



# FACTS & OPINIONS

*On Public Interest Issues*

## Quotes

Character is doing what's right when nobody's looking.  
—Rep. J.C. Watts (R-OK)

When more of the people's sustenance is exacted through the form of taxation than is necessary to meet the just obligations of government and expenses of its economical administration, such exaction becomes ruthless extortion and a violation of the fundamental principles of a free government.

—Grover Cleveland,  
Second Annual Message,  
December, 1886

Words are plentiful, but deeds are precious.

—Lech Walesa, Polish  
Solidarity Leader

A generation of Americans is being raised without fathers.

—Sen. Dan Coats (R-IN)

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## The Constitution is on Life Support

Steven Greenhut, *The Lima News* (Lima, Ohio)

When it suits them, liberals embrace the U.S. Constitution with astounding gusto — like when they seek to protect the republic from the dangers of posting the Ten Commandments in a public courthouse or some other grievous threat to American liberty.

Modern liberals may find the Constitution handy to have around when arguing with a member of the religious right, but it is not a document that they take too seriously. It's pretty hard to square the leftist penchant for centralized government with the Constitution's 10th Amendment, which vests most powers in the hands of the people or the states. Or to argue for gun bans when the Constitution — and the clear intent of its drafters — gives individuals the right to bear arms.

Liberals have created a clever way to get around the obvious disconnect between their statist ideology and constitutional decrees. They say the Constitution is a “living and breathing” document that was intended to grow and adapt to America's changing circumstances.

The most influential proponent of that belief, former Supreme Court Justice William Brennan, received grandiose eulogies by liberals after his recent death precisely because his judicial reasoning was unfazed by what the Constitution actually says.

Syndicated columnist Nat Hentoff, waxing poetic about Brennan's great contributions to America in a column, succinctly captured the justice's constitutional philosophy: “His conviction

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Dr. Don Racheter

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remained that the living, evolving Constitution — not frozen in time more than 200 years ago — will surely rejuvenate liberty in the decades ahead."

There is some truth to this suggestion. Times do change, and no less an authority than Thomas Jefferson agreed that our government must change with them. But while the Constitution was never meant to be frozen in time, neither was it designed to be twisted to suit the fancy of unelected judges or to easily change to fit the fads of any day.

The Founders created a nifty way to let the Constitution live and breathe: It's called the amendment process, whereby Congress must pass an amendment by a two-thirds majority and then send it to the states for ratification by three-quarters of the legislatures. As an alternative, if two-thirds of the state legislatures petition Congress for an amendment, Congress must call a convention to draft one.

But amending the Constitution is a time-consuming process that requires a broad expression of the popular will. Since most social engineering schemes — racial quotas, busing, abortion on demand, massive federal welfare expenditures — have been anything but popular, liberals rely on

like-minded judges who impose their will by dictate, then dress up their rulings in constitutional-sounding verbiage.

Hence, activist judges routinely discover new rights in constitutional penumbras (in gray areas, or between the lines). They hide behind the "philosophy" of a living and breathing Constitution, but in reality they are petty dictators who would rather impose their ideas on the nation than wrestle with the language of the Constitution and the original intent of our Founding Fathers.

A constitution is, according to Webster's dictionary, a "document or set of documents in which fundamental laws or principles of government...are written down." If a constitution can be changed by whim, then, by definition, it is simply not a constitution.

But to Brennan (as quoted by Hentoff), our Constitution must be in constant flux because America has yet to become an egalitarian utopia: "We do not yet have justice, equal and practical, for the poor, for the members of minority groups, for the criminally accused, for the displaced persons of the technological revolution, for alienated youth, for the urban masses...Ugly inequities continue to mar the face of our nation. We are surely

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nearer the beginning than the end of the struggle.”

Apparently, James Madison, Gouverneur Morris, and Co. weren't as clever as Brennan would have liked them to be. The framers sought to protect such trivialities as freedom of speech, religion, and self-defense; they offered no national government solution to alienated youth and displaced workers. Had they been more enlightened, perhaps the Founders would have added constitutional clauses that declare:

n The state “actively guides the national capitalist in carrying out activities beneficial to national welfare and the people's livelihood.”

n Women have “equal rights with men in all spheres of political, economic, cultural, social, and domestic life. For equal work, women enjoy equal pay with men.”

n “Citizens...have the right to maintenance in old age and also in case of sickness [and]...the right to education.”

As you may have guessed, these are excerpts from some Communist constitutions (North Vietnam, the Soviet Union, and Albania) — and they reflect sentiments that would be far more appealing to today's liberals than the ideas so eloquently presented in the U.S. Constitution's Second and Tenth amendments.

Perhaps it's time to admit the obvious: Our original Constitution is gravely ill, and the “living and breathing” one that has replaced it has little say about the liberties our Founders worked so hard to preserve. That may be a cause for celebration to liberals, but it should be a source of anguish to the rest of us.○

***Iowa Facts***

**Did you know that:**

**Iowa has eight major ski areas?**

**The violent crime rate in Iowa is 44% lower than the national average?**

**Over 4000 physicians practice medicine in Iowa's 99 counties?**

**Iowa has more miles of roads and streets (112,987 miles) than 39 other states?**

***For more facts on life in Iowa, consult Public Interest Institute's 1996 STATISTICAL PROFILE OF IOWA.***

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## Why Our Welfare System Must Promote Fatherhood

Wade F. Horn  
and Andrew Bush

*Wade F. Horn is Director of the National Fatherhood Initiative. Andrew Bush directs the Welfare Policy Center at Hudson Institute in Indianapolis, Indiana. Reprinted by permission of the authors.*

**Promoting work among welfare recipients is only part of what needs to be done...**

Thanks to last year's sweeping welfare reform legislation, states now have the opportunity to create a welfare system that moves aid recipients into the work force and builds strong families. Unfortunately, thus far most states are focusing only on the former — job placement — while ignoring the latter, at great cost to our nation's most vulnerable children.

Promoting work among welfare recipients is only part of what needs to be done, for welfare stands at the center of a larger social crisis: the demise of marriage and the increasing disappearance of fathers from families. Simply exchanging millions of single mothers on welfare for millions of working single mothers, while certainly a worthy endeavor, will ultimately do little to create long-term stability in disadvantaged communities if families continue to fall apart at an alarming rate.

Today, nearly four out of every ten children in the United States are being raised without their fathers. Seventy percent of long-term prison inmates grew up without their fathers, as did sixty percent of rapists and seventy-five percent of adolescents charged with murder. Children without fathers are also three times more likely to fail at school, three times more likely to

experience emotional or behavioral problems requiring psychiatric treatment, three times more likely to commit suicide as adolescents, and up to forty times more likely to experience child abuse compared to children growing up with both a mom and a dad.

Certainly welfare reform should promote self-sufficiency. But bringing men back to their families and their children is essential if welfare reform is to accomplish the broader goal of rebuilding low income communities. Providing jobs to single mothers is simply not enough.

Promoting fatherhood also means promoting marriage. Unwed fathers, even those cohabiting with the mother at the time of their child's birth, are particularly unlikely to stay connected to their children over the long haul. The truth is, if we want to increase the number of children growing up with involved and committed fathers, we will have to increase the number of children living with their married fathers.

The problem is that strategies for promoting fatherhood and marriage are, to a very large extent, in conflict with those that seek to help single mothers achieve self-sufficiency through work. Indeed, a welfare system that helps single mothers become

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employed, but ignores the need to promote fatherhood and marriage, may only serve to enable unmarried women to rear children without the presence of the father. Thus, welfare reform that focuses mostly on moving single mothers into the paid labor force only serves to push men even further into the fringes of community life, making the achievement of strong, functional communities an ever more elusive goal.

Rather than simply adding work programs onto the old welfare system, states should pursue comprehensive reforms that will increase workforce attachment and, at the same time, increase marriage rates, decrease out-of-wedlock childbearing, and increase father-involvement.

The question, of course, is how.

### 1. Privilege marriage

States should begin by eliminating systemic preferences that give advantages to single-parent families over two-parent, married families. But making welfare neutral when it comes to marriage is grossly inefficient. States should establish explicit preferences for marriage in the distribution of select, discretionary benefits, such as public housing units and head start slots. When the supply of

welfare benefits is limited, married parents ought to go to the front of the line.

Our intent is not to create the societal equivalent of shotgun weddings, but rather to raise societal respect for the importance of marriage to children. Whether intentionally or not, welfare policies convey messages about what society thinks is right and wrong, and about the moral responsibilities society expects its citizens to possess and respect. That is not to say that we should be intolerant or fail to come to the aid of those who do not or cannot meet those standards. But welfare policy should convey an unambiguous message about what is important to the well-being of children. One very important ingredient for the well-being of children is growing up in a stable, two parent household. Most often, this will require that the parents be married.

### 2. Strengthen the marriage potential of men by increasing their workforce attachment

States should include the broader population of low-income males in their welfare-to-work employment programs — not only as a means to increase their life prospects but also as a means to increase their “marriageability.” Working

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men tend to be more able and responsible fathers, as well as more attractive marriage partners. In expanding such programs, states should privilege low-income married fathers and non-fathers, taking care not to provide special opportunities to unwed fathers. The cultural and public policy message must be: we stand ready to assist low-income males who play by the rules and wait to have children until after they are married.

### **3. Increase the cost of fathering children out of wedlock**

Strict work requirements and family caps are deterring single-parenting by increasing the costs borne by single mothers on welfare. But states should also increase the cost for men who father children out of wedlock. Vigorously enforcing child support obligations, restricting the participation of unwed teenage fathers in high school extracurricular activities, including sports, and aggressively enforcing statutory rape laws should be pursued to increase the opportunity cost of irresponsible fathering.

### **4. Encourage adoption for children out of wedlock**

Children growing up in two-parent, adoptive fami-

lies generally do as well as children growing up in two-parent biological families, and do significantly better than children growing up in single-parent or stepparent families. Yet only 3 percent of white women and 1 percent of black women who conceive a child out of wedlock choose adoption. Far too frequently seen as a sign of system failure, adoption has become the option of last resort, chosen only when all others have been exhausted.

Instead, states should encourage adoption as the first and best option, rather than the last when confronted with an out-of-wedlock birth. States should retrain welfare caseworkers to ensure that adoption is presented as a loving alternative to single-parenting, aggressively publicize the advantages of adoption, use welfare dollars to support maternity homes for mothers who choose adoption, and speed the adoption of abandoned infants and chronically abused children.

### **5. Emphasize father involvement**

When adoption is rejected, states should attempt to maximize the degree to which children grow up enjoying the love and commitment of both their parents. To date, states have concentrated their efforts toward unwed fathers on the

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establishment of paternity and the enforcement of child support obligations. Done exclusively, such efforts can drive away fathers.

States should alter their priorities to promote not only financial responsibility but also father involvement. They should require mothers to cooperate with visitation orders as a condition of welfare receipt, pass through all child support to custodial parents rather than keeping most of it to offset welfare benefits, and enable fathers to satisfy the work requirements imposed on aided families. The goal should be to foster a sense

of interdependence between mothers and fathers.

Success in welfare reform will depend on the clarity of our collective vision as to its ultimate purpose. If we focus too exclusively on measures to move mothers into the paid labor force, we will have missed the most important role of any legitimate welfare system — to enhance the well-being of children.

Simply put: children need their fathers, and men need marriage to be good fathers. Effective welfare reform means encouraging both more work and more marriages.○

**Legislative Update: Charitable Choice**

Stephen Lazarus

One very significant but not well-known feature of the 1996 federal welfare reform law is the Charitable Choice provision. Sponsored originally by Sen. John Ashcroft (R-MO), the Charitable Choice provision encourages and protects the participation of faith-based social service providers who help welfare recipients become self-sufficient.

Churches and other faith-based organizations run some of the most successful drug-treatment programs, daycare centers, job search, and training programs used by citizens receiving welfare. However, in recent years, fears of government regulation and penalties have required these providers to downplay

or compromise their religious identities. Government officials have often mistakenly assumed that the Constitution requires, for example, the covering of crosses in church daycares where welfare recipients use federal funds. In other cases, the interference has been much worse. Faith-based organizations have been excluded outright from participation in public programs.

To remedy such situations, the Charitable Choice provision protects the religious liberty of both faith-based social service providers and the citizens they serve. A state that chooses to contract with any nongovernmental service providers

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**IDEAS DO MATTER.**

**Continued from page 7 (Charitable Choice)** may not discriminate against faith-based programs in the bidding process, because of their religious identity. States must also recognize the right of these programs to deliver services without requiring them to modify their convictions and practices.

To protect the religious liberty of the welfare recipient, faith-based organizations may not compel beneficiaries to participate in a religious service or practice. Under the Charitable Choice provision, recipients who prefer to receive services with faith-based providers may do so, and those who do not may work with alternative providers.

The Charitable Choice provision corrects the consequences of a false understanding of the separation of church and state, and mobilizes the institutions of civil society to empower citizens and families across America. For more information on Charitable Choice, contact Stephen Lazarus at the Institute.○