

## Cato study bucks conventional wisdom, and instead touts cantankerous divided government

By [Jonathan Strong](#) - The Daily Caller 3:31 PM 01/27/2011

Despite the many calls for civility, bipartisanship and a go-along-to-get-along spirit, is a cantankerous, divided, partisan [Congress](#) the cure for what ails us?

Channeling both James Madison and public choice theory, the Cato Institute's Marcus Ethridge says yes.

"A large and growing body of evidence makes it clear that the public interest is most secure when governmental institutions are inefficient decisionmakers," Ethridge says in a new [paper](#).

In other words, the political process works best when it's slow and difficult to pass new laws.

To support his argument, Ethridge contrasts the longtime efforts of "progressives" to streamline the lawmaking process by delegating broad authorities to bureaucrats in the executive branch with the consequences of their technocratic vision.

The result, Ethridge argues, is that special interests, especially those backed by significant amounts of [money](#), are better able to infiltrate the technocratic process than the dirty, difficult popular branch of government, Congress.

"Decades of experience and research on interest groups and the workings of administrative policymaking clearly demonstrate that the more efficiently responsive the government is, the greater the influence of interests that enjoy the political advantages of superior organization," Ethridge says.

In 2010, the Obama administration instituted 43 new regulations, each imposing a cost on the [economy](#) of at least \$100 million. The total cost of these rules was \$26.5 billion. Yet only a handful of these "major" regulations received any significant public attention.

Behind the scenes, though, an army of lobbyists, lawyers and political activists tracked every move the Obama administration made, exhorting and sometimes threatening agencies with lawsuits to get them to bend to their will.

That means the special interests best equipped to organize in Washington are having the most impact on thousands of new “laws” most Americans never hear about.

Ethridge asks if this process is what progressives hoped for from technocratic government, since the left continues to complain about the same problems it was supposed to solve.

“The persistence of the progressive complaint about social and economic equality is perplexing in light of the policies and programs that were adopted between the time of Teddy Roosevelt and Paul Krugman. In the decades between 1910 and today, U.S. society experienced the imposition of and massive expansion of the [income tax](#), extensive government regulation of the private sector, and a series of entitlement programs enacted during the New Deal and the Great Society eras that now account for most of a very large government budget. If a time machine could bring TR to the present, he would doubtlessly be stunned to find contemporary commentators writing bitterly about ‘savage inequalities’ and a ‘permanent lower class’ after the successful adoption of so many landmark progressive initiatives,” Ethridge says.

“How can such inequalities persist after so many progressive [programs](#) were implemented?” Ethridge asks, “The answer is ... institutional changes made to craft and implement these policies increased the political power of the well organized.”

The messy lawmaking process envisioned by the Founding Fathers, and championed in the Federalist Papers for the difficulty it created in adding new laws, makes it more difficult – and expensive – for special interests to have their say, argues Ethridge.

“The Constitution’s most important innovation — the separation of legislative and executive powers — was based on the framers’ understanding of how [political](#) interests behave,” Ethridge says, “The gridlock that progressives abhor neutralizes some of the political benefits that producer groups and other well-heeled interests inherently enjoy.”

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