

REPRESENTATIVE DEMOCRACY ON TRIAL

Interview with James MacGregor Burns

Public Perspective: Our readers see in this issue data which show great public dissatisfaction with the performance of various representative institutions and support for “end-arounds”—term limits, balanced budget amendments, whatever. Looking to Congress—its ratings in recent years by all kinds of measures are clearly lower than in any previous period for which we have data and much lower than when you wrote *Congress on Trial*. What do you see as the primary cause of this?

James MacGregor Burns: I feel very strongly that it's mainly a response to the institutional situation—what people see as an institutional failure. I am sure that one thing your polls reveal is that people like their individual member of Congress too, but they don't like the institution. There is a fair amount of distortion in the picture because legislatures are always prone to excessive criticism; they conduct their disputes in public. Still, there is a feeling abroad that as an institution Congress is slow, it gets deadlocked. Even the filibuster is back now as a possible weapon.

There is a paradox here, of course, because in certain ways Congress is a more effective institution now than it used to be. It has, by my standards, a better party leadership system; committees have been reorganized; the Rules Committee was shorn of its power. But the problem goes much deeper than the internal arrangements in Congress. I think we are looking at disillusionment with the working of the whole system; there is disillusionment with the presidency too. We also know, of course, that voter turnout has been declining—despite a blip upward in the fall of 1992; voting for Congress is even lower than voting for the president. The public is really criticizing Congress as part of its criticism of the whole system.

PP: And, in your view, much of this criticism is deserved?

JMB: Yes. As I've said, Congress has tightened its ship; it has streamlined itself to some degree, but I am critical of the whole system—exceedingly and increasingly so.

One part of the problem originates in that most personal institution, the presidency. If you look at the string of presidents beginning with Hoover, running through FDR, Truman, Eisenhower, Kennedy, and Johnson—these presidents stand fairly high in retrospect because they stood for something. They were relatively strong presidents. Since that time I think we have had relatively weak presidents. Has the institution itself declined? The presidency has swelled—but it hasn't grown in authority or effectiveness.

PP: Is this string of lesser presidents just a bad throw of the dice? We only get one at a time, and we haven't had many in the period of decline you're talking about. Or is it something else?

JMB: It accrues in part from another weakness in the present system—presidential recruitment. The nominating process that we have isn't designed to choose really great presidents.

The party system—I think all political scientists agree now—is continuing to decline. Most political scientists today feel that this is an unfortunate development. Speaking for myself, I believe in the old fashioned party system that, even with all its failings, including corruption, did show the capacity to select strong leaders for chief executive. Today, we have a presidential primary system which in my view is—and this is nothing new—media dominated, money dominated, bru-

tally competitive and open to all kinds of chance contingencies. I have come to the conclusion that of all the direct-democracy reforms brought about early in this century, the primary was the most misguided. It has been the biggest failure, compared to the hopes of the reformers who put it in. So I take the position that one very important reform needed today is—I will put it strongly—*abolition of the primary system for choosing party nominees*.

PP: Your view is that the public is unhappy with the end result, the bottom line of the functioning of the present nominating system, but doesn't know why it's unhappy and hence won't support the steps needed to redress its unhappiness. Is that a fair statement?

JMB: I think that's part of it. They are unhappy with the result, but they are also increasingly turned off by the method. There is a lot of dissatisfaction with the sheer length of presidential recruitment, the endless primary fights that go on month after month and often get boring—because of the nature of the primary where candidates don't have too much to fight over since they are all in the same party.

PP: But despite that, if we were to get a bunch of our fellow citizens together and talk to them about it in a personal sort of way, my sense is we couldn't get one in ten to agree to giving up the primary system as the principal mechanism for choosing presidential nominees.

JMB: I would agree with that and make an even stronger point. Whatever the failings of the system, and I think they're even more extensive than we've discussed thus far, you could not get people willing to consider *any kind* of basic change. You could not get them to be in favor of setting up stronger party conventions. So I think

we are in an even deeper malaise, because I don't see any way out. If the problems are mainly institutional as I think—I don't see any real opportunity for institutional change.

Let me just say, though, that one reason I have continued all through my life to talk about structural change, is that I fear the day will come when there will be a real crisis in the system; I would expect it in the next half century. I think there will be a constitutional crisis at least at the level of the "Court packing" conflict in 1937, if that was a crisis, and perhaps at the level of the constitutional crisis at the time of the Civil War. If this ever comes, those of us who are working on constitutional reform and party renewal need to have in place ideas for change that might get considered—instead of having half-baked ideas grabbed off the shelf.

I am pessimistic—although there is one way that again and again has temporarily pulled us out, and that is that we simply let the president in crisis times wield emergency powers. I am now working in the early World War II period, when Roosevelt assumed a great deal of executive power. For example, he told Congress if they didn't pass a price control bill in a month, he would do it through an executive order. That gives us a kind of way out, but it does not seem to improve people's perception of the presidency. Bush is a good example. The Gulf War was really a brilliant piece of presidential leadership—not just the military part, but the building of the coalition. Yet when the election came around, the people weren't much inclined to recognize the earlier leadership.

PP: One set of answers that those who see us in some kind of a governing crisis are offering is that we need more direct democracy. Paul Jacob, executive director of US Term Limits, which works to get

term limits imposed on legislators, says that the key problem with governmental performance is not that bad people or people with wrong ideas are in office, but that those in public office have become removed from those they represent. He argues that this is the reason term limits are needed. "Americans have always preferred citizen legislators," Jacob has stated. Term limits are an attempt to recreate rotation in office which we had

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historically but which we've lost in the modern period. What do you say to that?

JMB: I think he is absolutely wrong about members of Congress losing touch with their constituents. If anything, they are all perhaps too much in touch with their constituents. The problem is, again, much more institutional.

Jacob's diagnosis is wrong. That does not mean, though, that I am strongly

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opposed to term limits. First of all, they would not make a great deal of difference. One unfortunate aspect is that those who think that limits would make a great deal of difference would find that they don't. A lot of reform energy would have been spent on something that wouldn't help. But I don't think they would hurt things much—provided it's made clear that a person who has gone through the limits

can then run again after a break—a lot of these proposals don't mention that matter. It's crucial. If someone can run again after having 12 years, or whatever it is, I don't think it really hurts to turn them out to have a kind of sabbatical back home, and then let them try again if they want.

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that I expect that many presidents would want a third term, but the problem is that a president now becomes an instant lame duck when he starts his second term.

PP: Mark Petracca, who teaches political science at the University of California at Irvine, endorses the term-limits idea very strongly and he says in part what you say. He argues that limits won't make anything like the difference that their proponents think. "Libertarians, for example, think that term limits will lead to smaller government and less taxes. I'm not persuaded that this is so," Petracca maintains. The one thing they can do, he argues, is help establish a greater sense of trust and confidence on the part of voters that the institution is not just sitting there immovable, but

that it's rotating and moving. Symbolically, we need to convey that because people now think that they can't control an aloof national legislature. What do you think about this idea?

JMB: I think he has a very interesting point. It might help people feel there is a sense of movement in the institution.

In a larger sense, though, we need to look in a different direction. I believe in strong leadership, that is alluded to in what I like to call “cobblestone leadership”—the interaction between strong leaders at every level and strong followers. For me, what’s needed is strong intermediary institutions, leadership institutions of policy makers—who can make coherent policy, plan ahead, balance budgets, etc. There is need for effective guidance by leaders at every level.

Getting back to the basic question, it’s that kind of commitment to the overriding things the country stands for—which sounds pious—but I think the people in this country really do stand for those old fashioned things we call liberty, equality, community (instead of fraternity) and all the old Jeffersonian ideals and the things Lincoln preached. The people really stand for that.

PP: Abraham Lincoln argued very strongly, as you know, that there had been a terrible failure of leadership in the 1820-1860 span. The idea was ascendant through much of this period that if we just left people alone to decide locally what was to be done on slavery—the old concept of popular sovereignty—then everything would somehow work itself out. In Lincoln’s view, there was a general abdication of responsibility for the kind of vigorous leadership, strong moral leadership, necessary to raise the people up rather than let them sink down. He thought it was a particular failure of leadership that explained the intensifying of slavery and the enormous crisis the country found itself in. Do you make a similar assessment now?

JMB: Yes. I think there has been a failure of moral leadership, if one is very careful about defining moral. I tend to assess moral leadership on the basis of the extent to which leaders make commitments to important values and stick with them. Those values may be conservative or liberal. I, for one, do not joke about Ronald Reagan the way some of my fellow liberal Democrats do. He showed a capacity to make a commitment to conservatism, to argue that the Republican party ought to be the conservative party and that he could win on it not only the nomination but a general election victory. The Ronald Reagan of the 1970s is an example of the type of commitment that is needed—and I make this point because

I don’t want this to come out just as a liberal argument.

I make a distinction between values because there is a great tendency to mix

up ultimate values with what I call second level values—which you might call ethics or just norms of conduct. The latter are themselves important to be sure, the everyday norms of conduct like honesty, fidelity, truthfulness, and responsibility. I am just now dealing with Roosevelt’s being very dishonest with the American people about how much we were fighting the Nazis in the North Atlantic in 1939-40 and misrepresenting that when he reported to the nation. In terms of a common, important norm of conduct—honesty and truthfulness—FDR really violated it then. However, one has to get one’s hierarchy of values straightened out. If national survival is crucial, when you are fighting Nazism you’re probably allowed a certain leeway!

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PP: Given your assessment—that we need substantial institutional change today, but that such change is very hard to come by—what is your reform agenda? Where

should we look for modest constitutional change?

JMB: First, let me say that I don’t like ideas like balanced budget amendments.

I don’t think we should put policy into the Constitution, except for the Bill of Rights. What I think we should do comes from work I have been doing with colleagues in the Committee on the Constitutional System. The Committee includes people like Senator Nancy Kassebaum, Douglas

Dillon, and Lloyd Cutler. For about ten years now we have been working over these matters knowing perfectly well that the chances of their being put through now are slight, but to get the ideas in the intellectual bank if needed. Where I end up—and we all vary in what we propose—is this: a four-year term for members of Congress concurrent with the presidential term; 12-year term limits (that’s my big concession); if we had a four-year team arrangement, some kind of recall or re-election provision within the four years since we would be dropping the off-year House vote; and ratification of treaties by both House and Senate on a simple majority vote.

Finally, as a non-constitutional reform, there should be changes in the election system that would make it easier for people to vote the party ticket. Voters should have a lever on the machine, for example, which they could use to vote the entire party slate. The whole point of this is to try to put into office a team that knows it will have at least four years, and up to 12 years, to show what it can do.

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