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Public Office, Public Funds

By Charles W. Colson

WASHINGTON—Perhaps some of us who have been in the eye of the Watergate storm can be forgiven if we look for a silver lining—if we suggest that out of the public turmoil and personal agony, there has emerged an historic opportunity for long-overdue political reform.

I do not mean to excuse Watergate and the activities that have become associated with it by blaming them on the system or suggesting that they were no more than politics a little worse than usual. What I do suggest is that the cure is not simply to put a few well-intentioned—and some not so well-intentioned—men in jail, destroy the careers of a few dozen others, or even, God forbid, impeach a President. Retribution without reform will not restore the health of American politics.

Whatever may ultimately be determined about the guilt or innocence or moral worth of individuals, cannot we all agree that the time has come to take private money and private gain out of politics?

Ironically, those who talk most piously about restoring public confidence—who decry the “sins” of the Nixon Administration—are at the same time doing very little about the more fundamental problems of American politics. Those who must perform the major surgery required, that is members of Congress, know that the scalpel will strike very close to home.

For openers, I have these suggestions:

(1) Public financing of political campaigns: No half-way measure like that now pending in Congress will suffice. Those who seek to corrupt will find loopholes in any purely regula-

tory statute Congress can draw. What is needed is a complete substitution of public for private financing. I know—and have made—many of the arguments against public financing. The most frequently heard is that it is unconstitutional. The answer to that is simple: amend the Constitution if need be.

There are some practical objections, for example: How to handle minority candidates? Or what about primaries in one-party states? While these are legitimate questions, the British and other Western democracies have found answers—and so can we. In fact, one result might be stronger, better disciplined party organizations—not necessarily an unhealthy development. The biggest obstacle, not often openly discussed, is that public financing would lessen the advantages of incumbents. Since the 535 members of Congress are all incumbents, it is difficult to ask them to deny themselves their present advantage. Unless the public really demands it, it won't happen.

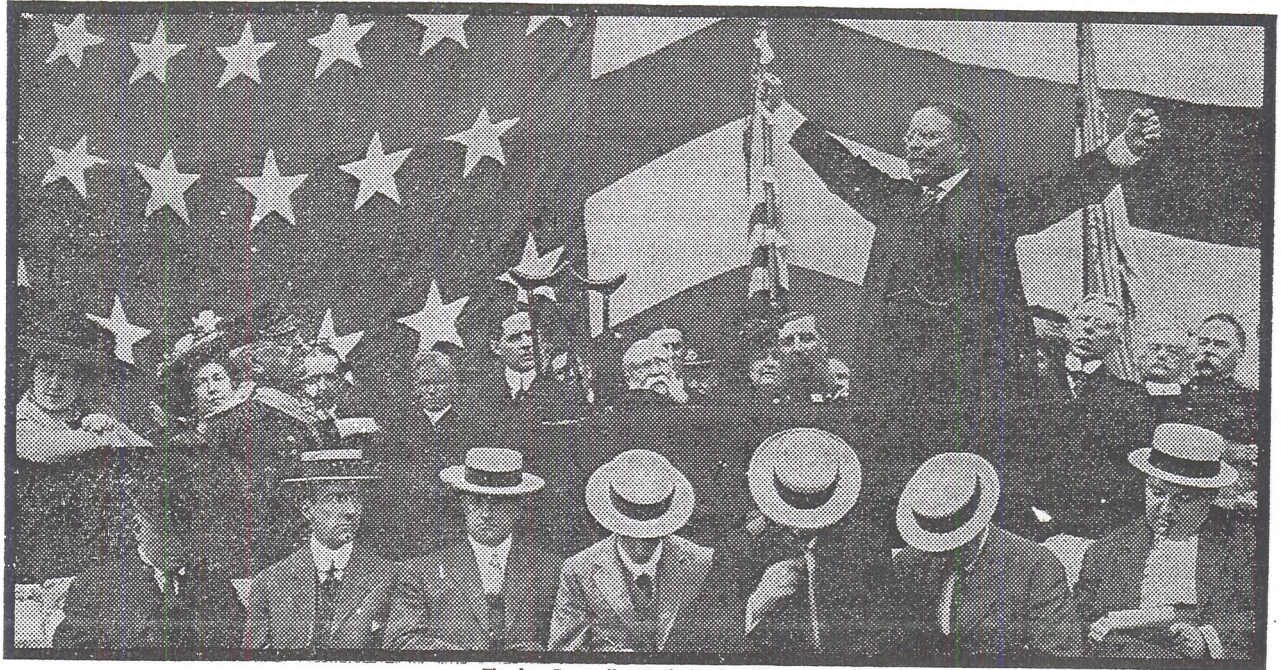
(2) Full-time elected officials: A person elected to high office by public funds (if that could be enacted) would have no excuse for realizing any personal gain while holding that office. Many Congressmen today are partners in private law firms; the member's name, if not his actual participation in the practice of law, is of value. In reality, however, he is simply trading on his office. With or without public financing, any officeholder should give his entire service only to the public. By simple legislation, any Congressman, any judge, any Presidential appointee could be forbidden any outside earned income and further required to put any capital assets in a blind trust.

(3) Complete financial disclosure: To assure that public servants respect their public trust, why not require that they make public their tax returns?

(4) National “sunshine” law: In 1972, Congress enacted a statute requiring that the proceedings of executive commissions be made public, an important safeguard. But that only scratches the surface. Why not require monthly publication by each member of Congress of all contacts with executive departments? I think it absolutely proper for Congressman Jones to contact the General Services Administration on behalf of a constituent, albeit a nonlegislative function. Sometimes, however, it happens that the constituent is a heavy contributor and the call was to “lean on” the agency for a contract. A disclosure statute with teeth would discourage abuses on the one hand, and on the other would protect members against unwarranted criticism in the normal situation when their inquiries are legitimate.

I do not suggest that had these or perhaps other reforms been in effect, Watergate wouldn't have happened—or that future Watergates could thus be avoided. I do suggest that out of the present constitutional crisis, we can salvage something of lasting value: We can seize upon this moment and overcome entrenched resistance to constructive change. We can make the system less vulnerable to special interest pressures and the excesses of campaign money. If we do not, the same things—or worse—are sure to recur somewhere down the road.

Charles W. Colson was special counsel to President Nixon.



Theodore Roosevelt campaigning in 1904.