

## PERSONAL EXPLANATION

**HON. HERBERT H. BATEMAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 23, 1999*

Mr. BATEMAN. Mr. Speaker, along with two of my colleagues, I attended the funeral of former governor Mills Godwin of Virginia on Tuesday, February 2, 1999. As a result, I was absent for two recorded votes. Both votes were under suspension of the rules.

Had I been present, I would have voted as follows:

H.R. 68, Vote No. 7, "yea."

H.R. 432, Vote No. 8, "yea."

## A TRIBUTE TO ELI AND MARILYN HERTZ

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 23, 1999*

Mrs. LOWEY. Mr. Speaker, I rise today to express my great admiration for Eli and Marilyn Hertz, two outstanding individuals who will be honored by Camp Ramah in the Berkshires on March 13, 1999.

Eli Hertz, the founder and President of the Hertz Technology Group, is a towering figure in the personal computer industry. His computers have won numerous awards and are widely recognized among industry professionals and observers as the gold standard in quality, performance, and affordability. Marketing Computers lauded Hertz's vision, noting that he is "able to shift with industry changes \* \* \* a barometer of the future."

Eli Hertz's devotion to public service is as strong as his commitment to professional excellence. His efforts to build a strong Jewish community and a healthy relationship between the United States and Israel are especially notable.

Among the important organizations benefiting from Eli Hertz's leadership are the Joint High Level Advisory Panel to the U.S. Israel Science & Technology Commission, the Advisory Board for the New York-Israel Economic Development Partnership, the America-Israel Chamber of Commerce and Industry, and the American-Israel Public Affairs Committee. Mr. Hertz sponsored and authored portions of Partners for Change: How U.S.-Israel Cooperation Can Benefit America, a highly-respected blueprint for a new Middle-east.

Marilyn Hertz is herself an expert in computer programming, with extensive experience as a lecturer, as well as a co-founder and principal officer of the Hertz Technology Group. Now responsible for human resources and general management, Mrs. Hertz has been invaluable to the company's success and growth.

Marilyn Hertz is also active in a wide range of civic and charitable organizations, most especially the PTA and Camp Ramah, where her passion for the Jewish community and its children is given full expression every day.

Together, Eli and Marilyn Hertz represent the very best in our country—a personal devo-

## EXTENSIONS OF REMARKS

*February 23, 1999*

tion to service, a professional commitment to excellence, and a visionary grasp of the opportunities open to all Americans in the future.

I am delighted that the Hertz's many friends and admirers are joining to recognize their accomplishments, and I am proud to add my accolades to this well-deserved tribute.

## IN HONOR OF JAMES LOUIS BIVINS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 23, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of James Louis Bivins on his induction into the International Boxing Hall of Fame.

James Louis Bivins has led an admirable life. He overcame extreme hardships and disappointment, to become a role model to many. In his stellar professional boxing career from 1940 to 1955 James Louis Bivins went 85-25-1 with 31 knockouts. During his career he fought and defeated eight future world champions. From June 22, 1942 until February 25, 1946, during Boxing's Golden Age, Jimmy Bivins was undefeated going 28 bouts without a loss.

Since his retirement from professional boxing James Louis Bivins has given back to the city of Cleveland. As a world-class hall-of-fame athlete, Mr. Bivins has served as a mentor to hundreds of young boxers in his thirty years as a trainer on the west side of Cleveland.

My fellow colleagues, please join me in honoring Mr. Bivins for his induction into boxing's most hallowed club.

## KAZAKSTAN'S PRESIDENTIAL ELECTION

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 23, 1999*

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to bring to the attention of my colleagues disturbing news about the presidential elections in Kazakhstan last month, and the general prospects for democratization in that country. On January 10, 1999, Kazakhstan held presidential elections, almost two years ahead of schedule. Incumbent President Nursultan Nazarbaev ran against three contenders, in the country's first nominally contested election. According to official results, Nazarbaev retained his office, garnering 81.7 percent of the vote. Communist Party leader Serokbolsyn Abdildin won 12 percent, Gani Kasymov 4.7 percent and Engels Gabbasov 0.7 percent. The Central Election Commission reported that over 86 percent of eligible voters turned out to cast ballots.

Behind these facts—and by the way, none of the officially announced figures should be taken at face value—is a sobering story. Nazarbaev's victory was no surprise: the entire election was carefully orchestrated and the only real issue was whether his official vote

tally would be in the 90s—typical for post-Soviet Central Asian dictatorships—or the 80s, which would have signaled a bit of sensitivity to Western and OSCE sensibilities. Any suspense the election might have offered vanished when the Supreme Court upheld a lower court ruling barring the candidacy of Nazarbaev's sole plausible challenger, former Prime Minister Akezhan Kazhegeldin, on whom many opposition activists have focused their hopes. The formal reason for his exclusion was both trivial and symptomatic: in October, Kazhegeldin had spoken at a meeting of an unregistered organization called "For Free Elections." Addressing an unregistered organization is illegal in Kazakhstan, and a presidential decree of May 1998 stipulated that individuals convicted of any crime or fined for administrative transgressions could not run for office for a year.

Of course, the snap election and the presidential decree deprived any real or potential challengers of the opportunity to organize a campaign. More important, most observers saw the decision as an indication of Nazarbaev's concerns about Kazakhstan's economic decline and fears of running for reelection in 2000, when the situation will presumably be even much worse. Another reason to hold elections now was anxiety about the uncertainties in Russia, where a new president, with whom Nazarbaev does not have long-established relations, will be elected in 2000 and may adopt a more aggressive attitude towards Kazakhstan than has Boris Yeltsin.

The exclusion of would-be candidates, along with the snap nature of the election, intimidation of voters, the ongoing attack on independent media and restrictions on freedom of assembly, moved the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) to call in December for the election's postponement, as conditions for holding free and fair elections did not exist. Ultimately, ODIHR refused to send a full-fledged observer delegation, as it generally does, to monitor an election. Instead, ODIHR dispatched to Kazakhstan a small mission to follow and report on the process. The mission's assessment concluded that Kazakhstan's "election process fell far short of the standards to which the Republic of Kazakhstan has committed itself as an OSCE participating State." That is an unusually strong statement for ODIHR.

Until the mid-1990s, even though President Nazarbaev dissolved two parliaments, tailored constitutions to his liking and was single-mindedly accumulating power, Kazakhstan still seemed a relatively reformist country, where various political parties could function and the media enjoyed some freedom. Moreover, considering the even more authoritarian regimes of Uzbekistan and Turkmenistan and the war and chaos in Tajikistan, Kazakhstan benefited by comparison.

In the last few years, however, the nature of Nazarbaev's regime has become ever more apparent. He has over the last decade concentrated all power in his hands, subordinating to himself all other branches and institutions of government. His apparent determination to remain in office indefinitely, which could have been inferred by his actions, became explicit during the campaign, when he told a crowd, "I would like to remain your president for the rest

of my life." Not coincidentally, a constitutional amendment passed in early October conveniently removed the age limit of 65 years. Moreover, since 1996-97, Kazakhstan's authorities have co-opted, bought or crushed any independent media, effectively restoring censorship in the country. A crackdown on political parties and movements has accompanied the assault on the media, bringing Kazakhstan's overall level of repression closer to that of Uzbekistan and severely damaging Nazarbaev's reputation.

Despite significant U.S. strategic and economic interests in Kazakhstan, especially oil and pipeline issues, the State Department has issued a series of critical statements since the announcement last October of pre-term elections. These statements have not had any apparent effect. In fact, on November 23, Vice President Gore called President Nazarbaev to voice U.S. concerns about the election. Nazarbaev responded the next day, when the Supreme Court—which he controls completely—finally excluded Kazhegeldin. On January 12, the State Department echoed the ODIHR's harsh assessment of the election, adding that it had "cast a shadow on bilateral relations."

What's ahead? Probably more of the same. Parliamentary elections are slated for October 1999, although there are indications that they, too, may be held before schedule or put off another year. A new political party is emerging, which presumably will be President Nazarbaev's vehicle for controlling the legislature and monopolizing the political process. The Ministry of Justice on February 3 effectively turned down the request for registration by the Republican People's Party, headed by Akezhan Kazhegeldin, signaling Nazarbaev's resolve to bar his rival from legal political activity in Kazakhstan. Other opposition parties which have applied for registration have not received any response from the Ministry.

Mr. Speaker, the relative liberalism in Kazakhstan had induced Central Asia watchers to hope that Uzbek and Turkmen-style repression was not inevitable for all countries in the region. Alas, all the trends in Kazakhstan point the other way: Nursultan Nazarbaev is heading in the direction of his dictatorial counterparts in Tashkent and Ashgabat. He is clearly resolved to be president for life, to prevent any institutions or individuals from challenging his grip on power and to make sure that the trappings of democracy he has permitted remain just that. The Helsinki Commission, which I co-chair, plans to hold hearings on the situation in Kazakhstan and Central Asia to discuss what options the United States has to convey the Congress's disappointment and to encourage developments in Kazakhstan and the region towards genuine democratization.

“FOUR POINTS OF THE COMPASS”:  
BALINT VAZSONYI'S DIRECTION  
FOR AMERICA—PART TWO

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to enter into the RECORD the second

major speech by my friend Balint Vazsonyi at the Heritage Foundation. This speech follows up on themes which Balint developed two years ago in “Four Points of the Compass: Restoring America's Sense of Direction” (CONGRESSIONAL RECORD, Feb. 13, 1997) and is aptly titled “Following the Wrong Compass. The True State of the Union.”

In his first presentation, Balint discussed the four principles which form the basis of the American system of governance as adopted by the Founders—the founding principles of the rule of law, individual rights, the guarantee of property, and a common American identity for all of us. In this latest effort, Balint contrasts these founding principles with the current social agenda of the left—social justice, group rights, entitlement and multiculturalism. Balint shows how this alternative agenda is not only contrary to America's founding principles, but is in direct conflict with those principles.

Mr. Speaker, I recommend to you and my colleagues that we read and consider the important thoughts contained in Balint Vazsonyi's speech, “Following the Wrong Compass: The True State of the Union.”

[Given at the Heritage Foundation,  
Washington, DC, Jan. 20, 1999]

FOLLOWING THE WRONG COMPASS: THE TRUE  
STATE OF THE UNION

About two years ago, I gave a speech here with the title “Four Points of the Compass: Restoring America's Sense of Direction.” I would like to begin with a review of America's response to that compass. As some of you recall, the attempt was to condense the most essential, most indispensable aspects of America's founding principles into a practical tool—easy to remember, easy to apply. Much is said about the ways America was meant to be, and what the Founders had in mind. But usually it is couched in very loose terms, partly because fewer and fewer people these days take the trouble to actually reading what the Founders have written. Most disappointingly, members of Congress who actually take an oath upon the Constitution of the United States give us speeches day after day, and television interviews night after night, revealing in the process that if they ever read the Constitution, it was a long, long time ago. Of course, they might simply have a different edition.

In any event, trying to sum up the most essential principles in a manageable number, gave me the idea two years ago of choosing four—because a compass has four points and, like a compass, these principles have provided America's bearings. And so, I proposed the rule of law—always point North—individual rights, the guarantee of property, and a common American identity of all of us.

In these two years, the “Four Points” have been made part of the Congressional Record and printed in many places: as a Heritage Lecture, in *Imprimis*, in many newspapers and periodicals, as well as in Representative American Speeches. The Republican National Committee decided to publish a version of it as the cover story in *Rising Tide* and it became the foundation of the book “America's 30 Years War: Who is Winning?” We have held panel discussions on Capitol Hill, and town meetings around the country. There seems to be general agreement about their validity, and opposition comes only from those who have a bone to pick both with America's Founders and with the U.S. Constitution itself.

Town meetings, and the ongoing conversation with the American people via radio and television talk shows in the last two years, have persuaded us that is a good path to follow. People find it helpful as a tool, not only in debates, but also for evaluating public policy.

Here is how it works. Every time somebody proposes a new law, a new statute, or an executive order, you ask whether it passes muster when held against the standard of the “Four Points.” The answers are easy because they either do or they don't. If they don't, then they have no place in the United States of America. Without that compass, what would make us American?

Taking the points one by one; Everybody seems to agree that the rule of law is a good thing. Alas, most people don't quite know what that means. One must read Article VI of the Constitution which says “This Constitution . . . shall be the supreme law of the land.” Then, the proposition becomes clear. Individual rights are more problematic because one of the developments during the last 30 years was the proliferation of all sorts of “rights” which masquerade as individuals rights even though they are, in truth, group rights. In other words, these rights are claimed by certain people because of their membership in a particular group. Of course, the Constitution does not permit any such thing. Advocates of group rights learned how to dress up their demands as individual rights, and it is alarming how often they get away with it.

Yet the most troubling for all critics of the Founding is the third one, the guarantee of property. It is amazing how strong an emotional reaction it draws, which really proves what the English already knew when they wrote the Magna Carta in the year 1215: That the guarantee of property and the guarantee of liberty are joined at the hip. You either have both or neither. The absolute ownership of property is such a troubling idea for the other side that even the most benevolent among them is unable to stomach it.

The common American identity is something to which, again, many pay lip service, while making the greatest effort to do away with it. One person who, to my surprise, recently paid lip service to it, was the President last night, toward the end of his State of the Union speech. And, of course, one wished for an opportunity to ask him when he was going to issue the next executive order to set women against men, black against white, children against their parents, and South Americans against Europeans. Because that is certainly what his administration has been doing in spades ever since 1993.

By now, it must be clear that there is another compass in our midst, and perhaps the time has come to look at what that other compass is. It, too, has four points. Its North Star is the pursuit of social justice; instead of individual rights, it promotes group rights; instead of the guarantee of property, it advocates redistribution through entitlements; and in place of our common American identity, it favors what it calls multiculturalism. I think we need to examine these four points and try to understand what they mean. We need to, because of something the president said in his second Inaugural Address.

On January 20, 1997, Mr. Clinton called for a new government for the new century. Given that in the entire history of our nation the only previous call for a new government was issued in the Declaration of Independence and not since, I thought then and I