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## Promises, Promises A Pledge to America

Although former House Speaker Newt Gingrich is no longer on Capitol Hill, he still casts a long shadow there. The former Republican Representative from Georgia, once Bill Clinton's most visible foil in Congress, has long since hit the political consultant circuit, but his Republican allies on Capitol Hill are — 16 years after Gingrich was the face of the dramatic Republican takeover of the House — still playing in the House that Newt Built, if the newly issued "Pledge to America," transparently modeled on the Republican "Contract with America" of 1994, is any evidence.



Autumn of 1994 was a heady time for the Republican Party and for conservatives across the country. Emboldened by the catastrophic failures of the Clinton administration, the strident opposition articulated by radio talk-show hosts like Rush Limbaugh, and the captivating rhetoric of House Minority Leader Newt Gingrich, a silver-tongued former college professor, Republicans anticipated significant electoral gains in the midterm congressional elections. The electoral results stunned the experts and prognosticators: The Republican Party swept into a majority in the House and the Senate, setting the stage for six years of political wrangling with the Clintons that culminated in the Monica Lewinsky scandal and the impeachment of President Clinton.

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Key to the Republicans electoral success was the ability of Newt Gingrich to create a cohesive legislative program for the Republicans. Called the Contract with America, it was in no small measure responsible for the widespread perception that here, at last, was a changed Republican Party, a freshman class of genuine reformers who would cancel big government spending, rein in procedural corruption on the Hill, and fight to restore core values associated with the conservative movement.

A funny thing happened on the way to the revolution, though. Once elected, the new Republican majority seemed to lose the will to press any advantage. One by one, the planks of the Contract with America were set aside. Government spending continued apace until, as Edward Crane, president of the Cato Institute, observed in late 2000, the combined budgets of the 95 major programs that the Contract with America promised to eliminate have increased by 13%. The ballyhooed Republican Revolution was a bust, a ballot-box boilover that had little effect on Capitol Hill.

Autumn of 2010 is looking more and more like 94, with predictions of a voter revolution and talk-show hosts like Glenn Beck fanning the fires of grass-roots indignation from Alaska to Florida. The Tea Party movement has scored some impressive successes during the primary season, and there is every indication that some seemingly principled constitutionalists like Kentucky's Rand Paul will get elected. And, as with 1994, the Republican establishment led this time by John Boehner, a protege of Gingrich has trotted out an ambitious agenda for change. Called the Pledge to America, this slim document impresses with its soaring rhetoric, including homage to the United States Constitution, and especially



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to the much-neglected Tenth Amendment. But will the Pledge to America be any more successful than its predecessor?

### **Constitutional Contract?**

That depends entirely on how success is reckoned. The 1994 Contract with America did nothing to change the status quo but then, there is every reason to suppose that that is precisely what it was intended to accomplish. As a few discerning minds sought to remind conservatives 16 years ago, Congress already has a contract with America. The New Americans William Jasper wrote, shortly after the election of 1994:

Gingrich, Dole, and company have already shown that the only leadership they will provide is more of the same treacherous sort that has gotten us into our current sorry condition.

The new members of Congress must be made to realize that when they take their oath of office they are not pledging their loyalty to the Republican Contract, but to the Constitution of the United States of America.

The Constitution is neither liberal nor conservative, Democrat nor Republican. It is a simple enumeration of the powers to be delegated to the federal government (and clarification of a few the states cannot exercise). Because the only powers the federal government may exercise are those explicitly granted by the Constitution to Congress, the Executive, and the Judiciary, the document is the very embodiment of limited government. Nowhere is there any writ of authority for most of what the federal government is involved in nowadays, from foreign aid to welfare to the regulation of just about every consumer product under the sun. To rein in federal spending and restore sanity to government by merely promising to adhere to the limits imposed by the Constitution on the federal government would be pledge enough for the incoming class of lawmakers.

And that's what the Pledge to America appears to do. We pledge to honor the Constitution as constructed by its framers, reads the documents preamble, and [to] honor the original intent of those precepts that have been consistently ignored particularly the Tenth Amendment, which grants that all powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people. For Americans fed up with generations of federal abuse and usurpation of state authority, these are welcome words indeed, eloquent mainstream lip service to principles that, until very recently, were sneeringly passed over by Beltway elites.

The documents preamble continues:

We pledge to advance policies that promote greater liberty, wider opportunity, a robust defense, and national economic prosperity. We pledge to honor families, traditional marriage, life, and the private and faith-based organizations that form the core of our American values.

We pledge to make government more transparent in its actions, careful in its stewardship, and honest in its dealings....

We make this pledge bearing true faith and allegiance to the people we represent, and we invite fellow citizens and patriots to join us in forming a new governing agenda for America.

Heady stuff, this, as though the author or authors of the Pledge have been channeling Thomas Jefferson.

But soaring rhetoric is not enough. Only the actions of our elected leaders will matter in the end. Unfortunately, a careful reading of the rest of the document the part concerned with the Republicans actual agenda suggests that the Pledge, and its eventual fruits, may fall far short of expectations.



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The crisis that threatens America can be summarized in one phrase: Big Government. The three pillars of Big Government that threaten to bring our country to its knees are welfarism, foreign interventionism, and inflation. Welfarism is manifest in the vast array of government handouts and so-called entitlement programs; it includes not only welfare programs per se but also Social Security, Medicare, farm price supports, grants and subsidies of every variety, and aid to foreign regimes. All of these programs substitute compulsory redistribution of wealth for private-sector initiative, and they are responsible for untold trillions in debt already accrued. The second pillar, foreign interventionism, has enabled our leadership not only to turn America into the worlds policeman, spending a fortune and squandering countless lives in the process, but also to subvert our foreign policy to the likes of the United Nations and NATO. The third pillar, inflation, is a creature of the Federal Reserve System, and has been steadily eroding the dollar for nearly a century. Over the last two years, the Federal Reserve has created new money on an unprecedented scale, threatening to unleash hyperinflation in the near future.

We cannot hope for genuine reform unless these three monsters welfarism, foreign interventionism, and inflation are subdued. The first and third are wholly excluded by the Constitution, and the second by the foreign policy recommended by the Founding Fathers and reinforced by constitutional limits on war powers, including the provision that Congress issue a declaration of war.

### **The Pledges Puttering**

How does the Pledge to America propose to deal with these three critical matters? In a word, the Pledge proposes nothing of substance. So-called mandatory spending welfare and welfarist programs, in other words consumes more than half the federal budget in any given year. In fiscal year 2008, for example, Social Security made up the largest single chunk of mandatory spending (\$544 billion) followed closely by Medicare (\$325 billion). These two gargantuan and completely unconstitutional federal programs together consume more than half of government mandatory spending (and hence at least one-quarter of the entire federal budget), yet the Pledge to America, for all its pro-Constitution, anti-big government flourishes, has no intention of changing them. Instead of phasing them out over time, as any truly constitutionalist legislative body would insist upon, the Pledge promises to protect our entitlement programs for todays seniors and future generations. Specifically, the Pledge contemplates requiring a full accounting of Social Security, Medicare, and Medicaid, setting benchmarks for these programs and reviewing them regularly, and preventing the expansion of unfunded liabilities. Translation: We have no intention of tampering with any of these three welfarist behemoths, and intend to continue robbing Peter to pay Paul for political gain as long as our constituencies let us get away with it.

Social Security the third rail in American politics still enjoys some support, especially among Americas seniors. But even if such a program were authorized by the Constitution, it is economically unsustainable. Economic and demographic trends show clearly that, over the next couple of decades at most, the Social Security system will become insolvent, forcing the federal government to break trust with those now paying onerous FICA taxes and who naively expect to get their money back someday with interest.

Republicans also have a program for countering President Obamas healthcare overhaul. The Pledge would repeal the mammoth ObamaCare legislation, and correct various healthcare-related -injustices:

We offer a plan to repeal and replace the government takeover of health care with common sense solutions focused on lowering costs and protecting American jobs. We will enact real medical



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liability reform; allow Americans to purchase health coverage across state lines; empower small businesses with greater purchasing power; and create new incentives to save for future health needs. We will protect the doctor-patient relationship, and ensure that those with pre-existing conditions gain access to the coverage they need. We will permanently end taxpayer funding of abortion and codify the Hyde Amendment.

The Pledge merely proposes to replace Obama-style big government interference in healthcare with healthcare controls Republican-style:

Americans residing in a state with expensive health insurance plans are locked into those plans and do not currently have an opportunity to choose a lower cost option that best meets their needs. We will allow individuals to buy health care coverage outside of the state in which they live.... Health Savings Accounts (HSAs) are popular savings accounts that provide cost-effective health insurance to those who might otherwise go uninsured. We will improve HSAs by making it easier for patients with high-deductible health plans to use them to obtain access to quality care.... Health care should be accessible for all, regardless of pre-existing conditions or past illnesses. We will expand state high-risk pools, reinsurance programs and reduce the cost of coverage. We will make it illegal for an insurance company to deny coverage to someone with prior coverage on the basis of a pre-existing condition, eliminate annual and lifetime spending caps, and prevent insurers from dropping your coverage just because you get sick.

Laudable as such legislation might appear at first blush, the United States Constitution gives the federal government no authority whatsoever over healthcare. Several decades of federal government interference in the healthcare sector is the reason that healthcare costs have become so distorted in the first place. Prior to the creation of Medicare by President Lyndon Johnson the original act of big government interference in healthcare there was no healthcare crisis. Subsequent to the enactment of Medicare and other reforms from the late 1960s onwards, healthcare costs have risen vertiginously. Because politicians are reluctant to shoulder responsibility for a crisis they have created, and because many Americans fail to understand the real source of the problem, the government-created healthcare crisis has become its own justification. The worse things get, the more the political pressure for government to do still more.

And what the Pledge to America does not propose is for the federal government to get out of healthcare altogether to phase out Medicare and Medicaid, to get rid of the cumbersome FDA (whose years-long approval process for new drugs is enormously costly and has, ironically, driven drug prices far higher than in Canada, where healthcare is completely socialized already), and to allow insurance companies to compete once again on a free-market basis to offer affordable health insurance plans. Instead, the Republicans are proposing a sort of ObamaCare Lite, which will lessen but not eliminate government-induced distortions in the economics of healthcare.

### **No Waylaying War**

The Pledge makes no mention of scaling back as a prelude to eliminating altogether Americas commitment to policing the rest of the world, an imperial exercise that would have dismayed the Founders. Since World War II, America has fought numerous wars and military engagements around the globe, but not a single one in direct defense of American soil. While America should have adequate national defenses to counter true overseas threats like the Russian and Chinese militaries with their formidable nuclear arsenals, the countless trillions spent to garrison countries like Germany and Japan, to maintain hundreds of bases all over the world, and to fight undeclared, no-win wars of occupation in



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Korea, Vietnam, Iraq, the Balkans, and Afghanistan have been a major contributor to the massive federal debt. And the Pledge leaves no doubt that the Republican establishment intends to keep the foreign interventionist program going full bore, with its threatening language about Iran, the latest in a long chain of official enemies who pose little threat to American territory and are better off left to their own devices.

There is no suggestion that a new Republican majority would move to extricate the United States from the UN or NATO. Decades of membership in both of these international, globalist entities have led to American entanglement in numerous foreign conflicts that are not properly our concern, and have seriously compromised our sovereignty into the bargain. But getting the United States out of the UN and out of the role of worlds policeman is not a notion taken seriously by the Republican establishment.

As for financial reforms, there is nary a word in the Pledge about the Federal Reserve. Every Republican in Congress knows better than to slay the goose that lays golden eggs for the big spenders in government. The Federal Reserve and its printing presses have always furnished Congress with a neat way to avoid the messy process of levying taxes to pay for unpopular government spending. The legerdemain of fiat money permits government to print money to pay for things taxpayers refuse to fund, like unnecessary wars and unwieldy social programs. Fiat money is the very foundation of the modern welfare state, because it allows governments to print money that citizens will pay for later in higher prices the by-product of inflation. But because very few people understand the cause of inflation, the process is in effect a thoroughly dishonest form of taxation. Yet the Federal Reserve will continue, under any Republican congressional majority that might materialize, to ply its unsavory trade unchallenged.

None of which is to say that certain of the goals set forth in the Pledge, like reining in government spending, are not better than doing nothing at all. Any reduction of government is certainly to be preferred over the reckless expansion we are now seeing. But even leaving aside constitutional limits as a benchmark, the Pledges stated aims are less than ambitious. Where cutting spending is concerned, what the Pledge actually promises is merely to scale back government spending to pre-stimulus, pre-bailout levels, i.e., to what it was three or four years ago. Even before the Bush and Obama bailouts, federal spending was out of control; returning spending and appropriations to the not-so-good old days of a few years past will only postpone, not prevent, the inevitable day of fiscal reckoning.

The Pledge also professes solicitude for government regulation run amok. Government regulations and the regulatory bodies that promulgate them are not only costly, they are also unconstitutional. Big government regulations are a way for Congress to abdicate its legislative responsibilities, allowing agencies like the EPA and the FDA to emit and enforce tens of thousands of pages of unpopular regulations for which Congress can avoid the blame. The entire rotten regulatory apparatus should be scrapped. Yet the Pledge commits only to scrutinize regulators if a particular regulation is deemed too costly:

To provide stability, we will require congressional approval of any new federal regulation that has an annual cost to our economy of \$100 million or more. This is the threshold at which the government deems a regulation economically significant. If a regulation is so significant and costly that it may harm job creation, Congress should vote on it first.

Actually, Congress should vote on *every* federal law or regulation, since Congress alone has the constitutional authority to legislate. But dont expect the Republicans on Capitol Hill to acknowledge this fact anytime soon.



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If the Tea Party is any indication, support for genuine constitutionalist reform would be received enthusiastically by a significant portion of the electorate. Yet the guiding hands behind the Pledge to America apparently are not willing to risk exercising leadership that would bring about true and lasting change. They haven't made outlandish promises, Newt Gingrich told Yahoo News, precisely because they think that relatively small promises that are actually kept will do more to build momentum than large promises that couldn't be kept.

But if past is prelude (and it usually is), the momentum for greater change will soon fizzle, and the Republican establishment will somehow never get around to meaningful reforms precisely what happened after the 94 revolution.

The Pledge devotes a lot of ink to money and the budget. This is no accident. As Gingrich explained:

I think the first priority has to be stopping tax increases and cutting spending. They have to have a laser-like focus, over and over and over, on how do we create jobs and how do we get this economy moving. [If] the president decides to cooperate with them, in [that] case, the Republicans will co-own the economy. Or he's got to decide to fight them, in which case he will own the economy.

This economy is going to remain bad enough that it is a really significant challenge for both parties. If this economy stays where it is right now or gets worse, there won't be a second issue.

In other words: It's the economy, stupid precisely the recipe for electoral success that Bill Clinton once articulated.

But important as economic issues are, they stem from another issue more important still, to which the Pledge pays only lip service: the Constitution. Under truly constitutional government, sound economic and financial policy would be restored. Foreign policy would be restrained. And welfarism would vanish like smoke, at least at the federal level.

The Pledge to America is likely to be mere window-dressing, like the Contract with America before it. It will serve only to divert the energy, enthusiasm, and expectations of the fired-up Tea Party and their fellow travelers in the electoral base, and to neutralize any principled constitutionalists who do get elected this fall. It has been created by the same Republican insiders who for decades have misled grass-roots conservative and constitutionalist voters with less of the same programs that the liberal Democrats promote.

Expect real change the moment Capitol Hill is compelled by voters to return to the Constitution, and not before. The Pledge to America is not that moment.

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