

## The Self-Neutered Congress

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Last week, the Senate Judiciary Committee again demonstrated why Congress's approval ratings bob about in our toilet bowls. Amid the spectacle of Judge Brett Kavanaugh's confirmation hearings, one senator spoke not about judicial philosophy, but political reality.

"What's the hysteria coming from?" asked Sen. Ben Sasse (R-Neb.), noting the circus-like atmosphere. His answer? The Supreme Court "is increasingly a substitute political battleground," because "the Congress has decided to self-neuter."

Blunt assessment.

"More and more legislative authority is delegated to the executive branch every year. Both parties do it," explained the senator.

"In our system, the legislative branch is supposed to be the center of our politics," Sasse argued, adding dejectedly, "It's not."

Why not?

"What we mostly do around this body is not pass laws," he offered. "What we mostly do is decide to



give permission to the secretary or administrator of bureaucracy X, Y, or Z to make law-like regulations."

"More and more legislative authority is delegated to the executive branch every year. Both parties do it," explained the senator. "The legislature is impotent, the legislature is weak, and most people here want their jobs more than they really want to do legislative work . . ."

Sasse continued, "The real reason, at the end of the day, that this institution punts most of its power to executive branch agencies is because it's a convenient way for legislators to be able to avoid taking responsibility for controversial and often unpopular decisions."

Better to blame the bureaucracy.

"If your biggest long-term thought around here is about your own incumbency," he said dismissively, "then actually giving your power away is a pretty good strategy."

But "when Congress neuters itself," warns the Cornhusker State solon, "it means the people are cut out of the process."

A powerful case for term limits.

This is Common Sense. I'm Paul Jacob.