The Washington Post

No offense, but all politics is passive-aggressive

By: Alec MacGillis – February 22, 2013

President Obama and House Republicans are allowing the March 1 deadline for the budget sequester to creep nearer — as if assuming that the other guys will bear the brunt of the blame for the havoc the spending cuts will wreak. They seem a bit like the Senate Republicans, who at first declined to allow a vote on Chuck Hagel's nomination for defense secretary, forcing a week's delay, but then said they didn't mean anything personal by it. Meanwhile, some governors opposed to the Affordable Care Act are simply holding back from implementing its main elements, rather than contesting it outright.

If things get any more passive-aggressive around here, we may need to bring in Lena Dunham to write the script.

For all the talk about the political parties being at each other's throats, what we are presented with these days is something more nuanced and more frustrating: conflict that is sublimated into feints, withheld cooperation or phony goodwill rather than expressed as confrontation. It is, taken as a whole, "passive-aggressive" behavior.

That diagnosis was first applied by the military in 1945 to enlisted men who weren't actively challenging authority enough to merit the brig but were being insubordinate in their own Bartleby-esque fashion. It's now time to slap the tag on our political class.

As it happens, one side has been wielding the label for some time. Several conservative critics have gone on record accusing Obama of being passive-aggressive. John Yoo, a lightning-rod lawyer in George W. Bush's Justice Department, wrote an election-night column for Fox News warning that an Obama win would "usher in the passive-aggressive presidency" — a result, he argued, of a campaign in which Obama had offered only "odd grimaces" and "nasty glances" because his liberal policy agenda had been exhausted.

Asked to elaborate, Yoo told me in an e-mail that he saw passive-aggressive tendencies in Obama's announcement last year that he would stop enforcing immigration laws against undocumented young people who'd been brought to the country as children — "not because the laws are unconstitutional, or there are too few resources," Yoo wrote, "but because he wishes immigration laws were written differently."

Yoo also saw passive aggression in Obama's approach to the "fiscal cliff" debate in late 2012, when he "threatened to allow a disaster to occur through inaction, unless Congress agreed to his proposals to raise taxes."

To be fair, the president's approach in that instance was the obvious one to take: Since all of the Bush tax cuts were scheduled to expire no matter what, inaction tilted at least slightly to his advantage, assuming he was willing to bear the economic and political risks of going over the cliff. But Yoo and others are right to note that Obama, who ran for president with notions of post-partisan transcendence, has often preferred to advance his agenda in subtle ways that don't call undue attention to the political combat inherent in his job.

That said, it's even easier to identify passive aggression in the congressional resistance to Obama. You can see it in the blocking of countless presidential nominees by filibuster or quiet senatorial "holds," both of which allow Republicans to stymie the administration without having to vote against the nominations, all the while coating their opposition in a patina of cordiality. You can see it in the reluctance of House leaders to allow the chamber to vote on bills that do not have majority GOP support, such as, say, legislation for new gun restrictions. And you can see it above all in Republican brinkmanship on the debt ceiling — in 2011, the country came within inches of a credit default as Republicans declined, until the last minute, to raise the nation's borrowing limit.

To some extent, passive-aggressive politics have always been with us, a byproduct of a Washington culture that places high value on maintaining a veneer of bipartisan comity and a system of checks and balances all but designed for passive-aggressive maneuvers. Scott Wetzler, a professor at Yeshiva University's Albert Einstein College of Medicine and the author of "Living With the Passive-Aggressive Man," notes that the filibuster is the "classic" form of passive aggression in politics. "If you'll lose the vote . . . you don't let it go up for a vote. You stifle it. It's a more covert way," he said. "It's a way to thwart something rather than doing something you want."

But past periods of partisan rancor featured less covert behavior of this sort. Take the 1990s, for instance. Newt Gingrich's House revolutionaries actively pressed their own agenda — the Contract With America — and even impeached the president rather than just trying to block him with grudging inertia. And Bill Clinton relished the open jousting of the 1995-96 fight over a government shutdown.

For today's Republicans, though, passive aggression has been effective as a way to oppose Obama while obscuring the roots of that opposition, says Norm Ornstein, an American Enterprise Institute scholar and co-author of a 2012 book on Washington dysfunction. Take GOP resistance to the new Consumer Financial Protection Bureau: Instead of making an explicit case against the new agency, an argument Democrats could cast as defending abusive lenders, Republicans have simply declined to confirm a director, without whom the bureau cannot operate.

"It's made it easier for Republicans to get away with it if you do it in a passive-aggressive way as opposed to an aggressive way," Ornstein says. "If you just deny an opportunity to put somebody into a position, you find it gets much less press coverage."

As Ornstein persuasively argues, the GOP's passive aggression is a natural result of having a party that has come to act like a unified parliamentary-style opposition in a government that was not designed for such a thing. In a parliamentary system, the opposition would make an explicit case against the governing majority's policies and hope that voters shift their support in the next election. But in a non-parliamentary

system such as ours, a unified opposition can try something different; it can keep those policies from being implemented, often through means that leave few fingerprints.

"In a parliamentary system, the government can still act and carry out its policies. They'll still be implemented, and voters will have a chance to judge them in a clear fashion — maybe they work, maybe they don't work," Ornstein says. In our system, a parliamentary-style minority can simply "bollix up the works."

Our system also encourages passive aggression on a whole other level, by virtue of its federalism. At first, Republican-governed states expressed their opposition to the Affordable Care Act by challenging the law in court. But when the Supreme Court upheld the law last year, many GOP-dominated states took a different tack — they disregarded its edicts. Twenty-six states have declined to set up the health insurance exchanges where people without employer coverage are supposed to buy plans, leaving it up to the federal government to run them.

Even more significant, more than a dozen states have declined to expand Medicaid as called for in the law, despite the fact that the federal government would cover nearly the entire cost. This abstention, which the Supreme Court's ruling allowed, will leave several million people without coverage who would otherwise have been insured. "The states can do, and are doing, a lot of damage to that law just by declining to cooperate," said Michael Cannon, a health policy expert at the libertarian Cato Institute who has been urging states not to participate in the law.

Wetzler has a theory about why such behavior has become more prevalent. "Passive aggression is a way that people who perceive themselves in a position of relative weakness deal with people who they see as being in a position of relative strength," he said. "Instead of directly challenging the authority, they try more indirect ways to stifle that authority. . . . It can be an effective way of undermining a group that you see has more power than you."

In the 1990s, congressional Republicans and their state-level counterparts could still make a strong case that they had something close to half the country on their side of the argument. Today, the demographic and polling numbers facing the party are bleaker. And this makes it more tempting to oppose without actually having to, well, make the argument.

As Wetzler sees it, such passive-aggressive behavior is not always bad. "It can be a very healthy way of dealing with imbalance of power," he said. "It's not necessarily a sign of pathology."

But it could get to that point, he added. "The question is, where do you draw the line between someone trying to thwart the other person because they want to thwart something they don't agree with, as opposed to just wanting to thwart him — when the struggle is an end, not just a means to an end?"

Wherever that line is, our politicians may have crossed it. No offense.