CHAPTER

22

Who Governs? To What Ends?

Like most Americans, you probably worry about some social problems. These might include abortion, crime, drug abuse, civil rights, gun control, homelessness, or school quality. Maybe you have argued about these matters with your friends, discussing what Washington should do about these things. While you argue, remember this: until about a half-century ago, when our parents were alive, all of this talk would have been nonsense. None of these things were matters that people believed the federal government could or should do anything about.

★ Restraints on the Growth of Government

When Dwight Eisenhower was president, none of these issues except civil rights was even thought to be a matter for federal policy, and on civil rights Congress didn't do very much. Our national political agenda was very short. During the Eisenhower administration we decided to build an interstate highway system, admit Alaska and Hawaii into the union, and fight over the power of labor unions. For *eight years* these were about the only major domestic political issues. The rest of the time Washington worried about foreign affairs.

This was about what the Founders had expected, though many of them would have objected to some things that were done in the Eisenhower administration. Some would have thought Washington shouldn't build any highways because the Constitution did not authorize Congress to make laws about such matters. The federal government, in their view, should limit itself to war, peace, interstate commerce, establishing a national currency, and delivering the mail. And for a long time, the prevailing interpretation of the Constitution sharply limited what policies the federal government could adopt. The Supreme Court restricted the authority of the government to regulate business and prevented it from levying an income tax. Most important, the Supreme Court refused, with some exceptions, to allow the delegation of broad discretionary power to administrative agencies.

The Supreme Court could not have maintained this position for as long as it did if it had acted in the teeth of popular opposition. But popular opinion was also against the growth of government. It was not thought legitimate for the federal government to intervene deeply in the economy (even the American Federation of Labor, led by Samuel Gompers, resisted federal involvement in labor-management issues). It was certainly not thought proper for Washington to upset racial segregation as it was practiced in both the North and the South. It took constitutional amendments to persuade Congress that it had the authority to levy an income tax or to prohibit the sale of alcoholic beverages. Even in the 1930s public opinion polls showed that as many as half the voters were skeptical of a federal unemployment compensation program.

That was the Old System. Today, under the New System, federal politics is not about some small list of problems thought to be truly national; it is about practically everything. It is almost impossible to think of a problem about which Washington has no policy at all or around which it does not carry on intense debates. Listen to radio talk shows and they will be about why Washington has a good or bad policy about almost every issue you can imagine.

What is puzzling about this change from the Old System to the New System is that the Constitution is filled with arrangements designed to make it hard, not easy, for the federal government to act. The separation of powers permits the president, Congress, and the courts to check one another; federalism guarantees that states will have an important role to play; and the division of legislative authority between the House and the Senate ensures that each body will be inclined to block the other. To get a new law passed, you have to please a large number of political actors; to get a new one blocked, you only have to convince one congressional committee.

That system made the national government relatively unimportant for many decades. Until well into the twentieth century, governors and mayors were more important than the president. Most members of Congress did not serve more than one or two terms in Washington; there didn't seem to be much point in becoming a career legislator because Congress didn't do much, didn't pay much, and wasn't in session for very long.

★ Relaxing the Restraints

As we have said, the constraints on federal action have now weakened or disappeared altogether. First, the courts have altered their interpretation of the Constitution in ways that have not only permitted but sometimes even required government action. The Bill of Rights has been extended so that almost all its important provisions are now regarded as applying to the states (by having been incorporated into the due process clause of the Fourteenth Amendment). This means that a citizen can use the federal courts to alter state policy to a greater degree than ever before. (Overturning state laws that ban abortions or require racially separate schools are two important examples of this change.) The special protection that the courts once granted property rights has been substantially reduced so that business can be regulated to a greater degree than previously. The Court has permitted Congress to give broad discretionary powers to administrative agencies, allowing bureaucrats to make decisions that once only Congress could make.

Second, public opinion has changed in ways that support an expanded role for the federal government. The public demanded action to deal with the Great Depression (the programs that resulted, such as Social Security, survived in part because the Supreme Court changed its mind about the permissible scope of federal action). Political elites changed their minds faster than the average citizen. Well-educated, politically active people began demanding federal policies regarding civil rights, public welfare, environmental protection, consumer safety, and foreign aid well before the average citizen became concerned with such things.

Once in place, most of these programs proved popular, so their continuance was supported by mass as well as elite opinion. The cumulative effect of this process was to blur, if not erase altogether, the line that once defined what the government had the authority to do. At one time a new proposal was debated in terms of whether it was *legitimate* for the federal government to do it all. Federal aid to education, for example, was usually opposed because many people feared it would lead to federal control of local schools. But after so many programs (including federal aid to education) had been passed, people stopped arguing about whether a certain policy was legitimate and argued instead about whether it was *effective*.

Third, political resources have become more widely distributed. The number and variety of interest groups have increased enormously. The funds available from foundations for organizations pursuing specific causes have grown. It is now easier to get access to the federal courts than formerly was the case, and once in the courts the plaintiffs are more likely to encounter judges who believe that the law and the Constitution should be interpreted broadly to permit particular goals (for example, prison reform) to be attained by legal rather than legislative means. Hundreds of magazines, newsletters, and World Wide Web pages have arisen to provide policy information to specialized segments of opinion. The techniques of mass protest, linked to the desire of television to show visually interesting accounts of social conflict, have been perfected in ways that convey the beliefs of a few into the living rooms of millions.

Campaign-finance laws and court rulings have given legal status and constitutional protection to thousands of political-action committees (PACs) that raise and spend tens of millions of dollars from millions of small contributors. College education, once the privilege of a tiny minority, has become the common experience of millions of people, so that the effects of college—in encouraging political participation and in shaping political beliefs (usually in a liberal direction)—are now widely shared. The ability of candidates to win nomination for office no longer depends on their ability to curry favor with a few powerful bosses; it now reflects their skill at raising money, mobilizing friends and activists, cultivating a media image, and winning a primary election.

So great have been the changes in the politics of policy-making in this country starting in the 1930s that we can refer, with only slight exaggeration, to one policy-making system having been replaced by another (see box on page 578).

★ The Old System

The Old System had a small agenda. Though people voted at a high rate and often took part in torchlight parades and other mass political events, political leadership was professionalized in the sense that the leadership circle was small, access to it was difficult, and the activists in social movements were generally kept out. Only a few major issues were under discussion at any time. A member of Congress had a small staff (if any at all), dealt with his or her colleagues on a personal basis, deferred to the prestige of House and Senate leaders, and tended to become part of some stable coalition (the farm bloc, the labor bloc, the southern bloc) that persisted across many issues.

When someone proposed adding a new issue to the public agenda, a major debate often arose over whether it was legitimate for the federal government to take action at all on the matter. A dominant theme in this debate was the importance of "states' rights." Except in wartime, or during a very brief period when the nation expressed interest in acquiring colonies, the focus of policy debate was on domestic affairs. Members of Congress saw these domestic issues largely in terms of their effect on local constituencies. The presidency was small and somewhat personal; there was only a rudimentary White House staff. The president would cultivate the press, but there was a clear understanding that what he said in a press conference was never to be quoted directly.

Food products now contain health warnings, such as nuts in this package of cookies.

For the government to take bold action under this system, the nation usually had to be facing a crisis. War presented such crisis, and so the federal government during the Civil War and World Wars I and II acquired extraordinary powers to conscript soldiers, control industrial production, regulate the flow of information to citizens, and restrict the scope of personal liberty. Each succeeding crisis left the government bureaucracy somewhat larger than it had been before, but when the crisis ended, the exercise of extraordinary powers ended. Once again, the agenda of political issues became small, and legislators argued about whether it was legitimate for the government to enter some new policy area, such as civil rights or industrial regulation.

★ The New System

The New System began in the 1930s but did not take its present form until the 1970s. It is characterized by a large policy agenda, the end of the debate over the legitimacy of government action (except in the area of First Amendment freedoms), the diffusion and decentralization of power in Congress, and the multiplication of interest groups. The government has grown so large that it has a policy on almost every conceivable subject, and so the debate in Washington is less often about whether it is right and prudent to take some bold new step and more often about how

How American Politics Has Changed

Old System		New System
	Congress	
Chairmen relatively strong		Chairmen relatively weak
Small staffs		Large staffs
Few subcommittees		Many subcommittees
	Interest Groups	
A few large blocs (farmers, business, labor)		Many diverse interests that form ad hoc coalitions
Rely on "insider" lobbying		Mobilize grassroots
	Presidency	
Small staff		Large staff
Reaches public via press conferences		Reaches public via radio and television
	Courts	
Allow government to exercise few economic powers		Allow government to exercise broad economic power
Take narrow view of individual freedoms		Take broad view of individual freedoms
	Political Parties	
Dominated by state and local party leaders meeting in conventions		Dominated by activists chosen in primaries and caucuses
	Policy Agenda	
Brief		Long
	Key Question	
Should the federal government enter a new policy area?		How can we fix and pay for an existing policy?
	Key Issue	
Would a new federal program abridge states' rights?		Would a new federal program prove popular?

the government can best cope with the strains and problems that arise from implementing existing policies. As someone once said, the federal government is now more concerned with managing than with ruling.

For example, in 1935 Congress debated whether the nation should have a Social Security system at all; in the 1980s it debated whether the system could best be kept solvent by raising taxes or by cutting benefits; in 2004 and 2005 it debated whether some part of each person's Social Security payments could be invested in the stock market. In the 1960s Congress argued over whether there should be any federal civil rights laws at all; by the 1980s and 1990s it was arguing over whether those laws should be administered in a way that simply eliminated legal barriers to equal opportunity for racial minorities or in a way (by affirmative action) that made up for the disadvantages that burdened such minorities in the past. As late as the 1950s the president and Congress argued over whether it was right to adopt a new program if it meant that the government had to borrow money to

pay for it. As late as the 1960s many members of Congress believed the federal government had no business paying for the health care of its citizens; today hardly anyone argues against having Medicare but many worry about how best to control its rising cost.

The differences between the Old and New Systems should not be exaggerated. The Constitution still makes it easier for Congress to block the proposals of the president, or for some committee of Congress to defeat the preferences of the majority of Congress, than in almost any other democratic government. The system of checks and balances operates as before. The essential differences between the Old and the New Systems are these:

1. Under the Old System, the checks and balances made it difficult for the federal government to *start* a new program, and so the government remained relatively small. Under the New System, these checks and balances made it hard to *change* what the government is already doing, and so the government remains large.
2. Under the Old System, power was *somewhat centralized* in the hands of party and congressional leaders. There was still plenty of conflict, but the number of people who had to agree before something could be done was not large. Under the New System, power is much more *decentralized,* and so it is harder to resolve conflict because so many more people—party activists, interest group leaders, individual members of Congress, heads of government agencies—must agree.

The transition from the Old to the New System occurred chiefly during two periods in American politics. The first was in the early 1930s when a catastrophic depression led the government to explore new ways of helping the needy, regulating business, and preventing a recurrence of the disaster. Franklin Roosevelt's New Deal was the result. The huge majorities enjoyed by the Democrats in Congress, coupled with popular demands to solve the problem, led to a vast outpouring of new legislation and the creation of dozens of new government agencies. Though initially the Supreme Court struck down some of these measures as unconstitutional, a key member of the Court changed his mind and others retired from the bench; by the late 1930s the Court had virtually ceased opposing any economic legislation.

The second period was in the mid-1960s, a time of prosperity. There was no crisis akin to the Great Depression or World War II, but two events helped change the face of American politics. One was an intellectual and popular ferment that we now refer to as the spirit of "the sixties"—a militant civil rights movement, student activism on college campuses aimed at resisting the Vietnam War, growing concern about threats to the environment, the popular appeal of Ralph Nader and his consumer-protection movement, and an optimism among many political and intellectual leaders that the government could solve whatever problems it was willing to address. The other was the 1964 election that returned Lyndon Johnson to the presidency with a larger share of the popular vote than any other president in modern times. Johnson swept into office and with him, liberal Democratic majorities in both the House and Senate.

National prosperity grows at the same time that some companies, such as this auto manufacturer, are in trouble.

The combination of organized demands for new policies, elite optimism about the likely success of those policies, and extraordinary majorities in Congress meant that President Johnson was able, for a few years, to get almost any program he wanted enacted into law. So large were his majorities in Congress that the conservative coalition of Republicans and southern Democrats was no longer large enough to block action; northern Democratic liberals were sufficiently numerous in the House and Senate to take control of both bodies. And so, much of Johnson's "Great Society" legislation became law. This included the passage of Medicare (to help pay the medical bills of retired people) and Medicaid (to help pay the medical bills of people on welfare), greatly expanded federal aid to the states (to assist them in fighting crime, rebuilding

slums, and running transit systems), the enactment of major civil rights laws and of a program to provide federal aid to local schools, the creation of a "War on Poverty" that included various job-training and community-action agencies, and the enactment of a variety of laws regulating business for the purpose of reducing auto fatalities, improving the safety and health of industrial workers, cutting back on pollutants entering the atmosphere, and safeguarding consumers from harmful products.

These two periods—the early 1930s and the mid-1960s—changed the political landscape in America. Of the two, the latter was perhaps the more important, for not only did it witness the passage of so much unprecedented legislation, but also it saw major changes in the pattern of political leadership. It was during this time that the great majority of the members of the House of Representatives came to enjoy relatively secure seats, the primary elections came to supplant party conventions as the decisive means of selecting presidential candidates, interest groups increased greatly in number, and television began to play an important role in shaping the political agenda and perhaps influencing the kinds of candidates that are nominated.

★ Consequences of Activist Government

One way of describing the New System is to call it an "activist" government. It is tempting to make a sweeping judgment about such a government, either praising it because it serves a variety of popular needs or condemning it because it is a bureaucratic affliction. Such generalizations are not entirely empty, but neither are they very helpful. The worth of any given program, or of any collection of programs, can be assessed only by a careful consideration of its costs and benefits, of its effects and side effects. But we may discover some general political consequences of the enlarged scope of government activity.

First, as the government gets bigger, its members must spend more time managing the consequences—intended and unintended—of existing programs and less time debating at length new ideas. As a result, all parts of the government, not just the executive agencies, become more bureaucratized. The White House Office and the Office of Management and Budget (OMB) grow in size and influence, as do the staffs of Congress. At the same time, private organizations (corporations, unions, universities) that deal with the government must also become more bureaucratic. The government hires more people when it is running eighty programs concerned with employment than when it is running two. By the same token, a private employer will hire (and give power to) more people when it is complying with eighty sets of regulations than when it is complying with two.

Second, the more government does, the more it will appear to be acting in inconsistent, uncoordinated, and cumbersome ways. When people complain of red tape, bureaucracy, stalemates, and confusion, they often assume that these irritants are caused by incompetent or self-seeking public officials. There is incompetence and self-interest in government just as in every other part of society, but these character traits are not the chief cause of the problem. As citizens, we want many different and often conflicting things. The result is the rise of competing policies, the division of labor among separate administrative agencies, the diffusion of accountability and control, and the multiplication of paperwork. And because Americans are especially energetic about asserting their rights, we must add to the above list of problems the regular use of the courts to challenge policies that we do not like.

Third, an activist government is less susceptible to control by electoral activity than a passive one. When the people in Washington did little, elections made a larger difference in policy than when they began to do a lot. We have pointed out in this book the extent to which both political parties and voter turnout have declined. There are many reasons for this, but an important one is often forgotten. If elections make less of a difference—because the few people for whom one votes can do little to alter the ongoing programs of government—then it may make sense for people to spend less time on party or electoral activities and more on interest group activities aimed at specific agencies and programs.

The rapid increase in the number and variety of interest groups and their enlarged role in government are not pathological. They are a rational response to the fact that elected officials can tend to only a few things, and therefore we must direct our energies at the appointed officials (and judges) who tend to all other government matters. Every president tries to accomplish more, usually by trying to reorganize the executive branch. But no president and no reorganization plan can affect more than a tiny fraction of the

WHAT WOULD YOU DO?

MEMORANDUM

To: *President Daniel Gilbert*
From: *Fowler Brown, legislative liaison*
Subject: *Replacing Social Security*

You face a difficult decision. Despite past reforms, the program can no longer be funded without large tax increases. Here are the arguments for and against allowing workers to invest their taxes in private mutual funds.

Arguments for:

1. Workers pay 15 percent of their salary to Social Security, with no guarantee that they will get their money back when they retire.
2. There are only two workers for every retired person (in the 1930s, there were sixteen for every retiree). People must be encouraged to invest in their own retirement.
3. The federal government spends a quarter of its budget on Social Security, far more than it devotes to national defense.

Arguments against:

1. Workers will have no guarantee that the mutual funds in which they put their tax money will earn them enough.
2. We should raise taxes on all high-income workers to save Social Security.
3. Social Security is more important than national defense.

Your decision:

Approve _____ Oppose _____

Policies for the Future

January 2021 WASHINGTON D.C.

The president will make a major announcement about Social Security in his 2021 State of the Union message next week. The program, while popular, is running out of money . . .

millions of federal employees and thousands of government programs. "Coordination" from the top can at best occur selectively, for a few issues of exceptional importance.

Ronald Reagan learned this when he took office in 1981 after promising to reduce the size of government. He did persuade Congress to cut taxes, but his plans to cut domestic spending resulted in only small declines in some programs and actual increases in many others. Though some programs, such as public housing, were hard hit, most were not, and agricultural subsidies increased dramatically.

When George W. Bush became president in 2001, his philosophy was summarized by the phrase "compassionate conservatism," words that implied that, though he was a conservative, he was not much interested in simply cutting the size of the federal government. And while in office, he proposed programs that would increase spending on many programs. His actions suggest a fact; cutting down on what Washington does is virtually impossible because the people want so much of what it does.

Finally, the more government tries to do, the more things it will be held responsible for and the greater the risk of failure. From time to time in the nineteenth century, the business cycle made many people unhappy with the federal government—recall the rise of various protest parties—though then the government did very little. If federal officials were lucky, popular support would rise as soon as economic conditions improved. If they were unlucky and a depression lasted into the election campaign, they would be thrown out of office. Today, however, the government—and the president in particular—is held responsible for crime, drug abuse, abortion, civil rights, the environment, the elderly, the status of women, the decay of central cities, the price of gasoline, and international tensions in half a dozen places on the globe.

No government and no president can do well on all or even most of these matters most of the time. Indeed, most of these problems, such as crime, may be totally beyond the reach of the federal government, no matter what its policy. It should not be surprising, therefore, that opinion surveys taken since the early 1960s have shown a steep decline in public confidence in government. There is no reason to believe that this represents a loss of faith in our form of government or even in the design of its institutions, but it clearly reflects a disappointment in, and even cynicism about, the performance of government.

Disenchantment with government performance is not unique to the United States; it appears to be a feature of almost every political system in which public opinion is accurately measured. The disenchantment is in fact probably greater elsewhere. Americans who complain of high taxes might feel somewhat differently if they lived in Sweden, where taxes are nearly twice as high as here. Those who grouse about bureaucrats in this country probably have never dealt with the massive, centralized bureaucracies of Italy or France. People who are annoyed by congestion, pollution, and inflation ought to arrange a trip to Rome, Mexico City, or Tokyo. However frustrating private life and public affairs may be in this country, every year thousands living in other nations become immigrants to this country. Few Americans choose to emigrate to other places.

The enormous expansion of the scope and goals of the federal government has not been random or unguided. The government has tended to enlarge its powers more in some directions than in others; certain kinds of goals have been served more frequently than others. Though many factors shape this process of selection, two are of special importance. One is our constitutional structure, the other our political culture.

★ The Influence of Structure

To see the influence of structure, it is necessary to perform a mental experiment. Suppose that the Founders had adopted a centralized, parliamentary regime instead of a decentralized, congressional one. They had the British model right before their eyes. Every other European democracy adopted it. What difference would it have made had we followed the British example?

No one can be certain, of course, because the United States and Great Britain differ in many ways, and not just in their political forms. At best our mental experiment will be an educated guess. But the following possibilities seem plausible.

A parliamentary regime of the British sort centralizes power in the hands of an elected prime minister with a disciplined partisan majority in the legislature and frees him or her from most of the constraints created by independent congressional committees or independent, activist courts. Had the Framers adopted a parliamentary system, we might see these features in the political life of the United States today:

- *Quicker adoption of majoritarian policies, such as those in the area of social welfare*. Broad popular

desires would be translated sooner into national policy when they are highly salient and conform to the views of party leaders.

- *More centralization of bureaucratic authority—more national planning, less local autonomy*. More decisions would be made bureaucratically, both because bureaucracies would be proportionately larger and because they would have wider discretionary authority delegated to them. (If the prime minister heads *both* the executive branch and the legislature, he or she sees no reason why decisions cannot be made as easily in one place as the other.) Local authorities would not have been able to prevent groups of citizens (such as African Americans) from voting or otherwise participating in public life by maintaining segregated facilities at the local level.
- *Fewer opportunities for citizens to challenge or block government policies of which they disapprove*. Without independent and activist courts, without local centers (state and city) of autonomous power, U.S. citizens would have less of a chance to organize to stop a highway or an urban-renewal project, for example, and hence fewer citizen organizations with these and similar purposes would exist.
- *Greater executive control of government*. If a situation like Watergate occurred, we would never know about it. No legislative investigating committees would be sufficiently independent of executive control to be able to investigate claims of executive wrongdoing.
- *Similar foreign policy*. We probably would have fought in about the same number of wars and under pretty much the same circumstances.
- *Higher and more centralized taxation*. Taxes would be higher, and a larger share of our tax money would be collected at the national level. Thus we would find it harder to wage a "tax revolt" (since it is easier to block local spending decisions than national ones).

If this list of guesses is even approximately correct, it means that you would get more of some things that you want and less of others. In general it would have been easier for temporary majorities to govern and harder for individuals and groups to protect their interests.

The Founders would probably not be surprised at this list of differences. Though they could not have foreseen all the events and issues that would have led to these outcomes, they would have understood them, because they thought that they were creating a system designed to keep central power weak and to enhance local and citizen power. They would have been amazed, of course, at the extent to which central power has been enhanced and local power weakened in the United States, but if they visited Europe, they would learn that by comparison American politics remains far more sensitive to local concerns than does politics abroad.

★ The Influence of Ideas

The broadly shared political culture of Americans has also influenced the policies adopted by the U.S. government. Paramount among these attitudes is the preoccupation with rights. More than the citizens of perhaps any other nation, Americans define their relations with one another and with political authority in terms of rights. The civil liberties protected by the Bill of Rights have been assiduously defended and

Not only do interest groups promote government policies, such policies stimulate interest groups. The National Rifle Association had little interest in federal regulations until gun control became a big issue.

The "Rules" of Politics

Some "Rules" of Politics

Here are some generalizations about American politics, distilled from what has been said in this book, and offered in nervous awareness that our political system has a way of proving everybody wrong. (Before the 1960s it was a "rule" of politics that no Catholic could be elected president. John F. Kennedy took care of that.)

- Policies, once adopted, tend to persist whatever their value. (It is easier to start new programs than to end old ones.)
- Almost all electoral politics is local politics. (Members of Congress who forget "home base" tend not to remain in Congress for long.)
- Whatever the size of their staff and budget, Congress and the White House will always be overworked. (More resources produce more work, which requires more resources.)
- Each branch of government tends to emulate the others. (Congress will become more bureaucratized to cope with an executive branch that becomes more bureaucratized; judges will become more activist as Congress becomes more activist.)
- Proposals that seem to confer widespread and immediate benefits will be enacted whatever their long-term costs.
- Proposals that seem to confer delayed benefits will be enacted only if their costs are unknown, concealed, or deferred.
- Nobody—business people, bureaucrats, members of Congress, judges, professors—likes competition, and everybody will do whatever he or she can to reduce or eliminate it.
- "Planning" in government takes place after a crisis takes place.
- The mass media never cover a story about things that are going well. Thus the number of "problems" in society is a function of the number of reporters.
- If you want something, you are claiming a right; if your opponent wants something, he or she is protecting a vested interest.

their interpretation significantly broadened even while the power of government has been growing.

For example, we expect that the groups affected by any government program will have a right to play a role in shaping and administering that program. In consequence interest groups have proliferated. We think that citizens should have the right to select the nominees of political parties as well as to choose between the parties; hence primary elections have largely replaced party conventions in selecting candidates. Individual members of Congress assert their rights, and thus the power of congressional leaders and committee chairmen has steadily diminished. We probably use the courts more frequently than the citizens of any other nation to make or change public policy; in doing so, we are asserting one set of rights against a competing set. The procedural rules that set forth how government is to act—the Freedom of Information Act, the Privacy Act, the Administrative Procedure Act—are more complex and demanding than the rules under which any other democratic government must operate. Each rule exists because it embodies what somebody has claimed to be a right: the right to know information, to maintain one's privacy, to participate in making decisions, and to bring suit against rival parties.

The more vigorously we assert our rights, the harder it is to make government decisions or to manage large institutions. We recognize this when we grumble about red tape and bureaucratic confusion, but we rarely give much support to proposals to centralize authority or simplify decision-making. We seem to accept whatever it costs in efficiency or effectiveness in order to maintain the capacity for asserting our rights.

We do not always agree on which rights are most important, however. In addition to the influence of the widely shared commitment to rights generally, government is also shaped by the views that certain political elites have about which rights ought to be given the highest priority. Elite opinion tends to favor freedom of expression over freedom to manage or dispose of property. Mass opinion, though it has changed a good deal in the last few decades, is less committed to the preferred position of freedom of expression. Rank-and-file citizens often complain that what the elite calls essential liberty should instead be regarded as excessive permissiveness. People who own or manage property often lament the extent to which the rights governing its use have declined.

The changes in the relative security of personal and property freedom are linked to a fundamental and enduring tension in American thought.

Tocqueville said it best: Americans, he wrote, "are far more ardently and tenaciously attached to equality than to freedom." Though democratic communities have a "natural taste for freedom," that freedom is hard to preserve, because its excesses are immediate and obvious and its advantages are remote and uncertain. The advantages of equality, on the other hand, are readily apparent, and its costs are obscure and deferred.[1] For example, Americans believe in free speech, but most of us rarely take advantage of that right and notice the problem only when somebody says something we don't like. We have to remind ourselves that freedom has to be protected even when it does not help us directly. By contrast, we notice equality immediately, as when everybody of a certain age gets Social Security even when they are already rich. Equality makes us feel comfortable even if a few people don't need the benefits they are getting.

Tocqueville may have underestimated the extent to which political liberties would endure, because he did not foresee the determination of the courts to resist, in the long run if not the short, the passions of temporary majorities seeking to curtail such liberties. But he did not underestimate the extent to which in the economic and social realms Americans would decide that improving the conditions of life would justify restrictions on the right to dispose of property and to manage private institutions. At first the conflict was between liberty and equality of opportunity; more recently it has become a conflict—among political elites if not within the citizenry itself—between equality of opportunity and equality of results.

The fact that decisions can be influenced by opinions about rights indicates that decisions can be influenced by opinions generally. As the political system has become more fragmented and more individualized as a result of our collective assertion of rights, it has come more under the sway of ideas. When political parties were strong and congressional leadership was centralized (as in the latter part of the nineteenth and the early part of the twentieth centuries), gaining access to the decision-making process in Washington was difficult, and the number of new ideas that stood a chance of adoption was small. However, those proposals that could command leadership support were more easily adopted: though there were powerful organizations that could say no, those same organizations could also say yes.

Today these and other institutions are fragmented and in disarray. Individual members of Congress are far more important than congressional leaders. Political parties no longer control nominations for office. The media have given candidates direct access to the voters; campaign finance laws have restricted, but not eliminated, the influence that interest groups can wield by spending money. Forming new, issue-oriented lobbying groups is much easier today than formerly, thanks to the capability of computers and direct-mail advertising.

These idea-based changes in institutions affect how policy is made. When there is widespread enthusiasm for an idea—especially among political elites but also in the public at large—new programs can be formulated and adopted with great speed. This happened when Lyndon Johnson's Great Society legislation was proposed, when the environmental and consumer protection laws first arrived on the public agenda, and when campaign finance reform was proposed in the wake of Watergate. So long as such symbols have a powerful appeal, so long as a consensus persists, change is possible. But when these ideas lose their appeal—or are challenged by new ideas—the competing pressures make change extremely difficult. Environmentalism today is challenged by concerns about creating jobs and economic growth; social legislation is challenged by skepticism about its effectiveness and concern over its cost; campaign finance reforms are, to some critics, merely devices for protecting incumbents.

This may all seem obvious to a reader raised in the world of contemporary politics. But it is different in degree if not in kind from the way in which politics was once carried out. In the 1920s, the 1930s, the 1940s, and even the 1950s, people described politics as a process of bargaining among organized interests, or "blocs," representing business, farming, labor, ethnic, and professional groups. With the expansion of the scope of government policy, there are no longer a few major blocs that sit astride the policy process. Instead thousands of highly specialized interests and constituencies seek above all to protect whatever benefits, intangible as well as tangible, they get from government.

We have a large government—and large expectations about what it can achieve. But the government finds it increasingly difficult to satisfy those expectations. The public's acceptance of an activist role for government has been accompanied by a decline in public confidence in those who manage that government. We expect more and more from government but are less and less certain that we will get it, or get it

in a form and at a cost that we find acceptable. This perhaps constitutes the greatest challenge to statesmanship in the years ahead: to find a way to serve the true interests of the people while restoring and retaining their confidence in the legitimacy of government itself.