



Obama and the Gordian Knot of Politics

Democracy has become more about bureaucratic procedure and less about the people.

By [John Feffer](#)

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With the exception of a spike immediately after September 11, Americans don't trust their government.

Take a look at [a graph of public trust](#) from 1958 to 2014, and you'll see the rate drop from around 70 percent half a century ago to the dismal 20-something depths of today. The government shutdown in 2013—the supreme expression of political gridlock—even further reduced that trust. With approval ratings in the low teens, Congress has been the focus of voter dissatisfaction, particularly [among those who follow politics closely](#).

Given this state of affairs, you'd think that someone who could cut through the Gordian knot of Washington politics would receive the same accolades that Alexander the Great did when he solved the legendary problem of the Phrygians.

But last week, when President Obama issued [an executive order on immigration](#), he received little praise outside his own party and the community most affected by deportations.

In Congress, House Speaker John Boehner (R-OH) [criticized Obama](#) for being an “emperor”—a description that doesn't have quite the cachet it once had in Alexander's day—and promised to fight “tooth and nail” to undo the order. The American public, although supporting the content of the order 57 percent to 40 percent, [opposed the order itself](#) 48 percent to 38 percent. Even *Saturday Night Live* chimed in with a [Schoolhouse Rock-style skit](#) showing the president throwing an earnest Bill down the Capitol steps in favor of a cigarette-smoking thug of an Executive Order.

By this time, you've heard all the explanations in support of the latest executive order, which allows as many as 5 million undocumented immigrants to stay in the United States as long as they meet [certain conditions](#). As the president has explained, the House failed to vote on the [comprehensive, bipartisan immigration reform bill](#) the Senate already passed in 2013. Moreover, Obama hasn't used executive orders [nearly as much as his predecessors](#) (33 per year versus 36 by George W. Bush, 45 by Bill Clinton, or 62 by Richard Nixon). And it's not as if Obama has been [“soft” on immigration](#) given the huge number of deportations that have taken place on his watch.

So, if the order is well within the realm of legitimate presidential action, most Americans support its intent, and there is a generally low regard for gridlock in Washington, why the backlash? Clearly we want our presidents to be decisive, but not too decisive. Clearly the Republicans are more adept at spin. And clearly we have to dig a little deeper to understand the travails of American politics, and how they're connected to a more systemic disease affecting democracy across the globe.

Gridlock Pays

The U.S. political system was designed in some sense to be inefficient. By distributing power among three branches and instituting other “checks and balances” into the system, American democracy was supposed to harmonize competing interests in such a way as to prevent both tyranny and anarchy.

Gridlock, in other words, is the occasional price we pay to avoid kings and chaos.

It hasn't all been harmony, of course, as the Civil War grimly demonstrated. But American democracy survived that challenge and even, through constitutional amendment and incremental policy change, managed to improve itself.

Until we seemed to hit a wall at some point in the 1970s. As economist Mancur Olson and others have pointed out, the rise of interest group politics effectively strangled the political process. A failure to overcome entrenched interests translated into a failure to innovate, ultimately producing what Jonathan Rauch has termed “[demosclerosis](#).” We have become too pluralist for our own good: our *pluribus* has overwhelmed our *unum*.

Let me introduce a caveat here that will reveal my bias. *Public interest* groups have served to expand democracy (think: the civil rights movement, women's movement) while *private interest* groups have served to concentrate wealth (think: business lobbies).

The intersection of public and private—middle-class entitlement programs—have tended to support economic democracy, namely more equitable distribution of the wealth. We still benefit from lobbying in the public interest (think: environmental regulations). But private interests have metastasized (behold: an [official figure](#) of about 12,000 lobbyists and an [unofficial figure](#) of 100,000, most of whom represent industries like pharmaceuticals, insurance, and energy). And middle-class entitlement programs are going the way of the middle class itself—squeezed between the super-rich and the working poor. The Affordable Care Act, which qualifies as a middle-class entitlement through its tax credits and expansion of Medicaid, may well be the last gasp of the quaint old welfare state.

Francis Fukuyama, in a [recent *Foreign Affairs* piece](#), argues that two trends have made matters worse. We are an overly litigious society, which means public policy is increasingly decided in the courts (and thus outside the realm of the voters). And, through the effect of money on politics, wealthy interest groups effectively control Congress. These are not new ideas: lawyers and lobbyists have long had us by the short hairs. As Thomas Friedman [wrote a couple years](#)

[back](#), “Our deformed political system—with a Congress that’s become a forum for legalized bribery—is now truly holding us back.”

Well, it all depends on [who the “us” is](#).

What if you don’t particularly like government or, following Margaret Thatcher, [think there’s no such thing as “society”](#)? The Reagan/Thatcher “revolution” was designed to trim the government’s role in the economy—reducing taxes, privatizing state enterprises, opening up public lands to private interests. Only the military sector escaped the knife. Many of these neoliberal approaches found their way into subsequent Democratic administrations (such as Clinton’s welfare reform and Obama’s [market-based health care reform](#)).

So, when liberals largely accept neoliberal assumptions, the next step is to throw so much sand into the machinery of government that the engine practically grinds to a halt. A gridlocked government effectively allows private interests—the market, the wealthy—to operate unfettered. “By fostering gridlock, the U.S. Constitution increases the likelihood that policies will reflect broad, unorganized interests instead of the interests of narrow, organized groups,” [writes Marcus Ethridge](#) for the Cato Institute. By “unorganized interests,” he means those rich enough not to need to act collectively.

The sad part of the story is that the polarization of politics—which proceeded lockstep with the polarization of the economy—largely takes place at the elite level. The electorate, whether in Blue states or Red states, has very similar attitudes—as measured in a [study that found divergence in only 4 percent](#) of the polling answers across nearly 400 policy questions.

In other words, American gridlock is a largely manufactured phenomenon.

So, if Congress no longer reflects the will of the people, is it then permissible for the president to bypass the legislative branch to ensure a more perfect union? When it comes to immigration and a number of other issues, I would say yes.

Overcoming Checks and Balances

But ultimately, presidential fiat is no solution to the problems of America’s democracy. Let’s look at two other countries that face similar conundrums.

The first is Japan, a country that values consensus above all. There’s even a word in Japanese—*nemawashi*—that means “laying the groundwork” for consensus before the parties arrive at the negotiating table. Japan has enjoyed a strong consensus for more than 50 years in favor of the constitutional provisions that restrict the country’s military to self-defense. But the current government of Shinzo Abe is eager to upend these provisions and transform Japan into a “normal” country with a capacity to mount military offensives. His party doesn’t have sufficient votes to amend the constitution.

So, back in July, Abe issued a “Cabinet decision”—essentially an executive order—that commits Japan to [“collective self-defense.”](#) In other words, the country will go to war in defense of an ally

even if Japan itself has not been attacked—and even though most Japanese [oppose this constitutional interpretation](#) and want to [retain the “Peace Constitution.”](#)

In Hungary, meanwhile, the government of Viktor Orban and his Fidesz party has a parliamentary super-majority. When the Constitutional Court has ruled that a new law violates the Hungarian constitution, the Fidesz-led parliament has simply amended the constitution. The EU has protested against the new media law. The European Court of Human Rights has ruled that the Hungarian constitution violates “freedom of religion.” The U.S. government is unhappy with the energy deals that Budapest has made with Moscow. Most disturbing, Fidesz has used its newfound powers to establish a patronage system that rewards the elite clustered in and around the party.

“It never before happened in the EU that a country suddenly made a U-turn back from democracy toward some kind of half-democracy,” Hungarian sociologist Andras Bozoki [told me](#). “When Austrians elected the Haider party, there was a huge protest in the EU. There was also a marginalization of [former Italian Prime Minister Silvio] Berlusconi. But none of these people had a two-thirds majority in the parliament, so they couldn’t change the constitution.”

Here we have the tyranny of the majority (Fidesz and its parliamentary dominance) and the tyranny of the minority (Japan and the program of the hawks). But in both cases, the Hungarian and Japanese governments identified ways to overcome checks and balances: Abe found a way around both the constitution and public opinion, while Orban simply changed the constitution to suit his needs. The elite in both cases advanced its agenda in undemocratic ways. When democratic rules produce undemocratic outcomes, faith in the system ebbs accordingly. In both countries, voter turnout has declined over the last decade, and many citizens are simply disgusted with politics.

At first glance, Obama’s executive order resembles Abe’s Cabinet decision and the actions of Fidesz to rewrite the constitution. But the president’s action on immigration was *democracy-enhancing* rather than democracy-reducing because it reflected majority opinion on behalf of a powerless minority. It distributed benefits more broadly rather than concentrate them in fewer hands.

Dealing with Democratic Deficits

Still, all three cases reflect a common problem.

People do not feel that their governments are building consensus through popular participation in order to move their respective countries forward. The systemic disease afflicting democracy across the globe is its increasing formalism. Democracy has become more about bureaucratic procedure and less about *demos*, the people. We have a democratic deficit: our views are no longer represented faithfully by our elected officials. For better or worse, we’ve experienced tremendous economic, social, and technological change over the 50 years, but our democratic institutions have yet to receive an upgrade.

Some countries have tried to address this problem of the democratic deficit by setting up different institutional mechanisms to involve citizens in policy making. Denmark, for instance, introduced [“consensus conferences”](#) that bring citizens together to discuss technology issues, a model that has been adapted in other countries to address plant biotechnology, GMOs, and climate change. The EU [has experimented with deliberative democracy](#) to involve people from all the member states to help chart Europe’s future. I wrote a few weeks ago about how the mayor of Seoul is [expanding participation in policymaking at the municipal level on energy issues](#).

And here in the United States, an organization called [Voice of the People](#) is [setting up Citizen Cabinets](#) in which people serve six-month terms, get briefings from experts, and weigh in on key policy issues every three weeks through on-line questionnaires. The results then go to lawmakers, who will ignore such a super poll at their own peril. The first cabinets are being set up now in Maryland, Virginia, and Oklahoma. In this way, our democracy regains its legitimacy by strengthening the link between the people and the institutions of government.

It might sound counter-intuitive to break political gridlock by bringing *more* people into policymaking. After all, the tendency is to assume that smaller groups are more efficient, with one person being the most efficient of all. But that’s where we fail to appreciate the roots of political dissatisfaction. We want to believe that our voices count for something, and not just in the isolation of the voting booth or the cacophony of social media.

In the 4th century BC, Alexander the Great proved his imperial pedigree by [cutting the Gordian knot](#). But we live in a democratic age, and we are suspicious of individuals or political parties that promise such solutions. The world is more complicated. The knots are somehow knottier. Bringing in a council of concerned citizens to patiently untie the Gordian knot of politics may take longer. But, in the end, consent is mightier than the sword.