

# The U.S. Congress

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It is no secret that the G.O.P. is a wholly owned subsidiary of corporate America. The problem is that they have no genuine opposition party. The U.S. government is populated with two kinds of politician: ultra-hard corporatists and moderate corporatists. (There are currently no genuine “public servants”.) The result of this: both the Executive and Legislative branches are bought by moneyed interests.

The idea of the legislative branch is to have a body in which statesmen (i.e. public servants) convene to deliberate. They deliberate in order to solve problems—together—via a collaborative effort. Alas, such teamwork doesn’t work in America’s high-decibel, adversarial system in which power grabs and turf wars define every political maneuver. Instead of a deliberative body, then, it is a careerist arena in which partisans seek to score political advantage. They can only do this by currying favor with Big Business, as financial backing is the sine qua non of the current process. The result of this modus operandi is an orgy of conflicts of interest. The “deliberations” are nothing more than dealing making and favors swapping—all done by each player in order to further his own career.

Such machinations are largely obfuscated by a carnival of lip service and pretense (a.k.a. PR). What the public sees, then, is theater: a show that is stage-managed by party leaders (the impresarios) who are beholden to corporate paymasters. The theatrics amount to little other than incessant delivery of snappy platitudes about “freedom” and “democracy”. What we hear, then, are scripted sound-bites regarding what “the American people” purportedly want.

The PR becomes a charade of euphemisms and doublespeak. For example, it is common practice to abet corporate socialism in the name of “capitalism” while caricaturing public infrastructure as “socialism”. Depriving the rank and file of empowerment in the name of “liberty” has been done before: it’s called “communism”. But doing the same thing under the aegis of “private enterprise” and “free markets” makes the agenda seem magnificently noble to credulous audiences.

Alas, so long as each player is appeasing the Machine, his career will be on safe footing—so, naturally, he will be motivated to do whatever is necessary to appease the Machine. Each player understands that if he refuses to cater to the Machine, the powers that be will marginalize him by depriving him of the resources required to remain relevant. Thus, a perverse incentive structure is *built into* Capitol Hill.

The consequence of this is that the purview of “acceptable” policy will tend to migrate rightward, toward absolute corporatism—because that is precisely where State-corporate collusion can directly facilitate careerism.

As the Overton Window moves to the right, the right-wing party (the Democrats) migrates rightward in pursuit of the ultra-right-wing party (which serves as their primary point of reference). Wherever the G.O.P. is—no matter how far to the right—the loose affiliation of caucuses that is the Democratic Party need only position itself slightly to the left. In other words, the Democratic Party will simply position itself ever-so-slightly-less-far to the right of wherever the furthest-right corporatists happen to be. So the alternatives become: corporatist or ultra-corporatist. Take your pick.

The predicament ends up being as follows: Short of revolution, such systemic dysfunction can only be remedied by *working with* the incumbent power structures. Yet this means engaging in policy concessions that are antithetical to the remedies. A catch-22 thus arises: one must become PART OF the Machine in order to ALTER the Machine: its defects can only be fixed from within. A “damned if you do, damned if

you don't" situation arises, whereby each figure vying for office is forced to play along with the routine—regardless of what's right. If a candidate or incumbent opts break from this choreography, he will deprive himself of the means to effect *influence on* the choreography.

In the next election, then, the range of choice is narrow, and phase-shifted quite far to the right. A Republican president will most likely do what the last three Republican presidents have done: Starve the government of revenue, allow Big Business to capture regulators, continue the lack of financial sector oversight that CAUSED the economic predicament with which we're now contending, launch pointless and bloody foreign military campaigns, neglect basic public infrastructure, maintain the FPSTI, and do everything possible to eliminate vital social services. All that is, of course, already happening with a *Democrat* in the Whitehouse (and with a majority in the Senate), but such things would happen even more severely with the G.O.P. at the helm. The corporatists are already running the show; it's just a matter of how flagrantly they rig the choreography.

So the strategy for Progressives is as follows: Keep voting for Democrats in order to prevent an already right-wing government from descending into all-out fascism. For lack of better alternatives, even Progressives are compelled to support the lesser of two evils. This isn't democracy; it's plutocracy with voting booths.

## **DIAGNOSIS OF THE PROBLEMS OF THE LEGISLATIVE BRANCH:**

When Alexis de Tocqueville visited the Senate in 1832, he was impressed by the quality of its members: "They represent only the lofty thoughts [of the nation] and the generous instincts animating it, not the petty passions." Of course, that Congress was horrendously dysfunctional—in spite of the romantic impressions with which de Tocqueville was left. Nevertheless, the Tocqueville-ian ideal may serve as the standard by which we can evaluate actual cases.

Capitol Hill today would astonish de Tocqueville. The Senate is not comprised of venerable statesmen—the great civic minds of the day engaged in honest deliberation; it is little other than an orgy of petty feuds between corporatists. In the Senate, we find not civic-minded public servants, but—instead—the most savvy power-brokers in national politics—game-players pushing the agendas they've been hired to push. In the House, public service has been rendered largely obsolete, as service to one's own political party trumps almost all other concerns.

Civic-mindedness has become anathema to the goings-on of the legislative branch. As a general rule, opportunists interested only in advancing their own careers are not concerned with going out on a limb to advance the general welfare—to step on toes for the sake of "the little guy". (What's in it for their career if they undertake such iconoclastic measures?) The common man doesn't fill the campaign coffers. Therefore the savvy political careerist curries favor elsewhere, then strives—via PR and theatrics—to convince the rabble it was *all for them*.

The Senate and House are little other than venues for political theater. Each is essentially a forum for strategically-scripted speechifying, endless lip-service, and camera-ready perorations (written ahead of time by staff-members). There is little, if any, genuine debate. (Debate is useless in a game where party loyalty is the highest virtue.) So we end up finding more show-biz in Washington than in Hollywood.

The endless recitation of talking points and occasional back-slapping doesn't actually accomplishing much of substance—though it's made to APPEAR as though it is accomplishing a tremendous amount. On any given day, there is almost nothing resembling substantive deliberation—any activity where there is an honest exchange of ideas between interlocutors. No productive debates occur simply because there are

almost no participants sincerely seeking to find what is in the best interest of the common man. The officials are—more than anything else—performers; they are businessmen; they are game-players who’s goal is to find what “works” (i.e. serves as a means to their own ends).

The Senate is not a “deliberative body”. It is the epicenter of influence-peddling and favors-swapping...of strong-arming and deal-making...of power-grabs and turf-wars...of ax-grinding and vendettas...of strategic alliances and tribal feuds...of political maneuvering and melodramatic posturing. Thus, the Senate is not the forum of high statesmanship it was intended to be, and is thus precluded from serving the citizenry responsibly.

The House of Representatives is merely a theater of players struggling to serve their respective party machines. The caliber of people who are typically elected to office is abysmally low. Most Senators are egregiously ignorant. Many have morally dubious motives. The vast majority are uneducated charlatans—operators who have little if any knowledge of the subject-matter with which they deal on a daily basis. Some are corrupt (the “DeLay” Syndrome) while others are simply mindless ideologues (the “Boehner” Syndrome). Some are even boarder-line mentally retarded (the “Mitch McConnell” Syndrome).

Senators and Representatives dwell in a world of show-biz and schmoozing. Their days are comprised of fund-raising, committee meetings, PR-stunts, and canoodling with lobbyists. There is no deliberation. There is only opportunism (i.e. careerism)—seeking money, then seeking more money...then, if there is any time left over, seeking even more money.

This is a natural consequence of the following: Campaigns—like decisions on legislation—are based entirely on courting money. Legislative activity is thereby rendered a game where the winners raise the most money, and those who raise the most money are the winners. Those who don’t play this game either never get to Capitol Hill to begin with...or, once they manage to get there, can’t survive long enough to accomplish anything of substance. The entire branch of government thus becomes a largely-owned subsidiary of corporate power.

In both wings of the bicameral legislature, seniority of the person takes precedence over the credence of ideas. This single fact reflects the value system on which Capitol Hill operates. Clout, not objective merit, determines how much weight an official’s words carry. It is his status, not his ideas, that determine the influence he might have on the process.

No substantive discussion occurs in the hallowed halls of the Capitol building because the players are too busy reciting their scripted talking points. Each player exists in a day-to-day echo-chamber—entailing a self-reinforcing modus operandi. To criticize an official’s ideas is to be *the enemy*; to endorse the official’s ideas is to become *a provisional ally*. There is almost no genuine dialogue, as—for any given official—all other players end up falling into one of these two categories.

When legislators aren’t asking donors for money over cocktails (or blocking legislation in committees because their donors don’t want a certain bill to pass), Senators are plotting how they can court NEW donors. This daily existence basically amounts to pandering to Big Money. The players, then, are not public servants; they’re courtiers of K-Street.

The current system is horrendously inefficient. Just getting a bill to the floor for debate can require days of tactical gamesmanship between party leaders. Every step in the process is a charade of political maneuvering and negotiations between tribes. Chairs of committees act as gate-keepers, deciding which legislation can even enter the process to begin with. Committees that are controlled by ideologues can hold up bills indefinitely—blocking the process—holding the proceedings hostage until their terms are met. Such committee chairs are essentially hijackers of legislation—strong-men ready to hold bills hostage as they see fit (i.e. as their paymasters see fit).

Each congressman plays for a *team*. His duty, then, is to help his team win against the opposition. If one is a “Republican”, one is merely a member of an ultra-right-wing cult. If one is a “Democrat”, one is an opportunist (a.k.a. “pragmatist”) who’s coerced into systematically capitulating to Republicans. In Republican races, it’s a contest to see who’s the most to the right. In Democratic races, it’s a contest to see who’s the least to the left. Thus, Republican candidates who are insufficiently rightward are marginalized...while Democrats who are insufficiently rightward are marginalized. One of the only differences between these two “parties” is the *degree to which* one is a corporatist.

Rather than trying to do what is *right*, politicians are thereby forced to fall in line with their respective party Machines, which operate on financial pursuits. The sumum bonum of each party is to beat the other party—whatever it takes. The competition becomes *ultra-far-right vs. moderately-right*: two camps pitted against each other in a tribal feud. This is to be contrasted with the ideal case as envisioned by de Tocqueville: A group of statesmen working together as a unified team, forming a genuine deliberative body genuinely seeking to do things in the public interest.

The process consists of each team vying for power—*trying to beat the other team*. Because of this tribalism, there are common scenarios in which congressmen accounting for only 10 or 20% of the population can hold up legislation. If a player beholden to a *certain lobby* is the chair of a committee, then a SINGLE PERSON sabotages legislation in the event that *that lobby* disapproves of the bill. Thus, the public official is merely a proxy to the lobby.

There are no independent minds on Capitol Hill; all players are merely cogs in the party machinery. (If they don’t play ball, they would promptly be discarded. Support from the party Machine is crucial to acquiring—and remaining in—power.) On every issue, partisanship trumps intellectual honesty—opportunism trumps probity—“pragmatism” trumps principle. The best players are those who get enough of the other players “*what they want*”...and thus move their party forward. (As for moving SOCIETY forward, almost nothing ever happens. The interests of the establishment are far too entrenched.)

On an individual level, we find narcissism in the form of careerism. *The Senator* isn’t an advocate for the electorate; he’s an advocate for his big funders. Meanwhile, *the Representative* isn’t a representative of the electorate so much as a representative for entrenched vested interests. At no point is the answer to the question, “Who does he work for?” ever “The rank and file”. The rank and file doesn’t fill the player’s campaign coffers...nor does the rank and file offer him lucrative positions after he leaves office.

The *well-being of the common man* is the sine qua non of the public servant—and is patently irrelevant to the politician. For the savvy player, the electorate is little other than a means to an end: getting elected and staying elected. Thus, the electorate is treated as an AUDIENCE, not as the employer. It is the audience for whom the politician does his *performance*. The PR is what happens in front of the curtain; the actual deal-making that gives the politician all his power is what transpires behind the curtain.

In this scheme, the electorate is seen as nothing more than a target consumer—the consumer to whom the politician sells himself (as a brand). Whether or not he’s actually serving their best interest is a moot point;

it is their *perception of* him that counts. Their esteem for his IMAGE is all that matters at the end of the day—because that is what most voters base their choice on during elections. (These days, people tend to vote based on image, not ideas. People place their vote for a BRAND...with little regard for the objective merit of policy stances.)

Meanwhile, there is a revolving door between lobbies / corporations and positions in government. Thus, many decisions are made in accordance with that process. The consequent perverse incentives entail systemic conflicts of interest. Public service is not what drives the process. Rather, each player caters to the moneyed interests that will provide rewards down the road. Thus, the legislative branch ends up being an annex of corporate power. In this way, civic-mindedness, instead of being a virtue, disqualifies a player from the game.

It's not easy to persuade incumbents (i.e. those who *benefit from* the established order) to fundamentally reform a system they've worked so diligently to game. As long as catering to donor networks is job #1 for politicians, as long as elections are money-raising contests, as long as entrenched vested interests dictate the priorities of legislators, as long as only the savviest opportunists wind up in key positions...these alleged "public servants" will not do things that *serve the public*.

## **PRESCRIPTIONS:**

Within the framework that has been established for the legislative branch, significant reforms can transpire.

The question we must pose to ourselves is: "Does your government care about you?" If we find the answer to be, "No, not really", then we should be compelled to start electing people who will work diligently to MAKE the State care...instead of continuing to elect those who are going to default on their civic duty to be bona fide public servants.

Especially noteworthy are those who are anti-government ideologues. (If you want a better staff on the bridge of the *ship of state*, it's imprudent to put people at the helm who have something against *ships*.)

Four of the ways to address the extant dysfunctions are as follows:

1 *No more committees*. There is a reason these gate-keepers of legislation aren't specified in the U.S. Constitution. The framers didn't put them there. They make no sense. With any efficient, uncorrupted system, the *raison d'être* of such entities becomes null and void.

The Rules Committee, the Ways & Means Committee, and all the rest are pointless bureaucratic appendages that utterly sabotage the legislative process, making it not only colossally inefficient, but highly corrupt.

2 A complete revamping—from the ground up—of official procedure, protocols, and formalities in both the Senate and the House. Jettison—in its entirety—Floyd M. Riddick's "Senate Procedure: Precedents and Practices".

Also, discard the entire *Senate Rules* list. The vast majority of it is either utterly pointless or ridiculously inefficient...if not patently absurd. It's time to move on; it's not the 1800's any more. (With all due respect to Thomas Jefferson, we don't need to be taking choreography from his "Manuel For Parliamentary Practice" any longer. Times have changed.)

Article I, Section 5 of the Constitution states that “each House may determine the Rules of its Proceedings” at the beginning of each new Congress. We must start from scratch. New rules can be passed with a simple majority. This certainly doesn’t mean that Article I should be invoked at the beginning of EVERY Congress. It simply means that it must happen once...and it can happen at the beginning of ANY Congress—as soon as we’re ready to undertake the task.

3 *No more filibuster.* No more super-majority requirements; no more obstructionist shenanigans.

4 *No more revolving door.* There must be strict enforcement that utterly eliminates any conditions under which ulterior motives may be at play. That is, preventative measures must be taken to mitigate corporate-State collusion. Appropriate contracts must be signed before one qualifies for candidacy—explicit agreements that preclude circumstances that would entail conflicts of interest (i.e. corporatism).

For any of this to actually work, the appropriate incentive structure must be in place. Changes such as these are predicated on the utilitarian incentives by which politicians invariably operate somehow being brought into alignment with the noble incentives we *want* them to have. Such a state can only be brought about by altering the kinds of people who tend to be elected to public office *to begin with*. We can’t expect those who aspire to high political office to be saints. Thus, it is foolish to have in place a system that depends on them always having noble motives. All we can do is alter things such that there is a much higher tendency for those with noble motives to end up in positions of influence.

Moreover, we can put in place an incentive structure *based on utility* so that any opportunists who DO manage to come into power won’t necessarily *need* noble motives in order for their decisions to be consummate with those of noble motivation. An incentive structure based on utility that EMULATES noble motives is all we can ask for.

The most significant changes need to happen from the bottom up—not from the top down. It is *The People* who will effect such changes. That is to say: It is the ways in which public officials are elected *in the first place* that must change—so as to alter the *kind of person* who ends up in the legislative branch. There are three ways to accomplish this:

1 *No more electoral college.* A nation-wide popular vote must determine the victor in any election. If electors are kept in place (as specified by the Constitution), they must be obligated to reflect the over-all popular vote of the country.

2 100% publicly-financed campaigns—with equal airtime for all candidates across the board. Campaign coffers are thereby rendered a moot point. Soliciting funds and pandering to big-money donors is rendered obsolete. Only then will people tend to vote more on the merits of policy than on hype, image, and stigma.

3 Voting regimes in both primaries and the major election must be changed. An electoral system should be used in which there is a weighted ranking by each voter. This involves some variation on (Jean-Charles de) Borda Elections, incorporating so-called “acclamation” or “range” voting. The current winner-take-all system, where people place all-or-nothing votes, forces people to vote not according to their conscience, but to pick a “winning team”. Instead of voting on principle, one is often compelled to “not waste my vote”...thereby choosing not the candidate with whom one most agrees, but the candidate one perceives to be “the winning horse” in a “least of all evils” selection.

The above prescriptions will remedy many—though certainly no all—of the dysfunction that plagues the legislative branch of the U.S. federal government. These address the most glaring problems—problems that prevent the Capitol from containing *genuine public servants*

with noble motives.

The caliber of people we now find in congress is abysmally low. This is embarrassing. Measures must be taken to change this sad state of affairs.

Currently, both houses of the bicameral legislature are sclerotic, inefficient bodies that operate on egregiously dysfunctional procedures...places where de Tocqueville's "lofty thoughts" have no place. Regularly, we see incompetence, corruption, intransigence, and outright idiocy. It's time to change that. No more DeLay Syndrome, no more Boehner Syndrome, and PLEASE: no more Mitch McConnell Syndrome.

Enough's enough.

### **A SOUND APPROACH TO LEGISLATIVE CALCULUS:**

The common perception of caucus-feuds that dictate legislation is based on a defective model of the legislative process: a Democrats vs. Republicans showdown. This is an inaccurate depiction of the dynamics because it is based on flawed assumptions about the Democratic Party.

The G.O.P. is essentially a cult, and thus acts as a unified block. Meanwhile, the Democratic Party is a loose coalition of disparate caucuses, ranging from a handful of genuine progressives to Blue Dog / "Dixie" Democrats—a vast range of positions that rarely manifests as a unified caucus.

The ACTUAL legislative calculus is therefore a matter of a rarely-acknowledged feud: genuine progressive elements pitted against varying degrees of right-wing elements—the most extreme of which are found in the G.O.P. It is this dichotomy that captures how legislative forces influence bills.

Contrary to conventional wisdom, in 2008 to 2010, the Democrats never controlled congress. The party didn't control the Senate simply because they never at any point had a super-majority (60) who would caucus for anti-right-wing legislation. The party didn't have control of the House simply because there were too many right-wing democrats caucusing with the G.O.P. at any given time. It is precisely because of this that the healthcare reform and financial reform legislation were both utterly gutted (before barely squeaking through congress in their final, neutered forms).

In order for genuine progressive reform to ever transpire, the Senate would require 60 GENUINE PROGRESSIVES caucusing together. They would need 60 votes in order to avoid a filibuster by the opposition—which would be EVERYONE ELSE, regardless of party label. Meanwhile, the House would require 218 GENUINE PROGRESSIVES caucusing together. In each case, the caucuses would have to draw from the Democratic Party's non-right-leaning members in addition to enough progressive Independents. In either case, it is almost a moot point how many so-called "Democrats" happen to be in office. The label is close to meaningless so long as it encompasses such a wide range of positions—positions that can rarely be brought into alignment.

The most glaring case in point: LBJ had to appease / strong-arm right-wing elements of the Democratic Party in order to get civil rights legislation through congress...and even appeal to / strong-arm some flexible Republicans. Per usual, what substantive reform DID happen only happened in spite of, not because of, the system...and was a result more of deal-making and favors-swapping than of principled action.

Until genuinely progressive forces trump right-wing forces in the legislative branch of the government (regardless of under which party label they happen to be operating), we will continue to have a right-wing

government here in the U.S. It is thus appropriate to stop thinking of legislative forces as “Democrat” and “Republican”. This is a misleading taxonomy that obfuscates the relevant forces at play on Capitol Hill.

### **ANCILLARY NOTE ON THE RIGHT-SHIFT OF THE OVERTON WINDOW:**

It is no secret to scholars that the MSM is significantly right of center, as it is inherently corporate in nature. Nevertheless, we hear incessantly from the ultra-far-right that the MSM is “too liberal” and has “liberal bias” and is a “left-wing media”, etc. How can this possibly be? Do they really believe this?

Yes. The explanation for this is simple: Their perspective is relative to the rest of the political spectrum, where they—by definition—position themselves at the nominal “center”. (What is “to the right” of them, god only knows!)

This is all quite straight-forward. For the ultra-right-wing, anything to the left of the ultra-right wing position is BY DEFINITION “left wing bias”...regardless of the fact that it is *still significantly right-wing*. In this skewed perception, ANY discourse that criticizes the MODERATE right wing (e.g. the Democratic Party) *slightly less than* the ULTRA right wing (i.e. the G.O.P.) is, ipso facto, bias toward “the left”—where “the left” is equated with the Democratic Party.

It never occurs to the ultra-right-wing that perhaps, there is objectively LESS to criticize with a moderate right-wing movement than there is with an ultra-right-wing movement, so the latter will INEVITABLY get more criticism. It never occurs to them that it’s not that there is what they dub “liberal bias” in academia and journalism, but that there is an objectively less dysfunctional way of thinking, and those who are scholars and professional journalists will invariably tend to converge THERE more than the MORE dysfunctional way of thinking further to the right.

Let’s repeat: For the ultra-right-wing ideologue (i.e. the supporter of the G.O.P.), ANY discourse that criticizes the ULTRA right wing (i.e. the G.O.P.) *slightly more than* the MODERATE right wing (e.g. the Democratic Party) is AUTOMATICALLY bias toward “the left” (where “the left” is equated with the Democratic Party). This makes perfect sense from their perspective.

This occurrence is, of course, commonplace even in a right-wing media such as ours. For it will BY DEFINITION criticize the ULTRA right wing slightly more than it will criticize the position on the spectrum where it itself operates. Meanwhile, anything TO THE LEFT of the MSM (i.e. the REAL center of the spectrum, where progressivism exists) is utterly neglected, ignored, or diluted beyond recognition.

The fact that the MSM doesn’t criticize the ultra-right-wing (the G.O.P.) far, far MORE than it does reveals the fact that the MSM is palpably to the right of the (real) center. What seems not to occur to those on the ultra-right is that a responsible media would, indeed, be much, much harsher on the G.O.P. than it currently is. It bends over backward to soft-peddle criticism—or sometimes even avoids it altogether.

This Overton Window, then, dictates the range of debate in public discourse, entailing the delimited domain in which discussions can be had. The result of this is simple: The boundary conditions within which acceptable dichotomies are established—in MSM as in the political system it serves—are ALWAYS right of the (real) center...which is TO THE LEFT of the ultra-right-wing.

Our conception of “Republicans” vs. “Democrats”, the ultimate terms in which ALL debate is cast, ensues from this skewed window. Political debate naturally transpires within this delimited range—a range that is located entirely to the right of the (real) center. When you’re far enough to the right, then EVERYTHING is “to the left”.

Meanwhile, let’s apply this insight to the other extreme: When you’re far enough to the left, then everything is to the right of you. Indeed. Take an anarcho-syndicalist...or an absolutist Marxian thinker



(not to be confused with a “Marxist”, which is actually a right-wing phenomenon as much as a left-wing ideology). For such positions (which occur significantly to the left of the *real* center), I would be deemed a right-wing sympathizer—though, admittedly, only to a moderate degree. Like the right wing, he is against political correctness, cultural relativism, moral relativism, ontological/epistemic relativism, and absolute socialism...while he is a fan of capitalism, making English the national language, and candid criticism of other cultures / religions.

In their world, I am a “right winger”, with right-wing bias.

The moral of the story, of course, is to establish clearly where the real political center exists, and openly acknowledge any deviations from it, in either direction.