

Federal

CLEANING MUD

Spending

By William F. Buckley, Jr.

There was creeping dismay about Congress before the Abramoff indictment. Government spending was out of hand, the president's refusal to exercise the veto began to seem almost as if he were bound by a secret oath, supplementary spending bills began to sound as though written for *Saturday Night Live*. There is national disgust, but it is never quite clear whether this can be transformed into effective action for reform. There are many ideas floating about on measures that might be taken.

It was not very long ago that national attention was given to reforms focusing on money in the area of campaign financing. Efforts were made to reason in terms of gross dollars spent. If the spending of money by individual legislators was an invitation to corruption, why—regulate the amounts spent!

The money-quantity approach to reducing campaign spending ran into two problems, one of them constitutional. The Supreme Court

ruled that federal election expense limits could be set, inasmuch as the government had a legitimate interest in protecting an appearance of integrity in electoral proceedings. But to limit what an individual could spend in promoting himself as a candidate, or in promoting his cause, would be an incursion on First Amendment rights and, as such, unconstitutional.

During the disputes of that period (1970–76), two voices sounded weightily. Milton Friedman argued mostly on the question of personal rights. If individuals wished to make contributions to political candidates reflecting intense enthusiasm for them or for their causes, what to do? Answer: Follow the first rule of a libertarian society, and let them do what they want to do. The columnist George Will argued with devastating effect that there was no purpose in electoral reform that sought to reduce moneys spent for the simple reason that contributors will find ways to contribute, and politicians will find ways to spend.

All that can be done, argued Mr. Will, is to insist that money traffic be disclosed so that the broader constituency can decide for itself whether the courtship of a candidate or a cause has become smelly.

Many pundits bowed before the pressure of these arguments. But what has now happened in the area of government spending is on the order of a structural breakdown, a flight from responsibility that doesn't get punished because everyone apparently is guilty. The Executive has not been punished for failing to exercise a veto against inordinate spending. And legislators get de facto immunity on the grounds that problems are systemic, not individual.

Consider the device by which pork is engineered. The so-called "earmark," appended to a huge bill providing, say, for the common defense, brings on arrested motion if the earmarker's request for money for the famous bridge from nowhere to nowhere is not authorized.

One practical suggestion has been made, but would of course require filibuster-proof action. Namely, that all the earmarks attached to a particular bill may not constitute more than one percent of the money being authorized by that bill.

A second suggestion is made by former Speaker Newt Gingrich. It is that incumbents be prohibited from fundraising in Washington,

D.C. This would greatly reduce the influence of lobbyists on congressional action.

And so on. I remember as a student in Mexico City hearing the derisory suggestion on how to limit graft in the executive. President Manuel Avila Camacho stressed his personal incorruptibility in the matter of profiteering from the sale of beef—he pointed out that he owned no cattle. Ah. But his brother Maximino, petitioned by starving American meat buyers for 100,000 head of cattle, famously replied, "What color?" A so-called reformer in the national assembly amused his colleagues by suggesting an amendment to the Mexican constitution forbidding a president to have a brother.

Well, we cannot change human nature. Accordingly, we can assume that corruption will continue, but the graver problem is the apparent indifference to corruption. Perhaps a nation that seems to have been persuaded by its legislature that medical care can be free suffers from permanently dulled senses, and has to learn from some dire future jolt that self-government cannot hope to work without effective public concern.

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