

IEWS OF
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John Nichols



Falk's right to await full count

Dane County Executive Kathleen Falk has taken her share of criticism for refusing to concede until all of the votes are counted and reviewed from the exceptionally close race for state attorney general.

Preliminary returns from Tuesday's election show Republican J.B. Van Hollen defeating Falk by 9,071 votes out of more than 2.1 million cast — a margin of 0.4 percent.

Margins of this size have been reversed in official canvasses and recounts — usually when a human tabulation error is discovered. But such reversals are rare, and it is likely that Van Hollen will prevail in the end.

If Falk merely wanted to appear gracious, and thus position herself for a future race, she would probably concede. That's what Virginia Republican Sen. George Allen, who lost a similarly close race to Democratic challenger Jim Webb, did last week. Allen hopes to run for another Senate seat or perhaps for the governorship of Virginia, so he conceded even as some of his aides urged him to wait out the canvass and potentially seek a recount.

Falk, to her credit, has decided not to play that political game.

It is an unfortunate fact of contemporary politics in the United States that the responsibility for ensuring that all the votes are counted, and counted correctly, falls to the losing candidate in an election. With our inefficient and frequently dysfunctional election systems, there is no guarantee that a proper count will be completed without serious scrutiny of the process — and that scrutiny comes, first and foremost, from candidates who find themselves trailing in close races.

When Massachusetts Sen. John Kerry conceded the 2004 presidential contest before all the votes had been counted, and before all of the controversies with regard to the voting in Ohio and other states had been resolved, he did a disservice not merely to his own candidacy but to the democratic process.

Kerry had a responsibility to press for a full and accurate count and for the resolution of disputes regarding that count. By failing to do so, he let down the people who tried to vote for him and may have been denied that right — or may have been denied the right to have those votes counted. A post-election inquiry by the minority staff of the House Judiciary Committee suggests that thousands of Ohioans fell into this category.

Kerry failed those voters with his quick concession. He also failed the process by refusing to use his prominence and position as a candidate to highlight problems that have yet, in many cases, to be addressed.

Falk has chosen a different course. She is refraining from conceding until every "i" has been dotted and every "t" has been crossed.

Her critics will accuse her of being a sore loser, or merely self-serving. But whatever her motivations, she is doing service to a democratic process that is in disrepair and that requires oversight. There are few rewards for such service in these days of spin-driven politics. But it is, nonetheless, worthy of honor from those of us who still think that maintaining the soundness of the democratic process is more important than who wins or loses.

John Nichols is associate editor of The Capital Times, Wisconsin's progressive daily news source, where his column appears regularly. E-mail: jnichols@madison.com

OTHER VIEWS



JOSEPH W. JACKSON III — State Journal archives

UW-Madison Athletic Director Barry Alvarez helps Chancellor John Wiley, left, as they pull the strings to unveil a life-size statue of Alvarez outside Camp Randall Stadium on Oct. 13. Alvarez's wife, Cindy, is at right.

GUEST COLUMNS

Take down that statue ... please

By DENIS COLLINS

I was not at all surprised by Andy Baggot's front page complaint about the robust Barry Alvarez statue outside Camp Randall Stadium. That is a columnist's job, find something to complain about and write about it in a witty manner.

Then I had the honor of watching Clint Eastwood's magisterial "Flag of Our Fathers" at a local movie theater. Many people recommended the movie to me because in my latest book on Enron I challenge readers to put themselves in the shoes of Ken Lay, rather than just demonize him. If you were the CEO responsible for the jobs and pensions of 20,000 employees, would you notify the public that you just found out Enron had \$7 billion in hidden losses, knowing that doing so might bankrupt the company?



Collins

Of course you should because a CEO has a legal liability to honestly convey information to shareholders. But it is not an easy decision. The creative challenge is how to tell the truth without bankrupting the firm. Lay decided to lie to the public for the good of the company. He was appropriately found guilty and then died of a heart attack while awaiting sentencing and appeal.

The three heroic soldiers highlighted in "Flag of Our Fathers" faced a similar ethical dilemma. They were being paraded around the United States in 1945 to raise \$14 billion in war bonds. However, they were not the soldiers who initially hoisted the flag over blood stained Iwo Jima. They lied to the public for the good of the nation's war effort and personally suffered as a result.

While watching the credits roll, I was drawn back to Baggot's argument. He is correct. Patriots, statespeople, and martyrs deserve statues, even if they were not the ones who originally hoisted the flag at Iwo Jima. They sacrifice their lives for a noble cause.

But a contemporary football coach turned athletic director with a 118-73-3 record? A prominently framed picture of the UW Athletic Department's holy trinity — Barry Alvarez, Pat Richter, and Donna Shalala — yes. But not a statue nor a memorial.

Society is in desperate need of real heroes and real heroic acts. A heroic act by Alvarez would be to take down the statue. A heroic act by Pat Richter would be to prohibit the erection of his statue in November. Alvarez and Richter have contributed a great deal to a prestigious university's athletic program, but that is not the appropriate criteria for a memorial at a public university. Heroic acts and accomplishments are.

Collins is a professor of business ethics at Edgewood College in Madison.

Sure statues are crazy, but they pay

By MIKE GOURLIE

State Journal sports columnist Andy Baggot and guest columnist Jim Doherty essentially have the same point: Isn't a bronze statue more appropriate for someone whose contributions to society are really significant?

Both scribes together unwittingly answer their own questions.

Doherty points out, albeit tongue-in-cheek, that employing the same logic that went into erecting an Alvarez statue could be used to justify a bronze statue of Donna Shalala, as she got the ball rolling on this whole sports success thing in the first place. And, in trying to justify some type of tribute — just not a bronze statue — Baggot suggests hiring a business major to analyze how much money Alvarez brought to the university.

Doherty is right on. For those who don't remember, Shalala came to this university and went 15 rounds with the academicians to accurately drive home the point that placing an emphasis on a university sports program's success makes alumni feel better about their alma mater and more inclined to bring money into the university.

So she brought in the best and the brightest to accomplish that task and, as the old saying goes, the rest is history. Every article I've read since Shalala's tenure about financial contributions to the university — including ones that promote academics and research — seem to underscore her wisdom.

Therefore, if we are erecting statues to our sporting heroes because of their accomplishments, and at the same time feel we should instead be erecting statues of someone who contributed more to society, the next statue should be of Shalala, because she accom-

plished both feats with the approach she employed — the second one by insisting on the first.

But we will never see a Shalala statue, and here is why.

It probably was the business major about whom Baggot wrote who made the decision to build an Alvarez statue and follow it up with a Pat Richter statue in the first place.

What memorial would bring more money in to the UW sports program, academics and research than statues of these two gentlemen?

I cannot fathom years down the road that hordes of folks would visit the university and cuddle up to statues of Shalala or UW embryonic stem-cell researcher James Thomson for a photo-op before hauling out their checkbooks.

However, legions of sports fanatics will make the pilgrimage to the sporting Mecca named Camp Randall that surrounds the bronze statues of their gridiron heroes, Alvarez and Richter, for their photo shoot. And yes, the checkbooks, debit and credit cards will come out easily.

Just venture up to Green Bay and watch what goes on around the statues of Vince Lombardi and Curly Lambeau and talk to the team's financial wizards about the wisdom of that decision.

Everyone in the university community will gain by this decision and, if it is a negative reflection on anyone, it is not the university or its sports programs that deserve the criticism. It is the rest of us that subscribe to this lunacy.

Admittedly, but only somewhat shamefully, I am one of them.

Gourlie lives in Madison.



CYNTHIA TUCKER

Cracks in conservative alliance

The alliance between theocrats and libertarians, between Alabama conservatives and Arizona conservatives, was always uneasy and unreliable, supported only by a mutual disdain for taxes. Since they hold opposing views of the role government should play in private lives, their ill-advised marriage was bound to break apart.

And so it did on Tuesday. The Deep South, steeped in fundamentalist Christianity, stayed fiercely loyal to the Republicans who spurn stem-cell research and support public displays of the Ten Commandments. But in border states and precincts out West, moderates and conservatives broke with Republicans to give Democrats not only the House and Senate but also several governorships. Next year, there will be 28 Democratic governors; they will outnumber their GOP counterparts for the first time since 1994.

The wonder is that this unnatural partnership between mind-your-own-business conservatives and busybody fundamentalists lasted as long as it did. The Western strain of conservatism is skeptical of government intrusion; Goldwater Republicans want government out of their back pockets and way out of their bedrooms. On Tuesday, Arizona voters defeated a state constitutional amendment banning same-sex marriage. South Dakota voters defeated an initiative that would have banned most abortions in that state.

But the Southern Republicans who rose to power over the past 15 years championed a strangely bipolar conservatism: They wanted no part of a government that would improve economic conditions through policies that increased the minimum wage or made health care more affordable, but they were champions of an overreaching authority handing out rules about worship, courtship, marriage and procreation.

Worse still, in the eyes of fiscal conservatives, they increased government spending. Economists point out that President Bush has been more of a spendthrift than even Lyndon Johnson, the Democrat whom conservatives like to use as their poster child for fiscal profligacy. Bush didn't increase just defense spending; he also backed big-government programs such as the drug benefit for Medicare recipients.

No matter their religious views, most voters recoiled from the public spectacle that leading GOP politicians made of Terri Schiavo's private tragedy.

Bush rushed back from his Crawford, Texas, vacation to champion government intrusion in the case. Contrast that to the languid pace with which the president responded to Hurricane Katrina.

Abandoning his medical training, outgoing Senate Majority Leader Bill Frist diagnosed Schiavo from a video he'd seen, saying she was not beyond improvement. A later autopsy showed he was completely wrong.

Then there was President Bush's veto of a bill that would have authorized federal funds for a broadened program of embryonic stem-cell research. The president says he wielded his veto pen for the first time in his presidency because he couldn't compromise on "principle." He didn't say what principle was served by a ban on the use of excess embryos, left over from fertility treatments, that will eventually be destroyed anyway.

Had it not been for the terrorist atrocities of 9/11, this odd partnership of theocrats and libertarians would have collapsed long ago. But Republicans scared voters into supporting their "war on terror," portraying Democrats as wusses and whiners too weak to stand up to a grave threat. The GOP even managed to overcome libertarians' natural aversion of such wartime excesses as the Patriot Act.

After Bush's image as strong and competent commander in chief was blown up by countless Iraqi IEDs, many Goldwater conservatives could no longer find any reason to support him or his party. They walked away, proving once again that the "values" most voters support are competence, integrity and pragmatism.

Tucker is editorial page editor for The Atlanta Journal-Constitution; cynthia@ajc.com.

