An American Dilemma

Americans have come to depend on big government, but they aren't happy about it. We can't live with the federal leviathan, it seems—yet we can't live without it. It is a predicament with a history—and a way out.

by R. Shep Melnick

Like New England weather, American politics during the 1990s has been subject to abrupt and drastic changes. In early 1992, Republican president George Bush seemed a shoe-in for re-election, Democrats were in firm control of Congress, and pundits were sure that the era of divided government was here to stay. But just a year later, Bill Clinton was sitting in the White House and the ascendant Democrats, now in control of both the presidency and the Congress, were promising a new era of activist government. Yet it didn't happen. In 1994, after the health care debacle, the Republicans captured both houses of Congress for the first time in more than 40 years, vowing to roll back federal entitlements and regulatory programs. "The era of big government is over," Clinton famously conceded in 1996. But later that year, it was the conservative Republicans who were in retreat, their majority whittled away as Clinton, promising to protect Medicare, Medicaid, education, and the environment from Republican "extremists," easily won re-election. Who will control Congress and the White House after the 2000 elections is anybody's guess.

These frenetic ideological changes in the political atmosphere do not simply reflect the fluctuating fortunes (or the follies) of individual political leaders, nor are they just the results of the long-standing practice of throwing the rascals out. They have occurred too frequently to be taken for the "cycles of history" in which liberalism and conservatism alternately lay claim to the public's favor. They suggest instead that basic contradictions in the American view of government, after gathering force for a century, are finally coming to a head.

Americans spent much of the 20th

Political Descent '96, *by Edward Sorel*

century expanding the reach and powers of the federal government. Yet at the same time, the practices and institutions that connect citizens to the public realm—from locally based political parties to regional loyalties—were steadily being undercut. No lasting public philosophy arose to provide a coherent explanation of government's new role. Today, as a result, we have a political discourse that fails to acknowledge one of the central realities of our political life: "big government," Bill Clinton notwithstanding, is here to stay.

Clinton's sound bite is only the most dramatic manifestation of a widespread

inability (or unwillingness) to come to terms with the permanence of the national welfare and regulatory state. Liberals are forever warning that it is about to be dismantled by devious corporate interests, closet racists bent on eliminating civil rights laws, or religious zealots. Conservatives are forever lamenting that "big government" has been foisted upon an unsuspecting public by wily politicians, unaccountable judges, or a secularized elite—and calling for the public to revolt.

Americans en masse are no more satisfied. During the 1950s and early 1960s, about three-fourths of the public believed "you can trust government in Washington to do what is right." Today, only about one-fourth expresses such confidence. But this distrust of "big government" is not based on hostility to identifiable government activities. By large margins, Americans support major regulatory and entitlement programs. Indeed, they frequently demand *more* services, benefits, and protections. Though loathing bureaucracy in the abstract, they report favorable opinions of agencies with which they have had contact. Americans, it seems, can't live with big government—and can't live without it. So the voters alternately box the ears of those who defend it and of those who promise to shrink it, with the only rule being that the party that appears most in control of the government takes the biggest beating.

The disjunction between Americans' expansive expectations of government and their low opinion of politics is not just the product of flawed rhetoric. Its origins go back to the turn of the century, when Progressive reformers sought to construct a strong national government to counter the power of the emerging large corporations and to improve the welfare of the average citizen. Aided by two world wars and a prolonged depression, Progressive and New Deal reformers were remarkably successful not only in expanding the responsibilities of government but in destroying the turn-of-the-century political institutions they despised. Determined to rid politics of corruption and parochialism, and to make it more open, more principled, more rational, and more nationally uniform, these reformers attacked and weakened political parties and local government, precisely the two main institutions that linked average Americans with their government. Consequently, as Americans became more dependent on government, they became more detached from politics. They came to fear that they had little influence over the government that had so much sway over them.

At the beginning of the 20th century, control over most programs affecting the lives of Americans still lay with state and local governments. It was nearly as it had been a century before, when, as political scientist James Sterling Young writes, "almost all the things that republican governments do which affect the everyday lives and fortunes of their citizens, and therefore engage their interest, were . . . *not* done by the national government." By the late 19th century, the federal government had grown somewhat, but almost all its employees worked in the Post Office Department, the Department of Agriculture, or the notoriously corrupt Pension Office, which aided Civil War veterans. Until the 1890s, even immigration policy remained in the hands of the states, despite the fact that the Constitution explicitly assigns control over citizenship and naturalization to the federal govern-

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ment. In the first three decades of the 20th century (except during World War I), the federal budget consumed less than three percent of the gross national product—a figure that has since grown to about 25 percent. Even in those cases where the federal government did act, its policies usually reflected local pressures and demands.

This decentralization of governmental powers rested not only on a deeply embedded constitutional vision but on a political foundation defined by intense sectional loyalties and marked social and economic differences among regions. Most distinctive was the South, with its racial caste system, backward economy, and peculiar politics. The West stood out too, being sparsely populated, largely without water, and dependent on extractive industries such as mining and, to an extraordinary extent, the use of federal lands. These strong regional differences in interest and outlook were reflected and reinforced by the local political parties and, through them, shaped national politics.

A variety of social, economic, and political changes—everything from world war to the invention of air conditioning—slowly smoothed away many of the sectional idiosyncrasies. Intermittent crises produced policy "breakthroughs," such as the regulation of the railroads and the trusts in the late 19th century, the passage of the Social Security and Wagner acts in 1935, the creation of a permanent military establishment after World War II, and the enactment of civil rights legislation in the mid-1960s. Each of these initiatives was hotly contested. But each expansion of federal authority made the next a little easier. Eventually the ruling presumptions about government were reversed. Today, the discovery of new social problems, from AIDS to teen smoking, inevitably leads to demands for governmental solutions. And—just as important—national uniformity has became the norm. It is regional variation that now requires special justification.

In retrospect, the long congressional debate over the 1964 Civil Rights Act—which banned racial discrimination in schools, employment, and public accommodations—was the death knell for the old regime of limited and decentralized government. In 1964 and 1965—without depression, war, partisan realignment, or an immediate crisis of any sort—Congress enacted the Voting Rights Act, Medicare, Medicaid, the Economic Opportunity Act, the Elementary and Secondary Education Act, and immigration reform. The next 10 years brought the "reconstruction" of southern education; rapid expansion of health, safety, consumer, and environmental regulation; and new national programs to aid the elderly, the poor, and the disabled. During the 1970s and 1980s, federal aid to the states shrank, but federal mandates multiplied. Washington was in the driver's seat.

Even as the federal government was becoming a pervasive presence in American life, political parties—one of the chief links between citizens and government—were losing their vitality. For more than a century, the party system stood as a bulwark against the centralization of authority, blocking all efforts to build an effective national administrative apparatus or to end institutionalized racism in the South. National parties were little more than large agglomerations of state and local parties that mostly tended to matters at home and came together only quadrennially to choose a presidential candidate.

That started to change toward the end of the 19th century, when reformers wittingly and unwittingly planted the seeds of party decline. Primaries and open caucuses limited party leaders' control over nominations. The Australian ballot (which replaced the old one-party paper ballots that encouraged party-line voting), stiffer registration requirements, direct election of senators, referendums and initiatives, limitations on patronage,

and nonpartisan municipal elections all helped to deprive state and local party organizations of power and purpose. Later, rising education levels and new forms of political communication, from direct mail to TV ads, sped the breakdown, weakening voters' ties to parties and parties' links to elected officials. In escaping the corruption, parochialism, patronage, and inefficiency of traditional party politics, the country also lost its most reliable instrument for developing stable political loyalties and building governing majorities.

In a few respects, the *national* parties have become stronger than ever. The national Democratic Party, starting in the 1960s, became more aggressive in specifying the rules states must follow for selecting delegates to national nominating conventions. The Republican National Committee has been quite successful in fundraising, recruiting candidates for Congress and state legislatures, and defining conservative issues.

In Congress, party unity has increased significantly over the past two decades despite the erosion of partisan ties among the electorate. On Capitol Hill, the ideological gulf between the two parties has widened. The tendency toward the nationalization of politics and the ideological polarization of the two parties reached its apogee in the 1994 elections, when the Republicans (ostensibly the party of decentralization) mounted a national congressional campaign on the basis of a specific platform, the Contract with America. Thirty-four Democratic incumbents were swept from office and House Republicans gained a 231–203 majority. Under Speaker Newt Gingrich of Georgia, partisanship in the House intensified. In 1995, two-thirds of all roll call votes in the House pitted the majority of one party against the majority of the other—a 40-year high.

The new congressional partisanship owes much to the breakdown of the old regional party loyalties. Much of the South has moved into the Republican column, depriving the Democratic Party of a conservative internal counterweight and tilting the GOP rightward.

The resulting increase in ideological coherence in Washington has further discredited the parties in the eyes of the voters. Whether out of moderation, indecision, or a stubborn desire to have their cake and eat it too, most American voters have refused to endorse either party's program. Instead, they alternate between decrying politicians' lack of principle and condemning their excessive zeal for principle. The nationalization of American politics thus has paradoxically produced ideologically polarized parties without an ideologically polarized or partisan electorate.

Earlier in the century, when Progressives and New Dealers envisioned and built a strong national government, they, of course, did not intend to produce an alienated citizenry. On the contrary, they wanted—by means of presidential leadership and a more collectivist public philosophy—to bring the people closer to the government.

They looked to the president, along with nonpartisan administration by "experts," to give unity, energy, and direction to the country. The president, exercising moral leadership from the "bully pulpit," would forge direct ties with voters, giving them both a political voice and a sense of attachment to their government. Drawing strength from the people, the president would be able to subdue the inevitably parochial Congress and the reactionary judiciary.

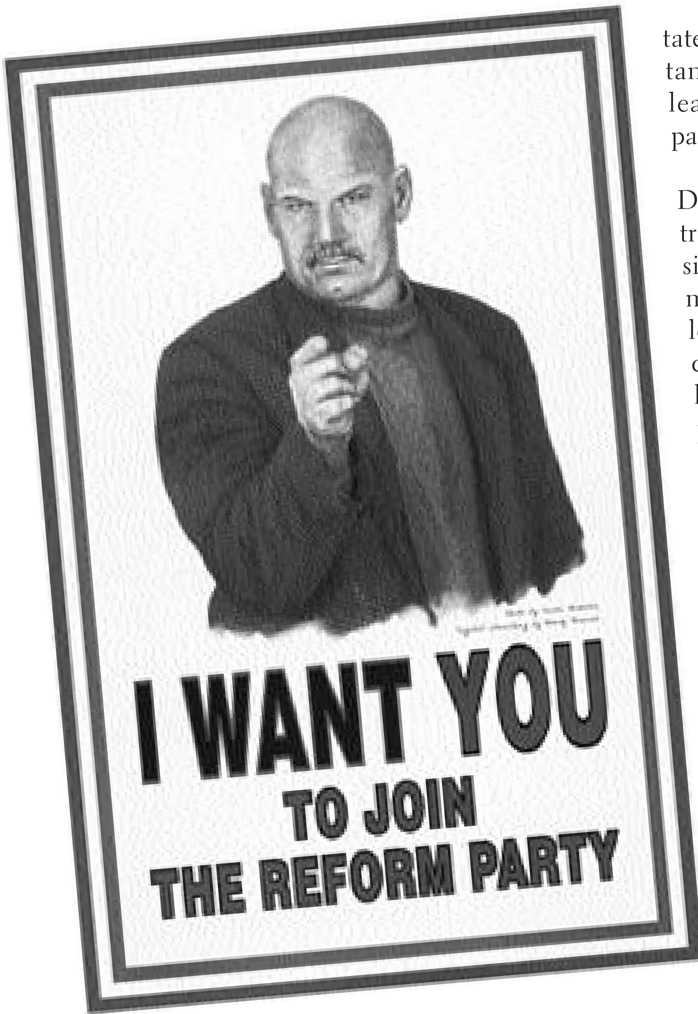
Strong, determined presidents (especially Franklin Roosevelt and Lyndon Johnson) certainly played a key role in the expansion of federal power. But since the election of Richard Nixon in 1968, latter-day progressives have regarded the presidency more with trepidation than with hope. The expansion of entitlements, social regulation, and civil

rights has come, for the most part, from Congress and the federal courts, not the executive branch. The Warren and Burger courts increased federal control over state and local governments, establishing uniform national rules on such matters as criminal procedures, electoral participation, desegregation, welfare eligibility, abortion, and conditions within state prisons, mental hospitals, and other institutions.

In the 1970s, the Democratic Congress reasserted its authority and created a plethora of regulatory and spending programs opposed by Republican presidents. Instead of growing more autonomous, most federal agencies have become subject to increasing demands, constraints, and oversight by congressional subcommittees and federal courts. Thus, remarkably, the growth of federal responsibilities in recent decades has coincided with a *dispersal* of power at the national level.

Not only has the presidency lost power to the Congress and the judiciary, but the whole political system has become more fragmented and individualistic—far from the smoothly functioning unit the Progressives imagined. If partisanship was the organizing principle of politics at the last turn of the century, individual policy entrepreneurship is the touchstone of politics on the verge of the 21st century. Congress decentralized its own governance in the 1970s, and today, in sharp contrast to the New Deal era, individual senators and House members frequently cultivate constituencies outside their home states or districts and seek to influence national policy and

Municipal corruption under party bosses such as William Tweed stirred public outrage and led to reforms that weakened political parties.



Wrestler-turned-governor Jesse Ventura is now seeking a Reform Party presidential candidate to rally the disenchanted.

gain national recognition. Today's politicians, for the most part, do not advance by deferring to authority or working their way up the organization, as in the days of the party machine. Though some candidates may be recruited to run by the national party, the more common course is for candidates for public office to select themselves, as well as to define themselves, market themselves, and create their own campaign organizations and even their own think tanks. Occasionally, as during 1994–95, these independent contractors find advantage in uniting behind a leader who shares their policy preferences. But whenever ideology or electoral considerations dictate, they do not hesitate to distance themselves from such leaders—as Newt Gingrich painfully learned.

The Progressives and New Dealers hoped to supplant the traditional American emphasis on individual rights with a more collectivist public philosophy. Yet over the past quarter-century, Americans have become even more prone to "rights talk." The traditional understanding of individual rights as limitations on government authority has been amended to include positive rights to an array of government entitlements and protections. In his 1944 State of the Union address, FDR himself pointed the way. His "Second Bill of Rights" included "the right to earn enough to provide adequate food and clothing and recreation"; the right to "adequate medical care," "a decent home," and "a good education"; and "the right to adequate protection from the economic fears of old age, sickness, accident and unemployment." Each of those rights, Roosevelt noted, "must be applied to all our citizens, irrespective of race, creed, or color."

More than a half-century later, the rights to an appropriate education, adequate nutrition, clean air, accessible public transportation, and a discrimination-free workplace are all firmly embedded in both statute and American political culture. And according to opinion surveys, most Americans today would also include health care and adequate provision for retirement as basic rights of citizenship.

This new understanding of rights rep-

resents a tremendous change in outlook. Eighteenth-century liberalism promised security from civil war, anarchy, and arbitrary government action. Contemporary liberalism promises much more: security against the vagaries of the business cycle and other hazards created by dynamic capitalism, against the prejudices of private citizens and the consequences of three centuries of racism, against the impediments of congenital disability and inevitable old age, and against the consequences of poverty and of family decomposition. Whereas protecting traditional rights usually meant restraining the growth of government, the new understanding has required expansion of the public sector and extension of federal authority, subtly combining old institutional and rhetorical forms with new policy substance.

Although this redefinition of rights helped to reconcile the American liberal tradition with the welfare state, it also placed many of the most important public policies—notably Social Security, Medicare, and various anti-discrimination laws—above mere "politics." Such fundamental rights must be protected from the low machinations of politicians, from "politics as usual." Today's "rights talk" thus reveals both Americans' high expectations of government and their lack of confidence in politics.

Americans' pessimism about popular control of government should not obscure the fact that in many ways American institutions have become more open, democratic, and responsive. Long-standing barriers to political participation by African Americans have been eliminated. Party competition has at last come to the South. Today, most candidates are selected in open primaries rather than by a handful of party regulars. In many states, initiatives and referendums—legacies of the Progressive past—have become important forms of policymaking. At the national level, various new legal rules have given members of the public and advocacy groups more of a say in the proceedings of federal courts and agencies. Changes in campaign finance laws have made it easier for thousands of corporations, unions, and professional associations to participate in politics. While it is fashionable to decry the role of money in politics, recent experience confirms the observation that James Madison made more than 200 years ago: increasing the number of interests engaged in politics tends to decrease the influence of any one of them.

The mobilization of so many competing groups, along with the new individualism and entrepreneurship in politics, has helped to make American political life unusually contentious, unpredictable, and bitter. No one's electoral or budgetary base is as secure as it once was. Unable to achieve a clear electoral mandate, Republicans and Democrats, liberals and conservatives, frequently resort to scandalmongering, personal vilification, and endless investigation. In this, they are aided by advocacy groups that build their mailing lists by exaggerating the threats to the interests they represent.

Elected officials these days spend more time campaigning and fund-raising and less time legislating and getting to know one another. Consequently, they are less likely than in the past to develop personal loyalties or a sense of camaraderie. Political differences are no longer suspended for evening poker games, as they were routinely during the late Speaker Tip O'Neill's rise to power in Congress. For many politicians today, politics is now a "blood sport" to be fought with all available means, no matter how low or ludicrous. The incumbent member of Congress who dons the mantle of "outsider" and campaigns against "Washington" has become almost a stock figure of American politics.

In this overheated political environment, it is hardly surprising that most citizens take a skeptical view of their lead-

ers. They have little direct political experience against which to compare the pictures painted by hyperventilating combatants. Most Americans, as much as they claim to admire outspokenness and adherence to principle in their representatives, are uncomfortable with the inevitable contentiousness of politics. And when the contention turns poisonous, as is so often the case now, they are that much more uncomfortable.

Americans have long taken pride in cultivating a certain contempt for politics and in verbally cutting their leaders down to size. In the past, such disdain reinforced the nation's deep-seated commitment to limited government. Today, however, it is awkwardly paired with a deep-seated commitment to *energetic* government.

For nearly half a century, political scientists have offered a standard prescription for the popular disenchantment with politics: strengthen political parties and make them more "responsible," i.e. ideological. But to the extent national parties have become more influential and more ideologically consistent in recent years, disenchantment has only *increased*. Clearly, this route to reform has reached a dead end.

More than 150 years ago, Alexis de Tocqueville emphasized the close link between American decentralization on the one hand and Americans' high levels of political participation and sense of civic efficacy on the other:

> It is difficult to force a man out of himself and get him to take an interest in the affairs of the whole state, for he has little understanding of the way in which the fate of the state can influence his own lot. But if it is a question of taking a road past his property, he sees at once that this small public matter has a bearing on his greatest private interests, and there is no need to point out to him the close connection between his private profit and the general interest. . . . Local liberties, then, which induce a great number of citizens to value the affection of their kindred and neighbors, bring men constantly into contact, despite the instincts which separate them, and force them to help one another.

Not only is it easier to unite to fight city hall than to change policy inside the Beltway, it is also easier to sustain local organizations when they experience inevitable political setbacks.

Liberals, of course, fear that decentralization is merely a Trojan Horse for delivering a smaller, leaner, and meaner public sector. They can point to many instances in which congressional Republicans have preferred free markets to local control and have cast aside their alleged attachment to federalism in order to "get tough" on a nationwide basis with criminals, deadbeat dads, and doctors performing abortions.

The fact that conservatives are often fair-weather federalists should remind liberals that state and local governments are not their enemies. Volumes of research show that public education performs best when it is most decentralized. In recent years, state and local governments have often been more aggressive than the federal government in support of environmental protection and affirmative action. African Americans wield more power at the local level than they do in Congress. In short, liberals have less to fear from decentralization than they realize.

Americans do not trust "big government," but they do not want to relinquish the benefits, services, and protections that government provides. One way to cope with this dilemma is to bring the providers of those benefits, services, and protections closer to the people who receive them. This would be a peculiarly American solution to our peculiarly American dilemma.