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The Best of Times - The Worst of Times

Mike Mansfield 1903-2001

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REMARKS OF SENATOR MIKE MANSFIELD (D., MONTANA)

BEFORE

THE FALL CONVOCATION

TEXAS CHRISTIAN UNIVERSITY

FORT WORTH, TEXAS

TUESDAY, SEPTEMBER 7, 1976

11:00 A.M.

The Best of Times - The Worst of Times

Some Reflections on the American System
Over the Last Third of a Century

Two hundred years and two months ago representatives

of the thirteen colonies agreed to a document which was to

become the most important declaration in modern political

history. It was a statement for all mankind, expressing values

that are universal and eternal:

"We hold these truths to be self-

evident, that all men are created equal, that

they are endowed by their Creator with certain

unalienable Rights, that among these are Life,

Liberty and the pursuit of Happiness. That to

secure these rights, Governments are instituted
among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the right of the People to alter or abolish it..."

In stating their case to the American people, the signers of the declaration also felt a responsibility to state their case to the world, keenly conscious of acting out of an obligation to all mankind.

Those brave words of opposition to rule by the British monarch led to five bloody years of warfare and, eventually, a Constitution which established a unique form of government to carry out the promise of that declaration. The American Revolution was infectious. It spread first to France, then to other parts of Europe, and on to Latin America. The spirit of '76 now belongs not just to Americans but to the world.

The system of government set forth by the founding fathers was not one of starry-eyed idealism. It was firmly premised on human fallibility, that those who govern are
susceptible to infection with a lust for power. But notwithstanding an acute understanding of the shortcomings of human nature, the Constitution assumed that men are sufficiently rational to govern themselves. That assumption is tested each first Tuesday in November in even numbered years.

Four months from now I will leave the Congress after serving thirty-four years of service in the Legislative Branch, the branch of the people. I have had the high honor to represent the people of Montana for ten years in the House and twenty-four years in the Senate, the last sixteen as leader of the Democratic members of the Senate.

Birthdays and retirements are occasions for looking to the past and to the future. They are a time to take stock. This bicentennial year is an appropriate time for Americans to reflect on how well we as a people have lived up to the ideals of the founding fathers, what America stands for in the world today, and what kind of world we want to leave to our children and
grandchildren. And as I prepare to take my leave from the Senate, I would like to share with you some reflections on events of the last third of the century and how the future looks to me.

Several years after our Constitution created the United States of America, Charles Dickens, referring to the events surrounding the French Revolution, wrote: "It has been the best of times and the worst of times." That is how I would describe the last third of the century for America.

When I took my seat in the House of Representatives, the nation's population was less than 135 million and largely rural. Today there are more than 215 million Americans, three-fourths of them living in urban areas. The exotic Buck Rogers' devices in the science fiction magazines of that time have become today's realities, along with their mixed potential for advancing human welfare and man's capacity to brutalize his fellow man.

The frontiers of science have been pushed forward far more
rapidly than has been man's capacity to learn to live in harmony with nature and his fellow man.

I arrived in Washington during the middle of World War II, the second war to end all wars. Two wars since, they have not been ended yet. But Americans did come out of World War II determined to avoid a repetition of the post-war political failures of World War I, when the United States rejected the League of Nations and its concept of international cooperation to keep the peace. Throwing off the blinders of pre-war isolation, the United States took the lead in creating a permanent mechanism for international cooperation. Only two votes were cast in the Senate against the Charter of the United Nations, reflecting the idealistic spirit which swept America at that time.

This document, like the American Constitution, was seen as a giant step forward in mankind's continuing quest for a better way to organize society. But, unlike the Constitution, its great promise has not been fulfilled.
The ink on the Charter had hardly dried when the Cold War began. In 1947, Congress, responding to a request from President Truman, voted vast amounts of military and economic aid to thwart a Communist-led civil war in Greece. This was followed shortly by enactment of the Marshall Plan, the most generous war reconstruction effort in history. Cooperation on the economic sphere in the Marshall Plan led in 1949 to the NATO military alliance, still the backbone of America's international security strategy. But the success of the Marshall Plan in rebuilding war-torn Europe blinded American policy makers, leading them to assume that the results in Europe could be duplicated elsewhere. Thus, came about the gross over-emphasis in our foreign policy on dollar diplomacy and the use of military pacts and power as a substitute for sound progressive policies.

As Europe's basic industrial strength was being restored by the Marshall Plan, the United States began to make serious mistakes on the other side of the globe. The defeat
of the American-backed Kuomintang forces in China in 1949 was followed by the outbreak of the Korean war less than a year later. The emotional, but false issue of "Who lost China?" caused American policy makers to react by stepping ever deeper into the quicksands of Asia. Seeing Mainland China as but a puppet of the Soviet Union, the United States sought to build a great wall of treaties around it. The policy to contain China was but an extension of the containment policy in Europe. Containment had worked in Europe; it would work in Asia, so it was thought. This policy, founded on the existence of a nonexistent monolithic Soviet-Chinese bloc, led directly to the Vietnam war, the worst foreign policy failure in American history. It also spawned the McCarthy era. Although McCarthy's influence as an individual did not last beyond his censure by the Senate, his influence on national policy endured, hampering development of an innovative, imaginative foreign policy. It has led to a stultifying atmosphere in the American foreign service, where not making waves is thought to be the best
assurance of promotion. President Eisenhower's belated condemna-
tion of McCarthy as "one who tried to set himself above the law
of our land," became a fitting description for others in the
years ahead.

But the decade of the 50's, with all its faults, looks
much better today than it did at the time. So good, in fact,
that nostalgia for the 1950's has swept America. After the last
decade of war, civil strife, and repeated blows to the political
system, it is not surprising that Americans would look back with
longing to a more tranquil era. The Eisenhower years gave
America a breathing spell, respite from post-World War II
recovery problems and a bloody conflict in Korea. But behind
the apparent lethargy of those times, forces were at work at
home and abroad which ultimately made the decade of the 60's
a period of national trauma. Neglect of social pressures in the
area of civil rights at home, and the "pacto-mania" which con-
trolled United States policy abroad, reaped a whirlwind in
later administrations.
Although the election of John F. Kennedy as the youngest elected President in American history brought a new spirit of adventure and hope to the Washington scene, it did not diminish mounting racial tensions, the fruits of long neglect of social injustices by the Federal government. But the American conscience was responding, slowly and belatedly, with a new recognition of the need for change. The massive and peaceful 1963 Washington civil rights demonstration, struck a sympathetic chord in America. Dr. Martin Luther King’s "I Have a Dream" speech will go down in the annals of inspirational statements by American leaders.

No event so stimulated the movement towards making equal justice under law a reality as the tragedy which cut short President Kennedy’s great promise. Congress responded to his assassination by passing, under Lyndon Johnson, the most far-reaching social legislation since the early days of the New Deal. As a result of that outpouring, there are a multitude of laws
on the statute books which guarantee equality of treatment, regardless of race, creed, or color, in any activity touched by Federal laws. But the ultimate success of those laws depends, not on the courts, but on the hearts and minds of Americans. America has a long way to travel before our society is truly color-blind.

In some respects, the enactment of laws, promising more than could be delivered, may have exacerbated the racial problem. The blacks who rioted in Watts in 1965 were not restrained by knowledge that Congress was moving in an effort to make up for past neglect. Although Congress passed bills, discontent in the ghettos escalated. The riots in Watts were only the forerunner of troubles elsewhere, culminating in the conflagration set off by the assassination of Dr. Martin Luther King. One of my saddest moments in Congress was in 1968, to see major parts of the city of Washington in flames, not from a foreign invader but at the hands of Americans who had lost faith in the American system.
In the years since, many resources have been channeled into social programs to help the poor. But America's cities deteriorate steadily. Their livability for the poor, who cannot afford to escape, declines as the tax burden rises for those who must pay the bills for essential public services. Although there has been a virtual revolution in race relations since I came to Washington, that revolution is far from concluded. More money and more government programs are not necessarily the answer. The basic need is to structure the social system in a more equitable fashion, to break the vicious circle of poverty, joblessness, and welfare. Whether one is born on the right or wrong side of the economic track is still too significant and controlling a factor in American life.

With the coming of the mid-60's, the bright promise of the Kennedy years faded in the haze of burning cities and in the elephant grass of Indochina. As both President Johnson and the Congress became increasingly absorbed by the Southeast
Asian war, attention was distracted from problems here at home. But, fortunately, Americans look more to the future than to the past and this divisive period in American history is now but a dim memory to many Americans. With families torn apart as in the Civil War, with neighbor pitted against neighbor, and, ultimately, with the government house divided as well, those aspects of this era are best forgotten. But lessons must be learned from that experience for, as George Santayana wrote:

"Those who do not remember the past are condemned to relive it."

The ultimate costs of this tragedy, which took the lives of 56,000 Americans, wounded 304,000 more, and drove tens of thousands of our young into exile, are incalculable. Public opposition mounted with the casualty lists, culminating in the eruption on the campuses and in the streets following the Administration's 1970 order for the invasion of Cambodia. Even the passage of the 26th Amendment giving eighteen-year-olds the right to vote, an act long overdue for a nation which, throughout
its history has sent adolescents into battle but not allowed
them to have a voice in choosing those responsible for sending
them, did little to pacify the anti-government attitudes of the
young. Only an end to the discriminatory draft system brought
a measure of relief.

However, there are pluses for our Constitutional system
from this sad chapter in history. For one, Congress, led by the
Senate, began to resume its proper role as an equal partner with
the President in the making of foreign policy. For the first
time, Congress forced a President to end American involvement
in a foreign war by use of its Constitutional power over the
purse strings. From a modest effort in 1969 to avoid United
States involvement in a ground war in Laos, Congress steadily
enacted a series of restrictions on President Nixon's authority
to wage war in Southeast Asia, culminated in 1973 by prohibiting
use of funds for any further American military involvement in
Indochina. But even after that decisive step, a proxy war, fed
by American dollars, continued for another eighteen months, ending only with the final debacle last year in the fall of Phnom Penh and Saigon.

Foreign policy is a field peculiarly subject to tugs of war between the Executive and Congress, if each branch fulfills its Constitutional responsibility. This struggle over a bitter, undeclared war also led directly to the enactment, over President Nixon's veto, of the War Powers Act which, for the first time in our history, set limits on a President's power to engage American forces in combat abroad without Congressional approval. That period also spawned efforts to restrict excessive secrecy in government, forced the Executive to be more forthcoming in providing information to Congress, and, in essence, swung the pendulum of power back toward center from the nation's Chief Executive who had taken on many of the trappings of a monarch.

But other basic lessons have not been learned from this sad chapter. Our nation is neither omnipotent nor our
resources unlimited. Yet Executive Branch officials are still too prone to intervene in the internal affairs of other nations. Only six months after the final end of the Indochina war, Executive Branch officials urged that the United States become more deeply involved in a civil war in Angola, a situation where no vital American interests were even remotely involved. Congress, fresh from ending American involvement in a civil war in Asia, refused to allow America to become involved in another in Africa and wisely prohibited funds for the Administration’s proposal. The American people, more than Washington officials, have a new and realistic awareness of the limits of America’s power to influence and shape events in far-off lands.

As Vietnam symbolized an unprecedented failure of American policy abroad, Watergate symbolized an unprecedented threat to our constitutional system here at home. Initially, the burglary of the Watergate apartment complex excited little public interest. Its impact on the 1972 Presidential election
was negligible. But several months later, as Americans opened their arms to returning American prisoners of war following the January 1973 Vietnam cease-fire agreement, the true dimensions of Watergate began to unfold. The trauma of an unpopular war in Indochina was succeeded by a threat of a different, but more frightening kind, which compounded growing deep public skepticism about the American political process.

There came a period of hammer blows to the American political system.

Disclosures of a vast pattern of political chicanery and law-breaking by high government officials:

The resignation of a Vice President which enabled him to avoid criminal prosecution.

The resignation of a President which enabled him to avoid impeachment process.

Revelations of widespread violations of the civil rights of American citizens by government agencies.
Gross misconduct by intelligence agencies in the name of national security.

The outcome of these events, rather than being cause for despair, gives cause for renewed confidence. The inherent strength of our constitutional system has been revalidated. Watergate shows once more than the Founding Fathers did their work well. The system they devised not only endures but has been strengthened.

Watergate in its full meaning was far more than a second-rate burglary, as Administration press spokesman initially described it. It was an effort:

-- to subvert our system of separation of powers,

-- to make Congress and the courts impotent in dealing with Executive crimes,

-- to cripple our political processes and the party system,

-- to deceive the people through fraud and secrecy,
-- to muzzle the press through intimidation, and

-- to make a mockery of important guarantees in

the Bill of Rights.

In essence, Watergate was an attempt by the Administra-
tion to put itself above the law, but, as Henry Steele Commager
said, "in the end it was the law that imposed its majesterial
authority upon the President."

Americans can take pride in how the Legislative and
Judicial branches responded to the Chief Executive's disregard
for the rule of law and his attempt to undermine the Constitution.

It was the Senate that perceived in late 1972 the full
constitutional significance of the actions that came to be known
as the Watergate "dirty tricks."

It was the Senate which took the initiative, through
the Ervin Committee investigation, to bring under the public
spotlight the national wrongs symbolized by Watergate.
It was the Senate which insisted on setting up a special prosecutor for investigating and pursuing the Watergate crimes, knowing full well that the Justice Department could not be relied upon to do the job.

It was our independent judicial system, from the District Court to the Supreme Court, which insisted on developing the truth, resisting efforts by the President to suppress evidence of criminal misconduct, and meting out justice in accordance with the evidence.

It was the Congress—in this instance, the House of Representatives—which started the Constitutional process to determine a President's guilt for "high crimes and misdemeanors," a process thwarted only by his resignation.

I would have preferred to have seen the impeachment process pursued to a conclusion in order to establish all of the pertinent facts concerning the charges against the Chief Executive. Now the American people will never know the true
extent to which a President was guilty of impeachable offenses.

The impeachment process was not designed solely to fire officials who have betrayed the public trust. It was also designed to make clear what it means to preserve, protect and defend the Constitution of the United States.

Not only did the Congress, the courts and the special prosecutor each do their job to protect and defend the Constitution in the Watergate affair, the press also did its duty, doggedly pursuing the facts in the face of intimidating pressures from governmental institutions. Instead of a blood-letting for the vitality of our Constitution, Watergate gave it a transfusion.

No public institution can ever be fully insulated from the abuses heaped upon it during the Watergate period. The political system cannot be immunized from political abuse. Each branch of government must maintain its independence and stay vigilant. However, checks can be incorporated into our institutions which should help to prevent future epidemics like Watergate.
Two months ago, the Senate passed the Watergate Reform Act, which completes for now the Senate's response to this national threat. The Senate, following an exhaustive investigation of abuses by government intelligence agencies, has set up a special Committee to exercise firm oversight over their operations.

Notwithstanding the political turmoil of the last decade—a decade of war, political corruption at the highest levels, and a terrible recession—our democratic system is strong and healthy. I believe that this generation, whose faith in government may have been momentarily shaken, has a strong desire to make self-government work. At every level of government, from Congress to city hall, individuals and public interest groups are making an impact on the decision-making process as never before. They are proving that an individual can make an impact in our system. Decisions being made by Congress, administrative agencies and the courts reflect the fact that the individual does count. Why?

**Because you collectively are the front of the U.S.**
There is a large and unfinished agenda of business ahead for the Republic. Our attention has been distracted too long by fleeting crises which have left the nation's political leaders with too little time for reflection about where our country should be going and how to get there. No occasion is more appropriate for such a purpose than this bicentennial year.

Democratic government, with America as its guiding light, has spread since 1776. But the concept is still in its infancy in the span of recorded social history. There is no reason for either despair or for unrestrained optimism about the future. The attention of Americans has shifted from illusory dreams of a world patterned in the American image to the vast problems we face here at home. Along with this has come a new awareness of the diversity of mankind and greater understanding of the common problems we all share on this globe.

It is not easy for individuals to throw off long-time
living is a matter of constant decision-making, adapting to new situations and needs. So must it be with government. Policies and institutions must be shaped to fit the needs of the future.

If freedom is to survive and prosper in the world, mankind must do better at living and working together. More emphasis must be put on the common good and less on individual self-aggrandizement. "A society in which men recognize no check upon their freedom," said Judge Learned Hand, "soon becomes a society where freedom is the possession of only a savage few." Democracy is a very demanding system, a difficult and fragile form of human activity at best. "It is," Winston Churchill wrote, "the worst form of government except all those other forms that have been tried from time to time."

In 1776, all of the colonies had a common interest in securing their independence from a distant monarch. But each pursued its own course in other areas. That system rapidly proved to be unworkable. Eleven years later the Constitution
melded those independent colonies into one nation, a result affirmed by the tragic Civil War. The world of nation-states we live in today is very much like the thirteen colonies of 1776. Earth as seen from the cameras of America’s explorations in outer space proves once and for all that this is truly one world. There is a growing awareness that the nations on this planet are as interdependent today as the thirteen American colonies were two-hundred years ago. The air we breathe and the water of the oceans have no nationality. They belong to all mankind.

The world’s resources, which must be shared by four billion people today, are finite. It took from the beginning of mankind until about 1850 for the world’s population to reach one billion. It took only fifteen years for the total to increase from three to four billion. And we can expect that number to double by shortly after the turn of the century. This means that the world’s supply of housing, food, clothing and all the
other essentials required to meet day-to-day human needs must be doubled, at least, within the next quarter of a century. The nations of the world must learn to work together to meet this challenge and to solve problems of recurring wars, pollution, and over-exploitation of natural resources.

Today Americans and people everywhere are coming to understand the eternal truth that John Donne described: "No man is an island, entire of itself; every man is a piece of the continent; a part of the main; . . . never send to know for whom the bell tolls; it tolls for thee."

Man is the only animal which kills its own kind--and his capacity for mass destruction grows far more rapidly than his capacity to live in peace in a diverse world. Mankind shares but two things in life--this small globe and the future. Swords have not been beaten into plowshares. World tensions have lessened, it is true, but the growth of nuclear arsenals and man's capacity to destroy all life on earth continues apace.
The nation's founding fathers were men of vision and courage. They dared to dream the impossible dream and, as a result, gave birth to a government which has ever since been a beacon of hope for mankind. The goals for that unique system are stated in the preamble to the Constitution:

"We, the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution of the United States of America."

We have not yet attained perfection in the goals set for our union. The purpose of the government they established was not to create utopia but to engage in a continuing quest for a balance between liberty and social justice as life itself is a constant search for meaning. The responsibility for continuation of that quest rests with each individual. Each of
us is a custodian of our individual liberties and, ultimately,
the fate of civilization.

After a third of a century of observing the response
of the American people to challenge, I look to the future not
with despair, but with confidence. The torch of history
passes into your hands. How you use it will
determine our — and the world's — future. May you
profit from our mistakes as those, in the
course of human events, you will make. My
fervent prayer is that you will do better
than we have done. I think you will learn
from the past. Face up to the reality of the
present and confront the future with faith in your
country and confidence in yourselves. I wish you well.