

We need to look at each other differently. We don't see ourselves as part of a community anymore ... We need to start meeting the social needs.

THE POLICY PROPHECY – THE PAST, THE PRESENT AND THE PUBLIC POLICIES THAT SHAPED AMERICA.

An interview with Californian Public
Policy lawyer John Aarons.
By Kristy Theissling

In San Francisco's early spring, TGG met with seasoned Californian public policy lawyer John Aarons,* who graduated with legal credentials from both Stanford and Berkeley in the early 1970s and has been practicing law ever since. We discussed the introduction of the 'Super Laws' of the 1970s, *Title IX*, equality in gender, disability rights and advocacy, the "deconstructing of those laws", who's accountable and what's next.

If the government isn't making people accountable, it just encourages more abuse.

What has changed in your profession since you first started practising law?

'Lawyers are not as civil to each other as when I first started practising. They are predatory, in terms of clients. I attribute that to the consolidation of the smaller firms into the larger.'

Clients need someone who can listen to them and explore their options: a personalised service. The larger companies ask those lawyers to bill more hours — make more money.'

Aarons considers how this takes away from the service that the client needs, and becomes an opportunity to build income for a few large agencies in a monopolised industry.

What are the big legal changes you've seen in your career in the industry?

'The major social policies ... the release of *Title IX*, a federal law. It basically said that all students had equal access to education and facilities. It was monumental, a "Super Law."

{*Title IX* is a landmark US federal civil rights law, passed as part of the Education Amendments of 1972. It prohibits gender-based exclusion or discrimination under any activity or education program that receives federal government funding.}

'This cascaded into the *ADA Disability Act*, which had a phenomenal impact. It meant there were access ramps, and buses became accessible for the disabled. There was also the *ID Education Act*, a federal law that required equal access to education for disabled students.'

{The *Americans with Disabilities Act (ADA)* became law in 1990. It is a civil rights law that prohibits discrimination based on disability in all areas of public life, including employment, access to government services, transportation, public accommodations and schools. The act gives civil rights protections to people with disabilities in line with those provided on the basis of race, colour, sex, nationality, religion and age.}

{The *Individuals with Disabilities Education Act (IDEA)* ensures that children and youths with disabilities are supported with special education and individualised related services. *IDEA* was formerly known as the *Education of Handicapped Children Act (EHA)* from 1975 to until it was amended and renamed in 1990. *IDEA* aims to provide children with disabilities with the same educational opportunities as non-disabled students.}

What 'Super Laws' can you see coming into effect in the future?

'We don't pass laws now — we are gutting the laws that we had in effect. For example, the *Voting Rights Act*, the *Federal Election Campaign Act* — gutted so that now funds can be obtained.'

{The *Voting Rights Act* of 1965 is one of the most significant pieces of civil rights legislation in US history. Signed into law by President Lyndon B. Johnson, and subsequently amended five times to expand its protections, the act prohibits racial discrimination and voter suppression. In particular, the act sought to secure voting rights for racial minorities, especially in the South.}

{The *Tillman Act* of 1907 was the first attempt to regulate election campaign finance, banning corporations from financially influencing a federal election. Numerous other regulations were enacted over subsequent decades, including the *Federal Election Campaign Act (FECA)* of 1971. *FECA* has been amended and challenged numerous times, and campaign financing remains a topic of great debate.}

{The *Bipartisan Campaign Reform Act (BCRA)* of 2002 was enacted to prohibit so-called 'soft money' being channelled to federal candidates from state parties, which were governed by different regulations. States allowed large, sometimes unlimited donations, which could be transferred to national party committees and candidates, thus circumventing *FECA* regulations.}

'At the beginning of my career, monumental, important social laws were implemented. In the second part of my career, they are being destroyed. Federal law has a role to play in holding the state governments accountable. If we are undercutting laws, where is the accountability?

Somebody's not being held accountable.'

How do we achieve accountability?

'We need a radical restructuring. What needs to change is equal access — all people should have access based on their merit, not on who they know or what community they grew up in.'



How could we achieve restructure, what are some examples of that?

'Some examples would be the tax code that was in the USA post-World War II.'

Aarons explains that the wealthy were taxed at 70-80 percent after the government introduced steeply graduated income tax rates.

{In 1944 and 1945 the top marginal tax rate was 94%, applying to a taxable income over USD\$200,000 (about USD\$2.2 million in today's dollars).}

'If the Government isn't making people accountable, it just encourages more abuse.'

On a personable accountability level, what restructure needs to happen there?

'We need to look at each other differently. We don't see ourselves as part of a community anymore. We are too barterised in terms of our philosophies. People are so wed to their own groups and philosophies. We need to start meeting the social needs.'

The [various parties] need to come together for the social need, and in passing laws.

There's a reason Portugal is clean, and you come here (to California) and there is rubbish everywhere on the highway. The reason is man-made.' ■

Note from the editor: At the South by Southwest (SXSW) conference a week later, that's exactly what Governor of Rio Grande do Sul, Eduardo Leite outlined in his session, "ESG: Pathway to Inclusive Economic Development": a bipartisan approach to running government. He discussed the robust conversations and prioritisations of their state's needs across parties and groups that were needed to successfully move economic markers.

[Historical U.S. Federal Individual Income Tax Rates & Brackets, 1862-2021](#)