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PRINCIPLES MATTER: POLICY MAKING BASED ON FIRST PRINCIPLES

TOM FEENEY*

INTRODUCTION: GOVERNING WITH PRINCIPLES

Otto von Bismarck is attributed with observing: “Laws are like sausages, it is better not to see them being made.”¹ As a former Florida legislator, former Speaker of the Florida House of Representatives, and a current U.S. Congressman, I have seen a fair share of sausage making. Can a principled person effectively participate in this process?

Surprisingly, the answer is “yes.” Clearly articulated principles provide order and focus in the often chaotic political world of conflicting demands. Furthermore, they foster mutual respect among colleagues and opponents that allows people to disagree without being disagreeable—an invaluable asset in our pluralistic system of self-governance.

Clearly a dogmatic or inflexible approach will normally leave most legislators marginalized and outside of the key decision-making processes in any legislative body. Moreover, I have known plenty of “principled” legislators whose principles are not only different from but also often antithetical to mine. Nonetheless, governing from clear and articulated principles allows a policymaker to move the ball forward towards your ultimate goals in giant steps if possible, and in baby steps if necessary.

My career is highlighted by this governing style. In the Florida House of Representatives, a set of five principles provided me both focus and discipline when my party gained majority status in the Florida Legislature after a 120-year hiatus. After gaining election to the U.S. House of Representatives, I brought these principles to the Republican Study Committee—a caucus of conservative Republicans—who added to and adopted them. Furthermore, as a freshman, I respectfully opposed my President and party leadership by voting against adding prescription drug

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1. ROBERT BYRNE, *1,911 BEST THINGS ANYBODY EVER SAID* 232 (1988).

coverage to Medicare² because the proposal imposed an enormous unfunded liability to that system without sufficient cost and choice reform.

I. THE ART OF GOVERNING

Participants in any political system, whether totalitarian, oligarchic, monarchist or democratic, need to develop fundamental approaches for dealing with policy issues. For Machiavelli, the primary purpose of any leader was self-preservation.³ What was good for the Prince was good for the citizens and country. In this sense, the end almost always justifies the means. A Machiavellian leader approaches every substantive policy decision with the fundamental question: "What policy will most likely continue to secure my power and leadership?"

At the opposite extreme are policymakers totally dedicated to achieving certain substantive policy goals, at the expense of their power and perhaps even their lives. Jefferson and his friends, knowing full well the personal consequences of a British victory, pledged to "each other, our lives, our fortunes, and our sacred honor."⁴ As Franklin observed, "If we do not hang together we will surely hang separately."⁵

Lincoln's overriding goal was to preserve the Union, notwithstanding the enormous cost to his personal popularity and the massive loss of lives on both sides of the Mason-Dixon Line.

Churchill was widely ostracized⁶ and even banned from giving speeches on the British Broadcasting Corporation in the run-up to World War II⁷ because he constantly challenged the leadership of his party and his country and expressed shock and alarm at the growing Nazi threat.

Ronald Reagan was ridiculed worldwide as a reckless "cowboy," described the Soviet Union as an "evil empire," and dared the Soviet regime to participate in a global economic and military power contest. Typical of the American media's response to Reagan's Soviet policy was an editorial written by Anthony Lewis

2. *For the Record: House Votes*, 61 CONG. Q. WKLY. 2978, 2980 (2003); see also Amy Fagan, *Woes Persist For Medicare Reform: Implementing New Prescription-Drug Benefit Still Poses A Challenge*, WASH. TIMES, Dec. 9, 2004, at A4.

3. See generally NICCOLÒ MACHIAVELLI, *THE PRINCE* (Harvey C. Mansfield trans., Univ. of Chi. Press 1985) (1532).

4. THE DECLARATION OF INDEPENDENCE para. 32 (U.S. 1776).

5. JOHN BARTLETT, *FAMILIAR QUOTATIONS* 423 (14th ed. 1968).

6. See generally GEOFFREY BEST, *CHURCHILL: A STUDY IN GREATNESS* 150-57 (2001).

7. Eli M. Noam & Lisa M. Domonkos, *Introduction*, 13 *CARDOZO ARTS & ENT. L.J.* 645, 649 (1995).

of the *New York Times*. He labeled Reagan's approach "simplistic," "outrageous," and "primitive."⁸ The American Left may have ridiculed Reagan, as did much of Europe, but the Soviets understood he was deadly serious. Without Churchill's principled statesmanship, the first half of the last century would likely have been lost to the Nazis. Without Reagan's principled leadership, the second half may well have been lost to the Communists.

Real statesmanship means defying short-term political exigencies in favor of long-term pursuit of goals and adherence to principles. But no elected official who has served for more than a brief period could possibly be a pure, uncompromised statesman. Indeed, politics is the art of the possible dealing with the realities of representative democracy.

In the modern era, political tracking polls are taken on a nightly basis. Internet bloggers, talking heads, editorial writers and other real-time global communications techniques make it almost impossible for policymakers to be unaffected by political pressure. The President, governors, senators, congressmen, state legislators, town councils, and school board members are constantly reminded by demanding citizens that in America they are "servants" and not "masters." Most Americans believe their elected representatives are primarily, if not exclusively, concerned with reelection and maintaining the trappings of power.⁹ The reality of full-time fundraising, round-the-clock television and radio talk shows, political bloggers, and instant communications between elected representatives and the citizens all add to this pressure to do what is politically expedient, even at the expense of what may be right.

Seldom do those of us in elected positions face world-threatening decisions. Rarely are the choices totally black and white. Many familiar axioms in the policymaking arena are very much appropriate. For example, it is true that "politics really is the art of the possible," "policymakers should not let perfection be the enemy of the good," "half a loaf is better than none," and "somebody who agrees with me eighty percent of the time is not my enemy." Compromise on the details is inherent in all majoritarian institutions.

In any legislative body, every major or "must pass" bill becomes potentially subject to logrolling. All parties in negotia-

8. Anthony Lewis, *Onward Christian Soldiers*, N.Y. TIMES, Mar. 10, 1983, at A27.

9. See Op-Ed., *For the Record*, WASH. POST, Dec. 4, 1996, at A24; see also Stephen K. Medvic & David A. Dulio, *The Permanent Campaign in the White House: Evidence From the Clinton Administration*, 4 WHITE HOUSE STUD. 301, 301-02 (2004).

tions realize that a bill must get fifty percent plus one in both the House and Senate in order to pass, and members of both parties have the opportunity, so long as they promise to provide the margin for victory, to extract promises, pledges, pork-barrel projects and other "goodies" that the majority of both houses would never support standing alone.

As leadership tries to secure enough votes to get a bill out of committee, through the floor with a majority vote, and with enough support in the House and Senate after revisions in a conference committee, they may have to "purchase" the necessary votes at every step of the way. Often leadership is forced to "purchase" votes not based on whether the quid pro quo trades are in the general public interest, but whether one group of legislators is willing to "sell" its votes cheaper than another group. Often a worthwhile underlying bill becomes a "Christmas tree" laden with gifts to special interests.

Appropriations are an example of "must pass" legislation. Every city council, county commission, school board, state legislature and Congress must pass a budget to fund the basic needs of government. Every appropriations bill I have encountered reminds me of the Clint Eastwood movie, *The Good, The Bad and The Ugly*.¹⁰ Since every responsible state legislator will be determined to keep core government functions running, appropriations bills at the state level often become filled with pork-barrel proposals designed to buy votes. The majority of any legislator's constituents want prison cell doors to remain locked and public school doors to remain open. Likewise, at the federal level, no responsible congressman would halt defense funding for a significant time. Thus, "must pass" appropriations bills are perfect targets for priorities of individual legislators or groups that can hold the process hostage until their narrowly focused demands are met.

So how can one effectively engage in the art of the possible but still practice principled leadership? My experience provides some insight.

II. PRINCIPLED GOVERNING IN FLORIDA

I was first elected to the Florida House of Representatives in 1990. Both chambers of Florida's legislature had been totally

10. *THE GOOD, THE BAD AND THE UGLY* (Produzioni Europee Associati 1966).

controlled by the Democratic Party since Reconstruction ended in 1877.¹¹ This was true of most southern states.¹²

But with enormous migration to Florida in the 1970s, 1980s and 1990s, Florida's politics were rapidly changing. Republicans from the Midwest and Northeast and conservative military veterans increasingly moved to the state and generated real two-party competition. Traditional southern Democrats unhappy with an increasingly liberal national Democratic Party had voted for Republican Presidential candidates starting in the 1950s and 1960s, but increasingly considered voting Republican in congressional and legislative seats as well.¹³

As the Republican Party was expanding, Florida's Democratic Party was also changing. Traditional Northeast liberal Democrats increasingly moved to South Florida and other areas of the state. Historic fissures in the Florida Democratic Party grew at rapid and accelerating rates. By 1986, once solidly Democratic Florida had elected a Hispanic Republican as Governor (Bob Martinez) and had elected and then overwhelmingly reelected conservative Republican Connie Mack to the United States Senate.¹⁴ Florida was genuinely a "swing" state.

I entered a Florida House of Representatives that was roughly one-third liberal Democratic, one-third conservative and rural Democratic, and one-third Republican. Any serious policy disputes in the Republican caucus were overwhelmed by our minority status; Republican representatives realized that they had to stick together to have any clout at all in a two-thirds Democratic legislature.

One of my great friends and mentors in politics, Daniel Webster, was then State Representative (and is now State Senator). He possesses great religious faith along with a gentlemanly demeanor and enormous patience. Webster was one of the most solid conservatives in the Florida House, but had enormous respect across the entire political spectrum.

On Wednesday evenings over dinner, a group of legislators would meet, with Webster as our head, for what the press deri-

11. See Charles S. Bullock III & Mark J. Rozell, *Introduction: Southern Politics in the Twenty-first Century*, in *THE NEW POLITICS OF THE OLD SOUTH* 1, 8 (Charles S. Bullock III & Mark J. Rozell eds., 2d ed. 2003).

12. See DAVID LUBLIN, *THE REPUBLICAN SOUTH* 64–65 (2004).

13. See generally Michael J. Scicchitano & Richard K. Scher, *Florida: Political Change, 1950–2000*, in *THE NEW POLITICS OF THE OLD SOUTH*, *supra* note 11, at 247, 248–51.

14. *Id.* at 253–57.

sively referred to as the “God Squad” meeting.¹⁵ We laughed off the derision and wondered tongue-in-cheek why the press did not identify the “anti-God Squad” caucus. The primary purpose of these dinners was fellowship, but it seemed that from 1990 until 1996, no Wednesday evening closed without tactical and strategic discussions about when Republicans would finally become a majority. Even though I had only been in the House a few years, our party had been in the Florida wilderness more than three times as long as Moses’ troops were in the wilderness. On some long legislative days, it seemed like I had been there for the whole 120 year minority status.

Webster was a master at observing the tactical movements and psychology of individual House members and the leadership of the Democratic Party. Most of these members we genuinely liked, and quite a few we genuinely admired, but we became convinced that the Democratic majority had become a “power-based” party rather than adhering to any coherent set of ideals. Leadership races for Speaker, Appropriations Chairman, Rules Chairmen, or other positions were typically a function of one group; for example, the black caucus, would trade votes with the liberal Democratic caucus, who would in turn trade with the “rural and blue dog” caucus to try to satiate each “group.”

Watching the results of this power-based system led us to conclude that the system was very hierarchical. One leader or a few leaders would primarily dominate the agenda, and Democratic caucus disputes tended to be quite raucous. On many occasions, one group would walk off the floor and proceedings would grind to a halt until their demands were met, or another group would insist on stopping the process until the Speaker and his leadership team met with them and resolved issues behind closed doors. (By the way, to some degree this happened after Republicans took over the majority in the Florida House, and certainly happens in the Republican-led U.S. House of Representatives today as well).

By 1996, due to a number of factors, for the first time in over 120 years a Republican, Dan Webster, was elected Speaker of the Florida House of Representatives.¹⁶ Webster set about developing an entirely new set of House rules that he argued would “flatten the pyramid” and give every member of the House, regardless of seniority, philosophy, political party, religion or

15. See, e.g., Tony Carnes, *The Bush Agenda: Will the White House be User-Friendly for Religious Organizations?*, CHRISTIANITY TODAY, Jan. 8, 2001, at 19; Ralph Reed, Op-Ed., *For the Record*, WASH. POST, Oct. 24, 1996, at A20.

16. *Florida Fight*, USA TODAY, Nov. 20, 1996, at 10A.

background, a chance to play a role if he or she desired. More important to me, as part of Webster's leadership team, was that Webster pronounced that we were no longer going to be a "power-based" legislature, but we were going to be "principle-based."

Under Webster's leadership, we developed five general principles. Though primarily drafted by conservative Republicans, we did not intend these to be just for Republicans or conservatives. We intended these to be Florida House principles. More importantly, we thought these principles represented what was best about American self-governance. They were:

1. **Less Government.** Does the bill tend to reduce government regulations, size of government, or eliminate entitlements or unnecessary programs?
2. **Lower Taxes.** Does the bill promote individual responsibility in spending or reduce taxes or fees?
3. **Personal Responsibility.** Does the bill encourage responsible behavior by individuals and families and encourage them to provide for their own health, safety, education, moral fortitude, or general welfare?
4. **Individual Freedom.** Does the bill increase opportunities for individuals or families to decide, without hindrance or coercion from government, how to conduct their own lives and make personal choices?
5. **Stronger Families.** Does the bill enhance the traditional American family and its power to rear children without excessive interference from the government?

Essentially, Webster said that any member of the House could play a role in developing the legislative agenda and passing legislation, provided that his or her proposals promoted some or all of these principles. If a member's proposals obviously violated these principles, then he or she could understand why the Speaker, his leadership team, and the Committee Chairmen were not going to help move the proposal along. On the other hand, if the proposal tended to promote these principles, we pledged as a leadership team to find a way to help make it a success.

Speaker Webster referred to these principles in every speech before opening session. Before any bill gets a hearing in the Florida House, a comprehensive analysis is done by experts including lawyers and committee staff. In addition to the traditional analysis, each bill went through (e.g., cost and legislative history), staff was required to analyze whether and how the proposal promoted or violated the five principles.

Not every member easily adapted to this fundamental reform. Some sophisticated Democrats understandably dismissed the approach. A few resented and ridiculed it. A lot of Republicans, especially veteran Republicans, considered the principles a public relations ploy or window dressing. By and large, the membership—especially the leadership and newer members of the House—adjusted and attempted to fashion proposals that advance these principles or, at a minimum, couched their arguments in light of these principles.

As members and committee chairmen increasingly referred to the principles, outside influences, including interest groups and lobbyists, tended to mention them. Business groups would come in and talk about how their proposals to reduce regulatory burdens provided for “less government.” Some family organizations argued that their proposals tended to “strengthen Florida’s families.” Slowly and steadily, the vernacular of the Florida House changed.

While Speaker Webster and the 1996–1998 House made inroads in changing the culture to one based on principles, the Florida Senate was still dominated by experienced “old bulls” who would not change quite so easily. And the legendary Lawton Chiles was Governor. He was a Democrat, had been in Florida politics since 1958, famously referred to himself in a debate with Jeb Bush as the old “he-coon,”¹⁷ and would not learn new lessons from revolutionary young Republicans.

But in 1998, Jeb Bush won Florida’s governorship, and Republicans gained control of the Senate. For the first time since Reconstruction, Republicans controlled the executive and legislative branches. Speaker John Thrasher, a principled conservative who succeeded Speaker Webster, noted a smorgasbord of opportunities to pass long-awaited Republican proposals. As one of Speaker Thrasher’s key lieutenants, I described the Republican dilemma by asking our Democratic friends to excuse us if we felt a little like “mosquitoes in a nudist colony; we didn’t know where to strike first!”¹⁸ There were so many big ideas—completion of welfare reform, school choice, tax cuts, legal reforms, civil service reform—that it was merely a matter of prioritizing which to do first.

17. *Florida Court Evidence of Chiles’ Reach*, ATLANTA J. CONST., Dec. 12, 2000, at C6.

18. David Nitkin & Linda Kleindienst, *Swearing-In: GOP In Control; Jennings To Continue as Senate President*, SUN-SENTINAL (Fort Lauderdale, Fla.), Nov. 18, 1998, at 6B.

In November 2000, I was elected Speaker of the House by my colleagues. I decided to reassert the preeminence of judging individual pieces of legislation and amendments through the focused lens of “first principles.” Remembering that the veteran legislators of both the House and Senate resisted change under Speaker Webster while most new legislators adapted quite quickly, I recognized that the dynamics of the Florida House had dramatically changed. In 1992, the people of Florida had enacted constitutionally-imposed term limits on the Florida Legislature.¹⁹ No member of the House could serve more than eight years.

When I became Speaker in 2000, 63 of 120 House colleagues were freshmen!²⁰ They had not been in the “power-based” system and came from different backgrounds, religions, races, ethnicities, and ideologies. But all came to make a difference and were not shackled by old traditions. Most had never engaged in “log-rolling.” Many of the liberal Democrats had been warned that I was a staunch conservative (we had just been through the divisive and bloody 2000 Presidential election in which the Florida House of Representatives, under my urging and leadership, played a key constitutional role). But Democrat freshmen, like Republican freshmen, wanted to make a difference and were anxious to participate and learn.

For weeks prior to opening day of session, I urged members of both parties, senior and freshmen alike, to appreciate that the leadership of the Florida House was going to emphasize a principle-based approach to governing. Any willing participant could play a role. And so that is how the Florida House was operated.

Here is my favorite example of governing by principle. After a successful 2001 Regular Session and before the 2002 Regular Session, I wanted to reemphasize governing by principle and not by power. So I had laminated, wallet-size cards printed and distributed that listed the five principles. Not only was every member of the House able to keep his or her “principles” close to their person, but they also handed out cards to lobbyists, constituents, and press. In addition, each of the 120 members of the Florida House, Republican and Democrat alike, were given framed copies of these principles.

One of my favorite bills of the 2002 Regular Session was not sponsored by a powerful Republican Committee Chairman or any of my other top lieutenants. Rather, I was enamored with

19. FLA. CONST. art. VI, § 4(b).

20. Jo Becker & Thomas B. Edsall, *Fla. House Names Bush Elector Slate*, PITTSBURGH POST-GAZETTE, Dec. 13, 2000, at A14.

one proposed by Joyce Cusack, an African-American Democratic freshman with a liberal leaning philosophical view.

Previously, Representative Cusack came to my office advocating her main legislative proposal. She was a nurse and believed strongly that nurses could play a greater role in the public school system. She proposed that in lieu of a mandatory continuing education course, nurses could spend forty hours a year volunteering in a local public school and attending to the health needs of students. Representative Cusack had prepared a five or six page memorandum addressing how each of the five principles was advanced by her proposal.

Now, candidly, I hardly had a dog in this fight. I did not know whether this was ultimately going to be a great benefit to the people of Florida, but I was struck by the enormous time and energy Representative Cusack, as a freshman Democrat, took to “package” her main legislative initiative in terms of the House principles. I told her we would get back to her.

Very quickly, by contacting various experts in the field including nursing professors and leaders in the Florida Nursing Association, we made sure that Ms. Cusack’s proposal could not be used for activities that we considered to be hostile to our principles (such as handing out condoms to twelve year olds), and ultimately, we decided that her proposal was pretty reasonable. While her proposal was not exactly at the top of my priority list (tax cuts, school choice for parents, civil service reform, etc.), she made a rational argument consistent with all five principles to promote her proposal.

So on opening day of the 2002 Regular Session, I specifically mentioned Representative Cusack’s bill in my opening remarks to the Florida House of Representatives:

Representative Cusack came to speak to me about two months ago, and she sat down with a bill that she had proposed, that allowed volunteer time for nurses and others in our school system. As she went principle by principle, she said, Speaker, here’s how this bill meets this principle, and she went line by line by line. Now she’s made a believer—[applause] go ahead, applaud Representative Cusack, [applause]—she’s made a believer of me, Representative Cusack, that you know how to work within these principles to advance and advocate the things that you believe in. And I congratulate you and the many other Members of the Florida House that are working on these issues.²¹

21. H.R. 104-1, Reg. Sess., at 6 (Fla. 2002).

When her bill²² was taken up on the House Floor (having made it through the necessary committees with my help), Ms. Cusack articulated why her bill had merit. Every one of her arguments was based on the five principles. Her bill passed on a 116-0 vote.²³ Eventually her legislation was folded into another bill dealing with nursing issues and became law.²⁴

Ms. Cusack served as an example to a group of sixty-three freshmen and every other member of the House, as well as observers from the outside, that it did not matter how powerful you were, what your philosophy was, or what party you belonged to. If your proposals promoted the principles of the Florida House, you were going to have the help of the Speaker. After that, it was a downhill ride in convincing participants and observers of the Florida Legislature that we deeply cared about a principled approach to governing.

III. LESSONS LEARNED FROM PRINCIPLED GOVERNING

Here is an important word of caution. I repeatedly talk about the principle-based approach, or a review of proposals based upon principles, rather than insist that those principles dictate a particular outcome. While the principle of lower taxes is important to me (and I would argue empirically that nations, states, and communities with lower taxes ultimately have higher rates of economic growth, job opportunities, quality of life, and prosperity; see Hong Kong as an example) and may be fairly self-explanatory, the remaining four principles may be fairly nuanced in application.

For example, does the principle of promoting “personal responsibility” argue for or against seat belt laws for adults? How about helmet laws for motorcycle riders? I am a long time advocate of tort reform to reduce what I refer to as the “lottery mentality” in many civil litigation cases. But both proponents and opponents of tort reform can argue that personal responsibility is advanced by their position.

And I am firmly pro-life as a matter of “first principles.” I believe that personal responsibility, stronger families, and individual freedom for the unborn child are all promoted through this point of view. However, a pro-abortion activist (or, in their vernacular, a pro-choice advocate) could argue that the individual freedom of the mother and the principle of less government interference are promoted by their point of view.

22. H.R. 355, 104th Reg. Sess. (Fla. 2002).

23. H.R. 104-23, Reg. Sess., at 2109-10 (Fla. 2002).

24. 2002 Fla. Laws 1673-74.

Reasonable and principled people can differ about how to vote on specific initiatives, even as they try to apply the principles. There is plenty of room for debate, within the framework of these principles as to how to best apply them, and it is never suggested by me or anyone else that they automatically result in one and only one conclusion.

That admonition does not diminish the importance of these principles in my leadership responsibility in the Florida House or in my two terms in Congress. In fact, the principles, along with the U.S. Constitution and the Declaration of Independence, are by far the best, strongest, and most cohesive and intelligible guide to understanding my approach. After all, I have been an advocate of "Reagan Republicanism" from when I was fifteen. On June 11, 2004, six days after the death of President Reagan, the Washington Post honored me with a headline story entitled "The Reaganest Republican."²⁵

Many personal and pragmatic advantages accrue from using these principles. When I became a member of the Florida House, I noticed an awful lot of my colleagues literally tortured themselves and lost sleep because they had to vote on a tough issue. If they voted one way, a certain group of constituents, or their newspaper editorial board, financial supporters, or maybe even their spouses would be furious. On the other hand, if they voted the other way, they would anger and infuriate a whole other set of important organizations.

Regularly in state legislature and in Congress, we regulate disputes between different interest groups. Local telephone companies fight against long distance telephone companies. Ophthalmologists fight for scope of practice against optometrists. Doctors and nurses fight over who ought to be able to prescribe certain types of medications or provide certain types of medical care. Wealthy and politically active trial lawyers fight against an influential business community. These challenges are endless in the legislative arena, and most of the time, policy makers like myself find good friends and constituents on both sides—often many different sides—of the same fight.

Ultimately, like the umpire at home plate in the seventh game of the World Series with the winning run barreling in from third base and the ball and player seemingly arriving simultaneously, the legislator has to make a decision. You have to vote yes or no. Most of the time, applying these principles can help one arrive at this decision, regardless of which set of friends you

25. Mark Leibovich, *The Reaganest Republican*, WASH. POST, June 11, 2004, at C1.

might anger. To the extent that friends get angry about your vote, it is almost always easier for genuine friends to understand that you voted against them on a matter of “principle” rather than because you had better “friends” and contributors on the other side or “sold out” as part of an election promise to gain votes or donations.

Just as importantly, the respect of legislative colleagues is critical for any legislator to gain a leadership position. When I was a young legislator, I routinely voted against most pieces of legislation that came to the floor with the blessing of a Democratic leadership. After all, I was a Reagan Republican, and most of the major proposals violated my general principles. This was generally true even of the few pieces of Republican legislation that actually reached the floor.

I remember one good friend and colleague advising me that I had a bright future, but was rapidly gaining the reputation as “Representative No.” He suggested that if I continued to vote against an overwhelming majority of proposals, I would be marginalized and considered ineffective and unimportant.

Another experienced leader in my party, genuinely concerned about my welfare, suggested that I could be a significant leader in the Florida Legislature. He said I had enormous talent. But he urged me to quit speaking on the most controversial of topics. I should vote the way I felt appropriate, but I was often annoying or even offending serious members of leadership of both parties when I talked about “fundamental principles” or right versus wrong in the process.

Eventually, most of my colleagues, both Republican and Democrat alike, put aside their frustrations with me and recognized that I would vote against a friend’s proposal just as easily as I would vote against an adversary’s if it was not consistent with the principles I believed in. They also recognized that I happily worked with members of the opposite party and people of widely divergent philosophical views in order to advance the principles that I believed in.

The same applied to other participants in the policy making process. There are over 2100 registered legislative lobbyists in Florida,²⁶ as opposed to only 120 members of the Florida House. An enormous advantage that I discovered when I was Speaker of the Florida House was that each of these interest groups, friend and adversary alike, tended to stop asking me for special “favors”

26. See FLORIDA LEGISLATURE, 2005 REGISTRATIONS BY LOBBYIST NAME (2006), available at http://www.leg.state.fl.us/data/lobbyist/Reports/Lobbyist_LEG_2005.pdf.

if those favors were inconsistent with the principles. They recognized that I did not want to be a hypocrite.

Lobbyists, constituents, interest groups, and even government agency leaders were happy to ask my assistance on proposals that strengthened families or reduced government regulations, but were reluctant to even bother wasting their time and mine asking for help with initiatives that went in the other direction. The corollary was that traditional adversaries on occasion were willing to ask for help when they had a proposal, unlike most of their agenda, that they thought *advanced* my principles.

In the long run, I am genuinely convinced that members of both parties and all philosophies gain respect for somebody who stands by his principles. Real leaders debate the merits or demerits of an issue not on ad hominem attacks but rather on a fundamental set of beliefs. And the original master of rhetoric, Aristotle, emphasized in his classic *Rhetoric* that Logos (logic), pathos (sympathy or emotions), and Ethos (the credibility of the speaker) were the keys to any successful argument.²⁷

Over time, that tactical reliance on Aristotle's advice on rhetoric and adherence to principles turned from a disadvantage to an advantage. Even people who disagreed with me gained respect for the notion that I was consistent, fair, and put principle above friendship or power politics.

IV. TAKING PRINCIPLES TO WASHINGTON

When my term as Speaker ended in 2002, I ran for and was elected to the U.S. House of Representatives. Upon arriving in Washington, I joined a group of approximately one hundred social and economic conservatives known as the Republican Study Committee (RSC). Started in 1974, the RSC reviews and supports legislation that promotes conservative views and provides mutual reinforcement of these beliefs (much needed in the hectic swirl of legislative business).

While RSC members had always shared a limited government approach to governing, formally noting our principles would not only focus our efforts but also more effectively describe our governing philosophy to colleagues and outsiders. Thus, in 2004, the RSC unanimously voted to adopt the five principles previously used in the Florida House and added a sixth based on a fundamental duty of the federal government to protect its citizens:

27. See generally ARISTOTLE, *RHETORIC* (W. Rhys Roberts & Ingram Bywater trans., 1984) (n.d.).

6. Domestic Tranquility, National Defense: Does the bill enhance American security without unduly burdening civil liberty?

Again, these principles were placed on wallet-sized cards and given to RSC members. In turn, these members have given out thousands of these cards to constituents, press, and interest groups. With diligence, RSC's principled approach will continue to influence the federal legislative agenda.

V. APPLYING PRINCIPLES TO A DIFFICULT VOTE

In the first year of my freshman term, my principles came to clash with an important item on the agendas of President George W. Bush and the House Republican leadership: expanding Medicare coverage to encompass prescription drugs. From my viewpoint, Medicare—an enormously complex, politically sensitive, and costly program—faced (and continues to face) four significant issues:

1. Demographic changes, especially the aging of the “Baby Boomer” generation and increased life expectancy, would eventually strain Medicare’s financial resources.
2. Medicare awkwardly responded to health care innovations such as new treatment regimes, improved management of chronic conditions, alternate delivery systems, and new medical devices.
3. The program suffered from substantial coverage gaps, such as prescription drugs, care for catastrophic events, and preventive benefits.
4. Extraordinary regulatory and paperwork burdens combined with inadequate provider payments, increasingly drove providers away from the Medicare system.

So I wanted to include prescription drugs in Medicare coverage. However, at the same time, market-based reforms were needed to resolve these other issues. Congress had to do more than just expand a federal program to include more benefits while passing the buck of facing difficult but real problems.

I supported President Bush—the leader of my party—and my House leadership as the Medicare Prescription Drug, Improvement, and Modernization Act of 2003²⁸ wound its way through Congress. However, I explicitly conditioned my support of the final bill upon its addressing these needed reforms.

28. Medicare Prescription Drug, Improvement, and Modernization Act of 2003, Pub. L. No. 108-173, 117 Stat. 2066.

In November 2003, the bill emerged from conference committee. I now faced a straight up or down vote on the House floor. President Bush designated Medicare prescription drug coverage as his top legislative priority. House leadership—in the face of a slim Republican majority and unified Democrat opposition—tirelessly worked to cobble together the needed majority.

I did not want to appear disloyal to my leadership whom I respect and admire. On the other hand, as I read the conference bill (yes, I actually read virtually all of the bill), I could not help but notice that it fell short of the permanent reforms needed to improve Medicare for today's seniors and preserve it for future generations. The prescription drug coverage added another \$8.7 trillion to Medicare's existing \$27 trillion in unfunded liabilities for a staggering total of \$35.7 trillion or 5.7% of gross domestic product.²⁹ But the bill passed on a unique opportunity to obtain quid-pro-quo market-based enhancements. As a Reagan Republican, how could I support this bill?

As the hours dwindled to the vote on the House floor, Republicans from the President flying on Air Force One and on down lobbied for my vote. I was always respectful (and remain so) and was never disagreeable. But I could not help but disagree. In order to support the conference bill, I would have to abandon my principles and turn my back on promises made to my constituents. Ultimately, I voted my conscience by casting a "no" vote and holding firm as the floor vote was kept open for over three hours as House leadership eventually secured the votes needed to obtain passage.³⁰ If members had a chance to recast their votes today on this bill, there would be an additional fifty to one-hundred "no" votes, based upon many conversations I have subsequently had with other members. If the vote were held again today, the bill would be defeated.

As a freshman, I could have simply followed legendary House Speaker Sam Rayburn's advice to new members of Con-

29. Figures represent the present value of additional resources needed to fund projected Medicare expenditures for a seventy-five-year period through 2079. Data comes from THE BOARDS OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE AND FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUNDS, 2005 ANNUAL REPORT (2005). Prescription Drug coverage is now classified as Medicare Part D. *Id.* at 102. The present value of Part D unfunded obligations are \$8.7 trillion through 2079 and \$18.2 trillion through the infinite horizon. *Id.* at 112. Future obligations of the Medicare program total \$35.6 trillion through 2079. *Id.* at 174–76.

30. Helen Dewar & Amy Goldstein, *Medicare Bill Squeezes Through House at Dawn*, WASH. POST, Nov. 23, 2003, at A1.

gress: "If you want to get along, go along."³¹ But my principles got in the way. While other colleagues struggled with their ultimate decision on this critical vote, I never faced that difficulty. I relied on the guidance that served me well in the Florida legislature. And I do not have regrets.

CONCLUSION: PRINCIPLED SELF-GOVERNANCE

Aristotle taught that politics involves free people deliberating the question of how to order our lives together. America represents the best traditions of democratic self-governance by "We the People." Our political experiment depends on citizen participation at all levels from the local to the federal. But too often, citizens of faith and principle decline to play a role due to a perceived price of checking one's principles at the door.

My experience demonstrates otherwise. Indeed, defining and holding onto one's principles provides sanctuary in the political swirl of a legislative body. Just like a defined moral compass allows one to navigate through personal and professional challenges, defined principles help guide one through the political process. History teaches that America's greatest leaders held onto their principles through both good and difficult times. If America continues to cultivate principled political leaders, we will remain young, dynamic, and a beacon for the rest of the world.

31. NEIL MACNEIL, *FORGE OF DEMOCRACY: THE HOUSE OF REPRESENTATIVES* 129 (1963).

