

**J**UST WHY the American electorate gave the present administration such an overwhelming mandate in November remains something of a mystery to me. I do not expect ever to find a fully satisfactory answer. I firmly believed throughout 1971 that the major hurdle to winning the presidency was winning the Democratic nomination. I believed that any reasonable Democrat could defeat President Nixon. I now think that no one could have defeated him in 1972. And I am not certain that the Democratic Congress will hold him in check for the next four years. I am convinced that the United States is closer to one-man rule than at any time in our history—and this paradoxically by a President who is not popular.

Fundamentally, we have experienced an exhaustion of important institutions in America. Today only the presidency is activist and strong, while other traditional centers of power are timid and depleted. This is why one man in the White House was able for so long to continue a conflict hated by so many of his countrymen. The institution of Congress has been exhausted by executive encroachment and legislative paralysis. For a decade, a war was waged without congressional approval; for years, that war raged on in part due to congressional inaction.

But the impotence of Congress and the omnipotence of the presidency have deeper roots and a longer history. In 1933, the Senate and the House passed administration bills almost before they were printed or read. It was a time of crisis. But in the years since then, the Congress has acted as though the crisis were permanent. We now appear to accept the curious notion that the legislative initiative rests with the executive branch. Indeed, students of American government are themselves surprised at the startling fact that nearly 90 per cent of the legislation the Congress considers originates with the administration.

### Wars and Money

**I**N THE LAST generation, presidential activism and congressional passivity have been even more pronounced in the field of foreign policy. Congress was not asked for approval in the 1950s before the American troops were dispatched to Korea and Lebanon. The chairman of the Senate Foreign Relations Committee, who ad-

# The Imbalance Of Power

By George McGovern

*The following is excerpted from a speech delivered by the South Dakota senator at Oxford University last Sunday.*

vised against the Bay of Pigs invasion, was ignored, while other members of Congress were not even consulted. The Senate was assured that the Gulf of Tonkin resolution was no writ for a wider war; it was then used as an excuse for the widest war since 1945.

Now, for the first time, the executive has mounted a serious challenge to the congressional control of appropriations.

Perhaps the Congress invited this attack by a complacent acquiescence in the Vietnam disaster; in any case, the battle is on, and the Congress is losing.

Last fall, we submitted to the President a bill to clean up our nation's waterways. He vetoed the bill, and we passed it again over his veto. He then simply refused to spend the money as Congress directed. The success of this tactic was followed by the impoundment of funds for other domestic programs. Most incredibly, at the end of the last legislative session the President demanded that the Congress rubber-stamp such impoundments in advance. He asked us to agree to set a budgetary ceiling within which the sole power of appropriation was reserved to the executive branch. Even more incredible was the speed with

eralism at home—is neither to save nor eliminate specific foreign governments or specific domestic programs dependent on Washington, but rather to end the relationship of dependency for both.

What is consistent about the Nixon view of the new era is its belief in the critical importance of the process of local self-determination. That is what Mr. Nixon said he was fighting to preserve in Vietnam and it is what he says he is striving to achieve in his

Congress seems incapable of stopping what it opposes or securing what it seeks. It has been described by a Republican senator as a "third or fourth rate power" in Washington.

### Parties and the Press

**T**HE EXHAUSTION of the Congress is matched by the exhaustion of the political parties. The Republican Party, reduced to utter vassalage by the White House, offers little more than an administrative program. They offer the politics of efficiency—but to what end and impact? Their answer to the transportation crisis is to rearrange the Department of Transporta-



tion. Their answer to desperate social needs is to reduce and rename social programs. And their answer to the threat of racism is the malignancy of benign neglect.

At the same time, the loyal opposition is neither loyal to a specific set of ideas nor effective in its opposition. The Democratic Party is in peril of becoming a party of incumbency out of power, much like the Whigs of the 19th Century—a party with no principles, no programs, living only from day to day, caring only for the prerogatives of office, doing nothing, and worse, not caring that nothing is done.

But perhaps the most discouraging development of recent years is the exhaustion of the institution of the press.

Under constant pressure from an administration that appears to believe that the right of a free press is the right to print or say what they agree with, the media have yielded subtly but substantially. During the campaign, I was subjected to the close, critical reporting that is a tradition in American politics. It was not always comfortable, but it is always necessary. Yet Mr. Nixon escaped a similar scrutiny. The press never really laid a glove on him, and they seldom told the people that he was hiding or that his plans for the next four years were hidden. Six days after the Watergate gang was run to the ground, Mr. Nixon invited reporters into his office, and submitted to the only interrogation his managers allowed during the fall campaign. Not a single reporter could gather the courage to ask a question about the bugging and burglary of the Democratic National Committee. Much of this can be blamed on the incestuous character of the White House press corps itself. Ask one wrong question, and a reporter may find himself cut off altogether.

Now, with the election over, the executive branch has tightened the pressure on the media. For example, the administration has expressed an intention to punish offending television networks by depriving their stations of licenses. Already, the White House has dismantled the Public Broadcasting System, whose public affairs presentations the President found irritating. And the press has responded by re-

treating. It has catalogued the slashes in domestic programs and the plans for conservative, insensitive government—but it has not even noticed anything amiss in the fact that these steps were concealed or denied before the election. There are, of course, brave reporters, newspapers, and television channels ready to take the heat; but

there are countless others who have left the kitchen for a more comfortable, uncritical existence in the antechamber of this administration. They are trying to get along by going along.

## A Dispirited Land

THE EXHAUSTION of American institutions is matched by an exhaustion of the American spirit.

This even touches some liberal intellectuals, traditionally the most tireless group in America. Today you can hear such liberals saying that government cannot make any real difference for good in the lives of people—that whatever it touches will turn to failure. Many of those who supported the advances of the 1960s so fervently now denounce with equal fervor the setbacks of the 1960s. And they are reluctant to resume the imperfect but important march interrupted by the war.

Indeed, these so-called liberals now tell us that we should not try to save our cities, cure the causes of crime, or eradicate poverty. They say that if we are part of the solution, then we are also part of the problem. Their motto appears to be: "Nothing ventured, nothing lost."

The same dispirit envelops millions of other Americans. They have followed a bloody trail of disappointment from a sunny street in Dallas to a hotel kitchen in Los Angeles. Three times they have voted for peace; at least twice, they have been given more war. They were oversold on the social experiments of the 1960s; now they are wary of buying even sensible and essential social progress from any political leader. They see government as at best an annoyance, at worst an enemy, and they wish it would just leave them alone. Broken promises have ended in broken power. Public officials are viewed principally as annoying tax collectors.

To my mind, this mood was central to the outcome of the 1972 election. For example, the commentators have suggested that credibility was among my principal difficulties during the campaign. I agree, but not with the proposition that people did not believe me. I think they did believe that I would do what I said, and they were afraid. Many Americans looked back at debris of the last decade, and they feared that once again they were about to face a hard effort and harvest nothing from it.

## Restoring Faith

THE CENTRAL CHALLENGE for the future of American politics is







to end the paralysis of institutions and ease the apprehensions of the electorate. The United States must find a way to replace exhaustion with energy, cynicism with hope, resignation with determination, destructive anger with constructive activism. That is so easy to say, so hard to do.

I no longer think it can be done merely by calls to greatness or appeals to idealism, no matter how eloquent. Americans have been told until they are tired of hearing it that they shall overcome, that they can move their country forward, that they can have a great society, that they can seek a newer world or find the lift of a driving dream. This kind of summons has value; indeed, in my view, Americans are desperately anxious to believe in a transcendent, almost mystical purpose. But they are also skeptical now of any such summons unless there are signs of progress already there.

The only way to reawaken faith in the system is for government and politicians to restore it step by step, through substantive advances that mean something to people. They must see their sons home from Vietnam, their neighborhood crime rate reduced, their taxes used to build better lives instead of bigger bureaucracies, their children educated in decent schools and their illnesses cared for at reasonable cost. The progress must be visible, sure and steady.

This requires above all else a determined effort to improve and strengthen the institutions in America that are supposed to serve the citizens of America. After a decade of disillusion, institutions may be unfashionable things. But institutions are not evil, they are neutral; and they are indispensable instruments of change in society. More often than not, the ebbs and tides of history are determined by the nuts and bolts of government.

## Looking to Congress

**I**N MODERN TIMES, when American liberals have recognized that truth, they have tended to see it in terms of the presidency. Only a few years ago, liberal scholarship still celebrated the strong executive and sought to strengthen it even more. Now we have learned that the presidency, too, is a neutral instrument, that power in the White House can be abused as well as used—that a reactionary or a war-maker can also read Richard Neustadt and James McGregor Burns.

Twice now our answer has been attempts to change the person in the presidency. Both times we have ended in at least as much difficulty as we were before. Now is the time for a determined effort to change not the person in the White House, but the power of the presidency. American liberals must reverse the 40-year trend toward a stronger President and return to the 200-year-old tradition of shared power.

The Supreme Court is subject to

fate and executive appointment, with only the Senate standing between the court and an ideological coup. So the true priority is to protect the place of the Congress in the federal system. We must seek a pluralism of power, where Congress and the President guard and prod each other.

Some political scientists claim that this is the wrong aim. They say: Only the President can lead because only the President has a mandate. But Congress has a constructive mandate, made by a blend and balance of the regional interests reflected in each member's election. And that constructive mandate can be as effective as the President's universal mandate. The Congress can work to check the executive and to move the country. It can seek cooperation with the President; it can also shape a kind of cooperative tension with him that can make change happen.

## Negative Powers

**T**HE CONGRESS MUST exert its authority to achieve a full measure of influence. For example, when the legislation that allows the President to control wages and prices comes up for renewal, the Senate and the House should not issue another blank check. We should include safeguards to assure that profits, dividends and interest rates are never again permitted a special break while the wages of workers bear the full burden.

But the Congress should not wait for such opportunities. It should mount a consistent and coherent effort, founded on its foremost power—control over appropriations. James Madison wrote in "The Federalist Papers," Number 58: "The power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure."

It can be used to stop the abuse of executive privilege. Part or perhaps all of an appropriation could be conditioned on the administration's consent for the appropriate officials to testify before House and Senate committees.

It can be used to stop executive wars by whim. The Congress must refuse to fund conflicts it has not declared or even decided to fight. From the tragedy and travail of Vietnam, the Congress at least must learn the truth of Edmund Burke's warning: "The thing you fight for is not the thing which you recover; but depreciated, sunk, wasted and consumed in the contest." American ideals have been depreciated. American wealth has been sunk. Human lives have been wasted, and Indochina itself has been consumed in the contest. The United States must fight when the course is right. But never again should the Congress allow young American lives to be lost for the

defense of a corrupt dictator anywhere in the world.

## Only a Beginning

**T**HESE STEPS are only a beginning. For if the Congress is to assume a role of leadership, it must have not only the negative power to review and reverse policy, but also the positive power to make policy in the first place. It must know enough—so it will not hear the reply that the President always knows best. It must be structured for integrated decision making—so it will not hear the reply that only the President can pull all the pieces together.

First, the Congress should establish a unified budget assessment mechanism. The Senate and House should establish a committee to estimate revenues, set a general level of expenditures, and establish priorities to relate specific appropriation decisions to that general level. This committee should have sufficient resources of expertise and information. There is no reason to let the President control the budget because he has the only Office of Management and Budget.

Second, the Congress should establish a similar mechanism for national security policy. With members drawn from the Appropriations, Foreign Relations and Armed Services committees, such a unified committee could offer a thoughtful and sensible alternative to executive proposals. This committee, too, should have the necessary resources. If the President can have two State Departments, the Congress can have at least one agency to provide information and recommendations about foreign affairs and defense policy.

Third, the Congress should adjust the seniority system. No other legislative body in the Western world uses length of service as the sole standard for place and power in its committees. If the Congress is to carry out its constructive mandate, it must do what the mandate means, not what a few individuals from safe districts want. An activist, effective Congress must reflect the popular will. It cannot do so unless the members freely elect committee chairmen.

Finally, the Congress should defend its powers as it extends them. It must consider and choose from a number of alternatives to cancel or control the impoundment of its appropriations. Only then can the Congress assure the execution of the policies it has enacted.

I am convinced still that the society to which America should aspire is a liberal one. To those who charge that liberalism has been tried and found wanting, I answer that the failure is not in the idea, but in the course of recent history. The New Deal was ended by World War II. The New Frontier was closed by Berlin and Cuba almost before it was opened. And the Great Society lost its greatness in the jungles of Indochina.