

# ASHCROFT'S ACID TEST

**B**y tapping John Ashcroft to be attorney general, George W. Bush set up a fierce confirmation battle in the Senate, now split 50-50. The showdown promises to test Bush's stomach for defending—and moderate Republicans' penchant for denying—the ugly underside of conservative ideology. It also poses important tests for several constituencies on the left—from African-Americans and gays to immigrants and unionists—still outraged by the electoral fiasco in Florida.

Early salvos against Ashcroft came from church-state watchdogs, who labeled him a foot soldier in Pat Robertson's culture war, and abortion rights groups, which decried his anti-choice extremism. In a lurid 1998 missive to the conservative magazine *Human Events*, the man who would be responsible for enforcing clinic-protection laws wrote: "If I had the opportunity to pass but a single law, I would fully recognize the constitutional right to life of every unborn child and ban every abortion except for those medically necessary to save the life of the mother."

Black leaders decried Ashcroft's work as Missouri attorney general to undercut school desegregation, his 1998 article in *Southern Partisan* magazine defending Confederate icons and his honorary degree from Bob Jones University. Particularly infuriating was Ashcroft's role in thwarting Missouri Supreme Court Justice Ronnie White's bid for a spot on the federal bench by mistakenly painting him as having "a tremendous bent toward criminals" and "a poor record

on the death penalty." White went down in a party-line vote, the first floor-vote defeat of a court nominee since Robert Bork and the first torpedoing of a district court hopeful in 40 years.

But the glaring problems in Ashcroft's approach to policy-making go far beyond race and abortion. On 20 key labor votes during the 106th Congress, Ashcroft voted against union wishes every time; he has a lifetime AFL-CIO rating of 2 percent. His record includes trying to undercut worker organizing by applying "intrusive, somewhat threatening" pressure to oversight boards, according to comments by former NLRB chair William B. Gould IV.

For gays, Ashcroft opposes workplace anti-bias protections, and he doggedly fought the nomination of James Hormel as ambassador to Luxembourg because of his sexual orientation. Hormel served as dean of the University of Chicago Law School, the very institution Ashcroft attended, but Ashcroft still questioned Hormel's credentials and tried to stop him from serving as an envoy, citing a "lifestyle" he found "offensive."

Ashcroft's nomination poses a challenge not just for progressives, but for the Log Cabin Republicans, who in peeling off 20 percent of the gay vote for Bush claim to have cast the election's deciding votes. The impending Senate vote looms as an early gauge of their sway on GOP centrists like Rhode Island freshman Lincoln Chafee, Vermont moderate James Jeffords, and Mainers Olympia Snowe and Susan Collins.

But above all, the nomination is a test for the senators themselves. Will the chamber's 13 women rise to the occasion? Can this 100-member deliberative body—once again, lacking a black or Latino face—conduct a hard-hitting discussion about race and fairness without getting lost in aimless detours? And will the GOP, which has used its majority status in the Senate to stymie Clinton's appointments at every step of the way for six years and through three elections, finally pay a political price for its massive resistance?

We'll see.

**Hans Johnson**

# CIAO, CHAVEZ HELLO, CHAO

**By David Moberg**

**L**abor unions had reason to celebrate when Linda Chavez, George W. Bush's first choice for labor secretary, withdrew from consideration. As a federal official, candidate, columnist and sharp-tongued heroine of the political right, she had been hostile to affirmative action and to a wide range of workers rights. But her downfall came not because of her views or union opposition to her nomination, but because she tried to conceal information from the Bush transition team about her payments to an illegal immigrant who was living and working in her house. As her replacement, Bush picked Elaine Chao, a candidate who has less of a record on issues related to the labor post and a career as a more diplomatic administrator than Chavez—but no apparent difference on major issues.

Bush's choice sent an unmistakable signal to trade unions that they will be in for a rough ride for the next four years. Republicans increasingly have focused on undermining the

political power of organized labor since unions have rejuvenated their political operations over the past five years, increasing the turnout and Democratic vote from union households. Dick Cheney said after the election that the administration would push for so-called "paycheck protection" legislation that would greatly disadvantage unions by requiring signed authorization in advance from each individual member for unions to spend dues money on political campaigns.

Chavez, who once was an aide to former American Federation of Teachers President Al Shanker, made a career attacking affirmative action and bilingual education, but she also opposed a higher minimum wage, mocked sexual harassment complaints, rejected family and medical leave and criticized doctors for forming unions. Her own record as a director of the federal Civil Rights Commission, which she nearly dismantled, and as a tough partisan attack-dog suggested that she would undermine the effectiveness of the Labor Department and turn it against organized labor. Chao shares Chavez's opposition to affirmative action, but her more business-like conservative style led the AFL-CIO to adopt an essentially neutral stance; the Communications Workers and Machinists unions endorsed her appointment.

Chao held a variety of positions under Reagan and in the first Bush administration, including chairwoman of the Federal Maritime Commission, deputy secretary of transportation and director of the Peace Corps, before becoming president of the United Way in 1992. The wife of Kentucky



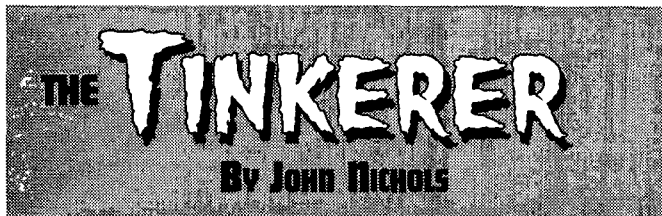


AP/STEPHEN JAFFE

Republican Sen. Mitch McConnell, a leading opponent of campaign finance reform, Chao has been a fellow at the conservative Heritage Institute since 1996.

Given the narrow Republican control of Congress, there are good reasons to expect Bush and Chao to promote an agenda that will give business owners more flexibility and less regulation. For example, Republicans have been trying to make it easier for businesses to classify workers as "independent contractors," to set up workplace "teams" that would effectively revive long-outlawed company-controlled unions, or to offer compensatory time off instead of paying premium rates for overtime work. Republicans also have tried to free businesses from direct Occupational Safety and Health Administration oversight, and may attempt to overturn the ergonomics standards for safe workplace design put in place late last year after 10 years of review and politically motivated delays.

One of the few things unions got out of the Clinton presidency was a reliable veto of most Republican anti-union initiatives. Now a Senate filibuster is the last line of defense. But by building on their mobilization of union members for political action, labor unions are also confident that they can win many of the fights ahead. With his appointments, Bush has made it clear that he intends to pick those fights. ■



**N**ame a social policy experiment from the past two decades—welfare reform, school vouchers, "reinventing government," corporate "self-regulation," abortion waiting periods, exponential expansion of the prison-industrial complex or the funneling of public dollars to HMOs—and you will find that Wisconsin Gov.

Tommy Thompson was the first into the laboratory.

Thompson is often referred to as a "reformer." But that gives him far too much credit. He makes change for the sake of change—turning theories concocted by right-wing think tanks into public policy with little real concern for the impact the changes may have on people for whom existing programs are an essential lifeline.

"The trouble with the national media coverage of Thompson is that, for the most part, reporters simply accept the claims that he has reformed all these programs and made them better," says Ed Garvey, a veteran labor lawyer who was Thompson's Democratic challenger in 1998. "When you look beyond the spin, you realize that his 'reforms' are more about grabbing headlines than improving lives."

It should come as no surprise then that George W. Bush—a president with little understanding of and even less sympathy for government programs—would tap Thompson to direct the more than 300 programs and 60,000 employees of the Department of Health and Human Services, through which more than \$400 billion in federal tax dollars flow annually.

Thompson is America's No. 1 public-policy tinkerer. A veteran of 35 years in elective office, the nation's longest-serving governor sees government in much the same way as a cut-rate mechanic does an old but serviceable automobile engine. To Thompson, the point of "reform" is not to provide

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better service to citizens; rather, it is to see if the wheels of government will run with cheaper parts—especially those "parts" recommended by the corporate bigs who pumped more than \$5.5 million into his last campaign alone. The problem is that the engine seldom works as well after Thompson gets done with it as it did before he got started.

The governor earned most of his national reputation as a pioneering welfare "reformer," implementing a sweeping "end-welfare-as-we-know-it" scheme that became something of a model for similar restructuring of aid programs across the country. The man who holds the copyright on the term "compassionate conservatism," Thompson sold his scheme as a move to break the shackles of government programs and free poor families to join the middle classes. Deep into the experiment, however, Wisconsin actually has a higher child-poverty rate than it did in 1979—13.5 percent in 1998, as compared with 8.7 percent two decades earlier.

If there is a second "reform" for which Thompson is credited, it is state support of the development of school vouchers, which direct public money to private educational institutions. Milwaukee's school-choice initiative is one of the oldest in the country, yet it continues to yield more contro-