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REFLECTIONS

Government Fails, Long Live Government!

The Rise of “Failurism”

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JAMES L. PAYNE

Recent decades have not been kind to believers in big government. At the beginning of the modern era, they wrote utopian novels about how society would be excellently managed when government took over everything. Or they drafted manifestos that implicitly assumed that the State (Marx capitalized it) had the ability to redeem mankind once the right people were put in charge. A handful of conservatives and libertarians questioned this enthusiasm, but they were ignored. Mainstream opinion assumed that government was an effective and responsible problem-solving machine. The result has been big government that fitfully grows bigger each decade.

In the early days of this growth, there was little analysis of the actual outcomes of government policies. Politicians promised solutions, programs were enacted, and both the politicians and the public simply assumed that the programs “worked.” The New Deal exemplified this credulity. Most voters of the day believed that Franklin Roosevelt’s policies were fighting the Great Depression and kept voting for him on that basis. Indeed, many historians, journalists, and public-school teachers subsequently absorbed this interpretation. For them, “Roosevelt got us out of the Depression” became a cliché.

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More recently, this complacency about policy outcomes has begun to dissolve. University-based historians, economists, and political scientists regularly analyze public policies; a host of policy-oriented think tanks have appeared; whistleblowers who report failings in government agencies are now usually protected; governmental units, including the Government Accountability Office, the Congressional Research Service, and the inspectors general in the various departments have become more aggressive in reporting dysfunctions in government programs.

The findings of this vast policy-evaluation industry have been rather consistently unflattering to government. Report after report has found that government programs don't work the way they should and are riddled with inefficiencies and harmful side effects. For example, economists' closer look at the 1930s now reveals that Roosevelt's policies, far from fixing the economic slump, actually made it worse (Roose 1954; Anderson 1980; Best 1991; Hall and Ferguson 1998; Smiley 2003; Higgs 2006; Shlaes 2008).

In addition to the scholars, the news media have begun taking an interest in policy and policy scandals, feeding the public a steady diet of miscues: the savings-and-loan bailout, Hurricane Katrina cock-ups, endemic incompetence of the Veterans Administration, corruption and ineptitude in the Secret Service, and so on.

This tide of negative information has produced a decline in public confidence in government, a decline that has strongly impacted left-leaning intellectuals. They no longer turn out utopian novellas and optimistic manifestos. In a trend that became noticeable in the 1990s, they instead produce volumes that severely criticize government. These works of censure are remarkable in one odd respect, however: the authors remain steadfastly loyal to big government and suggest no significant reduction in its scope.

This stance is puzzling because the normal approach to failure is to distance ourselves from the source of the disappointment. If an umbrella or a bicycle or a restaurant performs poorly, we say that poor performance is a reason to use it less. The intellectuals of the moderate left who are critical of government do not adopt this stance. Indeed, most of them make a point of firmly rejecting the limited-government stance taken by conservatives and libertarians. Their position is: *government fails, and we can expect more failure in the future, but we must rely on it as much as ever*. I have taken to calling this stance "failurism." Here is a sampling of works in this genre (given in chronological order of publication):

E. J. Dionne Jr., *Why Americans Hate Politics* (1991)

Philip K. Howard, *The Death of Common Sense: How Law Is Suffocating America* (1994)

Jonathan Rauch, *Demosclerosis: The Silent Killer of American Government* (1994)

Jonathan Rauch, *Government's End: Why Washington Stopped Working* (revised edition of *Demosclerosis*) (1999)

Steven M. Gillon, *"That's Not What We Meant to Do": Reform and Its Unintended Consequences in Twentieth-Century America* (2000)

- Derek Bok, *The Trouble with Government* (2001)
- Thomas E. Mann and Norman J. Ornstein, *The Broken Branch: How Congress Is Failing America and How to Get It Back on Track* (2006)
- Richard A. Clarke, *Your Government Failed You: Breaking the Cycle of National Security Disasters* (2008)
- Paul C. Light, *A Government Ill Executed: The Decline of the Federal Service and How to Reverse It* (2008)
- Lawrence Lessig, *Republic, Lost: How Money Corrupts Congress—and a Plan to Stop It* (2012)
- Thomas E. Mann and Norman J. Ornstein, *It's Even Worse than It Looks: How the American Constitutional System Collided with the New Politics of Extremism* (2012)
- John J. DiIulio Jr., *Bring Back the Bureaucrats: Why More Federal Workers Will Lead to Better (and Smaller!) Government* (2014)
- Peter H. Schuck, *Why Government Fails so Often and How It Can Do Better* (2014)

We may smile at the contradiction that failurism represents, but we should not take it lightly. The failurists are not deviants. The American public in general partakes in the failurist mindset. It is disappointed with how government functions, but, like these writers, it wants government to keep trying to fix things. For example, the public witnessed the month-by-month scandal of the clumsy, dysfunctional rollout of Obamacare, but this failure did not lead the public to conclude that government ought to be less involved in health care. Most people still want government deeply involved in regulating and funding it.

Failure All over the Map

One feature of failurism is its highly diffuse character. The feeling that government fails is deep, but there is no consensus on what this failure consists of. In *Republic, Lost*, Lawrence Lessig says that “the mess that is our government today” is caused by the corruption of money, especially in election campaigns (2014, 1). Congressional scholars Thomas Mann and Norman Ornstein, writing in *It's Even Worse Than It Looks* (2012), believe the cause of “dysfunctional politics” lies in adversarial political parties. Philip Howard, in *The Death of Common Sense*, thinks that the problem is the web of mindless, niggling government regulation that “crushes our goals and deadens our spirits” (1994, 183). Jonathan Rauch, in *Government's End*, says the problem is the growth of special interests that has turned government into “a large, incoherent, often incomprehensible mass” (1999, 18). In *Bring Back the Bureaucrats*, John DiIulio charges the American government with becoming “deeply dysfunctional” mainly because private contractors implement government programs (2014, 55).

Other writers eschew the monocausal view and present many reasons for failure. In *Why Government Fails so Often* (2014), Peter Schuck identifies some twenty aspects

of failure plus numerous subpoints. For example, one of his twenty reasons why policies fail is “poor information,” a heading that has seven subcategories. In *A Government Ill Executed*, Paul Light, who focuses on the federal bureaucracy, gives seven general headings of problems that detract from “an energetic federal service” (2008, 7) and then mentions dozens of weaknesses falling within these categories.

Just as the diagnoses cover a wide range, so do the recommendations about how to fix things. Some failurists offer a smorgasbord of possibilities. Schuck, in a chapter titled “Remedies,” mentions, by my count, 117 possible reforms. In *The Trouble with Government* (2001), Derek Bok follows the same approach, citing practically every reform mentioned in the public-policy literature.

Mann and Ornstein (2012) note some thirty-six reforms that might be made to the party system and U.S. political institutions, a buffet that includes mandatory voting and adopting proportional representation. Paul Light offers twenty-eight disparate reform points—in the process contradicting himself. He notes that “[t]he federal government is awash in reform,” a pattern that breeds confusion and cynicism. This thought justifies one of his proposed reforms: “Place a moratorium on reform for at least two Congresses.” How, one wonders, can the author of this proposal then go on to enunciate twenty-seven more reforms, including major shakeups such as “[r]educe the number of managers by half at all levels of government” (2008, 178, 225–26)?

This same contradiction is found in the array of reforms put forth by Richard Clarke in *Your Government Failed You*. Like Light, Clarke is highly critical of past restructurings, arguing that “creating new organizations generally diverts the attention of personnel who should be working on the substance of the issue.” But he then goes on to advance many reorganizations of his own, including splitting the Department of Homeland Security into three agencies and consolidating all training programs and academies into one “National Security University System” (2008, 205, 235, 335).

Although the failurists are prolific in suggesting reforms, it’s clear that their hearts aren’t in it. Unlike the leftists of yesteryear, who were enthusiastic about the promise of reform (or violent revolution), these modern believers in big government have little hope that their proposals will really turn things around. Bok’s (2001) pages of reform suggestions are studded with disclaimers and discouraging comments: “not a panacea,” “would not work wonders,” “too late to help much,” “chances are slim,” “little reason for optimism,” and so on. Schuck asserts that government failures are “large, recurrent, and systemic,” and therefore the many remedies he mentions would, even if adopted, improve government performance only “at the margin” (2014, 409, 412).

Mann and Ornstein confess they can identify “no single institutional fix” and only hope that their proposals offer “some promise” (2012, 132). Lessig sets the chances of his three proposed reforms actually coming to pass at 10, 5, and 2 percent, respectively (2012, 279, 289, 304). Rauch flatly declares “there is no solution”

to government dysfunction. It is like a perpetual toothache that we simply have to get used to: “it is a time of maturely diminished expectations combined with maturely persistent ministrations” (1999, 275, 277).

Yet, despite such pessimistic assessments, the writers belonging to the failurism school remain fully committed to big government and continue to be firm believers in government as the national fix-it agency. Gillon illustrates the pattern. After an entire book detailing how government’s incoherent policy making produces unintended and dysfunctional results and warning us to expect more of the same, he backtracks: “I would not want readers to conclude from these examples that we must abandon our efforts to identify social problems or suspend efforts to use government as a positive force for social change” (2000, 239).

Clark exhibits the same commitment. He spends hundreds of pages detailing government’s malfunctions and dysfunctions, yet he declares that “government can work” (2008, 7).

Rauch’s refusal to embrace a move toward smaller government is especially puzzling. He agrees that the special interests he so deplores feed on big government’s piñata of subsidies and regulations. Logically, then, reducing the scope of government would reduce the in-fighting for government payouts. Though he notes the argument, he refuses to consider scaling back government because he thinks “a good deal of what modern government does is worth doing” (1999, 240).

The Roots of Attachment

In sum, failurists see big government as a dysfunctional failure in many dimensions and for many different reasons. Although they go through the motions of discussing reforms, they feel government really can’t be fixed and are therefore pessimistic about its future. Yet they believe that we must continue to look to government to address national problems and that it is wrong to strive for any significant diminution in its scope.

As noted earlier, this perspective is shared by the general public. An understanding of this mindset, then, is important for assessing the future of American politics.

To unravel failurism, we must take a close look at its bedrock assumption: that government is—or at least can be—an effective and responsible problem-solving machine. There is little evidence that this belief is the product of reasoned analysis or empirical research. The failurists who urge government solutions do not begin by tabulating government’s properties and then argue that these features make it an excellent problem-solving system. It appears their faith in government is instead *an unexamined, culturally transmitted prejudice*. Two types of evidence support this theory.

1. *Self-reports*. A number of the failurists explicitly identify the primitive, emotional status of their faith in government. Jonathan Rauch is forthright on this score: “I know an antigovernment activist who said he got physically ill just looking at the

edifices of big government in Washington. For me, the effect is always the opposite. As many times as I have been in the United States Capitol, I can't enter it or even look up at the great dome without catching my breath a little in awe" (1999, 14). He does not seem to notice how this blind "awe" makes him a biased political analyst. No matter how many disasters government produces, Rauch will apparently continue to have faith in it.

Rauch further reports that his faith in government problem solving traces not to any research or theoretical analysis he performed but to childhood socialization: "I was brought up believing that American government was something like an airplane. The voters were the passengers, and the politicians were at the controls." He still accepts this childhood fable as an empirically accurate description of what government used to be: "Not so long ago, the promise of American government seemed boundless, at least if you were anywhere to the left of Barry Goldwater. The federal government seemed the most promising social tool ever invented" (1999, 225, 268).

Richard Clarke also traces his confidence in government to an early socialization that instilled an unthinking acceptance of the old chestnut about Roosevelt saving us from the Depression: "As a child in the 1950s, I was aware from my parents that government had ended the Great Depression. . . . If it had not been for government regulation and targeted investment [after 1932], the economy, the nation, and millions of people would have suffered for decades" (2008, 4, 283).

DiIulio begins his book with a frank confession of emotional attachment: "I love American government." Like Rauch, he finds the marble palaces of government emotionally persuasive: "I have seen the Capitol Dome a zillion times, but each time I see it, I still get a little lump in my throat." This emotional attachment propels him to utter a head-scratching non sequitur: "As I see it, American government is neither perfect nor pretty, but it is nonetheless majestic and miraculous" (2014, 3).

Paul Light falls into a similar contradiction in appealing to the supernatural. On the first page of *A Government Ill Executed*, he lists eighteen specific recent policy failures but then immediately backtracks: "This is not to suggest that the federal government is a wasteland of failure. To the contrary, the federal government accomplishes the impossible every day" (2008, 1). He never identifies any of these "impossible" accomplishments. A few pages later he declares that federal employees "make miracles every day" (16), but, once again, he never says what those miracles are. For Light, government is not a mere human organization to be empirically assessed; it belongs to the realm of religious reverence, of saints who walk on water.

Lawrence Lessig openly identifies the transcendental character of his faith in government. "I feel the dismissive impatience of those inside the system whenever I talk about changing the system. . . . But I also know love. . . . [H]owever much we condemn what government has become, we forget it is the heir to something we still believe divine" (2012, 306, 1).

2. *Pseudoempirical evaluations.* A second type of evidence for the nonrational character of the failurists' attachment to government shows up in the way they

evaluate policies. When we are emotionally attached to something, this loyalty often prompts us to make declarations of fact without having any grounds for doing so. Thus, if a mother is informed that her son was arrested on the other side of town for stealing a car, she might immediately say, “John didn’t steal that car.” This statement is a pseudoempirical evaluation: it has the form of a statement of fact, but because the speaker has no knowledge of the facts, it simply reveals her emotionally based loyalty.

The failurists repeatedly engage in pseudoempirical evaluations of government programs. They assert that a policy is or was a success, but they make this assertion without having made any effort to study and analyze it. The prevalence of this kind of statement is further evidence that their faith in government as a problem-solving machine is an emotional, nonrational attachment. Clarke’s comment about the Depression, given earlier, typifies the pattern. Clarke does not claim to have looked into the economic effects of Roosevelt’s policies and determined that without them “millions of people would have suffered for decades.” He does not cite any research that asserts such a finding. The inference, then, is that he is revealing an emotional loyalty, a blind faith—implanted, as he reports, in childhood—that government is an effective problem-solving agency.

Rauch follows the same pattern of voicing uncritical approval of policies he has not investigated. Though he observes that government today is a trammled mess—gummed up, he believes, by special interests—he thinks that it used to be an admirable problem-solving machine: “In the period beginning with the New Deal and peaking with Lyndon Johnson’s Great Society, Washington seemed one of America’s most adaptive and progressive forces—which, at the time, it probably was” (1999, 152). Rauch incorporates this belief in past functionality in the title of his book, *Government’s End: Why Washington Stopped Working*.

The problem with this thesis is that Rauch fails to support it with argument or evidence. He spends not one page going into any New Deal or Great Society program in detail, examining its costs and benefits, reviewing the pros and cons, interviewing administrators and congressional representatives or reading their memoirs or correspondence to document that they were untouched by special interests. The inference is unavoidable: Rauch’s faith in government came first, and his assertion that government used to be an effective problem-solving machine is merely a projection of this faith.

Almost all the failurists make this kind of appeal to the good old days when government was supposedly an effective problem-solving machine—without making any effort to document these assertions. In *Why Americans Hate Politics*, E. J. Dionne declares that “Americans hate politics as it is now practiced because . . . they understand instinctively that politics these days is not about finding solutions. It is about discovering postures that offer short-term political benefits.” In earlier times, Dionne believes, government was good at “finding solutions.” The Great Society programs of the 1960s, he says, “virtually wiped out poverty among the

elderly. The medical-care programs provided health coverage for millions who had none” (1991, 332, 75).

Dionne never examines the downward trend in poverty among the elderly before the passage of these laws. Nor does he pause to examine these programs’ costs and benefits. After all, an invading army could seize wealth and give some of it to poor people or to pay hospital bills, but we wouldn’t automatically suppose that this transfer was socially constructive or economically cost-effective. That Dionne takes welfare policies at face value reveals his faith that government automatically does the right thing in carrying out good intentions.

Philip Howard also argues that government used to work well in the good old days he knows little about. In the New Deal, he believes, government was an effective problem-solving machine because administrators were given the freedom to solve problems: “Having been given the responsibility to make decisions, the New Deal bureaucrats used it. . . . The Works Progress Administration, among its many projects, constructed hundreds of sewage plants (thereby preserving the purity of the nation’s aquifers). In total, it employed 3.5 million people. In less than a year, one program eradicated 7 million disease-carrying rats in six southern states. The Tennessee Valley Authority brought affordable electricity to large parts of the rural South” (1994, 77–78).

Howard’s approach here is revealing. All government units routinely claim accomplishments, following the natural impulse to justify themselves. Outsiders do not take these claims at face value because they will involve biases, misrepresentations, and omit critical facts about overhead costs and negative side effects. After all, the Mafia can build a school, and it could seem nice from a distance—until you look into things such as how the money was raised. Howard is aware that reports of modern agencies are biased and self-serving, and he has no trouble ignoring them when reaching his conclusion about government failure. But because he wants to believe in a successful government in the distant past, he suspends his critical judgment and accepts the claims by New Deal agencies as simple truths, never investigating their validity (and not even citing a source for these alleged accomplishments).

The Social Security Program Nobody Knows

When it comes to examples of pseudoempirical evaluation, Social Security stands in a class all by itself. The failurists repeatedly mention this program to support their belief that government, despite its many failures, can succeed as an admirable problem-solving machine. Yet they never pause to assess its costs and benefits and never cite anyone else’s efforts to do so.

This lack of attention is puzzling because a little reflection reveals that this program has numerous, serious hidden costs. To begin with, the tax system that collects the funds has massive hidden costs, including economic disincentive, compliance, and conflict-resolution costs. One estimate of these costs is 65 percent of the amount of funds collected (Payne 1993, 150). Another estimate is 50 percent

(Browning 2008, 156). Then one notices costs ignored on the disbursement side: work-disincentive costs (the program draws recipients out of the workforce), civilian compliance and adjudication costs (the private-sector burdens of filling out forms and settling claims and disputes), and economic rigidity costs (recipients cannot deploy their Social Security “wealth” in economically advantageous ways). In addition, one must consider the overall economic effect of shifting investment funds (workers’ savings for retirement in the absence of Social Security) to consumption (Fuchs, Kruger, and Poterba 1998; Browning 2008, 114–18), wherein the capital stock is thereby reduced. All these different hidden costs involve enormous waste; hence, the program is almost certainly leaving both the entire country and the average beneficiary much poorer than would be the case in the absence of the program (Browning 2008; Payne 2012).

The fact that the failurists overlook such costs in their reflexive approval of Social Security reveals the nonrational character of their belief in government problem solving. This blind spot is especially noteworthy in *Why Government Fails so Often*. Peter Schuck rightly chides other writers for declaring a program a success simply because the public seems to approve of it and insists that cost–benefit analysis be “the central tool of policy evaluation.” Nevertheless, when it comes time to find a government success story, he forgets about cost–benefit analysis and declares that Social Security “has been both popular *and* effective since its inception in 1935” (2014, 51, 337, italics in original). He makes no effort to assess any of the indirect costs noted earlier in order to document how “effective” Social Security has been. By this logic—which the failurists repeatedly apply—any government program that hands out checks to anyone seeming to need money is a “success.”

Indeed, a shorthand definition of a failurist is someone who believes that government fails a lot but who believes, without knowing the first thing about the program’s complete costs, that Social Security is a success. By this definition, probably more than three-quarters of the population belong in the failurist camp.

Conclusion: Emphasis on Alternatives

The failurists’ confidence in government does not seem to be grounded in any scientific or historical proof that government can be or has been an effective, responsible problem-solving agency. Rather, this trust appears to stem from a nonrational loyalty built up and transmitted over many generations. This loyalty makes failurists highly resistant to any evidence of bad outcomes. They keep wanting more government even in the face of government failure.

If there is an avenue for liberating people from this contradiction, perhaps it lies in highlighting the promise of problem-solving systems that stand as alternatives to government. Although the failurists generally agree that the private sector, not government, is more creative and efficient in producing goods and services for sale, they are quite unable to grasp the power of the voluntary sphere in producing

anything considered a public good or social service. They echo a common rejoinder to proposals that government be cut back: “But what else is there?”

Gillon, for example, in urging that we stick with big government in spite of expected future failures, is apparently in the grip of this government-or-nothing mindset: “The complexities of modern life will always have the capacity to confound the plans of social planners, but the alternative—to be content to drift along at the mercy of events . . . is far less attractive” (2000, 240). The idea that there are alternative nongovernmental problem-solving systems seems not to enter his mind.

Bok exhibits the same blind spot when he says, “Americans suffer the frustration of wanting many things for their society that only government can supply” (2001, 292). It is striking to see a former president of a major university relay an elementary error of fact so carelessly. As even a slight knowledge of American history reveals, *every* social or public good that Americans might want has in fact been supplied outside government through voluntary methods: social services, help for the needy, retirement income, medical care, education, roads, bridges, disaster relief—even military defense (Cornuelle 1965; Olasky 1992; Mixon 1996; Payne 1997; Beito 2000; Beito, Gordon, and Tabarrok 2002; Smith and Sutter 2013). Bok is, of course, entitled to believe that government can provide social solutions better than individuals, families, neighbors, markets, businesses, social networks, religion, philanthropy, voluntary organizations, and media publicity. But to sweep all of these other realms of creative problem solving aside with the dogmatic assertion that “only” government can serve certain community needs reveals how powerful the unexamined faith in government problem solving can be.

Advocates of voluntary problem-solving systems need to address this blind spot. They need to find ways to portray the brighter, healthier world that lies beyond the depressing prospect of endlessly failing big government endlessly criticized.

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