with other countries. This was a net benefit to a food producing country. However, it meant that while one kind of farmer would prosper, another kind of farmer would lose out. When farming became more competitive, the political pressure to keep things the same intensified worldwide. That is the point where economic opportunity met political resistance. That battle occurs in national legislatures worldwide every day where agricultural constituencies pressure their representatives to protect their parochial interests.

Farming is where resistance to free trade started but it is hardly where it ends. Trade policies have always been tied to the protection of existing jobs. In many instances, trade was a one-way street and started when an imperialist country decided to use military force to get someone to buy their goods. Indeed, the U.S. used our navy under the command of Commodore Matthew Perry to coerce Japan into trading with us in the 1850s. That is a fact probably unknown to contemporary Americans that still refuse to buy a “Japanese made” automobile. It started here.

From a Radical Moderate perspective, we understand that restrictive trade policies were borne out of long held traditions. There was a time and place for those traditions. However, that time has passed. Americans live in a global economy that has no emotion or sentimentality for a lack of efficiency. The workers must adapt or the American economy will start dying a slow and painful death.

While many of our trade restrictions are inherited from cultural traditions, others are purely political in nature. One of the most easy to understand and glaringly ridiculous trade situations occurs between the United States and Cuba. In October 1960, following Fidel Castro's nationalization of U.S. business interests in Cuba, America partially imposed an embargo on Cuba. That action was strengthened in 1962 and has continued in one form or fashion until today. The embargo, mind you, has done almost nothing to weaken Castro's control of Cuba. Yet, it still exists.

The real reason that the U.S. has a trade embargo with Cuba is politics. In particular, South Florida politics are the reason for the restrictions. Florida is the ultimate swing state in Presidential elections. That status was confirmed by the 2000 Presidential election between George Bush and Al Gore which was decided by only a few hundred votes and a U.S. Supreme Court decision. The politics of South Florida are dominated by Cuban-exiles that hate Fidel Castro. Many of them endured political persecution by the Castro regime. Castro is a bad actor and is deserving of the scorn from these activist exiles. However, their hatred of Castro has helped perpetuate an embargo that hurts American business. In my home state of Arkansas, we could be selling Cuba much more rice and chicken. Their people want our products but the governments of the two countries cannot get their acts together and bury the past.

The U.S./Cuban trade relationship is just a microcosm of the trading situation with every country in the world. It might be the most blatantly political and nonsensical example. It also proves that most of the barriers to trade are based upon issues that are not founded in what is good for the most number of people. Any objective observer can quickly understand that trade with Cuba is a major net gain for the United States. However, there would also be a few losers if trade was expanded. It is not known exactly who the losers would be but Cuba has the capability to export sugar and become a haven for tourism. Therefore, some Americans would be hurt by expanded trade with Cuba, but the great majority of Americans would enjoy a better quality of life. That is why expanded trade is a good thing in general.

It is important to get a sense of how much the U.S. economy currently depends upon foreign trade and how much potential for expansion exists. The United States is the largest trading country in the world. In 2010, over \$1.8 trillion in goods and services were exported to other countries around the globe. Unfortunately, over \$2.3 trillion in goods and services were also imported from the world community. Therefore, we had a trade imbalance of around \$500 billion. That means \$500 billion of wealth was lost as a country. Many individuals and businesses gained from this trade and many others lost as a result.

The Gross Domestic Product of the United States in 2010 was \$14.6 trillion. Exports accounted for about 12% of that total. This leaves a lot of room to grow. An expansion of exporting could lead the United States back on a pathway to economic supremacy in the world. It would truly be a great jobs program that could restore the vitality of the American middle class – which desperately needs a shot in the arm.

What other options are available to America besides expansion in the area of trade policy? One option – a bad one – is to increase tariffs. The United States has been down that road before. The Smoot-Hawley Tariff Act of 1930 was at best an ineffectual remedy for a struggling economy and at worst a complete disaster. The Act increased tariffs on thousands of imports and represented the highest duties charged since the

1820s. Interestingly, the Act was sponsored by two Republican legislators, passed only with the majority Republican support in both houses of Congress and signed by Republican President Herbert Hoover.

There is a healthy debate on what the consequences of the Smoot-Hawley Tariff Act were in actuality. There is no question that both imports and exports declined after the Act became law by over 60% during a three year period. Logic indicates that the Act had a negative effect on jobs. Still, it is not at all clear that the rise in unemployment from 7.8% in 1930 to almost 25% in 1933 was directly correlated to the higher tariffs. After all, international trade only represented about 5% of the Gross National Product during that time frame. Regardless, the Tariff Act was not a positive. Because of this experience, no one looks to raising tariffs as a viable option in the area of trade policy – and rightfully so.

Another trade policy option is to engage in neomercantilism. Neomercantilism is the modern day version of mercantilism which was the dominant economic theory before the rise of Adam Smith's free market theories. In general, neomercantilism means that a country engages in the promotion and subsidization of exports, discourages imports, tries to control the movement of capital and centralizes monetary policy in the government as opposed to free markets. It can also involve high tariffs as part of an overall strategy of protectionism. The purpose of a neomercantilist system is to promote industrial growth and generally preserve manufacturing jobs. Some economists and theorists believe that countries such as China, Japan and Singapore engage in neomercantilist principles.

An example of alleged Chinese neomercantilism and an illustration of the complexity of international trade are found in the solar panel industry. The solar energy business is high-tech and green. It is exactly the kind of industry that the United States wants to be involved in as both a jobs program and as a way to help the environment. The problem, though, is that China dominates the production of solar panels. China shipped around \$2 billion worth of solar panels to the United States in 2011. Because of this, the United States opened a trade case against China accusing the country of “dumping” solar panels in the U.S. at below market prices. In retaliation, the Chinese threatened to respond by opening a trade case of their own to investigate American exports of polysilicon to China. Polysilicon is the primary raw material utilized to make solar panels. In 2010, American polysilicon exports to China accounted for about \$900 million. These trade cases are then investigated by branches of the American and Chinese governments to determine if they have any validity.

Here is another way of explaining the situation: America wants to be a leader in solar energy; China wants to make money off of America's stated desire; America claims that China is cheating; China claims that America is cheating. At the end of the day, they try to go to a quasi-court as a way of avoiding a trade war. It is like a game of chicken really.

This type of back and forth jockeying occurs in every sector of the global economy. On the one hand, it seems to make sense to engage in neomercantilism and help out American manufacturing businesses. However, it will not work. The Chinese version of capitalism resembles the Soviet version of Socialism. Ultimately, it is still a centralized economy wherein the government creates results as opposed to simply setting rules. Setting rules (such as with a Traffic Intersection Theory of Economics) is a completely valid and efficient role for government. Setting prices, playing chicken with international

trade and generally trying to decide what is the best economic choice for individual citizens has never worked over the long haul. It is not a proper role for government. Sure, the Soviet Union's economy grew and grew for decades but finally collapsed because of misallocation of capital and resources. No central planners can be that smart – the world is too complex and dynamic. Neomercantilism, therefore, is not a viable option for trade policy.

There are things that the United States government can do to have a positive role in the economy – such as research and development. However, America should not proceed down the route of creating an “industrial policy”, neomercantilism, raising tariffs or anything of that nature. Rather, strong trade treaties should be negotiated and enforced vigorously. It is the equivalent of a football coach that yells at the referees but doesn't completely walk off the field and forfeit the game. Unfair rules can be modified. Bad decisions can be overturned. However, the basic nature of the game does not change. In this case, a robust expansion of free trade is the only viable option for America's future. In poker terms, it is time to go “all in”.

There will be consequences deriving from an expansion of free trade. There will be sectors of the economy that will lose. There will be constituencies of people that will be hurt in the short-term. Just as sure as the sun rising in the morning, those constituencies will exert political pressure upon their elected officials to “protect their way of life”. It is not the easy path politically to advocate expanded free trade. It is the better path economically, though. And, ultimately, it is going to happen whether it is embraced or not.

Without a doubt, free trade has already taken a toll on the manufacturing sector and middle class America. Manufacturing jobs were a pathway to the middle class for many Americans following World War II. The manufacturing base that was developed during the war continued to expand in the post-war era. By 1965, manufacturing accounted for 53 percent of the economy. However, for a variety of reasons, the percentage of manufacturing jobs started on a steady decline that has accelerated dramatically in the last twenty-five years. By 1988, manufacturing jobs only accounted for 39 percent of the overall percentage of jobs, and in 2004, it accounted for *just 9 percent*.

The importation of automobiles, electronics and a host of other products are the contributing factors that led to the death spiral of manufacturing jobs in the United States. There are certainly things that could have been done to slow down the loss of these jobs. However, nothing could have completely stemmed the tide. Furthermore, the overall economy grew rapidly during the same period of time that the manufacturing base was disappearing because worker productivity increased through the use of automation. New jobs replaced the old jobs.

Globalization and the outsourcing of tasks have been two of the primary causes of the loss of American manufacturing jobs. It is not completely clear at what pace these accelerators would have worked had free trade agreements not been created. Regardless, there were trade agreements that coincided with globalization and outsourcing. One of the most famous agreements was the North American Free Trade Agreement (NAFTA) of 1994. The free trade zone between the United States, Canada and Mexico is still the largest economic trading area in the world. NAFTA led to the elimination of most tariffs on products traded between the countries. Without a doubt, this led to the loss of some

manufacturing jobs in the United States. The full effect of NAFTA is still being debated but from the perspective of national unions it was devastating.

A Radical Moderate is for expanded free trade in general. We would have supported NAFTA in full force when it was enacted in 1994. However, a Radical Moderate will also admit that the transition which has occurred over the last two decades has been very difficult. While there have been many benefits of NAFTA, it has been easier for the general public to see the negative impacts. There is strong evidence to suggest that NAFTA has produced some small economic benefits to the United States while producing significant economic benefits to Mexico. Does that make NAFTA worth the effort? Hopefully, but it is still worthy of debate. What is known for certain is that an expansion of trade is an overall economic benefit that will always be hard to defend to someone that just lost their job because of it. There may be a political price to pay for this progress. Radical Moderates get it.

American Unions have played a critical role in the expansion of the middle class during the 20th Century. They were on the forefront fighting to ensure that the workers of America rose right along with our overall economy. The growth of unions was responsible for the enactment of child labor reforms, the minimum wage and a forty-hour work week. *These were huge accomplishments.* Few contemporary Americans can even imagine coal miners that toiled away underground 100 hours in a week or 10 year olds doing the back-breaking work in textile factories. That was the reality of the late 1800s in America. Free market capitalism was completely unrestrained at that time and it contained no self-regulating moral rules. The cheaper and less-organized labor the better was the view of the American manufacturing and business sector. The American Labor movement changed all of that for the better and a debt of gratitude is owed for their work.

In the 21st century, though, labor unions do not resemble the moral crusaders of a century before. Times have changed. The reforms became the accepted rules of the capitalist game. The fight was won. Workers were victorious. And, then, there was a failure to adapt to the times.

The decline in union membership and participation was not solely caused by American trade policy and the evolving global economy but it was a huge factor. In 1945, almost 36% of Americans were represented by unions. More specifically, about 34% of private, non-agricultural workers had union representation while only about 10% of public employees were members. In recent years, only about 12% of the overall work force is unionized. Out of that number, about 36% of those individuals work in the public sector while only about 7% work in the private sector – a complete reversal since 1945. Again, there are a myriad of factors for this decline but the changing economy is right at the top of the list.

Another reason why unions have declined in membership is their failure to innovate and re-invent themselves. Too often, unions have simply been obstructionists to a changing world. One illustrative example of this was the tensions between unions and Iowa Beef Packing, Inc. (IBP). In the 1960s, IBP had streamlined the slaughter of beef and created a process that made the packaging of those products much more efficient. However, these efficiencies cut into the livelihood of the Amalgamated Meat Cutters Union (butchers). These butchers fought back by organizing the hard-line tactics of walkouts, strikes and even violence. One of my uncles was managing a plant during this time period and saw the violence first hand. In short, technology and innovation had

virtually eliminated the previously secure middle class job of being a butcher. While sad, that is the reality of a dynamic and robust economy. IBP was able to reduce the period of time during which a cow was raised, sold, slaughtered, packaged and ready to be eaten. Because of IBP a person can go buy a bigger, lower-priced steak at the local grocery store rather than at the butcher shop. Who today would want to turn back the clock?

The example of IBP is very similar to what happened to the entire American manufacturing industry. There were better and cheaper way of making textiles, automobiles, radios, etc. The world economy was changing and everyone knew it. However, instead of planning for this eventuality and doing something about it, most unions just pressured their elected officials to stop the future. Too many of these officials told the unions (and all American workers) that things would be better right around the corner and that they did not have to change their basic structure to be successful. Well, that approach was a complete failure. Unionism basically hit rock bottom and there was no strategic plan to soften the fall.

There is still a place for unions in the future. They will have to adapt and regain the moral superiority that they possessed in their early days of fighting for children and defenseless workers. One place that unions could look for growth is with the immigrant population. This is a class of people that needs protection. Instead of fighting immigration reform and free trade agreements, unions should seek out undocumented workers that currently live in the shadows. That would be both a noble calling and a path toward a new relevancy in the American workplace for the labor movement.

One of the first things unions could do to look forward is to give up their opposition to “Trade Promotion Authority (TPA)” which was formerly known as “Fast Track Negotiating”. This is a process whereby the President of the United States is able to negotiate trade agreements and submit them to Congress for approval or disapproval. The key component of TPA is that Congress can vote an agreement up or down but cannot amend or filibuster it. This authority was first created in 1974 but expired in 1994 following the passage of NAFTA. President Bush was able to bring back the power in 2002 but it expired again in 2007.

Trade Promotion Authority is the equivalent of the Base Realignment and Closure (BRAC) process whereby military bases are closed with an up or down Congressional vote. The basic premise is that without such authority trade agreements aren’t passed and bases aren’t closed – something that the majority of elected officials agree need to happen in general, just not in specifics. TPA power is the most pragmatic way to enact free trade agreements. As of late 2011, *there are only have a shockingly low 15 Free Trade Agreements with 20 countries around the world.* Many, many more than that are needed.

The United States does, of course, “trade” with all the developed countries in the world. That process is handled through an entity known as the World Trade Organization (WTO) which sets out rules governing its 154 member nations. However, a “Free Trade Agreement” builds on the general principles of the WTO agreement by being more comprehensive and with stronger disciplines. The United States doesn’t even have FTA’s with countries such as Japan, Great Britain and Germany. Instead, the mediocrity of the general WTO guidelines are just accepted. It is really a travesty that more progress as a global trader has not been made given that the U.S. has the largest and most powerful economy in the world. Traditions, though, die very hard.

One of the things that has always been a part of the overall American trade policy is the recognition that innocent workers bear the brunt of fast-changing global economic conditions. Therefore, starting with the Trade Expansion Act of 1962 and bolstered by the Trade Act of 1974, Congress created the Trade Adjustment Assistance (TAA) program to help displaced workers. President Kennedy explained the rationale of the program this way:

When considerations of national policy make it desirable to avoid higher tariffs, those injured by that competition should not be required to bear the full brunt of the impact. Rather, the burden of economic adjustment should be borne in part by the Federal Government.

TAA is a federal program that is administered by the states. The program is designed to temporarily help workers that have been displaced because of the impact of imports or by a shift of production by their firm to a country where the U.S. has a free trade agreement. A classic example would be when a Whirlpool washing machine manufacturing plant is moved to Mexico. Under the program, individual workers are given money to seek out retraining in a specific skill area that will enable them to make a living. For example, they might go to truck driving school or learn how to be an airplane mechanic. Programs such as TAA represent the partnership between the reality of private industry having to evolve and the needs of the individual workers that are left behind.

Ultimately, the only way to win in the 21st century global arena is to be the most productive and competitive economy. Winning the future will be a challenge but there is a pathway to doing it. Clearly, though, winning will not be accomplished by trying to write the best rules, argue the best legal cases and protect our industries with old world thinking. To be sure, it's important to be at the table when the rules are written but then so is suiting up and playing the game better than anyone else.

The truth is that the U.S. government is not capable of completely restoring the strong connection between our manufacturing base and a secure middle class quality of life. That train has left the station. It is beyond the power of politicians to erect tariffs and trade barriers to protect these jobs. It just won't work anymore. Rather, it is time for American workers to start thinking more individually and locally. They need to seek out additional educational and training opportunities - most of which do have the backing of the government - to make themselves more marketable to the 21st century economy. The jobs will be there for those individuals that have the skills to perform them. The American worker is still one of the most productive in the world and can stay that way if he focuses on reality and stops asking for the government to complete a desperate Hail Mary pass.

American middle class workers had a tremendous run in the 20th century. Because of their economic gains, many of their children were able to be the first in the family to obtain a four-year college degree. Many of those children are now doctors, engineers and lawyers. This has been a success story despite the changing global economy. A new generation of workers can continue to build on this success by creating jobs that export products and services to foreign countries. International competition needs to be embraced. The United States needs to look to the future. Global trade has been and will

be a good thing for America. Furthermore, it has the power to reduce poverty, genocide and war across the world.

Chapter Seven: Education

Where do you start in a discussion about education? One could start with the presumption that most children have already formed their interest in education, or lack thereof, by the age of about five. A person could look at high school graduation rates. One could consider the effect that federal desegregation cases have had on larger school districts in the United States. A person could delve into the competition between private schools and public schools. One could talk about the fact that incomes on a state by state basis are strongly tied to the percentage of people that have a college degree. A person could make the point that education should be a cradle to grave concept and that libraries and the internet should play a large role in this system. One could talk about all of these issues and not even scratch the surface on educational issues. Is there a way to sort all of it out? The answer is yes but it is not easy.

Everyone has an opinion about the education system. Not everyone has had in-depth experience with foreign policy, tax policy, immigration and a host of other issues. However, everyone in the United States has had an experience with the educational system. I have certainly had mine. I attended public schools from kindergarten through twelfth grade. I then attended a public university for undergraduate and law school. Later, I served on the school board of a public district with around 18,000 students, which is large for Arkansas.

My experience with the public school system is very much a mixed bag. My elementary school experience from kindergarten through grade six was fairly nondescript. I recall my teachers being interested in their job and genuinely concerned with helping all of the students. The best aspect of elementary school was grades four through six. I had the opportunity to be part of the Talented and Gifted (TAG) program. It was there that I met a teacher that helped change my life in a strong positive direction. That program was outstanding and I cannot imagine how anything at a private school could have compared to it.

My experience with junior high was completely different than that of elementary school. The first thing to understand is that the Pulaski County Special School District was, and still is, under federal court supervision. Jacksonville had two junior high campuses, Northside and Southside. The school district had agreed to divide the student membership of the two schools according to the alphabet. Every student whose last name began with A through J attended Southside and everyone whose last name began with K through Z attended Northside. The stated purpose of this policy was to evenly divide the racial make-up of the two schools to conform with the agreements made within the federal court case. I don't recall anyone asking the students if they thought this was a good idea.

The brutal reality for me as a 13-year old student at a new school was that not even one of the close friends I had made over the last seven years attended school with me at Northside during my seventh grade year. In other words, the kids I grew up with and knew from my neighborhood all attended a different school. As an adult, I understand

the logic of the policy. If I had been allowed to attend school with people that lived in my neighborhood then one of the junior highs would have had a high white percentage of students and the other junior high a relatively high black percentage of students. As a seventh grade student, I felt cheated. Soon, though, I made an entirely new set of friends and life went on. I learned to adapt.

My experience with high school was probably typical of many students around the country. If I could point to one thing that was lacking it would be an unevenness of quality among the teaching staff. I have always believed that teaching has a lot to do with the ability to communicate and being persistent in trying to reach people. The classic example of failure at my high school was my physics teacher. He was a very smart man, perhaps the smartest person at the school. Governor Bill Clinton had instituted a teacher testing program that offended many teachers in the early 1980s. My physics teacher would have had no problem passing such a test. The main problem with my physics teacher is that he did not teach us anything. I am not speaking in hyperbole here. The man did not teach us anything. He would occasionally talk about some concepts of physics but usually he would just complain about the education system and how none of us wanted to learn. There was clearly no oversight of this teacher. It should not have been hard to figure out that he was totally wasting the time of everyone involved. At the end of the year, he literally asked me what grade I deserved. I said "B" and he said yes. The only reason I did not say "A" was that I knew absolutely nothing about physics.

There were a number of quality teachers at my high school but the quality was not from top to bottom. I was also not challenged by the learning environment. I chose to work at our local family-owned McDonald's store forty hours per week. That taught me a great deal about work ethic but it also took away valuable time from studying. I goofed off a great deal and that never kept me from skating by in school. The blame certainly fell on me but the high school became an enabler for my lack of academic enthusiasm. Most of my teachers worked hard and meant well. The biggest accomplishment of my high school career, though, was learning how to get along with other people from diverse socio-economic backgrounds. I find it hard to believe that would have happened to the same extent in a more exclusive private school.

I went to the University of Arkansas at Fayetteville for undergraduate and law school. The U of A is a public land-grant university that has made a transition from a college with a party school reputation to one of a more serious tone. It has been helpful in this endeavor that large companies such as Tyson Foods and Wal-Mart have provided a significant amount of financial support during these years of transition. My experience with the University of Arkansas was also one of unevenness. There were truly some outstanding professors available to take in a course and then there were ways to find less challenging classes. I had wised up considerably between high school and college and I wanted to get as high of a return on my education investment as possible. In short, I got out of my university experience what I was willing to commit in time and energy.

One of the things that made a deep impression on me during my undergraduate years was the work ethic of the average Asian engineering student. The University of Arkansas at Fayetteville is known for having a quality engineering program. I lived in a dorm during my sophomore and junior years that had a lot of engineering students, both American and Asian. The Asian students were high performers academically. Sitting

around the lunch table one day, a fellow student made a comment about how much smarter the Asian students were than the American students. My reply to the comment was that the Asian students were not one bit “smarter” than the American students. Rather, their secret formula was incredibly simple: the average Asian engineering student worked much harder and longer than the average American student.

I decided to keep up with how much time an American engineering student spent in the classroom or studying engineering outside the classroom and compared that to Asian engineering students. I was a bit nerdy in this way. In my unscientific analysis, I found that the average American engineering student put about forty hours a week into academics. I found that the average Asian engineering student put about sixty hours a week into academics. There was nothing in the water in Asia that was making these students “smarter”. They did not have larger brains than the American students. It’s possible they might have had a better primary education in Asia. But that would be all the more reason for the American students to work harder to catch up with the Asian students. I would not classify the American engineering students as lazy. However, in a competition against Asian engineering students they were being outworked and thereby gained a reputation as being “smarter”.

The final piece of my education experience is the four years of service given to the Pulaski County Special School District Board representing my home area of Jacksonville, Arkansas. I have often joked to people that I never had to serve a tour of duty in Vietnam but that I did serve four years on the school board. This is not a time for which I have much nostalgia. The school district had a budget of around \$120 million at the time. Around 75% to 80% of the budget was spent on personnel costs such as salary and benefits. The board had seven members from the different areas of the county.

There were a lot of significant lessons learned during my School Board tenure, most of them negative. For instance, we seemed to always be changing horses. The first example of this was our school superintendent. An 18 year superintendent (an oddity) had just retired before I entered the board. Next was a superintendent who stayed for a couple of years before he wore out his welcome and was bought out. That led to the hiring of a third superintendent in as many years. I have been told that the average school superintendent in the United States only stays at the same district for three years and I believe the statistic.

Another thing that was always changing was the curriculum. It seemed that each year a new program would be introduced to help boost literacy or improve scores on standardized tests. This usually meant that the new program was replacing the old program which had been the new program only one year earlier. This led me to believe that programs are not silver bullets. There are probably many different ways to successfully teach students. I believe the key is to commit to a strategy and stay the course until the positive effects have time to kick in.

One of the horses that did not change was the approach of the local teachers' union known as PACT (Pulaski Association of Classroom Teachers). I was not endorsed by the union leadership, even though I had extensive credentials within the Democratic Party, when I first ran in 1999. Instead, the union leadership endorsed a man that had not been very involved in the Jacksonville community. It became a moot point when my opponent realized only one week into the campaign that he did not actually live in the proper

school zone and was ineligible to run against me. To my knowledge, the union never withdrew their endorsement of him.

It is certainly debatable as to whether I was anti-PACT or not. I always felt as though I tried to listen to their concerns. However, I do not believe that the priorities of the union leadership always mirrored those of all teachers. For example, one of the things that many teachers would ask me to do was uphold disciplinary actions that came before the board. When a student was suspended or expelled at a school the issue could be appealed to the school board if the student wanted to take the action that far. My recollection is that I always voted to uphold the disciplinary recommendations of the frontline teachers that worked with these students on a daily basis. These matters were not a focus of PACT leadership even though they were for the typical classroom teacher.

The main two things that the PACT leadership focused on were compensation and contract language. During the four years that I was on the school board the average teacher salary increased by 20%. However, the increase was more than the district really could afford. The increase probably should have been in the 12% to 13% range. Facilities were almost completely neglected during this time period not to mention that the school district was placed on fiscal distress by the State of Arkansas largely due to the overgenerous pay increases. It would have been a great thing if salaries could have been increased by 30% in a four year period. A Radical Moderate, though, believes that the bottom line has to add up at the end of the day.

I usually agreed with the PACT leadership around 60% to 65% of the time on the issues they brought before the school board. That never seemed to be a high enough percentage to keep them happy with my performance. I remember a controversial vote on a teacher pay increase when the PACT leadership had their members bombard my answering machine with 70 messages and my mailbox with 500 postcards. There was also a rumor that the union members were boycotting our local McDonald's restaurant. It was hard to tell because sales were actually up during this time period.

At the time, I made clear to the PACT leadership that political lobbying would have no effect on my vote. I begged them to provide me with facts and figures to justify their arguments. It would be unfair to state that they did not provide any helpful information. Still, the focus was political pressure and public relations marketing rather than focusing on the merits of the discussion. I found that tactic a consistent theme within the PACT playbook. I was seldom given reason to believe that the PACT leadership took a global perspective toward solving any of the challenges of the school district. Rather, they seemed to focus on satisfying their parochial interests even if this led to bad decisions for the larger student community. And with a great deal of success, I might add.

All of my personal experiences have a common thread: one must dig deeper before simply going along with the status quo in educational thought. Many times, parents and community leaders feel intimidated by educational “experts”. Any person that develops an expertise in an area should play a role in the decision making process. However, the opinion of “experts” should always be compared to the common sense reality of what is happening within the schools on a daily basis. In that regard, I have personally found a lot of “experts” somewhat aloof and lacking in insight.

Why have I spent so much time in this particular chapter focusing on personal experiences? Because that is how most people view the public policy of education – from the perspective of the time they spent in school. Everyone went to a traditional

school with other children (except for the roughly 3% and growing that are now home schooled). Everyone has personal experience that forms their opinion of how to best educate America's children.

My personal experiences have led me to a conclusion that is supported by broader research – the educational community is a stagnant entity adverse to innovation. In general, it is very conventional. A Radical Moderate is willing to challenge conventions and the educational community has plenty of them. The ones that come to mind first include: Head Start is the best program for early childhood education; smaller classes produce greater results; higher teacher pay leads to better quality teaching; public schools cannot attain the same level of discipline that private schools attain; and so on and so forth. These conventions may or may not be completely accurate. The key is that a person should not buy into even one of them in all situations and should be aware that in certain instances they may be completely false.

If there is any publicly supported institution that is crying out for more competition it is the education industry. It should be noted that certain institutions, such as the military, are best when allowed to have a monopoly. Allowing people to form their own military is simply too dangerous of a concept. No one will get shot allowing competition in the education industry, though. Some conservative thinkers probably believe in the complete elimination of the role of government in kindergarten through twelfth grade. After all, people are not compelled to attend college even though the higher education in the United States is highly esteemed around the world. Maybe these conservatives will be correct someday, but that day is not here. Still, too many liberal thinkers are clinging to outdated public school models that have been failing communities throughout the country.

Let's consider the convention that higher teacher pay will produce better results in the classroom. At some point, this is most likely true. The question becomes how much does a school system have to pay to attract the highest quality teachers that will flock to the education world and produce these sought after results. I can relate on a personal level. A lot of the people that I went to law school with would have made great teachers. Law students are high achievers, they utilize logic and they are exposed to the art of communication. However, why would someone choose to be a teacher after having gone through three years of law school? I do not know even one person that attended law school with me that made teaching their career. There are probably several reasons but one of them is compensation. An established hard-working, crafty attorney in Arkansas should be making at least \$100,000 per year or so and it is probably significantly higher in many bigger states. No school system in the country is going to pay at that level. Moreover, no taxpayer system in the country is willing to pay salaries that high.

This means that the education system cannot attract lawyers, right? Not necessarily. Granted, under the current system of compensation prevalent in most school systems no attorney would want to teach in public school at the kindergarten through twelfth grade level. Again, I am talking about *under the current compensation system*. What if a system could be designed that would attract such a quality person to the teaching industry, even if it was for a short period of time? Some studies show that 30 percent of new teachers leave teaching within five years. Why? I do not know for sure. However, one factor could be that the hardest working brand new teachers are making roughly half of what a 20 year teacher is making regardless of the results they are attaining. In other words, the current compensation system rewards tenure much more so than productivity.

Before discussing a different approach to teacher compensation, let's first think about how things got to be the way they are. There are some older people that can recall a time during which every school had excellent teachers even though their compensation was well below what other jobs paid. That is true. However, there was an artificial barrier that kept bright people from leaving teaching and entering these other more lucrative fields. It is called sexism.

The brightest and most capable women in the 1950s were disproportionately drawn to teaching. The reason is that there were entry barriers for them in the professional fields of law, medicine, accounting, etc. In other words, smart women had the choice of either being a teacher or a nurse but not a doctor. The women's movement of the 1960s and the anti-discrimination legislation it produced changed all of that and gave women better job opportunities. Therefore, the 'good old days' when teachers would work on the cheap were really the bad old days when women were underpaid. Regardless, the large supply of highly qualified women that were willing to work for below market wages is gone forever.

Let's now shift to the discussion of how to attract the brightest minds to the teaching profession. A couple of good examples would be Mr. Jobs and Mr. Gates.

Would Steve Jobs have made a good teacher? What about Bill Gates? No one will ever know. However, one thing that is known is they were not part of the computer industry very long before they completely took it over and created the software that changed the world. If the computer industry had the same rules of admission in the early 1980s that the teaching industry currently has then it is likely no one would have ever heard of either Mr. Jobs or Mr. Gates. Seriously.

Consider what a person must do before being allowed to teach in a public school. The requirements to be a teacher, whether traditional or non-traditional, vary from state to state. However, there are a lot of consistent requirements. Teachers must have a four year bachelor's degree. This certainly sounds like a good idea. However, that alone would have eliminated Bill Gates because he left Harvard early to start Microsoft. Teachers must usually complete required college prep work with names such as "Methods of Teaching Reading". These courses, presumably, teach a person how to teach other people. The path for someone to become a "non-traditional" teacher varies from state to state. No state, though, makes it as easy as it probably should be.

The requirements of being a teacher are very much within reach for people that know they want to make teaching their career. However, that is not the only type of people that needs to be attracted to teaching if the goal is to revitalize the teaching ranks and create a deeper bench of innovative thinkers. Rather, the search should be for people that want to work very hard for a few years and make a big difference in the lives of students. For these people, the requirements act as barriers to entry into the system and might be enough to convince them to do something else. Finally, even if the requirements do not scare a person away the relatively low pay probably will.

It is possible to design a system that treats both short-term teachers and career teachers in an equitable fashion. Short-term teachers can be defined as individuals who would like to teach for three to five years before moving on to another job – most likely a higher paying job. Career teachers are people that truly believe this is what they want to do for the rest of their lives. Both communities of teachers are needed. One of the biggest reasons they are needed is to provide competition within the individual school.

It is important to first understand how most states currently compensate their public school teachers.

2011–2012 Teacher Salary Schedule

Provisional BT4 Certificate

Certified staff holding BT4 certificates will receive \$35,242.80 regardless of experience (slot E00 step 00).

Annual	Monthly	Daily
\$35,242.80	\$2,936.90	\$189.48

Professional Infield Certificate

Teacher Salary Based On ...

Experience	Bachelor's Degree (Slot E04)		Master's Degree (Slot E05)		Specialist's Degree (Slot E06)		Doctor's Degree (Slot E07)	
	Annual	Monthly	Annual	Monthly	Annual	Monthly	Annual	Monthly
0–4 Years	\$40,963.20	\$3,413.60	\$43,418.40	\$3,618.20	\$47,494.80	\$3,957.90	\$51,936.00	\$4,328.00
5 Years	\$40,963.20	\$3,413.60	\$43,418.40	\$3,618.20	\$47,494.80	\$3,957.90	\$51,936.00	\$4,328.00
6 Years	\$41,257.20	\$3,438.10	\$43,712.40	\$3,642.70	\$47,800.80	\$3,983.40	\$52,240.80	\$4,353.40
7 Years	\$41,610.00	\$3,467.50	\$44,734.80	\$3,727.90	\$48,939.60	\$4,078.30	\$53,510.40	\$4,459.20
8 Years	\$42,150.00	\$3,512.50	\$46,086.00	\$3,840.50	\$50,396.40	\$4,199.70	\$55,130.40	\$4,594.20
9 Years	\$43,418.40	\$3,618.20	\$47,494.80	\$3,957.90	\$51,936.00	\$4,328.00	\$56,799.60	\$4,733.30
10 Years	\$44,734.80	\$3,727.90	\$48,939.60	\$4,078.30	\$53,510.40	\$4,459.20	\$58,514.40	\$4,876.20
11 Years	\$46,086.00	\$3,840.50	\$50,396.40	\$4,199.70	\$55,130.40	\$4,594.20	\$60,300.00	\$5,025.00
12 Years	\$47,494.80	\$3,957.90	\$51,936.00	\$4,328.00	\$56,799.60	\$4,733.30	\$62,120.40	\$5,176.70
13 Years	\$48,939.60	\$4,078.30	\$53,510.40	\$4,459.20	\$58,514.40	\$4,876.20	\$64,011.60	\$5,334.30
14 Years	\$50,396.40	\$4,199.70	\$55,130.40	\$4,594.20	\$60,300.00	\$5,025.00	\$65,938.80	\$5,494.90
15 Years	\$51,936.00	\$4,328.00	\$56,799.60	\$4,733.30	\$62,120.40	\$5,176.70	\$67,947.60	\$5,662.30
16 Years	\$53,510.40	\$4,459.20	\$58,514.40	\$4,876.20	\$64,011.60	\$5,334.30	\$70,003.20	\$5,833.60
17 Years	\$55,130.40	\$4,594.20	\$60,300.00	\$5,025.00	\$65,938.80	\$5,494.90	\$72,117.60	\$6,009.80
18 Years	\$56,223.60	\$4,685.30	\$62,120.40	\$5,176.70	\$67,947.60	\$5,662.30	\$74,232.00	\$6,186.00
19 Years	\$56,223.60	\$4,685.30	\$64,011.60	\$5,334.30	\$70,003.20	\$5,833.60	\$76,228.80	\$6,352.40
20 Years	\$56,223.60	\$4,685.30	\$65,292.00	\$5,441.00	\$71,401.20	\$5,950.10	\$77,756.40	\$6,479.70
21 Years	\$57,315.60	\$4,776.30	\$65,292.00	\$5,441.00	\$71,401.20	\$5,950.10	\$77,756.40	\$6,479.70
22 Years	\$57,315.60	\$4,776.30	\$65,292.00	\$5,441.00	\$71,401.20	\$5,950.10	\$77,756.40	\$6,479.70
23 Years	\$57,315.60	\$4,776.30	\$66,572.40	\$5,547.70	\$72,799.20	\$6,066.60	\$79,272.00	\$6,606.00
24 Years	\$58,431.60	\$4,869.30	\$66,572.40	\$5,547.70	\$72,799.20	\$6,066.60	\$79,272.00	\$6,606.00
25 Years			\$66,572.40	\$5,547.70	\$72,799.20	\$6,066.60	\$79,272.00	\$6,606.00
26 Years			\$67,842.00	\$5,653.50	\$74,197.20	\$6,183.10	\$80,798.40	\$6,733.20

The reality is that a new teacher cannot make as much money as a teacher of 20 years regardless of performance. That would have been reason enough for ambitious people such as Mr. Jobs and Mr. Gates to shun teaching. Imagine how the world would be different if these two innovators had not been allowed to compete with IBM. IBM had tenure, which presumably means experience, and these two upstarts did not. Therefore, based on logic, IBM should have been compensated at a higher rate than Apple Computers and Microsoft. However, the free market felt otherwise. In fact, consumers quickly realized that IBM was a dinosaur that did not create the innovative products they

wanted to buy. The market took care of this and now even IBM has changed the way it does business.

There are certainly a growing number of experiments in how to compensate teachers. This is a good trend but it has not been widespread enough to bring about the type of watershed change that the educational industry needs to go through. Therefore, I'll offer up one idea on how to dramatically change the current dynamic but retain the old system long enough to maintain a manageable amount of stability for those teachers that bought into the existing structure. Two competing compensation systems need to be created within the current funding levels.

The old system can stay intact for those teachers that want to remain a part of it. Everyone else will have the opportunity to participate in a new compensation structure. This system will be completely focused on producing results. It will also provide higher compensation for people willing to work longer hours and teach on weekends. These individuals, though, will not have access to the benefits that the long term teachers will have. They will have no paid health insurance, retirement or sick days. If they miss work, they will not get paid for that lost time. However, they will not have a set limit on how much money they can make. The only limitation on their compensation will be how much the school system has available to pay as an overall figure. The free market will determine the individual worth of a particular teacher.

Let's use an example. Anytown School District has 1,000 teachers who receive total compensation of \$50,000,000 annually during the 2011-2012 school year. This includes their salary, health benefits, retirement and as well as the money that the school district pays for substitute teachers. This means that the average compensation equals \$50,000 per teacher. That includes the salary of the newest teachers and the tenured teachers that are topped out on the pay scale, plus all of their benefits.

Prior to the 2009 school year, the district has 100 teachers leave or retire. Let's say that all 100 teachers who are hired in decide to opt into the new compensation system rather than the old one. Let's also say that the average compensation of the teachers that left is \$50,000. This means that the old system can pay 900 teachers using a \$45 million budget and the new system can pay 100 teachers using a \$5 million budget.

Since the new teachers will not be accruing any benefits, their average salary will be \$50,000. However, some of the teachers will make less and some will make more. Some teachers can request less challenging classes or less hours. Other teachers can request the most difficult students to teach and offer to work on Saturdays. The new teachers could also be eligible for bonuses based upon goals set by the school administration. Remember, if a particular teacher ends up missing a significant amount of time because of illness or other unfortunate circumstances than they could be paid much less than \$50,000.

Teachers in the new compensation system would be paid more like athletes on a professional sports team. In that sector, certain positions are better compensated than others. The quarterback gets paid more than the tight end, for example. In addition, some teams have too many good players at the same position and they cannot afford to pay them all so they trade them to another team that has a need. This allows a free market to develop. The owners and coaches of the team are in the best position to determine the true worth of the players so they try to get the best value from the player that they can. It works fairly well in professional sports – why not in teaching?

This type of innovative compensation structure would be a dramatic and radical change from the current system. Without a doubt, this idea will be panned by the teacher unions and people that have been in the educational bureaucracy for a long time. The idea would likely need to be tweaked to fit the circumstances in various states and school districts. Regardless of all that, it's worth a try. It's necessary to be more innovative and bold in our compensation and incentive system. The 'good old days' with an abundant supply of highly-qualified teachers is over and a creative approach must be taken to attract the best and the brightest back to the noble profession of teaching.

Taking a broader view of education in America, let's start by taking a look at education in chronological order from age zero until very late in life. There seems to be a consensus that the younger the age during which education becomes a priority for a person the greater the return. This might lead one to believe that Head Start is the best use of our tax dollars. I am not convinced. Don't get me wrong, spending money on early childhood education will most likely lead to a better student in later years. The question that a Radical Moderate must ask is whether or not Head Start is the best use of tax dollars when it comes to early childhood education.

There is no question that children raised in a loving home with two parents and the economic means to provide all of the essentials of life have an advantage over a child raised in a home without those characteristics. Radical Moderates believe that there are limits on how much the government should be involved in the early rearing of a child. The more the government makes something a convenience the less a person believes they have a responsibility to handle their own affairs. It is best if a parent takes complete and full responsibility for the health and safety of children from age zero to kindergarten.

There are studies available showing that Head Start has certain short-term benefits relating to scholastic achievement and long-term benefits including greater social skills and less anti-social behavior. Those are good benefits. However, recent studies by the U.S. Department of Health and Human Services show the benefits typically disappear within a few years. Are these short-term benefits worth the cost? What if instead of providing Head Start classes which focus on someone else teaching a child more emphasis was placed on encouraging the parent to spend time with the child? Maybe lower priced educational materials could be provided to the parents of these children. Maybe the parent could be offered classes on how to properly teach their children the same types of things that the children are learning at the Head Start center. In other words, let's teach the parents to be responsible for the education of their children instead of teaching them that someone else, the government, is responsible for this task.

It should be noted that Head Start *might* be the best use of our tax dollars. Perhaps it is currently the best return but a better return could be created with a more effective approach. Again, a Radical Moderate does not always have the correct answer at their fingertip. Sometimes, asking the right question is the most important way to approach the issue. Moreover, greater accountability is needed to show that a program such as Head Start is really worth the investment. My guess is that a lot better results can come from a different program *focused on teaching parents to demand more* from their children academically.

What I remember most about my early years was exploring the world. I liked to play in the mud, run around the streets and hang out with imaginary friends. My closest sibling was seven years older so there was an aspect of my childhood that resembled

being an only child. None of these things had any type of formality. I don't even recall my mother spending a lot of time reading to me. Rather, I had to find things out for myself. The one brilliant thing that both my parents allowed me to do was be a kid. I did not have to worry about food being on the table, no one was getting shot in my neighborhood, and my independence was tolerated if not encouraged.

I remember the first time I ran away from home. The back of our house faced a wooded area. I ran behind one of the trees in the woods and waited for the search party to come and find me. After what seemed like an hour but was probably only ten minutes, my mother came out the back door and looked around for me. However, when she did not see me, she simply went back in the house and that was the end of it. When I got hungry I went home. The lesson learned was that there are limits in the world. My parents had lost any patience with me and they were fine with me taking care of myself. Of course, I had no ability to take care of myself so I made the wise decision to let them handle that responsibility. Could Head Start have done a better job of teaching me this lesson?

An earlier lesson in my childhood was the concept of heat. My mother told me repeatedly not to place my hand on the top of the stove because she cooked and sometimes the burner would be hot. I didn't think much of her warnings so one day I marched up to the stove and placed my hand firmly on the burner. I felt a pain that I never want to feel again. Most importantly, I learned the scientific lesson that when a colder object (my hand) comes into contact with a hotter object (the burner) it will cause a transfer of heat from the hotter object to the colder object. Since I was screaming in pain when this happened I did not reflect upon the science lesson until later in life. The Head Start people surely would have been fired if they had allowed me to place my hand on a burner. No one fired my mother.

Kindergarten and elementary grades in public school systems provide a host of important services. Besides the academic benefits, children learn to socialize with each other and get along. A good elementary school balances the need of children to be kids while starting them down the path of learning. There are some conservatives that believe public schools should be completely eliminated and that parents can figure out how to educate their children in a more innovative way. There are some liberals that believe public elementary schools work well and that the only challenge they face is underfunding. A Radical Moderate must dig much deeper to find answers.

Where the conservatives have a point is that there is not enough competition for the public elementary schools. A lack of competition allows poor teaching and administrative practices to perpetuate themselves. Where the liberals have a point is that mandatory elementary school education forces parents to deal with the concept that raising a child is more than babysitting, it also involves active learning for children. In current American society, too many families would probably let their children fall behind if the law did not mandate going to school. It is very important to note that the world could change. There could be a time where making elementary school mandatory was not necessary because society valued education so greatly that it would be unacceptable to not find an education solution for one's child.

Don't ever forget that it takes money to fund public schools. The money used to fund schools is money that would be used for something else if it was not going to education. Therefore, it is necessary to scrutinize the model by which so much of our money is

spent. It cannot be seen as a good sign when a customer pays a business the price the business is charging for a service but then chooses not to utilize this service. It is even more concerning when the same customer goes to another business and pays an equivalent or often higher amount of money to purchase the same type of service from a competitor. This is exactly what is occurring when a parent chooses to place their child into a private school. In most states, the primary funding source of education is the property tax. Everyone that owns a home pays the property tax. Parents whose children attend private school pay taxes for the schools regardless of whether they utilize the service or not. (Note that it is a different question as to whether parents of private school children would prefer to pay a little more in property taxes to have a public school in their area that they felt would educate their child at an adequate level). In short, the staggering growth of private schools is evidence that the public school system needs to adapt and become more competitive.

The middle school (or junior high) period is where students are supposed to be challenged academically in a more serious way. The topics start changing from simple math to algebra and from reading to learning about the history of western civilization. This is also a time period in the life of a student when their body is undergoing a great deal of change. Athletics and social life become a greater concern. This should be the exact time where public schools play their greatest role. Instead, it appears that this is the point at which too many parents start to lose all faith in public education.

At least one of the concerns of middle school parents is the lack of discipline in the public school system. This lack of discipline often permeates schools that have significant populations of low-income families, regardless of their race. This is an issue readymade for the Radical Moderate approach. The liberal approach seems to dominate how discipline is handled in many public schools. Students are seen as victims of their circumstances. Early twenty-first century educational thought coddles students that use poor English, disrespect teachers and administrators and wear jeans that sag down below their waistline. The theory goes that these students have grown up tough so we need to make excuses for their bad behavior and poor academic performance. A Radical Moderate finds this mindset condescending and highly destructive to the development of a young person.

There are two great movies that illustrate why we should not treat students as victims. The first is "Lean on Me" (1989) starring Morgan Freeman as Joe Clark, a dedicated, if partially tyrannical, educator that is appointed principal of a decaying inner city school and turns the school around by using tough love. There are two quotes by Mr. Clark that really drive the point home. The quotes are from separate scenes where he is addressing his staff, but each views discipline as job one:

This is an institution of learning, ladies and gentlemen. If you can't control it, how can you teach? Discipline is not the enemy of enthusiasm!

You've tried it your way for years, and your students can't even pass the State's Minimum Basic Skills Test. THAT MEANS THEY CAN BARELY READ! Now, they've given me one year to turn this place around – to get those test scores up – so that the State will not take us over to perform the task which YOU have failed to accomplish: the task of EDUCATING OUR CHILDREN! So forget

about the way it used to be. This is not a damn democracy! We are in a state of emergency and my word is law! There's only one boss around here, and that's me. The HNIC.

I will leave it to you to google the term “HNIC”. A Radical Moderate has to stay in touch with a constantly evolving vernacular!

The second movie is “Remember the Titans” (2000) starring Denzel Washington as Coach Herman Boone and Will Patton as Coach Bill Yoast set in a Virginia high school in the early 1970s when a black school and a white school were integrated. There is one particular scene that fully captures the spirit of how a Radical Moderate wants to balance the interests of race, discipline and achieving excellence. The scene involves Coach Yoast, who is white, urging Coach Boone, who is black, to not be so hard on the football players. Coach Boone responds with a question asking “which players are you talking about?”. Coach Yoast is mainly concerned with how harshly Coach Boone treats the black players. In response to the criticism by Coach Yoast, Coach Boone (Denzel Washington) delivers a line that should be heard by every liberal that claims to care about educating black students:

Now I may be a mean cuss. But I'm the same mean cuss with everybody out there on that football field. The world don't give a damn about how sensitive these kids are, especially the young black kids. You ain't doin' these kids a favor by patronizing them. You crippling them; You crippling them for life.

Amen, brother! I believe it is of no small consequence these movies are based on true stories and that the roles of Joe Clark and Herman Boone are played by two of the most talented black actors of our time.

Teachers don't have to be paid more to discipline their students more effectively. In fact, teachers are probably working in private schools for less pay than public schools because of the greater discipline of the student body. Instituting stronger discipline into the public school system is the closest thing to a silver bullet that's available to improve the academic and life success of our students. There is a short term price to pay for imposing stronger discipline in a school where it does not have a tradition. Some parents will be upset and believe that their child is being singled out. Some organizations will claim that students in certain demographics are suffering a disproportionate amount of the discipline. In short, there will be complaints. Complaints should not be the focus, though. The focus should be on remembering how and why people like Joe Clark and Herman Boone changed their little part of the world.

Now to the high school setting. Starting with the ninth grade, this is when it really matters how a student performs academically if they want to go to college. This four year period determines whether or not a student will be able to attend the college of their choice and whether they obtain a scholarship to make that choice a reality. Discipline, along with everything else identified, remains part of the core values that high schools must possess to be successful. In the high school, though, it is critical to maintain high standards of achievement. It is necessary to have high expectations for every student and not just the ones that are already identified as high achievers.

Everyone has heard the phrase “the soft bigotry of low expectations”. This practice exists in most of our public schools. I was talking to a friend of mine that attended Little Rock Central High School. Central High became world famous in 1957 when the Little Rock Nine courageously integrated the all-white school under the watchful eye of television cameras, racist local citizens, Governor Orval Faubus and President Dwight Eisenhower. In recent decades, Central High has been called one of the highest performing academic high schools in the entire country. Indeed, there is a lot to be proud of at Little Rock Central. And, as would probably be the case at almost any American high school, there are also troubling undercurrents.

My friend related a story about how she took two different classes under the same teacher at Central. The first class was an Advanced Placement subject. My friend thoroughly enjoyed the class and left believing that the teacher was truly outstanding. Having the previous good experience, my friend decided to take another class taught by this same teacher. However, this class was not Advanced Placement and was simply a regular class. My friend was struck by the lack of passion the teacher showed in class. The curriculum was not taught with as much stringency and the grading was not as challenging. In short, the teacher only gave a halfway effort. The only conclusion that my friend could come to was that the teacher gave more effort to students she perceived as “smarter” and less effort to students she perceived as “dumber”. As a Radical Moderate, this is the exact type of thing that makes my blood boil. Why should one class of students receive a less challenging curriculum? Has it not been proven that almost any student can rise to the occasion if they have the materials and have a motivated teacher?

I understand that this section is heavy on movie references. But, when Hollywood goes to the trouble of spending millions of dollars in creating visual evidence that supports my argument why would I not want to reference it? The other education movie of import is the 1988 film “Stand and Deliver”. This film tells the true story of mathematics teacher, Jaime Escalante (Edward James Olmos), who turns a classroom of students with no hope into an Advanced Placement test passing powerhouse. He uses unconventional teaching methods and persistence to teach inner city Hispanic students the magic of algebra and calculus. The theme of tough love is seen in the following quote he makes to the class when he sets the expectations of what they will have to do to be successful in his class and in life:

There will be no free rides, no excuses. You already have two strikes against you: your name and your complexion. Because of those two strikes, there are some people in this world who will assume that you know less than you do. Math is the great equalizer...When you go for a job, the person giving you that job will not want to hear your problems; ergo, neither do I. You're going to work harder here than you've ever worked anywhere else. And the only thing I ask from you is ganas. Desire.

Expectations are key in education. It should not be believed that students will perform better than they are told they are capable of performing. Yes, some will fail. A Radical Moderate does not see this as a problem. People fail in life every day of the week. Failure is part of life. In fact, failure is a great teacher. Is it not much more compassionate for a sixteen year old student to fail in school than to wait until that person

is twenty five years old and realizes that he/she is failing in the changing economy and cannot afford their rent because of this reality. Coddling is something that parents can choose to do if they wish, it has no place in a public school system.

There is universal agreement now that students in the United States will be competing in a global market for the jobs of the future. Our schools need to produce students that have a deep base of knowledge and who can think for themselves. Currently, 72% of our population finishes their education with only a high school diploma. They might attend a college for awhile but not finish with a degree. The number of college graduates needs to increase. The fact must also be accepted that the students that might not ever seek out higher education must also be thoroughly prepared for life.

An objective analysis of our overall primary education system, as opposed to higher education, shows that the United States is trailing other countries in this competition. The Radical Moderate approach is to face this brutal truth and adopt solutions that have been tried and tested in pockets of excellence in our education system. Many of the solutions require uncomfortable discussions with the leadership of teacher unions, education “experts”, and others that are invested in keeping a status quo within the current system.

The higher education system in the United States is widely considered a leader in the world. In fact, it seems the biggest challenge to be faced is figuring out ways to get more people to attend and obtain degrees from these institutions of higher education. There are usually two reasons why it is difficult for someone to get into a higher education facility: money and the admissions standards. Tuition, and other expenses, at the best colleges in the country typically costs tens of thousands of dollars per year. Even public universities easily cost \$30,000 to \$40,000 to obtain a four year degree and that usually means the student will have no income or only a small income during the time period it takes to obtain the degree.

It is not a good option to lower admission standards too far. This would cut against the Radical Moderate approach. Rather, the approach needs to be to increase the performance of our high school students and alternative ways to enter the college environment, probably through two year colleges.

How can we improve student performance? The same way performance is improved in the business world, the sports world or anywhere else – competition and innovation. Let's now talk about the potential influence charter schools could have on shaping a new American education system.

I certainly have my own vision of what charters schools are and what they should be. As a way of introduction, though, let's take a look at what Eli Broad thinks American Charter Schools are and should be. Mr. Broad is an American billionaire and the founder of companies such as KB Home and Sun America. He and his wife created the \$2.5 billion Broad Foundations designed to create ongoing leadership roles in art, education, science and civic development. In a column for The Los Angeles Times in February, 2008 Mr. Broad wrote:

Charter schools – public schools that have been exempted from selected state and local regulations – are changing the competitive landscape of American elementary, middle and high schools. Some have had a rocky track record; some

have been plagued by mismanagement and poor performance. But overall, the exchange of greater autonomy for greater accountability has worked. Those that have failed to perform have been shut down.

Consider the stark reality of the Los Angeles Unified School District: Of the more than 700,000 students in the nation's second largest district, only 44 percent graduate in four years. For Hispanic students, the number drops to 41 percent.

Now look at the graduation rates of high-performing charter schools, which usually replace lower-performing ones: Green Dot Public Schools, which operates 12 charter schools in Los Angeles, has an 80 percent graduation rate. Of those students, nearly all go on to college, and two-thirds attend four-year universities. In the next five years, Green Dot will expand to serve a remarkable 8 percent of all high school students in Los Angeles.

But what is it that makes these schools work when so many other models have failed? Since 2000, our foundation has sought the answer by closely tracking the progress of the \$90 million we have invested in public charter schools nationwide.

What we have learned is this: Successful charter schools across the country have five key ingredients in common that enable them to improve student achievement.

Above all, successful charters keenly focus on getting students to achieve to high standards. They don't get distracted by issues like what color to paint the walls, and they don't play blame games, which happens in many urban districts. Instead, they offer a rigorous curriculum, assess student progress frequently and regularly use this data to improve instruction.

Second, "principals" in successful charters are not just effective instructional leaders or master teachers who work closely with their teachers to improve instruction and learning. They also are effective managers of complex school budgets. And unlike many traditional principals, charter principals are empowered to decide whom to hire, whom to fire and how to spend dollars to best meet student needs.

Third, although charter schools still report to a "central office," these offices look quite different from those in traditional school districts. They have minimal staff and rely on the best research-based practices and technology to funnel all available dollars to the classroom. Green Dot, for example, has only two central office staff for every school. The ratio for Los Angeles Unified is 7 to 1.

Fourth, to meet their students' academic needs, successful charters use research-based practices that have proved to be successful in educating kids. These include: creating smaller schools, offering double blocks of math or reading, extending the school day, enforcing a strict dress code.

Finally, successful charters hold school leaders accountable for student results. The bottom line: Students perform or the schools are closed.

The power of charter schools is that as their success grows and their numbers swell, market forces will pressure neighboring district public schools to improve. If public schools are to compete for students, they will be forced to look to charters as a model of what is working.

This column is a poignant example of a Radical Moderate approach. There is no ideology behind charter schools. Rather, there is a trial and error approach. There is an accountability approach wherein if something is working do more of it and if something is not working eliminate it. Radical Moderates embrace competition. We understand that results are more important than conventions and traditions. Conventions and traditions have their place, but when they are pitted against results and progress then the latter must be given the opportunity to succeed. Charters schools are the vehicle, innovation is the principle.

Are charter schools simply a way to create even more segregation in our public schools? A Radical Moderate argues no. In fact, charter schools typically have a random admission process which means they are likely to reflect the diversity of the community that they are serving. The purpose of charter schools was to make a clean break with the old and tired conventions of the public school system. Think of charter schools and regular public schools in the same way as Saturn and – same company, different focus.

I do want to talk about the topic of school desegregation, though. Why was it necessary? Did it fulfill its mission? Has the time come to end federally mandated school desegregation? Liberals and conservatives could not be at more polar opposites on this subject. Liberals generally believe that federal intervention in the school system has been a positive influence and should continue. Conservatives view such intervention as the classic example of why the federal government should stay out of the affairs of states. A Radical Moderate understands that both views are correct depending upon when that view was held. In the beginning, school systems needed federal intervention to uphold the law. In recent years, federal courts should have been quicker to get out of the school business once the stated rationale of removing institutional segregation had ended.

In 1954, the United States Supreme Court handed down the most significant education case in its history, *Brown v. Board of Education*, 347 U.S. 483 (1954). It should first be noted that the landmark case came from the federal court system. In other words, the Supreme Court felt the need, and rightfully so, to inject itself into what would normally be a decision reserved for the legislatures of the fifty states. The *Brown* case, in essence, was the federal government exerting its federalism muscle and directing the states to get their act together or face consequences for not taking care of their business.

On May 17, 1954, a 9-0 unanimous decision led by Chief Justice Earl Warren overturned state laws which established separate public schools for black and white students on the grounds that this denied black children equal educational opportunities. In other words, separate meant inherently unequal. There should be absolutely no doubt in the mind of a Radical Moderate that the United States Supreme Court made the right decision and at the right time. During that time period, all of American society was segregated. Blacks and whites used separate drinking fountains, bathrooms, restaurants, etc. In one fell swoop, the United States Supreme Court had the courage and the leadership to tell the country that segregation, by definition, was wrong.

It took a federal court to speak the truth. Democracy was not doing its job. The political system was making no substantive effort to correct the taint on the United States Constitution known as segregation. Therefore, the judicial branch of government was compelled to take over. That was the right decision. Still, it was an extraordinary use of judicial power with dangerous implications. The ruling remained the right decision for a long time. But, then the world changed and the decision outlasted its necessity.

A Radical Moderate always looks to the context of a situation. In 1954, our laws were denying the American Dream to black children. Take a look at this excerpt from Chief Justice Earl Warren's opinion on behalf of the Court, and notice how the first word establishes the context:

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today, it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

Warren writes “today” twice and another time uses the phrase “In these days....” This paragraph would be just as true now as it was in 1954. However, in 1954, it had a much more profound and historic contextual meaning. Black children were being purposefully and willfully excluded from getting an equal education. That was an unjust situation that had to be remedied even if that meant the judicial branch encroaching into legislative powers.

If the American people had just followed the premise of *Brown v. Board of Education* they would have avoided so much anguish and hostility. However, that was never in the cards. White America did what most human beings do when someone looks them in the face and says that everything you believe in is false. They rebelled.

The *Brown* decision came to a head at Little Rock Central High School in the Fall of 1957. Arguably, what happened at Central would have happened somewhere else if Governor Faubus and the people of Little Rock had not stepped up and made the crisis their awful legacy. Regardless, it did happen. The Central High School Crisis remains a stain on Little Rock, Arkansas and the United States of America even fifty-five years later.

The legacy of Central High School is that it took military force to compel the American people to abide by the decision of the United States Supreme Court. This action foreshadowed the compulsion that federal courts have exerted in education law over the last fifty-five years. Each time, the federal courts have first given communities the opportunity to integrate their own schools and treat all children equally. Sadly, that rarely happened and that led the federal courts to exert more and more influence.

Rather than send their children to integrated public schools, the 1960s saw white parents sending their children to private schools or moving away to new communities and thus creating “white flight”. The failure of the federal courts, in my opinion, was that they did not foresee this movement. The courts failed to extend the reach of integration to these “white flight” communities. This led to not only schools being segregated but entire communities.

The influence of “white flight” is best understood by examining the demographics of two southern cities, Atlanta, Georgia and Birmingham, Alabama. In 1960, the white population of Atlanta was 62% and the white population of Birmingham was 60%. In 2006, the white population of Atlanta had fallen to 37% and the white population of Birmingham had fallen to 22%. However, that is not even the most significant shift. The decline of the white student population has been so dramatic that it almost does not even exist. In 2006, only 8% of students in Atlanta public schools were white and only 1% of students in Birmingham public schools were white. White people rebelled by voting with their feet.

If the Brown decision was correct, then was there anything that could have been done to avoid the type of “white flight” that occurred in southern cities and in other areas of the country? A Radical Moderate believes the answer is yes. However, it is defining “anything” that is difficult. Perhaps if the political leadership would not have so readily embraced the hostility of racial tensions during the 1960s and beyond things would have been different. Perhaps if the increase in integration had not been accompanied by the decrease in teacher quality fueled by expanded job opportunities for women things would have been different. Perhaps if the federal courts would have fashioned remedies that did not appear so punitive to urban residents, such as busing, things would have been different. However, things are not different, they are what they are.

A Radical Moderate can believe that the Brown decision was necessary while at the same time believing that federal courts overstayed their mandate in the school business. When societal attitudes about the use of public facilities, interracial marriage, and workplace relations changed the federal courts should have taken this as their cue to disengage. At the end of the day, the federal courts cannot change hearts and minds, only people can do that.

It is definitely time for the federal courts to walk away from the school business. Federal judges are not in a position to understand the nuances of day to day life in public schools. While the lifetime appointments of federal judges help them in deciding cases that are controversial, such status also insulates them from the changing realities of the everyday person. There are now many examples of black parents that feel frustrated by the rigid nature of federal decrees. These parents want their children to attend higher performing schools but are trapped in a system that was intended to help their children, but is instead hurting them.

There will be some liberals who will say that if the federal courts leave the school business things will revert back to the days before the Brown decision. I really do not see this happening. The world has changed for the better and it’s not going back. There will be some conservatives who will say “I told you so” and try to act as though everything about school desegregation was bad. That would also be wrong. The Supreme Court did the right thing in 1954, the right thing just changed over time as the world changed. The conservative philosophy opposed change every step of the way. It was the conservative mindset of the day that gave safe harbor for racists such as Alabama Governor George Wallace who made one of the most awful declarations in the history of American politics when he said the following during his 1963 Inaugural Address:

In the name of the greatest people that have ever trod this earth, I draw the line in the dust and toss the gauntlet before the feet of tyranny...and I say...segregation today...segregation tomorrow...segregation forever.

No sir, you were wrong then and you are most certainly wrong now! The integration of the schools has been a difficult process that is still evolving. It would have been an easier process had politicians such as Wallace not set the progress back at various stages. Still, the time has come to move on. The past should be remembered but not relived.

Breaking down conventions such as teacher compensation, Headstart and student discipline, have been discussed here. What other radical ideas can be brought to the table that could have a significant impact on making education more compelling? I will focus on two – getting rid of or severely limiting the power of school boards and preparing students that will not go on to college.

The idea of a school board sounds like a great American institution: The engaged citizens of a local community vote to send the most highly qualified individual to represent their interests on the school board. That deliberative body takes a long term view of the educational landscape and enacts policies that promote student achievement and preparing them for adulthood. The school board is a place for interested parties to come together and work out differences all in the name of the greater good. Well, that does sound great. It just does not really exist. Oh, it might exist in a random community somewhere, but that would be the exception and not the rule.

My impression of school boards for the most part is that they are dysfunctional entities that tend to micromanage districts to the detriment of what is best for students. Again, a great part of that is coming from personal experience. I cannot currently back this claim up with statistical research but I ask you to learn more about your local school board and decide for yourself if they are a highly functioning entity or a drag on the educational system.

One of the main issues with school boards is that they tend to attract individuals who are very much personally interested in narrow aspects of school district affairs. This ranges from parents that want their kids to get playing time on the football field to former teachers that think they know everything about how to run a school district and use their board status to make that happen.

If school boards were abolished altogether there would have to be an alternative way to hold districts accountable. The districts could be put under the control of local mayors or county executives. At least that would create political accountability in some elected official. After awhile, there would no doubt be complaints that such a system was ineffective. It would definitely depend upon the quality of the executive. The hope is that voters would pay more attention to a higher profile executive office than they do to the relatively obscure members of local school boards.

If school boards are not completely abolished, their ability to mess things up could still be severely limited. The role could be changed to that of an advisory board without the power to hire and fire the superintendent, but with the power to hear from citizens and provide oversight of the superintendent the way that a legislative committee does.

I have to be very transparent here – I am going with my gut on this issue. I really think the average school board is a detriment to the education system and strongly believe there is a better solution even if I can't exactly articulate how it would work. Bear in

mind, the school board that I once served on was so bad that the State of Arkansas actually disbanded it in 2011.

My second radical idea is changing the options for students that do not wish to obtain higher education. There is almost nothing else that the educational system does worse than preparing non-college bound students for life. The curriculum of most schools is focused on sending students to college. Without question, more and more people need to be going to college and obtaining degrees that allow upward mobility. All the statistics show that workers with college degrees earn significantly more money over their lifetimes than those that do not have college degrees. About 28% of Americans have college degrees. The rate for Black Americans is just 17% and Hispanic Americans only 13%. Those numbers need to continue to increase. However, that also means there are 72% of Americans that do not have college degrees. Just like anything else in a free and democratic society, there will always be a percentage of people that need another option in life. In this case, an educational system needs to be created that helps students become more independent thinkers, entrepreneurial and self-sustaining.

There are several famous stories of American entrepreneurs that never graduated from college. The A team includes Bill Gates (Microsoft), Steve Jobs (Apple), and Mark Zuckerberg (Facebook). Of course, all three of these men could have graduated from college. They were all plenty smart and hard-working. The issue was they had other skills that outweighed what the average college student usually does – they were all ambitious, impatient, independent and, most importantly, entrepreneurial. They knew how to get things done. They knew how to think outside the box and they had the drive to turn their imagination into concrete events. The one key factor among the three is that they did not need college to do any of the things that made them famous. In fact, college was such a distraction that each one of them dropped out to go pursue their dreams.

So, three of the greatest business minds of the last thirty years were able to change the course of human events without formal higher educational training. Given that, would it not make sense that educational training focused on changing the world might increase the number of people that do? In other words, what if our schools acted as laboratories for future entrepreneurs and job creators? Teaching people to study and pass tests is a great skill. But, it is just one skill. Other important skills are the ability to hustle, network and solve problems that no one has ever encountered before. Giving schools the flexibility to allow entrepreneurs to flourish should be a priority.

I would be delighted if someone could show me that I'm wrong but I don't see these things being taught in our school systems. Rather, knowledge-based courses are still being taught in a world where one can Google any information that is really necessary to know. Schools need to change their focus. Schools need to prepare students for the real world tasks that they will have to face. Students need to learn how to communicate a message effectively, organize a plan of action, and hold themselves accountable and a host of other skills that almost any employer would love to have in an employee. Yes, history needs to be taught. History, though, needs to be taught in a way that shows people how to learn from mistakes and not make them again. It is much more than dates and figures.

Changing schools in this way would likely improve the economy over time. A generation of risk-takers and job creators would possibly be the result. The chances would be increased that a slightly less brilliant Mark Zuckerberg would invent the next

big thing. This would require changing the culture of how education and intelligence are viewed. A great book on how intelligence is typically misunderstood is “The Element” by Ken Robinson, Ph.D. His premise is that intelligence is measurable in many more ways than just an IQ test. People have musical, creative, spatial, inter-personal, etc. types of intelligence which can be developed over time. Changing the view of intelligence as defined by the educational bureaucracy will be a fight. The fight, though, is worth it. Schools need to be focused on more than just taking tests. Schools need to develop the various forms of intelligence that exist in all people.

How about students that might not possess the natural skill set to be great entrepreneurs? Well, first off, they can at least be adequate entrepreneurs that understand how to get a job for themselves. Still, I understand the point. For those students, an offering of trade skills needs to be available. The world needs plumbers and electricians. It needs diesel mechanics and computer programmers. All of these trades pay well and do not require a formal education. My personal experience is that great computer programmers have a deep passion for their craft as opposed to formal degrees. I bet the same is true for most trades.

There are a lot of opportunities to provide students with trade skill training. Germany, and some other European nations, has been very successful operating a dual education system that allows non-college bound students to be apprentices for companies while they are still in public school. This system allows individuals to be job ready with real employment prospects upon their graduation. The United States has variations on this system but could still learn a great deal from the German model.

One key to reform is not getting caught up in debates over the educational policies of the moment. Teacher testing, No Child Left Behind, and the myriad of other initiatives that have come and gone as panacea type solutions are not the focus of Radical Moderates. Rather, we are targeting the big picture and the long-term. Some of these policies may be the right thing to do at a given time. There are other issues to be debated such as smaller versus bigger classroom enrollments, longer school days and school years. These issues deserve attention, but should be viewed within the overall context.

Educational leaders are needed that can help shape an innovative future. Go to YouTube and listen to the ideas of Obama Education Secretary Arne Duncan. In 2009, he proposed having schools partner with non-profits such as health clinics and YMCAs so they could be open longer, share expenses and offer community services that would make schools a vibrant hub in their area. It’s a great idea. It might not work at all but why not try? Maybe these “school/community hubs” could double as after school day cares that extend into the night allowing the parents to attend classes of their own while the child stayed in a familiar and nearby setting.

Check out what Michelle Rhee tried to accomplish during her tenure as chancellor of the Washington D.C. public school district from 2007 to 2010. This controversial figure was the definition of Radical Moderate leadership. She had no experience when she took the job but she acted with guts and made a huge impact. She fired teachers that were not performing well enough and brought greater accountability to all aspects of the school district. She made mistakes along the way, but I will take sins of commission over the sins of omission any day of the week.

So, there are bound to be lots of ways to alter the educational landscape for the better. First, structures have to be created that allow for the occurrence of innovative

changes. That is why school boards should be made a thing of the past. Second, educational institutions need to be focused on their customers – the students – and not viewed as local employment centers. Third, there needs to be a willingness to take risks and fail. Charter schools are a great example because some of them do fail. Failure, though, is part of life and a lesson that everyone learns at some point. It's time to get busy. We live in a global economy where the combination of highly educated and highly skilled workers will cause some countries to grow rapidly and others to fall behind.

America has been an innovator in education throughout the history of the country. Somewhere along the way, though, that innovative spirit and drive took a back seat to the status quo. This is especially true in the public primary education system. Foreign countries copied the American education model, adapted it to their culture and then surpassed the United States in most objective measurements. America has been falling behind in education for far too long and we need Radical Moderate approaches to change that dynamic and to start winning the future again.

Chapter Eight: Individual Rights

I was born in a time of great racial turmoil but that period was ending during my formative and adult years. By the time of my birth on October 8, 1969, the civil rights movement had already seen the great majority of its dramatic moments. What has followed during the last forty years has been a period of adjustment as these rights became more and more ingrained in the American fabric.

Will the United States ever reach a time where it can state that equality has finally reached an apex? Will that time be sooner rather than later? Is it realistic to believe that the United States of America will ever completely rid itself of racism? Does it matter if that racism is relegated to certain individuals rather than institutional in nature? Is it tangible progress that a Cornell study found “nearly 10 percent of all cohabiting unions are between partners of different races.”? Would that even be a valid way to determine progress?

All of these questions deserve a book of their own. The concern here is how a Radical Moderate should address the issues of race, civil rights, pay equality, and other topics in this area. The simplest principle is that we should treat everyone equally. That is the notion that my father placed in my head when I was a very young boy. It seems easy enough but it is just a beginning point.

My father, Michael Truman O'Brien, was a duality. On the one hand, he constantly preached that America was about merit. He stated that every person should have the right to succeed if he worked hard. He was certainly an example of that motto. He had no appreciable assets prior to the age of 48. He was a working class man that came from generations of working class men. He also remembered what it was like to be hated because of status. He told me of the time when he was a boy and my grandfather took his gun down to the Catholic Church to guard it with other men. On a previous night, members of the Ku Klux Klan had vandalized the church. You see, in the 1930s, the Klan despised Catholics and Jews almost as much as they did blacks.

My father was a duality because he believed in merit but you could still tell that he grew up with a lot of anger in his heart. Dad hated the Japanese people. This hatred

grew out of what he witnessed in the South Pacific during World War II. He rarely talked about his experiences but when he did they were not pretty. He stated that the Japanese would bomb hospital ships even though they could see a Red Cross on top of them. Do I know this to be true? No, but I don't know it to be false either. I do know that my father believed the Japanese were a mean and cruel people (at least during World War II).

I will never forget the day that the local civic group asked us to house a young Japanese female traveler for a couple of days. When my father told me the news I became terrified that he would say something bigoted or otherwise embarrass the young woman. When the day arrived, though, he was a perfect gentleman. It was almost as though he was trying to cast away his own demons, his own fears that had been forged during a time of war. I doubt that young Japanese girl ever knew how my father had felt about her people in the past.

Dad grew up in Sioux City, Iowa. Sioux City was and is a nice place. However, it is not a diverse place. When my father was growing up there the city was essentially 99% white. He would oftentimes use the term "colored" to describe a black person. I have never much cared for that term. I don't know any black people that prefer it either. Most consider it a slur. I don't think my father intended it that way. Rather, like so many people from his generation, that was just the term he had been raised with. He meant no disrespect.

There was a dark side to my father's vernacular, though. He would sometimes use the "n" word when describing a black person. Even more despicable, he would argue that there was a difference between a black individual, who was essentially a good person in his mind, and an "n" word, who was essentially bad. It makes me ashamed to put this down in writing. Dad died in 1990 and is not here to defend himself but I doubt that he would. He didn't think that anyone would take offense to such a distinction. He, of course, was wrong.

There is one more bit of political incorrectness that is worth recalling for our purposes. I remember vividly the day that I was walking up to the front of his office building and I met my dad and another man on the way. My father put his arm around the man, stated his name (which I don't remember), and told me: "Pat, this is the local Jew." Again, there was no slur intended. There was not a sizeable Jewish population in Jacksonville, Arkansas and my father simply saw this as the best way to describe the man. I later found out that in very stereotypical fashion my father had great admiration for the business acumen of this man.

Why a duality? On the one hand, my father had all the basic characteristics of a racist. He allowed disparaging terms to flow freely from his mouth without any sense of shame. On the other hand, I never saw him treat someone differently simply because of the way that they looked or their ethnic status. He would often say that he did not care if minorities (my term, not his) lived in our neighborhood as long as they earned their way there and it was not given to them. He would often speak in admiration about people that had achieved success regardless of their color or creed. In reflection, I can see the struggle that my father had within himself. He was trying to reconcile the traditions he learned growing up with the principles of equality that he deeply believed.

My purpose for bringing my father into this discussion is not to tear down an honorable man, a war hero in my book. If my father were living today, I would not be so

candid simply out of deference for his privacy and for what he means to me. But, if I know anything about my father, I know that he would want me to be my own man. Therefore, my purpose for bringing up my father is to illustrate the same thing that so many other white men and women grew up around. It is where tired traditions meet deeply held principles that create the need for a Radical Moderate approach to race and civil rights.

In 2011, there is a strong and growing argument that the color of someone's skin is becoming less and less of an issue in our country. After all, we elected the first African-American President, Barack Obama, in 2008. There is little debate that 2008 was a strong Democratic year created by the frustration with the Bush Presidency and the onset of the biggest Recession since the Great Depression which occurred shortly before the election took place. Almost any Democratic nominee would have been elected President in 2008. However, everyone can all agree there is absolutely no way an African-American could have been elected before 1968. During the interim forty years, few African-Americans even attempted to make a run for the Presidency. It is not a debatable point that the election of Barack Obama was a huge milestone in the history of race relations in America.

It should also be made clear that there are still plenty of narrow-minded and even bigoted people in our country when it comes to race. Most of these people are on the fringe of society. However, there are many Americans that still struggle with the changing times and often regress from a tolerant point of view from time to time. Often, this regression is masked with some other irrational behavior. For example, when Barack Obama was running for President in 2008 polling by the Pew Research Center showed that a significant number (12%) of Americans believed he was Muslim even though he made it crystal clear that he was not. That number increased to 18% by August, 2010. I have personally met an alarming number of people that believe Obama to be the anti-Christ (which, by the way, he is not). He has also had to endure silly questions about his birth certificate.

My theory on these myths is that some people are freaking out at the thought of having a black President. For these people, their entire world has come crashing down around them. While growing up in a white community, they were told that they might not be at the top of the heap of the white community but they were smarter, more moral and generally just better than every black person on the planet. Now, seeing a black man in the White House, these childhood teachings have been exposed as fraudulent. Instead of facing reality, it is just easier for this segment of the population to think that President Obama is a Muslim (i.e. bad, untrustworthy, dangerous, a socialist) than it is to accept the fact that some black people are smarter than some white people. It should be noted that only a small segment of Obama's critics are bigoted or even struggling with his race. Most of them just disagree with his agenda of changing government toward a more activist role. Some people don't realize that all Democrats generally believe in this philosophy to one degree or another.

From a Radical Moderate perspective, race should not matter in society. To some extent it still does matter and work is needed toward making it less and less of a factor. Regardless, culture does matter. In fact, culture is a huge driving force behind why people behave as they do. Race and culture have a strong correlation but that does not

have to be the case in the future. One is born to his race but he learns from his culture. By extension, one cannot change his race but he can change his culture.

The modern African-American culture is in need of improvement. There is not one black person born into this world inferior simply because of the color of his skin. Skin color is not indicative of intelligence or any other characteristic. Skin color is no more of a predictor of success than hair color or the pitch of a singing voice. This is just a fact. All black children, and for that matter Hispanic, Asian, White and Eskimo children, are born with the same size brain. They all have the same capacity to learn. Their DNA is 99.9% the same. However, this equality at birth does not last long. The black *culture* and the Hispanic *culture* in America are not anywhere near equal. Racially different groups choose to segregate themselves most of the time in the United States. This voluntary segregation perpetuates the divergent cultures that a person grows up around. The reason why statistics show dramatic differences in test scores, income levels, crime rates, etc. among the different *races* is because the great majority of people in those categories were raised in a similar *culture* and that culture is the best predictor of their future.

A black child has every reason in the world to be proud of his heritage. Over the centuries, the black culture has created numerous scientific, artistic and social advances for the world. However, the modern black culture in America is not known for those positive achievements. Instead, the black culture is generally known for fatherless children, underperforming students and high crime rates. While tragic, the statistics are clear that to grow up around the black culture in America puts one at a significant disadvantage compared to having grown up around a white culture. More poignantly, growing up around a black culture or a white culture puts a child at a future disadvantage compared to growing up in an Asian culture in America. I'm not kidding. If one has a long-term perspective, it is better to grow up in a strong Asian culture than a white culture. The results include the ability to score higher on tests, make more money and live longer.

Asian children are not born smarter than white, Hispanic or black children. Most of them, however, grow up in a more accountable and work-oriented culture. The Asian students at my college outworked all the American students – regardless of race. Because of this, they did better academically than the American students. It had nothing to do with skin color. The brain size is the same for all human beings. The primary distinction is the values and ethics of the culture one grows up around.

Does this mean I am trashing the black culture? *No*. However, as a Radical Moderate I am trying to reach the heart of the issue. The black culture lags behind other cultures in America and that fact leads to lower outcomes in the categories that drive success (e.g. test scores, income, crime rates). The good news is a black child does not need to change the color of his skin to be successful. The bad news is that changing a culture is challenging to say the least. First, though, there has to be an acknowledgement that the culture needs to be changed.

There is likely to be some backlash regarding this view of race and culture. This debate is not particularly new or revolutionary, though. Renowned African-American comedian Bill Cosby created a stir in the black community when he rebuked “irresponsible black parents” in a May, 2004 statement during the fiftieth anniversary of the landmark Brown v. Board of Education decision. There can be little doubt that if a

white politician or social commentator had made similar comments he would have been branded as racist. Cosby, though, had a certain level of credibility which transcended the messenger and gave the message the oxygen it needed to be heard through public debate.

There is also no doubt that the black culture in America has had a harder struggle than most, if not all, others. Whites were never enslaved. Hispanics have faced discrimination but not to the level of blacks. Some Asians were placed in internment camps during World War II but their experience was still not comparable to the African-American experience. Therefore, most fair-minded people feel sympathy toward the black experience in America. Many whites have felt “guilt” whether they had anything to do with the oppression of the black population or not. In short, blacks have had it very tough during American history.

This is where the rubber meets the road. The black culture has faced an incredibly difficult journey in America. The black culture has suffered because of this. The black culture has tried to catch up with other cultures but it has not caught up fast enough to reach a level of equality. A Radical Moderate acknowledges past wrongdoings but concludes the fastest way to catch up is to let go of the past. The Asian culture has shown that the best approach to achieve prominence in America is to work one’s butt off and hold oneself personally accountable. Bear in mind, the majority of the black community does not currently want to hear this message. Still, there is a younger and growing generation in the black community that understands this is the only path to success.

A Radical Moderate does want to lend aid while the transition in the black culture occurs. There is still a need for workplace discrimination laws. There is still a need for some form of preferences in school admissions. All else being equal, why not give the African-American student a chance to prove himself instead of perpetuating opportunities for white students. However, things are typically not equal and therefore African-American students will just have to work harder than everyone else to get their opportunity. That is the American way.

A Radical Moderate would have supported school integration efforts by federal courts when they began in the 1950s. However, the time has come for those policies to be quickly phased out. They were successful in destroying the social barriers that existed between whites and blacks but they have failed at achieving academic parity. In other words, it was important to make the effort but it is now time to try a different approach.

When it comes to racial issues in America, there is still work to be done. That work, though, should not overshadow the reality that progress has been made. The big battles of the civil rights movement have been won. Now, it is time to win the smaller day to day skirmishes and transcend our troubled history in this area.

Abortion

A Radical Moderate does not like abortion. We don't want to condone the destruction of human life. We don't like the decision to use abortion as a form of birth control. Radical Moderates think that there are far too many abortions in the United States. We believe that abortion is immoral and that those who have one will someday have to stand before God and justify that decision. Even those that do not believe in God inherently know that abortion is an awful thing. We abhor the culture that views abortion

as an honorable choice. We detest gruesome procedures such as partial-birth abortions. Radical Moderates, though, at the end of the day, understand that a woman must ultimately choose whether or not to have her child.

On January 22, 1973, the United States Supreme Court handed down the landmark decision of *Roe v. Wade*, 410 U.S. 113 (1973). The name of this case is probably the most recognizable of all the opinions that the Supreme Court has ever handed down. Section XI of the opinion offers the most concise recitation of the holding of the case that made abortion legal in all fifty states:

To summarize and to repeat:

1. A state criminal abortion statute of the current Texas type, that excepts from criminality only a lifesaving procedure on behalf of the mother, without regard to pregnancy stage and without recognition of the other interests involved, is violative of the Due Process Clause of the Fourteenth Amendment.

(a) For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician.

(b) For the stage subsequent to approximately the end of the first trimester, the State, in promoting its interest in the health of the mother, may, if it chooses, regulate the abortion procedure in ways that are reasonably related to maternal health.

(c) For the stage subsequent to viability, the State in promoting its interest in the potentiality of human life may, if it chooses, regulate, and even proscribe, abortion except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother.

These are the basic tenets upon which so much political struggle has debated and argued now for almost 40 years. Conservatives believe that *Roe v. Wade* was wrongly decided and that there is no such thing as a right to privacy in the U.S. Constitution. Some liberals believe that *Roe v. Wade* is not a strong enough legal protection for a woman's right to choose and are discouraged by subsequent cases that have chipped away at the fundamental right of choice. As always, a Radical Moderate bridges the gap between these two views.

Ultimately, there is no getting around the idea that a woman should have power over her body. A woman should have the basic right to choose whether or not to have a child. This right, though, should have reasonable restrictions placed upon it. Even the most ardent of abortion rights advocates would not condone an abortion based upon the gender or IQ level of a fetus. Therefore, placing reasonable restrictions upon the right of abortion is just a matter of degree. Examples of reasonable restrictions that would be supported by a Radical Moderate include: parental consent for minors to obtain abortions; spousal mutual consent laws; bars against state funding of abortions; bans against partial-birth abortion; laws requiring waiting periods before abortions; and laws requiring women to read certain types of literature before choosing an abortion. The remaining major issue is medically defining "viability".

When is a fetus “viable” and therefore able to live outside of the mother? This is a critical point in time because it is the gateway between a woman's right to choose and the state's right to preserve life. In other words, once a fetus is viable the state has a strong argument that they can intercede and bring that child to birth. Few people want to face this reality. Few people want to acknowledge that the technology may someday exist to extract a fetus from the mother without in any way endangering the health of that mother.

Does the state have a legitimate role in taking away a child from an abusive parent? Absolutely. It is a normal practice in our society that children should not be subjected to neglect and abuse. That is why there are foster homes. Is it really a stretch to compare an unborn fetus to a neglected child? No, it isn't. At least it isn't once there is proven and safe technology to do so. Viability, therefore, becomes the bridge between the right of a woman to choose her own fate and the right of the unborn to live. Once medical technology reaches a point that extracting a fetus can be completed in a manner that protects the health of the mother the debate must start on why this would not be a solution to the problem.

Abortion is an issue screaming for people to come together and agree on common ground. There are a lot of things along the track toward a woman choosing abortion that can be agreed upon by all. First, women should be made aware of how to avoid an unwanted pregnancy. Second, quality affordable health care should be made available to every pregnant woman. If a woman knows that the medical system will help her through her difficult time then she will feel more hopeful about bringing a baby into the world. Third, organizations that work to educate women on choices besides abortion, such as adoption, should be supported widely. There are a huge number of people that would love to take care of someone else's unwanted pregnancy. There would be even more people willing to help if the need were better publicized. Fourth, society should welcome into the world babies that the mothers did not expect. Policies should be created that ensure these children will receive the medical care that they need as infants. Fifth, people should speak out against abortion and talk about hating the sin but loving the sinners. Abortion is an immoral act in the eyes of God and there will come a Judgment Day for those that have one. And, abortion is immoral in the non-religious sense because it is a failure to protect those with the least amount of power in society, the unborn.

The liberal constituencies do not want to hear that abortion is immoral. They worry that this will stigmatize women and cause them to lose self-worth. It should be acknowledged that this may be a side effect of calling abortion immoral. There are other things that are immoral that are legal. The difference with abortion is that it is affecting the life of another person. It might even be changing the course of history by denying the world the next Einstein, Lincoln or Churchill.

A Radical Moderate believes that we would have less and less abortions if more and more people came together on this issue. That should be the first goal. The problem with *Roe v. Wade* is that it attempted to solve a political issue with a legal solution. The United States Supreme Court has done this many times before and sometimes with limited success (for example, the civil rights movement). Still, eventually hearts and minds must be won over. Otherwise, there is nothing but polarization.

Overturning *Roe v. Wade* would simply allow the power to regulate abortion to revert back to the fifty states. This means that each of the fifty states would enact separate rules and regulations. For example, abortion would probably be legal in

California and New York but illegal in Indiana and Alabama. Therefore, if a woman in Alabama had the money to fly to New York she would be able to obtain an abortion but a woman without economic resources would be forced to have her child or, worse, seek out a black market abortion. Those abortions would also endanger the lives of the mother.

There may be some Radical Moderates who disagree with my analysis. They may argue that either there is not a right to privacy or that it does not extend to obtaining an abortion. I leave room for the idea that there are other solutions to this vexing problem. I just don't see them at the time of this writing. The right to privacy at least assures that every woman will be treated substantially the same regardless of where she lives.

On a more personal level, the issue of abortion is a huge conflict with my Catholicism. I do believe that having an abortion is a mortal sin. I respect the efforts of the church to focus attention on making abortion much more rare than it is today. However, those tactics are sometimes counterproductive. Denying Catholic elected officials communion because of their support of a pro-choice position is simply wrong. Communion should be made available to all of God's children. Who gave a Bishop, or even a Pope, the right to deny a worshipper the body of Christ? Redemption is a very personal thing. Abortion is a political matter. The two should not be intertwined in a free and democratic society.

I do not expect anything that I write to turn into a détente between the pro-choice and pro-life movements. This section is simply offered up as a pragmatic solution. The reason for this fight is the fact that the two national political parties want to make the abortion issue a litmus test for the candidates. This satisfies the hard line constituencies that they represent. While I am not hopeful that a compromise will be reached anytime soon, that reality itself will cost more lives of unborn children. There are ways to solve this challenge and stop that from happening.

Religious Tolerance

Do you believe that there is only one way to reach Heaven and that your church has a monopoly on that franchise? If you answer yes, then you are likely to view other religions as inferior and therefore unworthy of tolerating. If you answer no, you are likely to be tolerant of the teachings of other religions. The way you answer this question is also likely to form the backbone of your religious philosophy.

The United States of America is dominated with people that believe in Christianity. Within Christian America, there are a lot of separate brands held together in a common belief that Jesus Christ died on the cross for our sins, rose again and that his word is the roadmap to heaven. The percentage of Americans that identify themselves as Christians is around 77%. Only about 13% of Americans describe themselves as secular/nonreligious. There are a host of non-Christian religions within the United States such as: Mormon (1.5%); Jewish (1.4%); Buddhist (0.5%); and Muslim (0.5%). The biggest differentiation in America occurs within Christianity. Catholics make up around 25% of the country while Protestants make up the rest of the Christian population. Baptists comprise about 17%; Methodists around 7%; Lutherans almost 5%; Presbyterians almost 3%; and Episcopalians almost 2%. There are also dozens of branches of these religions and other unique faiths such as Jehovah Witnesses that make up for the remaining percentages.

A Radical Moderate believes in tolerance of all religious views. This tolerance is manifested in the guarantee provided through the First Amendment to the United States Constitution which states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ; ...". In other words, there is a separation of church and state. This separation has both a long tradition and a powerful contemporary justification.

The understanding that religious tolerance made sense goes back a long way. Christians and Jews were treated poorly by the Roman emperors. The emperors were considered divine and occupied the highest religious office. Sometimes, this meant Christians lost their life because of their faith such as the death of Justin Martyr under emperor Marcus Aurelius. Because of consistent agitation on the part of Christians and Jews, the Edict of Milan was signed by emperors Constantine and Licinius in 313 A.D. proclaiming religious tolerance in the Roman Empire and thus the historical struggle began.

Scholars state that the phrase "separation of church and state" was derived from a letter written by Thomas Jefferson in 1802 to a religious group called the Danbury Baptists. Jefferson, writing about the First Amendment to the Constitution stated the following:

Believing with you that religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & no opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between Church & State."

Jefferson knew full well the dangers of allowing the government to dictate the terms of a person's faith dating back to the Roman Empire.

A Radical Moderate wants people to have the freedom to fully express their faith as long as that expression does not conflict with the faith that others hold true. This is where the debate in American politics has centered around prayer in school, displaying the Ten Commandments and funding religious organizations with government money. We seek compromise on these issues. We understand that people believe deeply in their religious faith and that should be respected. However, it is important to maintain the separation of church and state because world history teaches us that religious majorities tend to run over religious minorities in places where church and state are combined. One need only look to the Muslim world and the problems that the Sunni and the Shia have in getting along.

Let's tackle the three issues of prayer in school, displaying the Ten Commandments and funding religious organizations to expand this philosophical belief in separation of church and state. Students are currently allowed to pray in school. What? That does not sound right, does it? The United States Supreme Court has consistently held that students can voluntarily engage in prayer at school but that public school officials must remain neutral in their treatment of religion. Therefore, a student can utilize non-instructional

time and pray about anything they want as long as the public school officials are not leading or directing those actions.

This approach makes sense, does it not? After all, consider the alternative. Would you support a teacher leading a class in a Muslim prayer? What if the prayer was Christian, but focused on Catholic teaching? More than likely, parents would be on the phone with the principal explaining that their child will be learning his religion at home under their direction, not a public employee. A Radical Moderate supports the right of students to pray as individuals or in groups as long as they are doing it voluntarily.

Displaying the Ten Commandments in a public building is an issue where Radical Moderates can disagree. Clearly, the commandments have a religious origin and reflect a Judeo/Christian point of view. However, the Ten Commandments have played a significant role in history and the development of the rule of law. Therefore, a Radical Moderate could allow the posting of the commandments in a public place under the theory that it is a historical document. It should be noted, though, that this exception would allow other historical documents such as the 17th chapter of the Qur'an verses 17:22 to be displayed. In other words, if one is going to allow a Christian historical document to be displayed then any other religion with a similar history must be allowed the same courtesy.

The prospect of allowing tax dollars to flow to religious organizations is both tantalizing and dangerous. Many religious organizations do a great job in providing programs that reach the underprivileged in America. Many of these individuals would not receive any help if it did not come from churches. However, the bedrock principle of separating church and state must not be forgotten. Therefore, allowing tax dollars to fund well-meaning programs needs a great deal of review.

In January 2001, President Bush signed executive orders bringing the White House Office of Faith-Based and Community Initiatives into existence. In 2006, some 18,000 organizations fell under the rubric of this initiative providing a range of services aimed at at-risk youth, recovering addicts, returning prisoners, the homeless and many others. These organizations receive federal grants to administer programs that touch communities of the underprivileged and the troubled. But, at what price to the principle of separation of church and state do these programs operate?

A Radical Moderate is envious of the job that many religious schools do in educating children. We see the virtue in studying the success of religious programs that serve those that the free market usually leaves behind. However, we know that we swim in dangerous waters when we allow religious organizations to become a dominant player in receiving tax dollars. One of the most obvious dangers is that extreme religious organizations will apply for the grants. Then, some government employee will be forced to define what is an "extreme" religious organization and what is a "mainstream" religious organization. That decision-making process runs counter to the whole concept of separation. If the government gets to place a stamp of approval on one brand of religion at the exclusion of another brand then we are at the precipice of a slippery slope indeed. Still, this is one of those areas where Radical Moderates should continue to debate. President Bush brought this issue to the forefront and now it must be decided if it should stay there.

Guns

I think there is a lot more political agreement on the proper role of guns and “arms” in America than one is led to believe. Let's just start with some basic propositions. No one thinks that private citizens should be allowed to own tanks, missiles or fighter planes. The reason is that it's assumed the private citizen would be using them to threaten or coerce other private citizens. The U.S. Military is granted the exclusive right to own such “arms” and civilian leaders are elected that tell the military what to do. There is little need for private citizens to be prepared to protect themselves from foreign invasions. On the flip side, there is little chance of private citizens being able to defend themselves against their own government given the huge technological advantage the professional military has in terms of “arms”. In short, there is no rationale under which private citizens should have access to these advanced weapons.

The majority of Americans understands there are legitimate purposes for individuals to own “guns” and would not ban such ownership. Most gun owners use them for hunting, recreational use or to protect themselves within their home. There are clearly “self-defense” reasons for allowing a private citizen to own a gun or “arm”. What is really being argued over in America is whether there are any reasonable limits that should be imposed upon lawful gun ownership. First, let's examine the Second Amendment as it was written and enacted by the Founding Fathers:

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

The initial thing that I notice when reading the Second Amendment is that it is not as crystal clear as it has been portrayed. Right off the bat the amendment mentions having “a well regulated Militia”. Is that a qualifier to the rest of the Amendment? Does the term “Militia” translate into today's modern world? What does the phrase “the right of the people” mean? Is there a difference between the concept “to keep and bear Arms” and the concept of carrying guns around in a public place? These are all legitimate questions. However, these questions are seldom brought up in the public discourse. Rather, the political debate in America has been between “gun control advocates” and people that “believe in the Second Amendment”. I firmly believe in the Second Amendment but that is also true of the entire Bill of Rights. In the past, I have just been a little confused on exactly what each section of the Amendment means.

My main purpose for raising this issue is to show that politicians who say they “support the Second Amendment” should be more careful to say what exactly they support. What they really mean is they support an *individual's right to bear arms*. I happen to agree, in principle, with this interpretation but as an attorney I leave room for the proposition there are other common sense interpretations of the Amendment.

The assumption in American political discourse has always been that the Second Amendment protects an individual right to “keep and bear Arms”. That assumption was made the law of the country in the landmark decision of *District of Columbia v. Heller*, 554 U.S. 570 (2008) and then later held to apply to all the states in the case of *McDonald v. Chicago*, 561 U.S. 3025 (2010). Those decisions were sound and brought legal

resolution to the interpretation of the matter. The political definition, though, is still evolving.

As discussed earlier, no one wants the right to bear arms to get out of hand. No one is interested in their neighbor shooting off a bazooka in the back yard while downing a twelve pack of beer. Even the First Amendment has exceptions to its protection of free speech. It has long been understood that a person cannot scream “fire” in a crowded theater because of the effect the free speech would have on the safety of the other people in the theater. “Fighting words” is another type of speech that is not protected. An example would be speech that encourages a “breach of the peace”. These examples are certainly narrow in their focus. The key, though, is that they are based upon a common sense approach to protecting as much free speech as possible without encroaching upon the rights of other people to be *free from violence and mayhem*. That type of balance is at the heart of Radical Moderate politics.

The main tension in the role of guns in American culture centers around urban versus rural realities. The crime rate is generally low in rural America. Some people attribute this fact to a strong culture of gun ownership. I don't know that I buy the argument that the two realities are correlated. However, there is no denying that both are true. The crime rate is higher in urban America. There are probably a lot of reasons for this. Some political leaders believe they could reduce violent crime by creating “gun control” laws. This leads us to ask two questions: One, does the Second Amendment forbid states and localities from enacting “gun control” legislation?; and, Two, even if the Second Amendment has exceptions, does it really lower the crime rate to enact such legislation?

The legal issues that encompass the question of banning gun ownership and usage in certain states or localities are ongoing. The Heller and McDonald decisions focused on the use of a gun for self-defense in an individual home while acknowledging that there are limits to the right in other contexts. There are many other kinds of restrictions that governments may try to impose in the future. These battles will take awhile to work themselves through the legal system. For the time being, it is the second question that is most readily answered by Radical Moderate principles.

People that use guns to hunt deer, ducks, geese, etc. are not then turning around and using their guns to hold up liquor stores. Hunting is fun. Hunting is a tradition that is passed down from one generation to the next as a way to teach responsibility, bond with each other and blow off steam. The culture of hunters has no similarity to the culture of crime. Therefore, there is absolutely no reason to enact laws that will restrict the rights of hunters from enjoying their hobby. Any such law would simply punish a law-abiding citizen and would have little chance of accomplishing the stated purpose of lowering the crime rate.

What about people that do not hunt? What about people that want handguns for self-protection? This is where the divide between rural and urban becomes more gray. Most rural folks are more likely to own shotguns and rifles than they are handguns. Shotguns and rifles have two main purposes in rural America, hunting and protection from outsiders. People that live in rural areas cannot always depend upon a quick response from law enforcement. The classic example is the escaped prisoner that is running through the countryside and comes upon a family farm. A good shotgun, or even the threat of a good shotgun, might be the difference between life and death for such a farm family.

Handguns are more of an issue in urban areas. Some people simply feel safer packing a glock under their coat jacket. Who wouldn't? The countervailing argument in urban areas is that there is adequate police protection and that a high percentage of guns on the streets will lead to more crime. On the surface, this argument seems to make a certain amount of sense. Urban areas have different realities and it is hard to have a one size fits all approach to guns throughout the country given these realities.

A Radical Moderate wants to protect individual rights. We want to protect law and order. We want to give law enforcement agencies and local areas the tools they need to fight crime and protect their citizens. Certainly, American citizens are a long-time removed from the British occupying their homes at the whim of the King. A Radical Moderate, though, has a difficult time balancing all of these interests. For example, do we know for a fact that enacting strong gun control laws would lower the crime rate? The answer is no. The answer is also that it will not be known unless such laws are enacted.

Many people point to the British experience of enacting gun control laws. In 1997, their parliament essentially banned the use of handguns in the country. I have found no evidence that this ban led to a reduction in crime. If the evidence does exist then someone can send it to me. Rather, I have come to believe that the key to understanding guns and crime is to first understand the underlying culture. Rural American culture is heavily focused on individual independence tempered with a concern for one's neighbor. Urban American culture is heavily focused on reliance upon government to handle many basic services tempered with individual independence. In other words, people in the city want the police to handle law enforcement while people in rural areas want to feel empowered to protect themselves. Neither culture is wrong.

The National Rifle Association is fond of saying "guns don't kill people, people do". The basic point is that the misuse of firearms is the true danger and not the guns themselves. In American culture, this statement does ring true. I include the qualifier, "in American culture", because I believe the culture is the greater factor than the gun itself. If a person is already predisposed to believe every human life is valuable then he is also predisposed to be very careful before vanquishing the life of another. The opposite is also true. If a person grows up in a culture of hate and hopelessness, where violence is currency, then he is predisposed to utilize a gun for its most awful consequences. In short, *guns don't kill people, the culture does*.

A Radical Moderate must resist the urge to take a reactionary position on guns. Every couple of years there is a massacre in America carried out with a gun or guns. On April 16, 2007, a massacre occurred on the campus of Virginia Tech University. A mentally unstable man named Seung-Hui Cho killed 32 people before committing suicide. Cho used two firearms during the attacks: a .22-caliber Walther P22 semi-automatic handgun and a 9 mm semi-automatic Glock 19 handgun. There is absolutely no question that these guns made it possible for Cho to kill so many people in such a short period of time. The question is whether or not any gun control law would have made a difference.

The Radical Moderate believes there are certain classes of people that have given up their right to own and carry a firearm. People that have committed felonies should forfeit this right. People that have Orders of Protection against them (usually for beating your wives or girlfriends) should forfeit this right while the order is still in effect. People that

have serious mental problems should also forfeit this right. Mr. Cho fell into this third category.

The reactionary response to a massacre such as Virginia Tech would be to promote gun control. This is not the answer. Changing the culture is the answer. Seung-Hui Cho had signs of mental illness but his case slipped through the cracks. The security and communications system at Virginia Tech was lax at the time. Mr. Cho did the majority of his killing two hours after authorities were aware of his first two victims and that someone could still be on the loose at the Virginia Tech campus. However, there was no campus-wide lockdown and students were not informed of the first shooting until the second one had already begun. If Cho had been properly diagnosed then this situation might have been avoided. Regardless, gun control laws would likely not have made a difference.

This does not mean that there should not be any gun laws at all. There are legitimate debates as to whether individuals should be allowed to carry concealed handguns into bars. There are laws against people drinking and driving. It does not seem like a stretch to prohibit people from drinking and carrying firearms. The gun lobby, though, is fervent in their opposition to any legislation regulating gun usage. Their lobby is also very stout.

In general, the gun lobby believes that any legislation restricting the use of firearms is a slippery slope toward a complete ban. This position causes that lobby to lose credibility. Let's go back to the beginning paragraph of this section: *No one thinks that private citizens should be allowed to own tanks, missiles or fighter planes.* Why not add uranium and poison gas to the list? How, though, did it come to be realized that these weapons were not protected by the Second Amendment? Keep in mind that none of these things existed when the Bill of Rights was passed in 1791.

The reason an "exception" is made to the Second Amendment for these weapons is that this is the common sense approach. These weapons make any fight completely unfair. These weapons have no tradition in the American culture of private ownership. These weapons are not designed for hunting or recreational purposes. In fact, these weapons were specifically designed for warfare. Rifles, shotguns and even generic handguns differ in kind from these other type of weapons. The National Rifle Association would gain more credibility outside of its base of support if it would make clear that reasonable "exceptions" to the Second Amendment exist and are valid.

In summary, there is plenty of room for common ground in the debate over gun usage. One of the reasons more compromise is not seen on this issue is that the NRA needs to stoke the fears of its members to prove its relevancy. Radical Moderates believe in an individual's right to own a gun(s) for the traditional purposes that have been named. We would place some reasonable restrictions upon the usage but would not alter this fundamental right. We probably agree with the NRA position about 80% of the time. I doubt they would consider compromising on the other 20%, though, and that extreme position keeps common sense regulation from ever being enacted into law.

Homosexuality

The Radical Moderate approach is well-suited to address the issue of how to treat homosexuals. Why? Homosexuality is such a personal and emotional issue. The right

views homosexuals as sinners and believe people should not be rewarded for their sins. The left view is that one is born homosexual and therefore this is a civil rights issue just as race is a civil rights issue. The central issue surrounding homosexuality is whether it is a behavior or an immutable trait. So, which is it? There is not a scientific way to prove either theory at this time. Common sense says that surely a person is born homosexual. Why else would someone do something that seems so unnatural from the perspective of a straight person? Why would someone submit themselves to a lifetime of ridicule and self-doubt? On the other hand, the religious right believes God has already spoken on this issue. Arguing with a person about an important public policy question is at the heart of a great democracy, but arguing with a person who believes God is their source is essentially a waste of time.

Nuance is the only thing that can bring resolution to issues surrounding homosexuality. I personally believe that people are born homosexual. There is a possible exception for a small percentage of people that engage in homosexual acts because of the environment in which they live. People in prison would be a good example of this group. Men in prison engaging in sex acts are likely not homosexual, they are just criminals who get a thrill off of fulfilling their urges and the power they have. That, however, is a small and distinct group. The great majority of homosexuals, likely over 95%, I believe, are born that way. However, you can be a Radical Moderate and take a different view of homosexuality's cause. After all, that is ultimately a scientific question that remains unresolved. Radical Moderates are all about resolving things that have known characteristics.

Everyone wants to focus on gay marriage as the holy grail of homosexuality issues. I think it is really just one of a myriad of issues. It is the hardest to resolve, though. Some other important issues include how homosexuals are treated in the workplace, the right to make medical decisions, and the military's previous policy of "don't ask, don't tell". These issues can be resolved with incremental steps.

As of 2012, there is no federal law prohibiting private employers from firing a person because of their sexual orientation. At least twenty-one states have passed laws prohibiting such discrimination in the workplace. Twelve of those states also prohibit discrimination over gender identity (e.g. transgender people). In 1998, President Clinton issued an Executive Order interpreting the 1978 Civil Service Reform Act as prohibiting discrimination by the federal government against homosexuals in the workplace. Since 1994, there has been a consistent, but unsuccessful effort, to pass the Employee Non-Discrimination Act in the U.S. Congress.

Federal law already makes it illegal for private employers to discriminate based upon race, gender, age and ethnicity. This is an easy call for a Radical Moderate. The issue of how a person becomes a homosexual doesn't have to be resolved to support a prohibition on discrimination in the workplace. Such a prohibition will soon be enacted in a majority of states. The prohibition exists in over 200 municipalities (counties and cities) across the country. The move in this direction is spread throughout the country with the notable exception of the traditionally southern Bible belt states.

Many private employers have formal or informal policies to not discriminate based upon sexual orientation. It is simply smart business to make qualifications and merit the sole criteria for employment. The U.S. Congress is behind the times on this issue. The

religious right will fight enactment until the bitter end but this change in law is a matter of when, not if.

The right of one gay partner to have access to another gay partner in a hospital and/or make a critical health decision has implications beyond the context of homosexuality. The issue really speaks to the notion that blood relatives are not always the closest to a person. Rather, individuals might choose to surround themselves with close friends or lovers. Why should marriage or blood relation be the only factors in allowing access to health decisions? The answer is that a Radical Moderate cannot support building a wall which keeps individuals, gay or straight, from choosing someone besides their family as the person who can make critical medical decisions on their behalf. This becomes even more important considering that most states do not allow gay people to marry thereby barring them from choosing whomever they want the world to view as closest to them. This is exactly why some communities have created domestic registries which spell out publicly who one person believes is closest to them. Domestic registries have a place in today's society whether or not gay marriage is ever recognized. In short, restrictions should be ended that hamper a gay person from making a medical decision for a gay partner.

President Harry Truman integrated the United States military by executive order in 1948. Blacks had served in the military in various capacities throughout the history of the country. Truman's order, though, resolved the issue once and for all. The military has never again seriously questioned white and black soldiers serving together. This experience, while important for context, is not completely analogous to the attempts to allow openly homosexual individuals serve in the military. After all, the color of someone's skin is easily determined but whether a person is homosexual is not. Logic dictates that homosexuals have been serving in the military since the beginning but have stayed in the closet to avoid scrutiny. It will probably never be known if some of the greatest heroes were gay or straight. The issue might be viewed differently if it was known.

In 1992, Bill Clinton campaigned for President promising to allow all citizens to serve in the military regardless of sexual orientation. Once in office, though, President Clinton found it untenable to turn his campaign promise into policy. He compromised by creating the policy of "don't ask, don't tell". The stated purpose of the law was that if homosexuals were openly in the military their presence "would create an unacceptable risk to the high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability." In other words, people wouldn't like it.

President Clinton was acting like a Radical Moderate in 1993 with this compromise. He campaigned on an issue that had previously been taboo. He spent political capital early in his term to force the subject to the forefront. His party paid a steep price during the 1994 elections because of moves such as this. In short, "don't ask, don't tell" was a solid incremental step forward in 1993. In 2011, though, the continued perpetuation of this policy had turned into dogma. The policy had far outlasted its usefulness. Essentially, in 2011, if one didn't allow homosexuals to openly serve in the military the reason was that he strongly believed homosexuality is against God's law and he wants God's law enforced in the military. This is a bridge too far for a Radical Moderate.

National security trumps someone being uncomfortable around other people. Even if homosexuality is an acquired characteristic (which I don't believe personally) then there

is still an overwhelming argument to allowing openly gay people to serve. First, if they are qualified to do the job nobody should really care what they do in their bedroom. Second, the “unit cohesion” argument is simply weak. There is absolutely no doubt that allowing blacks to fully integrate into the military in 1948 must have been a huge shock to the white soldiers. At that time, schools, public restrooms and pretty much everything else were segregated. Allowing homosexuals to serve openly is no greater disruption. Third, the military needs everyone it can get. A soldier that speaks Arabic is critical to national security and that is more important than his sexual orientation, acquired or created by birth. Within a few years of homosexuals serving openly in the military people will be wondering why it took so long to reach that conclusion.

During the writing of this book, President Obama and a Democratic Congress put an end to the “don’t ask, don’t tell” policy in 2011. A Radical Moderate strongly supports this move. The time has finally come whereby homosexuals can be judged on their merit as a soldier rather than their sexual orientation.

Gay marriage is one of the most perplexing issues in the American political dialogue. A religious conservative will never be convinced that the government, state or federal, should recognize marriage as anything except an institution between a man and a woman. On the other hand, homosexuals will never be convinced that they are not being discriminated against by the denial of a marriage certificate. There really is no middle ground on this particular issue. A Radical Moderate does not have a magic bullet which can pierce this polarized political situation. There is no political solution to this matter. Rather, there are only legal arguments and raw political muscle.

Even abortion has a medical solution. Gay marriage, though, boils down to two things: One, a person’s view of the Bible; and, Two, one’s view on whether the government should be in the business of condoning marriages. While worth the discussion, there are no simple answers to these issues.

On its face, the Bible section of Leviticus 18:22 is a pretty straight forward statement:

Thou shalt not lie with mankind, as with womankind: it is an abomination.

Other versions use the word “detestable”. Either word is fairly compelling. There are other references in Leviticus that support the general proposition that homosexuality is an abomination not to be tolerated by Christians. This statement forms the fundamental belief that homosexuality is a perversion or, at best, a weakness such as a propensity to be an alcoholic. A Radical Moderate does not want to engage in religious language interpretations but in this case there is no choice.

On the one hand, it must be conceded that the language in Leviticus is plain spoken and should be heeded. That argument makes itself. However, there is a different argument which considers the context of Leviticus and exactly what the language is describing. That argument states that Leviticus is focused on teaching specific ritualistic procedures that were in place at the time of the writing. In this context, the reference to homosexuality is forbidding it only as to the location of the act but not the act itself. In other words, Leviticus could be stating that homosexuals should not have sex in the same bed where a man and a woman have sex.

A religious conservative is going to laugh at this argument. However, a political moderate is going to question some of the other references in Leviticus. That chapter of the Bible dictates that a person should not eat anything derived from a pig or shellfish. Leviticus also condones slavery and expressly forbids the trimming of hair. In short, this is a chapter of the Bible which does not have to be taken literally for someone to still be a Christian. Moreover, going beyond Leviticus, if homosexuality is such a great sin then why was it not included within the Ten Commandments? Was that an oversight or were the Ten Commandments not meant to be inclusive of all sins? Or, is it possible that the greater message of the Bible is love and that the reason that homosexuality is not forbidden by any of the Commandments is that love is greater than sexual orientation in the eyes of the Lord?

Again, these are just religious arguments. Biblical scholars should debate these issues. My purpose for including them in this discussion is simply to highlight the fact that there will never be a resolution of this issue as long as religion remains the focus of the discussion. That brings us to the second question: Should the government be in the marriage business at all?

The governments of the world have not always been in the marriage business. Marriage was viewed as more of a private business affair in cultures such as ancient Greece and Rome. Most marriages were arranged and represented a joining of two families more so than a romantic connection between two individuals. In addition, not all marriages were all that sexual in nature. The Greek orator and statesmen Demosthenes explained marriage in this flippant way: "We have prostitutes for our pleasure, concubines for our health, and wives to bear us lawful offspring."

The practice of state involvement did become prevalent in European countries during the 16th century following the Protestant Reformation led by Martin Luther. Luther declared that marriage was "a worldly thing...that belongs to the realm of government." Clearly, it was much easier to track genealogy and property issues because of recording marriages with the state. This approach toward government involvement in marriage has dominated Western Civilization ever since that time.

Gay marriage is nothing new. Formal homosexual relationships have roots in ancient China and Rome though they were never as prevalent as marriage between a man and a woman. In short, marriage laws have always reflected the cultural norms of a particular era. Marriage, throughout the centuries, has been defined however the decision-makers of that time wanted to define it. In the modern world, gay marriage is gaining momentum. In 2001, the Netherlands became the first country in the world to recognize gay marriage. Since that time, more countries such as Belgium, Spain, Canada, South Africa, Argentina, Norway, Sweden, Portugal, Iceland and Mexico have followed suit. Currently, homosexuals can lawfully marry in six U.S. states and the District of Columbia.

There is little doubt in the mind of a Radical Moderate that gay marriage will be prevalent in the 21st century. The only question is how much political debate will focus on this issue. How many elected officials will win or lose their contests because of this issue? To those on the right, marriage is a sacred thing between a man and a woman that should be sanctioned by the government because that is what God and a majority of the voters want to happen in America. On the left, this is a basic human rights issue and

speaks to whether or not everyone is going to be treated equally under the United States Constitution.

One can be a Radical Moderate and still not have an opinion on this issue. Therefore, I will give only my personal perspective. I fully support civil unions, non-discrimination laws against homosexuals, full and open service in the military and every other item on the agenda of the homosexual community up to but not yet including gay marriage sanctioned by the government. My reason is this: I lean toward the position that the government should not be sanctioning marriage. Marriage should be a religious affair governed by individual churches. Those churches should have the freedom to define marriage as they see fit. If some churches want to define marriage as allowing a union between two people of the same sex, then that is the right of that church. The government can be involved when it comes to division of property and other such matters but it should not define the nature of what the term “marriage” means. The government should even reconsider the special tax benefits people receive for being married.

That is the most principled position I can take given what I believe in both from a personal standpoint and from a public perspective. In the future, though, I will remain open to evolving this stance if presented with a stronger rationale than I currently have.

This position will disappoint both the left and the right. The religious right wants government involved in the lives of people as long as that involvement supports their majority position. The left wants the government to protect their individual rights as long as it protects their view of what those rights should be. Both are wrong. In my Catholic Church, marriage is between a man and a woman. That is within the purview of the church to decide. If one is a homosexual and does not like this then he can get married in another church that coincides with his view of the world. But, the government should not pick favorites in this matter.

In summation, while a Radical Moderate believes that common sense dictates that homosexuals are born that way, there is no conclusive scientific proof of this. Therefore, with no clear moral imperatives, we must decide these issues in an incremental and politically frustrating way. Sometimes, that is the only path that remains.

Chapter Nine: Crime And Punishment

What would happen if a political candidate ran on a platform of being soft on crime? Imagine if the central tenet of the candidates theme was that the world was being too hard on people that commit crimes. The candidate could make statements such as: “When I get elected, we are going to let the muggers and the drug dealers take over the streets. We are going to let the convicted felons imprison us in our homes. I stand for more crime!” Well, in a two person race, this candidate would probably not break into double digits.

No one is for more crime. No one is for being “soft on crime”. No one wants crime to flourish. Politicians run on anti-crime platforms all the time. And yet, crime has been with us since the beginning of civilization. If everyone is against crime then why doesn't the crime rate drop dramatically? Why does everyone know someone that has been affected by a crime? A Radical Moderate realizes that there will always be a level of crime in any community. The world will always have some amount of war and the world

will always have some amount of crime. The key is to understand how to minimize crime utilizing limited tax dollars. And, importantly, it is critical to limit the definition of crimes to activities that truly harm society as opposed to simply being morally offensive to certain constituencies.

The reason all of the attention placed upon crime as a political issue has not produced satisfying results is for one main reason – a lack of innovation in the approach to fighting crime. Anti-crime measures have traditionally been very dogmatic. The entire concept of putting every criminal behind bars as a silver bullet way to reduce crime is a flawed premise. Additionally, the idea that all crime is determined by the way a person is raised and the only approach to combat crime is to change socioeconomic conditions is equally flawed. A Radical Moderate understands that everyone cannot be locked up nor is giving up the answer. Something different needs to be tried – something more radical.

A Radical Moderate is always willing to put everything on the table. Often, it is the craziest ideas that end up changing the world. In this spirit and for purposes of discussion, I have drawn upon two books with competing philosophies to illustrate how different approaches to curbing crime might work better than current methods. The first book, *Freakonomics*, was written by University of Chicago economist Steven Levitt and *New York Times* journalist Stephen J. Dubner. The second book, *Freedomnomics* by John R. Lott, Jr. Ph. D. was written in response to *Freakonomics*. Both books argue that economic principles can be utilized to address the issue of crime. Particularly, the books focus on the incentives that either increase or decrease criminal activity.

Freakonomics focuses on the use of unique data and statistics to draw conclusions about why things happen in the world. One such instance occurred with crack cocaine dealers. The book surmises that dealers on the street make very little money – approaching minimum wage – even though they lead a very dangerous life. The reason for this behavior is the belief that they might some day be at the top of the totem pole where the king-pins make hundreds of thousands of dollars. Another startling *assertion* was that the legalization of abortion in 1973 led to lower crime rates in the early 1990s. The theory is that the aborted babies of socioeconomically challenged mothers – the kind most inclined to become criminals - never reached adulthood because they were aborted.

Freedomnomics focuses on the free market as the best way to address social issues. The book argues that a white collar criminal has much more to lose than an ordinary thief because a lost reputation will forever keep the person from making a high salary that can ordinarily be achieved among the professional class. The book makes arguments that affirmative action leads to an increase in crime and that proliferation of concealed weapons reduces it.

The common thread between the two books – which discuss much more than just criminal issues – is that they purport to take an economic perspective as a way of addressing crime. It is not critical whether one book or the other has the stronger argument. Rather, it is important that the overall approach is outside of the conventional wisdom. Crime cannot be solved, or even deterred, by utilizing the same tired thinking of the past. Passing tough sentencing laws, putting more police on the streets, and building more jails is a costly and largely ineffective way to addressing high levels of crime. It is time for Radical Moderate solutions.

Ultimately, the best way to prevent crime over the long-term is to create a culture of personal responsibility, to make our school systems accountable to the students they teach, and to create economic opportunities that lead to higher income levels. A highly educated, accountable citizen with a good-paying job is much less likely to be a criminal than someone with the opposite life situation. Radical Moderates, though, are not making excuses for criminals. Criminal acts must have consequences. We choose to focus on long-term solutions to the problem of crime. In the short run, though, we must address ways to punish and rehabilitate people when they do commit criminal acts.

It is not often that the most liberal thinkers and the most conservative thinkers find a nexus which brings them together. One such nexus, though, is the incarceration of people. More specifically, it involves the cost of building, maintaining and operating county jails, state prisons and federal penitentiaries. A staple of the conservative philosophy is that the government should be spending less taxpayer money. A staple of the liberal philosophy is that the war on drugs and the attempts to be tough on crime are essentially failures. Therefore, conservatives are looking to keep incarceration rates down for economic reasons while liberals are looking to keep incarceration rates down for social reasons. A Radical Moderate can find a perfect symmetry and look for ways to keep incarceration rates down for socioeconomic reasons. Or, it can be done just because there is agreement that it should be done.

The first important distinction that must be made is the difference between a jail and a prison. Jails are almost exclusively facilities run by county and municipal government. These facilities predominantly handle people that are awaiting trials and are therefore considered innocent until proven guilty. Jails, though, also hold people that have been adjudicated guilty of misdemeanors such as driving under the influence, drug possession offenses, failure to pay child support and the like. Prisons, on the other hand, hold people that have been adjudicated guilty of felonies. Some of these felons are repeat non-violent offenders but many of them are violent offenders.

Prisons serve the critical role of removing from society persons that currently have a complete disregard for the personal property and safety of others. These felons deserve to be behind bars until they can rehabilitate themselves and rejoin society with a deeper commitment to act in a civilized manner. Jails serve the critical purpose of scaring people back into an acceptable and civilized mode of behavior. Jails also keep the violent and habitual felons off of the streets until the judicial system can turn its wheels and send them to prison.

How can jails be made into a more socioeconomically productive place to spend time? Any law abiding citizen should be terrified of having to spend a night in jail. I once had to pick up a friend from a municipal jail. I asked the friend about the experience. The response: "It smelled like urine and there were a lot of scary people nearby." Exactly. That is the thought that keeps most of us on the straight and narrow path even when there are other incentives, such as alcohol, money, etc., that might tempt us to do something against the law. Jail should be and is a scary place to spend a night.

If jail is so scary, then why do so many criminals go back time and again? I truly believe that if you can place someone in a jail for one week and they are not convinced that their life is out of control then another three months will not make much of a difference. In short, there are certain people that can learn quickly that jail is an incentive

to act lawfully and there are people that require much more punishment than just a few days in jail.

It is the population of people that are not scared of a few days in jail but are terrified of a lengthy prison term that should be focused on – these are the “swing criminals”, if you will. The hardened criminals that are willing to run a mini-drug cartel equipped with lots of guns will not be dissuaded from their behavior by anything less than a stiff prison sentence. A Radical Moderate fully supports placing violent criminals behind bars for a significant period of time. However, it is incredibly expensive and unnecessary to place all criminals in a prison for such a lengthy period.

Freedomnomics provides some interesting statistics that bear out what is known to be true in the world. Younger people, especially younger men, act in a more violent manner than older people and women. Dr. Lott states that “by the time a person is twenty-nine, his likelihood of committing murder has declined to about half of what it was at age twenty.” Younger men have always been a population of people that see violence as a logical, even necessary, way to handle their grievances. In some quarters, violence and other forms of criminal behavior can be utilized to gain respect among peers. That respect can be used for survival, monetary gain and power. In short, younger men are not just randomly violent but violent because of the benefits they perceive that it brings to them.

Young people that live in an inner-city ghetto understand that survival is not to be taken for granted. Having the respect of others may mean a person won’t get jumped (translation for any out of touch Americans: *beaten up*) on the way home from school. Having the respect of others may mean that one is not a target of a drive-by shooting because it is clear that his friends will retaliate the way Israel retaliates against Muslim attacks – with overwhelming force.

So how is this population of people “in between” the soft wannabe criminals and the hardened criminals identified? This population most likely has one or more of the following characteristics: a drug addiction problem; trouble keeping a solid job; lacks a positive and productive network of friends or family; and is undereducated. The common factor with this group is that these are all characteristics that can be changed if hard work and the necessary resources are combined during a sustained effort. It requires a higher level of engagement than the typical criminal justice system provides.

The first thing that a Radical Moderate wants to spread among the demographic of “potential criminal” is the concept of hope. Many people begin a drug addiction because they are leading an empty life and they are trying to fill in that emptiness with a narcotic. These people have very little hope in their lives. Many people steal because they are trying to get money to buy narcotics, food, rent money or other items. These people have very little hope in their lives. Many people commit crimes because they did not have strong role models during their upbringing that held them accountable for their actions. These people have very little hope in their lives. And the list could go on and on.

Hope, in this context, is much more than wishful thinking. Hope for “potential criminals” means that they have something to look forward to in their lives. Hope means that they are connected to a community that instills in them a belief that their life has promise and meaning. Hope means they have a feasible way to put a roof over their heads and food on the table each week. Hope, in short, provides a reason to stay on the straight and narrow path.

All of this begs the question of how to lower crime rates as far as possible with the limited resources at hand. A strong police force will always be part of the equation. Without doubt, the visibility of police in a community and their ability to quickly investigate crimes and bring the guilty to justice serves as a deterrent to crime. Arguments about how much the police are paid and how many of them there are can be handled at the local level. The key is to make sure that with each additional police position created there is accountability for what it can accomplish. Each individual community has an optimal level of law enforcement protection that will deter crime – anything beyond that level is duplicative and unjustifiably expensive. In other words, beyond an optimal level there are significant diminishing returns when adding more law enforcement to the equation. The same concept would hold true if there are too few police. We want to find the optimal level which delivers bang for the buck.

A Radical Moderate is looking for new ideas. Two cost effective ideas that are in use in various parts of the country are drug courts and shame as punishment. A drug court operates outside the parameters of the traditional court experience. Typically, a drug court is accessible to a criminal that has committed multiple non-violent crimes but whose main problem is their addiction to drugs. Perhaps they are breaking into pharmacies to get drugs. Perhaps they are breaking into houses to find money so they can buy drugs. These people are candidates for rehabilitation in a drug court.

There are a variety of ways for a jurisdiction to establish a drug court model. For example, a typical drug court defendant has an overwhelming case against him. He would stand little chance beating the charges in front of a judge or a jury. Therefore, the prosecutor will offer him a place in a drug court. In return, the defendant has to plead guilty to the charges and a sentence is imposed. The sentence might be for ten or twenty years of incarceration. However, the sentence is paused while the defendant attempts to complete a drug court program. The program includes regular drug screens, attempts to find a job or keep the one he already has, and attending counseling sessions. The defendant will appear in front of a Judge periodically for a status report. If the defendant is regressing, then the Judge can order them into jail for a night as an incentive to stay clean. The appearance in front of the Judge is an opportunity for the entire group of defendants to see the success of others. However, if the defendant regresses too far backward, the Judge has the discretion to “unpause” the sentence and send the defendant to the state prison permanently.

The research on the value of drug courts is substantial though still relatively new. Most studies purport that effectively administered drug courts lead to lower re-arrests (recidivism) and can be conducted with lower costs than the alternative forms of punishment. The success of a drug court likely will depend upon factors such as the commitment of the Judge in charge and the proper screening of candidates for the program. Regardless, drug courts address the concerns of conservatives by attacking the costs of crime and they address the concerns of liberals by promoting rehabilitation. Time will tell if drug courts are a good investment of taxpayer money. One thing is clear, though - the current system of adjudication and incarceration is very expensive by comparison and has done relatively little to reduce overall crime rates. The cost of imprisoning someone for one year in a state prison is between \$20,000 and \$45,000 annually. The cost of that same person going through a drug court is *around one-tenth of that cost or \$3,000 to \$5,000.*

I had the opportunity to be in on the ground floor of a drug court in 2003 serving as a deputy prosecutor. The experience sold me on the concept or at least some form of it. One day there was a man that stood up in front of the court and stated that he had not been on drugs for four months. Prior to that, he had been on some kind of drug for over a decade. He remarked that he was able to think clearly for the first time in longer than he could remember. There was another man that was barely staying on the straight and narrow. His drug court officer told the Judge before the hearing about the issues. The man came into court with a big smile on his face. He thought he was doing pretty well on his progress. The Judge disagreed and made him spend a night in jail to remember what it felt like. That is tough love. That is the sort of thing a Radical Moderate believes in as a core principle.

An extension of the drug court model is an even newer approach called HOPE probation. The acronym stands for Hawaii's Opportunity Probation with Enforcement. The program was founded in 2004 and has not yet spread very widely around the United States. According to its founder, Circuit Judge Steven Alm, HOPE created a change to the probation and parole system that provided for "swift and certain, but proportionate, consequences for probation violations."

The HOPE probation model requires a dramatic change and reworking of the probation and parole system. It increases the level of engagement required from the judicial system. For those that do not know, the criminal judicial system in most states has changed very little since the 1960s. The focus has been on protecting the rights of the individuals before the Court. This means ensuring due process, the right to a jury trial, and all the basic protections afforded by the U.S. Constitution. It is great that these things are vigorously protected. However, this adherence to legal traditions has kept innovation in check until more recently.

It remains to be seen if innovations such as HOPE probation will provide a template for future success. It cannot hurt to try, though. What a Radical Moderate appreciates about a new program such as HOPE is that it recognizes the complexity of solving crime and punishment issues. The program requires a lot of constant attention, proportional consequences handed down quickly and a level of engagement and nuance that far exceeds the traditional criminal court setting. The choices are broader than just slapping someone on the wrist and locking them up for years. And, just like drug courts, the driving force behind reform of the probation and parole system is cutting down on the exorbitant costs involved with incarceration.

The concept of shaming a person needs to be taken more seriously in the criminal justice system. Shame is a punishment that will not work for everyone but should work well for a certain group of people. It is best suited for non-violent offenders that have some stake in the community already. There are a lot of ways to shame a person. A dead beat dad can be made to wear a sandwich board at the local Wal-Mart reading: "I'm a dead beat dad". A teenager that vandalized someone's business can be ordered to go back and clean up his mess while the owner watches over him and the neighbors walk by to glare. Offenders can be made to pick up trash on the side of the road in orange jump suits. These are examples of techniques that do not cost as much money as incarceration. The key to the principle of shame is that when a crime is committed against the public good, the punishment should involve a public apology and rehabilitation. For too many

offenders, sitting in a jail cell is simply a way to avoid the reality of their life or a way to gain street credibility.

The following is a list of what a New York Law School article in 2008 called “Scarlet-Letter Punishment”:

- A Florida Judge ordered a woman who bought drugs in front of her children to take out a newspaper ad telling the community what she had done.
- A Houston, Texas Judge ordered a man that pled guilty of domestic violence to stand on the steps of City Hall, face lunchtime workers, reporters and battered women’s advocates, and apologize for hitting his wife.
- Authorities in Canton, Ohio and Miami, Florida placed the names, addresses and ages of convicted prostitution solicitors on a cable television channel.
- A state agency in Georgia posts on the internet the names and photos of parents who are delinquent with child support payments.

Shaming penalties require an offender to publicize his offense to an audience that, under normal circumstances, would be unaware of it. This serves two purposes. First, it makes a lasting impression upon the offender. It makes them very self-conscious and uncomfortable. Second, it serves as a deterrent effect upon potential offenders for similar crimes. Shaming penalties are likely to work best with first time offenders as opposed to hardened criminals and violent offenders.

I showed an early draft of this chapter to an experienced law enforcement/judicial official. He hated the concept of shame. He argued it has the opposite effect intended. He believes that the justice system needs to focus on connecting people to something instead of ostracizing them further than they already are. I understand that point. Shame might not be the right course of action for certain personalities. Still, I want to push this debate. The current methods have not been effective enough so there is a need to try different approaches. I would be much happier with a constantly innovating system that conducted trial and error over the very dogmatic approaches we currently use in the United States.

These are just a couple of specific examples of different approaches being taken to bring more innovation to the criminal justice system. The key is to try to get outside the box and away from the legalistic traditions of a system that has not adapted well to the changing culture of criminal behavior. Long gone are the days of someone stealing his neighbor’s ox. Criminal behavior is sophisticated and the approaches to combat it need to be equally sophisticated. Imprisonment of non-violent offenders is really the laziest way to combat crime. Without doubt, there are people that deserve it and some that are better off behind bars. However, there is also a large number of people that simply have a drug addiction that if treated with a heavy dose of tough love and pragmatic consequences could avoid incarceration. They could instead be turned into tax-paying citizens that are part of the solution instead of part of the problem.

Pragmatic and innovative solutions are always better than dogmatic status quo. Thus, let us now address the so-called “war on drugs”. A Radical Moderate believes that the war on drugs has been lost for a variety of reasons. First, there has never really been

a definition of what it means to be in a war against an addiction. Second, the first act of war is to mobilize the population around the cause. That did not happen here. Third, the idea that such a war could be won was a fallacy. This was an attempt to prohibit the U.S. population from using something they wanted to use. The same goes for the “war on alcohol” and the “war on tobacco” even though some groups continue to fight both of those battles even today – much like the Japanese soldiers deep in the jungles that never quit fighting World War II. A cell phone would have been a big help for that group.

The first U.S. law which restricted the distribution and use of certain drugs was the Harrison Narcotics Act of 1914. President Richard Nixon coined the term “war on drugs” on June 17, 1971. Since that time, every President, Republican or Democrat has carried out some type of war on drugs. This war has run the gamut from U.S. military operations in foreign countries to domestic campaigns to get Americans to voluntarily quit using narcotics. From a Radical Moderate perspective, it made sense to try many of these tactics. However, it no longer does and has not for quite some time. For the most part, the “war on drugs” has been a failure and has exacted a high cost to the American taxpayer.

The “war on drugs” has created historically high incarceration rates. Between 1925 (the first year national prison statistics were officially collected) and 1972, the number of state prisoners increased from 85,239 to 174,379. That number was fairly proportional to the overall population gains during the same time period. Since 1972, however, the number of state prisoners grew to 1,404,503. That means the 2010 state prison population has grown *eight times (or 800%)* since 1972. Meanwhile, the overall population went from a little over 200 million to a little over 300 million. That is only a fifty percent increase in population versus an 800 percent increase in incarceration. That just does not add up. There must be a better way to administer our criminal justice system.

There is a significant movement in the United States to legalize the use of marijuana for medicinal purposes and even recreational uses. I can sum up my personal opinion about marijuana in one sentence: *For a variety of reasons, I have never tried pot but I don't really care that other people use it.* I view smoking pot as a form of escapism from the realities of life. Escapism, when done in moderation, is not a bad thing. Having a cocktail is escapism. Going to see the hot new movie is escapism. The whole premise of Disneyworld is to escape from reality for awhile. Smoking marijuana is just not a universal and socially acceptable way of escaping from reality.

The real issue with marijuana, and all narcotics, is what level of mind-altering power does it have. All drugs are designed to alter the mind. I am pro-drinking. In fact, I tend to be a tad suspicious of someone that will not have a drink with me occasionally (beer, wine, cocktail – their choice). However, drinking was part of the culture that I grew up around. I am Irish Catholic. Drinking is what we do. More specifically, drinking and arguing about things is what we do. I didn't start drinking because I wanted to get drunk. I started to drink because I wanted to fit in.

Drinking is socially acceptable in the United States. That is really the only reason it is legal. Excessive drinking leads to all kinds of societal problems. Drinkers, though, represent a sizeable constituency and they will never tolerate another prohibition. At the point that smoking pot has a big enough constituency, I predict it will also be legalized. The Radical Moderate position is that we don't have strong feelings about the

legalization of pot from a moral and social perspective. We're neutral. However, if there is a chance that the legalization of marijuana usage could lead to lower costs in administering the criminal justice system then we should take a strong look at that option. Anything that is morally neutral that can save money should be on the table from a crime and punishment standpoint.

One of the main arguments against legalization of marijuana is that it would lead to increased addiction among users and broaden that addiction to a group of people, especially teenagers, that otherwise would not be able to obtain the drug and thus never become addicted. That is certainly a fair argument. The question is does it hold water and are there ways to allow for legal pot without people becoming more addicted. For this analysis, it is instructive to examine the work of author Malcolm Gladwell. Gladwell has become an influence on my thinking in the last several years because he looks beyond the conventional wisdom and focuses on what works and doesn't work.

In *The Tipping Point*, Gladwell tackles the conventional wisdom of how to lower smoking rates, especially among teenagers. His assessment is that approaches such as raising cigarette prices, running public health messages on radio and television, limiting access of cigarettes to minors, etc. have been a complete failure. In fact, he assesses that teenage smoking has skyrocketed during this war on smoking.

Gladwell argues that people start smoking because they want to experiment and they are following the lead of people they view as "cool". Therefore, that premise must be acknowledged before any possible solution can come to the forefront. Gladwell states: "What we should be doing instead of fighting experimentation is making sure that experimentation doesn't have serious consequences." I agree. Gladwell offers two specific solutions that could substantially reduce smoking rates. First, he concludes that smoking and depression go hand-in-hand for some people and that treating the depression will lead to less smoking. Second, he believes that there is a "tipping point" at which the nicotine in cigarettes does lead to an addiction for the user. This process can be stopped by lowering the nicotine levels to a level where cigarettes still create a sensation but do not cause the body to be addicted.

Whether Gladwell is completely right is not as important as the way he approaches the problem. Most politicians would like to give a speech proclaiming they increased funding to fight smoking through advertising and regulation. That does sound pretty good if a person doesn't already know that it won't actually work. Gladwell has a Radical Moderate approach to decrease smoking. He readily admits that it won't end smoking but it would be a strong step in the right direction. I feel certain that there will always be some smokers, but it has the potential to reduce smoking rates to their lowest possible levels.

The same logic can be applied to marijuana. The government could likely do a lot better job of controlling pot usage if it were legal and heavily regulated. Companies could be held accountable for their product. Right now, the attempts to hold pot dealers accountable has produced results that are pretty dismal. Why not try a new approach? Once a person quits thinking about marijuana legalization as a moral issue and starts thinking about it as a health issue it's possible to start solving the problem instead of just talking about it.

Non-Drug Criminal Issues

There are few crimes that turn my stomach more than domestic violence. While there are some cases of women abusing men, for the most part, it is men hitting women. I hate men who hit women. It is probably the most cowardly thing that a man can do in life. Clearly, these men have a lot of issues. They might have been beaten by their parents, they have huge insecurities, and the list goes on. I understand why men become domestic violence criminals and I have no sympathy for them – life is tough and while that may *explain* their behavior it does not *justify* their behavior.

While I worked as a deputy prosecutor in 2003, I witnessed a domestic violence act in person. I was staying at a friend's apartment one night and it was about ten o'clock. I was sick and falling in and out of sleep. All of a sudden, I heard some screaming. I peered out my window just in time to see a man strike a woman. I jumped out of bed and asked my friend to come outside with me. As I opened my door, I saw a man (who was about 6'3" and 230 pounds) strike a woman (who was about 5'2 and 110 pounds) with his fist. The woman went flying backwards. I yelled out for him to stop. On cue, he immediately proclaimed "I didn't touch her." Both the man and the woman were very drunk and barely coherent. The woman was slurring her words as she repeated: "Where will I stay if he is in jail? How will I be able to make it?"

We were prosecutors so we called the police and had the guy locked up. I wrote up one of the best statements in the history of domestic violence police reports. We were prepared to throw the book at this guy. However, he only spent one night in jail. His woman bailed him out in the morning. They then left town. A couple of years later he came to court and the charges were dropped because she wouldn't testify and I was not notified of the court date. The case basically fell through the cracks. The guy beat the system and likely is still hitting women somewhere even today.

Most domestic violence victims have the saddest stories ever told. The average victim is beaten eight times before attempting to make a life change. The victims are usually isolated by their perpetrator. In the case I witnessed, the man had taken the woman away from her family, got her to quit her job and made her completely dependent upon him for survival. It is heartbreaking.

Everyone wants to be tough on criminals. A Radical Moderate is no different. However, we understand that crime is a very complicated social problem. In the case of domestic violence, there is almost always a victim that will not seek help. In addition, there is a man who might be a pretty normal person when he is not beating his wife. Anyone has the potential to be a wife beater. Your next door neighbor has this potential. I guarantee it.

What is the solution to such a complex problem? The punishments for domestic violence have grown over the years in severity. That was necessary. However, the only way to really solve the problem is to get involved in domestic violence from the perspective of a social ill. A man doesn't make money from beating his wife. Since most people don't know about it, he doesn't destroy the social fabric of the community. He is sick, truly sick. My first instinct is to beat him for awhile and see how he likes it. Still, that is probably why he started doing it in the first place – someone beat him growing up.

In short, a Radical Moderate does not know how to best address domestic violence over and above what the criminal justice system is currently doing. It is very frustrating

to not have an answer to such an important issue but it's just the truth. More money can be put into social workers and that will help some. When the victim will testify, the offenders can be prosecuted. The problem won't be completely solved this way, though. Some criminal actions are simply a culmination of a series of failures over years by individual families, society at large, and unaccountable offenders. In short, when it reaches the criminal level it is often too late to solve the problem. At best, attention can be drawn to the issue in hopes that someone somewhere will come up with an innovative solution. This might sound defeatist but it is really just pragmatic.

There is something positive about the modern history of domestic violence crimes. It is relatively recent that domestic violence was even considered a significant problem. During the history of mankind, a man was essentially allowed to do whatever he wanted to his wife without any repercussions. That is still the case in some backward countries today. It was not until the women's movement in the late 1960s and 1970s that domestic violence was viewed as a problem to be solved through the criminal justice system. While slow and frustrating, that is still progress.

Domestic violence is one of the hardest crimes to deal with but it is similar to other crimes in several respects. Most criminals are born with a good heart. There are certainly a few criminals that are essentially evil to the core. Those people have something about their DNA that is different than everyone else. For the most part, though, criminals are created rather than born. If you give a child good parenting, educational opportunities and an environment of accountability to grow up in they will likely not turn into a criminal.

Our country has tried a number of approaches to addressing crime. Taxpayers bear the burden of funding police who attempt to deter crime in the first place. That works to some extent. If you have ever been pulled over for speeding then you understand that the memory of that stop creates a certain amount of deterrence. However, it does not really keep you from speeding again sometime soon. Professional criminals are no different. They understand that there is a short-term price to pay for their acts but they do it anyway. Thinking that increasing the presence of police alone will significantly reduce crime in a community is naïve.

Deterring crime has much more to do with an overall cultural approach to the problem. That is why the "broken windows" theory has received such significant attention. In a nutshell, the theory is that if small crimes such as jumping a subway turnstile, vandalizing a wall with graffiti or throwing a rock through a window are addressed in a fast and firm manner, the overall message to the community is that all crime has consequences. Furthermore, it keeps junior criminals from graduating to the big leagues. The "broken windows" approach was innovative when it was first introduced in the early 1980s. It remains a viable piece of the overall puzzle. It is that type of creative thinking that can lead to solving the more fundamental problems that form the foundation of criminal behavior.

There's no need to be afraid to try new approaches in crime prevention. It must first be admitted that the old approaches have been an abject failure. The war on drugs and stiffer sentencing guidelines have not made America a safer place to live. These approaches have just made the cost of the criminal justice system increase. No one feels more secure in our country today. The use of home security systems has become a cottage industry. Many people live behind gated communities in hope that they can keep

the less civilized world from intruding upon their bubble of safety. It will not work in the long run. The only way to solve crime is to address it head on and have everyone involved – not just people that live in poorer areas.

In the political discourse regarding crime, too much attention is given to a host of issues that have relatively little effect on the metrics of criminal activity. Examples of these topics include the death penalty, hate crimes legislation and clemency and pardoning decisions. Each of these topics are important in various respects. Each of these issues deserve a certain amount of debate and attention. However, they don't really effect the behavior of criminals significantly. Ouch – I know that just offended some people.

Let's start with the death penalty. The death penalty is essentially reserved for the crime of murder. There is a very small percentage of people that receive a death penalty sentence for anything short of homicide. Therefore, the rationale for proponents of the death penalty should be that it will keep people from committing various forms of homicide. But, is that really their rationale? I doubt it. I bet their rationale is much more Old Testament based such as "an eye for an eye" or simply the concept of "justice" – you killed my family member so you should deserve to die. While everyone feels empathy for the victims of a homicide victim, it's important to not let our emotions be the basis for the criminal justice system. That is just not right.

So, does the death penalty deter future homicides the way that most sentences are designed to deter future behavior? The answer has to be no. A drug dealer might stop dealing drugs because he wants to avoid a 10 year prison sentence. But, a person ready to kill another person is not going to stop and think to himself: "I might get the death penalty so I won't kill them". That just does not make sense. Homicides typically are pre-planned and occur for monetary gain or out of momentary hatred. If a life sentence does not deter someone in those circumstances from thinking twice the death penalty is not going to do it.

Proponents of the death penalty will argue that if it was utilized more than it would be more effective. This does not make sense either. Go research the states that vigorously use the death penalty – such as Texas. Their homicide rates are no better than more pacifist states. The death penalty as a deterrent and the reasons why people commit homicide are apples and oranges. The whole argument soaks up much more of the public's attention span than it deserves.

What about hate crimes legislation? There is absolutely no question that many crimes are committed out of hatred. It is especially true that in the past, and still today, there have been many crimes that are committed because of racial hatred or some form of viewing a racial minority as less deserving of civil treatment. A Radical Moderate is strongly against hatred, racial bias and discrimination. However, there is not a justifiable rationale to enhance a punishment because of what the perpetrator believes in his mind. Behavior is what should be punished, not thoughts.

There is already a way to punish people that commit crimes motivated by hate – give them a maximum sentence instead of a minimum sentence. Jurors are allowed to utilize their common sense when handing out a verdict. If they believe that a white defendant committed a crime against a black victim simply because of hatred, they have every right to argue for the harshest sentence allowed. However, hatred should not be singled out alone for enhanced sentences.

Should a Radical Moderate make opposition to hate crimes legislation a central part of their campaign platform? Absolutely not. The point is that it should not be the central theme of anyone's platform. Some criminals commit crimes because of hatred. Some criminals commit crimes out of desperation. Some criminals commit crimes because they are just bad apples. There are simply bigger issues to be addressed.

The final distraction to the criminal justice discourse that I would like to expose is the clemency and pardon system. To be sure, this system is an important part of the system. It is one of the checks and balances that makes the American legal system truly unique. It is the reason why an innocent person that has spent years in jail can be set free when there is DNA evidence exonerating them. I want to be crystal clear, the clemency and pardon system as a public policy tool is important and should be recognized as such.

The power of clemency and pardoning, though, is typically a lightning rod for those that accuse others of being "soft on crime". There are many examples of Governors that have reduced the sentence of someone only for that criminal to go out and commit other crimes. In fact, in my home state of Arkansas, former Governor and one-time Republican Presidential contender, Mike Huckabee, had a knack for helping set free some really awful and undeserving people – one of which committed two murders following Huckabee's advocating of clemency.

My purpose for addressing clemency and pardons is to state that regardless of how these powers are used, the decisions are often overblown in their consequence. It is a small minority of cases that involve homicidal criminals and repeat offenders. Most of the people that receive pardons are people that committed serious mistakes early in life but got a sentence that was somewhat out of proportion to the crime. Even more importantly, some of the people that receive the benefit of clemency never actually committed the crime and were wrongly convicted on flimsy, non-scientific evidence.

A Radical Moderate would advocate keeping the clemency and pardon laws pretty much intact. Certainly, the general public should hold their Governor and other officials accountable for their decisions in this area. Those officials, in return, should not lightly set aside the judgments of a jury or a Judge that imposed the original sentence. However, sometimes they should overturn or modify an injustice. Whenever they do, it might be cause to hold an individual decision maker accountable but it is not cause to overhaul the entire clemency and pardon system.

As this chapter draws to a conclusion, it must be noted that there have always been and always will be a group of individuals that no system can help. There are people that will simply not avail themselves of the multitude of opportunities to do the right thing. For these people, the system has to be allowed to run its course while they make one bad decision followed by two more.

One of the common threads among criminals is that they make really stupid decisions. In fact, their entire decision-making process is typically flawed. They can look at almost any different situation and decide to follow the worst possible course of action. Once a person reaches adulthood, there is very little the criminal justice system can do for him if he is bound and determined to make one bad choice after the other. Often, this forces the justice system to react even more harshly than it wants because the bad choices of the criminal force the decision. Let me give you an example from my brief stint as a deputy prosecuting attorney – the case of Christopher Williams.

Christopher Williams robbed a young woman at gun point and got away with a credit card, a box of checks and about \$9.00 in cash. The credit card was quickly cancelled and the box of checks actually led to his arrest because he was trying to pass them off around town. Once arrested, the victim made the identification by looking at a six-pack lineup (pictures of potential criminals). I was in charge of the prosecution. It was a pretty air tight case. The State had a reliable victim witness that made the identification and the stolen checks had been traced back to Mr. Williams.

I made an offer to plea the case for 23 years, which is what the state sentencing grid recommended. Mr. Williams had some previous criminal convictions though they were not that serious. This was a fair plea offer. In Arkansas, a person has to serve 70% of time for a violent offense such as aggravated robbery. That means he would have spent about 16 years in jail. He was about 30 years old at the time with a small child. The plea offer was a gift. I knew I could get a longer sentence in front of a jury. Well, Mr. Williams continued to maintain his innocence. He refused the plea deal and wanted to roll the dice at trial.

On the day of the jury trial, Mr. Williams showed up with an alibi witness. Huh? Violent felony cases like this are thoroughly investigated by law enforcement. The day of the trial was the first time that an alibi witness had ever been mentioned by anyone. I smelled a rat. While I was conducting the voir dire, a law enforcement official interviewed the “alibi witness”. Within about five minutes, the “alibi witness” confessed that he had been paid to show up in court that day and lie for the defendant. Once the “alibi witness” understood how much trouble he would be in he cracked like a soft peanut.

At this point, not only did the State have a case for aggravated robbery it also had the defendant trying to encourage perjury and perpetrate a fraud on the court. We went ahead and started the trial and then broke for lunch to discuss whether the “alibi witness” turned “state witness” could testify for the prosecution. The judge agreed the state could present the evidence to the jury. We then all left for lunch. When we returned, Mr. Williams, who was free on bond, did not come back. He ran away. Well, the jury trial had to go on. We convicted Mr. Williams and when it came time for sentencing, the jury – not happy that the defendant ran away – gave him 60 years! He was only on the run about two weeks before law enforcement found him. Today, he is behind bars for basically the rest of his life.

I did not like the way the entire proceeding went down. As the attorney for the State of Arkansas, I believed that 23 years was a fair offer. However, when the defendant refused the deal and then absconded I was forced to push for a harsher sentence. In fact, I recommended to the jury that they give him 50 years but they decided to tack on an additional 10 years. They wanted to send a message.

My reason for bringing this story up is to exemplify that no matter how well a justice system is designed with checks and balances, the stupidity of the criminal must still be factored in. Mr. Williams made a stupid decision by robbing a young woman at gunpoint. He made a stupid decision by passing along checks which eventually led to his arrest. He made a stupid decision not taking the fair plea offer. Finally, he made a stupid decision to run away from his trial and enflame the jury against him during the sentencing phase. Mr. Williams deserved to be punished. However, he probably would have wised up after 16 years in an Arkansas prison. He probably would have wanted to

see his child graduate from high school. He probably would have been able to pay taxes and integrate back into society as a middle-aged man. But, that will not happen. His stupidity kept him from having a chance every step of the way. While a shame, that is the reality for many criminals – they are their own worst enemy.

Too many people on the left want to make excuses for the behavior of criminals. Clearly, if a more accountable society is created than individuals will understand there are severe consequences for their actions. That will lead to lower crime rates. On the other hand, too many people on the right refuse to acknowledge that crime has deep roots in a person's upbringing. Change their environment and you'll change their behavior. Personal accountability only works in an environment where societal accountability exists. A Radical Moderate understands that both views contain a little bit of truth. It is a waste of time to brand a political candidate as "soft on crime". That is just meaningless political rhetoric designed to scare people. Solving complex issues such as crime and punishment is a grind. It likely will require a complete overhaul of the criminal justice system utilizing innovative approaches. In short, finding solutions in this arena is highly complex. That is not a great political message but it is the truth.

Chapter Ten: Immigration

The way to solve illegal immigration is to create more legal immigration. There are people right now living in foreign countries that have the passion, work ethic and persistence that it takes to be a success in America. They have a burning desire to bring their talents to this country by legally immigrating here. However, they take one look at the anti-free market immigration policies and they don't even try to start. I met one of them. His name is Giovanni. He is talented and hard working. He knows four languages and wants to learn more. He could easily manage an existing business or even start up his own. He would be an asset. But, he is not coming. I will tell you in this chapter why not. First, though, there needs to be a perspective with which to view the current state of our immigration policy in America.

Let's start from the premise that not even one living American citizen was a founding member of this country. All of the founding members are dead. Every person today, though, has some family history with the United States of America. Some people can trace their ancestry back to 1776. Most Americans, though, are descendants of people that immigrated to the United States after the country was founded. A great deal of those people entered the country playing by the rules of the game at the time. Many did not. Do we really know that our great, great, great grandparents followed all the rules when they entered this country? Would it make any sense to research records from 120 years ago to find out if they did? What would we do if we found out that our ancestors were actually *illegal immigrants*? Would that somehow cheapen the accomplishments of our family during the interim 120 years? Would it mean that we somehow love our country less now having found out that a person who has been dead for a century broke the rules when entering the country?

Some might say that it depends. Others might ask what the circumstances were by which their ancestor was illegal. Was the violation making the immigration illegal a big deal or a small deal? For example, did that ancestor simply make a typo when spelling

his name on the application or did he lie completely about his name? Does it really matter what his name was? Maybe he had been convicted of a crime in his home country and thus was ineligible to enter the United States. Was this a serious crime such as murder or a less serious (at least in the modern world) crime of adultery? The bottom-line is, after 120 years, does it really matter what circumstances led those great, great, great grandparents to come here?

What if your parents came to this country illegally but had lived here for 20 years without causing any trouble? Would it make a difference if you were born on American soil 18 years after your parents had illegally entered the United States? Should time be a factor in this decision at all? What if your parents entered the country illegally one day before you were born? Drawing a line using this rationale does not clarify the status of a child of an illegal immigrant.

Why do people come to the United States illegally? Surely, they realize it would be in their best interests to simply come here legally. Simple enough: Let's just tell all the potential immigrants that want to become American citizens that they should come here legally instead of illegally. Some billboards could be put up on the main highways between Mexico City and Austin, Texas to get the word out.

What is the difference between *illegal* immigration and *legal* immigration? A look at a trusty copy of the United States Constitution should clear this up. Article I, Section 8, states that "The Congress shall have power...to establish an uniform Rule of Naturalization..." Of course, it does not say anything else. The founding fathers apparently trusted the U.S. Congress to be reasonable. Perhaps they even believed that Congress would adjust and make good decisions based upon the times. Let's take a look at the laws of naturalization as they have evolved over time to the present day.

During the 17th and 18th centuries immigration was not much of an option for most people. Historians estimate that somewhere between 500,000 and one million people crossed the Atlantic Ocean and became U.S. citizens during this time period. The Naturalization Act of 1790 limited immigration to "free white persons". That same act would be expanded to include blacks in the 1860s and Asians in the 1950s.

As America started to grow and travel started to become more consistent, immigration from Europe increased. During the period from 1836 to 1914, an estimated 30 million former Europeans became U.S. citizens. The peak year was 1907 when the U.S. government recorded 1,285,349 persons entering the country. For context, there were approximately 87 million U.S. citizens in 1907. In 2011, there were approximately 310 million U.S. citizens. This does not count undocumented illegal immigrants that are essentially living in the country full time. Ellis Island in New York is the most famous processing station in American history. It was open from 1892 to 1954. Some estimates are that over 100 million Americans - one third of the population - can trace their ancestry back to the immigrants who first arrived in America at Ellis Island before dispersing to points all over the country.

The Immigration Act of 1924 made it more restrictive to enter the United States by creating quotas based upon the country of origin for the immigrant. The law was aimed at slowing down the immigration of Southern and Eastern Europeans. It also prohibited East Asians and Asian Indians. The 1924 Act had significant political support from Samuel Gompers, a well-known union leader and founder of the American Federation of

Labor. Avoiding worker competition and maintaining an ethnic status quo were likely the reasons the Act was supported widely.

The Immigration and Nationality Act of 1952 was a continuation of the 1924 Act restrictions. The 1952 Act is still the basis for modern immigration law because it divided immigrants into categories such as 'skilled workers' and placed a great deal of emphasis on labor qualifications. The 1952 Act was vetoed by President Harry Truman. A quote from Truman and a quote from the Act's lead sponsor, Senator Pat McCarran, Democrat from Nevada and himself a child of Irish immigrants, shows the two different visions that described the times. Here are the words of Truman as he vetoed the Act:

Today, we are "protecting" ourselves as we were in 1924, against being flooded by immigrants from Eastern Europe. This is fantastic...We do not need to be protected against immigrants from these countries – on the contrary we want to stretch out a helping hand, to save those who have managed to flee into Western Europe, to succor those who are brave enough to escape from barbarism, to welcome and restore them against the day when their countries will, as we hope, be free again....These are only a few examples of the absurdity, the cruelty of carrying over into this year of 1952 the isolationist limitations of our 1924 law. In no other realm of our national life are we so hampered and stultified by the dead hand of the past, as we are in this field of immigration.

Here are the words of Senator McCarran after he led Congress to an override of Truman's veto turning the Act into law:

I believe that this nation is the last hope of Western civilization and if this oasis of the world shall be overrun, perverted, contaminated or destroyed, then the last flickering light of humanity will be extinguished. I take no issue with those who would praise the contributions which have been made to our society by people of many races, of varied creeds and colors.... However, we have in the United States today hard-core, indigestible blocs which have not become integrated into the American way of life, but which, on the contrary are its deadly enemies. Today, as never before, untold millions are storming our gates for admission and those gates are cracking under the strain. The solution of the problems of Europe and Asia will not come through a transplanting of those problems en masse to the United States.... I do not intend to become prophetic, but if the enemies of this legislation succeed in riddling it to pieces, or in amending it beyond recognition, they will have contributed more to promote this nation's downfall than any other group since we achieved our independence as a nation.

History can be tough on those who choose to take the popular path. There is no evidence the American "gates" have cracked "under the strain" of immigration. The irony of Senator McCarran's short-sighted policy is magnified by the hypocrisy that it came from the son of Irish immigrants who were once part of an earlier generation "storming our gates".

Times had changed a decade later during the 1960s. The Immigration and Nationality Act of 1965 opened up the naturalization process. It repealed the restrictive National Origins Formula (NOF) which was codified in the 1924 Act. The NOF had been a cap which restricted new immigrant ethnic groups in a proportional way based upon who was already an American citizen. Whether intended or not, the effect of the Act was to switch immigration patterns away from Europe and toward immigrants from Asia, South and Central America. The Act created the environment which allowed the number of first-generation immigrants living in the United States to increase from 9.6 million in 1970 to 38 million in 2007. In 2009, there were 1,130,818 new citizens in that one year alone according to the Census Bureau.

The modern day system of immigration and naturalization is very complex and requires a lengthy wait. In fact, even understanding the process is very challenging. Try it sometime. In researching the process for this book, I became frustrated at several junctures trying to get answers to questions such as “What is the average wait time to become a U.S. citizen?”. The reason is that the answer to every question is “It depends”. I will try to summarize some of the basic factors involved.

The two primary ways that foreigners become U.S. citizens is: 1) through a family relation (such as marriage) or; 2) having the opportunity to work in the United States. The system, therefore, is not open to all that want to utilize it. Rather, every potential new citizen is placed into some category. I will focus this discussion on those individuals that want to become U.S. citizens because they want to get a job here and have a better quality of life. There are at least seven significant steps that an immigrant has to accomplish before becoming an American citizen.

First, most individuals that want to start on the path to citizenship via the employment-based process have to begin by getting a non-immigrant (temporary) visa which allows them to legally enter the United States. Such a visa can be applied for at a U.S. Consulate or Embassy abroad. These are not handed out like candy, though. There are a series of requirements involved with obtaining one and, by definition, it is temporary in nature. The issuing agency can deny an application with or without giving a stated reason. There is wide discretion in these matters.

Second, the person must apply for a Permanent Resident Card (historically known as a “Green Card”). When applying, one has to fit into a category. If a person is a world class athlete there is a category for him. It is the same category if he is the CEO of a major company. Those individuals are generally considered priority workers and have a special category for themselves. If one is just a day worker from Mexico then he falls into a different category.

Third, in most cases, some American company has to make an offer to employ the immigrant. However, that company can only offer to employ them once they have shown that there is no current U.S. worker minimally qualified for the position. “U.S. worker” includes current citizens and permanent residents (commonly referred to as Green Card Holders). This means the employer will have to advertise and prove that they could not hire a U.S. worker before he can offer to sponsor a foreigner.

Fourth, the category the immigrant is applying for has a yearly quota, or ceiling, of how many visas the United States will issue. That number may vary slightly from time to time as laws are amended. In 2011, however, the quota for workers (which includes “skilled workers”, “other workers” and “professionals”) was only 40,000 visas. The

same was true in 2010 and will be true in 2012, 2013, and the following years unless the law is reformed. It's a hard ceiling. That means once 40,000 individuals apply in that category the immigrant gets pushed back to another year. The other way of viewing it is he is placed at the end of the line.

Fifth, the actual quota is much less than 40,000 because there are also limits placed on which countries a person is emigrating. In other words, Mexicans cannot comprise 100% of all the employment-based visas that are issued. In fact, no more than 7% of the immigrant visas, in both the family and employment-based categories, can be issued to applicants from any one country.

Sixth, once Permanent Resident Status in the United States has been attained, a person generally must wait five years before applying for naturalization. The wait is three years if one became a permanent resident based on marriage to a U.S. citizen.

Seventh, once a person has applied for naturalization he must go through a process that can take anywhere between six months and two years before he becomes a citizen. There is a lot of paperwork that must be filled out and there are moderate costs involved with the entire process that are reasonable considering the payoff at the end. The applicant must speak English and swear an oath to the United States – which are both good things. Then, and only then, does the immigrant get to become a U.S. citizen and avail himself of the protections and benefits that go along with it.

That is the most straightforward path to becoming a citizen. One can also marry a U.S. citizen and go on a different track. If an immigrant is a political refugee he can obtain special treatment. Taking in nuclear scientists, religious refugees and other people that have been given the status of priority is popular. If a person is willing to work 80 hours a week in a factory plucking chicken feathers, there is no special treatment – just head to the back of the line.

I could not find a statistic to show how long it takes the *average Mexican worker* to apply for an employment visa that would eventually lead to U.S. citizenship. The backlog of visas in that category is always in flux but is at least six to ten years at the time of this writing. That is only considering the people that *actually apply for a visa*. There is a 2010 U.S. State Department report which gave the maximum number of “preference visas” that could be issued on a per-country basis. That number was 25,620. The report also showed that there was a waiting list of people from Mexico with 1,381,896 people on it. Because of the varied rules and regulations, it is not as simple as dividing 1,381,896 into 25,620 to get an average. However, it's easy to get the picture that the number of people on the waiting list exponentially exceeds the per year ceiling.

Again, the State Department numbers only represent the people from Mexico that are currently trying to legally wait their turn for a visa. The waiting list for people from Mexico, if all the current illegals were to apply under the current rules, *would easily be decades long if not an entire lifetime*. And it's important to remember that they would still have to wait five more years as a Permanent Resident before they could even apply for citizenship.

Does this surprise you at all? Were you previously under the impression that it was much easier to become a naturalized citizen and that people were simply cheating the system because they were lazy and probably criminals? It might help to think of immigration like the road system into a booming American city. This is the kind of city that has all the great jobs, quality of life, scenery, schools and the whole nine yards.

Imagine the kind of place that everyone would want to live in. Now, think about the road system to enter this city.

Let's say that two million people want to enter this city each year and get jobs, buy houses, spend money and generally live it up. Many of them want to stay but some others want to work there but later return to their home somewhere else. The city economic development people could not be happier. They want all of these new people to try their city out. They are looking forward to a booming job market and increased tax revenues. However, there is one problem. The only way that the new people are allowed to enter the city is via a one lane, unpaved road. Making matters worse, the speed limit on the road is *one one-hundredth of one mile per hour*. Furthermore, there is a checkpoint where the gatekeeper makes sure that the only cars allowed into the city are Ford Escorts. People driving all the other cars are told that they can *visit* the city and even *work* in the city but they cannot become citizens of the city. They are told the reason is they are driving the wrong car or that too many people driving the same car have already been allowed to enter the city.

Since there is so much demand, people start figuring out other ways to enter the city. They start walking instead of riding in a car. They decide that *one one-hundredth of one mile per hour* is a ridiculously low speed limit. They hire contractors to build another road, this one paved, so they can more efficiently enter the city. People start entering the city much faster as a result. However, government officials start complaining that the new citizens are breaking the law. The speed limit is set at *one one-hundredth of one mile per hour* and these *illegals* are driving fifty miles per hour. That is five-thousand times faster than the law allows. The government officials also start shutting down the contractors building the new roads. The contractors are called enablers and unpatriotic. The contractors, who thought it only made sense to build a sufficient road to handle the amount of new traffic, are told they are encouraging people to commit *illegal* acts. In this case, the *illegal* act is entering the city by utilizing a non-government approved roadway. The contractors tell the government officials that a one lane, unpaved road is a horribly inefficient way to move traffic. The government officials respond by fining the contractors for breaking the law. What about the people that attempt to enter the city by walking? The government decides to build a wall to keep them out.

This would not happen in America, though, would it? If there were people that wanted to move to a city to work, pay taxes, enjoy life and play by the rules, no government authority would create arbitrary rules that no one in their right mind would follow. Well, that is exactly what has happened with the immigration policy of the United States. There is a tremendous supply of people wanting to become American citizens. There is a tremendous demand for companies to provide jobs and opportunity for these people. This seems like the perfect match for a free market, capitalism-based society. The only thing standing in the way is a government that sets *one one-hundredth of one mile per hour* speed limit laws. Think about how much respect you would have for the highway department if you tried to drive to work and the speed limit was *one one-hundredth of one mile per hour*. This is how the 2011 United States immigration policy works in practice. It does not make any sense. It does not work.

Notice that I have been assuming the American public agrees that these new people should be allowed to move into the city. I am arguing that allowing them in is the right thing to do but the government is too slow in its processes of how this occurs legally.

However, could it be that the speed limit was set ridiculously low to strongly discourage people from trying to enter the city? Or worse, could the speed limit be set such that the government could brand people as illegals? Many people speed on the highways every day in their cars. If the speed limit were ten miles per hour everyone would speed. Or, more likely, they would complain to the rule-making body that the speed limit was ridiculous and force it to be changed. Would that make them an illegal or just people that exercise reason?

It's a fair point to state that the potential residents of the city do not have standing to make the rules by which they are allowed to enter. It is left up to the current residents to make up the rules. Therefore, a Radical Moderate should persuade the current residents that the overwhelming majority of immigrants would gladly play by the rules if they simply made a certain amount of sense. For review, the rules of how to be a legal Mexican worker immigrant are complicated, cumbersome and the wait is an average of ten years, at best. The 2011 system is a joke and that is why U.S. employers and foreign immigrants treat it as such.

What can be done to allow people to legally immigrate and still maintain the goals of national security, keep out criminals and not overwhelm our welfare assistance programs? The same thing could be done that any other free market does when there is a tremendous supply and demand that is not currently connected – create a middleman. In this case, huge transition centers could be built along our border with Mexico.

Potential immigrants could walk right up to the door and be admitted into programs allowing for naturalization. They could be taught English and citizenship. Their birth certificates and criminal backgrounds could be checked. All of this might take several months. During that time, they would be required to work to maintain the transition center – cooking, cleaning, construction, etc. Once they were cleared by the transition center they would have to register as a citizen in waiting – a temporary citizen. They could then go find a community to join, get a job, and pay taxes while they were waiting to receive their full citizenship. They would be required to check in with a government official on a periodic basis during this probationary period. If they were arrested for a crime that could delay their citizenship or even lead to deportation depending upon their guilt or innocence and the severity of the act. They could be required to perform civil service or help with military matters for a period of time as a rite of passage into citizenship. There are a lot of options available if it were decided that building massive transition centers is the way to go.

How would the construction and maintenance costs of these transition centers be paid? One option is to ask for corporate sponsors. There are a lot of American companies that would want to employ the potential workers so why not have them contribute to the cost of naturalization. A second option is to keep track of expenses and make the new citizens pay back the government much like a student loan program works. Finally, current tax resources could be used as an investment in the growth of the country. A small percentage of immigrants would be excluded if they could not pass criminal background checks, drug tests or even competency tests. There would be no requirement to take the mentally ill from other countries. By being just a little picky the great majority of people would have an efficient path to *legal* immigration.

The issue of employers that hire illegal, or undocumented, people is probably the easiest and least expensive issue for the government to solve. Simply turn trial lawyers

loose on companies that consistently break the rules. After a reasonable grace period, perhaps three or four years after implementation of the new law, companies that hire illegal immigrants will be civilly liable to any citizen that wants to sue. Punitive damages will be allowed against companies that knowingly allow this to happen and profit from their illegality. The standard for a company knowingly breaking the rules should be high so that only the true habitual and systematic offenders are impacted. The point would be to make the price of disobeying the law so high it would not make business sense to do it. Once a few juries award big judgments the hiring of illegal immigrants by companies will be a thing of the past. The message from juries will be so clear that all U.S. companies will want to comply with the new law and only hire immigrants that have legally entered our country.

There you go. Problem solved.

Let's go back to the discussion of the children of *illegal* immigrants and what should be done with them. Does it really make any sense to exclude these children from being citizens? Should it matter whether the child was physically born in the United States or whether they were brought here during their childhood. Children are not held responsible for the actions of their parents in any other area of the law so why would immigration be any different. Once the day to day issue of creating more legal immigrants is solved, the issue of dealing with their children fades away.

The most difficult issue regarding immigration at the beginning of the twenty-first century is how to deal with the millions of people that have entered this country by breaking the rules, regardless of whether the rules were fair, well thought out, or sensible. This is the issue that stirs passion amongst the American public. Granted, this is a harder group of people to deal with. On the one hand, the great majority of these people are hard workers simply striving for the American Dream. On the other hand, there is no getting around the fact that they entered the country by breaking the rules that were in place at the time they came. No one wants to reward people for breaking the rules. This is where the principle that America is a nation of immigrants butts heads with the principle that it is also a nation of laws.

One answer would be to allow these people to go back through the transition centers. This would mean that some of them would be screened out but most of them would be let back into the country. This would create legitimacy for this population. They could drop the moniker of *illegal* and become *legal* immigrants. The far right will brand this *amnesty*. Let's call a spade a spade. If the government was giving out tickets to everyone that broke the *one one-hundredth of one mile per hour* speed limit it would be difficult to keep track of all the tickets and a lot of people would not pay. If the government later changed the rules and decided that the speed limit was ridiculous then it might be easier to grant *amnesty* to the *illegal* drivers now that a permanent solution has been created. In other words, this would be amnesty but it would make more sense than the current solution which is to build walls and hope for the best. Amnesty has been the only common sense decision available before. Even the Father of Modern Conservatism, President Ronald Reagan, *granted amnesty to around 3 million illegal immigrants* when he signed into law the Immigration Reform and Control Act of 1986. Lest conservative revisionists try to claim that this was merely a lapse of judgment for their conservative harbinger, this Reagan quote from his 1984 Presidential Debate with Democratic presidential Nominee, Walter Mondale, should put that to rest:

I believe in the idea of amnesty for those who have put down roots and lived here, even though some time back they may have entered illegally.

Oh, how conservatives have such selective memory when it comes to Ronald Reagan. They have amnesia about amnesty. Any statement such as his 1984 stance in the contemporary Republican Party would be grounds for expulsion.

There is another option available of how to deal with illegal immigrants that are already in the United States. Under current law, an undocumented worker can return to Mexico and work with the U.S. Consulate to come back to the United States. However, there are multiple problems with this system. First, when the immigrant comes back they must show they have not broken any laws. Well, that is a problem because they broke the law by being illegal in the first place. Therefore, they must be granted a waiver. These waivers are given out sometimes and not given out at different times. They are not easy to obtain. The second problem is even more overwhelming. The current U.S. Consulate system is not big enough to handle the type of rush that would ensue if this option were streamlined and undocumented workers started using it in vast numbers. One solution would be to have the undocumented workers pay a fine that would fund the building and maintenance of transition centers near the U.S. Consulates. Those facilities could even act as satellite centers of the large transition facilities along the U.S. and Mexican border. In short, if there is a will to make this happen it can be done.

What is the motivation behind those Americans that are so bothered by *illegal* immigration? Is it that they believe in the rule of law and they do not tolerate people becoming citizens by breaking the law. I hope that is the case. If so, their worries can be solved by creating more legal immigrants with a new law grounded in common sense. However, one has to wonder if there is a segment of the American people that do not want more *legal* immigrants to enter the country. In other words, the issue for this segment is not the “rule of law” but the “type” of people that are trying to immigrate. This segment might be bothered by people who do not know the English language or who simply look browner than other Americans. It is perfectly reasonable to make immigrants learn the English language before they are granted citizenship. However, they will still speak their native language from time to time and that is their choice.

A Radical Moderate will not stand for public policy being a reflection of the bigoted views of some Americans. It is perfectly legitimate to demand that the U.S. Congress creates a fair naturalization system by which criminals, terrorists and other undesirables can be excluded from entering our country. This chapter has provided some options for such a system. However, it is not at all acceptable to exclude a group of people from citizenship based upon their ethnicity, their culture or their background. That is simply racism and it has no place in the immigration policy of the country. Racism is always short-sighted and self-defeating. America is a country of immigrants and that means all parts of the world. Work ethic, not appearance, is what matters.

Becoming a U.S. citizen should not be as difficult as becoming a licensed medical doctor nor should it take as long. People that are fortunate enough to be physically born in America have absolutely no requirements, except not breaking the law in a very severe way which might cause them to lose their liberty and right to vote, to maintain their full citizenship. They can burn an American flag, bad mouth the government and even pay

their taxes late, although they must pay them eventually, and they will not be kicked out of the country. However, the people that look up at the Statute of Liberty in awe, who are working until they drop for the American Dream, who are willing to risk death by crossing a desert to reach our country have to spend years and years going through a process that could fairly easily be condensed into a couple of months. More significantly, they are turned away by the millions and branded *illegals*. That is not what America stands for and no Radical Moderate can sit idly by and let such a system stay in place without a fight.

The real reason that comprehensive immigration reform has not already become law is pressure from extreme interests in both political parties. The far right has been the worst offender, but not the only one. For some people, seeing someone that looks browner than them and does not speak English scares them out of their mind. Mexican immigrants have flocked to small American towns drawn by factory work plucking chicken feathers or contracting work during the housing boom of the early twentieth century. These new immigrants started changing the culture of these local communities. It is the same story that has been told and re-told since America became a country. The difference is when it happens in one's local community it really becomes an issue.

The far right has demagogued the immigration issue to win elections. They have branded the description of "illegal immigration" as if it was the only kind going on. Worse, they have created the false impression that it is easy for a moral and ethical immigrant to obtain citizenship. Therefore, the right argues, the only illegal immigrants we are receiving are thugs, criminals, cheaters, terrorists and the list goes on. This type of political attack is shameless. It is destructive and it needs to be called out as such.

Once upon a time, Senator John McCain of Arizona, the 2008 Republican presidential nominee, was a Radical Moderate on the issue of immigration. Along with liberal Senator Ted Kennedy of Massachusetts, he co-sponsored a comprehensive immigration reform bill called the "Secure Borders, Economic Opportunity and Immigration Reform Act of 2007". Along with an increase in border security, the bill had two significant reforms. First, the proposed bill would have created a pathway to citizenship for immigrants that were already in the United States but did not have a valid visa. Second, the proposed bill would have created a guest worker program making it easier for potential immigrants to enter the country for work purposes. The bill never received an up or down vote in the U.S. Senate though it went through some procedural votes and obtained some amendments.

Senator McCain learned his lesson in his 2010 re-election for U.S. Senate, though. He drew a more conservative challenger in the Republican primary. He changed the tone of his immigration position after that happened. He started talking tough and he shot a commercial to drive home his point that he was "one of us". The ad showed McCain walking next to a border fence in Nogales, Arizona. A local sheriff was walking next to McCain as the Senator stated: "drug and human smuggling, home invasions, murder." The Senator ended the ad stating: "Complete the Danged Fence." The message was clear: Illegal immigrants are bad, I will protect you. McCain won re-election. All he had to do was compromise his principles.

A Radical Moderate thinks that border security is a great idea. The United States should definitely be able to regulate the movement back and forth across its borders. This should apply to Canada and the coastlines also. However, the issue of border

security is not going to solve the problem of people coming across the border without checking in. Mexicans come across our border without checking in because they are looking for a better life and they don't want to follow the nonsensical "speed limit" rules that are currently in place. It has been said that if a wall is built that is fifteen feet high someone will use a sixteen foot ladder to climb over it. Remember, the issue is that there is a huge supply of labor in Mexico and a high demand for that labor from U.S. employers. As long as that basic economic situation exists, pretty much everything else the government does to address "border security" is going to be window dressing designed to impress certain political constituent groups during the election season. Border security sounds great but does very little to make the border more secure. Only a truly free market approach will create a long-term solution. The free market dictates that our immigration policy be truly "free" by allowing for greater movement between both sides of the American/Mexican border. The movement will still be regulated but the free market will be allowed to function properly.

The left has also opposed aspects of immigration reform though it has occurred with less rancor than the tactics employed by the right. In particular, labor unions have seemed to voice quiet opposition to allowing an influx of unskilled workers into the country. Labor unions are always very sensitive to the idea that the average wage of their members will be decreased through competition from people that will work for much less money. The unions are wrong headed with this approach. Unions should be in the business of protecting those workers least able to protect themselves. Immigrants should be a major constituency for unions.

There are certainly many countries from which America's immigrant population comes from today. However, none of these countries create the type of anxiety in nativist Americans the way that the presence of Mexican immigrants do. This is truly sad. What is even sadder is the way that undocumented Mexicans are treated in our country. Because they cannot come out of the shadows and live like a normal American citizen, they are targets for exploitation. Their willingness to work their bodies into exhaustion for pennies on the dollar makes them a prime source of labor for greedy, unethical and generally despicable American businesses that specifically utilize this population for "day work". Day work involves picking up a group of people and paying them cash without any documentation. The exchange is untraceable even though it is a badly kept secret. It is only common sense to believe that local enforcement authorities are aware of this practice in their localities.

I personally viewed this awful display on a business trip to Austin, Texas in May, 2011. I was staying at a hotel just a few blocks away from a Burger King on the edge of Interstate 35. Each morning, a group of Mexican men would huddle in the parking lot just standing around. It was quickly apparent that they wanted some day work. My business trip had nothing to do with them so I would just drive by and go about my business each morning. Then, on the final day, my business had to rent a U-Haul trailer to take back a bunch of college textbooks that we had purchased from students during the week of finals at the University of Texas. My friend was pulling the trailer behind his SUV. After we loaded the vehicle, he told me he was going to grab a drink before we started home and that I could drive ahead. What happened next was an embarrassment to our great nation.

My friend pulled onto the lot of the Burger King with the U-Haul trailer in tow. Immediately, the group of Mexican men ran to his vehicle and surrounded it on both sides. In broken English, they started screaming: "How many do you need? How much do you pay?" They thought he was a businessman that was going to load them inside the back of a U-Haul trailer like animals and take them somewhere to make what would assuredly be a few dollars for back breaking work. The sight was pathetic. However, these men had clearly done this sort of thing before and thought it completely normal. Their exploiters had trained them well.

How is this sort of immoral activity stopped? A Radical Moderate starts with a demand upon the country's leadership. People need to be in power that will call this behavior out and defend the principle of immigration as a noble and necessary policy. More and freer immigration should represent the best of the American way of life.

The anti-immigrant focus in the United States is currently focused on Mexicans. However, throughout our history, there have been anti-Irish, anti-Asian and anti-Eastern European movements to name just a few. These peoples, though, battled their way through the times and started to assimilate into the American melting pot. The average 18 year old would likely have no idea that these populations were discriminated against during American history unless someone brought it to their attention while they were in school. Someday, the same will be true of the Mexican people.

Today, though, immigration reform is without a doubt an emotional and politically divisive issue. President George W. Bush deserves credit for tackling the issue head on in 2006 and 2007. He fought hard for comprehensive immigration reform and took a great deal of heat from conservatives within his own Republican Party. In his autobiography, "Decision Points", Bush stated that he hoped his work would allow a future President to pass immigration reform and added that it "will be a reality some day." He also made a larger point about American feelings toward foreigners that is worth mentioning here. He stated:

The failure of immigration reform points out larger concerns about the direction of our politics. The blend of isolationism, protectionism, and nativism that affected the immigration debate also led Congress to block free trade agreements with Colombia, Panama, and South Korea. I recognize the genuine anxiety that people feel about foreign competition. But our economy, our security, and our culture would all be weakened by an attempt to wall ourselves off from the world. Americans should never fear competition. Our country has always thrived when we've engaged the world with confidence in our values and ourselves. The same will be true in the twenty-first century.

I disagreed with President George W. Bush on a lot of issues, especially his decision to go to war in Iraq. However, on this issue he was completely right. Americans are like any other human being. The idea of being a nation of immigrants sounds great until it starts affecting someone personally. It is at the personal level that this debate is being bogged down.

The immigration debate reminds me of a story that happened during a trip to Las Vegas. It was after midnight and a group of my friends were at the blackjack table

playing cards and generally just talking politics and economics. The discussion turned to immigration and the opinions that each of us had on the matter. I was expressing my opinion that immigration was a good thing for our country. All of a sudden, the blackjack dealer started interjecting his thoughts on the topic. He was very much opposed to immigration from Mexico. If you have never been to a casino you may not realize that this is very unusual. Dealers are in the business of keeping people happy and keeping them playing. They are taught to avoid controversy so as to not disturb the casino from taking the customers' money. Therefore, this dealer must have had really strong feelings to break this rule and to put his next job performance evaluation at risk.

For about twenty minutes, I had a discussion with the dealer about immigration. His objection was that immigrants had come to Las Vegas and gotten into the business of dealing cards for casinos. This new labor pool suppressed the average wage and benefits that dealers could make. In short, the dealer did not like the competition from 'outsiders'. It was cutting into his pocketbook.

I asked the dealer how long he had been in this same profession. He stated it had been years and years, I believe over twenty. I argued that dealing cards is not a highly skilled art and that eventually one should expect competition. In other words, he had no reason to believe he could make a middle class living solely on dealing cards. Well, he didn't like that argument at all. He seemed to feel entitled to make a great living in this profession and the competition from immigrants was making him very angry. You could hear it in his voice. He argued that it was my burden to prove that he could still make a good living if there was immigration reform. While I completely disagreed with his reasoning, I took the challenge.

I told the dealer that the American Dream is that if one works hard and makes smart decisions he can leave a better life for his children than he was able to lead. I told him that all immigrants come to this country knowing that basic premise and the reason they take the unskilled jobs is because they want their children to have the opportunity for the higher paying professional jobs. They sacrifice so that future generations of their family won't have to do the menial work. That is the American Dream.

I then asked the dealer what his children did. He said that his son was going through medical school. That made my point. His son will have a better life because of the hard work of his card-dealing father. In my opinion, dealing cards at a Las Vegas casino is honest and honorable work. However, it is not meant to be a gold mine. It is simply a transitional job for either the person doing it or for that person's future generations. In a capitalistic system, one can either have the opportunity or the security but not both.

After the discussion, the dealer came back later and apologized for his comments. He clearly had been reprimanded by a superior. However, I was glad that he was honest with me. I could see the fear in his eyes that he had from all these Mexican immigrants altering his view of the world and his place in it. I felt for the guy. He did work hard. Still, hard work is just part of what it takes to be successful in America. Another big aspect of success is taking risks. This man did not want to risk leaving the casino to get a better job. He liked the security. The immigrants were willing to work even harder than he did. They also risked a great deal more by coming to America in the first place. That is why a Radical Moderate has to stand on their side. America is a country of laws, but it was a country of immigrants first.

Since comprehensive immigration reform has been stymied during the beginning of the 21st century, there have been several attempts at piecemeal solutions. One of these piecemeal approaches is known as the “DREAM Act”. This legislation is one of the most common sense ideas (short of comprehensive reform) available to our lawmakers. The crux of the DREAM Act is how to handle the status of children that arrived in the United States after their birth but have grown up in this country and performed well in our schools. The full name of the legislation is the Development, Relief and Education for Alien Minors Act. It was first introduced in the U.S. Senate on August 1, 2001. That introduction could not have been less timely. The events just over a month later on September 11, 2001 destroyed any chance of the legislation becoming law during the first term of President George W. Bush.

The DREAM Act has failed on multiple occasions. A strong effort was made by a lame duck Democratic Congress in December, 2010. That effort was ended when a Republican filibuster in the U.S. Senate could not be overcome. There have been several versions of the DREAM Act over the last decade. The core components have generally stayed the same, though. A 2009 version required the following from those illegal aliens that wished to be granted citizenship:

- Have proof of having arrived in the United States before age 16;
- Have proof of residence in the United States for at least five consecutive years since their date of arrival;
- Have registered with the Selective Service, if male;
- Be between the ages of 12 and 30 at the time of bill enactment;
- Have graduated from an American high school, obtained a GED, or have been admitted to an institution of higher education;
- Be of "good moral character".

The idea of the DREAM Act is to take a segment of illegal aliens – people that arrived here as children – and create a viable pathway to citizenship for them.

Qualifying illegal immigrants would be granted a "conditional" status during their first six years in the program and would be required to (a) graduate from a two-year community college or complete at least two years towards a four-year degree or (b) serve two years in the U.S. military. After this six year period, those who meet at least one of these three conditions would be eligible to apply for permanent resident status. During this conditional period, they would not be eligible for federal higher education grants such as Pell grants but they would be able to apply for student loans and work study. In short, the DREAM Act would provide qualifying individuals with a shot – but not a guarantee – to fully access the American Dream.

There is an untold number of people in the world that share the vision of coming to the United States and participating in the American Dream. Their number is in the millions, it might be in the hundreds of millions. No one knows for sure. There is really no way to know if an impoverished child living in the streets of India wants to someday come to America. There is no way to know if an African in a remote village wants to

come to America. Any evidence of how many people want to legally cross our borders, work their butts off, and add to the fabric of our country can only come from anecdotal evidence. However, I know of one person.

In January, 2011, I made my first trip outside the United States to Italy. On a Saturday evening, I was walking down an ancient street in Rome just admiring the scenery. As I passed by a Ristorante (Restaurant), a sharp looking man in a suit asked me if I was an “Americano”. I stopped and we struck up a conversation. He spoke perfect English. He was the restaurant manager. He wanted me to patronize his establishment. I told him I had already eaten. He insisted that I come in and just have a glass of wine with no pressure of buying dinner. I did.

During the evening, I watched this man work his restaurant diligently. First, he would stand in the street and solicit customers to come in. Then, he would walk them inside and find the perfect spot for them to enjoy the live music which was playing during the meal. I noticed once when he had a large party that needed to take up a spot where a couple already sat. He deftly asked the couple if they could move and they gladly did so. This guy was good at his job.

Before I left, I spoke with the manager one more time. He let me know that he spoke Italian, English, French and German. He wanted to pick up Russian next, as if that is something you can just pick up. He was 33 years old, highly competent and educated, and very hard-working. I asked him if he ever thought about coming to America. He said he had. However, he stated “I can only get a 90 day visitor visa” and that would not be long enough to start roots in the United States and afford him the opportunity at the American Dream. I asked his name and he replied: “Giovanni”.

As I walked back to my hotel, I pondered my encounter with this man. I asked myself: “Isn’t Giovanni the exact kind of person we want in America?” He is industrious, ambitious and completely unsatisfied with his lot in life. He wants more and is willing to work very hard to get it. Of course, I already knew how backward America’s approach to immigration was. I already knew that America doesn’t really extend open arms to embrace immigrants. That is wrong, though. It is wrong that a person like Giovanni is too discouraged to even try. People like him are needed to strengthen our country in the 21st century. Radical Moderates firmly believe we should be proud of the fact that people around the world *want to come into our country instead of wanting to leave*. There are millions of Giovanni’s out there. They just want a chance. America should give it to them.

Chapter Eleven: Terrorism And Homeland Security

Do you know the definition of “terrorism”? Is that definition something you feel very sure about or did you think for awhile before reaching your conclusion? Most people believe they know terrorism when they see it. The 9/11 attacks against the United States in 2001 were an act of terrorism. When fringe groups release dangerous gas on a subway in Tokyo that act is clearly terrorism. When armed commandos with a political grievance attack a hotel in Mumbai, India that is definitely terrorism. However, the formal definition of terrorism is a little more elusive. A Radical Moderate needs clarity.

It is important to define what you are fighting before expending massive resources, both monetary and human.

Since 1994, the United Nations General Assembly has condemned terrorist acts using the following political description of terrorism: "Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them." I think that means you are not allowed to engage in violence to make a political point. One can stage a sit-in, but cannot throw Molotov cocktails at anyone. One can buy a magazine ad in Time denouncing capitalism but cannot blow up a business.

Terrorism expert Bruce Hoffman of Georgetown University takes a different view. Mr. Hoffman offers this definition: "terrorism is a pejorative term. It is a word with intrinsically negative connotations that is generally applied to one's enemies and opponents, or to those with whom one disagrees and would otherwise prefer to ignore. (...) Hence the decision to call someone or label some organization 'terrorist' becomes almost unavoidably subjective, depending largely on whether one sympathizes with or opposes the person/group/cause concerned. If one identifies with the victim of the violence, for example, then the act is terrorism. If, however, one identifies with the perpetrator, the violent act is regarded in a more sympathetic, if not positive (or, at the worst, an ambivalent) light; and it is not terrorism."

Depending upon who is doing the talking, the United States and Great Britain (along with some NATO countries) are currently engaged in a "War on Terror". This is a term that was bandied about as early as the Reagan Administration in the 1980s but gained full maturity following the terrorist attacks on September 11, 2001. On September 20, 2001, during a televised address to a joint session of congress, President George W. Bush launched the war on terror when he said: "Our 'war on terror' begins with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated." A Radical Moderate had no problem with that statement at the time. Our country had just been attacked. We needed to present a united front and we needed to strike back. Only weeks after this statement, the United States was at war in Afghanistan.

Without doubt, Afghanistan was in the tradition of self-defense warfare that is part of the mainstream of American national security philosophy. The United States had been attacked. The enemy, Osama bin Laden and his al Qaeda organization, was definitely operating within the borders of Afghanistan. Therefore, a coalition of allies was assembled who attacked the bastards where they lived and breathed. A Radical Moderate had no problem with that decision. However, the justification for the War in Afghanistan could have been a little more specific. After all, it was al Qaeda that attacked the United States on September 11th. It wasn't Hamas, the Irish Republican Army (IRA), Shining Path or any number of the hundreds of terrorist groups operating around the world. If a better job had been done of defining terrorism in 2001, it might have been decided that Iraq had nothing to do with the 9/11 attacks and that war could have been avoided. That is not the way it worked out, though.

Radical Moderates are against terrorism. However, we want to rely on the core principle that we should only fight wars of necessity and not wars of choice. The "war on

terrorism” sounds very similar to the “war on drugs”. By any objective accounting, as previously stated, America lost the “war on drugs”. The war against terrorist organizations that have already attacked us or present a grave and imminent threat of attacking us needs to be won. That should be a priority. The problem is making sure that a generalized war on terrorism does not become an excuse to become entangled in all sorts of other conflicts that do not relate to the initial objective of defeating true terrorists. A “war on terror” can very easily turn into a slippery slope that fritters away much needed capital and human resources.

For comparison, the cold war was real and it was specific. The enemy was known and the importance of eventually winning was understood. The nuclear missiles that the Soviets had aimed at this country were of the grave and imminent variety. That was truly a war and needed to be conducted as one. A Radical Moderate considers that engagement as justified. On the other hand, the war in Vietnam was not really part of the cold war. In my opinion, it was a civil war that the United States should have avoided getting bogged down into. Vietnam was at the wrong end of the slippery slope.

The “war on terrorism” has similarities to the “cold war”. There is absolutely no doubt that there are terrorist groups right now plotting the destruction of the United States. They hate our freedoms. They hate our values. The *radical* Islamic terrorist groups believe they have a God on their side and they are not rational people. They will not be compromising and they will not give up. They have to be defeated. There is no disagreement on this point. The Soviets were of a similar vein. They believed that communism was a better economic system than capitalism. They wanted to vanquish capitalism from the map. If they had believed an attack against the United States would have not had a response they probably would have nuked the country to speed up the process of destroying capitalism. However, the cold war was fought by utilizing the principle of Self Assured Mutual Destruction. If they bomb us, we bomb them and everyone dies. This principle saved American and Soviet lives.

While there are similarities between the cold war and the war on terrorism, there are also some stark differences. First, the cold war was fought between nations. The borders where the enemy resided were known and if a certain border was crossed bad guys were being attacked. The terrorist organizations are not found only within the borders of a nation. They are everywhere and nowhere at the same time. While a cave might be physically located within the borders of a nation, the cave dwellers probably don’t have a post office box or pay their taxes to anyone. There is little doubt that sleeper cells of terrorists reside within the borders of this nation right now simply waiting for their opportunity to strike. Terrorists are really hard to define and to find.

Second, the Soviets, at some level, had to be accountable to their population. It was easy to monitor their political and economic systems fairly easily. These types of systems do not appear to exist with the radical Islamic terrorist groups. The Soviets were concerned with the basic functions of government such as feeding and housing their citizens. They operated in a similar fashion to the United States except their economic system was socialism rather than capitalism. Terrorist groups operate in the shadows and do not have the ability to establish the things that make a community of people thrive over the long term – libraries, schools, responsive government agencies, elections, etc.

Third, the use of weapons in the cold war and the use of weapons in the war on terrorism are different. A balance of power was struck by the United States and the

Soviets pointing weapons at each other. There is no balance of power with terrorist groups. The first time they get the opportunity they will try to detonate a nuclear bomb on American soil. They are not deterred by anyone having more weapons than they have. Actor Morgan Freeman portraying Bill Cabot said it best during an exchange with the fictional President Bill Fowler in the 2002 movie *The Sum of All Fears*. The exchange occurs following a training drill wherein the Russians had launched a full scale nuclear missile attack against the United States:

President Fowler: We gotta update these fire drills, Billy. I mean, if the shit ever hits the fan, I'm not going underground. This place is a goddamn tomb down there!

Bill Cabot: We've also gotta choose someone else to face off against besides the Russians all the time.

President Fowler: Really? Let's see. Who else has 27,000 nukes for us to worry about?

Bill Cabot: It's the guy with one I'm worried about.

The terrorists don't have any restraint. They will kill innocent women and children and then say it is all in the name of Allah. A Radical Moderate is fully committed to stopping the terrorists where they live and breathe. However, the larger terminology of "war on terrorism" doesn't have to be attached to this effort. It's counterproductive. Let's attack the problem and keep a laser beam focus on the known enemies. The other terrorists in the world will pay attention and that in and of itself will serve as a deterrent.

American public opinion about terrorism is still evolving. The American people have not had to endure invasions against their homeland since the days of the American Revolution and its subsequent battles such as the War of 1812. While the attack on Pearl Harbor in December, 1941 was truly a day that will live in infamy it was not an invasion into the heart of America. The European nations, Russia, and most areas of the world have dealt with foreign enemies on their homeland during their history. Therefore, they understand the difference between a dramatic and horrifying one-time attack such as 9/11 versus a sustained and bloody invasion as when Napoleon and Hitler invaded Russia in different centuries. Please do not miss the point: any attack on Americans anywhere is wrong and should have consequences, but when a country loses millions of lives on its home soil, such as Russia has had occur twice, that image permeates a culture for centuries. The Russian people have had to endure a "long, cold winter"

There is an argument to be made that the 9/11 attacks were simply a trap laid out for the United States to walk into. Bin Laden was likely hoping that America would draw itself into a larger global conflict wherein the jihadists would be placed center stage. Whether bin Laden laid the trap or not, that is exactly what happened. The belief that a war on terrorism could be fought and won has become engrained in the American psyche. Americans are winners and the idea of losing to a bunch of crazies working out of caves grates on their conscience.

So, what is the best course of action to combat terrorism? Well, as per usual, this is a complicated issue. The key, though, is to start asking the right questions. Why do

terrorists do what they do? Why do people still sign up to be part of suicide missions? Why do the terrorists, in particular the radical Islamic terrorists, hate the United States so much?

Islamic terrorists are very committed individuals. They believe deeply in their cause. They are fed by two primary sources: 1) A belief that American style freedom is in direct conflict with the teachings of Islam; and 2) A belief that the United States unfairly favors Israel in its conflict with the Palestinians. These terrorists choose to die in attacks against the United States because they believe they hold the moral high ground.

There is really no point in debating the teachings of Islam. Any rationale reading of the Koran would forbid the type of terrorist attacks carried out by radical fundamentalists. There is no doubt that Islam has been interpreted to be very restrictive of freedom for women and that governments with high Muslim populations are too closely tied to religion in a way that would never be tolerated in the United States. Still, one can disagree with those interpretations of Islam without having to be in direct conflict with them from a foreign policy perspective.

The second root cause of Islamic terrorism is a debatable point. American domestic politics has always favored the Israeli cause. Despite the fact that Jews have always been a minority group of people in America, they have also always been more favored than Muslims. The Jewish Lobby is stout. There are many elected officials and other people in powerful positions of the public and private sector that make a strong pro-Israel position the only acceptable one in the American politic. Most importantly, the overwhelming majority of the Muslim world fully believes that America unfairly favors Israel.

While an undergraduate at the University of Arkansas, I took a class on the Israeli-Palestinian conflict. After a semester of reviewing the history of that relationship, I came to one conclusion – *this battle was very unlikely* to ever work out. These two religious cultures hate each other, they are fighting over the same pieces of real estate and they believe that God favors their cause. That is a recipe for constant turmoil and these parties continue to find creative ways of keeping the fight alive.

Many books have been written about the Israeli-Palestinian conflict. A Radical Moderate does not have any silver bullet solutions of how to broker a peace between the parties. In fact, a Radical Moderate will concede that may not even be possible. Rather, it is more important that the United States be perceived as an honest broker. Until the parties solve the conflict or until Muslims believe America is trying to be balanced, there will be terrorists trying to martyr themselves by attacking this country.

While political conflict is the moral justification for the terrorists, it is not the whole story. The perceived favoritism toward Israel alone would not create terrorism. The contributing factor is that the Palestinian population, and most Muslim populations, live in abject poverty with little hope for a better life. Many Muslims in volatile countries are illiterate and only know what they are told by radical fundamentalists. People living in desperate conditions are much more susceptible to radicalism. That is the same reason why the crime rate among the desperately poor in America is substantially higher than among the middle class. There are some middle class terrorists but the real problem is borne out of the ghettos of Palestine and every place in the Muslim world where being a martyr is a way to leave your family an inheritance and a perceived better life.

Terrorism is not a new phenomenon. Ironically, the tracings of terrorism lead back to a Jewish group known as Sicarii during the time of Jesus. The Sicarii were led by descendants of Judas of Galilee, who helped foster revolt against direct Roman rule in 66 AD. The Romans were attempting to carry out a census of the Jews under the rule of Roman governor Quirinius in Syria, so they could tax them. Judas had famously proclaimed that the Jews should be ruled by God alone. Sicarii comes from the Latin word for dagger, *sica*, and means assassins or murderers. The Sicarii, or “dagger men”, carried out murders and assassinations with short daggers.

The Sicarii undertook assassinations and other attacks in Jerusalem. Their most notable tactic was the use of short daggers to kill people. Although the Sicarii were not terrorists in the modern sense, this method of murdering people in crowded places before slipping away did cause extreme anxiety among surrounding onlookers, and thus terrorize them. The Sicarii also targeted other Jews that were viewed as collaborating with Roman rule. The group suffered a significant loss at the fortress of Masada in 73 AD when they committed suicide rather than be captured by Roman forces.

There are many other examples of terrorism in the last 2,000 years but most scholars point to the “The Reign of Terror” in France from 1793 to 1794 as the launching of modern day terrorism. During an eleven month period of the French Revolution, the ruling Jacobins employed mass executions by guillotine as a way to intimidate the regime’s enemies and compel obedience among the people. Among the approximately 40,000 that were killed included Louis XVI and Marie Antoinette. Robespierre, famous among the Jacobins, sometimes referred to himself as a “terrorist”. While some modern scholars do not consider the Reign of Terror a form of terrorism because it was carried out by the French state, this period popularized the use of the term and the tactics involved to spread fear among people.

The innovations of mass media such as newspaper, radio and television gave terrorist groups a medium through which to espouse their particular cause. Often, the terrorist groups were spawned from nationalistic tendencies such as the Irish Republican Army and the Muslim Brotherhood battling imperial British control. The Front de Liberation Nationale was a group founded in French-controlled Algeria in 1954 designed to rid their country of occupation. The list of terrorist groups formed to fight for nationalistic interests is very long. One of the most famous, though, is Fatah. Fatah was organized as a Palestinian nationalist group in 1954 and still exists today as a political party in Palestine. In 1967, Fatah joined the Palestine Liberation Organization.

Fatah gave birth to a splinter group known as “Black September” in 1970. Black September instigated a terrorist act that became forever burned into the global mind as the face of terrorism in 1972. Black September chose the 1972 Munich Olympics as the background for their terroristic act. The West Germans, who hosted the event, were trying to erase the militaristic atmosphere that pervaded the 1936 Berlin Olympics which were exploited by Adolph Hitler for propaganda purposes. Therefore, the Olympic surroundings were anything but militaristic in nature.

Black September had chosen their mission well. The security surrounding the Olympic Village was lax and the Israeli delegation had little protection from any number of potential attacks. Early on the morning of September 5th, eight members of Black September scaled a six foot high chain link fence carrying duffel bags filled with assault rifles, pistols and grenades. They made their way to apartments housing Israeli athletes

meeting zero resistance. Their initial attack killed two Israelis and left the terrorists with nine additional athletes as hostages.

The siege played out on live international television over the next twenty one hours. The West Germans were completely unprepared for the kidnapping and proved incompetent at every stage. At one point, members of German border-police, without any specialized tactical training, were staging an attack on the apartment complex where the kidnappers were holding the Israelis. However, their movements were being broadcast on television and the terrorists were watching the whole situation unfold. Finally, the attack was called off. Israel declared that they would not negotiate with the terrorists. It is disputed as to whether there was an Israeli offer to provide a specially trained unit to lead a rescue attempt. Regardless, the West Germans stayed in control and bungled a rescue attempt at a local airport ending the crisis. In the end, all eleven Israeli athletes and five of the eight terrorists were dead.

For those Americans that witnessed the events throughout the day on live television, the tragedy was summarized in the candid remarks of ABC sports announcer, Jim McKay, who announced at 3:24 a.m.:

When I was a kid, my father used to say “Our greatest hopes and our worst fears are seldom realized.” Our worst fears have been realized tonight. They’ve now said that there were eleven hostages. Two were killed in their rooms yesterday morning; nine were killed at the airport tonight. They’re all gone.

Adding insult to injury, on October 29, 1972, hijackers of a West German Lufthansa passenger jet demanded and gained the release of the three surviving Black September terrorists. The terrorists received a huge welcome when they touched down in Libya and gave their own firsthand account of their operation at a press conference broadcast worldwide. This was surely a shocking sight for the world community. In addition, Fatah was believed to have approved of the Black September mission though they denied that allegation.

“The Munich Massacre” sent a shockwave throughout the free world. The lax security, the bungled rescue attempt and the brazenness of the terrorists left everyone feeling very exposed. Many European nations reacted by establishing permanent, professional, and immediately available counter-terrorism forces. The age of innocence ended in Munich. The terrorists were able to gain worldwide attention and suspend competition for the first time in modern Olympic history. Terrorism would now affect every country in the world and could strike at any moment. Most importantly, the face of terrorism was now clearly radical Arab Muslims. Only one leader of an Arab country, King Hussein of Jordan, publicly denounced the Olympic attack. Up until September 10, 2001, the Munich Massacre was the most famous terrorist attack against the modern free world. The next day, it wasn’t anymore.

The best case study for understanding the root causes of terrorism is to follow the life story of Osama bin Laden. I will never forget the feeling when President Obama’s White House told the networks it needed time to address the American people on May 2, 2011 for a big announcement regarding “national security”. I waited with great anticipation for the President to confirm that Osama bin Laden, that awful menace to America, had been

killed during a raid on his compound in Pakistan. I felt righteous and I felt more secure. Still, I knew that this was not the end of terrorism but simply the end of an important chapter.

There are aspects of bin Laden's life that are not fully confirmed. It is known that he was born in Riyadh, Saudi Arabia on or around March 10, 1957. His father, Mohammed bin Awad bin Laden, was a billionaire businessman with close ties to the Saudi royal family. His mother, Hamida (then called Alia Ghanem) was Mohammed's tenth wife. The two divorced after Osama was born and Hamida re-married Mohammed al-Attas, who was an associate of bin Awad. It is estimated that Osama would later inherit around \$25 to \$30 million from his biological father. Bin Laden attended college but it is not clear if he graduated.

Bin Laden was raised as a devout Wahhabi Muslim. It is important to understand the historical context of what it means to be a Wahhabi. Wahhabism is a religious branch of Islam. It was developed by an 18th century Muslim theologian (Muhammad ibn Abd-al-Wahhab) from Najd, Saudi Arabia. Wahhabism advocates purging Islam of "impurities" and is the dominant form of Islam practiced in Saudi Arabia.

Abd-al-Wahhab professed a strict interpretation of Islam that included punishments such as the stoning of women who were found to have committed adultery. His extreme view of Islam was embraced by Muhammad ibn Saud in 1740. At that time, Saudi Arabia was a group of tribes and fiefdoms. Ibn Saud was the ruler of Diriyah. The two men forged a pact whereby ibn Saud would spread the teachings of Wahhabism but maintain other aspects of the movements' leadership. Late in the 18th century, ibn Saud and his heirs started a military campaign that lasted 140 years attempting to seize control of Arabia and its outlying regions. They were eventually defeated by Ottoman forces.

In the early 20th century, the Wahhabist-oriented Al-Saud dynasty conquered and unified the various provinces on the Arabian peninsula, founding the modern day Kingdom of Saudi Arabia in 1932. This provided Wahhabists with a formal state to advocate their beliefs upon. Crucially, Saudi Arabia is home to the ancient holy cities of Mecca and Medina. In addition, when vast oil reserves were discovered over the following decades, funding for Wahhabi missionary activity became almost limitless.

In short, the Wahhabists fought long and hard over the course of 270 years to get to the current position of world influence. Therefore, Osama bin Laden likely viewed himself as the tip of the sword representing a three centuries old battle to bring Wahhabism to the rest of the world. From bin Laden's perspective, his burden and opportunity was immense and he devoted his life to changing the course of history toward his religious preferences.

Osama bin Laden did not like anything at all about the United States of America. He believed that U.S. foreign policy had oppressed and killed Muslims in the Middle East. Bin Laden believed that Sharia law was needed everywhere. There is no set definition for what it means to adhere by Sharia law. However, it is clear that bin Laden's view was that America was too socially liberal. In an October, 2002 letter, he called on Americans to "reject the immoral acts of fornication, homosexuality, intoxicants, gambling, and usury" among other things. Bin Laden also advocated the elimination of the state of Israel and the necessity of forcing the United States to withdraw from the Middle East.

Osama bin Laden was a long term strategist. Al Qaeda manuals discuss luring large countries such as the Soviet Union and United States into lengthy wars of attrition in

Muslim nations. Then, the goal was to inflame the passions of native Muslims attracting large numbers of jihadists that would never surrender. Finally, the large invading countries would suffer from economic collapse and bin Laden will have won the war. That is exactly what happened to the Soviet Union in Afghanistan.

The lesson that bin Laden learned from the Soviet/Afghanistan War was the old story of David and Goliath. Everyone wants the little guy to win the battle. Also, the little guy is often perceived as the one with the higher moral ground and righteous cause. Bin Laden's legend began with the single battle of Jaji whose narrative was cast in these terms. Steve Coll, author of *Ghost Wars*, recounts the battle and its consequences this way:

The battle lasted for about a week. Bin Laden and 50 Arab volunteers faced 200 Russian troops. ... The Arab volunteers took casualties but held out under intense fire for several days. More than a dozen of bin Laden's comrades were killed, and bin Laden himself apparently suffered a foot wound. ... Chronicled daily at the time by several Arab journalists ... the battle of Jaji marked the birth of Osama bin Laden's public reputation as a warrior among Arab jihadists. ... After Jaji he began a media campaign designed to publicize the brave fight waged by Arab volunteers who stood their ground against a superpower. In interviews and speeches ... bin Laden sought to recruit new fighters to his cause and to chronicle his own role as a military leader. He also began to expound on expansive new goals for the jihad.

And, thusly, a global terrorist was borne. No one in the global intelligence world really understood this at the time but the Soviet-Afghanistan War was the cesspool through which the bin Laden monster would rise from. Moreover, bin Laden would use this mythology to create a global terrorist network now known as Al Qaeda in 1988.

Following the Soviet Union's withdrawal from Afghanistan in February 1989, Osama bin Laden returned to Saudi Arabia in 1990 as a hero of jihad, who along with his Arab legion "had brought down the mighty superpower" of the Soviet Union. When Saddam Hussein invaded Kuwait in August 1990, bin Laden pleaded with the Saudi regime to reject help from the United States and to instead defend their homeland with their own military forces. The Saudi regime rejected bin Laden's offer and invited U.S. troops to enter their Kingdom. That move signaled the end of bin Laden's relationship with the Saudi regime and began his intense hatred of the United States and his focus on plotting attacks against America.

It is believed that bin Laden's first bombing attack was in December 1992, in Yemen which killed two people. During the mid-1990s, bin Laden focused his efforts on terrorist acts in Algeria, Egypt and Afghanistan. He came to the attention of the American people following the dual attacks on U.S. Embassies in Tanzania and Kenya on August 7, 1998. The simultaneous truck bomb explosions killed hundreds. In December 1998, the Director of Central Intelligence Counterterrorist Center reported to President Bill Clinton that al Qaeda was preparing for attacks in the United States of America, including the training of personnel to hijack aircraft. Bin Laden was then placed on the FBI's Ten Most Wanted List.

Of course, the next time that bin Laden would come to the full attention of Americans was after the 9/11 attacks. Without any doubt, Osama bin Laden was a monster. He was consumed with delusions of God-like abilities and he carefully protected his public image so he could influence less educated and informed Muslims toward his political leanings. It is justice that bin Laden died at the hands of American Navy SEALs in his home. Whether the U.S. raid was an execution or not, no one can argue that he did not get what he deserved. Still, it is also likely that bin Laden truly believed everything that he said. His moral justification for the 9/11 attacks was revealed in a videotape released just days before the 2004 Presidential Election (likely meant to influence the outcome in some twisted way):

God knows it did not cross our minds to attack the towers, but after the situation became unbearable – and we witnessed the injustice and tyranny of the American-Israeli alliance against our people in Palestine and Lebanon – I thought about it. And the events that affected me directly were that of 1982 and the events that followed – when America allowed the Israelis to invade Lebanon, helped by the U.S. Sixth Fleet. As I watched the destroyed towers in Lebanon, it occurred to me punish the unjust the same way: to destroy towers in America so it could taste some of what we are tasting and to stop killing our children and women.

Well, it probably does not matter what specifically motivated Osama bin Laden. Was he sincere in his beliefs? Did he think that he would never come to justice? Was he simply mad for power, glory and all the attention that came from his celebrity? From a Radical Moderate perspective, none of that matters. In the end, bin Laden was able to change the direction of history for the worst. He succeeded by making global terrorism a force to be reckoned with. His actions led to the United States entering a lengthy war in Afghanistan and then another, much less-justified, war in Iraq. Even though bin Laden is now dead, his awful legacy lives on in how all Americans live their lives.

The effects that bin Laden has had upon the United States have been profound and touch the lives of Americans on a daily basis. Before the 9/11 attacks, the security at an American airport was about as lax as the security during the 1972 Munich Olympics. It was designed only to apprehend the most obvious of threats. Furthermore, no average American could imagine that a passenger airplane might be used as a weapon of mass destruction. The 9/11 attacks, though, changed all of that forever. Now, a much heightened level of security at airports and on planes is expected, even demanded. That is a good thing. In other parts of the world, this type of airport security has been the norm for decades.

While all reasonable Americans can agree about airport security, there are significant disagreements regarding other measures that were borne out of the reaction to the 9/11 attacks. Specifically, the Patriot Act, the domestic surveillance program, and torture are consequences of the “War on Terror” that remain controversial and very much need the vetting of a Radical Moderate approach.

The USA PATRIOT Act (commonly known as the "Patriot Act") is an Act of the U.S. Congress that was signed into law by President George W. Bush on October 26, 2001. The title of the Act is a contrived three letter initialism (USA) preceding a seven letter acronym (PATRIOT), which in combination stand for “Uniting and Strengthening

America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001". The Patriot Act was rushed into law less than seven weeks after the 9/11 attacks. At the time, the provisions of the law were considered urgent to the cause of tracking down and defeating Al Qaeda and any other terrorist groups that were threatening further attacks against the United States.

The Patriot Act was a broad and sweeping change for all aspects of how the U.S. government deals with terrorist threats. The Act dramatically reduced restrictions on law enforcement agencies' ability to search telephone, e-mail communications, medical, financial, and other records; eased restrictions on foreign intelligence gathering within the United States; expanded the Secretary of the Treasury's authority to regulate financial transactions, particularly those involving foreign individuals and entities; and broadened the discretion of law enforcement and immigration authorities in detaining and deporting immigrants suspected of terrorism-related acts. The Act completely and irrevocably changed the way that the intelligence community dealt with threats to national security. Because of this, the Act has been criticized as overreaching and a violation of the Fourth Amendment of the U.S. Constitution.

Many of the Patriot Act provisions were simply updating already existing laws to more specifically address the movement of terrorists. There were restrictions on shell banks and on foreign banks that have correspondent accounts with U.S. institutions. These items have proved helpful in choking off the money supply to terrorist organizations. The Act made it easier to track electronic and cell communications. This enhanced the ability of law enforcement to maintain real time surveillance of suspected and known terrorist elements. In short, the Patriot Act contains a great deal of new provisions that were both necessary and have always had bi-partisan support from the U.S. Congress.

However, the Patriot Act as a whole, accentuated by some specific controversial provisions, has annoyed the political left since its enactment. The first criticism of the Act was that it was rushed into law with almost no vetting and perhaps very few lawmakers or their staff even reading key provisions. Some believe it was a blank check for the intelligence community to do whatever it wanted. The theory is that anything that must be passed that quickly must be bad. However, this criticism has lost its rationale as the years have passed and multiple Congresses and now two Presidents from different political parties have taken the occasion to reauthorize most provisions. While the Patriot Act was rushed into law, the great majority of its provisions are useful and completely Constitutional.

The second criticism of the Act is that it violates various provisions of the Fourth Amendment and provides too much power and discretion to the intelligence community. Among the provisions criticized included so-called "sneak and peek" warrants. These specialized warrants allowed for delayed notification of the execution of search warrants. The rationale for this type of warrant is that terrorists could quickly alert other terrorists and/or change communication devices (e.g. get a new cell number) and that the purpose of the original warrant would be thwarted. Among the issues with the provision was that the period during which the FBI had to notify recipients of the order was unspecified in the Act and the internal FBI field manual called it a "flexible standard". This vagueness was clearly an invitation for abuse. In a dramatic example of such abuse, a Portland,

Oregon area attorney was wrongly jailed for two weeks because of a “sneak and peek” warrant in 2004.

Brandon Mayfield is an American-born attorney and former Army officer that married his wife, Mona, in 1986 and converted to her religion of Islam. In early 2004, Mr. Mayfield became the target of investigation by the FBI. According to court documents, the FBI used National Security Letters in order to wiretap his phones, bug his house, and search his house several times. Following the March 2004 Madrid train bombings, Mr. Mayfield was erroneously connected to the terrorist attack and arrested. The FBI contended that Mr. Mayfield’s fingerprints matched those in the Madrid bombings though that assertion was later countered by the Spanish authorities. After two weeks, the FBI released Mr. Mayfield and admitted that they had made a mistake. In 2006, Mr. Mayfield settled a lawsuit against the U.S. Government for a reported \$2 million.

The “sneak and peek” warrant was an example of the Act’s overreaching and lack of vetting that did not take place during the law-making process. The arrest of the Portland area attorney provided an innocent face juxtaposed against the secrecy of the United States intelligence community. The criticism of providing the government with too much power is completely valid. The Act created too many new tools that did not have any accountability to prevent abuse. For example, the breadth and scope of National Security Letters (NSL) was greatly increased by the Patriot Act. A National Security Letter is a form of administrative subpoena that allows the FBI (and probably the CIA and Defense Department) to make demand of a particular entity or organization to turn over various records and data pertaining to individuals. The NSL was not originally subject to probable cause or judicial oversight. Additionally, a gag order was attached preventing the recipient from disclosing that the letter was ever even issued. The secrecy of NSL usage has made it difficult to provide accurate reporting to Congress of the use of the tool. It is believed that between 2003 and 2006, close to 200,000 National Security Letters were issued. Since the time of enactment, several of its provisions have been ruled unconstitutional by federal courts thereby proving critics to be correct.

The third major criticism of the Patriot Act is that it provided a Congressionally approved launching off point for the Bush administration to conduct even more secretive and questionable intelligence maneuvers. As for the Patriot Act itself, it is a flawed law that has been a mixed bag. There is little doubt that several provisions of the Act have suppressed the movements of terrorist elements and therefore proven their value. There is also little doubt that several provisions violated the Fourth Amendment and even the First Amendment.

The biggest flaw of the Patriot Act for a Radical Moderate was the initial time period that key provisions were allowed to last before being sunsetted. Most of those provisions ended on December 31, 2005, a little over four years after enactment. This choice of timing was a huge mistake. Let’s consider this within the context of the time.

America had just suffered its most egregious and psychologically damaging attack against its homeland since Pearl Harbor. The American public wanted fast action and the President and Congress were primed to give them just that. A Radical Moderate has no problem with this situation. Fast action was called for and fast action was taken. Here is an analogy to further explain this position. Let’s assume that a member of the government shows up on your doorstep and says that your life is in grave danger and that

they are there to help. They tell you that the details of this danger are highly classified and your best chance at survival is to trust them until the danger subsides. How would you respond? I think most Americans would agree to comply. I certainly would.

Here is the problem with the “Just trust us because we have an emergency” approach of the Patriot Act: When does the emergency end? When do you owe me as an American citizen an explanation of what the hell the danger is and why you have to keep me in the dark about it? Therein lies the flaw with the Patriot Act. Four years is way too long to let provisions that butt up against Constitutional protections to be written into law. The Patriot Act should have been enacted for one year or even less. That would have given the U.S. Congress the time it needed to analyze the more controversial aspects and give them the public debate that is necessary for a wide-ranging law to be enacted. Short-term trust will work when a true emergency exists. Otherwise, long-term trust in the law must be earned by utilizing the slow, but proven, process envisioned by our Framers.

More than a decade after its passage, the Patriot Act does not need to be repealed. However, it needs to be continually refined and limited to the true needs of the intelligence community with the checks and balances that can only be provided by an adherence to the United States Constitution.

The judgment of history is that the Patriot Act was created hastily and without a long-term perspective of how it would be viewed. However, the American people were at least aware that something was happening. They knew that their elected representatives had taken broad actions and that there would be consequences to those actions. The same cannot be said for two other Bush Administration practices: the Domestic Surveillance Program and Torture.

Depending upon one’s view of the situation, the passage of the USA Patriot Act had the unintended, or possibly intended, consequence of creating an overall climate that made the Domestic Surveillance Program and the practice of Torture seem like logical and legal extensions of the law. They were not. Neither program was sanctioned by the law-making process nor was either program ever given the scrutiny that democratic institutions must provide if we are truly to live in a free society. Rather, these two programs were inventions of Bush administration officials that they rolled into a larger strategy for combating terrorism. While the political right will argue that the ends justify the means in this area, there is no question in the mind of a Radical Moderate that the programs were illegal and generally unproven in achieving their goals.

The Domestic Surveillance Program had several names. President George W. Bush called it the Terrorist Surveillance Program and some called it Warrantless Wiretapping. The word “Domestic” is important because that aspect of the program is what made it so offensive to our principle of freedom from government intrusion. This type of violation of our privacy rights does not outrage the political right in America the same way that it would if one was talking about the areas of taxation, guns, etc.

It is a basic Constitutional premise that the government cannot wiretap American citizens without probable cause of criminal activity and without first obtaining a warrant that defines the scope of the wiretap. No one disagrees with this premise. It has been the basis of American law since the founding of the country and all along the way as new technologies such as phones and e-mail have been created. On the other hand, warrantless wiretapping of foreigners has always been allowed. The express reason for

this distinction is that it is in the best interests of American citizens to gain knowledge of foreigners that could lead to life saving intelligence information.

It is understood that the wiretapping of foreigners will sometimes involve their conversations with American citizens. Because wiretapping of American citizens is such a significant endeavor, the process and scope of such a program is codified within the Foreign Intelligence Surveillance Act of 1978 (FISA). FISA requires that all wiretapping of American citizens be conducted only after the warrant process has been initiated, which culminates with judicial approval. FISA courts were in operation from 1978 to 2001 without any significant disruption to the efforts of the American intelligence community. That tried and true process was dramatically altered by the Bush Administration in the name of 9/11 and homeland security.

Shortly after the 9/11 attacks, President George W. Bush issued an executive order that created a secret electronic surveillance program that I am referring to as the Domestic Surveillance Program. The true name of the initiative has never been released. It has been reported that the program was designed to intercept al Qaeda communications, both phone and e-mail, overseas where at least one party to the communication was not a U.S. citizen. Whether that was truly the purpose of the program is not clear. What is clear is that some of the intercepts were “purely domestic” in their nature and did not involve foreigners or people that had anything to do with al Qaeda. A 2005 *New York Times* article exposing the program states that this was an unintended consequence that occurred after technical glitches resulted from some of the intercepts.

Since the domestic surveillance program was classified, its true nature and intent is not known. It is possible that the domestic intercepts truly were accidental and that they involved a registry of communications rather than a more detailed examination of communication contents. However, it is also possible that the Bush administration strained the existing laws of FISA and the newly rushed through Patriot Act to “listen in” on communications that had no relation to al Qaeda. Regardless, the program was unnecessary. Anything that our intelligence community needed could have been legally gathered through the FISA provisions which allowed for judicial oversight. If FISA had been used, there would have been accountability. That is why the Bush program was illegal in the mind of a Radical Moderate.

Another extrapolation of existing law designed to “defeat the terrorists” was the use of “enhanced interrogation techniques”. That is just a fancy word for “torture”. First, let’s be clear about the word torture. No country admits to ever having tortured anyone. They might have deprived them of food, water and sleep; water boarded them; made them strip nude; or any other sort of similar activities but no one ever admits that they engaged in torture. Why? Because that would be illegal, of course.

On October 21, 1994, the United States of America ratified the United Nations Convention Against Torture as has been done by around 150 states worldwide. That Convention, which is an instrument of the larger United Nations, defines torture in the following manner:

...any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him, or a third person, information or a confession, punishing him for an act he or a third

person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in, or incidental to, lawful sanctions.

That pretty much covers it, right? Simply said, a state cannot “intimidate” or “coerce” people into giving up information regardless of how compelling the situation. Doing that would be torturing the person. Well, it sounds simple enough but Bush Administration lawyers strained all common sense and determined that water boarding was not torture. Huh?

Following the 9/11 attacks, Bush Administration legal officials assured the President in writing that the “enhanced interrogation method” of water boarding was not torture and was therefore permissible to utilize in the war on terror. The justification for this conclusion was that water boarding “did not cause severe pain or suffering either physically or mentally.” Waterboarding was subsequently performed repeatedly on detained al Qaeda operatives during the Bush Presidency. This included 183 waterboardings of high-value detainee, Khalid Sheikh Mohammed. The practice was banned by newly inaugurated President Obama in January of 2009.

Maybe the public just does not understand what it means to water board someone. Let’s conduct a quick common sense test now. Read the CIA’s definition of water boarding as revealed by the United States’ Office of Legal Counsel in a Top Secret CIA memo from 2002:

In this procedure, the individual is bound securely to an inclined bench, which is approximately four feet by seven feet. The individual's feet are generally elevated. A cloth is placed over the forehead and eyes. Water is then applied to the cloth in a controlled manner. As this is done, the cloth is lowered until it covers both the nose and mouth. Once the cloth is saturated and completely covers the mouth and nose, air flow is slightly restricted for 20 to 40 seconds due to the presence of the cloth... During those 20 to 40 seconds, water is continuously applied from a height of twelve to twenty-four inches. After this period, the cloth is lifted, and the individual is allowed to breathe unimpeded for three or four full breaths... The procedure may then be repeated. The water is usually applied from a canteen cup or small watering can with a spout... You have... informed us that it is likely that this procedure would not last more than twenty minutes in any one application.

Now, go back and re-read the definition of torture in the above paragraph. Is there a difference between the two? If you can find daylight then you should probably put down this book and go read something more reassuring to you such as the existence of unicorns.

The good news is that the United States did not invent water boarding. Rather, it has been a staple of the torture tool arsenal since the Spanish Inquisition of the 15th Century. Ironically, the Japanese water boarded American prisoners of war during World War II. Following the war, these Japanese perpetrators were hanged by American officials for the crime of torture by water boarding. Oh, how times change.

There are very few people outside Bush Administration officials who will publicly state that water boarding is not torture. Even 2008 Republican Presidential nominee, John McCain, himself a six year prisoner of war, unequivocally declared that water boarding is torture. The subject of water boarding is made to feel like they are drowning. One of the main reasons for water boarding is that it does not leave physical markings that can be independently verified by third parties. If this is not torture, then there really is no point in having a definition at all.

Let's assume for a moment, though, that water boarding was somehow legal. Then, the question turns to whether or not it works and is an advisable practice. Does water boarding, or any form of torture for that matter, save American lives? If so, do the ends truly justify the means? A Radical Moderate acknowledges that nightmare scenarios exist. It is certainly possible that a detained terrorist would have information about a nuclear bomb that is about to detonate at any moment. What is reasonable under that circumstance? Cutting off fingers? Choking the terrorists' children in front of them? In that context, water boarding sounds pretty tame.

Among the problems with the premise of this scenario is that the torturing has to produce legitimate information for there to even be a debate. At the end of the day, there is no compelling proof that torturing someone will produce authentic information. Still, it is an open debate on whether or not torture produces truly actionable information. Likely, it works with some people in some situations and does not with others. There are probably no absolutes in this area. There are no significant public studies of torture results because the practice is only conducted in secret. Moreover, the people doing it would never admit if it did not work. In short, it will probably never be known if torture *does* work.

A Radical Moderate cannot ever condone the use of torture. However, we do condone the debate. Transparency and open government are at the heart of our philosophy. Therefore, we know the following to be true: Legal or not, government officials are always going to consider torturing someone if they believe the rationale is compelling enough that it might save a great many American lives. Therefore, torture should remain illegal, the debate about it should continue and our efforts to extract intelligence in other ways should be accelerated.

The threat of terrorism worldwide and within the borders of the United States is very real. There is a need for a Department of Homeland Defense and for most of the additional laws and measures that have been put into place to increase the security of the American people. A Radical Moderate agrees with the overall mission but disagrees with some of the ways that the mission has been carried out. Moreover, much like the debate over criminal issues, the terrorism and homeland security debate has too often been narrated as "strong" versus "weak". This characterization has only clouded the issue and made America less secure because the focus has repeatedly been misplaced.

The early politics of homeland defense were ugly. One of the political casualties was Senator Max Cleland of Georgia. Captain Max Cleland served in the Vietnam War

where he lost both of his legs and his right forearm at the age of 25 when a nearby private's grenade exploded accidentally. Cleland won a close race for U.S. Senate in 1996. In 2002, he was leading a close race against Republican challenger Saxby Chambliss entering the final weeks of the campaign. Then, a TV ad ran with the likeness of Osama bin Laden and Saddam Hussein claiming that Cleland had voted against critical Homeland Security issues. Cleland, a Vietnam War veteran who was bound to his wheelchair because of his war injuries, was cast as "weak on homeland defense" and lost the race by seven points. The ad was disgusting and was condemned by Republican Senators Chuck Hagel and John McCain who also served in Vietnam. Regardless, it was effective.

The defense of the homeland is too important to be relegated to petty partisan politics. Domestic issues have always centered around such differences as liberal and conservative views but protecting the homeland is more akin to foreign policy and the unity present when the country is at war. Going forward, the debate around terrorism and homeland defense should be conducted on those terms. The American public needs to be more informed as to what the true terrorist threats are. Public polling in 2003 showed that 48% of Americans incorrectly believed that ties between Iraq and al Qaeda had been found. Of course, there were none at that time. Al Qaeda did not have any presence in Iraq until *after* the United States invaded.

Because of the possibility that weapons of mass destruction can bring a rapid end to civilization, a Radical Moderate will *very temporarily* give up a freedom and replace it with security. However, that compromise only works if the situation is truly temporary such as the need for martial law during a bioterrorism outbreak. Once the emergency subsides, though, the American people should demand that their freedoms be returned with a full and complete explanation of what happened. That is the only way that a balance can be achieved between freedoms and security. Otherwise, the most appropriate way to understand the issue is to remember the words of someone that lived through the most difficult and confounding days of the nation's history, Benjamin Franklin, who said:

Those who would give up Essential Liberty to purchase a little Temporary Safety, deserve neither Liberty nor Safety.

A Radical Moderate could not agree more.

Chapter Twelve: Foreign Policy

The old saying goes that "partisanship should stop at the water's edge". The theory is that when the United States of America is speaking to the world it should be done with one voice. It also means when a war is entered that everyone should be mobilized to win. That is certainly the ideal situation. However, there are different kinds of war. There are wars of necessity and there are wars of choice. Wars of necessity should be fought with every resource from the military, economic and political arsenal and wars of choice should be engaged in with extreme caution.

I have always had the understanding that our founding fathers believed America should be very cautious about entangling ourselves in foreign affairs and conflicts. This version of history is bolstered by President George Washington's Farewell Address delivered in 1796. The following passage describing his feelings toward Europe shows Washington's bias against allowing America to drift into situations that do not serve our interests:

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combination and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world, so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs that honesty is always the best policy. I repeat, therefore, let those engagements be observed in their genuine sense, but in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

This does not sound like the rhetoric of someone looking for a fight. George Washington must be considered the bravest and greatest American patriot of all time. He understood the perils of war and overextending a country in foreign policy matters. I suspect that it was his bravery and his patriotism that led him to make his remarks in 1796. Certainly, the world has grown much more complex and the temptation for America to get involved in multiple foreign entanglements is greater today than ever before. Still, I think we can learn lessons from Washington over 200 years later.

A Radical Moderate is not a conscientious objector or a peacenik. We are slow to anger but quick to resolve a fight brought to our doorstep. We believe that World War II

was a war of necessity and that Vietnam and Iraq II were wars of choice. While it did not involve foreign entanglements, the American Civil War was a war of necessity and the huge cost that the country paid was justified because it saved the Union.

A Radical Moderate is not afraid to be branded “weak on national security” because he knows that wars of choice typically make us weaker on national security in the end. There were not many Radical Moderates to be found in the run-up to the Iraqi War in 2003. Most of the people against the war were against all wars and favored peace even if that meant surrender. There were some patriots that understood what was about to happen and the disastrous consequences that would result. Take a look at a passage from a speech delivered by then Illinois State Senator Barack Obama on October 2, 2002:

But I also know that Saddam poses no imminent and direct threat to the United States, or to his neighbors, that the Iraqi economy is in shambles, that the Iraqi military a fraction of its former strength, and that in concert with the international community he can be contained until, in the way of all petty dictators, he falls away into the dustbin of history. I know that even a successful war against Iraq will require a U.S. occupation of undetermined length, at undetermined costs, with undetermined consequences. I know that an invasion of Iraq without a clear rationale and without strong international support will only fan the flames of the Middle East, and encourage the worst, rather than best, impulses of the Arab world, and strengthen the recruitment arm of Al Qaeda. I am not opposed to all wars. I'm opposed to dumb wars.

Again, this speech was made *before* the United States invaded Iraq. Wars of choice are dangerous animals that often bite you in a bad place. American foreign policy in the Middle East might look dramatically different today if it had not gone to war with Iraq in 2003.

So what is the proper role of America in the world? Should it isolate itself from every other country and shrink from challenges such as genocide? A Radical Moderate says no. Rather, America does have an important role in the world. One of the most important roles is to “export democracy and capitalism” – the question is how to do this effectively.

The first consideration in foreign policy should be viewing everything from the perspective of what is in the best national interest of the United States. The second consideration in foreign policy should be whether or not what is in the best interests are also affordable within the budget constraints. Asking these two questions broadens foreign policy far beyond just the context of war. There will certainly be times during which war is in the best national interests of the United States. There will be other times, though, where war is in the national interest but it does not fit within a realistic budget. These two questions are of equal import. They form an appropriate and completely essential check and balance for each other.

There are scores of petty dictators around the world that the United States could take out through the power of the American military. There are scores of humanitarian missions that the United States military would be well suited to handle. There are also several military and nuclear threats posed by countries against the United States. Finally,

there is at least one known enemy that has taunted the United States during the beginning of the twenty-first century, Al-Qaeda. It is important to understand that it might be in the best national interests of the United States to engage in all of these affairs but it is not within the budget. Budgets demand priorities.

Some will say that placing a budget upon foreign policy objectives makes a Radical Moderate weak on national defense. I cannot disagree more fervently with this assertion. Placing a budget on foreign policy objectives is one of the few things that forces America to be pragmatic and keeps it from being the world's policeman. Ask yourself this question: If the United States is unable to make all of its own streets safe, why does it believe it can make the streets of Iraq, Sudan and Lebanon safe?

There have been times during which the United States was forced to go to war regardless of whether it fit within the budget. The classic example is World War II. The Japanese forced the decision on December 7, 1941 with their sneak attack of Pearl Harbor. The United States had clearly been edging toward war with Germany well before that time but it was not until the “day that will live in infamy” that the country became mobilized. Mobilized being the key term. The people of the United States were willing to bleed and sacrifice because the war was brought to their doorstep and the objectives were crystal clear. That was dramatically different than the wars of choice that have plagued this country during the last fifty years.

All of America's wars are examined in more detail in the next chapter. Therefore, in this section we will examine foreign policy matters that fall short of full-fledged war. Granted, these issues are almost always the first steps toward armed conflict.

You just finished the chapter dealing specifically with terrorism and homeland security so I won't rehash all of that here. However, when talking about these topics in twenty-first century America, it is important to start with the effect that radical Islam has on U.S. foreign policy. Radical Islam permeates the politics of the Middle East. The Middle East has two things that interest the United States greatly: Israel and oil. Israel interests America because of the politically strong Jewish population in the United States. It also interests some individual Americans because they believe the Holy Land has a role to play in a Biblical future. Oil interests the United States because this country consumes approximately 25% of the world's daily production even though it only represents 5% of the world's population. The root of American foreign policy issues in the Middle East begin with the Israeli-Palestinian conflict.

The Middle East has been a foreign policy volcano for the United States at least since the 1960s.

America has engaged in two wars in Iraq and been attacked by Saudi citizens on September 11, 2001. The Middle East typically dominates the foreign policy headlines of every Presidential administration. That is unlikely to change any time soon.

During the writing of this book, a foreign policy matter exploded that called into question America's policy of who is considered allies and exactly what is expected from the leaders of those countries to maintain that distinction. This political explosion occurred in Egypt during January of 2011. The context is important. At the time, Egyptian President Hosni Mubarak had been the “elected” President of the country for 30 years. That is a nice run. It would have been even nicer had he competed in free and fair elections – he did not. Rather, all of his elections were rigged and he was essentially a petty dictator. In January 2011, inspired by an uprising in neighboring Tunisia and

powered by new communication tools such as Twitter and Facebook, the Egyptian people staged a nationwide protest that led to the ouster of Mubarak.

Egypt is an interesting case study which brought into focus how America chooses its allies across the world. Mubarak came to power following the assassination of Anwar Sadat in 1981. Sadat had appointed Mubarak Vice-President. Sadat was killed by Army officers that were upset with his support for the Egypt-Israel Peace Treaty of 1979 negotiated by U.S. President Jimmy Carter. In other words, Mubarak came to power as a moderate force against the extremists that resorted to assassination to express their displeasure with a peace treaty. Under those circumstances, Mubarak was viewed as a hero to the American government and a man that should be supported. During his 30 year reign, Mubarak survived six different assassination attempts. That would be enough to make anyone a little bit suspicious of giving the general public a lot of rights.

Under Mubarak, Egypt became America and Israel's most reliable ally in the Middle East. The Peace Treaty with Israel stands to this day. Egypt was part of the coalition which supported America's First Gulf War against Iraq in 1991. Prior to the mass protests of 2011, Egypt had been a relatively calm Muslim country that was considered relatively moderate for the region. Mubarak deserved some credit for that accomplishment. However, that was not the whole story.

Mubarak was not a democratically elected President. His administration controlled all of the important media in the country and they espoused his positions. He did little to bring the lower classes of Egyptians economic opportunity. His police force was comprised of thugs paid to keep the people in fear. When the 2011 protests started, his immediate response was to cut internet and cell phone service. In short, Mubarak was a dictator of a Muslim country who had the support of the United States because he was believed to be better than anyone who might replace him.

Only time will tell what will follow in the wake of Mubarak's ouster. There is certainly the danger that the "Muslim Brotherhood" will seize power through democratic means only to further restrict the rights of the Egyptian people in an autocratic fashion. Things for that people might get worse or they might get better, it is unknown at this point. Regardless, there is a larger lesson that must be examined in light of the "Arab Spring". The Egyptian uprising calls into question America's policy of supporting leaders around the world that support it whether or not they share its ideals of liberty and freedom. Egypt is hardly an isolated situation.

America has consistently viewed its national security interests as more important than the stated ideals of freedom and democracy. Just for a few examples, America has allied itself with corrupt and anti-democratic leaders in countries as varied as Nicaragua, Yemen, Ethiopia, Uganda and Uzbekistan. Alliances with these embarrassments posing as leaders have been formed because they served the short-term interests of the United States. There is little acknowledgement of this reality from the leadership of this country. Indeed, the best quote I could find to describe American foreign policy in this area came from a fictional character, President Jed Bartlet of "The West Wing", who said the following in an episode where a Muslim country that had been an ally turned against the United States:

We choose the order and certainty of petty despots over the uncertainty and chaos of developing democracies.

This is absolutely true. Most of the writers of “The West Wing” had close ties to or were inspired by the Clinton Administration so they knew what they were talking about. America has chosen to deal with the known devils. Short-term security has been chosen over the prospects of long-term freedom for the peoples of these anti-democratic regimes. In light of the fall of Mubarak in Egypt, it is time to reconsider the priorities. This country should be far more supportive of democratic processes in the future than it has been in the past.

There is certainly more to American foreign policy than the Middle East. Without question, foreign policy interests are more and more intertwined with monetary and economic issues. For example, American interest in Europe has less to do with national security concerns and more to do with the stability of their economic system to sustain itself. In regard to China, there are a variety of social and political issues that could be challenged but the reality remains that China serves as one of the United States’ primary lenders. Time is still spent monitoring Russia, not so much as a potential aggressor, but simply as a developing “capitalist” economic power. America’s national interests have become much more diverse than simply “fighting the spread of communism”.

When it comes to foreign policy, everything in the world is connected like a giant bowl of spaghetti: It is not necessarily logical, well-organized, consistent or pretty, but there are ways to make it come together nonetheless – especially if it is a high enough priority.

A good place to start the non-Middle East discussion of American foreign policy is to examine the federal budget. Since the 1970s, the percentage of the federal budget spent on core foreign policy matters, including aid to other countries, has hovered around *just one percent* of the overall total. Of course, that is not counting the Defense Department budget which accounts for about 20% of all federal expenditures. In other words, the military speaks much louder than the diplomats do.

The United States budget for foreign policy is really chump change. There is almost no domestic constituency for this interest (with the exception of the Israeli Lobby) and, to make matters worse, the American public has little comprehension of how little is spent in this area. A November, 2010 poll conducted by World Public Opinion asked respondents to estimate how much of the federal budget goes to foreign aid. The median estimate was 25%! These people thought that a quarter of their federal tax dollars were funding the building of schools and bridges in Pakistan and Peru apparently. Even more shocking, asked how much money they thought would be an “appropriate” percentage to spend on foreign aid the median response was 10%. *That is ten times higher than what is currently being spent.* No wonder the Tea Party and others hate the federal government so much. I would too if those numbers were true.

Again, the United States uses its military to speak far more loudly than its diplomats and its foreign aid budget. The non-military aspects of the foreign policy budget go to a couple of major areas. Among other things, these areas include feeding people and targeting specific health related problems. More could be spent on foreign policy initiatives and that money would probably create a solid return on the investment by way of future trade opportunities. However, given the current fiscal situation, America can get by with its current budget if it spends the money wisely.

There will always be successes and failures with American foreign policy. The key is to have a coherent approach that is realistic, pragmatic and centered around achieving our national interests. This approach should be as far removed from domestic politics and partisanship as possible. Let's take a look at two different situations which illustrate both the great potential of American influence and the tremendous pitfalls of overreaching.

An example of a Radical Moderate approach to foreign policy and of an American success story is the George W. Bush initiatives to combat HIV/AIDS in Africa. During his tenure, Bush tackled this issue in a comprehensive and powerful way. Initially, he assessed that only fourteen countries accounted for 50% of the HIV infections in the world (twelve in sub-Saharan Africa and two in the Caribbean). He then pushed an ambitious plan to combat the problem called PEPFAR (The President's Emergency Plan for AIDS Relief). The plan cost \$15 Billion over five years. When it was first proposed in late 2002, the American economy was struggling and Bush advisers were concerned that the American public would not understand why they were spending that much money to benefit foreign countries. Bush, though, was thinking big. He wanted to establish "a medical version of the Marshall Plan". Indeed, PEPFAR became the largest international health initiative to combat a specific disease in the history of the world. And to those concerned with the cost of the program, Bush made a full-throated Radical Moderate argument in his book, "Decision Points", saying:

I was willing to take on that objection. I was confident I could explain how saving lives in Africa served our strategic and moral interests. Healthier societies would be less likely to breed terror or genocide. They would be more prosperous and better able to afford our goods and services. People uncertain of America's motives would see our generosity and compassion. And I believed the American people would be more supportive if we could show that their tax dollars were saving lives.

Exactly. That is long-term thinking to attack an immediate problem. It was bold. It made common sense. PEPFAR was very Radical Moderate.

PEPFAR also had measurable results. By January 2009, PEPFAR had supported treatment for 2.1 million people and care for more than 10 million people. American taxpayer dollars had helped protect mothers and babies during more than 16 million pregnancies. More than 57 million people had benefited from AIDS testing and counseling sessions. By all indications, this was money well spent.

One lesser known aspect of the fight against the disease in Africa was the method Uganda employed to prevent people from contracting HIV/AIDS in the first place. Their aggressive campaign was known as ABC: Abstinence, Be faithful, or else use a Condom. The simple strategy worked in Uganda – according to estimates, Uganda's infection rate dropped from 15 percent in 1991 to only 5 percent in 2001. The slogan was easy to understand, made sense and retained a level of morality by encouraging people to view sex in a respectful context.

An example of how not to conduct foreign policy was the American involvement in Somalia during 1993. This engagement was formerly known as the Battle of Mogadishu but is more popularly known as "Black Hawk Down". American involvement in Somalia

started out with the best of intentions. However, the mission got overly ambitious and ended tragically.

The situation in Somalia in 1993 was dire. In 1991, the President of Somalia was overthrown by a group of opposing clans and a civil war broke out in response. The civil war killed tens of thousands of people. It also destroyed the Somali agricultural system and that led to massive starvation in the country. The international community responded by sending food supplies to stop the starvation. However, as much as 80% of the food was hijacked, brought to local clan leaders, and often exchanged with other countries for weapons. This made the problem worse. Estimates show that around 300,000 died of starvation with another 1.5 million displaced during 1991 and 1992.

In August 1992, President Bush authorized U.S. military transports to support the U.N. relief effort in Somalia. When that action did not work, the United States launched a major coalition operation in December 1992 that seized a section of Mogadishu which included the port and airport facilities. This military action made it feasible to deliver humanitarian aid to the Somalia citizens more effectively. If the mission had stopped with this endeavor, it might have proven to be a success. It did not.

In March 1993, the United Nations, with the U.S. leading the Unified Command, decided to get more aggressive and tried to help establish order in Somalia *beyond* the original mission of humanitarian aid. This led to a failed attempt in July, 1993 by U.S. forces to kill a factional military leader, General Aidid. The attack backfired and probably led to turning the Somali population against United States and U.N. forces. The troops had originally come to help, but now were being viewed as occupiers.

This was the setting for the “Black Hawk Down” tragedy that occurred on October 3rd and 4th, 1993. The mission was designed to capture two of General Aidid’s closest advisers. The extraction was to occur in a densely populated center of Mogadishu containing buildings and other big city obstacles. The U.S. used Black Hawk helicopters to transport elite soldiers into the area. Had the mission been successful, the captured aides would have been taken away by ground forces and it all would have been over in 30 minutes.

The mission was knocked off track at the beginning when a Task Force Ranger fell from a Black Hawk while trying to fast rope down to his target. From that point on, the mission just got progressively worse. The local Somalis started to organize against the mission, helicopters and ground forces came under serious fire and the tragedy had begun. By the next morning, 18 U.S. soldiers were killed and another 73 were wounded. The seventeen-hour long battle was the bloodiest since the end of the Vietnam War. In the following days, the bodies of dead American soldiers were dragged through the streets of Mogadishu and the images broadcast worldwide.

The “Black Hawk Down” tragedy was not caused by a Ranger falling out of a helicopter. The failure was in believing that the United States could utilize its military to deeply engage in a civil war in Somalia and be successful. Somalia had been a country of warring clans for decades. Their problems were internal and their situation was chaotic. The United Nations had the right instinct to help out with humanitarian aid but they did not fully appreciate that Somalia was unique. Food was being utilized to gather the support of clan leaders and also exchanged for weapons. The initial help of the U.N. was like throwing gasoline on the fire. Furthermore, once the humanitarian aid did start to become effective the U.N. went a bridge too far by engaging in “nation-building”.

A Radical Moderate is not against all intervention in foreign countries. However, the bar must be set very high before interfering in the affairs of countries engaging in civil war. The safeguards need to be clear and absolute in execution. As the Somali experience has shown, even humanitarian efforts can quickly denigrate into situations that are out of control. If the United States is going to use its military for foreign policy objectives, it should either be fully at war with Congressional approval or in the background giving assistance to combatants while avoiding the fight directly. The world can be a cruel and awful place but the United States should never be cast in the role of serving as its policeman.

These are two specific situations that may or may not be indicative of the overall foreign policy of the United States. So, how has American intervention worked in general over the years? Has it been able to “export democracy” to other countries effectively? The answer is probably “no”. A 2006 study by New York University professors, Bruce Bueno de Mesquita and George Downs, evaluated all the U.S. interventions in foreign countries since World War II. Their conclusion was that the interventions did little to bring about substantive democratic reforms in the target countries. In fact, in some cases the interventions may have hurt the process. While the interventions were no doubt well-intentioned they actually were ineffectual overall.

My personal observation is that American military involvement in foreign countries has generally been unsuccessful. The main problem is that involvement is ultimately to serve this country’s national interests and those interests usually do not align with what the people of the other country. Furthermore, it typically does not take long for the public image to change from being “liberators” to being “occupiers”. This is what happened in Afghanistan when the American military stayed too long in the last decade.

America has come a long way from its origins. Our ancestors left Europe partly to get away from all the wars and strife that went along with the Old World. George Washington knew that world all too well and warned against becoming entangled in it. So, when did those isolationist instincts start to change? When did this country start becoming more aggressive about becoming involved with the problems of the rest of the world? It would be easy to blame it all on George W. Bush but the beginnings of this thought process came much earlier than him. It likely started in earnest with the “Root Doctrine”.

Most people have never heard of “The Root Doctrine”. I sure had not prior to researching for this book. In 1905, Elihu Root was appointed Secretary of State by President Theodore Roosevelt. Some historians believe “The Root Doctrine” was a precursor to the “The Bush Doctrine” of the early 20th century. A Nobel Prize winner and senior policy spokesman for the Republican Party, he described the “right of self-protection” in a address to an audience at the American Society of International Law. The former U.S. Secretary of State proclaimed the sovereign right of a state to take early action to “prevent a condition of affairs in which it will be too late to protect itself.” That sounds a great deal like the rhetoric of pre-emptive war.

Elihu Root may have sparked the thinking of pre-emptive action but it was surely the realities of the post-World War II world that created an environment that led to its implementation. When the United States and the Soviet Union became the two superpowers in the world, the stage was set for a more aggressive American foreign policy. When President Truman in 1947 stated America would support Greece and

Turkey against Soviet aggression the Cold War was basically kicked off. It was Truman's Doctrine of containment that would become the guiding principle of American foreign policy all throughout the Cold War. That policy essentially led us to supporting any "petty dictator" that would sign up as an ally and provided the intellectual justification for the Vietnam War.

I was not alive in the 1950s and 1960s. I cannot really speak to the level of apprehension that people felt toward the Soviet Union and the possible "spread of communism" to the rest of the world. I accept that it was a very real and genuine concern. There is no question that both Republican and Democrat Presidents considered it real and that events such as the Cuban Missile Crisis literally could have meant the end of the world. Therefore, I am not trying to provide a revisionist history. There is no specific criticism of the foreign policy decisions that were made during that era. Our government did the best that it could – of that I have no doubt. However, it did not learn fast enough from those lessons. Even into the 1980s it was believed that the Soviet Union was still a serious threat when in reality it was not anymore. It collapsed under its inferior economic and political system. And, it would have done so with or without increased American defense budget spending during the Reagan years.

Even giving President Reagan all possible doubt, though, there was absolutely no reason for President Bush to go as far as he did in pre-emptive war. Al-Qaida is a real and dangerous foe but it is no Soviet Union. That is why Iraq was a colossal mistake. Of course, while Al-Qaida was one of the rationales for entering Iraq the terrorist group was never actually there until after the invasion. That is why America must now turn back to a less militaristic solution for world problems and toward a more economic development paradigm.

This begs the question: what does the Radical Moderate approach to foreign policy look like?

First, American foreign policy must start thinking more long-term. It must stop being reactionary to every development in the world. It needs to employ more strategic thinking rather than just tactics. Every American action has a reaction and that impression will last a long time in the country where it chooses to act, especially when it involves its military.

Second, some principled rules of engagement must be established that are meaningful and that the people are willing to defend. Exporting freedom and democracy are those principles. However, those objectives cannot be achieved by using the philosophy of the "means justifying the ends". It matters how countries develop and the desire has to start with the people of that nation. They must have the will to make a change or it will never work.

Third, using the military to lead our foreign policy efforts must stop. Occupying foreign countries can no longer be afforded. There is a really bad track record in this area. Not just for the United States, but for all the former imperialist empires that tried to rule through force rather than by winning hearts and minds. That is why the George W. Bush approach with PEPFAR is a good model to follow. American style democracy and capitalism is a great message that needs to be spread throughout the developing world. Leading with diplomats will be more effective than leading with troops.

Fourth, the temptation to get involved everywhere must be resisted. There are times when simply saying "no" is the best answer. Not only is it a bad policy to be the world's

policeman, it is simply not affordable given the domestic fiscal situation. It is important for the United States to understand its limitations and act within them.

Fifth, pragmatic thinking is needed to act with common sense in mind. A great example is the way that President Obama handled the fall of the Gaddafi regime in Libya during 2011. He let the French take the lead, he let American air power provide support, but ultimately it was the Libyan people that had to fight their own battle for freedom. There is reason to believe that Libya was a unique situation ripe for Obama's cautious and pragmatic approach. Regardless, it is a good precedent to follow in the future wherever possible.

Sixth, lessons need to be learned from history. Almost all "new developments" are similar to something that happened before. All world events need to be placed into the proper historical context. In that spirit, I want to share a great quote from former Secretary of Defense Robert Gates.

Robert Gates had a vast amount of experience with American foreign policy. He served in the Central Intelligence Agency and the National Security Council for 26 years. He was Director of the CIA for President George H.W. Bush. He finished his career by being the Secretary of Defense from 2006 to 2011 and thereby serving the diverse interests of Presidents George W. Bush and Barack Obama. Robert Gates is a guy who loves his country and wants to protect it at all costs. He is also a guy that knows a little bit about history. In a press conference held in November 2010, he was asked about the leaking of American intelligence and diplomatic cables by an entity known as "WikiLeaks". Gates, who knew he was retiring the following year, gave the blunt and very honest following answer:

Let me just offer some perspective as somebody who's been at this a long time. Every other government in the world knows the United States government leaks like a sieve, and it has for a long time. And I dragged this up the other day when I was looking at some of these prospective releases. And this is a quote from John Adams: 'How can a government go on, publishing all of their negotiations with foreign nations, I know not. To me, it appears as dangerous and pernicious as it is novel.'

Now, I've heard the impact of these releases on our foreign policy described as a meltdown, as a game-changer, and so on. I think those descriptions are fairly significantly overwrought. The fact is, governments deal with the United States because it's in their interest, not because they like us, not because they trust us, and not because they believe we can keep secrets. Many governments — some governments — deal with us because they fear us, some because they respect us, most because they need us. We are still essentially, as has been said before, the indispensable nation.

So other nations will continue to deal with us. They will continue to work with us. We will continue to share sensitive information with one another.

Is this embarrassing? Yes. Is it awkward? Yes. Consequences for U.S. foreign policy? I think fairly modest.

A Radical Moderate agrees with every word of Gates statement. Foreign policy is at its best when one is an "indispensable nation" to the rest of the world. The fiscal house

must be put in order so that the American economy can continue to grow. For example, the minds of the Chinese government leaders will never change on human rights until that country develops their economy to a point that their own citizens demand reform. If the United States beats them at capitalism first and foremost: the rest will take care of itself.

One has to only look at the Vietnam experience to understand that economics is a far greater foreign policy currency than the American military. In 1975, the Communists in North Vietnam defeated South Vietnam and ended three decades of American intervention in that country. However, just twenty years later in 1995, the United States normalized relations with Vietnam. In 2006, the United States exported \$1.1 Billion in goods to Vietnam while importing \$8.6 Billion in goods from them. In other words, they decided to let bygones be bygones and start making money off of the United States. Isn't capitalism a grand thing? One almost never goes to war with people when they become indispensable trading partners.

This chapter on foreign policy is not meant to be all-encompassing. There are serious situations all across the globe that deserve the attention of the American government that are not mentioned here. However, this country is at a time in history when it needs to focus inward as a way of influencing the outside world. A Radical Moderate believes that the best way to project a strong America to other countries is to start by being a stronger country at home.

The United States of America has always been exceptional. It is the world's oldest democracy. It has the strongest economy that this planet has ever seen. When provoked, it has never failed to rise to the challenge of beating back Nazi Germany, Militaristic Japan or the Communist Soviet Union. It can continue to be a leader in the world but it is not necessary to accept all of the world's burdens upon its shoulders. The United States will actually be viewed as a greater power if it shows more discretion in picking its fights. In the end, America is an idea more than a set of borders. It is those ideals that should guide the future foreign policy course. By staying true to the best of its principles the United States will always have allies in the world and will always be strong. Listen to George Washington – he knew what he was talking about.

Chapter Thirteen: War And Peace

In the previous chapter, I argued strongly that the United States should be working harder to avoid going to war. In particular, I argued that war should be a necessity as opposed to a choice. War is different in kind from typical foreign policy involvement. War comes into play when the national security interests of two or more nations (or political organizations) can no longer be solved by diplomacy. War has been with the human race since the beginning of time. War will always be with us in one form or fashion. A Radical Moderate wants peace but not at the cost of freedom. We understand that war is bloody, brutal, expensive and should never under any circumstances be entered into without the highest levels of public discourse and transparency. An unjustified war can have a hugely negative effect upon the country.

A Radical Moderate must be a student of history. Knowing history leads to an understanding of context. Context is the only way that one situation can be compared to another situation through an analogy. Without the proper context, an analogy can

become so misplaced and misleading as to render it harmful. Therefore, let's start at the beginning and make sure we have a basic understanding of America's history with war.

The American Revolutionary War (or American War of Independence) was fought between 1775 and 1783. This was the quintessential example of why one should go to war. In hindsight, the validation for the war was clear: nothing short of liberty versus tyranny was at stake. At the time, though, not everyone was convinced of this rationale. Some Americans believed that they could work with the British and that over time things would get better. It took patriots such as Patrick Henry to articulate what was at stake. If you have never read his speech to the Virginia Legislature on March 23, 1775 in full you are doing yourself a disservice. The context is that Henry was trying to convince state legislators that war was imminent and they needed to make a stand. I have included some key quotes to frame the debate of the time:

No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the House. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen if, entertaining as I do opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the House is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate.

.... Sir, we have done everything that could be done to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope.

.... It is in vain, sir, to extenuate the matter. Gentlemen may cry, Peace, Peace-- but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!

People do not express themselves with words such as these anymore. Less than a month after this speech was given, the Revolutionary War began on April 19, 1775, with the Battles of Lexington and Concord.

The importance of Patrick Henry's speech is that it respected the opinions of those that wanted to continue diplomacy while at the same time dismantling their argument

piece by piece. This was America's first war and our national independence was borne out of it. This war can provide many lessons.

First, the Revolutionary War was completely in self-defense. Britain was in control of the economic and political machinery of the country. It controlled everything important about how life was lived. In addition, it was showing the propensity to engage in violence to stay in control.

Second, America won the Revolutionary War because it had the moral high ground and it wanted to win more than the British. American troops were fighting to preserve their homes and a way of life. The British troops were an ocean away from their homes and were only trying to preserve the economic bounty that came from controlling a colony. American troops used the vast terrain and guerrilla tactics to spread the enemy thin.

Third, the struggle that led to victory in the Revolutionary War also led to the evolution of the system of democracy. The United States Constitution was adopted in 1787 while the war was still very fresh on the minds of the drafters. That document, along with the Bill of Rights adopted in 1791, form the infrastructure of the republic form of democratic government even today. The drafters took the lessons of the war and put them down on paper so that no American would ever forget how great a price was paid for their freedom.

The War of 1812 was essentially a continuation of the bad blood between the United States and the British Empire. There were a variety of causes that led to the war declaration in June of 1812. Trade, the policy of impressment and British involvement with Indian tribes all played a hand in the run-up to the war.

Starting in 1807, the British instituted a number of trade restrictions against the United States designed to impede American trade with France, with whom the British were at war. A second reason for friction was the British policy of impressment whereby the empire would try and take back navy deserters that were naturalized American citizens. An overreaching of the practice also led to some American citizens that had never been British citizens being impressed. Finally, America was trying to expand westward into what is now the Midwest. The British sided with local Indian tribes and provided them with arms.

When the United States did declare war in 1812 it was the first time that Congress had made such a declaration. The action was not unanimous. Rather, it passed in the House of Representatives 79 to 49 and in the U.S. Senate by a vote of 19 to 13. Neither side was particularly prepared for this war or very passionate about prosecuting it. It would end as a stalemate with the Treaty of Ghent on December 24, 1814 even though fighting continued until February, 1815 when word reached the United States. The major long-term consequence of the War of 1812 was to convince Britain to stay out of America's business. The two countries have been allies ever since.

A Radical Moderate views the War of 1812 as an extension of the Revolutionary War. It was essentially a skirmish wherein the two sides were jockeying for position. Neither side consolidated their forces in a significant enough manner to strike a decisive blow against the other. The inertia of the situation was that America was taking hold of its own destiny and Britain did not have the stomach to do anything about it. Once that was resolved, friendship evolved over time. After all, the same language is spoken, the judicial and legislative systems have the same roots, and extensive trade with each other

existed. It was similar to having two estranged brothers meeting up in a bar fight and deciding to reunite after all the tensions had been exhausted.

The Mexican-American War was fought from 1846 to 1848. Ironically, the origins of the war began with Texas Independence in 1845. The irony is that Texas Independence began with Moses Austin and his son, Stephen F. Austin, and their efforts to bring American immigrants into Mexican territories. In other words, in those days, the Americans were the ones that were not wanted by the Mexican people instead of the other way around. The Texas Revolution of 1836 put the United States and Mexico on a collision course. The United States annexed Texas in 1845 knowing that it would bring about a war.

The Mexican-American War was not a classic self-defense measure. Rather, America was still defining its borders during that time period. This included efforts to settle California and the west coast utilizing a larger strategy known as Manifest Destiny. The war was really a battle over who had the greatest claim to the lands involved. The war became a necessity once the population of American immigrants reached a tipping point whereby it was not going to go backward. There are not that many lessons to be learned from this particular war.

The Civil War is the most perplexing of all the wars that this country has fought. The reason is simple – it was fought against itself. The rationale for the war was completely justified. There was no other choice available to President Lincoln who wisely opined that “A house divided against itself cannot stand”. The Civil War was borne out of the necessity that America was one country, not just the sum of individual states. Slavery was a driving force, to be sure, but preservation of the union was the most important justification to fight such a costly war.

The Spanish-American War was not a war of necessity. Rather, America was drawn into the war because of the proximity of the area in dispute, Cuba, and because of the negative public sentiment toward Spain among the American people. This war was fought in 1898 following continued conflicts between Spain and Cuba. Cuba had asserted its autonomy in January of 1898 and Spain was having a hard time dealing with that. The American people had become engaged because of significant newspaper coverage from the Pulitzer and Hearst publications in New York. Spain was viewed as an imperialist subjugating the Cuban people. Also, American business had a strong interest in Cuba.

The war might have been avoidable except for the events of February 15, 1898. President McKinley had sent the U.S.S. Maine to Havana, Cuba as a show of force and in case a war was inevitable. On February 15th, the U.S.S. Maine was sunk making its presence in case of a war a self-fulfilling prophecy. To this day, there is no conclusive evidence available to determine whether it was an internal explosion or an enemy’s attack that caused the sinking. That did not matter to the New York papers. They convinced the American public that the Spanish had sunk the ship leading to the famous battle cry of “Remember the *Maine*! To hell with Spain!”.

The justification for this war was self-defense and necessity. The American people were rightfully inflamed by what they read in the New York newspapers although much of it was overdramatized or even made up. The United States really entered this war because it was close to home and it had been flexing its muscles over the territories in and around the hemisphere since the declaration of the Monroe Doctrine of 1823. That

doctrine stated that further efforts by European countries to colonize land or interfere with states in the Americas would be viewed as acts of aggression requiring United States intervention.

America won this war swiftly and ended up with the additional territories of the Philippines, Guam and Puerto Rico. The acquisition of the Philippines led to American annexation and a three-year war between the United States and Filipino revolutionaries. The loss of Cuba proved disastrous for Spain and their empire never recovered. From a Radical Moderate perspective, this was a war that looked necessary though it really wasn't. However, it falls under the category of protecting national security by stretching the borders and pushing back against the last of European imperialism.

World War I was fought between 1914 and 1918 and was truly the first global war involving all of the major powers of the world in military conflict at the same time. The United States, led by President Woodrow Wilson, tried to stay out of the war as long as possible and did not formally enter the battle until war was declared on Germany in April of 1917 following the sinking of seven American merchant ships.

World War I was truly a senseless war. It began haphazardly when the June, 1914 assassination of Archduke Ferdinand of Austria by a Yugoslav nationalist triggered a series of war declarations mandated by antiquated alliances between countries throughout Europe. All the European war declarations then spread to their colonies and the war was worldwide within weeks. The way the war was fought was even more senseless. Advances in technology without corresponding advances in mobility led to the loss of nine million combatant lives. At the end of the war, the lines of battle had changed very little and the whole affair left most people wondering why the war happened in the first place.

From an American standpoint, the involvement in the war was necessary. It was a war of necessity not because of the direct attack but because the breadth of the war was so large there was no way to avoid collateral involvement. It was viewed as a choice up until the sinking of the ships at the hands of Germany. Then it changed to a necessity. Following World War I, the conflict was viewed by the American people as a foreign entanglement created by the same European thinking that they had sought to free themselves from during the American Revolution. As late as 1937, public polling showed that 60% of the American public viewed its intervention in World War I as a mistake. Most Americans just wanted to be left alone by the Old World. It would take the fall of France and a treacherous attack on Pearl Harbor to change that view.

World War II is the best example in American history of why war as self-defense is both necessary and morally justified. The forces of tyranny led by Adolf Hitler and Japanese militaristic zealots were poised to rid the world of freedom and democracy. The Great Depression (which existed globally) led otherwise thinking people in Germany and elsewhere to follow anyone that could create order and prosperity. Out of that dismal time came one of the most diabolical monsters of modern recorded history – Adolf Hitler. Hitler would have taken over the world if Great Britain, Russia and finally the United States had not stood in his way. Following Pearl Harbor, the American people rose to the occasion and tipped the balance of the war against the axis of evil. That was a proud moment in this country's history. However, the lessons of World War II were not followed in the rest of the 20th century. World War II was the last time that the United

States put everything together and had the moral justifications along with the financial structures to wage and win wars that created lasting peace.

The Korean War was really a proxy war fought from 1950 to 1953 within the context of the larger Cold War. On one side was North Korea, backed by China with material support from the Soviet Union. On the other side was South Korea, backed by the United Nations and the United States. The tactical issue was the settling of a border between the two countries following the end of World War II.

The true driving force of the Korean War is that China had fallen to the communists in 1949. That shook America to the core because now it faced the specter of fighting communism not only from the Soviet Union but also from the largest population on the planet, China. Of course, it is now fully understood that the brand of communism practiced by the Soviets and the Chinese was completely different. That was not understood at the time, though. North Korea had been a solid ally to the Chinese communists and this alliance was paid back by the Chinese when North Korea needed aid.

The Korean War is usually overshadowed in modern American military history by World War II and the Vietnam War. Its lack of popular recognition led it to be dubbed “The Forgotten War”. At the end of the day, the Korean War was a war of choice that was short-lived enough that it did not harm the long-term interests of the United States. However, it likely made it easier for America to fall into the Vietnam War in the 1960s.

The Vietnam War is the classic example of a war of choice. This protracted quagmire was not a self-defense measure, served no true national security interest, and had no clear objectives at any point. The war between North Vietnam and South Vietnam officially lasted twenty years from 1955 to 1975. American military advisors were in South Vietnam as early as 1950 but the United States did not fully enter the conflict until August 7, 1964 when the “Gulf of Tonkin” resolution allowed President Lyndon Johnson to officially use military force without a declaration of war. Much like the sinking of the U.S.S. Maine in 1898, alleged military entanglements between the North Vietnamese and two U.S. destroyers, the *Maddox* and the *Turner Joy*, provided the public relations opportunity for the Johnson Administration to push the United States into a full blown military conflict.

The rationale for American involvement in Vietnam was that the forces of communism were working their way through southeast Asia and that if one domino fell then the rest would fall behind it. Therefore, the United States was really fighting the Soviet Union in a Cold War showdown by using the proxies of North and South Vietnam. If that had really been the case, if the United States and the Soviet Union were truly battling in this war, then that might have provided a justification for the entry into and prosecution of the war. However, a Radical Moderate does not buy this rationale. Rather, the Vietnam War was ultimately a civil war between the North and the South that would have played itself out with no consequences to American interests if this country had managed to stay away from the conflict.

While it is now clear to a Radical Moderate that American involvement in Vietnam was a mistake, it is likely that at the time involvement might have seemed reasonable. Radical Moderates, after all, are not peaceniks. We believe in armed conflict when there are strong national interests involved or when it is a war of necessity. In the 1960s, the Cold War was very real. Many of us would have listened to the arguments that

involvement in Vietnam was a necessary evil. However, we have now learned a critical lesson in our history of American wars. Let there be no doubt – Vietnam was a mistake that was simply not understood as such at the time.

The First Iraq War (also known as the Persian Gulf War) was a war of choice that achieved all of its limited tactical and strategic objectives. It only lasted from August, 1990 to February, 1991. The rationale for the war was that Saddam Hussein was an aggressor that needed to be contained following his invasion of Kuwait. It is true that Hussein was a tyrant aggressor but that is not why the United States got involved. The United States got involved because it needs oil supplies from the Middle East to fuel its quality of life. This quality of life has risen to the level of a national security interest.

There is no question that the First Iraq War was executed brilliantly. The best decision came when President George H.W. Bush decided to show restraint and not send troops all the way to Baghdad. Many criticized him at the time, but he understood that it was not in the best interests of the United States to occupy Iraq.

Ultimately, the First Iraq War would lead to unrealistic expectations of modern warfare and lead America back into the region a decade later. The problem with the war was one of public perception. Americans were led to believe prior to the war that Iraq would put up quite a battle and that the war would be protracted. Saddam Hussein had declared this conflict would be the “Mother of All Battles”. When the troops rolled over the Iraqi defenses easily many citizens unrealistically believed that warfare had changed in American favor. Many believed that smart bombs and better communication tools would lead to a victory in any theater at any time. In short, President Bush made it look easy, the American people wrongly believed in this premise, and that arrogance would lead this country back into an Iraqi quagmire a dozen years later. This was a war of choice that worked at first but really was a failure in the end.

The Afghanistan and Iraq II Wars were both initiated under the watch of President George W. Bush in 2001 and 2003, respectively. While both armed conflicts took place during the same time period they could not be more different from the standpoint of moral justification. Afghanistan was a war of necessity borne out of the suicide attacks orchestrated by Osama bin Laden and his followers in Al Qaeda. It was quickly determined that Al Qaeda had essentially taken control of parts of Afghanistan and the only way to strike back at that organization was to start a war in that country. It was the right move and the war had the support of all major nations of the world. The United States was winning the Afghanistan War when it took its eye off the ball and started focusing on Iraq and its tyrannical leader, Saddam Hussein.

There is no question that Saddam Hussein was an evil dictator. He murdered his own people and had delusions of world domination. He was a menace and the world became better off when he was removed from power. Still, only the judgment of history will know, but it is likely that the price paid for Hussein’s removal was greater than the benefit to the world. The Arab awakening toward greater freedom and democracy that occurred in early 2011 may or may not have had anything to do with Hussein’s downfall. It might have been the cause or it might have happened independently. What is known is the rationale for waging a war in Iraq was among the weakest that this country has ever had.

The Second Iraqi War bears no resemblance to a war of necessity. President George W. Bush tried to make the case that Saddam Hussein was harboring terrorists and

stockpiling weapons of mass destruction. His political allies even alluded to the idea that Iraq had something to do with the 9/11 attacks. Iraq, as history is now quite clear about, had absolutely nothing to do with the 9/11 attacks. Furthermore, Iraq posed no real threat to American national security interests. Iraq was a war of choice and a very bad one.

The even greater sin of these two wars is that neither one of them was paid for with current revenues. Rather, the government borrowed every dollar that was required to pay the troops and buy the military materials. At no point were the American people asked to sacrifice in any form or fashion. Quite to the contrary, President Bush cut taxes to levels below where they were during the boom decade of the 1990s. In short, the country acted as if it could have both its guns and its butter. It cannot and it did not.

I now direct you back to Patrick Henry's quote to frame how all war should be viewed by the American public and by its elected leaders. Henry stated that "in proportion to the magnitude of the subject ought to be the freedom of the debate." War, formal or informal, should require the highest level of disclosure, debate and thoughtfulness. No other area of the democratic government has such an immediate and final impact upon the lives of the people. When a country goes to war, there will be bloodshed. This is different in kind from debating a tax cut or where to locate an interstate.

Modern day war has become somewhat trivialized during the television era. It is time to return war to a more grave status in our political discourse. It should be written into law that several things have to occur before the United States engages in armed conflict. First, everyone should be subject to service and sacrifice. Everyone. That means whether one is rich or poor, educated or uneducated, a citizen must either serve in the military or sacrifice something in his private life. Otherwise, the country is not really at war. Second, only the U.S. Congress should be allowed to get the country into a full blown military conflict. Third, all wars should be paid for out of current revenues or, at least, earmarked specifically and with full disclosure.

Let's examine the first principle: shared sacrifice. During World War II, everyone had to sacrifice something. The rationing of food, gas and clothing was simply part of daily life. Such basic items such as coffee, shoes and tires were part of the rationing program. Why did this occur? There was no other choice. These items were needed to feed, clothe and supply the troops in the battlefield. This shared sacrifice meant that everyone had to be on board with the commitment involved in prosecuting and winning a global war. Sacrifice is the first principle that must be achieved if a war is to be truly waged and won.

In today's world, the only people that sacrifice during an armed conflict are the soldiers and their families. Everyone else just watches the headlines pass by on the television set. Many Americans don't even watch. This is certainly unfair to the troops. However, the bigger issue is that the true cost of war is hidden from the American people. They don't feel any sacrifice so they largely, and wrongly, assume that no sacrifice is required. This must be changed. In the future, if the United States really needs to go to war, there should be shared sacrifice in all aspects of the peoples' lives or the nation should hold onto its gun powder.

The greatest sacrifice that a person can make toward a war effort is by serving in uniform. The draft was abolished late in the Vietnam War. It was tremendously unpopular and helped to unravel the underlying justifications for waging the war in the

first place. Moreover, even when there was a draft, not everyone was required to serve. Deferments were available for people attending college. In other words, so-called “smart kids” got a free pass while the kids from the other side of the tracks were left to put themselves in harms way. That is no way for a democracy to operate. If the United States is going to be involved in a prolonged armed conflict then there should be a draft and that system should include everyone of the appropriate age who has the required physical capabilities. That would truly be a shared sacrifice.

The U.S. Constitution is very clear on the issue of war. Article I, Section 8 of the Constitution states – “The Congress shall have Power: To declare War...” The Congress also has the power to fund wars. While the President is the Commander-in-Chief, he is not the ultimate decider of whether to engage in the first place. Now, this is certainly antiquated in some respects. There are several modern day realities that the Founding Fathers could not have been expected to foresee. Clearly, the President is the best suited to make the decision of whether and how to respond to a nuclear missile attack. The President is in the best position to order an attack to capture or kill a terrorist like Osama bin Laden. However, the power of the Commander-in-Chief should not extend to prolonged conflicts.

The U.S. Congress tried to reign in the awesome powers of the Commander-in-Chief with the War Powers Resolution of 1973. The Resolution came into being as the Vietnam War was winding down and had to be enacted by both houses over the veto of President Nixon. There had been growing frustration and lack of trust because neither the Korean “Conflict” or the Vietnam “War” were ever formally declared by Congress. For example, the Gulf of Tonkin Resolution formed the legal premise that Congress approved of American involvement in Vietnam. The 1973 joint resolution of Congress has the effect of law. It is instructive to look at the key provisions of the resolution which state:

Sec. 2c.: The Constitutional powers of the President as Commander-in-Chief to introduce U.S. Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) statutory authorization, or (3) a national emergency created by attack upon the U.S., its territories or possessions, or its armed forces.

Sec. 3.: The President in every possible instance shall consult with Congress before introducing U.S. Armed Forces into hostilities or situations where imminent involvement in hostilities is clearly indicated...

Sec. 4a. In the absence of a declaration of war, in any case ...the President shall submit within 48 hours to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth:

- A. the circumstances necessitating the introduction of U.S. Armed Forces;
- B. the Constitutional and legislative authority under which such introduction took place; and
- C. the estimated scope and duration of the hostilities or involvement.

...5b. Within 60 calendar days after a report is submitted or is required to be submitted... the President shall terminate any use of U.S. Armed Forces... unless the Congress (1) had declared war or has enacted a specific authorization for such

use of U.S. Armed Forces, (2) has extended by law such 60 day period, or (3) is physically unable to meet... Such 60 day period shall be extended for not more than an additional 30 days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of U.S. Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces...

5c. Notwithstanding subsection b., at any time that U.S. Armed Forces are engaged in hostilities outside the territory of the U.S... without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution...

When one reads these provisions it is easy to come away believing they are fairly well thought out and sound reasonable. Most Americans, though, do not even know that the 1973 War Powers Resolution exists. One of the reasons is that the law is typically ignored, or at least not considered the final authority, by Presidents of both political parties. Some legalists argue that the resolution is unconstitutional. Regardless, it has not altered the basic structure that the U.S. President will be making the critical decisions affecting the security of our country whether he calls it a war, conflict, or something else.

A Radical Moderate believes that the U.S. Congress should have a greater role in deciding whether our troops are placed into harms way for an extended period of time. Some will argue that this will make the country 'gun shy' about being involved in other parts of the world. That is exactly the point. Our country should only be involved militarily where there is a compelling reason and imminent danger to the national interests. A casualty of this policy will be less humanitarian intervention. While that is not the goal of this policy, it is a necessary by-product to keep America out of entanglements that cannot be afforded and have no compelling rationale for involvement.

Finally, wars should be paid for appropriately. In recent decades, that has not been done. Rather, the money has been borrowed delaying any financial burdens to our grandchildren and beyond. This leads to a lack of accountability. The people with the most interest in the financial aspect of war (future generations) have the least voice in whether or not to pay for it. This is also a departure from the way war financing has been handled in previous times.

At the height of World War II in 1944, the federal income tax rates ranged from 41% at the low end to 94% at the high end. This is not a misprint. The American people paid a great price to be at war with the rest of the world and they paid that price because nothing less than their freedom was at stake. For comparison, in 2011, the United States was engaged in wars in Iraq and Afghanistan plus military interventions in Libya and smaller skirmishes elsewhere. Still, the federal income tax rates range between 10% and 35%. That reality is incomprehensible and indefensible. In short, there is no willingness, perhaps not even any awareness that wars have costs and that those costs should be paid for right now.

During the Vietnam War, in 1968, a 10% surtax was created to pay for the cost of the war. There is little doubt that this added taxation eroded support for the war. That is the way it is supposed to work. If the American public is not willing to pay for something, war or anything else, then it should not be done.

In summation, there will always be war. Not just American wars, either. The history of the world includes a multitude of wars fought for logical and noble reasons along with wars fought for religious and fanatical reasons. War is the breakdown of civility and as long as human beings have difficulty getting along with each other there will be war. A Radical Moderate is not against the concept of war. Rather, we are against wars of choice. We are against America attempting to be the policemen of the world despite the mountain of evidence which demonstrates this will never work as a long-term strategy.

War is and always will be a world reality. War, though, should be a little harder to get drawn into – especially for the United States. The American people should be forced to pay the costs when at war. All young adults in America should be subjected to a draft when at war. All Americans should be required to sacrifice during a war. War is bloody. War is costly. That blood and those costs should be shared by everyone or no one.

Chapter Fourteen: Miscellaneous Issues

There are many important issues that never show up on polling data as being of any concern to the American people. That does not mean they are not important and it doesn't mean that the issues do not have an effect on daily life. They may be out of sight and out of mind, but they are not irrelevant. This chapter will touch on a couple of these issues. They are not particularly controversial. Most people agree that something should be done but they just wouldn't spend any amount of time doing anything about it.

Some of the underrepresented issues include human trafficking, genocide, world hunger and homelessness. I include homelessness on the list not because it is starved for attention, but because it is starved for an innovative way to solve it. Radical Moderate philosophy believes that all of these issues need and deserve our attention. They are unique, they are difficult, but ultimately they are issues that represent what it means to be part of the human race. In addition, since there is already agreement about them they deserve more focus and resources than currently allocated.

Human trafficking is one of the most sickening practices that exist in the world today. It is essentially a form of modern day slavery. However, in some ways, it is even more despicable than the slavery of America's past. That slavery was primarily the use of labor to produce agricultural crops. While that slavery was terrible and the most shameful period of United States history, it typically did not involve sexual exploitation. Human trafficking does. It involves forced prostitution and reproduction to go along with forced labor.

Since it is illegal, there is no scientific way to determine how widespread human trafficking has become. One United Nations study concluded that 2.5 million people from 127 different countries are being trafficked around the world. A European study stated that the global annual market for human trafficking totaled \$42.5 billion. Whether these estimates are on the high end or not, there is clearly a vibrant human trafficking trade throughout the world. That trade has devalued human life and placed an economic value upon a new form of slavery. The only upside is that world opinion has progressed enough that everyone understands all forms of slavery should be illegal.

The most troubling thing about human trafficking to a Radical Moderate is that it is based on free markets. There is a tremendous demand by soulless people in the world for

the illegal services provided by the human trafficking industry. Prostitution, child labor and forced birthing are at the center of this market. If ever there was an argument for the government to stop a market from operating this would be it. Only governments can stop this problem. And, those governments should be doing more than they are.

One reason that governments worldwide do not spend much time fighting human trafficking is that their citizens do not fully understand or appreciate how prevalent the practice has become. In comparison to crimes such as burglary and assaults, human trafficking is a very rare occurrence. Therefore, there is not a natural constituency to complain to government officials about a lack of progress to fix the issue. When someone breaks into a house, the police will come right away. When someone sets up a child pornography operation in an area, no one will likely ever know it is there.

I bring up the issue of human trafficking in an effort to build awareness. I am hopeful that someone will come up with a solution that will work better than what is currently being attempted. If you are having trouble appreciating how awful this practice is and why we need to pressure world governments to do something about it, simply answer this question: *"What if it was your child?"*

An equally vexing problem is genocide. Genocide has been described by some scholars as "the deliberate and systematic destruction, in whole or in part, of an ethnic, racial, religious, or national group." There are a lot of ways for this to occur. It could happen when one group of people kills another group. It could occur when a group is forced to live in sub-human conditions such as the Nazi concentration camps. It could also occur when an entire population is prevented from being born or when the living children are transferred away from their parents and shifted to another place.

Genocide has occurred throughout human history. Genocide is the culmination of other really complex problems. In the case of Nazi Germany, the genocide committed against the Jewish people was a way for Hitler to create a scapegoat. The German people were desperate economically and they were looking for someone to blame besides themselves. It was easier to believe that "greedy Jews" had robbed Germany of its wealth than to realize that poor decisions from its leadership and a global Depression were the true culprits. Once Hitler picked his scapegoats, his propaganda machine dehumanized the Jewish people through caricature pictures and by spreading vicious myths. When it came time to build concentration camps, the foundation of hatred had already been built.

In more recent years, a lot of "ethnic cleansing" has been witnessed in Africa and in Bosnia-Herzegovina. In Africa, much of the genocide has occurred within the context of rival tribes trying to essentially win a civil war in a very uncivil way. In Bosnia-Herzegovina, ethnic tensions had been superficially suppressed by the Soviet Union. Once the Soviet Union, and its military, exited the area it was just a matter of time before centuries old scores were settled. Much genocide is carried out in the name of religion such as Muslim versus Christian or Shia versus Sunni. Regardless, all genocides have the common strain wherein the dominate group views the weaker group as less than human. Once one believes that the value of another group's life is zero, the decision to brutalize, torture and kill them becomes much easier.

The root causes of genocide run very deep. They are typically unique to their region and have a historical context that involves competing groups of people. Therefore, the only known way to stop genocides is to use international force in the short-term. In the

long-term, it will require education and enlightenment. Perhaps the development of communication tools such as Facebook will put a human face on warring groups. That might be wishful thinking but at least it is a starting point.

The Radical Moderate philosophy has two opposing principles when it comes to solving the problem of genocide. First, we believe in order. We believe that there are just uses of force. Second, we believe in fiscal restraint. The American taxpayer should not be funding our military so it can be the policeman of the world. These two principles are often in conflict when it comes to genocide. Of course, a Radical Moderate would always want to save lives. However, we realize that foreign entanglements drain precious resources. The use of the military is costly both in terms of American lives lost and the funding it takes to equip and train the greatest arsenal in the world.

I don't have a full answer for this conflict. One of the biggest challenges is that genocide is most often tied to civil war in a country. As was discussed in the Foreign Policy chapter, American intervention to stop genocide should only be conducted when it can be afforded, the objectives are clear and there is international support. Even with that, there must be significant American national security interests to protect. There will be times where the United States will have to decline to get involved because these high standards of engagement are not met.

World hunger is bad. Everyone agrees on this point. A 2010 study of the United Nations Food and Agriculture Organization estimated that 925 million people worldwide are "undernourished". An estimated five million children die each year because of illness related to undernourishment. World hunger has three main causes: 1) Governments that do not properly develop their agricultural crops; 2) Economic recessions that hit the poor more severely; and 3) Rising food prices worldwide caused by a host of reasons. None of these underlying causes are easily solved but there are more workable approaches that can be taken.

Americans of my generation have grown up watching commercials of starving people in Africa. The commercials asked for money to be given to solve the problem. Those organizations were well meaning and many people did give money. However, the problem of world hunger still persists. Why? Because little focus has been placed on solving the long-term challenges. Furthermore, the public perception of Africans is that they are victims in need of our charity. In reality, what they need is our business investment. They need to be taught capitalism and how to fend for themselves.

There are at least two organizations that have the right approach in Africa: Heifer International and Kiva. Heifer International attacks hunger in impoverished countries by focusing on sustainable sources of food and income. They make gifts of livestock or feed and seed along with extensive training on how to make those resources multiply for a village. They seek to give a family a continuing source for food rather than short-term relief. They say give them "a cow not a cup". Heifer has been enormously successful using the empowerment approach to help developing countries during the last sixty-five years.

Kiva is a much newer organization that would have never been created without the internet. Kiva is an entity that connects small business entrepreneur's in developing countries with people that want to donate money. However, the money is actually a microloan instead of a donation. The microloans can be as small as \$25 to help someone

open up a fruit stand or a clothing store. Since its inception in 2005, Kiva has facilitated over \$225 million in loans with a 98.8% repayment rate.

Both Heifer and Kiva are using free market thinking to empower people in impoverished nations have a better way of life. It's important to stop thinking of "hungry people in Africa" and start thinking of "helping grow entrepreneurs and sustainable communities". It is the old maxim of feeding someone fish for a day or teaching them to fish for a lifetime. These are Radical Moderate principles at work. Heifer and Kiva are bringing free market solutions to communities that have traditionally been underserved by the private for-profit economy.

World hunger will never be solved by viewing the hungry as victims. These people need business partners. They need the opportunity to work hard and produce sustainable income for themselves. The rest will take care of itself. Ask yourself this question, would you rather invest your hard-earned money in a partnership with a starving victim or a hard-working entrepreneur? Right now, these are the same people. If they are treated like entrepreneurs then pretty soon they will become that and they will not only take care of themselves but return investments back to the United States through a stronger economy. It can happen.

Homelessness in the United States is an issue that has received plenty of attention throughout the years. Public attention, though, has not really stemmed the tide. That is because not many people really understand why homelessness exists. Most people are quick to hand a homeless person a couple of dollars but take no time to think about a longer term solution. Radical Moderates think long term. We think about solving the problem and not just throwing a band-aid on it.

The definition and statistics surrounding homelessness vary greatly. Homelessness can mean not having a decent, affordable and permanent place to stay. The term can also describe people that do have a place to live but walk the streets all day begging others for assistance. The number of homeless people on any given night in the United States is likely between 500,000 and 1 million people depending upon a number of factors. In a given month, as many as 2 million people might be homeless for a short period of time. They might be housed on the street or more likely in a temporary shelter. They tend to gravitate toward urban centers as opposed to rural areas.

The homeless population is difficult to survey. Most academics agree that there is a difference between the chronic homeless and the more temporary homeless. The chronic population is likely only between 100,000 and 200,000 people. This population is the hardest to help and also receives the bulk of the public attention in terms of perception. The remaining homeless population is diverse.

My purpose for bringing up homelessness is really based on a conference I attended in 2003 in Washington, D.C. while I was working as a deputy prosecuting attorney. I listened to a speech from an East Coast University professor who had studied the issue for many years. I regret that I do not remember his name. What was interesting about his discussion was that he went against the grain of how most people describe the problem. He believed that the homeless population was comprised of three main categories. The first category is people that are challenged in some way such as mentally, physically, or have an addiction and that problem led to their predicament. The second category is people who are temporarily homeless because of economic circumstances generally beyond their control. The third category is people that are basically predators that prey

upon the other two groups. To make matters worse, the three groups are difficult to distinguish thereby making the problem very challenging to resolve.

I don't know if this professor is on the right track or not. However, his analysis rang true for me at the time. The streets are clearly a mean place. Everyone feels sympathy for the homeless population. The government has tried a number of times to "solve" the problem without much success. Churches and other non-profits do the best that they can. A Radical Moderate would have tried the same approaches. However, those approaches don't work very well. The reason might just be there is too much sympathy and not enough tough love. In fact, for the percentage of homeless that terrorize the other groups, they should be dealt with as the criminals that they are. Homeless crimes are likely underreported because the victims still have to live among their oppressors. These victims probably feel as though the streets are a prison and they just have to survive day by day. Reporting crimes to the police is likely a low priority for them and probably for the police too. It is a sad situation.

Is there any hope for the homeless? I remain optimistic. However, the approach to addressing the issue needs to be radical. Here is one idea. I don't ever give people that I meet on the streets money. The chance of them using the money for drugs or alcohol is too high. Rather, time permitting, I will buy them food. Usually the person will say yes. A few times I have actually sat with them while they ate the food and just talked to them about life or the weather. There was accountability for the food donation. I know that they used it properly. One time, though, I was walking into a convenience store and a man in a wheelchair asked for money. I told him "no" but that I would buy him some food. He replied that everything inside was "junk food". I spied a banana and offered to buy it. He refused. Clearly, he wanted the money for alcohol and most people just hand it over without any thought whatsoever. That only make the situation worse.

Instead of giving money, homeless people could be given food coupons that are downloaded off a website. Local restaurants would accept the coupons purchased at the site by scanning a bar code. The restaurants would then redeem the coupons through the website. This would initially solve the problem of the homeless utilizing cash to purchase alcohol and drugs. It is certainly possible that a black market would be created but at least this would be a different approach. The idea might have to be tweaked a hundred times but it has potential. The Radical Moderate approach to a problem is often the hardest and longest path available.

Each of these issues has a solution. The solution may be very difficult to find. The solution may or may not need assistance from the government. Applying innovative free market approaches is better than what has been done in the past.

Chapter Fifteen: Waste, Fraud And Better Management

Everyone is against government waste, fraud and abuse. Every political candidate running for office talks about solving the problems of government through rooting out waste, fraud and abuse. However, few ever achieve the objective. Most, in fact, never even make sustained attempts to do so. Why? First, regardless of whether an entity is public or private, the larger it becomes the more likely it is to be inefficient and suffer from the big three of waste, fraud and abuse. Second, even private companies have a

challenging time eradicating these difficult issues that coincide with running a large enterprise. Third, many of the political candidates espousing governmental reform have no experience reforming anything and are just spouting political rhetoric that they have heard from other politicians. They are just talking off of a sheet of paper that some political consultant handed them.

A Radical Moderate firmly believes that we should manage our government more efficiently. We are against the dreaded waste, fraud and abuse that take place. However, we are against it in the private sector as well as the public sector. We are against the abuses of Wall Street that seem to occur with regularity once a decade or so. We are against the waste that occurs in private enterprises such as that in the auto industry toward the end of the twentieth century. We are against the excesses of a military industrial complex that insists on building unwanted and unneeded fighter planes just to employ people in a powerful Congressman's district or in a Presidential swing state. Waste, fraud, abuse and poor management should be fought against everywhere. There are no sacred cows in our world. Everything is on the table. That is what it means to be a Radical Moderate.

One of the best kept secrets in American politics is that the private sector does not want to deal with many of the issues that the government handles. The private sector does not really want to educate children with special needs because it is very expensive and there is not a good way to measure a student's progress. The private sector does not want to provide electricity to people that live in remote, rural areas because the cost of a transmission line makes it nearly impossible for the endeavor to be profitable. The private sector does not want to deliver mail to these places for the same reason. Police protection? It has already been discussed that this is one of the most accepted forms of "socialism" in the country. The private sector does not want to investigate burglaries and homicides. There is no profit in it unless the victims happen to be super rich and can pay the outrageous amount of money it would take to have their own police force. The private sector is driven by profits. Many of the values that are important to Americans, such as special needs education, rural area equality, and law and order are simply not profitable sectors. Therefore, the government ends up handling these areas on behalf of the entire population. That is how a mixed free market, public investment economy functions.

I should provide one caveat to the statement that the private sector does not want to handle many of the programs that the government runs. It would be happy to handle these services at the right price. The private sector would deliver the mail but it might cost twice as much to do so in rural areas. The private sector would educate a child with autism but it would cost a ton of money. The truth is the private sector is glad that government fills in the gaps so it doesn't have to worry about providing certain services. In fact, it probably makes the private sector more profitable overall because of this and helps it to maintain a competitive advantage. In short, many of the services that government provides actually benefit the private sector by taking them off the table. That is a good thing for the economy overall.

Let's be clear. I am not saying that fraud, waste and abuse cannot be improved upon with better management. They most certainly can. However, the big three are much more a symptom of a problem rather than the root cause. The true problem is that when things get big, they become harder to manage. When the goal is to provide services to

everyone, it is much more difficult than providing services only to people with the means to pay for them. A lot of the inefficiencies of government could be eliminated by simply doing away with almost every major program that the government handles. If the mission of the government was reduced to the military, the law enforcement system and building roads, it would be a lean and mean machine most likely. Now, a lot of children would not be able to afford a decent education. A lot of elderly people would live in poverty. A lot of natural habitats would be polluted or destroyed. But, the government would not have a deficit and people would view it as “more efficient”. The true question then becomes, at what cost government?

A Radical Moderate is always trying to strike a balance. We see major problems with the free primary education system in the United States. In the Education Chapter, I advocated for dramatically different ways of running our school systems. However, *we would still have a public school system*. The chance for every American child to have access to a quality education is a noble and completely attainable goal. New thinking and better management can lead us to that goal.

A Radical Moderate, though, does not believe that just because a government program exists today that it has to exist tomorrow. A conservative will say that while there is waste, fraud and abuse in the private sector, eventually those issues will lead an enterprise into bankruptcy or some other self-correcting transition. This is typically true. A free market will always correct itself in the long run. However, the pain threshold for that correction can be very high as witnessed in the Great Depression. A Radical Moderate, therefore, wants to allow government involvement to fail every once and awhile. That is sometimes the only way to stop the problem. An individual school, or even school district, can fail and be replaced with something new and improved. However, the concept of public schools financed with tax revenues paid by everyone should not be abandoned. Everyone benefits from a strong and competitive public school system, and all should bear the burden of paying for it. As a check and balance, everyone has the right to comment about the waste, fraud and abuse that occurs within the system that they are financing.

Better management of existing government programs and resources would provide clarification. It would be known what was worth fighting for and what could be allowed to fail and fade away. Better management, though, is a vague concept. Change for change's sake is not always advisable. How would objective measurements for many of the services and programs that the government provides be created? That is not an easy question.

A Radical Moderate focuses on two things when trying to reduce waste, fraud and abuse. First, does the system allow the government program to be held accountable? Second, does a cost/benefit analysis justify the continued existence of a program given the limited financial resources? If every government program was subjected to these two criteria it would go a long way to improving the management and efficiency of the government. In addition, it would make a hell of a lot of people angry in the short-term. Every special interest group that had a vested stake in even the most outdated government program would be organizing a march or petition drive to stop the reform. Most politicians don't want to take that kind of heat so they keep things vague. They either pick really unpopular topics such as the National Endowment for the Arts (a favorite conservative whipping boy) or they keep their proposals general with proclamations that

they will cut costs ten percent without explaining how it can be done – because it cannot usually be done without reducing popular programs.

There are a lot of ways to hold the government more accountable. It is not that difficult to create a process for understanding the cost and benefit of programs. Most incumbents, though, want to be re-elected and it is easier to do that when they don't make all of their constituents mad. And, most of the public does not want to take the time and energy necessary to analyze all of the various components of the government. They want to gripe but they don't want to accept responsibility. I know that statement is unpopular, but being a Radical Moderate is not about being popular it is about speaking the truth.

The next time you hear a candidate or an elected official talk about eliminating waste, fraud and abuse in government you should ask them some pointed questions: Do you have a track record of doing this somewhere else? How will you accomplish something that almost no one else has ever done? What are the programs and services that you consider the least worthwhile that would be the first on your list to cut? Would all of the cuts that you are publicly willing to declare even add up to five percent of the overall budget you believe is bloated? Would you be willing to lose your re-election bid to fight against the issues you are raising?

If you get a straight answer out of the person, sign up for their campaign and get involved because that is how a movement is started. The truth is hard to swallow. It is absolutely true that fighting waste, fraud and abuse is an important part of what the government should do on a daily basis. There are also two other things that are absolutely true: First, the big three will never be completely eliminated. They will always represent a percentage of the overall budget as a line item. The only issue is whether they can be contained to such an extent that they do not represent a drag on government operations and the taxpayers. Second, this political discussion is almost always a red herring designed to distract the elected officials from facing the harsh reality that the only comprehensive way to tackle the financial issues over the long-term is to reduce spending and increase revenues, through tax increases and economic growth. Both are needed.

Stating that the big three will always be around does not mean that government should always run deficits and have a high overall debt. Quite to the contrary, the federal government, in particular, will have to rein in spending. This means that there will have to be a prioritization of the remaining dollars available. That reduction will lead to higher efficiencies. It is likely that the *percentage* of waste, fraud and abuse will remain the same. However, the *actual dollar* amount of the big three will be reduced because the overall spending figure will be lower. Here is an example:

Imagine that the expenditures for the federal budget for a given year are \$3.8 trillion (the amount projected for fiscal year 2011). No one knows for sure how much waste, fraud and abuse totals in a dollar amount but let's just say it is \$76 billion. That equates to 2.0% of the overall budget. If the budget is reduced to \$3.4 trillion there should only be \$68 billion in waste, fraud and abuse. Therefore, a savings of \$8 billion results because the overall spending figure is lower.

Hopefully, this example shows that the real money is in the overall budget and not at the margins. Attacking waste, fraud and abuse is great politics but it is largely ineffective governance. The big money is located in entitlements and defense spending at the federal level.

Having properly dismissed the rhetoric of “waste, fraud, and abuse” as primarily a distraction, there are things that can and should be done to fight them. After all, even though the percentage savings will not be that impressive, there is a larger moral principle involved – all things should run efficiently in a free society. The private sector, the non-profit sector, and government should all utilize processes that lead to the best result.

One idea for greater efficiency is to create objective metrics for government programs. The term “objective” means that there must be a scientific or mathematical way to measure something. If the item being measured can be argued from several points of view, then it is by definition a subjective measurement. For example, how many children are immunized against infectious diseases is an objective fact. However, how many children don’t take up a life of crime because they were part of a Head Start program at a young age is likely to be a subjective determination. There are so many other factors involved that lead a child to a life of crime that one enters the area of conjecture linking it to an education program. However, the reading proficiency of children graduating from a Head Start program is much more likely to be objective in nature.

The second part of the equation is determining the right metrics. A metric is an analytical measurement intended to quantify the state of a system. An example would be how many miles of interstate that the federal highway authorities are able to re-pave each year. Another example is how many violent criminal cases are opened and disposed of annually. Metrics are things that are capable of being measured, and presumably, are worthy of the time to measure.

One law enforcement program that sought to employ objective measurements was the CompStat system that was adopted in New York City in 1995. To be fair, I am ambivalent toward Rudy Giuliani. He did have a shining moment during the September 11 attacks but I have been disappointed in him in many other ways. That being said, the CompStat program (which was created by Jack Maple and implemented by William Bratton) was a way to approach law enforcement that sought to achieve objective metrics. Giuliani does deserve credit for running with this approach.

CompStat is an organizational tool based on mapping principles and detailed reporting processes. The reports capture crime complaints and arrest activity at the precinct, patrol borough and city-wide levels, presenting a summary of these and other important performance indicators. The data is presented on a week-to-date, prior 28 days and year-to-date basis, with comparisons to previous years' activity. Precinct commanders and members of the agency's top management can easily discern emerging and established crime trends, as well as deviations and anomalies. With the report, department leadership can easily make comparisons between commands. Each precinct is also ranked in each complaint and arrest category.

The information that CompStat gathers leads to clear solution tracks. It helps to spot where additional resources are needed and cuts out a lot of the hype involved with crime statistics. Now, let me be clear, I don’t know if CompStat really works or not. I do know

that it has been adopted by other law enforcement agencies in big cities across the United States and in Canada. The system is also part of a larger crime fighting strategy known as the “Broken Windows Theory” which advocates cracking down on the petty crimes of graffiti and subway turnstile jumping. The reason I bring up CompStat is that the basic approach is to eliminate as much speculation as possible and deal with as many facts as possible. In general, that must be a good thing.

Another way to attack the big three is for more effective “whistleblower” programs that encourage employees with knowledge of fraud and abuse to report it. Whistleblower programs are not new. One of the first was the False Claims Act of 1863 which tried to combat fraud by suppliers of the government during the Civil War. The programs vary in their type but typically protect the individual from retaliation and sometimes allow for monetary rewards calculated as a percentage of the money saved by the actions. In addition, elected officials should promote transparency and create online avenues for citizens to easily report abuse to them directly. In today’s information age, ordinary people have many different vehicles to spot problems and bring it to the attention of elected officials and their personnel. Such programs do not cost much to implement and it earns the respect of the public.

The issue of waste, fraud, abuse and better management of government agencies has its place. It is something that should be worked on daily. Radical Moderates despise these problems because they undermine the confidence people have in the government’s ability to competently handle its affairs. My purpose for even including this chapter in the book is to say this: let’s keep our government honest and hold them accountable but let’s also understand the difference between the big fish and the red herrings.

Chapter Sixteen: The Conclusion

Now, we turn to where the rubber meets the road: the political beginnings of a Radical Moderate movement.

Throughout this book, I have focused on the big picture while providing specific examples of how Radical Moderate thought fits into that picture. I have tried not to advocate one political party as better than another. This is because political parties often serve as a hindrance to radical change. Political parties become complacent over time. They spend so much energy trying to please their already existing constituencies that little time is devoted to new thinking and innovative problem solving. This is a systemic problem with the way that parties operate. This must change if the United States is to rise to meet its greatest challenges.

I do believe that political parties have an important role and I have spent a great deal of personal energy trying to grow and shape the thinking of my party. I am a Democrat and have worked to help Democrats since the beginning of my involvement in politics. There are a lot of reasons for this. First, I grew up around a lot of people that were Democrats. I was always taught that Democrats cared more about the average person than Republicans did. One time when I was young I asked my father what the difference was between a Democrat and Republican. My father went into the garage and picked up an oil funnel. He held it *upside down* and said that is a Democrat. Then, he turned it

right side up and said that is a Republican. Still, I was not born a Democrat. Rather, that was a journey.

Most young people rebel from the teachings of their parents in one form or fashion and I was no different. My freshmen year at the University of Arkansas at Fayetteville was the Fall of 1988. The Presidential race pitted Democrat Michael Dukakis from Massachusetts against Republican George Bush from Texas. At the time, I thought I was making an informed decision on how to cast my vote.

My father, who was now making a good deal of money in the McDonald's business and could be described as a Reagan Democrat, told me that George Bush had served in World War II and been head of the CIA. This meant my father "was not scared" of Bush being President. That was the main thing that I remember about Bush. There were two moments that stood out for me about Dukakis. The first was during a debate when he was asked whether he would support the death penalty if his wife was raped and murdered. His answer was unemotional and overly academic. I thought he was a wimp.

The second moment was when Dukakis rode around in a tank with a military helmet on. The scene really did not make a big impression on me at first. However, days before the election I was discussing the race with one of my close friends. He just kept hammering me over the Dukakis tank situation until I finally gave in. He convinced me that Dukakis was a weak and uncomfortable leader who could not defend American national security. Based on these factors alone, I voted for Bush.

That was about the extent of thought I put into the 1988 Presidential Race. Interestingly, while most of the country was turning against Dukakis because of the "Willie Horton ads" I was completely oblivious to them. Apparently, I was trying to court college freshmen girls and did not have time to watch television. As I look back now, I am ashamed of that vote. I am not necessarily ashamed about voting for a Republican. I have done a few other times in the last twenty years. Rather, I am ashamed because of how little depth of understanding I had before I cast my vote. I took the situation too lightly and that mistake has never been repeated.

The fact is that the great majority of people that vote in a Presidential Election base their decisions on factors similar to what happened with me in 1988. Is the Democrat weak on national security? Is the Republican only concerned with tax cuts for the rich? These are important issues but they are not enough to base such an important decision on. Radical Moderate political thought does not exist in a vacuum. Rather, it is critical that we remain focused on two goals: One, spreading our thought around the United States and the world; and, Two, electing people to public office that share our pragmatic perspective. Accomplishing even one of these goals is daunting, while accomplishing both requires a deep commitment and a tremendous understanding of the political process.

This book will surely find its critics. That is expected and welcomed. I challenge Democrats, Republicans, Tea Party, Green and Independents to debate the basic principles of Radical Moderate thought. If their arguments hold water then I will remain open to reconsidering these principles. If he ever reads this, I am sure that Rush Limbaugh will describe it as "mushy". Some Democrats will argue that these principles are too harsh and will brand them conservative. Some Republicans will argue that the belief in a progressive tax rate and failure to end social programs is overly liberal. The

devil is in the details. This book is designed to provoke thought and walk right into controversy.

A basic tenet of Radical Moderate thought is that the law must change with the times. Thomas Jefferson once stated that all laws should be completely abolished every 19 years and replaced with new ones or not replaced if they were unnecessary. That is Radical Moderate thinking. Indeed, the United States Constitution has been amended 27 times through 2011. Would anyone argue that the 19th Amendment giving women the right to vote was not a needed change? The only real question is why it did not occur prior to 1920. Surely, if the framers of the Constitution were alive in 1920 they would have also supported extending the right to vote to women. Would they have been described as *flip-floppers*?

I have listened to Rush Limbaugh's radio program while driving in my car off and on since the early 1990s. Rush Limbaugh is a master of communication. He is able to control his message by never making himself available for comment outside of his impressive radio empire. He brags about how his calls are screened. When a left of center caller is allowed to make it through screening that person is usually incoherent and a weak advocate for the progressive argument. That is not an accident but is a calculated plan so "el Rushbo" can beat up on a lesser opponent. I wonder if Limbaugh has ever faced a situation that made him uncomfortable in the last twenty years of his show – probably not.

Every day somewhere in the United States (if not the world) something happens that Rush Limbaugh can ridicule and utilize to show how crazy "liberals" are. This is not a difficult task. The world is a big place and there are plenty of people willing to do or say something everyone else agrees sounds crazy. Through the power of technology, Rush Limbaugh is there to make sure the rest of us hear about it. Now, you might be thinking that I don't like Mr. Limbaugh or that I wish he would simply disappear. Nothing could be farther from the truth. In fact, if Rush Limbaugh was not doing his show then I probably never would have taken the time to write this book. For years I have wondered why his impressive operation was not copied by liberals/progressives. The only conclusion I can come to is that liberals/progressives are not willing to defend the most extreme elements of their philosophy to the broader public. Mr. Limbaugh does not try to defend the extreme elements of the conservative base. Rather, he simply ignores them and focuses the attention of his audience on the outlandish actions and statements of a relative minority of people on the extreme liberal side. Brilliant!

Radical Moderates should openly chastise both the far left and the far right. In addition, the goal should be to continually marginalize those extremist elements. By the way, when I use the word "extremist" I'm describing groups that are really out there. On the right, I am talking about the kind of people that would have been members of the Ku Klux Klan when it was a thriving operation. On the left, I am talking about the kind of people that think the 9/11 attacks were a government conspiracy. This is a bigger group than most people might realize. I don't think that Rush Limbaugh is an extremist but I believe he consciously ignores the extreme right so he can maintain his own viability. I also don't believe that Bill Clinton is an extremist but he has also chosen to ignore the extreme left when it made his political life easier. Both of these men were and are wrong for their silence in the face of extremism.

People listen to Rush Limbaugh and they are influenced by what he has to say. He has created a brand around talking about what he defines as conservative thought. Why is that? I believe it has to do with the fact that people become more passionate when they believe they have the moral high ground. I can guarantee you that all the “ditto heads” believe they have the moral high ground. A “ditto head” is someone that believes Rush Limbaugh is the greatest person on the planet. Callers to the show will give Mr. Limbaugh “mega dittos” instead of actually calling him great because the latter takes too much time. This is the type of passion that a Radical Moderate must have. We should be passionate about common sense, decency and order. Extremism in any form or fashion should make one’s blood boil. It does mine.

Rush Limbaugh often describes liberals as unthinking. Essentially, he accuses liberals of being against debate and as bereft of ideas. I don't believe that to be true on all issues but the case could be made in certain areas. For example, very few liberals are willing to explore new ideas in the area of education. For liberals, solutions in education always focus on higher teacher pay, tenure and creating expectations around the social demographic status of students. This is the wrong perspective. The public education system is a monopoly and tweaking a monopoly is simply a cop-out. Mr. Limbaugh knows this and he beats liberals over the head on the education system – he has seized the moral higher ground in this area.

Conservatives have plenty of their own issues where they could be branded as dogmatic. How about flag burning for example? Is there anyone out there who could honestly proclaim that burning flags is a serious issue in their community? How many people have ever even witnessed a flag being burned? I know I have not. Even if I did, this would not have an effect on my life. A Radical Moderate would probably not burn an American flag but they would not pass a law prohibiting others from doing so if they choose. The idea of amending the U.S. Constitution to protect against flag burning makes me recall something that former Arkansas U.S. Senator Dale Bumpers liked to say: “The Republicans think that the Bill of Rights was just a rough draft.” Burning an American flag is free speech. Sometimes, free speech can be insensitive, stupid and downright “Un-American”. I don't have to hang out with people that would burn an American flag but I will defend their right to do it.

Rush Limbaugh and I have one big similarity. We are both capitalists. Mr. Limbaugh has made a fortune branding conservative talk radio. I wish I could do something similar with Radical Moderate thought. That is probably not my particular calling in life, though. Still, there is much to be learned from the mastery of Mr. Limbaugh. He has taken a purely capitalist notion, i.e. making money, and created the impression that he is a political theorist. Mr. Limbaugh is no political theorist, he is a businessman. He is a wildly successful businessman, but certainly not a political theorist. A political theorist has to be willing to defend their principles in the public square where any scholar or crackpot can criticize them. Mr. Limbaugh has insulated himself from such drudgery. He is not willing to walk among the common people to defend his beliefs. When he defends himself it is on his own turf and on his own terms. It is the equivalent of your favorite sports team getting to play all of their games at home never having to face the hostile road crowd. Even more impressive, the referees are his own employees. I'll say it again, brilliant!

Radical Moderates have one major advantage over the well-established liberal and conservative extremes – we're right on the issues. Therefore, we go back to our two goals of spreading our thought and electing people to office. In the internet age, spreading a political philosophy should be easier. An expensive think tank does not have to be established with dozens of employees. Instead, through the power of mass participation, we can open up our ideology to anyone that can come up with a better idea. Think of this process as shareware or open source for political thought.

I wish it was that easy to spread a political philosophy. The truth is that the philosophy must eventually have a vehicle to perpetuate itself or it will fizzle out. Therefore, consideration has to be given to electing people to office that share the principles of Radical Moderate thought. Inevitably, this means that the philosophy will from time to time gain more acceptance in the Republican Party and the Democratic Party. Since I am a Democrat, I would prefer that my party simply co-opt these principles to keep Republicans from having them. However, that is unlikely to occur. It is more likely that the pendulum will shift back and forth for a while (maybe forever). This would possibly create the effect of having less and less party influence. That is not my goal but I acknowledge it might happen.

Since it is harder to be for something positive than it is to be against something negative I offer up a new political concept – the PAUL principle. The PAUL principle is an acronym standing for “Politics As Usual Loses”. The PAUL principle gives people the opportunity to be against something. They can be against the status quo. This principle is similar to the political campaigns you have heard of where the slogan is “Anybody But” fill in the blank. The PAUL principle, though, broadens the scope to all politics as opposed to one candidate. The principle relies on the premise that all politics as usual should be punished regardless of its ideological bent. Democrats should be punished for not offering new solutions the same as Republicans.

The PAUL principle should also exact a penalty for patronizing voters. The federal budget, for one example, is chalked full of items that are almost exclusively designed to provide patronage to some local interest. Politicians should have to pay a price when they assume voters will blindly support an elected official for delivering a pork barrel project even though the cost of such items is clearly breaking the bank in Washington, D.C. How many times have you heard someone pronounce that a project would be paid with *federal dollars* rather than state or local dollars? Those federal dollars may come out of the back pocket instead of the front pocket but they are coming from the same pair of pants.

Some people may wrongly assume that the PAUL principle is a validation of term limits. That is not the intent and there is no comparison. Term limits are a bad idea. Term limits further insulate voters from taking the responsibility of participating in politics by eliminating one of their choices. There is not necessarily anything wrong with an elected official serving forty years if they are still making good decisions. However, whether they serve four years or forty, if their essential model for doing business is patronizing people they should be voted out or marginalized. Term limits are really a limitation on the people's freedom to vote. These limits systematically allow one generation of voters to take away the next generation of voters' franchise. Freedom is an important concept to a Radical Moderate and should not be given away so easily.

The next item that limits the freedom of citizens to participate is limits on campaign financing. This will probably cause debate among Radical Moderates but I feel strongly about it. It's taking the wrong approach to try to limit how much money can be given and spent on campaigns. Where has this approach of limiting capital resources proven to work in the real world? Think of how devastating it would be for the economy if there were rules forbidding new businesses from spending large sums of money to compete with already established businesses. It would lessen competition dramatically. Had these rules been in place we might not have a Microsoft, a Southwest Airlines, or a Wal-Mart. Each of these new businesses had to compete against more established businesses when they first entered the marketplace. Limiting their access to capital and/or limiting their ability to spend money might have been their death knell.

There should not be any limits on how much individuals can give to political campaigns on any level – federal, state or local. Rather, there should be *blinding disclosure*. It has been said many times that the best disinfectant is the light of day. In the age of the internet, a system can be designed that will make all large contributions known the same day they are made. Why is this a good idea? I can already hear the liberal community screaming that money needs to be taken out of politics. Can they name an example of where this worked? Is there any reason to believe this could work over a long period of time, if at all? In the entire history of the world, when has the approach of trying to take money out of the equation been successful? A Radical Moderate demands results and not just theory. I believe that money in politics is like water flowing down a river. It can be stopped from going in one direction for a while but then it will break through and start going in another unintended direction and the consequences will be worse than what would have occurred otherwise.

Before getting into the specifics of how a “no limits” campaign financing world would work I would like to examine a political race where this approach allowed a no-name challenger to beat a world famous politician. In 1970, the aforementioned Dale Bumpers was a lawyer in Charleston, Arkansas (population less than 1,000) whose only political experience was serving on the local school board. He had no significant fundraising apparatus. Polling showed he only had one percent statewide name recognition with less than three months before people would be voting in the upcoming election. The two main things he had going for him were a reformist message and two rich siblings.

Dale Bumpers ran for the Democratic nomination for Governor of Arkansas in 1970. There were eight opponents in the field. The most well-known and the one running like an incumbent was the world-renowned Orval Faubus. Mr. Faubus had been Governor of Arkansas during a terrible moment in history when in 1957 Central High School became the focus of the integration battle in the South. In 1970, the Democrats were poised to take back the Governor's mansion after four years of reformist Republican Winthrop Rockefeller. (Indeed, the incumbent Rockefeller ended up receiving only 32% of the vote in the 1970 General Election). Therefore, the Democratic nominee was almost assured of becoming the Governor.

With under three months to introduce himself to the electorate, Bumpers had to raise money fast and in large sums. He convinced his sister, Margaret, and his brother, Carroll, to put an initial sum of \$40,000 into the campaign. Later, the two siblings would add another \$35,000 making their total contribution to the primary campaign \$75,000. Now,

\$75,000 would not be that large of a sum by 2012 standards but in 1970 it was able to purchase television ads probably the equivalent of around \$500,000 in today's money. Bumpers used the money to get into a run-off election with Faubus and defeat him. Just three months earlier 100% of the voters knew who Faubus was and only 1% of the voters knew Bumpers. Without the infusion of money from two siblings there is little doubt that Bumpers, who later would serve four terms in the U.S. Senate, would have lost and the world would not have had the privilege of knowing someone that Bill Clinton called "one of the most eloquent speakers ever to grace the United States Senate."

For those who have grown up in the era of limits on campaign financing, the question that might be asked is how was Mr. Bumpers allowed to raise large sums of money from his family? The answer is that campaign financing limits are a new phenomenon in this country. Most of them were created in reaction to the Watergate abuses discovered in 1974, prior to the 1970 race that Mr. Bumpers won. It is likely that if Mr. Bumpers had first thought of running in 1976 that he would have not even filed because there was no way for him to compete.

There is a strong argument that campaign financing limits favor incumbents because of their inherent name recognition and the presumption that they must have originally done something making them worthy of the position they hold. Some will criticize the approach of no limits on fundraising arguing that a few wealthy donors would be able to almost singlehandedly finance a campaign. The truth is that this already happens in those instances where the candidate can afford to spend their enormous personal resources. Still, what is the bad thing we caused by having a few people providing the bulk of financing for a candidate? The concern is that the candidate will be beholden to those few people. That sounds like a compelling argument at first blush. However, does this not provide a great issue for the opponent to raise during a campaign? If there is *blinding disclosure* then the voters can determine how much it matters to them that the candidate had five great big donors instead of 2,000 significant size ones. Also, business people with money typically only like to invest in campaigns where they already see a lot of support. In other words, the perceived danger of influence is much greater than the actual danger.

The real benefit of allowing unlimited donations is that the candidate would have more time to focus on listening to voters instead of calling contributors. A Radical Moderate is highly dependent on listening to a broad spectrum of voters. This requires a lot of time at events doing question and answer sessions. These types of events usually lose out on the schedule to call time for fundraising. The candidate that raises the most money wins more often than not. Unlimited donations can be an equalizer for the candidate with great ideas but not a broad fundraising operation. I know this from personal experience. In my unsuccessful run for Arkansas Secretary of State in 2010, approximately 80% of my campaign time was spent raising money.

Blinding disclosure means that there would no longer be an avenue for donors to hide their identity and intentions. Currently, there are many loopholes for large donors and corporations to affect the outcome of an election without donating directly to a candidate. That candidate is then insulated from the message or attack. They don't have to be held accountable for the negative campaigning that occurs. *Blinding disclosure* could be accomplished by requiring a certain level of donation to be disclosed very quickly. For example, if an individual donated over \$5,000, the campaign would be

required to place that person's name on their website within 24 hours. If an individual, their family or company donated a combined \$25,000.00 a short summary of their background and connection to the candidate could be required in the disclosure report. Small donations would remain within the current system of disclosure since they would require too much work to disclose immediately. There are a variety of ways to accomplish the goal of *blinding disclosure*. The key is while the amounts would be unlimited so too would be the amount of disclosure required. There would no longer be donors hiding in the shadows under this approach. Everything would be transparent and the candidates could be held accountable for the message that is communicated.

Radical Moderate thought is not a political strategy. The point is not initially to win elections. Rather, the goal is to give the electorate a vehicle to bring forth their collective wisdom and create solutions to everyday problems. Winning elections will come over time if our thinking becomes more widespread. This may cause some uncomfortable short-term situations. For example, there may be moderate Republicans espousing this thought running against an extreme liberal Democrat. The question then becomes which is more important, party or principle?

Principle must be more important than party. That conclusion, though, requires some discussion of how other interests should be ranked. Here is my best try. First and foremost, a Radical Moderate should believe in democracy. Democracy is more than just voting, though. Democracy includes debating issues, legislating and all the other components of the democracy stew that makes it taste just right. Second, a Radical Moderate must support capitalism as our economic model. Capitalism is the best economic system available which helps the largest number of people achieve excellence over a long period of time. Adherence to capitalist principles will lead to a higher standard of living. Third, a Radical Moderate should be supportive of his or her country, the United States of America. We should think of ourselves as Americans before we think of ourselves as Irish-Americans, African-Americans, etc. Fourth, a Radical Moderate should adhere to the basic principles of our political thought – pragmatism, accountability and common sense. Fifth, a Radical Moderate should be a member of a political party or at least an organized group that has the ability to work collectively for change. In short, party has its place but it is less important than the principles the party is founded on. It is my goal to re-shape the Democratic Party to be more in line with the principles of Radical Moderate thought. I leave it to the Republicans and everyone else to make their own choices.

If the Democratic Party starts to co-opt Radical Moderate principles I truly believe it will lead first to better public policy and second to better political success over time. However, a Radical Moderate is more concerned with the fate of their country than the fate of their party. Therefore, bring on any and all comers that have new ideas that could change the world and make our local communities a better place to live and work.

How can this thought become more pervasive? I don't have all the answers. This book is an attempt to ask the right questions and at least begin the discussion. Often, the best way to solve a problem is to examine what is holding back change. Many of the barriers to Radical Moderate thought are systemic in the American political system. Two of these barriers are the current primary election model utilized to pick party nominees (especially at the federal level) and the gerrymandering that occurs during the drawing of Congressional District lines.

Primaries have not always been the method for choosing the nominee of a political party. Rather, for most of our history nominees were chosen by the inner circle of the party faithful. I am not advocating for or against a particular method. However, it has become clear in modern politics that the primary model of choosing nominees leads to increasing the influence of special interests groups such as teacher unions on the left and evangelical Christians on the right. While both of those interest groups deserve to have a seat at the table, neither deserve to have a monopoly on what is served during the meal. The current primary election system is flawed because the most partisan and ideological voices are rewarded and the moderate voices are often left without a constituency.

While I don't advocate for a particular change in the primary system, I do strongly advocate for a radical change in the way that Congressional Districts are drawn. Currently, the system is designed to help incumbents and to keep "solid seats" for either a Democrat or Republican. In any given election cycle, out of the 435 Congressional seats that are being voted on only a small number might actually change hands. There are easily less than a hundred districts that realistically could "swing" to either political party and that would typically take a political tsunami similar to that which occurred in 2010.

Since most Congressional seats have constituents that strongly favor one political party or the other, those Congressmen tend to be much more partisan in their lawmaking. That leads to extremism in our politics and, by extension, our policy. That is bad for the country. Radical Moderates should support a system of drawing Congressional lines that is less partisan and more dependent upon census data rather than incumbency. This is a tall order without a doubt. It is also a highly unpopular opinion among both of the national political parties. Still, it must be stated and the argument needs to be made in a passionate way.

I hope that reading this book makes you think a little bit and makes you want to do something about our politics. If so, then you should start doing something right away. Often, the hardest part of bringing about change is simply taking the first step. The reason is that the first step often makes one unpopular. Radical Moderate thought is usually at odds with the popular emotion of the day. While our thought is typically in line with the majority of voters over the long haul, we are often viewed as "out of step" with the immediate news cycle. Our position on abortion will infuriate evangelical voters and Planned Parenthood at the same time. Both of those groups carry a big political stick and can make the campaign trail an uncomfortable place to be in certain states and districts in this country.

Whether it is abortion, taxes or gun rights, we don't believe in litmus tests. For example, our position on fiscal responsibility is a sure way to alienate most voters. The most logical course of action to save the social safety net is a combination of cutting benefits while raising taxes. That is a lonely position to hold during the heat of a political campaign. One will sleep well at night being a Radical Moderate but electoral success will be hard to achieve. Hard, though, is the only way to achieve greatness at anything.

If you are looking for something hard but beneficial to do with your time I will leave you with one big idea that could reform the U.S. Congress and solve our federal fiscal problems: *Pass a Constitutional Amendment tying the fiscal discipline of Congressmen to their salary.* This idea came to me from two different places. The first was a personal experience. The second was when I learned about a comment Warren Buffett made on July 7, 2011 during a CNBC interview about the budget ceiling debate.

Here is my personal experience. I was managing seven McDonald's restaurants in September, 2000. I had taken over as Director of Operations in April, 2000 after leaving my law practice. For a variety of reasons, our company was not doing well financially. In August, 2000 we actually had a negative cash flow. In other words, everyone went to work each day, served thousands of customers and we still made no money as a result. Clearly, that trend could not be allowed to continue. In September, I announced at our weekly managers' meeting *that I would not be taking a salary that month*. Further, I was not going to take a salary in any month where there was not have a positive cash flow. Finally, I made it clear that if we did not start making money none of the store managers would be receiving their salary in September either because there had to be accountability. It should be noted that my threat was somewhat idle because it would have been illegal to withhold their salary in such a way – but, they seemed to get the point regardless. After that demonstration, our company never lost money again and that month marked a huge turnaround in our success. In short, we held ourselves accountable for our results.

Here is the Warren Buffett contribution. First, I want to make it clear that I am a huge Buffett fan. I have read a dozen books about him and hold his views in high esteem. However, I missed the coverage of his initial interview. It was not until I was making the final edits of this book in late December, 2011 that they came to my attention. The following is his full quote during the CNBC interview:

I could end the deficit in five minutes. You just pass a law that says that any time there's a deficit of more than three percent of GDP, all sitting members of Congress are ineligible for re-election. Yeah, yeah, now you've got the incentives in the right place, right? (Laughs).

So, it's capable of being done. And they're trying to use the incentive now that we're going to blow our brains out, America, in terms of your debt-worthiness over time. And that's being used as a threat. A more effective threat would be just to say, 'If you guys can't get it done, we'll get some other guys to get it done.'

When you watch the video you get the impression that Buffett was halfway kidding and halfway serious about the idea. After he made the comment, some e-mail chain letter enthusiasts falsely attached his name to a Constitutional Amendment drive. His company, Berkshire Hathaway, felt the need to issue a statement saying that this was "not a serious proposal" but just something to "emphasize the importance of proper incentives". Regardless, when I heard about his comment, my idea took shape.

While an Amendment would be difficult to draft precisely and it is not my favored approach to change, it would be a truly Radical Moderate approach. Personally, I propose the amendment would act as progressive discipline for members of Congress. If our debt to GDP ratio was out of line we could take away their pay until it comes back into line. Maybe that penalty could be increased to Buffett's idea of making them ineligible for re-election if they did not correct it within two years. However the amendment would look in final form, the approach would be to connect the fiscal discipline of Congress to their salary and employment prospects. That would provide better accountability than the current election system does.

Passing a Constitutional Amendment requires several things. First, the amendment would have to be drafted in final form and examined by legal experts. Second, it would have to be ratified by both the House of Representatives and the U.S. Senate by a two-thirds majority. Third, it must be affirmed by three-fourths of the legislatures of the fifty states. As you can surmise, the most difficult stage would be forcing the Congress to impose such a restrictive amendment upon themselves. It would take an unbelievable amount of public pressure to make this happen. There is a second method for passing amendments but it has never been used and would be even more difficult politically because it involves the call of a Constitutional Convention.

If you want to help push this idea (or any other), I encourage you to become an active participant on our blog – <http://www.theradicalmod.com>. We have to start somewhere with something. Maybe you will do more than just comment on a blog, though. Maybe you want to run for a political office – that is what I tried to do and might try again someday. I hope that you do even if it is just city council or school board. Those are important positions.

The reality is that most of you that read this book will never run for a political office. Rather, you will vote, possibly donate money and work for candidates or causes. You are my true audience. Anyone that is currently an ambitious politician will shy away from or even fully denounce the Radical Moderate approach in the short-term. The best way to implement our policies is to win the argument. We are right on the issues and therefore hold the moral high ground in the debate. We will lose a great many electoral battles. A lot of our victories will be hard to see in the headlines. In fact, if Radical Moderates do their job correctly then the United States will avoid financial collapse, we will increase our quality of living and become the undisputed leader of the free world again. However, we likely will receive little credit. The satisfaction will be in winning the future. We will know that we did our part. We will know that we made a difference. In the end, that is the only thing that should matter to a Radical Moderate – being on the right side of history and fighting the battles that need to be fought. Thank you for taking an interest in America's future and God's speed in doing something about it.

Afterword

I want to address two recent phenomenon that are not discussed with any detail in the body of this book – the TEA Party and Occupy Wall Street. My reason for excluding them from the main work is that it's not really known what is being dealt with yet. These groups might be here to stay but they also might be fads.

I did not pay much attention to the TEA Party during their first few months. It was Spring 2009 and I was busy starting up my run for statewide office in Arkansas. My first perception of the movement was that its leadership was on the fringe of the political spectrum. That was the type of person that I saw making headlines and attending the early rallies. Then, I stayed the night with one of my long-time friends while I was out and about campaigning and the light bulb came on for me.

My friend had served with me during my days as President of the Young Democrats of Arkansas. He is a lawyer, very smart and sensible. When I pulled into his driveway I saw that the sticker on the back of his car read: "Taxed Enough Already". I questioned

him about it. For him, the TEA Party movement was about fiscal conservatism and truly restraining the reach of the federal government so that it did not encroach upon individual freedoms. His points were sound and the debate was vibrant. I agreed with him on some things and he agreed with me on certain points.

That was when I realized that regardless of the TEA Party leadership or any particular politician that wanted to carry its banner, there are principles of the TEA Party movement that are valid issues. I told my friend that he could do a much better job articulating their message than anyone else that had tried to do it. However, he did not want the limelight.

So, what is the TEA Party all about and will they be a force in American politics for the foreseeable future? The movement has not been around very long and it does not have a centralized structure, platform or spokesperson. Many Republican politicians have tried to identify with TEA Party activists. However, much of that is based on short-term political expediency. Clearly, the TEA Party was a driving force in the 2010 elections and in how the Republican U.S. House of Representatives approached legislation in 2011.

I tend to believe that the TEA Party movement is a re-branding of one wing of the Republican Party. The movement tends to be populist (against the government bailouts of Wall Street in 2008), fiscally conservative (worried about the national debt) and libertarian in some matters (against the health care reform of 2010). These are things that a Radical Moderate is willing to debate. We would have likely gone along with TARP because there was little choice. We are fiscally conscious and willing to both curb entitlements and raise some taxes to solve the problem. We want some kind of more efficient health care policy than what we operated under for decades. However, these are all issues that have pros and cons and could have room for compromise.

The TEA Party, though, has not been interested in compromise. Nor has its positions been intellectually consistent or defensible. TEA Party talk about fiscal conservatism but many of their activists seem to believe that Social Security and Medicare are not actually government programs but rather have their own amendment to the U.S. Constitution. They talk about small government but when it comes to social issues such as abortion and gay rights they seem to be in favor of government being deeply involved.

The TEA Party has some positions that a Radical Moderate can agree with but it is likely for different reasons. We believe that America should not be spending a lot of money in Iraq because it is not in our national interest and very costly. Surveys of TEA Party activists, though, show a distrust of Muslims and Muslim countries because they don't like the Muslim religion.

Most TEA Party activists are against immigration to the United States the same way that the Republican Party in general has been. In the chapter on immigration, I make clear that a Radical Moderate believes the problem with immigration is that it needs to be much, much easier to become a legal immigrant. The TEA Party folks would not go for that.

When it comes to the tactics of the TEA Party, the debate over raising the national debt ceiling in 2011 was simply a bridge too far. The TEA Party was wrong to force the brinksmanship that placed the United States up against the specter of defaulting for the first time in its history. It is fine to shut down the government to make a point. That only affects the spending *in the future*. The debt ceiling debate, though, was an argument over

whether to pay the bills that had accrued in the past. That is not adhering to the Constitution. That is acting like a deadbeat dad. One can quit having more children he doesn't want to pay for but he must take responsibility for the ones that are already here.

A Radical Moderate has respect for some of the positions of the TEA Party. We really have respect for all the sincere citizens that believe there is a better way to operate our country even if they don't have all the answers. However, I don't personally believe that the TEA Party movement is based on lasting intellectual principles. Their activists seem to talk about everything they are against but almost never come up with any feasible solutions. One cannot be for lower government spending while leaving untouched the most expensive entitlement and military programs. What about spending on veterans? I bet the average TEA Party activist would be against curbing that spending but never make the connection that what costs money on the one hand must be paid for with the other.

I believe that the TEA Party movement is primarily a rehashing of a consistent theme in American political culture. When times change drastically, there is always a call by the constituencies furthest removed from entering the country against minorities and the new arrivals. It is like they forget that their original ancestors were European. They forget that only the American Indians were the original inhabitants of this land. Too many TEA Party activists focus on pulling up the ladder behind them so that other groups of people will not share in the benefits that their family was able to access. That is not the true calling of America. That is more nativist. That is more short-sighted. Yes, there are principles espoused by TEA Party activists that have great worth. However, those ideas seem to be overshadowed by class jealousy and in some cases, downright racism. That is a shame. It would be better if all Americans could rally and fight for principles that would place us back on a path of exceptionalism. I predict the TEA Party will fail in that effort and within a few years be relegated to a co-opted position within the larger Republican Party, which will likely be smaller because of it.

The Occupy Wall Street movement is even more perplexing to me. It shares many of the same structural aspects of the TEA Party: Neither have a centralized decision-making process; both sprang up with grass-roots chapters; both were angered by government bailouts to large financial institutions; and they each rose in popularity by providing an interesting story for the media to cover. However, the members of Occupy Wall Street are clearly at the opposite end of the political spectrum from the TEA Party. The Occupy members tend to be ultra liberal and the TEA Party members tend to be ultra conservative.

Occupy Wall Street seems to have been inspired by uprisings during the Arab Spring of 2011 and is global in its thinking. On the other hand, the TEA Party was ignited by the TARP bailouts and quickly focused its anger against President Obama. There seems to be almost no concern for foreign affairs.

Occupy Wall Street has created a brand around the moniker of "We are the 99%". This appears to be a fancy way of engaging in class warfare. However, the moniker has brought into focus the income disparity between the richest Americans and everyone else. It has also articulated the message that American tax policy has shifted dramatically in favor of high-income individuals since the 1980s. At the time of finishing this book, there is also polling data to show that the American public is buying into this message. A

poll conducted in January 2012, by the Pew Research Center, indicated that a growing number of people viewed a strong conflict between the rich and the poor.

I don't have strong feelings about the Occupy Wall Street movement. On the one hand, I am glad that its extremism is acting as a buffer against the extremism of the TEA Party. On the other hand, I don't view their movement with the same significance as the civil rights protest of the 1960s which it appears some Occupy members are trying to channel. I do believe some of its stated goals are just naïve. A common theme is getting money out of politics. This is not going to happen. Greater transparency is an achievable goal, but thinking that there will some day be campaigns and lobbying without money is just ignoring reality.

My main issue with the Occupy movement is that it is focusing most of its attention on class warfare. That is not a Radical Moderate message. Rather, it should be advocating that the capitalist system be tweaked so everyone is playing on a more level field (e.g. the Traffic Intersection Theory of Economics advocated in this book). Too much of its rhetoric sounds like a socialist path. That may not be the intention but that has been the perception it is giving off.

I predict that the Occupy movement will also be co-opted by the Democratic Party at some point. Unlike the TEA Party movement, though, I doubt it will have as strong of an electoral footprint. The tactics of civil disobedience traditionally only work when there is a visible and compelling evil that the protesters are trying to stop. In the case of the Occupy movement, the evils of "getting money out of politics" and "making sure the 1% percent pay their fair share" are not issues that can be corrected swiftly. It is not the equivalent of African-Americans being hosed down by Bull Connor during the civil rights movement. Still, I give the movement credit for trying to change the debate. Who knows, maybe it will be more electorally successful than I think.

Finally, both of these movements miss one critical point about how a democracy works: governing is a grind. It is exciting to show up at TEA Party rallies or to camp out with Occupy Wall Street. Governing, though, is very seldom exciting. It requires persistence, patience and usually a willingness to compromise on a pragmatic solution. Governing is not for purists or ideologues. Radical Moderates are neither. We just want to get the job done.

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About the author:

Pat O'Brien is a first time author. Pat was born on October 8, 1969 in Sioux City, Iowa. He is the youngest of four children. His father, Mike O'Brien, opened a McDonald's franchise in Jacksonville, Arkansas on January 3, 1973. He graduated from Jacksonville High School and the University of Arkansas at Fayetteville, where he obtained a B.A. and a law degree.

Pat worked in private practice, as a prosecuting attorney and as Director of Operations over the McDonald's franchisees. He also spent six years as the Pulaski

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