Elements of Ethical Leadership

I think that is the nicest introduction I have ever had. You have to distinguish between a nice introduction and a kind introduction. A nice introduction is where the host lists all your achievements; it is transcribed, notarized, and sent to your mother. A kind introduction, which is what you just heard, is the one where stuff is left out. So my gratitude for leaving out the fact that I once was a speech writer for Walter Mondale.

People ask me, how do you go from Walter Mondale to Fox News? The answer is simple; I was young once.

The other part of my checkered past, which was briefly alluded to, was the fact that I was a psychiatrist. Technically, I still am a psychiatrist. I am still licensed. But, in reality, I am a psychiatrist in remission. I am doing very well, thank-you; I haven’t had a relapse in 25 years.

I am sometimes asked to compare what I do today as a political analyst in Washington with what I used to do as a psychiatrist in Boston. And as you can imagine, I tell people that there really isn’t that much of a difference. Don’t get ahead of me now. In both lines of work, I deal every day with people who suffer from paranoia and delusions of grandeur. The only difference is that the paranoid types in Washington have access to nuclear weapons. That is a little bit different; it makes the stakes a bit higher.

I am delighted to be in this beautiful part of the world and meet many of you from the community. I am happy to be at this wonderful University that does such fantastic things for the community. But, truth be told, I am happy to be anywhere where Juan Williams can’t interrupt me [audience laughter and applause]. I’ll be sure to tell him how you feel.

My topic tonight is “Ethical Leadership.” Considering the town I come from, Washington, and what has been happening there, you can imagine it will be a very short talk. But what I would like to do is try to illuminate some of the elements of ethical leadership and to apply them to Washington, which is sort of my specialty. It is where I have been, what I study, and what I have to suffer.

In identifying the qualities of ethical leadership, the first I would recognize are honesty and transparency. This will surprise some of you who have watched me on Fox, but here is where I really have to commend Barack Obama.

In his second inaugural address, he was remarkably candid and open. That address was not just highfalutin ideas and theories. The president basically said to the country, “I’m not here to reform, I’m not here to trim. I’m not here to make adjustments. I am committed to fundamentally transforming this country.”

Most of my colleagues in the media were shocked to discover that about a president who had been in office for four years and had been trying to do exactly that every day of his term. In fact, he was simply being open and honest about what his agenda is.

Dr. Charles Krauthammer

Dr. Charles Krauthammer is a winner of the Pulitzer Prize and has been named by The Financial Times as the most influential commentator in America. Currently he is a contributing editor to several publications and a contributor to Fox News appearing nightly on Fox evening news program, Special Report with Bret Baier.

The following is an adaptation from a speech presented at University of the Cumberlands on April 9, 2013 sponsored by the Forcht Group of Kentucky Center for Excellence in Leadership. This speech has been divided into installments. The final installment will be in the next issue of Morning in America.
In reality, he unveiled that agenda at the very beginning of his first term. In his first State of the Union Address, the president said, basically, “I’m here to change America.” He didn’t speak about it in generalities. He said very specifically that he intended to transform three things: health care, energy, and education. Think about that.

Health care is one-sixth of the American economy. It impacts everyone’s life. Energy is the sinews, the lifeblood of an industrial economy. You who live in a very energy-intensive region of the country know how important it is. If the federal government obtains control of the production and pricing of energy, as this administration intends, it is basically in control of our industrial economy. Finally, the president wants to essentially nationalize education. He wants to make pre-school education a new entitlement available to every child in the country. This is a pretty ambitious agenda. When you think about it, it makes sense because of something Obama said in 2008. When he was running for the presidency, he made a very interesting observation. He said Ronald Reagan was his star athlete, consequential in a way that Bill Clinton was not.

This was an unusual admission for a Democrat. What Obama meant was that Reagan had fundamentally changed the country. Prior to Reagan, there had been a sixty-year liberal ascendency, starting with FDR’s “New Deal,” Truman’s “Fair Deal,” Kennedy’s “New Frontier,” and, finally, a last burst of liberalism with Lyndon Johnson’s “Great Society.”

Reagan put a stop to it within ten minutes of his swearing in. He said, “Government is not the solution, Government is the problem.” That was a renunciation of sixty years of liberal orthodoxy. And Reagan not only said it, he acted on it. He changed the trajectory of the country, giving us a thirty-year conservative ascendency.

President Obama is here to end three decades of the conservative ascendancy and to bring a new age of liberalism. But Obama’s commitment is not just to ordinary liberalism; it is to a kind of left liberalism which we haven’t seen in many years. Some people call Obama a socialist. I think that is a mistake. Socialism includes many kinds of government, including some pretty nasty ones, like the Soviet Union, North Korea, and Cuba. A socialist in that sense is not a term that applies to anybody in American politics.

In reality, Obama is a social democrat. He is a socialist along the lines of the European socialist parties. As a European-style socialist, President Obama wants to nationalize large sectors of the economy, like health care, energy, and education. As you know if you have read my columns, I disagree with everything he believes. But I give him credit for being honest and transparent.

In addition to honesty, another virtue you seek in ethical leadership is modesty. On that front, I am not sure Obama gets such high marks. I have watched lots of presidential candidates and, generally speaking, they really have a pretty inflated sense of themselves. Actually, if they didn’t, they would never think of running for the presidency.

But Obama, I think, is sort of unusual even among that class of self-inflated personalities. I’ll give you two examples. First, he reveals this tick whenever he speaks in public. It bothers me every time I hear it. I am sick and tired of being bothered alone so I am going to share the tick with you. Whenever you hear it, you will be equally disturbed and I will feel less alone.

The second example I think is actually quite remarkable. President Obama gave a speech in June of 2008 after he won the primary election that gave him enough delegates to secure the presidential nomination. It was the usual Obama Rally 2008. It had coeds swooning in the aisles, MSNBC anchors with thrills up their legs, the usual stuff. In that speech, the president said, “History will remember tonight.” Obama claimed on the night he won the nomination on his way to the White House that, among other things, the earth began to heal and the oceans began to recede. In response, Irwin Stelzer, a friend of mine wrote, “The last person to make the waters recede was Moses and he had help.” Obama works alone.

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A third element of ethical leadership is a quality I will term probity. It is a kind of integrity defined by the willingness to put the interest of the nation over the interest of political party. The
absence of probity leads to a kind of corruption. Historically, corruption in government has often assumed the form of financial scandals. For example, there is the legendary Governor of Louisiana, Edwin Edwards. Edwards was elected governor four times, a Louisiana record, despite being suspected of bribery, extortion, and other financial shenanigans. After one of his acquittals, he was informed that several members of his jury were reported to have stolen towels and utensils from the hotel in which they had been sequestered for the trial. In response, Edwards said, “Well, I am happy to have been judged by a jury of my peers.”

But, generally, there has been a decline in this kind of financial corruption in politics. The currency of Washington politics today is not so much money, but power. There is a tendency to put party over nation. In that sense, there is a lot of corruption in Washington. There is a great temptation to increase your power at the expense of the other side. I am disturbed by this fact.

An example of the kind of corruption I am talking about is illustrated by recent events surrounding the debate on the immigration bill. I, along with many Republicans, am quite willing to provide a path to legalization for the eleven million people currently living in the shadows, provided we secure and regain control of our borders. Toward this goal, a group of eight senators, four Republicans and four Democrats, have been crafting an agreement in which border control is one of the central ideas.

And yet the president and the Secretary of Homeland Security recently have been talking down law enforcement. The president is saying you can’t get 110% enforcement which, of course, is a straw man; no one is asking for that.

So I ask myself, why is the president speaking this way when we are on the cusp of a historic deal that could secure the border, legalize those that are here, and put the issue behind us? And the only explanation that I can find for the president’s behavior is that he is trying to sabotage the agreement. He would rather not have an agreement come to fruition, the bill not pass, so he could then put the blame on Republicans and secure the support of the Hispanic community for the Democrats in future elections.

That, to me, is a kind of corruption. You are not looking for a payoff; you’re not looking for cash. What you want to do is augment your power and the power of your party; you’re putting the interest of the nation second.

So those are some of the elements of ethical leadership. They include honesty and transparency; modesty; and probity, which means not just an absence of financial scandals, but a refusal to put party and person over nation when making decisions.

As you all know, I don’t hide my political leanings. And, even though my side took quite a beating in the last presidential election, I am very optimistic.

Mitt Romney, I believe, was a good man, and he would have made a good president. But he was not exactly fluent in conservatism. He spoke it as a second language. In one of the primary debates, in an attempt to demonstrate how conservative he was when he was governor of Massachusetts, he said, “I ran a severely conservative administration.” Now the word “severe” is usually associated with head wounds and tropical storms, not governance.

American politics is cyclical, but the basic truth is that we are a center-right country. We don’t want big government, high taxes, or more regulations. We know that if you can give us European levels of entitlements, we are going to have to have European levels of taxation. And we don’t want the economic stagnation and the insolvency that we can see happening in Europe.

That, I think, is the bedrock sense of the American people. If and when my side, the
conservative side, finds young, dynamic spokesmen who will be able to articulate that message, the pendulum will swing. I do think we have a strong bench that includes Governor Mitch Daniels of Indiana, Governor Scott Walker of Wisconsin, Governor Bobby Jindal of Louisiana, Governor Chris Christie of New Jersey, and your own Senator Rand Paul, among others. There is a whole generation of young leaders who can carry the message in a way that Romney could not.

Let me summarize by saying that this is a country that has always inspired optimism and confidence. We have leadership that I think is rather flawed. But I think there is a future coming with the new young leaders who can and will change that.

There is a story told about Sam Goldwyn and Billy Wilder. Goldwyn founded several companies that produced motion pictures, and Wilder was one of the great movie directors of all time. So Wilder comes to Sam Goldwyn and says that he wants to make a picture about Nijinsky. Nijinsky was a great Russian ballet dancer whose career ended after he was committed to an insane asylum thinking he was a horse. Goldwyn says, “Nijinsky, Are you crazy? Nobody is going to want to see that.” And Wilder responds, “Sam you don’t understand. The version I am going to make has a happy ending. We show him winning the Kentucky Derby.”

So I remain an optimist. I will end by quoting my favorite pundit, Otto von Bismarck, who said in 1889, “God looks after children, drunkards, idiots, and the United States of America.”

I hope to God that he is still right. I am sure he is, and I remain as optimistic about our future as Bismarck was.

Thank you very much. God bless you.

The Second Amendment

By: Christopher Leskiw, Ph.D

This is the second in our series entitled Foundations of Freedom.

While reality isn’t captured by either extreme, few other sentences from a two-hundred and twenty plus year old document can strike a nerve and so radically divide the country.

As with most controversial issues, the national conversation essentially abandons any gray area and declares that the issue is zero-sum, it is either black or white. While the topic of the Second Amendment is a nuanced one with much depth, any discussion of it typically degrades into two camps: those that believe firearms can be completely regulated by the government, and those that do not.

What is very unusual about the Second Amendment is just how recent it has come to be debated in the first place. Our history is long marked with court cases and national crises that determined the meaning of the amendments. The same cannot be said of the right to bear arms. As recent as 2001, the meaning of the Second Amendment was highlighted by preeminent legal scholars as the best example of settled constitutional law. How quickly things can change.

Would life be easier if what we said is what we meant? The challenge of deciphering the meaning of a several hundred year-old sentence is difficult...
to say the least. One method of interpretation would be a plain reading of the words themselves. Unfortunately, this simple reading does not take one very far. Should it be read with the word ‘because’ as the opening word of the amendment as suggested by former Supreme Court Chief Justice Warren Burger? Is the Second Amendment a statement about a military force—the militia—or is it a statement about the common citizen’s hunting rifle, or both?

To begin, the Amendment obviously starts with the phrase ‘well regulated Militia’, but its intended meaning is not so obvious to us today. It is not clear if this militia is to be federally controlled, run by state governments, or more of a philosophical right retained by the citizens as a whole.

So what in fact is a militia? Most dictionary entries include general references to a group of armed citizens assembled to defend their society. The term ‘militia’ also appears outside the Bill of Rights in Article 1, section 8, clause 15 which reads: “To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions.”

The Founders had a specific meaning in mind as they had first hand experiences with the militia in the Revolutionary War as they were the primary tool used to fight the British. Much of the literature on the Second Amendment shows very mixed feelings the various Founding Fathers had about the adequacy or inadequacy of a citizen based militia. Did they intend that arms would only be available to those who are in service to the militia? Given the primary sources of the Founders’ debates and correspondence, this militia could be defined as one of three possibilities: a quasi-standing army; a select fighting group; or all ordinary citizens.

As reflected in the Declaration of Independence, the Founders had an aversion to standing armies. The Declaration details the abuses of such an army and they were hesitant to create such a peacetime force. Likewise, a select militia consisting of a distinct group of armed men was similarly rejected as something contrary to a nation conceived in liberty. Thus the last interpretation is the clearest from the source material; the militia would consist of all citizens. This interpretation was further enhanced with the passing of the Militia Act of 1792 which required “every citizen provide for himself with a good musket or flintlock.”

Did the Founders use the word ‘people’ to denote a collective right as it is used in the Tenth Amendment to illustrate rights retained by the citizens as a whole? Another reading could find it used in a similar vein as it was with the clearly individual rights expressed in the First Amendment about religion, speech, and assembly or in the protections against warrantless searches and seizures in the Fourth Amendment.

As originally proposed to Congress in 1789 by James Madison, the Amendment read: The right of the people to keep and bear arms shall not be infringed; a well armed, and well regulated militia being the best security of a free country: but no person religiously scrupulous of bearing arms, shall be compelled to render military service in person.

In this version, the ‘right of the people’ features much more prominently, and through punctuation, as a right very separate from a collective notion of a militia. In Madison’s original structure, individuals had not only a right to use arms—implicitly for self defense or hunting—but a right to keep those arms in their homes.

Madison was well aware of the British tendency to require arms to be housed in government controlled stockpiles. In fact, the very 'shots heard around the world' in Lexington and Concord were precipitated by the British trying to seize such a weapons cache at the start of the Revolutionary War. However, after much debate in both the House and then the Senate, the current version of the Second Amendment was proposed to the states for ratification, which leaves a clear understanding of ‘the right of the people’ out of arms reach.

One of the many debates within the Second Amendment scholarship concerns the context within which the amendments were proposed. This context may reveal what the Framers really had in mind. On the other hand, since our sources are limited to the writings of just a few of the Framers, it may serve to just further muddy the waters.

Within our country, the Constitution and the Bill of Rights have taken on a sacred status, and are most closely associated with legal limitations of governance and individual protections. However, viewing the context within which the amendments were drafted and ratified may also challenge the conventional wisdom that the Bill of Rights is a purely legal pronouncement. That is, could the amendments be seen not as examples of legal rationale and protections, but of philosophical statements or political bargaining?

One reading of the Bill of Rights finds the political maneuvering of the Federalists and the Anti-Federalists playing a prominent role. With the Federalists- who called for a strong centralized government—winning control of both the federal and state legislatures at the time of the drafting of the Constitution, their philosophical leanings had the upper hand. Some of the Founders’ correspondence and debate speeches suggest that the Bill of Rights were
The logic goes that the federal government should first be created via the Constitution before explicit limits to its powers were created. A sort of bargain was struck that once the Constitution was ratified, a newly empowered Congress would return to draft these limits. This course of action would have appeased the Anti-Federalists and gained their cooperation from the start. A politicized view of the Bill of Rights is one that is not commonly encountered, as we tend not to think of the first Congress as a place of maneuvering and bickering that so often describes politics today.

The Second Amendment, as with all the amendments in the Bill of Rights, must also be seen in light of the Fourteenth Amendment which effectively commits the Bill of Rights protections to the states as well as the federal government. As originally drafted, the first ten amendments—the Bill of Rights—was envisioned to be a shield of protection for the average citizen against the actions of the Federal Government. The Fourteenth Amendment’s enumeration of equal protection and due process rights came as a result of the Civil War. This Amendment was intended to help reconstruct the South in particular in creating a new definition of citizenship which was not supposed to be contingent on land ownership or race.

What may come as a surprise to many, the legislative history surrounding the drafting and passage of the Fourteenth Amendment includes a detailed and often heated discussion of the right to bear arms. It was a widely known fact that at the close of the Civil War, most of the former Confederate States passed laws barring any African-Americans from owning or using firearms. Consequently, violence against newly freed and legislatively unarmed slaves received national attention during the debates surrounding the drafting of this Amendment.

This situation is aptly summarized by Congressional Representative Thaddeus Stevens, who was directly involved with the drafting and ratifying of the Fourteenth Amendment, in a speech given in 1868.

Disarm a community and you rob them of the means of defending life. Take away their weapons of defense and you take away the inalienable right of defending liberty…The Fourteenth Amendment, now so happily adopted, settles the whole question.

Giving the new citizens the right to defend their lives may have been the intent of some of the drafters of the Fourteenth Amendment, but in practice this was never realized. The protections granted in this Amendment have; however, been applied in a piecemeal fashion, or through what is formally called the Doctrine of Selective Incorporation. It is only through Supreme Court cases that each of the amendments in the Bill of Rights have been applied to the states, with the Second Amendment only reaching this incorporated status in 2010.

What could come as a surprise to most is the fact that there have only been a handful of Supreme Court cases which concerned themselves with the Second Amendment. Prior to the recent two landmark cases which cemented an individual’s right to bear arms, the Court seems to have avoided cases which might have clarified the meaning of the Amendment.

One of the first cases to mention the Second Amendment was United States v. Cruikshank in 1876. The case focused on the actions of citizens who formed a militia in Louisiana to prevent citizens of African descent and persons of color from exercising their rights and privileges of citizenship. While it wasn’t the central focus of the case, the Court did hold that the right to bear arms “is not a right granted by the Constitution. Neither is it in any manner dependent upon that instrument for its existence.” The Court was saying that the right was something that pre-existed the Constitution. Whether its source is from our common law system inherited from Great Britain or some other natural right, the Court found the Bill of Rights only limited the Federal Government.

Over 60 years later, the Court would again return to the Amendment in the case of the United States v. Miller (1939). Here the Court upheld restrictions imposed upon types of weapons that do not “have some reasonable relationship to the preservation or efficiency of a well regulated militia.” Both of these cases do little to clear up the confusion about the Second Amendment. Not until the District of Columbia v. Heller (2008) and the McDonald v. Chicago (2010) cases did the Court provide some clarity on the matter. Essentially, the cases removed any militia requirement to the right to bear arms and announced that all citizens have an individual right to utilize firearms in defense of themselves and others and that unreasonable state or federal restrictions to that effect be removed.

In sum, the history of the Second Amendment is a colorful one. One undeniable conclusion that can be drawn from a focused study of the Amendment is that there has never been a nation-wide consensus on what the Amendment really means and where its limits reside.
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Sometimes we think the threads of society are unraveling, but I can tell you that our students are cut from a different bolt of cloth and during these economically trying times, I’m reminded that here a little can do a lot.

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