

By Barbara W. Tuchman

COS COB, Conn. — The American Presidency has become a greater risk than it is worth. The time has come to seriously consider the substitution of cabinet government or some form of shared executive power.

There is no use continually repeating that the form arranged by the Framers of the Constitution must serve forever unchanged. Monarchy too was once considered immutable and even divinely established but it had to give way under changed conditions. The conditions of American executive power today, commanding agencies, techniques and instruments unimaginable in the eighteenth century, no more resemble the conditions familiar to Jefferson and Madison than they do those under Hammurabi.

The Framers may have been the most intelligent and far-seeing political men ever to operate at one time in our history but they could not foretell the decline of the Congress. In too willing subservience it confirmed as Vice President an appointee of an already discredited President and will doubtless do so again in the case of Nelson A. Rockefeller. The executive will then consist of an appointee and his appointee, which is not what the Framers designed. The checks and balances they devised are out of balance.

For one brief euphoric moment when the House Judiciary Committee functioned, it seemed the system might have revived, but when the House failed to carry through a vote on impeachment and the Senate said nothing, the self-emasculation was completed. If lost virginity cannot be restored neither can lost virility. I do

not think the trend is toward righting the balance.

The Presidency has gained too great a lead; it has bewitched the occupant, the press and the public. While this process has been apparent from John F. Kennedy on, it took the strange transformation of good old open-Presidency Gerald R. Ford to make it clear that the villain is not the man but the office.

Hardly had he settled in the ambience of the White House than he began to talk like Louis XIV and behave like Richard M. Nixon. If there was one lesson to be learned from Watergate it was the danger in overuse of the executive power and in interference with the judicial system. Within a month of taking office Mr. Ford has violated both at once. The swelling sense of personal absolutism shows in those disquieting remarks: "The ethical tone will be what I make it. . . ." "In this situation I am the final authority. . . ." and, in deciding to block the unfolding of legal procedure, "My conscience says it is my duty. . . ." Our judicial system can operate well enough without the dictate of Mr. Ford's conscience. To be President is not to be czar.

But Mr. Ford is not alone responsible. The press overplayed him as it overplayed John Kennedy and the absurd pretensions of Camelot. The New York Times published Mr. Ford's picture twelve times on the front page in the first fourteen days of his tenure. Why? We all know what he looks like. But if it can be said that the press gives the public what it wants, then all of us are responsible. By packing our craving for father-worship into the same person who makes and executes policy — a system no other country uses — we

have given too much greatness to the Presidency. It seizes hold of the occupant as we have seen it do with Mr. Kennedy, Lyndon B. Johnson and Mr. Nixon. It has led Mr. Ford into an entirely unnecessary breach of our last rampart, the judicial process, an act that can only be explained as being either crooked—that is, by some undercover deal with his predecessor—or stupid. We cannot at this date afford either at the head of the American Government.

Nor is the Presidency getting first-rate men. The choice between candidates in the last three elections has been dismal. Things now happen too fast to allow us time to wait until the system readjusts itself. The only way to defuse the Presidency and minimize the risk of a knave, a simpleton or a despot exercising supreme authority without check or consultation is to divide the power and spread the responsibility. Constitutional change is not beyond our capacity.

*Barbara W. Tuchman, a historian is author of "Stillwell and the American Experience in China."*