

When the President, whose constitutional duty it is to "take Care that the Laws be faithfully executed," not only fails in that duty but actively subverts it, an especially heavy responsibility falls upon the second in the legal chain of

command. This attorney general has shirked that duty. Miss Reno has had several years to ponder her humiliation and her dilemma; she should have seen a long time ago that the only honorable course is resignation. □

all employed Germans must pay. Furthermore, German consumers pay a 16 per cent value-added tax. Public expenditures in Germany eat up more than half of GDP.

Kohl and his supporters had aimed to lower the highest marginal rate to 39 per cent. But Germany has a federal system, with an Upper House, the Bundesrat, representing the states. In the Bundesrat, the majority is held by Schröder's Social Democrats.

Kohl's tax-reform proposal was thus a godsend for his enemies. (Never mind Germany's overtaxed and overregulated economy which, in 1997, had produced an unemployment rate of 12 per cent.) The SPD could block Kohl in an area where he had invested much political capital, while painting the Conservatives as callous minions of the rich. "Look here," was the SPD's message to the voter, "Mr. Big is washed up. He can't deliver, but we will."

And so, the top marginal tax rate is still stuck at 60 per cent. Kohl spells boredom and paralysis while his rival Schröder, he of the toothy smile, currently on his fourth wife, trumpets freshness and dynamism. If you add the last and most critical blow to Kohl's fortunes, namely Germany's 3 to 0 knockout by Croatia (Croatia!) in the quarterfinals of the World Cup, it just has to be curtains for the chancellor.

But wait! This is not America, with direct election of the President, nor even Britain, with winner-take-all voting for each parliamentary seat. Germans do not vote for a chancellor, but for a party. The party percentage translates into seats in the Bundesrat which then chooses the chief executive. So Schröder's double-digit lead in popularity polls has to be put through the critical filter of party preferences. And when the pollsters ask for those,

Kohl Power

Time is running out for the West's longest serving leader.

JOSEF JOFFE

HELMUT Kohl today is where FDR would have been had he lived until 1948: in the last year of his fourth term. No other democratic leader has ever served continuously for 16 years. And if the 68-year-old Kohl wins on September 27, he might even wind up besting Otto von Bismarck, who ran the Second Reich for 19 years.

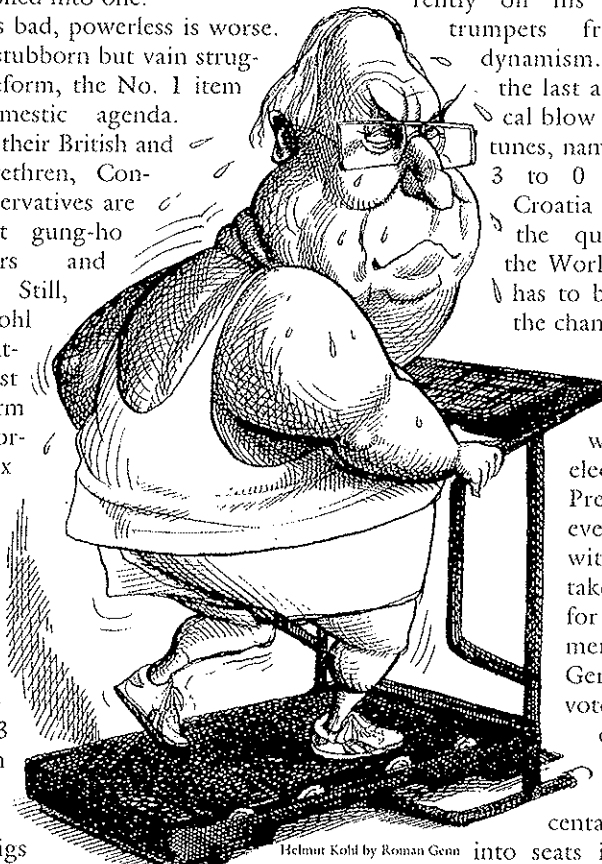
However, Kohl does not have a Kaiser behind him, and right now he looks as likely to win as Jesse Helms would if he were running against Ted Kennedy in Massachusetts. Kohl trails his Social Democratic opponent, Gerhard Schröder, by up to 20 points, and his Christian Democrats are morosely waiting for that miracle which, in past years, has always come along in late summer to turn the Left's dreams into dust. Four years ago, the Social Democratic contender, Rudolf Scharping, started out with a 15-point advantage in the spring only to see Kohl dash past him in the fall. But so far, Schröder's lead is refusing to melt away.

Why? If you ask the good German burghers who are the mainstay of Kohl's Conservative Democratic Union, the answer invariably is: "We can't stand the sight of him any more." Boredom, as John Major learned after 18 years of Tory and George Bush after 12 years of Republican ascendancy, is the most implacable enemy of men in

power. Germany's twenty- and thirty-somethings can scarcely remember a time without Kohl. Compared to *der Dicke* (the fat one), with his three hundred pounds or so, the 54-year old Schröder looks like Bill Clinton and Tony Blair rolled into one.

If boring is bad, powerless is worse. Take Kohl's stubborn but vain struggle for tax reform, the No. 1 item on his domestic agenda. Compared to their British and American brethren, Continental Conservatives are anything but gung-ho free-marketeers and flat-taxers. Still, Helmut Kohl strained mightily all of last year to reform Germany's horrendous tax structure.

Currently, a single person with a taxable income of DM120,000 (about \$66,000) pays 53 pfennigs on every additional mark, plus 3 pfennigs as reunification surcharge and 4 as church tax if he is officially affiliated. That does not count the payroll deductions for unemployment, social security, and health insurance that



Helmut Kohl by Roman Gonn

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the SPD's lead dwindles to a manageable 5 per cent or so.

No matter how well the Social Democrats do on election day, they are sure to need a coalition partner to put them over the top. And there's the rub. Their partner is the Greens, a party of ecologists and Sixties radicals, which can never decide between power and ideological purity. The internal struggle between the Realpolitikers and the fun-

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damentalists always heats up during election campaigns. Over the past several months, the fundamentalists have pushed every button guaranteed to alienate those middle-of-the-roads whose votes are indispensable for a Schröder victory.

Germans regard speed limits on the Autobahn the way the National Rifle Association regards gun control; the Greens have come up with a 60 mile-per-hour speed limit on the freeway (20 in towns). They also want to tax gasoline to the point where it will cost \$20 a gallon, so as to get people out of their cars and into trams and trains. The Greens' parliamentary spokesman on tourism has rattled the most peripatetic people on earth with a proposal to jack up air fares so that they could no longer "hop off to Mallorca for a long weekend." And so forth.

So the good burghers who have been toying with a vote for the SPD just to get rid of Kohl may have second thoughts on election day. A recent poll found 65 per cent of respondents saying that they did not think the Greens "capable of governing."

Disaffected Conservatives might also come to realize that Schröder is unlike Bill Clinton and Tony Blair in one fundamental respect. These two were firmly in control of their opposition-weary parties when they made their openings to the center and beyond. But Schröder—although he mouths all the right New Labour phrases about markets and

competitiveness—is not where his party's heart beats. The SPD is behind party chairman Oskard Lafontaine, the prime minister of the Saarland, who is still a firm big spender and redistributivist.

The limping Kohl has other factors in his favor as he reaches for an absolutely unprecedented fifth term.

First of all, in April, the German economy began creeping out of the longest recession in its history. Month after month, growth has clocked in above 3 per cent. This has translated into new jobs: unemployment, stuck at almost 5 million last winter, has been coming down at a clip of 200,000 per month. In the past, at least, good times have favored Kohl.

A second life jacket is the complicated mathematics of the German electoral system, combined with the Green factor discussed above. To be seated in the Bundestag, a party must poll at least 5 per cent. Assume for a moment that the Greens fail to clear that hurdle, and assume that the ex-Communists and the extreme Right stumble, too—all of which is possible. That will leave a bit less than 15 per cent of the vote to be divvied up among the parties that clear the 5 per cent hurdle. Assume that the SPD comes in first with 41 per cent, followed by the CDU with 39, and by Kohl's junior coalition partner, the Liberals, with 6. That gives the current coalition 45 per cent, plus about 7 per cent from the wasted ballots cast for the losers. Bingo, Kohl and his colleagues are over the top.

There is, finally, a third life jacket for the Conservatives. But that one merely postpones political death for the man who would be Bismarck.

Kohl could go before the nation on September 1 and propose to commit political seppuku for the sake of his party. He could orate thus: "I have achieved what no chancellor before me has done. I have reunified the country without firing a single shot. For the first time in our history, we are surrounded only by friends. I have fought and won the battle for the Euro. I have restored prosperity. And so, my fellow Germans, if you re-elect me on September 27, I solemnly vow that I shall step down one year from today."

He would then point to the man on his right, parliamentary majority leader Wolfgang Schäuble, his "crown prince." Schäuble, who has needed a wheelchair ever since he was shot by a would-be

assassin seven years ago, is not exactly a household word in the United States. But in Germany he is a highly respected leader who stands for continuity without any of Kohl's negatives. Seeing that they could get rid of Kohl without having to marry Schröder and those scary Greens, Germany's voters would breathe a collective sigh of relief and return happily to the Conservatives' fold.

But when have the Kohls of this world ever displayed so much sense and selflessness? Kohl has ruled for 16 years. He has won elections against towering odds. He has eliminated intra-party rivals one by one. And along with his ever-expanding girth, he has acquired a Panzer-like armor that says: "I am inflexible and indispensable."

Churchill thought so, and so did Margaret Thatcher. But, as in their country, which did not have the wisdom to pass its own version of the Twenty-Second Amendment, boredom will exact its revenge. Whatever happens on September 27, it won't be "four more years" for Helmut Kohl. If he does not lose, his party will force him to resign no later than mid-term—and Bismarck will remain safely out of reach. □

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