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Quote of the Moment (?):

"The notion that college education is a cost-effective way to help poor, low-skill, unmarried mothers with high school diplomas or GEDs move up the economic ladder is just wrong."

Senator Rick Santorum (R-PA), "It Takes a Family" page 138

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**Daily Topics & Commentary:**

Tuesday, July 5

War? What war?

As the Iraq nightmare deepens, Fox News and its cable competitors wallow in shark attacks and Natalee Holloway. If you don't cover a war, does it exist?

Tuesday, July 5 (Salon.com)—Almost four years ago, the American right launched a great moral crusade. Sept. 11 had changed everything forever, the war party and its supporters repeated. The apostles of the New Righteousness used the smoldering ruins of the World Trade Center to anathematize anyone who failed to embrace the cause. To dissent, even to analyze, was to dishonor the dead, virtually to commit high treason. Those few who tried to stop King George's Crusade from marching to Jerusalem (or Baghdad, in this millennium-later iteration) were swept

away like the black protesters in Birmingham, Ala., in 1963, hosed off the streets not with water but with the saintly blood of the 9/11 victims. Pundits railed against an elitist "Fifth Column" and compared dissenters to Neville Chamberlain-like "appeasers." In one of the great failures of the opposition in American history, the Democrats and the mainstream media joined the angry mob. A few mumbled some pathetic caveats as they waved their pitchforks, but their bleats were drowned out as the patriotic horde swept on to Infinite Justice.

Beyond the calls to war and vengeance, Americans were told that this was a transforming moment, an epiphany. It was a Great Awakening, not just a political but a spiritual watershed. Pious writers insisted that after 9/11, irony was dead. Analysts from across the political spectrum argued that the terror attacks, like a vast memento mori, were a manifestation of death and evil that would forever change our superficial, sensation-added culture. The astute New York Times columnist Frank Rich criticized the media for its petty pre-9/11 obsessions with such ephemera as shark attacks and tawdry murder cases. In the dark months after the attacks, the left and right agreed that the new era should, must, be one of dignity and gravitas. For conservatives, those qualities were in the service of anger; for liberals, of analysis -- but there was no disagreement about the need for transformation.

Today, the issue of how to comport ourselves in the wake of 9/11 is moot: It has been almost four years since the attacks, and most Americans -- without forgetting the tragedy or disrespecting the dead -- have gotten over it. But our current situation raises almost identical issues, of morality, personal conscience and the responsibility of the media. [More](#)

United Church of Christ backs same-sex marriage

Tuesday, July 5 (Atlanta Journal-Constitution)—The United Church of Christ became the first mainline Christian denomination to endorse gay marriage Monday when its 25th biennial General Synod decisively approved an "equal marriage rights for all" resolution.

The vote set off a celebration in the Georgia World Congress Center. Gay couples hugged one another. Some wiped away tears. A group of UCC delegates joined hands afterward and sang, "Amen." But other delegates rushed from the hall warning of schism within the 1.6 million member denomination.

The Rev. John H. Thomas, the president of the UCC, drew a link between the vote and the historical significance of another event on Monday.

"On this July Fourth, the General Synod of the United Church of Christ has acted courageously to declare freedom," said Thomas, who was re-elected to another term. He announced June 28 that he supported the resolution.

The vote affirms equal marriage rights for couples regardless of gender and says that the government should not interfere with same-sex couples who want to marry. It calls on denomination officers to press local, state and national legislators to support equal marriage rights.

Many mainline denominations, including the Presbyterian Church USA, the United Methodist Church and the Episcopal Church, also are wrestling with the issue.

Some members fear the issue could tear denominations apart much like slavery did in the 19th century.

Spain joined Belgium and the Netherlands last week in legalizing gay marriage. In Canada, the House of Commons has approved gay marriage and the Senate is expected to follow suit this month.

The Rev. Andrew Young, former mayor of Atlanta and a member of the United Church of Christ, was honored by the denomination at the convention. He had endorsed the resolution, and in remarks after receiving his award he praised the UCC's activist tradition. The UCC, which helped inspire the Boston Tea Party, says it was the first denomination to ordain a black pastor (1785) and a woman (1853).

"What seemed controversial back then seems so automatic today," Young said before the vote. "We wonder why it was a struggle at all. There's no education without controversy and there's no resurrection without crucifixion." [More](#)

10:17 am--Filibuster Blues

Liberals are worried about keeping our word on judicial filibusters, given the vacancy on the Supreme Court. I say nobody is expecting Dems to not offer opposition to whoever Bush appoints, because we know they'll be another rabid conservative monkey wrapped in a \$2000 suit. So don't worry about the coming charges of being "obstructionist," as they were coming anyway. If Democrats haven't learned that anything less than total surrender to the Bushies is obstruction, then we need to replace them in the next election.

10:06 am-- A Surefire Solution for Judicial Ideological Imbalance

There's a lot of kvetching going on about replacing Sandra Day O'Connor as the new member of the Supremes. Dems are feeling woozy about the no-filibuster agreement. Movement conservatives are trying hard not to start gloating too early.

This is the conservative's nomination, and they know it. The amount of strife it will put the country through is immaterial to them, because in their worldview, people hate them anyway. What matters is that we get a justice that will overturn *Roe v. Wade*, let teenagers be put to death, make God for evangelical Protestants the religion of the kingdom, and allow prayers to this god in schools. God will really need to bless America then.

We worry--and we should worry a lot about the hacks that the Bush administration has seeded throughout the legal landscape. From the GOP'er point of view, the next Democratic president will try to rebalance the landscape by filling vacancies with evil liberals. By law, we are stuck with both types until they retire. But I believe we need something different. A solution that will not allow a president to so taint the judicial landscape with his or her own point of view, good or bad.

We should introduce legislation to define a lifelong term as a total of 20 years. Given the average age of the entry-level federal judge, 20 years on the federal bench would be a lifetime. It's an intriguing idea, one that really needs to be examined; especially given the distrust both sides have of judicial nominees. Ideological appointees would "time-out" of the system, leaving them a finite amount of time, to do their work or damage, depending on your point of view. Or, given the incendiary nature of ideologues on a time limit, they just might slip up and make themselves evident to all, making it more likely their bad decisions would get overturned on appeal.

I'll come back to that in the near future.

Thursday, June 30

US war injured toll soars, hits veterans health costs

Thursday, June 30 (Reuters)— As the numbers of U.S. war injured in Iraq and Afghanistan soared, the Bush administration admitted to lawmakers on Tuesday it had underestimated funds to cover health care costs for veterans and Congress would have to plug a \$2.6 billion hole.

"The bottom line is there is a surge in demand in VA (health) services across the board," said Veterans Affairs Secretary James Nicholson.

The Veterans Administration assumed it would have to take care of 23,553 patients who are veterans from the wars in Iraq and Afghanistan but that number had been revised upward to 103,000, Nicholson told a House of Representatives panel.

Nicholson told a House Appropriations subcommittee that his agency's estimate of Iraq and Afghanistan veterans in need of health care services was now four times greater than thought.

The updated figures underscored how the costs of the Iraq war, approaching \$300 billion, were rippling through other parts of a federal budget already under tight spending limits. [More](#)

Ed note: like to see how the GOP "supports the troops?" [Check out another snippet from this unravelling mess:](#)

In the House, where Republicans at first said no action was necessary, party leaders were meeting into the evening to figure out how to proceed. A spokesman for Representative Jerry Lewis of California, the chairman of the House Appropriations Committee, said it was possible that an emergency bill could go to the House floor as early as Wednesday.

But earlier in the day, House Republicans voted down an effort by Democrats to increase health spending for veterans by \$1 billion. Mr. Lewis and Representative Tom DeLay of Texas, the House majority leader, told reporters in the morning that they did not believe an emergency spending measure was required.

By afternoon, however, with President Bush addressing the nation Tuesday night on the status of the war in Iraq, and rising complaints from veterans and Democrats, it became apparent that Republicans would have to act. Democrats, who have been trying to turn veterans' health care into a winning political issue, were delighted.

But wait, there's [more from the party of fiscal responsibility:](#)

Republicans batted down the Democrats' initiatives with assurances from the VA that it did not need more this year. Then the VA told lawmakers last week that veterans were requiring more healthcare than expected this year, creating a \$1 billion hole in the health budget.

"We were in error. Senator Murray was right," said Senator Rick Santorum, Republican of Pennsylvania. "I am not happy that we were put in a position to vote against an amendment that we now find out was needed, but we got bad information." This year's shortfall stems mostly from an unexpected increase in healthcare demands from veterans of all ages, from all combat eras. The budget, first prepared before the United States invaded Iraq, also failed to account for an increasing number of veterans returning from the fight against terrorism.

Nicholson also informed Congress that the VA needs an additional \$1.5 billion to fill expected healthcare needs next year. That includes \$375 million to refill a budget cushion that the department expected to deplete this year, \$700 million for the department's increased workload; and \$446 million to offset an error in estimating long-term care costs.

As everyone already knows, were a Democrat administration be allowed to plan and prosecute a war and occupation in this manner, they would have been impeached 3 months before a presidential election. Why we are giving Bush the benefit of the doubt?

1:15 pm—The New Vaudeville?

I went to see the movie "Crash" a few weeks ago, and came away impressed. Impressed at the movie's excellence, it's direction, whatever. I really liked it.

But what really resonated with me was the performance of the rapper Ludacris. He not just nailed the role, he did something that very few first time rappers/actors do: get the character down as well as getting the lines right. His character's emotional range was as real as anyone's you know. It reminded me of Will Smith's performance in "Six Degrees of Separation." Still known then as the Fresh Prince, Smith was eerily perfect as an African-American confidence-man on the loose in liberal Manhattan.

Looking at the performances of Queen Latifah, Ice Cube, Ice-T, LL Cool J, and other rappers & hip-hop artists, I'm beginning to wonder whether hip-hop is the new vaudeville for African-american actors and entertainers.

Before you accuse me of being "bougie," or "Tom-ish," think it through. In the early 20th century, vaudeville was the dominant entertainment medium. The actors that defined the classic era of movies and TV all got their start in vaudeville. Cary Grant, Jack Benny, Bob Hope, George Burns and Gracie Allen and more all came out of vaudeville. Famous actors and entertainers in their wake were heavily influenced by vaudeville. Vaudeville became the testing ground for the skill set necessary to succeed in the rest of the mass entertainment industry.

The same with hip-hop. Vaudeville, popular music and entertainment required the skills of dancing, singing, and acting. These were the basics that all entertainers needed to wow them in Peoria, or on the big stage at Radio City. But for today's entertainment industry, the necessity is name recognition, and it's ability to connect with people's pocketbooks. Hip-hop provides that baseline. Rappers that don't sell records don't have the skill sets needed to succeed (as we all lament, talent is not always the ultimate arbiter of success, no matter the color of one's skin). So those that are successful have the full skill set needed for further achievement in the rest of the entertainment world.

Producers will take chances on hip-hop artists because they understand that the genre represents an ever-larger cross section of American popular culture. A hip-hop artist, doing a credible job, can help a TV show survive it's opening weeks, where the need for ratings is tantamount. The artist can provide additional audience for an art film, and build a more solid demographic foundation for a blockbuster.

I don't mean to take a swipe at hip-hop; indeed I believe that it is big and will only get bigger. It will require a general cultural shift to dislodge it as the dominant musical art form of this young century.

Hip-hop's success will help pave the way for more new and greater successes for African-american artists.

The Man Who Would Destroy PBS

Does Republican crusade spell bedtime for Buster?

Thursday, June 30 (LA Weekly)—Big Bird gave San Bernardino County Congressman Jerry Lewis a black eye last week. Lewis, who is chairman of the House Appropriations Committee, is the conservative obscurantist who has been leading the right-wing Republican effort to slash the budget of the Corporation for Public Broadcasting (CPB) — which provides funding for PBS, NPR and their local affiliates — and put it out of existence.

But last Thursday, when the CPB appropriation came up for a vote on the floor of the House, the 25 percent budget cut Lewis had forced through his committee was restored, thanks to defections by Republicans afraid of public broadcasting's popularity in the opinion polls — 87 GOPers deserted their party leadership and voted to give back to CPB \$100 million Lewis had snatched from it.

However, Lewis and the Republicans — who want eventually to phase out CPB's appropriation altogether — can still boast that they've managed to kill another \$102.3 million in federal funding for public broadcasting. They've erased \$79 million for PBS and its affiliates that funded both a satellite interconnection program to send content to local stations, and public TV stations' federally mandated conversion to digital transmission. And they've pulled the \$23 million for TV from the "Ready To Read, Ready To Learn" program — Laura Bush's putative darling — which had helped pay for PBS children's programming. [More](#)

Wednesday, June 29

Christian Groups Plan More Monuments

Many Expect Confusion and Litigation on Ten Commandments to Continue

Wednesday, June 29 (Washington Post)—Within hours of yesterday's Supreme Court decision allowing a Ten Commandments monument on the grounds of the Texas Capitol, Christian groups announced a nationwide campaign to install similar displays in 100 cities and towns within a year.

"We see this as an historic opening, and we're going to pursue it aggressively," said the Rev. Patrick J. Mahoney, director of the Washington-based Christian Defense Coalition, which organized vigils outside the Florida hospice where Terri Schiavo died this year.

Although disappointed that the court ruled in a related case that two Kentucky counties could not hang framed versions of the Ten Commandments in their courthouses, Mahoney said the Texas decision was sufficient to "open up a whole new frontier" for preserving the United States' "Christian heritage."

Groups on both sides of the issue predicted that the pair of Supreme Court rulings, rather than clarifying a gray area of the law, would spawn more disputes over Ten Commandment displays in parks, town halls and courthouses. They said the displays are now the front line of a proxy war, standing in for the bigger issue of the place of religion in public life. [More](#)

1:15 pm—I Really Don't Like the Guy. But Every Once In Awhile, He Gets It

I don't like reading Cal Thomas. He reminds me of the possible offspring if Paul Harvey ever mated with Velma of "Scooby-Doo." But I digress.

[In this column for the Charlotte Observer](#), it's interesting to witness a conservative see the line between conservatism and the sect known as movement conservatism and then reject the "movement". Commenting on John Danforth's moderate Christian lament in the New York Times, Thomas offers this as the lede:

Christian's goal: Jesus, not politics
Fixing social ills begins in the heart, not in government
CAL THOMAS
Tribune Media Services

Former Senator and U.N. Ambassador John Danforth has performed a valuable service between elections by writing about a Christian's role in contemporary American society. In a recent op-ed for The New York Times Danforth, an ordained minister, observed: "Many conservative Christians approach politics with a certainty that they know God's truth, and that they can advance the kingdom of God through governmental action."

He writes that the "only absolute standard of behavior is the commandment to love our neighbors as ourselves." One can quibble over where Danforth's "absolutist" position may lead politically (and I do, given the position of religious moderates and liberals on issues from anti-war activism to same-sex marriage), but his central thesis is correct: Christians are limited in what government can do for them and for an earthly agenda.

That does not mean government can't do some things. It simply means it cannot advance a moral and spiritual agenda, because it is the church, not the state, that is commissioned to preach and observe God's message....

The adults are coming to rescue the GOP. Hopefully they'll be here soon.

Meanwhile, here's a [GOP shill to denounce Thomas](#) and give you a peek into the movement conservatism madness.

Christopher Layne: Don't dig yourself in deeper

Wednesday, June 29 (The Australian)—PRESIDENT George W. Bush's address on Iraq yesterday comes amid growing US doubts about the war, and the administration's competence and credibility. In recent weeks, there has been a palpable sense that events have been spinning out of control - both in Iraq, where the insurgency continues unabated, and at home, where the administration faces mounting opposition to the war.

Since the insurgency began, the Bush administration tirelessly has reiterated that progress is being made in Iraq; the insurgency is being defeated; and Iraq is on its way to becoming a viable democratic state.

Events in Iraq have told a different story, however, and their cumulative impact can be seen in the major public opinion polls that have been released in recent days.

For the first time since March 2003, a majority of Americans believe the Iraq invasion was a mistake, and disbelieve both the administration's assurances that things are going well in Iraq and its claims that the war there is part of the war on terrorism. One poll even shows that a majority want the administration to set a firm timetable for the withdrawal of US forces.

Against this backdrop, Bush's task yesterday was to regain public and Congressional confidence. To make his case, he needed to explain why the Iraq war is in the US national interest and outline a clear strategy for victory. He failed to accomplish either task. The President offered nothing new, and instead fell back on old - and discredited - arguments. [More](#).

Monday, June 27

File-Swap Services Can Be Sued

Monday, June 27 (Wired)—Internet file-sharing services will be held responsible if they intend for their customers to use software primarily to swap songs and movies illegally, the Supreme Court ruled Monday, rejecting warnings that the lawsuits will stunt growth of cool tech gadgets such as the next iPod.

The unanimous decision sends the case back to lower court, which had ruled in favor of file-sharing services Grokster and StreamCast Networks on the grounds that the companies couldn't be sued. The justices said there was enough evidence of unlawful intent for the case to go to trial.

File-sharing services shouldn't get a free pass on bad behavior, justices said.

"We hold that one who distributes a device with the object of promoting its use to infringe copyright, as shown by the clear expression or other affirmative steps taken to foster infringement, is liable for the resulting acts of infringement by third parties," Justice David H. Souter wrote for the court.

At issue was whether the file-sharing services should be held liable even if they have no direct control over what millions of online users are doing with the software they provide for free. As much as 90 percent of songs and movies copied on the file-sharing networks are downloaded illegally, according to music industry filings. The entertainment industry said it needed protection against the billions of dollars in revenue they lose to illegal swapping. Consumer groups worried that expanded liability will stifle the technology revolution of the last two decades that brought video cassette recorders, MP3 players and Apple's iPod.

Companies will have to pay music and movie artists for up to billions in losses if they are found to have promoted illegal downloading.

Two lower courts previously sided with Grokster without holding a trial. They each based their decisions on the 1984 Supreme Court ruling that Sony could not be sued over consumers who used its VCRs to make illegal copies of movies. [More](#)

Cops Can't Be Sued for Restraining Orders

Monday, June 27 (Chicago Tribune)—The Supreme Court ruled Monday that police cannot be sued for how they enforce restraining orders, ending a lawsuit by a Colorado woman who claimed police did not do enough to prevent her estranged husband from killing her three young daughters.

Jessica Gonzales did not have a constitutional right to police enforcement of the court order against her husband, the court said in a 7-2 opinion.

City governments had feared that if the court ruled the other way, it would unleash a potentially devastating flood of cases that could bankrupt municipal governments.

Gonzales contended that police did not do enough to stop her estranged husband, who took the three daughters from the front yard of her home in June 1999 in violation of a restraining order. Hours later Simon Gonzales died in a gun fight with officers outside a police station. The bodies of the three girls, ages 10, 9 and 7, were in his truck. [More](#)

Supreme Court Declines to Hear Reporters' Appeal in Leak Case

Monday, June 27 (New York Times)—The United States Supreme Court declined today to hear the cases of two reporters facing jail time for refusing to testify about conversations with their confidential sources.

The case now returns to the federal district court in Washington, where its chief judge, Thomas F. Hogan, is expected to hear arguments this week about when and where the reporters, Judith Miller of The New York Times and Matthew Cooper of Time magazine, will begin to serve their time.

The special prosecutor in the case, Patrick J. Fitzgerald, is likely to ask that the reporters be jailed immediately. Lawyers for the reporters may ask Judge Hogan for permission to file additional briefs.

"I am extremely disappointed," Ms. Miller said in a statement. "Journalists simply cannot do their jobs without being able to commit to sources that they won't be identified. Such protection is critical to the free flow of information in a democracy."

Arthur Sulzberger Jr., the publisher of The New York Times, added: "It is shocking that for doing some routine newsgathering on an important public issue, keeping her word to her sources, and without our even publishing a story about the C.I.A. agent, Judy finds herself facing a prison sentence.

"That 49 states and many countries around the globe provide broad protection for journalists who have promised confidentiality to their sources, makes today's decision even more disappointing. And it is doubly painful that the court rejected our case in the face of the plea of 34 state attorneys general, prosecutors who normally seek journalists' evidence, that anonymous sources are critical to provide information to the public." [More](#)

Court: No Ten Commandments in Courthouses

Monday, June 27 (New York Times)—In a narrowly drawn ruling, the Supreme Court struck down Ten Commandments displays in courthouses Monday, holding that two exhibits in Kentucky crossed the line between separation of church and state because they promoted a religious message.

The 5-4 decision, first of two seeking to mediate the bitter culture war over religion's place in public life, took a case-by-case approach to this vexing issue. In the decision, the court declined to prohibit all displays in court buildings or on government property.

The justices left themselves legal wiggle room on this issue, however, saying that some displays -- like their own courtroom frieze -- would be permissible if they're portrayed neutrally in order to honor the nation's legal history.

But framed copies in two Kentucky courthouses went too far in endorsing religion, the court held.

"The touchstone for our analysis is the principle that the First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion," Justice David H. Souter wrote for the majority. [More](#)

Thursday, June 23

Justices, 5-4, Back Seizure of Property for Development

Thursday, June 23 (New York Times)—The Supreme Court ruled today, in a deeply emotional case weighing the rights of property owners and the good of the community, that local governments can sometimes seize homes and businesses and turn them over to private developers.

In a case with nationwide implications, the court ruled, 5 to 4, against a group of homeowners in New London, Conn., who have resisted the city's plans to demolish their working-class homes near the Thames River to make way for an office building, riverfront hotel and other commercial activities.

The majority held that, just as government has the constitutional power of eminent domain to acquire private property to clear slums or to build roads, bridges, airports and other facilities to benefit the public, it can sometimes do so for private developers if the latter's projects also serve a public good.

Writing for the majority, Justice John Paul Stevens said, "Promoting economic development is a traditional and long accepted governmental function, and there is no principled way of distinguishing it from the other public purposes the court has recognized." The court's ruling is certain to be studied from coast to coast, since similar conflicts between owners of homes and small businesses and development-minded officials have arisen in other locales. [More](#)

The Terri Schiavo Case: The Autopsy Report Vindicates Michael Schiavo, But Governor Jeb Bush Re-Investigates Him Anyway

Thursday, June 23 (FindLaw.com)—On March 31, Teresa "Terri" Schiavo died. But the controversy over her case, it turns out, may live on - not only in the media, but perhaps in court, as well.

On June 15, Pinellas County Medical Examiner Jon Thogmartin released his long-awaited, thirty-nine-page autopsy report on Terri - a report that included extensive evidence from neuropathologists who had examined her brain and spinal cord.

The report's findings, in general, supported the position of Terri's husband, Michael - as opposed to that of her parents, who had suggested she had shown signs indicating significant brain activity in her last days. It is unsurprising, then, that within hours of the report's release, Terri's parents denounced it as inaccurate. (Florida Governor Jeb Bush, however, has not yet

challenged the report, and may never do so.)

In particular, the report showed that, as over a decade of court wrangling had already proved, Terri had been in a persistent vegetative state (PVS). Indeed, the report also found that her brain had atrophied to half normal size, and that she was blind, the visual areas of her brain having been destroyed.

Nevertheless, the autopsy left an opening for politics to once again insert itself into the case - prompting Gov. Bush to instruct the state's Attorney General to investigate Michael Schiavo.

As I will explain, there is no good reason to investigate. Rather, this investigation is simply a continuation of the politics that have always surrounded the Schiavo case, as I argued in an earlier column for this site.

[More](#)

Monday, June 20

Obama's church sermon to black dads: Grow up

Monday, June 20 (Chicago Tribune)—U.S. Sen. Barack Obama on Sunday exhorted fathers in the black community to earn the love and respect of their children by acting like "full-grown" men and living their values.

In a half-hour sermon delivered as the Father's Day message at Christ Universal Temple, 11901 S. Ashland Ave., Obama, an Illinois Democrat, said fathers should have high expectations for themselves if they wish their sons and daughters to be successful.

"If we are going to pass on high expectations to our children, we've got to have high expectations for ourselves," Obama said to applause from a capacity crowd of about 4,000 people. "Don't settle for just what you've got," Obama said. "You can shoot high."

Obama said black fathers should set an example of excellence for their children, take responsibility for their own actions, foster education and live their values, and promote kindness and hope in their children.

"There are a lot of folks, a lot of brothers, walking around, and they look like men," Obama said, drawing laughter from the congregation. "And they're tall, and they've got whiskers—they might even have sired a child. But it's not clear to me that they're full-grown men." [More](#)

What's Their Real Problem With Gay Marriage? (It's the Gay Part)

Monday, June 20 (New York Times Magazine)—The small but grandiose building at the corner of Eighth and G Streets NW in Washington, tucked directly behind the National Portrait Gallery, holds its own in a city packed with monumental architecture. You step into the lobby and automatically look around for a plaque, figuring that with its dark wood paneling and marble columns, this must be the onetime home of Rutherford B. Hayes or some other historical personage heavy with Victorian-era dignity. As it turns out, the structure, with its architectural signals of tradition and power, was built in 1996 for its tenant: the Family Research Council, the conservative public policy center.

In the gift shop just off the lobby -- where you can buy research-council thermoses and paperweights and the latest titles by Peggy Noonan, Alan Keyes, John Ashcroft and Pat Buchanan -- sits one of Washington's most unusual museum displays. Moms and dads who are planning to take the kids to the nation's capital this summer for an infusion of American history might want to add it to their itinerary, since it carries the lesson up to the present and right into their own living rooms. Beneath a large wall-mounted plaque emblazoned with the group's slogan -- Defending Family, Faith and Freedom -- and flanking a rather ferocious-looking American eagle statue are two large, museum-quality glass cases. The one on the left contains a complete groom's outfit -- tux, tie, fluffy shirt -- and the one on the right holds a bridal gown and all the trimmings, right down to the dried bouquet. Color snapshots of happy wedding parties festoon both display cases, and the back wall of the bridal unit features verses from the book of Genesis, King James version:

*And the LORD God said, It is not good that the man should be alone; I will make him an help meet for him. . . .
And the LORD God caused a deep sleep to fall upon Adam, and he slept: and he took one of his ribs, and closed up the flesh instead thereof;
And the rib, which the LORD God had taken from man, made he a woman, and brought her unto the man.
And Adam said, This is now bone of my bones, and flesh of my flesh: she shall be called Woman, because she was taken out of Man.
Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh.*

This shrine to marriage as a heterosexual, Judeo-Christian institution is a totem of conservative Christianity's mighty political wing and a flag marking its territorial gains in what its leaders see as a decisive battle in the culture war. In May 2003 the heads of 26 conservative organizations, including the Family Research Council, formed an entity, which they called the Arlington Group, to pool resources and come up with a combined strategy for fighting the forces of secularism. They thought it would be an amorphous battle, with many fronts. But just a month later the United States Supreme Court struck down a Texas law that had declared consenting homosexual sex illegal. Gay rights groups saw the Lawrence v. Texas ruling as a watershed: an endorsement, at the federal level, of homosexuality itself. So did the conservative leaders. Then in November of that year came the Massachusetts Supreme Court ruling that gave same-sex couples in the state the right to marry. [More](#)

Bush's Road Gets Rougher

Monday, June 20 (New York Times)— Five months after President Bush was sworn in for another four years, his political authority appears to be ebbing, both within his own party, where members of Congress are increasingly if sporadically going their own way, and among Democrats, who have discovered that they pay little or no price for defying him.

In some cases, Mr. Bush is suffering mere political dings that can be patched up, like the votes by the House this past week to buck him on withholding dues to the United Nations and retaining a controversial provision of the USA Patriot Act.

In others, the damage is more than cosmetic, as in the case of stem cell research, an issue on which a good portion of his party is breaking with him. In a few instances - most notably the centerpiece of his second-term agenda, his call to reshape Social Security - he is dangerously close to a fiery wreck that could have lasting consequences for his standing and for the Republican Party. [More](#)

Friday, June 17

Onward, Moderate Christian Soldiers

By JOHN C. DANFORTH

Friday, June 17 (New York Times)—It is important for those of us who are sometimes called moderates to make the case that we, too, have strongly held Christian convictions, that we speak from the depths of our beliefs, and that our approach to politics is at least as faithful as that of those who are more conservative. Our difference concerns the extent to which government should, or even can, translate religious beliefs into the laws of the state.

People of faith have the right, and perhaps the obligation, to bring their values to bear in politics. Many conservative Christians approach politics with a certainty that they know God's truth, and that they can advance the kingdom of God through governmental action. So they have developed a political agenda that they believe advances God's kingdom, one that includes efforts to "put God back" into the public square and to pass a constitutional amendment intended to protect marriage from the perceived threat of homosexuality.

Moderate Christians are less certain about when and how our beliefs can be translated into statutory form, not because of a lack of faith in God but because of a healthy acknowledgement of the limitations of human beings. Like conservative Christians, we attend church, read the Bible and say our prayers.

But for us, the only absolute standard of behavior is the commandment to love our neighbors as ourselves. Repeatedly in the Gospels, we find that the Love Commandment takes precedence when it conflicts with laws. We struggle to follow that commandment as we face the realities of everyday living, and we do not agree that our responsibility to live as Christians can be codified by legislators.

When, on television, we see a person in a persistent vegetative state, one who will never recover, we believe that allowing the natural and merciful end to her ordeal is more loving than imposing government power to keep her hooked up to a feeding tube.

When we see an opportunity to save our neighbors' lives through stem cell research, we believe that it is our duty to pursue that research, and to oppose legislation that would impede us from doing so.

We think that efforts to haul references of God into the public square, into schools and courthouses, are far more apt to divide Americans than to advance faith. [More](#)

Launch drive to impeach Bush, activists urge

Friday, June 17 (Globe and Mail)— The emotive and charged word "impeachment" was voiced yesterday on Capitol Hill as a clutch of Democratic congressmen, backed by distraught mothers of soldiers slain in Iraq, put together a piece of theatre that could become the summer's political drama. John Bonifaz, a self-styled constitutional lawyer and anti-war activist, suggested there are sufficient grounds to launch an inquiry into whether the President should be impeached for lying to Congress about the justification for the war.

"The United States House of Representatives has a constitutional duty to investigate fully and comprehensively the evidence revealed by the Downing Street minutes and other related

evidence, and to determine whether there are sufficient grounds to impeach George W. Bush, the President of the United States," Mr. Bonifaz said. Cindy Sheehan, mother of a soldier killed in Iraq and founder of the Gold Star Families for Peace, accused Mr. Bush of waging a "needless, senseless" war and "betraying" servicemen like her son, Casey, killed in action in Baghdad in April of 2004.

"I believed before our leaders invaded Iraq in March, 2003, and I am even more convinced now that this aggression on Iraq was based on a lie of historic proportions, and was blatantly unnecessary," Mrs. Sheehan said.

"The so-called Downing Street memo, dated 23 July, 2002, only confirms what I always suspected: The leadership of this country rushed us into an illegal invasion of another sovereign country on prefabricated and cherry-picked intelligence." [More](#)

Dick Durbin's passion ignites foes' ire

The Illinois senator's charged attacks on Republicans inspire his party while firing up his critics--and he's not backing down

Friday, June 17 (Chicago Tribune)--With his unassuming Midwestern demeanor and genial bearing, Dick Durbin is no one's vision of a political street fighter.

Yet Illinois' senior senator--who is growing in stature as a national Democratic voice and a font of strategic and communications advice for a party eager to regain its footing--found himself on the receiving end of Republican outrage this week.

In a speech on the Senate floor Tuesday, Durbin read aloud from an FBI agent's detailed e-mail complaining about the mistreatment of an Al Qaeda prisoner at the Guantanamo Bay detention center in Cuba.

"If I read this to you, and did not tell you that it was an FBI agent describing what Americans had done to prisoners in their control, you would most certainly believe this must have been done by Nazis, Soviets in their gulags or some mad regime--Pol Pot or others--that had no concern for human beings," Durbin said.

By Thursday, conservatives' anger at what they portrayed as a comparison between the U.S. and some of history's most murderous regimes was boiling.

"I think the senator's remarks are reprehensible," said White House spokesman Scott McClellan.

Conservative radio host Rush Limbaugh said on his show, "This is the kind of thing that ought to force him to resign in disgrace."

But Durbin, who became the assistant Democratic leader--his party's second-in-command in the Senate--at the start of this year, was unrepentant. [More](#)

Universal Health Coverage: Coming Sooner Than You Think

Friday, June 17 (The Century Foundation)--Suppose you'd joined an imaginary betting pool that gambled on if and when the United States would insure all its citizens for medical care. Anytime during the last century or so, you'd have been smart to take the "never" or the "over."

Just a dozen years after the failure of the Clinton health plan, the smart money should be switching sides. What's changed? First, a specter is haunting U.S. employers: the problem of medical costs. These have risen 59 percent for employers since 2000 alone. A recent survey of chief financial officers found these costs to be their single biggest concern. General Motors and other large automakers are in especially dire straits. Facing a \$5 billion yearly health care bill for current workers and over \$63 billion in future health care obligations for its retirees, GM recently announced that it would reduce its hourly U.S. workforce by 20 percent.

...There's a silver lining to this growing crisis of employer-based coverage. We have a chance to get rid of our expensive and inefficient health care system and to replace it with a fairer and more sensible one...This proposal would keep intact the existing relationship between doctors, insurers, and patients; preserve U.S. leadership in medical innovation; and allow Americans to see the doctors of their choice. In many respects it resembles the way Congressmen get their current coverage. How would it be paid for? Mostly through the same ways in which today's system is financed, and for only a modest additional cost. Some new spending would be added to improve public health and to encourage Americans to stay healthy, which will lower medical spending over time.

As health costs rise, the predicament of both the uninsured and the currently insured will grow worse. There will be calls either to expand "consumer-directed" employer plans that transfer much greater risk to workers, or to embrace much greater federal government control over the financing and delivery of health care. This sensible and affordable approach for universal coverage, which combines federal regulation with individual choice, is a much better bet.

How the Plan Will Work

The principal elements of the proposal are the following:

- * American families will be required to purchase their own health insurance, and government subsidies will be offered to make insurance coverage affordable for everyone.
- * The existing federal tax subsidy for employer-based insurance under which employers can deduct the cost of health insurance from their tax base and employees do not count their benefits as taxable income will be phased out. The new revenues from eliminating this subsidy will pay for a part of the financing of this proposal.
- * For every American household, the government will make a contribution to the purchase of a premium for a basic health insurance plan (premium support). The level of this contribution will be set to allow each household to enroll in a basic plan at a modest premium or, in some cases, at no additional cost. Older Americans, the disabled, those with low incomes, and veterans will receive a larger subsidy that allows them to purchase a midlevel plan.
- * The federal government will establish and sponsor three national health insurance options and will specify a minimum level of benefits that must be offered at each level of coverage. It will negotiate premiums annually for each insurance package with national and local health plans.
- * Purchasing at least the basic level of coverage will be mandatory for individuals. Individuals will be able to change plans on an annual basis and will not pay higher premiums upon entering or switching plans based on preexisting medical conditions.
- * Medicaid will be phased out, along with all other government insurance plans based on categorical eligibility, such as the Veterans Health Administration. Medicare will continue to function for current beneficiaries, but it also will be phased out. Current Medicare beneficiaries will have the option of joining the new national health program.
- * Subject to federal approval, insurers will be allowed to offer different plan designs, such as restricted physician networks and copayments. At any level of coverage, insurers may offer a benefit package that exceeds the federally mandated minimum. They must, however, offer all tiers of insurance coverage should they choose to offer any one of them. Moreover, they may not pay providers different amounts for medical procedures based on the patient's level of insurance coverage.
- * An independent government board will be created to evaluate the cost-effectiveness of medical therapies and procedures, with a focus on assessing new technologies.
- * A large new investment in the public health system will be made to encourage Americans to practice healthier lifestyles. Each of the insurance programs will require generous coverage of preventive care, including vision and dental coverage.
- * The plan will be paid for through a payroll tax, a dedicated corporate tax, general revenues, and the revenues from eliminating the employer-based tax subsidy.

[More](#)

Bush Aides Report Millions in Assets

Friday, June 17 (Washington Post)--Most of President Bush's top aides reported having mutual funds, stocks and real estate holdings worth millions of dollars, according to 2004 financial disclosure reports released yesterday.

Deputy chief of staff Karl Rove reported having mutual funds and treasury bonds worth between \$1.1 million and \$2.4 million. He and his wife also reported owning a house in Rosemary Beach, on the Florida Panhandle, worth at least \$1 million. He also reported owning a rental home in Ingram, Tex., worth between \$100,001 and \$250,000. Rove reported collecting between \$2,501 and \$5,000 in rent on the Texas property in 2004.

Recent financial disclosures show that real estate and mutual funds are among the investments held by Bush advisers Andrew Card, from left, Dan Bartlett and Karl Rove. Counselor to the

President Dan Bartlett reported having at least \$500,000 in mutual funds and land in West Texas's Kerr County worth between \$15,000 and \$50,000.

Chief of Staff Andrew H. Card Jr. reported having between \$1.2 million and \$3.2 million in mutual funds and bank accounts. He also reported owning a home in Poland, Maine, worth between \$100,001 and \$250,000. He also had a two-family home in Holbrook, Mass., worth between \$250,000 and \$500,000. Card, a longtime government employee, said he earned between \$15,000 and \$50,000 in rent from the property. [More](#)

GOP to Bush: Chill Some on Social Security

Friday, June 17 (SmartPros)— Republican leaders are warning the White House its Social Security reform agenda is in a political cul de sac and urging a partial retreat.

The Senate panel considering President Bush's proposed private investment accounts as a way to keep Social Security solvent lacks the necessary Republican votes to send the measure to the floor.

Thus House Speaker Dennis Hastert, R-Ill., does not want his members to vote yes on the measure -- and risk losing re-election -- in what will be largely symbolic. [More](#)

U.S. Pressure Weakens G-8 Climate Plan

Global-Warming Science Assailed

Friday, June 17 (Washington Post)—Bush administration officials working behind the scenes have succeeded in weakening key sections of a proposal for joint action by the eight major industrialized nations to curb climate change.

Under U.S. pressure, negotiators in the past month have agreed to delete language that would detail how rising temperatures are affecting the globe, set ambitious targets to cut carbon dioxide emissions and set stricter environmental standards for World Bank-funded power projects, according to documents obtained by The Washington Post. Negotiators met this week in London to work out details of the document, which is slated to be adopted next month at the Group of Eight's annual meeting in Scotland.

The administration's push to alter the G-8's plan on global warming marks its latest effort to edit scientific or policy documents to accord with its position that mandatory carbon dioxide cuts are unnecessary. Under mounting international pressure to adopt stricter controls on heat-trapping gas emissions, Bush officials have consistently sought to modify U.S. government and international reports that would endorse a more aggressive approach to mitigating global warming.

Last week, the New York Times reported that a senior White House official had altered government documents to emphasize the uncertainties surrounding the science on global warming. That official, White House Council on Environmental Quality chief of staff Phillip Cooney, left the administration last Friday to take a public relations job with oil giant Exxon Mobil, a leading opponent of mandatory limits on greenhouse gas emissions. [More](#)

Bush's Support on Major Issues Tumbles in Poll

Friday, June 17 (New York Times)—Increasingly pessimistic about Iraq and skeptical about President Bush's plan for Social Security, Americans are in a season of political discontent, giving Mr. Bush one of the lowest approval ratings of his presidency and even lower marks to Congress, according to the New York Times/CBS News Poll.

Forty-two percent of the people responding to the poll said they approved of the way Mr. Bush was handling his job, a marked decline from his 51 percent rating after of the November election, when he embarked on an ambitious second term agenda led by the overhaul of Social Security. Sixteen months before the midterm elections, Congress fared even worse in the survey, with the approval of just 33 percent of the respondents, and 19 percent saying Congress shared their priorities.

Despite months of presidential effort, the nationwide poll found the public is not rallying toward Mr. Bush's vision of a new Social Security that would allow younger workers to put part of their payroll taxes into private investment accounts. Two-thirds said they were uneasy about Mr. Bush's ability to make sound decisions on Social Security. Only 25 percent said they approved of the way Mr. Bush was handling Social Security, down slightly from what the poll found in March.

Moreover, 45 percent said the more they heard about the Bush plan, the less they liked it. The survey also found the public shared the growing skepticism in Washington about Mr. Bush's prospects for success on Social Security, with most saying they did not think Mr. Bush would succeed.

Still, Mr. Bush continued to have majority support for his handling of the war on terrorism - 52 percent - one of his strengths throughout his 2004 re-election campaign.

Mr. Bush's approval rating is below the historical pattern for June in the first year of a second term: President Clinton's stood at 60 percent and President Reagan's at 59 percent. But that could reflect, in part, the much greater partisan polarization in modern politics, underscored by the 71 percentage point gap between Mr. Bush's approval rating from Democrats and Republicans in the recent poll. Nicole Devenish, White House communications director, dismissed the significance of the poll, saying Mr. Bush believes that following polls is equivalent to a dog chasing its tail. "We have advanced a broad agenda, and will continue to advocate the people's priorities," she said. [More](#)

What's the Matter With Ohio?

By PAUL KRUGMAN

Friday, June 17 (New York Times)—The Toledo Blade's reports on Coingate - the unfolding tale of how Ohio's Bureau of Workers' Compensation misused funds - deserve much more national attention than they have received so far. For one thing, it's an entertaining story that seems to get weirder by the week. More important, it's an object lesson in what happens when you have one-party rule untrammelled by any quaint notions of independent oversight.

In April, The Blade reported that the bureau, which provides financial support for workers injured on the job, had invested \$50 million in Capital Coin, a rare-coin trading operation run by Tom Noe, an influential Republican fund-raiser.

At first, state officials angrily insisted that this unusual use of state funds was a good investment that had nothing to do with Mr. Noe's political connections. An accounting investigation revealed, however, that Mr. Noe's claims to be running a profitable business were fictitious: he had lost millions, and 121 valuable coins were missing.

On June 3, police raided the Colorado home of Michael Storeim, Mr. Noe's business associate, and seized hundreds of rare coins. After changing the locks, they left 3,500 bottles of wine, valued at several hundred thousand dollars, in the home's basement.

On Monday, Mr. Storeim told police that someone had broken into his house over the weekend and stolen much of the wine, along with artwork, guns, jewelry and cars. As I said, this story keeps getting weirder.

[More](#)

Thursday, June 16

5:04 pm—Didn't We All Expect This? At Least Those Of Us Who Were Sane Back Then?

Needless to say, Terri Shiavo's autopsy shows exactly what the rest of us who weren't rabid movement conservatives thought. The poor woman was a vegetable, wasn't abused, and probably had her life unnecessarily extended while her parents, Randall Terry, the Religious Right, Congress, and George W. Bush used her for their own personal gain. [Here's the autopsy report.](#) At what point do we ignore these people and let the adults run the country again?

DOES GALVESTON OFFER A MODEL FOR SOCIAL SECURITY REFORM?

by Jason Furman

Thursday, June 16 (Center on Budget and Policy Priorities)—Some, including President Bush, have pointed to the experience of Galveston, Texas as demonstrating why private accounts should be incorporated into Social Security. In 1981, Galveston and two other Texas counties opted out of Social Security and established their own substitute Social Security systems for county employees.[1] Their plans provide retirement, survivors, and disability benefits.

These plans, however, do not provide evidence that the President's approach could be successful, for three basic reasons.

* The Galveston Plan bears little resemblance to the President's plan. The Galveston plan does not have voluntary private accounts. Instead, the county invests pension funds in the market; individual workers do not have accounts or any control over investment decisions. In addition, participation in the Galveston plan is mandatory. The Galveston Plan also features higher payroll tax contributions: 13.9 percent of payroll, as compared to 12.4 percent under the traditional Social Security system.[2]

* Retirement benefits are generally lower under the Galveston Plan. Under the Galveston Plan, initial retirement benefits are lower for many workers than under Social Security. Furthermore, unlike Social Security, the Galveston plan does not adjust benefits from year to year to reflect increases in the cost of living. As a result, according to a Social Security Administration study, "After 20 years, all of Galveston's benefits are lower relative to Social Security's." The SSA study also noted that "there are no additional spousal or dependent benefits... benefits are not portable to future employers; benefits are not adjusted for inflation; and, in general, benefits are lower for those with lower earnings and/or with a greater number of dependents who qualify for Social Security." [3]

* Galveston could not provide a model for the country as a whole. The 5,000 municipal employees covered by the plans run by Galveston and the two other Texas counties opting out of Social Security do not make any contributions to support current Social Security beneficiaries. If the United States as a whole adopted a Galveston-like plan, there would be no one left to pay the \$500 billion annual cost of benefits for the nation's 45 million current Social Security beneficiaries.

In other words, municipal employees from these three Texas counties are "free riders" who are escaping their share of the national obligation to finance Social Security for current retirees. The United States as a whole cannot "free ride" in the way that government employees in one relatively small county can.

The remainder of this brief analysis explains in more detail why the experience in Galveston has little relevance to the current national Social Security debate and why claims that the Galveston experience shows that we should move to private accounts are erroneous. [More](#)

WOULD PRIVATE ACCOUNTS PROVIDE A HIGHER RATE OF RETURN THAN SOCIAL SECURITY?

Executive Summary

Thursday, June 16 (Center on Budget and Policy Priorities)—Administration officials and other proponents of private accounts often compare the rate of return in Social Security to the rate of return they say would be achieved through private accounts. For example, in his State of the Union address, the President stated, "Here's why the personal accounts are a better deal. Your money will grow, over time, at a greater rate than anything the current system can deliver -- and your account will provide money for retirement over and above the check you will receive from Social Security." [2]

Similarly, in January the Vice President said: "In fact, young workers who elect personal accounts can expect to receive a far higher rate of return on their money than the current system could ever afford to pay them. For example, if a 25-year-old invested \$1,000 per year over 40 years at Social Security's 2 percent rate of return, in 40 years she would have over \$61,000. But if she invested the money in the stock market, earning even its lowest historical rate of return, she would earn more than double that amount — \$160,000. If the individual earned the average historical stock market rate of return, she would have more than \$225,000 — or nearly four times the amount to be expected from Social Security." [3] Cato, the Heritage Foundation and a number of other organizations that support private accounts also routinely make such comparisons.

Yet economic research and basic economic principles show that such comparisons simply are not valid. They seriously mislead the public.

Analyses by some of the nation's leading economists have convincingly demonstrated that the comparisons which private-account proponents often make of rates of return in Social Security to past rates of return in private capital markets are apples-to-oranges comparisons and do not withstand scrutiny. [4] For example, a landmark paper co-authored by economists Olivia Mitchell, a member of the President Bush's Commission to Strengthen Social Security and a supporter of private accounts, John Geanakoplos, and Stephen Zeldes found that "the popular argument that Social Security privatization would provide higher returns for all current and future workers is misleading, because it ignores transition costs and differences across programs in the allocation of aggregate and household risk." The paper states: "A popular argument suggests that if Social Security were privatized, everyone could earn higher returns. We show that this is false." [5]

A recent analysis that the investment firm Goldman Sachs sent to its subscribers explains these basic economic findings. The analysis, entitled "Seven Myths About Social Security Reform," includes as a leading myth that "Privatization is a much better 'deal' for Social Security participants." Goldman Sachs explains that "after adjusting for these two factors [transition costs and risk, which are described below], the difference in returns between personal saving accounts and the current system disappears. There is no free lunch available via privatization."

Similarly, in a new article, conservative Harvard economist Robert Barro cites the same two factors in explaining why the claim that private accounts would provide higher rates of return is misleading:

"Advocates of personal accounts cite the low rates of return in the current system, but this is misleading. Prospective returns to young people are low mostly because we gave benefits to older generations of retirees who did not contribute their share of taxes to pay for them. One way or another, the burden of this generosity has to be borne by the young. From the perspective of the trust fund, returns look low because the fund's government bonds have paid less than stocks. But the premium on stocks is compensation for risk, as gauged by financial markets. Although the ability to hold stocks is a plus, there is no free lunch of assured higher returns." [6]

This paper explains the basis of findings that economists broadly agree upon — that the type of rate-of-return comparison that some Administration officials and other private-accounts proponents are using is not valid, and that when analytically valid comparisons are made, the supposed differences in rates of return essentially disappear. There are three principal reasons why this is so. [More](#)

Lawyers Fought U.S. Move to Curb Tobacco Penalty

Thursday, June 16 (New York Times)— Senior Justice Department officials overrode the objections of career lawyers running the government's tobacco racketeering trial and ordered them to reduce the penalties sought at the close of the nine-month trial by \$120 billion, internal documents and interviews show.

The trial team argued that the move would be seen as politically motivated and legally groundless.

"We do not want politics to be perceived as the underlying motivation, and that is certainly a risk if we make adjustments in our remedies presentation that are not based on evidence," the two top lawyers for the trial team, Sharon Y. Eubanks and Stephen D. Brody, wrote in a memorandum on May 30 to Associate Attorney General Robert D. McCallum that was reviewed by The New York Times.

The two lawyers said the lower penalty recommendation ordered by Mr. McCallum would weaken the department's position in any possible settlement with the industry and "create an incentive for defendants to engage in future misconduct by making the misconduct profitable."

At the close of a major trial that dozens of Justice Department lawyers spent more than five years preparing, the department stunned a federal courtroom last week by reducing the penalties sought against the industry, from \$130 billion to \$10 billion, over accusations of fraud and racketeering. [More](#)

Ed note: this is the second revelation in two weeks of how Bush administration officials, fresh from jobs working for industries they now are responsible for regulating or representing, have directly intervened in favor of their old employers. Meanwhile the Washington establishment thinks Bush is a strong and popular president.

Tuesday, June 14

4:56 pm—The Problem with Texas...

I'm reading Justice Thomas's dissent in the Miller-El case, which I posted on yesterday. Let me give you the quote that got me going:

In the early morning hours of November 16, 1985, petitioner Thomas Joe Miller-El and an accomplice, Kennard Flowers, robbed a Holiday Inn in Dallas, Texas. Miller-El and Flowers bound and gagged hotel employees Donald Hall and Doug Walker, and then laid them face down on the floor. When Flowers refused to shoot them, Miller-El shot each twice in the back, killing Walker and rendering Hall a paraplegic. Miller-El was convicted of capital murder by a jury composed of seven white females, two white males, a black male, a Filipino male, and a Hispanic male.

For me, this is a slam-dunk case for even a first-year prosecutor. Why did the prosecutor need to be so sloppy, biased, and lazy in this case? You've got a live witness, who's testimony would be certain to send Miller-El rightly to a lethal injection. Instead, we get a prosecutor who gets in the way of his own airtight case by excluding prospective jury members during voir dire. I don't get it.

Remember how angry people were when OJ was found innocent? Although we were angry with Simpson and Johnnie Cochrane, our energy should have been directed at the LA prosecutor's office, who managed to screw up a similar airtight case. At what point should we be angry with the legal system as a whole instead of the actors within the particular case? Miller-el is no angel, and he should have been found guilty and had the verdict stick. Hell, I think I could have gotten him put away. The prosecutor who has now been shown to be an idiot by the highest court in the land should have been reprimanded if not fired for having this case sent back to trial.

I'm waiting for the next winger to tell me about this case and how it shows the liberalness of the judiciary. I'm going to point out the details of the case and ask him about the competence of the prosecutor.

You think you know me, but you don't

Charles Madigan

Tuesday, June 14 (Chicago Tribune)—I have been examining my conscience of late and taking inventory of my political views.

Am I "liberal?" Are media liberal?

Maybe media were liberal in some ways in the days of family newspaper ownership in some places. Not anymore. These are big media conglomerates, for the most part. Primarily, they care about performance and returns, not about politics.

Abandon the illusion that there's a socialist behind the curtain manipulating the media levers. That clanking sound is just a cash register. Still, even friends have taken to calling me liberal.

"It's good to hear a liberal voice," they say. "It's good to see such a conservative paper giving some space to a strong liberal voice."

It's not working for me.

I don't think I'm liberal.

I may have been liberal a long time ago, back when blue jeans had bell-bottoms, people spoke about what fun pot smoking was, women broke the bonds of fashion, loosely embracing nature, and sensitive men said they wept sad tears at "Love Story" instead of gagging, the more natural response.

Life, I have found, is not a liberalizing process.

What you want in life is for the trains to run on time and for your kids to be on them.

That's not liberal.

Your thoughts about government and what it can achieve are dashed on the rocks of reality.

You come to expect less and less, until you finally settle on what is a realistic conclusion: Don't expect much.

Does that make me liberal? I don't think so.

The record shows government is good at developing spectacular conflicts of interest at local, state and national levels.

It cannot fix our busted children, because that is our job as parents.

It cannot fix our crumbling schools, or we wouldn't have so many generations of politicians running on the issue of fixing our crumbling schools.

Maybe that is our job too, and one that starts at home.

Government cannot fix our dented lives, either, although it could certainly help us by providing some access to the money we might need to repair ourselves. Health care for everyone would help. [More](#)

Short-circuited — again

High court, in understandable disbelief, thwacks recalcitrant appellate bench on how the death penalty has been handled in Texas.

Tuesday, June 14 (Houston Chronicle)—In the manner of a long-suffering parent faced with a disingenuously obstreperous child, the U.S. Supreme Court on Monday told the 5th U.S. Circuit Court of Appeals — one more time — how wrong it was in interpreting yet another major principle in capital-punishment cases.

Racial discrimination in jury selection, no matter how Texas prosecutors tried to hide the ugly practice, is unconstitutional, the court ruled, reversing an almost 20-year-old murder conviction from Dallas County.

The majority opinion, in a 6-3 decision, was couched in perfectly proper language. But you sensed that its author, the mild-mannered Justice David Souter, was doing a slow burn, as well he and his colleagues might have been.

That racial discrimination figured in the 1986 jury selection in the case against Thomas Joe Miller-El seemed clear the previous time the case came up through the federal appellate system.

For starters, 10 of the 11 qualified black jury pool members were removed by prosecutors' preemptory strikes. When black prospects were near the top of the list, prosecutors asked for the jury cards to be reshuffled. In one instance, when blacks were near the top of the pack even after a shuffle, the discriminatory intent was so clear that the trial judge refused a request for yet another shuffle. And on and on and on through the lopsided handling of black and white prospective jurors.

Two years ago the Supreme Court reversed the 5th Circuit's refusal to allow Miller-El's challenge to proceed, noting that his claims of racial discrimination were "at the least, debatable by jurists of reason."

The 5th Circuit, on rehearing, didn't take the hint, finding the flimsy rationale advanced by Dallas County and accepted by the Texas Court of Criminal Appeals believable. [More](#)

Ed note: read the decision [here](#)

One Nation, Uninsured

By PAUL KRUGMAN

Tuesday, June 14 (New York Times)—Harry Truman tried to create a national health insurance system. Public opinion was initially on his side: Jill Quadagno's book "One Nation, Uninsured" tells us that in 1945, 75 percent of Americans favored national health insurance. If Truman had succeeded, universal coverage for everyone, not just the elderly, would today be an accepted part of the social contract.

But Truman failed. Special interests, especially the American Medical Association and Southern politicians who feared that national insurance would lead to racially integrated hospitals, triumphed.

Sixty years later, the patchwork system that evolved in the absence of national health insurance is unraveling. The cost of health care is exploding, the number of uninsured is growing, and corporations that still provide employee coverage are groaning under the strain.

So the time will soon be ripe for another try at universal coverage. Public opinion is already favorable: a 2003 Pew poll found that 72 percent of Americans favored government-guaranteed health insurance for all.

But special interests will, once again, stand in the way. And the big debate among would-be reformers is how to deal with those interests, especially the insurance companies. These companies played a secondary role in Truman's failure but have since become a seemingly invincible lobby.

Let's ignore those who believe that private medical accounts - basically tax shelters for the healthy and wealthy - can solve our health care problems through the magic of the marketplace. The intellectually serious debate is between those who believe that the government should simply provide basic health insurance for everyone and those proposing a more complex, indirect approach that preserves a central role for private health insurance companies. [More](#)

Monday, June 13

Human Toll of a Pension Default

Monday, June 13 (Washington Post)—Ellen Saracini lost her husband, United Airlines Capt. Victor J. Saracini, when his Flight 175 crashed into the World Trade Center on Sept. 11, 2001. Now she stands to lose more than half of her widow's pension in a very different kind of crash -- United's default of its \$9 billion pension obligations.

The scale of the default, the largest in U.S. history, has received more attention than the toll on the lives of the bankrupt airline's 120,000 employees and pensioners. Saracini discussed its impact on her and her two daughters in an interview yesterday, saying she hopes her story will help shift the focus to the laws and policies that allow such defaults.

Ellen Saracini, with daughters Brielle, left, and Kirsten, attends a funeral service for her husband. (By Chris Gardner -- Associated Press)

"My own situation is not a crisis -- I have my husband's life insurance to keep us secure in our house," she said from her home in Yardley, Pa. "But a lot of other people have real hardship -- medical costs they won't be able to afford, houses they won't be able to keep. If I can help draw attention to them, I'll do it in a heartbeat."

Saracini was among about 2,000 United pensioners and employees who e-mailed their stories to Rep. George Miller (D-Calif.) in recent days for what he called an online hearing on the human impact of the default. "We have been overwhelmed -- both numerically and emotionally -- by the response," said Miller, one of several politicians in both parties warning that a wider crisis will loom if the nation's pension security laws are not revised. [More](#)

Friday, June 3

Democrats Also Got Tribal Donations

Abramoff Issue's Fallout May Extend Beyond the GOP

Friday, June 3 (Washington Post)—Lobbyist Jack Abramoff and an associate famously collected \$82 million in lobbying and public relations fees from six Indian tribes and devoted a lot of their time to trying to persuade Republican lawmakers to act on their clients' behalf.

But Abramoff didn't work just with Republicans. He oversaw a team of two dozen lobbyists at the law firm Greenberg Traurig that included many Democrats. Moreover, the campaign contributions that Abramoff directed from the tribes went to Democratic as well as Republican legislators.

Among the biggest beneficiaries were Capitol Hill's most powerful Democrats, including Thomas A. Daschle (S.D.) and Harry M. Reid (Nev.), the top two Senate Democrats at the time, Richard

A. Gephardt (Mo.), then-leader of the House Democrats, and the two lawmakers in charge of raising funds for their Democratic colleagues in both chambers, according to a Washington Post study. Reid succeeded Daschle as Democratic leader after Daschle lost his Senate seat last November.

Democrats are hoping to gain political advantage from federal and Senate investigations of Abramoff's activities and from the embattled lobbyist's former ties to House Majority Leader Tom DeLay (R-Tex.). Yet, many Democratic lawmakers also benefited from Abramoff's political operation, a fact that could hinder the Democrats' efforts to turn the lobbyist's troubles into a winning partisan issue.

"It wouldn't surprise me to see the Abramoff controversy impact both parties," said Tony Raymond, co-founder of PoliticalMoneyLine.com, which gathers lobbying and campaign finance information. [More](#)

Ed note: on the surface lobbyists always spread the wealth. It helps them save face. But how many were involved with Abramoff at the level Tom DeLay were? When it comes out, I'm positive the answer will be none.

7:45 am--This May be a Shallow Question, but I'd Still Like an Answer...

If Republicans feel democrats should bow before the "mandate" of a president who won with less than 1% of the vote; why didn't they equally embrace the "mandate" of Clinton, who beat the tar out of George I, and bitch-slapped Bob Dole on Election Day 1996?

Call me shallow....

Wednesday, June 1

The Growth Of Physician Medical Malpractice Payments: Evidence From The National Practitioner Data Bank

The growth of malpractice payments is less than previously thought.

Wednesday, June 1 (Health Affairs)—ABSTRACT: We used data from the National Practitioner Data Bank (NPDB) to study the growth of physician malpractice payments. Judgments at trial account for 4 percent of all malpractice payments; settlements account for the remaining 96 percent. The average payment grew 52 percent between 1991 and 2003 (4 percent per year) and now exceeds \$12 per capita each year. These increases are consistent with increases in the cost of health care. A preoccupation with data on judgments, extreme awards, or specific specialties results in an incomplete understanding of the growth of physician malpractice payments. [More](#)

Ed note: thanks to Kevin Drum

5:20 pm--Wishful Thinking, as Practiced by a Movement Conservative

Charles Colson, founder of a successful prison ministry to MSNBC's Amy Robach, on Mark Felt--

"What could he have done, Amy? He could have walked into (FBI Director) Pat Gray and said, 'We're going to go over to the Oval Office and tell the old man what's going on.' If Pat Gray said no, then Pat Buchanan's right, you have a press conference and you leave. That's the honorable way to do it. People talk about a hero. A hero might have, if he had the courage, gone in and talked to the President. I know Richard Nixon well enough -- no paragon of moral virtue - but out of expediency, if he thought the FBI really had the goods on him, he would have turned off what was going on in the White House and he might have saved the government. Then, we really would have built a shrine to him."

Why do I have a feeling that this is more wishful thinking than Christian living? Nixon turn himself in? Or even more insidious, giving Nixon a chance to destroy the evidence of the crimes of CREEP, only to spin the whole thing as how Richard M. Nixon is the deliverer of clean government? How Orwellian is that? Is that what Colson teaches in his Christian ministry?

Deep Throat takes fire -- a hero or a snake?

Wednesday, June 1 (Reuters)— Mark Felt, the former FBI official who helped bring down a president, took criticism and praise from all sides on Wednesday after he was unmasked as the legendary "Deep Throat" from the Watergate scandal.

Revealed after 30 years of secrecy to be the instrumental source in the groundbreaking stories of Washington Post reporters Bob Woodward and Carl Bernstein, Felt was slammed by President Richard Nixon's most hard-line supporters as a "snake" and a snitch.

But Felt's admirers said he was a hero for blowing the whistle on the corruption and abuse of office that ultimately led to Nixon's August 1974 resignation -- the only resignation of a U.S. president in history.

The former FBI deputy director, now a 91-year-old retiree in declining health in California, was at the center of a storm of reaction and speculation about his motivations one day after the surprise revelation.

"I think that Mark Felt was ashamed at what he did, that's why he lied about it for 30 years -- and he ought to have been," former Nixon speech writer and Republican presidential candidate Patrick Buchanan, now a conservative commentator, told MSNBC. He called "Deep Throat" "a snake." [More](#)

Would Deep Throat Be a Hero in 2005?

By Howard Kurtz

Wednesday, June 1 (Washington Post)—Most people, I believe, would say yes. This was a guy who provided The Post with crucial information about a badly corrupt administration. Forget Hal Holbrook and moving the flower pot and meeting in the parking garage and all of that. Deep Throat concluded that since John Mitchell's Justice Department was itself corrupt, the only way to get the story out was to whisper it to Bob Woodward.

But now imagine that the president involved was not Richard Nixon but George W. Bush and the media climate was that of 2005 rather than 1972. Imagine that the White House was railing against the use of unnamed sources. Imagine that a special prosecutor was threatening to jail Woodward and Carl Bernstein, a la Matt Cooper and Judy Miller, for not revealing who in the administration was giving them confidential information.

It's easy now, more than three decades later, to lionize Throat as a brave government official. But that, as the Newsweek fiasco and the Valerie Plame case have reminded us, is not the prevailing attitude toward officials who leak.

Now obviously, just because Mark Felt leaked to Woodstein about the crimes of Watergate doesn't justify the explosion of anonymous sources these days, nor the media's willingness to protect those with partisan agendas, nor does it mean that leaked stories are always accurate. But it drives home the point that for all the abuse and overuse of sources these days, there's a reason that some people won't talk to reporters with their names attached, and sometimes that is the only way for the press to blow the whistle on wrongdoing. [More](#)

3:07pm--What's So Hard About It?

This entire Deep Throat storyline is fascinating, from the standpoint of taking a hard look at the character and morals of today's movement conservative.

Today, while listening to NPR, I heard a story on Bush's response when asked about whether Mark Felt, the now unmasked "Deep Throat" provided a valuable public service, or acted improperly. According to NPR, Bush replied "I don't know, I'm still learning more."

Now my first inclination is to say that how can a man who holds Jesus Christ as his hero not admire Felt for outing the slime that was the Nixon administration? Which commandment says "personall loyalty above country and all else?" Then, I thought what does this man teach his children? Then I thought "what does this man teach our children?" Clinton was a very, very, very bad incident over the course of a successful and popular presidency. But Bush's actual character traits, not those he professes, show him to be more the sinner than Clinton ever was.

I'm not going to get into Felt himself. He did participate in approving illegal break-ins and other crimes. He'll have to answer to someone else for his actions. But at the end of the day he did the right thing.

This is what always kills me about movement conservatives. How can they resolve the Christianity they profess with the lives they practice? How can you teach your kids that it's wrong to shed light on illegal practices? That a whistleblower is a coward? That the will of the organization is right, no matter how morally wrong or illegal its actions? Was it moral to out priests that abused little boys? Or was that the price we had to pay for God's love as practiced by the Catholic church? How can one look the private that blew the lid on Abu Ghraib in the eye and say, "we needed to torture innocent Iraqis, and what you did was wrong?"

If it's not moral to hide a murderer or bank robber in your home, they why is it moral to hide evidence of similar crimes as practiced by organizations?

The classic question is "would you turn in your brother?" Well, if he didn't turn himself in, then yes. You'd wrestle with it, you'd plead with him, you'd do almost what ever it took for him to see the

need for him to come clean. But bottom line, his actions had negative consequences on innocent people, and for that he needs to pay. If you didn't how could you look at yourself in the mirror. You hope they have the character to do it themselves, but if they don't, you have to do the right thing for them.

For Bush to imply that burglary, illegal wire taps, and embezzlement visited upon law-abiding citizens on behalf of the President of the United States is morally acceptable, leaves him morally bankrupt.

Tuesday, May 31

4:26 pm--The Good Old Gilded Age? Part 3

Here's another look at the age George W. Bush and Karl Rove talk about when they say "the good old days." In this installment, something they should be very comfortable with--machine politics:

Entering the Gilded Age: Machine Politics

"What's the Constitution among friends?" -- George Washington Plunkitt

President Ulysses S. Grant's administration (1868-1876) had been ineffectual and aimless, characterized by little other than corruption and scandal. The rise of big business overwhelmed what little government regulation existed. As it entered the Gilded Age, the country found itself dominated by machine politics, so called because the system and the party, rather than individuals, held power. Candidates were not elected for their stands on issues, their personalities, or their characters, but because they were backed by a "machine" that controlled voter loyalty by distributing political benefits such as offices and jobs. Such machines dominated the political scene in virtually every region of the US during the years after the Civil War.

Unregulated big business, often in bed with the political machines, exploited workers and customers alike. In the 1869 Credit Mobilier scandal, railroad insiders hired themselves on government money to build a railway at a fee far higher than it actually cost to build the railway. When they thought they might get caught, they bribed members of Congress. Companies battled to build monopolies, so as to gain complete control of a market and thus complete control of prices. Profit, and the search for profit, ruled the day.

With its focus finally shifting away from Reconstruction, the nation looked upon the corruption with dismay. Much of Gilded Age politics revolved around the effort of the government to find some system with which to regulate the expanding economy and big business, as well as an effort to regulate its own abuses. The battle against corruption, while perhaps the defining political issue of the Gilded Age, was not the only issue. Considerable debate raged over tariffs, Indian policy, and gold vs. silver coinage. Concern remained over the fate of Southern Blacks, whether that concern constituted a desire to maintain black independence or to limit it to the greatest degree possible. The Republicans, who for the most part called the industrial northern states home, pushed for strong tariffs to protect the prices of manufactures. Meanwhile, debtors (often Southern Democrats) supported the coinage of silver currency to create inflation, making their debts easier to pay off. Much of the Gilded Age was actually a period of deflation, due to a stable money supply but an increasing population and market. Although often corrupt, politics during the Gilded Age did not turn off the common individual: %70 voting turnout was common in northern cities, much higher than voter turnout today. [More](#)

Chicago Mayor Richard J. Daley had nothing on these guys. For the Bushies, the modern Republican machine has one thing that the Gilded Age machines didn't--enforceable religious dogma. Imagine how powerful Boss Tweed could have been had he managed to coopt the Catholic Church into openly advocating him as the Christian public servant, and his machine as the party of God?

Ombudsmen Rebuff Move by Public Broadcasting

Monday, May 31 (Hands Off Public Broadcasting.com)-- An association of news ombudsmen has rejected an attempt by two ombudsmen from the Corporation for Public Broadcasting to join their organization as full-fledged members, questioning their independence.

The Organization of News Ombudsmen, which represents nearly a hundred print and broadcast ombudsmen from around the world, more than half of them in the United States, voted at its annual conference here last week to change its bylaws to allow full membership only to those who work for news organizations. The corporation, a quasi-governmental organization, provides some federal funds for National Public Radio and the Public Broadcasting System; it does not itself gather or produce news.

The change allows for the corporation's ombudsmen - and others in allied fields but who are not part of a news organization - to become associate members. As such, they are denied voting privileges and the stamp of legitimacy as independent ombudsmen that full membership would suggest.

"We want members who are responsive to readers, not to governments or lobby groups," said Jeffrey A. Dvorkin, who was president of the ombudsmen's organization until last week when his term ended and is the ombudsman for NPR. "I was worried about the political nature of the appointment and I was worried about the precedent."

The move is a rebuff to Kenneth Y. Tomlinson, chairman of the corporation, who decided that the corporation should have two ombudsmen as a way to bring balance to what he sees as a liberal bias in public programming and an anti-Israeli bias in NPR's Middle East coverage. (A survey by the corporation itself has shown that viewers and listeners do not share those perceptions.) [More](#)

"Fair and balanced" -- the McCarthy way

CPB head Kenneth Tomlinson, who is leading a jihad against "liberal bias" in public broadcasting, and one of his two new ombudsmen both worked for the late Fulton Lewis, a reactionary radio personality associated with Sen. Joe McCarthy.

Tuesday, May 31 (Salon.com)-- As the debate over fairness and balance in public broadcasting rages on, there's a curious historical connection to be found between two men at the forefront of the current conservative crusade and a famous radio broadcaster from 50 years ago. How the three crossed paths -- and the way they practiced journalism -- put some of the debate into sharper focus.

A main figure in the roiling controversy is Kenneth Tomlinson, the head of the Corporation for Public Broadcasting, who insists that public radio and television suffer from a liberal bias and that actions -- such as adding conservative-leaning programs to the lineup -- must be taken to counterbalance it. Tomlinson recently singled out the weekly news program "Now," once hosted by liberal Bill Moyers, as the cause for his concern about bias.

Tomlinson's conviction is so strong he once suggested to the CPB board that Fox News anchor Brit Hume be invited to "talk to public broadcasting officials about how to create balanced news programming," according to a report broadcast May 20 on National Public Radio.

Tomlinson's charge of liberal bias runs counter to two nationwide polls conducted by the CPB in 2002 and 2003, which found little concern among Americans about bias in public broadcasting. The CPB is a federally funded agency that serves as an umbrella organization for public radio and television. Created by Congress, its purpose is both to help raise money and awareness for public broadcasting and to protect it from political pressure. But now the CPB itself has become the source of such pressure.

Tomlinson's attempt to push back the so-called liberal media is not surprising given his journalistic past -- which is where Fulton Lewis Jr., the broadcaster with the intriguing, albeit distant, connection to the ongoing debate, comes in. A prominent radio broadcaster in the '40s, '50s and '60s, Lewis was known for his complete lack of objectivity. At his commercial peak he was heard on more than 500 radio stations and boasted a weekly audience of 16 million listeners. An erstwhile Rush Limbaugh, Lewis was the master of the partisan smear who rarely strayed from GOP talking points. In 1948, New York Herald Tribune radio columnist John Crosby suggested that Lewis "ought to be recognized as a campaigner, not as a commentator, and his national air time be paid for and so listed by the Republican National Committee." [More](#)

Bush's Political Capital Spent, Voices in Both Parties Suggest

Poll Numbers Sag as Setbacks Mount at Home and Abroad

Tuesday, May 31 (Washington Post)--Two days after winning reelection last fall, President Bush declared that he had earned plenty of "political capital, and now I intend to spend it." Six months later, according to Republicans and Democrats alike, his bank account has been significantly drained.

In the past week alone, the Republican-led House defied his veto threat and passed legislation promoting stem cell research; Senate Democrats blocked confirmation, at least temporarily, of his choice for U.N. ambassador; and a rump group of GOP senators abandoned the president in his battle to win floor votes for all of his judicial nominees.

With his approval ratings in public opinion polls at the lowest level of his presidency, Bush has been stymied so far in his campaign to restructure Social Security. On the international front, violence has surged again in Iraq in recent weeks, dispelling much of the optimism generated by the purple-stained-finger elections back in January, while allies such as Egypt and Uzbekistan have complicated his campaign to spread democracy.

The series of setbacks on the domestic front could signal that the president has weakened leverage over his party, a situation that could embolden the opposition, according to analysts and politicians from both sides. Bush faces the potential of a summer of discontent when his capacity to muscle political Washington into following his lead seems to have diminished and few easy victories appear on the horizon. [More](#)

Too Few, Yet Too Many

By PAUL KRUGMAN

Tuesday, May 31 (New York Times)--One of the more bizarre aspects of the Iraq war has been President Bush's repeated insistence that his generals tell him they have enough troops. Even more bizarrely, it may be true - I mean, that his generals tell him that they have enough troops, not that they actually have enough. An article in yesterday's Baltimore Sun explains why.

The article tells the tale of John Riggs, a former Army commander, who "publicly contradicted Defense Secretary Donald H. Rumsfeld by arguing that the Army was overstretched in Iraq and Afghanistan" - then abruptly found himself forced into retirement at a reduced rank, which normally only happens as a result of a major scandal.

The truth, of course, is that there aren't nearly enough troops. "Basically, we've got all the toys, but not enough boys," a Marine major in Anbar Province told The Los Angeles Times.

Yet it's also true, in a different sense, that we have too many troops in Iraq.

Back in September 2003 a report by the Congressional Budget Office concluded that the size of the U.S. force in Iraq would have to start shrinking rapidly in the spring of 2004 if the Army wanted to "maintain training and readiness levels, limit family separation and involuntary mobilization, and retain high-quality personnel."

Let me put that in plainer English: our all-volunteer military is based on an implicit promise that those who serve their country in times of danger will also be able to get on with their lives. Full-time soldiers expect to spend enough time at home base to keep their marriages alive and see their children growing up. Reservists expect to be called up infrequently enough, and for short enough tours of duty, that they can hold on to their civilian jobs. [More](#)

Friday, May 27

F.D.A. Gets Reports of Blindness Tied to Male Impotence Drugs

Friday, May 27 (New York Times)—The Food and Drug Administration said today that it had received reports of partial vision loss among 38 men taking Viagra, the impotence drug, and among four men taking Cialis, a newer competitor.

Whether the popular drugs can actually cause blindness is unclear, but the Food and Drug Administration said it had suggested changes in the drugs' labeling as a precaution.

Pfizer Inc., the maker of Viagra, is in talks with the agency to list vision loss among the drug's side effects, while the makers of Cialis, Eli Lilly & Company and the Icos Corporation., have already added such a warning.

"We're not able to specifically say that these 38 cases are a result of the patients' taking Viagra, because they may have other predisposing conditions," said Suzanne Trevino, a spokeswoman for the F.D.A.

The type of blindness reported, a disorder known as non-arteritic anterior ischemic optic neuropathy, or NAION, is in fact common among people over 50 who have conditions like diabetes, heart disease, high blood pressure and high cholesterol - factors that also contribute to erectile dysfunction.

"With that said, we are taking this seriously and are working with the company to make sure that doctors and patients are aware of it," Ms. Trevino said. [More](#)

Ed note: is it that the drug aggravates their predisposition to blindness, or is it that one of their ways of getting over a 4-hour erection isn't working as planned?

Running Out of Bubbles

By PAUL KRUGMAN

Friday, May 27 (New York Times)—I've never fully accepted that view. But looking at the housing market, I'm starting to reconsider.

In July 2001, Paul McCulley, an economist at Pimco, the giant bond fund, predicted that the Federal Reserve would simply replace one bubble with another. "There is room," he wrote, "for the Fed to create a bubble in housing prices, if necessary, to sustain American hedonism. And I think the Fed has the will to do so, even though political correctness would demand that Mr. Greenspan deny any such thing."

As Mr. McCulley predicted, interest rate cuts led to soaring home prices, which led in turn not just to a construction boom but to high consumer spending, because homeowners used mortgage refinancing to go deeper into debt. All of this created jobs to make up for those lost when the stock bubble burst.

Now the question is what can replace the housing bubble.

Nobody thought the economy could rely forever on home buying and refinancing. But the hope was that by the time the housing boom petered out, it would no longer be needed.

But although the housing boom has lasted longer than anyone could have imagined, the economy would still be in big trouble if it came to an end. That is, if the hectic pace of home construction were to cool, and consumers were to stop borrowing against their houses, the economy would slow down sharply. If housing prices actually started falling, we'd be looking at a very nasty scene, in which both construction and consumer spending would plunge, pushing the economy right back into recession.

That's why it's so ominous to see signs that America's housing market, like the stock market at the end of the last decade, is approaching the final, feverish stages of a speculative bubble.

[More](#)

2:16 pm—The Good Old Gilded Age? Part 2

A case can be made that the pro-business, pre-New Deal policies of the Bush administration are leading the country back to the days of the late 1800s-early 1900s. Little to no oversight of business. Monopolies. No labor protections of freedoms. No social safety net. Unmitigated capitalism in full effect.

Back then, George Pullman had ideas on how to reforge the relationship between owner and employee. He turned his ideas into reality in his company town of Pullman, IL. From the Illinois Labor History Museum, comes a little tale called "[The Parable of Pullman.](#)"

The Parable of Pullman

In 1894 the model town of Pullman became the storm center for one of the classic labor struggles in American social history. What began as a revolt of the Pullman Shops employees against wage cuts and oppressive company practices, escalated into a national railway workers' boycott directed against the handling of trains carrying Pullman cars. It was followed by federal intervention with almost half the U.S. Army at the service of the employers.

The use of army troops brought about a bitter dispute pitting the Governor of Illinois and the Mayor of Chicago against President Grover Cleveland, who had ordered the troops sent in. And that led to the eventual defeat of Cleveland in his bid for renomination by the Democratic Party two years later. In the process of this epic tragedy, people were killed, the American Railway Union was destroyed, the Pullman workers were forced back to work on the company's terms, and George Pullman became a reviled caricature of the hard-hearted and unjust corporate Tycoon—all in order to keep labor in its place.

Recipe for Disaster

A "recession," as we would call it now, gripped the nation's economy beginning in 1893. Orders for Pullman cars fell off and management began a program of lay-offs and wage cuts. The cuts, applied not to managerial employees but only to the hourly workers, averaged 25 percent. Since Pullman wages were close to the subsistence level, it was a recipe for disaster. The situation was all the more desperate for the workers who lived in the town, because the company refused to lower the rents. Even more galling, the company made sure it collected the rents—right out of the pay! The company's control of the town (and the people in it) was close to absolute. Even the Green Stone Church was the company's property. Its use was rented out for religious services for a fee. Pullman expected the church building to earn the usual six percent return on investment. Indeed, George Pullman, expected the church building to be rented by various denominations, their services to operate much like the shifts in his shops.

A Money Machine

Everything he put his hand to made money. In 1880 he commenced building the shops and the town on 4,300 acres of land (about six square miles) which he had bought for 800,000 dollars. By 1892 it was valued at 5 million.

Some 12,000 people lived in the town, which ran according to Pullman's rules. No liquor could be sold except at the Florence Hotel, where workers hardly ventured. There were numerous regulations designed to reinforce the town's image of industrious decorum. In 1885 the illustrious Prof. Richard Ely wrote in Harper's Weekly that the power exercised by Bismarck (the unifier of Germany), was "utterly insignificant when compared with the ruling authority of the Pullman Palace Car Company in Pullman."

Declared one Pullman employee:

"We are born in a Pullman house, fed from the Pullman shops, taught in the Pullman school, catechized in the Pullman Church, and when we die we shall go to the Pullman Hell."

The Rev. William H. Carwardine, the Methodist minister in Pullman, characterized the town as a "civilized relic of European serfdom."

Is this an equitable model for the future of American labor? Everyone says "no," but if labor unions continue to stagnate and not reform themselves, if the Wal-Mart and Microsoft mindset of the employment contract continue to prevail, the American worker will go from one of the most admired on the planet to just another interchangeable, low-wage monkey.

Thursday, May 26

1:52 pm—The Good Old Gilded Age? Part 1

What happens to those that can't afford the new Republican Society? A friend of mine and I were talking about Social Security, and he asked one of the best unasked questions out there: what did we do before Social Security?

I told him more people died earlier. The population had a lower average life. Families were put upon to financially provide for ill or sick relatives. Children's lives were much harder. No 5-day work week, no child labor laws, no wage minimums. Then it occurred to me. Let's look at life in the Gilded Age, before the crash of 1929, and the rise of the New Deal. It is becoming clear that these are the times the Bush administration would like to lead us back to. Monopolies, laissez-faire economics, and the days when the barons of industry ruled. The pressure to break labor unions, the behind-the-scenes war on government regulation and oversight, the blind eye to all but the worst corporate crime, the K Street Project. This is a president more in tune with George Pullman than George Washington.

To move to a modern Gilded Age requires a step back for individual rights, income and class equities, consumer protection, labor rights, environmental protections, and a shredding of the societal safety net. Are we willing to give these things up in order to read about a handful of ultra-rich men and new tales of 21st century Rockefellers, JP Morgans, and Pierponts in the year 2025?

So I went looking on the internet for information about life during the Gilded Age. I didn't look for examples of how the rich live. That's too easy, and it wouldn't be a good representation of how the majority of Americans would live in Bush's New Gilded Age. I went looking for stories and articles on the lives of the poor and middle class during this time. Over the next few days, I'll post about life during this time. Perhaps the stories won't be that bad. Perhaps monkeys will fly out of my butt as well.

The first place I came to was an online book called "[How the Other Half Lives](#)," by Jacob Riis. In a chapter on children, called "[Waifs of the City's Slums](#)," here's a snippet on children in New York City tenement life:

1. FIRST among these barriers is the Foundling Asylum. It stands at the very outset of the waste of life that goes on in a population of nearly two millions of people; powerless to prevent it, though it gather in the outcasts by night and by day. In a score of years an army of twenty-five thousand of these forlorn little waifs have cried out from the streets of New York in arraignment of a Christian civilization under the blessings of which the instinct of motherhood even was smothered by poverty and want. Only the poor abandon their children. The stories of richly-dressed foundlings that are dashed up in the newspapers at intervals are pure fiction. Not one instance of even a well-dressed infant having been picked up in the streets is on record. They come in rags, a newspaper often the only wrap, semi-occasionally one in a clean slip with some evidence of loving care; a little slip of paper pinned on, perhaps, with some such message as this I once read, in a woman's trembling hand: "Take care of Johnny, for God's sake. I cannot." But even that is the rarest of all happenings.

2. The city divides with the Sisters of Charity the task of gathering them in. The real foundlings, the children of the gutter that are picked up by the police, are the city's wards. In midwinter, when the poor shiver in their homes, and in the dog-days when the fierce heat and foul air of the tenements smother their babies by thousands, they are found, sometimes three and four in a night, in hallways, in areas and on the doorsteps of the rich, with whose comfort in luxurious homes the wretched mother somehow connects her own misery. Perhaps, as the drowning man clutches at a straw, she hopes that these happier hearts may have love to spare even for her little one. In this she is mistaken. Unauthorized babies especially are not popular in the abodes of the wealthy. It never happens outside of the story-books that a baby so deserted finds home and friends at once. Its career, though rather more official, is less romantic, and generally brief. After a night spent at Police Headquarters it travels up to the Infants' Hospital on Randall's Island in the morning, fitted out with a number and a bottle, that seldom see much wear before they are laid aside for a fresh recruit. Few outcast babies survive their desertion long. Murder is the true name of the mother's crime in eight cases out of ten. Of 508 babies received at the Randall's Island Hospital last year 333 died, 65.55 per cent. But of the 508 only 170 were picked up in the streets, and among these the mortality was much greater, probably nearer ninety per cent., if the truth were told. The rest were born in the hospitals. The high mortality among the foundlings is not to be marvelled at. The wonder is, rather, that any survive. The stormier the night, the more certain is the police nursery to echo with the feeble cries of abandoned babes. Often they come half dead from exposure. One live baby came in a little pine coffin which a policeman found an inhuman wretch trying to bury in an up-town lot. But many do not live to be officially registered as a charge upon the county. Seventy-two dead babies were picked up in the streets last year. Some of them were doubtless put out by very poor parents to save funeral expenses. In hard times the number of dead and live foundlings always increases very noticeably. But whether travelling by way of the Morgue or the Infants' Hospital, the little army of waifs meets, reunited soon, in the trench in the Potter's Field where, if no medical student is in need of a subject, they are laid in squads of a dozen.

3. Most of the foundlings come from the East Side, where they are left by young mothers without wedding-rings or other name than their own to bestow upon the baby, returning from the island hospital to face an unipitying world with the evidence of their shame. Not infrequently they wear the bed-tick regimentals of the Public Charities, and thus their origin is easily enough traced. Oftener no ray of light penetrates the gloom, and no effort is made to probe the mystery of sin and sorrow. This also is the policy pursued in the great Foundling Asylum of the Sisters of Charity in Sixty-eighth Street, known all over the world as Sister Irene's Asylum. Years ago the crib that now stands just inside the street door, under the great main portal, was placed outside at night; but it filled up too rapidly. The babies took to coming in little squads instead of in single file, and in self-defence the sisters were forced to take the cradle in. Now the mother must bring her child inside and put it in the crib where she is seen by the sister on guard. No effort is made to question her, or discover the child's antecedents, but she is asked to stay and nurse her own and another baby. If she refuses, she is allowed to depart unhindered. If willing, she enters at once into the great family of the good Sister who in twenty-one years has gathered as many thousand homeless babies into her fold. One was brought in when I was last in the asylum, in the middle of July, that received in its crib the number 20715. The death-rate is of course lowered a good deal where exposure of the child is prevented. Among the eleven hundred infants in the asylum it was something over nineteen per cent. last year; but among those actually received in the twelvemonth nearer twice that figure. Even the nineteen per cent., remarkably low for a Foundling Asylum, was equal to the startling death-rate of Gotham Court in the cholera scourge.

One of the first things to strike me about this was the despair. Then the realization that this could be a parallel to life in an America without choice for women combined with a successful effort to end legal contraception. These are things right up the alley of the religious right, and orthodox Catholics. There's a lot more really horrible stuff there. Stuff that makes you feel proud to have the advantages you do today. But read this, and I'll put up more over the next few days.

'Watch Those Guys'

By E. J. Dionne Jr.

Thursday, May 26 (Washington Post)—No one was more relieved last night by the deal that avoided the end of Senate's right to filibuster judicial nominees than Arlen Specter.

The senior Republican senator from Pennsylvania began his political life revering John F. Kennedy and proudly declared himself a "Kennedy Democrat." The foundation of his career was the idea of checks and balances.

In the late 1960s, Specter decided that party loyalty could ask too much. Despite his Democratic leanings, he accepted the Republican nomination for district attorney in Philadelphia. He was running against a Democratic machine that was, as Specter once put it, "highly suspect if not demonstrably corrupt."

Along with Tom Gola, a legendary basketball star whom the Republicans ran for city comptroller, Specter argued that the citizens of Philadelphia desperately needed the minority party to have some power to curb the abuses of the majority.

Their brilliant slogan, one of my favorites: "We need these guys to watch those guys."

There could be no better argument for preserving judicial filibusters. That's why a substantial group of Republicans led by Sen. John McCain joined with moderate Democrats last night in a compromise that will keep the right to filibuster alive. [More](#)

The Liberal Project Now

Liberals need to remember their first principles, rebuild a majority, and connect to a new generation.

Thursday, May 26 (The American Prospect)—Liberalism is at greater risk now than at any time in recent American history. The risk is of political marginality, even irrelevance. And the reason is not just a shift in partisan control of the federal government. There has been a radical change in the relationship of ideology and power in America. Only by renewing both the principled commitments to liberal ideals and the practical basis of liberal politics does liberalism have any chance of recovery.

Fifty years ago, the absence of ideological divisions was widely thought to be one of the distinguishing features of American politics. Now our politics is rife with ideological conflict, as conservatives take their crusade to remake America deeper into liberal terrain. The issue is no longer, as it was in the earlier stages of conservatism's revival, merely a reversal of Great Society programs and the activism of the Warren Court. What's now under attack are such basic constitutional principles as church-state separation and an independent judiciary and such fundamental elements of modern liberalism as progressive taxation and Social Security.

The Democrats' loss of both Congress and the presidency is the immediate source of jeopardy to liberal principles and policies, but the revolution of contemporary Republicanism is the reason the switch in partisan control has had so great an impact. The Republicans have made themselves into a far more conservative party than they used to be, not just during the Eisenhower years but even during the 1980s. Under George W. Bush, the party has become more closely identified with its conservative religious base and more consistently devoted to dismantling the constitutional and fiscal underpinnings of liberal government. [More](#)

Raw Deal

Forget the spin: Bush and Frist got almost everything they wanted.

Thursday, May 26 (The American Prospect)—The Washington press loves the myth that polarization is what ails American politics and that bipartisan moderation will save the day. The high drama of the "nuclear option" averted by brave moderates fits the script perfectly.

Republican Senate leader Bill Frist, wanting court nominees to sail through Senate confirmation on a simple majority vote, threatened to scrap the filibuster by rigging the Senate rules. Just hours before this nuclear option was to be exercised, 14 moderates of both parties, after marathon negotiations, fashioned a compromise in which three controversial nominees get an immediate floor vote, and the filibuster is preserved, sort of.

Initial press accounts offered hosannas to moderation. Several reports painted Frist as isolated and humiliated, and right-wing groups furious. The only problem is that this happy spin is almost totally wrong.

Consider what actually happened.

By threatening what amounted to a parliamentary coup d'etat, Frist got nearly everything he wanted. A Senate rules change requires a two-thirds vote. Frist's so called nuclear option would have had the leadership rule that the filibuster can be scrapped for judicial nominees; then a simple majority of 51 senators would have upheld the parliamentary ruling. End of filibuster. [More](#)

15 Years on the Bottom Rung

Thursday, May 26 (New York Times)—In the dark before dawn, when Madison Avenue was all but deserted and its pricey boutiques were still locked up tight, several Mexicans slipped quietly into 3 Guys, a restaurant that the Zagat guide once called "the most expensive coffee shop in New York."

For the next 10 hours they would fry eggs, grill burgers, pour coffee and wash dishes for a stream of customers from the Upper East Side of Manhattan. By 7:35 a.m., Eliot Spitzer, attorney general of New York, was holding a power breakfast back near the polished granite counter. In the same burgundy booth a few hours later, Michael A. Wiener, co-founder of the multibillion-dollar Infinity Broadcasting, grabbed a bite with his wife, Zena. Just the day before, Uma Thurman slipped in for a quiet lunch with her children, but the paparazzi found her and she left.

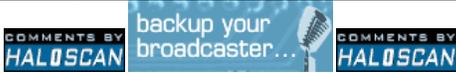
More Mexicans filed in to begin their shifts throughout the morning, and by the time John Zannikos, one of the restaurant's three Greek owners, drove in from the North Jersey suburbs to work the lunch crowd, Madison Avenue was buzzing. So was 3 Guys. "You got to wait a little bit," Mr. Zannikos said to a pride of elegant women who had spent the morning at the Whitney Museum of American Art, across Madison Avenue at 75th Street. For an illiterate immigrant who came to New York years ago with nothing but \$100 in his pocket and a willingness to work etched on his heart, could any words have been sweeter to say?

With its wealthy clientele, middle-class owners and low-income work force, 3 Guys is a template of the class divisions in America. But it is also the setting for two starkly different tales about breaching those divides.

The familiar story is Mr. Zannikos's. For him, the restaurant - don't dare call it a diner - with its \$20 salads and elegant décor represents the American promise of upward mobility, one that has been fulfilled countless times for generations of hard-working immigrants.

But for Juan Manuel Peralta, a 34-year-old illegal immigrant who worked there for five years until he was fired last May, and for many of the other illegal Mexican immigrants in the back, restaurant work today is more like a dead end. They are finding the American dream of moving up far more elusive than it was for Mr. Zannikos. Despite his efforts to help them, they risk becoming stuck in a permanent underclass of the poor, the unskilled and the uneducated. [More](#)

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