

# Perspectives

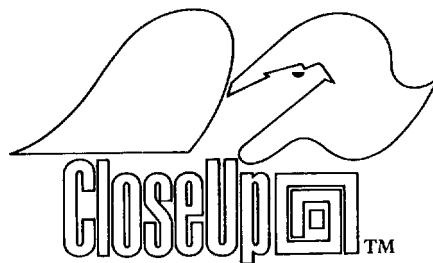


# CLOSEUP

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# PERSPECTIVES

## 1978



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THE WHITE HOUSE

WASHINGTON

September 1977

To Close Up Participants

The 12,000 students and teachers who will participate in Close Up this year have a great opportunity to observe the federal government at close range and see how it really works. To many young people, government and politics seem stagnant, something totally separate from their own lives. But, in small ways and large, government affects us all, every day.

One of the greatest values of your program is that it represents the mainstream of American life. You are here not because of your status, but because of your interest. You are part of the great body of Americans who really run this country -- hardworking, concerned people who use their talents and knowledge and energy for the nation's benefit.

I hope you will make good use of this chance to learn about government while you are young and your lifetime commitments are not yet made. When you are older, when you have a family and job responsibilities, your perspective may be altered by these choices or by the possible loss of personal privilege or security. But now while you are still making those choices you can devote your hearts and minds to necessary change without these constraints.

There is a quote carved inside the Jefferson Memorial that you might want to remember: "I am not an advocate for frequent changes in law and Constitutions but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions changed with the change of circumstances, institutions must advance also to keep pace with the times."

Our system of government rests on the assumption that in an open society, with free debate and access to the facts, truth would eventually overcome error. Our founders set up checks so the majority could not take unfair advantage of the minority, to restrain even the most powerful and protect even the weakest.

But if the system is to work, all of our people must participate. We all must train our minds to learn the facts and understand the issues. We must all vote and make our wishes known. All of our citizens must stand against injustices to any one of them, for our government is made up of its people; its strength is their strength, its weakness their weakness. If they are apathetic, government will be apathetic. But if the people care -- and show it -- the government will act. How wisely and how effectively is largely up to the people; it depends on how well they express their concern and how effectively they monitor the processes of legislation and administration. Often the worst answer to a problem can be a bad program, and only the people can prevent that.

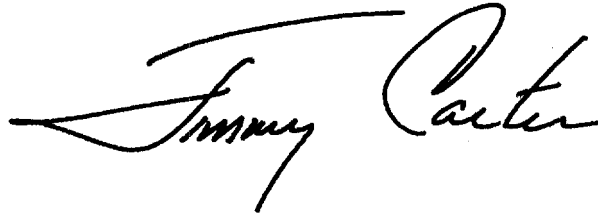
During the Watergate hearings, many young men who had come to work in the government expressed their disillusionment with it. One of them who had been involved in the cover-up advised young people who might be tempted to come to Washington to try to put their ideals into practice to "stay away." He saw the city and the government as inevitably corrupting forces.

That need not be so. Andrew Jackson saw it more clearly when he said, "There are no necessary evils in government. Its evils exist only in its abuses." The people can control government abuses by exercising the rights and privileges of citizenship. When only a little over half our people who are eligible actually vote -- less than half our young people -- then we are halfway down the road away from government by the people.

While you are here you have the opportunity to learn and observe and to question. I hope when you go home you will continue to learn and observe, to question and probe. I hope you will be determined not to accept easy labels, but to find out what people really stand for, and whether programs and policies actually do what

they claim to do. I hope you'll be proud of your government and your country but work to correct the wrongs you see, and never hesitate to stand up and say so when you know a wrong is being done. But I hope you'll be able to restrain your strict conscience enough to be sure beforehand that it is really a wrong, and that if you find out later you were mistaken, that you will always have the courage to admit it and try to make it right.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in black ink on a white background. The first name "Jimmy" is written in a slightly larger, more prominent script than the last name "Carter".

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## PERSPECTIVES 1978

If there is one thing that you are sure to learn while in Washington, it is that there are neither simple questions nor absolute answers when it comes to politics and government. . . instead, there are countless "perspectives." During your CLOSE UP week, you will actually experience government. You will study it by participating in seminars with Congressmen, Senators, executive branch officials, lobbyists, reporters, judges and many others. You will have the chance to ask questions of these people, and you will discuss a host of subjects in workshops with fellow students and your Program Instructors. You will be exposed to many different "perspectives" on a variety of subjects. This book, appropriately titled **Perspectives**, is a collection of readings on politics and government which is intended to supplement the seminars, workshops, informal discussions and other experiences which are a part of the CLOSE UP program.

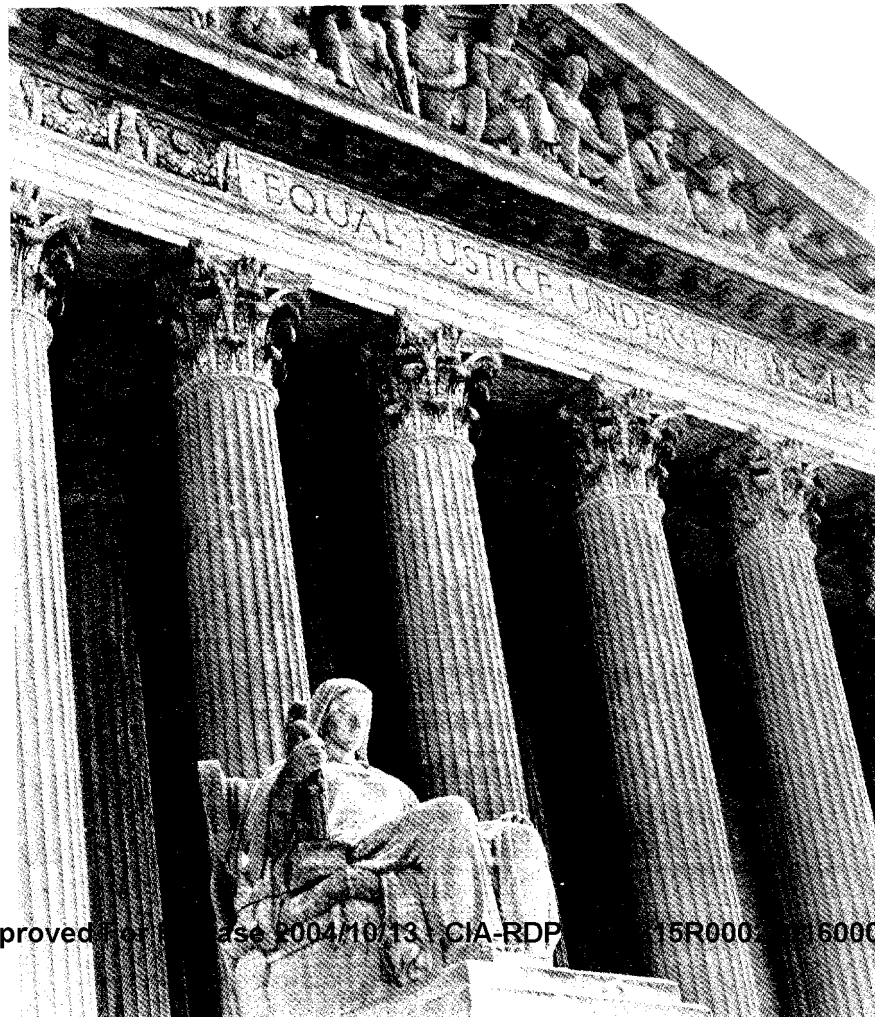
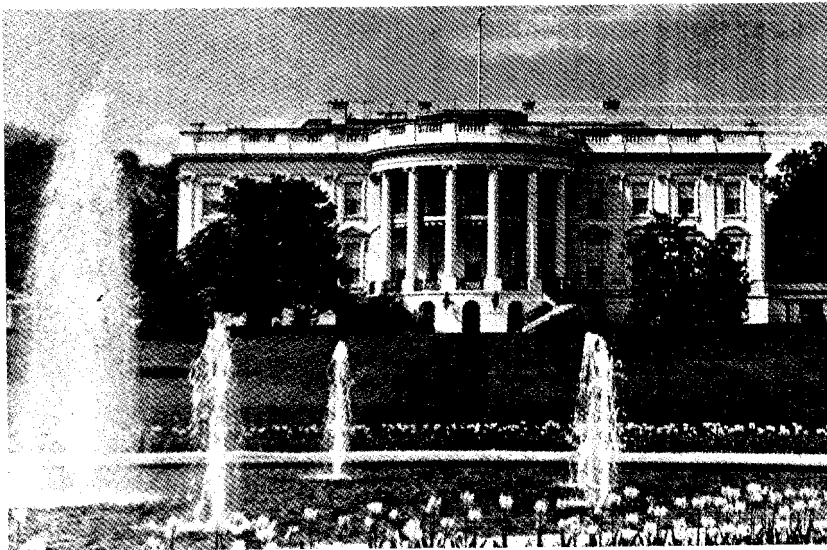
Many members of the staff of the Close Up Foundation have contributed their time, energy, creativity and—most of all—their dedication to the creation of **Perspectives 1978**. This year's edition contains over 50 articles written especially for CLOSE UP students and teachers by individuals with a great deal of experience in government and political affairs. Among the authors are Republicans, Democrats, and independents; liberals and conservatives; private citizens and government officials. We have conscientiously striven to present as many diverse viewpoints and as many sides of as many issues as possible. Anything less would be contrary to the values and spirit of the Close Up Foundation.

It has always been CLOSE UP's goal to offer a meaningful alternative to the traditional way most young Americans learn about politics and their government. **Perspectives 1978** is a part of that process. It is not meant to be a textbook. It is your book, your resource. When you receive a copy from your teacher-coordinator, take the time to read as many articles as possible before coming to Washington. Discuss them with other students, with your teacher and with your family. Utilize the charts and diagrams as tools to gain a better understanding of all aspects of the government. And don't miss any of the creative commentaries by Peter in his series of 15 cartoons drawn especially for **Perspectives**.

As you read, and especially when you do come to Washington, keep in mind what was stated earlier—there are no simple questions, there are no absolute answers. What is important is that you ask questions and think deeply about the complex issues facing us now and in the future. . . that you form your own perspectives. As students concerned with learning about government, and as citizens participating in it, we are confident that CLOSE UP will be a memorable and a learning experience for you.

# Section I.

## THE FEDERAL GOVERNMENT: The Policy Makers



# 1. THE PRESIDENCY: Power and Leadership

*"All see, and most admire, the glare which hovers around the external trappings of elevated office. To me there is nothing in it, beyond the lustre which may be reflected from its connection with a power of promoting human felicity."*

*George Washington*

The Constitution states that every four years the people of the United States shall elect a President, in whom the "executive power" shall be vested. November, 1976, marked the forty-eighth occasion in our history that we have exercised this most fundamental of our democratic rights. As in any election campaign the focus was on the men themselves—their personalities as well as their policy positions, their images as well as their past experience. Now we need to focus our attention on the institution—the Presidency. The powers and responsibilities of the Presidency are great and diverse: Chief Executive, Commander-in-Chief; party leader, national leader, world leader; efficient administrator, effective sponsor of legislation. In many ways these powers and responsibilities differ from those conferred upon George Washington in 1789. The Presidency has evolved with the changing needs of the times, and as each President has left his mark upon the institution. . . yet it is also true (as proven by the Watergate crisis) that there are definite limits beyond which these powers cannot be stretched.

Today, after a decade which saw one President decline under pressure to run for re-election and another forced to resign, our nation continues to debate questions of presidential power and leadership. What should be the limits on the powers of a President? What are those special qualities of leadership which make certain men great Presidents? In this chapter former assistants to Presidents Kennedy, Johnson and Nixon are among the authors who discuss these and other questions. In addition, the first of a series of *Perspectives Panels* presents you with a symposium on the lesson of Watergate. Such key figures as Senator Howard Baker and Congressman Peter Rodino have contributed their views. Finally, a series of charts and diagrams will help you learn about the leading figures in the Carter Administration.

# HOW MUCH POWER FOR THE PRESIDENT?

## Harry C. McPherson

*This is a fitting question with which to begin a book about government in these post-Vietnam, post-Watergate years. Harry McPherson has been in Washington since 1956 during which time he has worked in the U.S. Senate, the Pentagon, the State Department and as Special Counsel to President Lyndon B. Johnson (1964-69). He has witnessed and been involved with government under six different Presidents. He is also the author of *A Political Education*, "a journal of life with Senators, Generals, Cabinet Members and Presidents." He wrote this article especially for *Perspectives*.*

Very likely no people on earth spend as much time worrying about the balance between executive and legislative power as Americans do. Totalitarian governments have no barriers to the exercise of executive power. Even in our sister democracies in Europe, where there is strong competition between the political parties, the legislature ordinarily supports the executive's program once the election is over.

Yet the Founding Fathers carefully wrote into the Constitution provisions for the separation of powers—for "checks and balances" between the executive, legislature and the judiciary. Under this system of divided powers, the contest between the President and the Congress often begins after election day. Recent events show this to be true even when the President is a member of the same political party (in this case, the Democratic Party) that holds the majority in Congress. At the root of much of the competition and the conflict is the fact that both the President and the Congress claim to represent and to act on behalf of "the people."

The President can fairly claim to be the only official in government to have been chosen by the majority will of all the people; therefore, it is argued, he alone represents us all. Representatives in the House can say, with equal justice, that they are "closest to the people." Facing the voters every two years, it is argued that they represent the popular will more intimately and responsively than does the President whose four-year term in-

cludes him from public opinion. So, partisans of both institutions argue that supreme authority in our system is legitimately theirs.

### A Bold and Forceful, but not Imperial, Presidency

From the earliest days of the Republic, the argument has raged about how much authority should be vested in the President, and how much retained by the "popular branch of government," the Congress. The Founders so mistrusted executive government—which they identified with King George III and his commanders and colonial governors—that they were inclined to give very little explicit power to the President. Probably it was only the certainty that the universally admired and trusted George Washington would become the first President that caused the Founders to give the office what clear constitutional powers it has. Since then, events and the personalities of Presidents have shaped the Presidency, as well as our sense of what its rightful authority should be.

As with any issue that has been debated for two centuries, there are at least two sides to this

"HE SEEMS TO HAVE THIS IDEA THAT HE CAN DO THE JOB WITHOUT US"



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one. First, let us examine the case for a bold and forceful Presidency. During the 1950's, many observers thought that meeting America's problems demanded bold and forceful leadership from the White House. The President ought not to be obstructed, they argued, by Congressmen whose only interest lay in serving the special interests of their districts. He should be given the flexibility to use government programs, tax policies and appropriations in rational ways—not as petty politics required. In foreign affairs, he should be empowered to meet sudden emergencies abroad with military power, economic aid or with whatever swift and decisive action was needed. To permit a Southern senator or a Western congressman to tie up aid to the cities, action to guarantee civil rights, or a response to foreign aggression, only jeopardized the interests of all the people.

For those who believed that the Presidency had become too powerful, the events of Vietnam and Watergate substantiated their arguments. Many of the same people who had previously advocated a strong Presidency grew to think that the Presidency had become "Imperial," concentrating power in ways that endangered our liberty and safety. From this perspective, Congress became the defender of public rights, not the barrier to progress.

In my view, there is much that is right, and much that is shortsighted in both opinions. The complexity of many national and international problems today—energy production, environmental protection, the reduction of unemployment and inflation, international economic relations—require the attention of a strong and resourceful Executive. "Government can't do everything," true; but Government must do some things, and the doing of those things is chiefly an executive function.

On the other hand, we've learned that a President surrounded by the trappings of power can become remote from the people and their representatives, and can—without evil intentions—come to feel that he alone has the wisdom to perceive, and the authority to pursue, national goals. If future Presidents are to retain the confidence of the people on which the success of the Presidency depends, they will have to open the decision-making process more fully to the people, and invite the greater participation of Congress in making those decisions. That is to say, the President must be more "accountable" to the people and to the Congress.

**... "The President must be more 'accountable' to the people and to the Congress. Accountability is the opposite of unchecked power."**

### Accountability to Congress and to the People

Accountability is the opposite of unchecked power. It means that the powers of any one branch of government, or any one individual, are "checked" and "balanced" by powers granted by the Constitution to other branches of government. For example, the Supreme Court has on occasion stepped in to deny a President the power to take a certain action, because it exceeded his constitutional authority. Public opinion also acts as a check, expressed either in Presidential elections or through Members of Congress. Probably the most common check on a President is the Congress.

In recent years the Congress has begun to reassert itself in passing new laws to hold the President and the entire Executive Branch more accountable. One area in which the exercise of broad authority by different Presidents throughout our history has been met by ardent opposition and criticism in the Congresses of their times is "national security."

During the Civil War, President Abraham Lincoln far exceeded the strict limits of his authority by suspending the right of *habeus corpus*, authorizing the opening of mail, and taking other steps that ignored individual rights. But he acted, as he said, to preserve the Union against the gravest threat it had ever faced, and few faulted him for it. Prior to our entry into World War II, President Franklin D. Roosevelt's trade of destroyers for bases with England was accomplished without the formal consent of Congress. Some have criticized FDR for evading the constitutional requirement that Congress must approve treaties. Roosevelt believed, and most historians agree, that the situation demanded quick action to save England and thus to protect America's security.

However, it cannot be said that Presidents may always ignore constitutional limitations on their authority, when in their judgment the national security is threatened. President Nixon's defenders argued that his actions, which later brought about his near-impeachment and resignation, were justified because national security was threatened in the early 1970's by subversion and even treason. President Johnson's

Administration claimed that the war in Vietnam had in effect been endorsed by Congress, in the Tonkin Gulf Resolution of 1964, and in the appropriations which Congress annually voted for the military services who were conducting the war. But a formal declaration of war was never sought, and as the war ground on without the prospect of victory or a tolerable peace agreement, the public and the Congress withdrew their support for it and the Johnson Administration itself. The Nixon and Johnson Administrations were unlike in most respects, but both asserted the authority to identify, and to protect as they saw fit, the national security interests of the United States. Likewise, both suffered the consequences when the people judged otherwise.

In 1974 Congress passed the **War Powers Resolution**, aimed at making presidential power more accountable to it in matters of national security. The War Powers Resolution requires the President to terminate the use of American forces in hostilities abroad within sixty days, unless in that time Congress declares war or votes to extend the sixty-day period. This resolution was aimed at preventing other Vietnam-and-Cambodia-type wars, by requiring the specific approval of Congress for American military involvement. Its purpose was also to regain a strong voice in matters of national security for the Congress.

### **Conclusion: How Will the Pendulum of Power Swing?**

Congress has passed other laws aimed at making Presidential power more accountable to it and to the general public. One such law is known as the "sunshine law". Its provisions require that executive branch agencies and Cabinet departments permit the public to observe their decision-making processes. Congress is also considering a "sunset law" by which agencies will expire after a specified period of time unless Congress acts to extend them. All these laws are responses to the threat of unaccountable power in the Presidency, and of uncontrolled growth in government. They assert the power of Congress to share in making vital decisions and of the public to see and criticize the performance of officials whom they have never elected, but who exercise great authority in making the rules that increasingly affect their lives.

Whether the pendulum will swing too far, whether in the aftermath of Vietnam and Watergate, Congress so ties the President's hands that a

future President could not respond to a depression, or help save an embattled England, only time will tell. What is certain is that the argument we have conducted for two centuries, over the appropriate limits of Presidential and Congressional authority, will continue into the third.

## **THE MAN AND THE OFFICE: A CALL FOR INTEGRITY AND ACCOUNTABILITY Clark R. Mollenhoff**

*Clark Mollenhoff was a special assistant to President Richard M. Nixon from 1969 to 1970, when he resigned this position. Prior to working at the White House, he won the Pulitzer Prize for national reporting. He is presently Washington bureau chief for the Des Moines Register and Tribune. He has written numerous books on American government, including: **Despoilers of Democracy, Game Plan For Disaster, and Tentacles of Power.** In this article he discusses the character and other qualities which are important in anyone who serves as President.*

Recent history and the revelations of misdeeds by our Presidents have marred the shining, unrealistic image we had of the Office of the President of the United States. Yet we can hope that in the long term this will be for the good of the American democracy. For one thing we have intensified the national discussion of what qualities we look for in a President.

Ideally a President should be a person of great integrity who can supply moral leadership to the nation. The manner in which Presidential power is used or misused is to a large extent contingent upon the integrity and sense of fair play of the President himself. He must not be vulnerable to charges of personal political corruption or of condoning corruption in the ranks of his sup-

porters. He must possess the deep integrity which sees beyond the political expediency of the moment and recognizes that abuse of power is bad for the people as well as for the President. This is a most important characteristic of a President's politics and personality.

In judging his integrity it is essential to go beyond his own self-serving declarations and the claims of his political supporters. Some of the worst scoundrels in political life have thumped the Bible and talked a good game. People must also see through the carefully contrived television images that all Presidents project.

A President with this kind of integrity and experience could effectively direct overall policy making, set a high moral tone, and be free to take corrective action when his administration or any government agency becomes bogged down in corruption or mismanagement.

### **Secrecy and Lack of Accountability Lead to the Abuse of Power**

Watergate has dramatically demonstrated the lack of moral leadership of one President, as well as his shocking lack of knowledge of how to manage the government. It also disclosed clearly the manner in which the awesome power we give our Presidents can be misused to cover up crimes by a President and his political associates.

In the aftermath of Watergate a series of Congressional hearings have disclosed the manner in which many of our Presidents misused the power of the Central Intelligence Agency (CIA), the Federal Bureau of Investigation (FBI), the Post Office, and the Civil Service Commission, to name only a few agencies that spring quickly to mind. While the Nixon Administration was the focus of major attention in Watergate, it is now generally admitted that all of our administrations for at least the past forty years engaged in abuses of power that were somewhat comparable.

For our purposes, it is not necessary to judge or even speculate as to which President engaged in or permitted the greatest abuses of power. It should be sufficient to recognize that every President is tempted to misuse the tremendous governmental power that he holds for his own political advantage, and that in varying degrees all of our recent Presidents have succumbed to the temptation.

While the President must have tremendous power to effectively run the government, the continuing problem for the voters is to assure that

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**“Every President is tempted to misuse the tremendous governmental power that he holds for his own political advantage, and in varying degrees all of our recent Presidents have succumbed to the temptation.”**

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there is a reasonably effective system of accountability. Every President must be accountable to Congress, the courts and to the public. If there is unlimited executive privilege to hide the truth from the public, the important checks and balances will have gone out of our constitutional system.

It is well to remember that every bit of government secrecy that is tolerated provides an atmosphere in which mismanagement and corruption can flourish. If decisions can be made in secret or actions taken in secret there is a tremendous temptation for any administration to use the secrecy to cover its flaws.

While some limited secrecy for national defense and similar purposes is essential, it cannot be an all-encompassing secrecy that is devoid of an accountability to some independent group, outside the executive branch.

If the facts are available to the public, the press and the political opposition, the voters will have all the protection they need against arbitrary authoritarian government. The effective use of this information must be left to the judgment and discretion of the individual voter. Each of us must decide whether the specific actions or policies of a President are in the public interest or in his (the President's) own interest.

### **Some Fault Lies with Congress and the Press**

Compounding the problem for the voter today is the superficiality, incompetence and political bias of various segments of the press and the Congress. (Even the federal courts are in some instances politically or ideologically biased.) Even in the wake of Watergate, the press has permitted and promoted some aspects of the “imperial Presidency” to continue in the Ford and Carter Administrations. The tough questions are not asked at press conferences for fear of being identified and punished as a critic of the incumbent administration. Questions that might be distasteful to the President are avoided entirely, or are worded in a manner that permits an evasive answer that dodges the issue.



## the small society



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Congress, after showing a few signs of rebelling against Presidential power during the Ford Administration, has tried to paper over its differences with President Carter. While a few members of the House and Senate are still insisting upon a high standard of accountability, the pressure of politics is for a Democratic Congress to conform to the wishes of a Democratic President. This is disturbing. There are also many examples of Senators and Congressmen becoming lap dogs because of the fear of prosecution by the Justice Department or a desire to receive favored treatment for pet projects for their districts.

These are the realities of political life that every voter and every newsman must take into account in making an analysis of Presidential actions on complicated issues before the nation.

The Office of the President is powerful, but that power can be used for political good or evil. There is no real "proving ground" for candidates. Voters can only examine the evidence available on a nonpartisan and nonideological basis, and then to some degree take the President on faith. They must look for a man whose actions indicate a real concern for injustice and a courage to intervene on the side of right even when this means opposing the establishment power structure. He must demonstrate an understanding of the importance of due process of law in achieving honest government!

Above all, he should be a man who can admit mistakes on policy or in appointments and courageously take the steps to correct such errors at the earliest possible stage. While no single man can possess all of the ideal abilities the Presidency demands, there are a large number of men in public life with the experience and the character needed to do the job effectively and with integrity.

## "THE PRESIDENCY IN PERSPECTIVE" Winton M. Blount

*Mr. Blount is a former Postmaster General of the United States, appointed in 1969 by President Nixon. This article is taken from a speech he delivered to the Georgia Highway Contractors' Association on September 21, 1974. While the previous articles discussed the powers of the President, this addresses the questions of leadership: What kind of leader do we expect? What kind of leader should we expect? To what extent have both we the American people and our Presidents become victims of false images and unrealistic expectations?*

One of the remarks heard most frequently in recent weeks is that we have come through a long national nightmare. And all the signs we see about us suggest that we are preparing to plunge back into another national nightmare. The fact is that if we do not somehow find a way to restore a human dimension to the Office of the President of the United States, we are going to stagger along from one crisis of leadership to the next. What the end result will be is anybody's guess—except that whatever it is, it will be disastrous.

There are a number of observers today who believe that we are heading into a long period of one-term Presidents. There are as many reasons for this as there are people who share that basic viewpoint. The common denominator in all these points of view is that no President will be able to maintain sufficient credibility as the nation's

leader to enable him to govern effectively beyond one term. I am not convinced that this is true. But if it is true, then what we are really saying is that the American people are losing their capacity to govern themselves. The President is the only elected official in our entire structure who represents all the people. If he cannot maintain the confidence of a majority of Americans for more than four years for whatever reasons, then we stand a very good chance of ending up as the world's most powerful banana republic. . .

### **More Realistic Expectations for the Presidency**

. . . The problem is simply that, as a people, we have lost real perspective on the Office of the Presidency. The institution itself has become one more media event. Our expectations of the man are shaped by the media rather than by a sense of our own history. Our demands on the Office are conditioned by more than three decades of concentrating power in Washington, relinquishing our destiny as a whole people into the hands of a single person, and investing that person with a kind of infallibility to justify what amounts to be a refusal to accept our own civic responsibilities.

But the President is only a man. And no man is infallible. Yet in the circumstances we create around a President, when the man makes a mistake, we are offended and react as though he has somehow failed us by not living up to the standard we set for him. We condemn him simply for being human. It is small wonder that a President—any President—tries to maintain his image of infallibility; small wonder that he tries to have the media maintain for him this image of someone who never stumbles, never misjudges, never has a bad day. Ironically the media go along—giving him what has become almost a tradition—a honeymoon period—and then after treating him like a superhuman being, they turn on him as though by being human and fallible he has somehow deceived them. A case in point is President Ford's pardoning of Richard Nixon. The reaction was totally out of proportion to the merits of the case.

In the past fourteen years, we have had one President assassinated, one hounded out of office, and one forced out of office, in disgrace and under a cloud of wrongdoing. It would be simple to suppose that America was having an incredible run of bad luck, and that we will shortly return to electing Presidents who fit our view of what a President should be and what he should do. But I

do not believe the situation can resolve itself so easily. The problem does not lie with the men we elect, but with what we expect of these men.

We must return to the basic constitutional proposition that the American government is a government of the people and by the people. We have to place as much responsibility for our governance with our Congressmen and our Senators as we place with the President. We have to hold our governors and our state legislators as critical to our way of life as we hold the Federal Government. And we have to ask as much of ourselves as we ask of our President—for he is one of us. Both citizens and the media simply must be more mature in our perception of the Presidency.

### **Let The President Be Human**

The Presidency is a great and an essential institution in American government. But it is not the only institution. It is not even the most important institution. It is a part of the whole, and we have to see American government whole again, and see that we all have a role in it, if we are to bring the role of the President back into perspective.

If we fail in this endeavor, if we continue to treat the President as the beginning and the end of American government, if we continue to put him on a pedestal, making his every action a media event and his diet a subject for headlines, his family the focus of every feature section, if we continue to turn on him and savage him when he does not live up to the royal image we have given him, and if we continue to see our own civic responsibilities consisting simply of voting once every two or four years, then we will indeed be watching what George Reedy called "the twilight of the Presidency."

We have the right to expect our President to be a good and an honorable man who does the best he can as he is given the wisdom to do it. But that is all we have the right to expect. It is as much as we could expect of ourselves. Instead, we want a man who has the courage of David, the wisdom of Solomon, the probity of Lincoln, the patience of Job, and the looks of Tyrone Power. We want what never has been, and never will be, and if we persist in demanding this media-manufactured notion of what a President ought to be, we're going to end up with a President whose chief advisors are his makeup man, his tailor and his barber. That is not what the Constitution had in mind.

What we need today is not a false image of a President that plays well in the press, and not a king who takes all responsibility for all aspects of our national life and most of our personal life. We need a man capable of meeting his responsibilities within the context of one of three co-equal branches of government, a man whom we will permit to decide what he has the right to decide, whom we will not permit to decide what the

Constitution does not give him the right to decide, and a man whom we will permit to be human—capable of both majesty and mistakes.

The simple fact, ladies and gentlemen, is that in spite of all of the power of the Office, the future of the Presidency is in our hands.

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## KNOW THE EXECUTIVE OFFICE OF THE PRESIDENT

*The Executive Office of the President (see the Structure of the Executive Branch diagram in Chapter Two) consists of the President's immediate advisers, administrators, policy analysts and other assistants. They are appointed by the President without the need for Senate confirmation. These individuals are very influential because they are close and trusted associates of their President, frequently having worked on or supported his campaign. President Franklin D. Roosevelt referred to the Executive Office as his "brain trust." Under President Dwight D. Eisenhower they were called the "kitchen cabinet." H. R. Haldeman, John Ehrlichman, John Dean and Ron Zeigler were all in President Richard Nixon's Executive Office.*

*Here is a list of some key figures in the Carter White House. Some of the names are probably more familiar than others. 1) Identify their official titles and 2) Find out what their powers and responsibilities are.*

	Title	Responsibilities
Hamilton Jordan		
Zbigniew Brzezinski		
Charles L. Schultze		
Thomas B. (Bert) Lance		
Margaret (Midge) Costanza		
Jody Powell		
Frank Moore		
Barry Jagoda		
Timothy E. Kraft		
Stuart E. Eizenstat		

# THE EXECUTIVE BRANCH AND THE MAKING OF DOMESTIC POLICY

Lee C. White

*Mr. White has had a long and distinguished career in government service. He served as Assistant Special Counsel to President Kennedy and Special Counsel to President Johnson. From 1966 to 1969 he was chairman of the Federal Power Commission. His experience in the executive branch makes him a valuable commentator on the question of domestic policy and the effects of centralization of power in the White House. Mr. White wrote this article exclusively for publication in Perspectives in the summer of 1976, before the Presidential election.*

Modern Presidents are determined, as candidates and as newly inaugurated chief executives, to get control of the executive branch of the Government and to make it responsive to their campaign pledges and to their philosophy. However, that has proven to be a somewhat difficult and frustrating task. Perhaps this is best illustrated by the musing of outgoing President Truman about the problems General Eisenhower would experience when he became President Eisenhower, in that he would issue orders and directives and would falsely assume they would be instantly and unquestionably implemented as had been the case during his military career.

It was less than fifty years ago when President Herbert Hoover's White House staff had only two or three professionals. In more recent years, however, White House staffs have grown substantially. As the problems of this country have become more complex and difficult, the executive branch and in particular the Executive Office of the President have played an increasingly active role.

## The Cabinet and the Domestic Council

This has created considerable tension between Cabinet secretaries and agency heads, on the one hand, and White House staff on the other. All high-ranking Cabinet and agency officials must be nominated by the President and then

confirmed by the Senate; White House staff are appointed by the President without the advise or consent of the Senate.

Although comparisons are extremely difficult, it seems that, in general, the quality of Cabinet officers (meaning the ability of the individuals who are willing to accept posts) is inversely related to the degree of authority that White House staff is given over department and agency heads. That is, the more dominant the White House staff is on matters of domestic policy, the less chance there is of attracting top individuals to Cabinet posts.

In the Kennedy and Johnson Administrations, there was a natural tension between White House staff and Cabinet officers. For the most part, there were no situations—at least not any that were publicly identified as such—in which Cabinet officers were met with a stonewall when they attempted to reach the President, either to press a program or to appeal a decision regarded by them as adverse. Newspaper accounts suggest that in the Nixon Administration it was not uncommon for Cabinet officers to be given flat instructions from the top White House staff personnel without any opportunity for recourse or appeal to the President. The Ford Administration is a more open one. Although there is no definitive information available on the point, it would seem that once again Cabinet officers and agency heads are at least able on occasion to make their pitch directly and face-to-face to the President.

The Domestic Council includes the principal White House staff advisers to the President on questions of domestic policy. The function of the Domestic Council is to pull together various domestic policy goals and to provide coordinating and evaluating capability for the President. In a sense, this somewhat duplicates the assignment of the Office of Management and Budget (OMB). In actual practice, the relative influences of the Domestic Council and the OMB reflect the operating style, preferences and practices of each particular President. The ability, the personality and the relationship to the President of Domestic Council key personnel are among the more significant factors in how any particular Council operates and how influential it is. These advisers must have a deep understanding of the President's views, attitudes and policy positions. Put in slightly different terms, the head of the Domestic Council is expected to have enough sense and good judgment to know when issues should be presented.



Photo Courtesy of the White House

The Cabinet Discusses the Energy Problem

### Comparative Glance at the Domestic Policies of Recent Administrations

The process by which any White House functions is of considerable interest and obvious importance. But in the longer sweep of time, the process is simply a means to certain ends. Thus it is appropriate, even if it is difficult, to take a backward look in order to determine what were the policy objectives, and how effectively were they met in different administrations. At the risk of the wildest possible oversimplification and of being 100% wrong (if it is possible to be that wrong), it is fair to say that the Kennedy-Johnson Administrations adopted or accepted as a primary goal the elimination of the insidious discrimination against minority groups in this country that had been a part of our national heritage. This was a tradition so deeply ingrained that its elimination was expected to be—and was—extremely difficult. Nevertheless, giant strides were made in this direction and I believe that historians of seventy-five years from now will mark those two Administrations as the definite turning point in coming to grips with discrimination in the United States. Efforts to redistribute income—the war on poverty—will be noted as having moved us towards that national goal with some considerable achievements, although never fully realizing the proclaimed objective. Undoubtedly, the Viet Nam war debacle will loom large in any evaluation of the Johnson Presidency, and the national divisiveness that was created will also be deemed to be a part of the fruits of that period.

The Nixon Administration, somewhat like the Eisenhower Administration, apparently saw itself as a consolidator of programs and policies that had been adopted, and set for themselves the goals of better and sounder administration and implementation of the new proliferating programs. The first four years of the Nixon Ad-

ministration produced a centralization and control over the executive branch that perhaps might have been the envy of other administrations, but the revelations of the second portion of the Nixon years demonstrated again the dark and negative aspects of excessive concentration of authority in a small number of people. If centralization and control were the dominant goals of President Nixon, they were achieved, but at a terrible price to the national psyche and to national morale. The cutting back of some programs from earlier administrations was hardly a national objective. In evaluating the domestic policy of the Nixon Administration, there may well have been some programs that merited elimination or reduction, but no strong case has been made that the right ones were scuttled. "Law and Order" as a goal today seems like a mockery.

President Ford assumed the Office under the most difficult of circumstances. In general, he has moved to restore confidence in the integrity of the governmental process, if not in its ability to identify, analyze and resolve national problems.

A national Presidential election affords the voters an opportunity to focus on the two basic choices that are offered by way of candidates, parties and platforms. A cynical view is that the platforms are really not very reliable indicators of what might come to pass if the candidate of the party espousing that particular platform happens to get elected. But hope springs eternal and it may well be that the election of 1976, with fairly

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**"Power may justly be compared to a great river which, while kept within its due bounds is both beautiful and useful; but when it overflows its banks. . . it wears down all before it and brings destruction and desolation wherever it comes."**

*Alexander Hamilton*

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sharply drawn lines between the two candidates of the two major political parties of this country, will afford the citizenry a chance to indicate basic

directions in which the country should move. With good luck, the campaign just might serve that desirable function.

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## THE CABINET: Q & A

### **What is the Cabinet?**

The Cabinet now consists of 12 Secretaries, each of whom is the head of a "department." Cabinet "rank" is also given to such other high-ranking Presidential aides as the Ambassador to the United Nations, the Director of the Office of Management and Budget, and the Chairman of the Council of Economic Advisers.

### **What are the responsibilities of a Secretary?**

A Secretary is the administrator responsible for the implementation of programs passed into law by the Congress and other policies determined by the President. He or she is also an adviser to the President, assisting him in the formulation of policy proposals.

### **How are Secretaries chosen?**

They are nominated by the President and must be approved by the Senate. Most Presidents choose individuals who have experience and expertise in the particular policy area, although political support during the campaign has also traditionally been a factor.

### **Did the Constitution call for 12 Cabinet departments?**

No. In fact, there is no mention of a Cabinet in the Constitution. However, Article II, Section 2 did give the President the authority to create a Cabinet. George Washington's first Cabinet (1789) consisted of only four members—the Secretaries of State, Treasury, War and the Attorney General. The most recently created departments are Transportation (1966) and the Department of Energy (August 1977).

### **Who creates a Cabinet department?**

The President must submit a plan to Congress to create a new department, terminate an old one, or merge different ones. He cannot act without the approval of the House of Representatives and the Senate.

### **Are all Cabinet departments located in Washington?**

Yes, but they have regional offices throughout the country. The heads of these offices are responsible to the secretary in Washington. They are in charge of administering the department's programs in their regions.

### **How big are the departments?**

Each department includes many subdivisions and separate agencies with specialized functions. For example, the Treasury Department includes such different agencies as the Secret Service, the Internal Revenue Service and the Bureau of the Mint. Each has its own head officer, but the Secretary of the Treasury retains overall authority and responsibility. The size of each department's budget varies, from the \$129 billion for the Department of Health, Education and Welfare, to the \$2.1 billion for the Justice Department (figures are for 1976).

**KNOW THE CABINET**

*With the above information as background, study this chart to gain a better understanding of the policy areas of each department. Then see if you can fill in the names of all twelve Secretaries. Daily newspapers, weekly newsmagazines and the evening television news will be helpful in discovering these answers. For further information, consult the U.S. Government Manual in your library, or write directly to the Office of Information for the particular department (you can easily find the address in your library).*

<b>Department</b>	<b>Secretary</b>	<b>Policy Areas</b>
<b>AGRICULTURE</b>		<p align="center"><b>Promote and Assist Agriculture</b></p> 1) Aid to farmers 2) Inspection of foodstuffs 3) Rural development 4) Food stamp program 5) Soil, forest and water conservation 6) International trade
<b>COMMERCE</b>		<p align="center"><b>Promote Industry and Business</b></p> 1) International trade 2) Assistance to depressed areas 3) Weather Bureau 4) Census Bureau 5) Oceanic and Atmospheric Administration 6) Merchant Marine
<b>DEFENSE</b>		<p align="center"><b>Provide for the National Defense</b></p> 1) Joint Chiefs of Staff 2) Army, Navy, Air Force, Marines 3) Overseas troops and military bases 4) Military aid programs 5) Arms sales
<b>ENERGY</b>		<p align="center"><b>A Coordinated National Energy Policy</b></p> 1) Allocate oil and natural gas supplies 2) Set natural gas prices 3) Energy conservation 4) Research and development of alternative energy sources 5) Nuclear weapons and energy research
<b>HEALTH, EDUCATION AND WELFARE</b>		<p align="center"><b>The Nation's Human Concerns</b></p> 1) Aid to education 2) Public health 3) Welfare 4) Social Security Administration 5) Special programs for the elderly, children (Head Start), handicapped
<b>HOUSING AND URBAN DEVELOPMENT</b>		<p align="center"><b>Housing and Community Development</b></p> 1) Housing programs 2) Urban restoration 3) Mortgage insurance 4) Relief from natural disasters

INTERIOR		<p style="text-align: center;"><b>Custodian of the Nation's Resources</b></p> <p>1) Leasing of federally owned land                  2) National Park Service                  3) Bureau of Indian Affairs                  4) Mining technology and safety                  5) Fish and wildlife conservation</p>
JUSTICE		<p style="text-align: center;"><b>Lawyers for the Government and the People</b></p> <p>1) Administration of Federal prisons                  2) Civil Rights Division                  3) Antitrust Division                  4) FBI                  (5) Immigration and naturalization</p>
LABOR		<p style="text-align: center;"><b>Promote the Welfare of American Wage Earners</b></p> <p>1) Administer Federal labor laws                  2) Job training                  3) Unemployment insurance                  4) Collective bargaining                  5) General economic policy</p>
STATE		<p style="text-align: center;"><b>Foreign Policy</b></p> <p>1) Foreign Service (Ambassadors, Embassies)                  2) Foreign economic aid                  3) International trade                  4) Negotiate treaties                  5) Educational exchanges</p>
TRANSPORTATION		<p style="text-align: center;"><b>Federal Transportation Policy</b></p> <p>1) Federal highway system                  2) Urban mass transit                  3) Air safety standards                  4) Coast Guard                  5) Experimental Programs</p>
TREASURY		<p style="text-align: center;"><b>Monetary and Economic Policy</b></p> <p>1) Taxes (Internal Revenue Service)                  2) Minting of coins, currency, stamps                  3) International trade                  4) Secret Service                  5) Customs Service                  6) Alcohol, tobacco and firearms control</p>





## **PERSPECTIVES PANEL: LESSONS OF WATERGATE**

*While the series of events commonly known as "Watergate" has undeniably had a tremendous impact on our nation, many people believe that we still do not sufficiently understand either its causes or its full effects. The "lessons" to be learned from Watergate also vary among different individuals with different analyses. Here in 1976, four years after the break-in and two years after the resignation, could you share with us your thoughts on one or more of the following questions:*

*—What do you believe are the central lessons to be learned from Watergate?*

*—What significant changes have resulted which make another such crisis less likely?*

*—What necessary reforms have not yet come about?*

### **Senator Howard H. Baker, Jr. (R-Tenn.) Ranking Minority Member, Senate "Watergate" Committee**

The effects emanating from the whole spectrum of affairs known as "Watergate" will continue to be felt in the American political arena for years to come. The task which now confronts those of us still serving in government is to restore the loss of credibility and trust which were the by-products of the Watergate affair and to say by both our words and our actions that abuses of power are still the exception in government rather than the norm.

Perhaps the most troubling question which now persists is "Where do we go from here?" or as your Close Up leaders postulated, "What lessons have we learned?" Although one could write volumes on this very issue, I believe the one overriding acknowledgement is that "the government still belongs to the people."

This principle can best be reinforced in two or three ways. One, a more open and forthright approach to Congressional and Executive activities is essential. Laws which have recently opened Congressional hearings at all levels to the public will be helpful. Second, the most "secretive" agencies of government, the intelligence community, are under more direct control and scrutiny by a new Congressional committee than at any time in their history.

Three, the gradual rebuilding of trust and cooperation between the Congress and Executive, which has already started, must continue to expand. In other words, government should have learned to be more open, protective and honest with the citizenry it was created to serve.

This is because our people remain America's greatest resource, and all the people must have access to the governmental institutions of which they are a part.

### **Congressman Peter W. Rodino, Jr. (D-N.J.) Chairman, House Judiciary Committee**

As much as any event in our history, Watergate emphasized the importance of the bonds of trust that must exist between the people and their elected leaders if government is to work. There is no way to legislate such a trust, nor can it be created by executive order. Rather it must rest upon the people themselves, their vigilance, their insistence that those elected to high office must labor always in the public interest. If there is an unlearned lesson of Watergate it is this.

Today, more than half those eligible to vote claim that they will not, principally because they doubt that their ballot will make much difference.

They are wrong, and their mistake was clearly demonstrated by the events of Watergate itself. Confronted with wrongdoing of a magnitude never before experienced in American government, the people of this nation demanded that an accounting be made and that justice be done.

The impeachment inquiry, the trials and legal battles—all were a result of the people insisting through their elected representatives that a final reckoning must be made.

There can be no doubt that the public awareness and understanding of the complexities of the case was far greater than anyone anticipated. The nation watched and listened, and when the evidence was in it delivered its own verdict. The ability of an aroused citizenry to compel proper governmental action in times of crisis is an attribute that has been seen before in America. Certainly it was there during the American Revolution, in the Civil War, the Great Depression, World Wars I and II. It was there during Watergate, as well, and it served as a reminder that the strength of a democracy is utterly dependent upon the will and determination of the people. While Watergate was one of our most tragic national episodes, it showed that the fiber of the American character remains strong.

**Congressman William S. Cohen (R-Maine)  
Member, House Judiciary Committee**

There are many lessons to be derived from the Watergate experience. One lesson would be that our elected officials should never forget that, in a democracy, dissent and opposition are not only desirable, they are indispensable.

To seek unanimity of thought and action is the hallmark of a fascist state, not a free one. Moreover, there is a lesson for the American people that we must demand and insist upon access to facts and information and not rely upon pious pronouncements from government officials and agencies. We must insist upon an end to secrecy and demand strict accountability. We must never again tolerate any public official to wrap himself in the mantle of his office and engage in the sophistry that the destiny of this country is directly dependent upon his future success and survival.

What can we do to prevent future Watergates? There is no guarantee against future abuses of power. But it has been noted that the over-concentration of power in one branch of government—the reduction of public debate and Congressional participation in the decision-making process, the absence of openness and accountability—insures the inevitability of error and abuse.

Watergate also revealed something very strong and positive about our country, our people and our principles. We, like the people in any other nation, have moral capacity to do wrong. But unlike most other people in many other nations, we have the will and perhaps more importantly, we have the freedom to do what is right.

**Congressman Timothy E. Wirth (D-Colo.)**

The central lesson of Watergate is that good government requires correct procedure as well as wise policy. In other words, it's not enough for us to do the right thing; we also have to do it in the right way.

It was former President Nixon's error—and, in the end, his misfortune—to believe that the end justifies the means. He and his advisers believed that the American political system requires a strong Presidency if it is to function efficiently at home and to protect us from our enemies abroad. Because they believed that the President must dominate the system if it is to work, they were willing to ignore and even subvert the procedures established by the Constitution, whenever those procedures created roadblocks to the realization of the Presidential will.

Indifference to the Constitution, an indifference bordering at times on contempt, was a hallmark of the Nixon Administration, long before Watergate. The novel constitutional arguments advanced in support of illegal pocket vetoes and fund impoundments were forerunners of the startling constitutional arguments in favor of "inherent" Presidential power to wiretap without a warrant, and to make sweeping claims of executive privilege.

Ultimately it was, in a sense, the Constitution itself that forced Nixon from office. He had strained the system of checks and balances beyond the system's capacity to tolerate strain. And it lashed back at him, in the form of a Congress unwilling any longer to be dominated by the White House. It was at bottom a conflict of institutions, not of men or parties. Nixon never understood this, never seeing anything wrong with unchecked assertion of Presidential power, even now blaming his disgrace on unforgiving personal enemies. But if we can understand it, we will have learned the central lesson of Watergate.

**Mr. S. Steven Karalekas, Staff Assistant to  
President Richard M. Nixon (1971-73)**

It may sound strange to blame the Congress of the United States for the Watergate scandal, but that's exactly where I believe the fault lies. The Congress is at fault not because it authorized or financed the break-in of the Democratic Party headquarters at the Watergate complex, but because it had surrendered so much power to the executive branch of government that the President and his advisers came to view themselves as above the law.

While the office of the President became larger, more efficient and more vigorous in asserting authority over national affairs, Congress became weaker, less efficient and less willing to challenge the authority of the President. As a consequence, Presidents entered wars without declarations, made foreign policy by executive agreements instead of treaties, and regulated the domestic economy without Congressional supervision. The system of checks and balances devised by the Founding Fathers had gone awry and, in my view, this set the stage for the abuses of Watergate.

The central lesson to be learned from the experience is that when one branch of government becomes so strong vis-a-vis another branch, the likelihood for abuses of power becomes great. A president and his advisers will feel safe in

committing such abuses since there really isn't anyone around outside of the executive branch to do anything about it.

It is my view that the resolution of the Watergate episode was ultimately a victory for the democratic process, but one which was won barely by the skin of our constitutional teeth. The ingredients which precipitated Watergate, namely, the power of the office of the President and the weakness of the Congress still exist and so long as this is so, the potential for another Watergate is great. The reforms which have taken place since the resignation of President Nixon have largely focused on the office of the President. The problem won't be solved until our attention is directed to the branch of government equally in need of revitalization—the Congress of the United States.

**Congresswoman Elizabeth Holtzman (D-N.Y.)  
Member, House Judiciary Committee**

The way we were able to deal with the Watergate crisis taught us that our Constitution's framers were right in their profound skepticism of power. They set up three separate branches of government to prevent any branch, including the President, from getting too much power and destroying our democracy.

Because the Congress and the Supreme Court existed, because we had a system of checks and balances, President Nixon could not remain above the law. Rather than face certain impeachment for his crimes and misdemeanors, he became the only President in our history to resign. Unfortunately, President Ford pardoned him and he was permitted to avoid trial. This was a blow to our concept of equal justice under law for every person.

We learned what our country's founders already knew: that we cannot take honesty in government for granted. We discovered that long-held myth—that everyone rises to the demands of the President—was just not true. Our President, Richard Nixon, and his two chief law enforcement officers, Attorneys General Mitchell and Kleindeinst broke the law and tried to “cover up” their actions.

Since illegal campaign contributions financed some of the illegal actions, Congress took corrective steps. It passed laws placing strict limits on the size of campaign contributions, requiring full disclosure of campaign receipts and expenditures, and permitting public funding of Presidential campaigns.

We have also learned the need for a healthy skepticism about our government. When Richard Nixon said that the tapes of his conversations should be kept secret because they contained national security information, many people believed him. When the tapes were disclosed, though, there was no “national security” information on them, but instead discussions of criminal conduct.

We learned from Watergate that no part of government should be permitted to operate in secret. “Eternal vigilance is the price of liberty,” said one of our nation's founders. As a result of Watergate, we learned that the CIA and the FBI, which had been insulated from public accountability, had broken the law and abused our trust. We have now begun to develop mechanisms to ensure that the FBI and the CIA operate within the law.

The final lesson of Watergate is that Americans care—they want a government that they can trust and be proud of. No future President can ever again believe that the people will let him “get away with it.”

So long as the people of this country continue to insist that their officials conform to the rule of law, I believe our democracy will be safe.

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**“The executive power was limited only by specific restrictions and prohibitions appearing in the Constitution or imposed by the Congress under the constitutional powers. . . Under this interpretation I did and caused to be done many things not previously done by the President and the heads of the departments. I did not usurp power, but I did greatly broaden the use of executive power.”**

*Theodore Roosevelt*

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## REFLECTIONS

*The chairman of the House committee which voted to impeach President Nixon; the ranking Republican on the Senate committee which investigated Watergate; a member of the White House staff under President Nixon; and three other Members of Congress—each presents a different viewpoint on the “lessons of Watergate.” Look at the statements below and based on the Perspectives Panel, fill in the names of the authors who would agree with each. As you decide “who said what” ask yourself whether or not YOU agree with the different statements.*

1) Dissent and opposition are indispensable in a democracy. Citizens must maintain an attitude of “healthy skepticism” towards their government officials.

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2) There must be more accountability and less secrecy in government.

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3) The real blame for Watergate lies with the Congress, because it surrendered so much power over the past forty years to the President and his advisers.

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4) While it is true that the Watergate crisis was a painful and threatening experience for our nation, it also proved that our democratic system works. Freedom of the press, checks and balances, separation of powers—in the end the Constitution and the will of the American people did prevail.

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5) The Watergate cover-up was the final evidence of former President Nixon’s belief that “the ends justify the means,” even when this belief led to actions in violation of the Constitution.

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6) The central lesson of Watergate is that government must restore its credibility and trust among all Americans. This cannot be done by legislation or by executive order, but only by proper use of power by all government officials.

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**“The Presidency is not merely an administrative office. That’s the least of it. It is more than an engineering job, efficient or inefficient. It is preeminently a place of moral leadership. All our great Presidents were leaders of thought at times when certain historic ideas in the life of the nation had to be clarified.”**

*Franklin D. Roosevelt*

# THE JOB OF PRESIDENT

*In the course of a single day an American President is probably called upon to fulfill a larger variety of responsibilities than any other individual in the world. He may have an early morning meeting with the Secretary of State and other foreign policy advisers, followed by a breakfast with Congressional leaders to gain support for a controversial economic bill. Before the morning is over the President may welcome the King of Sweden, confer with Democratic party state chairmen and present an award to the president of the National 4-H club. In the afternoon he may meet with his Cabinet, decide whether or not to withdraw troops from an overseas base, and consider proposals for a new housing bill. Then in the evening. . .*

*As you can see a President must fulfill numerous different roles. Here is a list of some of the major roles involved in being President. See if you can match each one to the newspaper headline and lead paragraph which best illustrates that role. All are actual headlines and stories taken from *The New York Times*, with the exception of #6 which is from *The Washington Post*.*

Head of State  
Commander-in-Chief  
Chief Legislator  
Crisis Decisionmaker  
Economic Planner  
Party Chief  
Chief Diplomat

1.

## U.S. DECLARES WAR, PACIFIC BATTLE WIDENS

Washington, December 8 (1941)—The United States today formally declared war on Japan. Congress, with only one dissenting vote approved the resolution in the record time of 33 minutes after President Roosevelt denounced Japanese aggression in ringing tones. He personally delivered his message to a joint session of the Senate and the House. At 4:10 P.M. he offered his signature to the resolution.

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2.

## TRUMAN BIDS VOTERS DEFEAT CONGRESS 'OBSTRUCTIONISTS'; SETS A 10-POINT PARTY PLAN

Chicago, May 15 (1950)—President Truman wound up his cross-country "non-political" speaking tour tonight by leading a dazzling, blaring parade to Chicago Stadium where he delivered the Democratic party's keynote speech for this year's Congressional election campaign.

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3.

## EISENHOWER, KHRUSHCHEV BEGIN CAMP DAVID TALKS AFTER HELICOPTER FLIGHT

Gettysburg, Pa., September 25 (1959)—President Eisenhower and Premier Khrushchev began a general discussion of world affairs at a mountain retreat in Maryland tonight.

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## U.S. IMPOSES ARMS BLOCKADE ON CUBA ON FINDING OFFENSIVE MISSILE SITES; KENNEDY READY FOR SOVIET SHOWDOWN

Washington, October 22 (1962)—President Kennedy imposed a naval and air “quarantine” tonight on the shipment of offensive military equipment to Cuba. . . .

5.

## JOHNSON STATE OF UNION ADDRESS PROVIDES BUDGET OF \$97.9 BILLION, WAR ON POVERTY, ATOMIC CUTBACK

Washington, January 8 (1964)—President Johnson, reporting for the first time on the State of the Union. . . called for a wide -ranging program to end poverty and discrimination at home and the threat of war abroad.

6.

## BRITISH QUEEN VISITS D.C.; ELIZABETH II AND PHILIP GREETED AT WHITE HOUSE

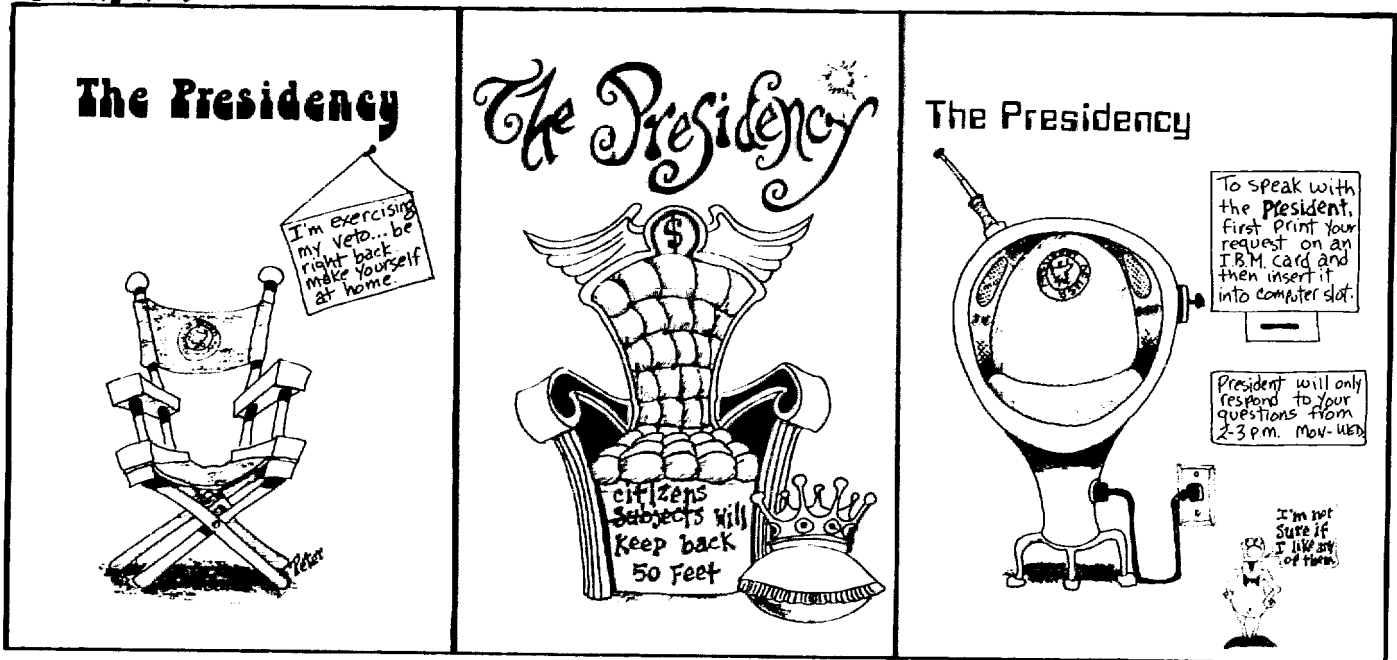
Washington, July 8 (1976)—Her Majesty Queen Elizabeth II arrived in Washington yesterday . . . At the White House President Ford escorted the Queen to a review of troops from the different branches of the armed services, and “on behalf of the American people” welcomed the Queen and her party.

7.

## CONGRESS IS GIVEN ECONOMIC PLAN; JOBS ASKED FOR VIETNAM VETERANS. CARTER AIDES DESCRIBE \$31 BILLION PACKAGE

Washington, January 27 (1977)—The Carter Administration presented to Congress today its \$31.1 billion package of economic stimulants, including a \$50 tax rebate aimed at 96 percent of the population as the centerpiece of plans to spur growth through greater consumption.

### Viewpoints



## GLOSSARY: The Presidency

**Accountability**—the obligation of elected officials to serve the interests of, and to be answerable to, their constituents. When applied to the President, meaning is similar to checks and balances; power that is checked.

**Checks and Balances**—a fundamental principle in the U.S. Constitution, that each of the three branches of government exercises checks on the others, while also being subject to checks from the others.

**Executive Order**—decree by the President or other ranking executive official which becomes law without needing Congressional approval.

**Executive Privilege**—limited right of members of the executive branch to refuse to give certain information (documents, testimony, etc.) to the Congress. Is not defined in the Constitution, but has been invoked throughout our history. In recent years, there has been much controversy over its proper usage (e.g., Watergate, national security cases).

**Impoundment**—refusal by the President to spend funds duly authorized and appropriated by the Congress. This power was restricted by the 1974 Budget and Impoundment Control Act.

**Imperial Presidency**—term commonly used to describe the Presidency in recent years which had become extremely powerful and “imperial” in its trappings and in the exercise of power.

**Separation of Powers**—another fundamental constitutional principle, that each branch of government is vested with separate powers: legislative, judicial, executive.

**State of the Union Message**—annual speech delivered by the President to a joint session (both Houses) of Congress in which he discusses the “state of the union” and outlines his legislative program for the coming year.

**Veto**—power of the President to reject a bill passed by Congress.

**Override**—passage of a bill which has been vetoed by a 2/3 majority in both chambers of Congress, so that it becomes law without the President’s signature.

**Pocket Veto**—utilized during the final 10 days of a Congressional session when the President fails to sign a bill and returns it to the Congress before adjournment. Thus, Congress has no opportunity to override it.

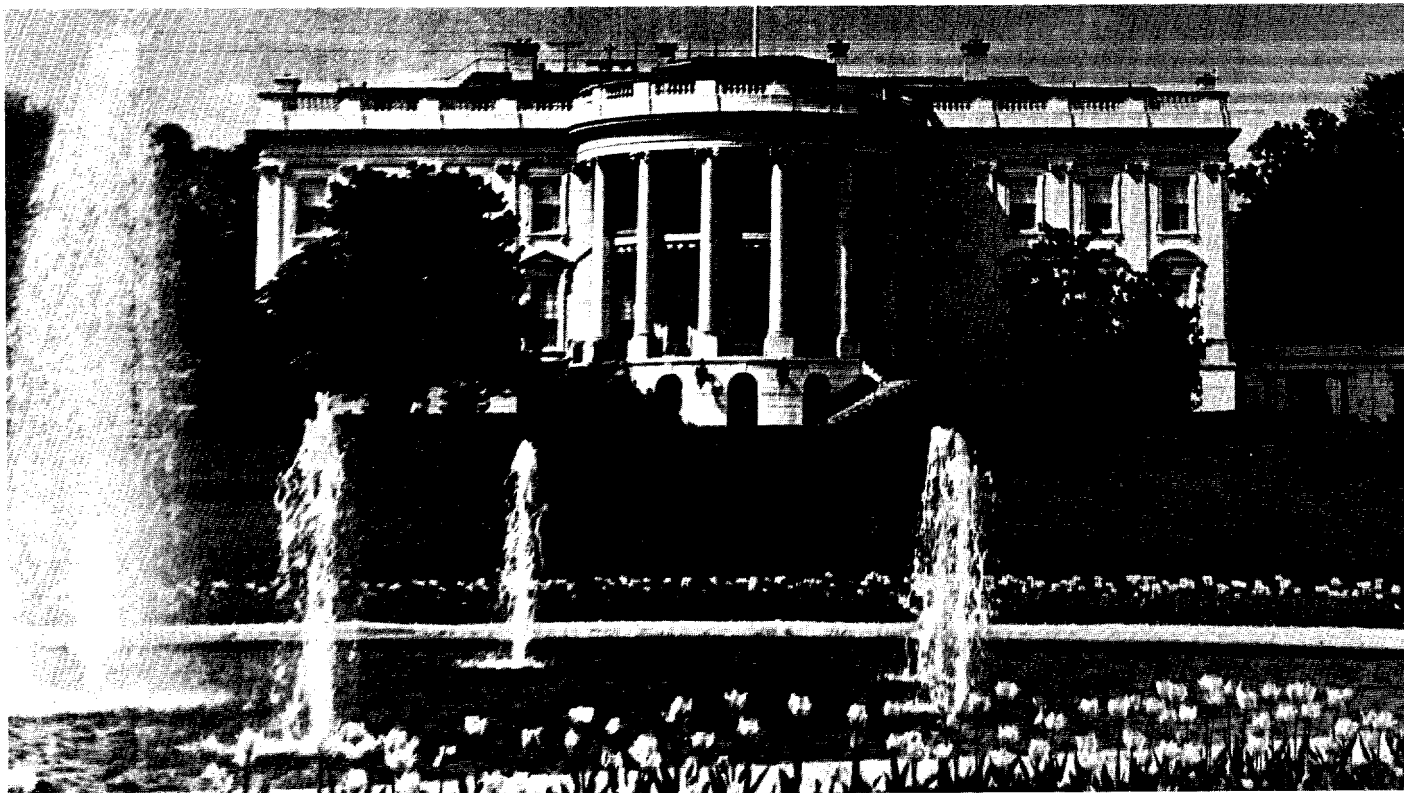


Photo Courtesy of the National Park Service

# **AN INTRODUCTION TO THE EXECUTIVE BRANCH: A Close Up Briefing**

Before the seminar on the Presidency, one of your program instructors will conduct a short "Briefing" as an introduction to this subject. The purpose is to provide some background information which will help you participate in the seminar with your guest speaker. While the seminar will focus primarily on the Presidency, the briefing will cover the broader subject of the executive branch. The articles, charts and exercises in Chapters 1 and 2 will help you prepare for these sessions. The outline below gives you an idea of some of the subjects which may be covered. Use these pages to take notes.

- What is the structure of the executive branch?
- What is "the bureaucracy?" What are the differences between White House staff, Cabinet departments, independent agencies, regulatory commissions and other offices of the bureaucracy?
- In what areas and in what ways does the executive branch affect your daily lives?
- What are the powers of the Presidency? What is meant by executive order? Executive privilege? Veto?
- What are the checks and balances between the President and Congress?

## **NOTES (BRIEFING)**





## 2.

# THE FEDERAL BUREAUCRACY: What Role For Government in America Society?

*"He (the President) shall have the power, by and with the Advice and Consent of the Senate. . . to appoint. . . all other officers of the United States, whose appointments are not herein, otherwise provided for. . . "*

*Article II  
The Constitution of the United States*

"Bureaucracy" is one of those words like love, happiness and the public interest—many people claim to know what it means, but few can actually define it! The word has its root in "bureau": agency, office, division, etc. **Webster's Dictionary** tells us that a bureaucracy is: 1) a body of nonelective government officials; 2) government characterized by specialization of functions, fixed rules and hierarchy of authority; 3) a system of administration marked by officialism and red tape.

Let's apply this definition to the subject of this chapter, the Federal bureaucracy: 1) The Federal bureaucracy is composed of government officials who are not elected ("bureaucrats"). Some are political appointees, others are hired through the civil service system. (The first article in this chapter, by J. Douglas Hoff, explains the differences between these two categories of bureaucrats.) 2) All agencies, commissions and other divisions in the bureaucracy are created by Congress or the President to administer and implement programs and policies which they have passed. The first "layer" of the bureaucracy is the Cabinet departments which were discussed in Chapter One. Grouped together as a second "layer" are all the other agencies, commissions, etc., which compose the executive branch. The *Know the Bureaucracy* exercise later in this chapter will help you differentiate between these different agencies. 3) A common criticism of citizens, businesses and others who need to work with the Federal bureaucracy is that there is too much red tape and inefficiency.

Summing up, then, the Federal bureaucracy consists of those agencies which execute the policies and programs which have been legislated by the Congress and the President. As the affairs of government have become more complex, so has the Federal bureaucracy also grown. In addition to the 1,700,000 Cabinet department employees, there are more than 120 agencies which together employ another 1,100,000 people.

In recent years, many observers, students and government officials have questioned both the size and the performance of the Federal bureaucracy. Is government "too big"? J. Douglas Hoff, a member of the U.S. Civil Service, and Senator Barry Goldwater (R-Arizona) present contrasting perspectives in this chapter's first two articles. How can it administer laws and execute programs more effectively? Congressman Elliott Levitas (D-Ga.) discusses the need for reorganization and Commissioner Thaddeus Garrett, Jr., explains the role of regulatory agencies. Dr. James Boren looks at the bureaucracy and bureaucrats from another angle in the final article. As you read and evaluate what these authors are saying, think about what role you feel the Federal government should play in your daily life, as well as that of your nation.

# THE FEDERAL BUREAUCRACY: IT'S BETTER THAN YOU THINK

## J. Douglas Hoff

*Mr. Hoff is the Director of International Affairs for the U.S. Civil Service Commission. In this article he answers many of your questions about the bureaucracy: Who are these bureaucrats? What is their work? What is the merit system? His defense of the Federal bureaucracy should be compared and contrasted with the critique of "big government" by Senator Barry Goldwater (R-Ariz.) in the next article.*

The American brand of bureaucracy consists of nearly 17,000,000 people working for government at the Federal, state and local levels. This adds up to 20 per cent of the nation's total workforce, or one out of five working Americans. With 2,840,000 civilian employees, you can see that the Federal government is the largest single employer in the United States. In fact, it employs more people than do the nine largest corporations. On the Federal level, over 97 per cent of the employees are in the executive branch. Many of the critics of "big government" in recent years have claimed that this is far too many people doing far too many things and much too inefficiently. Before we accept such an analysis, we need to ask some questions, such as, who are these bureaucrats and what do they do?

### Who Are These Bureaucrats?

The civilian employee working in the Pentagon in support of military troops stationed in Western Europe is a bureaucrat. So are your mail carriers, and the scientists who test dangerous drugs for the Food and Drug Administration, and the clerk who writes benefit checks for war veterans and the ranger at your favorite national park. As Jack Anderson recently wrote, "the bureaucracy is the glue that holds our society together." All in all, there are 110 different departments and agencies in the Federal government whose members perform 2,000 different kinds of work throughout the world. The Postal Service alone accounts for almost 700,000 employees; the Veterans Administration for over

250,000; and the Department of Agriculture for 115,000. This is the Federal bureaucracy. (See the **Structure of the Executive Branch** diagram in this chapter.)

### What Is Their Work?

To realize how important the bureaucracy is, you must understand the divisions of authority in the Federal government. As you know, the President and the Congress share the authority for determining policy and steering the general course of the nation. The President recommends and formulates programs to the Congress, which, as representatives of the people, appraise and deliberate these ideas and plans. In making his policy recommendations, the President is advised by the highest ranking members of the bureaucracy, the Cabinet secretaries and the heads of major agencies.

Once a bill has been passed by Congress and signed into law by the President, it must be implemented and administered. The actual administration and implementation is frequently a more difficult task than is the passing of laws. It is the career employees, the middle and lower-level bureaucrats, who carry out those policies under the supervision of the Cabinet secretaries and agency heads.

### Political Appointees and Career Employees

Cabinet secretaries, commissioners of regulatory agencies, administrators of independent agencies and other high level aides are appointed by the President subject to confirmation by the Senate. For effective government it is essential that a President have the power to appoint people in whom he has great trust and confidence. About 1,200 positions are filled by Presidential appointment subject to Senate confirmation, and a few thousand others are appointed directly by the President. These *political appointees* come and go with the change in Presidents.

In addition to this small, but important group of political appointees, there is a large core (over 2.5 million) of well-trained career government employees. These people are the ones who actually carry out the essential government programs day after day and year after year. They provide a continuity in government service. The career Federal employee serves the system of government, and not a political party. Regardless

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of who wins or loses an election, the people's business is continuously served with complete dedication by these career employees. Frequently, they may also be delegated some policy-making authority, but generally their role is to provide the devotion and specialized knowledge needed to carry out government services.

Political appointments are necessary and desirable in our particular type of democratic government, but we must keep them in their legitimate place at the top of the government pyramid in those high level policy-making positions. They have no place in the career service where education and experience are the determining factors of who gets what job. This principle is at the foundation of the merit system for Federal employment of the United States Civil Service Commission.

### **The Federal Merit System**

Under the administration of our first Presidents, ability was one of the primary requirements for appointment. Gradually however, other factors became more important, until government employment became a "spoils system."\* In a spoils system, political connections rather than job qualifications are the important factors in the selection process.

The excesses, corruption and inefficiencies of this spoils system caused a great popular reaction in the 1870's and 1880's. Demands for reform were answered by the Civil Service Act of 1883 establishing the merit system for Federal employment under the United States Civil Service Commission. The Civil Service Commission was created to act as the central personnel agency within the Federal government. Central principles of the merit system are:

1. Ability, knowledge and skills are the bases for recruitment, selection and advancement of government employees.
2. All applicants and employees will receive fair treatment and equal opportunity without regard to race, sex, creed, national origin or political affiliation.
3. Employees will receive equitable and adequate salaries.
4. Employees must be protected from coercion for partisan political purposes.
5. Employees must be prohibited from us-

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\*Editor's Note: The term "spoils system" has its origin in the expression "to the victor go the spoils."

ing their official authority to interfere with or affect election or nomination for office.

For the nation, the merit system ensures many benefits. It increases public confidence in the integrity of government. It guarantees equal opportunity for all interested citizens. It ensures a continuity in the bureaucracy through changes in the Congress and the Presidency. It also makes government service more attractive to well-qualified persons. The merit system is a keystone for honest and effective government. State, city and local governments must meet merit system criteria in their employment practices before the Federal government will grant them aid for urban development, health programs, welfare and the many other federally funded programs.

### **Conclusion: Providing Services for the American People**

The overall objective at all levels of government is to bring the best quality service to the American people. Critics stereotype the bureaucracy as getting bigger and less efficient all the time. Yet the fact is that the size of the Federal government relative to population growth, has remained fairly stable since 1960. The real growth has been in state and local governments, which have increased nearly 100 per cent since that date. Today there are 54 state and local employees for every 1,000 citizens, but only 12 federal employees in proportion to the same number.

Is the Federal bureaucracy good or is it bad? It's both! It is a mirror of the society it serves. As such, it reflects all of the ills that affect our nation, as well as the tremendous amount of accomplishments. Good or bad, it is always changing and developing. Government cannot remain static in its philosophy or in its organizational structure if it is to serve the needs of the people.

Whatever its faults may be, this Federal bureaucracy—established 200 years ago for thirteen small colonies with three million inhabitants—is still functioning well today for one of the mightiest nations the world has ever known, with 214 million people and a host of problems unknown to the Founding Fathers. You can search the world over and you will never find a government bureaucracy bigger, more complex or as good.

**TABLE:****FEDERAL CIVILIAN EMPLOYMENT**

	Executive	Legislative	Judicial	Total
1977	2,791,710	38,441	12,050	2,842,201
1969	2,822,789	26,825	6,189	2,855,803
1957	2,376,513	22,190	4,608	2,403,311

Source: "Organization of Federal Executive Departments and Agencies (As of Jan. 1, 1977)," Senate Committee on Governmental Affairs, GPO Document 052-070-03992-2

## **BIG GOVERNMENT: A PRESSING PROBLEM**

### **Senator Barry Goldwater**

*Senator Goldwater (R-Arizona) was first elected to the U.S. Senate in 1952. In 1964, he was the Republican candidate for President of the United States, losing to Lyndon B. Johnson. This article is taken from a speech he delivered on the Floor of the Senate on July 10, 1970. A similar version of this speech appeared in Perspectives '77 courtesy of Vital Speeches of the Day. As you read it, compare and contrast the points made by Senator Goldwater with those of J. Douglas Hoff in the previous article. Then ask yourself the question, has the Federal bureaucracy grown too large?*

The tremendous size of the Federal government was a major concern of mine when I was first elected to the Senate over 18 years ago. As some of you will recall, it was a time when we heard much discussion about big government; about the interrelationship of government agencies on the Federal, state and local level; about need for an equitable distribution of revenue sources among these divisions of government. . . .

**"It is so massive that it literally feeds on itself. It is so large that no one in or out of government can accurately define its power and scope. It is so intricate that it lends itself to a large range of abuses."**

But all that was many years ago, and since that time—especially over the last decade—the size of the "Federal Establishment" has grown

tremendously. In fact, the bureaucracy which the Federal government maintains today has actually become a problem of man's ability to govern himself in time of massive technological change and population growth. It is so massive that it literally feeds on itself. It is so large that no one in or out of government can accurately define its power and scope. It is so intricate that it lends itself to a large range of abuses, some criminal and deliberate, others unwitting and inept. The government is so large that institutions doing business with it, or attempting to do business with it, are forced to hire trained experts just to show them around through the labyrinthine maze made up of hundreds of departments, bureaus, commissions, offices and agencies. . . .

### **Countless Assistance Programs and Eight for Rat Control**

Every now and then we catch a frightening glimpse of this enormous structure and what it means in terms of accountability and manageability. For example, a young Member of the House of Representatives several years ago set out to determine how many assistance programs were available and maintained in the Federal government. It took him two years to find out that there were over 1,300 such programs, many of which were unknown to each other and unknown to the people they were established to help. It was discovered, for example, that no one in the Federal government had an idea how many assistance programs existed, where they were located and how they were designed to help American citizens. . . .

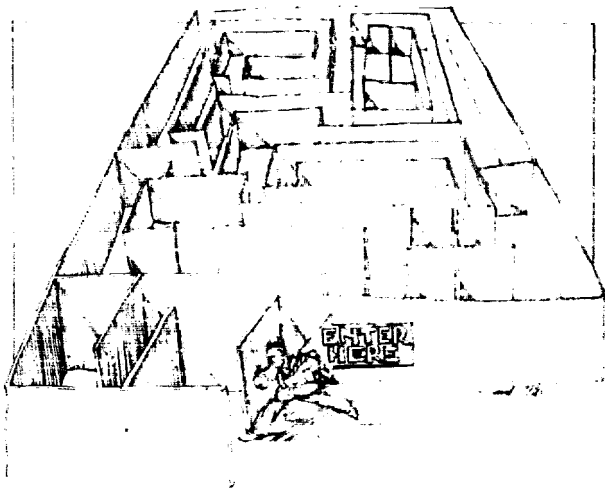
Then we had the spectacle of the House of Representatives engaging in a tense, prolonged, and emotional battle over the appropriation of the funds for rat control in our major cities. After all the shouting had died down, it was discovered that there already existed eight programs in various departments to do the same thing.

So, the size of the Federal bureaucracy—which just keeps growing year after year despite the unfair and growing burden which it places on the taxpayer—is compounding the difficulty and confusion which the average American encounters as he attempts to function in today's society. If this continues, the day will come when not only business will choke to death on government redtape, but the average American wage-earner and property-holder will suffocate as well.

Now I want to emphasize how this bureaucracy problem thwarts the work that we here in the Senate and Members of the House are engaging in. It should not, but probably would, astound most Members of the Senate to find out what actually happens to the intent which we write into major legislation when it gets into the hands of the bureaucrats. Much of our purpose in enacting laws has been either contradicted, overruled, diluted or denied in many instances by quasi-judicial rulings by government regulatory agencies or by the courts. We seem almost complacent in our belief that the people who handle the provisions of the laws we pass will understand the motivation and the intent of the Congress which passed them. Further, we seem almost secure in the belief that where this intent is known that it will be followed without question. . . .

I think we must admit that the Congress has simply lost its accountability for most of the money spent by the government. Originally, the Constitution gave Congress control of the purse strings and Congress designated the appropriation committees as their agents. But new means of funding have been established which do not simply remove control of the appropriation process from the appropriation committees, but remove it from the Congress itself.

Congress, I am sorry to report, has lost this control to men who were not elected and who are not directly responsible to the people. They cannot be voted out of office if they make costly mistakes, yet they control the offices in thousands of government buildings and buy, sell, lend, borrow the assets, the credit, the pools, the funds, the



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contracts, the obligations, the debts, the accounts, the authorization to spend from debt receipts, the payments, the rates and so on. . . .

Right here, let me say that I am not suggesting a return to the system which we once called the "spoils system". . . . I admit that a strong case can be made for the career employee in government and for his protection under the civil service system. But, I believe government employees have a responsibility to the people who are taxed to pay their salaries to support and implement the policies that come down to them from the elected representatives. . . .

But, I do not want to be unfair to the career employees in the Federal government. The feeling of "ownership" which I detect in their attitudes has come about through long years of bureaucratic possessiveness. It is both a help and a hindrance to the efficient administration of government. In considering this problem, it must be understood that government workers are motivated by much the same consideration as workers in private industry. They are interested in comfortable compensation, proper working conditions and security in both. They oppose change because it might constitute a threat to their jobs. . . .

### **Big Bureaucracy Is a Denial of the Democratic Process**

This rigid bureaucratic system is long entrenched and deeply dedicated to its own concept of what is right and what is wrong in the realm of government policymaking. And I want to point out right here that this rigidity, this refusal of the bureaucratic middle management to accept innovations and changes in the conduct and method of government business, is a denial of the democratic process. . . .

Ask yourself, why do governments change? Why do we have such things as new administrations? I will tell you why. Governments change, new administrations take office, political complexions of Presidents change to reflect the will of the qualified voters of the United States.

When the people of this country become dissatisfied with the kind of government they are receiving, they go to the polls and vote to oust the officials responsible. In the old days in American politics, they had a battle cry which reformers used to defeat entrenched and unpopular officials and administrations—"throw the rascals out."

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And this, Mr. President, is pretty much the history of American politics. . . .

But, the question is whether this will of the people, whether this concern of the people, whether this officially stamped request for a change in direction can ever be completely realized under the present system of bureaucratic management. I do not think that it can. I do not think that the will of the people and the intent of Congress goes deep enough into the places where the policies are made that most directly affect the people. Given the intricacies of the system, the attitude of those in permanent positions and the general confusion surrounding any change of command in an enterprise as vast as the Federal government, I do not think it is possible for this job to be done with any degree of success. The officials oriented to the philosophies promoted by the Democratic Party have been in control too long, their numbers are too great and their influence too strong to quickly bring about any substantial change in the things that cause concern among the people.

#### **Conclusion: Reform of the Bureaucracy is Needed**

I am well aware of the fact that it is easy to criticize and to find fault. It is too easy for those of us who do not have direct responsibility to assign verbal blame and to hand out rhetorical prescriptions as to what should be done. I am fully aware that this is a mammoth problem which is not going to be corrected overnight. Nor is it one which easily lends itself to any pat solution. . . .

There are many ways in which this enormous problem can be attacked. I am not wedded to any particular strategem or method. However, I believe very strongly that the time is long past since we should have come to grips with this enormous challenge. A concerted program of study and recommendation must be undertaken at a very early date or the will of the people and the intent of Congress will continue to disappear in the giant maw of Federal bureaucracy. The danger is to our democratic form of government in its most fundamental sense. I only hope that what I have had to say here today will underscore the importance of understanding what we are up against and encourage those in positions of responsibility to take some courageous and drastic action to meet it effectively.

## **SOMETHING HAS TO BE DONE: IDEAS ON GOVERNMENT REORGANIZATION**

### **Congressman Elliott H. Levitas**

*Congressman Levitas (D-Ga.) was elected to Congress in 1974. Previously he served in the Georgia state legislature where he worked with then State Senator Jimmy Carter on bills to reorganize the state government. When Carter was elected Governor in 1970, Levitas became the floor leader for his reorganization bills. In 1977 Congressman Levitas worked as a member of the House Government Operations Committee for the passage of President Carter's Reorganization Act for the Federal government. In this article he explains this bill as well as other proposals to do something about the need for government reorganization.*

Most people will agree that "something has to be done" about The Government. Not everyone will agree on what that "something" should be.

Anyone who has to deal with the Federal government—and that means just about everyone in the country at one time or another—seems to find that there is little or no recognizable organization. No one seems to be in charge, and there are no clear guidelines as to what services are available, how to go about applying for them or where to go to complain or appeal. Sometimes the problem is that no necessary service exists; sometimes it is the opposite problem and any number of governmental groups are responsible, or partially responsible, for a given area.

A good case in point is a poor woman with children whose husband has deserted her. She may be eligible for Aid to Dependent Children, food stamps, housing assistance, employment counseling, free day care centers and legal services. For each of the services listed, she would have to go to a different agency of the government. If you were that person, where would you start?

Let me give you another example. When President Carter began his preliminary study of energy, he discovered that nine of his eleven Cabinet members had responsibility for some part of the overall problem we call the energy crisis.

In addition to the proliferation of agencies, departments, bureaus, commissions, task forces and ad hoc committees, the sheer number of people working in all these is staggering. Government which has tried to be all things to all people has become a "fourth branch" of our government and it is time that we systematically pruned it back to manageable proportions. There are a number of things we can do.

### **The Reorganization Act of 1977 and the Sunset Idea**

The first and most obvious attack on the problem is for the Chief of State (the President) to examine each department and its function. He and his staff, with the advice of the Congress, experts in the field and citizens, can get a good overview and make the decisions on where to cut back. Public Law 95-17, the Reorganization Act of 1977, gave the President the authority to reorganize the executive branch unless the Congress disapproves of his plans.\* This law requires that the President's reorganization plan be logically consistent, better tailored to the present needs, and hopefully, more efficient, smaller and less costly than their predecessor organizations.

Another method of dealing with the problem is "sunset legislation." We in Congress have begun to pass many pieces of authorizing legislation which contain this concept. Simply stated, it authorizes the existence of an agency only for a certain number of years. At the end of that time, the executive branch must come to Congress with good and valid reasons for the further existence of the agency. At that time, Congress will have a chance to see what the agency has done, if there is a further need for it, or if it has properly executed its statutory responsibilities. If the Congress decides that the agency has not fulfilled its tasks, or if there is no longer a need for it, then the "sun will set" on it. That is, the agency will be terminated.

### **Zero Based Budgeting and A Bill to Regulate the Bureaucracy**

A third way of getting a handle on the activities of executive branch agencies is something called zero-based budgeting. This is a

\*Editor's Note: To receive a copy of this or any other law, write to the U.S. House of Representatives, House Document Room, H-226 Capitol, Washington, D.C. 20515.

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method of management control which would require that periodically each Federal spending program's budget would begin at zero and each bit of money appropriated would have to be justified. This is in direct contradiction to the present system whereby each agency begins by figuring out how much *more* it will need and presenting its needs to the Congress based on past budgets and the estimated necessary increases. Zero based budgeting would force each agency, and the Congress reviewing the budget requests, to ask, "Is this program necessary?" and "Is there a new and better way of accomplishing the ends we have agreed are necessary?" In this way, fresh new ideas will be competing fairly with old, established programs so that the excuse, "But we've always done it this way" will no longer carry so much weight.

A fourth method for reorganization deals directly with decreasing the excessive government interference in our private lives and businesses. I am the prime sponsor of a bill which would do just this, by giving Congress greater control over the administrative rule-making of executive branch agencies.

In creating these agencies Congress gave them a mandate in certain policy areas.\* To carry out these responsibilities these agencies issue "rules" which have the force of laws, as if they had been passed by a proper legislative body like the U.S. Congress or the state legislatures. However, these rules—which must be obeyed under threat of penalty—are never voted upon, and rarely discussed outside the glorified realms of the agency issuing them.

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**"We must seek simplicity and openness, competence and coordination, efficiency and economy. . . . The people benefit from a government which is less complicated. . ."**

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I believe that the laws which people must obey should be voted upon by the representatives of those people. Therefore, the bill which I have proposed would require that all rules and regulations issued by the administrative agencies be submitted to the Congress before becoming part of the law of the land. Congress would then have sixty days in which to review such rules and express its disapproval. If either the House or the Senate vetoed the proposed rules, the agency

\*Editor's Note: See the next article and the Know the Bureaucracy exercise for a more detailed explanation of the powers of these agencies.



would have to start over to produce something more acceptable to the Congress. In this way, the legislative process is returned to the legislature where it belongs. Such a measure would prevent the unelected bureaucrats of the executive branch agencies from making rules that require compliance by the citizens of this country.

**“Good Servant but a Poor Master”**

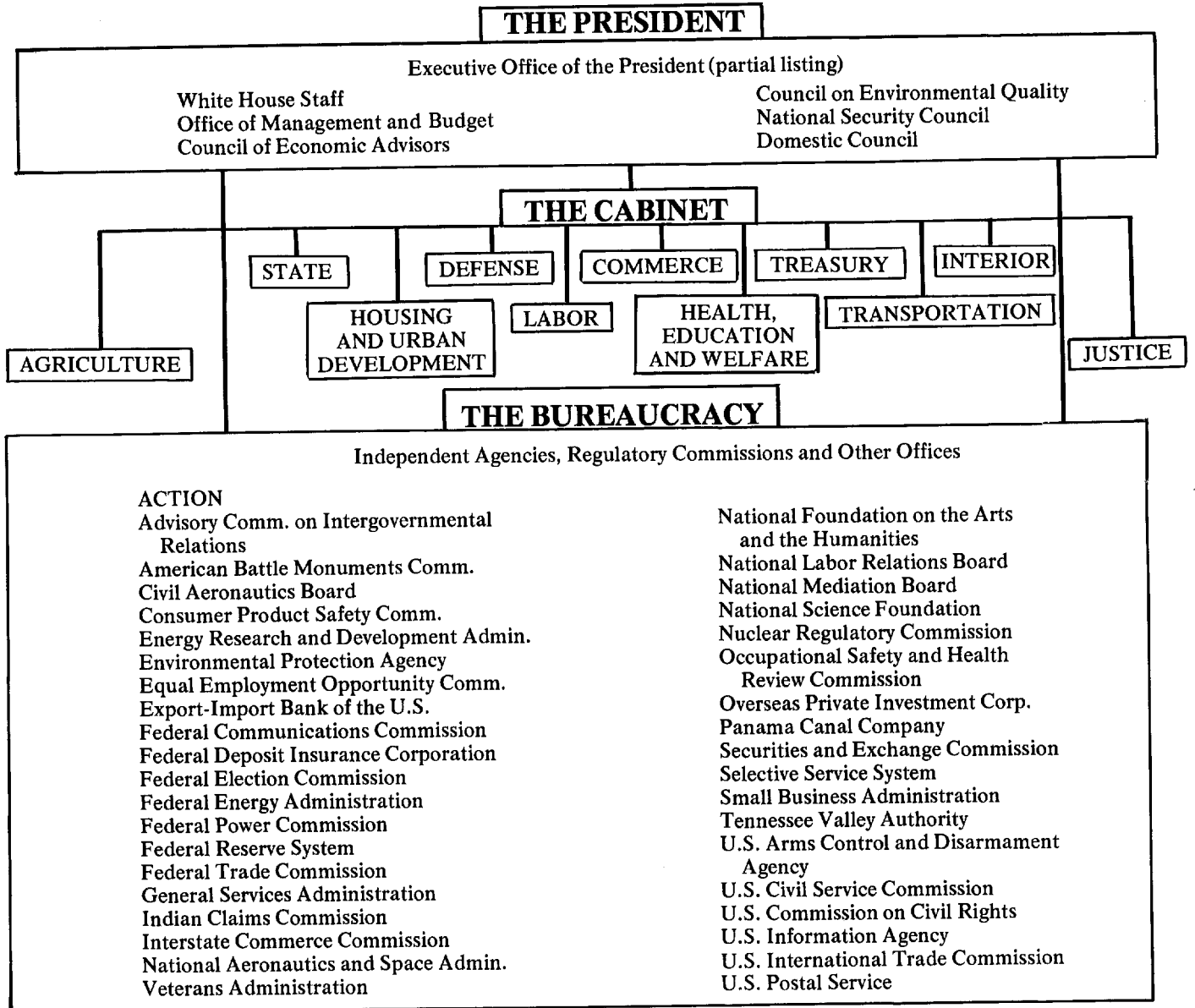
The Government needs to be reorganized. As the priorities and needs of the nation change, so must the institutions which implement them. We must seek simplicity and openness, competence and coordination, efficiency and economy. Civil servants and political officials can do their work better when their responsibilities are clearly

delineated and do not overlap with those of other organizational units. Members of Congress can perform more effective oversight of government functions and programs when they are arranged in simple and coherent organizational patterns. The people benefit from a government which is less complicated—which can be understood and can respond to their priorities and problems.

None of these concepts by itself is enough to solve the problems of too much government, but each in its own way can put us back on the right track.

Our government belongs to the people of this country. It should not oppress them. It should serve them. It should be responsive to them. To paraphrase Aesop: Government, like fire, makes a good servant but a poor master.

**STRUCTURE OF THE EXECUTIVE BRANCH**



# **OUR NATION'S REGULATORS: CASE STUDY OF THE CONSUMER PRODUCT SAFETY COMMISSION**

**Vice Chairman  
Thaddeus Garrett, Jr.**

*As Vice Chairman of the Consumer Product Safety Commission (CPSC), Mr. Garrett writes about regulatory agencies from a wealth of first-hand experience. When he was appointed to the CPSC in November 1976 by President Gerald Ford, he became the youngest man in history to be nominated to a Federal regulatory commission. In this article Commissioner Garrett explains what it means for a Federal agency "to regulate," through a case study of the CPSC.*

There are seven Federal regulatory commissions in the Federal government. Holding both "quasi-legislative" and "quasi-judicial"\* authority, their prime task is to oversee the operations of our nation's industrial, business and consumer life. Their mission is to scrutinize and regulate in the interest of the nation's marketplace, economy and people.

The role of the Federal regulator is difficult, considering the need for both public safety and health as well as the preservation of business and industry. Taking into consideration all social factors, the regulator must determine the most practical and meaningful solution to any given problem on matters of national concern. Often Federal regulators must fulfill the roll of public watchdogs.

Yes it can be said that Federal regulatory commissions are potentially the most powerful units in our national government. This is because of the far-reaching effects of the decisions and actions which they initiate and enforce. Virtually every interest group in American society technically falls under the regulatory domain of some government agency. For example, labor unions

\***Editor's Note:** The prefix "quasi-" in this context means similar to; that is, these regulatory agencies have the power to issue rules which have the force of laws ("quasi-legislative") and to settle certain kinds of legal disputes ("quasi-judicial").

are subject to regulatory action by the National Labor Relations Board; farmers have a regulatory relationship with the Department of Agriculture; and business and industry are regulated by a host of Federal agencies, from the Federal Trade Commission to the Environmental Protection Agency.

## **The Consumer Product Safety Commission**

When the U.S. Consumer Product Safety Commission (CPSC), an independent regulatory agency, was created, the largest of all interest groups—the American consumer—was provided with a regulatory agency into which a different type of perspective could be injected. In October 1972 Congress passed the Consumer Product Safety Act, which included the establishment of the CPSC, in response to the rise in both consumer awareness and product-related injuries.

Also included in the Congressional enactment and placed under CPSC's jurisdiction were four acts, transferred from other Federal agencies to prevent some of the overlap and fragmentation in the Federal bureaucracy. The transferred acts are: the Federal Flammable Fabrics Act, the Federal Hazardous Substances Act, the Poison Prevention Packaging Act and the Refrigerator Safety Act. These laws, in addition to the Consumer Product Safety Act, gave the CPSC broad powers to deal with hazardous products and substances.

The mission of the CPSC as defined by the Act is:

- to protect the public against unreasonable risk of injury associated with consumer products;
- to assist consumers in evaluating the comparative safety of consumer products;
- to develop uniform safety standards for consumer products and to minimize conflicting state and local regulations; and
- to promote research and investigation into the causes and prevention of product-related deaths, illnesses and injuries.

Rules and regulations have been established by the CPSC to provide the business community with the responsibility and the guidelines to safeguard public welfare. Public and private interest groups constantly appear before the Commission delivering presentations to support their particular perspectives. As a rule, consumer groups insist upon greater Federal regulation while industry generally appears to provide rationales for

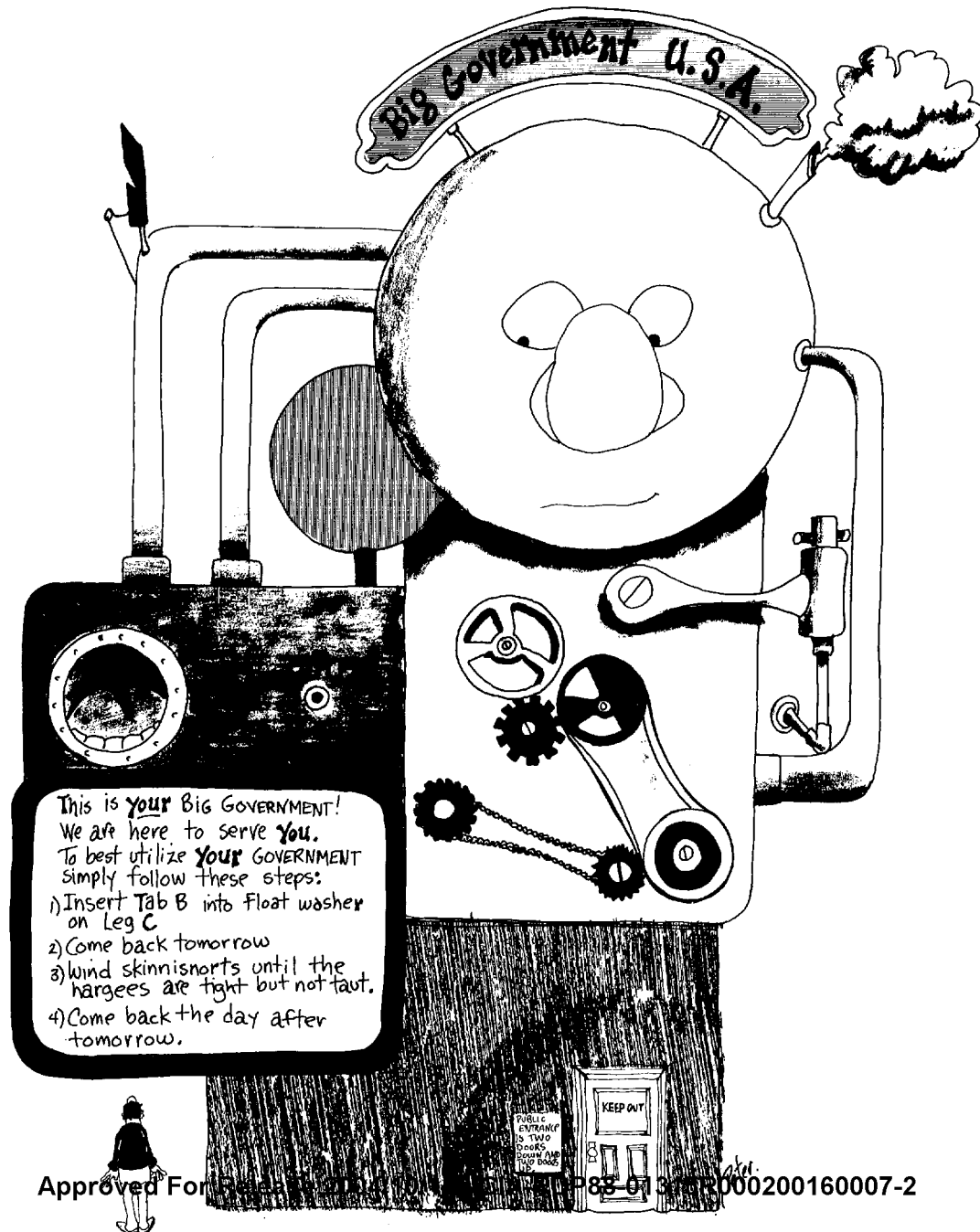
why a mandatory standard should not be implemented or should be made moderate by the Commission. The regulatory dilemma begins when the Federal agency is confronted with a situation where a product might pose a substantial hazard, but a product ban would ultimately force companies out of business.

The controversy revolving around tris, the children's sleepwear flame retardant, epitomizes this dilemma. After the government instructed sleepwear manufacturers to make their products flame retardant, the chemical tris was employed to comply with the government's demands. A few years later, tris was proved in many tests to be a carcinogen, a substance which causes cancer.

In April 1977 the CPSC banned tris-treated garments and instituted an immediate recall. The questions in the wake of the ban were obvious:

who was at fault and who should absorb the economic impact? The ban, nevertheless, was implemented in the interest of safety, with the full force of law.

As provided by the Act, citizens and consumer groups may petition the CPSC for the issuance, amendment or revocation of a decision or action made regarding a consumer product. In order to further institutionalize the Commission's desire for increased consumer input into the regulatory process, the CPSC's Office of Public Participation has been created to provide for, among other things, funding for public participation in agency proceedings. The encouragement of greater public interest in the regulatory process will, hopefully, instill a better understanding of the problems which face the American government.



## KNOW THE BUREAUCRACY

NRC, FCC, EPA, FAA, FDIC, ICC, etc.—the titles of the different agencies and commissions which comprise the Federal bureaucracy are enough to make you feel like you're swimming in an "alphabet soup." It's difficult enough to know what the initials stand for, let alone know what are the specific powers of each agency. As you drive around Washington and view block after block of government office buildings, you will get an idea on the size of the Federal bureaucracy and of how many different agencies there are.

We can divide the principal agencies of "the bureaucracy" into three categories: independent agencies, regulatory commissions and government corporations. All are part of the executive branch but do not fall within any of the Cabinet departments. In the exercises below each of these classifications is defined and some examples are given. How many of the agencies can you correctly match with the description of their powers?

### Independent Agencies

Each independent agency was created by Congress *to provide specialized services necessary to carry out policy decisions made by Congress and the President*. The directors are appointed by the President with Senate approval; they can also be fired by the President. Here are some examples of independent agencies. See if you can match each with the appropriate description of its powers and responsibilities.

#### ACTION

Environmental Protection Agency (EPA)  
National Aeronautics and Space Administration (NASA)  
Veterans Administration (VA)  
General Services Administration (GSA)  
Small Business Administration (SBA)

1. Gemini, Apollo and Viking \_\_\_\_\_
2. Makes loans to the corner grocery store and other small family businesses \_\_\_\_\_
3. Administers laws which provide benefits for former members of the Armed Forces \_\_\_\_\_
4. Peace Corps, VISTA \_\_\_\_\_
5. The public's advocate for a cleaner environment \_\_\_\_\_
6. Provides the services needed by the federal government for its day-to-day operations \_\_\_\_\_

Each regulatory agency was created by an act of Congress, and its members ("commissioners") are appointed by the President subject to Senate approval. Their responsibilities are *to regulate industry, trade or other specific activities*. They have the "quasi-legislative" power to draw up regulations which have the effect of law. They also have the "quasi-judicial" powers to enforce these regulations. The article, *Our Nation's Regulators*, explains the structure and functions of one of these regulatory commissions, the Consumer Product Safety Commission. What about some of the others? Can you figure out what their responsibilities are?

Federal Communications Commission (FCC)  
Federal Trade Commission (FTC)  
Interstate Commerce Commission (ICC)  
Civil Aeronautics Board (CAB)  
Nuclear Regulatory Commission (NRC)

1. Regulates passenger airline fares \_\_\_\_\_
2. Licenses nuclear power plants \_\_\_\_\_
3. Licenses and regulates television stations \_\_\_\_\_
4. Enforces truth in advertising laws \_\_\_\_\_
5. Regulates railroad freight rates \_\_\_\_\_

### **Government Corporations**

For certain purposes, the Federal government has seen fit to undertake business activities necessary to provide for the welfare of its citizens. Government corporations have been founded *to conduct these activities as would private businesses and without regard to politics*. As with independent agencies and regulatory commissions, an act of Congress is required to establish a government corporation. The director and/or governing board are appointed by the President with Senate advice and consent. Examine these four examples to gain a better idea of their functions:

Tennessee Valley Authority (TVA)  
Panama Canal Company  
U.S. Postal Service  
Export-Import Bank of the United States

1. Operates one of the world's most important waterways \_\_\_\_\_
2. Makes loans to assist companies in selling their products in foreign countries \_\_\_\_\_
3. Operates major program of economic development, flood control and electric power production in the southeastern United States \_\_\_\_\_
4. Delivers the mail \_\_\_\_\_

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# BUREAUCRATIC SEMANTIFICATIONS

## (Mumbling in the Bureaucratic Zoo)

### Dr. James H. Boren

*Pull out your thesaurus and dictionary, be ready to call on your imagination and sense of humor. . . . Dr. James Boren, whose government career has included being a foreign service officer and an aide to a U.S. Senator, uses humor and satire to make some interesting points about the bureaucracy. This article is written in the same light but analytical style as are his books, **When in Doubt Mumble and Have Your Way With Bureaucrats: A Layman's Guide to Pyramid-ing Featherheads and Other Strange Birds.***

Bureaucracy is not merely a conglomeration of people, organization charts and red tape; bureaucracy is a way of life. It is the spirit of dynamic inaction, the resonant nondirectiveness of orbital dialogues, the steadfast dedication to bold irresolution and full devotion to the finest product of the bureaucratic art, survival. Red tape is bureaucracy's procedural material that binds a nation together as a great harmonic entity, and, contrary to popular conception, bureaucrats are not afraid to cut red tape as long as they cut it lengthwise.

There are three basic guidelines which, if followed, will enable anyone to succeed in governmental, corporate or academic bureaucracies. By following the Boren Guidelines, anyone can bubble to the top of any organization. They are: When in charge, ponder; when in trouble, delegate; when in doubt, mumble. The most important of all skills, of course, is that of mumbling with professional eloquence, for mumbling is the heart of bureaucratic communication.

If taxpayers could understand what we, the bureaucrats, say and do, the bureaucratic way of life would be endangered. At all costs, bureaucrats must protect the creative status quo and prevent thought-oriented rippling that might disturb the tranquility of the ship of state. Therefore, it behooves all bureaucrats to learn to mumble and to use related communicative techniques to

protect bureaucratic institutions from those people who want to meddle in the people's business and from the incursions of fresh and unsettling ideas.

### Mumbling and Other Manners of Speech

There are many ways in which bureaucrats communicate, but there are a few that are at the heart of bureaucratic semantifications.

*Vertical mumbling* is the highest form of the mumbling art and it is characterized by word stings that reflect celibate concepts and multi-syllabic interfaces. A vertical mumblor, for example, would orchestrate marginal thought patterns and nondirective wordations in such a way as to maximize the minimalities of information while supernalizing its communicative image.

*Linear mumbling* is the translocation of tonal patterns that are not distinguishable in word form. Extended linear mumbling, however, is enhanced by linking intonations with an occasional word or phrase. Such words and phrases increase the listeners' attentiveness as they seek to fill the tonal gaps. Each listener creatively conjures a cosmetic concept of what he believes the bureaucrat is saying. This "filling the gaps" is known by in-house bureaucrats as "creative gappification."

*Profundification and profundication* are based on the Boren verbs to profundify and to profundicate. This involves the use of **Rogets's Thesaurus** and other enrichment techniques to make simple ideas seem very profound. The only difference between the two is a matter of origin. Graduates of Ivy League institutions tend to use "to profundify" while graduates of agricultural schools tend to use "to profundicate." The technique is very useful in written reports as well as in mumblistic dialogues.

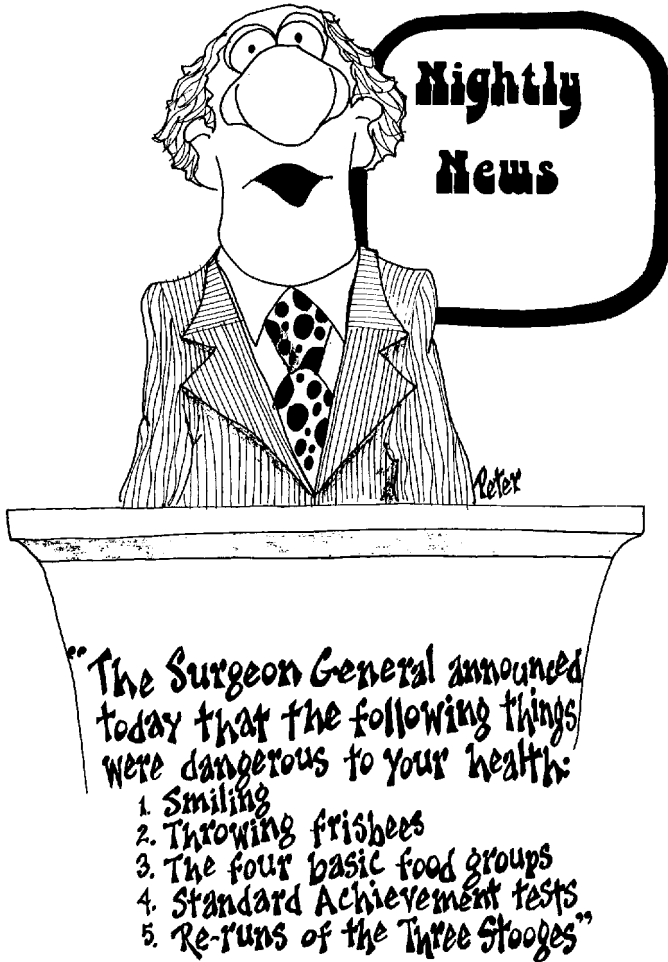
*Fuzzification* is an approach to communication that focuses on careful selection of words that foster adjustive interpretation. That is, when a bureaucrat wishes to state a non-position in the form of a position, or wishes to say something about something he knows nothing about, he can fuzzify. By using adjustifiers or fuzzifiers, the bureaucrat can make a statement that can be interpreted to mean a number of things. Thus, past statements can be measured against future events in whatever way is best for him at the time of the interpretation.

*Trashification* is often used by politicians, academicians and governmental bureaucrats to demonstrate in-depth knowledge in matters of marginal value. Trashifiers add unrelated or non-essential data in oral or written communication to expand three-page reports to ninety-page reports, because they know that most people are more impressed by the weight of reports than by the weight of the logic on which the reports are based.

intently into the pupil of one eye of the listener and they climaxify the communication process by nodding the head in an affirmative manner. When the listener nods in agreement, the bureaucrat has it made, and can continue to the next step in the phonification process.

These basic techniques used by bureaucrats are the instruments of self-protection and for gaining the status of expertise, but the essence of bureaucratic communication is now under attack from newly elected officials and taxpayers. They believe that the institutions that once served are becoming the institutions that command and they believe that "bureaucratic semantification" is an important factor in the trend.

Some newcomers recently arrived in Washington with the idea that they were going to make changes in the way bureaucrats communicate. In the White House, for example, it was decreed by President Carter that government officials should express themselves in simple terms, but upon hearing the decree, the old line bureaucrats quietly smiled to themselves. They knew that history was on their side, and they were confident that the newcomers would gradually adjust to the bureaucratic way of life and adopt bureaucratic semantification as a communicative style. When President Jimmy Carter sent Mrs. Carter on a diplomatic mission to the Caribbean and Latin America, she was asked in Jamaica about the prospects of renewing diplomatic relations with Cuba. She did not say that the matter was being discussed; she responded that the matter was the subject of a dialogue. And the White House Conference on Handicapped Individuals conducted May 23-27, 1977 asked the delegates to "prioritize" their recommendations after studying and giving their "priority votes" on items that were fuzzified with such phrases as: high-risk disability producers, deinstitutionalization mandates, and on-going mass media campaign.



**Be Sure to Maximize Pupillary Contact**

A final but major philosophical element in successful bureaucratic communications is *The Boren Dictum*: *If you're going to be a phoney, be sincere about it.* There are genuine phonies in bureaucracies who are phonies without realizing it, but the most successful phonies are those who know they are phonies but are sincere about their phoniness. Sincere phonies are able to combine many bureaucratic characteristics into a harmonious pattern of communication. They furrow the brow, tilt the head slightly forward, lower the voice and interlace linear mumbling with moderate gruntifications. As they do this, they also maximize the pupillary contact by gazing

**The Bottom Line**

In a bureaucracy goals are to be stated, not sought; actions are to be studied, not taken; and knowledge is to be synthesized, not used. Success in bureaucratic communication involves the roar, not the message and the image, not the reality.

If you don't believe it, for the next few days tune your ears for the buzzing of the profundifiers as they intone their pet phrases: interface, parameters, dialogue, ongoing, finalize, etc.

### 3.

## THE CONGRESS:

# Legislators and Representatives of the People

*"I consider the people who constitute a society or nation as the source of all authority in that nation; as free to transact their common concerns by any agents they think proper. . . that all acts done by these agents under the authority of the nation are the acts of the nation. . ."*

*Thomas Jefferson*

From atop one of the city's two hills, the U.S. Capitol towers over Washington, D.C. Its dome is a crown to the city, and its impressive architecture casts it as the centerpiece of the world's largest democratic republic. The importance is much more than symbolic, for the Congress was created as the central cog in a radical experiment (for the 18th century) in representative democracy. Article I of the Constitution, which defines the powers of the Congress and the procedures for choosing Representatives and Senators, comprises more than one half of the entire document.

Throughout our history the Congress has embodied the ideals and the realities, the successes and the failures of our political system. In its halls the Daniel Websters have delivered stirring speeches, and the Henry Clays have engineered the great compromises which have made our national motto, *e pluribus unum*, a continuing reality—"out of many, one." Yet there have also been less glorious moments, from scandals to criticisms that Congress had forfeited too much power to the Presidency.

The 95th Congress convened in January, 1977, amidst mixed public attitudes and serious questions. What should Congress' role be: how much a leader, how much a public forum, how much an "equal" to the President? What about its procedures, the ethics of its Members and the proposals for Congressional reform? Also, what does it mean "to represent the people": What are the fine lines between government by, of and for the people?

It is to these and other important questions which we turn in this chapter. Speaker of the House Thomas P. O'Neill, Jr., Minority Leader John Rhodes, Senators Robert Morgan and Robert Dole, and Congressmen Bill Frenzel and Bob Carr are among the authors who have written articles especially for **Perspectives**. Additionally, a series of charts and diagrams and a special guide to Capitol Hill have been designed to help you learn about the Congress while in Washington.



# CONGRESS: LEADER OR FOLLOWER?

## Senator Robert Morgan

*Senator Morgan is a Democrat from North Carolina, elected to the Senate in 1974 to replace the retired Senator Sam Ervin. He is a member of the Public Works and the Banking, Housing and Urban Affairs Committees. In this article he defends Congress against the criticisms of its detractors and explains what its role is in the making of national policy. Compare his article with that of Harry McPherson in Chapter 1, for two differing perspectives on the roles of the President and Congress.*

If the opinion polls are accurate, Congress is held in less than high esteem by the public, and is viewed not as a leader, but as a sometimes reluctant follower in solving national problems. Much of this low regard has been inspired by those critics and journalists who have pictured the Congress as slow and bumbling, lacking a sense of direction.

While it is true that Congress acts slowly, it was never intended by the Founding Fathers as a place where snap decisions or quick answers would prevail. With 535 members (435 Congressmen, 100 Senators) who hold individual opinions and represent different **constituencies**, it is a part of Congress' heritage to be a forum in which all interests are represented. Both the House of Representatives and the Senate must take into consideration regional and other differences, so as to provide enough balance to make laws workable and fair for all Americans. While the Congress cannot speak with one voice, as can the President, it still plays an important leadership role in shaping policy.

### Regaining Leadership From an Imperial Presidency

It is true that the powers of the Presidency have grown ever since the administration of Franklin D. Roosevelt (1933-1945). The "**imperial Presidency**" reached a high level under Richard Nixon who, if Congress went against his will, cancelled the action by **impounding** the money. His predecessor, Lyndon Johnson, had done the same thing on a smaller scale. However, the courts have

since then generally ruled impoundment to be illegal.

The fall of the Nixon Administration, destroyed from within, accelerated a movement in the Congress to regain some of the leadership seemingly lost with the growth of the "imperial Presidency." This more active role had actually begun before Watergate, but these events further influenced the Congress to act more forcefully.

If you look at the record, Congress provided more leadership in shaping policy during the 1960's and 1970's than most people realize. Civil rights, the lowering of the voting age to 18 years, environmental protection, campaign finance reform—these and other programs were created and nurtured in the Congress, not the executive branch. In the case of the Vietnam War, it was the Congress who first realized that the War had gone on too long.

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**"Congress provided more leadership in shaping policy during the 1960's and 1970's than most people realize."**

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Let us look at two major initiatives taken by the Congress, which illustrate that the Congressional voice is not as weak as some people believe.

### Two New Initiatives: Setting the Budget and Controlling the Bureaucracy

The first of these is the creation of the House and Senate **Budget** Committees. These Committees were established by the Budget Control and Impoundment Act of 1974, and began operation in 1975. Before then, Congress had no effective system for setting the national budget. It merely took the President's recommendations, approved or disapproved them, raised or lowered them. With the new Budget Committees, the Congress has a method of really setting the budget and controlling spending. It also has its own staff of economists and other experts who can provide information for the legislators. All of this has made the Congress better able to assert its priorities on budgetary matters. At the same time, this opportunity to manage the budget brings increased responsibility for controlling spending and trimming deficits.

This leads to the second major initiative, controlling the bureaucracy. Congress is seeking some sort of control over Federal programs and the appointed officials who operate them. Con-

sideration has begun of what is known as the "Sunset Bill." If passed into law, this would require all government agencies to periodically report on their activities. In order to continue to receive funds, they must justify their existence by proving that their programs are having positive effects. If this cannot be shown, the "sun will set" on their existence.

This last action is long overdue. Members of the House and the Senate are responding to increased complaints from constituents that government is ineffective and inefficient. Congress itself must share some of the blame for creating programs and agencies without giving them proper oversight.

### **A Force and Forum for Shaping Policy**

It is apparent that Congress is acting to regain some of the ground it has lost during recent years without any "power grab" aimed at the other two branches of government. In foreign affairs, for example, the executive branch will still be predominant. But after our Vietnam experience, it is doubtful if the Congress will ever again relinquish its authority and allow the nation to become involved in a similar adventure. Wise and responsible use of the power to control the budget, plus effective influence over regulatory agencies, will strengthen the role of Congress in shaping national policy.

At the same time, the increasingly complex and technical problems confronting the nation make the job of a Congressman or Senator much more difficult. Few people possess by education or training the technical knowledge required by today's issues. This has made it necessary to increase the size of their office staffs, as they have employed aides with knowledge in specific fields. Other assistants have been needed to handle the increasing requests of constituents in dealing with Federal agencies.

All this may feed the misconception that the Congress bumbles and stumbles, procrastinates and argues an issue to death, appears to crawl so slowly in its deliberations that it sometimes seems doubtful of its own destination. But from these deliberations have come the solutions to new problems. Some have been less than perfect, and many need changing, but here again, the Congress will be a central force and forum for the changes. There exists a real opportunity for the Congress to strengthen its role and to regain some lost respect among the public.

## **CONGRESS AND THE PRESIDENT: CHECKS AND BALANCES IN THE MAKING OF FOREIGN POLICY**

### **Senator Robert Dole**

*Senator Robert Dole (R-Kansas) is familiar to you as the Republican candidate for Vice President in 1976. Although he and Gerald Ford were defeated by the Jimmy Carter-Walter Mondale ticket, Senator Dole maintained his seat in the U.S. Senate. He has served in the Senate since 1968; prior to that, he was a member of the House of Representatives for eight years. He has distinguished himself on issues of domestic policy as a member of numerous committees, most notably on the Senate Agriculture and Forestry Committee. In addition, he has been very active on foreign policy issues throughout his career. In this article, he offers the perspective of a man who has a great deal of expertise on the subject of foreign policy, and who has been both a Senator and a Congressman.*

In establishing a system of "checks and balances" between three separate branches of government, the Founding Fathers intended that the executive, legislature and judiciary would play competing, complementing and "checking" roles in the conduct of the affairs of government. The struggle for influence and authority in the formulation of national policy has existed throughout our history, especially between Presidents and Congresses. When such conflicts have raised questions requiring interpretation of the Constitution, the Judiciary has settled the differences.

"Politics" often play a part in determining the intensity of the conflict. When one political party controls the White House and the other holds a majority in Congress—as was the case from 1968 to 1976—the lines are drawn very distinctly. However, it has also been true in the past and continues so today that the quest for supremacy goes on even with the President and the majority in Congress being members of the same political party.

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## Foreign Policy: The President as Commander-in-Chief, The Congress as Declarer of War

How has the system of checks and balances functioned historically with regard to the actual formulation of policy? The more interesting focus of attention is on foreign policy. Congress has always had a strong voice in domestic policy, and only in recent years has it been more forceful in resolving foreign policy issues.

It is sometimes said that political party differences "stop at the water's edge." Historically, foreign policy has been conducted on a bipartisan basis with an overall spirit of cooperation between Presidents and Congresses. Their joint involvement was a clear intention of the Constitution, for the President was named Commander-in-Chief of all armed forces while the Congress was given the powers to declare war and to grant funds "to raise and support armies" and "to provide and maintain a Navy." Thus, the authority of the President as Commander-in-Chief is strong, but limited. While Congress cannot deprive the President of the command of the Army and Navy, only it can provide him an Army and Navy to command.

An example of this "checking" occurred in 1801, when President Thomas Jefferson sent U.S.

naval vessels to protect American merchant ships from Barbary pirates off the African coast. He could authorize only defensive measures since the Congress held the authority to appropriate funds for offensive action. Again in 1900, President William McKinley sent 5000 American troops to China as a part of an international force during the Boxer Rebellion. While Congress recognized the existence of the conflict by providing for combat pay, it neither declared war nor formally ratified McKinley's action.

However, during the 1950's and 1960's, Presidents assumed greater authority to send American troops into conflicts on their own. During the Korean conflict, President Harry Truman relied upon the United Nations Charter as well as his power as Commander-in-Chief to send American troops to Korea. In the 1960's, Vietnam provided a vivid example of Presidential power. President Lyndon Johnson was able to continue sending troops to Vietnam under the authority of the Tonkin Gulf Resolution, passed by Congress, even though this was not a formal declaration of war. So, by the late 1960's, the powers of Presidents in foreign affairs had grown significantly.

It was not until President Richard Nixon took office that Congress became concerned over Presidential powers in foreign affairs. The conduct of many Senators and Representatives at

The President Addresses a Joint Session of Congress on The National Energy Act

Photo Courtesy of the White House



that time reinforces the suggestion that politics and party labels are too often the basis for the value that a member of Congress attaches to the maintenance of a bipartisan foreign policy—that is, a policy endorsed by both parties.

### **Conflict Over Defining the Authority of Commander-in-Chief**

When President Nixon sent troops into Cambodia in 1970, he justified his action as necessary to protect the lives of American personnel. The Founding Fathers had been very clear that self-defense and response to armed attack on the United States were well within the power and responsibility of the President as Commander-in-Chief. The question arose whether this action in Cambodia was the sort of tactical decision vested in him as Commander-in-Chief during an armed conflict, or whether it expanded the scope of authority to the point where the war-making process was almost a Presidential prerogative.

The debate contributed much of the momentum needed to pass the War Powers Act in 1973. That measure declared that the President may only send U.S. troops into hostilities through a declaration of war, specific authorization by law or a national emergency created by actual attack on the United States, its territories or its armed forces. This Act, as well as others in recent years, has demonstrated a growing insistence by the Congress that it be included in foreign policy decision-making.

### **Conclusion: A Healthy "Checking" and "Balancing"**

All of this points to the real importance of checks and balances. The healthy give-and-take relationship was designed to insure that the President and the Congress do indeed remain balancing forces in the sharing of vital responsibilities. The principle stated by the late Senator Robert Taft that "the right to declare war is granted to Congress alone by the Constitution" has not changed. Indeed, the various legislative efforts to pull us out of Cambodia were resolutions that did not challenge the legality of what President Nixon did, but rather attempted merely to prevent us from further participation. The fact that the Congress, entrusted with making the laws, and the President, who must faithfully execute those laws, have a mutual role in formulating policy is one of the keys to the strength of our Republic.

## **THE SPEAKER OF THE HOUSE: HIS ROLE AND THE 95TH CONGRESS Speaker Thomas P. O'Neill, Jr.**

*Thomas P. O'Neill, Jr., was elected Speaker of the House in January, 1977. He had been a Congressman since 1952 and had previously served as House Majority Leader (1972-76). He has written this article to help you better understand how the Congress functions. He gives a detailed description of the important job of the Speaker of the House and then discusses the Democratic Party's legislative program.*

On January 4, 1977, I was elected by the House of Representatives as its 47th Speaker. The Speaker of the House holds the highest legislative office in the land, and he is also the second person in succession to the Presidency, behind only the Vice-President.

The Speaker is one of only three legislative positions explicitly spelled out in the Constitution under Article I, Section 2. The other two are the Vice-President of the United States, who also serves as President of Senate and the President *pro tempore* of the Senate, who presides in the Vice-President's absence.

### **Roles of the Speaker**

The Speaker of the House must wear five cloaks at the same time:

First and foremost, he represents his own Congressional district; in my case it is the Eighth Congressional District of Massachusetts. Like all members of the House of Representatives the Speaker must compete for re-election every two years and recognize a primary responsibility to his own constituents.

Second, the Speaker is the principal leader of the Majority Party in the House. Wearing this "party role" cloak, he has exclusive authority to appoint all joint and select committees and commissions, appoint House members to conference committees, and appoint House members to official Congressional delegations. As leader of the Majority Party, the Speaker also has the last word on scheduling of all House Floor legislation.

Third, he is the presiding officer and chief parliamentarian of the House of Representatives. He has the power of recognition, the power to enforce rules of courtesy, the power to sign all legislation and the power to pass on all parliamentary points of order.

Fourth, the Speaker is the chief administrative officer of the House side of the Capitol charged with overseeing all the House office buildings and grounds, press and public galleries, House Chamber and other properties.

Fifth, he is chief protocol officer for the entire legislative branch and must meet with foreign dignitaries.

In addition to these responsibilities, I am chairman of the Democratic Steering and Policy Committee. This is called the "Speaker's Committee," because it makes assignments of all Democratic members to the regular standing committees (with the single exception of the Rules Committee whose membership is exclusively appointed by the Speaker). It also guides and directs Democratic strategy on legislation.

Another arm of the Speaker's leadership is the Whip Organization which meets weekly to analyze the proposed floor legislation for the following week and to determine how much leadership input is needed to pass that legislation.

The Speaker must be a leader who knows and understands the operation of the Congress. He must know how to "read" the House, how to fashion and unfashion coalitions which successfully master the complexities of the legislative and political processes. He must be willing to share his knowledge with every Member. The style of leadership is as important as the substance. Often, the Speaker must take the Floor to advocate strong partisan positions to advance his party's policy preferences, pass its legislative program and maintain its control of the House. At other times he must shed his political cloak, and as presiding officer, rule in a fair and impartial manner. There are times when the Speaker must be partisan and times when the Speaker must be nonpartisan. Members of the minority party or a single dissident within the entire House must be assured of his rights as a Member of the House. A good Speaker must move with facility between these two positions.

**Program for the 95th Congress**

The main focus during the first six months of the 95th Congress has been on restoring public

and business confidence in the economy as well as their general confidence in government.

In assuming the mantle of leadership I announced four legislative goals for the 95th Congress: an economic stimulus package; the strongest code of ethics of any legislative body in the world; a reorganization of the federal government, reducing the number of agencies from 1900 to approximately 200; and a comprehensive energy conservation program. Both President Carter and I firmly believe that Pennsylvania Avenue is a two-way street, and these goals are being realized as the result of a close working relationship between the President and the Congress.

Prior to the inauguration the leadership of the Congress participated in helping to shape the economic stimulus package in Plains, Georgia. Input from the Congress at that early stage ensured a smooth passage of the entire package through the House before the end of March. This economic stimulus package will provide nearly 1.5 million American jobs over the next two years.

Tremendous progress has also been made on the second goal, as the strictest code of ethics ever enacted by a legislative body has passed both chambers of Congress. While many members at first considered that the sacrifice of personal privilege and financial independence required by the new code was too severe, the times demanded a comprehensive reform without loopholes. A special ad hoc committee was appointed to implement the new code, putting into public law provisions involving complete financial disclosure and reporting requirements.

Congress has also responded to the Presidential request for authority to reorganize the Federal government. Under this authority the new Department of Energy has now been created.

Perhaps the most important and certainly the most complex and difficult objective of the 95th Congress is the formation of a comprehensive energy plan. Consideration of this plan will dominate the remainder of the first session of Congress. To help speed up consideration of the President's energy plan we established an ad hoc committee on energy to review and assemble the President's package after the four standing committees which have energy jurisdiction had acted upon the final proposal. This was an unprecedented and novel approach to the consideration of legislation. The ad hoc committee will have the final responsibility in the House to report to the Floor recommendations for an omnibus energy program.

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parochial or more regional than energy. It is my hope that the American press and the public will respond to President Carter's plea for a national energy policy with a renewed sense of urgency. The type of parochialism which has existed in the past and hindered the formulation of an energy program must be prevented.

Following the enactment of a national energy program the 95th Congress will examine comprehensive tax and welfare reform proposals.

In shaping these important programs the

House consists of 435 independent decision-makers, each one reflecting his own constituency while simultaneously fulfilling his national responsibility. This is as it should be, for Congress operates at its best through the blending together of input from 435 different points of view representing 435 diverse economic and social perspectives. Just as the many different instruments of an orchestra produce the vibrant harmony of a great symphony, so the final products of this blending of compromises are laws which are beneficial to all the American people.

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## LEADERS OF CONGRESS

*How often have you watched a news broadcast when the commentator has said, "Today President Carter had a breakfast meeting with the leaders of Congress to discuss upcoming legislation. . . ." Who are these official leaders of Congress? Many Senators and Congressmen perform unofficial leadership roles on different issues, but there are certain members selected by their colleagues to serve in official leadership capacities. These leaders of Congress are pictured below; some names and faces may be more familiar to you than others.*

*What are the powers and responsibilities of each of these individuals? Perspectives presents you with a partial listing, each of which can be matched to one of the pictures. Read the newspaper and watch the news to help you answer these questions.*

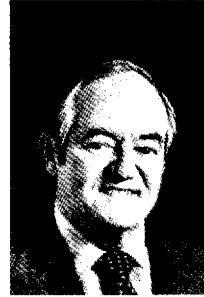
- A. According to the Constitution, he is the official presiding officer of the Senate. He can only vote if there is a deadlock.
- B. Works with the Speaker of the House on legislative strategy.
- C. With a Democratic President and a Democratic majority in the Congress, he is a chief spokesman for the Republican Party as its leader in the Senate.
- D. "Lieutenant" to the House Majority Leader, his job is to persuade Democratic Congressmen to vote with the party leadership.
- E. Greatest influence over committee assignments in the Senate; also, chief legislative strategist for Senate Democrats.
- F. Presiding officer of the House, chief legislative strategist and greatest influence over committee assignments.
- G. "Lieutenant" to House Minority leader.
- H. The senior member of the Majority party, he presides over the Senate in the absence of the Vice President of the United States.
- I. If the Senate Minority leader opposes a bill, it is his responsibility to line up the votes of Republican Senators.
- J. If the Senate Majority Leader supports a bill, he lines up the votes in favor.
- K. Leader of the opposition party in the House.
- L. Assistant to the President Pro Tempore.



Walter F. Mondale  
Vice-President of the  
U.S.  
President of the Senate



James O. Eastland  
(D-Mississippi)  
President Pro Tempore



Hubert H. Humphrey  
(D-Minnesota)  
Deputy President Pro  
Tempore



Robert C. Byrd  
(D-West Virginia)  
Majority Leader



Howard H. Baker, Jr.  
(R-Tennessee)  
Minority Leader



Alan Cranston  
(D-California)  
Majority Whip



Ted Stevens  
(R-Alaska)  
Minority Whip

**THE HOUSE OF REPRESENTATIVES**



Thomas P. O'Neill, Jr.  
(D-Massachusetts)  
Speaker of the House



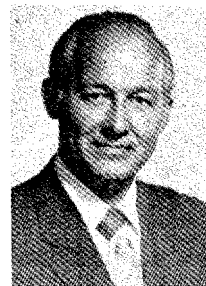
Jim Wright  
(D-Texas)  
Majority Leader



John J. Rhodes  
(R-Arizona)  
Minority Leader



John Brademas  
(D-Indiana)  
Majority Whip



Robert Michel  
(R-Illinois)  
Minority Whip

## **THE MINORITY AS A COHESIVE FORCE**

### **Minority Leader John J. Rhodes**

*Congressman Rhodes (R-Arizona) was elected as House Minority Leader in late 1973, after Gerald R. Ford had resigned the position to become Vice-President. He was first elected to Congress in 1952 from a district which includes parts of Phoenix and its suburbs. Congressman Rhodes explains the role of the minority party in Congress and of the Minority Leader. He also discusses the Republican program for the 95th Congress, offering a counterpoint to the proposals of Speaker O'Neill in the previous article.*

"The greatest good of a minority of our generation may be the greatest good of the greatest number in the next."—Oliver Wendell Holmes

The Republican Minority in the 95th Congress is outnumbered two to one. However, since the Majority is divided into several factions, the Minority plays a unique role of providing a nucleus, a magnet around which to build a consensus that reflects the broad intent of Congress.

Although the Presidency and the Congress presently are controlled by the same political party, this has not assured harmonious relations, or a legislative steamroller. All members of the House and one-third of the Senate face election in 1978. While the President may have four years to live down early mistakes, or for fruition of his proposals, the Congress must deal with a time frame of a matter of months before its decisions are weighed at the ballot box.

The Congress has the power to create Federal agencies, direct their purpose, and appropriate funds for their operation. The President may propose, but it is the Congress that must decide.

In practice, this works out to provide the Minority with a unique role. A united Minority, in conjunction with those in the Majority who disagree with Presidential policy, can legislate. Already, bills that have been presented because they were political obligations to special interest groups, have been defeated by this coalition. This is the rightful function of the Minority, to oppose forcefully legislation that is not in the national interest.

The Minority Leader has the responsibility of providing guidance for Republican Congressmen in areas of organization and party policy. He is chosen in a secret ballot by the Republican Conference, composed of all Republican Members, which appoints each Republican to positions on the House committees. He does not serve on any standing committees that consider legislation, but is an ex officio member of several other committees and various commissions.

The Minority does not have control of the committees, because they are constructed on a ratio roughly equal to the Majority-Minority ratio of Members. Therefore the Minority Leader has the responsibility of working to make his Party's contrasting views known to the public. For this purpose, he coordinates compilation of a Legislative Agenda, a statement of just what we would do about various challenges facing the nation if we were in charge of the Congress.

### **Program for the 95th Congress**

The Congress must face a bewildering array of proposals. Some seek to amend failing programs. Others propose massive new ventures into government. Some seek to regulate either business or the individual.

The two overriding concerns of the 95th Congress will be the problems of energy and our environment. Here a balance must be struck. Our economy depends on adequate energy. Use of energy creates environmental problems. The task of Congress will be to formulate a national energy policy that is effective, and a national environmental approach that is pragmatic and affordable. This involves compromise, and reasonable legislation that will move steadily toward our goals, without inflicting economic damage that might cause a national recession.

The Carter Administration already has offered many proposals. Balancing the requirements for energy with the desirability of enhancing the environment will require intensive attention from Congress. As a result, many programs may be put into mothballs for later consideration while Congress wrestles with the primary challenge of providing fuel to keep America going and growing.

The Minority believes that our energy needs must be met by a vigorous program of research and development of more energy. We believe the



free market, not the tax system, should establish the true price of energy. We support conservation, but realize that alone it is but half the energy program. The world uses six trillion watts of power a year, yet some 30,000 times this potential comes to the earth in the form of sunlight alone each year. The power of the atom has barely been touched and we have billions of tons of coal. In short, there is no shortage of potential energy sources. We suffer from lack of a workable national energy policy, which we in the Minority want the Congress to enact.

The Chinese have a curse which says: "May you live in interesting times." The President and the Congress certainly face "interesting times" in the months ahead. We in the Minority welcome these challenges. We believe that we have constructive alternatives, practical programs which we intend to push with all our abilities. We will make certain that the American people realize the differences between our approach and those with whom we disagree.

As Minority Leader, my job will be to unify our forces to maximize our influence. Although we are outmanned, we will not be outfought when we believe we have the right solutions to the problems of this generation and the future.

## **THE JOB OF A CONGRESSMAN**

### **Congressman Bill Frenzel**

*Before you can decide whether you believe someone is doing a good or bad job, you need to know exactly what that job is supposed to be. Congressman Frenzel (R-Minn.) has written an extremely important article, analyzing the job of a Congressman. While the previous articles in this chapter have been concerned with the institution of the Congress, this one focuses on the job and role of each of the 435 individual Congressmen.*

There is no "typical" handling of the job of Congressman. Each of us goes about his or her job in a different way. Among the 435 Members of the House of Representatives there are generalists and specialists, regionalists and nationalists, those who push causes and those who are good negotiators. Great orators are heavy on speech

making, legislative craftsmen work silently in committees. Because the job is infinite, no one can do it all. At best, each Member can only concentrate on those things that seem most important, or that he or she does best.

For convenient analysis, the job can be broken into functions. There could be any number of subdivisions, but for simplicity's sake, let's take these five: (1) legislative; (2) constituent services; (3) communication; (4) administration; (5) miscellaneous.

### **Legislating: Congressman as Lawmaker**

The Congressman's duties as a legislator, or lawmaker, cover the whole process of how a bill becomes a law. They begin with reading and research on the issues, include polling of constituents to discover their preferences and climax in his work on committees and his votes on the floor of the House. Legislative duties also include floor debate, speech writing, knowledge of parliamentary procedure, and service on conference committees or other special assignments made by the Speaker of the House, the Majority Leader, the Minority Leader or even the President of the United States.

Most Members of Congress assign top priority to legislative duties. In the House, particularly, there is a heavy emphasis on committee and subcommittee work. Each Congressman usually serves on two committees and within each of those he also is a member of several subcommittees. In this capacity, he participates in committee and subcommittee **hearings**, in which testimony is "heard" from representatives of different groups, as well as interested individual citizens. These hearings provide a Congressman with a more informed and broader perspective on the impact of a bill under consideration. With this information he may offer amendments or alternatives to the original bill, may vote for the original, or may vote against it during the committee sessions. Congressmen whose committee attendance is regular and who "do their homework" are effective committee members and are thought by their peers to be good Congressmen.

The climax of the legislative process is the floor debate in the House (or Senate) chambers. Most Members have pretty well decided how to vote on a bill prior to floor debate on the basis of committee hearings, regional or group interests of his constituents, conversations with lobbyists or

other experts on the issue of persuasion by fellow Congressmen or party leaders. Only rarely are Members' votes affected by persuasive oratory during floor debate.

During this whole process, political considerations have an importance not always discussed. While they may be outweighed by other concerns they are nevertheless always present. If the Congressman is a member of the political party (here in 1977, the Democratic Party) which occupies the White House, he has some responsibility for helping to pass the President's programs. However, this does not mean strict and unswerving cooperation between a President and his political party in Congress. Competition between the President and the Congress has been traditional and has its roots in the Constitution.

If a Congressman like myself is a member of the political party (Republican) which is both a minority in Congress and lost the last Presidential election, he has the duty of modifying or trying to defeat the Majority program when he disagrees with it. If it is worthy he has the responsibility to support it. The Minority always will seek to become the Majority and will often offer alternatives to Majority programs as a demonstration of what it would do if it were in power.

**Constituent Services: Congressman as Ombudsman**

This is the pesty part of the job. In many Scandinavian countries the national legislatures appoint a special commissioner called an "ombudsman" to hear and investigate problems or complaints by private citizens against the government and its agencies. In the United States there is no such government official and ombudsman-

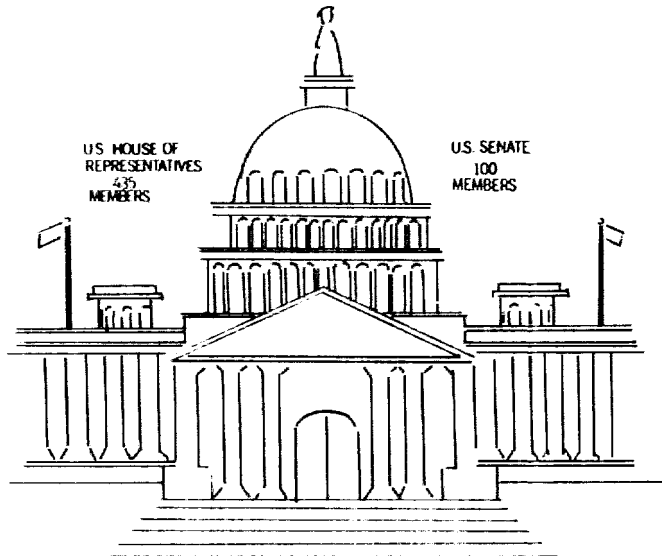
type functions have fallen upon Congressmen as the representatives of the people.

Every Congressional office has at least one person, usually called a "caseworker," who handles the problems of constituents who have been rebuffed, frustrated or harassed by the Federal bureaucracy. In active House offices or larger Senate offices, the casework group may be a large team. The problems they handle range from finding lost Social Security checks, to expediting military leaves in time of family emergency, to securing passports and visas, or to helping people determine their qualifications for Federal assistance programs.

Some offices take particular pride in this kind of work, and many Congressmen make their local reputations on the basis of being especially sensitive to, or having a special capability to solve, these individual problems. Members hold office hours throughout their districts, some in mobile offices, in an attempt to respond to this perceived constituent need. The case load varies, but every office has plenty of it.

**Communicating with the People: Congressman as Representative**

By far the single, most important communications function is responding to letters, phone calls, petitions and personal requests. Each office's mail varies but it is not unusual for a Congressman to receive as many as 2,000 letters per month. Many ask his position on a particular issue; even more urge him to vote a certain way. As a conscientious Representative he must answer all such written inquiries. Since the advent of automatic typewriters and more recently, computers, a Congressman can now also write to



people who are known to be interested in a particular subject (because of their occupation, group affiliation, place of residence or other factors) even if they have never actually written to the Congressman. These unsolicited letters are mailed in an effort to inform as many people as possible of Congressional activities in specific issue areas.

There are also a variety of communications mediums other than personal letters. The most familiar is the Congressional newsletter, written periodically by nearly all Members to inform all of their constituents of their activities. Press releases are another important aspect of communications, especially for Congressmen whose districts lie outside of major media areas. Many offices have staff aides designated as "press assistants," who specialize in working with the printed and electronic media. Radio tapes, local television appearances, special telephone connections to local schools or groups and informational questionnaires are also employed to communicate with constituents.

A Congressman will also return home to the district on weekends and during recesses. The frequency of such trips obviously depends on where a district is located in relation to Washington, D.C. Such trips allow a Congressman to report directly to people as well as to find out directly what they are thinking. Speech-making and meetings with constituents dominate a Congressman's schedule when he or she is back in the district.

#### **Administering an Office Staff: Congressman as Manager**

Few Members of Congress would want to be considered administrators, but it would be impossible for any of us to fulfill the many functions already described without an effective staff. In reality every Congressman has two staffs—one in the district and one in Washington. The total of these two offices can be up to 18 staff members; Senators are permitted larger staffs because of their larger constituencies.

Administering this staff can be difficult and time consuming. Staff must be recruited, trained, motivated and evaluated according to their different job responsibilities. Frequent staff meetings may be required both in Washington and in the local district. If a Congressman is a committee or subcommittee chairman, or a ranking Minority

member, he must also manage huge committee staffs. Many times our administrative functions seem to impinge on the nobler duties.

#### **Other Duties: Congressman as Party Member, Group Member, Committee Chairman**

This division into legislative, ombudsman, communication and administrative functions is arbitrary and obscures other important duties. For instance, it ignores political responsibilities. Each Member has a role to play within his political party on many levels. Each Congressman belongs to the "Congressional caucus" of his party, which means that he participates in decisions involving the party in Congress such as choosing the leadership and setting a party program. Congressmen are also looked to as leaders of their party at the local, state and national levels and play a leading part at party conventions on all of these levels. As national figures they are often asked to meet with or address political groups from areas other than their own districts.

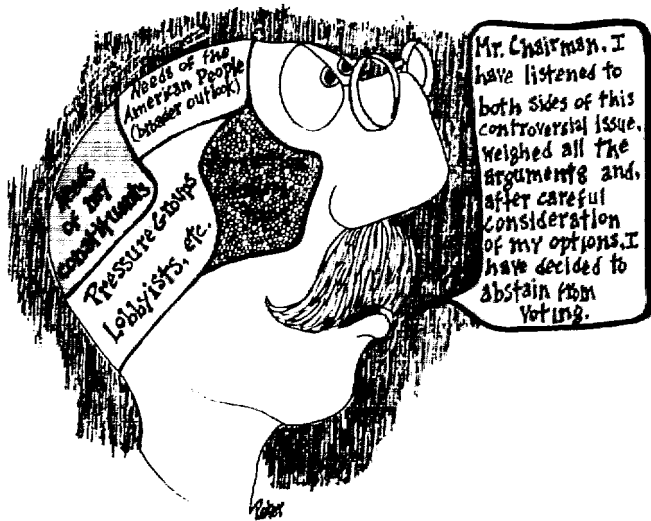
They may also be active in movements or causes that are bipartisan or nonpartisan such as environmental groups, the women's movement or fringe liberal and conservative groups. They may be consulted by groups in these areas and will appear in public forums to speak on such issues. Generally speaking, Senators are more well known and are consulted more often than Congressmen, but this is not always the case.

Committee chairmanships are another extremely important duty. Since committees are very much at the heart of the legislative process, being a chairman bestows a great deal of authority and responsibility. Chairmen have central responsibility for managing the committee staff. They also have a dominant voice in the committee stage of the legislative process and can significantly influence the fate and content of a bill.

The Congressman's day begins early and ends late. The job is never done, because there is more of it than any single human can do. Members, therefore, pick those aspects that seem most important to them or their constituents, or they select tasks they perform well. Every Member makes conscious selections knowing many functions have to be left undone.

## A REPRESENTATIVE'S VOTE: A MATTER OF CONSCIENCE The Honorable Brooks Hays

A Congressman Votes: (Well, Sort of...)



*How does a Congressman or Senator decide how to vote? What factors are considered? How are the needs of the district weighed with broader considerations of "national interest"? Should the Congressman be a leader of opinion, or a barometer measuring the voices in his district?*

*The plain truth is that there is no simple answer to these questions. A Congressman or Senator must assess each vote in an attempt to balance all of the information and pressures. Forces such as constituent mail, important pressure groups, support for the party position, and a personal concept of "national interest" are often overlapping and conflicting. Each of the elements has to be evaluated in light of the Congressman's or Senator's own background, experience, personality, public image and view of his or her own role as a representative of the people.*

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**"There were 226 roll call votes in the Senate last year. As the clerk called our names, those of us on the Senate floor had to answer either 'aye' or 'no'. Many times we wished an issue had never arisen. Many times the issue itself was not clear. Many times we felt that our truest answer was neither 'aye', nor 'no', but 'maybe'. Still we could not stall by repeating the truth that there was much to be said on both sides. In the Senate, when our names are called, the time for objectivity ends. We must answer with the categorical 'aye' or 'no'."**

*Senator Paul Douglas*

---

*Ultimately, the most difficult decisions are those where the Representative's sense of what is correct conflicts with the position popular with the constituency. It is in these rare cases that conviction and moral principle may clash with popularity and expediency. The political career of Brooks Hays focused on precisely this issue of principle. As a Congressman from Arkansas in the 1950's, he took a firm stand in support of the integration of Central High School in Little Rock, Arkansas. He acted upon his belief in civil rights and was voted out of office in the 1958 election by a constituency which disagreed with his stand on this issue. Here are his thoughts on this subject of voting one's conscience, written especially for Perspectives.*

The Congress was the focus of interest in the deliberations that produced the Constitution and its powers are prescribed in Article I of the Constitution. Those powers were conferred by rather

sweeping language granted shall be vested in a Congress of the United States." However, included in this broad phrase are many different roles, functions and powers. A Congressman must be a legislator (policymaker) and representative (spokesman for the interests of his constituents). The Congressman's task is to balance the local and regional interests which he represents with the national interest.

Congressmen of different regions and different parties, as well as the Congress and the President, must cooperate, compromise and form coalitions, if anyone's goals are to be reached. Some dilemmas, however, test one's ability to recognize issues that present a choice between compromise and political expediency on the one hand and unalterable moral principles on the other. Expediency may be justified in efforts to reach viable compromises, such as the funds to be allocated for various public services, but some questions lie outside such considerations. In matters of social justice and human rights, for example, there is no latitude. The admission of nine black pupils to a Little Rock high school was in this category, and the denial of such rights in order to preserve one's political life would have been less than noble. As the British philosopher Edmund Burke told the people of Bristol, "A representative owes the people not his energy alone, but his judgment as well. He betrays them if he yields his judgment to their opinion." Contrast this with the cynical statement of Robespierre, a leader of the French Revolution: "The crowd is in the street and I must see which way they are going, for I am their leader."

We have always believed that our leaders should have both the firmness of their convictions and the skill to compromise. Every good representative, as well as every thoughtful citizen, learns to distinguish between issues which can, and those which cannot be compromised without forfeiting one's principles. My observation of political conduct covers a period of fifty years, sixteen of which were in the Congress. It is my belief that a far greater number of legislators embrace this philosophy than are credited with it.

### TIPS ON WRITING YOUR SENATOR OR CONGRESSMAN

• **How to address your letter:**

**The Honorable John Smith  
United States Senate  
Washington, D.C. 20510**

**Dear Senator Smith:**

**The Honorable Mary Smith  
United States House of Representative  
Washington, D.C. 20515**

**Dear Congresswoman Smith:**

• **Why write your Congressman or Senator?**

- a. **State your position on an issue or bill being considered by Congress;**
- b. **Ask his/her position on an issue or bill;**
- c. **General inquiry about his/her votes and other activities;**
- d. **Personal problem or question with which the office might be able to assist you.**

• **If possible, identify by number the bill which concerns you. Be brief and be sure to explain why you are concerned with this issue or bill.**

• **Present your views rationally. Disagree without being disagreeable. Threatening or impolite letters have much less impact than do well reasoned and sincere arguments.**

• **Time your letter so that it reaches your Congressman or Senator before a vote comes up to the floor.**

• **If you are concerned about a particular issue write also to the chairman and the members of the appropriate committee.**

• **Ask for a response and include your return address.**

• **Personal letters are more influential than form letters.**

• **If your letter concerns a personal or family problem, follow it up with a call to your Congressman's or Senator's office.**

• **Keep in mind that in most cases your letter will be read and answered by an aide to the Congressman or Senator. Some offices now use computers to answer their mail from constituents. A Senator or Congressman receives thousands of letters each month and cannot personally respond to each.**

# KNOW YOUR REPRESENTATIVES

*What do you know about those who represent you in Washington? How long have they been in office? On what committees do they serve? Where do they stand on major issues which concern and effect you? During the CLOSE UP week you will have the opportunity to see your Congressman and Senators at work in the Congress. You will also meet with them in seminars. Use this chart as a tool for learning more about your representatives.*

	Congressman/ Congresswoman	Senator	Senator
Name			
Your Congressional District			
Political Party			
Years in Office			
Last Election: Year			
% of Vote			
Committees			
Policy Areas of Expertise			
Major Bills Sponsored			
<b>Voting Record on 5 Issues Important to You (Support/Opposition)</b>			
A)			
B)			
C)			
D)			
E)			
Activities of Home Office			
Your General Impressions			

# SIX VIRTUES OF THE SENIORITY SYSTEM

**Donald E. Deuster**

*Mr. Deuster was an official in the Nixon Administration, in charge of Congressional relations. This article is excerpted from a speech he delivered to a group of students. It was inserted into **The Congressional Record** on February 1, 1971, by Congressman Philip M. Crane (R-Illinois). It examines the virtues of the "seniority system" under which committee chairmen were chosen according to length of service. Mr. Deuster offers an interesting perspective on this question of what is the best procedural system for the Congress to complete its work most efficiently and effectively.*

Let me say a word about "your friend and mine", the great historical and distinctively American custom—the Congressional system of seniority.

The seniority system is not only currently controversial, but it seems to be eternally so. Ten years ago in 1961 as President John F. Kennedy took his oath of office, and as Congress organized itself, Chairman Emanuel Celler of the House Judiciary Committee felt compelled to make this statement:

"It is a rare session of Congress that does not produce its share of proposals to abolish that perennial red herring—the so-called 'Seniority rule'. This long-standing Congressional tradition, under which the House and Senate organize their working committees, has become as popular a target as sin itself.

It is intermittently bombarded by Democrats and by Republicans, by liberals and by conservatives, depending largely upon whose ox is being gored."

Yes, indeed, even today the seniority system still serves as a whipping boy for the frustrations of everyone whose favorite legislation somehow fails to sail as swiftly, as smoothly and as unceremoniously through Congress as its proponents would like.

Few practices of our Congress are so continuously controversial, so widely criticized, so generally misunderstood and so rarely defended.

Speaking as a friend of this beneficial American tradition, and speaking as one who serves as a "professional peacemaker" for President Nixon on Capitol Hill, allow me to simply

outline six virtuous qualities that the seniority system contributes to the functioning of our Congress:

1. Harmony
2. Efficiency
3. Stability
4. Continuity
5. Familiarity
6. Maturity.

What is this seniority system? How does it inject these virtues into the workings of Congress? What is the basis of my opinion? How is the cause of good government served by seniority?

## What is the Seniority System?

First, you will not find the seniority system in the Constitution, in the Rules of the Senate or House, in Jefferson's Manual, nor in any other official document. It is not a law nor a rule of Congress but simply a practice observed and respected by both political parties in the House since 1911 and in the Senate for over a century.

Simply, seniority means that in each of the committees of Congress the member of the majority party with the longest continuous service on that committee automatically becomes chairman.

What does it mean to be chairman? Essentially, the chairman is the presiding officer of the committee. He is responsible for the efficient functioning of his committee. He schedules hearings, invites and welcomes witnesses, presides over public hearings and executive sessions, supervises the work of the professional staff, and symbolically he sits in the big chair under the flag and holds the gavel.

Can he be a dictator? Not for long. Yes, the chairman has powers, but they are usually overrated. Yes, he hires the professional staff. But, since the Legislative Reorganization Act of 1946 most of the professional staff are able to stay on in their jobs notwithstanding changes in the chairmanship.

Should the chairman become tyrannical or obstreperous, the majority of his committee has the power to change the rules and strip him of his power. And, it has been done.

Can the chairman kill a bill? Not if a determined majority inside his committee or in the Congress want to pass it. Any time the chairman or even his entire committee refuse to report out a bill, a simple majority of the House or Senate may sign a discharge petition and bring the bill to the

### How Does Seniority Produce Harmony?

The seniority system contributes to the internal harmony and peace inside the Congress by quietly, quickly and automatically elevating the most senior and experienced majority party member to the chairmanship.

This avoids having a rough and tumble political campaign inside each of the thirty-seven Congressional committees at the start of every Congress. Seniority avoids the wheeling and dealing, the power plays, the intrigue, the deals, promises, back-slapping, apple-polishing and vicious personality clashes that such election campaigns can produce.

### How Does Seniority Make for Efficiency?

Seniority enables Congressional committees to organize quickly and get on with the public business. No time need be wasted in agonizing and debilitating political campaigns for the chairmanship, nor in healing the resulting wounds and bitterness.

Enough time and difficulty is associated with the assignment of the new freshmen Members to the committees. At the beginning of this 92nd Congress all fifty-six freshmen House Members and eleven freshmen Senators—sixty-seven ambitious men and women—received a committee assignment. This task alone called for juggling and sorting the conflicting desires of new and old Members alike to join the most prestigious and politically attractive committees. .

Seniority rewards those members who stick with one committee and thereby move up the leadership ladder. The system discourages hopping about from one committee to another depending upon where the political grass looks greenest at the moment.

Seniority avoids the waste attendant upon drastic changeovers of committee personnel. By enticing Members to stay with one committee and one general subject matter area, the custom guarantees relative stability in a political world that is generally characterized by change and job insecurity.

Members of Congress come and go depending on the election day desires of the American voter. To the extent that some stability can be woven into the management structure of our national affairs, the seniority system helps immeasurably.

### Why Does Seniority Mean Continuity?

Most of our national problems creep up on us gradually. It may take ten or twenty years for local problems to become national in scope. Hearings may be held one year by a Congressional committee and no Federal law passed for another three or four years. This was the case with the famous Medicare program. . . .

The seniority system encourages Congressmen to stay on one committee and thus become experts in one subject area. Thereby, they acquire through personal experience great knowledge concerning the development and long-term solution of our national problems.





This beneficial system assures us that the leadership of our legislative committees will be in the hands of men with the greatest experience. The system insures expertise and continuity.

### How Does Seniority Bring About Familiarity?

Committee members not only become familiar with the scope of problems under the subject matter jurisdiction, but also the membership of the House and Senate, the leaders of the executive branch, and the leaders of the American public become familiar with the committee leaders.

Many a committee—indeed, most committees—are highly respected on the floor of the House and Senate because of the personal prestige, character, expertise and reliability of the committee chairman, and also his various subcommittee chairmen. Over the years we learn that a chairman's word and judgment can be trusted.

### Seniority Means Maturity

Critics call it the system of senility. Perhaps a few old men are as feeble and senile as a few young men are rash and foolish. Yet, in my personal experience, the great preponderance of committee chairmen and the older Members of Congress are wise, alert, intelligent, mellow, kindly, moderate and mature. . . .

Through these long years of wrestling with national and international problems—the Depression, war, defense, foreign aid, taxes, civil rights, poverty, welfare, and more recently, the environment and the need for reform of the Federal bureaucracy and revenue sharing with the states and local governments—Members of Congress develop deep philosophic perspectives, great wisdom and maturity. . . .

## A NEW ERA IN CONGRESSIONAL REFORM

### Congressman Bob Carr

*Congressman Carr (D-Mich.) was first elected to Congress in 1975. One of the many freshmen elected in that first post-Watergate election, he has been a leading advocate of Congressional reform. He originally wrote this article for Perspectives 77 and has since updated it, so as to cover events of the last months of the 94th Congress. Congressman Carr presents a contrasting position to that*

*of Donald Deuster in the previous article, so it is advisable to read both articles and then compare their arguments.*

The purpose of government is to serve and protect the lives and interests of its people. History teaches us that this purpose has often been misdirected when the governing process is controlled by one person or a small group of individuals.

Our democratic form of government was designed to guard against the overconcentration of power. In our system of checks and balances, governmental authority is distributed evenly through three branches of government. The needs and interests of the American people are represented in Congress. Congress serves as the vital link between the American people and the law-making process. In theory, it is to be the most responsive and representative institution in our Federal government.

However, over the years, Congress has been plagued by the very problems it was designed to solve. Its ability to respond to the needs of the people has been frustrated by corruption, poor leadership, inefficiency, and most seriously, the concentration of power in the hands of the few. These problems were long hidden from the view of the public. In the aftermath of Watergate, however, the American people recognized the need for significant changes in the way our government is run. In 1974, more than 70 new Democrats were elected to serve in the 94th Congress. In 1976 an additional 47 new Democrats were elected on top of the re-election of all but one of the "Class of '74." This unprecedented influx of fresh, young minds has proved to be the needed impetus to launch a new era of Congressional reform.

### Reforming the Seniority System

When we arrived in Washington for the 94th Congress, the major problem which first confronted us was the committee structure of the House of Representatives. In the committees are vested the authority to revise, amend, and even "kill" legislation before it can be brought to the full House for voting. In the past committee chairmanships were chosen according to seniority. This meant that the Members with the most years of service were allotted total power over the legislative process.

Because this power was based solely upon longevity, there was virtually no way to guard against incompetence and abuse. The senior Members' positions were secure and protected by

seniority. Their actions and ideas were not subject to challenge and influence of the rest of the House.

By forming a powerful bloc of first-year and junior Representatives in the Democratic Caucus of the 94th Congress, we managed to overturn many of the procedures which perpetuated the seniority system. We democratized the procedures for the nomination and election of committee chairmen, and the selection process for committee and subcommittee positions. We opened committee sessions to the public. In effect, we spread the House power and authority and opened up the decision-making process to include more Members of the House. It was no coincidence that three chairmen were removed from their long-held positions in January of 1974, and a fourth was forced to resign in June of 1976. No Congress had ever experienced such a heavy turnover of power.

### Reforms Have Continued in the 95th Congress

After this first wave of reforms by the newer Members of Congress, reform efforts were slowed down temporarily. Then a new epidemic of scandals late in 1976 provided the impetus for a comprehensive, sweeping series of reforms at the beginning of the 95th Congress in 1977. Aided by the 47 new members elected in November, 1976, and the new Speaker of the House Tip (Thomas P.) O'Neill, reforms were approved in early 1977 that completely revised the way things are done in the House. Among these reforms were requirements for comprehensive financial disclosure statements, strict limits on gifts from outside sources, abolition of "slush fund" unofficial office accounts, limits on outside income, and a ban on "lame duck" travel by retiring members.\*

In addition, the Democratic Caucus in December of 1976 approved an amendment to the House rules which opens up conference committee meetings to the public. It is in conference committees that differences in House and Senate bills are worked out. This rule change will put an end to the shady horse-trading that has sometimes gone on in these conferences. It removes that last vestige of secrecy from the public legislative process.

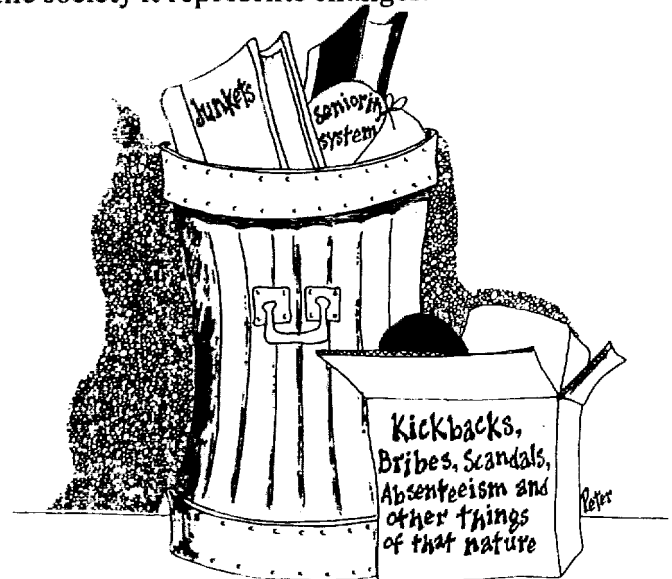
Only 15 years ago, the implementation of such wide-ranging reforms in Congress would

\*Editor's Note: "Lame duck" refers to a government official who has been defeated or who has announced his retirement but still holds office until his term expires.

have been unthinkable. In the last three years there has been much accomplished to give Congress back to the people and to clean up the legislative process as was accomplished in the previous 50 years.

This is not to say that we can all relax, that all necessary reforms have been made. Junkets, Congressional pleasure trips at taxpayer expense, are proving to be one of the most difficult nuts to crack. A rules change, which I introduced in December to place just a few light controls on Congressional travel, went down to ignominious defeat. Two bills which I have introduced to control junkets are languishing in committee. In addition, constant vigilance will be necessary to ensure that there is no backsliding on the reforms we have made in recent years; for example, an effort has already been made to slip around my rules change to require open conference committees.

The architects of our form of democracy designated Congress to be the most responsive and representative arm of our Federal government. In theory democracy will not work if Congress does not fulfill its purpose. In practice over the last 200 years, we have seen that our democratic processes are weakest when Congress does not respond efficiently and effectively to the needs of the American people. Fortunately, we have learned the lessons of history. We now realize that Congress must be dynamic and flexible in the way it operates. Power and authority must be distributed equally to all Members of Congress. Openness, accountability and efficiency must be promoted. In essence, Congress must change as the society it represents changes.



### Congressional Reform

# PERSPECTIVES PANEL: FRESHMEN VIEWS OF THE HOUSE AND SENATE

*In the 1976 elections 70 freshmen Congressmen and 18 freshmen Senators were elected to the U.S. Congress. Most had previously held elected office. Some of the Senators had been Congressmen and some of the new Congressmen had served in state and local government. Others had never before worked in government. Regardless of past experience, the transition to these new positions is always very significant. While freshmen do not have the power of more senior members, they do provide a fresh perspective on the institutions in which they serve.*

*1) As a first term Senator who had previously been a Congressman, what are your impressions of the major differences in the responsibilities of these two positions?*

*or*

*2) As a freshman Congressman, how do the realities of the House of Representatives differ from your expectations? Which of the many responsibilities of your office have demanded the greatest time and energy?*

## **Senator Paul Sarbanes (D-Maryland):**

As a former member of the House of Representatives and now, as a first-term Senator from Maryland, I have perceived a number of differences between the two legislative bodies. One significant difference is the increased size and diversity of the Senatorial constituency.

As a member of the House, I represented a district in Baltimore with an approximate population of 500,000. As a Senator, I now represent more than 4,000,000 people throughout Maryland who reflect a wider range of problems and concerns.

There is, however, a very significant similarity between the two representative functions in that you must respond to a basically fundamental set of concerns. Throughout the state citizens are deeply interested in matters such as housing, education, employment, care for the elderly, environmental protection and health care.

As you may know, Maryland has sometimes been called "America in miniature," because of

its rich geographic, sociological and economic diversity. It spans a distance from the Atlantic Ocean and Chesapeake Bay in the east to the Appalachian mountains in the west. It includes major metropolitan areas in Baltimore and the suburbs of Washington, D.C., and has large agricultural areas in the eastern, southern, central and western parts of the state. Economically, it has very important marine-related industries in the east, major manufacturing and industrial plants in Baltimore, and large agricultural and recreation-related businesses throughout the state.

Accordingly, a state-wide constituency requires continuous attention to the needs of all sectors of the state.

As an indication of the increased responsibility and requests for assistance from constituents, the amount of mail I receive has increased by four times to its current rate of more than 1,200 letters weekly.

In summary, I have found in the Senate as well as in the House that, although there is a broader range of state and constituent matters which require attention, the fundamental concerns of people remain constant.

## **Senator Spark Matsunaga (D-Hawaii):**

I was elected to the Senate after serving for 14 years in the U.S. House of Representatives. My decision to give up my House seat was not made lightly. I believed that the Senate, a smaller body, would offer me a better opportunity to serve the people of Hawaii. The House has 435 members. There are 43 House members from California, 39 from New York, 25 from Pennsylvania, 24 from Texas—and only two from Hawaii. Even though I served on the powerful Rules Committee and was a Deputy Majority Whip, I found that people outside the State of Hawaii were generally not interested in my views on national issues.

On the whole, my expectations have been borne out during my first five months in the Senate. I was amazed, in the first few weeks after the election, at the number of people who sought my views. Moreover, the new Senate leadership has been very responsive to the needs of incoming freshmen. I received all three committee assignments I requested—Finance, Energy and Natural Resources, and Veterans Affairs. In addition, I was appointed Chief Deputy Majority Whip and named chairman of one subcommittee and vice chairman of two others—posts to which a House freshman could never aspire. In most cases, I have

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found my Senate colleagues to be knowledgeable and hard working.

It is true that some of the Senate rules are a bit archaic. The House has been quicker, in recent years, to adopt significant reforms and to take advantage of technological changes. Less time is wasted on the House floor because floor debate is strictly limited. However, the Senate leadership is extremely sensitive and sympathetic to change in this area, and I believe that the Senate will show marked improvement in the near future. I hope to play a major role in this effort.

**Congressman James A. Leach (R-Iowa):**

We've gone through a very difficult period in American history. In the space of a short decade, we've witnessed the commitment of more than a million young men to a war thousands of miles from our shore; the forced resignation of a President and recently the revelation that Members of Congress may have been unduly influenced by foreign governments.

A first-term Congressman normally does not have a powerful voice in the legislative process. But all of us share equally the burden of re-establishing trust in government. Trust is not an easy concept. It isn't partisan and it doesn't have much to do with stands on particular issues. What does count is integrity of judgment and meaningful participation.

As freshmen, a number of us have been extremely concerned with these two principles. We don't think you can have integrity of voting judgment if, to get elected, you have to become indebted to special interest groups. We also don't think there can be meaningful participation if, after an election, a freshman Congressman finds all influence is wielded by a few senior Members.

Accordingly, ethics reform and the seniority system have been two of the major targets of freshmen Members of Congress in recent years. While some headway has been made in these areas, most freshmen believe that we need to continue our efforts to achieve an open and responsible ethics code and a fairer committee system. In our roles as junior Members, we have attempted to make Congress more accountable for its decisions. We may not have won all our battles but our impact clearly has been felt.

Being a freshman, as Charles Dickens once said, is "the best of times and the worst of times." It is an enlightening experience, an educational and rewarding experience and sometimes a frustrating experience.

But most important it is a new opportunity to serve people and their concerns and to work for a better future for our nation. In this regard, there is no difference between a freshman Member like myself or a senior Member of twenty years standing. Freshmen don't have to learn this fact. It's the reason we chose to seek the office.

**Congresswoman Mary Rose Oakar (D-Ohio):**

I see the 95th Congress as a much more responsive legislative body than the stereotyped image of a staid assembly. More than 50 percent of our Members have served less than three terms. As a freshman I have found a new, creative spirit that penetrates the traditional seniority system.

Today's freshmen are more aware of the intricacies of legislative procedures and maneuvering on the House floor. Previously this was reserved for more veteran members attempting to ramrod amendments by avoiding the scrutiny of public committee hearings. By learning about House procedure we can rise to the occasion for the defense and benefit of our constituents.

Specialized caucuses, groups concerned with specific policy issues, help to keep us informed. As a member of the New Members Caucus, another caucus just for Congresswomen, and the newest for former "blue-collar" workers, I receive valuable perspectives on proposed legislation. These provide the impetus for amendments of my own that can alter bills to make them more equitable to my constituents.

All of these signs of progress keep the Capitol dome from being perceived as an untouchable "ivory tower" that lords over the voters. Instead new members are leading the effort to rebuild the trust between our people and the government since the erosion that came with Watergate. Our tough ethics code to limit outside sources of income and require strict accounting procedures was the first step toward rebuilding that confidence.

To rebuild, we must know the impact of our actions. That is why so much of my "free" time is spent doing homework to prepare for committee work and House votes. Nearly every weekend I return to my home district in Ohio to talk to as many constituents as possible so that I can best represent them in Washington.

# THE COMMITTEE SYSTEM:

## Q & A

### What is a committee?

A committee is a subdivision of a larger organization. Committees are given specialized functions by the larger "parent" body. In the case of the U.S. Congress, committees are bodies which have been granted jurisdiction to prepare legislation and to conduct investigations in a particular policy area. Both the House and the Senate have their own committees.

### What is a subcommittee?

A subcommittee is a subdivision of a committee, with an even more specialized jurisdiction. In the accompanying table, the number of subcommittees of each committee is listed in parentheses.

### Are there an equal number of Democrats and Republicans on each committee?

No, membership on committees is not split 50-50 between Democrats and Republicans. In the present Congress there are roughly two Democrats for every one Republican on each committee. This is proportional to the total ratio of Democrats to Republicans in each chamber.

### What are the powers of committees?

Other than exceptional or emergency cases, committees must pass all bills before they can be voted on by the full House or Senate. This gives to committees the power to amend, rewrite and propose alternative bills.

A second important power of committees is "oversight," to ensure that the laws passed by Congress are properly enforced and carried out. This includes investigations of the executive branch, of private businesses or organizations subject to federal laws.

### Are there different kinds of committees?

Yes, there are three major classifications: standing, select and joint committees.

A *standing committee* is a permanent committee which has jurisdiction over a specific policy area. There are 22 standing committees in the House, 15 in the Senate; see the accompanying table for the names.

A *select, or special, committee* is established for a special purpose and a limited period of time. An example was the Senate Select Committee on Presidential Campaign Activities, commonly known as the Senate Watergate Committee,

which was established specifically to conduct hearings on Watergate in 1973.

A *joint committee* has members from both the House and the Senate. These are primarily investigative in nature and do not have the same functions in considering actual legislation as do standing committees. These are also listed on the table.

### How are committee chairmen selected?

Committee chairmen are always members of the majority party; presently, this means that all are Democrats. They are chosen by a vote of the Democratic caucus in each chamber, the organization of all Democratic Members. Until 1974, chairmen had been selected according to the "seniority system," which meant that the Members of each committee with the most years in Congress automatically became chairmen. Reforms passed in 1974 by the party opened up the chairmanship so that seniority was not the only factor. (See the articles by Donald Deuster and Congressman Bob Carr in this chapter.)

### What are the powers of chairmen?

Committee chairmen have vast powers to control legislation. They decide which bills are to be considered by the committee; whether or not hearings should be held; and in most cases, they select the chairmen of the subcommittees. Chairmen also are frequently the floor managers of a bill, after it has been passed by the committee and is on the floor. If the bill needs to go to conference committee, the committee chairman is a likely appointee. Finally, they have a great deal of control over the hiring of staff for the committee.

### What is a conference committee?

Many times the House and the Senate will pass different versions of a bill. Before a bill can be sent to the President, the same version must be agreed upon by both the House and the Senate. It is the conference committees which must work out the compromises necessary to eliminate the differences.

A very large percentage of bills end up going to conference committees. These bodies have often been referred to as "the third house of Congress," because in working out the differences they will frequently make significant amendments or deletions. After a bill is passed by the conference committee, it goes back to both the House and the Senate to be voted on again. Both chambers must vote "yea" for it to be sent to the President.

## THE CONGRESS AND ITS COMMITTEES

### U.S. SENATE

**Standing Committees**

Agriculture, Nutrition, and Forestry (7)\*  
 Appropriations (13)  
 Armed Services (8)  
 Banking, Housing and Urban Affairs (8)  
 Budget  
 Commerce, Science and Transportation (6)  
 Energy and Natural Resources (5)  
 Environment and Public Works (6)  
 Finance (10)  
 Foreign Relations (9)  
 Governmental Affairs (7)  
 Human Resources (8)  
 Judiciary (10)  
 Rules and Administration  
 Veterans' Affairs (3)

**Select or Special Committees**

Aging  
 Ethics  
 Indian Affairs  
 Intelligence (6)  
 Nutrition and Human Needs  
 Small Business (6)

**Joint Committees**

Atomic Energy  
 Congressional Operations  
 Defense Productions (2)  
 Economic (5)  
 Taxation  
 Library  
 Printing

### U.S. HOUSE OF REPRESENTATIVES

**Standing Committees**

Agriculture (10)  
 Appropriations (13)  
 Armed Services (7)  
 Banking, Finance and Urban Affairs (10)  
 Budget  
 District of Columbia (3)  
 Education and Labor (9)  
 Government Operations (7)  
 House Administration (7)  
 Interior and Insular Affairs (6)  
 International Relations (9)  
 Interstate and Foreign Commerce (6)  
 Judiciary (7)  
 Merchant Marine and Fisheries (6)  
 Post Office and Civil Service (7)  
 Public Works and Transportation (6)  
 Rules  
 Science and Technology (7)  
 Small Business (5)  
 Standards of Official Conduct  
 Veterans' Affairs (5)  
 Ways and Means (6)

**Select or Special Committees**

Aging (4)  
 Assassinations (2)  
 Congressional Operations  
 Ethics  
 House Beauty Shop  
 Narcotics Abuse and Control

**Joint Committees**

(same as above listing under U.S. Senate)

*\*For each committee, the number of subcommittees is indicated in parentheses.*

## SPECIAL CLOSE UP GUIDE TO CAPITOL HILL

### I. The House and Senate Office Buildings

There is an easy system which will help you find your way around Capitol Hill. The numbers of the offices of all Congressmen and Senators indicate the specific building in which the office is located:

**Congressmen**

4 digit number beginning with "2"—Rayburn House Office Building (RHOB)  
 4 digit number beginning with "1"—Longworth House Office Building (LHOB)  
 3 digit number—Cannon House Office Building (CHOB)

**Senators**

4 digit number—Dirksen, or New, Senate Office Building (DOB)  
 3 digit number—Russell, or Old, Senate Office Building (ROB)

## II. Committee Hearings

The same number system applies to committee hearing rooms. Committee hearings are generally open to the public; for national security and certain other overriding reasons, a committee session may be "closed." These sessions give you an opportunity to see Congressmen or Senators debating each other and questioning witnesses—it is a genuine glimpse of Congress at work. The schedule of committee sessions appears daily under "Today's Activities in Congress" in Section A of *The Washington Post*. This listing explains which committees are meeting, what bills are under consideration and who is testifying.

## III. The House of Representatives and the Senate

To enter into either the House or Senate galleries, you need a *Visitor's Pass*. Your CLOSE UP Program Instructor will take care of obtaining these for you. From a seat in the gallery you can observe the proceedings on the floor, learn about the issues as well as legislative procedures and probably recognize some Congressmen and Senators. While in the galleries you must strictly observe the rules—no photographs, no reading, no writing and no talking.

## IV. Bills and Resolutions

### Bills

H.R.   #  

S.R.   #  

A bill is a proposal before the Congress. It is labelled "H.R." if it originates in the House and "S.R." if in the Senate. The number indicates how many bills have been previously introduced in the 95th Congress. If passed by both the House and the Senate and signed by the President, or overridden, it becomes a public law. It is then labelled "P.L." and receives another number indicating how many laws have been previously passed in the 95th Congress (P.L. 95-   #   ).

### Joint Resolutions

H.J. Res.   #  

S.J. Res.   #  

A joint resolution is similar to a bill. If it is passed in the same manner, it also becomes a public law. Joint resolutions are generally used for the introduction of constitutional amendments.

### Resolutions and Concurrent Resolutions

H. Res.   #  

H. Con. Res.   #  

S. Res.   #  

S. Con. Res.   #  

These types of resolutions do not become laws if passed. They generally deal with internal matters, such as rules changes, and therefore do not have to be signed by the President. They also are introduced to call for a vote which expresses the "sense of the House (or Senate, or both)" on a matter of principle, without passing a public law. A simple resolution only applies to one chamber, while the concurrent resolution includes both.

## V. "The Bells on the Hill"

During your time on Capitol Hill you will frequently hear bells and see flashing lights next to clocks. Don't be alarmed—this is only a code system which informs Congressmen and Senators of what is going

on in the House and Senate floors respectively. There will be the same number of white flashing lights as there are bells. There is also a red light which stays on whenever the House and Senate are in session. Here is a key to the bell system:

House	Senate
2 bells—Recorded vote	1 bell —Recorded vote
3 bells—Quorum call	2 bells—Quorum call
4 bells—Adjournment	3 bells—Mandatory quorum call
5 bells—Temporary recess	4 bells—Adjournment
	5 bells—Five minute warning on recorded vote
	6 bells—Temporary recess

### VI. Useful Telephone Numbers

Capitol Switchboard	224-3121
	(The telephone numbers of all Congressmen and Senators)
Bill Status Office	225-1772
	(To find out if a particular bill is on the calendar, on the floor or has been passed or defeated recently)
Senate Cloakrooms	
Republican	224-8541
Democrat	224-8601
	(Tape recorded message which tells you what action was taken in the Senate on that day and/or the previous day, as well as what the next day's calendar is).
House Cloakrooms	
Republican	225-7430
Democrat	225-7400
	(Same information as above, for the House)

### VII. How and Where to Obtain Written Information

#### Government Printing Office

U.S. Government Printing Office  
Washington, D.C. 20402

The Government Printing Office (GPO) is the best place to start looking for most government documents, reports, books, pamphlets and other publications. While in Washington, you can visit the main bookstore at 710 North Capitol Street or call at (202) 275-2091. Whether inquiring by mail, phone or in person, you must have the **number** and **name** of the publication which you desire. Check your local telephone directory, as there may be a GPO bookstore in a city near you.

#### House and Senate Document Rooms

House Document Room  
H-226 Capitol  
Washington, D.C. 20515

Senate Document Room  
S-325 Capitol  
Washington, D.C. 20510

This is where to write or visit to obtain copies of bills, resolutions, public laws and legislative calendars. If the document was passed by or pertains to the Senate, write to the Senate Document Room, and if the document pertains to the House, write to the House Document Room. Generally these documents are free. If you order by mail, enclose a self-addressed mailing label.



House \_\_\_\_\_ Committee  
United States House of Representatives  
Washington, D.C. 20515

Senate \_\_\_\_\_ Committee  
United States Senate  
Washington, D.C. 20510

Many times you can obtain hearing reprints and reports by writing directly to the appropriate House or Senate committee. Or you can visit the main committee office while on Capitol Hill to make your request in person. It is helpful to know the document numbers.

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## GLOSSARY: Legislative Procedure

**Amendments**—proposals to add or alter the language and provisions of a bill from the original version; do not confuse with Amendments to the Constitution.

**Authorization**—this is the first stage in how a bill becomes a law; a bill is passed which outlines a program and in most cases sets a ceiling on the maximum amount of funds which it may receive.

**Appropriation**—after an authorization bill has been passed, another bill is introduced (normally, in the House) which will set the specific amount of funds for the program. This appropriation may be equal to or less than the figure established in the authorization bill.

**Bill**—a proposal to the legislature. If passed a bill becomes a law, and is then referred to as an Act of Congress.

**Cloture**—an attempt to limit debate by setting an exact time when the vote will be taken. Requires 16 sponsors to be introduced and must have a two-thirds vote to pass. A tactic used as a counterstrategy to filibuster.

**Filibuster**—parliamentary strategy used by a minority in opposition to a bill. Most common in the Senate, where the rules of unlimited debate are utilized to stall a vote which would probably mean defeat.

**Floor Manager**—manages the bill on the floor of the House or Senate through debate and towards passage. Generally is the chairman or a ranking member of the committee which reported the bill.

**Hearings**—committee sessions in the preliminary stages of writing a bill. Witnesses testify on different aspects of the subject under consideration, and include governmental and other experts on the issue as well as groups who have a particular interest in the area. In the last few years most hearings have been opened to the public; some are closed because of national security or other reasons.

**Mark Up**—after hearings have been completed, this is the final work of the Committee in preparing a completed bill to be given to the entire chamber for consideration. If extensive revisions are made from the original, one of the committee members introduces it as a "clean bill"; that is, significantly different from the original.

**Ninety Fifth (95)**—every Congress meets for two years, divided into two annual sessions. The 95th Congress convened in January 1977 for its first session and in January 1978 for its second.

**Quorum**—50% of the members plus one, the minimum presence necessary for business to be transacted.

**Ratification**—refers to the passage of a treaty. Treaties differ from other bills in that they must be approved only by the Senate but by a 2/3 majority.

**Riders**—parliamentary maneuver in which a proposal which would be unlikely to be enacted by itself is attached to a bill which has a good chance of passing. Differs from an amendment in that it is not necessarily closely related to the subject of the main part of the bill.

**Rules Committee**—only exists in the House. Decides on what procedure a bill will follow; for example, whether or not amendments may be added, how much debate will be allowed. A favorable rule can make passage more likely.

**Sponsor**—member(s) who officially sign their names to a bill as its authors and sponsor its introduction to the chamber.

**Table a Bill**—motion to remove a bill from consideration, means defeat for it.

*The Close Up Foundation  
dedicates this chapter to the  
memory of the late Supreme  
Court Justice Tom C.  
Clark, whose friendship and  
wisdom served as an in-  
spiration to countless  
students from across the  
country.*

## 4.

# THE SUPREME COURT AND THE JUDICIARY: Equal Justice and Supremacy of the Law

*"Justice, sir, is the great interest of man on earth.  
It is the ligament which holds civilized beings and  
civilized nations together."*

*Daniel Webster*

"Equal Justice Under Law"—these words inscribed above the entrance to the Supreme Court affirm the central principle upon which our political system operates, the creed that is the firm foundation for the continued existence of our society. The Law must be supreme over men, and the ultimate goal shall be equality of justice for all human beings. These are standards and ideals which must be adhered to by Congresses and Presidents alike, by all government officials and all citizens. Our history has time and again testified to the fact that a separate and independent judiciary is the vital cog in a political system based on separation of powers and checks and balances.

The Supreme Court, as the Highest Court in the land, has been the guardian of the Constitution and the ultimate authority in matters of law and justice. The late Tom C. Clark, who served as a Supreme Court Justice for 18 years, presents you with his thoughts on the role of the Supreme Court in an exclusive interview. Following this fascinating talk with one of the leading figures in the history of our nation's judicial system, Professor Adrian Fisher of Georgetown University Law Center discusses the powers of the Supreme Court in greater detail.

Yet the judicial system does not only consist of the Supreme Court. There are other federal courts, as well as state and local courts, which have the authority to settle disputes between citizens and their government, as well as those between individual citizens within their jurisdiction. Included is a diagram which sketches the structure of the judiciary at all levels of government and the *How a Case Reaches the Supreme Court* exercise offers a case study of how the appeals process works.

Many of us don't realize the extent to which laws affect our daily lives. Reading *You and the Law* will help you appreciate how many different kinds of laws exist and how many different ways they are important to us. The final article in the chapter, written by a U.S. Attorney, analyzes in a very clear, step-by-step style one particular kind of law, that of the criminal justice process. As you read all of the articles in this chapter, think about your perspective on the meaning of "equal justice" and "supremacy of the law," for these concepts lie at the very foundation of our society.

# PERSPECTIVE ON THE SUPREME COURT

## An Interview with the Late Supreme Court Justice Tom C. Clark



*The interview was conducted on August 23, 1976 in Justice Clark's chambers in the Supreme Court, exclusively for Perspectives. On June 13, 1977 Justice Tom C. Clark died after more than 50 years as a lawyer and judge. He served as Attorney General from 1945 to 1949, when President Harry Truman appointed him as an Associate Justice of the Supreme Court. He was a member of the Court until 1967, resigning because of a potential conflict of interest which arose when his son, Ramsey Clark, was named Attorney General.*

*Chief Justice Warren Burger eulogized Tom Clark, saying that "no one in the past thirty years has contributed more to the improvement of justice." Even after leaving the Supreme Court, he continued working for a better system of justice. The Close Up Foundation will always be grateful for Justice Clark's valued contributions to the education of the thousands of our students with whom he shared his time and wisdom through innumerable seminars, as well as through this enlightening interview.*

**Q—Close Up:** Woodrow Wilson once called the Supreme Court "the balance wheel" in our system. Justice (Robert H.) Jackson said that the Court's function was nothing less than being an arbiter between rival forces in the society. After your many years of service on the Court, how do you see its role in our political system?

**A—Justice Clark:** Well, I think that Chief Justice (Warren) Burger put it pretty well when he said, "If you want to play a baseball game, what do you have? You have an umpire, otherwise the game is going to end up in a riot before the nine innings are played." I rather think that the Court is somewhat of an umpire. It considers what the Congress proposes, or what the Executive disposes, or what some individual claims, and rules upon them by comparing them with the law as laid down by the Constitution. . . and then calls the strikes and the balls.

The Watergate case was a good example of how it is the Supreme Court's responsibility to decide whether or not the Congress or the President has exercised the authority given them in the Constitutional way. I attended a conference in London a few months ago—after a thousand years without a written bill of rights, the English are contemplating drawing one up—and the people there were quite frank about their impressions of Watergate. They seriously questioned what might have occurred to our federal government during Watergate if the judiciary had not been a separate, independent branch.

You also should remember that we on the Court serve another role. If the decisions of the other two branches are in keeping with Constitutional doctrine, we use our authority to uphold them. And if a citizen doesn't voluntarily follow the rules laid down by the Congress or by the President or by other courts, why then it's our job to enforce those rules so that he will suffer some punishment or reprimand.

**Q—Close Up:** Justice William H. Taft once said that courts are composed of people, and one would be foolish to deny that courts are not affected by the time in which the Justices live. How much do you think the needs of the times affect the decisions of the Court? How is public opinion brought into the process of taking cases and making decisions?

**A—Justice Clark:** Well, I served 18 years on the bench and, frankly, I myself doubt if any public clamor or any political manipulation on the Court can be effective. I did get quite a few letters from

all over the country about various things, but I don't think any of those things influenced my thinking on legal matters which were involved.

Yet, we are influenced by the necessities of the time. Every year there are new cases, new people who come "knockin' on our door" with constitutional questions which need to be resolved. Take, for example, the criminal field. We started out with the case of *Griffin v. Illinois*\* in which Griffin said, "I'm being charged with murder, which is a felony, and I ought to be entitled to read the transcript of what went on in the courtroom. I'm just a layman and couldn't remember everything. Without a transcript, I wouldn't be able to appeal to a higher court." So, when this came to us (the Supreme Court) on appeal, we ruled that defendants are entitled to a transcript.

But once they got the transcript they couldn't tell much about it without a lawyer and they commenced again to "knockin' on our door." In an old case before I became a Justice, the Court had ruled that only in felony cases should a lawyer be appointed. Exceptions were made to this case over the years as additional cases came before the Court, until we had the *Gideon* case.\*\* In this one, we ruled that everyone accused of a crime was entitled to a lawyer. What happened was, they kept "knockin' on our door," and finally we extended the ruling to misdemeanors as well.

So you had it going full sway. That's because of the necessities that were brought to our attention. Now you say, well, weren't those brought before? Possibly they were, but not with the impact that they were brought to us.

The same was true in segregation. We had one case which had to do with segregation in the field of graduate education. We ruled that this was unconstitutional and later there came the case of *Brown v. Board of Education*\*\*\* which was on the grade school level. Then other questions came up. What about public accommodations? What about swimming pools and things

\***Editor's Note:** In the case of *Griffin v. Illinois* (1956) the Supreme Court ruled that a defendant who is appealing a court decision should not be denied a copy of the transcript of his trial because of inability to pay for it.

\*\***Editor's Note:** In *Gideon v. Wainwright* (1963) the Court ruled that all defendants are entitled to a lawyer appointed by the court if they are unable to pay for one themselves.

\*\*\***Editor's Note:** In *Brown v. Board of Education* (1954) the Court ruled segregation in public schools to be unconstitutional. See the "How a Case Reaches the Supreme Court" diagram for more details on both these cases.

like that? And the first thing you know they're "knockin' on the door." I don't know whether you'd say that the individual citizen who felt the pinch knocked on the door, or whether the lawyer looking out saw the pinch and tried to minimize it. I rather think that the pinch was what caused it.

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**"The real strength of the position of the Court is probably in its indispensability to government under a written Constitution. It is difficult to see how the provisions of a 150 year old document can have much vitality if there is not some permanent institution to translate them into current commands and to see to their contemporary application."**

*Justice Robert H. Jackson (1946)*

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**Q—Close Up:** Do you think our Founding Fathers had this in mind in making the Constitution vague and almost ambiguous in parts?

**A—Justice Clark:** Those people who wrote the Constitution did not lack for a choice of words. People like Madison and Jefferson may not have had a thesaurus which we have today, but they didn't need it.

They intentionally used phrases like "due process of law." What is "due process of law?" "Due" to one Justice might be an entirely different matter than it may be to me. I think they did it deliberately in order to keep the Constitution from being a straight-jacket or existing in a vacuum. They knew that the country was going to develop and change; they had great hopes for it changing from the standpoint of the advancement of science and literature. They wanted to put the Constitution in vague terms so that a later generation might be able to interpret it, so that the necessities of the times would be met.

I know that some Justices think there are some absolutes, but I don't believe there are any absolutes in the Constitution. You have to read a whole amendment, not just read a single clause of it. And when you read a whole amendment, I think it leaves the door open to interpretation and I believe this was deliberate.

Even though we may call it vague and open to interpretation, it's interesting to look and see how few amendments we have had. Counting the

Bill of Rights, which was ten amendments passed in a package, we only have 26 amendments in all. If you compare it to New York State, which has over 300 amendments and wrote its last constitution in 1938, I think it's pretty amazing.

**Q—Close Up:** That brings us to the question of “judicial review.” When the Supreme Court declares an Act of Congress or an action by the President unconstitutional, is this not taking on a legislative function?

**A—Justice Clark:** In a technical sense, I don't think they do. But from a practical view, why certainly they legislate. This is not really done to initiate change. That's the Congress' power and responsibility. It can see that something is wrong in an area and then hold a hearing on it and pass a law. The Court can't do that. The Court has to wait until the question is brought before it in a lawsuit. From the standpoint of initiating change, our function is not legislative at all. From the standpoint of the practicalities of change, one could say there is some judicial legislation.

**Q—Close Up:** You served as Attorney General before being appointed to the Supreme Court. I wonder if you would comment on the differences between these two high positions?

**A—Justice Clark:** It is definitely quite a transition. When I came here I sat next to Bob (Justice Robert H.) Jackson who was a former Attorney General, and I said, “Bob, how long did it take you to get acclimated here?” He said it took close to five years. That may sound like a long time, but when you compare the circumstances and the atmosphere and the climate that are here with that of the Justice Department, they are definitely two different worlds.

When I was Attorney General, I would have 50 to 75 phone calls in half a day. I had about 1,000 lawyers working for me and that didn't include the FBI. I had five secretaries in my immediate office and about ten across the hall who wrote letters. Here I spend my days writing opinions, hearing cases, and discussing with my fellow Justices. I have only a handful of clerks to help me. I'm only 200 yards from the dome of the Capitol, but it might just as well be 200 miles.

**Q—Close Up:** Supreme Court Justices are perceived much differently by people than are almost any other public officials. Some of the others are “Hollywoodized,” treated like superstars. Justices seem to be held above this sort of treatment.

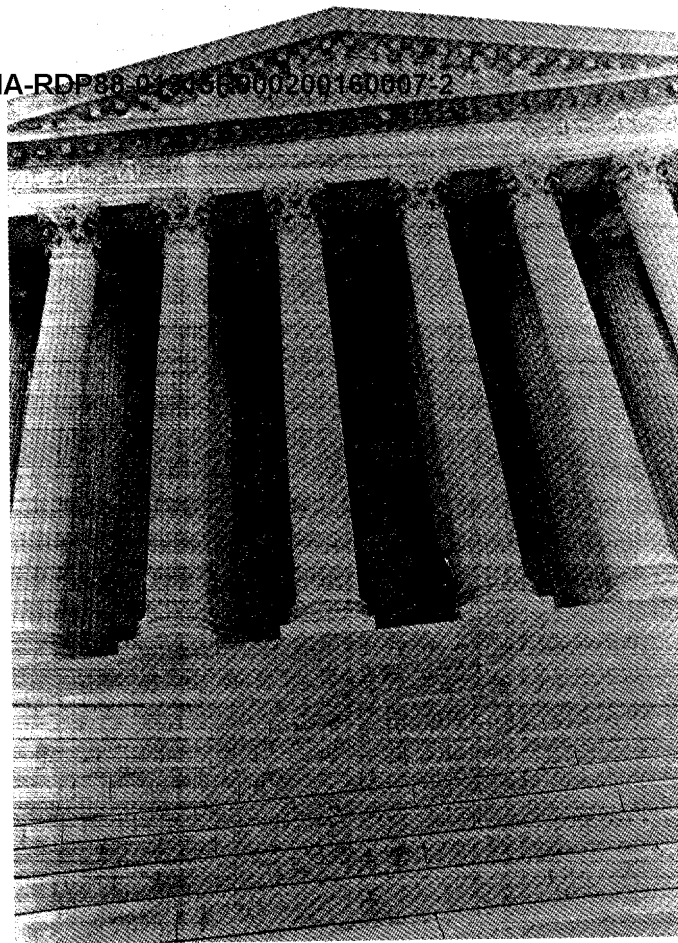


Photo by Dan Rosen

Whether you are a student, tourist or one of the country's foremost lawyers, you are filled with a tremendous feeling of awe and respect for the building, its atmosphere and the men of this Court. Could you say something about your own self-concept as a Justice?

**A—Justice Clark:** Now, it's true that judges are human beings. We don't have horns, we really don't. We act just like other people do. But I rather think that it has proven true that most of the 101 Justices that have served here have been a little more inconspicuous than they were in other positions. I think it is well that it is that way because the public expects more from a Justice. You have to be more careful in what you say and in what you do. Our main function when a case is presented is to study it over and decide just what we think that the Constitution requires us to do, regardless of what the clamor might be to the contrary.

**Q—Close Up:** One thing intrigues us, looking at your long history on the bench. Of all the cases in which you have had a part, are there any that stand out as being most important and most difficult?

**A—Justice Clark:** I'd say it would have to be the

case of *Baker v. Carr*,\* the one on reapportionment. At the time I did not realize the full impact that it was to have, but looking back, I feel that its effects have been considerable. Every legislature, at least once and some twice and three times, has reapportioned its state since 1963. As a consequence, the case has affected the lives of every person in the U.S. One sure thing is that a politician recognizes the power of the vote. If the vote is of equal weight, then every person knows that he has the same voice in the selection of leaders as does the fellow who is walking the other way. We've had a lot of problems with reference to people not taking too much interest in government and public affairs, and reapportionment at least helps to alleviate that by restoring some confidence in just what your vote can mean.

**Q—Close Up:** Just a final question and an opportunity to summarize. It seems that the experience of the average person with the judicial system might be in a traffic court, maybe family court or small claims court. These are all cases where decisions are fairly easy to comprehend and the effects are very tangible and immediate. Could you offer an explanation which will help the students to understand both how and why the decisions that are made in this building affect their lives?

**A—Justice Clark:** Well, of course, the reason their lives are affected is that quite a number of our cases affect their rights and duties as citizens. Some of our cases, say business or antitrust matters, wouldn't have a direct effect on all the people, but many of the cases we've had in recent years have had a direct bearing upon everyone. We've been charged with the defense of the Constitution and I say that's the most important document that this country has. You may not always realize it, but that document, the Constitution, plays a major part in your freedom and in your opportunities to do the things that you enjoy doing.

I'd like to say that I hope that young people will take greater interest in the judiciary. We don't have any way to go around blowing our horn and we want people better acquainted with the judicial process. This will help us to improve the process and it will help immeasurably when

\***Editor's Note:** In *Baker v. Carr* (1962) the Court ruled that federal courts had the power to force changes in the way in which a state legislature apportions electoral districts, if this violated the 14th Amendment's equal protection clause.

THE SUPREME COURT OF THE UNITED STATES		
<i>Who are the nine members of the Supreme Court? When and by which President were they appointed?</i>		
JUSTICE	APPOINTED BY	YEAR
(Chief Justice)		

people learn more of how this process works and the necessity for it. I hope that if they find that the courts are slow, or if they feel that the courts should be less ponderous, why, they would speak up. They speak their minds pretty freely and I'm proud that they do. It would be of untold benefit to us to have reactions of that kind. It's not that we would change immediately, because we have to go slowly on these things, but I think in the long run, why, they'd have considerable impact.

**Close Up:** We really want to thank you so much, Justice Clark, for this opportunity. We know that our students will surely appreciate the uniqueness of this chance to learn from a man with the experience and the wisdom that is yours.

## THE POWERS OF THE SUPREME COURT

### Professor Adrian Fisher

*Adrian Fisher is the Frances Cabell Brown Professor of International Law at the Georgetown University Law Center. Among*

his many positions of government service were United States Representative to the United Nations General Assembly and deputy director of the Arms Control and Disarmament Agency. Earlier in his career he was a law clerk to Supreme Court Justices Louis Brandeis and Felix Frankfurter.

Any analysis of the position (hence the powers and predicaments) of the Supreme Court must start from the fact that under the Constitution of the United States, the Court is a body whose members are appointed for life. One lesser power of the Court is the right to interpret the laws, which developed into the power known as **judicial review**. Judicial review is the authority of the Supreme Court to declare state and federal laws invalid if they are found to be contrary to the Constitution (or "unconstitutional").

The use of judicial review has created controversy ever since the Constitution was adopted. The basic predicament of the Court stems from the fact that this power is unreviewable except through the cumbersome process of passing a constitutional amendment. This has led to real, although not precisely defined, pressure from the other branches of government when they have disagreed with the Court. These pressures have affected both sides of the political spectrum.

A little over forty years ago, this nation was in the depths of the horrible Depression. The Supreme Court, by a thin margin, struck down as unconstitutional every attempt by federal and state government to remedy the plight. The reaction was President Roosevelt's attempt to "pack" the Court by adding six new Justices who presumably would be more responsive to his point of view. This attempt was flawed by Roosevelt's false pretext that new members were needed because six of the present Justices were over 70 years old and therefore not capable of doing the work required. A potential constitutional crisis was avoided when two members of the Court, possibly but not certainly as a result of the plan, changed their votes and two others resigned.

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**"It is emphatically the province and duty of the judicial department to say what the law is. . . If two laws conflict with each other, the courts must decide on the operation of each. . ."**

*Chief Justice John Marshall*

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Twenty years later the shoe was on the other foot. The Court was convinced that the doctrine of

"separate but equal" facilities as applied to education was serving as a pretext for foot-dragging in the field of equal rights for minorities. In the *Brown v. Board of Education* case (1954), it struck down the doctrine and outlawed racial segregation in public education. Here the uproar came from the right. Cries of "massive resistance" were heard throughout the land; signs urging the country to "impeach Earl Warren" sprung up overnight. Here, no judicial backdown resulted from the confrontation. Although since then the Court, with changed leadership and membership, has redefined and refined the standards which should be used in outlawing segregation in public education, it has resisted pressures to change its basic approach.

### **Compliance with Judicial Decisions: The Strength of Tradition**

A study of the enforcement of powers proves the truth of the saying that an ounce of history is worth a pound of logic. Viewed abstractly, a strong case could be made for the proposition that the Court is toothless. When the Court was first established there was not even agreement that it had the right to declare statutes unconstitutional. Its staff has always been small. For enforcement it must rely on the employees of the other branches of the government, either state or federal. This may seem a pretty thin base of support for a body which asserts the right to give binding instructions to the very bodies that it relies on to carry out its commands!

Yet this system of compliance has been almost entirely successful. We are familiar with President Jackson's famous comment in the case involving Cherokee Indian lands in Georgia: "John Marshall has made his decision, now let him enforce it." We are also familiar with the fact that on one occasion, the Chief Justice of the United States, Roger Taney, was prevented from serving a *writ of habeas corpus* designed to free a southern sympathizer held by the Union authorities in Baltimore during the Civil War.

These illustrations, however, are merely exceptions that prove the rule that judicial decisions, particularly those of the Supreme Court, are complied with. This rule has held up well, even in times of tension. In 1947, a Supreme Court decision ending a strike of the United Mine Workers was conformed to, albeit grumpily, by John L. Lewis. In 1952, a Supreme Court decision ordering President Truman to return to private

# HOW A CASE REACHES THE SUPREME COURT

While there are certain cases which can be brought directly to the Supreme Court, the vast majority of cases are brought "on appeal". If either party in a case is unhappy with the decision of a lower court, they have the right to appeal that decision to a higher court. An appeal is not a new trial, but rather a re-examination of the evidence, procedures and legal or constitutional principles on which the decision was based in the previous trial.

Only a very small percentage of cases appealed are considered by the Supreme Court. During its 1976-77 term, the Court received petitions for 4,731 cases, yet agreed to hear oral arguments for only 176. Generally speaking, the Court will be inclined to hear a case if it involves a basic constitutional principle, an important question of federal law or a conflict between state and federal law. Appeals are brought to the U.S. Supreme Court from highest courts in each state or from lower Federal courts. The diagrams below illustrate these two paths by which a case reaches the Supreme Court.

## FROM STATE SUPREME COURT

### *Gideon v. Wainwright*

## FROM FEDERAL DISTRICT COURT

### *Brown v. Board of Education*

#### Accused of a crime

June 3, 1961—Clarence Earl Gideon was arrested and charged with breaking and entering the Bay Harbor Poolroom in Panama City, Florida.

#### "My Rights Have Been Violated"

September, 1950—An eight year old black student named Linda Brown was denied admission to an all white elementary school in Topeka, Kansas.

#### Trial in State Circuit Court

1961—Gideon was too poor to afford a lawyer, but his request for a court appointed lawyer was rejected. Judge Robert L. McCrary cited Florida state law and the 1942 U.S. Supreme Court decision in *Beets v. Brady*. Gideon served as his own lawyer, but lost the case. He was found guilty and given the maximum five year sentence.

#### Trial in Federal District Court

February, 1951—Her father, Oliver Brown, and twelve other black parents sued the city's Board of Education in the United States District Court. The case was officially titled *Brown v. Board of Education of Topeka, Kansas*.

#### Appeal to the State Supreme Court

October 11, 1961—The Supreme Court of the State of Florida denied Gideon's petition of appeal. It upheld the lower court's ruling that there was no legal requirement to appoint a lawyer for Gideon.

#### Appeal to the United States Supreme Court

While many cases must be appealed from district court to the court of appeals, this case was appealed directly to the Supreme Court.

June, 1952—The Supreme Court agreed to hear the Brown case.

December, 1952—Arguments were heard from lawyers for both sides. However, the Court was divided and unable to arrive at a decision.

December, 1953—A year later, arguments were again heard for both sides. In the time that had passed a significant change had occurred on the Court. Chief Justice Fred Vinson had died in September and President Eisenhower had appointed Earl Warren to replace him.

#### Appeal to the United States Supreme Court

June 11, 1962—The U.S. Supreme Court agreed to hear the *Gideon* case in its next session.

June 22, 1962—The Supreme Court appointed Abe Fortas, a prominent Washington attorney, to represent Gideon. Despite its own *Beets v. Brady* decision, the Supreme Court had traditionally appointed lawyers for poor defendants.

January 15, 1963—Oral arguments were heard between Abe Fortas and Florida Assistant Attorney General Bruce Jacob.

#### The Supreme Court Decides

May, 1954—By a 9 to 0 vote the Supreme Court overruled the district court's decision. It stated that segregated schools were unconstitutional because this practice "deprives children of the minority group of equal educational opportunities". It nullified the "separate but equal" principle of the 1896 *Plessy v. Ferguson* case, because "'separate but equal' has no place...in the field of public education."

#### The Supreme Court Decides

March 18, 1963—The Court ruled in favor of Gideon, that he was entitled to a court appointed lawyer. They directed the State of Florida to give Gideon a new trial and to appoint a lawyer to represent him. The wider impact was that all persons would now be guaranteed a lawyer.

August 5, 1963—Gideon was represented by a court appointed lawyer at a new trial in the Circuit Court of Florida. He was found not guilty.



ownership the steel mills which he had seized during the Korean war was complied to without hesitation. Finally, the recent Supreme Court decision ordering former President Nixon to turn over the Watergate tapes to the grand jury was also enforced.

These are merely three examples, selected because they represent compliance with the rule of law under periods of maximum political tension. They indicate that notwithstanding any deficiencies in theory in the enforcement mechanism of the Supreme Court, the strength of its decisions has become part of the American way of life. This tradition is more powerful than a small army of marshalls seeking to enforce its will.

## YOU AND THE LAW

### Lenore Cameron and Amy Armitage

*The following article was co-authored by Lenore Cameron, former Assistant Director of the National Street Law Institute, and Amy Armitage, a Duke University senior and Robert F. Kennedy Intern, working with the Institute. The National Street Law Institute is a program established to promote increased opportunities for citizen education*

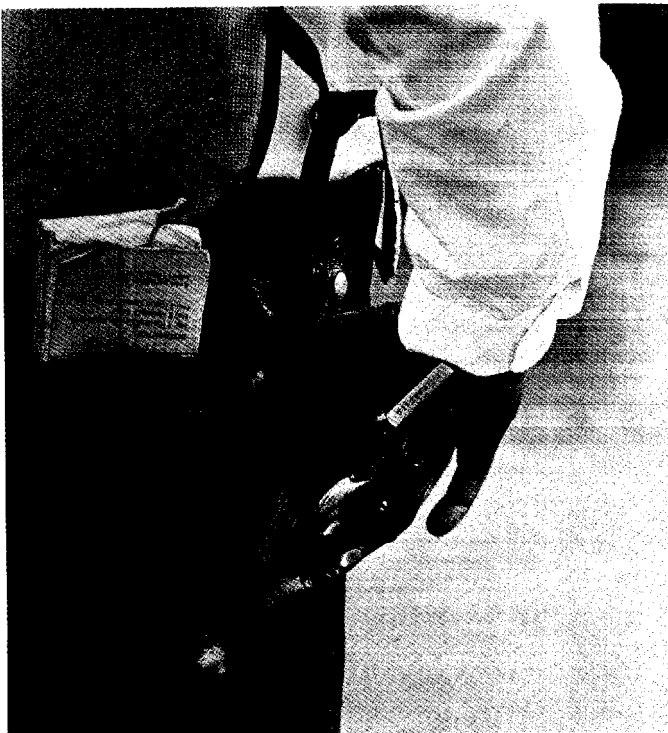


Photo Courtesy of National Street Law Institute

*in law. It is involved in course development, teacher training and the establishment of "Street Law" courses in schools across the country. It has published a curriculum on law for use in secondary schools called Street Law, A Course in Practical Law (West Publishing Company). For further information on the Institute or its materials, write National Street Law Institute, 605 G Street, N.W., Washington, D.C. 20001 or call (202) 624-8217.*

Many people perceive law as emanating from the Supreme Court and Congress and see it represented in their daily lives by the police officer and gun. Yet in actuality, law has many faces and origins.

#### Law Has Many Origins

*"But how can we understand this complex maze?"*

Think for a moment of how laws affect your own life...the clothes you wear and the food you eat are regulated by consumer protection, federal communications and trade laws. Your house is constructed according to zoning and building codes which are local laws. In your family relationship, family laws provide you with rights as well as obligations regarding marriage, custody and support, and juvenile rights. Law also protects your individual rights as a member of society. Or perhaps you enjoy the wilderness; that too is protected by law. Law is everywhere affecting your daily life.

*"But why do we have to have so many laws?" you ask.*

There are no easy answers as to why we have so many laws, but one reason is that law gives order to our society. It regulates the behavior of individuals and helps to resolve conflict among and between individuals and governments. Without the rules of law our community and social life would be chaotic. However, the result of having so many laws which govern our daily lives is that citizens are often mystified and afraid of "law."

You can begin by learning the ways in which laws are created. All three branches of government—executive, legislative and judicial—at the federal, state, and local levels of government make laws. Federal statutory laws are made in the Congress. These include procedures for revenue raising (tax laws), definition of federal crimes, and the establishment and appropriation of funds for government programs. The impact of these laws is felt by all of the residents of the United States.

State legislatures enact laws which affect people who reside or visit within their state boundaries. Local governing councils and assemblies pass laws called ordinances, or regulations, which apply to people within an even narrower geographical area.

The executive branch at each level of government makes laws through administrative agencies.\* Each of these agencies has been created to deal with certain issues and needs of the populace. Their laws are actually regulations governing the relationship between specific governmental bodies and citizens in areas such as welfare, public education, sanitation, libraries, criminal justice, housing, discrimination and transportation. The Federal Trade Commission (FTC), for example, is a federal agency which regulates types of advertising as well as packaging and labeling of consumer products across the country. Another example is a state department of revenue which makes and enforces regulations regarding state tax laws. Agencies on the local level may include school boards, police and sanitation departments, and utilities.\*\*

### The Court Systems

Laws are also made in the federal, state and local court systems. These systems usually are divided into state, county and municipal courts, and are often broken down further into branches: small claims, landlord-tenant, domestic relations (family and/or juvenile), traffic, criminal and civil courts. The issues which are dealt with relate only to the citizens within the state and local jurisdictions.

The federal court system, on the other hand, is comprised of courts located all across the country, and its judges decide issues which have an impact on all residents of the United States and its territories. It is made up of eleven divisions, called "circuits," which are further divided into districts. There are as many districts in each circuit as deemed necessary to administer and enforce the laws. Trials are held in the district courts, and appeals are heard in the Circuit Courts of Appeal.

Above all court systems, of course, is the U.S.

\***Editor's Note:** The President and many Governors also can make laws in certain cases through "executive orders". For a definition, see the glossary at end of Chapter One.

\*\***Editor's Note:** For a fuller discussion of independent agencies and regulatory commissions, see Chapter Two on "The Federal Bureaucracy."

Supreme Court. It is the highest appeals court in the country and orders made by its nine Justices apply to each and every person and court system in the United States. The decisions reached here can only be overridden by an act of Congress or a reversal by the Justices themselves.

### Law Has Many Faces

*"Fine," you say. "It's good to know where laws come from, but how does this affect me on a day-to-day basis?"*

Your knowledge of where laws are made can give you an insight into your individual rights and responsibilities under the law. Let's take your role as a consumer as an example. The purpose of consumer law is to protect the individual who buys goods and services from another person or business. The legal relationship between a consumer and a seller is known as a contract. A contract is made when one party makes an offer which another party accepts. These two parties also agree on the terms or conditions of a contract. Both the consumer and the seller are then responsible for meeting the terms of the contract.

If for some reason the goods purchased or services provided are not satisfactory, you have several avenues open to you. You can contact the federal Consumer Product Safety Commission to see if your product is on a list of defectively manufactured or harmful items. Armed with this knowledge, you could then get in touch with your local consumer agency to seek assistance in reaching a settlement of your grievance. Or, if necessary, you could use this information as evidence in a court suit.

In addition, if you fail to meet the terms of the contract by missing payments, the seller can enforce these terms by filing a lawsuit against you. If you feel you are withholding your payments with good cause, you sometimes can depend on state laws which prohibit deceptive advertising and sales practices as defenses for non-payment and high interest rates. Through a consultation with a lawyer or your local consumer agency, you can learn if there are good defenses available to you.

If you are a home-owner or renter, housing law is another area in which laws from different sources affect your daily life. The legal relations between the tenant and landlord, for example, are determined by a lease. If a landlord or tenant does not meet the conditions specified in a lease—for example, the tenant fails to pay his rent or the landlord does not repair leaky ceiling or pipes—

these responsibilities may be enforced through the courts.

Of all the areas of law which have an impact on you, none is more pervasive than family law. Many people think it is concerned only with marriage, divorce and custody of children. But suppose the family next door to you leaves their children, all under age twelve, at home alone at night and frequently on weekends. If you report this situation, anonymously of course, to your local police or social welfare agency, you would be reporting a possible case of child neglect, and this lies in the area of family law.

You or someone you know may receive AFDC payments (Aid to Families with Dependent Children) or Social Security benefits. The state and federal laws which govern these assistance programs are usually studied as part of family law. The authority to provide these programs is based on the national and state constitutions which direct Congress and the state legislatures to enact legislation for the general welfare.

Perhaps the most important area of law is that which affects your individual rights, constitutional law. Here we touch the very essence of the relationship between people and their society that the Founding Fathers sought to establish. The Constitution, especially through the Bill of Rights and the Fourteenth Amendment, protects individuals against government actions which infringe on their rights. State constitutions, in some cases, provide even greater protection from the actions of the state governments.

The Constitution prohibits the denial of individual rights and discrimination of any kind. Suppose you have applied for a job as a construction worker on heavy equipment but are refused because you are a woman. In most states you could file a discrimination action with the state Human Relations Commission. In addition, you might want to file with the federal Equal Employment Opportunity Commission in case the state agency is unable to resolve the conflict. The basis of your complaint could be a state's own equal rights amendment or Title VII of the Civil Rights Act of 1964. This federal Act forbids discrimination in employment on the grounds of race, color, religion, sex or national origin. State and federal agencies like the Human Relations Commission, Commissions for Women and State Equal Rights Commissions advise persons as to their rights in cases of discrimination in employment, housing, public accommodations and voting. They also can institute court actions to eliminate such discrimination and, through their support of new legislation, expand persons' rights.

#### Learning about the Law

*"Okay, I know where and how laws are created. I've learned some of the areas of law that affect my daily life. But where do I learn about these laws and how do I keep my knowledge current?"*

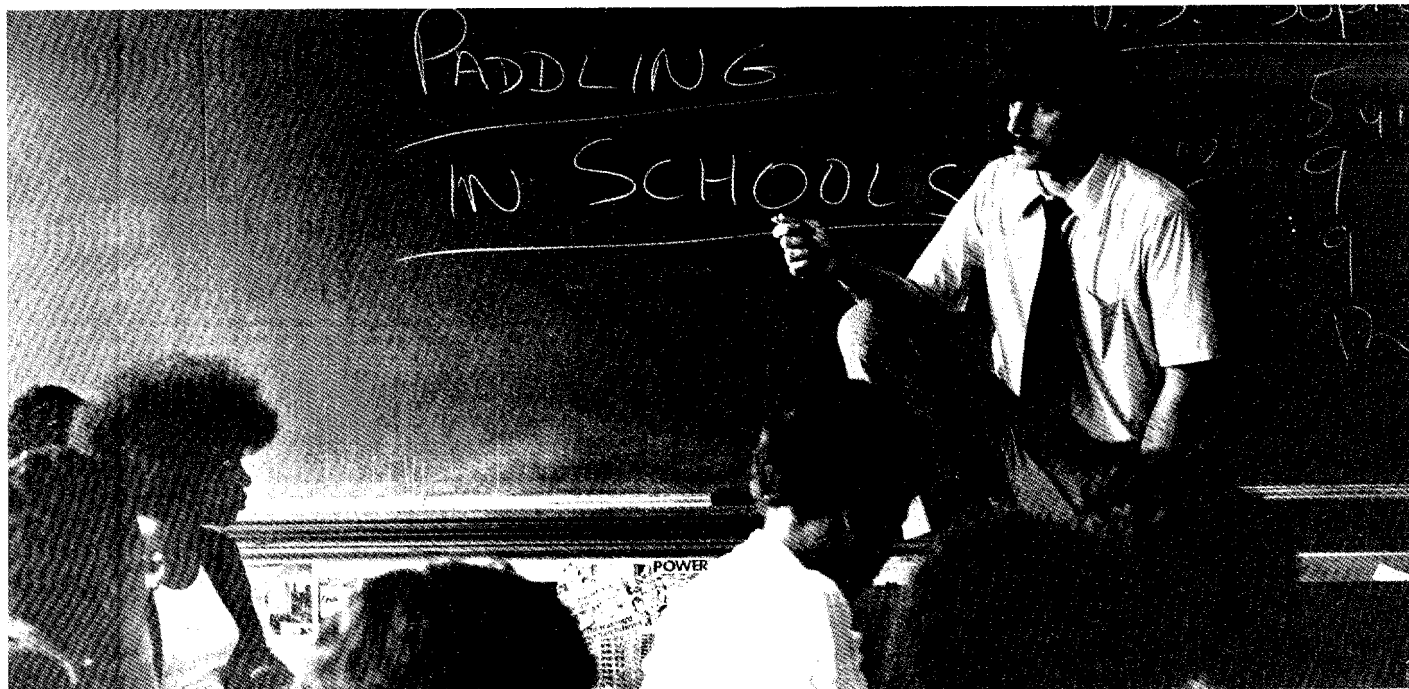
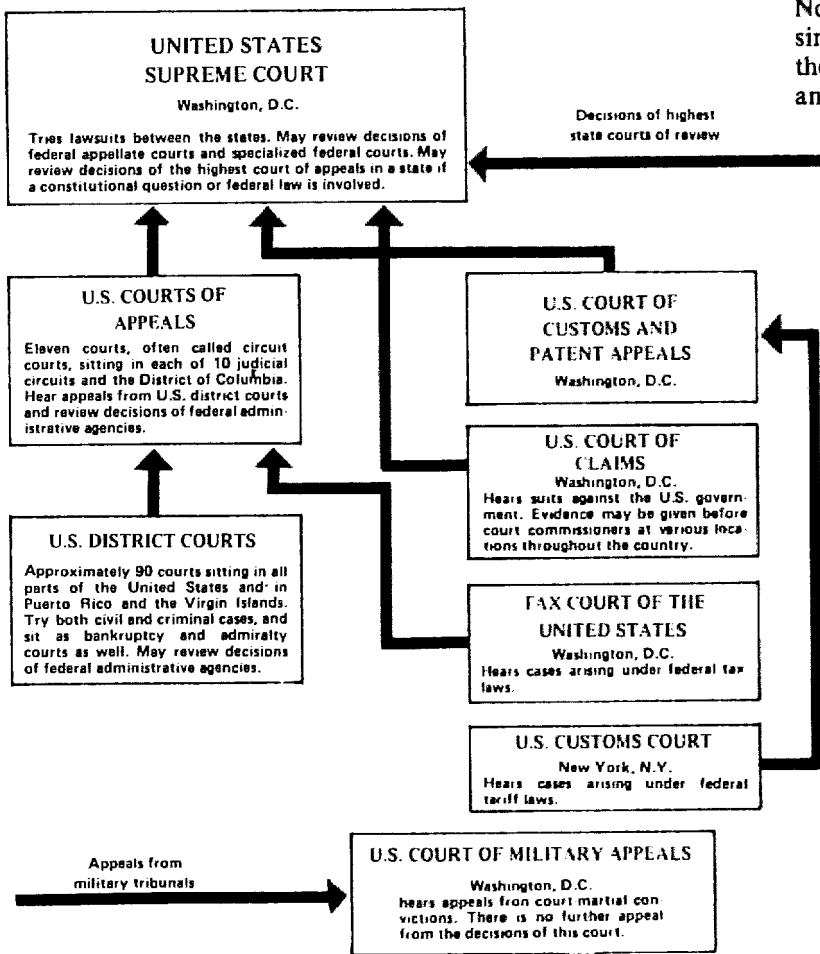


Photo Courtesy of National Street Law Institute

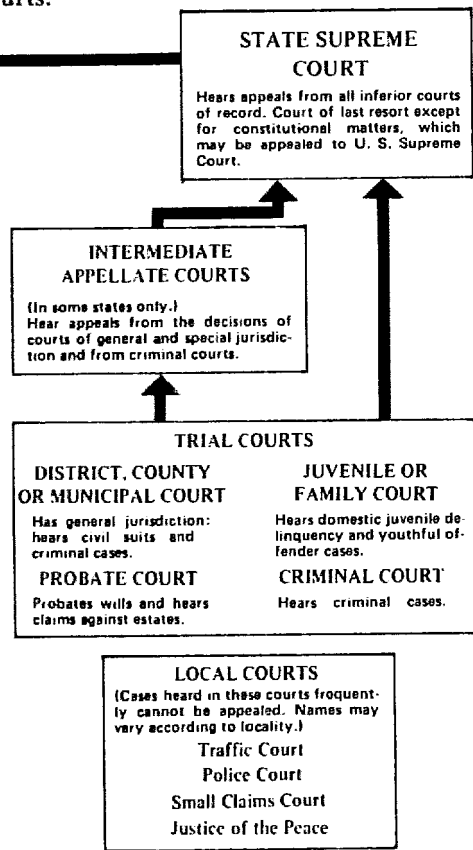
### STRUCTURE OF THE JUDICIAL BRANCH

#### OUR FEDERAL COURT SYSTEM



#### OUR STATE AND LOCAL COURTS

No two states have identical court systems, but all are similar in their general outlines. This diagram shows the profile of an imaginary but typical system of state and local courts.



One way to do this is in your school. Sign up for law classes which are offered there. If you don't have a special law class and you want to know more about law, sign up to do a special project in your regular social studies class. Select a project that has legal significance such as finding out how your local consumer agency works or how a civil or criminal case proceeds through your local justice system.

You and members of your family can attend classes and seminars on legal topics which often are held in libraries and community centers. You can read magazine articles and share the information with your family and friends. Letters to the editor in newspapers and magazines often refer to new legislation and court cases which affect people in these areas. Bar associations frequently offer assistance in arranging court tours and have special programs in which attorneys go out to schools and community groups to talk about law.

As you can see, learning how law affects our lives is not a static topic suitable only for class-

room discussion. It is a process of learning and doing and is sustained by the changing nature of law itself. The only limit to your learning, then, is the degree to which you expose yourself to the many faces and origins of law.

### FROM ARREST TO SENTENCING: THE CRIMINAL LAW PROCESS

Jason D. Kogan

*Jason Kogan has been an Assistant United States Attorney for the District of Columbia for seven years. Presently he is working in the Superior Court Felony Trial Division, but he also has tried cases in the Misdemeanor Appellate and Grand Jury divisions. In this article written especially for Perspectives, he presents you with a clear and informative,*

“Stop! Police! You are under arrest!” These well-known words may be uttered during an exciting chase sequence on your favorite television series. But these words are all too familiar to the person arrested as the suspected perpetrator of a criminal offense. Once a person is arrested, he enters into the criminal justice system.

### **Arrest**

A restraint on the individual's personal freedom is the initial and most obvious result of being arrested. Handcuffs may be placed on the hands to limit their movement. The police “pat down” the person's outer garments to determine if he is carrying a weapon, and he is allowed to move physically only when the police permit it. If the person is arrested in a car which is needed as evidence, it will also be seized.

After he is arrested by the police, the accused becomes cloaked with certain constitutional rights. First and foremost, the arrestee must be advised of his rights:

You are under arrest.

You have the right to remain silent. You are not required to say anything to us at any time or to answer any questions. Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before we question you and to have him with you during questioning.

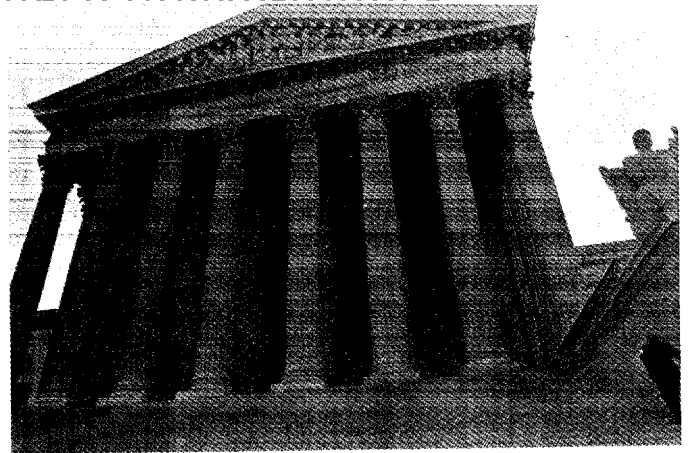
If you cannot afford a lawyer and want one, a lawyer will be provided for you.

If you want to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering until you talk with a lawyer.

The arrestee may voluntarily waive his rights and speak to the police if he so desires.

### **Interrogation**

From the scene of the arrest, the individual is transported to the police station to be processed. The arresting officer prepares a report on the crime with which the person is charged. He also attempts to obtain background information on the arrestee. Fingerprints are taken and compared with any that may have been lifted



from the scene of the crime. These fingerprints are maintained in police files for future identification purposes. If the arrestee's clothing is needed as evidence, it will be removed by the police and replaced with jail-type or other available clothing. A Polaroid photograph of the suspect, or a “mug-shot” photograph (a two-part photograph consisting of a front view and a side view of the face) are taken. This photograph, along with photographs of other similar-looking individuals, may be displayed to the victims of or witnesses to the present offense, or to victims of or witnesses to future criminal offenses.

Depending upon the type of the crime committed and the nature of the evidence in the case, further demands may be made on the physical being of the arrestee. A judge can order the individual to provide police with a sample of his blood, with head and pubic hairs and with handwriting, printing or voice samples. The arrestee may be ordered to submit to the removal of a bullet from underneath his skin or to the taking of a model of his teeth. Probably one of the most common demands made upon an arrestee is that he be required to stand in a lineup to be viewed by the victims of or witnesses to the crime.

### **Court Proceedings: Preliminary Hearing, Grand Jury**

Within a reasonable time after the arrest, the person must be brought before a judge or magistrate and a formal complaint filed. At this point the arrested individual becomes known officially as the **defendant**. The judge or magistrate again advises the defendant of his rights and determines whether or not he should be released on bond or detained in jail pending future court

proceedings. A lawyer must be appointed for the defendant if he cannot afford one.

If the defendant is charged with committing a **felony** (any crime which carries a possible sentence of more than one year in prison) his next court appearance is at a preliminary hearing. At the preliminary hearing, the government is required to present evidence which shows "probable cause" to believe that a crime was committed and that the defendant committed the crime. Should the judge or magistrate find probable cause, the case is forwarded to the grand jury for its consideration. The complaint against the defendant is dismissed if no probable cause is found.

A grand jury is composed of citizens from the community who must decide whether probable cause exists to believe a crime was committed and that the defendant committed the crime. However, unlike the preliminary hearing, neither the judge, magistrate, defendant or his lawyer are present when the prosecutor presents the evidence to the grand jury. Grand jury proceedings are secret and not open to the public. In some jurisdictions court reporters may be present in the grand jury to record the testimony of the witnesses. The defendant may, if he wishes, appear as a witness before the grand jury. Of course, the defendant cannot be forced to testify before the grand jury because he has the right not to incriminate himself.

After hearing the evidence the grand jury may, by a majority vote, return an **indictment** against the defendant. An indictment is a legal document which provides the defendant with notice of all criminal offenses he is charged with committing. It calls upon him to stand trial for these offenses. If the grand jury does not vote to indict the defendant, the government cannot proceed any further against the defendant unless state law provides otherwise.

#### **Still in Court: Arraignment, Jury Selection**

Within about ten days after the defendant is indicted he is arraigned before a judge. At the arraignment the defendant must plead guilty or not guilty. A plea of guilty is an admission by the defendant that he committed the crime(s) charged in the indictment and makes a trial unnecessary. If the defendant pleads not guilty then he has the right to request a jury trial. In addition, the judge may amend the bond set previously or set bond if no bond was imposed earlier. An attorney will be

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appointed to represent the defendant if not done at any prior stage of the proceedings.

Before the start of the trial, which may be many months after the defendant's arrest, the judge rules on any legal issues raised by the defendant that might result in prohibiting the government from trying the defendant or from using certain evidence against him during the trial. For example, a defendant may claim that evidence was seized illegally from his home, that the indictment is defective, or that too much pretrial publicity will interfere with his right to a fair trial. If the judge rules against the defendant then the trial will begin.

Jury selection, commonly known as *voir dire* examination, commences with the questioning of a large number of prospective jurors concerning their possible prejudices for or against the government and for or against the defendant. Jurors who admittedly cannot be fair to one side or the other, or who have specific reasons for being unable to sit on the case, will be dismissed (called "stricken for cause") by the judge. Both the government and the defendant also have a specified number of "peremptory challenges" (the right to eliminate a prospective juror for any reason whatsoever). A final panel of twelve jurors is finally selected to hear the case.

#### **The Trial, the Verdict, and the Sentence**

Once the jury is chosen and sworn under oath, the prosecutor makes an opening statement to the jury in which he outlines the government's case against the accused. The defense attorney may, if he desires, also make an opening statement to the jury. Since the prosecution has the burden of proving the defendant guilty beyond a reasonable doubt, it must present its witnesses and supporting physical evidence to the jury. The defendant has a right to cross-examine each government witness. After the prosecution concludes its case, the defendant has an opportunity, if he wishes, to take the witness stand in his own behalf or to present any other relevant evidence. The defendant cannot be forced to testify if he does not want to do so.

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**"When judges do not agree, it is a sign that they are dealing with problems on which society itself is divided."**

*Justice William O. Douglas*

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At the conclusion of all the testimony, both the prosecutor and the defense attorney give a closing argument to the jury. During the closing argument the prosecutor argues to the jury all the reasons why it should find the defendant guilty and the defense attorney argues to the jury all the reasons why it should acquit the defendant. When these arguments have been completed the judge instructs the jury on the legal principles to which it must be bound in deciding the facts of the case. The jury then retires to deliberate its verdict.

A guilty verdict or a plea of guilty leads to the

final stage—**sentencing**. Among the many factors which a judge may consider in determining the sentence to be imposed on the defendant are: (1) nature of the offense, (2) possible penalties, (3) prior criminal record, (4) age of the defendant, (5) employment history, (6) family background, (7) educational background, and (8) comments from family members, friends and people in the community. The defendant also has the opportunity to speak for himself at the sentence hearing. Then the defendant stands nervously awaiting the sentence.

## GLOSSARY: The Law and the Judiciary

*In preparing this glossary, reference was made to Ballentine's Law Dictionary (Rochester, N.Y., Lawyers Co-Operative Publishing Company, 1969) edited by William S. Anderson, and to A Dictionary of American Politics, (New York, Barnes & Noble, 1964), edited by Edward C. Smith and Arnold J. Zurcher.*

**Attorney General**—member of the Cabinet, head of the Justice Department. Appointed by the President with Senate confirmation.

**Bill of Rights**—the first ten amendments to the Constitution of the United States. These guarantee fundamental rights and privileges of all citizens against infringement by the government.

**Civil Disobedience**—public, nonviolent, and intentional violation of public law without resistance to arrest, for the purposes of protest and encouraging a change in the law or social policy. Example: the sit-down strikes of the civil rights movement led by Dr. Martin Luther King, Jr., in the 1960's.

**Civil Law**—area of the law which covers rights and liabilities of individuals. Cases may be between individuals or between the government and an individual or a group. For example, property damage cases are civil law.

**Class Action Suit**—lawsuit brought by one party in the name of others or "the public." Examples are many suits brought by environmental or consumer groups in the name of the public interest.

**Common Law**—"judge made" law, rather than by legislatures. Based on earlier decisions (precedents) by the courts.

**Constitutional Law**—specifically, cases which deal directly with constitutional issues. Examples: *U.S. v. Nixon* case involving the Nixon tapes; freedom of speech cases.

**Criminal Law**—regulates the conduct of individuals as citizens of a state. Defines violations of the law ("crimes"), appropriate punishment, and methods for enforcement of laws.

**Discrimination**—unfair treatment or denial of normal privileges to persons because of their race, color, nationality, sex, or religion. Examples: denial of suffrage to women on the basis of sex; segregated schools.

**Due Process of Law**—constitutional doctrine which implies that all people will be granted the same rights under the law. Speedy public trial, right to a lawyer, trial by jury, are all part of due process.

**Felony**—a criminal offense of very serious nature in which the punishment can be the death penalty or imprisonment in a penitentiary (murder, treason, robbery); contrasted with **misdemeanor** which is also a criminal offense but of a less serious nature in which the punishment can be a fine and/or up to one year in jail.

**Grand Jury**—differs from a trial jury in its function and its size (has more members). Duties are to consider evidence presented by the government prosecutors and decide whether or not an indictment should be issued. If so, a separate trial jury is selected to hear the case.

**Judicial Activism**—describes judges on courts which in deciding the legal principles of cases before them, also rule on related matters of social policy or legislative acts. Contrastd with **judicial self-restraint**, where courts rule on the cases before them, but shy away from broad policy implications.

**Judicial Opinions**—written decision of the court in which its ruling is explained. Precedents, reasons, definitions and interpretations are discussed.

**Concurring Opinion**—on the Supreme Court, written by a Justice who voted with the majority, but for differing reasons.

**Dissenting Opinion**—on the Supreme Court, written by the Justice(s) who disagrees with the majority.

**Majority Opinion**—on the Supreme Court, the ruling of the majority, written by one of the Justices.

**Judicial Review**—authority of the courts to declare a legislative or executive act unconstitutional.

**Solicitor General**—member of the Justice Department who is responsible for representing the federal government before the Supreme Court.

**Subpoena**—an order for a person to appear or to surrender evidence (records, tapes, documents, memos, etc.) before a court or official body.

# **AN INTRODUCTION TO THE JUDICIARY:**

## **A Close Up Briefing**

Before the seminar on the judicial branch, one of your program instructors will conduct a short "Briefing" as an introduction to this subject. The purpose is to provide some background information which will help you participate in the seminar with your guest speaker. In addition to the Glossary and the "Structure of the Judicial Branch" diagram, some of the subjects which may be discussed in the briefing are outlined below. Use these pages to take notes during both the briefing and the seminar.

- What powers does the Constitution grant to the Supreme Court? To all courts?
- What is judicial review?
- What are some of the major current issues involving the law and the courts?

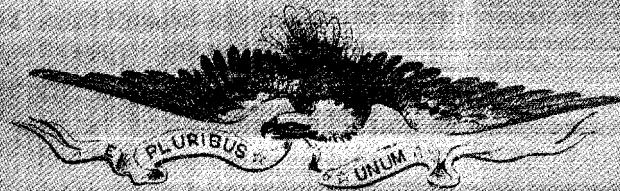
### **NOTES (BRIEFING)**

### **NOTES (SEMINAR)**



**Section II.**  
**FIRST AMENDMENT FREEDOMS**  
**TO REPORT AND TO PETITION:**  
**The Roles Of The Press And Of Lobbyists**

*First Amendment to the*  
**Constitution of the**  
**United States of America**



**Congress** *Shall make no law... abridging the freedom of speech, or of the press; or of the right of the people... to petition the government for a redress of grievances.*

## 5. THE PRESS: Focus on "The Fourth Estate"

*"Were it left for me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter."*

*Thomas Jefferson*

"Congress shall make no law. . . abridging the freedom of speech or press." The First Amendment could not have been much clearer in its wording; nor should it be surprising that such a high value was placed on freedom of the press. Benjamin Franklin knew well the importance of the printed word from his experience as a printer. Thomas Paine's pamphlet, *Common Sense*, had wide circulation and was instrumental in rallying support for the Revolution. Town criers, too, played a key role in bringing news from the battlefields to villages from Massachusetts to Georgia.

Today, television commentators have replaced the town criers, syndicated columnists and investigative reporters have taken over for pamphleteers, and the "press" has grown to include the electronic media. At the same time, the press (media), traditionally called "the fourth estate" in recognition of its important and powerful role in our political system, has become even more powerful and more important. This has raised some dispute among its critics and defenders. Exactly how free should the press be? And how well has it performed its job? Do we have faith in the accuracy and objectivity of the information we receive in the press? Should reporters be forced to reveal their sources?

These and other questions are explored by some of our country's most noted journalists in this chapter. In the first article Robert Pierpoint, a White House correspondent for CBS News, makes a strong case for freedom of the press. Hal Walker, also a CBS reporter, follows with a very candid discussion of what a journalist's role should be, which may leave you wondering whether or not you can believe everything you read or hear in the news. Think about this and use the *What Am I Reading?* exercise to begin to distinguish between fact and opinion in the news. Then, for a glimpse of what you don't see on the television screen, turn to John Goldsmith's account of what a reporter's life can really be like. Finally, you can reflect on the question of "what should be the political role of the press" through the five short articles in the *Perspectives Panel*.

# A FREE PRESS IS THE FOUNDATION OF A FREE SOCIETY

**Robert C. Pierpoint**

*In May, 1976, amidst the numerous controversies over freedom of the press, Mr. Pierpoint delivered the commencement address at the University of Redlands. This article, which has never before appeared in print, is based on that speech. Mr. Pierpoint may be familiar to you as White House correspondent for CBS News, a position he has held since 1957.*

I came to the University of Redlands today to propose that together we take a good hard look at the current state of American journalism and what that means to you. My talk is titled "Update. . . 1976," using the one word that journalists employ in overseas cables to save the cost of two words, and to convey the message that a continuing story is to be brought up to date. The continuing story is the two hundred year old experiment of a free press in a democratic society.

There are many issues within the general area of freedom of the Press which we could discuss. I would like to focus on one subject of continuing controversy, both within and outside journalistic circles—government secrecy. **How much of secret government activities does a reporter have a duty to report and the public the right to know?**

Basically, I am opposed to what might be called "self-censorship" by reporters or news organizations. In most cases a clever enemy agent could learn anything which a reporter knows and do so far ahead of the reporter. Let me give you an example. In early 1961, various reporters began to pick up evidence, both here and abroad, that the United States was organizing some kind of military action against Cuba. *The Los Angeles Times*, for example, reported on a training base in Central America where Cuban refugees were being trained and equipped, by men and funds that appeared to be directly connected with the CIA. Eventually *The New York Times* and CBS News learned that the CIA was about to sponsor an invasion of Cuba, directed at overthrowing Castro. Most of the sources for the information were Cubans in and around Miami. But CBS

News and *The New York Times* after much discussion among top executives, did not publish the information, apparently on the grounds that it might compromise national security. That did not stop Castro's agents from picking up the same basic information, and perhaps much more, from the same kinds of sources available to *The Times* and CBS. As a result, Castro's soldiers were ready and waiting when the CIA put ashore at the Bay

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**"Democracy is based on the assumption that citizens will make the proper choices, but democracy also assumes that the citizens have the information on which to base these choices."**

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of Pigs. It was an operation that was badly conceived from the beginning, and the bloodshed, deaths and humiliation to the United States might have all been averted if *The New York Times* and CBS News had published in advance of the operation what they knew about it.

But. . . and this is a serious problem for those of us in news. . . what would have been the reaction of the U.S. Government and of the public? Would the two news organizations in question not have been subjected to strong criticism for having unpatriotically given away American secrets and saved Castro? Sad to say, I think many in our society would still be calling us traitors, as some believe of us because of our coverage of the war in Vietnam.

## **Some Secrets, Yes; Too Much Secrecy, No**

I do not suggest that there should be no government secrets withheld from the public. In this day of instant communication, and when we do indeed still have potential enemies in the world, that would be suicidal. Certain military plans and operations of contingency nature in peacetime, certain technological and scientific information having military application, and obviously most plans and operations during wartime, must be kept secret. But in my view, far, far less secrecy than the government now affords itself would be perfectly adequate for our democratic system. You and I would doubtless be appalled at how much government information is kept secret for the convenience and protection of people high up in government, and their friends in positions of power outside it. The recent scandals of bribery and political payoffs by



A Presidential Press Conference

Photo courtesy of the White House

Lockheed, Gulf Oil and other large corporations ought to be proof enough of that.

The Freedom of Information Act\* passed a few years ago by Congress has helped uncover some secrets that government would like to hide. That Act, for example, helped us at CBS News gain information on some of the shadier activities of Charles "Bebe" Rebozo, Richard Nixon's friend down in Florida. We won an "Emmy" for our investigative series on Rebozo's bank, and brought some tightening of certain banking laws and regulations. But the Freedom of Information Act is cumbersome to use, sometimes requiring, for example, a threat of a lawsuit or even the suit itself before the information is obtained. By then, it may be too late. Furthermore, and this is a criticism of myself and the media, the Act is not invoked often enough. But it is a step in the right direction.

During 1975 and 1976, many in Congress and the executive branch were urging a step in another direction—backward—toward undercutting freedom of information in this country. I refer to the infamous "Senate Resolution Number One" (S-1), a bill which was proposed but defeated in the Senate. In its

**\*Editor's Note:** The Freedom of Information Act was passed in 1966 and amended in 1974. It provides that any citizen can request and receive copies of any federal government documents or records. There are, however, nine specific exceptions, such as documents classified for national security. Many but not all states have their own freedom of information acts.

original form, S-1 aimed at rewriting, simplifying, and updating the complex federal code of criminal laws. But certain sections were to do more than simplify the code of laws and were aimed at handcuffing the press. For example, in its original form S-1 would have made reporters subject to prosecution for receiving, passing on, or publishing government secrets. That would almost certainly have prevented the publication of *The Pentagon Papers*, and might well have put Woodward and Bernstein behind bars.\* It would also effectively prevent YOU, the public, from learning a great deal about your government that you have a right to know.

Fortunately, through the combined efforts of some guardians of the press within the Senate, S-1 was defeated. But its proponents live on, and may be determined to try again next year and beyond. You and I must remain vigilant that well meaning but misguided legislators do not destroy the system of a free press which has worked so well for so long.

Almost equally dangerous to the free press

**\*Editor's Note:** *The Pentagon Papers* is the name given to the series of classified documents concerning the war in Vietnam. They were first published in mid 1971 by *The New York Times*, which obtained them from Daniel Ellsberg, a former government official. The Nixon Administration sued to stop publication, but the Supreme Court ruled against the government. *The Pentagon Papers* were eventually published in book form. Daniel Ellsberg was also brought to trial on charges of having leaked classified documents, but he was not convicted.

are recent rulings by judges in two separate areas, rulings which are still being tested in the courts. Several years ago judges began ordering reporters to disclose their sources of information. Some reporters, such as William Farr of *The Los Angeles Times*, have gone to jail to protect their sources and your right to know. Confidentiality of sources is one of a reporter's most important tools. Without that tool, a great deal that you know now, or need to know about the operations of our society and our government, will become unavailable.

### Free Press, The Foundation of Democracy

The necessity for a free press in a free society simply cannot be overemphasized. It is absolutely essential. In fact, one cannot exist without the other. A free press is the first institution to be shut down by a totalitarian government of either the right or the left. Anyone who is familiar with the 1968 invasion of Czechoslovakia by the Soviet Union knows that the first casualties included the television broadcasts of what was going on and the newspaper accounts of the suppression of the Czech people.

The press in Communist countries is, of course, a mockery. Perhaps equally discouraging is the shutdown of the free press in Brazil, Chile, India, and many other nations where democratic institutions have been or are being stifled under dictatorships of the right and left.\*

We are your eyes and ears. . . on City Hall. . . the State House. . . the White House. Democracy is based on the assumption that citizens will make the proper choices, but democracy also assumes that the citizens have the information on which to base those choices. That information must not

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**"We've got to make 'em itch."**

*Edward R. Murrow*

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only be accurate, but also complete, which means reporters must go beneath the surface of facts to find and convey background sufficient to put the bare information in its proper context.

Cutting down or cutting off a flow of information is harmful to our system. America without a free and aggressive press could become that "pitiful, helpless giant" that Richard Nixon warned about in another context—a giant seeing

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\***Editor's Note:** In 1977 free elections were held in India and a new government was elected which has restored freedom of the press.

blurred images, listening to muffled sounds, and lurching into disastrous decisions like the Vietnam War.

As my former colleague, the great journalist Edward R. Murrow used to put it, "We've got to make 'em itch." We must, because we are not the cheerleaders of our society, we are critics. We look deliberately for the faults and failures, to expose them to you so you can correct them. Many Americans take their free press for granted because they have enjoyed its rights so long that they are unaware of the constant struggle to preserve them. We in the media have a vested interest in this struggle, but so do you. I doubt that many of you will become reporters, but all of you must hope to grow and prosper in the free society.

Certainly we in the press make mistakes. These may bother you as they should, but they are no excuse for limiting freedom of the press. In fact, despite what some self-serving, flag-waving politicians may say, nothing about our democracy is perfect, or ever will be. I have faith in our system, and I want it to survive for future generations. I warn you, however, that it will not do so without the support of a responsible, aggressive, critical, but above all FREE press.

## THE JOURNALIST'S ROLE IS TO INFORM THE PUBLIC

**Hal Walker**

*In this article Hal Walker, also a CBS News correspondent, presents you with his thoughts on the responsibilities of a journalist. He has had a diverse career as a reporter, ranging from special assignments in Europe to covering the activities of every President since Lyndon B. Johnson. As you read his article keep in mind that what you are reading is the perspective of one journalist who has written this essay to get you thinking about some important questions. As Mr. Walker states in his article, a good journalist strives to inform rather than to convince.*

The thoughts I have on journalism do not come from an academic background in this field. As a matter of fact, I've never taken a journalism course in my life. Instead, the conclusions I have

reached and the ideas I have about journalism come from nearly fourteen years of professional experience. I don't look at them as final answers, but as answers which satisfy me now in a process, which is a continuing one, and a learning one.

Fundamentally, I believe that the basic role of journalism and journalists is to inform the public. I do not believe it is to convince. It is to give the people the information that they need to be able to make informed and intelligent decisions about the things that affect their daily lives. Weather reports are as essential a part of the information that the journalist can impart to his public as anything else. A weather report gives you the information that you need to decide how you will dress, what appointments you will make—in effect, how you will run your life for a given period of time affected by that particular report. I do not believe it is the role of the journalist giving weather reports to convince his readers, his viewers or his listeners to wear a certain type of clothing or to cancel certain types of appointments. He is simply there to provide the people with the information that they need.

### News Must Be Honest and Factual

This is not to say that there is no legitimate role for editorialists or commentators, people like that. I believe very strongly that those who are going to perform as editorialists and as commentators must very clearly label their material as such.

I would like to mention here the subject of advocacy journalism which has become rather fashionable these days, especially with young people. For my part, I cannot accept the concept of advocacy journalism. I do not believe that the journalist can put himself in the role of an advocate and still expect to be accepted as an objective reporter of the truth, or even of the truth as he sees it. Objectivity has gone out of fashion as a word in journalism because we understand that it is impossible for any living human being to be completely objective about anything. Although the ideal may not be attainable, I believe it is a basic responsibility of the serious journalist to strive as mightily as he can to be as objective as possible.

Perhaps we should substitute for objectivity the words honest, factual, careful and fair, because these, I believe, are the basic standards against which the work of any journalist must be measured. It is very easy, when talking about

journalism to talk about the profession as an ideal. Of course, when we're talking about standards of honesty, fairness and objectivity, we are talking about ideals for which to strive. Naturally, in a day-to-day practice, these ideals are not always reached, and that is why a certain amount of responsibility must fall upon the consumer of journalistic output.



Photo by Dan Rosen

### Pitfalls of Television News

The nation's leaders, or the average television viewer or the radio listener on his way to the office, must exercise some degree of responsibility for what he takes in as valid news. I suppose this is why I become so concerned when I learn that for an extraordinarily large percentage of Americans, the only source of daily information is the evening television news program. That, of course, is very sad. It is, in fact, a travesty. More importantly, it places a greater burden on the evening television news program than any one medium of journalism should be forced to carry. I believe it is very much the responsibility of the individual consumer to weigh, to check, and to compare his news sources. From among the many sources of information available, he or she can thus arrive at informed conclusions about which of the many sources is the correct one.

The president of CBS News has been quoted as saying that he wished at the end of the CBS evening news, instead of having Walter Cronkite say, "and that's the way it is," he should say

instead, "for further information, consult your local newspaper." I would give that advice to anyone who is honestly looking for a truly balanced picture of the day's events.

### People Need Good Information to Make Wise Decisions

The one thing that sets a democracy aside, apart, and yes, above many other forms of government is the fact that major decisions that affect the citizenry are made by the citizenry. Therefore, to function at its highest level, a democracy is dependent upon an informed, intelligent and interested body of citizens who will be called upon to make the decisions that affect us all. The one thing that a free press can do is to make available the factual information that free citizens need in order to make intelligent decisions.

That same free press cannot and should not be asked to make the decisions for the people. It should neither be allowed to strain the information nor to censor it. Above all, it must never knowingly distort or falsify the facts. I happen to have an unwavering faith in the ability of people to make decisions for themselves that are in their best interest, provided they are given access to the information that they need to know.

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**"The press, like fire, is an excellent servant but a terrible master."**

*James Fenimore Cooper (1838)*

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## THE LIGHTER SIDE OF POLITICAL REPORTING

**John O. Goldsmith**

*Mr. Goldsmith is the former co-anchorman of the 10 o'clock Metromedia News. He has also been a highly successful investigative reporter and presently operates his own film production company. In this article, written especially for Perspectives, he offers you a glimpse of another side of the news business, of the foils and follies in the life of a reporter.*

Reporting, political and otherwise, has many sides. There's the "cushion-warming, bus-riding, flying-and-more-flying" dull side. There's the "take a press release on a non-story and try to make-news-when-there-isn't-any" side. There's the "real stories only break eight minutes before deadline" hurry-up and panic side. Then there's the "if I don't get a break in this grind, I'm going absolutely bananas" lighter side. I'd like to share with you a few interesting and revealing experiences.

### A "Head" Count in the White House

This man was running for the Washington, D.C. school board. At that time the school board was the only elected body in the city, all other positions being appointive. So the election was a pretty big event. The candidate had called a news conference outside one of the city's older school buildings. As I recall, ours was the only TV camera crew to show. The prospective board member, gesturing toward the building, proclaimed that it had only one rest room for all those children. A terrible disgrace, he charged, especially when one considered that the White House had 100 bathrooms. Returning to the studios, I decided to dig a little deeper. In a desperate attempt to save another political non-story, I called the White House press office.

"How many bathrooms are there?" I inquired.

The somewhat incredulous spokesman said he could only guess there were between twenty and thirty. His next line provided the closer for my story on the air that night: "We can't be sure how many there are. We haven't made a 'head' count lately."

As I came to the line something snapped. I went into hysterics and literally fell off my chair. You had to be there. Or at least watching.

### Setting Up to "Shoot" the President

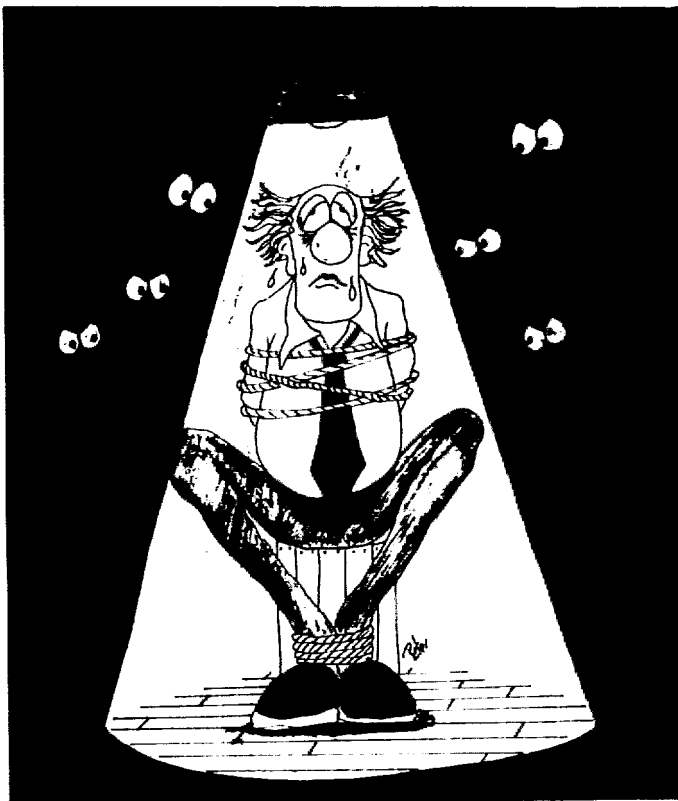
Terminology in our business almost got me into hot water with the Secret Service during the 1968 Miami Beach Republican Convention. You remember: that's the one that started Spiro Agnew on the road to being a "household word" and saw Richard ("you-won't-have-me-to-kick-around-anymore") Nixon make his return only to be kicked around like never before. To appreciate what follows you should know that Secret Service agents and local law enforcement people who are

recruited to protect the President and his family wear identifying pins on their lapels. This tells everyone that they are rightfully carrying guns. The pins change color and design each day so someone with ill intent can't copy them.

Mr. Nixon had won his party's nomination the night before. Now he was about to host a news conference in the lobby of the Fontainebleau, his hotel headquarters. Our camera crew was in position to record the event. With a few minutes to spare, I went to a pay phone to check in with my Washington assignment desk. I had left the booth door open and two men strolled by at the very moment I was reporting our status in the jargon of the trade: "We're all set up in the lobby," I said, "to 'shoot' Nixon."

The men turned and looked at me. I looked at them. More distressing to me at the moment, I looked at their lapel pins. We exchanged nervous smiles as they kept walking. I thought to myself, "Very poor choice of words. Very poor."

By the time I returned to the lobby to rejoin my camera crew, there were lapel pins everywhere I looked. It took more than a little explaining. For the remainder of my stay in Miami Beach, I had the distinct feeling that I was never alone!



"Honest, I'm a reporter. When I said I was going to 'shoot the president' I was talking about... hey, ya gotta believe me..."

If anyone ever tells you that covering a President travelling overseas is glamorous and exciting, don't you believe it. I was assigned Mr. Nixon's first trip to Europe in 1969. It was very much like running all out on a treadmill with someone tossing cold water in your face one day, shining hot lights on you the next. The weather ranged from wet snow to balmy sunshine as we shuttled from country to country, from chartered jetliner to bus to hotel room to news center to bus. . .

Thanks to the time difference, we were out of bed every morning around six, but couldn't call it quits until stateside assignment editors said OK, which was frequently two or three a.m. in Europe. I'd been running like this for about a week before we reached London where, from the BBC studios, I was to send a report via satellite on the day's Presidential activities. It was pushing midnight and I was very tired, so tired that I temporarily forgot one of the cardinal rules of broadcasting: Always treat a microphone as though it is "alive." Many a career has come to a jolting halt because some technician threw the wrong switch and recorded some words which were not meant to be broadcast. The satellite would relay my story to a receiving center, shared by all broadcasting organizations, which happened to be a New York network news operation. Executives of the various news organizations were together awaiting their reporters' stories. As I waited in that studio and felt my fatigue I moaned at considerable length and in great detail about how rough the trip had been. How the people back home didn't understand my problems. How I had to work with film crews in various countries who didn't speak English because my company was too cheap to send along a crew with me.

You guessed it! Every complaining word plus my image in living color beamed, via satellite, to that New York receiving center where my boss waited. His face, I must presume, was in livid color: a combination of embarrassment as he stood among his peers and anger at his reporter in far-off London Town. I vented my spleen totally unaware that it wasn't a conversation between me, the four walls and some technicians I'd never see again, but a gripe session that literally went around the world. Unaware, that is, until the phone rang with a call from the States.

But that's a conversation that couldn't be reported.



## WHAT AM I READING?

*As readers (also listeners) it is very important that we develop the skills to be able to differentiate between fact and opinion in the news. An article on the editorial page, or one which is labelled "news analysis" or "commentary" obviously presents the opinion of the author on a particular subject. Others are supposed to "report the facts"; as Hal Walker writes in the preceding article, to inform the public without attempting to persuade or direct.*

*In reading about politics you probably have discovered that it is not that simple to separate fact from opinion. Many times they are mixed together in a single article. Some passages present the facts while others analyze or comment on them. Consider the following examples of news, some of which appeared in the very same article, and label each as "FACT" or "OPINION." These passages are excerpted from the July 9 and 13, 1977 editions of the *The Washington Post*. A good further exercise would be to go through an edition of your favorite newspaper, identifying facts and opinions as you perceive them.*

1. By voting this week to continue the temporary ban against operations of the Concorde at Kennedy Airport. . . the Port Authority's members have abused their power.  
\_\_\_\_\_
2. President Carter yesterday urged Congress to vote initial production funds for a new generation of neutron nuclear weapons. . . Carter said, "It is my present view. . . the neutron weapons are in the nation's security interest."  
\_\_\_\_\_
3. The Panama Canal was high on Carter's list when he took office. A week before his inauguration he privately told members of Congress he planned to resume negotiations on a new treaty.  
\_\_\_\_\_
4. The Panama Canal is, perhaps, the last vestige of American innocence—or arrogance. They go hand in hand. For decades it was a proud symbol of The Flag, of American daring and might, the passageway that made the Pacific an American lake.  
\_\_\_\_\_
5. Since the collapse of the American-backed regimes of Vietnam, Laos and Cambodia, the United States has granted sanctuary to about half of the 300,000 refugees who have fled these countries. The White House. . . is considering the admission of 15,000 more. . .  
\_\_\_\_\_
6. Still this is not a problem that lends itself to the business-as-usual play of American bureaucracy and politics. The refugees are out there in misery, in the refugee camps and on the high seas.  
\_\_\_\_\_
7. The Senate Foreign Relations Committee yesterday tentatively approved a treaty that would allow Americans imprisoned in Mexico to serve out their jail sentences in U.S. prisons. . . One of the problems involved in ratifying the treaty with Mexico is the possibility that some returned Americans might seek to bring an action through the American court system to overturn their Mexican convictions.  
\_\_\_\_\_



**PERSPECTIVES PANEL:  
POLITICAL ROLE  
OF THE PRESS**

*Within its own ranks, as well as among government officials and the general public, the press has been alternately acclaimed and criticized. The political influence of those referred to as "the fourth estate" has become more apparent over the past decade.*

- What do you see as the most crucial role of the press in our political system?
- How effectively has it fulfilled this role?

**Paul Duke, PBS Television Correspondent:**

The fundamental function of the American press is to present the truth about the government to the American people.

It is a difficult task, to say the very least. But the exposure of Watergate and other governmental abuses has reaffirmed the strength and vitality of the Constitution's First Amendment guaranteeing freedom of the press. It has proved, moreover, the virtue of James Madison's observation that "knowledge will forever govern ignorance."

Some critics contend reporters are snooping into too many governmental corners these days, suggesting they are undermining people's faith in

our institutions. I disagree. We need more, not less, investigative reporting. If the politicians can make such a mess of things and arrogantly misuse their powers—as has happened—think how much worse the government would be if the press were silent. The time to be concerned about our freedom is when the press and the politicians start back-slapping one another.

Supreme Court Justice Lewis Powell recently noted in a decision upholding press freedom that history abundantly documents the tendency of government, no matter how benevolent, to view with suspicion those who question its policies. It was none other than President John Kennedy who cancelled all White House subscriptions to the *New York Herald Tribune* because he disagreed with some of its criticisms of his Administration's policies.

Former Senator Sam Ervin of North Carolina, a noted defender of the press, placed the issue in proper focus when he declared that the First Amendment was designed to protect the public, not the press. For this reason, he added, we must tolerate a press that is sometimes wrong, occasionally vindictive, and infrequently biased. It is a price—a small price, really—that we must pay for having the widest possible distribution of information, unfettered by government interference.

The distinguished journalist, Walter Lippman, once said, "There can be no higher law in journalism than to tell the truth and shame the evil."

Hence, a vital press is needed to provide as much sunlight as possible on the activities of government, thereby helping to make certain that government always operates within the boundaries of our constitutional ideals.

**Morton Kondracke, Executive Editor, *The New Republic*:**

The basic purpose of the press is to tell people what is going on. In politics, those in office usually will take care of telling people what they have done right, so it falls to the press to tell what is going wrong. In general, the press performs its function well, especially when compared to the press elsewhere in the world. Watergate, leading to the resignation of a President; exposure of wrongdoing by the Central Intelligence Agency, leading to Congressional investigations; and awareness that this country's leadership was misleading the citizenry about the Vietnam War—all these are recent examples of the press

Approved For Release 2004/10/13 : CIA-RDP88-01315R000200160007-2  
doing its job in a way that is hard to imagine in any other country. **Rabbi Baruch Korff, Director, United States Citizens' Congress:**

At the same time, the press has serious failings. Most reporters are lazy and editors are unimaginative, with the result that only a few newspapers (and, practically no television organizations) were responsible for Watergate, the CIA exposure, Vietnam disclosures and other important investigations. Also, people in the media tend to run in packs, think alike, and observe the same fads. One year, everybody will be writing about poverty; the next year, it is corruption or war, and everyone has forgotten about poor people. The press is part of the American Establishment, so it lacks the ability to criticize the society as a whole.

These findings do not mean the press should be less free or more controlled. To the contrary, they mean the press has to be more energetic in doing the job the U.S. Constitution anticipated it would perform.

**Nicholas Johnson, Chairperson, National Citizens Committee for Broadcasting:**

Television has the potential to increase the American people's understanding of the many complex problems that face their society, and thereby enhance their ability to make sound political choices. Over 95% of all Americans own a television; on the average weekday evening, 60% of them are watching.

Driven by the corporate greed for ever-increasing profits, restrained by the fear of controversy and confrontation, the television industry is seldom willing to make the financial or journalistic commitment necessary to aid the citizen in understanding the political and social problems of our time. Broadcasters are even less willing to allow the diverse voices and opinions that make up this country to use the airwaves from which these broadcasters make their enormous profits. It is virtually impossible for a member of the public to use those airwaves to communicate with other fellow citizens.

The technical and creative forces, the people eager to communicate with their fellow Americans, already exist. We need only get the corporate owners of television and radio stations to free up some portion of their time for improving our political system and our understanding of one another. Herein lies the greatest untapped potential of television. Let me hear from you. Together we can make it happen.

Under the First Amendment, I perceive a responsible media (press and electronic) to be dispensers of untainted news; vehicles for opinion; guardians of individual freedom and ombudsman against abuses and capricious acts of public officials.

However, just as it has been argued that war is too serious an affair to be left entirely to the generals (which is why we have civilian control), so too may it be said that keeping the public truthfully informed is too serious an affair to be left entirely to the journalists. One must bear in mind that freedom can never be total. The very safeguards of freedom preclude its totality; among them, freedom to publish slanted news, half-truths and carnal sensationalism. This cannot be rationally defended as within the purview of the First Amendment.

Moreover, given the proclivities of the predominately liberal working press (electronic included), the chance for opposing opinion and differing ideological persuasions is almost totally prevented. My personal experience with the media has been traumatic. They frequently savaged me by commission and omission and distorted my views to fit what they regard to be abomination.

Some of the moguls, owners of leading newspapers and potentates of the three major networks and others, huge corporate giants with interests in other than newsprint, sit in their ivory towers dispensing "justice" and "benevolence," perhaps in atonement for their economic power and high living, or to contain the economically disadvantaged for fear of being toppled. In either case, they appear to me the avant garde of the Marxist revolution, planting the seed of their own destruction. After all, who subsidized Vladimir Ilyich Lenin?

The role of the media under the First Amendment is a sacred trust, primarily for the protection of the individual against oppression, be it civil, moral, religious or economic. It was never intended as a power base to rival anything we have now in government. What distresses me is the way every office-holder from the President on down to the precinct level, stands in awe of the media. What unsettles me is that rather than embody "the fourth estate," the media have become the fourth branch of government, reigning over the three other branches without accountability to the people. While the media has

been know to root out corruption in public places, they have also erected a citadel for their own brand of corruption.

**Victor Gold, Syndicated Columnist, Former Press Secretary to Former Vice President Agnew:**

Forty years ago, President Franklin Roosevelt could call his White House press corps into the Oval Office to answer questions put to him on a "background basis." These Presidential "press conferences" were usually brief, informal and conducted under a cramped format that suited the convenience of the White House.

The growth of news media power and influence in Washington during recent decades can be measured not only by the relative size of today's White House press corps, but by the fact that no modern President could long govern the country with such limited access, through the press to the public.

In the 1970's, the number of accredited White House journalists, both print and

electronic, runs into the hundreds. The total number of Washington newsmen, covering all branches and departments of our Federal Government, runs into the thousands.

Recent years have witnessed events that draw attention to the adversary nature of press and government. And there will always be areas in a free society—if that society is to remain free—wherein newsmen and government officials clash. But we should not, in emphasizing these clashes, overlook the more fundamental role played by the press in its less dramatic coverage of "routine" events and activities involving the executive, Congressional, and judicial areas of government.

The national capital press corps is more than a watchdog. It is a conduit without which most of the information regarding the decisions affecting our lives would never reach the public. To this extent, modern American government is dependent on the media to get its message out: a freely-elected government operating through a free press to communicate to a free people.

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## REFLECTIONS

*The authors in this Perspectives Panel have presented you with different and sometimes conflicting views. Which authors do you think would agree with the following statements?*

1. The major political role of the press is to inform the public.  
\_\_\_\_\_
2. The press must also be a "watchdog" for the American people. We can be assured that government officials will tell the public all about what they are doing well. It is the responsibility of the press to expose what is going wrong.  
\_\_\_\_\_
3. The press has abused the trust and responsibility placed in it by the Constitution. Too often, it reports half-truths, slanted news, and sensationalist stories.  
\_\_\_\_\_
4. Too much air time is given to game shows and police stories. Television needs to become much more effective as a medium for educating the American people about our government and about the challenges confronting our society.  
\_\_\_\_\_
5. Freedom of the press is one of the most sacred principles of our democracy. The press must always have enough freedom to be an adversary rather than a partner of the government.  
\_\_\_\_\_

## 6. LOBBYING: Influencing the Policy Makers

*"In every country where man is free to think and to speak,  
differences of opinion will arise from differences of  
perception and the imperfection of reason. . . ."*

*Thomas Jefferson*

Lobbying is one of the least understood yet most important aspects of our political system. The Constitution does not contain any clause which specifically defines the functions of a lobbyist, although the First Amendment right "to petition the government for the redress of grievances" has been interpreted as guaranteeing the right to lobby. Nor do dictionaries give any strict definition of who is a lobbyist. Nevertheless, if we are to genuinely understand politics and government, it is necessary to gain a more accurate knowledge of lobbying and lobbyists.

In 1976 more than 1000 corporations, labor unions, law firms, trade associations, individual citizens and other organizations registered in Washington, D.C. as lobbyists. Based upon their membership and the interests which they represent, lobbyists can be classified into general groupings such as business, labor, environmental, consumer and "public interest" lobbyists. There are also professional lobbyists who contract to represent several clients who do not employ their own lobbyists. All lobbyists attempt to exert pressure on behalf of a particular interest group. In studying any issue, be it domestic or foreign policy, it is important to identify which lobbyists are attempting to influence the policy makers in the executive and legislative branches.

The articles in this chapter are intended to help you gain a clearer idea of what lobbying is and why it is central to our governmental process. The first two articles define the job of a lobbyist and explain his functions; both are authored by actual lobbyists. Congressman Tom Railsback, a leading sponsor of lobby reform legislation, has authored an article on this subject. Finally, the *Know the Lobbyists* chart helps you become familiar with some of the major lobbyists.

## WHO IS A LOBBYIST AND WHAT DOES HE REALLY DO??

**Michael O. Ware**

*Mr. Ware is the Government Affairs Coordinator for the National Association of Manufacturers, a position which includes lobbying among its responsibilities. He drew upon his own experience and expertise to write this article for Perspectives. It presents you with a very informative perspective on who these people called lobbyists are and what is their job.*

"A lobbyist," Senator James Reed of Missouri said once, "is anyone who opposes legislation I want." Probably most people feel that way. Lobbyists are envisioned as unshaven, cigar-smoking, political "fixers" carrying money-filled black bags with which to bribe legislators.

Actually, although the term lobbyist is held in low esteem, everyone to some degree or other is a lobbyist. Any person who attempts to persuade another, be it in regard to community activities, PTA or social welfare programs, is actually lobbying.

### Who is a Lobbyist?

Legally, a lobbyist is a petitioner of the government exercising a right granted in the First Amendment of the Constitution:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

This assumption, that all individuals and groups are entitled to representation in the making of public decisions, forms the basis for all lobbying activities; it is the truest essence of participatory government.

**The Washington Lobbyist** by Lester W. Milbrath (Rand McNally and Co., 1963, pp. 7-8) describes the lobbying function in a more scholarly manner:

Despite the imprecision of the word "lobbying," some boundaries can be defined. First, lobbying relates only to governmental decision-making. Decisions made by private organizations or corporations may be influenced by special interests within those organizations or from without, but they do not affect the entire body politic. Second, all lobbying is motivated by a desire to influence governmental decisions (many actions and events affect the outcome of governmental decisions), but if they are not accompanied by an intent to influence, there is no lobbying. Third, lobbying implies the presence of an intermediary or representative as a communication link between citizens and governmental decision makers. A citizen who, of his own volition and by his own means, sends a message to a governmental decision maker is not considered a lobbyist—though he is attempting to influence governmental decisions. Some may not agree with this stipulation. However, if all citizens are potential lobbyists and if all voters are lobbyists (since voting is, in a sense, a message sent with intent to influence), the word lobbying would lose its usefulness.

Fourth, all lobbying involves communication. Without communication, it is impossible to influence a decision. On the other hand, not all communication—only that which attempts to influence governmental decisions—is lobbying. **Broadly defined then, lobbying is the stimulation and transmission of communication by someone other than a citizen acting on his own behalf directed to a governmental decision-maker with the hope of influencing his decision.**

### "If it Walks Like a Duck. . ."

Most people, as mentioned earlier, without being very precise about the meaning of the term, seem to feel that any lobbying is corrupt. This concept exists because of many factors. The general assumption is that the "public interest" is somehow subverted by the lobbying process. The defeated party in a policy battle often charges that his opponents won because of the evil activities of lobbyists. Such charges are easily accepted by the public because they confirm their preconceptions. As Milbrath found in his study ". . . The public generally receives only negative information about lobbyists."

With this kind of public image, it's no wonder that many people performing the same function call themselves by different titles. Few individuals admit to being lobbyists; instead they are a "Washington Representative," or "Legislative Liaison," and (worst of all in light of current revelations) "Coordinator Government Affairs." Borrowing an analogy from former Senator Sam Ervin(D-N.C.), however, "If it walks like a duck, sounds like a duck, and when I see it, it is always

in the company of other ducks, I just naturally assume it is a duck."

For the same reason, some groups attempt to disassociate themselves from the seedy image of lobbying by proclaiming that they are "public interest" lobbyists, in contrast to "special interest" lobbyists. They refer to their own activities as educational and those of their opponents as lobbying . . . Sometimes a duck prefers to be seen as a peacock.

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**"In every session of Congress over 20,000 pieces of legislation are introduced. The subjects of these bills cover every aspect of American society. . . . No Congressman or Senator can be an expert in all of these fields. . . . This expertise is provided by the lobbyists."**

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#### **Lobbyists: Source of Information**

Whatever titles are used, the principal function of a lobbyist is **education** and his principal commodity is **information**.

In every session of Congress over 20,000 pieces of legislation are introduced. The subjects of these bills cover every aspect of American society: energy, environment, health, welfare, job safety, education, economics, and so many other equally complex issues. No Congressman or Senator can be an expert in all of these fields, yet expertise is often called upon in the analysis of them. This expertise is provided by the lobbyist.

On many occasions the lobbyist is the only individual to whom legislators can look for specialized information which they need. Without the information provided by the lobbyists, the legislative process would be severely hampered. For these reasons the lobbyist is very frequently an informal consultant to legislators, to administrators, and their staffs. This is not a self-serving statement. Without the information which the lobbyist possesses, the Congress would be much more dependent upon the executive branch, thus further eroding the balance of power between the two.

#### **Lobbyist: Spokesman for Organized Interests**

Also, the Members of Congress need to know the "cross-section" of views which exist in the areas they represent. In a complex society everyone cannot come to a town meeting or to

Washington to present his views. People need to organize. They need representation as groups or special interests, which means they need a person to act for them when they cannot. Members of Congress thus "hear" from their constituents as their special or unique interests are represented by the business lobbyist, the labor lobbyist, the consumer lobbyist, and many others. Combined with the letters received from "the people back home," this helps the legislators to represent the people who elected them.

That is the service for which there is no substitute—the clash of viewpoints. The creative function this serves in alerting decision-makers to all possible alternatives outweighs all the frustration involved in lobbying. This one function is also most clearly protected by the constitutional right to petition. Officials might find other sources for more services lobbyists provide, but they could never find a substitute for the essential representational function that spokesmen for organized interests provide. Former Congressman Emanuel Celler (D-New York) sums up this point rather well:

" . . . It is . . . true that the pressures generated by a well organized interest group can become irritating. But despite this I believe that too much lobbying is not as dangerous as too little. . . . The Congressman may know or suspect that there are serious opposing considerations (to legislation), but they are simply not presented. He is faced with a dilemma as to how far he should go to supply the omission."

In addition, the lobbyist has a responsibility to protect the legitimate interests of his employer and to keep the employer informed on specific and general trends which affect a particular business, or a particular special interest. To those not familiar with Washington, this may seem to be a rather insignificant assignment. It must be realized, however, that the lobbyist is usually working for someone who is located far away from Washington and, who, in many instances, lacks a political orientation. The employer who is made knowledgeable of the present political situation and of possible future governmental actions is a much more capable businessman than the one who operates in a political vacuum.

#### **Lobbyists: Indispensable Parts of Our Political System**

The fundamental questions remain: What contributions do lobbyists make to the political system as a whole? Do these contributions tend to

make the political system more or less workable?

Ask any lobbyist and he will give you a resounding "Yes!" Many congressional officials claim they could function quite adequately without us. We are, however, probably indispensable. If information from lobbyists and lobby groups was, for some reason, unavailable to government officials, they would be largely dependent upon their own staff for all information and all ideas. Since the Congress is reluctant to staff itself adequately, it would have to turn primarily to the Executive for information. This would create an even further imbalance in policy-making. More important, cutting off lobbying communications would eliminate a most valuable source of creativity. There is no assurance that government institutions can turn up all the possible alternative solutions to policy problems; as a matter of fact there is a great deal of evidence that points to the opposite.

A decision-maker who has his mind made up may well have to have new points of view forcefully presented to him before he can perceive and accept them. The clash of viewpoints between contesting groups is not only informative, it is also creative. The best way to teach the realities of life, according to John Stuart Mill, is by hearing the opposition. Let the position be challenged, and let the challenge fail. This method was considered by Mill to be so important that he recommended inventing a challenging position if a real one was not forthcoming. Formerly unperceived alternatives may arise from the challenge to previously accepted possibilities.

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**"If we had no lobbyists, we would probably have to invent them to improve the functioning of our political system."**

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Through lobbyists and lobby groups, officials know what the effects of a given policy will be and how citizens will react to that policy. The lobbyist defines opinions for government in real and specific terms to a degree that cannot be achieved through political parties, the mass media, opinion polls and staff assistants.

There is a good reason to conclude, then, that the "system" without lobbyists would not produce wiser nor more intelligent decisions. Instead the assumption could be made that if we had no lobbyists, we would probably have to invent them to improve the functioning of our political system.

## **WHO IS A LOBBYIST AND WHAT DOES HE REALLY DO??**

**Richard W. Clark**

*Mr. Clark is a member of the legislative staff and a registered lobbyist for Common Cause, a citizens' interest group. He has written this article for Perspectives in which he presents the views of a public interest lobbyist on his role in our political system. Mr. Clark and Mr. Ware represent different interests, and you will see that they have varying perspectives on their own roles as lobbyists.*

In its broadest context, lobbying can be defined as the process by which individuals and interest groups influence the governmental decision-making process. Professional lobbying activity involves far more than an occasional offer of assistance, visit with a Member of Congress, or "Dear Representative" letter on a favorite issue. The effectiveness of most lobbying efforts is directly related to such factors as the amount of money spent on influence seeking activities, the size of an organization, the sophistication of its technique and the socio-economic status of the lobbyist.

Although the term "lobbyist" often carries negative connotations, it is important for you to understand that lobbyists generally serve a very important function as the communication link between the people whose interests they represent and public officials. Lobbyists also provide research and other information, monitor the development of legislation and regulations, and help stimulate action on issues of interest to their constituents. Lobbyists provide a representation for interest groups different from the geographical, elected representation of Congressmen. They also provide a representation in the executive branch, for lobbying activities are not confined to the halls of Congress.

### **"Inside" and "Outside" Lobbying**

Lobbying involves a wide range of activities. These activities may be directed toward leverage building, agenda-setting or direct action on specific legislative proposals. They include electioneering, campaign contributions, gift-



giving, favor granting and platform writing, to mention a few.

Lobbying may also involve the placement of Members of Congress on key committees and sub-committees, drafting and introduction of bills and amendments, development of strategies for accomplishing legislative objectives, initiating and pressuring for favorable regulations and other administrative policy decisions, promotion of general or selective media campaigns and participation in litigative activities intended to challenge or defend a policy or program.

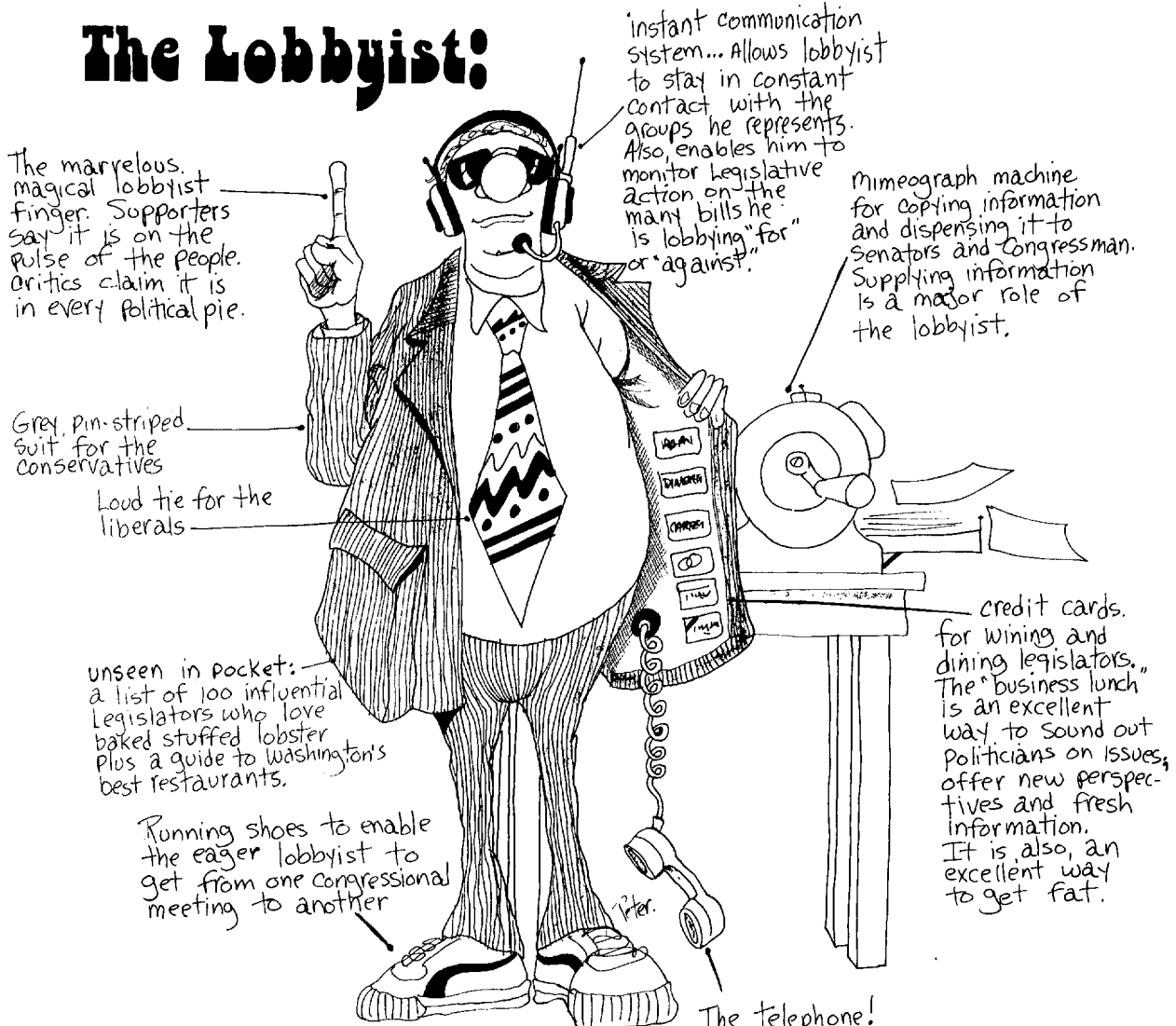
These activities can generally be classified in two broad categories—"inside lobbying" and "outside lobbying." Outside lobbying generally refers to indirect activities which are intended to influence Members of Congress or the executive

branch. Examples are membership letter writing, telephone campaigns, press conferences and other media activities. Such "grassroots" activity is generally aimed at educating or mobilizing the members of lobbying organizations or the general public for the purpose of influencing decisions on a particular issue.

In contrast, inside lobbying refers to activities aimed at influencing decision-makers in a more direct manner. Inside lobbying involves such activities as visiting policy-makers and their staffs, testifying before congressional committees, researching regulations and amendments, and (in the case of Congress) vote-counting and development of lobbying target lists.

Although lobbyists spend considerable time engaged in outside lobbying, the most intense ac-

# The Lobbyist!



**lob·by·ist** (lɒb'ē·ist)n. One employed to influence legislators to introduce or vote for measures favorable to the interest he represents.

### Strategies At The Committee Level

In Congress, the bulk of Congressional deliberations occur in committee and subcommittee. It has been estimated that, in fact, 90 percent of the work of Congress takes place in committee. It is at this level that legislation takes its basic form. It is also at this level that lobbyists have their greatest impact.

It is much easier for lobbyists to try to influence the one, two or sometimes three dozen members of a committee than it is to try to influence every member of the Senate or House. Lobbying at the committee level becomes even more intense when it is focused on the so-called "marginal votes"; i.e., those members who are undecided on a given bill or amendment at a given point in time.

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**"In recent years, lobbying has become big business with many organizations spending tens and hundreds of thousands of dollars."**

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Lobbyists will work hand in hand with Representatives and their staffs in developing strategies for successful action. These strategies are in part substantive, part procedural and part political. The substantive aspects involve "educating" committee members as to what the lobbyist's position is and providing the information which will support this position. At the same time procedural factors must be considered, for legislative rules of procedure can be utilized very strategically to delay or advance a cause. Finally, lobbyists must be concerned with the political implications of the issue. They must know what are the prevailing sentiments among Republicans and Democrats, as well as among business, consumer, environmental and other interest groups.

In order to be effective and to participate at each of these three levels of strategy, lobbyists must be informed and have open lines of communication to all involved groups and individuals. Moreover, the lobbyists must be sensitive to the various interests at stake in order to operate within the realm of the possible, as well as to be prepared for the trade-offs which may be necessary to be successful.

Lobbying is guaranteed under the First Amendment right of "petition for redress of grievances." In recent years, however, lobbying has become big business with many organizations spending tens and hundreds of thousands of dollars for purposes which go far beyond any reasonable concept of "petition." A 1976 *Christian Science Monitor* article estimated the expenditure for lobbying at \$1 billion a year. Most of the groups spending major funds to lobby are in the full-time business of heavily influencing, if not manipulating, our political processes in order to achieve their desired objectives.

Too often the activities and expenditures of such lobbyist groups occur outside the range of public scrutiny because of the ineffectiveness of current disclosure requirements. The first, current, and only general statute governing the activities of lobbyists is the Federal Regulation of Lobbying Act of 1946. The basic approach of the 1946 Act is one of exposure rather than prohibition. Senator Kennedy commented on the 1946 Act recently stating that the Federal regulation of lobbying law is based on the principle that "sunlight is the best disinfectant, that disclosure is the most suitable control over lobbying, and that lobbying laws should identify pressures, not restrict them."

In 1976 a new lobby reform bill was considered by the Congress. It did not pass, but prospects are favorable for passage in the next session. (See the next article, *The Need for Lobby Reform*—Ed.)

## THE NEED FOR LOBBY REFORM

### Congressman Tom Railsback

*Congressman Railsback (R-Illinois) was first elected to Congress in 1966, after four years in the Illinois House of Representatives. In the 94th Congress, he was a chief sponsor of a new bill to reform lobbying; however, this bill was defeated in the waning hours before adjournment. In the 95th Congress, he has re-introduced a new bill and, as a member of the House Judiciary Committee, he has played a major role in hearings on this and other proposals for lobby reform. He wrote this article especially for Perspectives.*

Government policy is not, and should not, be made in a vacuum. Efforts of individuals and groups to influence our government are an important part of the American system. Their views are known at every level of government—state, local and Federal—and range from agricultural, business and labor to ethnic, racial and religious.

I firmly believe that people not only have the constitutional right, but a very real duty as concerned citizens to contact public officials. As a legislator I have found the information lobbyists provide extremely valuable. Many times, I gain access to information which I would not otherwise have: how agricultural exports affect farmers in my district, the adverse problems price controls impose and whether a new consumer affairs office will actually help the average housewife. In fact, several of the bills I have introduced, such as those establishing a Youth Council and a Folk-life Center and even my lobby reform bill, are the direct result of lobbying efforts.

Unfortunately, the picture of a lobbyist is often that of a "sleazy, under-the-table operator." This description is grossly unfair to the vast majority of lobbyists who act in a professional and honest manner. However, unless the activities of all lobbyists are open to the public, the unsavory conduct of a few will condemn the reputation of all.

### **The Weaknesses of the 1946 Act**

The 1946 Act, our only existing lobby regulation law, is a sham. Its faults have been well-documented by various Congressional hearings and by a 1975 General Accounting Office report. The law only covers those whose "principal purpose" is lobbying. It fails to cover "grassroots lobbying" campaigns. It fails to cover lobbying of the executive branch agencies. Finally, it fails to provide adequate administrative and enforcement authority.

In my mind, there is no question that the current law is in need of revision. The difficulty in attempting any such reform, however, involves striking a proper balance between adequate accountability by those who seek to influence public policy and the safeguarding of our treasured constitutional freedoms. Further, Congress must be certain that no one group is unduly burdened by time-consuming and costly record-keeping and reporting requirements.

Last year, the House and Senate passed their own versions of a new lobby reform bill. Unfortunately, the two versions could not be reconciled before adjournment, and both bodies are now working on new approaches. The House Judiciary Subcommittee has just reported to the full Committee what is, in my opinion, a "watered down" version of last year's House bill. For example, lobbying organizations would not have to list their major financial contributors. I believe this is a mistake, because the public has a right to know who is providing substantial support to organizations influencing public policy. In the full Judiciary Committee, I will undoubtedly be offering an amendment to require disclosure of certain contributors. I will also offer other amendments to bring the subcommittee version closer to the bill (H.R. 5795) which Congressman Bob Kastenmeier and I sponsored along with approximately 60 other House Members.

Briefly stated, our bill requires filing and quarterly reports by organizations which:

- (1) make expenditures in excess of \$1,250 in any quarterly filing period to retain another person, to make a lobbying communication or solicitation or for the express purpose of preparing or drafting any such communication; or
- (2) employ (a) at least one individual who spends thirty or more hours in any quarterly filing period making lobbying communications or solicitations on behalf of the organization or its member or (b) at least two or more individuals, each of whom spends fifteen or more hours in any such period making lobbying communications or solicitations on behalf of the organization or its members.

Since the subcommittee finished its work in late July, I am hopeful the full Judiciary Committee will be able to report a bill by the end of the year. A new lobby reform bill needs to be enacted during this Congress. An effective, but fair and even-handed lobby disclosure law will assure that the doors to a previously closed and often secret part of the political process will be opened to the sunlight of citizen examination. The result will undoubtedly be a strengthening of our democracy and a restoration of public confidence in elected officials and those who seek to influence them.

# KNOW THE LOBBYISTS

Twelve organizations involved in lobbying are listed below with an accompanying description of their membership. Then six major issues of domestic and foreign policy are listed. Select the organization which favors and the one which opposes each issue; fill these names in on the chart. Space has also been left for your teachers to give you more issues on which you can work.

How do you find the answers? First, consider that all lobbyists represent the interests of their membership. Second, read your local newspapers and the national newsmagazines. Third, use reference books on lobbying organizations in your library. For example, the information on memberships was drawn from *The Washington Information Directory 1975-76* (Congressional Quarterly, Inc., Washington, D.C.) Fourth, you can write to the House or Senate committees which deal with that particular policy area (see the *Special Close Up Guide to Capitol Hill* in Chapter 3 for instructions).

AFL-CIO—largest labor union in the nation

American Medical Association—physicians

Consumer Federal of America—national, regional, state and local consumer groups

Atomic Industrial Forum—industrial firms, labor unions and other organizations interested in peaceful uses of nuclear energy

Coalition for a New Foreign and Military Policy—religious, labor, scientific, peace and generally liberal groups

National Rifle Association—hunters, gunsmiths and others interested in firearms.

National Association of Manufacturers—corporations and manufacturers

Committee for National Health Insurance—individual citizens, labor unions and other groups

North American Rockwell Corporation—manufacturer of aircraft and many weapons for defense contracts

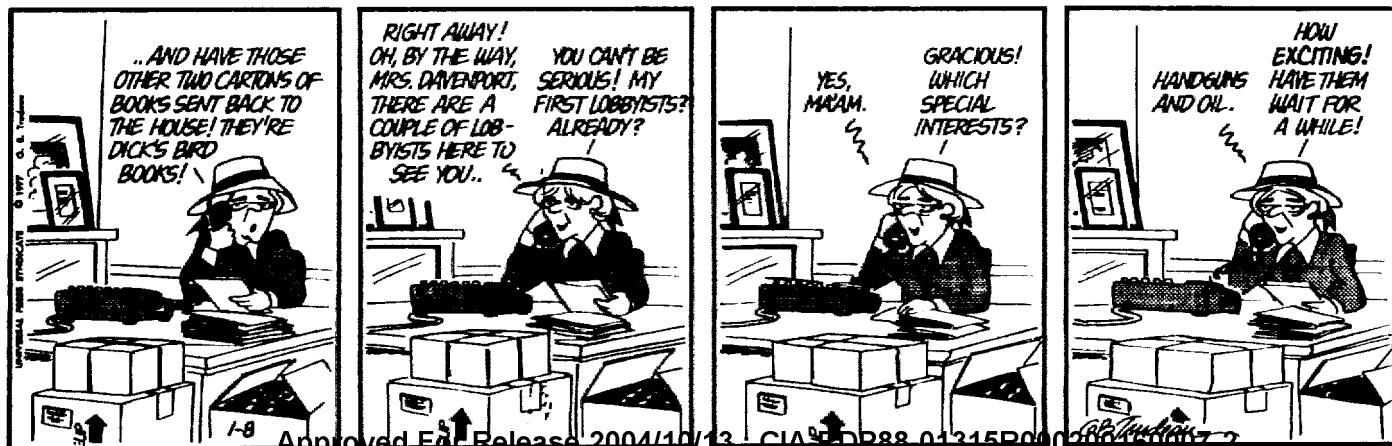
National Council to Control Handguns—citizens' group

Chamber of Commerce of the United States—businesses, trade associations and local chambers of commerce

Environmental Action—citizens' group concerned with safeguarding the environment

## DOONESBURY

by Garry Trudeau



<b>Issue</b>	<b>In Favor</b>	<b>Against</b>
Gun Control		
Increase the Minimum Wage		
Create Agency for Consumer Protection		
National Health Insurance		
Build More and More Nuclear Power Plants		
B-1 Bomber		

## **AN INTRODUCTION TO LOBBYING:**

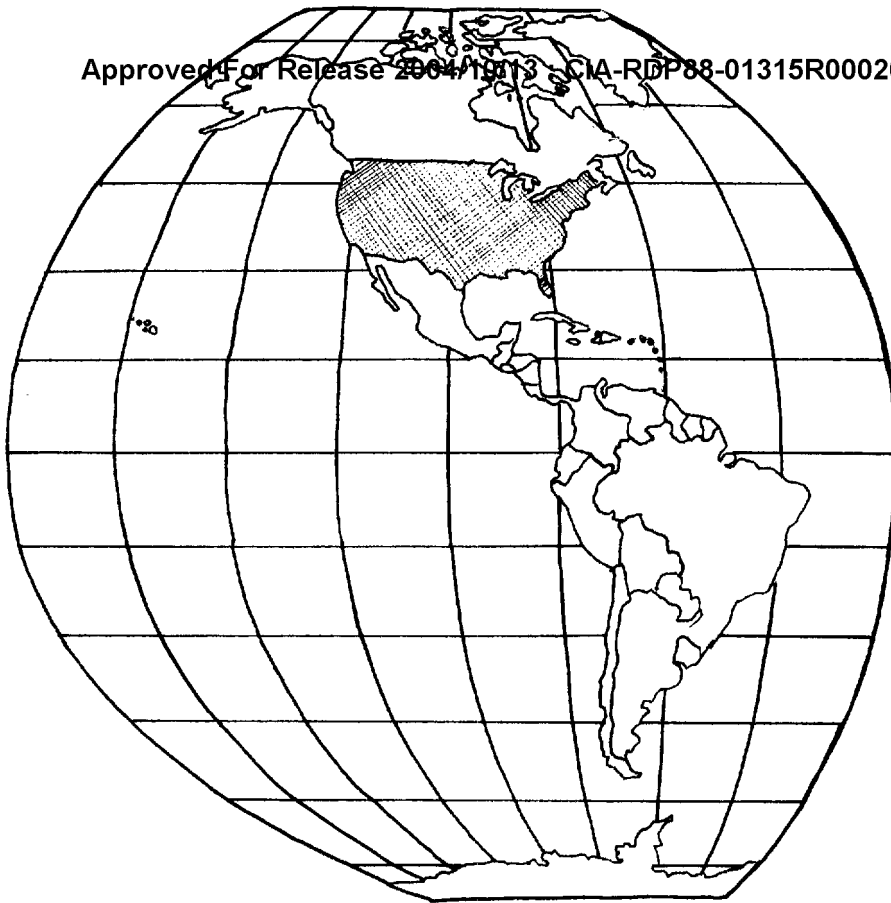
### **A Close Up Briefing**

Before the seminar on lobbying, one of your program instructors will conduct a short "Briefing" as an introduction to this subject. The purpose is to provide some background information which will help you participate in the seminar with your guest speaker. The briefing will cover many points raised in this chapter's articles, so it would be valuable for you to have read them beforehand. Here is a general outline of some of the subjects which may be discussed. Use these pages to take notes during both the briefing and the seminar.

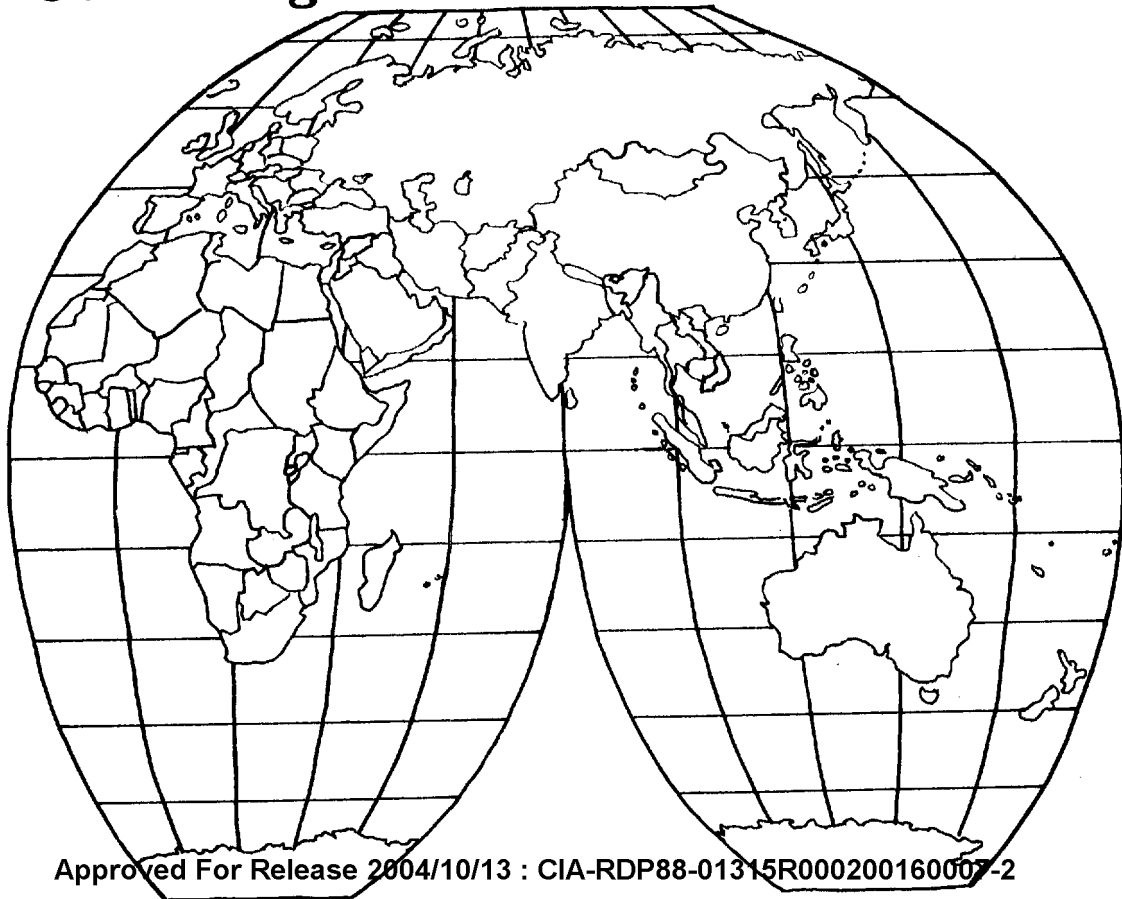
- What is lobbying?
- What are different classifications of lobbyists?
- What are the different methods of lobbying?

#### **NOTES (BRIEFING)**





**Section III.**  
**AMERICA IN THE WORLD:**  
**Coexisting With 150 Other Nations**





# 7. FOREIGN POLICY: Our National Interest and the Pursuit of Peace

*"We recognize and accept our own  
deep involvement in the destiny of  
men everywhere."*

*Dwight D. Eisenhower*

Ever since the War of Independence, we as a nation have recognized that "No man is an Island, Entire of it selfe. . ." Immediately after the signing of the Declaration of Independence, Benjamin Franklin was dispatched to France as the first American diplomat. His mission was successful, and French support was a crucial factor in the victory over the British. Even in those earliest days, foreign policy was of great importance to the nation.

In the 20th Century our own expanding interests, two World Wars, modern technology and the force of events in other countries have all caused an expansion of our global concerns. The United States is universally recognized as a world power, a position which carries great influence, yet also bestows serious responsibilities in an age in which the issues have grown increasingly complex. We have all been witnesses to the intense debate and bitter conflict within our nation over the priorities and objectives of our foreign policy. What should we do about the dangers of war in the Middle East, Southern Africa and other areas? What should our policy be towards those other world powers, the Soviet Union and China? What can we do about massive starvation in so many Third World nations? Furthermore, what should be the roles of the President, the Secretary of State, the Congress and the American public in the making of foreign policy?

These are only a few of the questions to be discussed. Since foreign policy is supposed to advance and defend something called "the national interest," this chapter's first article focuses precisely on this question—what *is* the national interest? In the *Point Counterpoint* article which follows, two authors debate a series of questions concerning U.S. relations with the Soviet Union. Moving from the question of relations between the two superpowers to a broader look at the international scene, U.S. Ambassador to the United Nations Andrew J. Young examines the problems of world development. Then, in an exclusive interview, Ambassador Neville Kanakarathne of the nation of Sri Lanka lets you hear and read how a Third World nation perceives some of the major international issues. Finally, the *Perspectives Panel* presents the ideas of two Senators, two Representatives, State and Defense Department officials, and others on *Future Directions for American Foreign Policy*. A thoughtful reading of this chapter will help you to better understand the world in which we live.

## CAN WE DEFINE THE "NATIONAL INTEREST"?

**Dr. Roger Leeds**

*Dr. Leeds was Associate Dean of the Johns Hopkins School for Advanced International Studies and is now working as an investment banker for Salomon Brothers in New York City. His article, written especially for Perspectives, deserves to be read very thoughtfully by all of us who may at times feel overwhelmed by the number and complexity of foreign policy issues.*

Observers of America's behavior in the international arena—whether they are concerned high school students or professional diplomats in the Department of State—are confronted with a mind-boggling array of complex issues to and food for developing countries), what policy Union really lead to a lessening of tensions between the two "Super Powers," or will Russia take advantage of U.S. concessions? How should the United States treat traditional allies in Western Europe, particularly as countries such as Italy inch closer to Communist dominated governments? Is the nation getting its money's worth when it spends almost \$300 billion of taxpayers' money for military hardware? Are we devoting sufficient attention to the awesome problems of poverty and hunger that keep many underdeveloped countries at a level of subhuman existence? What are the potential costs and benefits of supporting Israel in her perpetual struggle with Arab rivals?

In each case, United States policymakers are striving for answers to complex problems in an effort to contribute to what former Secretary of State Henry Kissinger referred to as "the structure of peace." In each case, regardless of how simple or complicated the problem, the policy maker begins by asking a fundamental question: given the issue at hand (e.g., detente with the Soviet Union, peace in the Middle East and food for developing countries), what policy will most effectively promote the U.S. national interest?

This seemingly simple question provides the one common denominator for all individuals concerned with foreign policy. Whether you are the Secretary of State, or a mid-level bureaucrat

in the Department of State, or a student learning about foreign policy, this question provides the point of departure for a meaningful analysis of any given issue in international affairs. **BUT WHAT IS THE NATIONAL INTEREST?**

On one level it may be defined in terms of protecting the physical survival of our national territory. For example, the placement of offensive nuclear missiles in Cuba by the Soviet Union in October, 1962, proved a potential threat to the survival of the United States. In this case, our international interests were threatened in the most fundamental way.

Or, policymakers can analyze a particular issue in terms of the economic national interest. Recently, for example, a debate took place in the United States concerning the wisdom of exporting large amounts of grain to the Soviet Union. On one side, American farmers were in favor of this trade with the Russians because of its favorable impact on their business. However, critics felt that this trade was driving up the price of grain in the United States. And still a third group felt that U.S. surpluses should be channeled to the poorer nations of the so-called Third World. Each group had a different perception of the national interest.

The national interest can also be assessed purely in terms of ethical considerations. How, for example, should the United States respond to widespread allegations of torture and other gross violations of human rights in countries such as Chile and Brazil? Although events in those countries will not dramatically affect economic or security interests at home, many critics claim that the United States has a moral obligation to take strong action against these countries. Others claim that the internal affairs of another country are not the proper concern of the United States; they claim that we should conduct business as usual. Whose perception of the national interest is correct?

Finally, as is often the case, the policymakers encounter problems in foreign policy that affect a combination of the nation's interests. For example, the United States currently is one of the largest sellers of conventional weapons to countries around the globe. In this case, there are economic considerations for the U.S. manufacturers, questions of morality for critics who claim that the U.S. is fanning the flames of conflict in foreign lands, and security considerations because those same arms could some day be aimed at American soldiers—in the Middle East, for example.

Thus, although the foreign affairs policy-maker must deal with a vast, complicated array of problems, he normally begins his analysis by asking the relatively simple question about what is in the national interest. Unfortunately, the question is usually open to many different interpretations and conclusive answers on which everyone can agree do not occur frequently.

For this reason, one does not have to be the

Secretary of State to have a strong opinion on how the U.S. should conduct itself in the international arena. Nor is it necessary to be a so-called foreign policy expert to analyze intelligently a particular issue in foreign affairs. Rather, by starting with a simple question about how a particular issue affects U.S. national interests, any concerned individual can participate in the ongoing foreign policy debate.

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**POINT COUNTERPOINT:  
THE UNITED STATES AND THE SOVIET UNION  
Carl Marcy—Committee on the Present Danger**

*Ever since the end of World War II, the central issue of American foreign policy has been relations with the Soviet Union. This nation of 250 million people, with a political and economic system based on Communism, has been our chief rival in the world and the major threat to our national security. From Presidents Truman through Carter and Soviet leaders Stalin through Brezhnev, American-Soviet relations have been an ever-changing mixture of competition, cooperation and conflict.*

*Here in the late 1970's it is important to gain a better understanding of U.S.-U.S.S.R. relations. The purpose of this Point Counterpoint article is to present you with two contrasting perspectives on this subject.*

**POINT: CARL MARCY**


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*Carl Marcy was formerly chief of staff for the Senate Foreign Relations Committee. Presently, he is co-director of the American Committee on East-West Accord, a non-partisan educational organization founded in July, 1974, "aimed at improving East-West relations, with special focus on U.S. - Soviet relations." Two co-chairmen of the Board of Directors are George F. Kennan, former Ambassador to the Soviet Union, and John Kenneth Galbraith, professor and former Ambassador to India. The views expressed in this article are those of Mr. Marcy.*

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**1) NATURE OF THE SOVIET THREAT:  
Is the Soviet Union still pursuing world domination? If so, how does this threaten the interests of the free world?**

Suppose the question were reversed to read, "Is the *United States* still pursuing world domination?" A Russian is likely to answer in the affirmative, just as an American is likely to answer with a strong YES when asked, "Is the *Soviet Union* still pursuing world domination?"

Emotionalism is so strong on the issue of U.S. - Soviet relations that one would think from reading the press that the U.S. and the Soviet Union were mortal enemies, having fought war after war. Not true. We have at one time or another been at war with most of our present great allies—Germany (twice), Japan, France, Great Britain—but not with Russia.

The trick is not to become a prisoner of emotion rather than fact, not to become locked into what George Kennan has described as the self-fulfilling prophecy. "History has proven," writes the former U.S. Ambassador to the Soviet Union and Pulitzer Prize recipient, "that the exaggeration of an adversary's negative attributes, including the evilness of his intentions and the strength he possesses. . . tends to promote the arrival of the very dangers it attempts to portray. We have serious enough problems in world affairs today without convincing ourselves of the existence of ones we don't really have." (From George F. Kennan, *The Cloud of Danger*, Boston: Little, Brown & Company, 1977, pp. 171-72.)

Clearly there are many Russians and Americans who attribute the most evil intentions to each other. Americans who believe the Soviet Union is out for world domination can "prove it" by citing figures on Soviet manpower, missiles, tanks and aircraft. They can quote Communist books calling for world revolution, point to Russian involvement in Southern Africa and with other leftist political leaders in the developing world. . . and, after all, Communist Castro is only ninety miles from Florida.

On the other hand, Russians who believe the U.S. seeks world domination can "prove it" by referring to a re-armed Germany which in World War II cost the Russians 20 million lives; by pointing to U.S. military bases around the world; by referring to the Korean and Vietnamese wars in which over 100,000 Americans died, but no Russians; by quoting U.S. Defense Department figures showing that the U.S. has 8500 strategic nuclear weapons against 4000 for the Soviet Union; by citing Soviet military needs to protect against Chinese military capabilities along the longest land frontier in the world; by pointing out that in addition to the U.S. supply of 8500 strategic nuclear weapons, the U.S. has 22,000 so-called "tactical" nuclear weapons based in Europe (7000), Asia (1700), with the U.S. Pacific Fleet (1500), and with the Atlantic Fleet (1000). (Tom Gervasi, *Harpers*, June, 1977.)

In short, the U.S. and the U.S.S.R. can threaten each other, and we have. We know we can destroy each other. Certainly there are few Americans, or Russians, who would subscribe to the remark of a former U.S. Senator who said that if a nuclear war occurred and there were only two people left, he wanted them to be Americans. World domination cannot be achieved by nuclear weapons, because what would be left would not be worth dominating.

The danger of Russian Communist power spreading abroad is not military in nature. Instead, it is to be found in any political and economic appeal of the Soviet society in contrast to the appeal of our democratic society and form of government. Fortunately, the U.S. is perceived in most of the world today as the nation with the form of government and economic system which offers the greatest good to the greatest number with the greatest freedom in the shortest period of time. Let us not lose that advantage.

Whoever heard of the flow of refugees from any nation toward the Soviet Union? There may be unreported people pounding at the Iron

Curtain to get in, but no one doubts there are many more trying to get out. As long as that condition exists, we need not fear world domination by the Soviet Union. Also, it is well to remember that the Soviet Union has not been particularly successful in trying to keep Eastern European and the Chinese Communist governments under close rein.

**2) DETENTE OR A SOVIET GRAND STRATEGY: From the perspective of the American national interest, what have been the principal achievements of detente? Or, do you see a "grand strategy" underlying the Soviet military buildup?**

"The word 'detente' simply refers to the policy of actively working to improve relations with the Soviet Union. The idea behind detente is essentially that, despite conflicting interests and a continuing adversary relationship, the overriding interest of both the United States and the Soviet Union is to agree on rules of the road for co-existence in order to avoid blowing each other—to say nothing of a good deal of the rest of the world—to smithereens." (Fred Warner Neal, Executive Vice President of the American Committee on East-West Accord.)

It would seem hard to find anyone who would disagree with this definition. There are, however, individuals who reject even the use of such a word—Presidential candidates Ford and Reagan, for example. Ironically, it was the conservatives in the Republican Party, President Nixon and Secretary of State Kissinger, who used the word to describe the new relationship between the U.S. and the Soviet Union.

Unfortunately, if one wishes to discuss issues in a rational manner, it is often necessary to avoid use of words which have acquired an emotional meaning, thereby destroying their usefulness. The phrase "peaceful coexistence" was captured by the Russians some years ago. Even the word "peace" seems now to be more a part of the Russian vocabulary than of the U.S.

There was a period when the French word *detente* seemed to mean the same thing to Russians as to Americans. Whether that is still the case is questionable. Detente is a process whose success or failure should be measured from the perspective of both the American AND Russian interest. If detente is a bust for the U.S., may it not also be a bust from the point of view of the Soviet Union? Must Americans believe that

Approved For Release 2004/10/13 : CIA-RDP88-01315R000200160007-2  
detente is good only if it serves a U.S. interest? Would not the Russians abandon the concept if it did not serve their interest?

The question is asked whether "there has been an actual reduction in the causes of tension between the two nations; why or why not?", as if detente were intended to dull awareness of differences between the U.S. and Soviet societies.

Anyone who follows press reports recognizes that there have been increased tensions between the U.S. and the Soviet Union during the past year. However, those tensions did not result from a policy of "detente", which has been a conscious effort to improve relations between the two countries. The tensions have developed because of events which are much like ships passing in the night. The Russians extend help to Angolan revolutionaries, the Americans talk tough on the cruise missile and human rights. The Russians threaten an American reporter, the U.S. steps up its broadcasts of the Voice of America.

Who is to blame? The answer is about as simple as answering the question of which comes first, the chicken or the egg. Certainly the answer is **not** to be found in exchanging charges and countercharges. The point is to rise above blame and guilt to move forward from there.

Detente is a word which needs to be preserved, not usurped by either the Russians or the Americans. Those in the U.S. who interpret "detente" to mean surrender to the Soviet Union make the false assumption that the Soviets "lack all the normal attributes of humanity and are motivated by nothing but the most blind and single-minded urge of destruction towards the peoples and substance of the United States and its allies." (Kennan, *op. cit.*)

There are elements within the Soviet society who make the same erroneous assumption about the United States.

The national security of both the U.S. and the Soviet Union is dependent upon new generations in each society able to surmount the hyperbole which too often characterizes the statements of the leadership in both nations.

**3) PEACE WITH SECURITY: Based on your analysis of the Soviet threat, prescribe a plan for American foreign policy. In particular, focus on the questions of defense spending and nuclear arms.**

"We will bury you," said former Soviet Premier Nikita Khrushchev when he visited the United States. Did he mean the Soviet Union

would bury the U.S. with weapons, or economically, or both?

It is my view that the present Soviet leaders believe, as did Khrushchev, that the Soviet economic and political system is the wave of the future and competition for the hearts and minds of men and women will be won by the Soviet Union. Thus the "Soviet threat" to American security comes not so much from the muzzle of a gun, but rather from whatever economic or political appeal the Soviet system may present to the world.

The U.S. can win this competition hands down. We know, and so does most of the world, that the American free enterprise system is the most effective instrument for production of goods and services which has been developed. We also know that a democratic form of government offers a means whereby individuals can live without oppression and develop as individuals, even though the system falters at moments. As Winston Churchill once remarked, a democratic government is the worst form of government, except for all others.

The threat to the United States, therefore, comes from the danger that we become so preoccupied with building a military machine that we lose sight of the fact that our strength and our security are in large part attributable to our form of government and economic system.

I do not want to be understood as advocating a U.S. foreign policy based on "pop gun security." What I do advocate is a policy in which security is not viewed as dependent exclusively on preeminent military strength and which recognizes the dangers of reliance on rigid military solutions to the exclusion of our other sources of strength.

American security is more likely to be assured by ending the arms race than by aggravating it. We are not a warlike people, and we must not be perceived as such. We must be viewed as a nation which puts peace ahead of military pursuits.

How does one go about promoting American security?

I subscribe to the proposition that the U.S. and the Soviet Union are involved in an arms race which has become a vicious circle based on the proposition that "more is better." The fact is, though, that "more is worse" for both societies. Both societies know that the world's resources are limited, yet we both continue to deplete our resources to produce weapons whose only purpose is

to frighten an enemy into some kind of surrender. If that doesn't work, then the weapons are to be used to destroy the very thing governments are created to save.

The first nation to recognize that its security rests more on giving priority to dealing with its internal problems and on promoting global development and human rights (without telling every society precisely how to do it), than on being Number One in military spending will, in my view, be on the best path to promote its security and peace.

Specifically, I would like to see the United States take the initiative in bringing the arms race under control. One step would be a one year 10% reduction in our military budget as a challenge for the Soviet Union to match. Others would be the suspension of all nuclear tests for a specific period of time, and the promotion of an agreement promising not to be the first to use nuclear weapons.

At the same time, the U.S. should take advantage of every opportunity to engage in trade, cultural and scientific exchanges with the Soviet Union. We certainly can't expect to make headway in arms control without trade and cultural exchanges, and we can't make headway in trade without some control of the arms race. Both are to our mutual advantage.

In short, the Russian leaders are not crazy enough to seriously contemplate nuclear war with the U.S. except in defense of themselves, nor are they perceptive enough to compete successfully with the U.S. in global politics or economics.

Secretary of State Rusk during the Cuban missile confrontation indicated he thought the U.S. was winning when he said the Russians had "just blinked." The survival and security of the U.S., the Soviet Union and the world depend on understandings more profound than those of the pistol-packing frontiersman.

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## COUNTERPOINT: COMMITTEE ON THE PRESENT DANGER

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*The Committee on the Present Danger is a non-partisan and non-profit organization which was established in November, 1976. It states its purpose as "to facilitate a national discussion of the foreign and national security policies of the United States." It has issued a declaration of principles and other policy statements. Members of its Board of Directors include former Secretary of State Dean Rusk, former CIA Director William Colby, and former Deputy Secretary of Defense Paul H. Nitze. This article was prepared by a staff member of the Committee.*

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### 1) NATURE OF THE SOVIET THREAT

**Is the Soviet Union still pursuing world domination? If so, how does this threaten the interests of the free world?**

The Soviet Union is radically different from our society; it is organized on different principles and driven by different motives. The most important reasons for these differences are based on its history and geography, its economic conditions and structure, and its political system and beliefs. Russia—whether Tsarist or Soviet—has been driven toward conquest or domination of neighboring lands. No empire in history has expanded so persistently as the Russian. The Soviet Union is the only great power to have emerged from World War II larger than it was in 1939.

Soviet difficulties are aggravated by the rigid control maintained by its ruling regime. Except for brief periods, Russia has been governed by small groups whose grip on power has been sustained by military force. After the Bolshevik Revolution of 1917, power became even more concentrated than under the Tsars.\* In the Soviet Union today, the ruling elite and their followers live comfortably, even luxuriously, while the

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\* **Editor's Note:** The Bolshevik Revolution of 1917 brought the Communist Party to power, under the leadership of Vladimir Ilyich Lenin. The Tsars (also spelled Czars) had been the hereditary rulers of Russia before the Revolution.

remaining 250 million citizens have few material advantages and are deprived of basic human liberties. Soviet leaders, as directed by the Politburo, exercise total control over the country's political institutions, economic resources and media with little regard for the wishes of the population. They pursue their goals in an organized manner and take advantage of every opportunity to enhance their power, changing their tactics to suit different circumstances.

The idea of a world in which nations founded on different political principles cooperate rather than oppose each other is not acceptable to Soviet psychology and doctrine. According to Soviet theory, "peaceful co-existence" is a deceptive strategy for waging international conflict with reduced risk in the era of nuclear weapons.

Due to its aggressive policies, the Soviet Union has been able to extend its political and military influence throughout the world: in Europe, in the Middle East and Africa, even in Latin America, and in all the seas. In recent years the Soviet drive for domination—based upon an unparalleled military buildup—has become the principal threat to our nation, to world peace and to the cause of human freedom.

The Soviet campaign, recently expanded in scope, seeks to inflame every problem that arises among the developed and underdeveloped countries. At the same time, the Soviet Union has been acquiring a network of naval and air bases in the Southern Hemisphere to give added support to its influence in the Middle East, the Indian Ocean, Africa and the South Atlantic. For more than a decade, it has been enlarging both its nuclear and non-nuclear conventional military forces more rapidly than the United States and its allies.

The rate of growth of Soviet military power cannot be explained or justified by claims of self-defense. This power is being built to support the drive for world domination by the Soviet bloc of nations. Soviet leaders believe that this will permit the Soviet Union to transform the conditions of world politics in its own favor. Increasing Soviet military strength threatens the political independence of our friends and allies, our fair access to raw materials and the freedom of the seas.

The interests of the free world can be threatened not only by direct attack but also by indirect aggression. The defense of the Middle East, for example, is vital to the defense of Western Europe and Japan. In the Middle East,

the Soviet Union opposes those fair agreements between Israel and her Arab neighbors which are necessary to establish peace in the area. In the same way, the United States and many other countries are threatened by a second round of Soviet-encouraged oil embargoes.

**2) DETENTE OR A SOVIET GRAND STRATEGY:** From the perspective of the American national interest, what have been the principal achievements of detente? Or, do you see a "grand strategy" underlying the Soviet military buildup?

Reaching the eventual Soviet goal—a Communist world order—requires the reduction of the power, influence and prestige of the United States, the country perceived by Soviet leaders as the central fortress of the enemy camp. They see their task as isolating America and destroying its relationship with the rest of the world. They are pursuing a "grand strategy" involving many different ways to reduce the ability of the United States to resist this aggression. Included in the Soviet arsenal are economic, diplomatic, political and ideological strategies supported by vast military strength. Soviet desires to increase trade with the Western world, to acquire the food and the industrial capacity which it desperately needs, or to participate in arms control negotiations, do not prevent it from conducting political and military campaigns against centers of non-Communist influence. Examples of this strategy are the long and persistent efforts of the Soviet Union to penetrate and dominate the Middle East and the present drive supported by allies such as Cuba to establish friendly governments in Africa.

Undoubtedly, the Soviet rulers would prefer to gain their objectives without another war, but they believe they can survive and win a war if it comes. Therefore, they are willing to act with greater confidence, despite risk of conflict, to reach their goals.

The primary objectives of Soviet "grand strategy" are:

1) Strengthening the Soviet economy to sustain the improvement in the country's military capacity. This can be aided by borrowing capital and importing the technical expertise of advanced capitalist nations. The need for foreign funds and know-how is an important factor in Soviet support of the policy of "detente." 2) Trying to

extend Soviet influence in Western Europe, thereby cutting it apart from the United States. The Soviet Union hopes to link Western Europe's economy with an expanding Soviet economy to increase the productive and technological capacity of the Soviet bloc of nations. With this in mind, Moscow supports current efforts by Western European Communist parties to adopt more flexible tactics, as has occurred in Chile and Portugal. Only in this way can the Communist parties have a chance of coming to power. If this occurs, it could be a fatal blow to the North Atlantic Treaty Organization (NATO), pave the way for Soviet domination of Western Europe and lead to removing the United States from any influence in Europe. 3) Destroying the trade contacts between Western nations and the developing countries of the Third World, so that their raw materials, labor and markets would no longer be available to the West. 4) Isolating China from the rest of the world because of Soviet fears of its potential as a military opponent. Although these goals call for the use of economic and political policies, the backbone of Soviet strategy is military power. The military build-up of the Soviet armed forces has not been restrained by the arms limitations agreements (the first round of Strategic Arms Limitation Talks) with the United States. As a matter of fact, the main effect of SALT I has been to restrain development of those weapons in which the United States enjoys a technological advantage.

Soviet strategy regards the possession of more and better strategic weapons as a definite military and political asset. The lavish Soviet civil defense program, as well as the strengthening of nuclear command and control posts against attack, indicate that the Soviet rulers seriously believe in the possibility of nuclear war and that, if it breaks out, they will be more likely to survive, to recover than we.

In recent years, the Soviet Union has been increasing its military expenditures at a rate of three percent. Experts disagree as to whether the Soviet Union is already ahead of the United States in military strength around the world or in specific areas. However, we are convinced, and there is widespread agreement among experts, that if past trends continue, the U.S.S.R. will within several years achieve strategic nuclear superiority over the United States. The U.S.S.R. already enjoys non-nuclear conventional superiority in several important areas.

Soviet Communist doctrine calls for



ambitious goals; Soviet actions prove that it continues persistently to pursue those goals. It may meet temporary delays because its resources are limited, and it is forced to deal with major internal and external difficulties. Nevertheless, it is driven by historical and ideological pressures toward a policy of expansion which, together with its enormous military strength, makes it a highly dangerous opponent. There is no evidence that past or present SALT talks, expanded trade and cultural exchanges, the international Helsinki agreement on human rights, or any of the other features of "detente" have weakened the Soviet drive for dominance.

**3) PEACE WITH SECURITY: Based on your analysis of the Soviet threat, prescribe a plan for American foreign policy. In particular, focus on the questions of defense spending and nuclear arms.**

The expansionist policy of the Soviet Union threatens to unbalance the world relationship of forces on which the survival of freedom depends. If we see the world as it really is, and if we restore our will, our strength and our self-confidence, we shall find resources and friends to effectively oppose the Soviet threat.

There is a crucial moral difference between the two superpowers in their character and objectives. The United States—imperfect as it is—is essential to the future of those countries which desire to develop their society in their own way, free of outside force.

There is still time for effective action to ensure security and prosperity through the peaceful policies and diplomatic efforts of our country and its allies. Only on that sound basis can we seek reliable conditions of peace with the Soviet Union rather than through a policy of detente based upon false hopes.

We must restore the strength of allied defenses in those areas vital to our interests. The goal of our strategic forces should be to prevent the use of, or the threat to use, nuclear weapons in world politics; that of our conventional forces, to prevent other forms of aggression directed against our interests. Without a stable balance of forces in the world and policies of collective defense based upon it, no other objective of our foreign policy is attainable.

Taking inflation into account, United States defense spending is lower than at any time in the

past 25 years. For the United States to be free, secure and influential, high levels of spending are now required for our land, sea and air forces, our nuclear defenses, and above all, the continuing modernization of those forces through research and development.

While supporting increased levels of spending, we should insist on the effective use of defense funds. We must also expect our allies to bear their fair share of the burden of defense.

Based on a foundation of strength, we can pursue a constructive and confident diplomacy with the many economic, military and social problems around the world. It is only on this basis that we can expect successfully to negotiate hard-headed and verifiable agreements to control and reduce armaments.

If we continue to drift, we shall become second best to the Soviet Union in overall military strength; our alliances will weaken; our growing friendship with China could be reversed. Then we could find ourselves alone in a hostile world, facing the powerful pressures of aggressive Soviet policies backed by overwhelming military strength. We would then face bitter choices between war and knuckling under.

On the other hand, if we meet the Soviet threat, we and the other democratic industrialized nations can cooperate with the developing Third World countries to create a just and progressive world economy. Under those circumstances, we would be better able to promote human rights and to help cope with the overwhelming problems of food, energy, population and the environment.

We live in an age in which there is no alternative to vigilance; indeed, it is essential to the pursuit of genuine detente and the achievement of prudent and verifiable arms control agreements which would realistically serve to reduce the danger of war.

Weakness invites aggression; strength deters it. Thus, American strength holds the key to our quest for peace and to our survival as a free society in a world friendly to our hopes and ideals.

**WORLD DEVELOPMENT  
AND U.S. FOREIGN POLICY:  
THE OPPORTUNITY  
BEFORE US  
U.N. Ambassador  
Andrew J. Young**

**The World in 1977: Facing Grave Perils**

*In 1972 Andrew Young was elected to the U.S. House of Representatives from Georgia's Fifth District, the first black elected to Congress from the "deep South" since Reconstruction. During the 1950's and 1960's he had been a leader of the civil rights movement and a chief aide to the late Dr. Martin Luther King, Jr. In December, 1976, President-elect Carter appointed him U.S. Ambassador to the United Nations. In this article he discusses the problems of development faced by so many nations in the world today. He also proposes changes in American foreign policy which will make us more of a world leader in meeting these problems. His article, written especially for Perspectives, helps you understand why relations with the Russians is not the only issue in foreign policy.*

Thirty years ago, Secretary of State George C. Marshall brought to the American people the challenge of what came to be known as the Marshall Plan. It was a bold but thoughtful response to meet a grave situation that was as serious a threat to freedom in the world as had been the just-defeated Axis.\* It was the danger of collapse of the recently liberated European countries and their possible domination by the ruthless Stalinist government of the Soviet Union. Europe was in ruins from the War, its economy was disorganized, its equipment and machines were worn out or outdated, its political systems were in chaos, and its people were left listless and leaderless by the War.

This year, in 1977, we are probably in as great a peril as the world was in 1947. Yet, if we can forge a foreign policy based on the same creative spirit of the Marshall Plan, this can also be a time of great opportunity for all nations and for the United States as a world leader.

Our grave situation today can be summarized under the following headings:

- A steadily escalating world *arms race* is building more and more weapons for destruction. The annual world military budget in 1976 is \$350 billion (1976), unprecedented in a time of relative world peace. This translates into an average of one dollar in six of all money spent by all the governments in the world, going towards military arms. This arms race is being led by the two super-powers, the U.S. and the Soviet Union. Rather than contribute to the world development process, the U.S. and the Soviet Union divert much of their resources to the arms race.

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**"There are as many as 400 million people (15% of the world's population) starving, and hundreds of millions more are malnourished."**

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- *Hunger and famine* affect most drastically and directly the greatest number of human beings. Because of unusually high harvests the past few years, the danger of immediate, widespread famine was lessened temporarily, but the long-range prospect is still very dim. There are as many as 400 million people (15% of the world's population) starving, and hundreds of millions more are malnourished. More and more people are simply not being integrated in useful ways into the spreading industrial and technological society. The gap between the poor and the rich in each nation continues to grow.

- *Human rights* continue to be repressed. Political opposition leaders are tortured, the press is censored, labor unions are outlawed, universities are muzzled and peasant movements are repressed. However, we can all take heart from the fact that during the past five years, four nations—Greece, Portugal, Spain and India—have restored democracies in their lands without bloody revolutions. In the same vein, we should gain hope from the new style of democracy that emphasizes social and economic rights perhaps more than civil and political rights as it has developed in the new nations of the world, such as Mozambique and Tanzania. But the problem is that unless there is more development, there will be more repressive regimes, as the social pressures build up to the bursting point, and bloody revolution becomes inevitable—and perhaps self-defeating.

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\*Editor's Note: "Axis" was the name given to the alliance of Germany, Italy and Japan during World War II.

• A *world energy crisis* could wreck the economic system of the industrialized nations within twenty years unless massive and serious remedies are started within the next five or ten years.

• The growing *gap between the rich and the poor nations*, the "developed" and the "developing" nations, may hold the most serious threat to world peace in the long term. This gap stems from the problems of development.

### **Development: Social, Political and Economic**

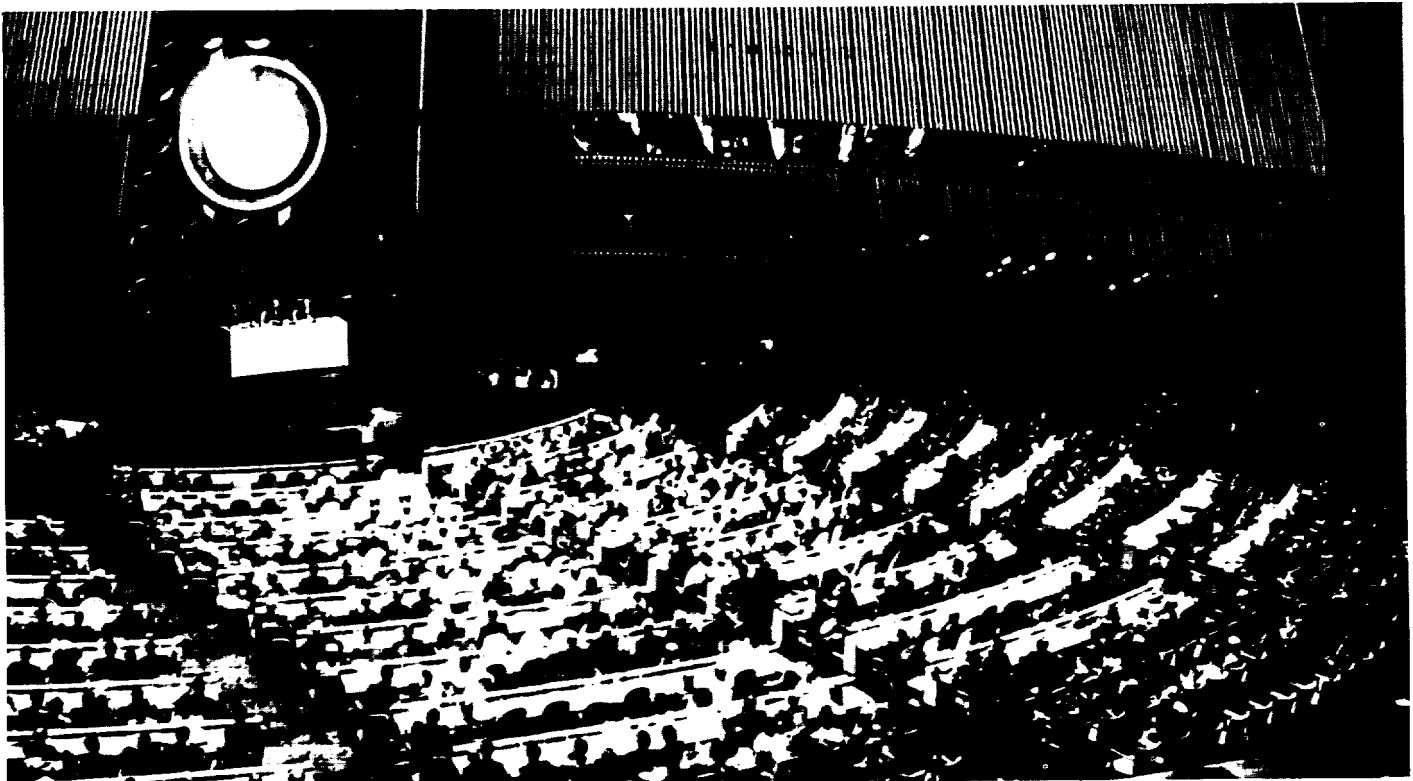
Increasingly, we are recognizing that "development" as applied to nations means about the same thing as it does when applied to people. When a person develops, it means that he or she is moving towards realization of his or her full potential as a person. We would not say that a fat person who is getting fatter is necessarily "developing"; at least we would not confuse the fat with development, though it certainly is a "growth" of some sort.

So development must mean more than

economic growth. How the growth is distributed must be taken into account. If the economic growth is concentrated in the hands of a few, there is no social development. The shine of steel from a new mill is quickly dulled if the workers or their brothers and sisters must live in fear, be it fear of political repression or fear of not being able to feed their children.

The problems of development are faced by nearly all of the nations of Latin America, Africa and Asia. What is needed is a dynamic development model that is flexible enough to include the many, many lessons learned over the past thirty years in the many different developing nations. No longer can we afford to try to export the development model of the United States of the last generation—too much has changed, and it keeps changing!

The new model of development must consider the special conditions of climate, geography, culture and human resources of the different nations. It must be developed from the best thinking of many nations. In 1947, the European nations met with the United States in



The United Nations and World Order

Photo courtesy of the State Department

Paris, and they drew up their own model for development under the Marshall Plan. We must not be afraid to let other nations say how they want to develop, as long as their goals are consistent with the goals of the United Nations Charter, which is the best expression of the common conscience of humankind.

Four principal elements must be included in any development model today. Firstly, there must be a new style of cooperation or partnership between the public and private sector. We must move beyond the distrust and sometimes open hostility that so often characterize relations between corporations and governments. The big corporations are in so many ways innovative and creative, and they are organized to produce and spread technology and ideas and to distribute goods and services—to meet the challenges of development.

**“If we attempt to be ‘ostriches’ and bury our heads in the sand or any other policies of isolationism, we shall be a part of the problem rather than the solution.”**

Secondly, there needs to be a realization that economic and political development must go hand in hand. One without the other is dangerous to both. Growth without development means growth without justice, and no society can ever afford to neglect its search for a more just society at any moment in its history. Any dynamic model of development must put as one of its top priorities the quest for social justice for all.

Thirdly, for development to be a reality in terms of the quality of life of the poor, their purchasing power must be expanded. Efforts to employ those who are now outside the money economy must be rewarded. Incentives must be given to those who will produce the basic necessities, and distribute them, to those who are lacking these now. There is a tremendous world market waiting to be developed.

Fourthly, there must be a massive investment in human resources. Lack of education is both the mother and child of poverty. Even after the losses of World War II, Western Europe had a trained labor force, high literacy rates, and many professionals. In the training and education of the poor lies part of the solution to widespread poverty.

Once the leadership of the United States realized how seriously Europe had been affected by World War II, it was decided that the American people must “be shocked into assuming leadership” (in the words of then Under-Secretary of State Will Clayton). This is also true today. If we attempt to be “ostriches” and bury our heads in the sand, or any other policies of isolationism, we shall be part of the problem rather than the solution.

This is a task for which I believe the American people to be ideally suited. We have the skills and we have the good will. We have the experience of our own New Deal, as well as the Peace Corps and ACTION of more recent years. Are we ready to enter into an international program of this sort? Are there still American youth ready to give several years of their lives so that the world might live and develop?

To me, this is perhaps the key: sharing of skills with the Third World—technical skills, teaching skills, social skills, organizational skills. Notice that I said, “sharing”. I think, as was the case of the Peace Corps, volunteers will learn as much as they teach—and we will enrich our own nation in the process.

### **Conclusion: World Development is the New Name of World Politics**

International politics has traditionally been defined as the struggle for the accommodation of interests among nations. But I believe that the world has become so interdependent that our national interests are inevitably and rapidly merging. We must build on the community of interests and values, or the world will destroy itself in chaos. So, rather than continuing to try only the way of compromising among conflicting interests, we need a whole new vision of what world politics is really about. **World politics, I say, is the struggle for world development.**

World development is in the interest of every person and every nation. It will help to preserve our scarce natural resources, protect and promote human rights and dignity, and strengthen freedom. These are compelling motives for building a world community.

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## FOREIGN RELATIONS: KNOW THE WORLD

*When the League of Nations was founded in 1920, there were 42 member nations. In 1977, the United Nations has 147 members. This chart will help you learn about some of these other countries with whom we share the Earth. For each country, fill in the name of the continent on which it is located. Then, select the letter or letters from the list below which best describe that country's relations with the United States. Consult the Glossary at the end of this chapter for any definitions you need. There are spaces at the bottom of the chart for you to add more countries.*

- A) Member of NATO
- B) Member of Warsaw Pact
- C) Non-aligned
- D) Receives American military or economic aid
- E) Trades with American businesses

COUNTRY	CONTINENT	RELATIONS WITH THE UNITED STATES
SOVIET UNION	EUROPE/ASIA	B, E
CHINA		
GREAT BRITAIN		
ITALY		
POLAND		
ISRAEL		
EGYPT		
IRAN		
BANGLA DESH		
VIETNAM		
ZAIRE		
SOUTH AFRICA		
ANGOLA		
MEXICO		
CHILE		
CUBA		
VENEZUELA		
AUSTRALIA		

**TABLE:  
AMERICAN FOREIGN AID  
(Economic Assistance)**

The United States gives two types of foreign aid: economic and military assistance. This table examines economic aid, and the one in Chapter 8 looks at military assistance. Foreign economic aid is given to poor developing nations, primarily to assist them in agriculture, health, education, technology and other problems of social and economic development. Aid is given either directly to a nation (called *bilateral aid*) or to an international organization which uses it for member nations (called *multilateral aid*).

**TOTAL: \$5.7 billion**

**103 nations**

Egypt	\$912 million
Israel	\$746 million
International Development Association (World Bank, International Monetary Fund)	\$375 million
Inter-American Development Bank	\$345 million
Pakistan	\$145 million
Indonesia	\$126 million
India	\$123 million
Portugal	\$115 million
Bangladesh	\$108 million
Syria	\$ 98 million

Source:

“U.S. Economic Assistance, Military Assistance and Credit Sales Programs Estimated for FY 1977” in report to the U.S. Congress, “Fiscal Year 1978: Summary”, March 1977, Agency for International Development.

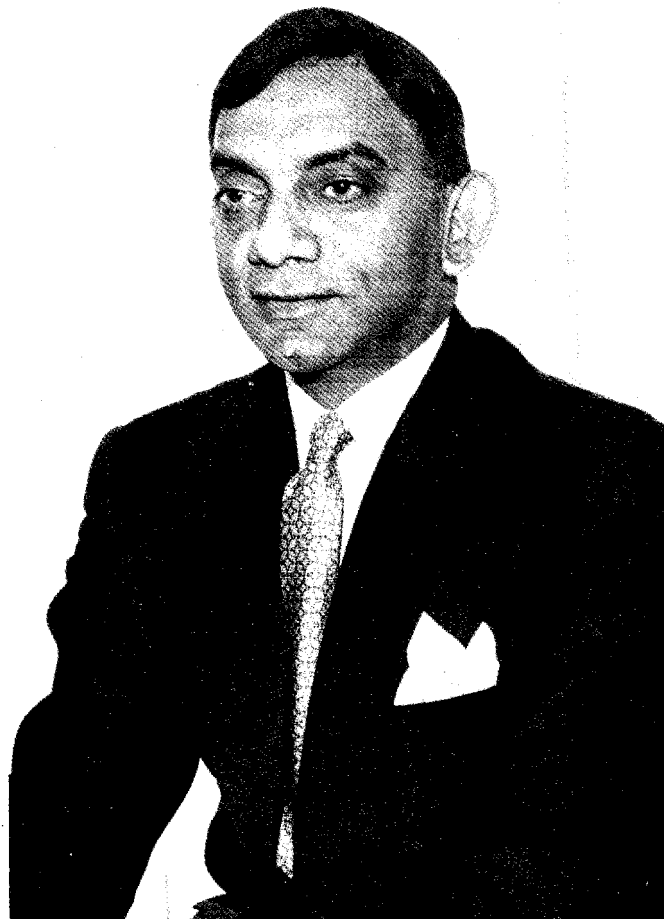
**“I hope that we shall not forget that we created this nation, not to serve ourselves but to serve mankind.”**

*Woodrow Wilson*

**PERSPECTIVE OF A  
THIRD WORLD NATION:  
An Interview With Ambassador  
Neville Kanakarathne of  
Sri Lanka**

*His Excellency Neville Kanakarathne has been Ambassador of Sri Lanka to the United States since 1970. Sri Lanka is an island nation of about 14 million people, located in the Indian Ocean. It became an independent nation in 1948, under its old colonial name of Ceylon, and in 1972 formally changed its name to Sri Lanka. Its government is headed by a president, prime minister and unicameral legislature. The majority of the population are Sinhalese; the principal religion is Buddhism. The economy is based on the export of tea, rubber and coconuts supplemented by some small manufacturing industries such as chemicals, ceramics and textiles.*

**Ambassador Neville Kanakarathne**



*This interview was conducted on June 17, 1977, in Ambassador Kanakarathne's office. The Close Up Foundation wishes to express its gratitude to the Ambassador for sharing his time and knowledge with our students. In the study of American government and especially of foreign policy, it is vital to be exposed to the views of the leaders of other nations, whose positions on the issues and whose national interests frequently differ from those of the United States Government.*

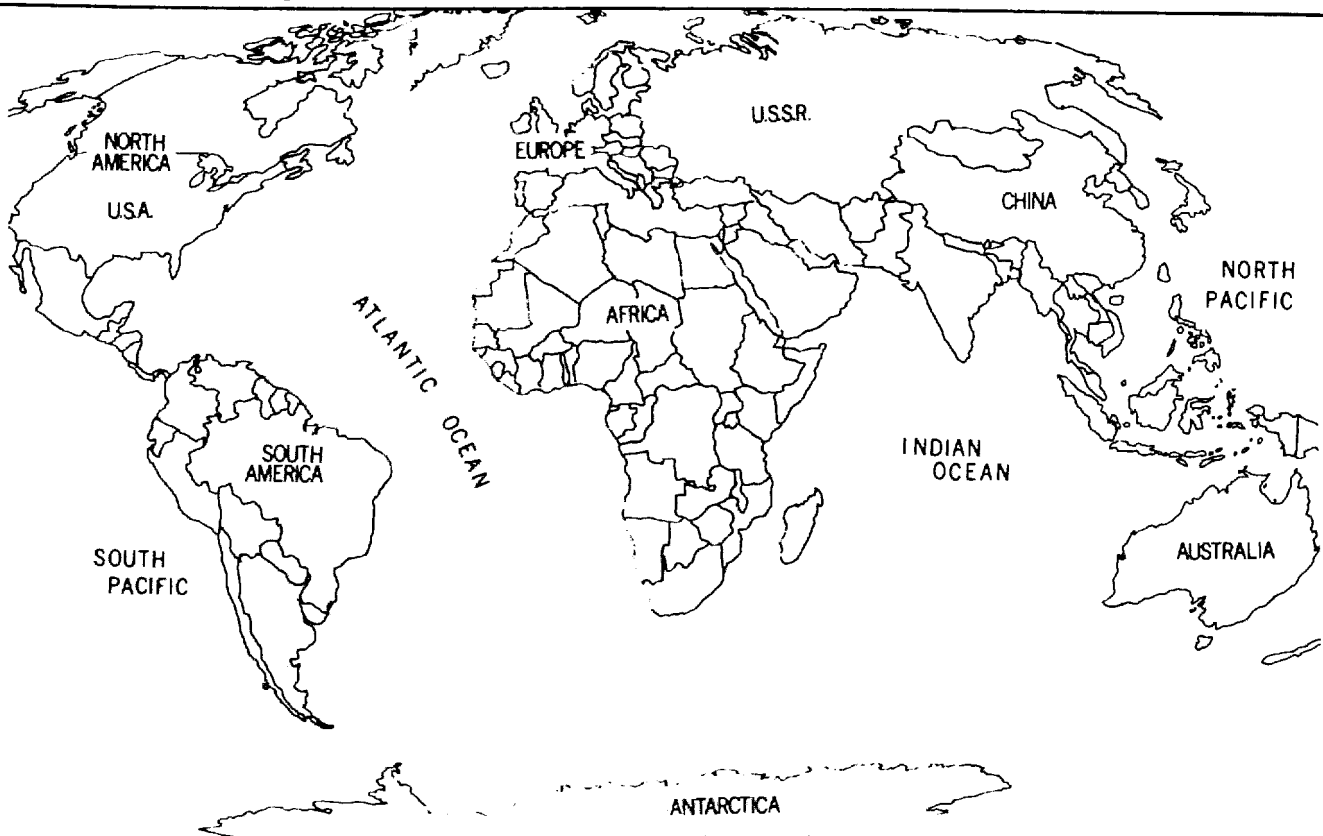
Because of this colonial heritage, we never were given the opportunity to learn how to process our own raw materials into manufactured goods. This was done by the so-called mother countries in Europe who took the raw materials over there and processed them with their own industrial technology. So we continued to be primarily agricultural, non-industrialized and technologically imperfect.

This common colonial heritage and its economic legacy have brought us together in the past twenty years. We are all suffering from the same economic problems. We all must import nearly all of the manufactured goods we need, including agricultural equipment. We are all dependent on raw materials for our income, and these are subject to changing world prices over which we have no control.

Of the 147 members of the United Nations, about 121 are regarded as economically underdeveloped, as Third World nations. You can see that common experiences and also common interests have linked us together. Now we are trying to use this commonality of interests to exert some degree of leverage on the rich countries of the world.

**Q—Close Up:** Ambassador Kanakarathne, you represent a nation which is considered part of the "Third World", a term which may be unfamiliar to many people. How do you define "Third World" and to what other nations does this refer?

**A—Ambassador Kanakarathne:** Third World is generally used to describe the group of nations who are not industrialized and are primarily agricultural and producers of raw materials. Geographically, they almost all happen to be situated in the southern hemisphere: Latin America, Asia and Africa. Historically, nearly all Third World nations were once colonies of some great European power—Britain, France, Netherlands, Belgium, Spain or Portugal.



**The Third World**

*What is the Third World? Which nations are "members"? Refer to the definition in this chapter's glossary and read what Ambassador Kanakarathne says on the subject. Then shade in the Third World nations on this map.*

**Q—Close Up:** Back in the 1950's most nations were perceived as either allies of the United States or of the Soviet Union. In more recent years, however, more and more nations define their foreign policies as "non-alignment." Could you explain what this term means, and what the difference is between a "Third World" nation and a "non-aligned" nation?

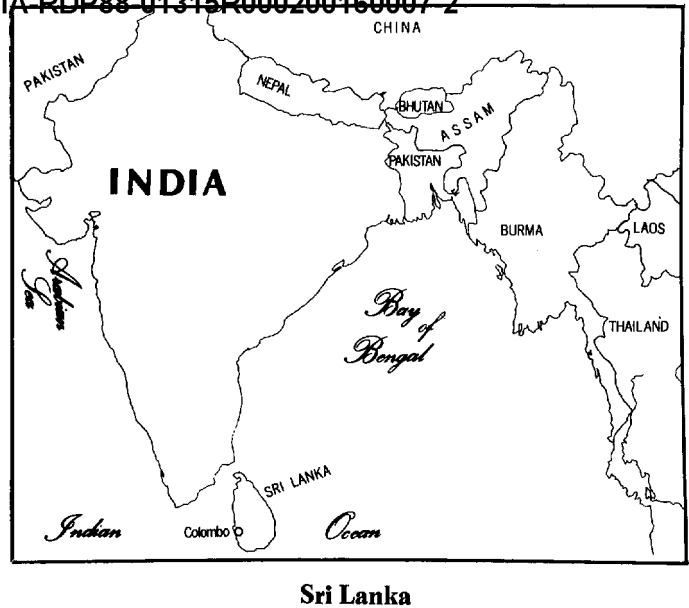
**A—Ambassador Kanakarathne:** Surely. *Whereas Third World is basically an economic grouping, non-aligned is political.* A non-aligned nation follows policies independent of any alliance or special military agreements with either the United States or the Soviet Union. While many Third World nations are also non-aligned, some are allied with one or the other of these powers and therefore are not members of the non-aligned bloc. Sri Lanka, India and many African nations who are non-aligned are members of the British Commonwealth, but this is not a military alliance. If Great Britain were to get involved in a war, that doesn't mean every Commonwealth nation has to be on her side, as it did when we were colonies.

Last August (1976) my country hosted the fifth Conference of Heads of State of the Non-Aligned Nations. There were 84 nations who participated. You can see that the political group, the non-aligned, is smaller than the economic group, the Third World, although the trend has been that more and more countries have ended their military links with the super powers because they find themselves getting dragged into other people's problems.

**Q—Close Up:** Wasn't there a declaration issued at last year's conference?

**A—Ambassador Kanakarathne:** Oh, yes, the "Colombo Declaration."\* It consists of about 27 resolutions divided into a political section and an economic section. A number of the political resolutions passed dealt with the situation in southern Africa—the apartheid policies of South Africa, independence for Namibia and the Rhodesian situation.

**Q—Close Up:** When I was in school we were taught to view the world as divided into the West—the United States, Western Europe and other fellow "democracies"—and the East—the Soviet Union and other Communist regimes. From what you've already said, I get the feeling



that you believe that this is no longer an accurate perspective. . .

**A—Ambassador Kanakarathne:** Yes, there is no doubt that the economic divisions which separate the rich nations of the North and the poor nations of the South are much more crucial than the differences in ideology or political systems. Two years before he retired as Secretary General of the United Nations, U Thant made a very interesting statement at a news conference. When asked about the future tensions in the world, he said that in his view the future problems would arise from a conflict of interests between the northern hemisphere—the rich, developed, industrialized nations—and the poor, agricultural and technologically underdeveloped nations of the southern hemisphere. He said this division would create more problems than the East/West peril.

**Q—Close Up:** In this context what is the meaning of the call for "a new international economic order," made by leaders of some Third World nations?

**A—Ambassador Kanakarathne:** I think the phrase you have used is unfortunate. When one says a new international economic order, it is presumed that one is talking about pulling down the entire structure and starting from scratch. But this is not the intention.

The intention is to bring up to date an economic system created two hundred years ago when the world was dominated by six or seven European maritime industrial nations. These

\*Editor's Note: Colombo is the capital of Sri Lanka.



leaders worked out international economic agreements around tables in Paris, London, Brussels or The Hague which didn't take our interests into account.

What we are agitating for is a restructuring, or a revision, of the existing system taking into consideration the needs and interests of all nations in the present day world. When we ask for a new international economic order, all we are stating is that like every human system—whether it is the Roman Catholic Church, the Communist Party, or the Constitution of the United States—it has to be amended from time to time.

Let me add that this has already begun to happen. The nations of OPEC proved that they could exercise some clout, because while they are not developed nations they control a raw material upon which the rest of the world is very dependent. Until the 1973 oil crisis, we were just complaining at the United Nations and other international agencies, pleading and arguing, but we lacked strength. We certainly did not have military strength, nor financial or economic clout either. . .we were like people flying around the tables of the rich and every so often a crumb would be thrown to keep us quiet. Then in 1973 there was a revolution. The oil countries got to-

gether, and maybe for their own political reasons, but suddenly the world awoke to the fact that the Third World controlled much of the world's wealth.

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**“It is a question of partnership, of interdependence. You are necessary for us, and we are necessary for you. It is in your interests to give us a fair share of the economic pie.”**

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**Q—Close Up:** So America really does need not only the oil producing nations but also other Third World nations for our economy, as much as you need us?

**A—Ambassador Kanakaratne:** That's correct. You see, the trouble with Americans is that your nation is so big and so powerful that the average American cannot imagine that America depends on the materials of other nations. Cobalt, manganese, bauxite, nickel, copper, tin, rubber—the United States imports supplies of all of these. In fact, the United States does more trade with the Third World than with all of Western Europe.



**Interdependence in a World Plagued by Hunger and Poverty** Photo courtesy of the State Department

It is a question of partnership, of interdependence. You are necessary for us and we are necessary for you. It is in your interests to give us a fair share of the economic pie. If our people improve their standard of living, it will also benefit you by making more markets available for your exports.

We want a situation where the United States Government will encourage freer trade. The difficulty here is that there are certain vested interests who place their special interests before the interests of the American nation and certainly the interests of the rest of the world.

**Q—Close Up:** From your perspective as an Ambassador and from the perspective of your nation and its interests, what are the prospects for a stable world order and even a lasting peace?

**A—Ambassador Kanakarathne:** Personally I don't see a danger of armed conflict in the sense of another world war. But that doesn't mean that the world will be either peaceful or stable. There will be many, many problems—some political and military, others economic conflicts.

It still is unclear what will happen in the Middle East. Israel has just elected a new government and there have been many pressures within the Arab nations.

We still don't know what is the future of southern Africa. My country has always advocated non-violent solutions, and both the American and British governments are trying their best to avoid a major racial confrontation. But I fear that too much time has been allowed to go by during which the white regimes of South Africa and Rhodesia have felt that they could continue to rely on Western support. Fortunately, President Carter, Vice President Mondale and Ambassador Young have made it clear that these regimes can no longer expect the U.S. to back them against any effort to bring majority rule to their countries. I don't know what will happen but I am not too optimistic. There will unfortunately be a lot of bloodshed.

In the economic field the world will continue to go through a very tough time. There is going to be a lot of muscle-flexing by the oil-producing countries and by other poor countries which produce other minerals. If the economic situation is not satisfactorily worked out, it will produce very serious political problems for our governments at home. When people are starving and unemployed, they're not just going to wait for the next generation. They will try to take the law into

their own hands. . . . If our governments fall to radical movements it won't be because Moscow or Peking was poking around. It would be because of lack of food, lack of jobs, and a lack of education.

**Q—Close Up:** So world peace and the internal stability of nations seem to be linked together through economic factors. Maybe we all need to more fully realize how important and how pervasive the interdependence of nations is. . . . My thanks, Mr. Ambassador, for having shared your thoughts on this subject with our students. I have greatly enjoyed our conversation and I know that it will be an important contribution to the global education of Close Up students. Thank you, sir.

**A—Ambassador Kanakarathne:** Thank you very much. As we all know, and as the charter of UNESCO states, "it is because wars begin in the minds of men that the seeds of peace must be sown in the minds of men. . . ." especially in the minds of the younger generation. Once they are made aware of world problems, they are intelligent and sensible enough to work towards solutions.

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**"It is because wars begin in the minds of men that the seeds of peace must be sown in the minds of men. . . ."**

**UNESCO Charter**

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## **PERSPECTIVES PANEL: FUTURE DIRECTIONS FOR AMERICAN FOREIGN POLICY?**

*In recent years there has been as much intense debate over both the ends and the means of our foreign policy as at any other time in our history. Old definitions no longer explain the world to us, old strategies no longer effectively cope with its challenges and crises. We are confronted by radically different global realities.*

*—In our search for a new consensus, what should be the guiding philosophy and goals of our foreign policy?*

*—What do you identify as the most crucial foreign policy issue(s) for the present and near future?*

**Senator Claiborne Pell (D-R.I.)  
Member of Senate Foreign Relations Committee**

Coming to grips with today's world requires that we view the world realistically. Lord Palmerston once said, "We have no eternal allies, we have no perpetual enemies. Our interests are eternal and perpetual and those interests it is our duty to follow." Our task today is not to determine whether the United States should remain involved in the world or withdraw, but rather to take stock of our interests—and the commitments that flow from them—in light of changed conditions.

To do so, we must shed the vocabulary of isolationism and internationalism. The all-or-nothing choice inherent in these concepts is increasingly unrealistic. As a result, I prefer the vocabulary of contraction and expansion—contracting those activities which respond largely to yesterday's challenges, and expanding those activities which are urgently required to meet today's challenges. Our resources are not unlimited, and we must ensure that in planning for the future, we direct our financial and intellectual assets where they are most needed.

Militarily, we are over-extended. The latest figures (1976) show that the U.S. has 481,000 military personnel at 305 major bases and 1,428 other installations in 34 foreign countries. We must also reduce confrontation and weapons competition with the USSR, and we should de-emphasize military assistance and arms sales.

Politically, just as we cannot be the world's policeman, nor can we always be the world's peacemaker. We should press for a more active U.S. role in peace negotiations. CIA covert activities should be limited to those few cases where our vital security interests are directly involved.

Economically, trade negotiations and the lowering of trade barriers deserve higher priority. This will be greatly assisted by a coherent export promotion policy, which we now lack. We also should give greater food aid to those in need. The international environment and oceans also deserve greater attention.

Ideologically, the U.S. should utilize the Helsinki Final Act to increase humanitarian cooperation and exchange of information/people with Eastern Europe. We should spend a great deal more on international exchanges.

**Mr. John Gillingan,  
Administrator, Agency for International  
Development (AID)**

Hunger—disease—illiteracy—unemployment. These inter-related problems comprise one of the great challenges facing the world in the next twenty years. They afflict the vast majority of people in the developing countries and are a goad to conscience, a deterrent to progress, and a threat to world peace for those who live in the more affluent nations.

For the past quarter-century, the United States, through its foreign economic assistance program, has sought to help the developing countries solve these problems. Today, more than ever before, we are concentrating most of our assistance on helping the poorest people of the world.

Under this "New Directions" policy, the United States is helping the poor nations improve food production, nutrition, health care, education and voluntary family planning.

To implement these efforts, AID employs modern technology, where appropriate, and person-to-person techniques to reach the poor. We help small farmers grow more food and help in providing better health care and education for their families. We also try to involve more women in the development process, and to help the poor countries find new sources of energy and conserve their environment.

A major aspect of our approach to development is also the belief that economic development can be achieved without sacrificing or ignoring human rights. The rights of all individuals to live in dignity—and in decency—is an attainable goal, and what is at stake is a better world for this and future generations.

**Congresswoman Millicent Fenwick (R-N.J.)**

No one, I think, seriously questions world peace as a continuing goal of U.S. foreign policy. A war between the great powers, armed with nuclear weapons, is unthinkable. The questions come when we consider the means toward this end.

Addressing the question about the philosophical basis for our foreign policy this is what I wrote in March, 1975, when *The New York Times* asked me to write an article about my inspection trip to South Vietnam and Cambodia:

"We must have a clear foreign policy, soundly based on public debate and consensus as to our responsibilities. With these firmly in hand, we should concentrate on a sincere concern for all people and sensible actions to express that concern."

There is really no other idea, or attitude, that has such wide support in long-standing American reactions to world events. The age of adventurism is over. Very few of us would cheer nowadays for events such as the Spanish-American War, or the landing of the Marines at Veracruz. The repercussions of the actions of major nations today are not easily calculated or controlled; public opinion in a free society, with a free press, is not easily directed.

The applications of the principle of sincere human concern would have to be studied in relation to each particular case. To take Angola as an example: should we have intervened with troops when the Soviet Union arranged to have Cuban troops sent there? I think not. An anti-colonialist war had turned into a fratricidal tribal war and, even if U.S. public opinion had been prepared to support the sending of an expeditionary force (which I don't think it was) the end result would have been counterproductive. To extend the duration of such a tribal war, with all the suffering it entails, would certainly not be humane. Neither would it have served any abiding national interest. Africa has repeatedly proved itself willing to accept foreign intervention for awhile—while it is useful—but in the long run the foreigners have been asked to leave.

Although human concerns are primary, practical concerns must follow. A good heart must be supported by sound common sense. We should send food to the starving, no matter what kind of government is sitting in the palace, because that is the right thing to do. But we should not hand the food over to a government which may sell it for profit or exchange it for guns (both have happened). We should give the food on the condition that it be distributed directly to the people by bona fide groups such as World Service, Catholic Relief, Lutheran Relief, CARE, etc. These groups were organized in Cambodia, for example, in such a way that members of the groups met the food at the airport and stayed with it until it got into the rice bowls of the starving right before their eyes.

Now, as to the two most crucial foreign policy issues—how does one choose two among them all: the Soviet Union, the Pacific, Korea, China, and Taiwan; India and Pakistan; the Middle East;

Africa, Southern Europe, South and Central America?



Photo courtesy of the State Department

Granted that all are important, I believe that the Middle East and the Americas are the most vital to us. In the first issue, we must be absolutely firm that Israel has the right to exist as an independent state within secure borders. This is important because we must support the principle of an orderly world. Israel's right to be an independent nation was established by the United Nations. We cannot stand by and watch naked force trample on small states without losing all the safeguards of a just and lawful world.

In the second issue—the Americas—we must make every move in the same spirit of seeking justice. This certainly does not mean that the United States should acquiesce in any arrangement because it fears trouble, or is anxious to appease ruffled feelings; but it does mean that because we are so conspicuously the biggest nation in the Western Hemisphere, we must avoid at all costs any action which suggests that we are trading on the fact. The bully is out of fashion at home and abroad. It is right to seek justice and stand up for it, and it is a glory and honor to a strong nation to submit to principles of justice and law.

To sum up—if our goal is peace, and it surely is, we must pursue justice, because without justice, there is no peace.

**Ray S. Cline, Director of Center for Strategic and International Studies and Former CIA Official**

American foreign policy must reflect our society's moral and political traditions but also has to take into account that many nations in the world around us have different values and goals. In promoting our safety and interests abroad, our policy should be founded on prudence and prac-

ticality. Unrealism—however high-minded—is a recipe for disaster.

The United States is the strongest and richest among the world's approximately 160 independent nations. It is also a leading model of representative government, human and minority rights, and freedom of political and economic choices for its individual citizens.

Only five percent of the world's four billion people live in the United States. Many nations are hostile to our ideals, envious or indifferent. The primary task of American foreign policy is to maintain a strong alliance system linking us to at least ten to twenty other strong, friendly countries with similar aims and interests.

We must guarantee our allies against all hostile encroachments, especially from powerful dictatorships like the Soviet Union and the Chinese People's Republic. These Communist nations' leaders plan gradually by force and intimidation to gain control of scarce economic resources around the world, particularly oil, on which our high standard of living is based. Our alliance system must protect the world sea lanes and air lanes along which economic commodities and mutual defense forces move. With strong allies the United States can preserve a global power balance that protects political freedoms, facilitates worldwide trade and investment, and insures nonviolent resolution of social and international conflicts.



Photo courtesy of the State Department

The Middle East: Another War?

**Congressman Dante Fascell (D-Fla.), Member of House International Relations Committee**

The 1973-74 oil crisis made Americans conscious of our increasing dependence on international developments. Since then, we have been importing an even higher percentage of our

energy, and thus we are more dependent on other nations now than before the oil embargo. A similar trend is true of other raw materials which we need from "Third World" and developing supplier nations.

Because of these and other factors, we know that previous foreign policy goals and the mechanisms for achieving them must be re-examined. We need to devote as much interest and effort toward sound international strategies as we do to domestic programs. We cannot succeed in one area without moving ahead in the other.

Above all, our foreign policy should be well-founded and clearly stated so that it can receive the sustained support from the American people that is necessary for long-term progress. This means that foreign policy must be based on established principles that enjoy a broad consensus in this country—individual freedom, the rule of law, and an economic order that fosters maximum opportunities for growth. These factors must be implemented by officials and perceived by the people in an honest, open and consistent manner.

Peace is the end product of successful foreign policy, not a stepping stone to another goal. Liberty, social justice and economic development are among conditions which permit political amity to exist. Therefore, we should encourage these values in our relations with other nations. Hopefully, the result will be reduced hostility and greater cooperation in meeting international needs in such areas as health, food supply and environmental pollution. Time is growing desperately short for putting aside the negative conflicts which are remnants of barbarous times, and getting on with the positive tasks we face in meeting the real needs of the world population.

**Dr. Brenda Forman, Policy Analyst,  
Office of Assistant Secretary of Defense for  
International Security Affairs**

I think our immediate future will be molded most decisively by one thing: resource scarcity. The world's population is expanding at a greater rate than ever in all of world history. Each one of these new persons, moreover, consumes a greater amount than ever in history of this planet's finite resources—energy, food grains and raw materials.

Our existing sources of energy are limited and dwindling, and thus far at least, no grand scientific breakthrough has liberated us from our traditional dependence on fossil fuels or solved

the difficult problems associated with nuclear energy. More and more of the world's people are altering their eating habits to eat more meat. It takes four or five times as much food grain to feed people on meat as it does if they consume the grains directly. Meanwhile, the industrial age is spreading to more and more areas of the world, heightening the material expectations of millions of the world's people and consuming historically unprecedented amounts of the planet's raw materials.

None of these trends is reversible to any significant extent. We cannot call a halt to technological and industrial advance; not only would we ourselves be most unwilling to do without the comforts it produces, but the advances it brings represent the chief hope for millions of the world's people to improve their lot. And even if we are able somehow, miraculously, to lower the entire world's birthrate, right now, the world's population in absolute numbers would continue to grow for many years more. In short, I see a difficult future in which more and more people are going to be wanting the world's material benefits, at a time when the world's total available resource pool is stretched in some areas at least (such as energy and food) very nearly to its limits.

If I am right, then this is a relatively "high risk" future. It contains a much higher potential for friction and conflict than we like to assume when we think about our future as a nation. It poses a world in which the United States is going to have to remain a strong world power, both politically and militarily. Our national interests are unlikely to contract—and by interests, I mean the ideals we stand for, as well as things like our overseas investments. The challenges to these interests, however, are very likely to grow. We would do well to be prepared.

Maybe I am wrong. Certainly, there are those who confidently maintain that technology will bail us out, producing yet more wonders that will make today's disturbing predictions into tomorrow's bad dreams. But I believe we cannot plan our future on the basis of a technological rabbit appearing on cue from the scientific hat.

**Senator Dick Clark (D—Iowa)  
Member of Senate Foreign Relations Committee**

The fact of change has brought about a necessary pause and reevaluation of American foreign policy goals, the means of attaining them, and the entire philosophical framework of our international conduct.

As a nation, we cannot abandon the welfare of our citizenry to unrealistically hopeful foreign policy objectives. National self-interest—including economic strength and the ability to pose a credible deterrent to potential adversaries—must have a high priority in our world outlook. But this is clearly not enough.

Our policies must also reflect the best of what Americans are—an elemental humanism and compassion for peoples and nations different from and less advantaged than our own, as well as a basic respect for the rights of the individual.

Five international issues stand out as demanding our most urgent attention: the proliferation of nuclear weapons technology; stability and order within the international economic system, as well as a rational and compassionate approach to critical North-South issues; stable reductions of strategic arms between the U.S. and the USSR; resolution of the Middle East conflict and resolution of the southern African situation.

**Dr. Robert J. Pranger,  
Director of Foreign and Defense Policy Studies,  
American Enterprise Institute**

In the immediate aftermath of Vietnam it became somewhat fashionable to speak about declining American power and diminishing public will to keep the United States as active in world affairs as it was in the cold war years after World War II. Evidence now exists, however, that some observers may have spoken too soon about these matters: analysis of informed public opinion now indicates that there is still substantial support for a strong, principled American foreign policy that rests on our traditional values of world peace and national freedom. Debate will persist over just what kind of peace and what definition of freedom is most appropriate for international action by the United States, because I doubt that the same kind of crusading consensus that bound America together during the cold war years will exist in the future.

One new direction that foreign policy will take, therefore, is to find basic areas of agreement among Americans about specific international programs, while at the same time recognizing that foreign and defense policy will be subject to the same kind of on-going debate that is typical of other policies of the national government. Sacred cows will be fewer in the so-called national security area, and this means that goals will have to be made more articulate for an increasingly sophisticated audience. But I don't think this will

indicate any lessening of American commitment to strong international action. On the contrary, more public participation in the life-and-death issues of foreign policy may actually improve this policy by keeping it consistent with traditional values.

waste of our taxes and resources, at worst to unbelievable devastation. If, on the other hand, the problems are identified as the spread of nuclear weapons, the superpower arms race, shortages of food and natural resources, population pressures and pollution of the oceans, then the response should logically move in a different direction. These problems do not stop at borders. They cannot be solved by the use of military force. (In fact, military force becomes less relevant in this kind of world.) They require new forms of international cooperation.

U.S. foreign policy should be based on a hard-headed understanding of the need for cooperation on a tiny and dangerous planet, with priority given to reversing the arms race and halting the spread of nuclear weapons.

**Mr. Sanford Gottlieb, Director,  
Citizens' Organization for a Sane World (SANE)**

In seeking new guidelines for foreign policy, much depends on how the problems are identified. If the main problem is identified as the Soviet military threat, then the response is likely to be a continuing, costly and dangerous arms competition between the superpowers. In an age of mutual overkill, that path leads at best to the

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## REFLECTIONS

*The authors in this Perspectives Panel have presented you with a wide range of viewpoints on many issues. In the space provided fill in the names of those authors who would agree with the various statements. As you do this think about whether YOU agree or disagree and indicate this by "YES" or "NO."*

1. A strong alliance system is central to our national security.

\_\_\_\_\_

2. We should give food aid to all needy nations, regardless of the form of government which rules.

\_\_\_\_\_

3. Containing the Communist threat is still the major concern of our foreign policy.

\_\_\_\_\_

4. Resource scarcity, food shortages and population growth are the most important issues. In particular, whoever controls the world's oil resources will exercise a great deal of power.

\_\_\_\_\_

5. A successful foreign policy must be based on established American values such as human rights and social justice.

\_\_\_\_\_

6. We need to redefine our commitments and priorities in foreign affairs without becoming isolationist.

\_\_\_\_\_

## GLOSSARY: Foreign Policy

**Alliance**—formal treaty between two or more nations in which they pledge mutual military, economic and/or political support.

**Detente**—literally, “the relaxation of tensions.” Characterizes relations between the U.S. and the Soviet Union in recent years in which both nations have attempted to move away from the confrontation of the Cold War and towards cooperation. Various aspects include increased trade, cultural and educational exchanges, cooperative space exploration (Apollo-Soyuz missions), SALT negotiations and the Helsinki accords.

**Embassy**—the official diplomatic mission of one nation in the capital city of another, headed by the Ambassador. Over 140 nations maintain embassies in Washington, D.C. The United States has embassies in London, Moscow, Mexico City, Tokyo, Nairobi and over 100 other capitals around the world. The Ambassadors are nominated by the President and must be approved by the Senate. Their responsibilities include the administration of political, economic and cultural relations between the nations, as well as representing the American government at official and social functions.

**Executive Agreement**—agreement between the chief executives (Presidents, Prime Ministers, Premiers, Kings) of two nations on a particular matter. Differs from a treaty in that it is law without having to be ratified by the Senate.

**Foreign Policy**—a nation’s course of action towards the other nations in the world.

**Interdependence**—applied to international relations, means the mutual and inescapable dependence of all nations—big and small, rich and poor—on each other.

**Isolationism**—attempt to withdraw from international affairs, to isolate yourself or your nation from world problems. Contrasted with **internationalism**.

**Multinational Corporation**—corporation which has expanded beyond its home country base and has direct investment in other nations. Has a “global perspective,” in that its management makes its decisions based on alternatives available anywhere in the world. Examples are the major oil companies, IT&T, General Motors, United Fruit and Anaconda Copper.

**Nonaligned Nation**—refers to those nations who claim to follow neither strictly pro-U.S. nor pro-U.S.S.R. policies; similar to “netural.” Many Third World nations are nonaligned; 84 attended the fifth Conference of the Nonaligned Nations in August, 1976, in Sri Lanka.

**Organization of American States (OAS)**—established in 1948 as an alliance of the nations of the Western Hemisphere. Presently has 25 members; Cuba was suspended in 1962. Purpose of OAS is to promote cooperation and preserve the peace in this hemisphere.

**Third World**—the poor, economically underdeveloped nations of Asia, Africa and Latin America. “Fourth World” refers to the least developed and most poverty-stricken of these nations, such as Bangladesh.



# **AN INTRODUCTION TO FOREIGN POLICY:**

## **A Close Up Briefing**

Before the seminar on foreign policy, one of your program instructors will conduct a short "Briefing" as an introduction to this subject. The purpose is to provide some background information which will help you participate in the seminar with your guest speaker. Refer to the Glossary and to the general outline which follows for some of the subjects which may be discussed. Use these pages to take notes during both the briefing and the seminar.

- In the formulation of foreign policy, what are the roles of: the President, his advisers, the State Department, the Defense Department, the Central Intelligence Agency and the Congress?
- What are some of the groups which influence the making of foreign policy?
- What are the major issues of American foreign policy today?

### **NOTES (BRIEFING)**



## 8. DEFENSE POLICY: “To Provide for the Common Defense”

*“World peace like community peace, does not require that each man love his neighbor—it requires only that they live together with mutual tolerance, submitting their disputes to a just and peaceful settlement.”*

*John F. Kennedy*

There is only one principle which has been common to all forms of government throughout the history of the world. Tribal organizations, monarchies, dictatorships and democracies have all had the function of “providing for the common defense.”

For the newly independent United States, war was a living and continuing reality, and a national defense was crucial to its survival. The Constitution designated the President as Commander-in-Chief of the armed forces and vested the powers to create a standing army and navy in the Congress. Yet it would have been extremely difficult for them to have envisioned the problems of supersonic bombers, chemical warfare, overseas troops, nuclear weapons and cost overruns.

As in so many other aspects of our government, the constitutional principles have remained the same while the problems to which they apply have grown more complex. No one has ever disputed the need for a strong defense, but many will and do heatedly debate the definition of what is a strong defense.

“Providing for a common defense” is now a major industry, a source of employment for millions of civilians. American troops are stationed around the globe, as “providing for the common defense” has become intermeshed with the defense of our Asian, European and other allies. Finally, the development of nuclear arms has raised the spectre of possibly destroying the world in the process of “providing for the common defense.” Lieutenant Colonel H. A. Staley and Major Rob Purdie have written an article which provides an important overview of the “what, why and how” of American defense policy. This is followed by a detailed discussion of nuclear arms policy by Thomas Halsted, who answers many of your questions about this complex and controversial subject. This chapter also features a diagram illustrating the general structure of the Department of Defense and a series of tables which provide some interesting facts on how our government and its armed forces “provide for the common defense” here in the late 1970’s.

# AMERICAN MILITARY AROUND THE WORLD

**Army (Number of Troops)**

Europe	198,400	
West Germany		189,000
West Berlin		4,400
Turkey		1,200
Italy		3,000
Greece		800

South Korea 30,000

## Air Force (Number of Troops)

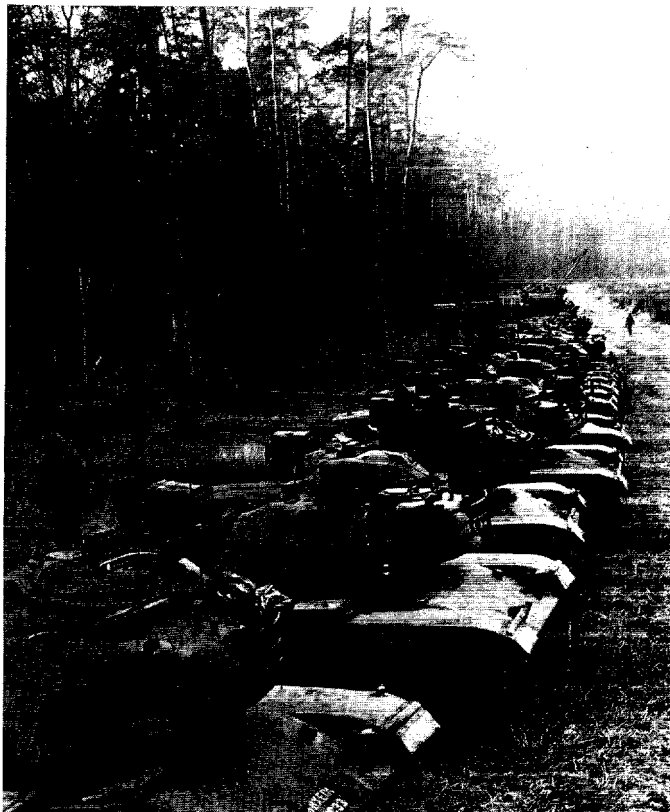
Europe	73,000	
West Germany		Turkey
Spain		Great Britain
Italy		Greece
	(exact figures unavailable)	

Pacific	50,000	
Japan		Taiwan
Okinawa		Philippines
South Korea		
	(exact figures unavailable)	



## Navy

Atlantic	5 carriers, 68 surface combatants (Second Fleet)
Mediterranean	2 carriers, 16 surface combatants (Sixth Fleet)
Eastern Pacific	4 carriers, 59 surface combatants (Third Fleet)
Western Pacific	2 carriers, 18 surface combatants (Seventh Fleet) (plus one Marine battalion landing team)
Persian Gulf	1 command ship, 2 surface combatants



Photos Courtesy of the Department of Defense

Source:  
*Military Balance, 1976-77*  
International Institute for  
Strategic Studies, London,  
England

# AMERICAN DEFENSE POLICY: WHAT, WHY AND HOW?

## Lt. Colonel H. A. Staley and Major Rob Purdie

*Lt. Colonel Staley and Major Purdie are faculty members of the Air Command and Staff College at Maxwell Air Force Base, Alabama. Both hold Master's degrees in political science. Lt. Colonel Staley is also the author of *Tongue and Quill: Communicating to Manage in Tomorrow's Air Force*. Major Purdie is a lieutenant colonel selectee and pilot of the world's largest aircraft, the C-5. Their article is a highly informative explanation of this complex subject of defense policy.*

### What is Defense Policy?

You might be surprised how close you could come to guessing what defense policy is, why we have such a thing, and how we use it. It's really not as complicated as many people think.

The dictionary defines "policy" as "any plan or course of action adopted by a government. . . designed to influence and determine decisions, actions and other matters." You already know that the word "defense" means to "protect" something. United States defense policy, then, is the **general plan of action our government uses to maintain our security as a free nation**. American defense policy is an important part of a larger plan called U.S. foreign policy.

Defense policy could also be described as a collection of **ideas** or **guidelines**. Defense Secretary Harold Brown has said that the spread of sophisticated nuclear and nonnuclear weapons technology has three major implications for U.S. defense policy and programs. First, our defense planning should encourage prospects for reasonable arms control agreements. Second, we should maintain a strong nuclear capability while also placing emphasis on nonnuclear forces. Third, defense planning should stress the importance of nuclear and nonnuclear forces in preventing war.<sup>1</sup> In broad terms, these are the defense policy guidelines of the Carter Administration.

These guidelines represent this administration's approach to achieving a broad set of long range objectives known as national security goals. At the present time our goals are:

- to protect the U.S. from attack or enemy pressure.
- to assure our ability to buy and sell freely in world markets.
- to contribute to a world environment that allows democratic values and institutions to survive and prosper.<sup>2</sup>

To achieve these long-term national security goals it is necessary to develop more specific shorter term goals. These are called national security policy goals. In 1975, former Secretary of State Henry Kissinger listed six national security policy goals; they remain basically unchanged today:

- Maintain national strength and purpose.
- Revitalize bonds with allies.
- Reduce perils of nuclear war.
- Build rational relationships with potential enemies.
- Help settle regional conflicts.
- Help solve crucial economic issues.<sup>3</sup>

Are you beginning to understand the "what" and "why" of defense policy? Those two questions are difficult to separate.

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**"To be prepared for war is one of the most effective means of preserving peace."**

*George Washington*

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Are you beginning to understand the "what" and "why" of defense policy? Those two questions are difficult to separate. Defense policy is a general plan to keep our nation secure. It should be obvious that if we had no goals or plan we would be like a football team without a play book—we would lose every game.

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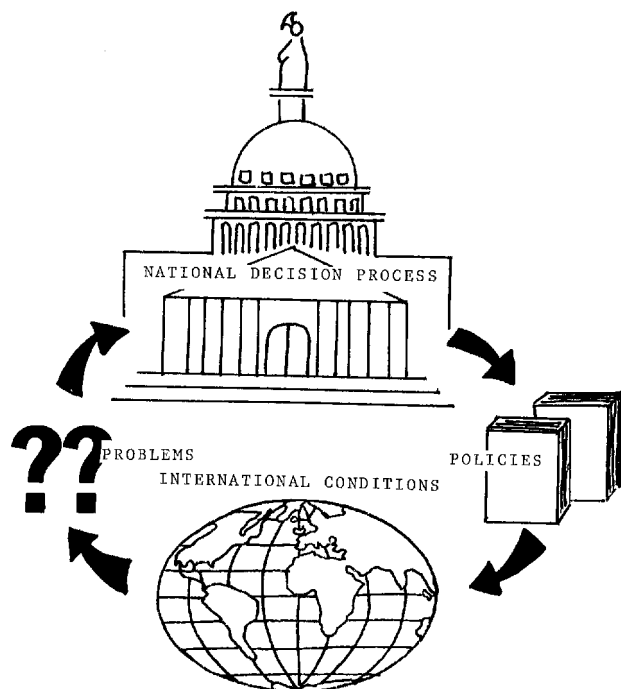
#### \*Authors' Notes:

1. Statement by Harold Brown, Secretary of Defense, February 22, 1977, *Survival* (May-June 1977), p. 121.

2. Testimony of Amos A. Jordan, then Principal Assistant Secretary of Defense, International Security Affairs, to Committee on Armed Services, U.S. House of Representatives, December 9, 1975 (H.A.S.C. No. 94-32), p. 141.

3. Henry A. Kissinger, Statement to House Committee on International Relations, November 1975.

We've saved the hardest question for last: "How is defense policy really made and used?" It's also the most interesting question because the answer often involves us personally. Defense policy is made through a process that can be illustrated like this:<sup>4</sup>



If we start with international conditions, or more specifically, a change in these conditions, we find that new problems are constantly being generated. Let's take as an example a major increase in the price of oil. The problems created by such an action would be considered in depth by the President, his advisors, and the Congress. The decision or decisions concerning the problems would then be translated into policy. In our example, the decision might be to restrict arms shipments and manufactured goods to the countries that raised their oil prices, or simply to apply diplomatic pressure. Any such decisions would require minor to major changes in policy. The changes would affect international conditions; although the original problem may be solved new problems are bound to be created. The complex and changing nature of the international system insures that this process will never stagnate.

**Authors' Note:**

4. Lt. Colonel Conrad C. Gonzales, Chief, Military Environment Division, Air Command and Staff College, Maxwell AFB, Alabama.

You'll recall that our defense policy is a "plan" to guide government leaders. In many ways it is like a carpenter's blueprint, and we all know a carpenter needs tools. So too does our government need "tools" to carry out policy; these tools are called instruments of national power. America's three basic "tools" or instruments are:

- The political instrument.
- The economic instrument.
- The military instrument.

These instruments are used to project power; that is, to influence other nations to undertake or avoid certain courses of action. To understand these instruments, it helps to consider them separately, although in practice they are seldom used alone. The political instrument encompasses diplomatic pressure, treaties, executive agreements, and a host of other actions, activities and agreements. The economic instrument includes tariffs, embargoes, special trading privileges, monetary policies and various other forms of pressure. Finally, the military instrument (the armed forces) is used to deter or encourage actions through its existence or when it is determined to be in the national interest to apply force.

Focusing on the military instrument more specifically, see that it is embodied in civil authorities of the Department of Defense (DOD), the senior military officers in the Joint Chiefs of Staff (JCS), and the armed services. The head of DOD, the Secretary of Defense, is the President's principal civilian advisor for defense matters and is immediately beneath him in the line of authority to the military. This is consistent with the American tradition of civilian control of the armed forces. The JCS acts as the principal military advisory body to the President and Secretary of Defense. Each member of the JCS, with the exception of the chairman, is also the military head of his respective service branch. The chairman's position is rotated among the various services. In addition, each service is represented by a civilian secretary appointed by the President.

Naturally, defense policy is implemented through the armed forces in many ways short of actual war. For example, troops stationed overseas or naval fleets in the Mediterranean do far more than stand by waiting for war. The power represented by these forces helps convince potential enemies not to start a fight! These forces

also demonstrate to our allies our promise and determination to preserve order or protect our interests. Paradoxically, the most successful defense policy may well be one in which the armed forces never fight. Our soldiers, sailors, marines and airmen are really "doing their best" when they are not fighting because their extensive training, advanced weapons and high morale influence potential enemies to keep the peace.

If members of your family have ever served in one of our military services or worked for the U.S. government, they have been personally involved with American defense policy. You may decide in the future to serve America in some capacity—if you do, there is a good chance that your work will, in some way, be aiding our President and Congress in keeping the United States free and prosperous.

Now that you know what it is, why we have it, and how we use it, perhaps you can tell others about. . . American Defense Policy.

**TABLE:  
AMERICAN FOREIGN AID  
(Military Assistance)**

This table should be studied with the one on foreign economic aid in Chapter 7. There are many different kinds of military assistance which the United States gives to friendly governments. This table covers grants, sales and credits for the purchase of American military equipment, training and other military related services. Figures cover the period from October 1, 1976 to September 30, 1977.

**TOTAL: \$2.5 billion**

**48 nations**

Israel	\$ 1 billion
Turkey	\$214 million
Greece	\$170 million
South Korea	\$158 million
Spain	\$137 million
Jordan	\$136 million
Brazil	\$ 60 million
Thailand	\$ 57 million
Indonesia	\$ 47 million
Philippines	\$ 47 million

Source:  
See Chapter 7



I don't suppose you feel like heating up the 'c' rations?

**ARMS CONTROL AND  
DISARMAMENT  
IN THE NUCLEAR ERA**

**Thomas A. Halsted**

*Many novels have been written and numerous movies have been produced about nuclear war; coffeehouse folksingers have lamented the impending doom. We have practiced air raid drills at school and have frequently heard "this is a test. . . in case of a real emergency. . ." on our local radio stations. Fortunately, the world has thus far avoided nuclear war, but we continue to live under the menacing spectre of The Bomb. In this article Thomas Halsted discusses in detail the problems posed by the nuclear age and explains why he believes arms control and disarmament to be the only possible road to a true national security. Mr. Halsted is Director of the Arms Control Program of the Carnegie Endowment for International Peace and Executive Director of the Arms Control Association. Read his article carefully. As our government continues its attempts to negotiate a treaty with the Soviet Union for arms control, and encourages the rest of the world not to develop nuclear weapons, it becomes increasingly important that we as citizens understand and have a voice in nuclear arms policy.*

“They shall beat their swords into plowshares and their spears into pruninghooks,” says the prophet Isaiah. The prophet Joel says, “Beat your plowshares into swords and your pruninghooks into spears.”

**“The likelihood of a disastrous new war has been growing, with the very real possibility that it might involve nuclear weapons, and awesome destruction never before seen.”**

Since the end of World War II and the beginning of the atomic age, Joel has clearly had more influence than Isaiah. Over 1 trillion (1,000,000,000,000) dollars have been spent, chiefly by the United States and the Soviet Union, on sophisticated armaments in efforts to improve their security. Yet few would argue that the world is more secure because of this vast expenditure. Rather, the likelihood of a disastrous new war has been growing, with the very real possibility that it might involve nuclear weapons, and awesome destruction never before seen.

Only a lunatic fringe really believes that a full-scale nuclear war could be fought and won. Political and military leaders are well aware that the use of even a small number of such weapons, in a conflict involving the United States and the Soviet Union or even other adversaries, could expand into an all out war. This is why efforts to control armaments have concentrated on the control of atomic weapons.

### **The Bomb**

More than half the people on earth have lived with nuclear weapons all their lives, and have come to accept them as a fact of life. Yet nuclear war, for which these weapons are designed, would mean an end to civilization as we know it. “The living,” as President John F. Kennedy quoted Soviet Premier Khrushchev, “would envy the dead” after a nuclear war.

Nuclear weapons are very different from “conventional” (non-nuclear) ones. A single atomic bomb dropped over the Japanese city of Hiroshima killed nearly 100,000 Japanese civilians in a few seconds and leveled the heart of the city. The bomb, which was dropped from a B-29 bomber, exploded with a force equal to 15,000 tons of high explosive TNT. It was three thousand times as powerful as the largest bomb that had been used in warfare before then. Yet today that 1945 bomb is puny compared to the destructive

power of most American and Russian nuclear weapons. Some American bombs are 1,000 times as powerful; the Russians have a missile warhead that’s nearly 1,700 times as powerful as the single bomb that fell on Hiroshima thirty-two years ago.

The U.S. and Soviet Union now have over 30,000 nuclear weapons between them. Some are warheads on intercontinental ballistic missiles (each side has over 1,000 of these ICBM’s); some are on missiles carried by nuclear submarines; some are on bombers capable of flying 6,000 miles or more. Others are on shorter-range “tactical” missiles and aircraft based in Europe and the Far East. The U.S. has over 7,000 such tactical nuclear weapons in Europe alone, the U.S.S.R. an estimated 3,500.

Given the enormous numbers of weapons available on both sides, if a nuclear war were to break out between the United States and the Soviet Union, over 100 million (100,000,000) lives could be lost in **each** country. Great cities would be in ashes, and the surviving population would be desperate for food, shelter and medical care. Furthermore, not just the two “superpowers” would be devastated. All of Europe might be in ruins as well, and, depending on how many other countries (China? Japan? others?) were drawn into the conflict, most of the northern hemisphere could be the victim of a nuclear war.

There are other possibilities for nuclear war. A small country may acquire a bomb, and use it on its neighbor; the larger powers are one way or another drawn into the fight. Or a group of terrorists steals or manufactures its own weapon and uses it to extort concessions from a government. Perhaps they actually set off their weapon and destroy a great city; perhaps not. The fact remains that we, who have created this monster and allowed it to dominate thinking about war for the last thirty-two years, have barely begun to find ways to bring it under control.

Military superiority has little real meaning in a world of nuclear weapons, yet we and the Russians continue to build up our arsenals in efforts to stay ahead of each other. Seeing so little restraint on the part of these two superpowers, other countries, seeking better security in the face of threats from their neighbors, may also be tempted to obtain nuclear weapons. This is a problem of growing seriousness as more and more potential bomb material (plutonium and enriched uranium) becomes available around the world as a by-product of increasing reliance on the atom to generate electricity.



## The Objectives of Arms Control and Disarmament

In the face of these and other security problems involving advanced weapons and the threat that they might be used, and the increasing high cost of armaments world wide, **arms control**—a system of imposed restraints—has become increasingly important as an alternative to the endless search for security through military strength. Arms control consists of a pattern of measures of restraint in developing military planning and force structures which accomplish some or all of these objectives:

- reduce the likelihood of war;
- reduce the destructiveness of war should one nevertheless occur;
- reduce the costs of armaments, thereby permitting resources, both human and material, to be used to better our lives.

Disarmament, on the other hand, means an extensive reduction in levels of armaments. Arms control does not necessarily lead to disarmament; that process could be much harder to achieve while successfully resisting pressures for actual disarmament. These complaints are voiced increasingly by spokesmen for smaller countries who feel that the big powers' concentration on large military forces is at the expense of development in the impoverished regions of the world, and that the two superpowers are increasing the likelihood of a war between them that would imperil everyone else. Thus there have been growing demands for a vigorous international approach to disarmament, not just arms control. In response to these demands, a Special Session of the United Nations devoted to exploring disarmament problems will take place in 1978.

What are the major problems of arms control and disarmament, and what efforts are being made to deal with them? Some of the more pressing concerns are identified below in the following sections:

### Strategic Arms Limitations Talks (SALT)

The United States and the Soviet Union have been carrying out Strategic Arms Limitation Talks (so-called "SALT" negotiations) since 1969, in an effort to stabilize the arms competition between them in strategic (i.e., intercontinental) weapons: the ICBMs, long-range bombers, and submarine-launched missile programs noted above. In 1972, they signed the SALT I Treaty

under which they agreed not to build antiballistic missile (ABM) defenses. Both sides agreed that it was not possible to successfully defend their countries against missile attacks. Accordingly, they agreed to scrap attempts to do so, thereby eliminating the possibility that any political leader in the future might, erroneously, conclude that it could be to his advantage to start a nuclear war. An important result of this "ABM Treaty" has been to reinforce the concept of **mutual deterrence**.\* Since an effective defense is not attainable, both countries are vulnerable to a first strike or a retaliation. Because both know they are vulnerable, they are deterred from attacking one another.

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**"Six countries (the United States, the Soviet Union, Great Britain, France, China and India) have exploded nuclear weapons and a seventh, Israel, is widely believed to have nuclear weapons, although it has never tested them."**

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Since the 1972 ABM Treaty, SALT negotiations have focused on setting ceilings on the number of offensive weapons, and hopefully, on eventually reducing their numbers. In 1974, a tentative agreement was reached at Vladivostok (a city on the Pacific coast of the Soviet Union) between President Ford and Soviet General Secretary Brezhnev on the framework of a treaty which would allow each side no more than 2,400 "delivery vehicles" — ICBMs, submarine-launched ballistic missiles, and long-range bombers, and would require that no more than 1,320 of these could have "MIRVs" on them (a missile armed with MIRVs carries a cluster of nuclear bombs on it, each bomb able to be dropped on a different target; thus a MIRVed missile can be many times as effective in destroying targets as one without MIRVs). However, that Vladivostok framework has not yet been translated into a permanent treaty. Early in 1977, President Carter proposed a new framework for agreement, incorporating lower numerical ceilings as well as proposals to prevent modernization and replacement of weapons. This proposal has formed the basis of present SALT negotiations.

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\*Editor's Note: "Deter" means "to prevent, to check, to discourage from acting through fear or doubt."

Six countries (the United States the Soviet Union, Great Britain, France, China, and India) have exploded nuclear weapons, and a seventh, Israel, is widely believed to have nuclear weapons, although it has never tested them. Recognizing that a world of many nuclear powers would be even more dangerous than the fragile situation which exists today, governments have worked on a number of arms control measures to limit the chances that nuclear weapons could spread to other countries.

The problem has taken on particular urgency in recent years because of the fact that nuclear energy, which can be used to generate electricity, can also be used to produce plutonium, the element from which nuclear weapons are made. Many countries are building nuclear reactors to generate electricity. Many more are planning to do so, particularly as growing oil shortages and higher oil prices force countries to give a higher priority to nuclear power in developing their national energy plans. With nearly 500 nuclear power plants in operation, under construction, or on order in 41 countries, the chief concern is that without adequate safeguards against theft or diversion some of the plutonium from these reactors could be used to make atomic bombs.

A hostile government could secretly make a bomb, or—a growing possibility—a terrorist group could steal bomb material and either make a bomb with it or persuade its would-be victims that it had done so. Concerns about both these possibilities have led to a number of international efforts to make it more difficult to acquire weapons. A Treaty on the Non-Proliferation of Nuclear Weapons (the "NPT") has been in effect since 1970; over 100 countries are parties. It and other less formal mechanisms establish certain international standards and procedures to make it more difficult for peaceful nuclear programs to turn into weapons programs.

But the NPT and other means of controlling peaceful nuclear programs only deal with capabilities. They do not address the more fundamental issue of **intentions**. A government that has decided it needs nuclear weapons for its own security will not be deterred from that goal by technical controls on its ability to make bombs. It is further inspired, moreover, by the superpowers' unwillingness so far to put any noticeable controls

**\*Editor's Note:** Proliferation means "an excessive, rapid spread".

on their own nuclear weapons programs. There is a long way to go before both the ability of other countries to become nuclear weapons states and their desires to do so are brought under control.

### Comprehensive Test Ban

Many arms control experts believe that a very important way that the nuclear weapons states can demonstrate that they are, in fact, willing to put some restraints on their own nuclear weapons program is to agree to end all nuclear weapons explosions. A ban on nuclear explosions has been an arms control objective since the mid-1950's, when the first test-ban talks began in Geneva. In 1963 a "limited" test ban treaty committed its parties, which included the United States, the Soviet Union and Great Britain, not to set off any more nuclear explosions in the atmosphere, in outer space, and under water but it allowed them to continue testing underground. The Treaty neither slowed nor stopped the testing of nuclear weapons. Of the more than 1,000 nuclear test explosions which have taken place since 1945, more than half have occurred since the 1963 treaty went into effect. Furthermore, France and China, who did not sign the treaty, have conducted nuclear weapons test programs.

Pressure to bring about a complete or "comprehensive" test ban, which would prohibit tests everywhere including underground, has increased in recent years. In 1974, the United States and Soviet Union signed a "threshold" Test Ban Treaty which would limit the size of tests each would carry out to no greater than 150 kilotons (but this is 10 times the size of the Hiroshima bomb!), and two years later they signed a separate treaty governing the conduct of so-called "peaceful" nuclear explosions. Neither of these treaties has been ratified, however, and in view of President Carter's strong interest in a complete test ban instead, they may never come into force.

Considerable obstacles remain in the way of a total test ban, involving all nations. France, China and India (which has conducted one underground test of what it calls a "peaceful device") are unlikely to join, and several countries, notably the USSR, maintain an interest in the idea of nuclear explosions for peaceful purposes. Since such explosions involve technologies identical to those needed for bombs, they will make a comprehensive test ban extremely difficult to bring about as long as they are not also banned.

Since the end of World War II United States and Soviet military forces have faced one another in Central Europe. Today, more than thirty years after the conflict ended, nearly 800,000 NATO troops and 900,000 Warsaw Pact forces remain deployed there. Both sides have been modernizing their forces, equipping them with new kinds of weapons, and backing them up with long-range sea and ground-launched missiles and long-range aircraft. In hopes of reducing the potential for surprise attack as well as lessening the possibility that conflict in Europe could lead to all-out war, the two sides agreed in 1973 to attempt to negotiate an agreement to reduce the levels of forces on both sides.

Discussions to date have not been very productive, for a variety of reasons. Firstly, the Soviets may not have great confidence in their allies, and fear that a reduction in U.S. forces could lead to an expansion of West German influence. Secondly, the United States' NATO allies have been reluctant, on the other hand, to increase their contribution, preferring to keep a strong U.S. presence there. Both the U.S. and Soviet Union have, in fact, retained or increased forces in Europe, rather than reducing them, in part to gain some bargaining leverage for the negotiations. Nevertheless, there are some grounds for hope that some reductions can take place, and be accompanied by understandings on force deployments which will improve stability there. A tradeoff involving lowering the level of U.S. tactical nuclear weapons in Europe by 1,000 in exchange for a reduction in Soviet tank forces is one such possibility.

### **Conventional Arms Transfers**

In recent years, particularly since the end of the Vietnam War, the developing world has become a supermarket for the sellers of conventional (i.e., non-nuclear) armaments—high performance aircraft, ships, tanks and artillery, and a wide variety of other military equipment. The upsurge in this market has been phenomenal, both in terms of amounts and sophistication of the weapons involved. The United States, by far the most energetic arms merchant, accounts for more than half of all the arms sold worldwide, with as many as \$12 billion worth of orders in a single year. The Soviet Union, the closest competitor, accounts for less than 1/4 as much.

Much of the arms sold, by the United States and such other suppliers as the French and British have gone to the Middle East, principally Iran, Saudi Arabia and Israel. The Soviet Union has provided sophisticated weapons to others in the region. The last Middle East war, fought in 1973, involved new generations of high-performance aircraft and anti-tank and anti-aircraft missiles. The opponents in that war have since been rearmed many times over, and still more advanced weapons, and their neighbors have raced to follow suit. The next Middle East war, should one come, could involve many more adversaries, perhaps even drawing in the countries outside the region.

Thus there have been increased pressures to develop a policy of restraint, not only in the United States but regionally as well, with respect to arms sales. In mid-1977 President Carter announced a policy, so far with little effect, of approving arms transfers only where the case for doing so is compelling (until then, the burden of proof had been on those arguing **against** such sales), and of not allowing new types of weapons to be introduced into a region.

For such a policy to succeed, it must be emulated by other potential suppliers. Furthermore, the potential customers must also see it in their interest to restrict arms purchases, or there is little reason to expect that the arms market will slow down. Nevertheless, the Carter administration, recognizing that the United States is by far the worst offender in this practice, is attempting to start a dialogue with others in an effort to reach international agreement on limiting conventional arms traffic.

### **Conclusion**

These are only a few of the pressing arms control problems the world faces today. The United States has taken the lead in many instances in trying to come to grips with these issues. President Carter has set forth an impressive agenda for arms control and disarmament, and has appointed to his administration a competent and dedicated team of senior officials committed to translating agenda into action. For his arms control objectives to succeed, however, he must overcome considerable public skepticism about the value of arms control as an essential element of national security, as well as about the wisdom of negotiating with the Soviet Union; he must also deal with widespread misper-

ceptions about the meaning of security in the nuclear age. He must convince a now-doubting public that greater safety is not going to be attained through an endless and impossible pur-

suit of military superiority, but only when we and our adversaries are ready to bring the arms race under control through negotiated arms control agreements that really control arms.



## GLOSSARY: Defense Policy

**Arms Control**—policy of restraint in the development of military weapons. Used most often today with reference to nuclear arms.

**Arms Sales**—a very controversial issue today, concerning the sale of large quantities of weapons by the United States and other developed nations to Third World nations; e.g., Saudi Arabia and Iran are two of the largest purchasers of arms from the United States.

**Deterrence**—the doctrine that war can be prevented by the maintenance of large military arsenals by two foes because the threat of an effective counterattack will discourage both from ever striking first.

**Disarmament**—rather than just the restraint of arms control, calls for a total reduction in nuclear weaponry towards the ultimate goal of elimination of all nuclear weapons.

**North Atlantic Treaty Organization (NATO)**—an alliance of the United States, Canada and Western European democracies for mutual security against Communist aggression and expansionism. Established immediately after World War II.

**Nuclear Parity**—the condition of roughly equivalent nuclear forces between the United States and the Soviet Union.

**Nuclear Proliferation**—the spread of nuclear weapons to nations which did not previously possess them.

**Strategic Arms Limitation Talks (SALT)**—negotiations between the United States and the Soviet Union on the limitation of nuclear weapons for the mutual benefit of decreasing the likelihood of nuclear war.

**SALT I**—treaty signed in 1972 placing a permanent limit on missile defense systems (called anti-ballistic missile or ABM systems). Another part of SALT I was a five-year limit on the number and the kind of offensive nuclear weapons.

**SALT II**—with SALT I due to expire in October, 1977, a new treaty becomes necessary to continue the arms control. A preliminary SALT II pact was signed in 1974, but a permanent treaty was still to be reached at the time of this printing (August, 1977).

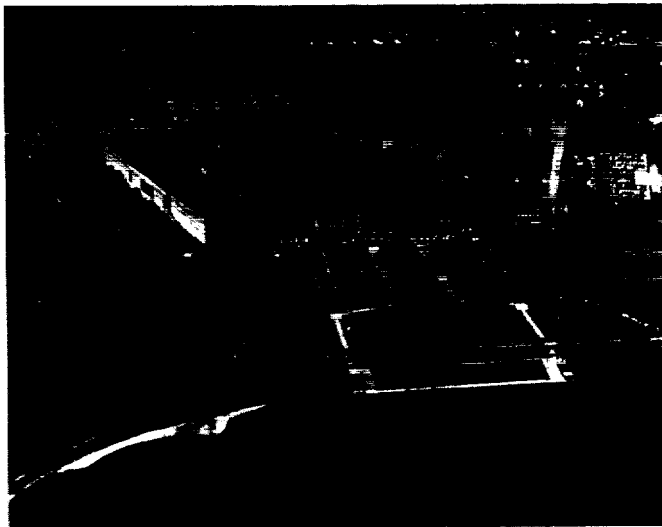
**Warsaw Pact**—alliance of the Soviet Union and its Eastern European allies for mutual security against possible NATO aggression. Warsaw is the capital of Poland, one of the member nations.

### Weaponry

**Strategic Weapons**—long-range nuclear weapons with an intercontinental range.

**Tactical Weapons**—also nuclear weapons, but have shorter range.

**Conventional Weapons**—nonnuclear, such as tanks, land troops, etc.



U.S. Air Force

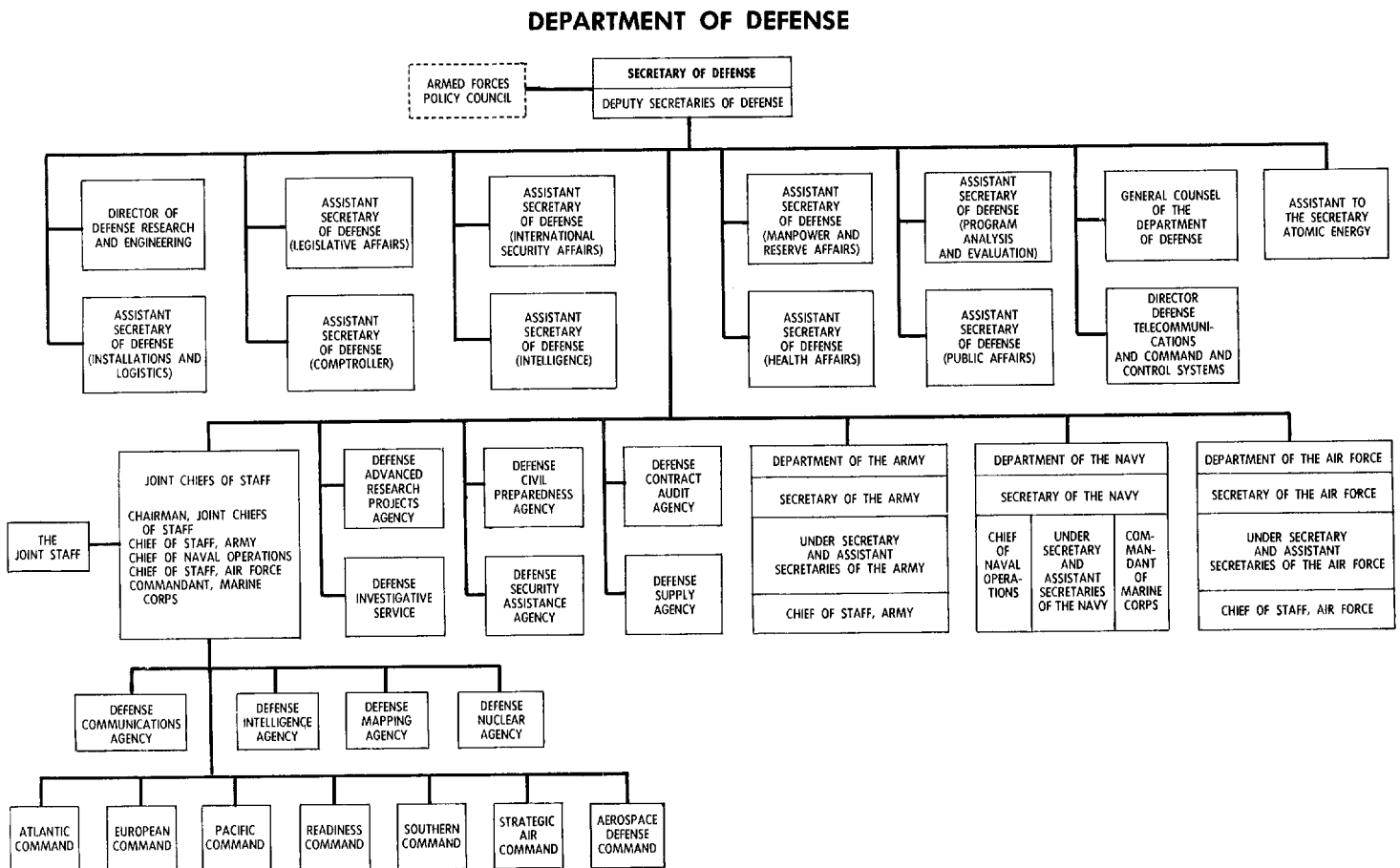
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# AN INTRODUCTION TO DEFENSE POLICY:

## A Close Up Briefing

Before the seminar on defense policy, one of your program instructors will conduct a short "Briefing" as an introduction to this subject. The purpose is to provide some background information which will help you participate in the seminar with your guest speaker(s). Refer to the diagram and the outline below, as well as the Glossary on the preceding page, for some of the subjects which may be discussed. Use these pages to take notes during both the briefing and the seminar.

- What is the Department of Defense? Who is the Secretary? Who are the Joint Chiefs of Staff?
- How is defense policy formulated? What roles are played by the President, the Congress and the Defense Department?
- What is meant by the doctrine of deterrence? Containment?
- What is American policy with regard to nuclear weapons? What is the meaning of arms control?



Source:  
*U.S. Government Manual*  
 1976-77, Government Printing Office

NOTES (SEMINAR)

## 9.

# THE INTELLIGENCE COMMUNITY: National Security in a Democracy

*"Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachments by men of zeal, well-meaning but without understanding."*

*Justice Louis Brandeis (1928)*

*"It is now clear that we are facing an implacable enemy whose avowed objective is world domination by whatever means and at whatever cost. There are no rules in such a game. . . . We must learn to subvert, sabotage and destroy our enemies by more clever, more sophisticated and more effective methods than those used against us."*

*Hoover Commission (1954)*

The Central Intelligence Agency (CIA) was established in 1947 to gather and analyze intelligence information relating to the nation's security. While each of the armed services has its own intelligence arm, the Truman Administration believed that the dangers of the Communist threat and the complexities of the modern world made it necessary to create the Central Intelligence Agency. The CIA was officially made a part of the Executive Office of the President, responsible to the newly created National Security Council. Congress also was given oversight powers, divided between the appropriate House and Senate committees.

However, in recent years tremendous controversy has raged over the failures of Presidential control and Congressional oversight to prevent illegal activities of the CIA, other intelligence agencies and also the Federal Bureau of Investigation. Since 1974 the so-called "intelligence community" has been investigated by a special Presidential commission (headed by then Vice President Nelson Rockefeller) and by two select Congressional committees (chaired by Congressman Otis Pike and Senator Frank Church). Their findings revealed illegal intelligence operations within the United States as well as abroad. Continued investigations by Congress and by journalists have uncovered more illegal programs such as mind control and drug experimentation. Public confidence in the intelligence community had never before been so shaken.

The recommendations made by these investigators have fueled the public debate over what actions need to be taken to prevent future abuses while allowing for the intelligence operations necessary for our national security. How can we meet national security demands in a dangerous world while guarding against violations of our democratic principles? This chapter's first article is written by an official of the Central Intelligence Agency. The author presents a general explanation of American intelligence operations and then offers a perspective on the questions of covert operations, budget oversight and secrecy. Senator Frank Church, chairman of the Senate Select Committee on Intelligence Operations which conducted extensive investigations in 1975-76, has also authored an article. He surveys some of his committee's major findings and presents a case for reforms of the intelligence community to give greater oversight powers to the Congress.



## INTELLIGENCE

### Central Intelligence Agency

*This article on intelligence was submitted by the Public Affairs Office of the Central Intelligence Agency. The authors present you with an authoritative discussion of the structure and operations of the intelligence community. As you read, refer to the structure diagram at the end of the article, which will help you understand the power and authority relationships with respect to U.S. intelligence agencies.*

General Sun Tzu, who was a supreme military strategist in China long before Christ was born, wrote, "To win 100 victories in 100 battles is not the acme of skill. To find security without fighting is the acme of skill."

It is the goal of intelligence to help America achieve security without fighting. The mission of intelligence is to see that America's leaders know what is happening abroad and to alert them to what might happen tomorrow. This combination of informing and alerting is what intelligence is really all about.

The United States has conducted foreign intelligence activities since the days of George Washington, who wrote to Colonel Elias Dayton on July 26, 1777: "The necessity of procuring good intelligence is apparent and need not be further urged. . ." Funds for foreign intelligence including a so-called secret service fund, were sought by President Washington in his first inaugural address. The legality of keeping such funds secret has been upheld in the Congress ever since. Both the notion that foreign intelligence is the responsibility of the Chief Executive and that there should be Congressional oversight can also be traced to the early days of the Government.

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**"The National Security Act of 1947 gave birth to a Central Intelligence Agency (CIA) under the guidance and direction of the National Security Council—composed of the President, Vice President, Secretary of State and Secretary of Defense."**

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But the need for an American central intelligence apparatus grew out of Pearl Harbor and the experiences of the Second World War. The Congress wanted to make certain that the U.S. would not be caught short again because of a lack of good intelligence information. Thus the National Security Act of 1947 gave birth to a Central Intelligence Agency (CIA) under the guidance and direction of the National Security Council—composed of the President, Vice President, Secretary of State, and Secretary of Defense.

The Act established a Director of Central Intelligence (DCI) to be the Director of CIA and the coordinator of the intelligence activities of the "Intelligence Community"—that is, the units of other Federal departments (Departments of Defense, State, etc.) that have foreign intelligence responsibilities. As part of his responsibility as Director of CIA, the DCI is designated the President's chief intelligence advisor. As the coordinator of the activities of the Intelligence Community, the DCI subsequently has been given the responsibility of being the President's advisor on intelligence concerns.

The charge by the 1947 Act to be coordinator of intelligence activities did not carry with it the authority for the DCI to discharge the responsibility intended by Congress, and in 1971 the President instructed him by letter to take a more active role in coordinating resources and activities of the entire Intelligence Community. Still dissatisfied that the DCI was not exercising the authority desirable, President Ford issued Executive Order 11905 in February 1976, and President Carter reaffirmed it in Executive Order 11985 in May 1977, to strengthen further the DCI's management of all foreign intelligence functions. Especially meaningful for the collection and production of intelligence is the new Policy Review Committee (PRC), which is chaired by the current DCI, Admiral Stansfield Turner, whenever intelligence matters are discussed. This Committee establishes policy priorities for collecting and producing national intelligence and oversees budget preparation and resource allocation for the intelligence activities of the entire Intelligence Community.

There is also established the Special Coordination Committee to make recommendations to the President concerning special intelligence activities that support foreign

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policy objectives—so-called covert action. This group also reviews and approves sensitive intelligence collection operations. President Carter has also created an Intelligence Oversight Board of three prominent private citizens to ensure that the Attorney General and the President are properly advised concerning any activities of questionable legality and propriety. (The organization of the Intelligence Community is shown in the accompanying chart.) Finally, strong Congressional oversight mechanisms have been established to assure that intelligence activities are properly guided and controlled.

### **Congressional Oversight**

Traditionally the Intelligence Community reports to and receives guidance from seven Congressional committees; four are in the Senate and three in the House. The Senate Select Committee on Intelligence, created in May 1976, has assumed major responsibility for overseeing such **national** intelligence activities as covert action, all funding requests, counter-intelligence, the analytic process and collection activities. Oversight for **departmental** intelligence, that is intelligence for use by a specific agency, remains largely the responsibility of the Senate committees with traditional oversight responsibilities—Armed Services, Appropriations and Foreign Relations.

The House of Representatives established its own committee to oversee intelligence activities on July 14, 1977. When operative, this new committee will assume exclusive responsibility for all activities of the CIA and will share responsibility for the activities of the individual agencies of the intelligence community with those House committees that traditionally have exercised oversight responsibility—Appropriations, International Relations and Armed Services. The addition of this new committee will bring the number of congressional committees to which the DCI reports to eight.

### **Budgets and Secrecy**

Review and authorization of proposed funding for intelligence activities is an integral part of the government's control of intelligence activities. Budgets for the intelligence agencies are of course reviewed by the Intelligence Community staff, by the Office of Management and Budget and finally by the President, who approves them. The

Director of Central Intelligence then presents and defends the overall budget for the Intelligence Community, as well as the one for CIA, before appropriate congressional committees. Thus, the process for budget formation and review is the same as that for any government agency, except that the budgets for the intelligence agencies are not publicly disclosed.

The reason budgets for intelligence are not made public is that over a period of time and with careful study, America's adversaries could detect trends in intelligence spending. For example, when an expensive new collection system is being developed—such as the U-2 in the late 1950's—then the intelligence budget increases. Such surges in the budget would easily tip off others to new developments. This question whether budget figures for the Intelligence Community, and more particularly the CIA should be disclosed publicly has been debated for years. Thus far Congress has upheld the need for continued secrecy.

However, the Senate Select Committee is reviewing the need to continue this secrecy. Admiral Turner has testified before the Senate Select Committee that he would not object to the disclosure of a single, all inclusive figure representing the entire Intelligence Community's budget. But Admiral Turner stated strong objections to revealing detailed budgets, noting that in the hands of enemies "they would be a powerful weapon with which they could make our collection efforts more difficult, more hazardous to life and more costly."

### **Secrecy and Openness**

Leaks of classified information to the press from many sources pose one of the more serious threats to an effective intelligence service. Protection of the country's foreign intelligence sources and methods—a responsibility assigned to the DCI by the National Security Act of 1947—is severely weakened by such disclosures. First, disclosures of sources and methods make it a simple matter for hostile forces to take necessary precautions that terminate the flow of information. Second, friendly intelligence services and individuals cannot risk cooperating with the U.S. when their activities stand a chance of becoming publicized.

If divulging sources and methods is to be avoided at all cost, so is "overclassification" and using secrecy as a way of hiding from the public.

Admiral Turner is attacking this problem on two fronts. He has established the policy of releasing to the public, in unclassified version, as much of the CIA product as legitimately possible. Recently a complicated analysis of world oil reserves that projected serious shortages by 1985, given the current usage trends, was released to the public under this new policy. Admiral Turner has also made information about the Central Intelligence Agency more easily available to the press and to the public. For the first time news cameras have appeared inside Agency headquarters. CBS was allowed to film a segment for their *Sixty Minutes* series there. Through this and other such activities, Admiral Turner is attempting to lift some of the mystique from intelligence and to inform the public on the continuing need for an effective intelligence service.

### The Intelligence Process

Intelligence as we know it today goes far beyond traditional concepts and impressions. Today's concerns are with all aspects of the capabilities, intentions and activities of foreign powers and organizations—and with the impact of political, economic, sociological and technological developments. Consider a few of the problems America faces: disarmament, nuclear proliferation, terrorism, overpopulation, imbalances between rich and poor countries, oil and reserves distribution, exploitation of the sea and space. This country's leaders must have a systematic knowledge of these and other complex subjects, a full awareness of the U.S.'s capability to deal with them, and an understanding of the intentions of other nations concerned with the same problems.

To provide the accurate evaluations and estimates required, information is gathered from a wide variety of sources. A large part of it is collected openly from publications, radio and television broadcasts and from normal diplomatic exchanges. It is also collected by technical means. Still other, smaller amounts of information are collected clandestinely. This method is only used when there is no other way to obtain necessary information and when the information is judged to be sufficiently important to justify the risks of secret operations.

While the sheer volumes of information dictate the use of large computers and complex storage and retrieval systems, intelligence is the product of the human mind—the work of analysts

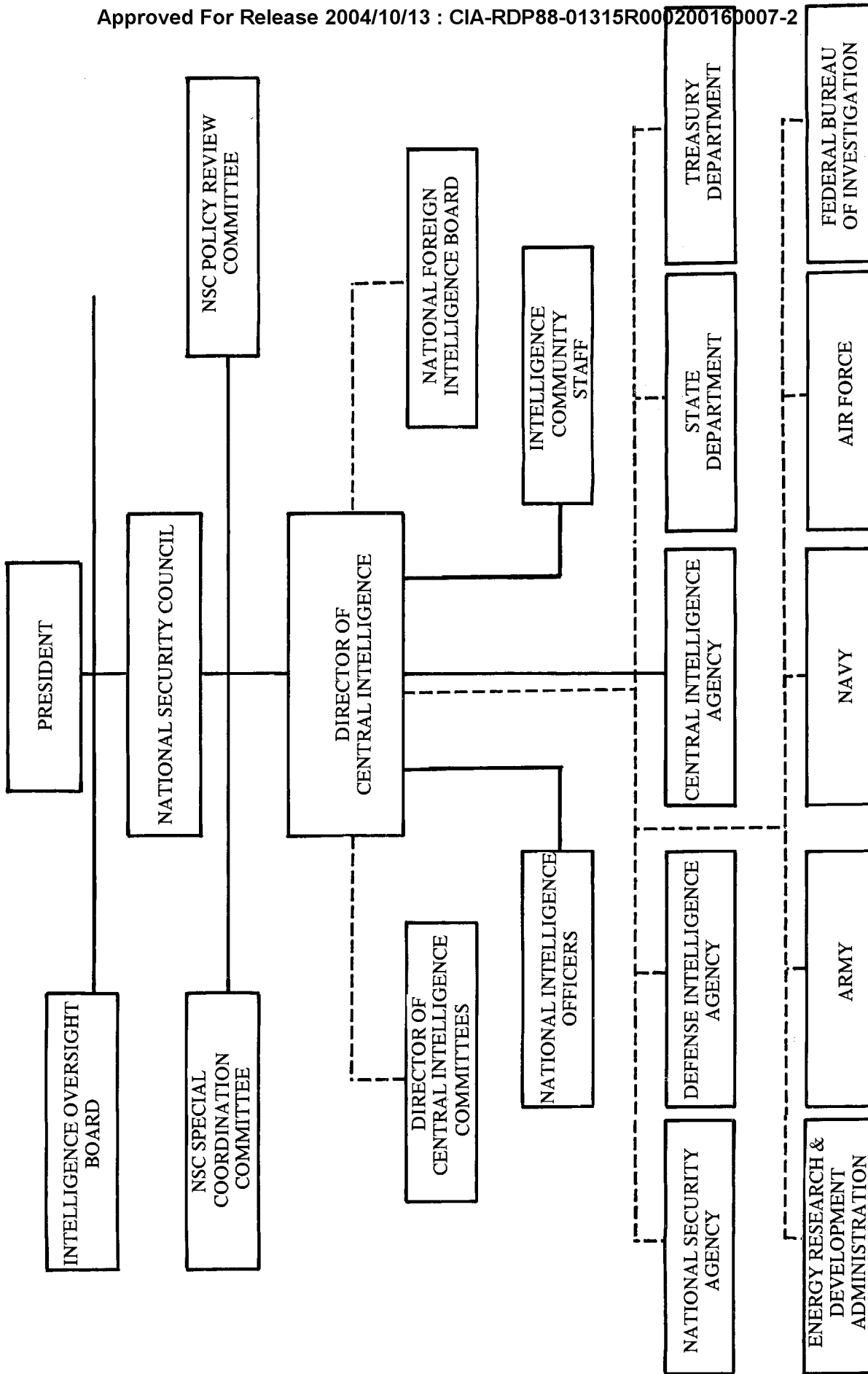
who sift through the data and produce "finished" intelligence for the policymakers.

There are various types of finished intelligence, each is in the form that is most useful to the particular needs of the users. Current intelligence takes the form of daily publications that analyze current developments and evaluate their impact in the near term. The most important of these, the President's Daily Brief presents to President Carter each morning the critical events on the foreign scene. Another form of finished intelligence, the National Intelligence Estimate, is a more in-depth analysis of international situations that judges new developments in terms of what they imply for the future. A third form is the longer research studies done, for example, on strategic weapons programs of foreign countries and long range political developments.

Admiral Turner's fundamental goal as Director of Central Intelligence remain the same as that of his predecessors: to produce the highest quality intelligence possible to meet the needs of the President, the Congress, and other decision-makers in government. Rebuilding the confidence of the U.S. public in the Intelligence Community and the CIA by earning their trust through fair mindedness and excellence is a primary tenet of this fundamental goal.



# NATIONAL INTELLIGENCE COMMUNITY STRUCTURE



— DIRECTION  
 - - - - - RECOMMENDATION/GUIDANCE/ADVICE

# THE NEED FOR REFORM OF THE U.S. INTELLIGENCE AGENCIES

## Senator Frank Church

*Senator Frank Church (D-Idaho) should be most familiar to you as the Chairman of the Senate Select Committee on Intelligence Operations, which became known in the press as the "Church Committee." This Committee investigated the operations of the CIA, FBI, IRS and other government agencies which had become involved in illegal intelligence and surveillance activities. A lengthy, multi-volume report was issued by the Committee in 1976 (available to the public by writing the Government Printing Office), which presented recommendations for reforms based on the abuses and illegalities which had been uncovered. In this article Senator Church summarizes some of the major findings of his Committee and proposes reforms aimed at greater Congressional oversight of intelligence agencies.*

For the past three years Congressional committees and members of the press have uncovered numerous abuses of authority by the Central Intelligence Agency, the Federal Bureau of Investigation, and the Internal Revenue Service, to name a few. Conceived in secrecy, some of these illegal and unethical activities violated the constitutional rights of American citizens and led to unwarranted interference in the internal political affairs of other countries.

### Findings of the Senate Select Intelligence Committee

The Senate Select Intelligence Committee found that the Central Intelligence Agency (CIA) conspired with the Mafia to murder Fidel Castro and that the CIA was involved in other plots to assassinate or overthrow foreign leaders with whom the U.S. Government disagreed. These "covert operations" have been the dark side of the American experience. The United States came to adopt the methods and accept the value system of the "enemy." In the secret world of covert action, we threw off all restraints. Not content to collect and analyze intelligence information, the CIA

began to spend millions of dollars annually to subsidize foreign political parties, labor unions and newspapers, and to bribe foreign officials.

The Intelligence Committee also discovered that from 1956 to 1971, the FBI carried out five counterintelligence programs, "COINTEL-PROs," against a variety of organizations involved in peaceful protests. Among them were the Southern Christian Leadership Conference, most black student groups and various anti-Vietnam War groups.

The FBI tactics included the use of anonymous letters and telephone calls designed to disrupt families, friendships, careers and organizations; the use of agents provocateurs to sow dissension and fragment groups; the dissemination of false stories about individuals to employers, credit bureaus and creditors; the instigation of tax investigations against certain citizens solely for harassment purposes, leaking information about the private lives of group leaders to the press; and a lengthy list of equally deplorable assaults on first amendment rights.

One of the prime targets of FBI harassment was Martin Luther King, the Nobel Prize winning civil rights leader. From 1962 until his death, Dr. Martin Luther King was the target of a vicious campaign by the FBI to discredit him. The full array of the Bureau's sophisticated devices of technical surveillance was turned against Dr. King. He was illegally bugged, tapped and followed. Information on his private life was then delivered by agents of the FBI to clergymen, Members of Congress, the White House, U.S. Ambassadors, newsmen, the National Science Foundation and the British Government, among others. Agents were sent to colleges to persuade them not to grant Dr. King honorary degrees.

In 1969, the Internal Revenue Service established a Special Service staff. For the next five years the SS staff was used by the IRS and, indirectly by the FBI, to gather intelligence on dissident groups. Its 11,458 files included dossiers on antiwar leaders, black political leaders, writers, labor organizers, tax reform groups, civil rights groups, women's liberation groups, clergymen and many more.

In 1967, a special operations group was formed in the Central Intelligence Agency to explore possible ties between hostile foreign nations and anti-Vietnam War activity within the United States. Although no connection was found, the project known by the code-name CHAOS, continued for six years. It accumulated



more than 13,000 files, including 7,200 on American citizens. Through this program, the CIA became a storehouse for the stockpiling of large quantities of data on citizens of the United States.

From 1940 to 1973, various illegal mail-opening programs were conducted intermittently by the CIA and the FBI. The CIA program ran from 1952 to 1973, and involved the opening of overseas mail, to and from American citizens. This mail was intercepted in five major cities within the United States, with the largest operation taking place in New York City. Among the individuals and organizations whose mail was examined were Arthur Burns, Mrs. Martin Luther King, Jr., Richard Nixon, Senators Humphrey and Kennedy, the Ford Foundation, Harvard University, and the Rockefeller Foundation.

The FBI mail-opening program ran from 1940 to 1966, with Federal agents in seven American cities reading and photographing letters written by citizens of the United States. The FBI also cooperated with the CIA mail program in New York City, receiving copies of

more than 30,000 intercepted letters from the Agency between 1958 and 1973. Military intelligence units shared the CIA take too.

### There Must Be Major Reform

The list goes on and on. The actions of our intelligence agencies were contrary to the basic tenets of a free society. The FBI, CIA and IRS violated Americans' rights to privacy, to free speech and to lawful assembly. The question now is what can be done to root out the practices of a police state in this country?

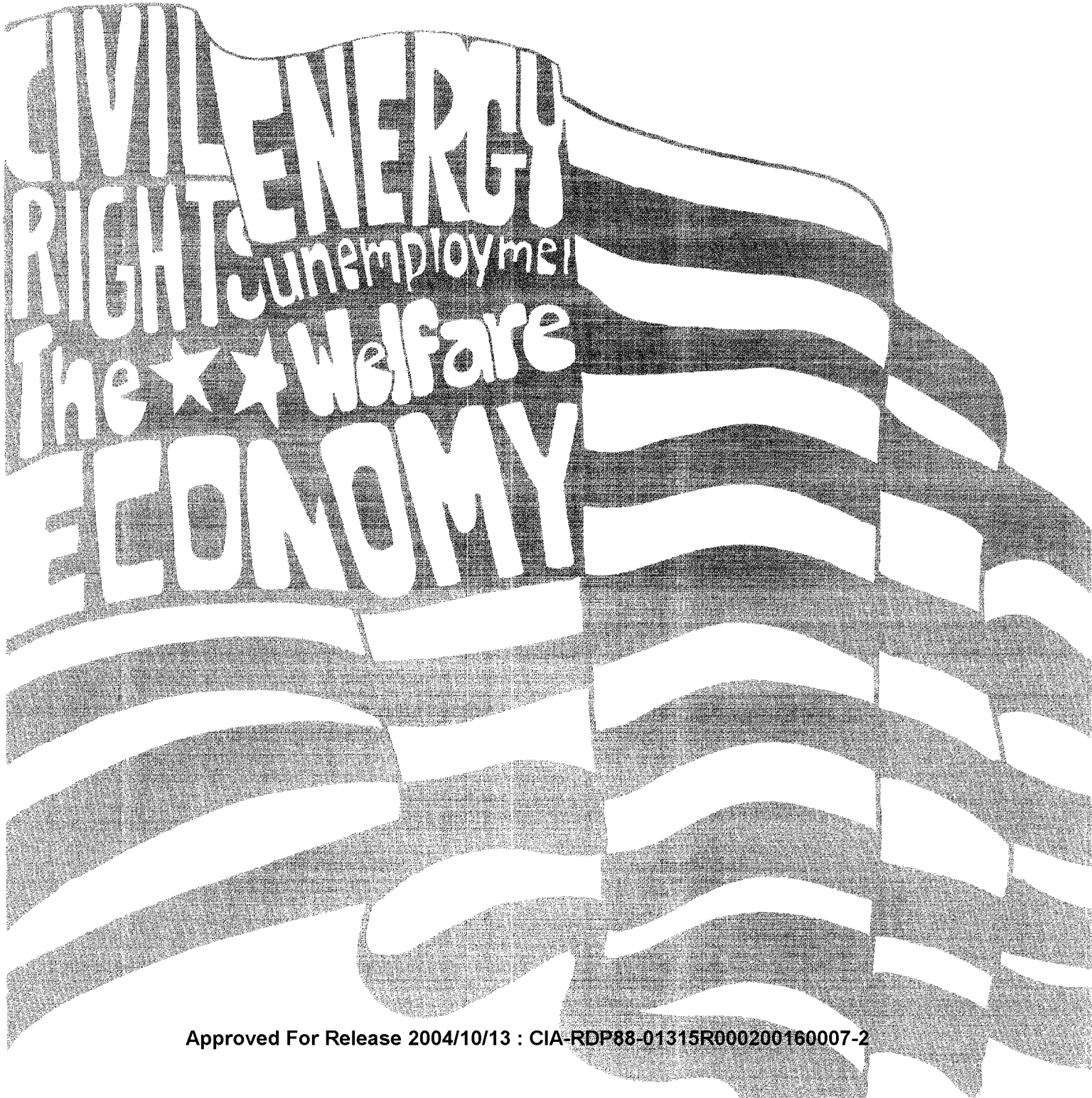
The first area of needed reform is Congressional oversight. The Senate and the House of Representatives have established permanent oversight committees to watch over U.S. intelligence agencies. In the past, the Congress was unaware of what these agencies were doing and had inadequate mechanisms for investigating their actions. With the establishment of House and Senate committees to monitor the agency budgets, to examine the collection and analysis of intelligence information, and to keep abreast of secret activities, the system of checks and balances will be better able to function.

Second, legislation to prevent improper surveillance similar to that practiced against Martin Luther King is urgently needed. The Justice Department under President Carter is now working closely with Congress to draft charter legislation for the intelligence agencies which will place curbs on the wrongful use of wiretaps, mail-openings, agent provocateurs and the keeping of dossiers on law-abiding Americans.

But more than this is needed. It has been over a year since the Senate Select Committee completed its investigations. Although internal regulations prohibiting many of the transgressions have been instituted by executive order, these orders can be changed at any time. Congress, therefore, must face up to its responsibility to enact strong laws that will permanently put an end to governmental infringement of freedom in America.

This has been a difficult period for the nation. Confidence has been undermined by the Watergate scandals and the wrongdoing of such agencies as the CIA, the FBI and the IRS. But, in my view, these were aberrations and not representative of our true national character. If the government is to regain the trust of the people, we must enact legislation that will prevent such misconduct in the future.

**Section IV.**  
**DOMESTIC POLICY:**  
**Setting Our Priorities at Home**



# 10.

## SOCIAL AND ECONOMIC ISSUES: The Greatest Good for the Greatest Number

*“The legitimate object of government is to do for a community of people whatever they need to have done but cannot do at all or cannot so well do, for themselves in their separate and individual capacities.”*

*Abraham Lincoln*

Any nation as large and diverse as ours, existing in as complex a world as ours, inevitably confronts a huge variety of issues and problems. Since both our human and financial resources are limited, we must make decisions as to which issues are the most crucial. There is intense debate over this setting of national priorities, for everyone has different values, different perceptions and different interests. Nor is the task any easier to get liberals and conservatives, Democrats and Republicans, Northerners and Southerners and Midwesterners and Westerners to agree on a course of action to resolve these problems.

Each article in this chapter focuses upon a different issue of domestic policy. We begin with a *Perspectives Panel* on “the energy crisis”, featuring seven former CLOSE UP students as the panelists. There follows a Point Counterpoint discussion of economics; this article clearly reveals differences between liberal and conservative philosophies of economics and the role of government. The Federal budget, agricultural policy, the Equal Rights Amendment, and civil rights are also examined in separate articles. Finally, a lengthy chart has been included for use in the “domestic policy debate” during your CLOSE UP week.



## PERSPECTIVES PANEL: THE ENERGY CRISIS

The questions for this Panel were posed to twenty students from across the country who had participated in the CLOSE UP program for at least two years. Here are the essays of seven of these students.

*According to a recent public opinion poll, only crime and taxes are considered more serious than our nation's energy problems by a large percentage of Americans. We are told that the world used more energy between 1960 and 1970 than had been consumed in the entire previous history of the Earth! Our President has called the challenge of energy "the moral equivalent of war."*

*—Do you really believe there is an energy crisis? If so, how and why did it come about?*

*—Do you think that the Federal Government should be able to go so far as to order gasoline rationing and other mandatory measures?*

*—Because of the energy crisis, should environmental protection be less important?*

**Jane Hufford, John Marshall H.S., Cleveland, Ohio:**

The question of the existence of an energy crisis is not easily answered. I personally believe that there is an energy crisis, and certain measures must be taken by the American public to break the stranglehold the oil companies have upon them.

The Federal Government has no right to ration the amount of gasoline used by anyone. Instead, fuel conservation through carpooling and other methods should be encouraged. A tax break to those in carpools could provide the needed incentive.

The question of how to solve the problems posed by the energy crisis requires a change in certain priorities. For example, is it necessary for commercial airlines to operate so many aircraft at once? A great deal of gas and oil could be saved by simply cutting down on the number of flights. It would cut down on the cost of the airlines because of fewer flights and increase their profits because the planes that would fly would be full of passengers rather than partially occupied.

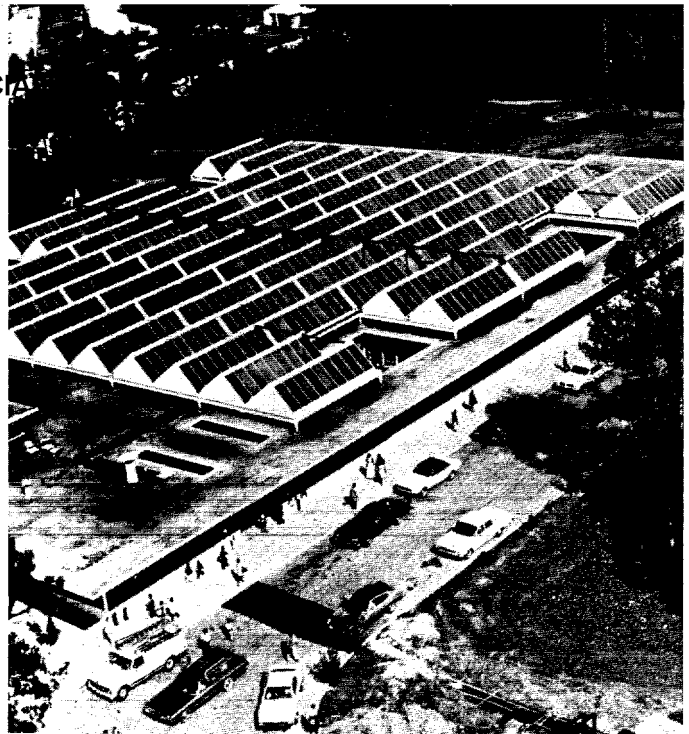


Photo Courtesy of ERDA

A Solar Energized School in Atlanta, Georgia

Another possible solution is the introduction of smaller and lighter cars, which are much more economical than the larger, heavier models. President Carter has proposed a tax on larger cars and vehicles not getting a certain number of miles per gallon. A more feasible solution is to offer a tax rebate on those buying smaller cars, but not taxing those buying larger cars or vehicles not getting a certain number of miles per gallon. These people will pay for their larger cars every time they fill their gas tanks. How can you tax the person who may rely on gasoline for his livelihood? For example, a person may own a small business and he depends on trucks to deliver his products. A small company has enough financial problems without having to absorb the cost of yet another tax just because his trucks do not get the required number of miles per gallon of gasoline. To tax these people is a dire mistake.

The energy crisis should only serve to intensify the problems of environmental protection. With fewer vehicles in operation (due to carpools, etc.), the environment should improve. President Carter's plan to use more coal is fine, providing that provisions are made to restore land damaged by strip-mining. We cannot and must not continue to abuse the land as we have done in the past.

In conclusion, it is obvious that many steps must be taken in an effort to cope with the energy crisis. Hopefully, our nation will be able to unite and fight this problem together as we have in the past, for America's strength lies in its unity.

The energy crisis in America and in the world is a very real and present danger. We are at the point in history where we no longer have a choice; we must act now. The energy crisis can be dealt with by deferring from the type of action that brought us to this point. In the 20-year span from 1950 to 1970, our way of life became energy intensive. The population grew 34 percent while the per capita energy consumption grew 46 percent. We based our way of life on energy-consuming products: air conditioners, televisions, cars, dishwashers, power lawn mowers, etc. Moreover, the products we buy now generally are in forms that use up larger amounts of energy—anything from disposable everything to the fast, processed foods we eat, all for convenience's sake.

In this same period of time we switched over to oil and natural gas as the main energy sources for most everything we do. In other words, we have been using great amounts of energy from a finite, nonrenewable source, as if the supply were endless. We have now learned that it is not. We know that if we continue at the same rate of usage, the world energy supply will be depleted **within our lifetime.**

That is our major problem, but as usual in our wonderful country it has created a number of other problems. Two of these are the questions of whose fault it is and who is going to solve the problem. The answer to both questions must be **everyone.** But who is to be the catalyst for accomplishing such a mammoth feat? There are many possible choices: government on all three levels (Federal, state, local), industry, labor, consumer groups, etc. All are good choices, but in my opinion none can be independently successful. The burden for guiding, conserving, researching and developing new sources of energy now lies with the Federal Government. I think that by placing the burden in such a way we are missing the crux of the problem. Action must be taken now by all sectors of society. Industry should be expected to shoulder a good percentage of the responsibility, not only in conserving, but in researching new sources and helping to defray the cost of a drastic changeover away from the consumer.

Why is it that we are finding it so difficult to focus some of our technological prowess towards coming up with an alternative within the reach of the average man? The answer does not lie in government regulations, but in a voluntary

coalition of government, industry and an educated public. We must accept that there will be many sacrifices that must be made, but we, the people, must be the force that directs our government and industry. First, we must conserve and cut down on consumption of energy and second, we must find an alternate energy source that can be applied within the next 30 years, while still leaving us with a somewhat ecologically balanced planet. I am not a dreamer; these are practical realities that can be met and dealt with if we only focus **our** energy in the right direction—the future.

**Kari Whittenberger, Green H.S., Uniontown, Ohio:**

I believe the energy crisis is real—very real. I was not convinced by government reports, oil company data sheets or utility spokesmen. I was convinced, rather, by seeing my school closed for days to conserve energy needed for homes; by seeing all major community businesses closed for weeks to save fuel. I was convinced by seeing hundreds of thousands of people in my state put out of work, including many of my friends' parents.

I think, unfortunately, that the energy crisis may be the most difficult problem America has ever faced. Americans are a people that live in the present. We seldom think of the past or future. Past problems—war, drought, depression—have been dealt with handily at the time; Americans are known for their war effort, the conservation for the "boys on the front." But when the crisis was over, Americans went back to their old ways of living. The past and the hardships were forgotten and happy days were here again.

Now comes **the** crisis—the energy crisis. This crisis cannot be dealt with overnight, in a few months, in a few years. There is no end to the energy crisis in the foreseeable future. This crisis is different—it will change the American way of life. No longer can we live in the present. We must remember the past, live in the present, and for the future.

The battle against the energy crisis is much like the battle against pollution. To succeed at either, we must change our priorities and lifestyles. Things that don't affect us directly, but affect future generations, must be considered.

These two battles are not only parallel; they are perpendicular as well, with the point of intersection being a question of priorities. Do we desecrate the land to strip mine coal? Do we pollute

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the air to burn high sulphur coal. Do we destroy the environment for the sake of energy?

The answers to these questions lie in the coordination by the Federal Government of a nationwide energy plan that includes regional and climatic differences in energy considerations. We must stand behind legislation to support such a program; we must fight this crisis as a nation. We must be prepared to sacrifice some, to inconvenience ourselves a little to win the war on energy. This is not an either/or situation. We must start work—now—or the way of life we call American may be completely destroyed.

**Paul M. Valle-Riestra, Las Lomas H.S.,  
Contra Costa, California:**

The era of an endless wealth of cheap energy is over. The supply of petroleum, the primary energy source of the U.S., is rapidly diminishing. Most estimates place the depletion date of accessible oil and natural gas deposits early in the next century. Even before these supplies run out, they will become increasingly more expensive and difficult to obtain. We are in a situation in which we must change our attitudes toward energy consumption and methods of obtaining energy.

To make such a change will necessitate sacrifice on the part of the American people. Energy costs must rise and energy waste must be cut. But an understanding of the problem must be reached by the people before they will accept the burden of sacrifice.

Even with this understanding, it is human nature to resist sacrifice. People tend to look not at how the sacrifice will help them in the future, but how it will hurt them at the present time. The only way the American people will make significant sacrifices is if they are in some way forced to do so. But again, they will only accept this force if they understand why the sacrifices are necessary, and feel that others are making an equal sacrifice.

Therefore, the government must regulate the production, consumption and conservation of energy if the American people are to change their outlook on energy.

To keep the energy problem under control, there must be a shift from petroleum as the primary energy source to alternative sources, such as coal and nuclear energy.

Coal is plentiful and can be mined inexpensively. However, in its production, we must again sacrifice today while looking toward the future. Strip mining would produce coal ex-

remely cheaply, while destroying great quantities of land. We must pay the price of greater production costs now to save the land for the future.

In deriving any benefit, risks must be taken. If the benefit outweighs the risks, then the risks are taken. Nuclear energy offers a vast supply of needed energy, yet also involves safety hazards and serious waste problems. The risks and benefits of nuclear power must now be compared with those of other energy sources. It is becoming increasingly evident that nuclear risks must be taken. However, nuclear power must be put under the strictest of controls in order to minimize the risks.

Coal and nuclear power are only short-term solutions to the energy problem. It is now time to direct a serious effort toward the development of long-term energy sources, such as solar power and nuclear fusion. Too often only an immediate solution to a problem is searched for. Nuclear fusion and solar power can't provide much help in solving the current problem, but they will likely be the energy sources of the 21st century. Perhaps if such foresight had been used 30 years ago, we wouldn't be in the position we are now.

**Kara Riemenschneider, Green H.S., Uniontown,  
Ohio:**

The energy crisis is a part of all of our lives. For hundreds of years, men considered the earth's wealth of resources inexhaustible and used them without much thought of the future. The myth, shattered in the recent past, made us realize that solutions must be found to the looming problem which threatens our very existence on earth.

In our structured society, we have chosen leaders and given them responsibilities in dealing with the problems facing our nation. The energy crisis is one of those problems, and the burden of solving it rests upon their shoulders. As a government of the people, our leaders need our ideas, cooperation and trust in this matter of utmost importance. Our Federal officials have access to the most accurate data of possible solutions to the energy problem. With this bank of knowledge, they are in the best position to make decisions about rationing and related matters.

As the success of the government's conservation efforts depends on the citizens' belief in the existence of a crisis, I offer proof to unbelievers in the prices at the gas pump, on the electric and gas bills in our mailboxes, and in the prices of goods on the shelves as the cost of transporting them rises. Each of us has a personal responsibility to

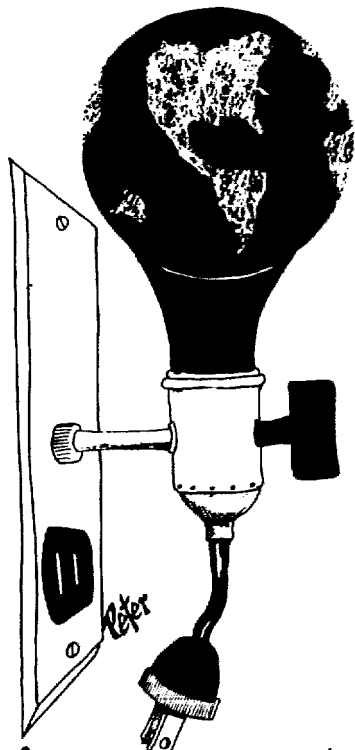
help in any way possible. Even the conservation measures in our own homes aid tremendously in the over-all effort to conserve.

In our search for methods of obtaining energy sources, we are often faced with decisions involving the contrast of "energy vs. ecology." The difficulty of the decisions is in the matter of choosing which of the two is more important. There is no question in my mind of which has priority; it is ecology. In deciding between the two, a sister contrast to consider is "economy vs. ecology." The latter is the underlying factor in the decisions concerning the former.

Decisions concerning permanent damage to the environment such as strip mining as opposed to underground mining, involve not only ourselves, but also the consumers of the future. The common practice of choosing the fastest, cheapest method must be examined to see if it is really always the better way. In the case of choosing between expense and irreversible damage, the **only choice** is to spend, and preserve natural possibilities for posterity.

## ENERGY:

*The World tries to Conserve*



*for a future that's growing dimmer...*

Scott Riley, Skyline H.S., Oakland, California:

Is there really an energy crisis? Our nation's supply of oil and natural gas is definitely being depleted, and presently our proven oil and natural gas reserves are dangerously low. The term "proven reserves" refers to oil or gas that can be recovered from known reservoirs under present economic and technological conditions.

At the present consumption rate, our proven oil reserves are estimated to last us only five years, while proven natural gas reserves supposedly should last us eleven years. Theoretically, our proven reserves could keep growing every year as fast as we use them, but we as a nation cannot count on oil and gas that we do not know is recoverable. Steps must be taken, therefore, to ensure that our energy reserves are not depleted.

I think the best solution is to develop other possible sources of energy besides oil and gas, such as coal and solar energy. Coal, America's most abundant energy resource, and the means by which most of our factories were run in the past, is also one of the dirtiest and most polluting fuels. President Carter's energy program calls for a conversion of industries to coal by 1979, with scrubbers (devices designed to remove the polluting ingredient, sulphur dioxide, from coal smoke) required. Another drawback to the coal conversion plan, besides the consequences of air pollution, is strip mining. Strip mining is the easiest and fastest method of obtaining coal but is very detrimental to the ecology of the area in which it is performed. Hopefully, the coal needed to convert a large percentage of our industry from oil or gas dependency can be obtained without strip mining.

Another alternate source of energy which looks very promising for the future is solar energy. Solar energy is a clean, cheap source of energy, and the resource from which it comes is inexhaustible. Once a solar unit is installed there are no other costs, except maintenance. The drawback with solar energy is that we don't have enough technical know-how to make it fully operational and reliable at the present.

Both coal and solar energy will take years to have an effect on the energy situation. The best solution for the present time is energy conservation; in other words, reducing the demand for energy while trying to increase the supply. As much as two-thirds of the energy consumed in the U.S. is wasted through inefficiency. Conservation is a measure that everyone can take to combat the energy crisis. Conservation can mean anything

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from forming carpools, to turning down thermostats, to turning off lights, to taking "navy-type" showers.

If these personal measures are not taken and the energy crisis gets more serious, I feel the government has the right to order rationing or taxing of gas and oil.

**Brenda Bevinetto, Grace King H.S., Metairie, Louisiana:**

Does the energy crisis exist? Yes, it does. It was seen in the summer of 1974 when people waited for hours on end in long lines for gasoline only to finally reach empty pumps. In the winter of 1977 we saw it again.

Was that the beginning of the energy crisis? Indeed no. The energy crisis had been building up for years and in 1974 the building crumbled. After this, people realized that they had been using their resources without thinking they might eventually run out.

Many people have been asking if the government has the right to order mandatory measures such as gasoline rationing. If the government did this, the problem would not be solved because the resource would still be running out. The problem must be solved by finding other resources to take the place of gasoline.

If government steps in, it would be interfering with the freedoms and liberties of the people. Government would become too big and powerful and, therefore, would be leaning toward socialism and communism.

Voluntary measures by the people toward energy conservation should be made. Since 1975 my family and I have:

1. not used the family car unnecessarily;
2. combined trips, taking the shortest possible route to destinations;
3. and those in the family that work, carpool with co-workers.

The energy crisis has brought about the need for energy in addition to the need for ecology measures. Because of the crisis, environmental protection should be more important now than before. Replacements for gasoline are needed terribly but in mining replacements such as coal, we must be very cautious to make sure environmental protection is achieved. Though strip mining is a quick and inexpensive method, underground mining might just be better in order that environmental protection be achieved.

The energy crisis does exist and will continue to exist unless people work closely together to find resourceful replacements, that do not completely kill the environment, for gasoline.

## **POINT COUNTERPOINT: ECONOMICS AND POLICY**

**Peter S. Knight—  
Louis Wilson Ingram, Jr.**

*Economics is so intricately interwoven with domestic and foreign policy that a general understanding of this subject is crucial to the study of government. In this Point Counterpoint article, a liberal and a conservative offer their views on four questions concerning economic policy. Peter S. Knight is Administrative Assistant to Congressman Albert Gore, Jr. (D-Tenn.) and has extensive experience in economic and energy issues. His views on economics come from a liberal perspective, while those of Louis Ingram are conservative. Mr. Ingram has worked extensively on economic issues, in positions which include that of Legislative Director to the Republican Study Committee. Presently, he is President of the Foundation for Law and Society, a conservative public interest law firm. Mr. Knight's responses to the questions are presented first as "the liberal perspective", followed by Mr. Ingram's counterpoint "the conservative perspective." Refer to the Glossary at the end of this chapter to help you with these articles.*

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### **POINT: THE LIBERAL PERSPECTIVE**

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**1) What is Economics? What are some basic principles central to your economic philosophy? How did an "economy" evolve?**

In its simplest form, economics is the study of scarce supplies and changing demands for these supplies. Products that you buy and services that you use have value because they are in limited supply. It follows that scarce products such as diamonds are expensive and unlimited resources such as water are relatively cheap. The value of any product is related to its supply and the demand for it. Economics is the study of these supply and demand relationships.

The basic principle of a liberal economic philosophy is that government must play an active

role in the formulation and regulation of economic activity in order to ensure that wealth is distributed more equally among all sectors of the citizenry. In our early economic history, government had a very limited economic role. It printed money, built roads and other public works projects necessary in a young country and made possible a healthy economy by providing for the national defense. The economic competition of the free enterprise system was supposed to act as an "invisible hand" providing goods and services at reasonable prices. However, this system was imperfect. Monopolies emerged and businesses were able to charge exorbitant prices. When the poor needed food the marketplace's invisible hand did not give it to them. When the townspeople needed a road, there was no one to pay for it. Government came to have a larger role in the economy because it was necessary to promote and protect the public welfare in an increasingly complex society.

So liberals believe that a free market system will not allocate scarce supplies in a fair manner. That is a system based on individuals' desires to improve their respective conditions through competition. . . which is a nice way of saying it is a system that works on greed. The free market can be marvelously efficient but it cannot always address the problem of equity. Our history shows that as our nation has grown rich, consumers have not been protected from monopoly prices, our rivers and air have been polluted, and the poor and elderly have been aided primarily by the government. Liberals more acutely feel the guilt of the defects in this imperfect system.

**2) Private Enterprise and the Role of Government: What should be the role of the government in the economy? Or, what are the merits of the private enterprise system?**

The U.S. government is the biggest business in the world and it must continue to play the major role in our economy. Its principle functions include direct government expenditures, redistribution of income, and regulation of business.

Direct government expenditures include money spent on programs to clean our rivers, build mass transit systems, provide housing for the elderly and provide jobs for the unemployed. People often criticize the growth of Federal spending yet it is these types of expenditures that

have given strength to this country. The marketplace and the private sector can never provide these goods of public value. It is the Federal government that must fill the void.

A major defect in the private enterprise market system is that it promotes inequalities of wealth. The United States enjoys one of the highest standards of living in the world, yet a small percentage of people continue to earn a disproportionately large share of the nation's income. Attempts have been made by liberal policymakers to redistribute income through changes in the tax structure. Social security, medicare, welfare, food stamps, and legal aid services are all attempts to bring the poor up to minimum income levels. It is interesting to note that when conservatives talk of cutting government spending the favorite target seems to be social welfare programs. Yet it is precisely because of the defects in the market system that government has had to expand these programs.

To the irritation of conservatives, the Federal government has steadily increased its role in regulating business activity. This is because the growing concentration of corporate power has left consumers defenseless. Between 1955 and 1970, the 500 leading corporations increased their share of total U.S. economic activity from 40 per cent to more than 70 per cent. Where corporate dominance stifles competition or where business activity adversely affects the public interest, it is the proper role of government to protect consumers.

An example of obvious public benefit is the regulation of business activities which are damaging to the environment. Until recently, environmental restrictions were lax and businesses felt free to dump their sewage in rivers and pollute the air. It wasn't until the government put a penalty on pollution and set environmental standards that businesses began to stop. Businesses don't like regulation but when you notice the level of pollution we live with today you can imagine what it would be like if the government had not stepped in.

In the future, government will have to expand its role into economic planning. Economic planning will not be an absolute plan but rather a direction for the future. National goals can be set to provide employment opportunities, quality health care, education and housing opportunities for all Americans. The government's role in economic planning will develop slowly as patterns of thinking adjust to the concept of balanced

**3) Balanced Budget and Deficit Spending: Should the budget be balanced? Or, why is deficit spending necessary?**

Conservatives scream about the urgency to balance the budget and the need to keep the country out of debt and out of the poor house. This is simply hysterical rhetoric. A balanced budget is not necessary to a healthy economy. In fact, if we balanced the budget today, we would enter a deep, deep recession.

The term deficit spending means that the government spends more than it earns in revenues. However, this is not the same type of debt as a household debt. When an individual buys a home or a car, he or she borrows money from a bank and pays interest on the loan. The debt is owed to the bank and the person's credit rating is on the line if the debt is not repaid.

A government debt is completely different. It is more like borrowing money from your family. The debt that accumulates with deficit spending is paid by selling government bonds, which bear interest for the bond holder. People use their savings to buy the bonds and the government uses the money to pay the projects of public benefit. When it comes time to pay off the bond the money and interest is funnelled right back into the economy.

Thus, a public debt is a debt owed to ourselves. Like owing money to your father, the payment you make is money the family gains. A bank can drive a homeowner into bankruptcy but the government cannot be driven into bankruptcy by the American people. High deficit spending is of some concern but it is not something to be feared.

During a recession deficit spending becomes even more important. Tax revenues are down, while the costs to the government from unemployment insurance, social security and welfare skyrocket. The government spends more but takes in less; deficit spending increases. A balanced budget would mean cuts in spending programs such as unemployment insurance, education, housing and/or defense.

What the government needs to do during a recession is to pump money into the economy, not take it out. Tax rebates and tax cuts will increase the money supply, while public service and public works jobs programs will put people back to work. This prescription necessitates deficit spending.

There are two major concerns with deficit spending: one legitimate, the other not so legitimate. Turning first to the latter, this is the relationship of deficit spending to inflation. Conservatives falsely argue that deficit spending is the primary cause of inflation. They say that government spending pushes prices up throughout the economy. Historically, however, there has been no consistent correlation between high deficit spending and inflation. Liberal economists do agree that deficit spending can be a factor, but they believe that there are other more significant causes of inflation.

The legitimate fear is of wasteful government spending. This is a proper concern of both liberals and conservatives.

**4) Inflation and Unemployment: What are the causes of each? What programs are necessary as solutions? Who has the primary role, the Federal government or private industry?**

The battle to control both inflation and unemployment at the same time is like trying to balance a see-saw by throwing rocks from 10 feet away while blindfolded. If you're lucky to land one rock and slow down the see-saw you have to get lucky again and land one on the other side to balance it out.

As recently as 10 to 20 years ago the problem of checking inflation while maintaining acceptable unemployment did not seem so complex. The right mix of Federal expenditures and tax breaks could usually do the trick. Now both inflation and unemployment are at record levels simultaneously and policies to contain them seem ineffective. Uncontrollable factors such as a 400% increase in oil prices, devaluation of the dollar abroad, and rising government expenditures have shattered traditional economic theories and left policy makers scratching their heads.

Inflation gnaws away at the value of your money. As inflation soars your dollar is able to buy less and less. Cuts in Federal spending are not the way to curb inflation because this results in unfair levels of unemployment. A recent Congressional Budget Office study suggested that a \$43 billion cut in Federal spending would cut the inflation rate by 1% within two years, but would also put 1½ million people out of work.

The number one problem in our economy is unemployment—not inflation. This does not mean that we should tolerate extended inflationary periods without taking corrective action. Instead, it means that we should not attack inflation at the expense of unemployment. A job

gives meaning to life and is the fulfillment of equality for all people. Chronic unemployment has severe consequences in our fight against crime and poverty and aggravates existing inequalities of wealth. The Federal Government must be sensitive to this by enacting policies designed to promote job opportunities.

One successful program in the fight against unemployment has been the public service jobs program. Coupled with moderate tax cuts to stimulate the business sector, long term employment possibilities have improved. Yet we are still saddled with both high inflation and unemployment and more innovative ideas must be tried.

If inflation continues it may be necessary to impose selective wage and price controls. President Carter's hospital cost containment plan, designed to reduce the nation's health bills, is a step in the right direction. Other government policies should include stricter antitrust enforcement and better management to eliminate wasteful government spending. As machines and energy become increasingly more expensive, it may also be possible to provide tax breaks to businesses that hire more workers rather than invest in new machinery.

Solutions will not come easily. As the debate continues policy makers must maintain a commitment to the unemployed. A nation as rich as ours deserves no less for its people than a job for all that are willing to work.

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### COUNTERPOINT: THE CONSERVATIVE PERSPECTIVE

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**1) What is Economics? What are some basic principles central to your economic philosophy? How did an "economy" evolve?**

"Economics" is the study of bread.

It employs a systematic pursuit of information about how bread and other goods and services are produced, distributed and consumed, and how they each, in turn, compete for "bread".

"Economics" is a social *science*. It is not a Parker Brothers game although it is concerned

about the "Monopoly" effect on price and quality. It is a descriptive science which deals with the *reality* of value although its silver is often used to make the mirrors with which the game of politics is played.

Everyone will agree that politicians should be forgiven, just as we always forgive businessmen, for using "mirrors" to sell themselves or their wares. The businessman does it for gain, we can all understand that.

The politician does it for "sound" electoral reasons; can't we understand that! Why worry that office seekers (or keepers) give political answers to economic questions even though such answers are almost always wrong! After all, don't these self-sacrificing public servants have a right to get elected (and stay elected)?

The reason that "economics" is so easily politicized is its inclusion of topics such as unemployment, earning capacity and buying power which touch our daily lives. These topics are at the heart of our aspirations and desires. When our personal economy is not keeping up with our dreams, frustrations are triggered which often obscure common sense.

Those frustrations are the source of jealousy which provides election energy for many politicians.

Even though the truth may be frustrating, economics is not a scheme for redistributing the wealth; it is the study of value.

**"ECONOMICS" IS NOT A PHILOSOPHY.**  
It is a science which posits certain "laws" describing observable and constant relationships. For example, the Law of Supply and Demand recognizes that the price (or value) of an item varies with changes in its supply or in its demand; the greater the supply, the lower the price. Also, the greater the demand, the higher the price. If farmers, for example, supply more wheat than the public demands, the Government can, however, purchase the extra wheat and thus reduce the supply so that a particular price is maintained. Such policy merely uses tax dollars which consumers pay to raise the prices which consumers pay.

**INDIVIDUALS PRODUCE ALL WEALTH.** Even coal, oil, iron and copper do not pop out of the earth without the labor of people. It requires individual labor to convert natural resources into useful products just as it does to produce services. So all wealth is really the product of individual labor **provided** one understands that the product of individual labor is



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greatly increased by machines which are, in turn, purchased by the wealth created by the product of other individuals' labor. It is the contribution, and ownership, of capital investment which distinguishes this, clearly, from the Marx position.

**MONEY MUST BE HARD.** Money is a "medium of exchange" which is easily transported, and is a "store of value" which can be saved for later use. If you worked for garden variety lettuce (that was my generation's slang for "bread"), you would understand the importance of exchanging your lettuce (for shoes, for example) as quickly as possible. But doesn't Treasury Department "lettuce" wilt as its value is decreased by inflation?

When I was a child, that green stuff could be exchanged, at any bank, for gold, which is something most people seem always to want. But our "money" is not convertible any more. It is what economists call "soft" which is a nice way of saying it has no real value of its own.

**VALUE IS WHAT ONE WILL PAY.** "What the traffic will bear" expresses well the idea of real value. It implies that demand will support the particular price but not a higher one. Demand is the only way to set price; every bargain involves two people, **each of whom** got something they **wanted more** than what they gave in exchange.

Of course, I do have some philosophical attitudes that affect my policy preferences. Let's take a look at a few.

**"THE PEOPLE" HAVE NO MORE RIGHT THAN INDIVIDUALS.** It is popular to imagine that "the people", or "the community", or "society", have greater rights than do the individuals who comprise these collective nouns. That is the excuse for limiting the economic freedom of certain people in the name of expanding the so-called "civil rights" of others. It is nonsense. It is "collectivism". It is what socialism, fascism and communism are all about.

**POLITICIANS SHOULD BE REQUIRED TO RAISE TAXES TO PAY FOR THEIR GIVEAWAYS.** Popular government cannot work when leaders deceive followers. Your "representatives" love to vote in favor of programs which give away money because they know that people love to get money—especially without working. Your "representatives" hate to vote in favor of raising taxes because they know that people hate to pay taxes—especially if they have worked for their money. So "deficit spending" is the answer, but that causes inflation and, in

effect, taxes you by reducing the value of your money to the advantage of the government. If politicians are going to enjoy the pleasure of the "getters," they should be required to suffer the displeasure of the working taxpayers, that is, IF you believe in real democracy.

An "economy" is the structure of economic life in some area or era. When primitive man relied exclusively on his own resourcefulness, there were no transactions, but there was value in the things such men did and accumulated. In those early days, every man was a generalist: he was hunter, builder, defender; whatever he had to be in order to survive.

The gradual development of agriculture rooted man, as well as his plants, to one place where there were, very often, other men. If one of them happened to produce more food than he needed, he might exchange it for a different food of which someone else had an over-abundance. Perhaps someone else had managed to make an ax of stone (because no government then existed to forbid him to own weapons) and found that it could be exchanged for food. Thus began specialization and men began to swap the products of their labor. Transactions were born and so was a "barter" economy.

Those ancients found that their food spoiled and that they did not always need an ax, so they developed a medium of exchange. Precious stones and silver, as well as gold, became their money because those items were in general demand and had, as we would say today, an indefinite "shelf life". With the use of a medium of exchange, a "money" economy was born.

Because gold and silver could be exactly sized and valued, they were turned into coins and won a lasting place in transactions until the persons who issued such coins discovered that a little metal could be shaved off each coin. You see, our elected princes are merely maintaining a long tradition. Government first issued paper money which could be exchanged for gold (as long as the gold reserves equaled the paper), and finally government decided that it was "useless" to permit ordinary people to exchange their paper for gold.

It is worth remembering that people, exercising their freedom, not government, created money. And that people **VOTING WITH THEIR DOLLARS** in the marketplace can more democratically control their economy than can government.

**2) Private Enterprise and the Role of Government: What should be the role of the government in the economy? Or, what are the merits of the private enterprise system?**

"Free enterprise" is always called "private enterprise" by those who favor "public enterprise." They believe if you can be made to talk about "private" and "public" enterprise, maybe you will forget to ask about freedom. Free enterprise is a commercial system developed around the private ownership of property and individual liberty. To what do we owe these rights? Individual and private property rights are recognized in God's Commandment "Thou shalt not covet thy neighbor's property." Individual liberty (that is, the free spirit of man) is presumed by the very statement of the Ten Commandments. The moral limitations and obligations of the Commandments would be superfluous were Man not "free" to do as he otherwise pleased.

In order to fully develop the human potential, moreover, individual liberty is a prerequisite necessity. "Society" has no community potential greater than the maximum achievement of its best minds. Who will guarantee that the best minds are in charge of a regimented society?

**WHAT ARE THE RELATIVE MERITS OF FREE ENTERPRISE?**

Relative to what?

Once we tolerate State modification of individual rights, what stops it from abrogating them altogether? Collectivists always talk about "the people," "the community," "consumers"; they never speak of individuals. "People" is a collective noun referring to multiple individuals. Its plurality does not change the very fundamental individuality of those to whom it refers.

Apart from the evidence demonstrating man's free spirit, there are some vital, practical questions with which collectivists have difficulty. The proponents of so-called "public enterprise" cannot explain why people in roles of government managers of commerce are more trustworthy than people in roles of private managers of commerce. When commerce is "nationalized," it will be people who take over the roles of people in these activities. All people are essentially subject to the same ambitions, greed and pride. Are collectivists suggesting that bureaucrats are genetically superior to the rest of us?

Think about that!

**WHAT SHOULD BE THE GOVERNMENT'S ROLE IN THE ECONOMY?**

As limited as possible!

The government's role should be limited to protecting "freedom," as in free enterprise, by preserving the essential elements of genuine competition. Just as there is general acceptance of the self-preservative benefits of traffic laws, it requires only common sense to understand the benefits of competition with respect to both the quality and price of goods and services, and with respect to liberty. Tyranny can wear the mask of commerce almost as easily as it dons the mask of government.

Sometimes tyranny hides behind both masks. For example, government regulation consistently enhances monopoly at the ICC, the FCC, the CAB and so on. The exceptions that prove the rule merely demonstrate that government dominates when it regulates and does so at enormous expense to both taxpayers and consumers.

Balance through competition would require less bureaucratic overhead and achieve lower market prices.

People can afford to exercise corporate control over vast commercial empires for which they cannot possibly assume actual responsibility only through the statutory devices of "limited liability" and "bankruptcy." Frankly, restriction of the limitation of liability (which is the purpose of incorporation) and the repeal of bankruptcy would pose some problems.

The "economy of scale" permits all of us to buy a car, the price of which would otherwise be far beyond our buying power. The mass production and mass sale of automobiles also employs millions of Americans. But the mere existence of such practical problems posed by trying to discourage monolithic corporations and simultaneously encourage mass employment should not preclude a solution which recovers for all of us the benefits of that which we have already largely lost: free enterprise.

**3) Balanced Budget and Deficit Spending: Should the budget be balanced? Or, why is deficit spending necessary?**

**SHOULD THE FEDERAL BUDGET BE BALANCED?**

Some people believe that it is "necessary" for the country to be in hock. The speciousness of

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such a claim should be apparent to anyone who deigns to think about it. What happens to you if you continually spend more than you earn?

The threshold question is WHO OWNS THE WEALTH OF THE COUNTRY? That's easy, you say, "the people." Do you mean the individual people own what they produce or do you mean that the collective people (the country) owns what the individuals produce?

If you mean the country owns the product of the people, then you might as well say the government owns that product. In that case, the government's income is really the total earnings of all its citizens. That also means that what money you, or your parents, may have left after taxes is really a gift from the government; that is, it has **allowed** you to keep that which belongs to it.

Most of you probably think of your summer earnings as yours, or your dad's salary as his—or maybe yours. That is **very** different in terms of what belongs to the government.

The country's income is **only** the taxes it collects, and how much it can raise taxes depends on the willingness of its people to "work for the government."

Whatever the government spends is yours. The question is, should it put future generations in hock or should it devalue your money through inflationary policies.

Government can go into hock just as you might, by borrowing money from banks, insurance companies or the public. For this, the Treasury issues government bonds to the public through the normal business channels known as capital markets. Or it can go into hock another way.

What would happen to you if you went into your basement and printed up some nice money and went out and spent it? Right! Jail!

But your government does very nearly the same thing when it prints money that has no real value, that is when it is not convertible into gold or in total circulation represents more dollars than the total value of good goods and services in current availability. The government can print money or extend additional credit which has the same effect. We wind up with dollars that are less valuable. The only conclusion is that someone has taken from you something of value.

There is **NO** reason for deficit spending except in emergencies, such as when the national security is threatened.

## HOW WOULD A BALANCED BUDGET AFFECT SOCIAL POLICY?

The question presupposes that budget-balancing will indeed have some effect on social policy. Congress could easily continue spending at present levels **and** balance the budget by merely raising taxes.

The presupposition of the question suggests that raising taxes would be political suicide and, consequently, a budget balanced at present levels is impossible. If that were the case, spending would have to be reduced in order to balance the budget, and **only then** could it be said that a balanced budget would have an effect on social policy.

The question presumes that social policy always involves giving away money, not merely the enforcement of rights. Indeed, most of our welfare programs are nothing more than income "transfers" from those of means to those of lesser means, a fact recognized in the budget by the use of the term "transfer payments."

Budgeting for survival welfare is one thing, welfare for comfort and amusement is another. Why should food stamp recipients be permitted to purchase expensive "convenience" foods, fine meats, and so on? There is no justification for such policy and its effect is to use your taxes to stimulate greater demand and, therefore, higher prices for products that you might expect to buy.

But transfer payments fly in the face of private property, which we have seen is a moral right, because such payments merely make the government the agent for the covetousness of the recipients. Such agency does not in any way ameliorate the theft that is involved.

**4) Inflation and Unemployment: What are the causes of each? What programs are necessary as solutions? Who has the primary role, the Federal government or private industry?**

### WHAT ARE THE CAUSES OF INFLATION and UNEMPLOYMENT?

Inflation is the reduction in the value of money. That reduction in money value is reflected in higher prices.

A fact which collectivists and politicians abhor is that prices can, and do, increase without inflation. For example, where government has been depressing the price of natural gas through interstate regulation, that price will rise if regu-



Unemployment

Photo Courtesy of Department of Labor

lation is eliminated to reflect the real value of the commodity. Such an increase is not inflation.

Inflation which reduces the value of money has only one cause: government. Government issues **more** money (or credit) in order to pay its own bills, but that extra money and credit also cheapens the money you have earned and saved because there are then more dollars chasing after no more goods and services.

Because inflation reduces buying power, it reduces capital investment in production facilities and thus stimulates unemployment. So deficit spending causes inflation and inflation causes unemployment.

#### WHAT POLICIES ARE NECESSARY TO SOLVE THESE PROBLEMS?

Get government out of economics.

Our "representatives," in general, appear unable to separate policy decisions (on economics or anything else) from election decisions. That does not mean that they reflect their constituents. It means that they reflect only those noisy interests which seek to undermine human rights for their own material advantage.

Yes "human rights", not those we are "given" by our government, those are the rights we enjoy solely because we are human, among which are "life, liberty, and property."

"Property"? Jefferson used just that word in his original draft and later changed it to "the pursuit of happiness" because he and the other framers of the Declaration feared that it would be interpreted to mean that Americans had a right to property they had not earned for themselves. And that rejected idea is just what the transfer agents in Congress, assembled, are working toward today.

Poor Jefferson.

## The Federal Budget: Q & A

*The primary reference sources for this article were: Wildavsky, Aaron, **The Politics of the Budgetary Process**, Boston, Little Brown & Company, 1974 (Chapter one, "Budgets", pp. 1-5).*

*The U.S. Budget in Brief, Fiscal Year 1978, Office of Management and Budget, Washington, D.C.*

### What is a budget?

The **Random House College Dictionary** defines a budget as "an estimate, often itemized, of expected income and expense; a plan of operations based on such an estimate; an itemized allotment of funds for a given period."

### What is the Federal budget?

The Federal budget is the budget for the United States Government. It explains how the government will spend its money (**expenditures**) and from where this money will come (**revenues**).

### What does the budget do?

Firstly, the budget is a plan. Professor Wildavsky calls it a "series of goals with price tags attached" (**The Politics of the Budgetary Process**, p. 2), a plan which links actual financial resources to desired policy objectives. Secondly, the budget is a contract in which "Congress and the President promise to supply funds under specified conditions, and the agencies agree to spend them in ways that have been agreed upon" (**Idem.**). In both these ways, the budget informs the American people of how the Federal government intends to spend funds during the coming year.

**How often is the budget written?**

Annually. The budget follows a "fiscal year" (FY) calendar. A fiscal year begins on October 1st and runs through the following September 30. For example, FY 1978 began on October 1, 1977. Between January and September 1977 each section of the FY 1978 budget will be acted upon by Congress.

**Why do we need a budget?**

The Federal government is no different from your school, business, or other institutions or organizations. It has limited resources to spend. Needs and good ideas always exceed the available resources, so the government must set priorities.

**Then not everyone gets what he or she wants?**

Definitely not. "Presidents, political parties, administrators, Congressmen, interest groups, and interested citizens vie with each other to have their preferences recorded in the budget. . . If politics is regarded, in part, as a conflict over whose preferences shall prevail in the determination of national policy, then the budget records the outcomes of this struggle" (*Ibid.*, pp. 4-5).

In 1975-1976, when the Republican Gerald Ford was President, and the Congress was dominated by a Democratic majority, Mr. Ford vetoed 39 bills which had been passed by the Congress. Many of these bills were budgetary matters in which the Congress wanted to spend more funds or spend the funds on different priorities than did the President. In eight cases, the Congress overrode the President's veto.

The conflict has not ended just because the President is now a Democrat. At present, there are many bills under consideration in which the President has threatened a veto if the Congress allocates more money than did the President in his budgetary recommendations.

**What is a balanced budget?**

When you plan how to spend your money so that you will not spend more than you are earning, you are balancing your budget. The government balances its budget when its revenues exceed or are equal to its expenditures. . . when it takes in through taxes and other sources more than it spends. If the budget is not balanced, the difference between expenditures and revenues is called a deficit. In FY 1977 the Federal budget ran a deficit of approximately \$50 billion.

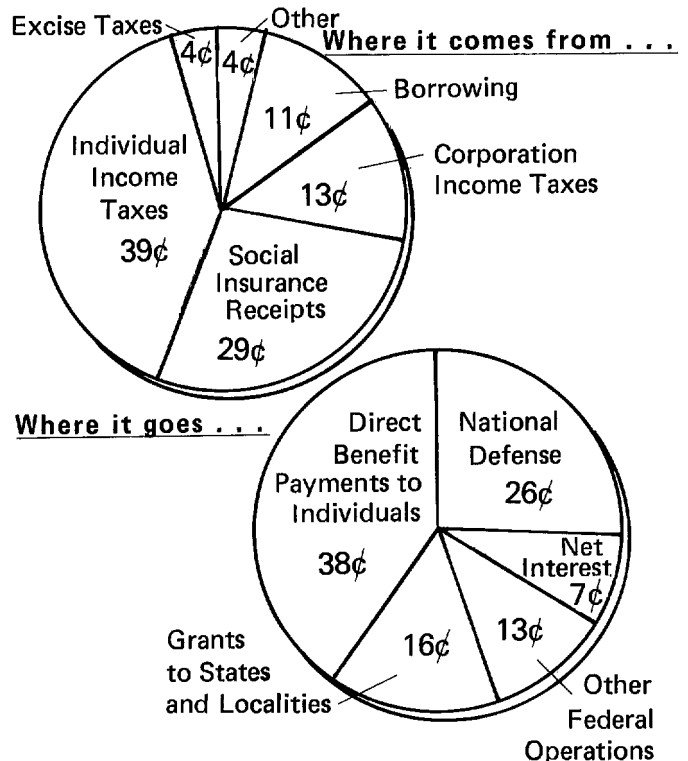
**Who decides the budget?**

As you can see, it is both the President and the Congress. More specifically, it is the Office of Management and Budget (OMB) in the executive branch and the House and Senate Budget Committees, assisted by the Congressional Budget Office (CBO) in the legislative branch, which have principal responsibility for the formulation of budget proposals. The actual process of formulating and then enacting the budget occurs throughout much of each year. The President submits his proposal to the Congress for its consideration.

The CBO and the House and Senate Budget Committees were established in 1974. Before then, Congress acted separately on each policy area of the President's budget recommendations (defense, education, jobs programs, etc.), without formulating its own overall budget proposal. Under the new system, the Congress is better able to evaluate programs and policies, because they are considered as part of the overall budgetary picture.

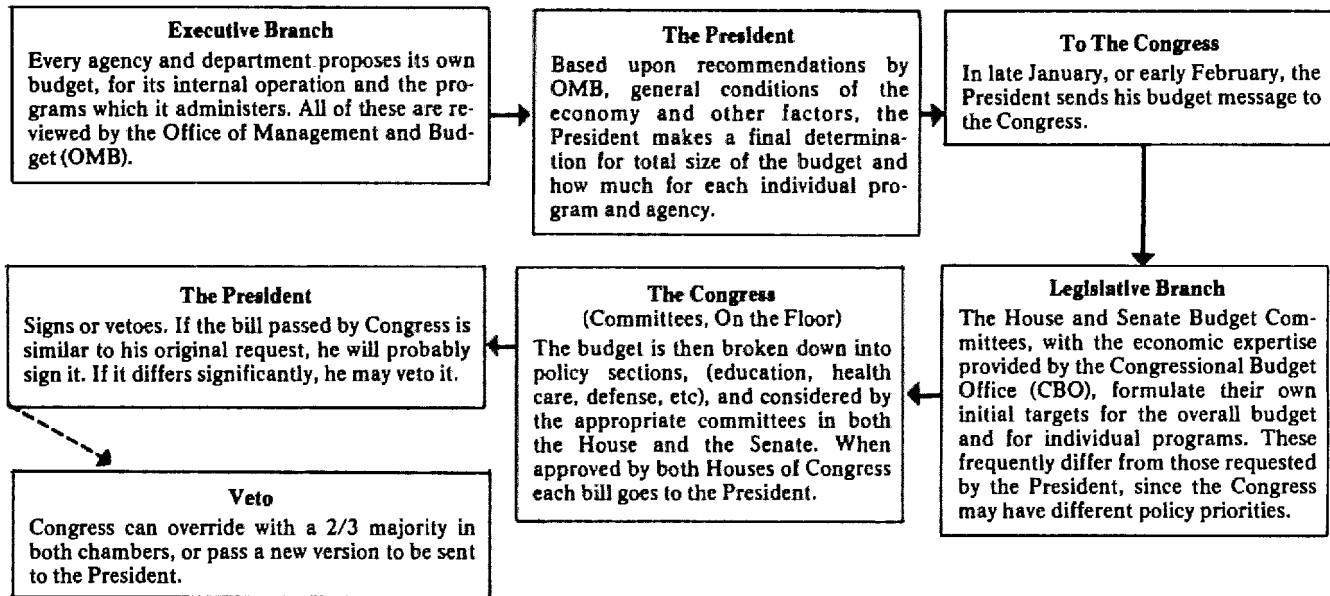
**THE BUDGET DOLLAR**

Fiscal Year 1978 Estimate



Source: *The U.S. Budget in Brief, FY 1978*, Executive Office of the President, Office of Management and Budget.

**How does the budgetary process work?**



**GOLDEN YEARS OF AMERICAN AGRICULTURE**  
**Senator Herman E. Talmadge**

*Senator Talmadge (D-Georgia) is the Chairman of the Senate Committee on Agriculture, Nutrition and Forestry. As the Chairman of this committee he has played a leading role in rural and agricultural affairs. He wrote this article especially for Perspectives.*

Times have certainly changed in the development of agricultural policy in the United States. It used to be that only farmers and the government were concerned over farm programs. Little national attention was paid when a farm bill was passed. Today, agriculture touches everyone in America, and its importance is widely recognized. Our people have been reminded that milk does not come from plastic containers and that bread in fact does not originate at the bakery. The entire food and fiber industry has taken on increased importance in recent years because of its tremendous boost to the American economy.

**Our Economy's Strongest Force**

Without overdramatizing the situation, I contend that agriculture in America offers more

hope and promise, and the ability to deliver more positive results, than anything else I see on the horizon at this time. Without a doubt, agriculture is the strongest economic force we have in the United States today. It means billions of dollars in income, and millions of jobs, for people on the farm and off the farm.

Agriculture has become America's greatest employer. Farming alone employs some 4.4 million workers. That by itself equals the combined payrolls of the nation's transportation, steel and auto industries. Even more revealing is the fact that one out of every four jobs in America is dependent upon the food and fiber industry. Each \$100 million in agricultural export sales creates nearly 5,000 new jobs in our domestic economy.

Our farmers are also exceptionally productive. One American farmer can feed 51 people. Compare that to the vast expanse of the Soviet Union, where one-third of its labor force is on the farm and a farmer can only produce enough food to feed six people.

**An Important Export**

Both Congress and the American public must recognize the distinct advantage that the United States enjoys in agriculture. No other nation on the face of the earth can match the efficiency and productivity of the American farmer. He produces a commodity which in the final analysis is more precious than Mideast oil.

employ agriculture as a diplomatic bargaining tool to strengthen the United States economy and to help build a better and more secure world for all nations.

More and more people, and more and more members of Congress, are becoming increasingly aware that agriculture is a potent force in the American economy. For the good of our country and in order to fully utilize this potent force to strengthen the economy, I hope this trend will continue. If so—and it should not only continue but improve—the 1970's will go down as the golden years of agriculture in America.

Photo Courtesy of Department of Agriculture



The American Farmer

This is proven by the fact that worldwide demand for American agricultural products is greater today than ever before. In the future, both immediate and long-range, it has nowhere to go but up.

The American farmer fills freighters to the brim with wheat, corn, feed grains and soy beans to help nourish a world population which increases by 200,000 per day—or 74 million annually. Nations which are dollar-rich but food-poor will look more and more to the United States to fill their vital food needs. In 1970 our agricultural exports were worth \$7 billion, and they have continued to increase by leaps and bounds—\$18 billion in 1973, \$22 billion in 1976. Agricultural exports have been running about \$12 billion annually.

In the context of our recent economic plight and the energy crisis, that surplus is of tremendous importance. It equals almost half of what we have to pay for imported oil. It helps offset an overall trade deficit that would have been devastating without agricultural exports.

There is no way on earth that we can earn enough foreign exchange to continue to pay the inflated, blackmail price for imported oil, which has been running about \$25 billion a year, and which will be pushed even higher by recent OPEC price increases. But until the cartel can be broken, until the price of oil abates, our ace in the hole is now, and will continue to be, agricultural exports.

I know of no opportunity more compelling. We must seize the initiative and use agriculture to the fullest extent possible. I do not propose that we fashion agriculture as some kind of weapon for retribution or economic sanction, or for blackmail, as the OPEC nations are now using their vast oil reserves. But we most certainly should

## THE ONGOING STRUGGLE FOR EQUALITY AND JUSTICE

### Congresswoman Shirley Chisholm

*Congresswoman Chisholm (D-N.Y.) was elected to Congress in 1968, after having served four years in the New York State Assembly. Throughout her government career, she has worked for an end to all forms of discrimination in American society. In 1972, she became the first black woman to run for the Presidency, losing to Senator George McGovern (D-S.D.) in the primaries. This article was written especially for Perspectives.*

Our nation has been engaged in a great civil rights movement since its beginnings. While the battle for equality and racial justice has captured the attention of middle Americans only in the past two decades, the truth is this struggle dates back to the inception of this nation. It is as much a part of our history as are the Declaration of Independence and the Constitution.

The gradual acknowledgement that blacks, women and other minorities are entitled to the rights and privileges of white males in this society has come through the courts and the legislative process. While our government has made some strides in bring about legal equality, our society has a long way to go before the vestiges of racism are eliminated from all aspects of American life. Court decisions and legislation have been important tools to structure a society free from racial hostility; but it is equally important that there be comparable changes in the hearts and minds of the American citizenry.

Any assessment of the American experience and the role of minorities in that experience has to include the inherent contradictions which predominate every part of our public and private lives. We are a people whose history and development is rooted in violence and turmoil, yet we have endured. We are a nation proud of our ideals of participatory democracy, yet we have a lower voter turnout in virtually every election. We are the richest country in the world, yet we have in our midst twenty-five million Americans whose annual family income falls below the national poverty line. We have the greatest access to medical facilities and the most highly developed health technology, yet thirty per cent of the children in the ghettos and barrios of this nation are suffering from some kind of malnutrition which will impair them for the rest of their lives. We pride ourselves on the so-called "melting pot"

theory that states that our nation thrives on its racial and ethnic diversity. Yet, we remain a society torn by racial conflict and discrimination.

Even as those contradictions between our principles and our practices abound, we still celebrate the common bond which binds us as one people. It is this bond which propels us into our unique position of world leadership. From this vantage point, then, we can take stock of our problems and our progress. In doing so, we can learn from other nations, other civilizations, which have preceded us. The most important conclusion we can draw is simply that no nation—regardless of its wealth, its organization, its military strength—has been able to survive if that nation continues to squander its fortunes on those already blessed and ignores the people who are most in need. No nation can endure another two centuries without putting its house in order and acknowledging that the American dream is not yet a reality for millions of Americans.

## **POINT COUNTERPOINT: THE EQUAL RIGHTS AMENDMENT** **Phyllis Schlafly—Kristina Kiehl**

*A proposal for a constitutional amendment must be ratified by the U.S. Congress and by three-fourths of the state legislatures (i.e., 38) within a seven year period. Presently the Equal Rights Amendment (ERA) has been ratified by the U.S. Congress and 35 states, leaving only three more states for it to become a part of the Constitution. However, the seven year period expires in March 1979. In the first two years 30 states ratified the ERA, but since then only five more have done so.*

*Many questions remain in controversy: Should the ERA be passed? What would its effects be? Phyllis Schlafly is national chairman of the Stop ERA movement, an organization which has lobbied against ERA and on other issues related to women on the state and Federal levels. Kristina Kiehl is a lobbyist for the Women's Lobby, Inc., a nonprofit organization concerned with ERA, minimum wages, abortion and other issues affecting women. Both were presented with the same questions; here are their responses.*

### **THE EQUAL RIGHTS AMENDMENT**

(Proposed twenty-seventh  
amendment to the Constitution)

#### **SECTION I**

Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

#### **SECTION II**

Congress shall have the power to enforce by appropriate legislation, the provisions of this article.

#### **SECTION III**

This amendment shall take effect two years after the date of ratification.



2) Will the passage of ERA take away any rights and privileges presently enjoyed by women?

**POINT: PRO ERA**

**1) Is a constitutional amendment necessary to end sex discrimination and to insure equality of opportunity for women?**

A constitutional amendment is necessary when there is a need to establish a principle not yet included in the Constitution. The Equal Rights Amendment is needed to establish the principle that all women and men are created equal. Many people assume that the Fifth and Fourteenth Amendments already established equal rights, but the fact is that they have not been interpreted this way by the Supreme Court. Racial discrimination has been consistently declared illegal under these principles, but not so with sex discrimination.

Here are some of the inequitable practices which, according to the American Civil Liberties Union, would be outlawed by the ERA:

- discrimination in public and vocational schools, including the exclusion of women from athletic programs;
- discrimination in public employment which keeps women in the lowest paid jobs;
- the prosecution of female (but not male) juveniles for minor offenses like staying out late;
- different ages of majority for girls than boys;
- quotas on women's enlistment in the military and bans on such vocational opportunities as pilot training.

The ERA is necessary not only to change the laws but also the tradition of the inequality of the sexes. It is an old principle of English common law that "when a man and woman are married, they become one and he is the one." The ERA is necessary to change this principle and to end all arbitrary classification by sex.

The ERA would force those who treat women differently to prove that women couldn't perform the same functions as men. **They** would have the burden of proof and not the woman who was discriminated against. This change would save millions of women the price of costly court battles. Finally, ERA would also ensure protection against sexual discrimination in the future.

The principle of equality is not synonymous with sameness. To believe that men and women should be treated as equal under the law is not to say that men and women are the same. Rather, the ERA means that they could no longer be treated differently on the basis of sex. The effect of the ERA would be to equalize privileges.

Opponents raise such questions as the drafting of women, the elimination of the obligations of alimony and child support, the loss of separate toilet facilities for men and women. These are misleading arguments. Under the present volunteer army no one is being drafted. If a national emergency reactivated the draft system, Congress already has the power to draft women. Patriotism is not sex linked and the draft is more a threat for men than it would be for women.

ERA would require that child support and alimony laws be written in a "sex-neutral" fashion. No spouse would be denied support on the basis of sex. Thirty-three states already have sex neutral support laws.

Another famous threat to the rights and privileges of women is the co-ed toilet facilities. As Senator Marlow Cook (R-Ky.) said during the Senate debate on ERA, this argument implies that men can currently enter women's rooms. This is obviously not the case. The Ninth Amendment's right to privacy will continue to protect men and women in personal relations like bathrooms, sleeping quarters and reasonable sex differences.

**3) How will ERA affect homemakers?**

The ERA will not require wives to work, nor will it take away the "wonderful rights to be supported by our husbands." What the ERA does is force the law—for the first time—to recognize that a homemaker's services constitute the homemaker's contribution to the support of the family. In the 92nd Congress the Senate Judiciary Committee reported that "where one spouse is the primary wage earner and the other runs the home, the wage earner would have a duty (under the ERA) to support the spouse who stays at home in compensation for the performance of his or her duties." (*Congressional Record*, March 22, 1972.)

Without ERA wives are not entitled to any compensation for their services as homemakers. In fact, they are not even entitled to an allowance under current laws. With regard to marital support problems, most states provide no legal remedy to a wife whose husband refuses support within a marriage. The law characterizes the husband as "head of the family" with a moral rather than legal duty to care for his property. As head of the family he determines the standard of living. In other words, a wife has the "wonderful right" to be supported only as her husband wishes. It is through the benevolence of her husband that she is supported; only after separation or divorce will the law possibly order support.

States which have passed their own equal rights amendments for their state constitutions have continued to award alimony to divorced homemakers. In addition, these laws provide for an equitable distribution of property in a divorce. In too many states without an equal rights amendment, the property and assets belong to the spouse who earned the money for them, disregarding the fact that homemakers contribute to the family welfare in other than ways.

#### 4) How will ERA affect men?

The ERA will extend to men some privileges now enjoyed only by women. The three most obvious areas affecting men are child custody cases, widower benefits and labor laws.

There have been many cases where the husband has been denied custody of a child, even though he desired and rightfully deserved to be entrusted with care of the child. Thirty-three states now have child custody laws written in sex neutral terms. The ERA would force the remaining states to extend this equality to fathers.

Social security laws currently grant smaller benefits to widowers (men) than to widows (women). This discrimination is based solely on sex and would be eliminated through the ERA.

Finally, protective labor laws would be extended to cover workers of both sexes. Occupational hazards such as asbestos and lead poisoning threaten the health of all workers regardless of sex. You can see that enactment of ERA would benefit all people.

5) Why do you think that after 30 states ratified the ERA within two years, only five additional states have done so in the four years since then?

The U.S. Congress and 35 states have ratified the ERA; only three more states are necessary. But March 22, 1979 is the deadline for ratification or the process will have to begin all over again. This would deny women—and men—equality for many more decades.

The idea of changing the status of women is unsettling. The women's movement has worked on a wide range of issues relating to sex discrimination, while the opposition to ERA has waged a single issue campaign of fear and distortion. The images of women losing alimony and child support payments, the prospect of both sexes sharing bathrooms, the thought of legalizing homosexual marriages, the picture of women being forced to work outside the home—all strike a sensitive note in the voting public and their legislators. These threats can best be answered with facts.

What has happened where states have passed their own equal rights amendments to their state constitutions? In none of these states, such as New Mexico and Pennsylvania, have men and women been forced to share bathrooms. Nor have homosexual marriages have legalized; nor have unwilling women been forced to go out to work.

The economic recession has also played an important role in the opposition to ERA. When jobs are scarce, few people are willing to press for legislation to end discrimination against women. Corporations are pouring money into the stop-ERA movement. These corporations fear the prospect of paying men and women equally for the same work.

A constitutional amendment is our highest form of law. It is only reluctantly and slowly that we change our Constitution. Passage of the ERA means a commitment to the equality of women. Equality isn't sameness, it isn't easy, but that's not reason enough to give up.

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**"The aggregate happiness of society is, or ought to be, the end of all government."**

*George Washington*

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## COUNTERPOINT: ANTI ERA

### 1) Is a constitutional amendment necessary to end sex discrimination and to insure equality of opportunity for women?

It is irrelevant to discuss "a" constitutional amendment on sex discrimination. Under our system of government, we are considering whether to accept or reject "the" Equal Rights Amendment. We cannot change it or amend it now. The time for that is past.

ERA in its present text, will do nothing at all for women. It will not bar sex discrimination in hiring, pay or promotions. The Equal Employment Opportunity Act of 1972 already does exactly this. The Education Amendments of 1972 already give women full equal rights in education at every level. The Equal Credit Opportunity Act of 1974 already gives women equal rights in credit.

Specific legislation is the intelligent way to tackle problems, not the blunderbuss approach.

### 2) Will the passage of ERA take away any rights and privileges presently enjoyed by women?

ERA will take away many rights and benefits that women presently enjoy. ERA will take away a young woman's exemption from the military draft and from combat duty. In our country's future wars (which the politicians get us into about every ten years), young women will have to be inducted and assigned to combat just like men. You have to be kidding to call this an advance for women! If the American people want to draft women, we can do it now without ERA. But if we have ERA, it will be constitutionally impermissible to exempt women.

ERA will take away the right of a girl or woman to attend an all girls' school or college, or to join an all women's sorority. There are more than 100 women's colleges which, even though they are private, are still subject to Title IX. They are allowed to reject boys because of an exemption in Title IX. ERA would wipe out that exception because the Constitution is "the supreme law of the land."

### 3) How will ERA affect homemakers?

ERA would proclaim as a constitutional mandate that no longer can we have any laws that impose a greater duty of financial support on the

husband and father than on the wife and mother. Every law would have to become sex equal. This would be grievously unfair to the woman because women have babies and men do not have babies. Equality of financial obligation puts a double burden on the woman.

### 4) How will ERA affect men?

The biggest effect of ERA on men (and women, too) will result from Section 2 which gives Congress the power to enforce it. This is a grab for power by the Federal Government that will transfer all power over marriage, divorce, child custody and any legislation that makes a difference between men and women, into a Federal problem to be administered by the Washington bureaucrats, with final decisions made by the Federal judges. ERA would, in the words of Senator Sam Ervin, reduce the states of our nation to "zeroes on our nation's map."

### 5) Why do you think that after 30 states ratified the ERA within two years, only five additional states have done so in the four years since then?

ERA was rushed through the first 30 states without any hearings or debate. When states began to study ERA, they have rejected it with increasing momentum. The American people recognize ERA as a fraud.



Did you say you joined a league, Martha? Gee, I didn't even know you could bowl!

# THE WELFARE SYSTEM IN THE UNITED STATES

**D. Lee Bawden**

*Mr. Bawden is Program Director of the Human Resources and Income Security Project at The Urban Institute in Washington, D.C. The Urban Institute is a non-profit, research organization dealing with urban problems. In this article, Mr. Bawden provides an informative explanation of who are the poor in America before moving into his analysis of the welfare system.*

As far back as 1969 President Nixon said that the major domestic policy issue was reforming the welfare system in the United States. Welfare reform is still an important issue, and it is the second major domestic initiative (the first was energy) developed by the Carter Administration. It is of some interest, therefore, to learn about the present welfare system.

## Who Are the Poor?

Everyone seems to have a favorite stereotype when you mention the poor. To some, it is the white wino on skid row; to others it is the black fatherless family in the ghetto; to others it is the Mexican-American migrant laborer. The fact is that the poor are a very diverse group and cannot be represented by any particular stereotype. Many are not poor for more than a year or two. Research shows that the poor are not a group of families who stay poor year after year.

Twenty percent of the poor people are in households where the head of that household is either over age sixty-five, blind or disabled. About another 30 percent are in households headed by a female under age 65. Slightly over 50 percent live in two-parent families where the husband is able-bodied and less than sixty-five years of age. Moreover, most of these husbands and many of the wives work during a given year, and many of them work full time—but they are still poor because of low wages.

We hear a lot about the fact that the poor are lazy, that if they really wanted a job they could get one. . . after all, look at all the want ads for help in the daily newspaper. While there are certainly some who are poor because they are shiftless, this is only a tiny minority of the poverty population.

Study after study shows that the poor **do** want to work, but they cannot find employment. The Federal Government instituted a work and training program called WIN, principally for mothers who were on welfare because they had low incomes and their husbands were not present. The idea was that many of these women were not working because they simply didn't want to, and that they should be made to work. The Government found that this was not the case: over twice as many volunteered as could be accepted into the program. Those accepted into the program were given training and help in finding employment; yet the program could find employment for only one in ten of those who received training.

Research shows that the same picture is generally true for families headed by a male as well. So the vast majority of the poor want to work but they cannot find a job. Why then are there so many want ads in the paper? First, there are always want ads in the paper because there's a certain turnover in jobs, and equal opportunity regulations require that these jobs be posted so that all who are interested can apply. But, of course, for many of those jobs the employer has in mind whom he or she wants to hire before the job is even posted. Second, there is the problem of skill matching—many of the jobs in the newspaper demand skills not possessed by many of the poor. Third, some of the poor are poor because they do not interview well; they apply for the position but are never chosen. Finally, a number of the poor do take these jobs and some of them escape poverty.

Any way you look at it, there are always more people wanting to work than there are jobs. Why, you might ask, do you have a lack of jobs? After all, many other countries, particularly socialist countries, have much lower unemployment rates than the United States. The answer is that one cannot regulate employment well in a capitalistic society. Capitalism by definition means that there are a large number of individual owners of businesses. These owners do not make decisions jointly. Consequently, there is never a perfect match between the skills that these employers desire and the skills held by the labor force.

Most of us would argue that this is a small price to pay in order to have a capitalistic society. The problem is that most of us don't pay this price. Those who pay are those who cannot find jobs. One might argue, then, that the Government has a responsibility, not only to help the aged, the sick, the disabled and the female-headed family,



Photo Courtesy of the Department of Agriculture

but that it also has a responsibility to help those who cannot find a job.

A final point to remember about the poor is that many are not poor for more than a year or two. Research has shown that a third of the people who are poor in any one year are not poor the next year. So, while we do have a large number of families in the United States who remain in poverty year after year, the largest proportion of poor families are either in poverty for only a short period of time, or are in and out of poverty a number of times over their lifetimes.

Let us now look at the welfare system in the United States.

### **The Current Welfare System**

Welfare is usually associated with two programs. One is the Supplemental Security Income program, or SSI. It pays cash benefits to the low-income aged, blind, or permanently and totally disabled. The second program is Aid for Families with Dependent Children, or AFDC. This program provides cash assistance primarily to mothers with children whose father is not in the home. However, there are a number of other welfare programs.

One of these programs is AFDC-UP, or Aid to Families with Dependent Children with Unemployed Parents. What this really means is that it is aid to poor families where the father and mother are both present. The problem with this program is that less than half the states have it, and it has not been widely publicized. Moreover, there are a number of "Catch-22" provisions in determining eligibility. Consequently, while there are nearly twice as many poor people in families with two parents than in families with one parent, the benefits distributed by this program are only about a tenth of those benefits paid to single-parent families (through AFDC).

The Food Stamp program is another welfare-type program. It sells stamps to low-income families—with the price of the stamps rising as income rises—which in turn can be used to purchase food at the grocery store. This program is nationwide and available to all low-income families.

Another category of welfare programs is concerned with housing. The most widely-known of these is public housing. In this program, private contractors build apartment buildings for low-income families and the Federal Government pays a part of the rent (again with the amount of

rent conditioned upon the level of family income). A second program (Section 8) provides rent supplements to low-income families who do not live in public housing. The major problem with these housing programs is that they are severely rationed; less than one in fifteen poor families are allowed to take advantage of them.

Medicaid is another major welfare program; it provides free or subsidized medical care to low-income families. In many states, however, a family must be eligible for one of the other cash programs, or be almost destitute, before it can receive Medicaid benefits.

There are some other programs which, while not specifically designed for the poor, nevertheless have some effect on reducing poverty. One of these is Social Security for the aged. Another program in this category is Unemployment Insurance. One of the problems with this program is that less than half of the unemployed people receive Unemployment Insurance benefits. Their jobs may not have been covered by Unemployment Insurance, or they may not have worked long enough to qualify for benefits, or they may have been unemployed for so long that the benefits have ceased.

### **An Assessment of the Current System**

This appears to be a rather large number of programs, most of which attempt to do the same thing; namely, provide benefits of one type or another to poor families. Looking at all programs as a group, how well do they meet that objective? The answer is not very well. Many of the poor are not eligible for any of these programs except Food Stamps. It turns out that only slightly more than half of the poor receive benefits from any of these programs. Part of this is due to a lack of publicity of the programs; part is due to the stigma attached to the programs (for example, having to reveal that you're poor by using food stamps in grocery stores); and part is simply due to the fact that a large number of the poor are not eligible to receive benefits from most of these programs.

There are other problems with the present welfare system as well. While a good deal of federal money goes into these programs, the states are free to determine who should be eligible and what the level of benefits should be. As a result we find that the AFDC program in Mississippi pays a **maximum** benefit to a family of four of \$60.00 a month, while that same family, if they lived in Connecticut or Michigan, would get \$405 per

month. Secondly, many of the programs exist at the option of the states. Hence, we find cash assistance for two-parent families (AFDC-UP) in less than half of the states. Thirdly, many of the programs, like those in housing, are severely rationed. Many of the poor fall through the slats and never get any assistance.

This crazy-quilt set of programs is also not desirable from the taxpayers' point of view. We have a number of programs trying to do the same thing, but run by separate agencies, manned by different staffs, and requiring the poor to apply separately to each program for benefits. This large number of programs is simply too costly to administer. Those who study welfare and welfare policy would unanimously agree that we are attempting to solve our poverty problem in a very inefficient way.

### **Welfare Reform**

The problems with the present programs have been known for some time now, certainly since the mid-1960's. It was for these reasons that many people began to advocate that the welfare system be changed. As I stated before, President Nixon made this the number one domestic issue and proposed a major reform in 1969 called the Family Assistance Plan. The plan was modified slightly and approved by the House of Representatives, but it was never approved by the U.S. Senate. After this experience, President Nixon again requested HEW to develop a new plan that might win both House and Senate approval. This plan was developed about the time that Watergate became a national issue, and the new reform package was never submitted to the Congress by President Nixon. President Ford considered proposing it, but decided not to in light of the large budget deficit resulting from the 1974-75 recession.

President Carter had people working on welfare reform even before he was inaugurated, and last August he presented a plan to the Congress. This proposal was similar in many respects to the previous plans, but it differed in one important respect: it proposed providing jobs instead of cash to a large number of those who could work but were poor because they could not find jobs. The Congress will give serious attention to this plan in 1978. It is too early to tell whether they will approve it, approve it in a modified form, or reject it altogether.

## GLOSSARY: Economics

**Balance of Payments**—a “favorable” balance of payments means that the nation (the government, businesses, private citizens) is making more money from American exports than they are paying out for foreign imports.

**Balanced Budget**—the amount of money which the government spends (expenditures) is equal to or less than the amount it takes in (revenues).

**Consumer Price Index (CPI)**—measures the monthly changes in the prices of the goods and services consumed by a “typical” urban family (food, rent, gasoline, haircuts, etc.). Not as comprehensive as the Cost of Living Index.

**Deficit Spending**—in contrast to a balanced budget, this is spending more than you take in.

**Depression**—sharp economic decline with high levels of unemployment and decreased business activity.

**Devaluation**—lowering the value of your currency (the American dollar, the British pound, the Italian lira, etc.) relative to the price of gold.

**Divestiture**—“divest” means to take away or to dispossess. Divestiture is used most commonly to refer to proposals to break up the large oil corporations into smaller businesses.

**Expenditures**—money spent by the government.

**Fiscal Year (FY)**—special twelve month calendar used for budgeting and financial management by government and many businesses. FY 1978 runs from October 1, 1977 through September 30, 1978 for our Federal Government.

**Gross National Product (GNP)**—the dollar value of all goods produced and services sold in every sector of the economy per year. A healthy economy requires at least some percentage growth in the GNP.

**Inflation**—rising prices, resulting in decreased purchasing power. That is, you can get less for your dollar.

**Public Works (Jobs)**—such projects as highway construction, rural electrification and urban beautification undertaken by the government, especially to create jobs in times of high unemployment.

**Recession**—significant decline in business activity, although not as serious as a depression; a “slump” in the economy.

**Revenues**—income; money taken in by government from taxes and other sources.

**Progressive Tax**—taxes a higher percentage of high incomes than it does of lower incomes. Example is the income tax.

**Regressive Tax**—all people pay the same percentage, regardless of their income. Examples are the sales tax and property tax.

**Negative Income Tax**—proposal as an alternative to existing welfare system, in which all families with an income below a determined level would receive a flat payment to bring them up to the level. Very controversial, has never been implemented.

**Capitalism**—also known as the free enterprise system. Chief characteristics are private property, private enterprise, profit motive and free competition. Government has a very limited economic role (“laissez-faire”). Is an economic not political theory.

**Socialism**—an economic and political theory. Chief characteristics: public ownership and operation of the means of production, government planning of the economy and efforts towards economic equality through the redistribution of income.

**Communism**—similar in its economic principles to socialism. In practice, however, more repressive politically, characterized by single party state and tight governmental controls over personal freedoms.

**Mixed Economy**—private property and enterprise are still widespread, but the government has a greater role of regulation and some ownership than in pure capitalism.

**Welfare State**—within a mixed economy, the government takes a more active role in ensuring the socio-economic well-being of its citizens.

# DOMESTIC ISSUES FORUM

*One of the seminars during your CLOSE UP week will be a forum on some major issues of domestic policy—economic, social, energy, environmental, governmental reform and legal issues. The speakers will focus upon two or three of these issues in which they have a particular expertise. In their presentations they may agree on certain points and disagree on others. During the seminar you will have an opportunity to question and debate them, to express your views on these issues.*

*This chart has been designed as a tool to help you analyze the views presented by the speakers. Fill in their names at the top of the chart and for each issue discussed, enter in:*

- 1. What (s)he believes the problem is;*
- 2. What solutions (s)he proposes; and*
- 3. In his or her viewpoint whether or not this is an issue in which the Federal Government should play a leading role in working out the solutions.*

*You may agree with one or the other speakers, or disagree with both. In the last column of the chart, write in YOUR ideas on this issue—again, what is the problem, what should be done and what is the role for the Federal Government?*

## S P E A K E R S

**YOU**

<b>ECONOMIC</b> Inflation and Unemployment			
Balanced Budget vs. Deficit Spending			
Tax Reform			



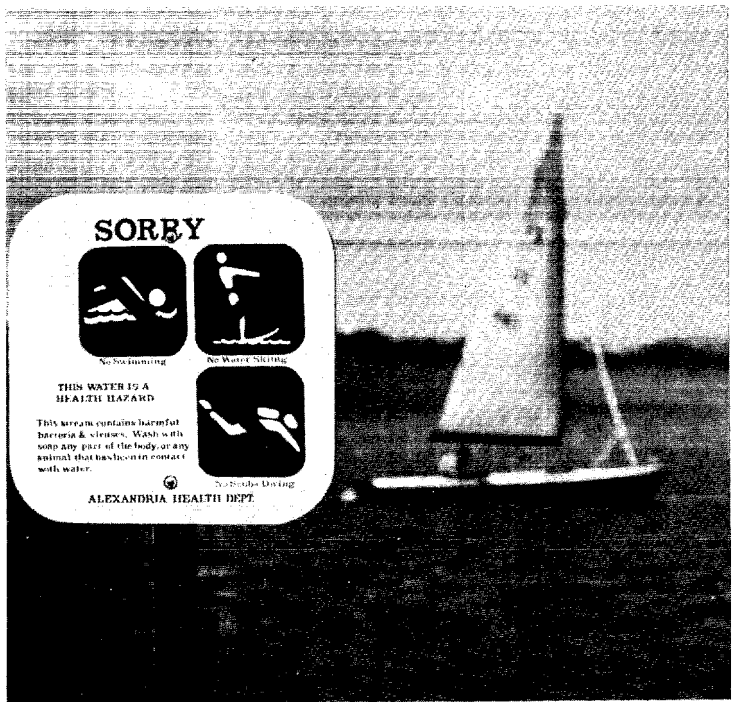
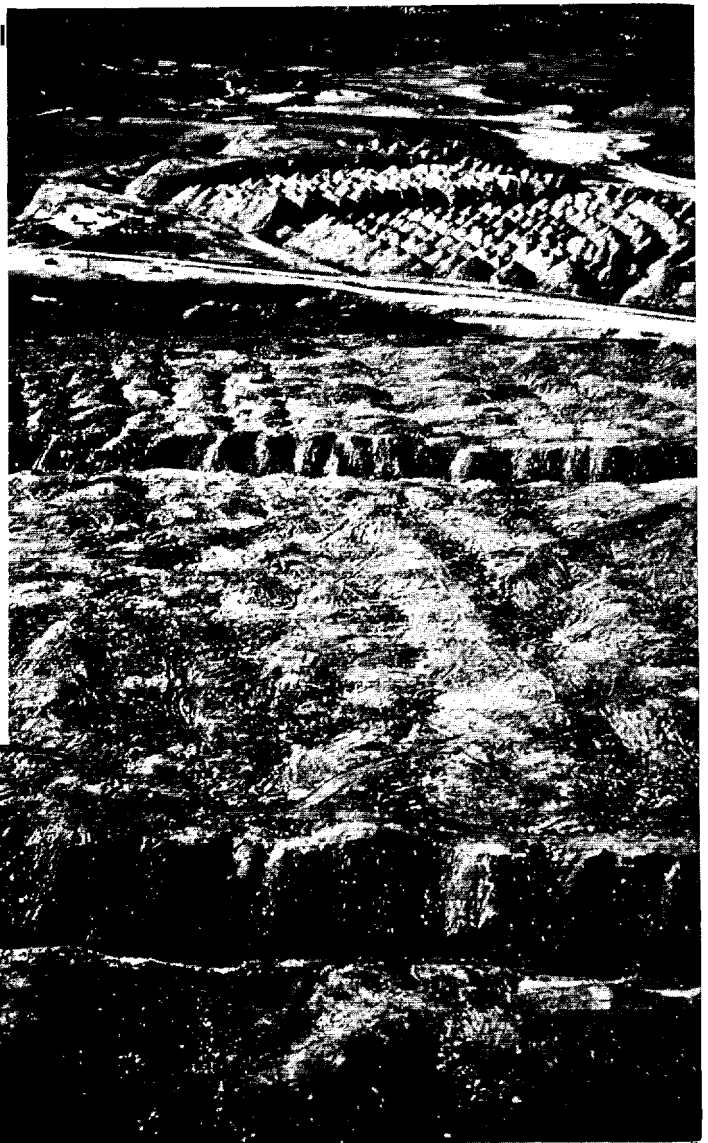
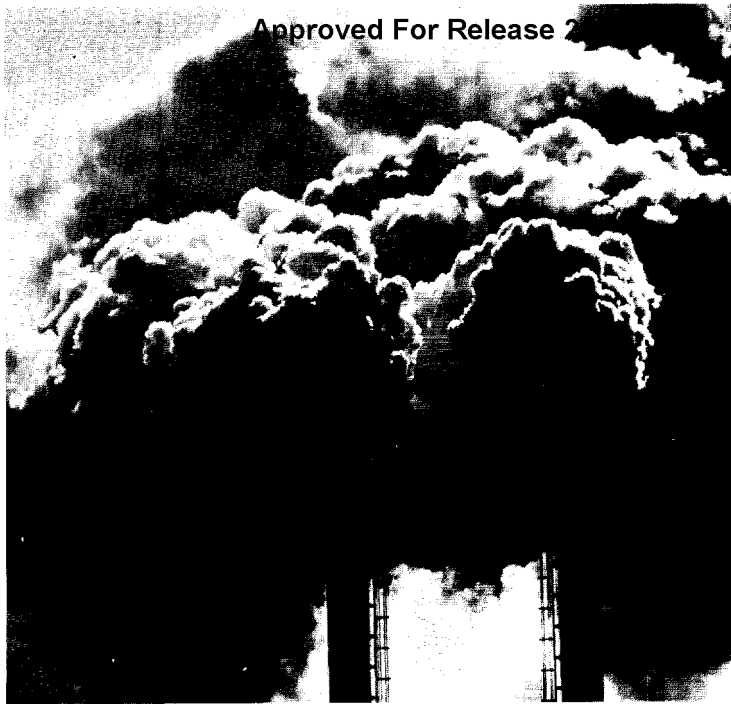
YOU

Divestiture and Antitrust			
Other			
<b>SOCIAL</b> Welfare Programs • Family assistance • Guaranteed Annual Income • Food Stamps			
National Health Insurance			
Urban Issues • Crime • Housing			

**S P E A K E R S**

**YOU**

Rural Issues • Farm Price Supports • Water Projects			
Transportation • Mass Transit • Automobile • Railroads • Airlines			
Consumer Protection			
Gun Control			
Other			



**Environmental Problems**

EPA Documerica: Marc St. Gil, Erik Colonius, Bill Gillette, Gene Daniels

PEAKERS

YOU

<b>ENERGY/ENVIRONMENT</b> Energy Crisis <ul style="list-style-type: none"> <li>• Causes?</li> <li>• Solutions?</li> <li>• Conservation, Increased Supplies</li> </ul>			
Nuclear Energy			
Alternative Sources <ul style="list-style-type: none"> <li>• Wind</li> <li>• Solar</li> <li>• Geothermal</li> </ul>			
Air/Water Pollution <ul style="list-style-type: none"> <li>• Industrial</li> <li>• Auto</li> <li>• Solid Wastes</li> </ul>			
Coal			
Offshore Drilling			

**S P E A K E R S**

**YOU**

Other			
<b>GOVERN- MENTAL REFORM</b> Congressional • Ethics • Seniority			
Presidential Power			
Bureaucracy			
Courts			

**S P E A K E R S**

**YOU**

<p>Elections</p> <ul style="list-style-type: none"> <li>• Electoral College</li> <li>• Voter Registration</li> <li>• Campaign Finance</li> </ul>			
<p><b>LEGAL ISSUES</b></p> <p>Discrimination</p> <ul style="list-style-type: none"> <li>• Racial</li> <li>• Sexual</li> <li>• "Reverse"</li> </ul>			
<p>Civil Liberties</p>			
<p>"Law and Order"</p>			
<p>Prison Reform</p>			
<p>Public Employee Strikes</p> <ul style="list-style-type: none"> <li>• Teachers</li> <li>• Police, Firemen</li> <li>• Municipal Workers</li> </ul>			

**S P E A K E R S**

**YOU**

Other			

**NATIONAL PRIORITIES**

*Now that you have thought about and discussed these issues of domestic policy, which ones do you believe are the most important? That is, what do you believe should be our national priorities? In the space provided below, rank the issues in this chart (plus any others which you may have added) to come up with your list of our national priorities. Be prepared to discuss and defend these views in your workshop.*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

# 11.

## FEDERAL, STATE AND LOCAL GOVERNMENT: The Partnership that Binds

*The North! The South! The West! The East!  
No one the most and none the least,  
But each with its own heart and mind,  
Each of its own distinctive kind,  
Yet each a part and none the whole,  
But all together form one soul.*

*Edmund Vance Cook, Each For All*

Eleven years after the Declaration of Independence, our young nation found itself without an effective system of national government. The Articles of Confederation had failed to give the national government the power and authority needed to forge a union out of thirteen states, each with diverse interests. The new Constitution, ratified in 1789, established the system of federalism as a second experiment in power sharing between national, state and local levels of government. The national government was to exercise supremacy in certain policy areas of national concern, while states' rights to determine other policies for themselves were to be protected.

Continental expansion, the Civil War, and conflicts over social and economic issues between different states have continually tested the strength and flexibility of federalism. In this chapter's first article, Lawrence Gilson discusses how this partnership between Washington, D.C., and fifty state capitals has adapted to changing times. Then Professors Krishnan Nanda and John Bauman explore the depth and breadth of the problems of America's cities. This urban crisis is proving to be a major test of the ability of government at all levels to work together, for it goes beyond the economic woes to the crisis in the quality of urban life.

In the concluding article, Senator Mark O. Hatfield (R-Ore.) addresses the related problem of the growing feeling among people that the national government neither can nor should solve problems for them. He explains a bill titled the Neighborhood Government Act which he is sponsoring to give greater responsibilities to local government. Finally, you can utilize the *Know Your State Government Chart* as a tool with which to learn about your state officials.



# **“TO FORM A MORE PERFECT UNION”: CONTEMPORARY AMERICAN FEDERALISM**

**Lawrence D. Gilson**

*Mr. Gilson presently works in the White House as Associate Assistant to the President for Intergovernmental Relations. Previously, he was Director of Policy Implementation of the U.S. Advisory Commission on Intergovernmental Relations, a permanent independent commission charged with reviewing the operations of the American Federal system of government. He has written numerous books and lectured at colleges throughout the country. In this article, he discusses federalism, how it has changed through our nation's history, and the problems it faces today.*

For nearly two hundred years now, Americans have tried to reconcile the twin goals of diversity and unity through a Federal system of government. Federalism means the sharing of power between a national government on the one hand, and state and local governments on the other. This includes fiscal and political accountability at each government level—from the White House to the courthouse.

This shared power, or “federal,” characteristic of our system has been in controversy since the founding of the Republic. Today, as at other times, the question is raised among statesmen, scholars and citizens alike: Is such a system of shared and divided power equal to the complex challenges of domestic government in the United States? As America prepares to embark on its third century, its central goal is the same as it was in 1776, 1787, 1861-1865—“to form a more perfect union.”

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**“For two centuries federalism has managed to adapt to new circumstances without sacrificing its essential nature.”**

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For nearly two hundred years, the Federal system has survived and has adjusted to enormous changes in population, technology, living patterns and governmental needs. It weathered the Civil War and foreign wars, official corruption and political foolishness, indecision and lack of action, sins both of omission and commission. It also has had dramatic saviors and unsung heroes, as well as articulate opponents and unknowing subverters. From time to time, particular events or policies have thrown the system out of balance and observers have feared its fate. But, for two centuries, federalism has managed to adapt to new circumstances without sacrificing its essential nature. The system has seen many swings of the pendulum, but it has always adapted.

The Great Depression and the New Deal present one oversimplified example of the kind of pendulum swings that have characterized this adaptability. In the 1930's, the Federal government—which had the financial resources—was forced to take steps to provide citizens with economic protection from the ravages of the Great Depression. One major step was the Social Security Act, which provided Federal aid for the elderly, unemployment compensation and other assistance programs. Additionally, Federal aid to states was expanded into many new fields. The results brought economic security to millions, but were accompanied by increasing centralization of power in the Washington bureaucracy. Much of the decision-making was done by the Federal bureaucrats who handed out the grant money, and the state and local bureaucrats who applied for it, rather than by those elected representatives who were politically “accountable” to the people.

## **More Power to the States: The Pendulum Begins to Swing the Other Way**

By the middle 1960's, the pendulum began to swing the other way. In 1972, two Federal actions added momentum—revenue sharing and the partial nationalization of welfare. Revenue sharing was a new program through which the Federal government provided relatively “no strings attached” money to state and local governments. State and local officials could set their own priorities and make their own decisions. Although revenue sharing violates the belief that

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the government which raises the money should spend it, the objective of centralization seemed more important.

The other Federal action was the beginning of the nationalization of welfare, with Federal takeover of the adult assistance categories (aid to the aged, blind and disabled). On its face this was a move toward centralization. However, it removed the heavy burdens of paying for welfare from the states and left them better able to assume other more appropriate responsibilities. It also meant greater equity and unity for welfare, since there were no longer fifty separate systems.

### **The Urban Crisis and State and Local Governments**

America's grassroots governments—the cities, counties and towns—today face greater challenges than ever before. Problems emerge and citizen demands grow at a rate far greater than the legal, structural and financial capacity to deal with them. Here one sees most dramatically the triple mismatch between fiscal resources and human needs, political boundaries and population settlement patterns and the constitutional role as parents of these units and their unwillingness to “grasp the local government nettle.”

Two examples of the mismatch between financial resources and human needs are housing and public education. Housing costs more and is worth more in the suburbs, making it harder for low-income people to leave poor central city neighborhoods. The higher value of suburban housing also means that suburbs take in more money through property taxes than can cities and are better able to finance their government services. Yet, with more poor people, central cities have greater demand for government services. Comparing data from 1957 and 1970, central cities in both years spent over 25% more per person on government services than did their suburban counterparts.

Much of this money spent by central cities goes towards non-educational services. Over the years, suburbs have spent more per pupil on education than have central cities. At the same time, many of those in the city are harder and more costly to educate because of socioeconomic disadvantages. Financial aid from state governments has helped to close this gap, caused by the financial resources-human needs mismatch.

In addition, taxes are higher in central cities,

although the differential is decreasing. A measurement of tax burden, considered a very rough one by economists, shows people in central cities paying 6.7% of their income in taxes while the suburbanites pay 5%.

Along with those problems have come changes in patterns of population settlement. In 1970, 66% of the U.S. population resided in “metropolitan areas.” Typically, a metropolitan area consists of a central city surrounded by suburban municipalities, towns and counties. Since 1950, many central cities have declined in population and the 1970 census showed that for the first time in our history, more people were living in the suburban areas than in central cities. Some of the older, fully developed suburbs also suffered a net decrease in population.

Racially, the cities are getting blacker and the suburbs whiter. Between 1960 and 1970, the white population declined in 40 of the 72 largest central cities. In all but three of these cities, the non-white population increased.

### **State Modernization and the Urban Crisis**

As the roots of the urban crisis of recent years were being planted and nurtured in the thirties, forties, and fifties, many major sins of omission and commission can be ascribed to the states. Cities and suburbs, counties, townships and boroughs alike are the legal creations of the state. Decades of state government inaction and mistakes contributed to the deadly combination of restricted annexation and unrestricted incorporation; the chaotic and uncontrolled mushrooming of special districts; the limitations upon municipal taxing and borrowing powers; the abdication of the all important powers over urban development; and the reign of chaos of the non-system of criminal justice.

But, in the mid-sixties the activity and initiative of the states began to quicken, due in part to the reapportionment decisions and in part to the strengthening of the two party system in many states previously under one party dominance, as well as pressures from the federal and local levels. With urban areas better represented in their legislatures, states began to take a more active interest in urban affairs. The membership shakeup of the legislatures resulting from reapportionment, including the infusion of much new blood, also created a more favorable environment for reform of the legislatures as institutions. More legislatures began to hold annual

sessions. Year-round professional staffing of major standing committees was begun in a few states. Codes of ethics, conflict of interest laws, recorded roll calls and open committee meetings—"sunshine laws"—were enacted in several states. Also, the legislatures began to be much more supportive of constitutional revision (so long feared lest the "Pandora's Box" of reapportionment be opened).

On the management and policy side, executive and legislative salaries were raised to attract adequate talent. Centralized budgeting was instituted, executive branch reorganization became popular, and governors began to get a handle on what was happening. Planning was strengthened, court reform was undertaken, school finance overhaul was begun, and land use programs were born. In brief, the modernization of state government has been making considerable progress across the country. This has been one of the most heartening aspects of the current pendulum swing in American federalism.

### The Future Agenda

The agenda for this third century of American federalism is long and tough. The easy problems and the simplistic solutions never made it onto the agenda. Some difficult issues began to be confronted in the middle 1960's and the early 1970's. . . it is the nearly impossible tasks that remain.

Local government must be reorganized and simplified. Metropolitan areas must become governable and their internal socioeconomic disparities be mitigated. Equality of educational opportunity must become a living reality instead of an empty phrase. Growth policies must be formulated and reconciled among localities, states and nation, and among economic, environmental and social values. The property tax must be made equitable and effective. The state governments must perform imaginatively and courageously for both their urban and rural constituencies. The Federal grant system must be made manageable and the reform of the welfare and criminal justice systems must proceed apace. Ways must be found to assure that the diversity in the Federal system continues to operate as a strength and not a weakness.

In short, during its third 100 years, the United States will have to come to grips with new and awesome questions not conceived in its second century. But, at the heart of these

challenges and opportunities will remain the original goal and continuing watchword—"to form a more perfect union."

## THE URBAN CRISIS IS A COMPLEX COMPOUND

Krishnan Nanda and John F. Bauman

*John Bauman and Kirshnan Nanda are the Director and Assistant Director, respectively, of the Urban Affairs Program at California State College in California, Pennsylvania. In this article written especially for Perspectives, they present a clear and informative examination of the complex problems of America's cities. For those who are interested in this subject, Professors Bauman and Nanda have suggested the following books:*

- Edward C. Banfield, The Unheavenly City Revisited (Boston: Little, Brown and Co., 1974).*
- Anthony Downs, Opening Up the Suburbs (New Haven: Yale University Press, 1974).*
- J. John Palen, City Scenes (Boston: Little, Brown and Co., 1977).*
- Neil Kalt and S. Zalkind, Urban Problems (New York: Oxford University Press, 1974).*
- F. Bair, Planning Cities (Chicago: American Society of Planning Officials, 1974).*

What few people recognize is that New York, the "Big Apple", is only one of many rotten apples in America's municipal barrel. The rot is widespread, many other cities have similar problems. Boston, Providence (R.I.), Los Angeles, Chicago, St. Louis, Detroit, Cleveland, Pittsburgh, Philadelphia, Buffalo, Newark (N.J.), Baltimore, Washington, D.C., Atlanta—all suffer from a similar syndrome. In all of them, population has dwindled. In all of them, one observes block after block of gutted buildings, rubble-strewn empty lots, and boarded-up stores that attract vandals and arsonists. Each of these cities suffers rates of unemployment well above the national average of 7.3 per cent. In almost all of them, the index of violent crimes stood higher in 1976 than in 1970.

## Financial Crisis: Cities Short on Dollars

Many of them are in financial trouble. Boston's money crunch has been rated by a University of Chicago study as second only to that of New York City. It needed \$85 million last year to meet its current expenditures. Plagued for the past quarter century by a steady out-migration of both business and white middle-class families, Philadelphia, and especially its school system, teeters on the border of bankruptcy. Other cities in financial hot water are Buffalo, Washington, D.C., and Detroit. The financial health of most older cities ranges from good to mediocre. Many small and medium-sized cities also face financial difficulties. In a survey of 38 cities outside of the Massachusetts capital, ten were as close to bankruptcy as Boston.

### Population Decline and Business Flight

Population has dwindled in all the big cities. From 1970 to 1975 that decline has averaged about 8 per cent. While Boston and Los Angeles lost about 3 per cent, Cleveland and St. Louis were at the top of the list, registering a whopping 15 per cent drop. The decline in other cities has ranged in between those percentages.

People have fled cities for several reasons. It has been suggested that a love of newness and nature flows in the American blood. Somewhere in their hearts, all Americans harbor a craving for a little private elysium, a house on the "cool green rim" of the city. Federally insured mortgages, veterans' benefits and generally rising affluence after World War II made that dream a reality for many. First people with money move out. Since the mid 1960's city problems, urban riots and the economic defaults have led to a near stampede of people out of the city. It should be pointed out here that until 1970, the out-migration of the affluent was matched by the in-migration of the poor racial minorities. Because of this the city crisis seem essentially a racial problem to several urban scholars. It is easy to see why such establishments as beauty shops, groceries and hardware and furniture stores might follow the people. Many manufacturing firms have also fled the city, either because of lack of opportunity to economically expand plant size or because factory vandalism raises insurance costs and discourage investment.

The decline of city population and housing abandonments shrink the property tax base,

forcing the municipal government to raise business taxes for its income. The development of truck transportation has also freed firms from the need to locate near downtown railroad terminals. So strong businesses have moved out. Others stayed. A sort of "negative Darwinism" appears at work whereby the unfit, not the fittest, survive.

While the cities have been suffering a drain of population and business to their own suburbs, recently the flight into the Southern sunlight has gained momentum. As a consequence Houston, Phoenix, and several other cities in the Southwest are booming. Whereas the number of manufacturing jobs fell by some 800,000 in the Northeast, in these cities in the Sunbelt, the number of jobs rose by 424,000.



Photo by Morton R. Engelberg

### Unemployment: As Businesses Flee, Jobs Disappear

As businesses flee, cities lose jobs. Chicago lost some 200,000 manufacturing jobs during the past fifteen years. In Detroit, another city doctoring for chronic illness, the number of people at work dropped 26 per cent in five years. Its 1977 unemployment rate of 13.4 per cent is nearly double the national rate, an awesome statistic since it describes comparatively good times. In the depth of the recent depression (1970-1975) the rate of unemployment in Detroit was 22 per cent. Similarly, unemployment in Philadelphia is higher than in the surrounding region. Elsewhere, seventeen major business concerns have pulled out of the Buffalo area since 1975, depriving the city of over 5,000 jobs.

Take another problem: welfare. Presently, one out of every seven urbanites lives on welfare. In Newark, N.J., it is one out of every three. Almost one-third of the city's revenue in both New

York and Newark supports dependent people. Some intelligent people, having the best intentions, feel that a major effort should be made to thin the rolls by putting the welfare clients to work. But statistical analysis shows that there is little connection between unemployment and welfare expenditures. In the past few years, while the number of jobs and the number of those employed have risen so have the welfare rolls.

### **Crime: The Urban Crisis in its Most Dramatic Form**

Crime is another aspect of the urban malaise. Although recently the crime in suburban and rural areas has increased at a faster rate, cities still endure the highest incidence of crime in all major categories. In fact, statistical analysis shows that the risk of criminal victimization remains about 10 times higher in larger communities than in small ones. This raises a serious question of personal safety in the city dweller's mind. Some urge the beefing up of city police forces. While politically popular, more police may be ineffective in rolling back the crime rate; several empirical studies reinforce that conclusion. One study says that the "average rise in crime rates among the 13 cities that bolstered police strength the most is quite similar to the crime increases in the 13 cities which added least to their police forces."

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**"The urban crisis would therefore seem to be multi-faceted. It is physical decay and near bankruptcy. It is crime as well as the fear of crime. . . . It is both poor people and poor schools. It is social turmoil and friction. . ."**

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### **Solutions? ? ? ?**

The urban crisis would therefore seem to be multi-faceted. It is physical decay and near-bankruptcy. It is crime as well as the fear of crime. It is "white flight" and exodus of businesses. It is both poor people and poor schools. It is social turmoil and friction. . . the problem is complex and a national emergency.

Because urban problems are so complex, solutions (particularly ones that can be implemented) are not easy. Take the fiscal crisis. What are city administrators doing about it? Some are hoping for massive federal aid, praying that

Washington will at least assume the costs for such cash-draining expenses as welfare. This has been the traditional, the historical response. Over the past quarter century, Federal assistance has mounted to some \$448 billion. Yet critics charge that this infusion of money has not made the cities more livable. Federal aid, they argue, deflects city politicians from more prudent fiscal policies.

Of course, trimming expenses is another road to fiscal solvency, but this strategy is never easy. Controlling school spending or cutting persons from the city's payroll predictably faces sturdy opposition from the affected parties. In the raucous and frenetic world of city politics, mayors and city councils always tread cautiously.

Another approach would be through metropolitan government which would enable the city mayors to tax the suburbanites to support the central city (e.g., commuter tax). At present, suburbanites enjoy the benefits of the city without paying any significant share to support urban services. In the words of Professor John Kenneth Galbraith suburbs are "fiscal funkholes" which can be closed through metropolitan reorganization. Any such proposal, of course, arouses the ire of suburbs and meets with intense opposition.

Solutions, therefore, are not easy. In some situations, the planners and the social scientists lack the necessary know-how. Government policy has frequently undermined rather than strengthened cities. The suburban exodus has been aided by Federal highway construction. Urban renewal demolished more city homes than it rebuilt. Mortgage credit and sewer grants favored the suburbs. Government policies to integrate schools have resulted in "white flight."

There are problems that are amenable to certain treatments. For example, the rush-hour traffic problem could be alleviated if working hours were staggered. This, however, elicits opposition from the business community. Similarly, the city revenue problems could be mitigated through higher taxes which, of course, the public resents and politicians fear. Mayor Abraham Beame might solve New York City's financial dilemma, but then he must choose not to run for the office again. Therefore, many urban problems have not been alleviated, argues Edward Banfield of Harvard, because many Americans are unwilling to acknowledge that the cities' problems constitute a "crisis."

It is true that some cities are trotting to recovery. Yonkers, N.Y. is one of them. Even Detroit expects to post a balanced budget in the



**Urban Crisis and the Quality of Life**

EPA Documerica—Danny Lyon,  
Layne's Studio (NYC)

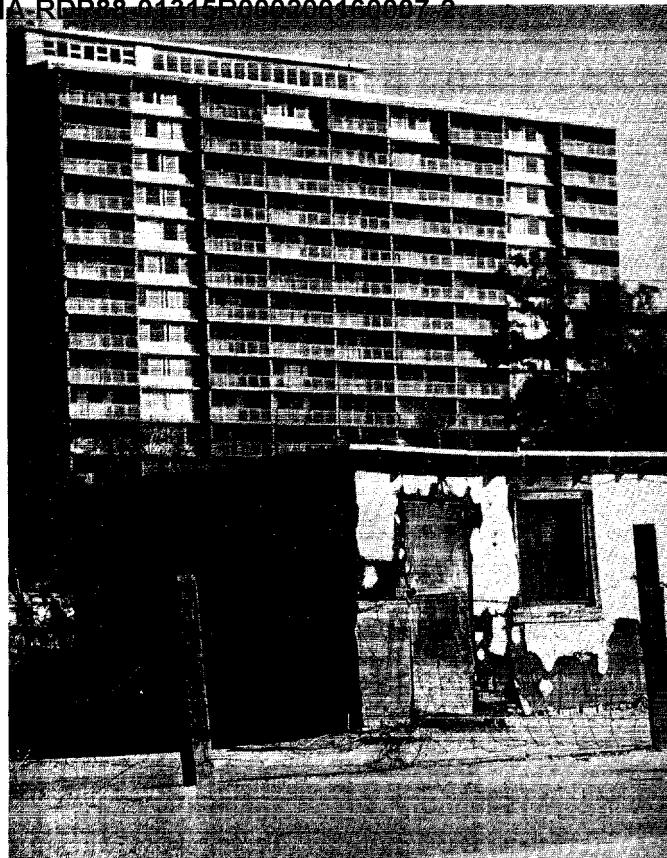
coming fiscal year. This fiscal recovery, however, is only in small measure due to policy action; largely it is the result of broader trends. With returning economic prosperity, city tax collections through private and business taxes have been substantially higher. When there is general economic revival, few cities cannot benefit.

There is also evidence of some urban revival taking place through neighborhood renaissance. A mixture of people are moving back into the city. They include couples in their late forties or early fifties with children grown up and gone; single professionals; young married doctors and lawyers or junior business executives who have decided to postpone raising children. They include conservatives and liberals, people tired of what they perceive as the sterile uniformity of suburban life,

and seeking a new style of life woven around fun and variety. Shadyside in Pittsburgh is one good example of this phenomenon of renaissance. Other places include Queens Village in Philadelphia, the South End of Boston, and the Adams-Morgan area in Washington, D.C. But whether this renaissance becomes a major trend leading ultimately to an urban metamorphosis, only time can tell. As they stand today, big cities are largely scraping by, no longer touted as the pinnacles of civility.

However, in every age cities have confronted a crisis. Nineteenth century urban critics found cities in both Europe and America dark, reeking places populated by "dangerous classes." As recently as the 1930's Lewis Mumford rang the death knell on urban life. Mumford was joined by

Frank Lloyd Wright who proclaimed that the industrial city should be annihilated and replaced by a "Broadacre City". . . part agrarian, part industrial, part residential. Despite the gloomy predictions, urban life survives, although from Ancient Thebes to Renaissance Florence, to Modern New York, the city's functions have changed. Today we see the emergence of a new "post-industrial" city still bearing the scars of its recent industrial past. Yet, the city's past is heritage on which, hopefully, a better urban future will be built.



Contrasts in Living Conditions

## **BRING POLITICAL POWER BACK HOME: The Case for Neighborhood Government**

**Senator Mark Hatfield**

*This article was prepared especially for Perspectives and is based upon remarks made by Senator Hatfield (R.-Ore.) upon the introduction of the Neighborhood Government Act, a bill that would help revitalize community based self government.*

The moral dilemma of the sixties was Vietnam. The moral dilemma of the seventies is represented by Watergate. At stake in both instances is the public's faith in the judgment of our elected leaders and its commitment to our traditional form of government. For years the foundation for such faith and commitment has rested on the acceptance of a system revolving around the centralized power of a Federal-state axis. Now, after a period of divisive and destructive war and perhaps the greatest government scandal in American history, the public is beginning at last to challenge these assumptions and bring them into meaningful focus.

At issue is the unabated concentration of power in Federal and state government over the past four decades. All too often we have given the government in Washington our unquestioned trust, thinking it was somehow superhuman. We failed to distinguish between government and the nation, the state and the people, allegiance to individual office-holders, and allegiance to

political philosophy. To many, in recent years, it has seemed that true democracy has been lost, that we have become a nation whose people have been forgotten amidst the vast institutions of power that govern our lives.

### **The Neighborhood Government Act**

The Neighborhood Government Act is an attempt to restore political power and democratic representation to the citizens of this republic, citizens who are willing to chart a new course in participatory democracy. It is an attempt to rekindle the spirit which gave birth to the struggle of 1776, a spirit which must find life again if we are to insure that our democratic liberties survive in our third century of existence.

For those determined to gain political control over their lives again, for those who are willing to take on the responsibilities of self-government, for those who have given up hope that government alone can effectively deal with immediate human problems, this bill offers an alternative where none now exists.

This act would encourage the development of neighborhood corporations throughout the country by providing a Federal income tax credit for funds contributed by an individual to a duly

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recognized neighborhood corporation. In the historical tradition of the New England town meetings, community assemblies could then be formed in which the problems of the neighborhood could be discussed and translated into positive political action.

But beyond this, what would the Neighborhood Government Act accomplish? With its economic incentives, up to 80 percent of Federal income tax dollars being funneled into neighborhood organizations, I can see America revitalized once again. With the power to deal with their own money in their own way, local day care centers, drug abuse programs, and out-patient clinics could be established to meet community needs. Parks and recreation centers, welfare programs, cooperative stores, credit unions and local police forces and fire departments are all possible if communities are given control of money that is now so obviously wasted.

If we do not begin to offer alternatives to the policies of the past, the fundamentals of our society and democracy will be continuously endangered by the growth of our institutions.

Between 1930 and 1974 the gross national product, GNP, increased 15 times—from \$90.4 to \$1,396 trillion. During the same period of vast expansions, however, Federal expenditures increased over 106 times—from \$2.8 billion to \$298.6 billion. This growth was seven times faster than the increase in GNP. On the other hand, state and local expenditures increased 24 times or almost twice as fast as the increase in GNP—\$8.3 billion in 1930 and \$206.6 billion in 1974.

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**“The United States themselves are essentially the greatest poem.”**

*Walt Whitman*

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What this means is that we have turned toward government, in a dramatic fashion, to solve more of our problems. More specifically we now go first and primarily to the vast complex of the Federal government to solve our problems, rather than to our communities, to our local institutions, or, most importantly, to ourselves.

A great deal of this can be attributed to technological developments and to times of crisis such as the Great Depression, three wars and continuing domestic turmoil. In order to initiate the great programs of our past, the New Deals, the Great Societies and Wars on Poverty, the New Federalisms, and New Populisms, we chose to sacrifice individual responsibility through the

creation of centralized Federal bureaucracies. Officials proceeded on the assumption that these great citadels of paper and people would be the most practical way of overcoming the problems of welfare for the disadvantaged, economic opportunity for the unemployed and a fair distribution of wealth. These assumptions have in many instances proven wrong. And we are left with dinosaurs of these misconceptions—huge buildings that line the streets of Washington whose inhabitants attempt to carry out the nation's business. And their failure is being felt.

### **The Future Demands New Ideas and New Initiatives**

Our problems are great, but they are not unconquerable. If only we begin again to rely on the spirit and self-reliance of our people—and not on the sterile institutions of the past—our future can be bright and exciting.

Neighborhood corporations already exist in the United States today that are developing new ideas, new initiatives and new ways of solving local problems—and they are doing it on their own.

We must act to return to our citizens the control over their lives and their destinies. We must lead ourselves away from the direction modern history is taking—toward the slow suffocation of our freedom—and direct our course instead toward the service of mankind. The massive trend toward defacto institutional oppression must be stopped. It has shackled the freedom of men for too long and it is destroying their spirit. We cannot live with it, nor can our children. Through this act, I believe Congress can take an invaluable step toward the betterment of life, toward the rebirth of opportunity, of community and of imagination. Only by renewing the spirit of man, in a strangely spiritless age, can America move into its third century of life with optimism—looking forward to a future that can again be filled with the promise and fascination of freedom.\*

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**\*Editor's Note:** According to Senator Hatfield's office, the Neighborhood Government Act of 1975 was referred to the Senate Finance Committee where no action was taken on it during the 94th Congress. During the past two years, however, the growth and strength of neighborhood organizations nationwide has been impressive. Senator Hatfield expects to reintroduce the Act in the 95th Congress and to seek its passage.



# KNOW YOUR STATE GOVERNMENT

## EXECUTIVE BRANCH

	GOVERNOR	LT. GOVERNOR	ATTORNEY GENERAL	SECRETARY OF STATE
NAME				
POLITICAL PARTY				
LENGTH OF TERM				
ELECTED OR APPOINTED?				
POWERS				

## LEGISLATIVE BRANCH

(UPPER)

(LOWER)

NAME:

NUMBER OF MEMBERS		
REPUBLICANS		
DEMOCRATS		
OTHER (SPECIFY)		
YOUR REPRESENTATIVES		
LENGTH OF TERM		
LENGTH OF REGULAR SESSION		
PRESIDENT PRO TEM / SPEAKER		
MAJORITY LEADER		
MINORITY LEADER		

## JUDICIAL BRANCH

(HIGHEST COURT)

(NEXT HIGHEST)

NAME:

ELECTED OR APPOINTED?		
LENGTH OF TERM		
NUMBER OF JUDGES		

**Section V.**  
**OUR THIRD CENTURY:**  
**Learning From The Past,**  
**Looking Towards the Future**

1776...

*When In the course of human events it becomes necessary*

PAST

GROWTH

Centennial...

CHANGE

PRESENT

PROGRESS

BICENTENNIAL...

FUTURE

TECHNOLOGY

TRICENTENNIAL...

THE YEAR 2000

## 12.

# THE POLITICAL PROCESS: Parties, Campaigns, Philosophies and You

*“Let us never forget that government is ourselves and not an alien power over us. The ultimate rulers of our democracy are not a President and Senators and Congressmen and government officials, but the voters of this country.”*

*Franklin D. Roosevelt*

On the first Tuesday after the first Monday of the month of November the American people have the opportunity to exercise our most fundamental right as well as our primary responsibility as citizens in a democracy—the Vote. The Constitution guaranteed that our governments would be selected in free elections. It took three amendments (Fifteenth, Nineteenth, and Twenty-Sixth) as well as numerous acts of Congress to include such groups as blacks and women in the electoral process. All of the freedoms set forth in the Bill of Rights are based on this system of free elections. Without the power of the vote a citizen has no voice in the political system.

Citizens can “speak” in manners other than voting. Even if you are too young to vote, you can work in the campaign of the candidate of your choice. From passing out leaflets at the local shopping center to speaking with neighborhood groups on behalf of your candidate, campaign work is fun, it is exciting, and it is educational. Senator Donald W. Riegle, Jr. (D-Mich.) has written an article which describes the challenges and the excitement of his 1976 Senatorial campaign.

Joining a political party is another means of active involvement. As a party member—Republican, Democrat or any other party—you can vote in primary elections, have a voice in party affairs and work in many other aspects of politics. The first article in this chapter compares and contrasts the 1976 party platforms of the Republicans and Democrats. Next the Chairman of the Republican Party, Bill Brock, discusses political parties and their role in our system.

The *Perspectives Panel* presents the views of the five authors on “what is a liberal and who is a conservative”, and the *Reflections* exercise helps you to identify some of the principles and policies of these two political philosophies.

As you read this chapter and as you experience your CLOSE UP week, ask yourself about YOUR values and opinions on the issues and towards government in general. The *What Are My Political Attitudes* exercise will help you discover more about your own ideas and opinions. Ultimately, this is the most important knowledge for any student—what do you believe and why do you believe it.

**Section V.**  
**OUR THIRD CENTURY:**  
**Learning From The Past,**  
**Looking Towards the Future**

**1776...**

*When In the course of human events it becomes necessary*

**PAST**

**GROWTH**

**Centennial...**

**CHANGE**

**PRESENT**

**PROGRESS**

***BICENTENNIAL...***

**FUTURE**

**TECHNOLOGY**

**TRICENTENNIAL...**

**THE YEAR 2000**

# POINT COUNTERPOINT: A COMPARATIVE LOOK AT THE 1976 REPUBLICAN AND DEMOCRATIC PARTY PLATFORMS

*A political party platform is the official "party line," the statement written by a committee of party leaders and approved by the delegates to its convention, of the party's principles and the policies it will follow if elected. Not every member of either party necessarily supports every position in his/her party platform. These platforms are more closely linked to the Presidential candidates than to those running on the state or local levels, although these candidates may also campaign on the platform.*

*This chart provides you with a comparison of where the Republicans and the Democrats stand on some (but not all) key issues. As you study it you will see where the parties agree, where they differ, and where it is more a question of differences in priorities. All statements appearing in quotations have been taken from the actual party platforms.*

## REPUBLICAN PARTY PLATFORM

## DEMOCRATIC PARTY PLATFORM

### Governmental Philosophy

"Less government, less spending, less inflation."

"The proper role of government is to do only those things which individuals cannot do for themselves. . ."

"The best government is the one closest to the people. It is less costly, more accountable, and more responsive to the people's needs."

"Fairer distribution of income, wealth, and power."

The Federal government should "increase the economic opportunities. . . and reduce the economic deprivation."

"The Federal government's role should be the constructive one of establishing standards and goals with increased state and local participation."

### Jobs, Inflation

"The number one destroyer of jobs is inflation. . .the number one cause of inflation is the government's expansion of the nation's supply of money and credit needed to pay for the deficit spending."

"Sound job creation can only be accomplished in the private sector of the economy. . . In order to provide more jobs, businesses must be able to expand."

"If we are permanently to eliminate high unemployment, it is essential to end deficit spending."

"We support legislation that will make every responsible effort to reduce adult unemployment to 3% within four years. . . the Federal government has the responsibility to ensure that all Americans able, willing, and seeking work are provided opportunities for useful jobs. . ."

"We can increase production and employment without rekindling inflation."

### Tax Reform

Tax reductions must be linked to less government spending.

Favors "tax credits for college tuition, postsecondary technical training, and child care expenses incurred by working parents."

"Simplification (of tax laws) should be a major goal."

"Complete overhaul of the present tax system, which will review all special tax provisions to ensure that they are justified and distributed equitably. . ."

"Reduce use of unjustified tax shelters in such areas as oil and gas, tax loss farming, real estate, and movies. . ."

"Overhaul Federal estate and gift taxes."

### Health Care

"Opposes compulsory national health insurance."

"We should utilize our private health insurance system to assure adequate protection for those who do not have it."

"We need a comprehensive national health insurance system with universal and mandatory coverage. . . financed by a combination of employer-employee shared payroll taxes and general tax revenues."

REPUBLICAN

DEMOCRAT

<b>Labor</b>	<p>Supports continuation of section 14(b) of Taft Hartley Act, which permits states to pass right-to-work laws.</p> <p>Opposes legalization of common situs picketing (refers to the picketing of an entire construction site by one striking union).</p> <p>Opposes public employee strikes, while recognizing their right to collective bargaining. The individual states and cities should decide these matters.</p>	<p>Calls for repeal of section 14(b), as it "allows states to legislate the anti-union open shop."</p> <p>Favors legalization of common situs picketing.</p> <p>Supports right of public employees to collective bargaining.</p> <p>Supports right of agricultural workers to collective bargaining.</p>
<b>Civil Rights</b>	<p>Supports ratification of Equal Rights Amendment.</p> <p>"Vigorous enforcement of laws to assure equal treatment in job recruitment, hiring, promotion, pay, credit, housing."</p>	<p>Supports ratification of Equal Rights Amendment.</p> <p>"Insure that all citizens are treated equally before the law and given the opportunity to participate fully in the economic, social and political processes."</p>
<b>Abortion</b>	<p>Supports a constitutional amendment to "restore protection of the right to life for unborn children."</p>	<p>Opposes an amendment to overturn the Supreme Court decision permitting abortion.</p>
<b>Busing</b>	<p>Opposes "forced busing to achieve racial balance."</p>	<p>Supports forced busing for school desegregation "as a judicial tool of last resort."</p>
<b>Big Business</b>	<p>Opposes divestiture of oil companies.</p>	<p>Supports divestiture of oil companies.</p>
<b>Defense Policy</b>	<p>"The American people expect that their leaders will assure a national defense posture second to none. . . Growing Soviet military power requires a period of sustained growth in our defense effort. . ."</p> <p>"Our national defense effort will include. . . the B-1 bomber."</p>	<p>"While we must spend whatever is legitimately needed for defense, cutbacks on duplication and waste are both feasible and essential. . ."</p> <p>"We can reduce present defense spending by \$5 to \$7 billion. . ."</p> <p>"No decision should be made regarding the B-1 production prior to February 1977."</p>
<b>Foreign Policy: USSR</b>	<p>Maintain our strength, demonstrate our determination to prevent Soviet aggression, while lessening tensions and working towards peace and stability.</p>	<p>Continuing reduction of tension, avoid both excessive hope and fear. Recognize that "Soviet actions continue to pose severe threats to peace and stability in many parts of the world."</p>
<b>Foreign Policy: Africa</b>	<p>Favors "self determination" in Africa. Supports those forces "which promote negotiated settlements and racial peace."</p> <p>Reserves option of actively supporting "nations facing a threat from Soviet-supplied states and from Soviet weapons."</p>	<p>Favors "unequivocal and concrete support of majority rule in Southern Africa."</p> <p>Reinforce arms embargo against South Africa.</p> <p>Normalize relations with Angola.</p>

# TABLE: 1976 ELECTIONS (National)

## I. President

	Popular Vote (Total)	%	Electoral Vote
Jimmy Carter (D)	40,828,587	50.1	297
Gerald Ford (R)	39,147,613	48.0	240

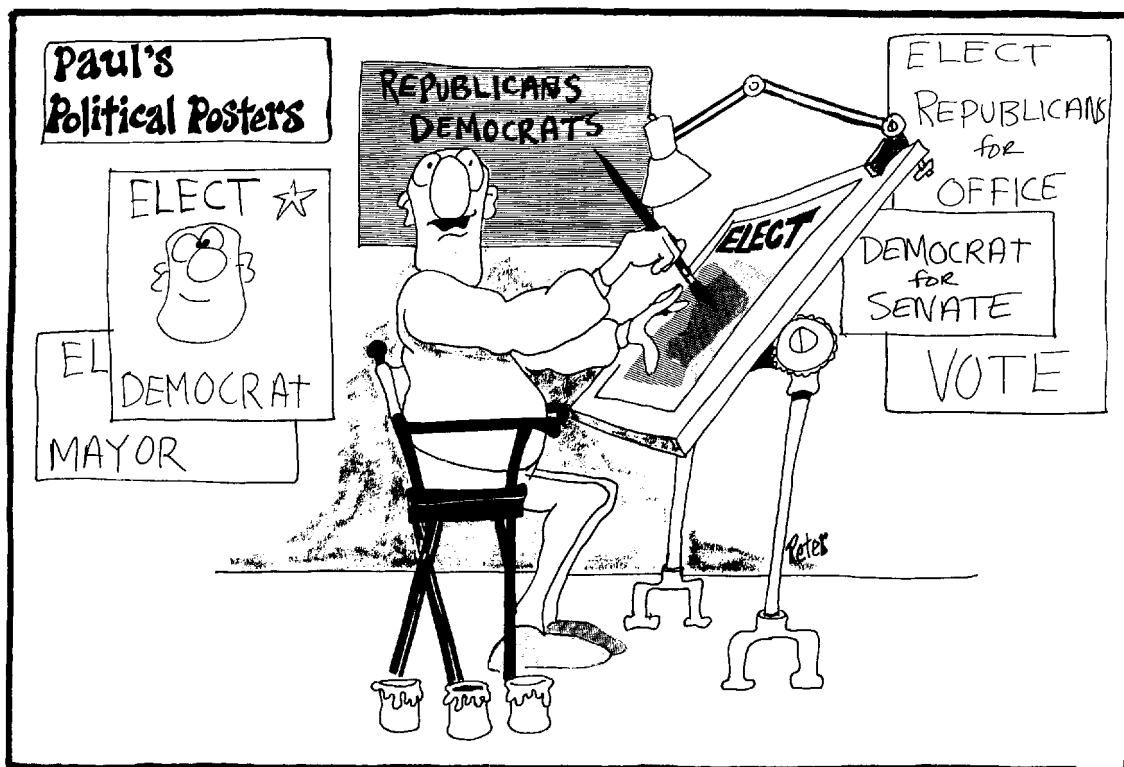
## II. Abstention

Per Cent of Registered Voters  
Who Voted

1976 (Carter vs. Ford)	54.4
1972 (McGovern vs. Nixon)	55.4
1968 (Humphrey vs. Nixon)	60.7
1960 (Kennedy vs. Nixon)	62.8

## III. U.S. Congress

	Republicans	Democrats	Independents
<b>Senate</b>			
95th Congress (1977/78)	38	61	1
94th Congress (1975/76)	38	61	1
<b>House of Representatives</b>			
95th Congress	145	289	1 (1 Vacancy)
94th Congress	145	290	0



**"Vote? Not me...I'm too busy to get involved."**

# WHAT ARE POLITICAL PARTIES?

## RNC Chairman Bill Brock

*In January, 1977, Bill Brock was elected Chairman of the Republican National Committee (RNC). Along with Republican leaders in the Senate and the House, Brock is a leading spokesman and advocate of Republican policies. He is also responsible for the administration of party affairs on the national level. Previously, Bill Brock served as a U.S. Senator (1971-77) and Congressman (1963-71) from the state of Tennessee. In this article he discusses the functions of political parties in the American political system and also explains the organizational structure of the Republican party.*

Contrary both to the practice in most other democratic nations and to the common wisdom in our own, we do not have national parties, as such, in America. The Republican and the Democratic Parties are more accurately described as federations of state parties, each with a high degree of autonomy and independence. It is traditionally once every four years, at the national conventions, that they look most like and come closest to actually being national parties. For example, the Republican Party is actually composed of 50 state Republican parties plus those of the District of Columbia, Guam, Puerto Rico and the Virgin Islands.

None of this is an accident. It is a reflection and a consequence of our Federal system. Foreigners, especially Western Europeans, are constantly amazed to learn of our party structures which are very different from their own.

We do not charge dues of our members. By and large, they do.

We do not require strict adherence to a single party ideology. By and large, they do.

We do not have any mechanism to compel party line voting in the House and the Senate. By and large, in their Parliaments, Europeans can enforce party discipline. Members who stray from the line can be censured or ejected from the party.

On the surface, it might seem that the chances for political, or at least, party stability would be greater in their more structured system than in our own. Yet the record shows that America has enjoyed political stability as

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enduring as any other Western nation, certainly more than most.

We enjoy two party politics, characterized by moderate positions and stable parties and by candidates whose success relies on their ability to offer a broad appeal to a diverse constituency.

In contrast, parliamentary systems frequently have many ideologically narrow parties whose candidates consciously direct their attentions to potential coalitions of relatively small, special interest constituencies. As a consequence, each of these groups elects some representatives to the legislature and compromise among the many different parties must be worked out after the election in order "to form a government."

In America, because of our complementary systems of federalism and two-party politics, the ideological compromises must be worked out within the parties and before the elections. The result of this process is political moderation and governmental stability.

### Political Party Structure: The National Convention

The national convention is held every fourth year and is the supreme authority of the party. These colorful gatherings fulfill a number of functions. The most well-known are the writing of a party platform and the nomination of candidates for President and Vice President. The party platform serves as a basic statement of policy positions on the variety of issues that confront our nation. In addition, the convention defines the rules under which the Republican National Committee (RNC) will function for the next four years.

How delegates are chosen varies from state to state. This fact illustrates my earlier point about the autonomy and independence of state parties. State delegates may be selected by: 1) Congressional district conventions, 2) state conventions, 3) state committees, 4) primary elections, or 5) any combination of these methods. The choice of method may be determined by state law, party by-laws, or a combination of the two. While there are similarities, no two states follow exactly the same pattern.

The Republican national convention organizes committees which are charged with handling much of the convention's business. The Committee on Credentials settles any disputes over the legitimacy of state delegations. The



Committee on Resolutions is formed about six months prior to the convention to begin work on the party platform. The permanent Platform Committee finalizes the work and submits it for a vote by the full convention. The Committee on Rules decides what rules will govern the proceedings of the convention, the organization of the Republican National Committee and the apportionment of delegates to the next convention. The Committee on Permanent Organization acts on recommendations from the Republican National Committee concerning officers of the convention.

### **The Republican National Committee (RNC)**

Between conventions, the Republican National Committee is the highest party authority. As has been noted, it is created by the national convention and functions under the authority granted by that body. There is thus no written document (charter, constitution or laws) mandating its existence. It is composed of three members from each of the 54 component parties, the chairman of each party plus one man and one woman member from each. Following the same philosophy as the selection of delegates to the convention, each party determines the manner in which its representatives will be chosen. The convention ratifies these members to serve as the governing body of the party for the next four years. The lines of communication run from the national committee to the state committees to county or city committees to townships, precincts and/or wards.

### **State and Local Party Organizations**

Regarding the organization of parties, there is no "model" state plan. The Republican Party had tended over the years to emphasize the independence of state organization. Population, geographical distribution, cultural and ethnic variables, historical development of parties, and local politics differ significantly between states. All of these factors influence the needs and functions of the party on various levels.

State and local parties help to channel the competition for political power. They act as a kind of recruitment agency for placing competent men and women in the political and governmental systems. They provide one of the forums for debate and formulation of public policies. They also serve as a vehicle for publiciz-

ing the issues and educating the electorate as to the various points of view on these issues. In short, they serve both political and social functions.

### **The Important Role of Political Parties**

While the structures and procedures of political parties have evolved over the years, they have not undergone any radical changes. The question has arisen in recent years, however, whether the functions of political parties haven't been substantially transformed. Some look at the rise in numbers of voters calling themselves independents and wonder whether the parties indeed have any modern function.

It is evident that changes have occurred. For example, historically it was the political parties' role, nearly exclusively, to impart information about politics to the general citizenry. The information explosion and growth of the media, particularly television, have substantially reduced that informational responsibility. The party still informs its members, but it is the nightly news on which most citizens rely for their information of politics and government.

While party functions have changed, parties are far from obsolete and active membership in a major political party can still offer individuals in America their prime vehicle for affecting public policy, our laws, our institutions and our politics.

In an era of complex issues and vocal special interests, the political party still remains what it has always been in the American system—a voice for moderation and a forum for rational debate and meaningful compromise.

Its members, though they are partisans for a political cause are pre-eminently partisans of a political system—this Republic—in which government is concerned with the good of all, not merely with the wishes of a few. Party involvement, far from channeling human energy into narrow special interest concerns as non-party forms of political activity might tend to do, necessitates broad interests and representative involvement at levels as intimate as the precinct committee and as encompassing as a national campaign.

Involvement in partisan politics is not another way of "doing your own thing" so much as it provides a responsible means of addressing and balancing the real needs of all. It provides a means for implementing the deliberate consensus of the people which is possible to identify in a republic such as ours. This is work which we Republicans view among the highest of callings.

## ON THE CAMPAIGN TRAIL

### Senator Donald W. Riegle, Jr.

*Senator Riegle (D-Mich.) was elected to the U.S. Senate in November, 1976, after having served as a Congressman since 1966. This article is an account of the 1976 Senate primary campaign, in which he came from behind to win the Democratic nomination in a hotly contested battle. He went on to beat Republican Marvin Esch in the November election. Senator Riegle is also the author of a highly acclaimed book, *O Congress*, a revealing and insightful account of the life and job of a Congressman. This article, written almost as if it were an entry in a diary, gives you an inside look at a political campaign.*

The alarm clock rings early this morning. It's 5:30 a.m., and Michigan Democrats will go to the polls in just two weeks. One year ago, I decided to put my ten-year career in the U.S. House of Representatives on the line by seeking the Democratic nomination for the U.S. Senate seat of retiring Senator Phil Hart. The pace has been frantic. Putting together a staff and an organization capable of reaching the more than 700,000 voters likely to cast ballots in the Democratic primary was difficult. Raising the necessary money to carry our message across nineteen Congressional districts, from Detroit to Marquette, continues to be a humbling experience.

The cause seems so important to me, and I feel the outcome is vital to the future of Michigan. However, even with four candidates in both the Republican and Democratic primaries, the press has for its part largely ignored the race until just recently. Too often it has focused on opinion poll results and apparent scandals. Far too little attention has been given to the candidates' stands on the issues, plans for the future, and past records of accomplishments.

Fortunately, after months of 16 and 18 hour days, seven days a week, I have built a base of volunteers and supporters. They have had a multiplier effect on my own campaigning. They circulated petitions to secure the signatures needed to place my name on the ballot. They continue to deliver campaign literature. They even help with my name identification by "free-way flashing" (holding signs bearing my name

and the fact that I'm a Democrat running for the U.S. Senate, over freeways to catch the eye of motorists traveling home or going north for the weekend).

Nevertheless, the newspaper polls show me trailing, 44% for the leader to my 17%. The other candidates only received 13% and 1%. My instincts tell me not to believe those numbers, and our own poll figures show me dead even with a crucial and unusually large 25% of the electorate undecided. These undecideds hold the balance of power, and that is why I must go flat out these last two weeks. I must cut down on sleep, if possible. I must be prepared for the careful press scrutiny just now coming to the race, and for which I pleaded for so long. Most important, I must keep my workers and staff going full steam. It is they who could make the difference. If we miscalculate, or if we don't identify our voters, or if we then fail to put forth the effort to get them to the polls, we will have lost one of our crucial advantages over the opposition—our grass roots organization.

So as I shower and shave and throw on my suit, I realize that my exhaustion cannot last much longer. That is one curious fact about an election! You know when it is over. Unlike a business you cannot make up your losses during the next quarter. There is no consolation prize. Sure I'm young, and perhaps I could run again, but none of us can predict the future. The competition might be even tougher the next time. And if I win, well, then I become the nominee and there is another election in just three short months. However, as the nominee of my party things will be much different.

Michigan will be a target state for both Presidential candidates. That means there will be national efforts to bring the voters to the polls in November. Certainly the strength of the Presidential candidates' campaigns will impact on the Senate nominees. Many losing candidates have asserted that they would have been the victors if only the Presidential candidate had run stronger or if they were running in a non-Presidential election year.

But, it's July, 1976, and Jimmy Carter and Walter Mondale will probably face Gerald Ford and whomever he picks as his running mate. Since Michigan is the President's home state, the Republican Senatorial nominee will definitely have an advantage. For that reason, I am pleased that our campaign has taken on a rather independent image. That is the way I am, and I

think that is one of the great strengths we will have during the last two weeks. Most of my supporters have not been long-time Democratic Party workers. They have been attracted to our effort for many reasons, but they are intensely loyal and hard-working. I hope that their strong convictions and dedication allow them to overcome the fatigue that I am feeling, and that I am sure they must be experiencing.

A quick cup of coffee and off to the suburban Detroit plant gate to greet autoworkers as they head to work. You've got to greet them at the beginning of the day, because after a long summer day in the factory, not too many working people want to take time to chat as they leave work. They particularly don't want to chat to politicians. It's sad, but true.

In the closing weeks of the campaign, the candidate must maximize his time and go to the areas where he is likely to find Democratic primary voters. After figuring out where these voters are geographically, we have to determine which voters are firmly in my camp and which are solidly behind my opponents. With the race neck and neck, we need to isolate the undecided voters and appeal to them. Nevertheless, it's an improvement over where I was earlier this year, trailing by such a significant margin that I had to change votes as well as convince the undecided voters to join our cause.

In addition to the active organization that is crucial, I had to have an aggressive media campaign. There are just too many potential voters to even hope to reach them all by door-to-door campaigning, literature distribution, telephoning, "freeway flashing", and the like. You have to be on TV and radio. You have to be on often enough and at the right times to reach your audience, and your advertisements must project an appealing image. The logistics behind an effective TV campaign program are complex. A great deal has to do with what they call "production," "time-buying," "market," "target audience," etc. But all of this hinges on the campaign's ability to buy the time and talent needed to wage a competitive TV campaign.

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**"The idea that you can merchandise candidates for high offices like breakfast cereals—that you can gather votes like box tops—is, I think, the ultimate indignity to the democratic process."**

*Adlai Stevenson*

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Raising money has turned out to be my most crucial obstacle to winning the election. I know how to campaign. I know how to motivate people. I can capture a majority of almost any audience I address. But I can never hope to address enough groups to earn the votes needed in this primary. So, I spend at least one-third of my time meeting privately with one person or in small groups and occasionally with larger groups to secure the contributions necessary to produce and place the all important TV ads on the air.

We are living hand to mouth. It is now common for me to raise the money in the morning necessary to pay for an ad that will run in the evening. Even though we are more successful than our opponents at raising money, we must now cut back on literature and other resources for the field staff. I am troubled by this and plan to contribute some of my own limited personal funds to see that one last printing of leaflets is ready for distribution the final weekend before the election. It appears that there is no way we can avoid going into debt. We must win! How else can we pay our debts?

So, off I go. A quick glance at the schedule, which reads like a script for an endurance contest: plant gates, a fund-raising breakfast, a press conference, a speech before a group of UAW retirees, a fund-raising luncheon, followed by some campaigning in a shopping center and a quick trip to the airport for a flight to another media market and another press conference. A change of clothes, and a shower—if I am on time before going to a cocktail party fund-raiser and dinner. Then, I'll have to leave to go to a candidates' debate before an important labor group. Finally, I am slated to appear live on a local radio call-in program. I hope I'm still awake by then!

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**"Ballots are the rightful and peaceful successors to bullets."**

*Abraham Lincoln*

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## WHAT ARE MY POLITICAL ATTITUDES?

*Much discussion and debate about "politics" focuses on specific issues and on individual candidates or officials—Are you for or against Candidate X? Do you think Senator Y has been fulfilling his campaign pledges? How do you want your Congressman to vote on Proposition Z? While such subjects are important, there are also some more general questions which we need to ask ourselves. What are your attitudes towards Government? Political Parties? Elections? You need not be an expert on foreign policy issues, or know the meaning of revenue sharing, or even be able to name the nine Justices of the Supreme Court to hold an opinion on these questions.*

*The following list of statements will help you begin a "political self-analysis." Consider each statement and then circle the number which best expresses your opinion:*

- 1) I agree strongly                      3) I disagree  
2) I agree                                      4) I disagree strongly

*Then get together with your teacher and/or other students to add some statements of your own in the space provided. Finally, a survey of your friends, family and neighbors will be an interesting exercise and may give you an idea of the attitudes towards the political process and government which predominate in your community.*

A) In most elections there is a clear choice between candidates with different positions and views on the issues.

1    2    3    4

B) Why should I vote? Mine is only one out of thousands of millions of votes, so how can it make a difference?

1    2    3    4

C) I prefer to register as an independent rather than as a member of a political party.

1    2    3    4

D) The only issues which I care about are those which have a direct effect on my economic well-being.

1    2    3    4

E) The issues today are too complex for me to understand.

1    2    3    4

F) I am confident that what I hear on the news and read in the papers is accurate.

1    2    3    4

G) Government helps people solve problems.

1    2    3    4

H) Most politicians are more concerned with special interest groups than with me.

1    2    3    4

I) A Congressman should always vote according to the views of the majority of his constituents.

1    2    3    4

J) Sufficient safeguards do not exist to guard against the abuse of power by future Presidents.

1    2    3    4

K)

1    2    3    4

L)

1    2    3    4

## PERSPECTIVES PANEL: LIBERALISM AND CONSERVATISM

*“Liberal” and “conservative” are surely two of the most commonly spoken yet least understood words in the American political vocabulary. People who consider themselves liberals, or conservatives as the case may be, frequently do not agree on what these labels mean. Nor do they necessarily hold the same positions on every issue. Selecting either liberalism or conservatism, please respond to the following questions:*

*—What principles characterize this political philosophy?*

*—What policies are part of a liberal or conservative program?*

### **Congressman Philip M. Crane (R-Ill.)**

The words “conservative” and conserve have the same root. A 20th century American conservative seeks to conserve the 18th and 19th centuries’ liberal tradition which was rejected by 20th century liberals in America. That 18th century tradition found in Thomas Jefferson one of its most eloquent spokesmen. His definition of good government is one conservatives can embrace today:

*“. . . a wise and frugal government which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government. . .”*

Conservatives, in short, cling to the belief that, short of the commission of trespass, each individual should be permitted to spend his life according to the dictates of his own conscience. For this reason, conservatives reject concentration of political power and concentration of economic power in the hands of government.

To summarize, this means maximization of personal choice, adherence to limited constitutional government, free markets and free trade, national sovereignty, and a defense capability second to none. Finally, conservatives argue that the ultimate strength of any society determined to be free must rest upon a foundation of moral and religious virtue.

Liberals believe that the government’s intervention is sometimes necessary to achieve desirable economic or social goals. Among the goals they believe to be worth pursuing are: 1) full employment, 2) a welfare system that provides a strong work incentive as well as a decent standard of living for those who cannot work, 3) restoration of competition in key industries now controlled by a handful of companies, and 4) national health insurance.

Liberals maintain that in many industries such as the oil industry a free market is not operating, and that the government must correct an imbalance which has victimized consumers. Liberals are convinced that the giant oil companies have destroyed any vestige of a free market in their industry and that therefore the federal government must become involved in supply and pricing decisions. Many liberals go a step further and call for antitrust action to prevent giant oil companies from controlling all phases of the industry. The contention here is that the oil companies’ actions to eliminate production from certain wells, to eliminate independent competitors, and to conspire in restraint of trade by keeping prices artificially high and supplies artificially low more than justify remedial legislation which would greatly reduce the companies’ power.

Liberals are also in the forefront of the fight for national health insurance. Troubled by the fact that millions of Americans are currently unable to afford either preventive medicine or necessary care during or after an illness, liberal lawmakers have been working to provide comprehensive national health insurance for all Americans. They believe this life and death matter can no longer be an exclusive province of private industry or the private insurance companies.

A third instance of liberal dissatisfaction with some of the actions of the private sector is seen in the drive for an Agency for Consumer Protection. Liberals want to develop a mechanism whereby consumers are represented when regulatory boards and agencies make important decisions. At the present time big business lobbyists argue for their point of view while the voice of the consumer is not heard.

### **Congressman Albert H. Quie (R-Minn.)**

Since Chateaubriand originated the term “conservative” in 1818, the term has taken on

many meanings. The present stereotype of conservative refers to a resistance to change and the tendency to prefer safe, traditional and conventional forms of institutions and behavior. It is also commonly believed that the Republican party is the party of conservatism while the Democratic party is the party of liberalism.

Conservatism, however, is not mere resignation to things as they are, but rather a theory of change. Conservatism is a mosaic encompassing progress, egalitarianism, optimism and individualism within a framework of stability, continuity and order. Furthermore, it is a political attitude which strives to balance stability and order against doctrinaire progress and careless reform. Intellectual conservatism, as contrasted with primitive traditionalism, believes in the permanence of social principles as historical guides to order and progress with an insistence on limited political authority and the belief in liberty and individual autonomy.

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**“Politics is not only a matter of government. It is the conversation of a society about its government and ultimately about itself. In this conversation the people come to know each other, and arrive at the shared understanding of their common life that in the end matters much more than their agreements or disagreements on any particular issue.”**

*Henry Fairlie,  
journalist*

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Society is in a continual state of dynamic tension and change, and therefore conservatism, like any other social philosophy, must be in part a theory of change. As a Congressman I have been greatly concerned with education and the preparation of today's youth for the far-reaching responsibilities they will shoulder in the future. For example, I have sponsored legislation to extend and improve the compensatory programs of the Elementary and Secondary Education Act and the vocational education programs, as well as to provide student financial aid for higher education.

I have also co-sponsored legislation to create the National Institute of Education, the first major federal effort dedicated to research in education. It has been my goal to place the administration of Federal programs at the level of

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government capable of handling those programs and which is closest to the people so that citizens may serve their own needs and implement the necessary policy changes to improve their educational system.

Intellectual conservatism is, therefore, a continuous evaluation of the past and the present as well as an assessment of the future. It assumes that there are some primary values that change little, if at all, and that there are secondary levels of judgment and action that change almost daily. Along with this change is incorporated a responsibility to the public and to democracy itself.

### **Leon Shull, National Director, Americans for Democratic Action**

Liberals seek to guarantee the greatest possible individual freedom and development, including freedom from fear and want.

Liberals believe that human societies can solve social problems. Liberals try to use all of the available facts—accumulated knowledge, experience, research findings—in formulating and modifying social programs.

Liberals accept and use the fact of change. They are not bound by tradition (“But we've always done it this way!”) or pseudo-scientific ‘law’ (“Population will always increase faster than production”). Liberals are not afraid of new ideas. The past fifty years teach us that just about every new idea has come from liberals, and has been opposed by conservatives.

U.S. liberals today have a long agenda, but give highest priority to achievement of a full-employment economy, national health insurance, tax reform, welfare reform, an equitable energy policy, environmental protection, and a foreign policy oriented toward disarmament—especially nuclear disarmament—and the extension of human rights.

U.S. liberals, working toward a full employment economy, assert that the quickest and cheapest way to end unemployment is to provide jobs for the jobless through public service and other direct job creation programs. Liberals point out that implementing such a policy: 1) takes people off welfare; 2) produces revenue in the form of taxes paid by working people; 3) produces socially useful goods, structures and many kinds of services; 4) stimulates business and industry through increased purchasing power; and 5) reduces the less obvious social costs of unemployment—increased crime, divorce, suicide, malnutrition, ill-health, child abuse, etc.



The Right to Protest: Fundamental to a Democracy

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**“Man’s capacity for justice makes democracy possible; man’s inclination toward injustice makes democracy necessary.”**

*Reinhold Niebuhr,  
author and philosopher*

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**David Boaz, Publications Director,  
Young Americans for Freedom**

The modern American conservative philosophy rests on a belief in individual liberty. Like America’s Founding Fathers, conservatives believe that individuals should be free to live their own lives as they want, provided that they do not interfere with any other person’s rights to life, liberty and property.

Because we believe in individual liberty, conservatives support strict limitations on government, a free-market economy, and a national defense strong enough to defend American freedom from outside threats.

We believe that government is the greatest domestic threat to freedom, and thus we favor limiting government’s power over individual lives. We realize that a free-market economy, allocating resources by the free play of supply and demand, best serves us all in our varied roles as workers, producers and consumers. No other economic system in history has been a more productive supplier of human needs, nor could any other system be more just. Seeing the human misery brought on by totalitarian Communism in half the world and realizing the threat posed by Communist aggression, we favor a national

defense sufficient to repel this threat and offer hope to the rest of the world.

The policies characterizing a conservative government would be based squarely on these principles. A conservative government would seek to roll back the size and power of government, returning to individuals the ability to make their own decisions and live their own lives freely.

One priority for a conservative government would be tax limitation and reduction. One of the greatest violations of individual liberty in America today is a tax load that takes 45% of every American’s income. Conservatives support constitutional amendments to limit taxes at both Federal and state levels, and other measures to reduce taxes and government spending.

A conservative government would also offer a real solution to the problems of inflation and unemployment. The Federal government is the primary cause of both these problems. Excessive government spending and deficits lead to inflation of the money supply, which causes rising prices and leads to unemployment through distortion of the market. High taxes also cause higher prices and higher unemployment. Reduced government spending, along with an end to unnecessary government regulations, would solve the inflation-unemployment problem. Liberals with their government make-work programs will never achieve a stable economy with real productive jobs for all.

In short, a conservative believes primarily in individual freedom, and conservative government would base its policies on a return to freedom in America and the world.

## REFLECTIONS

*Each of these five authors has defined liberalism or conservatism, with a different emphasis. These are by no means the only definitions; for example, see the October 4, 1976 edition of U.S. News and World Report for the ideas of twelve other political leaders. Consider the statements below which illustrate different policies and principles of government. Identify each as "liberal" or "conservative."*

*NOTE: Keep in mind that individual politicians cannot always be labelled as liberal or conservative. These terms are most useful to describe philosophies of government, and a particular Congressman may have liberal views on one issue (e.g., civil rights) and conservative views on another (e.g., defense spending).*

1. The power of government should be limited. Government should not become involved in economic planning or social manipulation.  
\_\_\_\_\_
2. Among the freedoms which a government guarantees to its people is the freedom from economic suffering.  
\_\_\_\_\_
3. Government has the responsibility to provide for the weak and the poor.  
\_\_\_\_\_
4. A free enterprise economic system is fundamental to a free society.  
\_\_\_\_\_
5. We will not solve our economic problems unless we balance the budget.  
\_\_\_\_\_
6. Social programs are more important than a balanced budget.  
\_\_\_\_\_
7. We must increase our levels of defense spending to insure our security against the Communist threat.  
\_\_\_\_\_
8. The United States should actively oppose the election of the Communist party in Italy.  
\_\_\_\_\_
9. The most important tax reform is the elimination of "loopholes" which favor the rich and special interest groups.  
\_\_\_\_\_
10. The FBI, CIA and local law enforcement officers should be able to wiretap a person's telephone if they claim it is in the interest of national security.  
\_\_\_\_\_
11. It is better to support a freely elected Socialist or Communist government than to aid an antiCommunist military dictatorship.



# GLOSSARY: The Political Process

## I—Political Labels

**Left Wing, Right Wing**—These terms originated from the practice of European parliaments of seating conservative parties on the right side of the chamber and liberal parties to the left.

**Left Wing (leftist)**—ranges from liberals to radicals and revolutionaries; advocates of change, of an expanded role for democratic government, and policies that give political and economic power to the large masses of the people.

**Right Wing (rightist)**—range from conservatives to reactionaries; advocate maintenance of status quo or returning to an earlier time; favor “hands off” policy by government in economic affairs.

**Radical**—advocate of rapid and substantial political, social and economic changes. Similar to revolutionary.

**Liberal**—see *Perspectives Panel* in this chapter.

**Moderate (centrist)**—advocate of policies either a mixture of, or “somewhere between”, liberalism and conservatism.

**Conservative**—see *Perspectives Panel* in this chapter.

**Reactionary**—tends to favor a return to an earlier, more conservative system. Suspicious of possible excesses caused by “too much democracy”.

## II—Politics and Elections

**Abstention**—non-voting.

**Canvass**—to seek votes, support or opinions; door-to-door, at a shopping center, etc.

**Coalition**—alliance of individuals or groups who temporarily set aside their differences in pursuit of a common goal.

**Coattails**—the effect of candidates of the same party gaining votes because of the popularity of one major (generally the presidential) candidate from their party.

**Convention (National)**—once every four years, each political party meets to select its presidential and vice presidential candidates, write a platform, and select a national committee to take care of party business. Delegates are selected by party members in each state to represent them.

### Elections (National)

**President**—elected for four year term, maximum of two terms.

**House of Representatives**—435 members, proportioned according to population, each elected for two year terms, no maximum number of terms.

**Senate**—100 members, two per state, elected for six year terms; no maximum number of terms. Every two years one-third of the Senators (33) are up for election.

**Incumbent**—person who presently is in office; contrasted with the “challenger”.

**Independent**—candidate or voter who is not affiliated with a political party.

**Plurality**—a candidate who wins by a plurality receives the highest number of votes, but not a majority (which is 50% or more).

**Political Party**—group of people who work and organize together to win elections, to run government, and to represent a common set of beliefs, policies, and values. Ours is a two party system, the Republicans and the Democrats, although there are numerous minor parties.

**Primary Elections**—preliminary election within a party to nominate a candidate.

**Recall**—in some states, this procedure allows for voters to petition to remove an elected official from office before he has served his full term.

**Registration**—the enrollment of voters. (See *Current Issues* book for more information.)

# 13.

## NEW DIRECTIONS FOR THE THIRD CENTURY

*"Always the path of American destiny has been into the unknown.  
Always there arose enough reserves of strength,  
balances of sanity, portions of wisdom to carry the nation through  
to a fresh start with ever-renewing vitality."*

*Carl Sandburg*

The milestone of our 200th birthday was surely a cause of celebration and commemoration, but there was also a deeper, more enduring meaning to this event. The Bicentennial provided one of those rare moments in history when as individuals and as a nation, we could pause and reflect on our past in order to better understand our present and plan for our future. We could take pride in our achievements and take stock of our failures, bearing in mind that (to paraphrase a famous quotation) a nation which does not learn from its mistakes is condemned to repeat them in the future. This historical perspective is extremely important as we enter our Third Century, for we face both continuing and new challenges.

How do these challenges affect YOUR life, now as a young student, as well as in the future? More importantly, what role will YOU play in the forging of new directions for our nation? In this chapter's first article, Senator Edward M. Kennedy poses the challenge to YOU and your generation, to whom "the torch of leadership is passed." His words ring with the same spirit of the famous inaugural address of his brother, President John F. Kennedy. Yet, there are many observers who contend that the challenges of today are more serious than ever before. Many of the social, political, economic and cultural problems call into question some of the most cherished practices, privileges and assumptions of the American Way of Life: Simon Winchester, a highly respected British journalist, reflects on America in an article which carries a message for everyone—young and old, students and Senators alike.

Any discussion of the Third Century also needs to consider science and technology. From the amazing advances in the fields of medicine and computer science to the destructive power of nuclear bombs, technology has helped us cope with many challenges while creating some totally new ones. Edward Cornish, president of the World Future Society, talks about the future and the need to plan for it. Isaac Asimov, Buckminster Fuller and others then reflect on the future from a variety of perspectives which are sure to raise some "stranger than truth" type questions for you to ponder.

Finally, this chapter closes with a very special feature, an exclusive interview with Senator Hubert H. Humphrey. The study of government would be incomplete without the opportunity to learn from the wisdom and experiences of this man who has played a leading role in the shaping of the American destiny for the past thirty years.

# THE FUTURE CHALLENGES THE YOUNG

**Senator Edward M. Kennedy**

*This article was written exclusively for Perspectives by Senator Kennedy. It needs no introduction, it only needs to be read and to be thought about by all of us. . .*

For the millions of young persons in schools and colleges throughout America, and for their older brothers and sisters embarking on chosen careers, the world they are entering is one in which all established institutions and traditions in our society are under stress. The challenge to Washington may be the most visible challenge, with the most far-reaching implications for the country. But the federal government is not the only institution where leadership and integrity are being questioned. Now as rarely before, people are questioning every institution—state and local government, the home, the school, the family, even the church find themselves under continuing question and confrontation over the justification for their activities and performance.

These challenges are healthy and entirely welcome, because they are the vital tests that keep our institutions responsive to the people and their basic needs. As such, these challenges help each generation to strike the proper balance between progress and reaction for its own day and age.

If the times seem difficult and the route uncertain, we can draw inspiration from the history of previous generations and from the knowledge that others found their way before us, navigating into the future in times at least as difficult as our own. The genius of our system of popular democratic government is that at critical periods in American history, the country has managed to summon forth the leadership it needs to deal with the problems and crises of the time.

We cannot let government become either the scapegoat or the villain for the difficult problems of today. Not every problem was made in Washington or can be solved in Washington. Simple slogans cannot deal with the challenge of making government do its job responsibly and effectively. No single key fits all the locks. In areas where industry is competitive, like the airlines and other fields of transportation, the forces of competition are more effective than government regulation, so government should get out. In other areas, especially where the public health and

safety are involved, the need is for better government regulation. We must understand this basic difference. To do less is to yield the field to those who would throw out the government with the bathwater.

After the turbulence of Watergate and Vietnam, the country needed time to catch its breath, to heal the wounds, to allow the deep divisions to recede. But two whole years have passed. The period of recuperation is over.

America is never comfortable when it is coasting to a stop. It is time we got the engines started up again, so that we can deal with our long-neglected agenda of problems at home and overseas.

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**“In some of the most difficult periods in our recent history, it was America’s youth who were the keepers of the conscience of the country, who inspired the nation and led the people forward.”**

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The people in Boston, the people in San Francisco, the people in Houston, and the people in other towns and cities of our nation are not asking much from government. They’re asking for the simple things that make a difference in their lives—things that people have sought in this country ever since the first settlers landed on our shores.

They want jobs where they can work, not lines at the local welfare or unemployment office. They want prices at the supermarket their budget can afford. They want schools that can bring their children a decent education. They want health care to be a basic right for all, not just an expensive privilege for the few. They want safe streets where they can walk at night, instead of barricading their homes against the rising tide of crime.

### **Your Challenge and Your Opportunity**

What happens now in countless communities in America is of enduring importance for the mood and future of our nation. And those who will play the greatest role are the young men and women awakening to the challenges and opportunities waiting to be met. They did not make the world they live in, but they have the chance to change it.

As my brother, Robert Kennedy liked to say, it is the individual who makes the difference. He

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told the students at the University of Capetown in South Africa on his visit there in 1966:

"Each time a man stands up for an ideal or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, these ripples build a current which can sweep down the mightiest walls of oppression and resistance."

In some of the most difficult periods in our recent history, it was America's youth who were the keepers of the conscience of the country, who inspired the nation and led the people forward.

There is no finer chapter in the history of America's long and tragic involvement in Vietnam than the chapter written by the millions of young men and women who first saw the truth about the war and persuaded America to turn back. One of the finest chapters in the recent history of civil rights was written by the youth of America and the Freedom Riders of the early 1960's. One of the finest chapters in America's concern for the impoverished people of the world was written in the Peace Corps overseas and in our domestic service programs here at home.

In our country today and in nations throughout the world, young Americans are doing things you will never hear of. They are people whose names you will never know, whose pictures you will never see. Young doctors are bringing health care to people and places that have never seen a doctor. Young teachers are bringing knowledge and opportunity to people who never had a chance. Young lawyers are helping communities organize in public interest groups and other ways they never knew before. Young businessmen are bringing new enterprises to the city ghetto and rural farm, and helping to end the ancient scourge of poverty and neglect. In many parts of America and the world, young Americans are making a real and very important difference for their fellow human beings.

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**"We have the power to make this the best generation of mankind in the history of the world—or to make it the last."**

*John F. Kennedy*

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These are the sort of challenges that summon all of us to action today. To those who hesitate to make the effort, because the road appears too difficult or success too distant, I reply that not within my lifetime have I seen such extra-

ordinary opportunities for change and progress on so many fronts as I see today. The strenuous efforts of those who went before have opened many doors. The torch of leadership is passing to a new generation. All you have to do is pick it up and help to guide the way.

The commitment of men and women to excellence in public service—the dedication of our leaders to the people and the common good—is the hallmark of all our great achievements of the past and the source of what we shall accomplish in the future. For many, there will be great opportunities in public service. As John Buchan wrote in "Pilgrim's Way":

"Public life is regarded as the crown of a career. And to young persons, it is the worthiest ambition. Politics is still the greatest and the most honorable adventure."

The issues are well known. They go by names like war and peace, inflation and unemployment, health and education, crime and racism, illiteracy and poverty. They are waiting for our answers.

## **SITTING OUTSIDE A DAIRY QUEEN AND REFLECTING ON AMERICA**

**Simon Winchester**

*Mr. Winchester is the correspondent for the British newspaper, The Manchester Guardian, who reports on the United States. It is an irony of our history that some of the most perceptive observers of our culture and our politics have been foreigners. In the early 1800's the Frenchman Alexis de Tocqueville travelled across the vast expanses of our land by stagecoach to write his Democracy in America, which is still considered one of the best books of its kind. Later in the century the Englishman Lord James Bryce wrote his two volume The American Commonwealth, an equally enlightening commentary. At the dawn of our Third Century we have turned to another distinguished foreign observer, Mr. Winchester, for his thoughts and reflections in this article written exclusively for Perspectives.*

Sometimes, during the seemingly endless crisscrossings of this marvelous country that are among the greatest privileges of the foreign correspondent based in America, one has to stop

and quite simply, marvel. Often it happens at the most unlikely of places: a Dairy Queen beside some blistering hot highway in deepest Arizona, or a cozy country inn deep in the snows of Vermont on a clear-blue freezing March day. You stop, and you look at everything around you—the scenery, or the abundance or the occasionally quite tangible realization of surviving democracy, and you marvel at how terribly, terribly lucky one must be to be born American.

A friend once said—it was outside a Dairy Queen, as it happens, near a small town called Conway in the White Mountains of New Hampshire—that to be an American must be like sleeping on a patch of warm grass on a sunny day, with just the faintest hint of shade from a great old spreading oak above you. And the remarkable thing about this oak was that its branches ended, not in leaves, but in an infinitely large collection of all the most wanted things one could imagine. All one had to do was to reach up into the blue sky and pluck from a branch, with only the very minimum of effort, just about anything you might want. That was life in America: eternal comfort, wanting for nothing, effortlessly reaching up for the fulfillment of your dreams.

Of course, we all know it is not really like that. We have seen Watts and Hough and the South Bronx. We have stood in line with the food stamp people in Duluth, and we have been in your prisons in Georgia and in New York, and we have seen people crushed by hospital bills, or by racism, or by their ignorance. We know that America is a place where a great deal is still so terribly wrong, and millions would shrink in horror from any suggestion that America is a land of boundless plenty and luxury and in which a life is to be gained with little effort. We know that—and yet the other image persists. The other image, in which swim countless millions of what we in the Old World would call the middle class, remains as that most likely to be regarded outside the coasts and the borders as typical of the American way of life.

And yet most of us who come from abroad see that image of plenty, of contentment, and of gratification of all bodily needs as generously sown with the seeds of its own destruction. It is as though, while watching with envy that young man basking on his warm grass, one can see the tree bend in the wind and hear it creak ominously as though it might be about to fall. And the young man, if he hears it, pays no attention; and we know that, even if he did see the bending and hear

the creaking, he would be too bloated and too weakened to do anything about it at all.

### **What Will You Do When Your Shovels Reach the Bottom?**

It took the oil embargo of three years ago for the more perceptive of the American people to realize the fragility of the system in which they live. The plenty—the vast cars, the endless supply of cheap electricity, the seas of cattle and millions of acres of wheat and corn—was merely finite and one day, unless sensibly utilized, would run out. Lights, which dimmed from time to time in the early part of the seventies, would flicker and go out. Cars would grind to a halt and rust in the sun. Cattle would wither and die, and the American would see reflected in his image the picture of a Bangladeshi, or a Bantu, or perhaps even a hungry pioneer. What, these most perceptive Americans wondered when they noticed that their storehouse did indeed have walls, and their granary did after all contain a floor, would they do when their shovels reached bottom, and their trucks found empty space before them? How should America be conditioned to face the end of what once seemed perpetual abundance and to realize that there were limits to a way of life that seemed peculiarly theirs?

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**“The good living upon which Americans have feasted for so long has brought about a certain weakness to the vitals of the national society.”**

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That, it seems to me, is one of the most important questions Americans should be asking themselves as this century winds into its third quarter and the nation into its third century. For the good living upon which Americans have feasted for so long has brought about a certain weakness to the vitals of the national society. Politicians, once the cream of a democracy, too often seem now the scum. The people, once strong and resourceful and given to making ends meet and managing to get by with less than was perfect, seem flabby and disconsolate at heart. Too, they often seek instant remedies to make them happier or more content: if they are hot, without a thought they switch on the air conditioner; if they are hungry, without a thought they pad themselves with useless starchy food; if they tire of their spouse, they merely go and get another. That kind

of behavior—termed “spoiled” in a child—flourishes and menaces the vitality of the country as it grips and tries to suffocate its people.

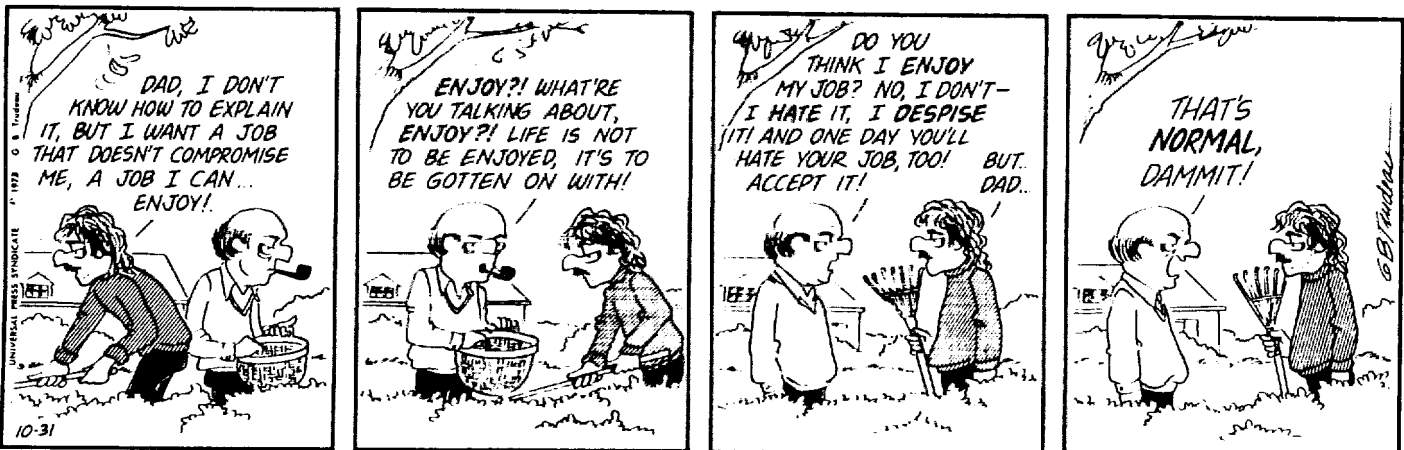
Americans, it seems to me, are going to have to resolve to find out how to do with less. They are going to have to make self-sacrifice and self-discipline—at home and abroad as well—of paramount importance in the way they conduct their lives, from the kitchen to the capitals of the world they still so dominate. For there is a world out there, on which we are all passengers, that will demand limits and will demand restraint and will demand self-discipline. Only by determining to

help lighten the loads of the countries in agony, by sharing some of their misery, can America regain the kind of respect that bombers and multi-national corporations will never command on her behalf.

It may have been your two hundredth birthday, but the world is a great deal older and a great deal wiser. That we all manage to celebrate America's Tricentennial depends to no small extent on the moderation and restraint of Americans themselves—all Americans, from those in the Department of State to those taking another beer from the freezer at home tonight.

DOONESBURY

by Garry Trudeau



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## LOOKING TOWARDS THE FUTURE

### Edward Cornish

*Mr. Cornish is President of the World Future Society, a non-profit scientific and educational organization of private citizens. It was founded in 1966 with the purpose of assisting businesses, governments and individuals to become aware of social and technological developments so as to be able to plan for the future. It is a non-partisan organization and is open to new members (4916 St. Elmo Avenue, Washington, D.C. 20014). The Society publishes *The Futurist*, a bimonthly journal, as well as numerous books and other resources on the future.*

Almost everyone in today's rapidly changing society faces hundreds of clamoring problems. Pressed by the urgent problems of the present, we may have little patience with anyone who suggests that we should think about the future. Our natural reply is likely to be, "How can you ask us to think about the future when we are trying to deal with a crisis right now?"

Yet today's crisis is one of the best reasons for thinking about the future. Almost always, the crisis has resulted from a failure to deal with problems before they reached the crisis stage. In retrospect, it is generally easy to see how a modest amount of thought and effort—if invested earlier—could easily have forestalled the crisis, thus affecting huge savings in money and grief. Recognition of this simple truth is expressed in folk sayings like "An ounce of prevention is worth

### Congress Moves to Plan for the Future

Due to the acceleration of social change in the modern era, people find themselves increasingly in the position of responding to crises. The United States government is no exception. Senator John C. Culver (D-Iowa) has offered the following description of "government-by-crisis" and its impact on the public:

"Recent energy and environmental problems demonstrate that as a nation, we are *reacting* to problems rather than *anticipating* them before they grow into national emergencies. For instance, environmental degradation offers a classic case of government-by-crisis. We had no idea several years ago that our form of industrialization and urbanization would have such an adverse environmental impact. Now we are frantically trying to recover from what we failed to foresee.

"As a consequence of these major crises that have come upon our society from the blind side, I believe there is a growing sense among the public that its institutions are rudderless."

Culver has been one of the leaders in recent moves to make Congress more future-oriented. In 1974, the House of Representatives approved new rules which included a "foresight provision." This provision states that each committee, except Budget and Appropriations, "shall on a continuing basis undertake futures research and forecasting on matters within the jurisdiction of that committee."

To support the House committees in meeting this requirement, the Congressional Research Service, a division of the Library of Congress, established a Futures Research Group in 1975. The Group, which has five full-time scholars, responds to requests from individual members, committees and their staffs for future-oriented research, analysis, trends, forecasts and other information. Congress has also established an Office of Technology Assessment. This office gives Congress a means of reviewing possible new technology to determine in advance its potential advantages and disadvantages for the American people. The Congressional Clearinghouse on the Future, formed with the support of Congressman Charlie Rose (D-N.C.), assists Members of Congress to become aware of ways in which the future is affected by today's decisions.

Like Congress, today's young people can also learn to be future-oriented so as to avoid future crises and prepare the way for a more abundant life. A number of forward-looking educators are currently developing concepts and programs to enable young people to do just that.

One of the first questions a young person might ask is, "What will I need to know so I can function effectively in the future?"

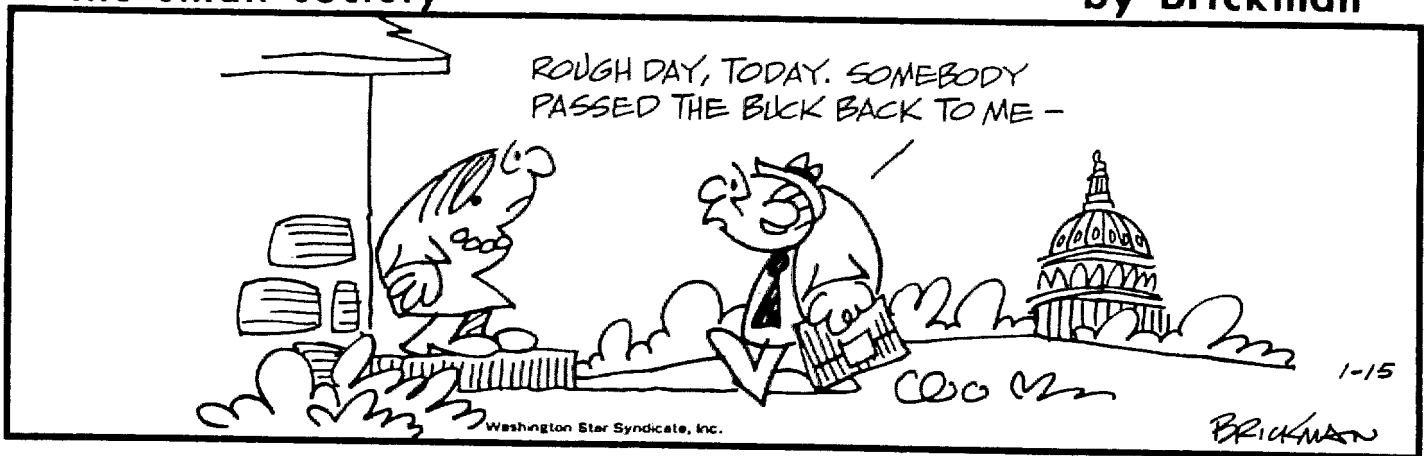
A list of essential skills might include the following: 1) how and where to get needed information; 2) how to think clearly; in our world of propaganda and illogical statements, we need to be able to think clearly about our values. We need to be familiar with the techniques for creative problem-solving and for forecasting possible future developments; 3) an understanding of man and society. We need to understand how social institutions operate so that we can effectively use them and alter them when necessary.

No matter how future-oriented a school's curriculum may be, it cannot anticipate completely a student's future learning needs. For this reason, education must be revamped to allow people to move easily in and out of the educational system. Ideally, people in the future will be able to alternate periods of work with periods of education and periods of leisure. Many futurists believe that people may change not only their jobs but their careers three, four, or five times during the course of their lives.

At present, many young people are led to believe that once they graduate from high school or college—or are simply old enough to escape compulsory education laws—they are finished with education. Many people remember their time in school as a period of excruciating boredom, painful humiliation, and psychological degradation. Hence, they have little inclination to start learning again in later life. Yet they will have important learning needs if they are to function effectively in tomorrow's world. Since there is little likelihood that the pace of social change will slow down, people who stop learning at any point in their lives will find themselves increasingly unable to understand the world around them. They may find it difficult to earn a living or cope with the requirements of everyday life. Hence, legislatures—perhaps Congress itself—may eventually lay down legal requirements for adult education. The notion that people aged 50 or 60 may someday be trying to hide from truant officers is not completely fanciful!

the small society

by Brickman



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### Towards the Future with Confidence

One of the most important ways in which young people can learn to cope effectively in tomorrow's world is by developing a healthy attitude toward the future. There are two equally dangerous temptations: one is to believe that man has nothing to worry about in the future, because science and technology will always be able to snatch us back from the abyss just in time. This attitude encourages the feeling that we do not really have to exert ourselves to insure a desirable future. At the other extreme, there is the temptation to exaggerate the complexities and difficulties that we face. Too much emphasis on the problems of the world can cause us to despair and lose hope of accomplishing anything worthwhile.

What we need is a general feeling of confidence in ourselves and our ability to negotiate the very uncertain path ahead. We need to see the future as something that we choose and shape rather than something that is imposed upon us. We need to recognize that problems—and even crises—offer opportunities for progress and are not necessarily entirely bad. Many scholars have noted that the Chinese ideogram for crisis is a combination of the symbols for “danger” and “opportunity.” The ancient Chinese realized that a great danger or agonizing problem often makes it possible to accomplish things that otherwise would be impossible. The philosopher William James hoped for a “moral equivalent of war”—something that would galvanize peoples' energies in the same way that war does.

Young people today should not feel that they have been betrayed by the older generation. It would be more correct to say that the older generation has succeeded brilliantly in what it tried to do. For example, people have long hoped to find ways to keep babies from dying in infancy, which most babies did in all the centuries up to the nineteenth. The success of the human race in preventing infant mortality has led to the current population problem. The population problem is a result of human success, not human failure. Similarly, environmental problems are the results of human success in the mass production of houses, automobiles, highways, food and other things needed for a high standard of living.

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**“The only way to predict the future is to have power to shape the future.”**

*Eric Hoffer*

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The problems and dangers of the present should not blind us to the real progress that has been made during the past few hundred years. Over the past few centuries, we have moved fairly steadily toward a world community that is reasonably well-fed, well-housed and comfortable, at least by the standards of past ages. We now have it within our power to move forward to create a better and happier human civilization than any that has ever before existed on this planet. Indeed, it might be said that we are the first people in history who have lived in an age when the creating of a peaceful, prosperous, and happy world looms as a genuine possibility. Utopia no longer is an idle dream. Whether or not we realize that dream depends, of course, on us.



# REFLECTIONS ON THE THIRD CENTURY: A Panel of Scientists, Philosophers, Technologists, Poets, And Other Thinkers

*In order to formulate hopes and visions about our future political directions, we also need to think about what our Third Century will be like in other respects. What effects will new technology have? Might we be buying summer homes on the moon? Will science open more new horizons, and will medicine offer new miracles? What about the pressing problems such as hunger and pollution—can they be resolved? This article brings together some of America's foremost thinkers who present some fascinating ideas about our future.*

## Our Future as a Nation

### Rod MacLeish, novelist and journalist

The question that has gnawed at 20th century American history is fundamental: what, in this system, is the value of the individual? The Founding Fathers said that it was paramount. The facts and institutions of 20th century life seem to say that the individual cannot be valued: the sheer numbers of American souls, problems and responsibilities are so great that the doctrine of the greatest good for the greatest number has come to dominate the way we live now to a degree that its founding theorists never imagined.

This has happened not because 20th century American federal politics is mindlessly corrupt nor because contemporary American business is greedily evil on the model of its robber-baron ancestors. Government and industry have, simply, grown with the country into what they are—massive, impersonal, inaccessible. Their motives have become increasingly institutional and institutionalized and are distant from the tangled, complex reality of American lives.

... The long American moult is ending. Off somewhere, distant but visible in some metaphoric West, the new Eden of restored possibilities is shimmering; it proposes, even promises, that American people and the institutions which govern their lives can rediscover each other and order their purposes in useful harmony.

The achievement of the vision will take time. It will take more argument, outright conflict, the pain of abandoning old assumptions, comforts and interests. Much of that has yet to come. The trouble and doubt that this country has encountered before in its long struggle for correction and improvement lie between the present moment and that still distant vision of a new Eden.

But a familiar old energy is rising. The Americans are gathering a curative power that lies deep in their collective spirit. They are preparing again to cross one more river.

### S. Dillon Ripley, Secretary of the Smithsonian Institution

Americans enjoy being cynical, especially about government, and they tend to assume, sometimes with an undercurrent of piousness, that corruption—at least for some—is here to stay. But Americans have enormous resilience. When one considers the state of our country 200—nay 100—years ago, the distance that we have traversed is stupendous. Poverty, disease, lack of communication and transportation—today, compared with the past, we are at a level of security and technological knowledge never before equaled.

### David E. Lilienthal, businessman and former government official

Something very healthy is happening in America today; it will profoundly influence our country's future. The centers of human vitality, imagination and authority, formerly few and centralized, are becoming many and dispersed. I see the future of this young and still underdeveloped land becoming one of diversity, not uniformity; decentralized, not centralized. We are seeing the individual citizen resume a positive and ever more consequential influence on his own life.

... There is a monumental irony in all of this. While the politician and government officeholder must attach more importance to the individual, the individual attaches less importance to politics, is less interested in the apparatus of government. As everyone knows apathy about voting is rampant; despite the hullabaloo about elections in the press and media, qualified voters stay home in droves. The abstention is significant as one symptom of a new epoch in the private citizen's role in our society.

... We need to take a fresh, radical look at our country. Old remedies and devices will not do in these new times. It simply is not the same

country that it was 100, 50, even 25 years ago. The old slogans—Square Deal, New Deal, Great Society—no longer fit; they are irrelevant to our present imperatives.

... To be content as a nation with what we've got, to treat low expectations as virtues, flies in the face of the individual's needs and ambitions for himself. It is not in the nature of private men and women to discount their future as the zero growth advocates do. Our strength of purpose in our communities is what it will take to get this young and still underdeveloped country on the way again. I believe it is beginning to happen.

#### **Norman Macrae, British economist and author**

If my guess is right, Man's main problem in the next few decades will be the same as in the last 20 decades: namely, that he is likely to be given some very dangerous toys to play with during another period of vertiginous economic advance, and may use them unwisely unless political leadership in the world continues to be very sophisticated indeed.

... I am sorry if this seems rude, but I am frankly worried that the American people, with all their power for dynamism and good, may be about to desert what would be their manifest and now rather easy destiny of leading the rest of us toward a decent world society and an abundant cheap lunch. The Americans in 1976 are now showing the same symptoms of a drift from economic dynamism that the British did at the end of their century in 1876. We Britons are experts at describing a drift from economic dynamism because we have spent 100 years observing it at close quarters.

#### **Technology, Economics, and Limits to Growth**

##### **Wilson Clark, author**

Modern industrial society is characterized by symbols of greatness and size. Man's imprint on the Earth's surface is no longer a few handcrafted shrines like the ancient pyramids but a vast network of industries, highways, buildings. Not only do our modern technological monuments consume an ever-increasing portion of the Earth's energy and minerals, but their proliferation is accelerating the rate of international environmental destruction. A question arises: is our technology appropriate? If not, are there alternative technological and social approaches which can provide employment, reduce pollution



Photo by Dan Rosen

#### **Where Will Modern Technology Take Us?**

and rely on abundant, renewable sources of energy and materials?

... The idea of appropriate technology challenges the existing order of things, especially the values of centralized government, institutions and industries.

##### **Buckminster Fuller, philosopher**

I've been around the planet a great deal—I've been around it 39 times. And I really do see and feel it as a sphere. We are so tiny on our tiny little planet with our tiny little sun that I am sure the universe is not waiting around to see if a Republican or a Democrat is elected.

The problem confronting us today is the incredibly inefficient use being made of our technology. Of the vast quantities of energy being consumed by humanity, the amount that results in actual benefit to human beings is very small indeed—perhaps as little as five percent.

... We keep putting up all these buildings to accommodate fake employment. These great buildings in our cities are just for making money. We have typewriters sleeping with the good plumbing and we have people sleeping in the slum.

. . . For the past 20 years, we have had the nations of the earth getting ready for Armageddon, taking the highest capabilities of man and focusing them on waste. I know the political assumptions that say there is not enough to go around are invalid. I know war is invalid. Yet, I also know the technology, and I know it is highly feasible to take care of all humanity at higher standards than anyone has known.

#### **Isaac Asimov, science fiction author**

Colonies, whether they are on the moon or in near space, would fulfill functions that are now fulfilled by the cities on the surface of earth. Properly handled, the earth may become a rather park-like world, a rather low-density world, with most of humanity living in space communities. And then, someday, there will undoubtedly be a panel talking about the future of space use.

#### **Gerard Piel, publisher of *Scientific American***

As we look into the future, the economic problem is not a permanent problem of the human race.

. . . We face the prospect that growth—the central driving principle of economics—will come to an end.

. . . When the accumulation of wealth is no longer of high social importance, there will be great changes in the code of morals. It will also be difficult to distinguish work from leisure, with human needs satisfied by some more equitable system of distribution. People will engage in work for their own satisfaction.

### **Telecommunications**

#### **Erik Barnouw, professor and author**

Don't look now, but your television set is about to be replaced by something more up-to-date. As with many giant steps in technology, it will involve ideas that science-fiction people have been picturing for decades—in fact, for a century or so. Now, at last, in diverse laboratories and field tests, their visions are turning into practical hardware. The ingredients seem to be right at our hands.

. . . It goes like this. In one wall of your room will be a telescreen. It will be able to bring you a wide range of images and sounds and data, via push-button controls. In the first place, you can summon up current events, drama offerings, game shows, athletic contests—not unlike your current television choices. But you may also

decide to see a classic film which a computerized switching system can call forth from an archive. Or you may decide to take a university course, prepared and stored in an electronic repository; each lesson, as and when you need it, can be summoned by your push buttons. When ready, you can order the exam: question after question will appear on your telescreen, to be answered by push button, and the sequence will be climaxed by your grade, which will at once be recorded somewhere in a data bank.

. . . But what will all those people be doing—those human beings who no longer need to stir from home, who will save endless hours of mass transportation and be blessed with leisure? What will they do with their lives? What will their lives mean to them?

### **Population and Food Crises**

#### **Dr. Georg Borgstrom, professor and author**

“Population explosion” is a term familiar enough to screen the underlying reality from our mental view. Worse, however, it represents a philosophical error that hides the uniqueness of our present predicament. An explosion is a single isolated event, after which the survivors can pick up the pieces and build a better world. We are faced instead with a steadily mounting wave of people with no end in sight.

Humankind in this 20th century entered a new era to which our entire history has been a mere prelude. Most of that history took place in a world that had very little resemblance to the world we live in today.

. . . Demographers expect the world population to double between 1975 and 2000. That means that even if we somehow manage to double world production of food, minerals, housing and everything else, more people than ever would still be starving and malnourished. The hunger gap can be removed only by trebling food production during the next 25 years.

. . . Malthus placed before mankind the risks of war, pestilence and famine, if it did not pay attention to the growing imbalance between food and population. He urged his contemporaries to take the route of restraint. I would amplify on this by adding that we need to show restraint in all respects, not only in procreation. That is the only route that will assure the United States and the world an acceptable human condition in the next century. This, the 20th century, may well be the last one in which we still have the option between

progress and disaster, of bringing chaos or order to Man's home.

### Science and Medicine

#### Maya Pines, author

The new science of predictive medicine will make clearer the alternatives before us by pointing out who is at greatest risk for what. Until now, for instance, smokers have been able to shrug off the warnings about lung cancer because they could always assume that the statistics would apply to someone else. But researchers are examining some hereditary factors measurable in blood that may control the rate at which benzopyrene, a hydrocarbon in smoke, is transformed into a cancer-causing substance in the body.

. . . But how would you feel if you were suddenly issued a genetic profile which showed that within a few years you would almost certainly develop a totally incapacitating and eventually fatal disease? How much do you really want to

know about your own future? Will the truth set you free to make wiser decisions—or might it paralyze you through loss of hope?

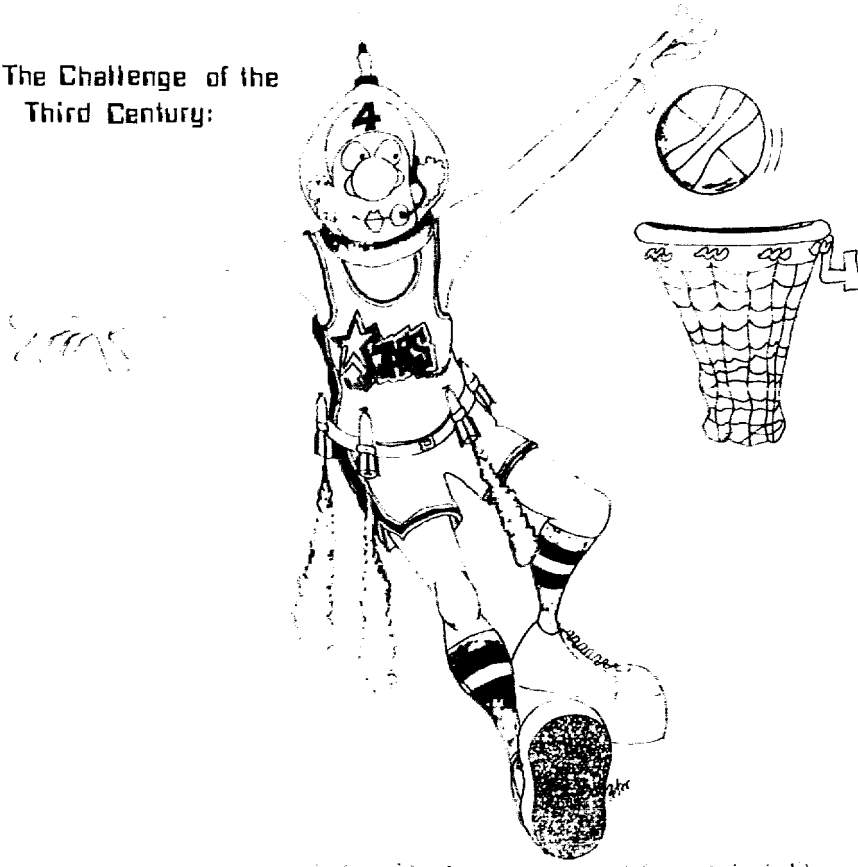
. . . Predictive medicine is still in its infancy. It will be welcomed by many, resented by some, feared by others. But at least it recognizes that each of us has a unique combination of genetic weaknesses and strengths that can be explored and accommodated on an individual basis. If we take predictive medicine seriously, we may yet learn to escape some of the most unpleasant hazards of the human condition.

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The Challenge of the Third Century:



Waltene: Washington

Jabbar 4, the great rocket guard for the Washington Stars, was voted 1982 M.V.P. in the National Basketball Association today. Jabbar 4 averaged 30 points per game during the regular season and her greatest game came during the championship against the Tokyo TIGERS when she made 42 rebounds despite the fact that four of her six team starters had malfunctioned.

## PERSPECTIVE OF A PUBLIC MAN

### An Interview with Senator Hubert H. Humphrey

*For over thirty years Hubert Horatio Humphrey has been a leading figure in American government—mayor of Minneapolis (1945-49), U.S. Senator (1949-65), (1971— ), Vice President of the United States (1965-69), Democratic candidate for President (1968). He is well known as a champion of civil rights, as a strong and early advocate of nuclear disarmament, and as the author of many major legislative programs in domestic and foreign policy. For a fascinating and detailed account of one of the most active careers in the history of the Senate, read Senator Humphrey's autobiography, *The Education of a Public Man*.*

*This interview was conducted over two days, July 20 and 22, 1977, in Senator Humphrey's office. The Close Up Foundation wishes to express its gratitude to the Senator for sharing his thoughts and experiences with our students through this interview.*

**Q—Close Up:** Senator Humphrey, in one of the early chapters of your autobiography (*The Education of a Public Man*), you spoke of your father and his unshakable faith and “sense of wonder” about America and the American political system. Do you see that same kind of faith, that same sense of wonder in Americans—particularly in young people—today?

**A—Senator Humphrey:** I see it in young people. Young people are still idealistic. Young people are still imaginative. Young people are still filled with hope. They have dreams. But all of this is battered by the constant barrage of the bad news of the world. They are constantly told that things are bad; that politicians are corrupt; that the church is corrupt; that business is corrupt; that labor is corrupt. Sometimes you're bound to get the feeling that if you're on the highway, you'll probably get run over.

Now don't misunderstand me. I think it's important that young people be able to face hard facts of life. You ought to be able to face a storm

—in my part of the country you ought to be able to walk through a blizzard—but not every day. You ought to be able to survive a hundred degree temperature, but not every day. And every day it's just a constant wave of blizzards and storms. . . . Keep in mind that I came from a small town where we didn't see the daily newspaper very often. There were weekly newspapers, like the *Watertown Public Opinion* and the *Sioux City Journal*. We had the newsreel once a week in the local theater rather than television. A vast number of Americans of my generation were in the same position.

Our times are times of uncertainty and ambiguity. We're trying to sort out the pieces. There aren't enough standards anymore. Too many have been destroyed. Older people turn off and are not even cynical; they become neutral. The young, too, lose their idealism because there are no heroes anymore. You've got to have heroes.

But I'm an optimist and I think we'll make it through these times. More has happened in the last twenty-five years to affect the psychic make-up of humankind than in the previous two hundred years. We are inundated with information and we are starved for philosophy. A man's judgment is said to be no better than his information. It is information and experience which make wisdom. But too many experiences, with no time for reflection, and too much information, with no time for evaluation, do not give you wisdom. They give you confusion!

To put it another way, we don't have any idea of the “strategic concept” of our society—what it really is about. Instead we are constantly being torn with tactics of how to deal with each day's events. We need philosophy and time for reflection, for young people still do have a sense of faith. I see it in their radiant faces. When I talk with them about the things that **can** be, they get excited and are better able to come to grips with the things that **are**.

**Q—Close Up:** You made the point about how things are and how they can be. We know that you are a grandfather concerned about the world in which your grandchildren will grow up. Looking towards the year 2000, what are your greatest fears for their generation?

**A—Senator Humphrey:** My greatest fear is nuclear war. That's really a fact. The reason I say that is history tells us that man has never developed a weapon that he didn't use. Yes, we did use the nuclear bomb in World War II but



nuclear weaponry has become so widespread that the danger has increased. The technology, the knowledge of how to do it, and the capacity to do it—especially now with the proliferation of plutonium—make nuclear war the greatest danger that mankind faces.

One of the other dangers is the pollution of the physical environment in which we live. While it may seem that you can continuously pour sewage into a stream without anything changing, you eventually get to a critical point where, bingo! a little extra makes it absolutely dangerous and uninhabitable and infectious. This is what's been happening because our technology for the disposal of solid wastes has not kept up with our production of wastes.

This pollution of the water and air affects not only the immediate physical health of people but also has more long term effects on weather. Changes in the climate in turn affect the production of food and fiber. In the next few years this could be very very, critical.

Environmental protection goes beyond just the air and water. It also means protecting our land resources and our timber. Most of my generation and my parents' generation have been robbing future generations by using up the good topsoil, the forests and the mines. Instead of looking upon ourselves as the stewards of the common good, we have become exploiters of the common property. When I talk with young people, I say, "Look, when I tell you that we need to conserve water, we need reforestation, and we need to protect the topsoil, I'm talking about what you and your children will need fifty years from now." The Gobi Desert was once a very fertile area; the same is true of the Middle East. This area really once was the land of milk and honey. . . and then it became a pile of rocks and sand. People didn't take care of the water resources or the trees or the shrubbery. . . If we

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### **"My greatest fear is nuclear war."**

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keep up our present exploitation of the environment, we can also invite such a disaster.

I also want to mention the "social pollution" that comes with prejudice, poverty and discrimination. When people are set against each other, they build up habits and lifestyles that really pollute their minds. For some, their thoughts are the result of the stigma placed upon them because of their poverty, their race or their creed. As I've stated many times in speaking about housing, it's one thing to clean up the physical ugliness of the slum. You also have another problem. If the people inhabiting them remain poorly educated and the victims of poor health, all you're doing is painting over—you're just whitewashing the filth and the dirt without reversing the social pollution.

**Q—Close Up:** Switching for a minute to foreign policy. . . how do you see America's role in the world changing? While we may have been the world policeman in the past, are we now emerging as a leader in such areas as food and human rights?

**A—Senator Humphrey:** First of all, it isn't only that **our** role in the world has changed. The world in which we **have** a role has changed. That's the critical point. The role that we played for many years after World War II was a necessary role for the times. It wasn't as if we were bashing people's heads in; we were trying to help people from having their heads bashed in. Misguided at times, no doubt, but our instincts were right. Now the world has changed. It isn't a colonial world any longer and our thinking has changed a lot about the world because, as I pointed out in my book, we were a world power with half a world knowledge. Today it is a world of independent nation states that have emerged from the period

of imperialism and colonialism. We have to understand that they are very sensitive, highly nationalistic, and proud. We're still a world power and we're the greatest world power but we're not the only power. At one time we were THE world power. Today we are A world power.

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**“Our role in the world today ought to be of the healer, the doctor, the educator, the engineer and the humanist.”**

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Our role in the world I think is a much better one. We're teaching people today how to produce food, not just how to train armies and have a police force. We ought to be doing much more than what we are doing. Our role in the world today ought to be of the healer, the doctor, the educator, the engineer and the humanist. We ought to be a nation of builders, not of destroyers.

At the same time, as one old pacifist said, there is no freedom without authority, no liberty without discipline. So we have to have power but it's a question of how you use it. Our power today is immense—immense. Take our economic power: when America has a revitalization of its economy, exports pick up all around the world. The greatest foreign aid that we can offer any other country is to be able to buy their products. When we have high productivity and high income, every country in the world comes up with us. We're like the tides—all the ships come up and down with the tides.

While we should never underestimate our role, we need to realize that because we are so powerful we must also be humble. We need a sense of humility and self-discipline. We've got to be careful that we are not arrogant, but by the same token we must not be demeaning of ourselves. Young people need to know that America is respected throughout the world.

So our position in the world today is a much better position that it was. We're becoming citizens of the world. Most of us in my generation never travelled out of our own state. Today young people see more of America in one month than I saw in thirty years. They also come to know much more about other countries at a younger age than we did. And that's good.

**Q—Close Up:** All of the problems and policies which you have been discussing emphasize the need for leadership of the highest caliber in the halls of government. What are the qualities which make someone an effective leader of people?

**A—Senator Humphrey:** Motivation. The difference between a great President and just a President is whether or not he can motivate people to greater achievements. As Teddy Roosevelt said you have to make the White House a bully pulpit. You have to be a combination of educator and evangelist. You have to move people. Now I'm hoping and praying that this is what (President) Jimmy Carter will be. He has all the potential and possibilities. What we need in our society today is a kind of clarion call but on a few things and not too many. People also need to learn to have priorities, because you can't do everything. That's also where leadership comes in.

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**“As a Senator, I've always felt that my job is more than passing legislation. I see my role in politics as being the cutting edge of progress.”**

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You cannot expect people to drift towards a better life, for they will drift backwards. Like in a stagnant pool there must be some force and propulsion, some sense of direction.

As a Senator, I've always felt that my job is more than passing legislation. I see my role in politics as being the cutting edge of progress. I've spent most of my time out with the people, planting ideas by talking with hundreds of audiences. I've taken a lot of razzing for it but I have my own methodology. I've tried to be a teacher as well as a Senator. To do this you have to take your message out to the people. To be a teacher, you have to have more than a classroom, you've got to have students. You've got to have more than a rostrum. You've got to have people that will listen and you have to make your message sufficiently simple and yet profound. The good teacher is the one that knows how to simplify great, difficult problems and, at the same time, make them interesting so that he holds his audience. You have to recognize that it requires repetition. You must keep in mind that people can only absorb so much at any one session. You repeat, repeat, repeat, repeat with adaptation so that you make it interesting. It's like a song: even the most beautiful classical music maybe has just two or three themes in it, repeated time after time after time after time in different variations. This is what a leader, what a teacher has to do.

Another part of being a leader is being willing to run the risk of unpopularity. I don't like people in public life, particularly as Presidents, mayors and governors, who can't make decisions.

You have to make decisions. Political popularity is but a deposit in the bank to be used for noble, worthy purposes. You try to pile up your deposits in order to have them for the days that you want to make a tough decision that somebody won't understand. You also have to be willing to "make withdrawals" or run a deficit.

It worries me that contemporary politics has become public opinion poll politics. We have too many of what I call POPPs: public opinion poll politicians. They're watching all the time. They've got their fingers up feeling the political winds. They never try to change the climate. They simply take the temperature and see what the velocity is. That's nothing. That means that you're a drifter, tossed in the tempestuous life of politics. You can't do that. You've got to have something more than that. As a leader you've got to try to change the temperature and the winds.

When I hear people come in to me and say, "Well, the reason I have to vote like this is that the Gallup poll showed this or that. . ." The Gallup poll is a momentary, current, unscientific survey of what is called public opinion. The important question is, what do you think is right? Now you don't ignore public opinion, but if you have a strong conviction, you do it. I, for example, had a strong conviction about civil rights legislation. There wasn't much public opinion on my side—I'll guarantee you that—and surely not among the political powerhouses. I ran right smack bang into all of them. But I felt I was right. And, if you feel you're right, you stay with it. Yet you also recognize that you can't get everything you want on day one. It may be a long, arduous process.

**Q—Close Up:** Earlier you mentioned the lack of heroes in today's world and the effect of this on the American spirit. Not to put you on the spot, but we've been longing to ask you about your heroes.

**A—Senator Humphrey:** Well, they are pretty well up on my walls here, although this isn't all of them.

**Q—Close Up:** Could you single out any one person who was an inspiration?

**A—Senator Humphrey:** No one could be singled out. . . Well, I would say that I was fortunate to have my first political awareness of a substantial degree under Franklin Roosevelt. Franklin Roosevelt gave to me my definition of freedom, which is not the absence of restraint but the extension of opportunity. Freedom to many



people means the less government the better; FDR looked upon freedom as the opening up of opportunities. I'm a freer man if I have a college education, a job, a good home. I'm a freer man if I have a chance to read and interact with other people, to travel. So, you see, it isn't just the absence of restraint. Freedom has to have a positive force. Franklin Roosevelt also brought to my life the realization that government could be a partner with people, that it had a positive role to play. Government could remove impediments so that your own individuality could have some impact. It could act as an equalizer to see that the powerful don't push you down in the ditch. Yes, Roosevelt was my first great political hero.

As a boy my idol, or the man I was brought up to respect was Woodrow Wilson, primarily because of the League of Nations. My father taught me that Woodrow Wilson was right on the League of Nations, that America had an international responsibility. Every day of my private and public life I've been an internationalist, even when I was the editor of our high school newspaper. I wrote these big editorials about something of which I knew very little, namely about how to save the world! My whole life has been geared to the ideals of Woodrow Wilson as an internationalist.

Alben Barkley was a Senatorial hero of mine. I consider him the all-American politician, a real part of our culture. He was just as normal and just as American as corn in Iowa, wheat in Kansas, and milk in Minnesota. He was not a great leader as such, but he was an important spokesman and a good interpreter of the democratic process.



Harry Truman. . . What I liked about Harry Truman was his directness; he was feisty; he had guts. He took on the giants, just like a David against the Goliaths, and he never gave an inch. I also liked the fact that he seemed to understand the difference between good and evil within his time. Maybe too simple, but he sharpened it up for people and he was there when we needed him. He made decisions.

I consider Adlai Stevenson one of the great men primarily because of the nobility of his spirit. He added a philosophical dimension to politics at a time when politics was becoming sterile, during the 50's and the early 60's. We had just gone through the managerial era of Eisenhower, the pragmatic era of Dulles (John Foster, Secretary of State). We needed a man like Adlai to put the pieces back together that made you understand, for example, what the relationship of democracy to communism really was. The magnificent phraseology that he used added tone and quality to the rhetoric of democracy. He made you feel good, even in defeat.

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**“Franklin Roosevelt also brought to my life the realization that government could be a partner with people, that it had a positive role to play.”**

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Let's not forget Mrs. (Eleanor) Roosevelt. . . I loved her very, very much. She was such a compassionate and wonderful woman. She was the kind of quiet and active person that had an inner calm and an inner strength that carried her through. Look at the ridicule that was heaped on that woman. All of her detractors faded away into the dust or into ignominy. Nobody even knows about them now except that they were bad. It was Mrs. Roosevelt who was down there at the Lincoln Memorial with Marian Anderson, the great black singer.

**Q—Close Up:** Every time that you come to speak to our students it is apparent that you are a hero to them. When so much is negative, you represent something very positive. How do you keep your perspective? How do you keep from getting discouraged?

**A—Senator Humphrey:** When I look around I don't find the world to be all that negative. There are times that I do get discouraged, I have to be frank. Sometimes the world seems nothing but arms sales, terrorism, instability and fear. The Protestant and the Catholics are fighting in

Ireland, the Moslems and the Jews in the Middle East. If you add it all up, it does look pretty dismal.

But the other fact of the matter is that nothing comes easily and there are a lot of good things happening. In our own country, despite all of the problems that we face, people do actually live better than ever before. That's a fact. There are more people who have the opportunity for an education, and who are receiving some health care—not nearly enough—but better than 25 to 50 years ago. More people today have begun to feel a sense of pride in their own identity.

We're still a very young people; a country with only 200 years of independence is still very young. And we've accomplished a great deal. We've shown the way. We have made representative government work and that's a major achievement. There's a great mobility in the American society. Britain has a parliamentary democracy but it has a class society. The French have class hostilities and ideological bitterness. Our problems are big, too, but they are still manageable.

Think about what we have gone through since World War II. First that War and all of the economic change and cultural shock; the growth of our population; television; the incredible breakthroughs in science and technology; the airplane; Korea and Vietnam; the breaking up of empires and the taking on of responsibility for world leadership; and the mass migrations from rural to urban America.

In the last 30 years over 30 million people have moved from rural to urban America—the greatest migration of people that the world has ever known. Nobody ever planned it at all. Now when the Cuban immigrants have come to Miami or when the Vietnamese refugees came in, we've had programs for their orientation, training, job placement, everything. But we never understood that the blacks and chicanos were moving from a segregated society of poverty into what they thought was going to be an unsegregated society.

Let me read you something from my little book here, written by deTocqueville. Here is something every American should realize, and it's written by a Frenchman who visited here 140 years ago. He says, “The sufferings that are endured patiently as being inevitable become intolerable the moment that it appears there might be an escape. Reform only serves to reveal more clearly what still remains oppressive and now all the more unbearable. The suffering, it is

true, has been reduced, but one's sensitivity has become more acute." This is what we call rising expectations, and we have rising expectations in our country. Every society that is alive has rising expectations. The interesting thing is that our rising expectations are still within the framework of a social structure.

I think the greatest testimonial to America was what happened in the 60's and early 70's. We had the civil rights revolution with its tremendous social, physical and economic impact. We endured the Vietnam War which nobody understood or wanted; we wondered how we got into it and didn't know how to get out. And then a President and a Vice President brought disgrace to themselves and defiled their offices. A whole constitutional crisis on top of everything else, and we lasted. We not only lasted, we changed for the better. It is not worse, it is better. The government is better. Life is better for blacks today. It isn't as good as it ought to be, but it is better, lots better.

But there are some great dangers, as I mentioned earlier. Another one which I should have mentioned is the loss of a sense of community. We don't have enough identification with community and that's one reason why we've lost our standards. Abe Martin, the old country philosopher who was a character in a little weekly newspaper, said, "All men are alike when they're away from home." That's a generalization with a great deal of truth. That's how people are who have lost their sense of community. When you're just another number in a mass, you've lost your sense of belonging.

Here's what old deTocqueville says on loss of community: "Each of them living apart is a stranger to the fate of all the rest. His children and his private friends constitute to him the whole of mankind. As for the rest of his fellow citizens, he is close to them, but he sees them not. He touches them, but he feels them not. He may be said at any rate to have lost his country."

The dehumanization of urban life is like that. When a person can . . . when you can see someone down in the gutter who has been beaten down and walk by and leave him there and won't help him, you've lost your sense of community. He sees them, he touches them, but he doesn't feel them. . . and this is one of our real serious problems. People sense it. That's why they are trying to escape in a sense, to find new areas of living. That's why they're beginning again to want to build neighborhoods.

Most everybody needs the kind of security that comes with comfort of a neighbor and a friend and a community, an identity. He needs that. That's not weakness, that's very desirable. But we've had a lot of people try to teach us that isn't really what you ought to have at all. There is something to the neighborhood school and the neighborhood church; and there is something to the neighborhood business. We've put in supermarkets and big shopping centers and big super-highways. Sure, they are all much more efficient and move you faster. When you get down to it, though, is it more just, do you feel better, is it more kindly? No. The answer is no. Does it really make life easier for you. The answer is no.

**Q—Close Up:** As a final question, what advice would you give to young people who might be contemplating careers in politics, about both the pitfalls as well as the rewards of public service?

**A—Senator Humphrey:** When you are involved in anything you have to expect criticism. You have to constantly ask yourself, am I prepared to do that? You can always run away from problems and hide out; many people do. If you are going to be involved, you must be willing to be criticized for your inadequacies and your limitations. This is especially true in public life where you are constantly under examination.

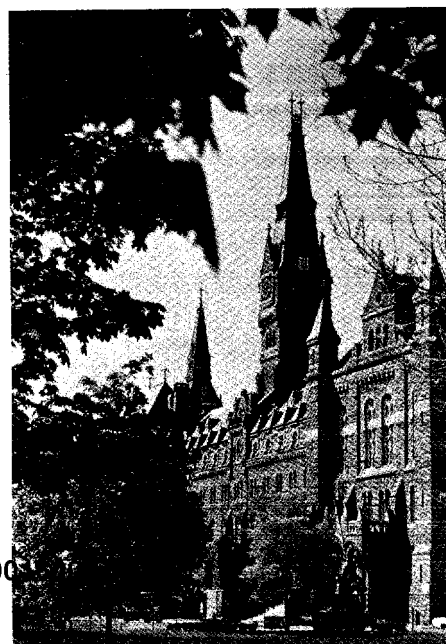
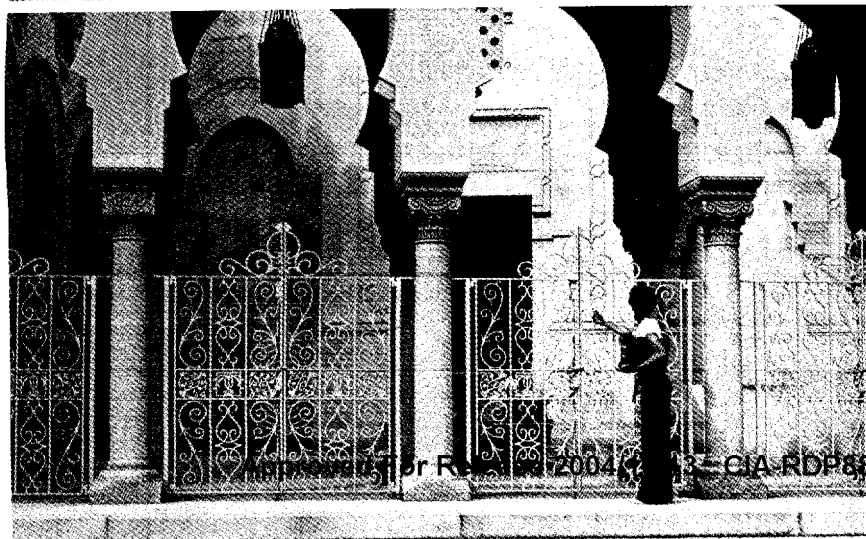
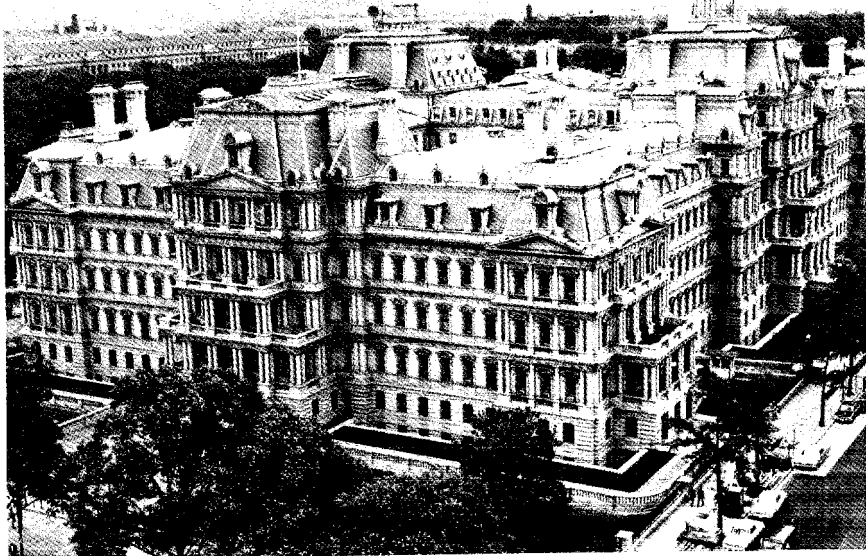
Some young people today feel that it isn't worth it. Why go through all the sweat? Why put up with it? Let somebody else do it. But they forget that politics is another word for people. Politics is the people's business, particularly in a democracy. If the people don't take care of their business by participating, by getting involved, then they will "get the business." While you may not think that your own individual effort amounts to much, remember that every person sitting on the sidelines gives those that are involved that much more power.

I always try to point out that while great decisions may carry the name tag of one or two leaders, in fact many more people are involved. Great decisions are the products of a kind of digestive process that takes place in the whole society, in which all individuals can express their feelings on new ideas and plans.

And, in this process, we look to the younger generation, to those who are filled with the love of life and with bright ideals. They've got to contribute. If they are involved, then politics will really be the people's business.



# Section VI. WASHINGTON, D.C.: Your Host City



# 14.

## THE CITY:

### Its History, Its Politics, Its Life

*"To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten Miles square), as may by Cession of particular States and the Acceptance of Congress, become the Seat of the Government of the United States."*

*The Constitution of the United States, Article I, Powers of Congress*

With these words, the District of Columbia, the city of Washington, was founded. Why was this swampy, unappealing section of the new country chosen over the already thriving cities of New York, Boston and Philadelphia? As the Constitution was a result of political compromise, so, too, was the city of Washington. Again, like the Constitution, Washington has gone through many evolutions since its inception. The city today faces many challenges unforeseen in the 18th Century—challenges of reflecting the multinational character of the United States, challenges of meeting the needs of a growing urban population, challenges of developing a viable self-governing process. As Washington is a national city, belonging to all the people of America, you share, along with the residents, the responsibility of meeting these challenges. As you explore the many facets of the Federal Government that are located here, use the time to know the city of Washington as well. The following articles offer you insight into the capital city—its history, its politics, its life and its people.

## THE HISTORY OF WASHINGTON, D.C.

### Close Up Staff

*During your short stay in Washington, we hope that you will not only learn something about how the Federal Government operates, but also about the capital city of our country. We invite you to discover the Washington of Federal buildings, national monuments, and foreign embassies as well as the city in which almost 800,000 people live, trying to meet the challenges of modern urban existence. Washington is indeed a city of many faces. For this reason, CLOSE UP has included in Perspectives a short history and description of the District of Columbia.*

Washington, D.C., is indeed a unique city. It was one of the few capitals of the world to be created for a specific purpose, to be the seat of government for a growing nation. It is also one of the few world capitals built according to a definite plan. It is quite fitting that the decision to build a capital city on the Potomac River, on land donated by Maryland and Virginia, was made for political reasons.

It originated from a compromise reached between Alexander Hamilton, the first Secretary of the Treasury, and his great political adversary, Thomas Jefferson, the first Secretary of State. Other unique features of Washington include its claim to having more and a greater variety of trees than any other city in the world, and of being one of the cleanest cities in the East. Washington, D.C., has practically no manufacturing industry

within the city limits, nor does it have skyscraping buildings higher than the Capitol itself.

In 1790, Congress selected an 80 acre tract of land along the Potomac River to be the location for the new nation's capital. President Washington was given ten years to select the exact site and to provide for the construction of government buildings. At that time, the area on the Potomac was mostly farms surrounded by three small towns, the largest being the thriving tobacco port of Georgetown. In addition to Georgetown only one other of these original towns—Alexandria—survives, and during the 1850's Alexandria voted to rejoin the state of Virginia.

Washington selected an ex-Continental army engineer named Pierre L'Enfant to design the new seat of government, although much of the original surveying was done by Washington himself. L'Enfant, a Frenchman who had come to America with Lafayette to fight in the Revolutionary War, submitted a grand design for the city with broad sweeping avenues that met in imposing circles. These were not only attractive, but necessary for defense. In keeping with the new Constitution's philosophy of separation of powers L'Enfant planned that the focal points of the new city would be the very separate, but equally imposing, executive mansion and Capitol building, the latter to be the home of the Congress. In 1792, the brilliant, but often difficult, designer was dismissed by Washington as the result of several disagreements. Andrew Ellicott of Baltimore took over the project without the benefit of L'Enfant's maps and plans. It was L'Enfant's assistant, Benjamin Banneker, a free-born black astronomer and mathematician, who produced the maps and plans that made the completion of the project possible. Thus, the official transfer of the capital from Philadelphia to Washington became a reality in December of 1800.

The city of Washington was named by its first commissioners after America's first president. The entire 100 square mile tract of land is known as the District of Columbia, presumably after Christopher Columbus. Even with the official opening of Congress in 1800, Washington was far from the national capital that had been imagined by L'Enfant. Much of Washington was built by slave labor and even as buildings appeared on the landscape, they did little to disguise the fact that the new capital was only slightly more sophisticated than a frontier-town. Foreign dignitaries were often shocked and complained that the swamp environment and the

muddy, unpaved streets were so oppressive that they finished their business hastily to get away from the national capital. Even in the executive mansion, John Adams, its first inhabitant, had to mount a ladder to the second floor since the stairs were not completed. It was a rough start for a city that would one day be likened to the beauty of Paris.

### **Problems, Growth, and Modernization**

Washington met its first real test during the War of 1812, when the British burned most of the buildings including the executive mansion and the Capitol. It was during the rebuilding that the executive mansion was painted white and became known as the "White House," although the name did not become official until the 20th century. Until the Compromise of 1850 made it illegal, slave trade was responsible for as much of the city's income as the tobacco port of Georgetown. Even after the Compromise, the capital city was the home of many slaveowners and residents of Georgetown were known Southern sympathizers during the Civil War. With that reality, and with the persistent advances of Lee's Army of Northern Virginia, Lincoln declared martial law in the District during the war years. The Reconstruction Congress abolished the rights of residents of Washington to elect their own mayor and alderman by giving the District territorial status in 1871. In 1878, this was amended to establish a permanent commission form of government composed of two civilians and one officer of the Army Corps of Engineers appointed by the President. As with many cities during the latter part of the 19th century, Washington's city government suffered from much graft and corruption, particularly under the "reign" of Mayor "Boss" Shepard. Although no real change was to come to the structure of the government, Theodore Roosevelt did a great deal to improve the quality of the commission. Through his great interest in the environment, great portions of the city were protected and cultivated for public parks and recreation areas, the most notable being Rock Creek Park.

Today, Washington is the center of one of the fastest growing metropolitan areas of the country. As the capital of the nation, Washington currently draws 20 million tourists a year. Tourism is the city's biggest business, the federal government its largest employer, and printing its largest industry. Some 1,600 national and inter-

maintain their headquarters here. In addition to the federal buildings, monuments, and embassies, five major universities and three public colleges are located in the District of Columbia. The city is also the home of national museums, art galleries, and the National Zoo. Recently, with the completion of the John F. Kennedy Center for the Performing Arts in 1971, which contains an opera house, a concert hall, and the noted Eisenhower Theater, interest in theatre has grown immensely in this area. Like any other American urban center, Washington is a city striving to upgrade the housing, education, job training, and cultural opportunities offered to its residents. The population of the District of Columbia is 720,000 of which approximately 80% is black. When one includes the Virginia and Maryland suburbs, surrounding the city, however, the population is close to three million, of which only 35% is black.

It is somehow ironic that while the governmental focus of the entire nation is on Washington, few Americans are aware of the political problems and issues that concern the residents of the national capital itself. For that reason we have included an excellent article on the political, social, and economic problems of this city. Turn to this more highly informative and interesting discussion of life in your nation's capital.



## THE DISTRICT OF COLUMBIA AND "HOME RULE" Sterling Tucker

*Mr. Tucker is chairman of the District of Columbia City Council. As much as any other individual, he has played a major role in the movement for "home rule," for greater self-government for the citizens of Washington, D.C. Mr. Tucker, who has lectured around the world as well as written numerous books, wrote this article exclusively for Perspectives.*

The District of Columbia is at once a city of 720,000 people and the capital of the United States. As the nation's eleventh largest city, the District lies at the center of one of the fastest growing regions in the country. Essentially a middle class city with the highest per capita income of any state but Alaska, the District of Columbia has a predominantly black population which has increased from 35% of the city's total population in 1950 to nearly 80% in 1975.

The District faces many of the social problems currently plaguing other large urban areas: unemployment, underemployment, poverty, crime, an inadequate and unresponsive educational system, traffic congestion, air and water pollution, and inadequate and high cost housing. As a result, the District of Columbia, like other major U.S. cities, faces serious fiscal problems. With tax dollars nearly stretched to capacity, and with the city rapidly nearing its self-taxing limit, there appear to be an inadequate number of resources to service a population 17% of which live in poverty, 9.9% of which are 65 years of age or older.

But, unlike most other older U.S. cities which face the same social problems and similar financial hurdles, the District stands at the threshold of an economic upsurge. Population trends are beginning to change. For the first time in thirty years, the annual outmigration of middle and upper income families appears to be on the verge of being halted. Downtown areas of the city are being rebuilt and revitalized.

The city is beginning to witness an increase in population groups which do not require large numbers of city services. A modern streamlined subway system is being constructed, and there is increased demand for in-town office space.

Thus, despite serious financial problems, not the least of which is an operating budget anticipated to increase by \$500 million within the next four years, the District of Columbia remains a dynamic city with real opportunities for growth and prosperity.

Washington is also one of the nation's most beautiful cities. Three waterways—the Potomac and Anacostia Rivers and the Chesapeake and Ohio Canal—run through the city with park and recreational areas alongside their banks. Rock Creek Park, 1,754 acres of parkland located within the northwestern bounds of the city, adds to the District's charm as do the city's distinctive neighborhoods, its educational and cultural institutions and its religious centers.

### **Advantages and Disadvantages of Being the Nation's Capital**

Because it is the nation's capital, the District of Columbia is, in many ways, unique. Although a city, the District is a political jurisdiction separate and apart from any county or state government. As a result, the District undertakes and finances functions traditionally reserved for county and state governments such as the registration of automobiles and the recording of deeds.

The District enjoys obvious advantages as the nation's capital. Over 20 million tourists visit the city each year. More than 1,600 national and international trade and professional associations are headquartered in Washington along with well-maintained and distinctive embassies, federal buildings, national monuments and museums. In addition, the Federal presence provides the city with a solid economic base and guarantees many of its residents a degree of stability even in times of economic recession. The District also receives a financial contribution from the Federal government—the Federal payment—and District residents enjoy the benefits of services maintained by Federal agencies, including museums and the National Zoo.

However, the problems arising from being the nation's capital cannot be discounted. Tourism requires increased police, traffic control, and maintenance services at the same time that it increases the city's pollution and congestion problems. The Federal presence substantially decreases the city's tax base for a number of reasons including the large amount of tax-exempt property it owns and occupies (almost half of the

land in the city is owned by the Federal government), the tax exempt status of the Federal government, and the prohibition against taxing the income earned in the city by non-residents. There is reason to question whether the Federal payment adequately compensates the city for these major tax losses.

### **Home Rule: The Struggle of the "Last Colony"**

Nonetheless, perhaps the most devastating problem the District has faced as a result of being the capital city is the fact that the Congress of the United States maintains ultimate legislative authority for the city.

In its earliest years, the District of Columbia was governed primarily by locally elected officials. Then, from 1871 to 1874, a territorial form of government was established which increased the power of federally appointed officials over the city but which also gave the city government additional decision-making authority. Using its increased financial powers, the city began a massive improvement program: muddy streets were paved, old buildings were razed, sewers were constructed; trees were planted. Considering these improvements extravagant, the Congress replaced the short-lived territorial government, and from 1874 until 1975, the District was governed by federally appointed officials.

A trend toward the enfranchisement of District residents and increased local control became visible in the 1960's as the nation witnessed broad-based efforts to increase the civil rights and civil liberties of American minorities in many parts of the country. In 1961, District residents won the right to vote in Presidential elections. In 1968, District residents elected an independent Board of Education, and in 1970, they elected a non-voting delegate to the House of Representatives.

Still dissatisfied because their city, and their nation's capital, was denied participatory democracy, District residents continued to press for Home Rule, an effort that culminated in the passage of the **District of Columbia Self-Government and Governmental Reorganization Act**. Under provisions of the "D.C. Home Rule Act," the District's first elected government in over 100 years—a Mayor and 13 City Council members—took office on January 2, 1975. The Home Rule Act increased the city's legislative powers and its local planning functions, granted the District new revenue-raising authority, and gave the Council

the authority to reorganize agencies within the executive branch of government.

While certainly an important achievement, perhaps one of the most in the history of the City, Home Rule is, at best, limited. While the Council has some authority comparable to that of a state legislature, Congress retains the right to enact legislation in any area affecting District affairs. What is more, all legislation passed by the Council is subject to Congressional review. The disapproval of legislation passed by the **locally elected** City Council can be achieved if both houses of Congress disapprove Council action.

There are other limitations on the powers of the Home Rule government. Among other things, the city's budget must be approved by Congress, and the city's ability to raise revenue is curtailed. Indeed, the city is specifically prohibited from taxing non-resident income earned in the city, a power granted ALL other states in the nation and sanctioned by the courts. Additionally, the District has yet to achieve full voting representation in the Congress.

### **Only a Beginning**

With these and other restrictions on its autonomy and authority, the new Home Rule government has nonetheless built a record of legislative achievement in its initial years. Major legislative accomplishments include passage of gun control legislation viewed as among the toughest, if not THE toughest, in the nation, enactment of innovative tax packages broadening the types and sources of tax revenue, establishment of a Commission and Office on Aging promoting the welfare of the city's aging residents, passage of consumer protection legislation establishing a consumer agency with a broad range of administrative and regulatory powers, and enactment of a condominium conversion bill protecting purchasers of condominium units as well as tenants of low and moderate income housing units. The Council of the District of Columbia also initiated systematic public debate on a host of major problems facing the city through the introduction of over 400 separate bills and 450 resolutions and sponsorship of over 200 public hearings and roundtable discussions.

The Home Rule Act has given District residents a new stake in their government. But is only a beginning. The city has a way to go before it can enjoy complete Home Rule. **Needed are full voting representation in the Congress of the United States, complete budgetary and taxing**

**authority, and the ending of Federal restrictions in matters which are clearly local in nature.** It is hoped that, in short order, the reins Congress still hold will finally change hands, giving the people who live in the nation's capital, the control that is rightfully theirs.

## **SOME POINTS OF INTEREST**

*Here is a brief guide to the major points of interest in the Nation's Capital. This is not a complete listing and you would be wise to consult a tour book for further information. Much of our information has been taken from **Guide to the Smithsonian Institution and Our Nation's Capital**, published by Smithsonian Associates.*

### **Smithsonian Institution**

The Smithsonian Institution was founded in 1846 through a \$500,000 bequest from an English scientist named James Smithson, a man who had never even visited the United States. It has expanded beyond the original building to include a vast complex of museums and art galleries.

- 1) The **Smithsonian Institution Building** is "the old red castle", the original building completed in 1855. Today it is primarily used by the administrative offices of the Institution. Its Great Hall still has rotating exhibits; in 1977 the exhibit traced the history of Washington, D.C.
- 2) The **Arts and Industries Building**, the second old red building, houses "1876: A Centennial Exhibition". This features steam engines, fashions, crafts and other exhibits which originally appeared at the 1876 Philadelphia Exposition.
- 3) The new **Air and Space Museum** was opened in 1976. It features space capsules, a spectacular movie called, "To Fly", the airplanes of the Wright Brothers and Charles Lindbergh, and many other exhibits.



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- 4) The **Museum of History and Technology** traces our American heritage through technology, industry and crafts. You can see the inaugural gowns of the First Ladies, Ben Franklin's printing press, the original Star Spangled Banner, and the special "A Nation of Nations" and "We, The People" exhibitions.

5) The **Museum of National History** is your ticket to the study of man and the natural world. The Hall of Dinosaurs, the Insect Zoo, the Gem Hall and the Lunar Geology Hall will all capture your imagination.

6) The **Freer Gallery of Art** specializes in art from the Near and Far East. There also are works by such famous American artists as James Whistler and Winslow Homer.

7) The **Hirshhorn Museum and Sculpture Garden** features the works of 20th century artists, and sculptors from ancient times to the present. Works by Rodin, Matisse, Miro and Giacometti are displayed in the museum and in the sculpture garden.

**(The following museums are part of the Smithsonian Institution but are not located on the Mall.)**

8) The **National Portrait Gallery** is on 8th and F Streets, N.W. In addition to the President's Corridor there are portraits of many other men and women who have made important contributions to the development of the United States.

9) The **National Collection of Fine Arts** is located next to the Portrait Gallery. It houses American paintings, sculpture and graphic arts.

10) **Renwick Gallery** is on Pennsylvania Avenue and 17th Street, N.W. Its exhibits focus on American design and crafts.

11) **Anacostia Neighborhood Museum** is located in the Anacostia community in southeast Washington. It features local history studies and other community projects.

12) The **National Zoo** is located at 3001 Connecticut Avenue, N.W. There are 2,500

animals, including the famous Chinese pandas.

**Other Museums**

13) **National Gallery of Art** is on the Mall. It houses a diverse collection of paintings, sculpture and graphic art including many of the great masters—Van Gogh, Monet, Rembrandt, and many others.

14) **National Archives** is also on the Mall. It houses the original Declaration of Independence, the Constitution and the Bill of Rights.

15) The **Museum of African Art** is located at 316 A Street, N.E. behind the Supreme Court. Guides will take you through the exhibits of crafts, music, artifacts and carvings. The museum was once the home of Frederick Douglass, a black statesman and fighter for civil rights in the mid 1800's.

16) **Folger Shakespeare Library** is nearby on 201 East Capitol Street, S.E. It has the world's largest collection of works by and about William Shakespeare and Elizabethan England.

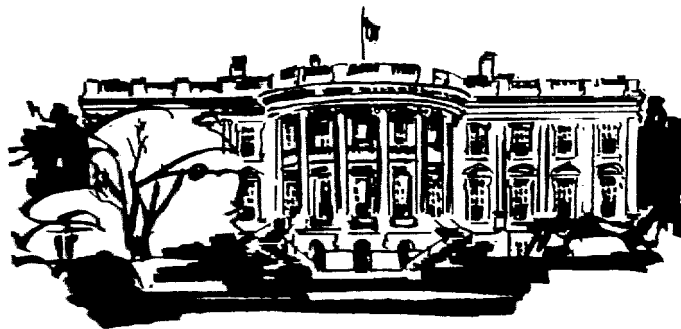
17) **Ford's Theatre** (511 Tenth Street, N.W.) still has stage productions. In the basement is a small museum of Lincoln's life and death. Across the street is Petersen House, where he died the morning after he was shot.

18) **National Geographic Explorers Hall** (17th and M Streets, N.W.) features rotating exhibits of the National Geographic Society. The exhibitions cover world history, science, the animal kingdom, treasures and other fascinating subjects.

19) **Phillips Collection** (1612 21st Street, N.W.) is a gallery of modern art. It includes the French Impressionists, El Greco, Braque, Eakins and many other artists.

20) **Corcoran Gallery of Art** (17th Street and New York Avenue, N.W.) is known for the beauty of its architecture as well as for its collection of paintings. Among its highlights is the portrait of George Washington by Gilbert Stuart which appears on the dollar bill.

- 21) The **Capitol** is the house of the U.S. Congress, designed in 1793 and completed in 1863. You will be spending a great deal of time on Capitol Hill.
- 22) The **White House** is the home of the President and his family. Every President since John Adams has lived there. Tours are given although you only will see approximately five rooms.
- 23) The **Supreme Court** was not completed until 1935. Prior to that date the Court met in a room in the Capitol. Tours are available and sessions of the Court are open to the public on a limited seating basis.
- 24) The **Lincoln Memorial** was dedicated in 1922. It was designed by Henry Bacon and the statue was sculptured by Daniel Chester French. You will visit this Greek temple-like memorial on your CLOSE UP tour.
- 25) The **Jefferson Memorial** sits on the shore of the Tidal Basin, surrounded by the famous cherry blossom trees. It was completed in 1943. Inscribed on the inner walls are quotations from the writings of Thomas Jefferson. You will also visit here on your tour.
- 26) The **Washington Monument** is a 555 foot obelisk. Trivia fanatics can count the 898 steps to the top.
- 27) The **Library of Congress** is located across from the Capitol. It was completed in 1897 and houses one of the world's largest libraries. The Congressional Research Service, which provides Senators and Representatives with important research, is part of the Library.
- 28) The **Chesapeake and Ohio Canal (C & O)** was part of a grand but unsuccessful plan to link Washington, D.C. to the Ohio River. Construction was begun in 1828 and the canal reached 186 miles to Cumberland, Maryland. It remained in partial use until 1924. It was saved from destruction by former Justice William O. Douglas and
- 29) **Dumbarton Oaks** (32nd and R Streets, N.W.) was the scene of the conference in 1944 which led to the formation of the United Nations. Today it houses a museum and its beautiful gardens are open to the public.
- 30) The **Old Stone House** (3051 M Street, N.W.) is the oldest surviving building in Georgetown.
- 31) **Iwo Jima Statue** is the Marine Corps War Memorial depicting the flag raising in one of the bloodiest battles of World War II.
- 32) **Washington Cathedral** is a Gothic style building which is still under construction. It is owned by the Episcopal Church but it serves as a national "house of prayer for all people."
- 33) The **Shrine of the Immaculate Conception** (Michigan Avenue and 4th Street, N.E.) is the largest Catholic Church in the country. It was completed in 1959 and is located near Catholic University. Its architecture is Romanesque and Byzantine.



**APPENDIX:****GENERAL GLOSSARY**

Most of the entries are taken with permission from a glossary in the **Political Discovery Resource Book**, written and published by Political Discovery, EdCo Metropolitan Education Center, 7 Marshall Street, Boston, Massachusetts 02108. Political Discovery is a magnet education program funded by the Massachusetts Department of Education.

**Accountability**—obligation of a public official to report and justify his/her actions to the people or to other public officials and institutions.

**Adversary**—an opponent. Often used to describe opponents in an election or a debate. Also used in the courts to describe opponents in law suits.

**Amnesty**—power exercised by the President or the Congress to give pardon of punishment to a person or group who has violated national law. Amnesty and amnesia share a common Greek root, meaning “to forget.” Pardon can mean “to forgive.” Since amnesty has been formalized into a legal term meaning “pardon,” it means “to forgive and forget.”

**Anarchy**—no person or group rules. Absence of any form of government.

**Apportionment**—division into districts based on population for the purpose of electing representatives. Reapportionment becomes necessary when there are shifts in population.

**Aristocracy**—government by a hereditary, privileged ruling class.

**Bloc**—a group of persons, parties or nations united for a common purpose. Example: farm bloc consists of the Members of Congress from farm states who unite to pass legislation favorable to farmers.

**Boycott**—to combine together to stop buying, using, or dealing with a particular nation, company or organization as a means of protest and to force action.

**Caucus**—a policy setting group of persons with common interests. Example: the black Members of Congress have formed a Black Caucus; the female Members have formed a Women’s Caucus.

**Coalition**—a union of parties or persons for the purpose of promoting a common cause, legislative policy or electing candidates.

**Constituent**—a resident of an elected official’s district. Example: the residents of the state of Minnesota are constituents of Senator Hubert H. Humphrey.

**Constitution**—a document recording the fundamental laws and principles that govern a nation, state or association.

**Constitutional (unconstitutional)**—authorized by the written Constitution, not in conflict with its terms. Usually, when the words “constitutional” or “unconstitutional” are used, they refer to the Constitution of the United States.

**Covert**—secret or concealed. Contrasted with overt, which means open.

**Credibility**—confidence or belief in a person or institution.

**Dark Horse**—a surprise candidate for public office in an election. A person nominated without advance publicity whose chances for success are better than generally supposed.

**De Facto**—a condition existing in fact. Most often used in the phrase “de facto segregation” which means actual separation of the races whether supported by the law or not.

**De Jure**—a condition existing by law. Most often used in the phrase “de jure segregation” which means the separation of the races as sanctioned by law or encouraged by the acts of people holding political office.

**Demagogue**—a politician who lacks moral scruple and who attempts to gain popular favor by flattery, false promises and appeals to mass prejudice and passions.

**Democracy**—government by the people (direct or by elected representatives).

**Desegregation**—the process of ending the separation or segregation of the races.

**Dictatorship**—government by a single ruler with complete power.

**Disenfranchised**—refers to people who have lost a right such as the right to vote. Can also be used in the figurative sense of being able to vote but with the feeling that your vote has lost its significance.

**Domestic Policy**—policies and programs on internal issues, such as social and economic issues. Frequently domestic and foreign policy overlap and are interrelated.

**Elite**—a narrow and powerful clique. People who exercise a major influence on, or control the making of, political, economic and social decisions. Elites achieve their power position through wealth, family status, caste system, or intellectual superiority.

**Geopolitics**—geographic and political factors influence a country or region.

**Grass Roots**—the origin or basis of something. In politics, "grass roots" refers to the common citizen rather than the political leadership.

**Incumbent**—holding an office at this time. Example: Edward Kennedy is an incumbent United States Senator.

**Integration**—the social mixture of racial and ethnic groups.

**Intergovernmental Relations**—1) relations between different agencies, departments and branches at one level of government. 2) Relations between the Federal, state and local levels of government.

**Jurisdiction**—limits within which the authority of a government as a whole or a particular branch, committee or court may be exercised.

**Laissez-Faire**—an economic theory which stands for noninterference by government in economic life except for the purpose of maintaining order and protecting property.

**Metropolitan area**—a large city and its surrounding suburbs which though administratively separate, are physically and economically identified together. The term "metropolitan" comes from the Greek words "meter," meaning mother, and "polis," meaning city.

**Monarchy**—government by a sole ruler such as a queen or an emperor.

**National Security**—the security of the nation from any threat of attack or influence at home or abroad.

**Oligarchy**—government by the few, especially a small faction of persons or families.

**Ombudsman**—generally means an official whose job is to hear and investigate complaints from citizens. Example: Sweden's government has an ombudsman who hears complaints against the government.

**Partisan**—a strong support of a party, cause, faction, person or idea. **Non-partisan** means having no relationship to a party. For example: the League of Women Voters is a non-partisan organization.)

**Patronage**—the power to make appointments to office and to grant contracts and various special favors. Patronage powers are usually exercised by elected officials.

**Petition**—1) a method of placing a candidate's name on a primary or general election ballot by submitting a specified number of signatures of registered voters to an appropriate or local official for certification. 2) A request to a public official that seeks to correct a wrong or to influence public policy.

**Political Science**—one of the social sciences, dealing with the theory and practice of politics, government and administration. Included are the fields of political theory, government institutions, public law, politics and public policy, public administration, international relations and foreign policy.

**Politician**—one who is actively involved in politics, especially party politics.

**Politics**—1) the policies, affairs or goals of a government or the groups of parties within it. 2) The methods or tactics involved in managing a state or government.

**Poll**—1) (verb) the counting of voters' preferences for different candidates and/or opinions on issues. 2) (noun) The results of such a count. 3) (noun) The election precinct; that is, the place you go to vote. 4) (noun) A series of interviews in order to determine the public's point of view.

**Propaganda**—organized efforts to influence the thoughts, emotions, opinions, impulses and actions of people collectively and as individuals by means of words, pictures, music, symbols or public demonstrations.

**Quota**—the maximum number of persons who may be admitted, such as to a nation, group or institution. Currently used to refer to categories of people. For example: men, women, Hispanics, Asian-Americans.

**Red Tape**—the following of official routine procedures. The routing of requests and orders “through regular channels” and procedures which result in delay and inaction. The term “red tape” comes from the color of the cotton tape in which official letters and documents were formally tied together.

**Redress of Grievances**—right to petition the government in protest or in support of your interests.

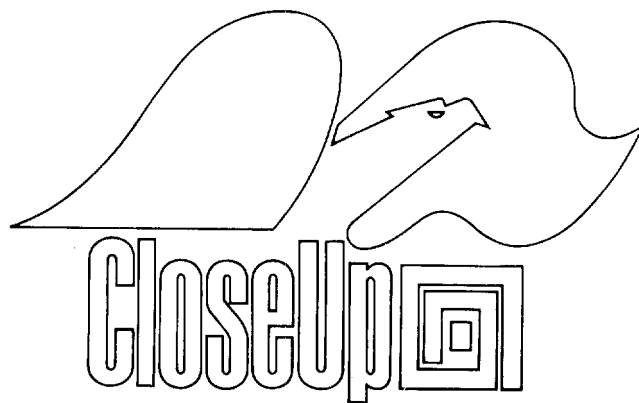
**Segregation**—the practice of requiring separate facilities, as in housing, schools and transportation, for use by people of different races.

**Status Quo**—the existing condition or state of affairs.

**Statute**—a law passed by Congress or by a state legislature.

**Subversion**—efforts to cause the overthrow, destruction, or to destabilize an existing government.

**Totalitarian**—describes a government which exercises complete control over all aspects of individual and group activities.



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