commentary

from other pens...

'Reinventing' govt. sounds easy, but ....

The Hays Daily News on budget reality:

Rooting out waste in government always sounds good. It is because we have heard all those stories about waste and ridiculous government purchase orders. But attempts to fix it always seem to have relatively disappointing results. While he might have eliminated some waste, no one believes former Vice President Al Gore, "reinvented" government when he went on such a crusade.

At the state level, Gov.-elect Kathleen Sebelius is on a similar mission. The timing could not be better given Kansas' financial struggles. ...

Five teams she appointed to review state government have reported back with more than 100 ideas to cut administrative costs.

In there are some of those no-brainers that beg the question, why hasn't this been done already? For example, one recommendation was to sell at auction a couple hundred surplus state vehicles that are sitting on a lot at Forbes Field in Topeka.

Other ideas include such efficiencies as consolidating two state hospitals for the developmentally disabled and offices of state agencies. Those will be attempted without reducing services, ...

The total of the cost-saving ideas and proposed new fees would be about $47 million. ... With the budget deficit projected at $1.1 billion over the next 18 months, obviously budget-efficiency ideas are not going to solve the problem.

... Eliminating waste should not be something government does just in times of financial crisis. What is a shame is all the waste that goes on during times of plenty that now cannot be recaptured.

... as much as we want to deny it is necessary, what needs to happen is a rollback of some of the big tax cuts made in the 1990s.

The Salina Journal on KDOT's secrecy:

The Kansas Department of Transportation needs an attitude adjustment. For starters, KDOT bureaucrats need this simple reminder:

They work for the taxpayers of Kansas.

That concept seems lost, especially when it comes to providing records that belong to the public. All too often KDOT refuses to hand over the most mundane items, then officials compound the error by fighting lawful requests in the courts. Those legal battles are expensive, time consuming and unnecessary.

The Lawrence Journal-World reported the latest example earlier this month. The story involved a citizen's request for KDOT transcripts of an April 30 public meeting. ...

The department refused to provide the transcripts, arguing the document was part of the deliberative process and not subject to the Kansas Open Records Act.

The Shawnee County District Court disagreed, ruling KDOT had to provide the transcript.

We find it interesting the department refuses to hand over transcripts from a meeting that was open to the public. But it is truly amazing when KDOT fights the request in court.

The case reminds us of an earlier fight between KDOT and The Garden City Telegram, where the department refused to provide safety ratings for Finney County railroad crossings. The Telegram took the matter to court and won. ... the department ... had to pay the Telegram's legal fees of $13,000.

... the state Court of Appeals reversed the award. The Telegram then took the matter to the Kansas Supreme Court.

The KDOT's own attorney estimates the legal fees from this last phase of the battle cost the department $10,000 to $15,000. Who knows how many tens of thousands could have been saved if the KDOT would have abided by the law in the first place. ...

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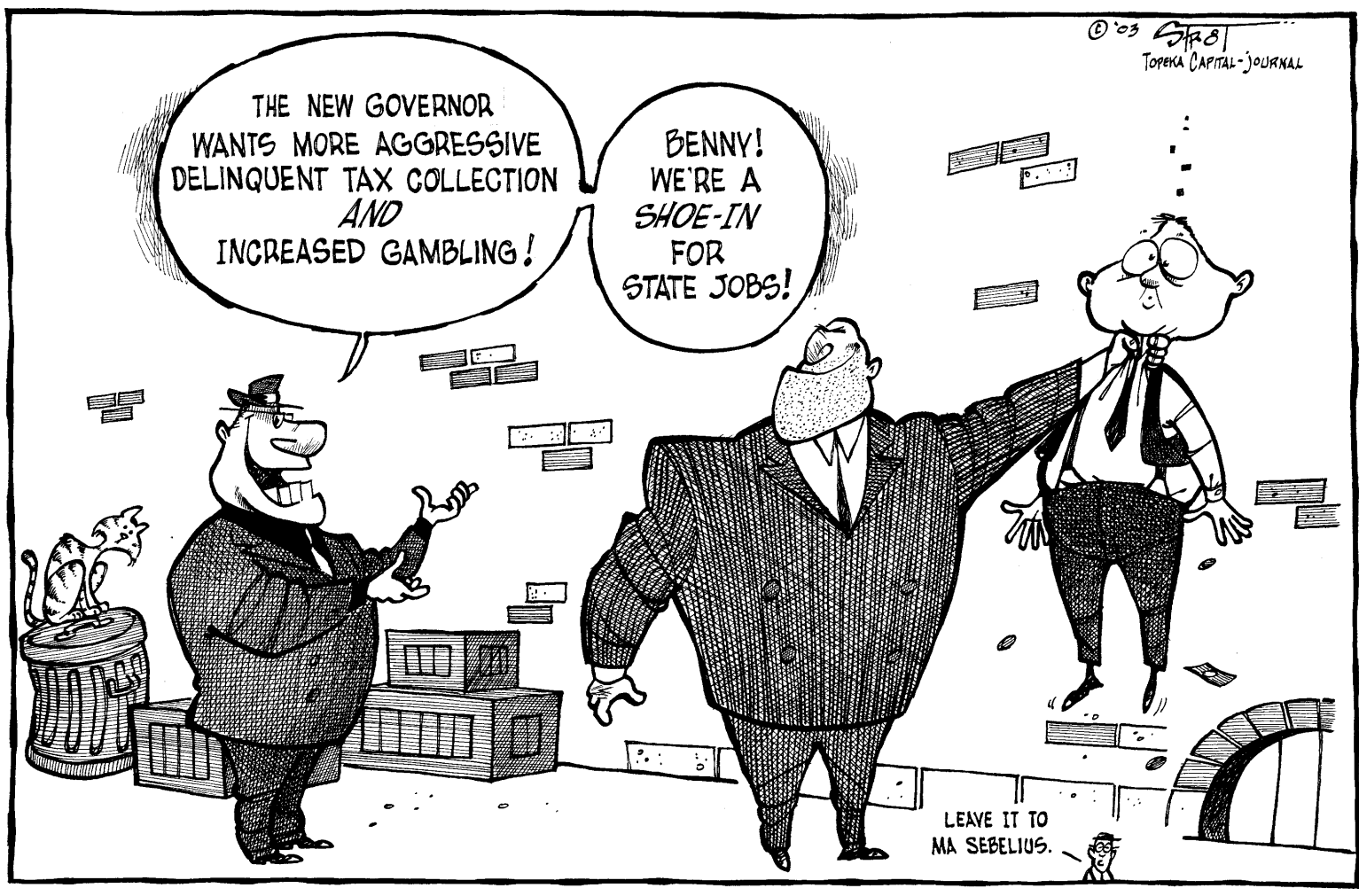

Questions for reflection on 2002

diana west
• commentary

I'm not reading about Time magazine's "persons" of the year. Nothing against chosen "persons" Cynthia Cooper, Sherron Watkins or Coleen Rowley — "women who took huge risks to blow the whistle on what went wrong at Worldcom, Enron, and the FBI." And nothing against their having been styled for the cover into promotional poses easily taken for characters on "The Practice." The fact is, at this fraught and final hiccup of the year, retrospection is hard enough without trying to force the past 12 months through the narrow-gauge grinder by which Time has improbably designated 2002 "The year of the whistleblower."

That's not to say I wouldn't want to have seen the selection process through which these gals were chosen. (And where Ms. Rowley's male counterpart, FBI agent Kenneth Williams, was eliminated, probably for excessive y chromosomes.) After all, it's not every day you get to see grown editors render news judgments by crossing their eyes, holding their breath and balancing on one leg. Which has to be what it took for Time's honchos to convince themselves that 2002 — the year of the run-up to probable war, and a historic Republican electoral triumph — was not the year of George W. Bush and his consolidation of political power.

It's not worth wasting too many question marks over Time's choice: The journalistic cocktail of implicit feminism and explicit corporate greed, with an FBI agent for political cover, was obviously intoxicating. More pressing questions linger at year's end, ones without easy answers — or answers at all. Worse still are the questions that aren't even being asked. What follows, in no particular order, are a few of my own.

1) Why is there still no Manhattan Project-style effort underway to develop non-oil-based fuel sources? Personally, I have no problem with more, better, cleaner drilling for domestic oil, but that's not only a non-starter, it remains a stopgap strategy. We need something else — and not just windmills off Cape Cod, or solar panels amid the redwoods. What's required is a big fat brain trust. Successful or not, the project's a winner: Either it stanches the flow of money and power from the Western world to OPEC, reducing threats of global blackmail, or it at least shakes cartel confidence.

2) When was the concept of a Palestinian state transformed from the sparking third rail of American politics into a seemingly non-negotiable plank of every political party? Could it have been when the Palestinian Authority dismantled the terrorist infrastructure? (Didn't happen.) Ended its official incitement to violence? (Didn't happen.) Elected new leaders not compromised by terror? (Didn't happen.) Built a democracy based on tolerance and liberty? (Hah.) All of the above are conditions set down by President Bush 26 weeks ago to warrant American support for a Palestinian state (see Zionist Organization of America's weekly rundown of Palestinian Arab noncompliance at www.zoa.org). Why, despite the appalling breach, do we continue to talk of statehood in terms of ever-more detailed "roadmaps" and timetables?

3) Why isn't the potentially revolutionary (counter-revolutionary?) student movement in Iran getting the attention it deserves? National-security expert and author Michael Ledeen calls the growing Iranian student movement "the biggest story in the world." In their demands for a secular, democratic government, the students could very well be the key to change in the Middle East. Shockingly, their nonviolent efforts to break the Islamo-fascist mullahocracy, which now include pro-Western statements against "the promoters of anti-Semitism and terrorism" — are relegated to the odd article or wire-service brief. Meanwhile, U.S. government broadcasts into Iran have been "upgraded" from once-substantive news programming to a vacuous pop music format. Go figure.

4) Is there any link between the administration's letdown of a decision to allow North Korean Scud missiles into the Persian Gulf region via Somalia, and a seemingly emboldened North Korea's hysterical nuclear threats? 5) And when will the mainstream media decide to report on Democratic Sen. Patty Murray's mind-boggling remarks on Osama bin Laden's supposed nation-building efforts in the Middle East? (Taliban Online picked up the story originally reported in the Vancouver, Wash., Columbian newspaper, but that doesn't count.)

The choice is clear: Some questions are best left unanswered.

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Making affirmative action fair for all

nat hentoff
• commentary

The president can show the whole country that affirmative action need not be synonymous with racial preferences as a deciding factor in college admissions if he orders an opposing legal brief in the crucial University of Michigan racial-preference cases now before the U.S. Supreme Court.

In one of those University Michigan cases — Gratz v. Bollinger — every black, Hispanic or American Indian applicant automatically receives a 20-point bonus on a 150-point scale. If a parent of one of these applicants is a well-to-do corporation lawyer, the bonus still applies.

Justice William O. Douglas — the most liberal and libertarian jurist in the history of the high court — spoke to me passionately years ago about this kind of affirmative action case. He said that there are students of all races and ethnic backgrounds who grow up in poverty and have other disadvantages, but who demonstrate determination to overcome these obstacles.

Douglas added that — whether achievers are black, Appalachian whites or students of any extraction — they merit a "plus" factor in college admissions, even if their SAT scores and grade-point averages are not in the highest percentiles. Douglas emphasized that the Fourteenth Amendment's guarantee of "equal protection of the laws" would apply to affirmative action by class, rather than, for example, to giving 20 extra points to only certain narrow categories of applicants.

But George W. Bush's political advisers, hoping to gain more minority votes in 2004, are urging the president not to oppose the University of Michigan's racial preferences by sending a legal brief to the Supreme Court that would state Bush's support of a much more inclusive, constitutional method. According to the Dec. 18 Washington Post, Solicitor General Ted Olson, Attorney General John Ashcroft and key Department of Education officials are advising the president to declare his opposition to the University of Michigan's approach toward racial targeting.

Meanwhile, the Supreme Court is being told by ardent proponents of affirmative action, as it is now practiced, that overturning racial preferences will — as University of Michigan President Mary Sue Coleman argues — "result in the immediate re-segregation of our nation's top universities, both public and private."

This is propaganda.

In California, where racial preferences have been outlawed since 1997, minority enrollment at the University of California's eight competitive undergraduate campuses is now 19 percent, 1 percent higher than in 1997. In Georgia, after a federal court struck down the University of Georgia's race-conscious policy last year, 13 percent of this year's 4,300 freshmen are minorities, a slight increase since the previous system. There is also an increase in Texas after a lower court ended racial preferences.

Fair affirmative action has resulted from college professors and admissions officers being forced, by the rejection of racial preferences, to actually go to primarily minority and white working-class high schools and get involved with teacher training and curriculum changes so students will be prepared for college.

Also, in Texas, the top 10 percent of high school graduates across the state are now guaranteed places in the university system. In California, it's the top 4 percent. Thereby, student achievers in low-income areas, where schools get less resources from the state, and where parents can't afford private tutoring for SAT tests, get a break. The children — whatever their race — of waitresses and factory workers aren't left behind by the racial numbers game.

Moreover, in racial-preferences colleges that proclaim the need for "diversity" as a compelling state interest, there are often separate dorms ("identity houses") and separate orientation procedures for minority students. Not surprisingly, these sometimes result in separate graduation ceremonies. Michael Meyers, executive director of the New York Civil Rights Coalition, a former official of the NAACP, calls these practices of separation a "ghettoisation" of those campuses in the name of "diversity."

George Washington University law professor Jonathan Turley points out that "there is no question that diversity is a vital element in education, including diversity in religion, age, gender and economic background. But when it is artificially engineered, it can undermine the most essential component of the education process: the notion that students will be valued by who they are and not what they represent."

I believe the president knows this, and I hope he acts according to that knowledge, and his belief in "equal protection of the laws" by making advising the Supreme Court to make affirmative action truly inclusive.

Nat Hentoff is a nationally renowned authority on the First Amendment and the Bill of Rights.

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