

**THE BLOG**

The Founders Fumbled

By Marty Kaplan

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“The system worked” is what so many of us breathed with relief when Nixon fled Washington in disgrace. No matter that it was Nixon’s own paranoia — in the form of secret White House tape recordings — that did him in, not just the majesty of a Senate investigation; no matter that it took the luck of Barry Goldwater’s it’s-time-for-you-to-go statesmanship, and the offended ego of a Deep Throat, not just the splendor of the Fourth Estate, to get him to quit. What we told ourselves was that the country escaped its worst constitutional crisis ever because the Constitution contained within itself the mechanisms needed to overcome catastrophe.

Looking at what’s happening in Washington today, I can’t help thinking that it’s time to revisit that awe. We treat the Constitution like fundamentalists treat the Bible; we treat the Founders like Deities; we hold an unshakable faith in the inherent perfection of our system, believing it no less exquisitely wrought than the finely balanced network of our veins and arteries, no less miraculous than the workings of our cells and organs. But cells can go screwy, and sometimes no immune system can save us from cancer. Genes can make mistakes, and sometimes no homeostatic mechanism, however ingenious its feedback loops, can restore our equilibrium. The Founders were awe-inspiring craftsmen, but they weren’t magicians, they weren’t prophets, and they weren’t gods. Is it so unreasonable to wonder whether the charter they wrote more than two centuries ago isn’t insurance enough against the madmen who now rule us?

Sure, it’s encouraging to see Congress rouse itself from its six-year slumber and begin to push back. But will it really change anything?

Bush is certifiably delusional, but impeachment is off the table, because Democrats can’t muster the kind of political will and outrage at a tragically misconceived war that Republicans could summon for a blowjob.

Cheney is an outlaw, a Rasputin, a tyrant, a liar, but there is no check to check him, no balance to balance him.

Throughout the executive branch, secrecy reigns, laws are violated, scholarly whackballs formulate doctrines like the “unitary executive,” but neither the courts nor the Congress have the *cojones* or the clout to intervene.

Citizen-statesmen were supposed to govern us. Farmer-legislators were supposed to lead us. Where are our wise men today? Colin Powell, instead of blowing the whistle, sulks in his tent; Rumsfeld rants on the moor; George Tenet

takes a bullet for The Man and gets the Presidential Medal of Freedom; Condi Rice appears as oblivious of her humiliation as any of the pathetic victims on American Idol; Paul Wolfowitz, the stain of our neocon nightmare on his hands, plays not Lady Macbeth, but Mother Teresa.

Sweet reason, the faith of our rationalist Founders, has been supplanted by strategic pseudo-science. Contested facts are adjudicated not by evidence, but by polling, and by mud-wrestling. Swift Boating is the new epistemology. Propaganda — the breathtakingly big “big lie” — is triumphant, its practitioners on the federal payroll, but Washington’s courtier culture precludes calling a Goebbels a Goebbels. Though protected by the First Amendment, the media are less a Fourth Estate than a Fifth Column, a source of narcotizing infotainment. The Murdoch-Moonie axis has become the MSM.

George W. Bush, the oligarchs’ tax-cutting choice for the 2000 nomination, loses the election, but no Supreme Court rescues the nation. The largest transfer of wealth from the middle to the top in the history of the industrial world occurs, but the politico-media culture calls it sour grapes to recall the origin of that silent coup, and class warfare to assess its consequences.

The harpies of hate — the Coulters, the Limbaughs, the O’Reillys — spew bile, but the free marketplace of ideas beloved of Jefferson and Madison is incapable of marginalizing them, because Satan is vastly more entertaining than Socrates.

The Republican Party is the puppet of right-wing fundamentalists, witch-hunters, Armageddonists, Father Coughlins, Elmer Gantrys, Cotton Mathers, but no constitutional bar to established religion protects us from theocratic fascism.

A robust democracy depends on an educated citizenry, said the Founders, but the majority view that Saddam Hussein was behind 9/11 proves how effective a bulwark our educational system is, against the onslaught of relentless mendacity by our leaders.

I wonder what we will say, looking back at 2000-2008. “The system worked”? No matter what this Democratic Congress does, how can we call the generations of broken crockery these ideologues have bequeathed us a sign of a healthy system? However this war ends, how can we call its existence anything but a megalomaniacal abuse of power?

Whatever vermin the oversight committees at long last uncover; whatever the prosecutions and trials of apparachiks may finally reveal and punish; however historians diagnose our good-German complicity with demagogues, our Stockholm-syndrome affection for the bullies, our frog-in-a-warming-cauldron capacity for denial — no matter how we ultimately awaken from this madness, it will not be with the comfort that our Constitution alone was enough to prevent us from spending this long season in hell.

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