



FRIENDS OF THE MIDDLE NEWSLETTER #278 — NOV. 27, 2012

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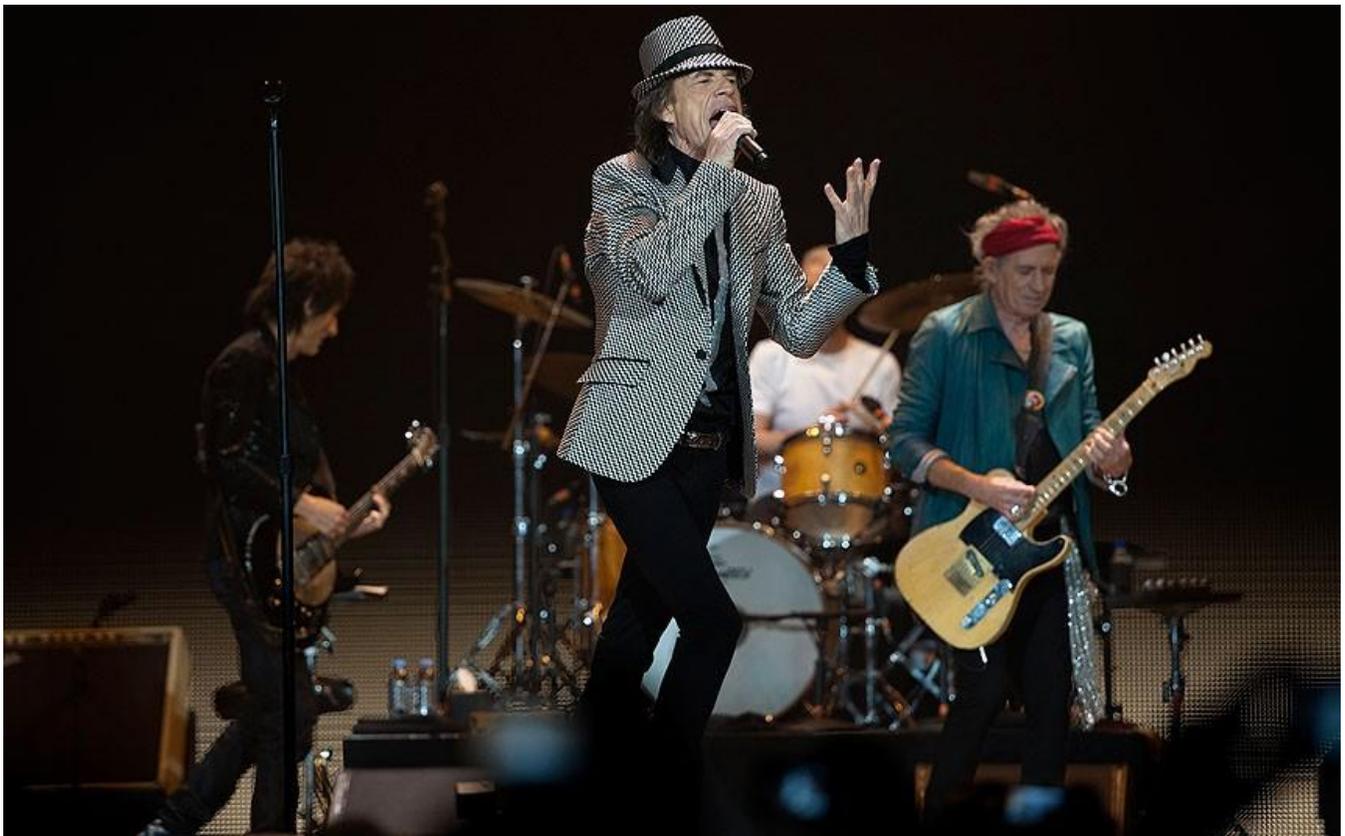
Stones Play London

(posted by Steven W. Baker / SteveB, Nov. 27, 2012)

"The Rolling Stones Celebrate 50 Years with Sold-Out O2 Show" by *The London Telegraph*

The Rolling Stones take to the stage at London's O2 arena after a five-year hiatus to celebrate their golden jubilee as one of the most successful and enduring bands in rock and roll history.

<http://www.telegraph.co.uk/news/picturegalleries/celebritynews/9702302/The-Rolling-Stones-50th-anniversary-gig-at-Londons-O2-Arena.html#?frame=2409494>



Video: <http://www.telegraph.co.uk/culture/culturevideo/musicvideo/9702488/The-Rolling-Stones-celebrate-50-years-with-sold-out-O2-show.html>



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"The Myth of the Obama Cave-In" by David Corn, Mother Jones

Nov. 26, 2012, (<http://www.motherjones.com/politics/2012/11/obama-fiscal-cliff-budget-deal-bush-tax-cuts>)

(With the "fiscal cliff" looming, the conventional wisdom is that the president capitulated during the last tax cut fight. Here's what really happened.)

At President Barack Obama's first press conference after winning reelection, CNN's Jessica Yellin posed a saucy question: "Mr. President, on the fiscal cliff, two years ago, sir, you said that you wouldn't extend the Bush-era tax cuts, but at the end of the day, you did. So, respectfully, sir, why should the American people and the Republicans believe that you won't cave again this time?"

With this pointed query, Yellin was reviving a notion that took root within the mainstream media and progressive circles: Obama surrendered in the lame-duck session of late 2010, when he and the Republicans tussled over continuing George W. Bush's tax breaks for the well-heeled. In this view, weeks after the president's party was trounced in the midterm congressional elections and weeks before the tea partyized GOPers were to take control of the House, Obama, who had vowed during the 2008 campaign to kill those tax cuts, acceded to Republican demands for continuing tax relief for those pocketing more than \$250,000 a year. The establishment media reported that Obama had lost the showdown; liberal House Democrats and progressives off Capitol Hill complained Obama had turned his back on his promise and blinked. There was grousing that Obama either had no taste for a political battle or no spine (or both) and that he had sold out a fundamental principle.

The ghost of that narrative haunts the current moment, for as Obama heads into a similar dustup—those Bush tax cuts are again set to expire at the end of the year, just as automatic across-the-board budget cuts are scheduled to kick in, and another debt ceiling fight looms—members of the politirati (such as Yellin) are suggesting that Obama might once more turn tail and betray his promise to say no to another extension of these tax breaks for the rich.

But that narrative was wrong when it emerged—and it is not the key to predicting what Obama will do in the present predicament. Obama didn't wave the white flag in 2010. He turned a face-off over the Bush tax cuts into an opportunity to enact a second stimulus that he otherwise could not get past Senate Republicans. His failure at that

time was not that he mustered insufficient mettle; he failed to convey to the world that he had jujitsued the GOPers.

For months prior to that tussle, the conventional view was accurate: The main issue was whether the tax cuts for the wealthy would continue. All the Bush tax cuts were due to evaporate at the end of 2010. (Bush had set that expiration date to diminish the tax cuts' impact on the long-term deficit.) During the 2008 campaign, Obama had promised not to raise taxes on middle-class earners and not to keep those Bush tax cuts for the top 2 percent. So he and his Democratic allies wanted to decouple the tax cuts for the rich from those for the rest—and extend only those for the bottom 98 percent.

The Republicans balked at that notion. They contended this would amount to a tax increase—if only on those in the upper brackets. They threatened to block any move to continue only the tax breaks for the middle. And with the filibuster in the Senate, they were positioned to do so. Moreover, they signaled they would fiercely attack Democrats who voted to extend only some of the tax cuts as tax hikers (though these Democrats would merely be supporting a return to the rates of the Clinton years). A game of chicken was on. Obama and the Democrats claimed the Republicans were holding tax cuts for the middle class hostage. (No tax breaks for the rich, then no tax breaks for anyone else.) And the GOPers were daring Obama to stick to his position, see all the tax cuts perish, and end up being blamed for a rise in taxes for everyone.

There was solidarity on the GOP side, but not among the Democrats. In the summer of 2010, as the midterms approached, several Democratic Senate candidates told Senate Majority Leader Harry Reid and the White House they preferred not to vote on any legislation that would keep only the middle-class tax cuts alive. They feared the GOP effort to brand them tax raisers—which would be backed by unregulated special-interest campaign cash unleashed by the Supreme Court's *Citizens United* decision—would work. If there were a vote on decoupling the Bush taxes, White House aides figured, it was indeed possible that the president could not hold his side together.

In the White House, Obama and his aides gamed out various scenarios. With the economy sputtering in the second half of 2010, they worried that if the GOPers were hell bent on winning this game of chicken, taxes would go up for all at the start of 2011—as unemployment benefits were ending (for the Republicans were blocking an extension of those, as well)—and this would lead to a decrease in consumer demand that would roil the fragile economy. Lawrence Summers, the head of Obama's National Economic Council, fretted about a double-dip recession. Obama and his aides felt boxed in. The president had political promises to keep; he also had to prevent the economy from taking another downward turn.

In the fall of 2010—both before and after the midterm elections—Obama and his aides cooked up a different script. Fretting that the slow recovery was bottoming out, they had been searching for ways to juice up the economy. But they knew the notion of additional stimulus was a political nonstarter. Though Obama's original stimulus had worked, raising employment levels by millions of jobs (according to the nonpartisan Congressional Budget Office), Obama had lost that message war. The idea of government spending to boost the economy had become discredited. (See the tea party victories in the congressional elections.)

Obama's aides, though, also knew that by the end of the year there would be some legislation regarding the Bush tax cuts—however that knotty issue was to be resolved—and they came up with a plan to turn this measure into something of a Trojan horse that could contain (or hide) various stimulative measures. Before the midterm elections, Obama's economic team began compiling a list of possibilities, including a payroll tax cut and various tax credits.

At a postelection meeting with labor leaders and progressive activists, several of whom were itching for a tax cut fight with the Republicans, White House aides were blunt. To win these stimulative shots, Summers told them, we're going to have to give up on killing the tax cuts for the rich. "Getting more for our people is more important than getting less for their people," he said at the meeting.

Many House Democrats, though, were leaning on the White House to mount a battle royal. "We heard Democrats say, 'Let's make them vote over and over again on tax cuts for the rich,'" David Axelrod, a top Obama adviser, told me afterward. "'Go until January or February and people will know that's what the Republicans stand for.' We were flabbergasted. They missed the overall point that taxes would go up and unemployment insurance would be lost by

2 million. Obama was determined to get something done." Especially now that unemployment was near 10 percent and economic forecasts were worrisome.

Weeks after the election, as Democrats on the Hill and progressives in the trenches continued to urge Obama to engage in a shoot-out with the congressional Republicans over the tax breaks for the well-to-do, the White House began (secretly at first) negotiating a deal with Senate Republicans, with Vice President Joe Biden and Senate Minority Leader Mitch McConnell haggling. Obama was willing to eschew the fight his Democratic comrades yearned for in order to win something bigger and better: more stimulus to aid the ailing economy.

The president was also reluctant to see the game of chicken conclude with a crash that would result in taxes going up for the middle class and out-of-work Americans seeing the end to unemployment benefits. That could cause hardship for these Americans—and hinder the entire economy. And he, Biden, and others in the White House assumed that come the new year, the Republicans, with control of the House, would have an advantage. If Obama now stared down the GOPers and the Rs didn't blink, all the Bush tax cuts would disappear on December 31, 2010. Yet, presumably, the new Republican-controlled House would soon pass a bill extending all of the tax breaks. That legislation would move to the Senate, and the White House didn't trust Senate Democrats to hold the line against a measure cutting taxes for both the middle class and the high-end earners. So any major fight in December could well conclude with a Pyrrhic victory. Obama could stop the continuation of the tax breaks for millionaires, yet quite possibly only until the new Congress came to town—and there would be no new stimulus to boost the flagging economy.

There was another important factor affecting the president's thinking. Obama was looking to rack up other accomplishments during this lame-duck session, before the House would be in the hands of tea partiers. He was hoping to end the Pentagon's Don't Ask, Don't Tell policy, to ratify the New START nuclear arms reduction treaty, and pass the DREAM Act reforming immigration law. If he went DEFCON-1 on taxes with the Republicans, there would be no opportunity to steer these other measures through Congress in the holiday season, as it was wrapping up its business. It was quite clear: a bare-knuckles brawl on taxes would mean no more stimulus and no chance to abolish Don't Ask, Don't Tell, ratify that treaty, or pass any other legislation.

So Obama went after a deal. And what Biden cooked up with McConnell was pretty good for the White House. The package would extend the Bush tax cuts for all taxpayers for two years and would reduce estate taxes for the wealthy (a move many Democrats couldn't stand), but it also included a payroll tax cut, a child tax credit, additional unemployment insurance, renewable energy grants, and other stimulative measures. A White House chart noted that Obama had won \$238 billion of stimulus in return for yielding on \$114 billion in high-income tax cuts.

In a way, Obama had sacrificed a stand of principle to push a second stimulus through Congress and provide a much-needed boost to the economy. It was a tough call. As I reported in my book, *Showdown: The Inside Story of How Obama Battled the GOP to Set Up the 2012 Election*, there were moments when Obama nearly walked away from the deal. But he succeeded in achieving his No. 1 priority: passing legislation that would produce economic assistance. The price, though, had been to yield to the Republicans on the upper-income tax breaks and the estate tax.

In policy terms, Obama clearly had gotten the better deal. The trouble was that the political world and the public had been conditioned to see this episode as primarily a clash over the top-tier tax cuts—and on that Obama had not gotten what he wanted. Consequently, the media depicted the compromise as a loss for Obama, and progressive Democrats squawked mightily about the continuation of the tax cuts. At a White House press conference following the deal's announcement, Ben Feller of the Associated Press challenged the president: "You've been telling the American people all along that you oppose extending the tax cuts for the wealthier Americans...So what I'm wondering is when you take a stand like you had, why should the American people believe that you're going to stick with it? Why should the American people believe that you're not going to flip-flop?" Moments later, Chuck Todd of NBC News noted that the Republicans had forced Obama "to capitulate."

This was not full capitulation. It was a strategic retreat to accomplish a bigger mission. Obama, however, never told this story. Throughout that lame-duck session, few in the media and few in Democratic congressional circles had realized what Obama was trying to pull off. When the deal was done, many of Obama's own political allies did not immediately recognize what he had won. To many on the outside, it did seem as if he had folded. As with the

stimulus, the health care bill, and the middle-class tax cuts he had passed in his first year, Obama had neglected to convince the public of the value of his victory. And with 2010 coming to an end, and all eyes trained on the newly triumphant tea party, there was not much political space for this particular counternarrative. It didn't help that Summers, Axelrod, and other senior aides were not allowed to admit in public that the president had slyly achieved a second stimulus, for the S-word remained in disrepute.

Two years later, Obama still does not tell the story of that period well. In response to Yellin's question, he did not take explicit issue with her cave-in characterization:

Well, two years ago, the economy was in a different situation. We were still very much in the early parts of recovering from the worst economic crisis since the Great Depression. And ultimately, we came together not only to extend the Bush tax cuts, but also a wide range of policies that were going to be good for the economy at that point—unemployment insurance extensions, payroll tax extension—all of which made a difference, and is part of the reason why what we've seen now is 32 consecutive months of job growth and over 5.5 million jobs created and the unemployment rate coming down.

Yet Obama is right: the current circumstances are different, and after his reelection he is in a better position to do battle on the tax-cut front. He told Yellin:

[W]hat I said at the time is what I meant, which is this was a one-time proposition. And what I have told leaders privately as well as publicly is that we cannot afford to extend the Bush tax cuts for the wealthy. What we can do is make sure that middle-class taxes don't go up.

In a recent White House meeting with labor leaders and progressive activists, Obama signaled he is ready to fight the GOPers—and this time dare the Republicans to block continuing the tax cuts for the middle class. But no one ought to forget that Obama, a progressive in his policy preferences, remains a pragmatist. What happened two years ago is not an indication that Obama is likely to yield in the new face-off, but that he will be assessing the political dynamics in gridlocked Washington and be willing to bargain hard for a good deal with true benefits. That's not caving in. It's governing.

20121126-02	13:44	Marci	I Don't Understand This Joke...
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I very quietly confided to my best friend that I was having an affair.

She turned to me and asked, "Are you having it catered?"

And that, my friend, is the sad definition of "OLD"!

20121126-03	14:38	SteveG	Fw: CREDO Action Petition: Tell the SEC: Don't Let Corporations Hide Their Political Spending!"
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from CREDO Action:

The U.S. Supreme Court's disastrous *Citizens United v. FEC* ruling has allowed corporate CEOs to unleash a torrent of secret corporate spending into our political system. Indefensibly, CEOs are able to keep both the public and their own shareholders in the dark about the use of company funds for political ends.

This gives CEOs free rein to make political expenditures that they would never be able to justify publicly — including campaigns so toxic they would inevitably tarnish the company's brand were the funding source made public. And the results have been absolutely corrosive to our democracy.

The Securities and Exchange Commission (SEC), which is a federal agency, can require publicly traded companies to disclose the money they spend on politics. And they are accepting public comments on the merits of doing so.

Click here to submit a public comment and tell the SEC: Don't let corporations hide their political spending.

To be clear, what we really need is to get all corporate money out of politics, to roll back *Citizens United*, end corporate personhood and institute public financing of elections. And we are working hard toward those long term goals.

But in the short term, given how corrupt the system is, disclosure of corporate political spending would be a meaningful, though small, step forward. And it's one we can achieve.

While the likes of the *Wall Street Journal's* Editorial Board are opposed to this idea, it's actually a commonsense idea that is not especially ideological.

In fact, nearly 60% of the S&P 100 companies already voluntarily disclose their political spending to investors. And of the remaining S&P 100 corporations, 50 had shareholder votes about political issues in 2011.

Already one SEC Commissioner has come out in favor of the idea. We just need two more to agree.

Earlier this year, 100,000 CREDO members signed a petition telling the Securities and Exchange Commission to require publicly traded companies to disclose their political spending.

And recently, a *Wall Street Journal* blogger reported that agency officials were evaluating whether to recommend precisely such a rule.

In part, this process was due to, according to one high-level SEC staff member, "the large number of comments and strong interest..."

That means we're having an impact, and we can't stop now.

Tell the SEC: Don't let corporations hide their political spending. Click the link below to submit a public comment:

http://act.credoaction.com/campaign/sec_political_spending/?r=6883064&p=sec_political_spending.

Matt Lockshin, Campaign Manager

20121126-08	17:13	SteveG	Fw: MoveOn/SignOn Petition: End the Norquist Pledge!
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from MoveOn/SignOn:

End the Norquist Pledge (by endthenorquistpledge)

To be delivered to: The United States House of Representatives, The United States Senate, and President Barack Obama:

Petition Statement:

"End lobbyist Grover Norquist's hold on the GOP and, therefore, his influence on US economic policy. Tell your Representatives and President Obama to renounce the Grover Norquist pledge, to name every elected leader who has signed the pledge, and include the option of increased revenue in discussions regarding economic policy."

Sign here: <http://signon.org/sign/end-the-norquist-pledge?source=mo.mp>.

Petition Background

Since the mid 1980s, Republican leaders and politicians at every level of government have signed a pledge organized by lobbyist Grover Norquist to refuse to raise taxes under any circumstances. This pledge gives an unelected lobbyist unprecedented power over the GOP. There is a reason Republicans only want to cut spending, but won't consider revenue increases to reduce the deficit, pay for programs that help the needy, or make our environment safer. The reason is that Norquist will fund primary candidates against any Republican who votes to raise taxes. Yet the American people re-elected President Obama and Democrats who consider tax revenue part of solving our budget deficit and our economic problems. We must end the hold Norquist has over the GOP so that every option, including tax increases, is on the table when discussing solutions to America's economic woes and the federal budget.

20121126-09	19:58	Art	Re: MoveOn/SignOn Petition: End the Norquist Pledge! (reply to SteveG, above)
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I just signed and put on FACEBOOK. This whole oath thing to a lobbyist is outrageous

20121126-10	20:30	SteveG	Re: MoveOn/SignOn Petition: End the Norquist Pledge! (reply to Art, above) & "About Americans for Tax Reform"
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Agree whole heartedly. Below fact or fiction?

[I wonder if this blind, unflinching monstrosity is what Reagan envisioned? –SteveB]

"About Americans for Tax Reform" (<http://www.atr.org/about>)

Americans for Tax Reform (ATR) opposes all tax increases as a matter of principle.

We believe in a system in which taxes are simpler, flatter, more visible, and lower than they are today. The government's power to control one's life derives from its power to tax. We believe that power should be minimized.

ATR was founded in 1985 by Grover Norquist at the request of President Reagan.

The flagship project of Americans for Tax Reform is the Taxpayer Protection Pledge, a written promise by legislators and candidates for office that commits them to oppose any effort to increase income taxes on individuals and businesses. Since ATR first sponsored the Pledge in 1986, hundreds of U.S. Representatives, more than fifty U.S. Senators and every successful Republican Presidential candidate have all signed the Pledge. In the 112th Congress, 236 U.S. Representatives and 41 U.S. Senators have taken the Pledge never to raise income taxes.

Americans for Tax Reform began promoting the Taxpayer Protection Pledge on the state-level in the early 1990s.

ATR works with state taxpayer coalitions in all 50 states to ask candidates for state legislature and constitutional office to sign the State Taxpayer Protection Pledge, which reads:

"I _____ pledge to the taxpayers of the _____ district, of the state of _____, and to all the people of this state, that I will oppose and vote against any and all efforts to increase taxes."

Additionally, Americans for Tax Reform works with state-based center-right groups to help replicate ATR's national Wednesday Meeting in the states. Currently, there are over 50 meetings in 45 states. These meetings bring together a broad cross section of the center-right community- taxpayer groups, social conservative groups, business groups, legislators, etc., to promote limited government ideals.

Realizing that Americans not only need to be protected from higher taxes, but from higher spending; Americans for Tax Reform created the Center for Fiscal Accountability (CFA) in 2008. CFA focuses on all central issues related to fiscal responsibility and accountability, especially spending restraint and the promotion of a more transparent and

accountable government on the local, state, and federal level through easily searchable online spending and contract databases.

Americans for Tax Reform and Americans for Tax Reform Foundation also sponsor the annual calculation of Cost of Government Day (COGD), the day on which Americans stop working to pay the costs of taxation, deficit spending, and regulations by federal and state governments.

ATR is a nonprofit, 501(c)(4) lobbying organization. Contributions to Americans for Tax Reform are not tax deductible. The Americans for Tax Reform Foundation is a 501(c)(3) research and educational organization. All contributions to the Americans for Tax Reform Foundation are tax deductible to the extent provided for in federal law.

20121126-05	15:09	SteveG	"Grover Norquist Warns Dems, GOP: Anti-Tax Pledge Will Hold"
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"Grover Norquist Warns Dems, GOP: Anti-Tax Pledge Will Hold" by David Daley, Salon

Nov. 24, 2012,

(http://www.salon.com/2012/11/24/grover_norquist_warns_dems_gop_the_anti_tax_pledge_will_hold/)

(The anti-tax zealot says Republicans will not cave, and won't be fooled by Democrats into raising taxes.)



Grover Norquist (Credit: AP/Haraz N. Ghanbari)

Grover Norquist has a warning for anyone who thinks the influential anti-tax advocate has lost power in Washington.

"No one is caving," the head of the Americans for Tax Reform told the *Wall Street Journal*, in a wide-ranging weekend interview.

Norquist — who built his power by getting hundreds of House Republicans and Congressional candidates to sign a pledge vowing to never raise taxes — has been perceived to be on the defensive since House Speaker John Boehner and even Senate Minority Leader Mitch McConnell suggested they would be open to new revenues in a compromise to avoid the so-called "fiscal cliff."

In the weeks since the election, as talks centered around a compromise, fear of violating Norquist's pledge appeared to diminish.

But Norquist insists that the power dynamic has not changed, despite the re-election of President Obama and the apparent willingness of the GOP leadership to work with him to head off mandatory defense spending cuts and the expiration of the Bush tax cuts.

"For 20 years Democrats have tried over and over to trick Republicans into breaking the pledge. It hasn't happened. This isn't my first rodeo," Norquist told the *Journal*.

"Nothing has changed on the chess board since Barack Obama agreed to extend all the Bush tax cuts two years ago. Exactly the same players. Republicans still control the House and Democrats still control the White House and the Senate."

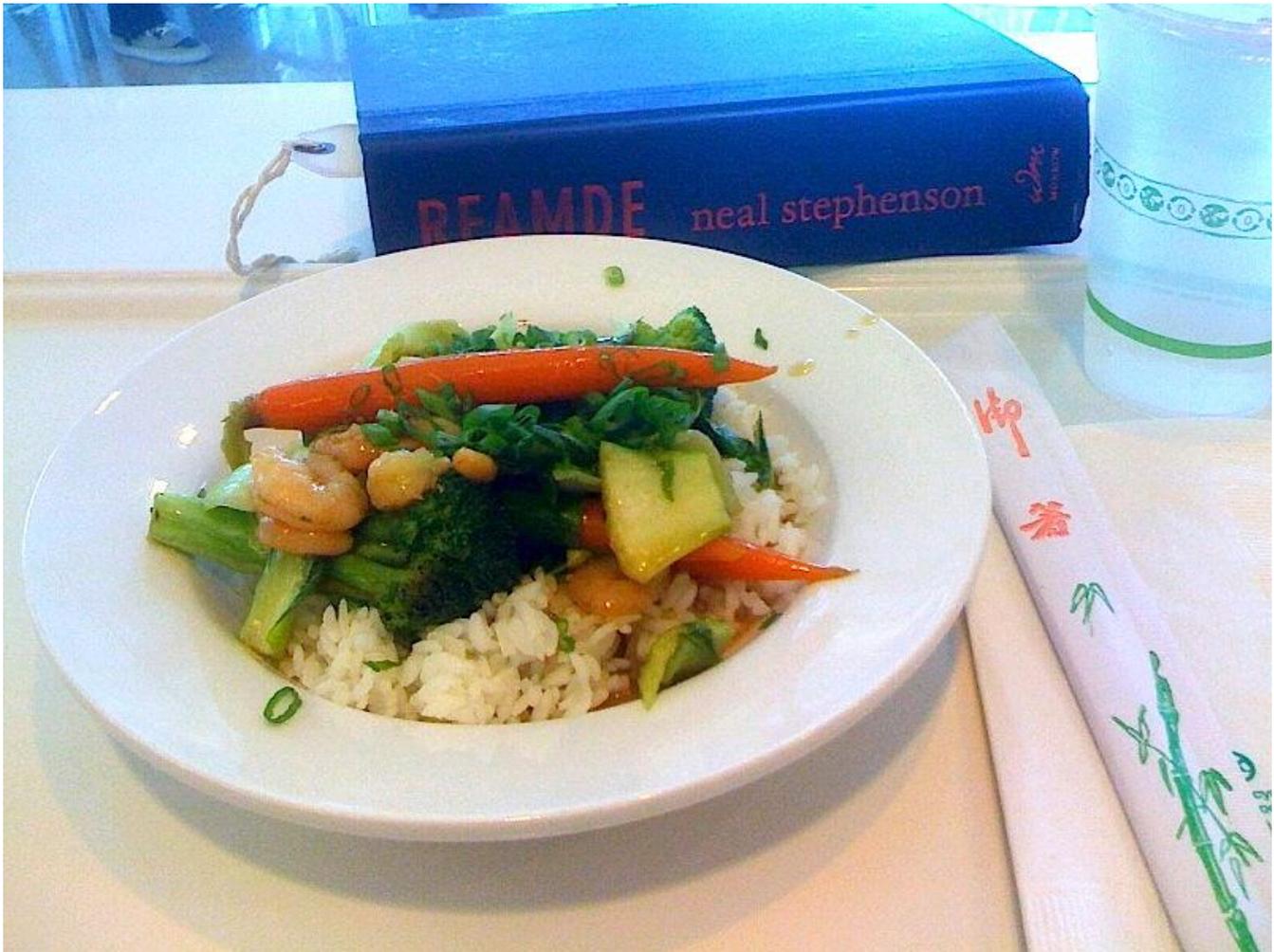
Norquist admits that a few politicians who signed his pledge are now having "impure thoughts," worried that Republicans will be blamed for running the country over that "fiscal cliff." However, he adds, "the media keeps interviewing the same five or so Republicans in Congress who want to cut a deal."

He's urging his troops to hold tight: "Even more than getting more revenues, (Democrats) want Republican fingerprints on tax increases so they can smash Republicans in the next series of elections."

20121126-04	14:44	Bill	Re: FotM Newsletter #277 (to all)
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Outstanding issue.

Delicious stir-fry from the Far East line. Regrettably, too busy to talk about, but it's great to get yummy fresh vegetables and succulent seafood for lunch again! The book is, of course (consider the author) quite fabulous.



Shrimp Stir-fry in Light Brown Sauce

History repeats itself?

Good read for those that are interested. The only thing we seem to learn from history is that we never learn anything from history.

"How Political Campaign Spending Brought Down the Roman Republic" by Rob Goodman and Jimmy Soni, Slate

Nov. 26, 2012,

(http://www.slate.com/articles/news_and_politics/politics/2012/11/citizens_united_massive_political_campaign_donations_during_the_roman_republic.html)

(If Cato, Cicero, or Julius Caesar were here today, they would recognize the danger posed by *Citizens United*?)



Roman luminaries Cato, Cicero, and Caesar. (Wikimedia Commons)

Two years after the Supreme Court's decision in *Citizens United*, which allowed unlimited corporate and union money into American politics, there is one line that continues to echo: "The appearance of influence or access ... will not cause the electorate to lose faith in our democracy."

That line lasts because it's a testable prediction. It's not a question of precedent or constitutional interpretation, but of public opinion—and as such, we all feel competent to judge it. Loss of faith, the Supreme Court allowed, is itself an argument against our increasingly unregulated campaign spending regime.

Of course, democratic faith is a slippery concept. But it is always on display in an election's aftermath. In the best case, the election's winners and losers have a shared, if grudging, agreement about the fairness of the process and its outcome. In the worst case, the winner's legitimacy is just one more "fact" to disagree about.

Does massive campaign spending move us closer to the worst case? One view of the 2012 election holds that super PACs proved far less effective than feared. "But ultimately," argues Nicholas Confessore in the *New York Times*, "Mr. Obama did not beat the super PACs; he joined them." His re-election, therefore, doesn't settle the question raised by the Supreme Court; it simply postpones it.

Rather than letting the *Citizens United* experiment in confidence play out over the next several elections, we can find evidence now, by looking to political history. How has the "appearance of influence" affected faith in other elected governments? History tells us that such faith is far easier to tear down than to rebuild. And one of the best examples of this faith under strain comes from one of the earliest experiments in elected government: the Roman Republic.

Our political culture is saturated with historical appeals to the founders, but when the founders themselves wanted to make such appeals, they turned overwhelmingly to Rome. As inspiration and as practical example, that republic's history is written into our own. For Alexander Hamilton, the republic represented "the utmost height of human greatness." The authors of the Federalist Papers cited the republic as an influence on the American Constitution 14 separate times. In early America, Rome before Caesar served as the quintessential republic of virtue; its collapse was the ultimate cautionary tale of political corruption.

A crucial part of that story was the corrosive influence of money in politics. To be sure, Rome was never a true democracy; its elections were always designed to heavily favor the wealthy and well-born. Further, the kind of money that consumed Roman politics—personal spending by wealthy candidates—isn't the prime source of controversy in our time. Nevertheless, the last generation of the Republic's politics was dominated by two trends:

universal complaints about money's corrupting effect on politics and near universal unwillingness to do anything about it.

Ancient politicians were just as skilled as modern ones at identifying and exploiting loopholes in election law. In Rome, the key loophole lay in the fuzzy distinction between *ambitus* (electoral bribery) and mere *benignitas* (generosity). Roman elections were often won on the strength of free food, drinks, entertainment, and sometimes hard cash offered directly to voters and financed by private fortunes. In fact, Roman campaign slogans were sometimes inscribed on the bottom of commemorative wine cups—you could drain the cup and find out whom to vote for. Most of the Roman elite relied on the gentleman's agreement that the line between bribery and generosity would not be strictly patrolled. At worst, rank vote-buying was something your opponents engaged in; you, on the other hand, were simply being a good neighbor.

That explains the curious fact that continually rising penalties for corruption had almost no deterrent effect. Toward the republic's end, the penalty for *ambitus* had risen to 10 years' exile. The general Pompey, who presented himself as a clean-government advocate when he wasn't buying elections for his allies, even proposed raising the statute of limitations for corruption charges to two decades, meaning that virtually no Roman politician would be safe.

Yet the money continued to flow: Politicians able to afford the massive bribes were usually able to afford protection after the fact. Worse, with no enforceable limits on spending and a heavy premium on one-upsmanship, the price of elections skyrocketed. Five years before the republic collapsed, Cicero made an astonishing claim: The wealthy had injected so much cash into election season that the interest rate in Rome temporarily doubled.

Nor could the power of money be confined to election season—its influence spread throughout the republic's government. Rome had long sent politicians to govern a province after their year in office; ultimately, they felt entitled to fleece those provinces in order to recoup their election losses, a practice that spread deep resentment of the capital. The biographer Plutarch records bribery of civil servants, who were paid off to erase debts owed to the public purse. Jury verdicts, too, were regularly bought and paid for.

Julius Caesar, who brought the republic to an end, walked a path to power paved by charisma and military accomplishments—and his mastery of Roman campaign-finance practices. He won his first election to Rome's highest office with the backing of a single wealthy donor (who, in exchange, planned to serve beside Caesar). And if there was a moment when civil war between Caesar and the conservative Roman Senate became inevitable, it was probably the day Caesar paid off the debts of Gaius Scribonius Curio. Curio, an up-and-coming conservative, had won election as a tribune of the people, and with it the tribune's power to veto any law. But he had heavily indebted himself along the way. Caesar satisfied his creditors, but only on the condition that Curio switch sides. From that point, Caesar, who already had an army, owned a veto in the Roman government. Political deadlock was assured.

Caesar's fiercest personal enemy was also Rome's most consistent enemy of electoral corruption. Marcus Porcius Cato, a Stoic and Senate conservative, made his name denouncing the influence of money on private and public life. Yet Cato failed, just as other would-be reformers did. He obsessively cast corruption as a failing of personal morality rather than a systemic crisis, which dramatically understated both the scope of the problem and the means needed to control it. As a result, Cato's proposed remedies were usually ad hoc, and they predictably fell short.

In one instance, he managed to persuade a group of candidates to appoint him as an informal election judge, with the power to investigate bribery and publicly expose any candidate he found guilty. Each pledged to forfeit money to Cato if he was caught breaking the deal. Days before the vote, an enthusiastic Cicero wrote, "If the election proves free, as it is thought it will, Cato alone can do more than all the laws and all the judges."

On the day of the election, Cato stood before the Roman people and duly announced that one of the candidates had cheated. The rivals huddled and came to their own decision: The guilty man should be let off with no further penalty, and he should keep his money. That's how deep corruption ran in the culture of the Roman elite.

Even as *ambitus* weakened the republic, each member of the governing class preferred a strategy of maximizing his own gains in a broken system. Vote-buying made sense for individual politicians at the same time as it undermined

the elite as a whole. Cicero, for instance, passed a strong anti-corruption law and even named it after himself—and then, he secured the acquittal of the very first man charged under the law because he was a political ally.

Several years later, an ex-governor was tried for extorting money from his province to finance a campaign for higher office. Six different lawyers, drawn from the cream of the Senate—the equivalent of a Roman legal Dream Team—rose to defend him. The corrupt former official was acquitted with ease.

By the end, chronic election-buying had helped grind down all faith in republican government. Why was Caesar able to dissolve the republic and set Rome on a course to one-man rule? Because, in large part, enough people believed that the republic was too rotten to be worth saving. And while most classical sources dwell on the aristocracy, there's also strong evidence that ordinary Romans grew increasingly alienated from politics during the final years. Radical leaders like Catiline and Clodius drew massive followings with their attacks on a corrupt elite; their riots, in turn, helped convince much of that elite that Rome was in grave need of a strongman.

Unlimited money in politics certainly doesn't guarantee riots and civil war. Nor does "the appearance of influence" always undermine republican government. But legitimacy matters, and it rests on a delicate understanding: the belief that those who govern have a right to govern. It's devilishly hard to measure or quantify, but (to paraphrase the Supreme Court again) we know it when we see it.

How much democratic faith do Americans have today? How many liberals think George W. Bush won in 2004 because of electronic voting shenanigans in Ohio? How many conservatives think Barack Obama won in 2008 thanks to ACORN, or in 2012 because of handouts to the 47 percent? Unlimited money in politics adds one more cause for doubt, perhaps the most powerful of all, to a list that has grown in recent years. How long until we have a presidential election in which a dangerous percentage of Americans view the final result as illegitimate on account of money?

On some level, *Citizens United* was right. It's not bought influence that's deadliest to our politics—it's the appearance of influence. We can debate dueling First Amendment readings and the real power of super PACs all we'd like; but here is a case where public opinion, on its own, should be decisive. If a loss of faith becomes wide and deep enough, the question of whether or not we are right to lose faith becomes academic. The loss is destructive either way. Just ask Rome.



<http://www.telegraph.co.uk/culture/culturepicturegalleries/9691046/Salvador-Dali-retrospective-in-pics.html?frame=2404289#?frame=2404270>



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Steven W. Baker (SteveB), Editor/Moderator

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