

It's Even Worse Than It Looks

By Thomas E. Mann & Norman J. Ornstein – 2012

There are two overriding sources of Congressional dysfunction in today's political system:

1. A serious mismatch between the two political parties, which have become as vehemently adversarial as parliamentary parties; with a governing system that, unlike a parliamentary democracy, makes it extremely difficult for majorities to act.
2. One of the two major parties, the Republican Party, has become an insurgent outlier – ideologically extreme – contemptuous of the inherited social and economic policy regime; scornful of compromise; unpersuaded by conventional understanding of facts, evidence, and science; and dismissive of the legitimacy of its political opposition. When one party moves this far from the center of American politics, it is extremely difficult to enact policies responsive to the country's most pressing challenges.

Part 1 – The Problem

The new politics of hostage taking: If the minority Republicans can't determine the rules, they can take hostage of situations – the U.S. debt limit – to advance their agenda, regardless of the long-term consequences for the entire country. A key to this strategy is the new generation of Republican leaders in the House (some of whom have gone on to serve in the Senate). Their ascendancy began in the 1978 election with incoming freshmen Newt Gingrich and Dick Cheney and culminated with the rise to power of Eric Cantor. Mitch McConnell's comment that, "...some of our members may have thought the default issue was a hostage you might take a chance on shooting...it's certainly a hostage worth ransoming" pretty much sums up the Republican approach to the debt crisis of 2011.

Current levels of **party polarization** began with fissures in the Democratic Party's New Deal coalition, the rise of the 60's counterculture, opposition to the war in Vietnam, and the 1965 Voting Rights Act. With the emergence of Ronald Reagan and California's tax-limiting Proposition in 1978, the Republican Party coalesced on a more distinctive economic platform. Redistricting coalitions that developed between Republicans and African Americans eager to increase their numbers in Congress resulted in gerrymandering districts to make them 'safe' for each constituency. These factors alone accounted for most of the increased ideological polarization between the parties in Congress.

The **polarization was asymmetric**, in that the Republican Party's center of gravity shifted sharply to the right, helped by the recruitment of the religious right (Roe v Wade) and libertarian extremists. The Republican Party was becoming less like a traditional political party and more like an apocalyptic cult, or one of the intensely ideological authoritarian parties of 20th century Europe. One simple indicator of this is that more than 70% of Republicans identify themselves as conservative or very conservative, while only 40% of Democrats call themselves liberal or very liberal. When Democrats are in the majority, their greater ideological diversity induces the party to negotiate within its ranks, whereas the Republicans are judged by their level of purity to a conservative extreme.

New media has exacerbated the situation with a policy of false equivalency – each side is given equal weight, without regard for actual facts on the ground or appreciation for scientific findings. Also, the plethora of channels, websites, and other information options has fragmented audiences and radically changed media business models – people can now concentrate their information gathering to very narrow sources that conform to their own personal biases. The rise of mass e-mail has meant that facts and a broad view of a situation can be completely disregarded in favor of propaganda and inflammatory rhetoric – no matter how discredited.

Money has long played a problematic role in American democracy, but the emergence of vast sums of unregulated and totally opaque monies and the ongoing expense of remaining in office have left the Congress more and more in the grip of those who can pay. Citizens United simply reaffirmed what was already a growing problem in

the country and brought the Supreme Court into the fight to remove any regulation of campaign finance, built up over the last century.

“The combination of old trends, new technologies, new players, and a coarsened political culture has passed a critical point, leading to something far more troubling than we have ever seen.

Holds and Filibusters: The House is built around collective action, with rules to expedite it, where the Senate is built around individual actors, often requiring unanimous consent. The use of holds and filibusters has reached a level of use where it is the rule, rather than the rare exception and this situation has seriously hampered the Senate’s ability to get anything done. The use of these rules to block executive and judicial appointments is another ‘modern development’ that has made it difficult for the government to function. To this is added the blocking of appointments to frustrate legitimate implementation of laws on the books and you get a system intent on destroying itself – an apparent goal of some members of Congress.

Part 2 – What to Do About It

Things to avoid:

Third Party to the Rescue: 90% of voters identify or lean to one of the two major parties there is no reliable evidence to support the belief that voters would flock to a straight-talking, centrist, independent, or third-party candidate. Another flaw is our lack of acknowledgement of the asymmetry of the two parties, where one party is against anything the other party is for, regardless of past policies or the long term good of the country. With a third-party candidate a plurality, not a majority, of voters would determine the identity of the next president – or the House would elect a president with each state having a single vote (a receipt for disaster).

A Constitutional amendment to balance the budget: Huge cuts in federal spending and/or increases in taxes would be required immediately following ratification. Since a super-majority is required for any tax increase, only spending cuts would be on the table (*see the 2013 sequester for a very small example of what would happen – this occurred after this book was published*). The amendment would not end or reduce the dysfunction, but would diminish the Constitution and render the country less capable of effective self-governance.

Term Limits: Congress has just experienced three successive elections that brought many new faces to Washington and twice shifted party control. If anything, this experience has reinforced partisan polarization in Congress. Term limits at the state level have not produced any new results, nor have they reduced the graft and corruption. What they have done is incentivize legislator to plan for the day they leave from the day they take office.

Full public financing of elections: Ideology motivated much of the money deployed in campaigns and money is not responsible for the mismatch between parliamentary-like political parties and the governing institutions in which they contest for power and policy. Second, restricting the flow of private money in politics has proven devilishly difficult, and the actions of the Supreme Court and the FCC have made it virtually impossible.

The extreme and asymmetric partisan polarization that has evolved over several decades, initially reflecting increasing ideological differences but then extending to advance strategic electoral interests, fits uneasily with a set of governing institutions that puts up substantial barriers to majority rule.

Fixing the party system:

Expanding the vote: We need more of our citizens to vote to be able to get representative members into Congress...

- Modernize voter registration through an automated registration system online, harness the private sector to help create more up-to-date voter lists, use computer technology to allow voters to vote more easily, and nationally implemented election-day registration.
- Fight efforts to restrict voting through mandating people must be able to obtain any required ID for free, allow civil rights groups and the minority voters they represent to ‘opt in’ to the Voting Rights Act, require polling places accept valid student IDs on equal terms with any government-issued ID, reward states that adopt best voting practices, create a separate federal ballot using a nationally acceptable format

The problem here is the above mentioned polarization of the political parties, resulting in Republican obstruction for any voting reforms – not stated by the authors.

Moving election day:

Tuesday was adopted for a rural America in 1845 and should be changed to a weekend or a 24hr period from noon Saturday to noon Sunday.

Making voting mandatory:

In Australia, registered voters who do not show up at the polls have to either provide a reason for not voting or pay a modest fine, the equivalent of about \$15 and the fine increases with subsequent offenses – people do have the option to cast a ballot for “none of the above”.

Diversify the constituencies of candidates seeking election:

Redistricting reform by nonpartisan boundary commissions to redraw lines is used by most countries with single-member districts. Redistricting would most likely not create widespread change – much like the Senate, where there is no redistricting.

Changing to open primaries:

The closed primary allows for the dominance of extreme politics in choosing representatives; thus the choice becomes one of extremes and the middle is not represented.

Establishing alternatives to winner-take-all:

The U.S. electoral system is dominated by winner-take-all rules, favoring a two-party system and insuring vast areas of one-party dominance. There are a number of options available to implement as system more representative of all the people.

Funding campaigns:

Disclosure of political funds should be universal. Requiring disclosure laws for all political ads appearing on public media.

We could try to **reform the U.S. political institutions:**

- We could bring our political institutions more in line with parliamentary-style parties – admitting that our polarized political process reflects how we wish to operate.
- We could shift more of the decision-making process from the Congress to the executive branch – following the model of the Federal Reserve to maintain a more independent decision making process.
- We could restore majority rule in the Senate
- We could limit filibusters to one per bill or put the burden of continuing the filibuster on the minority, not asking the majority to have to end the process.
- We could eliminate extraneous delays by limiting the time motions must be considered before reconsideration
- We could reduce the number of Senate-confirmable executive positions.

Navigating the Current System:

Restore public shame: people need to speak out and denounce those who profit from bombast and lies and those communication organs that give them airtime and print space.

Re-create a public square: While the modern business model promotes partisan politics in our communication organs, it is still possible to support a more open public sphere, perhaps through requiring broadcasters to pay into a public fund – rather than supporting public interest obligations.

Conclusion:

Very little new information has been presented in this book and its main worth would seem to be the fact that the information is gathered into a relatively small volume. Solutions either are geared to the ‘better half’ of human nature or run against the grain of ideological fervor currently rampant in a minority of the citizenry. The last chapter, Navigating the Current System, is a series of ‘feel good’ bromides that have to occur for any society to function effectively. They don’t really address what we can do now and leave the reader feeling more depressed than when they started the book. Perhaps that is the reason the authors titled the book “It’s Even Worse Than It Looks.”