

Challenging the Caricature

**A Record-Based Strategy for Long
Term Conservative Majorities**

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INTRODUCTION

We are political conservatives whose views range the spectrum of American conservative thought.

In this paper, we describe the unrecognized record of American conservatives in promoting initiatives that have protected and rescued millions in America's and the world's poorest, most vulnerable and most persecuted communities. We are proud to note this, and we set it out to in part foster a strategic goal that we believe critical for American conservatism and the well-being of the American political system: shattering the caricatures that define conservatives as uncaring while defining and rewarding the leaders and policies of the left as inherently compassionate and best able to provide political, economic and cultural support to those who need it most.

We seek in this paper to ensure that the conservative achievements we describe are regarded by conservatives, and by all, as defining aspects of who we are. Our failure to do so has:

- Left in place the long-standing view of a mean-spirited conservatism – a perception that has caused large and growing numbers of voters to dismiss our ideas and candidates without listening to what we have to say;
- Made the country less inclined to treat human rights issues – where conservatives have led efforts to restore America's traditional commitment to them – as priority concerns;
- Caused policy debates to often turn on falsely presumed moral qualities of the debaters rather than the merits of issues – at the grave expense of needed debate, good policies and the interests of the poor;
- Caused some conservatives to support half-loaf liberal policies that undermine core conservative values, split the conservative movement and permit liberals to define the terms of critical debates;

- Made conservative success depend too much on the governance failures of liberal incumbents and too little on trust of us and our policies; and
- Shielded the left from accountability for the decline of the American economy, the condition of America's inner cities and the decline of today's world order.

I. The Conservative Leadership Record on Behalf of the Poor, Persecuted and Vulnerable

In no particular order, here are initiatives of the past two decades that conservatives have advanced and regularly made possible – each wholly consistent with conservative limited government principles. Our leadership on these issues has often taken place in the face of liberal opposition and has always been contrary to the caricatures by which we have been defined:

- **SEX TRAFFICKING:** Challenging the sex trafficking of as many as 10 million victims on American streets and throughout the world -- a matter eerily parallel to the 19th century African chattel slave trade, and one fairly defined as the slavery and the women's issue of our time;¹
- **LABOR SLAVERY:** Ending the enslavement of millions of victims at home and abroad – from persons brought to the United States under domestic worker visas to the thousands of North Koreans labor-slaves sent to Russia, China and Eastern Europe;
- **PRISON RAPE AND REFORM:** Ending domestic prison rape and violence,² and linking U.S. foreign aid

¹ See Section VI and Appendix at pages A-2 to A-3, and compare Appendix at pages A-5 to A-6.

² Compare Appendix at pages A-7.

to the maintenance of baseline humanitarian standards in developing world prisons;³

- **CRIMINAL JUSTICE REFORM:** Repealing laws that unduly criminalize and incarcerate – an initiative led by former Reagan Attorney General Ed Meese, and initiating debate over sweeping criminal justice system changes – an effort led by conservative libertarians and by such leaders as Reagan Federal Circuit Court appointee Alex Kozinski⁴;
- **HIGHER EDUCATION ACCESS:** Opposing the escalating cost of subsidy-driven college administrative bloat and defining college tuition debt loads as one of the great threats faced by future generations and the poor;
- **INNER CITY SCHOOLS:** Actively supporting such critical educational initiatives as charter schools⁵ and English language total immersion programs;
- **OBSTETRIC FISTULA AND OTHER ABUSES OF DEVELOPING WORLD GIRLS AND WOMEN:** Eliminating the obstetric fistulas that have turned millions of African females into infertile, incontinent pariahs,⁶ and linking U.S. foreign aid to government

³ A liberal-conservative coalition led by the Southern Baptist Convention and Open Society Institute have worked on the issue with Senators James Inhofe and Pat Leahy and Congressman Chris Smith. *See* Appendix at page A-3.

⁴ *See* Kozinski, *Criminal Law 2.0*, 44 Georgetown Law Journal Annual Review of Criminal Law Procedure, 2015

⁵ *Compare* Appendix at pages A-6 to A-7.

⁶ Led by the remarkable Dr. Lewis Walls, Congresswomen Rosa DeLauro and Carolyn Maloney and Congressman Chris Smith have worked with liberal and conservative groups on the issue. The Obama administration has refused to support a fistula initiative. *Compare* Appendix at pages A-7 to A-8.

efforts to eliminate forced child marriages, honor killings and female genital mutilation;⁷

- **NORTH KOREA:** Insisting on a Helsinki-strategy focus on North Korean human rights abuses and seeking to increase the pressure and political cost to China and the U.N. for keeping the world's most oppressive regime alive⁸ -- a policy consistent with Tony Blair's comment: "The biggest scandal in progressive politics is that you do not have people with placards out in the street on North Korea... The people are kept in a form of slavery, twenty-three million of them, and no one protests!";
- **RELATIONS WITH DICTATORSHIPS AND THEIR PRISONERS OF CONSCIENCE:** Taking a cue from the Reagan presidency by making the human rights records of dictatorships key elements of their relations with the U.S. and by bringing their denials of freedom and the fates of their prisoners of conscience to national and world attention;⁹
- **INTERNET FREEDOM:** Allowing closed society residents to circumvent the Internet firewalls of their regimes, thereby allowing them to communicate with each other and the rest of the world – a world-changing, cost-effective means of peacefully advancing closed society cultural, political and

⁷ The British Conservative Party and Prime Minister David Cameron have made the effort to eliminate clitoral excisions a significant policy priority. *See, e.g.,* <http://www.theguardian.com/society/2015/jun/13/david-cameron-crackdown-fgm>.

⁸ *Compare* Appendix at pages A-10 to A-12.

⁹ *Compare* Appendix at pages A-12 to A-13.

religious freedom;¹⁰

- **RELIGIOUS FREEDOM:** Making religious persecution – very much but by no means only the persecution of Chinese and Middle Eastern Christian communities -- a more significant U.S. policy priority;¹¹ and
- **ANTI-SEMITISM:** Treating Islamist persecution of Jews, European anti-Semitism and the demonization of Israel as a similarly critical U.S. policy priority.

II. Challenge and Opportunity

We seek a conservative strategy that understands the link between our record of human rights leadership and America’s caring and moral values. Calling for more focused attention on policies that conservatives have long advanced can save lives and advance U.S. national interests while challenging a core basis of the left’s historic appeal. It can define caring in ways far more effective than the left’s belief in spending vast sums, transferring income and creating large bureaucracies – and can thus help ensure that programs said to be for the poor are defined by real world results rather than rhetoric and alleged good intentions. It can resonate with the country’s changing demographics and help make conservative ideas a central basis of America’s policy preferences.

The notion of a caring left and a mean-spirited right has long caused many voters to reflexively oppose conservative candidates on the ground that they are less decent than their liberal opponents. For this reason alone, our appeal to some of America’s fast growing voter cohorts is poor and declining.

¹⁰ Compare Appendix at pages A-8 to A-10.

¹¹ Compare Appendix at pages A-13 to A-16.

- **The assertion by some conservatives that our political problems largely result from the increasing dependency of Americans on government subsidies¹² is less true than the fact that our values are regarded by millions of Americans as inconsistent with theirs and with America's inherent decency.**
- **A core problem of American conservatism is not so much that conservative ideas lack appeal to voters concerned with issues of poverty and inner city decline as it is that decisive numbers of them now affirmatively refuse to listen to what we have to say.**
- **The most immediate and strategic goal of American conservatism is to make elections turn on the quality of competing ideas rather than on caricature-based perceptions of the moral qualities of candidates.**

Some conservative leaders – Speaker Ryan is a leading present example and his early career mentor Jack Kemp has been one of its most special¹³ – have understood the need to deal with these challenges. Their efforts have had limited success, however, because conservative arguments that existing welfare programs have been counterproductive ring hollow with millions of voters given that we can be painted as mean-spirited towards the poor, given that our policies can be defined to those voters as pretexts for transferring money from those in need to the pockets of the rich and powerful, and given that such voters believe that

¹² See, e.g., the 2012 campaign comments of Governor Romney that conservative prospects could soon become untenable because 47% of American residents were allegedly dependent on government welfare. See, http://www.slate.com/articles/news_and_politics/explainer/2012/09/romney_says_47_percent_of_americans_receive_direct_government_assistance_is_that_true.html

¹³ See Kondracke and Barnes, *Jack Kemp: The Bleeding-Heart Conservative Who Changed America* (2015)

concern for the poor is a monopoly priority of the left. This strategic disability has severely limited our ability to argue that economic growth, traditional values, reduced dependency and limited government are key sources of hope for the poor -- a failing that has deprived the country's social welfare policy debates of their badly needed clash of ideas and sadly permitted our social welfare policies to remain largely unchanged.

We believe that conservatives should recognize that enhancing and prioritizing our human rights record will be a telling means of defining ourselves, and thus our positions on all issues, to the many Americans who doubt our decency. We further believe that it will produce greater openness to our ideas and candidates than other strategies now being discussed.

In making this point, we do not propose a mere communications strategy about what we have done – almost always the excuse-based refuge of losing parties. (“We should do what we are doing and only need to change our language.”)

To be recognized and rewarded, priority attention to our successful leadership on behalf of the poor and vulnerable must result in the enactment of needed laws, in more rigorous oversight of Executive Branch performance and by the maintenance of core conservative principles.

III. A Fair Set of Questions

We ask:

Should conservatives give priority attention to a series of initiatives that, without sacrifice of conservative principles, will:

- complement other conservative policies;
- cost little or no money;
- create no bureaucracies;
- build on and bring to light a conservative leadership

record on behalf of millions of acutely poor and vulnerable people in the United States and abroad;

- be Reaganesque to the core;
- unify and be supported by nearly all conservatives;
- be supported by many liberals;
- expose growing liberal isolationism and abandonment of human rights issues, and the increasing focus of liberal policies on the interests of the wealthy and politically wired;¹⁴
- gain special credibility for conservatives on issues related to the protection and emancipation of women;
- help the abortion debate to be conducted on terms other than the “question” of whether conservatives care for and “wage war” against women, and open it more fully to whether the unborn are vulnerable human beings;¹⁵
- challenge Hillary Clinton’s claim of human rights leadership and, in particular, her stated priority concern for vulnerable women;¹⁶
- be capable of relatively easy enactment by conservative-led Congresses and be largely immune from the threat of Presidential veto;
- offer hope to millions of the most acutely victimized people in America and abroad;

¹⁴ See text and discussion at footnote 27.

¹⁵ While the authors of this paper have varying views on abortion, all believe that the abortion debate should be conducted on its merits, and not by *ad hominem* attacks charging opponents of abortion with hostility to women.

¹⁶ See Appendix at pages A-5 to A-6, and see also the Appendix A critiques at pages A-8 to A-11; A-12 to A-13.

- enhance conservative credibility and trust on the full range of conservative policy proposals;
- diminish the reliance of conservatives for success on the in-office failures of liberal administrations;
- increase the voting participation of the many faith-based voters who care deeply about human rights issues;¹⁷ and
- increase the acceptance and appeal of conservative ideas and candidates to such groups as African-Americans, Hispanics, Asian-Americans and Jews, and with young, single, secular and suburban voters.

IV. In a Good and Decent America, Caring Counts

American liberals and conservatives have basic voter profiles. While, as noted, liberals gain from being seen as caring, they are generally disliked for their fiscal indiscipline. And while, as also noted, conservatives lose critical support on caring and fairness grounds, they gain from being seen as more fiscally sound and managerially competent. Sustained by media and academic portrayals, these profiles have been enduring.

The competence brand greatly shaped the 2014 elections but may not do so in the 2016 elections. It is true that the President remains unpopular and that his party paid a heavy price in the last election for his administration's managerial, structural and foreign policy failings. But in 2016, liberal political

¹⁷ See, e.g., Hertzke, *Freeing God's Children; The Unlikely Alliance for Global Human Rights* (2004), and <http://www.freeinggodschildren.com/>. Evangelical voters constitute approximately 25% of American voters, and their voter participation rates have ranged from 50% to less than 65%. And see <http://washingtonpost.com/blogs/the-fix/wp/2015/03/23/ted-cruz-undersells-evangelical-turnout-but-he-has-a-good-reason/>. A regular 65% participation rate would have a significant impact on American elections.

comebacks,¹⁸ liberal efforts to dissociate from the President, perceived conservative extremism, lack of conservative unity, an arguably improving economy and a higher turnout of voters unwilling to consider supporting conservative candidates could significantly override the administration's failures.

Figures from the 2012 Presidential elections are powerfully instructive and, we believe, vital to the future of American conservatism:

- Of the 21 percent of voters who regarded “caring for people like me” as the determining basis of their votes, the President won by an astonishing 81 to 18 margin;¹⁹
- Eighteen to twenty-nine year olds voted for the President by a 60 to 37 margin;
- Unmarried women, nearly one quarter of all voters, supported the President by an even more decisive 67 to 31 margin;
- Secular, unchurched voters, now approximately 20% of American voters and growing in numbers, supported liberal candidates and parties by a 70 to 22 margin;
- Asian-Americans, an increasingly successful and the country's fastest growing voter cohort,²⁰ gave the

¹⁸ See, e.g., <http://blogs.wsj.com/washwire/2015/06/07/liberals-make-big-comeback-in-2015-poll-analysis-finds/>

¹⁹ The question's text makes it unclear whether the views of all 21% were based on a self-interested desire for government support rather than the belief that government should help others, but the President's margins with young, unmarried female and suburban voters clearly demonstrate that the poll outcome was significantly based on disinterested concerns for others.

²⁰ See, *Asians Expected to Become Largest US Immigrant Group*, Washington Post, September 27, 2015, and *Asians Now Largest Immigrant Group in Southern California*, New York Times, April 28, 2013.

President 73% of their votes -- an outcome clearly tied to the community's 47 to 26 margin of belief that the President cared most about their community's concerns;

- Hispanic voters supported the President by a 71 to 27 margin, and while the President's 93 to 7 margin with African-American voters was understandable in light of the historic character of his candidacy, minority voters have long supported liberal candidates on an overwhelming basis; and, perhaps most remarkably;
- Eight of the ten wealthiest U.S. counties supported the President with larger margins that he received from the electorate as a whole.

The above numbers reflect factors of great importance for American elections and America's future:

- **The voters most likely to base their support on caring factors and to reject us out of hand are among America's most rapidly growing cohorts;**
- **The uncaring attitude associated with conservatism ensures that conservative impulses of African-Americans and Hispanics will be checked by charges of self-hatred and community abandonment;**
- **Conservative victories are now too often based on liberal governance failures and insufficiently based on an affirmative voter trust of who we are and what we stand for; and**
- **Relatively small voter shifts for whom caring is the critical factor would have made a significant difference in the 2012 elections; reduction of the President's 81-18 margin to still-landslide 61- 38 levels would alone have been likely to reverse the outcome.**

Many conservatives either fail to understand or find it too difficult to acknowledge these realities – and opportunities. Many have given up trying to find ways to resist big government proposals for fear of being regarded as enemies of the poor. Mistakenly, others believe that such a priority concern will necessarily be a step towards big government and increased deficits. For some conservatives, “appealing to the base” – often a shorthand for wholly negative approaches to government and governance – has replaced appealing to all.

Other conservatives now seek to skew tax and spending policies to the greater advantage of blue-collar voters – arguably a sensible approach on policy grounds but not if rooted in the view that increased government subsidies will create long term conservative success. Many proponents of this view understate the risks that this approach poses to conservative limited government principles, and many fail to understand how easily programs based on income redistribution, tax credits and federal subsidies can be outbid and captured by the left.²¹

V. Do Most American Voters Care About Human Rights Issues Involving Foreign Countries and, in General, About the Interests of the Poor and Vulnerable?

Questions have been raised about whether an agenda that often deals with matters outside American borders and directly involves the interests of the poor and vulnerable will resonate

²¹ An example of these risks can be seen from the history of the Earned Income Tax Credit [EITC]. First promoted by conservatives as a substitute for the traditional welfare system, the \$66 billion EITC program now supplements rather than replaces existing programs. Today, conservative efforts to rectify the program’s IRS-estimated 27%, \$17.7 billion annual fraud rate are successfully opposed on the ground that they are uncaring of the poor. Similar outcomes may be in store for current conservative proposals to greatly increase child care tax credits. See, e.g., Wall Street Journal editorial, *The Tax Credit Sweepstakes*, December 1, 2015.

with American voters. To which we say:

- Never underestimate the decency of American voters – the proof of which has been regularly demonstrated by such initiatives as the anti-Apartheid campaign and the Campaign for Soviet Jewry – and, of course, by the very caricatures we discuss in this paper. If well presented, such issues as the trafficking of girls and women, the epidemic scourge of obstetric fistula, the persecution of closed society dissidents and the circumvention of Internet firewalls are matters with a clear ability to resonate with large numbers of voters.
- Elevating the profile of the issues we describe will generate significant and respectful press interest;
- Many of the issues we have described as fit for a conservative human rights initiative involve matters of critical concern to millions of vulnerable Americans;
- The human rights-related issues we discuss are of critical concern to the millions of voters who now do not trust us enough to listen to what we have to say; as noted, relatively modest opinion shifts by this group alone will have a major effect on American elections;
- Conservative leadership of campaigns on behalf of victims living abroad will help undermine the caricature of conservatives as self-interested and isolationist;
- The human rights initiatives we discuss involving the rescue and protection of persecuted women can greatly undermine “war on women” caricatures of conservatives;²²
- The fact that Africans will be special beneficiaries of

²² See Appendix at pages A-1 to A-2 and A-5 to A-6.

many of the initiatives we discuss will strike at race-based caricatures of conservatives and help make it more possible for African-American leaders to work more closely with conservatives;

- The peaceful character of the initiatives we propose can help undermine militaristic caricatures of conservatives;
- The issues described in this paper are not the only suitable elements of a human rights-based initiative;
- We do not suggest that a human rights focus is the only means of challenging the uncaring caricature that undermines our prospects; the central point we make is that our human rights record offers a performance-based, uniting and no-risk means of doing so.

VI. Prospects and Challenges For a Conservative Human Rights Initiative: A Case Study

Conservative difficulties involved in being recognized as credible human rights leaders can be seen from the filibuster recently conducted by Senate liberals to block strong domestic anti-trafficking legislation sponsored by Senator John Cornyn. The filibuster revealed that:

- Abortion and gay rights have become the primary human rights issues for the American left -- and right or wrong as their views of those issues may be, both largely relate to middle class and elite concerns more than they do to the needs and interests of the poor;
- Liberals have been willing to block human rights initiatives when, as with the trafficking bill, they are championed by conservatives;
- Liberal leaders now often subordinate the interests of

acutely vulnerable victims²³ to defend marginal aspects of their abortion policy agenda,²⁴

- Liberal Congressional leaders have regularly accepted anti-abortion provisions in legislation involving the interests of powerful constituencies – as dramatically demonstrated by the inclusion of such a provision in Medicare legislation *during the very time that the trafficking bill filibuster took place*; and, most critically,
- Conservative failure to treat the trafficking bill as part of a larger, more broadly promoted and integrated initiative²⁵ allowed support for it to be characterized as a one-time effort based on a suspect commitment.²⁶

VII. Eliminating Conservative Caricatures Will Not Be Easy

There are important reasons why today's liberal advantage with caring voters will require determined efforts:

First, the increasingly noncompetitive nature of

²³ Alone and powerfully, the *Prism Magazine* photographs at page A-4 of the Appendix reveal the savagery and destructive nature of modern-day trafficking.

²⁴ The filibuster was based on a Cornyn Senate amendment that automatically placed trafficker fines in a victim support fund which, to the great advantage of victims, bypassed the need for annual Congressional appropriations. After liberals justified their filibuster with the mistaken claim that the Hyde Amendment ban on using federal funds for abortions had never been applied to non-appropriated monies, conservatives amended the legislation to make the trafficker fines subject to the appropriations process. *The filibuster nonetheless continued for weeks until, under pressure, liberal leaders accepted a face-saving amendment that maintained the Hyde Amendment bar.*

²⁵ See Section VIII.

²⁶ Not entirely, however. To the surprise of many, the Washington Post editorialized that liberals were the ones putting the trafficking bill at risk. See Washington Post, *The Democrats Are the New Party of No*, March 20, 2015.

Congressional districts may cause many conservative Members to worry more about primary opposition from their political flanks than about appealing to centrist voters. To such safe-district conservatives, assured renomination could trump majority party and Presidential election objectives. But this factor is true only up to a point, because safe-seat liberal incumbents are at least as fully held in check by public employee unions, tort lawyers, anti-Keystone greens and abortion-rights-above-all activists than by mainstream and independent voters. On the whole, however, capture of elected officials by their most extreme partisans will maintain the *status quo* brands of both sides, from which the left most profits.

Next, there are liberal leaders who deeply believe in human rights reforms and who seek to gain greater support for them within their ranks. Such figures as Steven Rickard of the Open Society Institute, Katrina Lantos Swett and Richard Swett of the Lantos Foundation, Frank Jannuzi of the Mansfield Foundation and Ron Sider of Evangelicals for Social Action have worked to elevate the importance of human rights issues in liberal circles. So too have State Department Assistant Secretary for Human Rights Tom Malinowski and Ambassador for Religious Freedom David Saperstein – the former the past head of Human Rights Watch’s D.C. office and the latter the former long-term president of Reform Judaism’s Religious Action Center. These liberals understand – as Ronald Reagan did – the close links between American values and American interests, and the broad appeal of policies linked to the former. While they comfortably work with conservatives, they know the threats posed to American liberalism if conservatives assume prime leadership roles on human rights issues. Conservative delay in seeking ownership of the human rights agenda thus opens the door to efforts by able liberal advocates to protect the left’s overall standing by reinvigorating its priority commitment to human rights advocacy.

Next, it will be naïve to suppose that conservative identification with human rights issues will immediately undo present suspicions of our moral *bona fides*. The billions of dollars of direct payments provided to state and local governments and to business and middle class “public sector vendors” by Great Society programs will ensure self-interested passion in the maintenance of conservative caricatures by powerful and articulate economic and voter constituencies.²⁷ Further and as evidenced by the trafficking bill filibuster, conservative efforts on behalf of the poor and vulnerable will be furiously opposed by liberal politicians who rely on the advantage they gain from the caricatured view that they are more caring and decent. And, the embedded belief in those caricatures in the academy and by many in the press ensures that efforts to counter them will at best be met with man bites dog skepticism.

Finally, an especially powerful barrier to shattering the uncaring caricature of conservatives makes clear that time is of the essence if we are to achieve strategic gains from a defining commitment to human rights and to issues of concern to the poor:

For increasing numbers of voters, identification with the left and an unwillingness to be identified as a conservative has become an aspect of personal identity rather than a judgment based on more easily reversible policy preferences.

²⁷ Hoover Institute scholar John Cogan found that under the New Deal model in place before Great Society programs took significant effect, roughly 85 cents of every Federal dollar said to be for the poor went directly to them, with 15 cents going to the providers of services delivered to them. Cogan then found that the ratio had been literally reversed by Great Society programs and that, in little more than 20 years from their onset, only 15 cents of massively increased Federal poverty dollars went to the poor, with the remaining 85 cents going to home builders, teachers, banks, job trainers, lawyers, municipal governments and many other Great Society public sector vendors and service providers. This development precisely coincided with worsening of inner city conditions by almost every standard of measurement.

If unmarried women, urbanites, upper middle class suburbanites, minorities, secular voters, college graduates, African-Americans, Asian-Americans, Hispanics and Jews think us inherently uncaring of others, the most seemingly undeniable liberal failures will still cause many of them to reflexively oppose conservative candidates. Many young people have now cast their votes only for candidates of the left, and those voting patterns will increasingly anchor them as they age – all the more so if their interest in politics is not consuming and if Americans’ increasingly limited engagement with the political process continues.²⁸ For those voters, getting policies and politics right will not be worth risking social isolation and lost friendships.

Conservatives thus need to understand that the ability to make our case with many now-dismissive voters will diminish with time. Accordingly, we need to realize the compelling need to act rapidly if we are to eliminate the negative caricatures that now significantly define us.

The above points all made and true, we repeat that efforts to gain the trust of many voters who now fail to acknowledge our decency need only reach relatively small numbers of them. As noted, reducing the support of those voters for liberal candidates from 82 - 18 margins to still massive 62 - 38 margins will be likely to produce long-term conservative majority standing.

For this reason – and because an enhanced conservative focus on human rights can save millions of lives and advance U.S. national interests, and can do so without sacrificing conservative unity or principle, conservative failure to prioritize this no-risk agenda would be a strategic folly.

²⁸ See, e.g., Sandra Day O’Connor and John Glenn, *Teaching Better Civics for Better Citizens*, <http://www.wsj.com/articles/teaching-better-civics-for-better-citizens-1431471803>.

VIII. Rollout of a Conservative Human Rights Initiative

We strongly urge the House and Senate leaders to establish a Joint Human Rights Working Group, chaired by newly-elected Members for whom the assignment would offer national leadership and recognition possibilities. We further urge Senator McConnell and Speaker Ryan to announce this action at an event attended by major religious, human rights, academic and conservative leaders. At the event, the initiative could be linked to the lifetime leadership of William Wilberforce, the 19th century British statesman and Christian activist who led the fight to reform British culture and end the international slave trade – an identification certain to further enhance faith-based community enthusiasm for the initiative we propose. Another person with whom the initiative could be identified is the late Ambassador Mark Palmer, a prime Helsinki Strategy architect and human rights strategist admired by the leaders of both parties. Of greatest note, Palmer was a major figure in the collapse of the Berlin Wall during his service as U.S. Ambassador to Hungary.²⁹

Because the administration's record on the trafficking issue can be cited as a major basis for the rollout event, displaying the photographs of trafficking victims that appeared in the liberal evangelical *Prism Magazine*,³⁰ could alone make the event newsworthy. Speaker Ryan and Senator McConnell could say: "The readiness of Senate liberals to block anti-trafficking legislation on false abortion grounds when they routinely accept anti-abortion language in legislation effecting the interests of powerful constituents, and the Obama administration's poor record on the trafficking issue, has made us all the more

²⁹ See Palmer, *Breaking the Real Axis of Evil* (2003). Vice Chair of the Freedom House board for many years, Palmer was especially active in the final days of his life in seeking support for the bypass of closed society Internet firewalls; he believed that doing so could be as historically significant a development as was collapse of the Berlin Wall.

³⁰ See Section VI and Appendix at page 4.

determined to deal with today's great slavery and women's issue." Comparable comments could be made about a number of the other human rights agenda issues we have discussed.

The Working Group we propose would regularly meet with religious and secular human rights leaders to gain ideas for action. It would meet with Committee chairs and staff and, on a scheduled basis with the Congressional leadership to discuss the scheduling of oversight hearings and the introduction and passage of legislation.

No more than two or three staff members with human rights issue credibility and Hill sophistication would be needed to ensure the effectiveness of the Working Group we strongly propose.

With these actions, major human rights reforms might even be enacted by the 114th Congress, doing so in ways that gained broad national support while unifying all conservatives.

IX. Conclusion

Our proposals will not be a panacea for eliminating a bias and caricature that for more than 100 years has strongly identified the ideas of the left with youth and idealism and ours, at best, with a morally indifferent practicality.³¹ That said however, we reiterate our key point: American conservatives should recognize the strategic need to more clearly align our values and priorities with the decency of the American people, taking confidence in the fact that we can do so on the basis of our record and by employing rather than sacrificing our principles.

While conservatives will always face attacks seeking to define concern with government size and spending as proof of indifference to the poor, we believe that the altruism and practicality of the policies we propose, and others like them, will

³¹ See <http://quoteinvestigator.com/2014/02/24/heart-head/>

greatly reduce the effect of those attacks and thereby redefine the terms of all public policy debates. A determined priority commitment to a human rights agenda will make it harder for liberals to define our positions on issues ranging from taxes to regulation, from deficits to health care, as uncaring, sexist and even racist.

Perhaps the greatest value of the strategy we propose lies in its ability to generate serious and thus healthy social welfare policy debates. Success in challenging the conventional wisdom caricature of a singularly caring left will require American liberals to do what we believe they will not be able to do: defend on a merits and on a performance basis their core claim that government spending levels best indicate a caring and effective concern for the poor.

A level playing field where the *ad hominem* moralizing common to today's policy debates would have limited effect, will have the effect of:

- allowing us to demonstrate that the well-being of Americans in need will not be satisfied by maintaining and expanding the policies that have increasingly failed them;
- permitting a serious challenge to the Johnson-Obama model of making massive payments to powerful and politically well-placed business, government and middle class service providers rather than to poor people themselves – the true trickle-down policies of today;³² and
- sharply contrasting the Johnson-Obama income redistribution policies with the values-oriented safety net social welfare policies supported by the Roosevelt

³² See in particular the Cogan findings at footnote 27.

and Reagan administrations.³³

We cannot think of a development more likely to satisfy America's historic promise than for conservatives to be able to do so.

For these and other reasons, it is time for American conservatives to:

- end the day when people expressing passionate concern for the poor are assumed to be of the left;
- understand that America's inherent decency is a source of American strength, not a barrier to our prospects or a guarantor of liberal success;
- know that meaningful assistance to the poorest and most vulnerable people can be provided without

³³ The sadly prescient views of Roosevelt administration Labor Secretary Frances Perkins – the most liberal member of the FDR Cabinet, the person most familiar with the government welfare programs, and the person after whom the HHS building is named – reveals that Perkins was on the side of modern-day conservatives on welfare, income distribution and values issues. Her view of the unauthorized agreement by the head of her Children's Bureau to expand Aid to Families with Dependent Children support to unwed mothers is cited in Katie Louchheim's oral history of the New Deal:

[Perkins] felt the Children's Bureau let her down on the provision of aid to mothers with dependent children. She maintained that she always thought a "dependent mother" was a widow with small children or one whose husband had been disabled in an industrial accident or one who married a ne'er-do-well who had deserted her or hit the bottle. She said it never occurred to her, in view of the fact that she'd been active in drives for homes that took care of mothers with illegitimate children, that these mothers would be called "dependent" in the new legislation. *She blamed the huge illegitimacy rates among blacks on aid to mothers with dependent children.* See, G.D. Reilly, "Madame Secretary," in K. Louchheim, ed. *The Making of the New Deal: The Insiders Speak* at page 177. [Emphasis added.]

significant government spending or large public bureaucracies;

- understand the importance of always vigorously challenging assumptions like those at times stated during the Prison Rape Elimination Act debate: the false view that it had to be a liberal initiative because we favor the harshest possible punishment of criminals;
- understand that an openness with reporters and a credible concern for the fate of have-nots can often cause media professionalism to override media conventions about the coverage of conservatives;
- understand that the 2014 elections in no way reduced the need to challenge the morally smug caricatures drawn of us within what one of the authors of this paper has described as the disproportionately influential “moral-cultural sector” of American life;³⁴
- ensure that the service of another author of this paper who taught the first integrated classes at the University of Mississippi Law School is seen by conservatives and liberals alike as wholly consistent with his later service as a Reagan administration official;
- ensure that comparable records of other signers on issues that the left purports to define as its monopoly concerns are also seen as natural expressions of conservative values;
- make it easier for many minority leaders and liberals who agree with our views to come out of the closet;³⁵

³⁴ See, Novak, *The Politics Ahead*, Commonsense Magazine, Summer 1980.

³⁵ Many of the signers of this paper frequently receive furtive “I agree with you” signals after speaking to liberal groups – especially if we have indicated that our ideas should be judged by what they offer to the poorest communities.

- understand that concern with today's us v. them politics makes voters eager to reward leaders able to find issues that demonstrate and promote the country's shared values;
- convey Arthur Brooks' caricature-shattering studies of how conservatives are more likely than liberals to offer charity to others, that religious belief makes happiness and generosity more likely, and that well-being is best achieved by the earned success of hard work;³⁶
- understand the need to expose the failings of inner city public schools and the need to ensure support for the charter schools that challenge those schools and offer education choice for inner city children and parents;
- challenge the often prevailing campus libel that defines conservative and religious students as lacking moral or intellectual standing;³⁷
- identify the massively disproportionate liberal bias of university faculties;³⁸

³⁶ See, e.g., Brooks, *Who Really Cares* (Basic Books, 2006) and *The Conservative Heart* (Broadside Books, 2015).

³⁷ We note the Federalist Society's success at many law schools in achieving moral and intellectual parity for conservative ideas, and believe that its leaders and history can help all conservatives meet the challenges set out in this paper.

³⁸ Federal Election Commission records reveal that 96% of campaign contributions made by Ivy League faculty members in the 2012 election campaign went to President Obama. Commission records for third quarter of 2015 reveal that only one liberal arts faculty member at a school ranked in the top 50 by U.S. News and World Report contributed to a Republican candidate. They further reveal that for every dollar given by Hamilton College history professor Robert Paquette to the Fiorina campaign, more than \$57 was given by fellow liberal arts academics to Bernie Sanders and more than \$149 was given to Hillary Clinton. See <http://www.campusreform.org/?ID=6920>, and see, *Washington Times*, October 28, 2015, page 2A.

- make clear that while rampant political correctness at many universities diserves all, it may most diserve the angriest and most disaffected student protestors by fostering their alienation from an inherently decent country;
- act on the imperative of never willingly ceding the high ground to one's political or policy adversaries; and
- urge the 114th Congress Leadership to put structures in place to keep it as engaged with fistula and trafficking bills as with highway and communications bills.

X. Afterword

Believing as we do that our ideas offer the greatest hope for the country at large and for America's and the world's most vulnerable populations, we have written this paper to enhance the acceptance of those ideas.

That said, we also seek spur greater competition between conservatives and liberals in ways that elevate the importance of human rights issues.

We have noted that many liberal leaders understand the human and political cost of the left's increasing disinterest with issues that leaders like Hubert Humphrey, Paul Wellstone and Tom Lantos regarded as defining reasons for their public service. We therefore note that if conservatives fail to prioritize issues that demonstrate concern for the powerless and persecuted while liberals reinstate their prior commitment to them, the American left will have rightly earned a strengthened and long-term standing with American voters.

APPENDIX

I. Case Studies: How Conservative Human Rights Leadership Can Defeat Conservative Caricatures

As can other issues discussed in the paper, the trafficking issue demonstrates how the human rights focus it proposes can produce transformative advantage.

To make the point, the photographs of sex trafficked American girls and women that appeared in *Prism*, the magazine of the liberal organization Evangelicals for Social Action are set out at Page 4 of this Appendix. The photographs reveal the savage brutality of trafficking – all the more so because they were taken over periods as short as one year and never more than four.

To set the context, reference is made to the 2012 Presidential election when “war on women” charges hit Governor Romney hard, based on his refusal to support universal insurance subsidies for birth control expenses.

Imagine that instead of Governor Romney’s defensive reactions to the charge, he had shifted the debate to the trafficking issue by calling on the country to examine the *Prism* photographs and by describing the trafficking that now takes place on American streets for what it is: today’s real war against women. Imagine further that Governor Romney had forcefully noted the parallels between today’s mass enslavement of millions of girls and women and the evils of 19th century African chattel slavery. (“They then called them ‘field hands’ and ‘servants,’ and many now call them ‘sex workers,’ while the reality then and now is that the only fitting term, then or now, is ‘slave’.”) Finally, imagine a Romney response to the war against women charge with a pledge that the low-ranking, ineffective head of the administration’s trafficking office would be replaced in the first week of his presidency by an internationally distinguished figure who would report directly to the White House.

Such a step would have given prime time status to an issue with historic importance and great appeal -- and, for millions of voters, could have significantly displaced the birth control subsidy issue as the matter of greatest importance to the well-being of women. It would have made the President more vulnerable on women's issues in light of his administration's poor anti-trafficking record. It would have made many women and young voters less willing to think the worst of Governor Romney, and made them more open to other things he had to say. It would have generated favorable press treatment and demonstrated the ability of conservatives to exercise long-term national leadership. Given the dramatic character of the *Prism* photographs, placing them on America's center stage might well have reversed the election outcome.

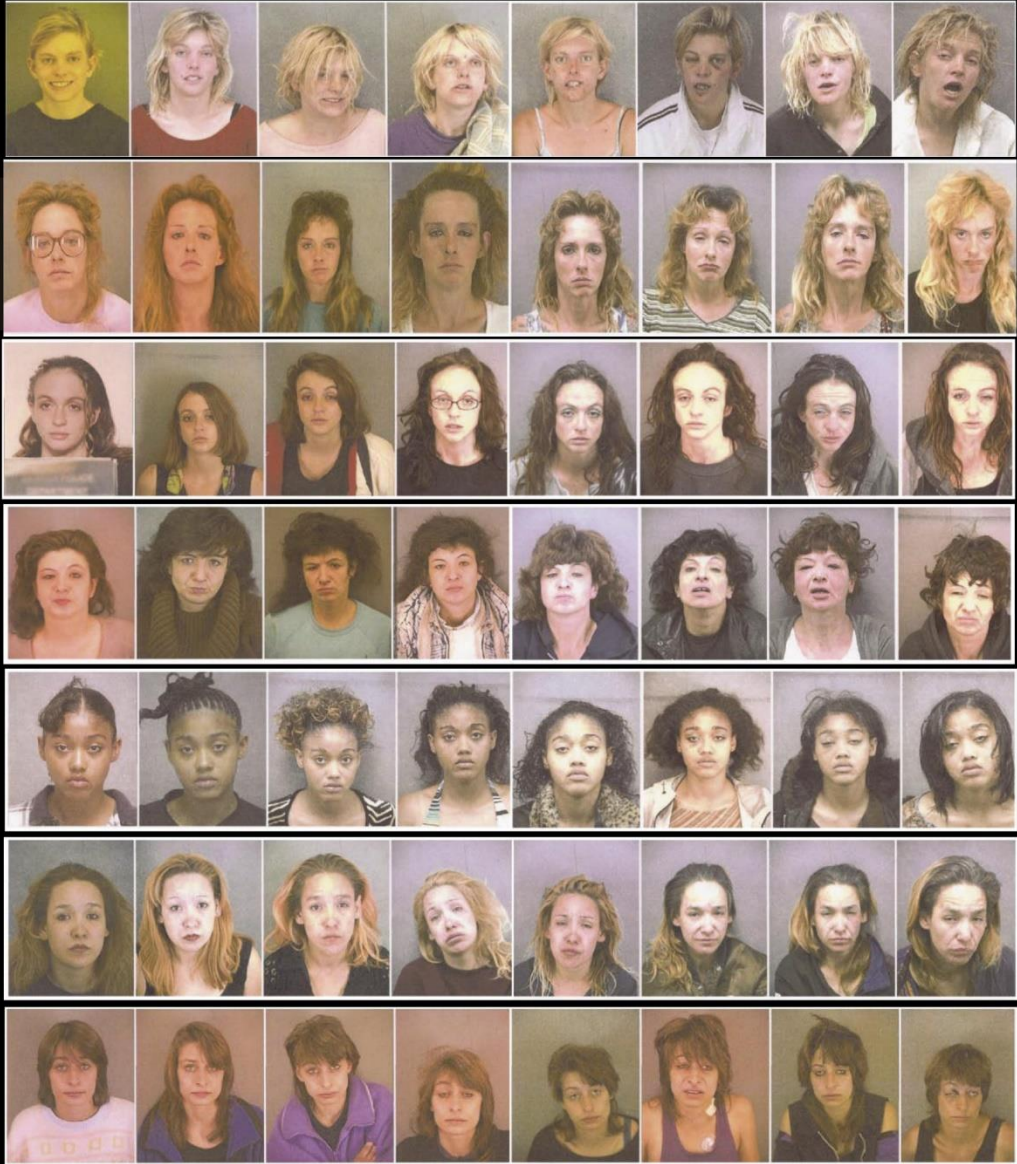
The failure of the near-obsessive "war on women" charges that were levelled against conservatives in the 2012 elections has not made the issue go away. It has not eliminated the issue's ability to undermine conservative prospects in future elections in light of media-reinforced perceptions that liberals best if not alone favor the rights and interests of women. It should awaken conservatives to the broad and carefully planned strategy needed to gain credible leadership of efforts to end the enslavement of millions of girls and women in the United States and throughout the world.

Clearly, the trafficking issue is not alone in its ability to shatter caricatures of conservatives who lead human rights issue initiatives. Such initiatives can be highlighted to reflect the country's and conservatism's humanitarian impulses and to demonstrate how conservative leadership can generate bipartisan support for issues that would otherwise fail to attract notice or interest.

It could mean much if conservatives played a lead role in taking on the twin scourges of obstetric fistula and forced child

marriages -- to national press interest and with the certain support of many religious, women's and medical groups. The effort could be launched at a well promoted hearing with such lead witnesses as former Senator Tom Coburn and the iconic Lewis Walls, a Rhodes Scholar, Washington University-Saint Louis Professor of Surgery, committed Christian and the world's leading anti-fistula expert. (Coburn has performed fistula repair surgeries and is an admirer of Walls.) The initiative would result in rapid progress to eliminate the curse of fistula for the two to three million African girls whose presently hopeless condition would become known to millions of Americans.

Imagine also that Senator Inhofe received Leadership support to quickly pass a bill he has long supported (and cosponsored with Senator Leahy) that would tie U.S. foreign aid to the adoption of low cost prison reforms by its recipients. Supporters of the bill would range from the Southern Baptist Convention to the Soros Open Society Institute, and they would make clear that so simple a reform as causing African countries to place tarpaulin over outdoor prison courtyards during rainy seasons would save thousands of lives and greatly enhance rule of law governance. The hearings could identify conservative prison reform efforts with the late Chuck Colson -- and with Winston Churchill, who first began his life-long prison reform advocacy in 1910 when appointed as Home Secretary. Liberals and conservatives would be rightly praised for the initiative, but passage of strong legislation would be to the particular credit of the 114th Congress Leadership.



The real face of prostitution

II. Case Studies: How Liberal Human Rights Failings Can Undermine Liberal Claims of Moral Superiority

A. On human trafficking, well designed oversight hearings could make clear what women's group and liberal leaders liberals quietly acknowledge: that the momentum achieved by the prior administration's Trafficking Office Directors -- former Congressman John Miller and the recently designated Freedom House President Mark Lagon -- has been badly lost by the administration.

Conservative commitment on the trafficking issue could also bring Hillary Clinton's record on the issue to public notice.

While managing the women's issue agenda during her husband's presidency, Mrs. Clinton nearly blocked passage of the Trafficking Victims Protection Act by taking a position that would have effectively made adult sex trafficking legal. She did so by proposing to treat traffickers of persons above the age of 18 no differently from business employers: free to gain income from their "workers" unless shown at trial, beyond a reasonable doubt, to have engaged in acts of fraud, force or coercion -- a standard generally acknowledged to be almost impossible to meet in all but a few trafficking cases. Only the intervention of Senator Paul Wellstone and Congressman Tom Lantos caused the Clinton position to be rejected and thereby allowed the Act to become law.

Mrs. Clinton took the same position when she supported a downward revision of the U.N. Convention on Trafficking. She there endorsed repeal of the Convention provision defining all cross-border sex trafficking as criminal and, as with her position on the Trafficking Act, sought its replacement with a provision that only criminalized proven acts of "forced" trafficking.

A further indication of the Clinton trafficking record is the low standing and poor performance of her choice to head the

State Department's Trafficking Office – a middle level Congressional staffer whose appointment was widely seen as coming from his wife's role in Secretary Clinton's Presidential campaign. That appointment has led to a major decline in the Trafficking Office's authority and its ability to coordinate all U.S. anti-trafficking activities. It has allowed foreign governments to no longer deem it critical to reform their trafficking policies in order to maintain good relations with the U.S.¹

Secretary Clinton's indifference to the issue is particularly demonstrated by her own words – or, more precisely, by their absence. In her 596 page memoir meticulously describing her many *Hard Choices* as Secretary of State, there is not a single reference to work done during her tenure on the trafficking issue. And further: In the 32 page *Hard Choices* index listing the hundreds of officials with whom Secretary Clinton dealt during her term in office, there is no reference her Trafficking Office head or to any other trafficking official. Other than a passing reference to a 1995 speech in which she condemned “*forced prostitution*” [emphasis added] – the code term for legalization -- nothing in the Clinton memoir deals with enslavement of millions of the world's most brutally victimized girls and women.

The failure of Secretary Clinton to treat deal the trafficking issue seriously – and her record of not getting its crucial policy imperative right -- stands in sharp contrast to the leadership provided such Congressional conservatives as Chris Smith and John Cornyn, as alone indicated by their 114th Congress trafficking bill which liberal filibusters almost killed.

B. On school choice and total immersion language programs, liberals have sacrificed the interests and express desires of inner city communities to the political and financial

¹ Following his appointment to the House Foreign Relations Committee, Congressman Mark Meadows surveyed large numbers of ambassadors to the United States and asked them to list all major issues involving the U.S. and their countries. None listed the trafficking issue – a position in contrast to what many said during the Bush administration.

interests of teachers' unions and special pleaders for a non-integrated Hispanic culture that strong majorities of Hispanics reject when given the chance to do so. These matters would pose serious problems for liberals -- and especially in the case of charter schools would expose the manner in which liberal officeholders place the demands of powerful unions that finance their campaigns over the urgent needs of minority voters who continue to support them in overwhelming numbers.

C. On domestic prison rape, the Justice Department under Attorney General Eric Holder failed over a period of years to comply with mandates of the Frank Wolf-Ted Kennedy-Jeff Sessions-Bobby Scott Prison Rape Elimination Act, and still seeks to undermine the act in the service of leave-us-alone appeals of state and Federal officials. *New York Times* and *Washington Post* editorials condemned the administration's conduct on the issue, and there are serious concerns about the act's enforcement that a determined conservative focus could make clear. Of special note is the May 13, 2015 *New York Times* investigative report which detailed – and then only in part – the administration's failure to end what the *Times* reported as today's continuing high levels of prison rape.²

D. On obstetric fistula, the administration has used the United Nations Population Fund and the USAID-dependent NGO EngenderHealth to assume lead responsibility on the issue, doing so despite their poor records.³ A clearly superior policy, endorsed

² See, *US Push to End Prison Rapes Loses Early Momentum*, *New York Times*, May 13, 2015. "It took almost a decade for the Justice Department to issue the final standards on how to deal with prison sexual abuse. And it took a couple of years more before governors were required to report to Washington, which revealed that only [two states] were ready to certify full compliance." A delayed Prison Rape Elimination Commission report during the Bush term made the Obama administration solely responsible for the *Times*' criticism.

³ A classic USAID-dependent entity, EngenderHealth receives more than 70% of its income from government grants. As reported to the IRS, the average annual compensation of its 5 highest paid employees was \$241,000, and the average compensation of its 24 highest paid employees was \$155,000.

on a bipartisan basis, would be to transfer USAID’s anti-fistula support to an advisory committee-monitored and competitively chosen major U.S. medical center. The center would be charged with and accountable for its success or failure to train African physicians and midwives, develop timely caesarean-section delivery protocols, promote local hospital delivery reforms and create campaigns against the forced child marriages that often cause childbirth fistulas.⁴ Funding for this initiative could be provided at no additional taxpayer cost by reallocating a fraction of the multi-billion dollar USAID global health and maternal child care budget account. Unfortunately, liberal ties to groups now subsidized by the budget account make clear that passage of a medical center-based initiative will not take place without a committed conservative effort.

E. On Internet freedom, the administration has sat on appropriated funds, often for years, and has ignored legislative mandates to meaningfully support the circumvention of closed society Internet firewalls. This has occurred despite the acknowledgement by senior Board of Broadcasting Governors [“BBG”] officials, made after their “aggressive examination” of the matter, that massive, Berlin Wall-equivalent breaches of closed society firewall would have been “very likely” during Calendar Year 2015 with a commitment of less than three percent of the BBG budget -- *and less than one fourth of one percent (.0025!) of the relevant State Department account.*

This “very likely” development was not sought by the BBG for an astonishing reason: the view that short wave radio network operations should be the BBG’s 21st century “core mission” means of satisfying its statutory obligation to access closed societies to the free flow of information. Such a view led the BBG to reject allocating even rounding error sums of its budget to seek what its senior officials acknowledged would be

⁴ As noted, Democratic Congresswomen Rosa DeLauro and Carolyn Maloney actively support this initiative.

such “very likely” 2015 breakthroughs as these:

- An interactive town meeting in which 200,000 Iranians in and out of the country safely participated via their cell phones;
- A worship service – perhaps the largest in history -- in which 500,000 Chinese House Church Christians safely participated in a U.S.-hosted service via their cell phones;
- Presidential addresses via cell phones to the people in any closed society chosen, at any time chosen; and
- Internet access no different from that enjoyed in the United States for 25,000,000 now firewall-blocked closed society users per day.

These world-changing developments, and others like them, were sacrificed by the BBG in order to retain an additional 2.7% of its budget for 2015 radio operations!

In sync with the BBG, and equally remarkable, State Department Internet freedom grants are only given for activities that have *failed* to achieve field tested circumvention success. Hard as it may be to believe, scalable, field tested firewall circumvention systems needing little more than additional servers and IP addresses to achieve order of magnitude increases in their ability to reach closed societies receive the lowest Department grant priority rankings.

Further:

- The failure of the administration to take action occurred even though the President pledged more than three years ago to take all available steps to bypass Iran's Internet firewalls,⁵ and spoke of “a basic freedom for the Iranian people: the freedom to connect

⁵ See <http://www.washingtonpost.com/politics/obama-to-iranian-people-in-holiday-message-americans-seek-a-dialogue/2012/03/20/gIQAj5sWPSstory.html>

with one another and with their fellow human beings.”

- Although the President noted in 2015 that the Internet would become the means of the North Korean regime’s collapse,⁶ no action has been taken to enhance the access of North Koreans to the Internet via the smart phones that its elites increasingly possess.
- Russia’s invasion of the Ukraine and China’s suppression of the recent Hong Kong demonstrations – accompanied by major increases in Internet censorship plans by Presidents Putin and Xi – caused no change in the administration’s policies.
- All closed society regimes share the view of China’s ex-President Hu Jintao that their very “stability” depends on their ability to “purify” the Internet.
- In contrast to the BBG/State Department refusal to mount a circumvention breakthrough competition deemed “very likely” to succeed for \$20 million, China spends billions of dollars and employs thousands of its ablest I.T. experts to maintain its firewall system.
- Although, as Secretary, Hillary Clinton spoke of the Internet as a critical 21st century instrument of political, cultural and religious freedom,⁷ a senior administration official told the *Washington Post* during her term that the administration’s anti-firewall policies was in part based on the need to ensure that Chinese officials would not “go ballistic” over U.S. conduct.⁸

Congressional oversight hearings following a

⁶ See <http://www.washingtontimes.com/news/2015/jan/22/obama-says-internet-more-powerful-military-sanctio/>

⁷ See <http://www.state.gov/secretary/20092013clinton/rm/2010/01/135519>.

⁸ See, <http://www.washingtonpost.com/wpdyn/content/article;2010/01/24/AR2010012402755.html>.

conservative commitment to achieve firewall circumvention breakthroughs would demonstrate the following reality: Despite words and promises to the contrary, the administration's Internet freedom policies would have been little different during the past five years had they been managed by Iranian or Chinese agents.

F. On North Korea, the administration has treated the Chinese government as its “partner” in the pursuit of North Korean weapons reforms – and has signaled a willingness to effectively legitimize the Pyongyang regime in exchange for weapons issue progress. It has ignored the fact that China's muted words of concern about the regime's conduct have been accompanied by increased support for its stability. In contrast to the manner in which Ronald Reagan dealt with the former Soviet Union, the administration's approach to North Korea has been to treat its human rights record – the world's most brutal – as an impediment, if raised, to weapons negotiations. It has failed to understand a core bargaining strategy of the Reagan administration – that a Helsinki focus on the human rights records of dictatorships is a means of making them more willing to make bargaining concessions in all policy areas.

In addition, the administration has:

- ignored the regime's export of more than 50,000 “workers” to almost 20 countries -- mostly to China and Russia – from whom the regime annually expropriates as much as an estimated \$2.6 billion for labor described as “sometimes requir[ing] 20 hours a day with only one or two days of rest a month.”⁹

⁹ See, *North Korea is Accused of Abusing Workers*, New York Times, October 29, 2015, page A 14. Failure to address this matter forfeits the opportunity to severely weaken the regime by strongly and publicly pressing countries that accept the so-called workers to no longer do so without worker protection guarantees that they can keep the wages they earn and enjoy the freedom not to return to North Korea without fear of reprisals against their families.

- discouraged the Korean-American community from following the examples of the Campaign for Soviet Jewry and the anti-Apartheid campaign -- a step that would greatly increase the pressure on China and the U.N. to longer keep the Pyongyang regime alive; and, most of all,
- failed to press the United Nations to challenge China's deportation of North Korean refugees in clear violation of U.N. treaties to which China is a party – a step the U.N. has understandably refused to take in light of the fact that only China pressures it on the issue;¹⁰

Vice President Biden has been a leading “realist” about North Korean gulags while, in the manner of liberals of an earlier era, conservatives have become the ones most focused on the fate of Pyongyang's victims.¹¹

G. On relations with dictatorships, the administration has failed to take historic American concerns about human rights violations into serious account, and has rejected the Reagan policy of challenging closed society regimes by focusing on their denial of basic freedoms.

Thus, immediately before her first visit to China as Secretary, Hillary Clinton claimed to be “stating the obvious” when she noted that pressing the Chinese government on human rights issues “can't interfere with the global economic crisis, the

¹⁰ Article III of the China-U.N. High Commission for Refugees treaty gives the latter the right to “unimpeded access to refugees,” which the Chinese government refuses to provide. Article XIV of the treaty gives the UNHCR the right to take China to binding international arbitration to resolve disputes “arising out of or related to” the treaty, a step the UNHCR has refused to take.

¹¹ The remarks of former Prime Minister Tony Blair are again noted: “The biggest scandal in progressive politics is that you do not have people with placards out in the street in North Korea... The people are kept in a form of slavery, twenty-three million of them, and no one protests!”

global climate change crisis and the security crisis."¹²

Her position was sharply criticized by Human Rights Watch's Director of Asia Advocacy:

One can only imagine how ... China's ... courageous human rights defenders felt when hearing that the United States now considers them an impediment to progress on other issues. Even more dangerous, Clinton's statements undermine the Obama administration's credibility on human rights the world over. Does the secretary now plan to tell the Burmese military junta, or the Taliban, that it will "agree to disagree" on rights while they work through other issues? ... By publicly backing off with China, rather than making human rights a keystone of policy, the secretary has lowered the bar not just for China's leaders but for would-be rights abusers everywhere.¹³

A recent column by the Washington Post's Jackson Diehl quoted the remarkable statement recently made -- in Havana no less -- by State Department senior advisor David Thorne: "As in other parts of the world, we are really trying to also say: Let's find out how we can work together and not always say that human rights are the first things we have to fix before anything else."

Diehl found that the administration's hope that "engagement" with dictatorships would be economically

¹²http://www.google.com/?gws_rd=ssl#q=hillary+clinton+china+human+rights+2009. And see, *Hillary Clinton's Silence on Human Rights*, Washington Post editorial, February 24, 2009, and *Clinton: Human Rights Can't Interfere With Other Crises*, <http://www.cnn.com/2009/POLITICS/02/21/clinton.china.asia/>

¹³https://www.google.com/?gws_rd=ssl#q=hillary+clinton+china+human+rights+2009. And see, *Hillary Clinton's Silence on Human Rights*, Washington Post, February 24, 2009, and *Clinton: Human Rights Can't Interfere With Other Crises*, <http://www.cnn.com/2009/POLITICS/02/21/clinton.china.asia/>

beneficial to the U.S. and would, “over time, lead to [regime] liberalization” has neither opened closed society markets to U.S. businesses nor limited the persecution of dissidents. “It’s okay to capture U.S. dollars while excluding U.S. business and cracking down on anyone favoring liberalization” was Diehl’s summary of how current U.S. engagement policies towards closed society regimes are now working.

“No wonder the dictators are winning,” he concluded.¹⁴

H. On religious persecution, the administration has sought to obscure and undermine findings like those made by the U.S. International Religious Freedom Commission that Christian and Yazidi believers have “borne the worst brunt of the persecution by ISIL and other violent religious extremists.” Specifically, the Commission found that members of those communities have been victims of atrocities ranging from “summary executions to forced conversions, rape to sexual enslavement, abducted children to destroyed houses of worship [and] a systematic effort to erase their presence from the Middle East.” With the exception of Kurds, Muslims who have militarily opposed ISIS whose properly screened refugee admission into the United States is only opposed by Donald Trump, no other Muslim community in Syria or Iraq has been subject to persecution remotely comparable to what Christians and Yazidis have encountered.

Nonetheless, an August 2015 Catholic News Agency report noted that since October 2104, 906 Syrian Muslim refugees have been granted U.S. visas “while only 28 of Syria’s estimated 700,000 displaced Christians were given the same.” Worse is the State Department’s Refugee Processing Center report that from the November 13, 2015 date of the Paris attacks to mid-December, 237 Syrian refugees were admitted into the

¹⁴ See Diehl, *Obama’s Olive Branches are Lifelines for Authoritarian Regimes*, Washington Post, November 8, 2015. Re Iran, see, e.g., Bakhtiar, *Obama’s Sanctions Gift to an Assassin for Iran*, Wall Street Journal, August 10, 2015.

U.S. – 236 *Sunni Muslims and one Christian.*

Critics of the administration's policies, including Michael McConnell,¹⁵ Elliot Abrams,¹⁶ Chloe Valdery¹⁷ and others¹⁸ have linked the administration's visa issuance record to its support for giving unprecedentedly equal visa preferences to war-displaced and persecution-targeted communities. Many have criticized the administration's opposition to bipartisan legislation establishing meaningful applicant screening standards and visa priorities for

¹⁵ See McConnell, <http://www.politico.com/agenda/story/2015/11/yes-we-should-consider-refugees-religion-000325>

¹⁶ See Abrams, *Why Do We Not Save Christians*, Weekly Standard, October 12, 2015: "Christians are not random victims of widespread violence, disorder, or economic collapse... [T]hey are targets [a]nd they cannot flee to neighboring countries ... Consider our own refugee and asylum laws, in which targeting is the main idea. Overall conditions of disorder or lawlessness back home will not get an applicant approved; only deliberate targeting for persecution ... will meet the test. The Immigration and Nationality Act says asylum requires a "well-founded fear of persecution," a test many Muslim migrants would not meet but Christians from Iraq and Syria certainly would."

¹⁷ See Valdery, *Saving Christians from ISIS Persecution*, Wall Street Journal, September 30, 2015: "Since the rise of ... ISIS, about 125,000 Christians have fled [Syria and] at least 500,000 have been displaced. It is ISIS policy to kidnap and rape Christian women and girls. Last October the ISIS magazine Dabiq referred to Christians as "crusaders" and vowed to kill "every Crusader possible." ... Christians are facing a targeted campaign of annihilation [which] should remind Western policy makers: Christians ... are targets of genocide, much like the Jews during World War II. This entitles them to broad protection under the 1951 U.N. Genocide Convention, to which the U.S. is a signatory... The U.S. ought to take that distinction into consideration when prioritizing the resettlement of the additional 30,000 refugees the country is slated to absorb."

¹⁸ See Lang, <http://www.wsj.com/articles/from-kristallnacht-to-the-kindertransport-to-finally-america-1447019141>; Reilly, *Exterminating Christians in the Middle East*, Wall Street Journal, August 20, 2015; Gordon, *Iraqi Christians Face Extinction: Interview With Joseph Kassab*, New English Review, November 2015; Kasmer-Jacobs, *Aiding Christians Targeted by ISIS for Extermination*, Wall Street Journal, December 12-13, 2015.

acutely targeted Middle Eastern religious victims.¹⁹

The administration has refused to distinguish these critics from Donald Trump and others seeking the blanket exclusion of all Muslims on strictly religious grounds. Going further, the President has sought to label all critics of his policies as “shameful” and “un-American.”

Aided by the openly discriminatory nature of the Trump position but also and in great measure by the caricatures that are the subject of this paper, the President has enjoyed considerable success in his labeling effort -- especially with the millions of voters who now assume the worst about us and the best about the moral and caring values of the left. That this has occurred even though the President has rejected a cornerstone element of immigration law that conservatives have sought to defend, and even though his policies have imposed especially discriminatory life and death risks on the Christian communities of Iraq and Syria²⁰ is evidence of the strength of the caricatures of which we write.

Once again, these caricatures not only compromise conservative prospects. By reducing an important set of policy issues to an *ad hominem* condemnation contest, they have robbed the country of the serious debate it needs over refugee vetting

¹⁹ See H.R. 1578 sponsored by Democrats Juan Vargas and Ranking House Judiciary Committee chairman John Conyers and by Republicans Tom Rooney and Duncan Hunter, and H.R. 3573, sponsored by House Homeland Security Committee chairman Michael McCaul and cosponsored by 20 other Members.

²⁰ The discriminatory nature of administration policy has been made clear by its efforts to designate Yazidis -- *but not similarly situated Christians* -- as victims of ISIS genocide. See Shea, *Obama Administration Poised to Exclude Christians from ISIS Genocide Determination*, National Review Online, November 13, 2015. For opposition to the administration's plans, see Hattem, <http://thehill.com/policy/national-security/263200-battle-brewing-over-christian-syrian>. The Hill, December 15, 2015.

processes²¹ and over the balance it can best strike between the needs and values of homeland security and legal immigration.²²

Aided by the caricatures which have shielded the President's policies from the scrutiny they deserve while closing the minds of many to what we have to say, a historic American consensus in support of legal immigration has become increasingly fragile.²³

The need for determined conservative efforts to shatter such caricatures – and the difficulties involved in doing so – are made clear by the country's current non-debate over the religious persecutions and refugee tragedies of Iran and Syria.

²¹ The FBI Director's acknowledgement that the U.S. cannot now properly vet the 10,000 Syrians the administration has announced it wishes to accept makes such a debate especially apt. *See, FBI Chief: 'Gaps' Remain in Screening Syrian Refugees*, The Hill, October 8, 2015; and *see Noonan, A Rash Leader in a Grave Time*, Wall Street Journal, December 12-13, 2015

²² Examples of largely undebated policy options to deal with the legitimate concerns that the Trump position has put on the table: replacing the United Nations as a refugee evaluator, instituting outside monitoring of U.S. government anti-terrorist screening, and expanding the vetting process to include special scrutiny for evidence anti-Semitism such as is now faced by Jewish communities in such countries as Sweden, France, Belgium and England. In the latter case, conservatives could make the point that America will no longer be America on the day that policemen need to be stationed outside its synagogues, as is the case throughout Europe, and that tough screening of visa applicants is in order to ensure that this does not occur.

²³ The fragility of the consensus is also the result of a separate and caricature-protected aspect of the Obama presidency on which conservatives can focus – the President's repeated "we can't wait for an increasingly dysfunctional Congress to do its job ... where they don't act I will," "I've got my pen," and "we've expanded my authorities" assertion of what George Washington University Professor Jonathan Turley has called "its claims of unchecked authority in a variety of areas, particularly immigration." *See Turley, How Obama's Power Plays Set the Stage for Trump*, Washington Post, December 10, 2015. Co-author of this paper Michael Horowitz has written of the refusal of the administration's lawyers to set limits on unilateral Executive Branch action, *see* <http://www.nationalreview.com/article/415444/reagan-would-be-appalled-obamas-corps-yes-men-lawyers-michael-horowitz>