



Written by [Jack Kenny](#) on April 16, 2010

Con Game for America

Call it the prepositional proposition. The new improved Contract With America is now the Contract From America. But it will take more political will and determination to govern according to the Constitution than we have heretofore seen to make that more than a semantical distinction.

The Contract With America was the Republican platform for the midterm elections of 1994. The brainchild of House Minority Leader Newt Gingrich, it proposed much in the way of legislative and constitutional "reform," including giving the president a line-item veto to eliminate wasteful spending, and a balanced budget/tax limitation amendment to be called "The Fiscal Responsibility Act." "The National Security Restoration Act" would prohibit the placing of U.S. troops under U.N. command and "strengthen our national defense and maintain our credibility around the world." (And how is all that defense and credibility working out for us in the Middle East these days?) There would also be legislation to limit terms for members of the House and Senate, tort reform, and even a "Personal Responsibility Act" to "Discourage illegitimacy and teen pregnancy..." The "contract" was signed by most Republican candidates for the House that year and it helped propel the Republicans to a majority in both houses of Congress, giving the GOP control of the House of Representatives for the first time in 40 years. What became known as the "Gingrich revolution" was said to have been a sea change in American politics, with even President Bill Clinton acknowledging: "The era of big government is over." Republicans cheered, but somehow Big Government never got the news.



Fast forward to 2010. On Wednesday, members of the Tea Party movement produced a legislative agenda called the Contract From America. The program calls on candidates for Congress to: 1) protect



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the Constitution; 2) reject cap-and-trade regulation of climate-warming gases; 3) demand a balanced budget; 4) enact fundamental tax reform; 5) restore fiscal responsibility and constitutionally limited government in Washington; 6) end runaway government spending; 7) defund, repeal and replace government-run health care; 8) pass an "all-of-the-above" energy policy (including the exploration of domestic energy reserves); 9) stop the pork; and 10) stop the tax hikes.

Actually if Congress would adhere to point No. 1, most of the rest would be accomplished, since Congress has no authority under the Constitution to do most of the things on which it has showered us with runaway spending, resulting in both tax hikes *and* previously unimaginable deficits. Fiscal responsibility would be restored when Congress respects the constitutional limits of its powers. But today's elected officials see in every political, social, and economic problem an opportunity for a federal "solution" that generally makes things worse. Recall, for example, how any number of education bills, including President George W. Bush's "No Child Left Behind Act" were supposed to improve learning in our nation's schools. And President Obama's \$787 billion economic "stimulus" bill was supposed to bring back jobs and revitalize the economy. Now we have a bill in Congress to spend another \$23 billion for school districts and public colleges to -guess what-save jobs and "stimulate" the economy.

"This bill will prevent layoffs, create jobs, and keep our kids learning, all while growing our economy," said Sen. Tom Harkin, (D-Iowa) chairman of the Health Education, Labor and Pensions Committee. Nothing, apparently, succeeds like failure and the failure of one big spending program to accomplish what was promised leads to calls for more programs and more spending, because utopia is just over the horizon. And never mind that the Constitution gives the Congress no authority to do anything about education, one of many innumerable and undefined matters left entirely "to the States respectively, or to the people," in the words of the Tenth Amendment. Giving money to school districts and colleges to help them avoid layoffs now means they will either have to spend more in future years to maintain the same base of employment or — and this is the more likely effect, as well as intent, of the legislation — they will remain in permanent dependence on the federal handouts and eternally grateful to the congressmen who vote for them.

For the same reason, "big government" never did stop growing during or after the "Gingrich revolution"; not in the 12 years Republicans — supposedly the conservative party — controlled both houses of Congress, or even in the six years they had both the Congress and the White House under George W. Bush. It is all too easy now for conservative (if that designation still has any meaning) Republicans to believe it was the Bush presidency that led the party away from its core principles into the profligate ways of the big-spending Democrats. True, Bush did set all kinds of records for huge budgets and astronomical deficits. But Republicans in Congress were already about the business of making the Democrat Clinton look like a piker before big "W" arrived in Washington. As Edward Crane, president of the Cato Institute observed during Clinton's last year in office, the GOP already had its fiscal conservative bandwagon rolling in reverse.

"Over the past three years," Crane wrote in 2000, "the Republican-controlled Congress has approved discretionary spending that exceeded Bill Clinton's requests by more than \$30 billion. The party that in 1994 would abolish the Department of Education now brags in response to Clinton's 2000 State of the Union Address that it is outspending the White House when it comes to education. My colleagues Stephen Moore and Stephen Slivinski found that the combined budgets of the 95 major programs that the Contract with America promised to eliminate have increased by 13%." And that was when the Republicans had a Democratic president to oppose. When they got one of their own in the White House,



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they really blew the lid of spending restraints.

But now we have the Contract From America. According to its promoters, the planks in that platform were chosen by more than 450,000 votes from participants across America. The new list is presented as an expression of a grassroots uprising. It was "created from the bottom up," organizer Ryan Hecker told the *New York Times*. "It was not crafted in Washington with the help of pollsters."

But it will be ignored in Washington, with the help of pollsters, when the next election is over. For in the hope of seeing the promises of the "contract" implemented, voters will have to elect candidates who pledge their fealty to them. They will be, for the most part, Republicans, who claim to have fiscal conservatism in their DNA. Given the choices offered by our two major parties, people will vote for the "conservative" Republicans because they sound plausible and "they can win." They will promise an end to the growth of "big government" and will assure us there will be less spending and more freedom on their watch. And government will continue to grow and the Constitution will continue to be ignored, no matter which major party wins. Because nothing has changed since Crane wrote in the year 2000: "To work, the system requires at least one political party to take the Constitution and limited government seriously."

We still don't have one. At least not a *major* one — yet.



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