



Written by [Thomas R. Eddlem](#) on January 17, 2011

George Will, “Congressional Supremacy,” and “American Exceptionalism”

Every once in a while, America’s establishment columnists treat their readers to a surprisingly helpful bit of writing. Such was the case with George Will’s January 16 column for Washington Post.

Will [wrote](#) that the new Congress has an opportunity — and perhaps an inclination — to begin “reviving the rule of law, reasserting the relevance of the Constitution and affirming the reality of American exceptionalism.” Will [claims](#) that a big part of that return to the Constitution must begin with an effort to tame the executive branch, which many in the modern [neo-conservative movement have deified](#): “Congress is being derogated and marginalized by two developments. One is the apotheosis of the presidency as the mainspring of the government and the custodian of the nation’s soul. The second is the growing autonomy of the regulatory state, an apparatus responsive to presidents.”



A wariness of executive branch domination of government goes back to the Founding Fathers. “In republican government,” James Madison [wrote](#) in Federalist #51, “the legislative authority necessarily predominates.” Indeed, most of the powers granted to the federal government are granted to the legislative branch. Congress has both the power of the purse (to raise taxes and spend all money), and the power of the sword (to declare war and make rules for regulation of the armed forces). But since at least the 1930s, the executive branch has increasingly dominated the federal government.

Will almost sounds like Congressman Ron Paul in his blanket condemnation of executive branch regulatory rule-making and (by implication) manipulation of congressional war powers. Will [stresses](#) that the conservative movement’s roots are based in deep suspicion of the executive branch:

Conservative senators passing through the Capitol reception room should ponder the portrait of Ohio’s Robert Taft (d. 1953), who was conservatism when it stressed congressional supremacy. America was born in recoil against an overbearing executive’s “repeated injuries and usurpations” (the Declaration of Independence); modern conservatism was born in reaction against executive aggrandizement, first by Franklin Roosevelt, then by his acolyte Lyndon Johnson. But beginning in 1968, Republicans won five of six and then seven of 10 presidential elections, and experienced rapture with Ronald Reagan. Then they lost their wholesome wariness of executive power.

And at that point, many conservatives became “neo-conservatives,” worshipping at the feet



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of Republican Presidents who exercised many of the same unconstitutional powers that previous Democratic Presidents had exercised for decades.

The only problem with Will's column is the way it could be perceived with his reference to "American exceptionalism." When many speak and write of American exceptionalism, they refer to America's 20th century military interventions abroad as the world's only superpower. This is especially the case with neo-conservatism, which deifies the commander-in-chief possessing powers "[without limit](#)" and America's military personnel as expendable assets that can be employed to attack to countries that have never threatened the United States in order to bring them "freedom."

Thankfully, Will does not use the term in such a context. Will [writes](#) that: "The idea of American exceptionalism is obnoxious to progressives, who, evidently unaware of the idea's long pedigree (it traces to Alexis de Tocqueville) and the rich scholarship concerning the idea, assume it is a crude strain of patriotism. America, Tocqueville said, is unique because it was born free – free of a feudal past, free from an entrenched aristocracy and established religion." What makes America an "exceptional" nation, Will argues, is its emphasis on limited government with only a few carefully enumerated powers and a long list of powers prohibited to the government. Neo-conservatives, like progressives, would find such ideas "obnoxious."

Will rightly [concludes](#) that "The American Revolution was a political, not a social, revolution; it was about emancipating individuals for the pursuit of happiness, not about the state allocating wealth and opportunity. Hence our exceptional Constitution, which says not what government must do for Americans but what it cannot do to them."

Even when the U.S. Constitution goes through the process of enumerating the approximately 25 different powers that the federal government will possess, beyond which it is not supposed to transgress, the essence of the document is what powers are being prohibiting to the government. Just in case, the Constitution lists a larger number of powers that the federal government must never wield in [Article I, Section 9](#) of the U.S. Constitution and the [Bill of Rights](#).

Photo: Columnist and pundit George Will is interviewed in this office in the Georgetown section of Washington on, April 22, 2008.: AP Images



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