from Phyllis Schlafly

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How to Cut Taxes and Spending

The American people have tried various ways to cut federal spending, to no avail, Congress has consistently refused to pass a balanced budget amendment to the U.S. Constitution.

So what is the long-suffering taxpayer to do? Senator John McCain (R-AZ) and Rep. Jim Saxton (R-NJ) have come up with an answer. Pass a federal statute requiring that any federal tax increase can be passed only with a supermajority of 60 percent in each House of Congress.

That wouldn't stop all tax increases, but it would stop some. Specifically, it would have prevented passage of, the tax increase of last October.

Would that have been a good thing? You betcha. Remember how we were told we needed that tax increase for "deficit reduction"? That was false advertising then, and now the results prove it.

Just as many of us predicted, the higher taxes were not used to cut the federal deficit, but instead were used to promote higher federal spending. This year's deficit is up from $220 billion last year to $300 billion this year, and the federal politicians now spend 25 percent of the U.S. Gross National Product.

Last year, we also predicted that higher tax rates would harm the economy. The results confirm this, too. The congressional Budget office estimates that tax revenues in the 1991-1995 period will be $62 billion Lower than were expected before tax rates were increased last year.

In the seven states that require supermajorities, spending and taxes have risen more slowly than the national average. In these supermajority states -- Arkansas, California, Delaware, Florida, Louisiana, Mississippi, and South Dakota -- taxes rose only 67 percent during the decade of the 1980s, whereas taxes increased nationally by 77 percent. In these supermajority states, government spending increased only 79 percent, whereas the national average was 87 percent.

Supermajority requirements are a perfectly acceptable way to restrain irresponsible majorities. Don't let anybody tell you that it is wrong to allocate more weight" to a "no" vote than to a "yes" vote.

In the Federalist Papers, the Founding Fathers stressed the need to protect ourselves against "the superior force of an interested and overbearing majority," and they enshrined a requirement for a supermajority in four place in our Constitution. A bill can be passed over the President's veto only by a two-thirds majority in both Houses.

Treaties may be ratified only with the advice and consent of two- thirds of the Senators present and voting. The Constitution requires a two-thirds majority of both Houses to propose amendments, and then a three-fourths majority of state legislatures for ratification. It takes a two-thirds majority of the $enate to convict for impeachment.

In 1971 the U.S. Supreme Court twice upheld the right of various bodies to require a supermajority on particular issues" In the case of Gordon v. Lance, the Supreme Court upheld a requirement of the West Virginia Constitution for a three-fifths majority to incur bonded indebtedness. The Court stated: "There is nothing in the language of the constitution, our history, or our cases that requires that a majority always prevail; on every issue."

In Brenner v. School District of Kansas City, the U.S. supreme Court affirmed a scholarly three-judge decision holding constitutional the Missouri requirement of a two-thirds majority for school bond elections. The Court concluded: "the utilization of a two-thirds majority vote on questions considered to be of particular difficulty and importance, establishes that the Founders never for a moment considered, as plaintiffs argus, that the sense of the majority should prevail in all cases or that they accepted the notion that a rule by a simple majority was an inflexible "fundamental maxim of a republican government."

In Rimarcik v. Johansen, a federal court upheld a Minnesota statute requiring a $5 percent majority to adopt a home rule charter. In 1975 a three-judge federal District Court in Chicago upheld the right of state legislatures to require a three-fifths majority for ratification of federal constitutional amendments. Time and experience have proved that these constitutional and legislative requirements for a supermajority, as well as parliamentary requirements such as those in Roberts Rule of Order, are good rules designed to empower the majority at the same time that they respect the rights of the minority.

Since 1980, taxes have risen 30 percent, more than inflation. “Tax Freedom Day” is now May 8; this means that all you earn from New Year’s Day until May I goes to the politicians and bureaucrats, and you enjoy the freedom to spend only what you earn after May 8.

A supermajority requirement could give us hope that the tax burden won't get any heavier.