

Dialogues in Americanism

A Debate Between

James MacGregor Burns

and

Willmoore Kendall

“Resolved: The deadlock in Washington is to be deplored.”



Opening Statement by Willmoore Kendall

I confess that Mr. Burns leaves me worried about whether we're to have a debate here. I've listened with fascination as he attempts to state the issues between liberals and conservatives (as he understands them), but with all the more fascination because I happen to be an avid fan of Mr. Burns and his writing. And I've heard him say very little that I would have expected him to say. Let me, at the risk of spoiling this occasion for everyone, say that I, at least, am not the kind of conservative who moves from the axiom, "the more government the less freedom." Neither am I the kind of conservative that has a net preference for local and state action rather than federal government action. I'm equally willing with Mr. Burns to let these questions be decided on their merits. What concerns me, and what I would have expected Mr. Burns to be concerned about (though I well know the difficulty of setting forth so complex a position as his in a mere twenty-five minutes), is how we are *going to make decisions* here in America about the kind of problem that lies so heavily upon Mr. Burns's heart.

In my opening remarks, therefore, I am going to try to come to Mr. Burns's assistance and get us a debate—by drawing not merely upon the speech he has just made, but upon my vast knowledge of his

writings. And I will try to get a quarrel going between what I regard as the Burns position as set forth in his books, and the Kendall position as set forth in mine. (Mostly—let me say at this point—I concede Mr. Burns's major points in his opening remarks.)

Mr. Burns has, as we see him here and in his books, two complaints: first, that Washington is a place where nothing happens; second, that nothing happens when nothing happens in Washington. To put it a little differently: first, there is "deadlock" in Washington, and second, that deadlock is more than flesh—well, more than Mr. Burns's flesh—can bear. Something ought to be done—*must* be done as Mr. Burns argues in book after book—to end the deadlock and to prevent similar deadlocks in the future.

Let us dispose, initially, of his first complaint—that there is "deadlock" in Washington. Now on the *factual* side, let me say at once that I have very little quarrel with Mr. Burns here. Congress does indeed—month after month, session after session, decade after decade—refuse in general to pass the legislative proposals rained upon it from the White House. Mr. Burns wants to call that state of affairs "deadlock," and the congressional stance that produces it "obstructionism." And I say, Let us be generous with Mr. Burns and try to bring out into the open, and understand, why this curious use of language commends itself to him; and, happily, we do not have to go very far afield in order to find parallels that will help us to understand.

Take, for instance, the thief who attempts repeatedly to burgle a certain house, and cannot do so because the double bolt on the door foils his best burdling techniques. From the thief's point of view, from the thief's family's point of view, even from the point of view (which brings us back to Mr. Burns) of the thief's mouthpiece, the owner of the house (who put the double bolt on the door) is indeed an obstructionist. And the state of affairs between the thief and the owner of the house (all those well-laid plans, all gone aft-a-gley!) is indeed deadlock. More, we should be guilty of lack of *empathy* if we did not understand why they (the thief, the thief's family, the thief's mouthpiece—Mr. Burns) latch onto words like "deadlock" and "obstructionism." We can understand the curious use of language, yet I hope still keep on using language correctly ourselves and still keep ourselves reminded of how to put it in English, namely: from the standpoint of law and order, from the standpoint of justice, the owner of the house is a citizen rightfully defending his property—not an "obstructionist." The state of affairs between him and the thief is the

successful prevention of burglary, not "deadlock"; and the thief is—well, a thief.

Or again: from the standpoint of, say the anti-social monster who would like to see the towns in the valley inundated, who would like to see the population of the valley drowned—from the standpoint of any such anti-social monster, I say, the dam that holds back the waters is obstructionist and the state of affairs between the dam and the waters is that of deadlock. We will waste our time arguing with him about his use of words. Our task is, rather, to recognize (despite the verbal mist he surrounds himself with) that he and ourselves are looking at one and the same state of affairs: the dam does indeed hold back the waters, mercifully sparing the towns and people of the valley; we simply put it differently: what he calls deadlock we call the successful protection of the valley against floods; what he calls obstructionism we call the civilized control of potentially dangerous natural forces; where he deplores, we reverently say, "Thank God! And no, my point is *not* that "it all depends on the point of view"; I will not, I trust, be suspected of any such relativism. Precisely not: my point is that there is a *right* use of words and a *wrong* use of words; that the way the thief and the anti-social monster in the valley use words is (though understandable) *wrong*. And our use of words, as I have just illustrated it, is *right*.

So, too, with the way my distinguished opponent uses words. He and his friends (to paraphrase a hero of his) think not of what they can do *for* America, but only of what they can do *to* America. He and his friends have (for the purpose of doing things *to* America) a *program* (the thing Mr. Burns seems most concerned to talk about here) which they are *determined* to carry out (so determined, as some of Mr. Burns's friends like to say these days, that they "will not take no for an answer"). They are determined to carry it out because, firstly, being the sort of people they are, and given the sort of thing over which their hearts go pit-a-pat, they *like* that kind of program. So much is understandable. But there is a second reason, which is: they believe, or say they believe, their program would contribute to the happiness and well-being of the American people (which is perhaps less understandable).

Now because of the queer quirk in the process by which we elect our presidents, Mr. Burns and his friends—let's begin now to call them by their right name, which is "the liberals"—normally dominate the White House (or, if you like, are always able to put a liberal

in the White House, who goes into the White House with their program already in his pocket. The liberal just leaving the White House has another copy in his pocket as he goes out the door—just in case he'll be coming back some day). The new President sends their program, bit by bit, bill by bill, over to one of his flunkies in Congress, who, one by one, drops the bills into the hopper. Congress then proceeds—the one with one bill, the other with another bill—either to sit on the bills until adjournment or, if the President is able to force a showdown, to vote them down, or if not vote them down then pass them in such emasculated form that the liberals protest (quite properly) that they are not *their* bills, their program, at all. Congress, of course, sits on the bills, or votes the bills down, or emasculates the bills, because it is opposed to anyone's *doing* to America what the bills propose to do; because it believes the bills would accomplish *not* the happiness and well-being of the American people but the misery and degradation of the American people; because, in a word, the program, bill by bill, is an assault on the congressmen's most strongly held convictions, an affront to their deepest loyalties and beliefs, an outrage to their conception of the destiny of America. Congress hurls the bills back into the teeth of the President and the liberals in the same manner, and in much the same mood, in which a self-respecting nation would hurl back the advance columns of an invading army.

Mr. Burns wants to call that "deadlock." The majority of Congress, naturally enough, want to call it protecting the country against the extremist proposals of the liberal intellectuals. Mr. Burns wants to call Congress "obstructionist." We, the people, who biennium after biennium elect a Congress that *will do just what Mr. Burns says Congress does*, think of it as defending our way of life against those who would undermine and destroy it. Mr. Burns and his friends want to call the Congress that strikes the President's program down a "do-nothing" Congress. We, the people, who elect and re-elect such a Congress—elect and re-elect such a Congress with what Mr. Burns must deem *monotonous* reiteration—think that such a Congress, far from doing nothing, does a very great deal: it does *just* what we send it to Washington to do.

Yet (as I have intimated all along) we must not quarrel with Mr. Burns merely about words: he is saying nothing that cannot be translated out of the tortured jargon of Iiberalese into plain English. What he means is that Congress won't do what he and his friends *want* Congress to do and (despite his strange use of language) we can, I

repeat, understand him—nay, must understand him, because he is “a problem” (a problem, moreover, that we the people who elect the Congress must learn, somehow, to deal with). And we may count ourselves fortunate to have Mr. Burns for a whole evening under our microscope, where we can hope to find out what makes him tick.

What more can we say to Mr. Burns—what more is conceivably *worth* saying to Mr. Burns—about his complaint that nothing happens in Washington, that there is a deadlock? At least, I think, this (though in order to say it we are going to have, this time, to ask him to do the translating, because I do not know how to say it in *liberalese*): Mr. Burns likes to talk about deadlock, about obstructionism in Washington, because, I submit, he does not want to face political reality—political reality as it is given to us in contemporary America. Mr. Burns likes to talk about deadlock and obstructionism because that implies that the *trouble* is in Washington—that is, in the nation’s political *machinery*, about which Mr. Burns usually writes—in the nation’s political institutions and practices, where it may lend itself to solution along the kind of lines that have always fascinated minds like Mr. Burns’s (along lines, that is to say, of political *gadgetry*).

Give Mr. Burns and his friends a free hand with our political machinery (and I hope he will tell us a little more about his plans in that connection), let them do a little tinkering with it, and everything (so Mr. Burns and his friends like to think) will come out all right! All of which is to say, Mr. Burns and his friends will then get their way in American politics: the White House program will be adopted, and all good things will be added unto us. And I do think it worth saying to Mr. Burns, You mistake your problem. You are treating a surface manifestation of your problem for the problem itself. *We* understand why you are hurting, but you yourself do not understand what is hurting you. The deadlock, if you still insist on calling it that, is not in Washington, but out in the country; and yes, I repeat, I do think that is worth spelling out for Mr. Burns here on the very threshold of our debate.

What is political reality in contemporary America? Mr. Burns says, Political reality in America is our faulty *political* machinery [and again I urge him to come to that central theme of his in his reply], which keeps my friends and me from getting our program adopted. I say, Political reality in America is that we Americans disagree profoundly on the *merits* of that program. Mr. Burns says, Ah! But the program is *good*; it alone will enable America to live up to the impera-

tives of the age [I cite Chapter one of his recent book] to fulfill its historic destiny. And I say, But exactly what we Americans disagree about, on the deepest level, is what the imperatives of the age are and what *is* the historic destiny of America. But, Mr. Burns will reply (a little disingenuously, perhaps), How could people possibly disagree about things like *that*? Is it not *obvious* that we must carry out the civil rights program? That we must wage and win the war against poverty? That we must broaden and deepen social security? That we must learn to coexist peacefully with World Communism? That we must get the federal government busy solving our transportation and urbanization problems? And so on down the line? And I answer, patiently, No, no, Mr. Burns, *none* of that is obvious; the things you mention are, if I may put it so, the bones of contention. But, Mr. Burns asks (for at last I have captured his attention!), How can *that* be? And I answer, Well, look; what it amounts to is: some of us here in America are liberals, whose hearts do go pit-a-pat over the program you sketch. And some of us are conservatives, who dislike the program very much. Then Mr. Burns, who at least in his writings tends to avoid those words “liberal” and “conservative” that we suddenly find him using tonight, asks (a little incredulously perhaps), What’s *that* got to do with it? And I answer, Well Mr. Burns, to begin with, just this: some of us think there are vastly *more* conservatives in America than there are liberals, and that political reality in America (what you call “deadlock”) merely reflects a failure on the part of the liberals to plead their case successfully before the tribunal of public opinion.

It is here, let us pause to note, that the automatic response we can expect from Mr. Burns becomes most interesting: We have *not* failed to plead our case successfully, he will say. We have all the best arguments on our side—as witness our strength in the nation’s academic community, among the nation’s top columnists and television and radio commentators, on the editorial pages of the nation’s leading newspapers; on foreign policy, we have on our side the great experts on international relations and Communism; on fiscal and tax policy and on welfare legislation we have with us the great names in economics; on civil rights, we have with us the bulk of the nation’s clergy and the great names in constitutional law (including of course the learned justices of the Supreme Court); on reapportionment, on enfranchisement of the southern Negroes, on Congress, we have with us *en masse* the nation’s political scientists. How can you say that we have not pled our case successfully before the tribunal of

public opinion? And I answer, Not good enough, Mr. Burns; all you prove is that the liberals plead their case successfully *with one another*; that you find each other *infinitely* persuasive (which I never doubted for a moment).

My point is that you have failed to persuade—I take the phrase from a great political philosopher—the “generality of men amongst us”; that you have failed to create a consensus in favor of your program; that, so far as we know, the liberals are still a small minority in the American community; that—to come back—the deadlock you *should* be worried about occurs out in the cities and towns and villages and farms of America, out among the American people themselves. And that deadlock has got to be stated in terms something like this: the militant minoritarian liberalism for which you speak has run up against a blank wall of conservative opposition; it is *not* just Congress that rejects your program, it is *we the people* as articulated through the Constitution that *we* ordain and establish. It is *we* who reject your program; and you, Mr. Burns, you and your friends, are clearly powerless—powerless at least under the existing rules—to do anything about it! Political reality in America is that the liberals don’t have the votes. More, the liberals, finding themselves called on at last to explain why liberal solutions don’t work, are fresh out of ways to enlist new voters. The liberal program, to put the matter in its simplest terms, lacks sex appeal. And let any reader of this debate who doubts that go to what learned folk like Mr. Burns and myself call the *locus classicus*—namely, the pages of Mr. Burns’s recent book, in which he tells of his own unsuccessful race for Congress. Mr. Burns appears to have persuaded everyone in his constituency except . . . well, the generality of the voters. He does not need *me* to explain to him the political reality the liberals are up against. In order to get the picture he has only to go call on his neighbors.

But let us pass on to Mr. Burns’s second complaint: nothing happens when nothing happens in Washington. Mr. Burns deplores the fact that nothing happens in Washington—the fact, that is, that Congress consistently bids the President (if I may put it so) to go roll his hoop. And Mr. Burns thinks that when nothing happens in Washington, something ought to happen about it, something ought to be done about it (a question, I say, to which he returns in book after book). He has strongly-held and carefully-worked-out ideas as to what ought to be done; and it is of the first importance that we should grasp the real

bearing of what he has said repeatedly he wants us to do about it. Since he and his friends *cannot* win under the existing rules, he asks us to *change* the rules so that he and his friends *can* win. Indeed, if we were to translate his basic proposal into the language of, say, basketball, it would run something like this: Our team loses all the time, and clearly has no prospects of winning in the future. But that is because the existing rules confer overwhelming advantages on our opponents; and I’m here, I, Mr. Burns, am here, to tell you where exactly in the existing rules the bias occurs. The trouble, clearly, is this whole business of having the baskets at the two ends of the court the same size. Let us forthwith double the size of the basket at one end of the court, and make the basket at the other end of the court exactly the size of the basketball. And let it always be understood that we liberals play toward the end of the court that has the larger basket. Things’d be different from *then* on!

Things would indeed be different from then on. I agree completely with Mr. Burns (though without taking back what I have said earlier) that the adoption of certain gadgets would improve the prospects of the liberal program and the prospects therefore of breaking the deadlock in Washington. Redraw the lines that demarcate our congressional districts, so as to give city folk more representatives—and the liberals will, no doubt, pick up a few Congressional seats. Abolish the seniority principle in congressional committees, abolish the filibuster—and you will, no doubt, weaken the hold we conservatives have on the easiest method for frustrating the President. Go still further, if you like, and eliminate somehow those troublesome midterm elections that Mr. Burns and his friends worry so much about—and again, things will look up for the liberals. Though not to an extent that I for one would lose any sleep over. The baskets at the two ends of the court, as far as I’m concerned, would still be the same size, and the conservatives would still win the big games. But that is because I have not yet mentioned what we may call Mr. Burns’s Special Gadget (as set forth in his latest book).

Nobody, I venture, knows better than Mr. Burns that the modest changes in the rules that I’ve mentioned up to now—the modest changes proposed by Mr. Burns’s predecessors in the attack on the American political system—won’t turn the trick. Won’t, that is to say, dish the conservatives. But Mr. Burns has left his predecessors so far behind in this regard that when he looks back over his shoulder he can’t even see them. *They* proposed, as *the* means of cutting the

Gordian knot, what they called the responsible party system: let our two parties become, respectively, a Conservative Party and a Liberal Party; let them, at election time, offer the American people a genuine choice between competing sets of policies; let the people, in their quadrennial elections, themselves decide the destiny of America; let us end the White House-Congress stalemate by putting both President and Congress under one and the same freely-arrived-at popular mandate. Mr. Burns, I repeat, is not to be confused with those earlier, Casper Milquetoast would-be reformers of the American political system. Mr. Burns, fed as he is on the red beef of Machiavellism, proposes nothing less than a *coup d'état*—and, along with it, an ingenious scheme for bringing it off.

Let the liberals—he calls them the Presidential Democrats and the Presidential Republicans, but we have no difficulty identifying them—conspire together to capture *both* parties. Let us have, instead of a Liberal Party and a Conservative Party, *two* liberal parties (each of which will offer the electorate only liberal candidates). Let us, in effect, remake all our elections in the image of our presidential elections, so that no matter how a man votes, he will vote (or at least seem to vote) for the liberal program. That is Mr. Burns's proposal for ending the anti-liberal bias of the existing rules; and I have, by way of conclusion, three small things to say about it.

First, the very shape of his proposal concedes my main point here this evening: the liberals have failed to plead their case successfully before the tribunal of public opinion.

Second, the proposal, on the face of it, justifies the claim I have made in the language of basketball: what Mr. Burns *really* deplors is the baskets being the same size for both his team and his opponents.

Third, the proposal runs hard up against what I like to call the Dilemma of the Little Gingerbread Boy. The Little Gingerbread Boy, you remember, couldn't run 'til he got hot, and couldn't get hot until he ran. And Mr. Burns's proposal—which stripped of irrelevancies is a proposal for eliminating from our system what he calls the one-party congressional constituency, the congressional constituency constantly dominated by a single one of our political parties—is up against that same difficulty. Before you can eliminate the one-party congressional district, you must eliminate the one-party congressional district, and you can't do *that* because of the one-party congressional district.

In short, there are no short-cuts that will get Mr. Burns and his friends their program. Like it or not, they are going to have to do it the hard way—by persuading the American people (the American people moreover acting not by mere majority vote but by consensus) to adopt the program as their own. I do not—I hasten to add—exclude the possibility that the liberals may, in the long run, accomplish that miracle of persuasion. But in the long run, as Lord Keynes is there to remind us, we are all dead.

Rebuttal:

Now we're getting somewhere!

But two quick points. First, let Mr. Burns not try to confuse the issue into which I am attempting to draw him, by pointing to the literary weeklies and fortnightlies and monthlies that profess to speak for American conservatives. Mr. Burns very well knows from my book that *my* conservatives are the voting majority of the Congress which is not today and has never been properly confused with those end-of-the-nineteenth-century Supreme Court justices who talked all manner of natural law foolishness and thus attempted to frustrate the Congress of the United States.

Second, let Mr. Burns not confuse things by pretending to summon me back to the historical bases of conservatism in America. The historical bases of conservatism in America have to do with the American political system, and not with the content of the decisions that that political system produces. As I understand it—as Madison and Hamilton understood it—the sky has always been the limit about the content of those decisions, provided the proponents of the several decisions won their victory within the rules of the system as they were originally laid down in the Constitution and in the Federalist papers. Mr. Burns is just as interesting to me as I to him. He is the liberal of liberals because it is he who challenges us conservatives *on our political system itself*. It is he who says that it is a bad political system; he who has the most ingenious plan for remaking it.

Having said that let me get really down to business. In my opening remarks I spoke of Mr. Burns as constituting for the rest of us "a problem" that we must learn somehow to deal with, and we have now got him on record in his rebuttal as the kind of "problem" I see him as being. I also took the liberty, you will remember, of referring to his

Machiavellism. And now that we have the second speech of his tingling in our ears, I perhaps owe it to you—if only in the hope of driving our discussion to the deepest level of disagreement between Mr. Burns and me—to say why I deem him a problem and what I mean when I describe him as a Machiavellian. Mr. Burns is a problem, because—let me lay it on the line—of his blind devotion to (and I might add his peculiar understanding of) what we political scientists call the majority principle—and I am now speaking to Mr. Burns directly on his accusation about “the numbers game.”

Think back over what he has said explicitly; think back even more carefully over what he has tacitly assumed, tacitly taken for granted, and you will see that I do him no injustice when I speak of his blind devotion to the principle of majority rule. And he’s now about to try to convince you that I also am blindly devoted to it.

Mr. Burns, I submit, is absolutely committed to the following proposition about how we should govern ourselves here in America: in a democracy, he confidently believes, the majority has a *right* to call the turns about policy. Democracy, that is to say, *is* majority rule—his very words of a few moments ago. In a democracy, the outvoted minority has therefore (we must understand) a duty to accept and to obey the policy directives of the majority. *The* problem in a democracy is (as it has always been for Mr. Burns in his books) to *get* yourself your majority and then get on with whatever jobs you have mobilized your majority for. (Mr. Burns’s picture of Jefferson in his last book is highly relevant in this connection.)

Whether the outvoted minority is going to *like* your policy directives, whether the outvoted minority *can* accept those policy directives and continue to find political life tolerable, whether or not the outvoted minority will in fact *obey* your policy directives—these are questions that a man like Mr. Burns feels no need to discuss or even raise with himself. The majority principle, the right of the majority to have its way, the duty of the minority to obey (for example, the duty of the white Southerners to obey the policy directives of the civil rights program, if and when it is enacted)—these things figure in Mr. Burns’s political philosophy and in that of his friends as, quite simply, Higher Dogma, as self-evident truth that requires no demonstration or justification, as the This Is It Boys of American democracy.

If that is not what Mr. Burns believes, I call upon him to tell us in the course of this debate what it is he believes that is recognizably

different from that. While, if it *is* what he believes, I call upon this audience to agree with me that Mr. Burns is indeed “a problem.” For Mr. Burns’s Higher Dogma is, I contend, novel doctrine in our democracy—so novel, I contend, that most of us cannot hear it stated, cannot hear it put into words, without shuddering.

Mr. Burns’s understanding of majority rule is not, I contend, the American understanding of majority rule. The American understanding of majority rule is: yes, the majority decides; the numbers are taken, they are counted; in a sense the numbers do prevail, in a sense it is a numbers game. Concretely however, the majority of our *elected representatives* decide, *not* the majority of the electorate—but decide, in any case, subject to two clearly understood provisos:

First, the majority decides precisely with an eye to whether or not the minority *will* obey, can be counted upon to obey—with an eye, therefore, to the necessity of carrying the minority with it. And second, that we Americans are for some purposes, but only some, a nation capable of making decisions by majority rule, and for other purposes not a nation (Mr. Burns will recognize that I am merely reading him the basic doctrine of the tradition of the Federalist papers)—not a nation—but a federation of states in which majority rule has no status and no meaning. We have no tradition here in America for the kind of majority rule that is prepared to say to the minority (as Mr. Burns would not, I think, hesitate to say to the white Southerners on civil rights, or on the seniority principle), You are going to obey our policy directives *because* we are the majority. You are going to obey because if you do *not* obey, we are going to *make* you obey.

We have, I repeat, no tradition in America for that kind of majority rule. And anyone who *talks* that kind of majority rule in America becomes by that very fact “a problem.” Why? Because that kind of majority rule won’t go down in America. Because the preconditions for that kind of majority rule are not present in America. And because the man who talks that kind of majority rule in America is consciously or unconsciously preparing the inevitable breakdown of the American political system.

The American political system is not and never has been a system for the automatic acceptance of majority mandates by the minority. It is not and never has been a system for the large-scale coercion of the minority (which is what at *every* point Mr. Burns’s program is

going to require). Under the American political system *the majority bids its time until it can act by consensus* (which is ultimately the *opposite* of the numbers game)—that is, in conditions where it can reasonably expect the minority to go along. And I say, There is grave question whether the American political system can digest a Mr. Burns, who is simply not interested in consensus.

So too with my point about Mr. Burns's Machiavellism—for, let me hasten to say, I use the term Machiavellism in its strict technical meaning among political scientists (without, of course, any implication that Mr. Burns is particularly wicked or particularly unscrupulous, by comparison with the rest; only more ingenious than most of us). My point is quite simply that Mr. Burns, like Machiavelli, is in full *rebellion against the whole political tradition to which he was born*. Mr. Burns, like Machiavelli, refuses to subordinate himself to the norms of political discourse as his fellow citizens understand it. Mr. Burns, like Machiavelli, stands forth before his fellow citizens not merely with novel proposals, but also with a new kind of political thought—a new kind of political thought that they, his fellow citizens, can only find *shocking* once they begin to understand it. For Mr. Burns's quarrel with the American political system is in the last analysis, first (and again I refer to his books), that it is not a good system for translating the will of the majority (which he equates with the will of the people) into action. And second, that it is not a good system for getting the government to do things for the people.

Now, at the risk of sort of pulling the rug out from under Mr. Burns in this debate, I am going to concede *both points*. It is *not* a good system for translating popular will into action. It is *not* a good system for getting government to do things for the people. If what we want in America is a system for translating popular will into action, and for getting things done for the people, then the system ought indeed to be reformed along the lines Mr. Burns proposes.

But, as Mr. Burns well knows off at the back of his mind, the system was *never* intended for translating popular will into action, or for getting government to do things for the people. And if Mr. Burns is sincere in summoning me back to the tradition, he would have to expect me to adopt just the position that I am adopting. Our system was devised by men who feared and disliked *above all things* the operation in politics of sheer, naked will (men therefore who were not given to using language like “the will of the people”). It was

devised for purposes that had nothing to do with simplistic formulae like “the will of the people” or “government doing things for the people.” It was devised to bring about amongst us a more perfect union, thus not to divide us into majority and minority. To assure us the blessings of liberty, thus not to keep us busy coercing one another. Above all: to achieve the ends of justice, thus not to effectuate the will of any group amongst us, but rather to reconcile the conflicting claims of *different* wills amongst us. It was devised to effectuate not the will of the people, but rather, as *The Federalist* puts it, the deliberate sense of the community, the *whole* community, as to what ought to be done, what policies ought to be adopted.

Most of us, I believe, still think that these are the right purposes for our political system to have. And we still think, therefore, that it is the best political system we could possibly have. That is why, after fifty years of attacking the system for its alleged anti-majoritarian bias, Mr. Burns and his friends have got, well, exactly nowhere as regards the acceptance by the American people of their proposals—which begin with J. Allen Smith and flow directly in a straight line right to Mr. Burns. That is why we Americans will look askance at anyone (even so persuasive an advocate as Mr. Burns) who seeks to give our system a Machiavellian twist in the direction of the sheer naked will of the majority.

Conclusion:

Before beginning my summary, I'd like to pose two quick questions to Mr. Burns—in the hope that he will touch upon them in his own final summary. I would like to ask him, as a political theorist, about his characteristic doctrine—the notion that any American majority is ipso facto a moderate majority. I follow that in connection with the Eisenhower majority. I follow it in connection with the Goldwater majority. I do not see how it could possibly be true of any future *liberal* majority, since it seems to me that within the spectrum of American public opinion, the liberal proposals are precisely *extremist proposals*—extremist proposals on the face of them—which explains the general character of the sort of quarrel they kick up amongst us. The second question I'd like to ask is, I would like a little more clarification of his peculiar distinction between things the majority

has a right to do and things that it doesn't. First, I would like to know the source of the distinction (or whether it is merely an arbitrary distinction Mr. Burns imposes upon the majority principle). Secondly, how does he explain that civil rights turns up, so to speak, on both sides of the equation? With one side of his mouth Mr. Burns tells us [in the question period—Ed.] that the majority must not touch civil rights and that he hopes that the Supreme Court will police them if they try to. With the other side of his mouth he is clearly hoping for a majority action for the civil rights bills. So he is hardly excluding civil rights from the general sphere of the majority, and he leaves me quite confused.

As for my summary, it, happily, can be very brief. Ever since I first learned of this debate, I have sort of looked forward to it as a peculiar debate. In an ordinary debate, one supposes, the two principals at least go through the motions of trying to persuade each other, trying to transform each other into converts. (Or failing that, at least each principal tries to pick up a convert or two out in the audience.) Not so tonight. Mr. Burns and I—engaged as we are in exactly the same racket—have been eying each other across a chasm for lo these many years. Neither of us, I suppose, thought to coax the other over to his side of the chasm here, or even much expected that the chasm would be particularly narrowed in the course of our exchange.

What we did hope, I like to think, was that we would get our respective positions out on the table where both ourselves and the audience could look at them more clearly than we've been able to in the past—with each party coming perhaps to *understand* each other a little better (not only the other party's position, but also understand its own position a little better). What I did hope, too, was that we would see to it that both positions in the course of the debate got sharply delineated, so that the audience could see clearly what choices a man is actually making when he takes sides on the issues that divide conservatives and liberals.

That hope, I believe, has been abundantly realized in the course of the evening. The issues do seem to me to be out on the table (particularly those about the future of the American political system) where we can understand *why they are issues* and where, better still, we can see that they are *indeed* issues—that is, questions on which there are indeed two sides, and where each side is capable at least of a certain amount of reasoned argument in its favor.

I'm willing to content myself in this final summary with merely listing the big questions as they seem to me to have emerged in the course of the debate—with the hope that the audience will go away prepared to pursue them further *as issues*, to seek new evidence bearing upon them, to discuss them further so that one day we can hope to see them decided by a genuine American consensus.

Here then are the issues as I understand them here at the end of the evening:

First, do the liberals, as they often pretend, have a majority out in the country? Or am I right in saying that they remain a mere minority? Put otherwise, have the liberals, as I allege, failed to plead their case successfully before the tribunal of American public opinion? Second, are the current liberal proposals for the reform of the American political system (especially Mr. Burns's proposals) dictated by desperation—by a desperate desire to change the rules obviously in favor of the liberals, by a determination to stack the cards in favor of a future liberal victory? Are such proposals, as I contend, liberal attempts to sidestep the responsibility of building a genuine consensus behind the liberal program? Third, does Mr. Burns, as I allege, have a new and dangerous conception of majority rule? And would that conception, because it cannot carry with it the outvoted minority, lead inevitably to a breakdown of the American political system as I have suggested—that is, to the disappearance from amongst us of our most treasured possession, which is government by discussion? Fourth, are we ready, we Americans, to abandon the Federalist dream of governing ourselves by consensus, of governing ourselves by way of arriving (through deliberation, not mere matching of strength at the polls) at a "deliberate sense" of the whole community? Are we prepared, we Americans, to shift the basis of our political system over to reliance on the sheer, naked will of the majority?

Those, then, are the questions I'd like the audience to think further about in the months and years ahead. And if Mr. Burns and myself have helped draw the issues more sharply—helped perhaps to illuminate them a little—I for one shall remember the evening as, well, a happy occasion.