

Editorial

What about Rostenkowski?

Most people, whether Americans, Japanese, or Italians, or whatever nationality, if asked whether a politician in their government is corrupt, are most likely to say yes—such is the dynamic of recent developments. For example, in Italy, there are virtually no experienced elected officials left in public office, because of the proliferation of allegations of corruption which have reached as high as former prime ministers such as Giulio Andreotti and Bettino Craxi. The French press is even charging that the new Italian prime minister, Silvio Berlusconi, is implicated in drug trafficking.

Now U.S. Rep. Dan Rostenkowski (D-Ill.) has been indicted on 17 counts for allegedly defrauding the government of some \$600,000. The alleged crimes all center around using government property or employees for personal business. Undoubtedly, if this is true, it is wrong and should be stopped; but this does not mean that any one public official should be singled out as a common criminal for practices which may have been generally accepted as prerequisites of the job.

In any event, Rostenkowski denies the charges and has stated his intention to fight them in court. This is good. Too often the enormous discrepancy between the sentence which can be handed down if an individual is found guilty and the plea bargain offered in its place, is so large that people decline to fight for their innocence. In many instances they are coerced into lying—agreeing to admit guilt where they are innocent—because a climate has been generated such that they reasonably fear they cannot hope for a fair trial. Rostenkowski, for instance, was offered a plea bargain sentence of less than one year as compared to one that the press claims could be as long as 100 years. While the 100-year figure is obviously inflated, the point is nonetheless clear. The list of the various alleged offenses falls into the category of petty crime at best, despite the fact that they are technically identified as “embezzlement,” “mail and wire fraud,” and so on.

It is extraordinary that the investigation goes through 21 of the 37 years that the congressman served in office, and includes a collection of relatively modest amounts, such as \$1,500 paid to a godson. During

this time he evidently served his constituency to its satisfaction; he had just won in the Democratic primary elections, despite the fact that it was known that he was threatened with indictment.

Rostenkowski refused to accept a plea bargain, against the advice of his lawyer, and is now seeking other counsel. Today most lawyers do give precisely such counsel to their clients, whether they are guilty or declare themselves to be innocent of the crime of which they are charged. Yet, if people are coerced into accepting guilty pleas to avoid the high costs of going through a trial, and the enormous risk of losing compared to conceding defeat in advance, then our justice system will have been destroyed. Certainly, every American should applaud the congressman's decision to have his day in court, regardless of the consequences.

In 1981, Rostenkowski became chairman of the most powerful committee in the Congress, the House Ways and Means Committee. The Congress has ruled that any person under indictment must resign from a committee chairmanship, even before he has been judged guilty. Rostenkowski accordingly has stepped down. This is a serious setback for President Clinton, because the ability to pass his health reform bill through the Ways and Means Committee is the critical first step for its passage. Rostenkowski has been a strong supporter of the President, and Clinton himself campaigned for him in the recent primary election. Even though the investigation of the congressman began under the Bush administration, the present turn of events must be seen in the light of the attacks on Clinton and upon the institutions of republican government as a whole.

Punishment of abuses on the level of those alleged against Rostenkowski should not be allocated a higher priority than ensuring the orderly functioning of government. If the congressman is proven innocent, the verdict will indict again the frivolous abuse of the judicial system for political motives, characteristic of the attacks upon the Clintons and the railroad of LaRouche, among all too many others.