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Healthy and Unhealthy Responses to American Democratic Institutional Failure

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Claremont McKenna College

Healthy and Unhealthy Responses to American
Liberal Democratic Institutional Failure

submitted to
Professor George Thomas

by
Thomas D'Anieri

for
Senior Thesis
Spring 2020
May 11th, 2020

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*To my parents who got me here,
to my friends who kept me here,
and to the PPE cohort that taught me here.*

Part I: Diagnosis

Introduction: The Feeling

“Things feel different these days,” “everyone is just so polarized,” “nothing ever gets done.” These sentiments are commonly echoed as the opening lines of the most recent viral op-ed, an incensed Facebook post, or a conversation heard in passing at a small liberal arts college. I feel it, too. What is it that is so different about this moment in our politics? Often, it feels best characterized as a kind of tension. Every new sensationalist headline, video, or tweet from either side of the political aisle seems to carry a weight to it that is more malicious than ever before, like something greater is at stake and we simply can’t stand the alternative. Regardless of the media constantly telling us, it truly *feels* that we are facing a more serious divide between us than is customary of traditional democratic politics, and a more dangerous one at that. The 30-second soundbytes, the tweets, the MAGA hats, the “AOC DESTROYS Republican hypocrisy in MUST-SEE speech” type videos, all of it seems to contribute to a kind of hostile, uneasy frustration felt by Americans with our current political situation. In this sense, something simply feels *off* about our democracy.

Today, we see our political opponents as enemies, not adversaries, in the sense that “an adversary is someone you want to defeat. An enemy is someone you have to destroy.

With adversaries, compromise is honorable: Today's adversary could be tomorrow's ally. With enemies, on the other hand, compromise is appeasement. Between adversaries, trust is possible. They will beat you if they can, but they will accept the verdict of a fair fight. This, and a willingness to play by the rules, is what good-faith democracy demands."¹ But many of us do not want to play by the rules anymore. For the rising left in the democratic party, the rules (ex: The Electoral College) got the bad, racist, sexist bigot into office. For Trump's right, the rules (ex: DACA, sanctuary cities) watched as 11 million illegal immigrants overran the country stealing jobs, leaching off welfare services, and committing crimes. In the wake of this, Americans seem to be seriously asking themselves, "why should I want to compromise with them?" As this kind of political polarization increases in scope and intensity, the opportunities for respectful dialogue with the opposition become hampered by not just personal, but now social and in the extreme case physical apprehensions about engaging with those that we disagree with. The result is that "these daily petty intramural squabbles then take on grand importance in the civilizational struggle that is Team Blue versus Team Red. Nancy Pelosi owned Trump! Team Blue must be winning! Trump called Adam Schiff 'Shifty Schiff'! Go Team Red!...These shallow surface-level disputes serve another important purpose, which is to distract us from deeper problems that don't fit quite so easily into this Team Red versus Team Blue dynamic. It distracts us from stories that may suggest more structural issues in which all elite institutions from our political parties to the media itself may be complicit."²

¹ Michael Ignatieff, "Enemies vs. Adversaries," The New York Times (The New York Times, October 16, 2013), <https://www.nytimes.com/2013/10/17/opinion/enemies-vs-adversaries.html>).

² Krystal Ball and Saagar Enjeti, *The Populists Guide to 2020: a New Right and a New Left Are Rising* (Washington, D.C.: Ebook, Strong Arm Press, 2020): location 196.

These kinds of partisan bickering are harmful in and of themselves, but they also serve to distract from actually addressing the fundamental issues that may serve to cause them in the first place. This only further widens the political divide, and furthers the shift from adversaries to enemies. Such treatment of political opponents as enemies is the mindset aspect of the tension I am considering.

Perhaps we can agree that we all feel that different sides of the political aisle are frustrated with one another, and now we might add that by extension they feel similarly about their political system. But why have these frustrations escalated to the extreme levels they have reached now? It is not as if the American people have never disagreed passionately over social, political, or economic issues before. Institutions have never been perfect. There must be something more fundamental. I argue that it is the rules of the democratic game that are the true, underlying problem. Simply put, American institutions have made an array of different promises to citizens. They promised liberty, in the sense that individuals are guaranteed the same rights under the law regardless of who they are. They promised democracy, in the sense that individuals are guaranteed the same power in electing their leaders through one single, democratic vote per person. They promised economic opportunity, in the sense that individuals are guaranteed the same fair shot at achieving a middle class life. Today, American institutions fail to deliver on the promises they have made. When citizens look for recourse through their institutions whether it be the Constitution, elections, courts, or legislative policy, they come up empty-handed. These institutions have become captured by the wealthy in order to bring good economic results to themselves, followed by political results that offer them special treatment and protect those gains. The people, deprived of the economic opportunities, political control, and

equal standing under the law that they were promised, are rightly disgruntled. What are they to do?

One answer is to do exactly that which we are experiencing today, as described in the first two paragraphs. The demonization of political opponents, the apathy towards fundamental aspects of democracy, the demand for *someone* to do *something* for them, each of these strategies, at the surface, makes sense for a disillusioned populace. If the institutions have failed you, your fellow citizens have failed you, and the liberal principles upon which the country are built have failed you, does it not make sense to oppose these institutions, citizens, and liberal principles? This is the strategy of populists, and their rise on not only a domestic but a global scale showcases the appeal of this ideology. I am sympathetic to this approach. Populism is simple, and for those who have been failed again and again by the slow-moving, bureaucratic, and disempowering American democratic process, the populists' promise to get results *now* is intoxicating.

Intoxicating is precisely the word. Like a strong drink, populism offers short term relief and comfort for the frustrations of discontented individuals, yet it does nothing to address the roots of a nation's problems. What's more, after the initial novelty wears off, populism may leave a country in a serious democratic hangover attempting to pick up the pieces of its raucous night out with illiberal governance. Venezuela is still trying to get back out of bed. I argue instead for a healthier, more constructive approach, a kind of democratic therapy in which the state sits down and seriously examines its internal self and the mechanisms that have brought it to where it is. Then, it takes clear actionable steps within the bounds of liberal democracy towards remedying its flaws. I do not claim to have a particular policy for or solution to America's democratic shortcomings. But neither does

populism. Rather, the argument I am making is about the type of approach we should be taking. The alternative to razing the institutions, abandoning our liberal democratic principles, and throwing out the Constitution is to attempt to make serious change that restores the American political system to one that truly fulfills the original promises it made to its citizens. After all, the idea that somehow “this time is different” in the sense that things are now uniquely dysfunctional is predicated on the idea that before they *were* functional. This means that we are not beyond saving. We can restore America to a state that truly treats all people equally, gives them a legitimate shot at having their concerns addressed, and promises opportunity for a better life. To be clear, I am not arguing for the status quo. I do not believe that the way power is structured in politics at the present moment that average Americans on their own will be able to return to the America they were promised. A significant reform of these vital institutions will be necessary. The key is that the reforms I propose will take place *within* institutions, not *without* them. This kind of change will be better than any kind of populist takeover, which I will argue is inherently flawed.

Why does this all matter? Why is it so important that we trust one another, recommit to our institutions, fulfill again the promises of democracy and do this in an effective, just way? A friend recently said to me that American institutions are just fine; “if we can literally have a reality TV star who says insane stuff every single day be our president, and most of America just continues on as usual, those institutions have to be pretty rock solid to handle a shock like this so well.” To some extent, he is right. There admittedly seems to be little threat of a coup, a sudden downfall of American dominance, or of some monumental moment that will change America’s course forever. The issue is, this is an

outdated way of thinking about threats to democracy. In “How Democracies Die,” Ziblatt and Levitsky point to the example that “it was only when a new single-party constituent assembly usurped the power of Congress in 2017, nearly two decades after Chávez first won the presidency, that Venezuela was widely recognized as an autocracy. This is how democracies now die. Blatant dictatorship—in the form of fascism, communism, or military rule—has disappeared across much of the world...Since the end of the Cold War, most democratic breakdowns have been caused not by generals and soldiers but by elected governments themselves. Like Chávez in Venezuela, elected leaders have subverted democratic institutions in Georgia, Hungary, Nicaragua, Peru, the Philippines, Poland, Russia, Sri Lanka, Turkey, and Ukraine. Democratic backsliding today begins at the ballot box...With a classic coup d’état, as in Pinochet’s Chile, the death of a democracy is immediate and evident to all. The presidential palace burns....The constitution is suspended or scrapped. On the electoral road, none of these things happen. There are no tanks in the streets. Constitutions and other nominally democratic institutions remain in place. People still vote. Elected autocrats maintain a veneer of democracy while eviscerating its substance...Because there is no single moment—no coup, declaration of martial law, or suspension of the constitution—in which the regime obviously “crosses the line” into dictatorship, nothing may set off society’s alarm bells...Democracy’s erosion is, for many, almost imperceptible.”³ In other words, when I say I feel worried for democracy, this does not mean that I fear we will transition to a communist state or a fascist dictatorship any time soon. I am worried about something more sinister, in which like Hungary, Russia, Poland, and so many other places our polity begins to degrade, but we do not realize that

³ Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (London: Penguin Books, 2019): 5.

we have lost what it really means to live in a democracy until the rug has been not pulled, but slowly, sneakily, and with little protest been removed from underneath us, and we are sitting on a cold, illiberal, unjust, and oppressive floor.

I have set out on the hunch that politics in America “feels different,” that we are frustrated both with our institutions as well as with one another. First, I will seek to empirically verify this claim beyond mere “feelings.” If it can be shown that these kinds of discontent genuinely exist to the extent that I believe they do, I will then explain why people feel this way and why things are different this time from the economic, political, and social points of view. Next, I will examine two potential responses, what I will call the populist and the institutional response, to remedy these defects and get the country back on track. Finally, I will argue that reforming institutions is the best way to fix institutions, and that a serious commitment to doing so beyond our current understanding of reform is what will be necessary to repair our democracy.

Chapter 1: What this Feeling Looks Like

I have described a kind of feeling about the political community based on subjective feelings to attempt to identify an underlying national phenomenon. As academics, this should make us uneasy. But in the case of a claim about the level of respect which citizens have for one another and their foundational principles, I believe there is more validity to this method than one would at first be inclined to admit. After all, shouldn't the discontent citizens be well-equipped to assert their discontent? Regardless, a feeling is not enough to prove a thesis. In the words of Ginsburg and Huq in *How to Save a Constitutional Democracy*, "Democratic capitalism has not collapsed under the weight of its own contradictions; despite repeated obituaries...this suggests that citizens are not well positioned to judge whether their democracies are in crisis and that they are prone to misdiagnose whatever they perceive to be bad public policy as a systemic threat to democratic stability."⁴ Therefore, we should be careful when characterizing political frustrations, an inherent part of the democratic system, as something new or as I have posited, something sinister and dangerous. Empirical facts about the status of democracy are what we need. On this question the results are in, and they do not look good.

⁴ Tom Ginsburg and Aziz Z. Huq, *How to Save a Constitutional Democracy* (The University of Chicago Press, 2018): 33.

Democracy: A Statistical Analysis

In *The People vs. Democracy*, Yascha Mounk offers the best statistical analysis of attitudes towards democracy among Americans. His results emphatically support the worries stated in the introduction. First, the people’s waning confidence in government was well-supported, as in 2014 only 30% of Americans expressed confidence in the Supreme Court, 29% in the presidency, and an abysmal 7% in Congress.⁵ Further still, Mounk notes that the percentage of Americans aged 18-24 who felt that “a political system with a strong leader who does not have to bother with Congress or elections was either “good or very good” was 34%. In 2011 the number had grown to 44%, and given the current president’s inclination to do just this—not bother with elections (they’re “rigged”) nor Congress (the Dems don’t get anything done!)—it would be unsurprising if this number has grown since.⁶ Yet the devastating numbers do not stop there. 1 in 4 millennials are not merely indifferent to democracy, but rather believe that it is an actively “bad” way to run a country.⁷ The younger the person, the less they consider democracy as essential to their identity.⁸

Those opposed to Democracy are also willing to take drastic actions to generate change. In 2016, 49% of voters agreed with the statement that “because things have gotten so far off track in this country, we need a leader who is willing to break some rules if that’s what it takes to set things right.”⁹ If this was not cause for concern enough, in 2011 1 in 6

⁵ Yascha Mounk. *The People vs. Democracy: Why Our Freedom Is in Danger and How to Save It*, (Harvard University Press, 2018): 100.

⁶ *Ibid.*, 109.

⁷ *Ibid.*, 107.

⁸ *Ibid.*, 106.

⁹ William A. Galston, *Anti-Pluralism The Populist Threat to Liberal Democracy* (New Haven: Yale University Press, 2018): 74.

Americans indicated that they favored military rule as a system of governance. This is significant because “this means that the number of people who support army rule is now about as high in the United States as it is in countries with such turbulent histories of civil-military relations as Algeria (17%) or Yemen (20%).”¹⁰ People have become so disillusioned and frustrated with our democracy that the extent to which they would support the exact opposite is now on par with some of the least democratic countries in the world. The populist threat is indeed real; 55% of Americans now think that the average American would do a better job at solving the nation’s problems than those currently in office.¹¹ Based on this analysis, we can now more concretely affirm that all the worries one may feel about the state of American democracy are on the table as genuine, quantifiable, and threatening.

Faith in Government

A variety of different sources confirm these conclusions and extend the analysis to general frustration with American government, rather than merely pessimistic feelings towards democracy. In terms of trust, just 29% of Americans say that they would use the term “honest” to describe politicians, as compared to 69% for average Americans.¹² Half a century ago, 75% of citizens said that they trusted the government to “do what’s right most or all of the time.” By 2015, that number had dropped to just 20%. In the same time period, the proportion of Americans who thought the government was “run for the benefit of all

¹⁰ Mounk, 109.

¹¹ “Beyond Distrust: How Americans View Their Government,” Pew Research Center - U.S. Politics & Policy, November 23, 2015, <https://www.people-press.org/2015/11/23/beyond-distrust-how-americans-view-their-government/>.

¹² Ibid.

the people” dropped from about $\frac{2}{3}$ down to $\frac{2}{5}$.¹³ In 2019, NBC specifically set out to find America’s opinions about such elites for whom so many think the government is being run for. Their survey revealed that 70% of Americans feel angry “because our political system seems to only be working for the insiders with money and power, like those on Wall Street or in Washington.”¹⁴

This feeling that the government has been taken from the people and is now run for the benefit of powerful elites corresponds to the fact that since the 2010 *Citizens United* decision that allowed corporations to untraceably donate unlimited sums of money to political campaigns through super-PACs, campaign spending doubled in just 5 years. The public’s opinion of the decision? 75% of Americans, including 66% of Republicans, support a Constitutional amendment to reverse *Citizens United*, yet it remains untouched.¹⁵ All of this is concerning, but perhaps most worrying are the intentions of the populists themselves. In *The Populist’s Guide to 2020*, self-proclaimed populists Krystal Ball and Saagar Enjeti tap perfectly into the sentiment of frustration in America: “political scientists found 40 percent [of voters] believed that ‘when it comes to our political and social institutions, I cannot help thinking ‘just let them all burn.’” A similar number also believed that ‘we cannot fix the problems in our social institutions, we need to tear them down and start over.’” You get that? When it comes to our political and social institutions, nearly half of America just wants to let them all burn.”¹⁶

¹³ Galston, 78.

¹⁴ Ball and Enjeti, location 153.

¹⁵ Mehdi Hasan, “Eight Simple Steps to Fix American Democracy,” *New Statesman*, November 1, 2018, <https://www.newstatesman.com/world/north-america/2018/11/eight-simple-steps-fix-american-democracy>.

¹⁶ Ball and Enjeti, location 156.

Polarization

The outlook on polarization appears no better. It seems that we are not only frustrated with our government, but with one another as well. William Galston finds that “for the first time in the history of modern survey research, majorities of partisans have not merely an unfavorable but a deeply unfavorable view of the other party. In a 2016 survey, 49 percent of Republicans reported that the Democratic Party makes them afraid, and 46 percent that it made them angry. The sentiments of Democrats were even more intense: 55 percent said the Republican Party made them afraid, and 47 percent that it made them angry...Forty-five percent of Republicans view Democratic policies as not only misguided but also a ‘threat,’ up from 37 percent in 2014, while 41 percent of Democrats see Republican policies as threatening, up from 31 percent in 2014. Among both sides’ most engaged and active partisans, these figures are even higher.”¹⁷ This is the feeling of mistrust among us embodied. When Americans see each other as threats to be afraid of, rather than partisans to come to solutions with or at least to have a mutual respect for, the trust that holds a democracy together begins to break down because “if elites hold power or privilege for reasons that most of their fellow citizens don’t consider genuinely meritorious, the entire society will lose respect for the rules it says it lives by. No one can enjoy living in such a society. It would feel not only unequal but unfree...People feel free when they subscribe to a prevailing social philosophy; they feel unfree when the prevailing social philosophy is unpersuasive; and the existence of constitutions or laws or judiciaries have

¹⁷ Galston, 72-73.

precious little to do with these basic feelings.”¹⁸ In other words, even if we had built the best institutions on paper, when citizens do not believe that those running them are just, honest, and fair, these institutions will cripple anyways. When the rules of the game are rigged, no one is inclined to trust the referees, the best players, or the opposing team.

Such a loss of confidence in one another has spiked drastically in the last decade. In 2007, 61% of Republicans and 57% of Democrats had confidence in the public’s political wisdom. Today, just 36% of Republicans and 37% of Democrats still hold this view.¹⁹ While neither party is absolved from responsibility for their contribution to this culture, a large part of this is undeniably attributable to Donald Trump’s presidency: “The president’s routine use of personal insult, bullying, lying, and cheating has, inevitably, helped to normalize such practices...in the face of widespread deviance, we become overwhelmed—and then desensitized. We grow accustomed to what we previously thought to be scandalous.”²⁰ While Donald Trump is not single handedly responsible for such degeneration of tolerance, respect, and restraint, his massive and unending volume of tweets that consistently paints the opposition party as the enemy, and himself as someone fighting against them—among many others—is precisely the kind of shift in attitude that we should be worried about. Donald Trump does not view his opponents as adversaries, but as enemies.

¹⁸ Yuval Levin, *A Time to Build: from Family and Community to Congress and the Campus, How Recommitting to Our Institutions Can Revive the American Dream* (New York: Basic Books, 2020): 158.

¹⁹ *Beyond Distrust*.

²⁰ Levitsky and Ziblatt, 201.

Qualitative Examples

So far, I have laid out studies suggesting that Americans' confidence in the effectiveness of their government, the functionality of democracy, and the trust of one another is declining. These statistics are telling, and they make real what I had only previously identified as a "feeling." However, such surveys and studies conducted by research institutes can remove us from reality. The goal of this section is to give examples of just how this lack of respect for three of our most fundamental institutions manifests itself in real life. A good example to begin with is 2008, which was a "watershed moment in partisan intolerance. Through the right-wing media ecosystem...Democratic presidential candidate Barack Obama was cast as Marxist, anti-American, and secretly Muslim...Second, unlike past episodes of extremism, this wave reached into the upper ranks of the Republican Party...Republican senators, governors, and even presidential candidates mirrored the language of the fringe, and they were joined by Republican donors who viewed the Tea Party movement as an opportunity to push the GOP into a harder line against the Obama administration...For the first time in many decades, top Republican figures—including one who would soon be president—had overtly abandoned norms of mutual toleration, goaded by a fringe that was no longer fringe. By the end of the Obama presidency, many Republicans embraced the view that their Democratic rivals were anti-American or posed a threat to the American way of life."²¹ While 2016 was yet another shock, Trump's presidency was a symptom of a deeper form of frustration that had already been planted long before his candidacy. That frustration was sewn in 2008 and continued

²¹ Ziblatt and Levitsky, 161.

throughout the Obama years when Republicans began to identify less by their fundamental beliefs or ideas to be advanced in policy, but instead as effectively “anti-Obamaers.”

Unfortunately, the disease of non-cooperation was not isolated to the right, as Democrats under a Trump presidency have adopted a similar no-pass stance to basically anything Trump does, while Obama, like Trump, elected to fight fire with fire during his presidency. Indeed, Obama’s norm breaking through unilateral executive action did little to restore faith in discussion and cooperation, while setting precedent for Trump to follow in his footsteps with similar subversions of formalized processes. This is exactly why the norm of restraint is so key to a democracy. While a party may be tempted to overreach and pass the most robust versions of its platform when in power, they must understand that doing so will only result in the same treatment towards themselves the next time they lose power. This is exactly what happened for the role of the executive in the transition from the Obama to the Trump White House. For example, In 2011, Obama declared that “we can’t wait for an increasingly dysfunctional Congress to do its job. Whenever they won’t act, I will.”²² From 2011 to 2015, Obama issued executive orders on everything ranging from fuel efficiency standards, to immigration reforms, to climate change standards, to an “executive agreement” with Iran when he could not get Congressional support for such policies. Admittedly, “the president’s actions were not out of constitutional bounds, but by acting unilaterally to achieve goals that had been blocked by Congress, President Obama violated the norm of forbearance.”²³ What is unique about this time in our politics are these kinds of abandonments of restraint. The now frequent refusal to cooperate with each other

²² Ibid., 163.

²³ Ibid., 164.

and instead choosing to subvert institutions or “go it alone” to achieve one’s partisan goals significantly undermines the democratic process, because it creates distrust followed by retaliation between partisans.

Polarization Outside Politics

While the above examples focus on how politicians have shifted their attitudes away from cooperation, connection, and compromise, the same shift can be felt in our own lives. Yuval Levin focuses less on political institutions and more so on the cultural practices that define so much of our lives in *A Time to Build*. He argues that the crisis is evident not only in our political and cultural interactions but in the personal lives of countless Americans, for whom hopelessness or alienation descends into outright despair. Although in some ways it is easier than ever to be in touch with others, ours is an era of unusual isolation and solitude. Generally speaking, American adults have fewer close friends, spend less time with others, and feel more disconnected today than they did a generation or two ago. And although it is easier than ever to be exposed to and informed by a wide range of views, Americans increasingly live in cultural and political bubbles, hearing only affirmations and elucidations of what they already believe.”²⁴ Polls are an easy way to measure the alienation Americans feel towards their government. The effects of social media, tabloid news, advertisements, and general shifts in cultural practices are more challenging to measure. Although it is less quantifiable, Levin gets at the importance of how polarization pervades into personal life. The more we have our opinions and ideas confirmed by those around us and the sources from which we receive information, the more

²⁴ Levin, 16.

likely we are to cast those who disagree with us as others. This generates further levels of social degeneration, mistrust, and alienation, which bring about the kind of frustration, isolation, and tension we have been seeking to describe.

This cycle has come crashing down on us at a time when “we are suffering through the worst addiction crisis in our nation’s history. More people die every year from opioid overdoses than from car accidents. More die from overdoses every single year than all the American servicemembers lost in the Vietnam War...life expectancy has declined for three straight years, a stunning and unprecedented backsliding in a nation that prides itself for its progress and for its expectation that the next generation will do better than the previous...Suicides have spiked too as many are so miserable and devoid of hope that heartbreakingly, they take their own lives. In the deindustrialized Midwest, Northeast, and especially in Appalachia, these numbers are even more devastating.”²⁵ What this more qualitative example shows is how the lives of the poorest Americans have degraded since the Great Recession, and how that resentment, hopelessness, and anger so prominently featured in the statistics discussed above actually affects the lives of those we know and love.

The Threat to Democracy

In order for democracy not to be under threat, according to Mounk it would have to be the case that most citizens be strongly committed to liberal democracy, reject authoritarian alternatives to democracy, and political parties and movements with real power would have to agree on the importance of basic democratic rules and norms. This

²⁵ Ball and Enjeti, 121.

chapter has shown that this is clearly not the case. Such foreboding statistics bring out the rot at the center of American liberal democracy. The preconditions for a functioning society, trust and restraint, have been abandoned in favor of partisan interests. This is so important because when political and cultural opponents can no longer agree on the rules of interaction, their goal becomes to terrorize one another, tit for tat, to gain as much for themselves and as little for the opposition as possible. This is why we feel so exhausted, so strained, so resigned to our current political situation. Ziblatt and Levitsky sum up this frustration, and why it is so significant, well: “Democracies work best—and survive longer—where constitutions are reinforced by unwritten democratic norms. Two basic norms have preserved America’s checks and balances in ways we have come to take for granted: mutual toleration, or the understanding that competing parties accept one another as legitimate rivals, and forbearance, or the idea that politicians should exercise restraint in deploying their institutional prerogatives. These two norms undergirded American democracy for most of the twentieth century...And if one thing is clear from studying breakdowns throughout history, it’s that extreme polarization can kill democracies.”²⁶ This quotation lays out the importance of why such feelings of uneasiness, tension, and mistrust laid out in the intro are worth considering deeply. The implication of letting such polarization run rampant truly is the fate of our democracy. Keeping with Mounk, Ziblatt, and Levitsky, the next chapter will seek to show empirically why we should be worried once these feelings start to come out, and our norms and institutions begin to erode. When Mounk and Roberto Foa set out to investigate the state of liberal democracy, “what we

²⁶ Ziblatt and Levitsky, 8.

found shocked us: across North America and Western Europe, citizens really are turning away from democracy in large numbers.”²⁷ This “feeling” is serious.

²⁷ Mounk, 104-105.

Chapter 2: Why We Should be Worried

“If, twenty-five years ago, someone had described to you a country in which candidates threatened to lock up their rivals, political opponents accused the government of stealing the election or establishing a dictatorship, and parties used their legislative majorities to impeach presidents and steal supreme court seats, you might have thought of Ecuador or Romania. You probably would not have thought of the United States” (How Democracies Die). The link between the frustrations exemplified by the previous chapter and the jarring truth of the above quote is that these kinds of actions, those characteristic of Ecuador, Romania, or any other illiberal state, come as a result of such tensions. Ultimately, if frustration, distrust, and conflict grow too strong, America will tend towards them. The purpose of this chapter is to understand the extent to which we should be worried about such a prospect by looking at the state of democracies around the world, and then looking inwardly to assess the strength of our own polity.

Populists Rising

Americans might be surprised to hear that the “world is in flames,” but let’s take a look at the facts. Populists Ball and Enjeti argue that “if the history books are accurate, they may well remember 2019 as the year the world began to burn as massive working-class protests rocked every corner of the globe. In Chile, protests sparked by a bus fare hike triggered a mass movement with huge public support to demand an end to the catastrophic

inequality of neoliberalism. In Iraq, the country is disintegrating before our eyes as its inept, kleptocratic government, installed after our fraudulent, endless war, falls apart. In Port-au-Prince, Haiti, anti-government protests left dozens dead and scores injured. Meanwhile, in the United States, we get to hear a constant back-and-forth about ‘Treason!’ and Ukrainegate. That’s right, while the world melts down right before our very eyes, our news media and political leaders have decided to focus their attention on an improper phone call—a phone call by our President that was meant to hold military aid to Ukraine hostage unless they would investigate Joe Biden’s son. But, the investigation was never opened and the aid flowed anyway, so what are we really fighting about over here? The idea that Ukraine and Joe Biden were made to feel uncomfortable? The sacrosanct principle of Ukraine’s right to Javelin missiles? Meanwhile, Hong Kong is burning with riots in the streets. Egypt, whose murdering, torturing dictator we arm and support, is falling apart. We continue to sponsor the worst humanitarian crisis of our time in Yemen. ISIS murders with impunity in refugee camps and remains active in northern Syria where we’ve just abandoned our Kurdish allies to the brutality of strongman Erdoğan. Iran and Saudi Arabia are at the brink of conflict. The yellow vests in France riot. Tunisia has been rioting for a year. Shall I go on? In the words of the prophetic Will Bunch in the Philadelphia Inquirer, ‘the autumn of 2019 is fast becoming the most revolutionary season on planet earth since 1989...the sparks are pretty much the same everywhere. The people we’ve tasked with running the world have, for the most part, turned out to be corrupt. Did they really think that citizens wouldn’t notice?’”²⁸ Taking a look around the world, uprisings against elitist governments, exactly the kind of movements we should be worried about are everywhere.

²⁸ Ball and Enjeti, 2009.

The evidence is all around us that a country cannot carry on when an elite, ruling class consistently and systematically takes advantage of the rest of the polity, and the people have no recourse through which to stop it. Yet, these protests seem to have somehow slipped our radar. The American media, in keeping with their characterization as preferring to stoke the right-left war over things like Trump's impeachment, have left these populist movements largely uncovered. Make no mistake though, the popular movements in the streets are there, and while this is no 1989, parallels to the Arab Spring no longer seem far off. The question then becomes, while movements in Egypt, Yemen, and Turkey may perhaps be expected for such unstable regimes, is the potential threat the same for our established western democracies?

Democratic Recession

Here are the stats: from 1974-2006, electoral democracies as a proportion of world governments rose from 29% to 61%, and liberal democracies from 21% to 41%. Between 1986 and 2006, countries with political and civil freedoms surged from 34% to 47%. The liberal democratic tide has gone out ever since. In the decade that followed, that number of politically and civically free states not only failed to rise, but actually declined by 2%. 2016 was the eleventh straight year in which gains in civil liberties around the world were outstripped by losses.²⁹ At first, we might be inclined to shrug this off as a statistical anomaly or the short-term result of rising geopolitical tensions for reasons other than a failure of democracy. Worryingly though, the 2017 "Freedom in the World" study reports that "while in past years the declines in freedom were generally concentrated among

²⁹ Galston, 12.

autocracies and dictators that simply went from bad to worse, in 2016 it was established democracies...that dominated the list of countries suffering setbacks.”³⁰ As was posited in the intro, we need to be worried about the slightest hints of illiberalism, political, economic, and social failure, and dysfunction of institutions because the failures of democracy today will not be marked by grandiose coups that implement dictatorships, but the slow grind against the pillars of democratic governance.

Instead, the most identifiable (but certainly not the only) anti-democratic force that is on the rise seeks to use democracy itself to overthrow liberalism and institute policies “for the people.” This is the modern populist movement. Let us assess how serious this threat is: “Across Europe and North America, long-established political arrangements are facing a revolt. Its milestones have included the Brexit vote; the 2016 U.S. election; the doubling of support for France’s National Front; the rise of the antiestablishment Five Star Movement in Italy; the entrance of the far-right Alternative for Germany into the Bundestag; moves by traditional right-leaning parties toward the policies of the far-right in order to secure victories in the March 2017 Dutch and October 2017 Austrian parliamentary elections; the outright victory of the populist ANO party in the Czech Republic’s October 2017 parliamentary elections; and most troubling, the entrenchment in Hungary of Prime Minister Viktor Orbán’s self-styled ‘illiberal democracy,’ which seems to be emerging as a template for Poland’s governing Law and Justice party and—some scholars believe—for insurgent parties in Western Europe as well.”³¹ Indeed, nearly all of the largest and most established liberal democracies seem to be under threat. While

³⁰ Ibid.

³¹ Cesare Pinelli, “The Populist Challenge to Constitutional Democracy,” *European Constitutional Law Review* 7, no. 1 (2011): pp. 6-7, <https://doi.org/10.1017/s1574019611100024>.

America, Britain, France, and others are nowhere near dictatorships, the example of Orbán's Hungary will help paint a picture for just how the kind of polarization and demonization of opponents we experience today could develop into something far worse.

Ganesh Sitaraman in *The Great Democracy*, of great significance to this thesis later on, explains just how Orbán rose to power: “In 2010, Orbán’s Fidesz party won just over 50 percent of the popular vote but a two-thirds majority of the seats in parliament. Once in office, Fidesz used its power to ensure it would keep it. In 2012, Fidesz used expedited procedures to draft and pass a new constitution in two months, with only nine days of parliamentary consideration. Among other things, the new constitution expanded the size of the constitutional court (so Fidesz could gain a majority) and extended the terms of the justices. Fidesz also expanded the electorate to ethnic Hungarians living abroad (with different voting rules for those in countries adjacent to Hungary compared with expats far away), engaged in gerrymandering, reduced the number of members of parliament, and abolished the two-round system of voting—all of which helped his party stay in power. As a result, the 2014 elections, one observer said, were ‘free but not fair.’”³² Orbán’s example should serve as a serious warning for Americans. With the election of just one leader, Hungary slowly but surely descended from an exemplary post-communist democracy to an illiberal, populist, demagogue-led state. Putin in Russia, as well as Chavez in Venezuela, are also exemplary of this trend. When each of these leaders were elected, nobody panicked. The country had not been “taken over” per se until decades later when by continued incremental backsliding no one could any longer seriously consider any of these

³² Ganesh Sitaraman, *The Great Democracy: How to Fix Our Politics, Unrig the Economy, and Unite America* (S.I.: Basic Books, 2020): 73.

states a democracy, despite the fact that it would be difficult to point to just one moment at which it had definitively devolved to the point of losing this characterization. Would it be fair to say that America is sliding on this spectrum from liberal democracy to illiberal populism or authoritarianism?

Trump's Anti-Democracy

Sitaraman worries that this is the case, and based on the evidence it is hard to deny the democratic and liberal erosion that has occurred in the last two decades, and even in the last four years. While his left-wing biases should be obvious, Sitaraman agrees that “it is hard not to see the United States as marching in a similar direction [towards illiberalism]. Although this trend has been growing throughout the late neoliberal era, the Trump administration encapsulates the rise of nationalist oligarchy...He began his presidency with the swift declaration of a travel ban on persons from Muslim countries and the unleashing of immigration officials to engage in raids across the country...showing his core supporters that he would protect so-called real America from foreigners who he claimed threatened the security or culture of the country. President Trump has also normalized white nationalism...David Duke, a former leader of the KKK, tweeted, ‘Thank you President Trump for your honesty & courage to tell the truth about #Charlottesville.’ This type of nationalism was also part of Trump’s campaign for the presidency in 2016. He announced his campaign by claiming that Mexican immigrants were rapists and murderers, attacked a federal judge of Mexican descent, and attacked a Muslim gold star family.”³³ To be sure, the frustrations of Trump voters are legitimate in many ways beyond simple racism that

³³ Ibid., 77.

will be discussed later. Regardless, the important aspect to consider is not necessarily the support Trump received—after all, many supporters of the ideological inverse of Trump, Bernie Sanders, share similar concerns and voiced comparably enthusiastic support—but rather, the way that he achieved it. The frustrations expressed in the previous chapter are so concerning because they generate people like Trump, who generate the kinds of rhetoric and policy that are antithetical to liberal democracy such as attacking the decisions of courts, subjugating minorities, and scapegoating large groups of people. Unfortunately, Trump has not stopped here.

At the outset of *How Democracies Die*, Ziblatt and Levitsky lay out four “behavioural warning signs” that might alert us of a potentially authoritarian leader when we see one. They argue that “we should worry when a politician 1) rejects, in words or action, the democratic rules of the game, 2) denies the legitimacy of opponents, 3) tolerates or encourages violence, or 4) indicates a willingness to curtail the civil liberties of opponents, including the media...A politician who meets even one of these criteria is cause for concern. What kinds of candidates tend to test positive on a litmus test for authoritarianism? Very often, populist outsiders do. Populists are antiestablishment politicians—figures who, claiming to represent the voice of ‘the people,’ wage war on what they depict as a corrupt and conspiratorial elite. Populists tend to deny the legitimacy of established parties, attacking them as undemocratic and even unpatriotic. They tell voters that the existing system is not really a democracy but instead has been hijacked, corrupted, or rigged by the elite.”³⁴ Does this sound familiar? If you have followed President Trump’s speech or actions at any point over the last four years it should, and Ziblatt and Levitsky

³⁴ Ziblatt and Levitsky, 22.

conclude, to their dismay, that Trump is ripe for authoritarianism. They believe that “with the exception of Richard Nixon, no major-party presidential candidate met even one of these four criteria over the last century...*Donald Trump met them all*. No other major presidential candidate in modern U.S. history, including Nixon, has demonstrated such a weak public commitment to constitutional rights and democratic norms. Trump was precisely the kind of figure that had haunted Hamilton and other founders when they created the American presidency.”³⁵ Like Orbán, Trump has consistently railed against established institutions, acted unilaterally, rejected democratic norms, thwarted constitutional principles, and cozied up to populists and authoritarians around the world, all with an utter lack of respect for his counterparts in American government. The United States did not begin sliding towards populism and away from liberalism with Trump, but they are heading down the slippery slope faster than ever with him at the helm.

Before Trump

The erosion of democracy and constitutional government under the Trump administration can only be understood by what preceded it. First, there was Republicans’ refusal to consider Obama’s nomination of Merrick Garland for the Supreme Court. Such a move was unprecedented, as the denial of a president to execute his duties to fill a vacant Supreme Court seat had not been exercised since the Reconstruction era. If Merrick Garland had been particularly reprehensible—say, he had credible sexual assault allegations against him—or Scalia had died days or even weeks before Obama’s term was up, this action might have been explicable. However, neither of these things were the case,

³⁵ Ibid., 65.

and the Republicans were only getting started. In 2016, when Hillary Clinton was the odds-on favorite to win the election, Republicans including Ted Cruz, John McCain, and Richard Burr, “vowed to block all of Clinton’s Supreme Court nominations for the next four years, effectively reducing the Court’s size to eight. Burr, a senator from North Carolina, told a private meeting of Republican volunteers that ‘if Hillary Clinton becomes president, I am going to do everything I can do to make sure four years from now, we still got an opening on the Supreme Court.’”³⁶ Burr’s action in this case is, in the purest sense, an abandonment of American democratic institutions in favor of achieving one’s personal political goals. It is abuse of power and stalling of government at its worst. In Venezuela, Hungary, and many countries that slid away from democracy, leaders began with the courts. Is it hyperbole to make comparisons between the leaders in those states and America’s current partisans?

Hitler, Mussolini, Pinochet, and so many other authoritarian populists came to power at times of unrest and uncertainty. They were all charismatic outsiders who challenged the old order and claimed they could do things better than the establishment. This was effectively Trump’s pitch to disillusioned voters as he attacked those they distrusted such as minority groups, leftist strongholds, Washington elites, and of course, the media, the “enemy of the American people.”³⁷ Like other authoritarians, once in office, any person who attempted to oppose Trump was quickly dismissed or publicly discredited. From James Comey, to Michael Flynn—who recently had his charges dropped by William Barr in one of the most shocking disregards for the rule of law yet—to Robert Muller,

³⁶ Ibid., 166.

³⁷ Ibid., 176.

Trump's record setting turnover in his administration shows that any employee who seeks to pursue an agenda other than that of the President's can be quickly and easily disposed of. Most troubling has been Trump's particular "hostility toward the referees—law enforcement, intelligence, ethics agencies, and the courts...he sought to ensure that the heads of U.S. intelligence agencies, including the FBI, the CIA, and the National Security Agency, would be personally loyal to him, apparently in the hope of using these agencies as a shield against investigations into his campaign's Russia ties."³⁸ If one's goal is to subvert a democracy, does it not make sense to have those who might investigate you and catch you out of doing so on your side first? With Trump's specific obsession of loyalty from law-enforcement agencies, it is hard to see how his actions have not at least undermined the ability of these organizations to do their jobs.

Fundamentals in Flux

A common theme is that President Trump is a symptom of a broader issue, and the erosion of democracy is no different. Certainly, Trump's conduct has many times been egregious on this front, but again, such attitudes never begin and end with Trump. The lack of respect for American principles and institutions that in the past might have been taken as unquestionable is developing in light of these strains on our politics, and it now pervades our political economy. For example, a few basic beliefs that most in the past would consider fundamental to the American project include: the Constitution as the supreme law of the land, liberal democracy as righteous and good, free speech to be protected, individual rights to be guaranteed for all, market economies as overall positive, the judiciary as meant to

³⁸ Ibid., 177.

ground its decisions in the Constitution rather than political expediency, and civic engagement as essential to the good life. These are foundational American principles. However, it seems that these ideas may not be so set in stone anymore in the minds of many Americans. Under Trump and our pervasive polarization, America's principles and institutions are up for debate, and arguably are in crisis.

This shift is evidenced by the popularity of Trump's proposals to deport immigrants without a trial, the resurgence of Marx's writings, the emergence of "democratic socialist" politicians, judicial posturing in the *Ramos* decision, demands for "hate speech" regulations, populist support in the 2016 election, the "not my president" campaign following it, and the laundry list of Constitutional abuses conducted under the Trump administration. Each of these examples in some way goes against a kind of traditional American doctrine, and each has seen significant popular support. While values admittedly are constantly in flux and our understandings of them shift, the meteoric rise of these ideas is more than that, and what is undeniably not an innocent shift in public opinion are the cries from both the radical left and right that they would be perfectly okay violating norms in order to see their interests advanced. This comes from the cohort of people in the media, on Twitter, and in our politics who openly admit that they would happily throw Constitutional norms out the window in order to "get the orange man out of office" on one end, or to "help Trump keep the immigrants out" on the other. This line of thought is not solely the territory of radicals though, as many much closer to center simply want to see America "get things done." When the legislature is in gridlock, this means adopting ulterior modes of action such as executive orders or enhanced judicial discretion to effectively make laws. It is this kind of disregard for American institutions and principles in favor of

short-term, partisan interests that feels most out of the ordinary and most dangerous to our politics. As a result, it is not simply our level of polarization with one another, but also with our founding values of liberal constitutional democracy that are at stake right now.

Are We Sure?—Yes

Ginsburg and Huq ask, most basically, if we can “really” be sure that our values, principles, and democratic institutions are in danger. From the point of view of the people, Mounk has shown us that it is. Yet this may not be enough for G&H as they might, going back to their original quotation, dismiss these voluntary, subjective responses from individuals as carrying little weight because it is so difficult to judge how serious these statements may be from the present. Regardless, using G&H’s own work, this is no real contest. For example, they themselves cite the 2016 Economist Intelligence Unit’s democratization index, which downgraded the US “from a ‘full democracy’—one characterized by basic political freedoms and civil liberties, and a political culture conducive to the flourishing of democracy—to a ‘flawed democracy,’ (i.e. on the spectrum I discussed above) in which generally free and fair elections are marred by infringements, governance problems, and low levels of political participation.”³⁹ What’s more, on the subject of respecting institutions and checks that are meant to keep democracy working (in this case through elections), G&H note that in 2017, “more than half of Republican-leaning respondents said they would support efforts to postpone the 2020 election if Donald Trump said it was necessary to ensure that only eligible voters could participate.”⁴⁰ This is far less

³⁹ Ginsburg and Huq, 26.

⁴⁰ Ibid., 241.

subjective than how one views democracy as part of their identity. Rather, it is an example of more than half of the party in power supporting the executive in a move to unilaterally suspend elections on some presumably new criteria for who can or can't vote. This is an attack on democracy.

Further still, it is not solely the political structures that are in tension with their citizens. The “mindset” tension expressed in the last chapter rears its head in G&H’s work as well, in which they write that “both Republicans and Democrats now view their political opponents with both fear and anger. Both folded in populist movements in the last presidential election cycle. Both are responding to the way in which trust in government has been declining among Americans of all stripes, in increasingly partisan ways.”⁴¹ And so now the tension is three-fold. Americans on a self-identification basis admit to Mounk that they, more than ever, are not so enthusiastic about democracy. Independent studies and the actions of the current administration confirm these personal statements in that they show America beginning to struggle to keep some of its basic democratic norms. And finally, the attitude between these disgruntled citizens is worsening as political polarization wreaks havoc on our public discourse and civic community. The evidence of this is apparent both at home and around the world.

In summary, Ginsburg and Huq agree that despite the apparent difficulties in determining when true threats to democracy exist, it is undeniable that “Americans’ belief in the legitimacy of democratic outputs, measured in terms of both satisfaction and perceptions of corruption, have eroded dramatically over the past decade.”⁴² The reason

⁴¹ Ibid., 240.

⁴² Ibid., 31.

that this is such a problem, as this chapter has shown, is that “if the individuals and groups that compose a society cannot agree on certain fundamental principles or attachments that can form the basis for an underlying political consensus, they can hardly consider themselves to be one people, and thus they are unlikely to feel constrained to respect majority rule,”⁴³ and so begins the slow descent towards one of the now-defunct democracies examined to begin this chapter.

⁴³ Marc F. Plattner, “Democracy’s Past and Future: Populism, Pluralism, and Liberal Democracy,” *Journal of Democracy* 21, no. 1 (2009): pp. 89-90, <https://doi.org/10.1353/jod.0.0154>.

Part II: Causes

Chapter 3: Economic Failure

Part I has shown the frightening extent to which Americans no longer trust their government, institutions, fellow citizens, or previously deeply held principles. As pondered in the introduction, Part II seeks to answer the question of what is so different about our current situation that has sparked this revolt. After all, we have survived political and personal disagreements before. However, there is far more to the story than the squabbles of the current hour. The next three chapters outline the economic, political, and social failures that have brought us to the brink at which we now stand, although there will be significant crossover between these three aspects because they are inextricably linked to one another. Therefore, in order to effectively treat and fix these critical issues, we must first understand their causes.

Inequality of Opportunity

Economically, what Americans desire is a fair shot. In a capitalist society, not everyone can expect to be rich. What they can expect though is an equal opportunity to pursue whatever they deem most valuable, and if they do not end up rich, that is okay. They simply do not want the deck stacked against them. The same can be said for politics. Everyone wants their vote and their opinion to be counted on a level playing field as their

fellow citizens. If they receive this consideration and still do not win, that is okay. Also, they would like for these opportunities to continue to improve, at least marginally, for their progeny. Today however it is no longer the case that we put forth our best effort, opinions, and beliefs into the marketplace of ideas and through democratic procedures the better (or at least majority) wins out. Today, success in this market is reserved almost entirely for those who can pay to enter it. It is no longer the case that we put forth our best effort at some economic endeavor, then fairly play the odds, and unfortunately do not end up rich. Today, the probability that one can improve one's economic station if they work hard enough is increasingly shrinking. Democracy's promise to confer improving economic conditions on its people are, upon further inspection, empty.

While we certainly do care about winning or losing on specific issues, we care more about the agency that gives us power in our political and economic lives (even if that power may get defeated by an opposing competitor in the market or candidate in an election) than the specific outcome of the power itself. In other words, considering the question as to if you would rather have a benevolent dictator implement most of your values knowing that you had no effect on them, or a democracy that might go against your values yet you know that political legitimacy truly stems from a majority of citizens just like you, we would prefer the latter. Perhaps for a while, the former, which Mounk calls "undemocratic liberalism" is permissible. So long as the state brings good results that more or less line up with the people's interests, nobody bats an eye. This has been the case in China for over 20 years. Yet the difference in the United States today is that average citizens now find themselves with almost no economic power when compared to the wealthy, and in turn they have very little political power either. Further still, now that their political system is

failing them, it is not a matter of just waiting until the next election to fairly represent their ideas and win, or a matter of just working hard enough to claw one's way into the middle class. The agency to achieve these goals is simply not available to many people, and as citizens begin to realize this at every turn of the political and economic system, they become more and more disenchanted with the entire process itself, to the point where they are ready to abandon it for *anything* else.

Broken Promises

The two primary factors that have led Americans to these frustrations today are political and economic failures on the part of institutions. An example will be useful here in painting the picture for what an American's frustration might look like. Sitaraman tells the story of the worker who "lost his \$11 an hour job when he crashed his forklift into a ladder by accident. Nothing was damaged and no one was hurt, but he was an at-will employee without a union and he was fired. His wife, who made \$8 an hour at a cleaning company, left him. He couldn't find work, got stressed out, and ultimately started taking antidepressants. Unfortunately, his story is far too common. When asked in surveys, people with a high-school education or less are more likely to say that they don't have anyone to discuss 'important matters' with; their social support network has disappeared." This example represents the confluence of political and economic factors at play in creating a person who is the quintessential, mid-American, frustrated, anti-establishment Trump voter. His opportunities for work were limited to this one \$11/hour job, so economically he was under very high stress, and politically there was clearly not much focus on developing opportunities for classes of workers like his. He then found himself a victim of

undue bargaining power through no fault of his own, and due to the weakening of unions and comparatively massive economic power of the corporation he was working for, he had no recourse in losing his job. I will not delve into the intricacies of the pharmaceutical and opiate industry here, but he found antidepressants readily available to him, and presumably is now further limited in his ability to pursue a free life by his dependence on them. Finally, his wife in the face of these circumstances left, and he found himself with no political community at all within which to talk about “important matters.”⁴⁴ Politically, economically, and socially, America failed him. Who can blame him if he is one of the 44% to support a “strong leader” who promises to effect change for him without the institutions, which have failed him, getting in the way?

These stories are all too common across America, especially in former manufacturing centers where the jobs have gone but the people have stayed. They represent the broken economic, political, and social promises that are the catalyst in the widespread frustration we see today. In the words of Francis Fukuyama in *Political Order and Political Decay*, “if there has been a single problem facing contemporary democracies...it has been centered in their failure to provide the substance of what people want from government: personal security, shared economic growth, and quality basic public services like education, health, and infrastructure that are needed to achieve individual opportunity.”⁴⁵ This is the “performance crisis,” the idea that liberal democracy and liberal democracy alone is uniquely able to guarantee equality under the law in conjunction with the right to

⁴⁴ Ganesh Sitaraman, *The Crisis of the Middle-Class Constitution: Why Income Inequality Threatens Our Republic* (Vintage Books, 2018): 230.

⁴⁵ Fukuyama, Francis. *Political Order and Political Decay from the Industrial Revolution to the Globalization of Democracy*. (Farrar, Straus and Giroux, 2015): 406-407.

self-government, all whilst “swelling people’s pocketbooks.”⁴⁶ If guaranteeing these things are what makes democracy so special, then when it fails to perform this task, it is in serious trouble. I will now break the performance crisis down into two parts, the economic and the political in the following chapter, to more closely identify what exactly has created this failure, although we will see that they are inherently connected.

A High Tide Raises all Yachts

America has always been considered a land of economic opportunity. And it was for most, until about the 1970s. Globalization, technology, and population growth legitimately drove profits for firms and in turn the executives of these firms higher. While we should be happy with innovators reaping the benefits of their work, the predominant narrative from the pro-business politicians and interest groups throughout this time, most notably in the Reagan era, is that that wealth would “trickle down” to everyone else. As such, the last four decades have been characterized by pro-business policies and judicial decisions. Throughout this period, income taxes, estate taxes, capital gains taxes, and most recently corporate taxes have been slashed. These policies have likely contributed to the immense production gains experienced during this time. Yet they also have contributed to the kinds of wealth concentration that produce the discontent that this whole thesis is about. “A high tide raises all boats,” the wealthy said in passing these laws. It didn’t. According to Sitaraman, “by 2013, productivity in America was up 243.1 percent since 1948. But wages had only risen 108.9 percent. Where did all the benefits from growth go? Between 1979 and 2008, 100 percent of the growth in income went to the top 10 percent of

⁴⁶ Mounk, 131.

Americans. During this period, the income for the bottom 90 percent actually declined.”⁴⁷ In other words, people are working more efficiently and generating more wealth, but the wealth they generate is not coming back to them. Who would not be pissed off about that?

For the working class, the last forty years have been an utter disappointment. For generations, the working class was a proud place to be; one could offer their family a good life through dedicated work, find meaning in community, and cooperate with elite managers through unions and other cross-cutting, informal organizations. This kind of economic connection and opportunity today is almost non-existent. How this has happened is due to a multitude of factors, but it begins with the concentration of economic power in the hands of a technocratic, managerial elite centered around coastal hub cities. For example, after the recessions of 1991 and 2001, rural and small-towns generated 63% and 59% of new jobs, respectively. However, after 2008, just 35% came from such small counties, while 64% came from counties with greater than 500,000 people. Furthermore, from 1991 to 2014, new jobs created in large cities more than doubled from 16% of new jobs in the early-mid 1990s to 41% between 2011 and 2014. Such a large shift in centers of economy has left rural and small-town Americans out to dry both economically and socially.⁴⁸ The dichotomy in people created by such shifts in population can best be described as “Anywheres,” people whose professional skills are transferable and easily maneuverable to wherever economic opportunity presents itself, and “Somewheres,” people whose lives are attached to a certain area, workplace, or trade. Recent trends have been heavily in favor of the Anywheres, creating conflict “between more and less educated

⁴⁷ Sitaraman, *The Crisis of the Middle-Class Constitution*, 227.

⁴⁸ Galston, 68.

citizens; between those who benefit from technological change and those who are threatened by it; between the cities and the countryside; between long-established groups and newer entrants into the civic community; between those who celebrate dynamism and diversity and those who prize stability and homogeneity.”⁴⁹ The assault on these communities however is not only domestic, but global.

The Neoliberal Shift

Trump’s supporters, and populist movements everywhere have long been associated with racism and nationalism. While this kind of conduct is never just or excusable in a liberal society, it is explainable when considering the nature of frustration for many disaffected groups, in concert with the lack of resources discussed later in the chapter. In the same way that America has come to be characterized by Anywheres and Somewheres—winners and losers—so too has the increasingly globalized world. Once again though, working class Americans fall into the losing category, while the middle class of developing countries has seen exponential growth. These are the people Trump’s racists despise for “taking their job,” when really they should be frustrated with the corporate executives who offered it to them.

To understand why these changes occurred, we need to understand the shift in prevailing economic ideologies throughout the 20th century. After WWII, the international economic system of which the United States was the hegemon was characterized by “embedded liberalism.” This was the idea that free trade, convertible currencies, and low tariffs were good, but they were to be balanced with the goals of full employment and fair

⁴⁹ Ibid., 10.

wages at home. In other words, it was the idea that “markets are embedded in society and cannot be disentangled from broader social and political considerations.”⁵⁰ However, in the 1980s, this focus shifted much further to the free trade, free markets, and freedom of contract end of the spectrum, ushering in the neoliberal era. This pursuit was justified in the name of increased efficiency, cheap products, and new markets that could be used to generate greater profits. It was not worth it: “Neoliberalism abandoned both [worker protection and foreign policy] in search of global economic growth and efficiency. It brought a shift from merely dismantling the pre–World War II era restrictions on trade to a new age of hyperglobalization. The general argument was that dropping trade barriers would enlarge the economic pie, and under conventional economic theory, the benefits from liberalizing trade would be more than enough to compensate the losers. But in reality, neoliberals never compensated the losers adequately. Labor and environmental standards are touted as protections but almost never enforced. Trade Adjustment Assistance—money for workers to retrain—is minimal, ineffective, and time limited. Corporate profits and reduced costs, on the other hand, are gigantic and, like diamonds, seem to last forever.”⁵¹ While some may dismiss such policies as Reaganomics that would engender a revolt solely against the right, the truth is that such attitudes continued with bipartisan support through the Clinton, Bush, and even Obama administrations. The neoliberal orthodoxy of the 1980s played out into the mid-2000s, ultimately losing its luster in the destructive power of the Great Recession, from which a significant part of this new kind of frustration with economic policies has been born. Growing up in the Great Recession, it again should be

⁵⁰ Sitaraman *The Great Democracy*, 23.

⁵¹ *Ibid.*

little surprise that “especially for those in the millennial generation, the Great Recession and the wars in Iraq and Afghanistan started a process of reflection on what the neoliberal era had delivered. Disappointment would be an understatement. The complete wreckage of economic, social, and political life would be more accurate.”⁵² This timeline of the neoliberal era illustrates exactly why all wage increases from the 1980s to 2008 were experienced by the top 10%, and why this has a large swath of the country feeling financially powerless. Economic gains have not only been held apart from traditional, rural, working-class communities. They have been effectively kept from everyone other than the elites in our newly globalized world.

Where our Gains have Gone

The effects of increased wealth in America are dismaying, but perhaps also expected given the extreme levels of inequality today. In addition to all the gains in income going to the top 10% over the last 40 years, middle-income Americans more broadly are struggling in a way that their parents did not. In 1940, children of this group had a 90% chance of outperforming their parents by age 30. Today, less than 50% of Americans born in the 1980s have achieved this.⁵³ The results are even worse for minorities, as homeownership rates among blacks in 2017 were just as low as before the civil rights revolution...when racial discrimination was *legal*.⁵⁴ Not only are the incomes of most people slowly being stripped away by meager growth in comparison to inflation, but the benefits that came with them are also slipping away. During the neoliberalization of

⁵² Ibid., 45.

⁵³ Galston, 69.

⁵⁴ Sitaraman, *The Great Democracy*, 46.

America in the 80s and 90s, it was argued that the market could provide goods such as education, healthcare, and childcare much more efficiently than the government. To an extent this is true, but only for those who have a high enough willingness to pay. For those who do not, “the economy is precarious, and workers and families are financially insecure. Workers no longer work for a single employer for a career (if they ever did). The reality is that many people are now independent contractors and freelancers, workers who don’t have a single salaried position—and as a result, can’t get health care, childcare, or other benefits through an employer.”⁵⁵ These specific examples serve as evidence of a larger shift in both the roles and goals of government. After WWII, the American government was held to a high economic performance standard, which they sought to hit in order to improve the lives of and satisfy their constituents. The agreement went like this: “Working through bureaucracies, popularly elected governments would deliver economic growth and rising living standards; social protections for health, employment, and retirement; domestic tranquillity; and the abatement of international threats. In return, the people would defer to political elites. For half a century after the war, the bargain held...But as governments have failed to deliver their end of the bargain, public confidence has waned. While for some people liberal democracy may be an intrinsic good, an end in itself, for most it is a means to prosperous, peaceful, and secure lives. It is a tree known by its fruit. If it ceases to produce the expected crop, it can be cut down.”⁵⁶ As living standards stopped improving, global competition increased, opportunity shifted towards urban centers, and people began to realize that this kind of economy best served the poor in developing countries and the

⁵⁵ Ibid., 153.

⁵⁶ Galston, 14.

elites in advanced countries, but not the working classes of the developed nations, that huge class of people began to revolt.⁵⁷ The most discontented individuals in our society, those who have been left behind by urbanization, technocratization, wealth concentration, and globalization, are ready to cut down the democratic tree, and who can blame them for looking to rid themselves of the institutions that have screwed them over for decades?

All this evidence for how American democracy has failed to deliver past levels of quality of life matters because if the few benefit massively while the many struggle to meet basic needs, we cannot possibly expect those citizens to engage fully with the democratic process or with one another, and it should be no surprise that when a populist comes along promising to address their woes, that they are instantly attracted to him. As Sitaraman points out, “having access to these basic elements of everyday life is a precondition for being a full citizen in both an economic democracy and a political democracy. It is very difficult to participate in the economy, or in democracy, when you’re sick. It’s difficult when you don’t have childcare. It’s difficult when you don’t have transportation infrastructure to get to work or the ballot box. It’s difficult if you don’t know how to read or never got a basic education.”⁵⁸ The economic performance crisis is on full display for the worst off in our polity today, but the significance of Sitaraman’s argument is that this should not worry us merely because we don’t want people to be poor. It should worry us because it renders our citizens unable to make the best choices for themselves and their fellow Americans. To the “how can working class voters vote for Trump, he does not have

⁵⁷ Galston, 7.

⁵⁸ Sitaraman, *The Great Democracy*, 153.

their best interests in mind! Bernie does!” coalition, this observation is especially important.

Why Children are Worse Off Than Their Parents

For the past generation, wages have stagnated, and for the first time in American history, opportunities that were available for most people’s parents are not available to most of their kids. People are working harder and harder, the nation is “prospering” more and more on metrics like GDP and the stock market, yet those who are not wealthy have seen no relative increase in economic security.⁵⁹ This has all occurred while people like Mitt Romney paid a tax of just 13.9% on \$21.6 million dollars in 2008, slightly less than the marginal tax rate of those who made over \$8,025 in income that year.⁶⁰ This was perfectly legal, given all of the special privileges and loopholes afforded to people like Romney. So not only were average Americans not receiving more wealth during this time period, they were often proportionally paying more back to the government that was implementing the policies that kept them from accessing wealth in the first place! This exemplifies economic corruption at its most sinister, especially considering the outcomes of the 2008 recession that leveled millions of people while the big banks that were responsible for the crisis were bailed out by the people they betrayed. Before, during, and after the crisis, financial institutions, lobbyists, the courts, and legislators helped solidify gains for American business, yet they did nothing to ensure that those gains were equitably distributed. Once these gains were made, the same people then moved at all costs to protect

⁵⁹ Sitaraman, *The Crisis of the Middle-Class Constitution*, 5.

⁶⁰ *Ibid.*, 256.

them through advantageous tax policies such as the increased estate tax threshold. In this way, the only people who can certainly offer their children a shot at a better life than they had are the wealthy who manage to entrench such riches for their kids.

More importantly though, the value of becoming an “Anywhere” through education serves to protect the opportunities of the few, while most kids must fight significantly harder to get to the same place: “by investing in their children's education, those at the top enable future generations of their kind to maintain high labor income and the elite status that is traditionally associated with knowledge and education. By investing in political influence--in elections, think tanks, universities, and so on--they ensure that they are the ones who determine the rules of inheritance, so that financial capital is easily transferred to the next generation. The two together (acquired education and transmitted capital) lead to the reproduction of the ruling class.”⁶¹ Elites are able to invest in their children to go to the best schools, support economic policies that favor them through donations, and of course provide the basic necessities for childhood that many poor parents cannot. The American promise that one could expect to be better off than their parents, and the same could be true for their kids, has been broken for the non-wealthy. The expectation that through hard work and a fair shot, real economic advancement can be made is simply not a guarantee without real median wage growth or opportunities for it.

⁶¹ Branko Milanovic, “The Clash of Capitalisms,” *Foreign Affairs*, December 13, 2019, <https://www.foreignaffairs.com/articles/united-states/2019-12-10/clash-capitalisms>.

Wealth Inequality

The story for wealthy Americans has effectively been the opposite of that described above. The spoils from increased production have all gone to the rich, resulting in all-time high inequality. Taking stock of the last 40 years, the top 1% made 8.5% of national income in 1976. In 2014, their share had more than doubled to over 20%.⁶² At the moment, 4 airlines make up 80% of their market, 4 beef suppliers 85%, 3 drug stores 99%, and the top 100 companies by market cap generate about half of the country's GDP.⁶³ This kind of monopolization harms consumers due to decreased competition, furthers inequality, and gives these firms market power to hold out new ideas and competitors. For example, in the case of Amazon, a seller might begin selling one of her products on its marketplace. Amazon however can then scan their sales data to determine which products sell the best and then, using its market power, produce a nearly identical product for a much lower cost. Next it can move its own version up in the search algorithm, and its competitor's product to the tenth page. Amazon will increase its profits while the individual seller will go out of business not because they made an inferior product, but because Amazon had the resources to push them out of the market. When Amazon jacks up the price of the item once it no longer has any competitors, the cycle will be complete. Consumers and independent sellers will be hurt; Amazon will profit.⁶⁴

Such concentrations of economic power lead us to the most notorious example of all, the Great Recession. In the 1980s, with the other neoliberal reforms discussed above, America began to deregulate its banks, culminating in the Graham-Leach-Bliley Act that

⁶² Sitaraman, *The Great Democracy*, 45.

⁶³ *Ibid.*, 130.

⁶⁴ *Ibid.*, 135.

repealed Glass-Steagall. What these reforms allowed banks to do was develop much larger chains of banks across the country that could take on even bigger sums of money, in addition to allowing consumer depository banks to merge with and engage in the activities of investment banks. After these laws were passed, intense consolidation in the industry occurred, to the point where these banks became too big to fail; they could not be allowed to go bankrupt because the fallout would be too large for too many people.⁶⁵ What played out as a result of these policies was an absolute betrayal of the American people. Lenders sold poor Americans predatory loans, the banks in the interest of ever-increasing profits packaged and sold these loans to investors, debt rating agencies rated such securities too highly in order to increase their business, and finally, when the mortgages collapsed and the corruption all the way down the line was exposed, it was the American people who footed the bill to bail out the banks. Once again, average Americans suffered in the interests of wealthy executives, but this time around it was so blatant that the people became disillusioned like never before. The government's response was, predictably, no better. The financial sector remained fundamentally the same, with no re-implementation of Glass-Steagall. No one went to jail, no banks were broken up, and no requirements imposed on banks effectively changed many of their practices in a way that they could not work around.⁶⁶ For example, today, banks can subvert the increased capital requirements of Dodd-Frank by using overnight repo markets. These were privately funded by different banks until liquidity dried up and rates soared. Who injected the funds to solve this problem? Of course, the government came in again with The Federal Reserve injecting

⁶⁵ Ibid., 170.

⁶⁶ Ibid., 52.

billions into the overnight markets. This is to say that “who paid?” is, you, me, and all the other taxpayers and users of the U.S. Dollar. A decade later, after AIG received \$190 billion in taxpayer money for its bailout in 2009, “while the rest of the American middle class plummeted to destruction,” Congressional members hosted a “centennial celebration”—a birthday party—for the company on Capitol Hill.⁶⁷

Traditionally, taxes have been a means by which inequality could be decreased and the least valuable dollars to the rich—their top dollars—could be redistributed to those who valued them most through effective government programs. This is no longer the case. Capital gains taxes, the tax on unearned income from stocks, bonds, real estate, and other investments, have dropped from 39.9% in 1977 to 20% in the highest bracket today. Estate taxes, income taxes, and corporate taxes have all been cut significantly (corporate taxes have dropped from 52% down to 21%) over the same time period.⁶⁸ Trump’s 2017 tax bill provided the largest corporate tax cut in American history, cut the tax rate on the wealthiest individuals, and increased estate tax exemptions to \$22 million among other protections for wealthy Americans, all at the cost of about \$1.46 trillion. Given the dire issues facing America’s middle class discussed above, the power of that amount of money to improve education, provide healthcare, support jobs, or subsidize skill training would have been massive. Instead, Trump returned trillions to the wealthy.⁶⁹ If wealth inequality were not bad enough, Trump’s policies since entering office have only made it worse.

⁶⁷ Ball and Enjeti, 1994.

⁶⁸ Sitaraman, *The Great Democracy*, 160.

⁶⁹ *Ibid.*, 78.

The Best Economy Ever

While Trump has attempted to shrug off many of these shortcomings by sky-high stock market numbers and fervent supporters who perhaps value his cultural appeal more, to so many people who were excited by Trump's anti-establishment, anti-neoliberal approach, Donald Trump shows that he has been a failure. While he ran on the rejection of elites, the "professional Republican class continues to operate as if he ran and won because he promised people a tax cut and never spoke once about immigration or trade...because Washington subsists solely on the beneficence of Wall Street billionaires and others with a direct financial interest in maintaining a status quo economy that does not work for all Americans."⁷⁰ In light of this failure to change the status quo, abandonment of the plan to "drain the swamp," and the continued deterioration of middle class workers, Trump seems either oblivious or uncaring of "just how stupid it sounds to the youth and working class of this country when you tell them that the economy has never been better for humans before in history."⁷¹ This absurdity is exemplary of what this chapter has shown about the way in which America's economic system shifted in the neoliberal era to stratify wealth and make economic mobility incredibly difficult. Economic policies have failed the majority of Americans for decades, distributed wealth upwards, stripped away protections for workers, narrowed economic opportunities, and solidified and made it more difficult to challenge such a status quo. Meanwhile, the elites tell these people that the economy is the

⁷⁰ Ball and Enjeti, 1988.

⁷¹ Ibid., 1992.

best it has ever been. In response to this laughable argument, why do the people not change these policies in favor of more equitable ones?

Chapter 4: Political Failure

The implications of economic concentration are far greater than simply a variation in bank account statements between individuals. Economic power is tied to political power, and if Americans were frustrated with institutions' economic performance, they have reason to be irate about their political performance. In the same way that citizens now lack considerable control over their economic situation, so too does this apply to their political experience. This is perhaps best exemplified by Sitaraman's discussion of the work of Martin Gilens, who "tested coalitions in which the preferences of the poor and the middle class are aligned against those of the wealthy, and he still found that policy was unresponsive to the lower-income groups' combined power. What that means is that when the poor and the middle class--when 70 percent of the people--disagree with the views of the richest 10 percent, their views have no effect on public policy outcomes."⁷² Gilens statistically analyzed the correlation in policy preferences between politicians and people along different metrics. Ideally, the views of people of different levels of wealth should be represented equally, or perhaps even weighted in favor of the lower and middle classes, as they are more numerous than the rich. Yet neither of these is the case. Gilens found that the wealthy have a hugely disproportionate representation in politics, which comes at the cost of the opinions of the poor—those who need the most help from government—from

⁷² Sitaraman, *The Crisis of the Middle-Class Constitution*, 243.

carrying any weight. This goes back to the question raised earlier: is it better to have real power but lose sometimes, or have no power, but usually have your interests represented? As it stands right now, average Americans don't really have either. Gilens shows that for the average citizen, the reality is really the *worst* of both worlds: they have no power, and they lose most of the time. As a result, "in America, all that matters is the views of the economic elites. Ordinary Americans' views only matter when the elites happen to agree. This is democracy by coincidence," not choice or majority as democracy promises to offer.⁷³ Going beyond the EIU's redefinition of the US as a "flawed democracy" mentioned earlier, the evidence points rather to a better characterization as an oligarchy. If democracy is government by the majority while oligarchy is government by a handful of wealthy elites, and if statistically speaking the only time the majority "wins" is when it is in accordance with those elites, can it be said that that government is more democracy than oligarchy?

Neoliberal Political Capture

A vote for democracy does not look convincing when considering how the effects of the neoliberal era that concentrated economic influence discussed in the previous chapter also spilled over into political power. In the same way, it seems that the only people with real political power are again the very small portion of wealthy elites for whom government has been shaped to benefit. The increasingly anti-democratic and authoritarian leanings around the globe outlined in chapters 1 and 2 grew partially out of a backlash to these unfair results of neoliberalism that in turn generated "decreased public participation in politics;

⁷³ Ibid., 246.

nostalgia for previous authoritarian eras; the rise of elected autocrats; increasingly poisoned, violent election campaigns; and sometimes an outright return to autocracy, whether through a coup or some other extra-constitutional means.”⁷⁴ Basically, in developing countries, the promises of the Washington Consensus that liberal democracies would bring power to people in addition to increased income proved empty when the system came crashing down in 2008. The people expressed their frustrations with neoliberalism through populist movements. The same could occur here in the United States. After all, young Americans are not stupid, and they are disillusioned by the above description of the state of our polity. For millenials, they feel they have gotten the rotten end of a bargain while generations before them got all the benefits. For example, consider the fact that “younger Americans have grown up bombarded with examples of institutional failure...A country repeatedly disappointing itself is the only America they have known, and so they take it as a norm, not an exception. And now they see it culminating in a national politics that feels like a debauched rampage of alienation and dysfunction—depraved and degrading, corrupting everyone who goes near it, always finding surprising new ways to reach lower. They are not happy about this, but their desire to overcome it expresses itself in various forms of rejection and dissent, rather than in a recommitment to the potential of our society and its institutions. Some are drawn to join the demolition crews.”⁷⁵ It is to these demolition crews to which we will turn in Part 3, but they should be in the back of our mind as we continue through this chapter. After all, while the functionality of political institutions in America appears bleak in our current moment, this

⁷⁴ Sitaraman, *The Great Democracy*, 81.

⁷⁵ Levin, 11.

is only important because of the looming threat of the demolition crews. Let us keep in mind as we examine the state of the young, poor, and disaffected what is at stake if we continue to fail these groups as we have in the past. The demolition crews are growing.

Elite Influence

Looking at our current political system and considering the relative influence of the wealthy compared to the average, it is hard to feel like democracy has given much power to most Americans. How have the wealthy ensured this? For starters, given the massive power that lobbying has on writing laws and influencing politicians, in a truly representative democracy, one would expect the interests of many different coalitions to come together for expert-driven lobbying to generate fair and balanced results. The problem is that this is not the case. Less than 1% of lobbying groups work for the poor (though they are 12% of the population) and 1% represent blue collar workers (24% of population). On the other hand, 74% of lobbyists represent the interests of white collar workers, although they make up less than 10% of the public. In short, white collar interest groups have about 75 times the influence on lawmakers that those representing the poor and working class do. Further still, the financial, insurance, and real estate sectors employed 2,397 lobbyists in 2017, or four per member of Congress. In 2018, Google spent \$21 million, Amazon spent \$14.2 million, and Facebook \$13 million on lobbying.⁷⁶ Some might brush this off as merely a kind of advertising for one's positions, or better still as an example of engagement in the democratic process. The problem however is that "lobbyists don't just advocate for policies; they also educate members of Congress and their

⁷⁶ Sitaraman, *The Great Democracy*, 176.

overworked staffs. They even draft legislation to help members. This work pays off: one study finds that for every dollar a firm spends on lobbying, it gets between six and twenty dollars in tax breaks” (Sitaraman, 176). Lobbying, however, is only the tip of the iceberg. In fact, according to Sitaraman, “the crisis is much more fundamental: the combination of voting rules, money in campaigns, lobbying, the revolving door in and out of government, gerrymandering, and other features of our political system mean that democracy is simply not representative of the people.”⁷⁷ The result is that “we have a political process that is stacked to favor the wealthy and corporate interests, a legislative process dominated by lobbyists, and a regulatory process often staffed by lobbyists and susceptible to their influence.”⁷⁸ What we are coming to discover upon this closer examination of politics is that in nearly every aspect of our political lives, money dominates. In consequence, those who do not have it—who are also those most likely to legitimately demand change to help their situations—are unable to affect those changes. This is how the frustration we have considered throughout this thesis begins to build on the political level.

Identity Politics

So far, this thesis has criticized the right multiple times for its adoption of Trump as well as its disregard for democratic norms over the last two decades. The left is not free from charges of demagogic populism and disrespect for their opposition either. However, while wealthy conservatives might be what one has in mind when considering the rich elite discussed in the prior paragraph of those who use money to impose their will on the people,

⁷⁷ Ibid., 188.

⁷⁸ Ibid., 178.

it is the left-wing elite that is most responsible for the rise of identity politics that has alienated and forgotten about so communities around the country. It is impossible to talk about political failures without talking about the rise of this toxic practice in our political culture.

Identity politics gives credibility, priority, and attention to those who fit into a certain category of identity. For example, because a woman has never been president, proponents of identity politics gave Hillary Clinton priority due to her identity as a woman. Of course, they failed to consider that she was one of the most unlikable, corrupt, and self-righteous people they could have nominated, and that for the working American—*not* the woke college student—they did not give a damn if Hillary was female, black, white, or blue, but that she had sold them out through the TPP, failed and lied in her handling of Benghazi, and told these same people that they were “deplorable.” The logic of identity politics says that this should not matter; certain identities have certain values regardless of, well, the actual value they might provide while in office. Practically this is a setup for complete failure, as it leads to an impossible calculus of various weights for various identities, and creates a game of whack-a-mole to try to recognize every group who might be disadvantaged in some way. In practice, identity politics has been a cop-out for the left for what they have been unable to accomplish. For example, “Democrats and the left point to the dog whistles, exclusionary rhetoric, and voter suppression policies of the right and say, in effect, ‘Yes, the minimum wage hasn’t been raised in a decade, including much of the time we were in power; yes, we participated in the gutting of welfare and unions and architected mass incarceration, yes, we bailed out our largely white banker friends and let minority home owners pillaged by subprime lenders drown, but you can’t vote for those

racist, homophobic people, can you? You have no choice but to vote for us.”⁷⁹ If there is a hill to die on for democrats, it should not be that of identity politics. Taken to their logical end, satisfying this ever-changing calculus of the value of groups is a divisive and impossible task that will always leave someone upset, and do so at the expense of choosing the most effective candidate or policy.

Meanwhile, the energy that has been spent on placating and paying lip service to interest groups could have been spent on devising a healthcare plan that would actually help these people, or working with political opponents to find common ground. Instead, “for Democrats, who had passed NAFTA and pushed for TPP and deregulated the banks and let unions wither on the vine, it was much easier to cry “racism!” or “sexism!” or “Russia!” or “Comey!” than to admit that their policies over decades had led directly to [Trump’s election].”⁸⁰ These cries of offense ring hollow on the ears of those in legitimate need of political change, while for those privileged enough to cry them in an expression of public woke-ness to their audiences, they do effectively nothing. When politics turns from the practice of making policy to the practice of public posturing, that is not an institution people can trust, rather, it is little better than puppet government. In Levin’s words, “when we don’t think of our institutions as formative but as performative—when the presidency and Congress are just stages for political performance art, when a university becomes a venue for vain virtue signaling, when journalism is indistinguishable from activism—they become harder to trust. They aren’t really asking for our confidence, just for our attention. And in our time, many of our most significant social, political, cultural, and intellectual

⁷⁹ Ball and Enjeti, 1346.

⁸⁰ Ball and Enjeti, 15.

institutions are in the process of going through this transformation from mold to platform....At the other end of the spectrum are many of the genuinely novel institutions of the twenty-first century: most notably the virtual institutions of social media, which are inherently intended as platforms and not molds. They are ways for us to shine and be seen, not ways for us to be transformed by an ethic shared with others. It would be strange to trust a platform, and we don't."⁸¹ Levin's key comparison here is that as we would reflexively say that we do not trust Facebook, a place where individuals seek out individual validation for themselves among other competing interests, we should no longer trust our political institutions. It was immediately suspect when Facebook decoupled the messenger function, a tool meant to help us connect with others that performed better when integrated into the main app, into its own separate app in the pursuit of higher private gain in app and ad profits. In the same way, as politicians decouple from actually making laws or devising creative strategies to solve problems, and instead focus on building their personal brands through Twitter wars, we should no longer trust them either.

Government Inefficacy

The political but non-economic aspects of our government do not offer much hope for democracy, and instead also continue to suggest functional failure and concentrated oligarchy. The feeling that the government simply does not work to solve the people's problems is not limited to the economic influence held over it. The most common complaint is perhaps that the government can "never get anything done." At the present moment, this is a fair charge. In terms of structure, Fukuyama makes the frequent criticism

⁸¹ Levin, 33.

of the American Constitution, that in its goal to “prevent tyranny by multiplying checks and balances at all levels of government, [it] has become a vetocracy. When combined with political polarization, it has proven unable to move either forward or backward effectively....While the American economy remains a source of miraculous innovation, American government is hardly a source of inspiration around the world at the present moment.”⁸² The last constitutional amendment was passed over 25 years ago. The 2nd most recent, and the most recent of significant weight to the average American, was passed in 1971. It is no profound observation to note that the Constitution is not particularly responsive to current problems, especially under particular courts. This means that some courts might be more open to Constitutional evolution to respond to citizens’ concerns, such as a court that includes Merrick Garland. But alas, America’s institutions shockingly failed to hold a confirmation hearing for a justice nominated entirely within the rules of America’s supreme court system.

On an executive level, Courser, Helland, and Miller write in *Parchment Barriers* that “the inability to achieve policy change through the regular constitutional order has accelerated the transformation of a formal federal system into what Greve calls presidential government.”⁸³ When the “normal government” fails to achieve its goals through “regular” means (making laws, appointing justices), the “presidential government” is what comes about. To watch this kind of foundering of previously useful political institutions (recall Congress’ approval rating drop from 40% to a current 7%) does not inspire faith among

⁸² Fukuyama, 407.

⁸³ Eric Helland et al. *Parchment Barriers: Political Polarization and the Limits of Constitutional Order*. (University Press of Kansas, 2018): 10.

citizens. This leads us to a direct examination of the legislative branch, which is in the most dismal state of affairs in terms of both efficacy and supporting our institutional norms. Mounk writes that “today, senators play constitutional hardball on a daily basis. Though they respect the legal limits of their authority, they unabashedly insist on getting the most mileage out of every rule and procedure---even when it evidently subverts the spirit for which it was intended. The upshot has been a slow-moving form of institutional mayhem.”⁸⁴ This is of course all in reference to Congress, but does not even begin to address the abuse of voting rights legislation and gerrymandering that have hamstrung politics on the local level. When the laid off forklift operator, the incensed college student, or even the casual political observer laments that nothing gets done to help them, they may, usually legitimately, blame the legislature.

Structural Problems

In the prior chapter, the “performance crisis” of the American economy was decidedly a large factor in why citizens were so frustrated with economic policies and the people behind them. The performance of the political system has been even worse, but the response from frustrated populists has been the same: get rid of the people who use institutions to insulate themselves from meaningful change. The first qualm many of these people have with American government is its structure. America’s founders wanted change to be slow, deliberate, and widely approved of, because they were constantly worried about the tyrannies of majority faction. While this is at times a strength, when trying to get laws passed quickly and efficiently, it is a crutch that is difficult to shake. Because the U.S.

⁸⁴ Mounk, 117.

system of divided government allows different parties to control different institutions, polarization and disagreement between the parties, which is at an all time high today, causes serious gridlock. At the moment, it seems that one party can only get something done when it has control of both Congress and the Presidency. When that happens though the party in power is likely to abandon forbearance and try to accomplish as much as possible.⁸⁵ In the words of President Johnson, ““you've got to give it all you can, that first year...You've got just one year when they treat you right, and before they start worrying about themselves. The third year, you lose votes...The fourth year's all politics...So you've got one year.””⁸⁶ However, Galston points out that if a President attempts to do too much in one year and ultimately overreaches, the backlash will be powerful, leading opponents to next vote the other party into power. This divided government then causes frustration among citizens, which makes a singular party leading the entire government more desirable, which ultimately leads to that party overreaching and frustrating the opposition, and then we are back to square one.⁸⁷ This cycle of undivided government to government overreach to divided government in gridlock to undivided government once more effectively creates a situation in which the minimum efficacy is achieved, while the maximum pissing off of the other party is realized.

In practice, this kind of inefficacy has had extensive negative impacts on the American people. Again, President Johnson points out another flaw with our system of lawmaking that disincentivizes getting difficult things done: “I am sure we will wait until

⁸⁵ Galston, 73.

⁸⁶ James L. Sundquist, *Constitutional Reform and Effective Government* (Washington, DC: Brookings Inst., 1992): 145.

⁸⁷ Galston, 73.

next year...to deal with the entitlements, to deal with the problems of the tax system, to deal with health care cost control...And next year people will say, ‘well, wait a second. Let us not do it because an election is coming.’...We have been so intent on getting ourselves elected that year after year we have put off the hard issues.”⁸⁸ Such was the case following the Great Recession. At the time, no policy response was going to be popular among a significant group of people, and so instead of getting things done, gridlock ensured that the worst thing of all, *nothing*, was done immediately to ease the suffering. As citizens grew frustrated, “they grew impatient with political arrangements that seemed incapable of responding boldly, and their frustration found outlets in new, often marginal political parties whose leaders promised more effective institutional arrangements, even at some cost to democracy.”⁸⁹ This is a simple but highly illustrative example of how the kinds of anti-democratic, illiberal movements discussed in Part I gained so much popularity. The government was ineffective and the illiberals promised not to be, despite the rights they might have to infringe upon.

This example is also illustrative because the complexity of the Great Recession exemplifies how today’s problems are often widespread across so many different sectors of our society and political economy that the slow-moving, deliberate government often struggles to adapt to these new challenges. In the words of Donald Kettl in his book on what the “Next Government of the United States” should look like, he points out that today, “The institutions and the problems they are charged with solving have often proved a

⁸⁸ Sundquist, 159.

⁸⁹ Galston, 16-17.

dangerous mismatch.”⁹⁰ Even for things the government used to do well, it now appears poorly suited to handle the increasing complexities and cross-cutting nature of healthcare, immigration, environmental protection, financial regulation, and more. In dealing with such problems, the government is so compartmentalized that at the end of the day, no one is currently held responsible for anything, everyone blames everyone, and little is done to effectively solve the problem. *This* is what is behind the complaint that “the government never gets anything done.”

The government, you might be surprised to hear having read this thesis so far, actually gets *a lot* done. The basic functions of government are actually executed on a massive scale every day, to the quiet approval of many. After all, “newspapers never headline 'Mail Delivered Yet Again Today' or 'Social Security Checks Arrive by the Millions.' But that, in fact, is the core story of most of government's work: *what government does regularly, it tends to do well*...High performance typically hinges on building strong, effective routines.”⁹¹ The trouble for government arrives when it has to solve complex problems, the share of which is increasing in the challenges we face each day. In the past, American government effectively served the role of a “vending machine” in which Americans paid taxes, policy makers created programs, and government officials carried them out. In the context of the vending machine: “decide what to buy; insert money in the slot; wait for a hidden mechanism to process the cash and work the internal levers; enjoy the service that is dispensed...however, it has become increasingly difficult for citizens to know how and where to connect with their government, especially the part of government

⁹⁰ Donald F. Kettl, *The next Government of the United States: Challenges for Performance in the 21st Century* (Washington, DC: IBM Center for the Business of Government, 2005): 94.

⁹¹ *Ibid.*, 33.

that spends their money and provides them with services...it is surely easy to understand why citizens feel disconnected from government, alienated from its key decisions, and confused about why it is so hard to make it work well.”⁹² Because the government struggles with complex problems though, they have increasingly outsourced who is in charge of solving them to private contractors. This has been done in the name of increased efficiency, although even that is debatable, but the most important characteristic of such a policy is that it has disconnected taxpayers’ payments from the services they receive.

The government directly administers services less and less, so it is more difficult to impose any kind of oversight, let alone show Americans that their dollars are being spent well. This is “government by proxy,” in which “policy makers still create a program and assign it to an agency to manage. To run these programs, however, government is relying increasingly on intricate relationships among federal, state, and local governments; among public, private, and nonprofit players; and between American and international organizations” (Kettl, 31). Going off of the lack of responsibility that attempting to handle difficult problems across government agencies creates, outsourcing those problems even further shirks this responsibility. In this day and age, “it is becoming increasingly hard for government to solve problems because the problems themselves confound the boundaries created to solve them. *In fact, it is no longer possible to assign responsibility for any fundamental problem to a single government agency--and no single agency can control or manage any problem that matters.*”⁹³ This insight made over a decade ago is more relevant than ever right now in the midst of the COVID-19 epidemic. The actors are all mixed up—

⁹² Ibid., 29-30.

⁹³ Ibid., 34.

state governors, the CDC, the WHO, Dr. Fauci, the media, China, and of course President Trump—and none of them want to take responsibility for the outbreak. All this has done is leave the American people frustrated, scared, uncertain, and at each other's throats over the decision to re-open the country or not. And so the vending machine model actually continues to do a lot well, but in times of most pressing need, sophisticated problems, and quick responses, it continues to perform poorly. As a result, “American governance is left with a tough dilemma: comfortable strategies that do not work or new strategies whose novelty offers little comfort.”⁹⁴ For a clear example of this dichotomy, just look to the most recent democratic primary. From a massive field of diverse candidates, the battle came down to this dilemma, between the status quo Joe and his familiar but ineffective strategies, and the radical new ideas of Bernie Sanders, which very few were able to find “comfort” in. The drawbacks of the structure of American government continue to play out across our politics.

The consequences of such an unproductive government then are that “[party] members are less concerned with institutional prerogatives and the constitutional legitimacy of their actions than they are about achieving policy goals in an uncompromising ideological fashion. The result has been a significant reduction in the productivity of Congress in passing legislation and an emphasis on a new kind of leadership-driven irregular legislative order that undermines deliberation and compromise.”⁹⁵ So the negative effects are two-fold. First, if institutions are ineffective, they undermine citizens’ trust in them, and second, the irregular methods which must now

⁹⁴ Ibid., 220.

⁹⁵ Helland, 7.

be used to try to implement one's policy prescriptions breeds distrust amongst those on opposite sides, further damaging our already tenuous political polarization.

Lastly, if the influence of money on politics and the slow-moving nature of government had not already had enough of a negative impact, the way in which America elects its leaders is also becoming increasingly unfair. Because Congress gives each state 2 senators regardless of size, and the electoral college clumsily assigns electors based on population, each person's vote truly does not count equally—but remember that, even if it did, elites would still probably hold nearly all the power in making public policy. This deficiency is exacerbated by the increasing concentrations of people in certain hubs outlined in the prior chapter, because as a result, “given current demographic trends, by 2040...70 percent of Americans are expected to live in the 15 largest states...That means that the 70 percent of Americans get all of 30 Senators and 30 percent of Americans get 70 Senators.”⁹⁶ Taking all of these considerations together, it is perhaps no wonder that U.S. voter turnout rates are so low. Some votes matter significantly more than others.

Performance Politics

This frustration and inefficiency has all come partially as a result of a new kind of political branding taken on by congressional members in the age of social media, polarization, and lack of substantive work. Few people could name the last bill their state's congressman sponsored, or what their favorite representative is working on at the moment. They can however remember the viral 30-second sound byte of them flaming a member of the opposition party that they saw on Instagram earlier this week. This is because “many

⁹⁶ Mehdi.

members of Congress have come to understand themselves most fundamentally as players in a larger cultural ecosystem, the point of which is not legislating or governing but rather a kind of performative outrage for a partisan audience...they view the institution of Congress as...a way to raise their profiles, to become stars in the world of cable news or talk radio, to build bigger social media followings, and to establish themselves as celebrities.”⁹⁷ The most infamous member of the left engaging in such practices is Alexandria Ocasio Cortez, but she has counterparts on the right like Matt Gaetz and Dan Crenshaw. Regardless of their party affiliation, they are doing nothing to pass solutions to Americans’ problems, while doing a lot to contribute to a partisan pissing contest that only further exacerbates them.

While these actions breed disgust with politicians in Congress, they are representative of a larger trend that is evident across American society: the inability of institutions to form people and their actions, who instead use those institutions for their own personal gain. This is the main focus of Yuval Levin’s *A Time to Build*, and the importance of this shift in institutional capabilities is a major explanatory variable in why institutions that worked so well for so long are now struggling so much. Levin explains that “we trust an institution, then, because it seems to have an ethic that makes the people within it more trustworthy. We trust political institutions when they take seriously their obligation to the public interest, and when they shape the people who work within them to do the same...We lose trust in an institution, therefore, when we no longer believe that it plays this ethical or formative role, serving as a forge of integrity for the people within it...In such situations, the institution is revealed to have been corrupted into serving those

⁹⁷ Levin, 46.

within it at the expense of its core purpose. Rather than shaping the people inside it, it comes to be deformed by them for their own ends. This is a betrayal by insiders—a mode of institutional corruption we might call ‘insiderism.’”⁹⁸ The concentration of political power among the wealthy, the capture of Washington through lobbyists, the revolving door of experts into political positions, and the reinforcement of these practices by government are all examples of insiderism. Institutions that in the past have been systems by which Americans might express their individual will such as Congress through their representatives that have now been degraded to dysfunctional debate clubs are institutions that citizens lose trust in. However, this is not the full extent of corruption in American institutions.

Levin continues, “alongside plenty of familiar insiderism, we have also seen in this century another less familiar form of institutional deformation. We might call it “outsiderism,” and it involves institutions that fail to form men and women of integrity because they fail even to see such formation as their purpose. Rather than contain and shape individuals, these institutions seem to exist to display individuals—to give them prominence and gain them notice without stamping them with a particular character, a distinct set of obligations or responsibilities, or an ethic that comes with constraints. Such institutions prove unworthy of our trust not so much because they fail to earn it as because they appear not to seek or to desire it at all.”⁹⁹ This is the characteristic that best describes Congressional members, presidential candidates, political pundits, “woke” or “triggering” social media pages, and even our friends who use politics as a kind of platform by which

⁹⁸ Ibid., 31.

⁹⁹ Ibid., 32.

to elevate themselves. Why would we continue to trust these political institutions if they are merely the social playgrounds of attention-seeking partisans that have no interest in finding real solutions?

Technocracy

Lastly, there is the modern state technocracy that has organized a vast web of expert-driven institutions and organizations not beholden to the people. These include organizations like the Fed, the EPA, and even the courts. At first, each of these organizations served a real role. They addressed some pressing issue, whether it be pollution for the EPA, testing drugs for the FDA, setting interest rates for the Fed, or building roads for the FTA. The issue however arises with getting rid of or reeling in these kinds of institutions once they come about. Basically, the more effective they are, the more we need them, and the more difficult they are to reign in. But the more difficult they are to reign in, the more likely they are to be captured by lobbyists for special interests or simply be a waste of money that is, remember, completely unbehalden to the people. Yet, don't we want experts to make policy? Environmental experts are better suited than politicians to set environmental policy. The same holds for building roads, or whatever the function of the institution may be. There are certainly exceptions, but for the most part we can say that putting experts in charge of our economic system, our trade treaties, or our infrastructure in narrow terms has yielded good results. However, it is still undeniable that these kinds of independent institutions have even further withdrawn the little power citizens had left in electing who serves the government.

This is the main point of Yascha Mounk's article "Democracy is Deconsolidating." Here, Mounk admits that "the challenges faced by developed liberal democracies are very complex... both the design and the implementation of these regulations really do require considerable technical expertise...and so it remains unclear how these tasks could be accomplished if we simply abolished technocratic institutions."¹⁰⁰ This leaves us with a kind of zero-sum game. Technocracy may bring us sound economic or environmental policy, but it will also degrade the ability for people to influence their government. In a way, we are stuck if democrats demand both rights and results. To bolster their voting rights would be to peel back the power of some of these institutions, at the risk of making even worse the real-life experiences of citizens with their government's services. On the other hand, to attempt to further delegate the government's tasks to expert individuals might bring people the kind of good economic benefits they have been seeking, perhaps in the form of an independent group of tax policy professionals writing our next bill, yet it would also further individuals' frustrations about the actions of the government being completely out of their reach. Indeed, for most people, there is a severe lack of agency available to them, and we are unsure how to bring it back on one front without damaging the other. Attempting to do so, in Mounk's eyes, could be disastrous: "Either they return power to the people in a manner that is liable both to violate some of the core liberal values of our political system and to lead to an even greater crisis of legitimacy when government performance suffers as a result. Or they maintain key technocratic institutions that both

¹⁰⁰ Mounk, 110.

violate some of the core democratic values of our political system and are liable to make a populist rebellion even more likely.”¹⁰¹

Nothing Ever Gets Done

Regardless of one’s perspectives on how technocratic the government should be, are the policies that are widely supported and would plainly benefit most people still fail to get passed. This chapter has covered why government has failed Americans in recent history. From the broken promises of neoliberalism, to increasingly insulated government institutions, to the use of those institutions for personal gain, to outsized influence of the wealthy, to structural inefficiencies that gridlock lawmakers, to a misguided obsession with identity politics, America’s politics are at the moment a disaster. To sum the effects of these factors up with an example, the reason most people are frustrated with their government boils down to the fact that “the vast majority of Americans, for example, support gun control legislation, yet nothing happens. The vast majority of Americans support increasing Social Security, yet nothing happens. The vast majority of Americans think climate change is real and are concerned about it, yet nothing happens. The vast majority of Americans support higher taxes on the wealthy and putting limits on campaign spending, yet these things never happen either.”¹⁰²

¹⁰¹ Ibid., 111.

¹⁰² Sitaraman, *The Great Democracy*, 175.

Chapter 5: Sociocultural Failure

America has struggled economically and politically before. However, this has often resulted in people banding together. A key difference this time is that culture wars are tearing us apart in the midst of this turmoil, so that like the laid off forklift operator, we find ourselves unable to talk to others when we are struggling the most. This chapter brings together the third and final tenet of failure that have caused the political tensions outlined in Part I. It breaks down different aspects of what we might call the “culture war” and observes them in the context of neoliberalism, media, identity politics, and more.

Media

In 1960, 4% of Democrats and 5% of Republicans said that they would be “displeased” if their child married a member of the opposite party. In 2010, the percentage who would be “somewhat or very unhappy” with such a prospect had risen to 33% and 49% respectively. Today, political party is no longer simply another organization one subscribes to; it is an identity.¹⁰³ Meanwhile, in the same way that opportunity has shifted geographically, so too have political affiliations across all aspects of life in what Bill Bishop has dubbed the “Big Sort.” This refers to the increase in partisan media we consume, the geographic region we live in, and the people we interact with on Facebook.

¹⁰³ Ziblatt and Levitsky, 167.

It has the effect of creating an impenetrable echo chamber in which we only hear opinions we agree with and evidence that supports them.¹⁰⁴ On social media platforms, the best way to increase usage is to properly predict what users like to see and offer it to them through complex algorithms that detect the preferences these people already have. What is so sinister about this is that by reading news articles and posts on these sites, we think we are becoming more informed, when we are merely having our preconceived ideas reinforced.

Given these considerations, it is surprising that we tend to trust this kind of decentralized but curated form of media. However, given the state of the media as an institution, it should be unsurprising at least that people have turned elsewhere for their information. In the era of fake news, it is no wonder that we no longer trust what the opposition says. Today, Pew Research reports that a majority of Americans have little or no trust in the media, while 61% say that the media fails to cover important stories.¹⁰⁵ On the right, for example, the notorious Fox News has adopted a “no compromise” position in which those who oppose the conservative orthodoxy, even if they are Republicans, get attacked. “As former Republican Senate Majority Leader Trent Lott put it, ‘If you stray the slightest from the far right, you get hit by the conservative media.’ This is also true for liberals these days though.”¹⁰⁶ On the left there is certainly some of this practice in established institutions like CNN or MSNBC, but in many cases it runs deeper. Ball and Enjeti argue that this is due to the fact that the media’s “product is not meant for the working class. Remember, the news business is a business with a target market. The target market for most elite media and for the advertisers who fund them, is the mostly white,

¹⁰⁴ Galston, 72.

¹⁰⁵ Ball and Enjeti, 801.

¹⁰⁶ Ziblatt and Levitsky, 172.

upper middle class. That means all coverage is tailored to their particular interests, needs, and desires. This predilection is exacerbated by the fact that newsrooms are increasingly populated with a monoculture of those who come from relatively privileged backgrounds, attend prestigious schools, and live in a few metro super regions. The end result is that the working class is either ignored completely, caricatured, or demeaned, their lives and concerns virtually ignored.”¹⁰⁷ In Part I, the preference of the media to cover “Ukraine-gate” as the world burned from popular uprisings exemplifies this elitism in the media. The unifying factor between the infamous networks representing both right and left is that, at their core, they are both still profit-oriented, run by the educated elite, and focused on whatever issues will get the most views, rather than those that matter the most. Remember, the Washington Post is owned by the world’s richest man, Jeff Bezos, while Bloomberg news is owned by, well, Mike Bloomberg.

In the same way that political power was linked to economic power, the power of the news media that has immense influence in our culture and the way we judge our government is controlled by moneyed interests as well: “Media companies have become intrinsically linked with the powerful corporations that they are supposed to hold to account. The three largest broadcast networks in this country are owned by Comcast, Disney, and Viacom, respectively...The New York Times, which was once relatively independent when financed by advertising revenue, is now beholden to elite subscribers who will tolerate no dissent from their outlook of the world. How is any media company supposed to fairly cover the issues that affect the American oligarchy when they are directly beholden to it? This applies more so to issues of coverage for the working class of America

¹⁰⁷ Ball and Enjeti, 1177.

for whom attention and assistance are most likely to come at the very expense of these oligarchs.”¹⁰⁸ If newspapers are upheld by the wealthy who pay for subscriptions, newspapers are pressured to publish media that will keep these groups happy. They are unlikely to focus on the struggles of the working class, who have dismissed them as fake news for precisely this practice, because it will only serve to undermine the interests of those who are paying for this news. To bring this into reality, “just consider how many ‘let’s go on a safari in the heartland to try and understand this peculiar species’ style packages that we’ve all been collectively subjected to since Trump’s election.”¹⁰⁹ One cannot help but cringe when watching these segments as a dressed up, metropolitan journalist brings a camera crew to investigate just what exactly is going on in “Trump’s America.” These programs lack even the most basic self-awareness. If their reporters stopped for a moment to realize that their behavior, in which the elites never address or even take any interest in the plight of the working class poor until for 3 days they investigate it as an entertainment piece to document why they lost, contributes directly to that loss itself.

Social Bankruptcy

Culturally, the neoliberal beneficiaries in the big cities trekking to Fishtown to figure out “what went wrong?” is just one way that neoliberalism has failed to create a unified culture in America. Of course, the media failing to properly cover a story or represent an array of interests is not enough to create the kind of core rot taking hold in so

¹⁰⁸ Ibid., 1258.

¹⁰⁹ Ibid., 767.

many American communities today. The media and elites have done worse than this as evidenced by the previous chapters, but further still, consider what the perspective of a small-town laborer is from the inside looking out, rather than the outside looking in: “in search of those topline GDP and stock market numbers that we are told indicate a prosperous society, we passed so-called free trade deals, written by the very corporations that hollowed out our industrial core. As factories and steel mills were moved overseas, towns were left with rotting abandoned husks where the pride of the community used to sit. Men who had watched their fathers and grandfathers earn enough and have enough stability to provide for their families on a single income were left scrambling to survive on minimum wage service jobs at Walmart or Wendy’s or taking on informal unstable gig work to piece together a living. *Even more devastating than the economic struggle though was the loss of meaning, self-concept and self-worth* [emphasis added]. Our culture tells men their whole lives that the real measure of a man is the ability to provide and then we stripped them of their ability to do so. Is it any wonder that so many are depressed, addicted, angry?”¹¹⁰ The theme of the American worker who has been screwed over by economic, political, and liberal policies has been a consistent one throughout this thesis. But an underrated yet equally important implication of these policies is the loss of self-worth that comes from losing one’s job, seeing a community ravaged by addiction, or having generations of families and businesses leave the town. A \$1,000 check every month would not solve this problem, and neither does the election of Donald Trump on a political level. Admittedly though, on a social level, Trump has given working class communities something to believe in. After decades of job losses, capital flight, and union break-ups,

¹¹⁰ Ibid., 137.

Trump is a uniting force in these communities. On both the negative and the positive side, one cannot understand the political climate in America today without understanding the social effects that economic and legal decisions have made.

The Incoherency of Identity

The media's failure to properly address these people's concerns is representative of a larger attitude towards the working class that has become pervasive in our social culture. Among leftist elites, Trump voters have been cast as all the same. To use Clinton's words that is to say, they are "deplorable." However, this is a lazy, unhelpful, undetailed, and simply untrue characterization: "this false idea of the white working class as racist, brainwashed Trump supporters is convenient for both the media and the Democratic Party. It keeps them from having to ask hard questions about why the white working class would throw their support behind the historic party of plutocrats and a reality show billionaire like Trump. It also keeps them from asking hard questions about why so many Americans don't participate in the political process at all: it's not their fault—it's the 'dumb, lazy, racist voters'... painting the massive, complicated group of people in middle America with a broad brush is offensive, absurd and extraordinarily counterproductive."¹¹¹ Describing large groups of people in one way, and valuing or devaluing them because of this particular group is the practice of identity politics, and it is inherently harmful not only on the political level as discussed in the last chapter, but on the social level as well.

It is no profound argument to claim that American workers have lashed back against social justice and identity politics. This could be due partially to prejudices, but it is likely

¹¹¹ Ibid., 1228.

more based on practicality and the silliness of this kind of rhetoric to working people. Even on the left, “the social-justice-obsessed aristocracy within the media, government, and the establishment Democratic party sold a narrative throughout the Obama years that they were pursuing ‘progress’ while simultaneously letting the billionaire class off the hook for internally gutting the country” (The Populist’s Guide). In retrospect, it is hard to argue that Obama would be considered a “progressive” in the Democratic party today, just four years after leaving office. For those who sought real change, Obama represented that idea, but he did not follow through in practice. After all, “if you’re an immigrant getting deported,” a practice which Obama engaged in more than any other president in American history, “does it matter to you that the deporter-in-chief is the first African American president? If you’re in jail for marijuana possession or because your kids were truant at school, does it make a difference that it’s Kamala Harris who gleefully prosecuted you? Aren’t you delighted that Kellyanne Conway was the first woman to run a successful presidential campaign? The truth is so obvious that it’s embarrassing to state it. What you do, the policies you advocate for, and the people you help, matters,”¹¹² not what you look like, what your sexual orientation is, or where you are from. What the identity politics of the left shows is that while public posturing for certain groups might be applauded by the loudest supporters, it is far from the most important thing in winning an election, and it can actually hurt a candidate’s case.

This reveals a fundamental problem for American leftists like Bernie Sanders: “no matter how much you want to tout progressive economics, the intersectionally woke members of your coalition will always impose their PC litmus tests upon you. They will

¹¹² Ibid., 1675.

not allow a single concession from these candidates to the cultural right and will demand representation in any future administration they are likely to hold. If they are rebuffed, then they'll scream like hell and get their media allies to assist them in brutalizing you in the national press. The thing is, if a progressive actually wanted to win in this country, then concessions or at least a degree of respect for the other side is needed on cultural issues.”¹¹³

The problem is that that shred of respect for the opposition who are, for example, religious, traditional in their relationship beliefs, or not yet well-acquainted on bi-gender pansexuality, does not exist once a party goes all-in on identity politics because it is a never-ending problem. There will always be someone who is more woke than the next person or the next candidate, and to not perform up to the highest standard is to fail in a way that requires constant apology. For those who have not adopted such complex views of the value of different identities, this looks like a circus. The left consumes itself in trying to pander to the most niche, progressive, and oppressed group, while the average struggling American shakes their head at using considerable energy on such practices, until they are chastised by a member of the movement for doing so.

Culturally, the practice of identity politics has wreaked havoc on our interactions with one another, especially across these identity groups. What it generates is a never-ending game of finger pointing over who marginalized who, what each word of each speech from 30 years ago meant, and what different members of different groups are entitled to from the others when at the end of the day, it is likely that everyone in the conversation actually shares common ground in their support for equality of treatment and opportunity for whatever the group of the day might be. However, real arguments made on these

¹¹³ Ibid., 2188.

grounds cannot be sustained under the authority of identity politics. This is because for its adherents, such as college students, “challenges to the progressive conclusions of campus moralists are understood by many students as challenges to the experiences and identities of certain groups. They are understood, in other words, not as substantive political disagreements, but as modes of oppression...Tying identity to politics in this particular way makes it very hard to argue about politics and to express opposing views without their being taken as attacks. To dissent is to dismiss another person’s experience—indeed, to dismiss another person’s very being. Such dissents are often implicitly interpreted in terms of safety and harm, and therefore treated as abuses,”¹¹⁴ when really someone might be trying to merely gather more information to develop a more effective policy. Without the ability to ask questions and seek truth without fear of retribution or dismissal, our politics inevitably breaks down into imprecise mob rule. Whatever is the opinion of the day will go, because this is the only way to be truly responsive to different identities. The effects on our social interactions with one another then are incredibly toxic, as the blame game shuts down dialogue and action both across and within political affiliations. Levin sums the dangers of such attitudes up by saying that “politics practiced this way is utterly corrosive of the ethos of republican government. If people involved in the political world play roles in the sense that actors do, it becomes nearly impossible for them to play roles in the sense that leaders and citizens do.”¹¹⁵

¹¹⁴ Levin, 93.

¹¹⁵ Ibid., 117.

Form vs. Platform

The degradation of the ability to communicate effectively with one another, and instead preferring to hear ourselves and those who agree with us talk, is essential to understanding why our sociocultural relations have broken down so significantly. In fact, the effects of Trumpian rhetoric have spread pervasively throughout our society, to the point that many of his most vehement opponents do not realize that they are doing the same thing: “Too often now, prominent political reporters in particular can be found engaged in a never-ending, loose, unstructured form of conversational commentary on television, on Twitter, and elsewhere—a conversation carried on in public view but outside the procedural and ethical boundaries of their workplaces...Journalists inclined to complain about how Donald Trump has behaved in office should consider whether President Trump’s behavior relative to what the presidency is might be unnervingly similar to the behavior of leading political reporters relative to what journalism is.”¹¹⁶ By flipping the role of Twitter journalists and Washington Post op-ed writers united against Trump’s unpresidential and abrasive form of conducting himself, Levin gets at just how deeply Trump has damaged the social fabric of our society. For these journalists, they are now less inclined than ever before to put together a serious piece of committed journalism, when an edgy tweet typed out in 5 minutes serves their own interests—but is not constrained by institutional grounds—even better. Due to the fleeting nature of social media, we are all guilty of this kind of practice as well. It is both more impactful and easier to make a meme, or share the post of another, than it is to develop, share, and engage in dialogue with one another over controversial issues. So, like President Trump, we don’t. We share memes

¹¹⁶ Ibid., 77.

that are the intellectual equivalent of Trump's one-line responses to CNN reporters. We feel glee when our personal opinions are approved of or shared by others. We follow our favorite journalists for their 30-second takes on the issues. Yet in each of these cases, we have sacrificed the real responsibilities that come with being democratic citizens for a kind of democracy-lite, or democracy in name only, in which we manage to shirk the essential work, narrow down the range of appropriate interactions, and pat ourselves on the back for an engagement that has taught us nothing.

As we move forward into Part III, this theme of institutional failure to shape us rather than provide a platform for us to spew out our uninformed political opinions will become increasingly important. But if the prior paragraph is as convincing as I believe it to be on just why our interactions with one another are so strained, then this will help guide us on a path to a solution because "if what is distinct about our social crisis is the weakness of our institutions and the depletion of the interpersonal resources at our disposal, then the challenge we face is a challenge of institutional revival. And yet, at this moment, our politics and culture are horrifically ill-suited to such a renewal. Our age combines a populism that insists all of our institutions are rigged against the people with an identity politics that rejects institutional commitments and a celebrity culture that chafes against all structure and constraint. This means the revival we want will require a real change of attitude and a new way of understanding the problems we face."¹¹⁷ What this new understanding looks like is a shift to fixing our institutions from the inside, rather than seeking to solve insider problems with outsider tactics, as Trump and his populist counterparts seek to do. Continuing with Levin and considering the challenges we have

¹¹⁷ Ibid., 25.

discussed, “we tend to think about the array of forces pressing on it—globalization or automation or polarization or populism or radical individualism or ethnic nationalism. Since we feel like our society is under great stress, we think the intensity of these external forces must be the reason...What does stand out about our time, though, is not the strength of the pressures we are under but the weakness of our institutions—from the family on up through the national government, with much in between. That weakness leaves us less able to hold together against the pressures we do face. It leaves all of us more uncertain about our places and less confident of the foundations of our common life. And it leaves us struggling with something like formless connectedness, a social life short on structural supports.”¹¹⁸ So perhaps it is not so much those that oppose us, or the problems that threaten us, that are the biggest issue here. Again, America has made it through challenges and disagreements before. Rather, maybe this time is a time to look inward at our democratic selves and ask whether we are using, demanding, and appreciating institutions in their mission of improving our system as a whole, or if instead we are treating them as means for unjust enrichment and posturing. On the latter ground, the supporters of identity politics have a meaningful bit in common with the wealthy oligarchs.

Why It’s “Different This Time”

Hopefully, Part II has shed enough light on just how poorly institutions have performed politically, economically, and socially for American citizens to explain exactly why our current situation is different from any other political or personal disagreement from our past. The immense influence that the wealthy carry over the rest of the citizenry

¹¹⁸ Ibid.

is cause enough to understand why Americans have become so frustrated with their democracy's political performance. Adding to this the absolute inability for the government to perform even outside of this influence is enough to make one worry how these tensions have not advanced even further. Working together, economic and political capture keep one another in place, and they degrade the connections and lived experiences of those who suffer from them to the benefit of the winners. Each of these different tenets of failure work to reinforce each other because "breakdown in any of the political, economic, and social conditions for democracy can lead to a breakdown in all three. Similarly, success in each arena strengthens the others. When people are economically equal, their political power is relatively equal, leading to more responsive policy choices. When people feel connected to their fellow citizens, they will be more likely to adopt policies to support them, leading to greater economic equality and therefore political equality. The choice is between a vicious cycle that destroys democracy and a virtuous one that sustains it."¹¹⁹ So far we have descended into the vicious cycle that generates an oppressive power structure. Once that power structure is established, it is difficult to break apart: "As wealth is concentrated in the hands of elites and corporations, they use their wealth and influence to rewrite laws and regulations in ways that help them amass even greater wealth and power. The result is a downward spiral, a vicious circle in which economic inequality and the capture of the political system reinforce each other. This dynamic makes it more and more likely with each passing day that modern America is losing its character as a republic."¹²⁰ This is the "doom loop of oligarchy." As frightening

¹¹⁹ Sitaraman, *The Great Democracy*, 91.

¹²⁰ Sitaraman, *The Crisis of the Middle-Class Constitution*, 224.

as that sounds, what is more frightening are the consequences of it. Sitaraman maintains that a polity in this state will eventually require a class warfare constitution to match the new economic makeup of the society, or a revolution. If we are to avoid a draconian constitution or a political revolution then, we should be interested in escaping the oligarchical loop and entering the virtuous cycle. How should we go about doing so?

Part III: Treatments

Chapter 6: The Populist Response

Populist Attraction

Populists offer to give you what you want. They claim to be “of the people,” yet the people are their clientele. The best populists are the ones that give the people what they demand, no matter the mechanisms through which they give it to them. Based on the outline presented above of the ways in which American liberal constitutional democracy has failed its constituents, it should be little surprise that Donald Trump rose to power. Populists argue that there are effectively two groups in society, “one of these forces (the “people”) is completely virtuous: the other (the powerful or the “elite”) is irredeemably malign. The evil force is the active agent, working against the interests of its victim, the good force. Because the good are not powerful enough to overcome the forces of darkness, they need a strong leader to defend them against the evil that oppresses them and deprives them of their due.”¹²¹ Trump fit exactly this description of leader, and he offered to get rid of the elites and bureaucrats who have so far been identified as constructing a polity that does not work for the vast majority of its people. The institutions are dysfunctional, and overrun by a wealthy political elite who do not represent the interests of most of the citizenry. In the complaints of the populists themselves, “if the Democratic Party wants to win [instead of

¹²¹ Galston, 127.

the populist Trump], then they should actually do something for the multi-racial working class instead of just changing the race of the so-called ‘leader’ that runs palliative care for the working people in the giant hospice that both rural and urban America have become. And, by the way, if you don’t believe the suffering of the white working class is just as real as that of the black and brown working class because they have ‘privilege’—people who have watched their jobs shipped overseas and their towns flooded with drugs and their young people sent off to die in war all by a bipartisan consensus — then you are just as heartless as those who would put precious immigrant babies in detention centers. This isn’t an oppression Olympics where we get to stand in judgment of who is suffering the most. If Democrats want to be the party of working people, then they can’t pick and choose which people. I want no part of the party centered around the professional-managerial class, throwing a bone of identity politics to the black and brown working class to keep them in the tent.”¹²² Ironically, we will see that it is the populists who ultimately pick and choose who count as “the people,” and that it is the populists themselves who often end up oppressing minorities.

In order for populists to establish themselves effectively as a protest group, they have to show that there is an outgroup that caused their suffering. In America, this is often rightly characterized as the elites, but one is just as likely to hear such complaints about Mexican immigrants, blacks, women, and more. This is because “populist movements tend to be antagonistic to cultural, linguistic, religious, and racial minorities. Thus populism often is accompanied by “nativism” and hostility to immigrants and immigration. Populists tend to view “the people” as a homogeneous or uniform grouping in cultural as well as

¹²² Ball and Enjeti, 1692.

economic terms. Those who differ from the majority in basic cultural traits are more typically viewed as enemies of the people rather than as potential allies.”¹²³ In America, Trump’s movement is a prime example of this. While he could have built a coalition of oppressed workers that spanned both racial and party lines (if worker’s rights were his real focus), Trump’s populism demonized irresponsible blacks, “rapist” Mexicans, and dangerous muslims who might have actually shared many of the frustrations of their white counterparts. As much as this reveals about the incoherency of populism, it is included here because it also shows, as described in the previous chapter, how comforting it is for Trump supporters to be able to blame such a wide array of people other than themselves for the dismal state of their current affairs.

However, taking such frustrations and claims at face value, what better way to fix these problems than to put in power someone who represents the *real* people, the 90%, who promises to “drain the swamp” of the 10% that have caused all of their problems, and do it as fast as possible without the institutional machinery that has failed so many times already? My aim here is to take this option seriously. On the technocratic capture discussed earlier by Mounk, “once tutelary institutions [of the technocracy] are exposed as complicit in a conspiracy to disinherit the people, the remedy to the ills of undemocratic liberalism seems clear: Abolish the institutions, boot the elites out of power, and put the people back in charge.”¹²⁴ For populists, solving problems is easy. Just take all the specialists and experts and get rid of them. I hope it is clear just how good this sounds to those who are discontent with the system in the ways which I have described above. Trump and other

¹²³ Plattner, 88.

¹²⁴ Mounk, 109.

populists profess to be *exactly* the kind of solution these people are looking for, and again, who can blame them?

Populism: Defect or Feature?

Let's take on, seriously, what the populist response would look like. In other words, what are the "shoot a man on 5th Ave." Trump supporters ideally hoping for? To do so, consider first what populists claim to offer. Revising the original statement, populists offer to give you what you want, *provided you are a part of their understanding of the people. In the words of Trump, "the only important thing is the unification of the people—because the other people don't mean anything."¹²⁵ Well of course, the populists may say, the wealthy elites who they are in opposition to are not entitled to the same benefits that the common people are once the populists gain control. But so what? They are a very small portion of the population. They sure didn't give the average person any of their privileges when they were in power. If the majority take it back, as a just enactment of the will of the people, why should they guarantee those who oppressed them any of their own special rights? After all, it is those institutionalists who "want America to care deeply about these particular presidential norms and guardrails and the rule of law. But when we look around and see that the people who destroyed the economy were never held accountable and in fact are richer than ever...it makes all the moralizing about how no one's above the law ring a little hollow."¹²⁶ The same disrespect goes for whoever else the populists identify as a threat to the realization of the popular will. It could be immigrants, gays, ethnic groups,

¹²⁵ Ibid., 20.

¹²⁶ Ball and Enjeti, 452.

or any minority. But again, in the eyes of the populist, “so what?” If they really believe these are the ones that are keeping them, the people, from restoring justice and democracy to the state, then this is a small price to pay. A similar attitude may be adopted on the policymaking front. A populist may offer to keep prices low, as Maduro has done in Venezuela. Yes, he had to bring the military into stores and forcibly put lower price tags over the goods. But again, if the high prices are what kept the people from realizing their freedom as individuals, and it is the big, powerful corporations who will take the hit in profits, what should populist supporters care? Their leader is solving problems.

To many, populism is a natural response to democracy that is built into the system, a kind of second cousin. When government functions poorly, people elect experts and create institutions that more effectively perform. However, when this technocracy strays too far from the people, and rent-seeking and capture begins to set in, populism rises to return power to the people. This argument effectively claims that populism is a useful check on democracy in achieving its balancing act between good results and deference to people. Galston starts with this assumption, agreeing that “liberal democracy has two characteristic deformations. Elitists claim that they best understand the means to the public’s ends and should be freed from the inconvenient necessity of popular consent. They regard themselves as the defenders of liberal values, but they have doubts about democracy...Their efforts to insulate themselves from the people—in the quasi-invisible civil service, in remote bureaucracies, in courts and international institutions—inevitably breed resentment. The result has been liberal democracy’s other deformation: the rise of populist movements—and in several cases governments—across the West.”¹²⁷ So far, so good.

¹²⁷ Galston, 4.

Perhaps all the worries of populism are overblown, as once the populists manage to reign in the power of the elites, they will redistribute it back out to more worthy holders. However, there is an inherent flaw in populism that makes this neither likely nor worth the costs: “Because the assumption of homogeneity [made by populists] is always false, it leads first to denial and then to suppression. Faced with disagreement, populism responds with anathemas: the dissenters are self-interested, power-hungry elites who aren’t part of the virtuous and united people. They are rather the enemies of the people and deserve to be treated as such.”¹²⁸ If the rise of populism is predicated on those in power lacking legitimate claim to it, then there can be no end to what populists may do to strip them of it. It is to this topic, or the basic incoherency and danger of populism, that we now turn.

Populism’s Fundamental Flaw

At first these kinds of state actions, in a kind of utilitarian or worst-off utility maximizing sense, might seem reasonable. Yet, they expose an inherent flaw. By giving a populist leader the mandate of the people, it allows him to do just about anything to realize their will. The ends justify the means. At first, this may take the form of oppression of a small portion of elites, or some coercion of large corporations. But note that the only justification for doing these things was in order to “fix” problems that the people might raise. If that is the sole reasoning necessary, then there is no reason that oppressing your sub-group that was once a part of “the people” and now is a scapegoat, or stealing from your farm or shop, should be any more objectionable than the actions that the populist was quick to shrug off above. Mounk worries that they may go even further: “As we have seen

¹²⁸ Ibid., 5.

in countries from Venezuela to Hungary, attacks by populists on independent institutions and the rule of law ultimately erode the conditions for free and fair elections to such an extent that populist leaders cease to be effectively constrained by the will of the people.”¹²⁹ In other words, they may become so powerful to the point where they do not any longer even have to dress their decisions as the “will of the people.” They may become so insulated and unchallenged without democratic checks that they simply abandon what they originally proposed. Throwing these checks and norms to the wind is to risk everything, as the functioning of American democracy has always been predicated on mutual agreements of compromise and tolerance.¹³⁰ Without these checks available, parties will simply terrorize each other by any means necessary to achieve their goals. Admittedly, it should be acknowledged that this characteristic of populist politics may not, for all people, be a flaw. There are those who might be completely willing to accept that what the populist leader says goes, and understand that there is an inherent danger to anyone that is a part of any identifiable group under such a system, yet for them it may be far less dangerous than continuing to live under a regime that is unresponsive and unfair to them.

Despite this apparent, albeit risky, potential benefit, in my promise to take the populist response seriously, I will outline the reasons why this is not how citizens frustrated with their institutions should proceed. According to Jan Werner-Muller in *What is Populism*, the fundamental difference between democrats and populists is this: “democrats make claims about the people that are self-limiting and are conceived of as fallible...Populists, by contrast, will persist with their representative claim no matter what;

¹²⁹ Mounk, 99.

¹³⁰ Ziblatt and Levitsky, 212.

because their claim is of a moral and symbolic—not an empirical—nature, it cannot be disproven.”¹³¹ In light of the concerns expressed earlier about an unlimited mandate given to the leader of the populist group, this quotation is especially illuminating. Assuming that we would like good governance, and that that comes about through reason and choice, we would like to be able to reason and judge for ourselves whether or not we believe our leaders have made good decisions. Based on how they do, we would like to either affirm them, and keep them in power, or reject and replace them. For populists, this is impossible. Populists make a moral claim to rule; they are “the” people, so they deserve to rule. As such, any policy that is implemented is implemented by the people. How could the people then protest themselves? Elucidating this idea out all the way, we come to realize that for populists, all opposition will be illegitimate. If the people are represented by a populist leader, and someone challenges the leader, then they are not a part of the people, and so they are illegitimate. The inability to propose different ideas and use reason and choice to pick the best one is a serious defect of populism.

Furthermore, should someone see past this self-fulfilling nature of populist rhetoric, populists come into existence by claiming to be a part of an in-group that inherently opposes an out-group. Quoting Muller, Galston explains that populists “‘speak and act as if the people could develop a singular judgment, a singular will, and hence a singular, unambiguous mandate.’ But of course they cannot. In circumstances of even partial liberty, different social groups will have different interests, values, and origins. Plurality, not homogeneity, characterizes most peoples most of the time. Imposing the assumption of uniformity on the reality of diversity not only distorts the facts but also elevates the

¹³¹ Jan-Werner Muller, *What Is Populism?* Penguin Books, 2017: 39.

characteristics of some social groups over others. To the extent that this occurs, populism becomes a threat to democracy, because ‘democracy requires pluralism and the recognition that we need to find fair terms of living together as free, equal, but also irreducibly diverse citizens.’”¹³² While there are currently winners and losers in America as outlined by the previous chapters, populism does not seek to create fair terms to which we can agree to determine who wins and who loses. It is inherently divisive, and seeks to switch the roles around and make some new outgroup the losers. As wrong as this is, it might make some people happy, but it of course will not make all or even many necessarily feel this way, because we are all individuals. Boiling down the experiences, opinions, and perspectives of unbelievably diverse groups of people into one popular will is impossible. That is why we have democracy to aggregate them in, under ideal circumstances, the most fair terms possible.

Populism on the other hand projects the beliefs of a strong leader as the beliefs of all the people. As such, any claims against the efficacy of the populists can be easily deflected as a result of the evil, lying, morally corrupt out-group, because the people could not possibly be wrong about themselves, and the leader speaks for the people. This is often how Trump presents his fight against the media. He speaks for the people, while the media are “fake news.” It is them against him. Even worse though is that this is how he often conducts himself even in the most established, institutional office in the country, the presidency. Rather than serving as a unifying force who employs his powers under the government to solve problems, “our presidents, like many members of Congress, now too often see themselves as outsiders yelling about the government more than insiders wielding

¹³² Galston, 38.

its power. This has become especially clear under President Donald Trump...He expresses himself almost always as an outside voice speaking at, not for, the institutions of the government.”¹³³ In sum, populists’ claims to be “responsive” to the people are only a half-truth. Being responsive entails taking action quickly, which they may do, but it also entails being regularly checked by the people through the institutions which have delineated the powers a leader may hold. Populists cannot do this and be logically consistent. This seriously degrades one of populism’s strongest selling points.

The Irony of Expertise

Returning to the impasse reached by modern states in their capture by independent, technocratic institutions, populists do not have a legitimate response to this feature that they criticize so much. They have the answer which was previously discussed that they see all problems as simple ones, and so they must get rid of the technocrats and all will be well. Yet in the 21st century, this is simply untrue. The reality is, many modern political decisions are incredibly difficult and require a high degree of expertise and skill. “Expertise” in ruling is antithetical to the populist idea. And so populism in practice will be forced to either abandon some of its claims to represent the people, and appoint technocrats, or simply face bad outcomes from trying to make complex decisions themselves. Due to their short-term focus, they will likely opt for the former, and begin to build the state up and against any opposition so that they may deliver the “good results” they promised to their followers. This drives home what Muller calls the “final great irony. Populism in power brings about, reinforces, or offers another variety of the very exclusion

¹³³ Levin, 51.

and the usurpation of the state that it most opposes in the reigning establishment it seeks to replace. What the 'old establishment' or 'corrupt, immoral elites' supposedly have always done, the populists will also end up doing.”¹³⁴ Populists run on rooting out concentrated power that is unrepresentative of the people. Yet in order to be both effective and maintain their power, they must do the same.

Populism is based on an unsustainable hypocrisy. It can create only short-term satisfaction at the cost of long-term pain for whoever does not fit into the populists' definition for themselves, and even for them there are no promises as any checks or holds that would keep power from centralizing against their interests no longer avail themselves to the people. This chapter has sought to show that the rise of populism in our times makes sense. Given the way the results of current institutions have played out for so many, it should be no surprise that “the populism of this moment in our politics is fundamentally antinomian, mistrustful of authority, and cynical about all claims to integrity. It looks to ease our disappointments by tearing down the institutions that embody them. And so our common life has come to be overrun with demolition crews of various sorts, promising to knock down oppressive establishments, to clear weeds and drain swamps and end infestations. They draw our attention to what we have too much of, and so distract us from what we have too little of. Today's populists have good reasons to be angry, but what they offer is insufficient.”¹³⁵ While populism offers inadequate responses that can never hope to address the complex, far-reaching issues that plague American government without making people worse off along the way, this does not mean that no solution exists. What it

¹³⁴ Muller, 49.

¹³⁵ Levin, 11.

does mean however is that such changes will have to come from the inside, focusing on what we have too little of, and then building up what a liberal democracy should look like around us, as opposed to tearing it down from the outside and hoping for better results.

The People vs. The Non-People

If democracy requires forbearing one's own desires for what is best for the polity, rather than merely focusing on the individual as neoliberalism would have it, then populism is flawed as a response to the disaffects of the neoliberal era. Populism offers to give you stuff or things that benefit "the people" at the expense of the non-people. Without a commitment to anything more than "getting things done," it will ultimately disenchant its followers and fail for the same reasons neoliberalism has. Institutions on the other hand give us a united goal and clear steps by which to achieve it, against which those we put in charge may be checked. Collectively recommitting to such institutions is a far more realistic means by which we might rediscover our shared purpose before the separating powers of globalization, social media, wealth inequality, and more began to take hold. In contrast, populists simply tend toward whatever the fashionable interest of the day is, and so they make long-term, difficult change nearly impossible, and they certainly do not unite a (whole) country. Just look at the record so far in the United States. Donald Trump is one of the most polarizing figures in history and has damaged the presidency, rule of law, institutional norms, and our economic, political, and social lives more so than any president in at least the last century. Does the left really think that a Bernie Sanders win will solve all their problems? If Sanders were to win the 2020 election, would all conflict in the country stop, all issues be solved, and all voters be satisfied? Of course not. In fact, our

descent would likely accelerate. A populist, whether on the right or the left, serves only to stoke the fire over which the Constitution, liberalism, and our democracy slowly roast above.

Chapter 7: The Institutional Response

The last chapter showed why, despite our frustrations, the populist response cannot fix our broken institutions and solve the various problems that ail Americans and contribute to these unprecedented times of distrust, polarization, and inefficacy. This chapter will explain how in order to fix broken institutions, one must fix the institutions, but that this is *not* an argument for the status quo. This is the idea behind what I call the “institutional response.” It is opposed to populism in the sense that it does not seek to fix by means of overthrow. It argues that institutions once were not broken and did serve citizens adequately, until they slowly became less and less effective. In order to restore them, we must take a long, hard look at what went wrong, and go about adopting solutions that are plainly adapted to fixing it. In Levin’s words, “the solution to our loss of faith is not to make people trust the institutions we have as they are. It is to make those institutions more trustworthy. That, in turn, requires a transformation of attitudes among the people within them and especially the people who lead them.”¹³⁶ To do so will likely go beyond the traditional understandings of reform we use today, simply because it is those forms that have failed us. If we want to change our results, we need to change our methods. As such, nothing is off limits in these discussions. Everything from the Constitution, to the presidency, to civic education, to healthcare reform, if changes to them are plainly adapted

¹³⁶ Ibid., 102.

to restoring the democratic promise to citizens, then a real commitment to saving our democracy must consider them. Novel examples of such a response will be presented in the following chapter. This chapter serves simply to show *why* this type of response is the proper one, as opposed to that of the populists.

Lessons from the First Populists

Bruce Ackerman best exemplifies my position in his exclamation after outlining his own Constitutional remedy that “we have only just begun!”¹³⁷ I share his enthusiasm. Opening the door to the near infinite number of means by which we might go about fixing our political system through a reform of institutions is exciting. These institutional methods do not threaten rights in the way that populism does, yet they take seriously the idea that “to avoid the mistake Clinton made in 2016, defenders of liberal democracy must demonstrate that they take the problems voters face seriously, and seek to affect real change. While they don’t need to emulate the simplistic solutions or pander to the worst values of the populists, they urgently need to develop a bold plan for a better future.”¹³⁸ That is why, I will argue, the institutional approach is the proper one. Institutions are not working, people are losing faith in each other and their politics, and a new threat looms on the horizon. Perhaps, we can learn something from the early American populists here. These first populists felt disempowered too. They were farmers who felt that they were being dominated by elites, and they too faced an extinction of their life as they knew it. So,

¹³⁷ Bruce Ackerman. “The New Separation Of Powers.” *The Rule of Law and the Separation of Powers*, 2017, pp. 728., doi:10.4324/9781315085302-16.

¹³⁸ Mounk, 193.

they demanded taxes, antitrust laws, campaign finance reforms, and more that would have been considered “radical” at the time, yet did so on the basis of Constitutional arguments, with no declaration that they represented the “only” people.¹³⁹ These populists, ironically, are a model for how we might respond to today’s populists. This is the appropriate course of action. It is time to take on a bold plan, without sacrificing the principles upon which liberal democracy rests.

“Ever tried. Ever failed. No matter. Try again. Fail again. Fail better. --Samuel Beckett, *Worstward Ho*”¹⁴⁰. This quotation from Beckett is the spirit upon which I outline my support for the institutional response. It is not enough to simply say that populism is bad, and so attempts to reform our institutions will be good. A positive claim must be made for what serious institutional reform will best provide the change we are after. In the spirit of Beckett, it is this kind of trial and error that makes democracy so good. As mentioned in the critique of populism, democracy’s promise to allow individuals’ ideas to be represented has real, tangible results if we think reason can guide us to beneficial outcomes. Democracy at its best is a constant discourse and flow of ideas that we may test up against one another to determine what is best for us, whether that be in terms of providing more jobs, shifting immigration guidelines, or deciding what constitutes free speech. In the same way that I support this kind of discourse within our politics, I support it as a means of reforming it. Those opposed to this kind of effort, the conservatives who play “constitutional hardball” and claim to resist change in the name of the Founding principles, have not read enough Jefferson: “some men look at constitutions with sanctimonious reverence, and deem them

¹³⁹ Muller, 16.

¹⁴⁰ *Ibid.*, 39.

like the ark of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment...But I know also, that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times -- Jefferson.”¹⁴¹ If we have taken a reverence for our Constitution and founding as the grounds on which we may not attempt to reform it to meet the needs of the people, we have been led astray. The means which I am proposing are exactly those which would have been supported by Jefferson. “Institutions must advance to keep pace with the times,” and that is precisely what the institutional response proposes to do.

Shared Objectives

The first benefit of a commitment to institutional change is that it begins to mend some of the tensions between politically polarized groups by bringing them together under a common goal. While many potential solutions may be categorically defined as “progressive,” conservatives too who do not wish to abandon the Constitution can join up and help support, influence, and tweak these proposals.¹⁴² In fact, for all who realize that to make significant changes is better than to undergo a revolution, they will be united by a common cause of restoring the broken economic, political, and social promises of democracy to a significant portion of the nation. This is an institution at its best: it has

¹⁴¹ Ginsburg and Huq, 168.

¹⁴² Sitarman, *The Great Democracy*, 93.

defined goals, members, and means through which to work, rather than declaring these useless and attempting to go it alone (like the populists) or do nothing (like the current status quo).

An example will be helpful to illustrate the difference between the status quo, the institutional, and the populist responses. In 2016, Hillary Clinton asked a crowd, “if we broke up the banks—and I will if they deserve it, if they pose a systemic risk, I will—would that end racism?” Sitaraman responds that “again, the answer is, of course, no. But what if we did break up the banks? What if we did raise the minimum wage? What if we did have free college? At a minimum, working people would have a better shot at making ends meet, and their kids could get an education without taking on a huge debt burden. And perhaps the economy wouldn’t be prone to major financial panics, during which working and middle-class families—often African American and Latinx—lose their homes and savings, while bankers get taxpayer bailouts and get to continue gambling with other people’s money. Instead, Clinton belittled important economic reforms in a play for minority voters.”¹⁴³ In this example, Clinton proposed reforms to an institution that would make them objectively better off. However, because they would not completely abolish a known evil, she shrugged off the idea as useless, and in turn neither did anything to attack racism nor improve a rigged economic system. This is to maintain the status quo. The populists on the other hand would, like Clinton, scoff at her idea, but for a different reason. Merely break up the banks through a deliberate, informed, and well-adapted policy to better secure the financial system? Why? Send the bankers to jail! Get rid of big bank mortgages! Shut down the corrupt ratings agencies! Drain the swamp! The populists clamor for these

¹⁴³ Ibid., 102.

policies yet, like Clinton's dismissal, their ideas do not plainly improve race conditions in the US, guarantee better banking services, or ensure justice. The institutional response would give unbiased experts the freedom to do as they please to improve the accountability and function of the financial sector, but would demand little else. They would merely ask for the most equitable solution. This might mean sending executives to jail, but it also might mean limiting bonuses to curb risky behavior that ultimately increases the salaries of these actors. We cannot be sure what the outcome will be, but we are committed to finding out, testing the strategy, and evaluating it, as opposed to doing nothing or throwing our hands up and giving a leader the right to do whatever they want, trusting that their actions will be righteous.

Forms and Norms

The political benefits of institutional reform only expand from here. One of the greatest advantages of institutional reform, as opposed to populist reform, is its ability to solve long-term, complex issues. Thinking about Maduro's solution for lowering prices by simply replacing the price tags in the stores, or the constant Twitter stream of outrage and panic that plagues our discourse, "such short-termism makes it difficult not only to plan, but also to worry properly. It is a peculiar dysfunction of contemporary politics, for instance, that we seem to be unable to worry about problems except by panicking about them. We cannot rouse ourselves to take challenges seriously unless we can persuade ourselves that they present immediate and utterly apocalyptic dangers. And so we can't be concerned about the gradual effects of industrialization on the climate unless we persuade ourselves that innocents will soon be drowning in the streets of the world's coastal

cities...This inability to worry without panicking makes it much harder for our politics to take the future seriously, consider trade-offs, and see the case for less-than-radical policy action...Healthier institutions—not only in politics but throughout our social life—help us to consider the future by embedding us in a set of longer-term practices and commitments and letting us see ourselves as parts of larger wholes.”¹⁴⁴ When an individual is focused merely on their personal brand or instant popular approval, it is difficult if not impossible to take on short-term consequences for long-term benefits. The current inability to act on climate change, the budget deficit, and social security funding exemplifies this reality. The more we lean on populism and outsiderism, the worse this is likely to become. Robust institutions on the other hand can set the handling of these problems as their explicit goal. As opposed to an EPA that consistently churns policymakers and lobbyists from the private sector through its doors and has done little to slow down the warming of the planet, what about a green economics committee that focused solely on developing new economic opportunities through sustainability? This group could be time-limited and expire after 2 or 3 years, unless we elect to continue its charter. But we should not be forced into choosing between one extreme of abandoning environmental responsibility and another of passing an everything-under-the-sun Green New Deal.

What this means politically is that no, trying to impeach Trump on a technicality is not a good idea, and neither is trying to nominate the left’s own outspoken, fiery, and similarly divisive leader. Even if it were possible to or realistic to remove Trump, “their victory would be Pyrrhic—for they would inherit a democracy stripped of its remaining protective guardrails. If the Trump administration were brought to its knees by

¹⁴⁴ Levin, 149.

obstructionism, or if President Trump were impeached without a strong bipartisan consensus, the effect would be to reinforce—and perhaps hasten—the dynamics of partisan antipathy and norm erosion that helped bring Trump to power to begin with.”¹⁴⁵ To beat Trump, populism, polarization, and overstepping of boundaries, we must not use means that further these deficiencies. Reforms must come through legitimate institutions. Trump’s rise has come in large part due to “the absence of self-confidently formative institutions...at the center of a decay of our system of government and a decline in the public’s respect and regard for it. To contemplate that decay and decline is to grasp that the problem with our politics today is not fundamentally a problem of ideology but of social psychology. We aren’t exactly disagreeing about public policy, because we aren’t really talking about public policy much, except to the degree that various general categories of policy ideas (like “a tax cut” or “single payer”) serve as totems for tribal affiliations. Rather, the dysfunctions of our political culture at this point are the result of a kind of breakdown of our political psychology, unleashed and unmoored from institutional constraints.”¹⁴⁶ Recall from chapter 4 that Americans actually agree on things like gun control, campaign finance reform, and climate change, yet they lack the institutions by which to successfully realize those opinions. If we could begin to rebuild these political forms and norms, the benefits would be two-fold. First, they would more adequately address our array of contemporary political problems, as it would be hard to do much worse than the current gridlock (although the populists could potentially outdo them). Secondly however, a restoration of institutions would give us rules by which we interact with one another. From there we can begin to

¹⁴⁵ Ziblatt and Levitsky, 217.

¹⁴⁶ Levin, 61.

recommit to common ground, while our children grow up in a world that is not characterized by hatred for the opposition. It is to this social restoration that comes as a result of strong institutions to which I now turn.

The Real Social Justice

Institutions are not limited to politics. They include public schools, churches, book groups, unions, and pickup basketball leagues. While this thesis primarily focuses on political institutions, recalling Tocqueville, it is important to remember that the social fabric of America is also made up of these institutions. With the rise of social media, geographical sorting, and ever-increasing demands in our fast-paced lives, many of these institutions have fallen to the wayside, especially those that bring together people who would normally be inclined to disagree. Consequently, “what we are missing, although we too rarely put it this way, is not simply connectedness but a structure of social life: a way to give shape, place, and purpose to the things we do together. If American life is a big open space, it is not a space filled with individuals...It is a space filled with institutions. If we are too often failing to find belonging, legitimacy, and trust in our common life, then perhaps we are confronting not a failure of connection but a failure of institutions.”¹⁴⁷ Again, we are more connected than ever before via texts, planes, roads, and the instantaneous flow of information. What these developments lack though are structure. Instead of joining the local rotary club and volunteering, individuals take to social media to document and post their community work. Rather than knocking on doors and having a formal conversation, people cast out their political beliefs into the ether of the internet,

¹⁴⁷ Ibid., 20.

with few limits on what they can acceptably say. The result has been a degradation in our discourse and interactions with one another. Institutions help restore the quality of these connections by providing frameworks that structure our actions.

In the same way that politically and economically preconditions need to be met in order for people to be able to function fully as citizens, so too do we need the formative nature of institutions. This is because “our institutions make us more decent and responsible—habituating us in exactly the sorts of virtues a free society requires. The exercise of these virtues, in turn, helps our institutions flourish. This is a virtuous cycle. But when they’re flagging and degraded, our institutions fail to form us, or they deform us to be cynical, self-indulgent, or reckless—reinforcing exactly the vices that undermine a free society...We are plainly stuck in such a vicious cycle in some key areas of American life.”¹⁴⁸ To get into the virtuous cycle of reinforcement, we need only move marginally towards institutional solutions rather than populist ones, because each decision reinforces itself. This is an empowering idea, as making these kinds of commitments are something that both individuals as well as entire branches of government can commit to. For example, consider a game of pickup basketball. When everyone knows the rules, the game is still a competition with opposing sides, but either side can accept the fair results of the outcome, respect their fellow players, and generally be happy that even if they lose, next time when they win, perhaps after practicing a little more, it will be just as valid as the opposition’s win. However, if one player stops playing by the rules of the game, the game instantly starts to break down and become infuriating for everyone. If they foul you hard, you start to foul them back hard. If you don’t agree on how the scoring works, you cannot even

¹⁴⁸ Ibid., 142.

properly communicate the state of the game. Soon enough, there's a brawl in the street. In this sense, democracy is like street basketball.¹⁴⁹ It works best when there are clear and defined rules by which we play the game of government and society with each other. Without these institutions, government, like the game, falls apart.

One only needs to look at history to understand the correlation of strong institutions with strong government. Levin explains how “in eras shaped by chaotic social change, our institutions were often unstable. In eras of intense stratification or injustice, key institutions were frequently part of the problem. In eras of overbearing cohesion and consolidation, our institutions tended to exhibit a certain gigantism. Addressing these problems, to the extent they were addressed, meant institutional reform, as we have seen in every age of social change in our history. The problems now evident in our core institutions are similarly facets of broader social realities, and they may be addressed...by responding to the challenges embodied in institutional deformations.”¹⁵⁰ In other words, while every challenge we have faced over the centuries of our history has been new and varied, the solutions have always been the same: democracies improve their institutions to address their problems. This time is no different.

Rigidity vs. Formality

The elephant in the room that I seek to explain in this final paragraph on the social implications of recommitting to institutions is the idea that it is the institutions that have betrayed us, and conversely the outsiders who most seek to generate change. While this is

¹⁴⁹ Ziblatt and Levitsky, 100.

¹⁵⁰ Levin, 38.

a fair charge in the current political context—although I would not necessarily consider the change of the outsiders as necessarily net positive—this characterization mistakes rigidity for formality. Rigidity can rightly be charged as a negative, at least at times, because it can engender failures to respond adequately to situations needing immediate remedy. However, formality is not bound by such constraints. Formal institutions can often be the most effective and responsive; after all, we have formally instilled in our executive extreme levels of deference in his powers as commander in chief. Despite these theoretical considerations, “formality has a bad name in our relentlessly democratic culture—we tend to equate it with stuffiness and rigidity. Informality, on the other hand, is synonymous with authenticity. But another way of understanding formality might be as a means of fitting social form to social function. It is a way of behaving when something important is at stake, which sends a signal regarding that importance, establishes a framework for its integrity and structure, and lends credence and protection to all involved. From the formal vote that indicates a decision at a meeting to the letterhead that signifies the authority of an official notice to the structure of a scientific claim, formalities distinguish the exercise of legitimate power...They offer us an architecture of behavior that makes it possible to have some predictability and security in high-stakes situations so we might successfully navigate the social world.”¹⁵¹ Neoliberalism and now our current politics have promoted the stripping away of formality across our society. After all, in the name of efficiency, trade barriers, worker protections, taxes, financial regulations, and government programs were swept away. With the rise of social media, the cult of personality around certain commentators,

¹⁵¹ Levin, 114.

and the lack of any meaningful barriers to broadcasting one's thoughts to the world, traditional social institutions responsible for connecting us have also lost ground.

Taking this all into consideration, despite the poor reputation institutions get for their lack of authenticity, we should instead be broadcasting a lack of legitimacy onto the forms of our social and political society that exist *outside* institutions. After all, this is the whole point of institutions' signaling: "institutions are by their nature formative. They structure our perceptions and our interactions, and as a result they structure us. They form our habits, our expectations, and ultimately our character. By giving shape to our experience of life in society, institutions give shape to our place in the world and to our understanding of its contours...We pour ourselves into our family, our community, our church, our work, or our school, and in so doing we begin to take the institution's shape. That shape then enables us to be more effective. It both protects us and empowers us to interact with others." In the same way that it was impossible to understand the neglect and disaffection experienced by the discontents of neoliberalism without considering the effects such policies had on their social lives, so too is it impossible to measure the good that comes from reformed institutions purely in terms of greater political efficacy. Restoring America's churches, softball leagues, parent groups, and community service organizations, through a de-commitment to our own individualism and a recommitment to our communities is how we begin to rebuild a polarized country on both a micro and macro scale.

Opposition to Institutional Reform

In the previous chapter, I leveled various criticisms against the populist response. It is only fair to address further the contentions of those who might oppose institutional solutions here. So here we go, to those who oppose institutions as a means through which to fix the problems outlined by the prior chapters for their supposed lethargy, lack of vision, and inefficiency, I hear you: “the term ‘institutional’ can call to mind bureaucracy, and there is little we Americans hate more. Bureaucracy often connotes a kind of institution that privileges its form over its purpose—or strict adherence to hierarchy and rules over the goals and ideals in the name of which they are deployed...All of this adds up to a politics that resists institutions—both on the large, national scale and, increasingly, on smaller, more local and personal scales.”¹⁵² This is a natural response any time someone proposes to fix a problem from within. It is easy to argue that if something does not work, we should simply toss it and get a new one rather than trying to fix it. But what if, in some way, throwing out the old only further made the issue worse? This is the case for institutional reforms: “the hollowing out of institutions, and the radical individualism it tends to encourage, only exacerbates these very problems. It creates larger distances between the general public and the elites who dominate most powerful institutions, and so it intensifies social alienation. It leaves us fighting abstract theoretical battles in the wide-open spaces of our political culture, rather than addressing concrete practical problems within institutions. It closes off avenues to reform and renewal, leaving us wondering how the springs of cohesion and social flourishing could ever be replenished...It’s true that institutions can reinforce the rule of the strong and privileged in our society; but it is also

¹⁵² Ibid., 143.

true that without functional institutions the weak have no hope of vindicating their rights...To defend institutions is not to defend the status quo, or the strong, or the privileged. Functional institutions are most important for people who don't have power or privilege. And though our institutions can become cold and bureaucratic, they are essential to our acting on our warmest sentiments; without them we grow isolated, alienated, and disillusioned."¹⁵³ In other words, strong institutions may not be the flashiest solution, but they are at the core of what an equitable democracy looks like, and they are what begin to give those who have been disaffected so much by the breakdown of these institutions a chance.

In the basketball game, institutional reform versus populism is the difference between allowing the weak their fair shot at a 3 to win the game, and running one of those carnival casino games that shrinks the size of the rim to ensure that players cannot score. Admittedly, "equal" treatment can serve to benefit some more than others; the better basketball players still have an advantage under the fair rules. However no institution, and no political policy, will ever be free from this critique. In the former case though, at least the disadvantaged have a referee by which to err their grievances and, ideally, they create an equilibrium of rules that gives them a fair shot at winning the game. Sure, the implementation of fair rules may not generate as immediate change to results as simply awarding one team the championship and the other a loss, as a populist policy might do, but it will certainly create greater trust, legitimacy, and respect for future seasons to come in the basketball league.

¹⁵³ Ibid., 145.

This is effectively the argument for the institutional over the populist response to our politics, and it generates “the irony we have repeatedly confronted: the failures of our institutions have led us to demand they be uprooted or demolished, but we cannot address those failures without renewing and rebuilding those very institutions. We are right to be fed up with our institutions sometimes, but we need them to be respectable and legitimate. It is right that anti-institutionalism should guide our reactions against the excesses of institutional strength, but our problems today are more like excesses of institutional weakness, and so they require recommitment and reform rather than resentment...It demands a lot of us, but it promises a lot too....when we lay out just what a revitalized institutionalism promises, we can’t help but notice that it looks an awful lot like what our society is missing, and not by coincidence.”¹⁵⁴ Consider, for a moment, how you would like to see the discontent of our time resolved. Do you want to watch liberals burn for their treatment of the working class? Do you hope wealthy conservatives rot in prison for life for profiting off of unfair labor practices? Perhaps. But what about your coworker, teammate, or cousin who does not see eye to eye with you, and instead prefers the ideals of those you despise? Populists promise to give you what you want, so long as you are fine with these far less culpable acquaintances burning as well. Most of us do not wish to accept this. Most of us simply long for a Thanksgiving dinner without political drama, a right-wing protester on the street without a “Killary” shirt, and a Facebook feed free of vitriol and disparagement of various political views. If this sounds like a better description of what we might wish politics to return to, consider Levin’s comment that our desires are really better described by what we lack (civility, respect, tolerance, and forbearance), not what

¹⁵⁴ Ibid.

our 3 political wishes to a genie might look like. If this idea better describes our thoughts than the hate filled messages that fill our social and political circles, then we might all be more institutionalists than we would initially think.

Institutional Defectors and Insecurity

At the end of the day though, we will still deal with some defectors. Madison and Hamilton constantly worried about these sinister characters who wished to incite majority rule to oppress the rights of others. In the same way that our Founders once considered what system might best limit these unjust impositions, so too must we compare the prospects of fixing our institutions to simply getting rid of them. Upon sincere reflection, it is not possible to conclude that Trump, or even Sanders' populism can protect these rights adequately. Instead, we are left with institutions to best manage these passions, and they look more promising than what we might at first think: "in a free society, people cannot be coerced to act well. The constraints imposed by functional institutions therefore don't only empower us, they also liberate us—they make liberal freedom possible. And they help us to see that liberal freedom is not license. Rather, it is contained within forms and formalities given shape by institutions. It is made possible by a closing of the distance between what we should do and what we want to do. These forms and boundaries protect us not simply by restraining people who might do us harm or reining us in when we might go too far. They also provide stable foundations for risk-taking—a solid, reliable backdrop of rules, expectations, and norms that allows us to try new things by limiting some of the dangers. This is why one consequence of our loss of faith in institutions is a pervasive sense of flux and insecurity that makes us feel like everything is constantly changing, yet also makes us

afraid to change much of anything.”¹⁵⁵ In other words, the instability, polarization, and fear we feel today undeniably has material and legal reasoning behind it, yet the majority of the *feeling* may come from the constant flux that a lack of institutions provides. The not so far-fetched idea that the president might declare war via Twitter, *Roe v. Wade* could legitimately be reversed, or an immigrant family could be sent home any day are truly disconcerting premises. None of these policies themselves are particularly different than might have occurred in the past; illegal immigrants could always be deported, *Roe* has been up for debate and under protest ever since it was decided, and our commander in chief has always had the right to act unilaterally in defense of the nation. Rather, it is the uncertainty that accompanies these monumental decisions caused by a complete disregard for institutional constraints around such decisions that strikes fear and consequential distrust in American citizens today.

Legalistic vs. Idealistic Standards

To address those who will push back against the institutional response with simple critiques, it is important to understand that the institutional response is not locked in by technicalities such as a single court case or statute. This would be to do the opposite of what Jefferson proposed; it would be to stay *stuck* within those institutions rather than *advance* them. This is not to say that this reform process can throw rights to the wind. This would clearly not be a means by which we would immediately redistribute and restore individual agency and power in the economic and political sphere at the expense of the rich or privileged. Rather, it seeks to set those democratic promises as its goal, and work within

¹⁵⁵ Ibid., 147.

the liberal constitutional democratic framework to achieve them. The Weimar Germany example will help to explain this.

In Weimar, there were two main schools of thought, those of Kelsen and those of Schmitt. Kelsen supported the “equal chance doctrine,” that “anyone willing to abide by the strict formality of electoral procedure should be permitted in the contest for political power, independent of his or her loyalty to the republic or intention to destroy it.”¹⁵⁶ This is perhaps comparable to big corporations and private interests whose lobbying that directly undermines the political power of citizens is seen as given an “equal chance” to the free speech of an individual. Under the Kelsen/constitutional hardball senator conception, this is fine. We must abide by the legalistic definitions we have set out, and that is that. Of course, this allowed the rise of the Nazi party, in direct opposition to the interests of the state, to ultimately cause the collapse of Weimar. It may seem extreme, but given Sitaraman and Mounk’s warnings of revolution, is it completely out of the question to suggest that sitting back and watching as a small group of wealthy interests takes over America could not lead to its downfall? In this light, I am a supporter of the Schmittian conception. Schmitt argued that one had to appeal to the principles of the Republic in times of crisis if one hoped to be able to maintain it. The legalistic appeal “proved incapable of an effective response” and according to Finn, the importance of Weimar is that it shows that constitutional maintenance cannot rely solely on legality, it must instead also “account for political practice” as Schmitt suggested.¹⁵⁷

¹⁵⁶ John E. Finn, *Constitutions in Crisis: Political Violence and the Rule of Law*. (Oxford University Press, 1991): 169.

¹⁵⁷ *Ibid.*, 178.

The institutional response is the appropriate one on the basis not that anyone's legal rights have necessarily been violated by our institutions (again, Mitt's tax payments, for example, were completely legal), but rather that the political reality has strayed so far from the principles of our democracy that we face serious danger if we do not respond. Considering how in their proper form, liberal democratic institutions plainly adapt solutions to political problems, "we can now venture a more precise characterization of liberal democracy. This type of political order rests on the republican principle, takes constitutional form, and incorporates the civic egalitarianism and majoritarian principles of democracy. At the same time, it accepts and enforces the liberal principle that the legitimate scope of public power is limited, which entails some constraints on or divergences from majoritarian decision making."¹⁵⁸ Having defined the goals of liberal democracy as such, the importance of strong institutions appears even more valuable than ever. Across all facets of society, "the most significant benefits institutions provide might be broken down into just a few categories: they constrain and structure our activities; they embody our ideals in practice; they offer us an edifying path to belonging, social status, and recognition; and they help to legitimate authority. By examining each of these, we can unspool the case for investing ourselves in a revival of our institutions—and we can also see why that kind of revival could be achievable."¹⁵⁹ Indeed, returning to the beginning of the chapter, the simplistic idea that good institutions might fix bad institutions no longer seems like such a trope. In fact, theoretically, historically, practically, and socially, this is the only way we can hope to restore the most desirable aspects of our political system.

¹⁵⁸ Galston, 10-11.

¹⁵⁹ Levin, 146.

With this in mind, we now turn to our final chapter that discusses all of the different ways we might adjust, edit, fix, tweak, and remake our institutions to accomplish these goals.

Many of these proposals look incredibly promising.

Chapter 8: Good Ideas

“In 1982, as the neoliberal curtain was rising, Colorado governor Richard Lamm remarked that ‘the cutting edge of the Democratic Party is to recognize that the world of the 1930s has changed and that a new set of public policy responses is appropriate.’ Today, people around the world have recognized that the world of the 1980s has changed and that it is time for a new approach to politics. The central question of our time is what comes next. What comes after neoliberalism?”¹⁶⁰ Recalling Ackerman, there is an infinite number of possibilities for what might come after neoliberalism, and this is exciting! There are lots of good ideas out there, and more still to be discovered, for how we might fix our democracy. So far, this thesis has spoken mostly broadly about the kind of reforms we want to make. In this chapter I will specifically outline changes to institutions that will plainly help solve the problems discussed in Part II. These will show us how truly possible change is if we can fix our institutions.

The body of institutional reform is growing, as are the ideas being proposed for how to fix “Our Broken Constitution,”¹⁶¹ and the values and structures that surround it. While the proposals range in methodology and ideal outcomes, it is the serious stab scholars are taking at trying to reform our political system to work better, without

¹⁶⁰ Sitaraman, *The Great Democracy*, 58.

¹⁶¹ Jeffrey Toobin. “Our Broken Constitution.” *The New Yorker*, The New Yorker, 16 Nov. 2018, www.newyorker.com/magazine/2013/12/09/our-broken-constitution.

destroying it, that I want to commend. These range from people on the right, such as Randy Barnett and Mark Levin, to people on the left like Sandy Levinson and Bruce Ackerman. Barnett, for example, proposes a “Bill of Federalism” that seeks to enshrine serious libertarian principles through ten amendments and a Constitutional Convention.¹⁶² Levinson also would like to call a Constitutional Convention, but in the interest of making the Constitution more democratic and similar to a parliamentary style system.¹⁶³ Ackerman enters the discussion with his “constrained parliamentarianism idea” that proposes five branches of government, including an independent “integrity branch” that requires politicians to explain how the measures they are implementing truly address the problems they claim to.¹⁶⁴ Referring back to others mentioned in this essay, Sitaraman proposes his own set of ideas about inserting “precommitments” based on inequality levels that will trigger certain policies should preset conditions arise, as well as his own proposal for a refurbished Glass-Steagall Act.¹⁶⁵ Ginsburg and Huq emphasize political structures that support their three core features of democracy, but also promote the need for an active political community that engages with one another. This is the benefit of institutions! When people come together to solve a problem (the functionality of government) under formal institutions (they interact through their published works that are researched, vetted, and edited), they come up with lots of great ideas. In a way, this practice of thinking about how we might reform our institutions is a microcosm for the benefits of taking such an approach.

¹⁶² Randy Barnett. “A Bill Of Federalism.” *Forbes*, Forbes Magazine, 11 July 2012, www.forbes.com/2009/05/20/bill-of-federalism-constitution-states-supreme-court-opinions-contributors-randy-barnett.html#13e1bbe31f1b.

¹⁶³ Toobin.

¹⁶⁴ Ackerman.

¹⁶⁵ Sitaraman, *The Crisis of the Middle-Class Constitution*, 289-295.

Liberal Democratic Ideas

More specifically, to begin we should consider what kinds of commitments we will need to make to ensure liberal democracy. That begins with defending what we already have: “The defenders of liberal democracy must focus relentlessly on identifying and countering threats to liberal institutions. An independent judiciary, freedom of the press, the rule of law, and protected space for civil associations (secular and religious) represent the first line of defense against illiberalism, and they must be safeguarded. At the same time, political reforms are needed to restore the ability of liberal-democratic institutions to act effectively. Gridlock frustrates ordinary citizens and makes them more open to leaders who are willing to break the rules in order to get things done.”¹⁶⁶ Before we can begin to restore our institutions, we need to stop the backsliding. This means unequivocally defending the free press even when we do not agree with them, backing our judicial system even when they come under attack by partisans, and supporting civic communities even if they are different from our own.

For the left, this means vehemently opposing Trump and anyone’s authoritarian tendencies, but in a way that promotes rather than violates democratic norms. This means using Congress, the courts, and ultimately, an election to defeat populism.¹⁶⁷ Only strategies that employ democracy will serve to strengthen it. For the right, it means an abandonment of the rich and wealthy that have backed the party for years and a recommitment to working people beyond mere words: “For many years, ‘Crenshaw

¹⁶⁶ Galston, 15.

¹⁶⁷ Ziblatt and Levitsky, 218.

Conservatives' told us that neoliberal free trade policy, corporate tax cuts, bank bailouts, and celebrating companies like Uber were how you both preserve, protect, and expand the everyday quality of life for Americans. We know how it all worked out—the hollowing out of the American middle class, skyrocketing costs for needs of American life, crippling debt, declining birth rates, declining life expectancy, a historic opioid epidemic, and record-high suicide rates. The GOP's singular focus should be...easing the ability to make enough money and have reasonable enough costs to start a bountiful family in the place of your choosing. If they forget that, they'll never win back power, no matter how many corporate checks they cash."¹⁶⁸ This is because liberal democracy cannot long survive under such unequal distributions of wealth, and the right should not want it to. From the right-leaning Enjeti, "it is incumbent upon the American Right to restore an equitable and fair playing field within our system if we, correctly in my view, believe that capitalism is intrinsic to the strength of the United States. That being said, the libertarian streak of the Republican Party will be the electoral and moral death of it. Libertarianism was founded upon the idea that the greatest threat to you and your life is institutionalized power in the form of the government. It's time they understood that the government isn't the only institution that can hold power in our society."¹⁶⁹ The right has always opposed government power under the premise that they value individual liberty and freedom from control. Today however, corporations and wealthy individuals are the powerful ones that are just as if not more likely to seek control over the citizenry. To be ideologically consistent, the

¹⁶⁸ Ball and Enjeti, 2393.

¹⁶⁹ Ibid., 2027.

right must oppose extreme wealth and concentrated influence from massive corporations and rich individuals in the name of freedom from oppression.

Together, both parties must understand the threat of inequality to a democracy and seek to decrease it. This is vital because “a society in which wealth is concentrated in the hands of the few will face one of two disastrous fates: either it will descend into oligarchy, as the rich use their wealth to rig the political system in their favor, or the divide between the rich and everyone else will lead to popular backlash, with a demagogue leading the revolt. Economically unequal societies are therefore inherently unstable and, one way or another, become undemocratic. In contrast, in a society with a substantial middle class, people will largely have shared economic interests. Political conflicts will be less likely to lead to polarization or to destabilize the republic. An economic democracy also ensures that no private actors—whether individuals or corporations—have so much power that they can dominate individuals or the government. This guarantees political and economic freedom for everyone.”¹⁷⁰ In many ways, we are already seeing the start of the two disastrous fates. The wealthy already hold an oligarchical amount of power in the government, and the populists are already seeking to revolt through Trump on the right and Sanders on the left. Across our society, we feel the “inherent instability.” By decreasing inequality we can narrow the distribution of interests, while also reeling in the skew of influence towards the right end—the wealthy end—of the distribution.

As we contemplate such significant changes, we should keep in mind the vision of our Founders that served us so well for so long. Their message emphatically supports the continued maintenance of our institutions: “‘Nothing human can be perfect,’ wrote

¹⁷⁰ Sitaraman, *The Great Democracy*, 89.

Gouverneur Morris, looking back at the work of the Constitutional Convention twenty-eight years afterward. ‘Surrounded by difficulties, we did the best we could; leaving it with those who should come after us to take counsel from experience, and exercise prudently the power of amendment, which we had provided.’...‘I am not one of the number if there be any such,’ wrote Madison after eleven of the thirteen states had approved the document, ‘who think the Constitution lately adopted a faultless work.’”¹⁷¹ Morris and Madison, like Jefferson, understood that institutions take work to continue to achieve their goals. In the spirit of Schmitt, but in the legal capacity of Kelsen, our Founders wanted us to have the prerogative to make these changes. We should not be so shy to use it. Sitaraman furthers this point in his discussion of representation that invokes John Adams: “representation can mean standing for the people, meaning that the elected representatives resemble the people they represent. John Adams, for example, wrote in 1776 that the legislature ‘should be an exact portrait, in miniature, of the people at large, as it should think, feel, reason and act like them.’ Alternatively, representation can mean acting for the people. This meaning ranges from being an independent trustee that makes judgments in the people’s best interest to acting like a transmission belt for their preferences. But here’s the most important thing: neither theory of representation justifies rule by the wealthy, interest group domination of the policy agenda, or a small minority with idiosyncratic preferences wielding power over all of society.”¹⁷² No legitimate liberal democracy can be run effectively by only the wealthy. Such a system would undermine the pluralism that liberal societies require, and it would certainly not be democratic. Reforming our institutions to reflect this fact would

¹⁷¹ Sundquist, 1.

¹⁷² Sitaraman, *The Great Democracy*, 90.

begin to restore both liberal capacity of the average citizen, as well as their power in our democracy.

Political Ideas

To achieve these results there are many different political ideas that can help. This section will outline a few of them as examples for how we *could* start restoring our democracy. The first is revising the terms of congress members. Recalling Johnson's lament that presidents only really have one year to get anything done, a four-year term for house members would eliminate the midterm election that often strangles our politics in the middle of a presidency.¹⁷³ Expanding terms for senators to eight years in addition creates the "four-eight-four plan." Under this system, senators are staggered into two groups rather than three. This way, every presidential election is also an election of half the senate and all of the house; it is more of a national referendum, and with more seats at stake, the makeup of the legislature will be more responsive to the people. In addition, voting trends towards one party or the other will be more heavily represented in the makeup of the new government. This increases the likelihood that the winning party of the presidency will have a legislature that supports it, decreasing the chances of divided government, infighting, and gridlock.¹⁷⁴ For those who argue that this will make senate and house terms too long to be checked by the people, consider the fact that the average house member's length of service is already just over 9 years, while the average senator serves

¹⁷³ Sundquist, 153.

¹⁷⁴ Ibid., 162.

just over 10.¹⁷⁵ Further still, by not having to worry about an upcoming election and the need to campaign, legislative members can focus more on actually doing their jobs and making longer-term decisions.

These changes would shift the United States more towards a parliamentary style of government by making each election an election of a greater portion of the government. But what if we went further still and fully adopted the parliamentary model? The benefits of a parliamentary system, in which the winning party controls both the executive and the legislature, are many. It becomes harder to escape responsibility by citing gridlock, because the government is united. This in turn allows the winning party to do more with their time in office, and then at the next election people can easily consider whether they like what the party in power has accomplished. In addition, because the prime minister derives her power from the parliament, an ineffective leader can be removed by a vote of no confidence. Finally, because elections can be called on short notice by the party in power, candidates only have a short time to campaign, which decreases the importance of big money donors and complex nominating processes.¹⁷⁶ In support of such a change, “former Senator J. William Fulbright of Arkansas, from the perspective of more than thirty years in Congress...finds that the separation of powers ‘obstructs accountability...promotes the spread of adversarial conflict throughout the political process...leads to indecision and stalemate,’ and ‘is growing inadequate for the formulation of a coherent, rational foreign policy.’ He commends the parliamentary system, with its unification of executive and

¹⁷⁵ Amy Roberts, “By the Numbers: Longest-Serving Members of Congress - CNNPolitics,” CNN (Cable News Network, June 7, 2013), <https://www.cnn.com/2013/06/07/politics/btn-congressional-tenure/index.html>

¹⁷⁶ Sundquist, 208.

legislature, as in many ways ‘a superior form of democracy.’”¹⁷⁷ Such an idea is powerful, albeit admittedly unrealistic. The United States will probably not implement a parliamentary system any time soon. More importantly though, this serves as a clear example of how reformed institutions can better serve people. With this in mind, we can look into some more realistic solutions.

The following are institutional changes that would help our democracy run better. We could allow the president to veto certain parts of bills rather than a total yes or no so that at least some of what the people’s representatives ask for gets made into policy. National referendums could be used to vote on issues that stall the legislature, a measure that has been successfully implemented in many states.¹⁷⁸ As Levinson has proposed, amendments could be implemented through constitutional convention, though one has never been held. At the very least, callings by states to use such a mechanism would signal to Congress that they need to get their act together, or else. This was the case in the early 1900s in the movement for the 17th Amendment. When the senate refused to pass the resolution, states began to mobilize to call a convention and pass it themselves. Under this pressure, congress yielded to the desires of the people and gave them more democratic power by allowing them to directly elect senators.¹⁷⁹ On the goal of returning democratic power to the people, banning gerrymandering is an obvious strategy to help break down concentrated power. We should ask ourselves, “is there anything more brazenly anti-democratic than redrawing the boundaries of electoral districts to secure a partisan

¹⁷⁷ Ibid., 19.

¹⁷⁸ Ibid., 280-281.

¹⁷⁹ Ibid., 328.

advantage?”¹⁸⁰ For example, in 2012 in Pennsylvania, democratic candidates won 51% of votes for the House, yet this translated to just 5 of the 18 available seats. This is because states are allowed to draw their electoral districts how they please, and Pennsylvania’s Republican leadership had drawn them in such a way as to favor themselves.¹⁸¹ This is clear political capture. Instead of the people’s representatives reflecting the people’s votes, they were skewed heavily towards entrenched power. The populists might respond by simply installing whoever they like and kicking out whoever they don’t, yet this becomes dangerous when public opinion quickly shifts, and it is not even what Americans want. Americans simply want their votes to count equally. Both gerrymandering and the populist response would be hijacking democracy, when these problems can only truly be fixed via a reformation of voting institutions.

Other reformations to the electoral process that would limit the capture of politics by wealthy elites through donations and favors would be to publicly finance elections through vouchers. If every citizen received a voucher for a certain amount of money, then candidates would have to appeal directly to these people in order to fund their campaign.¹⁸² Given the massive amount of money it takes to run for any office in this country, it is no surprise that politicians spend so much time trying to gain support from the rich, and give up on the average people to do it. At the moment, fundraising from wealthy donors is an essential part of getting elected. We could go further still in evening out the interests of wealthy insiders by banning Congressional members from becoming lobbyists after their terms finish, and requiring any elected official to release their tax returns and relinquish

¹⁸⁰ Hasan.

¹⁸¹ Ibid.

¹⁸² Sitaraman, *The Great Democracy*, 182.

ownership in private companies.¹⁸³ This helps make democracy more fair from both sides, as it empowers and elevates the voices of the average person, while it limits the influence that other private money can have on public officials.

There are other ways by which we might increase democratic engagement and government responsiveness. For example, globalization has held a significant amount of responsibility for why the lives of working Americans have degraded so much. Under the negotiation policy of our current institutions, we begin to see why. When the TPP was being negotiated, neither the general public or even Congress (except through extreme bureaucracy) could even look at the drafts because they were classified. However, the USTR's trade advisory committees, 85% of which were representatives for large companies or industry groups, had access to the agreements.¹⁸⁴ Elite insiders had the opportunity to read, comment, edit, and opine on agreements that neither the people nor their representatives were able to. If we made trade agreements subject to the same process of publication for comment from the general public as domestic laws, and then we required policymakers to have to respond to comments made by regular people, businesses, and organizations before they could proceed in negotiations, these agreements would not be so one-sided.¹⁸⁵

Economic Ideas

Throughout this thesis we have seen that politics and economics are inherently intertwined. In light of this, there are an array of economic policies we might implement

¹⁸³ Ibid., 183..

¹⁸⁴ Ibid., 167.

¹⁸⁵ Ibid., 167.

that are far from simply overthrowing the elites, but still have strong positive impacts on the financial lives of many Americans. First, unearned income should be taxed in the same way as earned income. Income from investments is how most wealthy Americans make their money, rather than from their jobs. Because investments compound, without a high enough tax rate, inequality will naturally increase exponentially very quickly. With income, we tax people at a progressive rate because the marginal utility of each dollar for the poor is significantly higher than for that of the rich, so to generate an effectively equal tax burden, tax rates must progress up the income scale. Tax rates range from 0% up to around \$10,000, up to 40% for over around \$400,000 and above. Yet, with capital gains, suddenly we cut these rates to 20% at the highest bracket. Why? The truth of diminishing marginal utility holds no matter how income is earned. Further still, this effectively makes each dollar earned from working less valuable than each dollar earned from investing and doing nothing. Meanwhile, sales taxes and payroll taxes have a much bigger burden on poor people, yet we do not graduate those, we actually cut them off after income above \$130,000. To decrease inequality, ensure that all pay their fair share, incentivize work, and raise revenues for government functions, the wealthy should be taxed equally on their income from investments as on income from their jobs.

On the other end of the income scale, we could even offer a tax write off to the poor who do invest to encourage their earning a portion of this investment pie, like we do for investing in retirement accounts. This would then begin to more closely link gains in productivity to gains in income, because as workers become more productive and companies more profitable, low-income people share in the gains as well. In addition to encouraging more equitable ownership and increased incomes, the economic opportunity

this kind of policy would provide would be beneficial because “an America without economic opportunity for everyone isn’t an America that facilitates soulcraft. When parents have no economic opportunities, it is harder for them to nurture their children and engage in the soul-forming activities Levin and Deneen desire. Likewise, a nation of Sisyphean workers, condemned to an eternity of hard labor without ever making any economic progress, is unlikely to believe that hard work, responsibility, and character lead to just results.”¹⁸⁶ By reforming our tax institutions, we can fairly and justly redistribute wealth, provide basic economic necessities that allow recipients to lead a flourishing life that they choose, build new programs (and institutions), and focus on working in our communities rather than an extra hour just to make enough to pay the rent.

Taxes that cut into some gains made by wealthy people and large corporations could be implemented in a number of other areas to society’s benefit. The corporate tax rate, cut under the Trump administration to 21%—at an expected cost of \$1.75 trillion that could have been used far more effectively than on the country’s richest people and most influential corporations—could be raised back to 39%. If an increased capital gains rate actually disincentivizes investment as some critics have argued—although this is unlikely as the wealthy will always search for the best yield they can find—a wealth tax of 2% on wealth over \$50 million, and 4% on wealth over \$1 billion, could be implemented. To some, this is blasphemy. This would destroy all the incentives for productivity, investment, and on and on. But to put into perspective the kinds of effects this would have, consider a 60 year old with \$11 billion in wealth. Subject to this tax, she would still continue to make whatever money helped her to become so wealthy, and she would be able to offset her taxes

¹⁸⁶ Ibid., 107.

with gains from investing that money in businesses, stocks, real estate, and more. But say this person never invested another dollar, and never worked another day in their life. By the time they die in 30 years, at this tax rate, their wealth will have decreased from \$11 billion to...a measly \$4 billion. The idea that somehow this person can generate more utility from that \$7 billion than what it could do for the poorest Americans in terms of job opportunities, education, food, childcare, and more is nearly impossible under the basic economic theory of diminishing marginal utility. Further still, the idea that this would disincentivize wealth-generating activities, when it only applies to the extremely rich and, as shown above, still leaves them with massive amounts of money, is frankly ridiculous. Such a tax would also decrease inequality, push the rich into the investment market, break up entrenched wealth, and fund programs that benefit society as a whole. The same can be said for lowering the exemption threshold on estate taxes from \$22 million down to a level that does not generate millionaires who have contributed and earned little of their wealth.

Institutional power has been one of the key drivers for political and economic failure. Therefore, to reform these institutions is to reform the distribution of power. By changing economic institutions to more justly redistribute wealth, we can begin to tackle many of the problems outlined in chapter 3. Working families can support themselves better, underprivileged children will have more resources, people who lost jobs can afford to retrain themselves, and most importantly, the views and beliefs of these people will hold more weight in the political system when there is less concentrated wealth to be used to capture political privilege. On this, we can learn something from the populists: “We understood 100 years ago that corporate power has as much, if not more, control over the everyday lives of American citizens than the government. That’s why we stepped in to

provide protections codified in law and we took actions to preserve competition in our marketplace.”¹⁸⁷ This quotation refers to antitrust, union support, labor laws and the growth of government programs in the first half of the 20th century. Out of those policies came America’s golden age of sustained economic gains across all of society in the 1950s. Why not do it again?

Novel Ideas

Beyond pure economics, we can think of a number of novel ways we might create institutions that solve the problems diagnosed in Part II. Ganesh Sitaraman proposes a number of interesting ones, starting with the idea of a “Patriot Corps.” This institution would focus on engaging Americans from all walks of life to serve in various capacities around the country whether they be in teaching, engineering, community outreach, environmentalism, or other pursuits. It would effectively be a domestic Peace Corps, which Sitaraman compares to the “the Civilian Conservation Corps, the Works Progress Administration, the National Youth Administration, and other alphabet-soup agencies. These agencies built public works, brought mobile libraries to rural areas, and made national parks usable. And after World War II, the GI Bill helped 2.2 million veterans become scientists, business people, engineers, and artists, sending a generation to college. For every dollar spent on the program, the country gained five dollars in productivity and taxes. But more importantly, these programs engaged Americans as members of their

¹⁸⁷ Ball and Enjeti, 2386.

country, of our national community. They helped stitch us together as one people, aiming for a more perfect union.”¹⁸⁸

In the same vein, Sitaraman suggests public funding for journalism to combat the degeneration and concentration of the media discussed in chapter 4. There is precedent for this, as the federal government gave grants to newspapers from the birth of the republic until the 20th century, when these subsidies were drastically reduced. Comparing the United States to other developed democracies on this front, Finland spends €130.7 per capita on media subsidies, while the bottom rate in Europe was Italy at €43.1 per capita. The United States? Currently, media grants and subsidies make up just €5.2 per capita.¹⁸⁹ This kind of funding would make it possible for news organizations to pursue important, in-depth, long-term stories that may have higher costs, yet are difficult to monetize any reward from once they are published. Restoring trust in the media as an institution helps us restore trust in each other, as well as provide us with the information we need to be fully informed and participatory democrats.

The list goes on. On one of our most controversial topics, we could reform the institutional grounds of immigration to include more comprehensive programs to help new immigrants learn American culture, norms, and priorities, and to interact with their new communities. An institution like this makes immigration more collaborative, creates social solidarity, and fosters innovation, connection, and even friendship. This would satisfy both conservatives who see immigrants as threatening rather than adopting our culture, while also satisfying the liberal goal of more humanely and considerately accepting new people

¹⁸⁸ Sitaraman, *The Great Democracy*, 116.

¹⁸⁹ *Ibid.*, 121.

into our nation.¹⁹⁰ Restoring Glass-Steagall, breaking up big tech companies, guaranteeing internet as a utility, incentivizing profit sharing, and more are all other ideas with exciting implications. Each of these ideas represents a serious commitment to reforming an institution, not throwing it out to "solve" a problem as the populists would. To be sure, not all of these will create economic "efficiency" in the sense that they create the largest economic pie (regardless of who gains from it and who does not). When forming our institutions however, we must always weigh the benefits and drawbacks of various combinations of efficiency and distribution, which often come at the expense of one another. The neoliberal era that heavily favored the former has produced the failures discussed in the latter. What comes after neoliberalism is no longer about efficiency, but about reinvigorating the opportunity that American liberal democracy has always offered.

Social Ideas

The positive social implications of such improvements are important to consider as well, as Americans' frustrations run deeper than just the power of their wallet and their vote. Populist solutions inherently require a great amount of social upheaval. In a politics that is already so polarized, casting off one group as evil and the other as righteous is unlikely to improve the social fabric of the country. Thinking about what a prototypical person in a populist regime might look like, "imagine an individual who encounters someone different and cannot but condemn the stranger's views, spew hatred for his lifestyle, and reject his opinions. Such a person hardly has self-restraint or self-control, and we would not think him emancipated from the tyranny of his own passions, biases, and

¹⁹⁰ Ibid., 123.

emotions. In a complex society, it is not a weakness but a strength to engage productively with those who have different views, and it is a hallmark of a truly free mind to seek first to understand before making judgments.”¹⁹¹ Populists do not engage productively with those who disagree with them, because by their logic, they do not even represent the people. To consider such people’s views would be akin to asking, say, an Indonesian national what they think we should do about our public education system. Their opinion would be misguided and irrelevant. Institutions on the other hand provide frameworks for how to engage with those we do not agree with but are undeniably just as much a part of the polity as ourselves. Institutional change inherently sews our social fabric because it requires people to come together under defined rules and for a common goal. This is vital to American restoration, as “across the board, progressives and conservatives in this vein recognize that one of the most important civic callings today is to reinvigorate the traditional soul-forming institutions of family, work, education, faith, and civil society.”¹⁹² This certainly takes more effort; after all, it is harder to recycle garbage into usable pieces than it is to burn it all down, but the benefits of doing so are much greater. In other words, “it’s easy to be fashionable rebels. It’s harder to remind ourselves why our core commitments are worthwhile. That is the kind of case that institutionalism now involves, and why it is so crucial.”¹⁹³

The debilitation in American life has been caused by institutions, and it will take bright, institutional ideas to fix them. When one takes a step back and considers what people are clamoring for, it can often be described by a functioning institution: “institutions

¹⁹¹ Ibid., 110.

¹⁹² Ibid., 105.

¹⁹³ Levin, 175.

are what everyone is talking about but no one names. They are at the core of what we lack, but we often see through them as though they were invisible and so we too rarely rush to repair them when they're broken. They are at the heart of our achievement as a society.”¹⁹⁴ America was great from the outset as the world's first democracy. But it was *made* great by a strong rule of law, equality of opportunity, trust of one's fellow citizens, a shared constitution and set of norms, and the right of all citizens to be heard. Institutions are essential for every one of these aspects of American society, and so when we look in dismay upon our lack of consideration for the Constitution, for one another, and for fair opportunities, really what we are asking for are stronger institutions, not weaker ones.

Why Institutional Reform

As one can see, the suggestions for improvement vary significantly in form, function, and outcome. They are all different, and no one of them will solve all of our problems. This is why I am not advocating for one or another necessarily, but rather for the practice that they employ of taking different, creative, and even radical looks at how we might make our government work better, as opposed to those which the populists might propose of simply giving a chosen majority what they desire without any respect or consideration for the rights of the minority. You may disagree with one, two, four, or even all of these. But the fact that through the medium of the institution of policy-making you can disagree, explain to me why you do, and suggest something better, is the power of the institutional response.

¹⁹⁴ Ibid., 176.

Conclusion: Hope

So far, this thesis has painted a relatively bleak picture for American democracy. We identified what exactly we mean when we say that we feel polarized, concluding that polarization comes as a result of mistrust, abandonment of norms, and loss of faith in our institutions. Next, the extent to which this tension should really be considered a threat was studied. We found that all around the world, the kind of liberal democratic backsliding that we see every day has led to populist uprisings in developing and developed countries alike. Having taken stock of what the threat to our political system is, we moved on to its causes. What we found was that for the average American, economically, politically, and socially, the government and its institutions have failed her. Extreme wealth inequality developed as all the gains from increased productivity accrued to the rich. The rich then entrenched their power throughout the neoliberal era by buying out our politicians, votes, media, and policy influence, while we squabbled over identity and phone calls to Ukraine. Equal opportunity, the likelihood of our children's lives being better than ours, and trickle down economics turned out to be broken promises from institutions that we previously had had reason to believe in. This disenchantment and exploitation carried over into our personal lives, where we now struggle more than ever to connect with those we disagree with. Simultaneously, we see the institutions that were supposed to form and protect us being

made into stages for individual benefit that instead cause us harm. We lost hope in the three main elements of American life, the political, the economic, and the social.

Then, along came the populists on both the right and the left. They promised to get rid of a corrupt elite and return power to the people. They appealed directly to our sentiments of frustration, and whether through the deportation of immigrants or the illegality of billionaires, for the first time in decades, someone was speaking directly to the working class that had been cast aside so long ago. On closer inspection however, the populists turned out to be intrinsically dangerous. By railing against the status quo, they constantly tried to subvert the few institutions left that still formulated power in a structured way, saying the whole time that it would be for the benefit of the people. Yet, the benefit of the people came at the expense of the non-people. Whether these were billionaires or immigrants, it became clear that a politics which supposedly derives its power directly from a subsection of “the people” will be infallible, and therefore unrestrainable in its conduct towards minorities. The populists could change the players, rules, and problems, but they would still fail to solve—and rather would likely make worse—the grievances underlying the erosion of liberal democracy.

But then, a ray of hope appeared. Upon deeper introspection of the nature of our deficiencies, it became clear that while rebelling against the institutions that have treated us poorly was easy and momentarily satisfying, we realized that we did not really desire the breakdown of American society to the whims of popular passions. Rather, what would best address our concerns would be a recommitment to those parts of our social political economy that we valued the most, but had ultimately been taken away. This means civil discourse, reliable rule of law, equal opportunity, objective reporting, people before profits,

equal voting power, effective government, and institutions that form us into good citizens. Upon understanding this, we began to develop some ideas that could effectively start to achieve these goals. Now, looking forward, we must consider that there might be some cause for hope.

Just as recent history should have us worried about the direction democracies around the world are headed, so too should a more broad snapshot of democracy serve to temper our fears, at least a little. Ideologically, we should realize that the opponents to liberal democracy are far weaker than those that it has bested in the past. During the Cold War, there was legitimate intellectual support for marxism, but also for leaders like Stalin, Mao, and Castro. Few are seriously arguing for these forms of government anymore, let alone their leaders, and in fact it would probably even be difficult to find a legitimate argument for even the modern-day versions of these dictators' regimes.¹⁹⁵ Looking back on American history, we are quick to forget that the partisan battles on which this republic was founded were absolutely vicious. The Federalists and the Republicans truly *did* seek to eliminate the other party, as evidenced by the Alien and Sedition Acts of 1798 that sought to punish libel by political opponents.¹⁹⁶ Moving forward, our democracy proceeded to survive the Civil War, the Espionage and Sedition Acts, the Great Depression, WWII, the massive social revolution of the 1960s, and 9/11.¹⁹⁷ It would be hard to argue that we are in a more desperate situation than at any of these times.

History, however, is not a straight line; Fukuyama will be the first to tell you that. While democracy may be in recession, this merely means that it is, of course, not the end

¹⁹⁵ Plattner, 82-83.

¹⁹⁶ Ziblatt and Levitsky, 103.

¹⁹⁷ Galston, 81.

of history. Most importantly, the advantage that democracy holds over any other political system that begins to erode is that democracy can correct itself. This is what makes democracy stronger than any form of government attempted so far, and it is why this thesis has advocated for an institutional response: addressing public grievances through political institutions is the core function of a democracy.¹⁹⁸ Understanding that it would never be possible for democracies to quickly, easily, and forever assert their control around the world, Galston argues that “on the one hand, this is no time for complacency. Liberal democracy faces clear and present dangers. On the other hand, I must underscore a less fashionable point: This is no time for panic either...A recent study of politics in the wake of financial crises over the past 140 years finds a consistent pattern: Majority parties shrink; far-right parties gain ground; polarization and fragmentation intensify; uncertainty rises; and governing becomes more difficult.”¹⁹⁹ In other words, yes we are in trouble, but this challenge is not something we have been unable to overcome before.

Kettl goes into even more depth considering the kind of juncture we might be in right now, and concludes that rather this is a moment of opportunity, rather than one of degradation: “There have been regular and recurring cycles in which new problems demanded new reforms, before new problems pushed the old reforms aside and readied the ground for a new round of efforts. These cycles are the result of the tectonic plates rubbing together: big forces build up, erupt onto the policy scene (sometimes with explosive power), and demand dramatic change. A new equilibrium emerges, until the next buildup forces yet another shift in the fabric of American government. These periodic turning

¹⁹⁸ Galston, 1.

¹⁹⁹ Galston, 14.

points are invariably times of wrenching political turmoil and major policy change...Five such eruptions have occurred since the 1880s along the tectonic plates--privatization, federalism, and globalization--to remake the federal government."²⁰⁰ In this case, Kettl is referring to the first Progressives of the 1880s, the Super Progressives of the early 1900s, FDR's massive increase in government size, U.S. hegemony after WWII, and finally the neoliberal era beginning with Reagan. Combining this idea with Sitaraman's question of what comes after neoliberalism, there is cause for a bit of hope even in this time of political turmoil. If we are experiencing one of these tectonic shifts, then we have the power to influence what our state will look like for decades to come. In such a critical moment, it is therefore more important than ever to commit to the institutions that we value for our future.

Achieving a new equilibrium that is just will not be easy. After all, Lincoln was loathed by half the country and ultimately murdered for the new era he helped bring in, but he nonetheless changed the future of the nation at a critical moment for the better. Despite the intense challenges that will come from those with entrenched wealth and power, the benefits that come when we start to engage respectfully with one another, work together on policies that bring good results, and offer every person the opportunity to succeed, will multiply exponentially. In the same way that vice and vitriol in our politics begets more of both, so too does tolerance and efficacy. Once people realize that government actually can work for them, and once they begin to regain some of the agency over their lives that has been taken away, they enter a virtuous rather than a vicious cycle.²⁰¹ The value of this thesis

²⁰⁰ Kettl, 165-166.

²⁰¹ Sitaraman, *The Great Democracy*, 211.

then I believe is that it lays out for us plainly why we are depressed, untrusting, and unsatisfied, explains why exactly that is the case from three key perspectives, and lays out clearly the ways we should and should not move forward to address these problems. I am in agreement with Levin that “above all, though, I hope that what we learn together might move us to see that, while calling out the demolition crews may be an understandable response to the frustrations of our time, it is very far from enough. If we understand that a deformation of our expectations of institutions is at the core of our confusion and paralysis, we will grasp that we require a reformation of those institutions—and that this demands constructive work...‘Just as twilight ages are a recurrent phenomenon of Western history, so are ages of social replenishment, of reinvigoration of social roots’...It is up to us to launch an age of social replenishment. That will require intellectual, cultural, political, spiritual, moral, and economic work. We each can have a part to play, if we want one. But, to begin, we have to see that such work is called for, and that it is not fundamentally a work of demolition. For all our frustration and confusion, this is not a time for tearing down. It is a time to build.”²⁰²

I am clearly quite concerned about the state of American liberal democracy. Yet, I do not go so far as to think that we are Weimar Germany, or Venezuela, or Hungary for that matter. I do not claim institutions will fix everything, but I do believe that in the face of a threat to our institutions, laws, principles, and communities that feels different in the way that the frustration and tension among us today does, we must try to do something. Something is not anything though. There is a difference between wanting change, and abandoning law, principles, and people to get it. We must hold fast to these ideals that have

²⁰² Levin, 13.

been imperative to everything this great country has achieved so far, and then make our strongest commitment yet to institutional change with the goal of restoring the promises that liberal democracy, and liberal democracy alone, is able to make to its citizens. From there, we will do our best. Ever tried. Ever failed. No matter. Try again. Fail again. Fail better.

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