



April 26, 2013

Norman Ornstein and Thomas Mann Explain Why Congress is Failing Us

As most of you know, I am a big fan of Bill Moyers and last week on Moyers & Company, political scholars Norman Ornstein and Thomas Mann told Bill that Congress' failure to make progress on gun control last week — despite support for background checks from 90% of the American public — is symptomatic of a legislative branch reduced to dysfunction, partisan ravings and obstruction.

<http://billmoyers.com/segment/norman-ornstein-and-thomas-mann-explain-why-congress-is-failing-us/>

Producer: Gina Kim. *Editor:* Sikay Tang. *Associate Producer:* Reniqua Allen.

BILL MOYERS: Even if the threat of terrorists went away, none of those bold projects Glenn Greenwald described as defining American greatness would happen today. Our government is paralyzed and dysfunctional, and it's getting worse than ever. Just ask Norman Ornstein and Thomas Mann, as I'm about to do.

For decades, these two political scientists were on the go-to list for Beltway pundits and reporters seeking wisdom on the curious ways of governance. But then, almost exactly a year ago to this day, they published an op-ed piece in *The Washington Post* headlined, "Let's just say it: The Republicans are the problem." Mann and Ornstein argued that democracy and the economy are in a crash dive, and that congressional gridlock was largely the fault of the Republican Party and its takeover by right wing radicals. What's more, they said, the mainstream media was adding to the problem by resorting to "false equivalency," pretending that both parties were equally at fault.

The article was based on their book, *It's Even Worse than It Looks: How the American Constitutional System Collided with the New Politics of Extremism*. A paperback edition, with a new preface and afterword, will be out later this year.

Thomas Mann is the W. Averell Harriman Chair and a senior fellow in Governance Studies at the Brookings Institution. Norman Ornstein is resident scholar at the American Enterprise Institute. In their book, *It's Even Worse than It Looks*, they predicted, "If President Obama gets reelected but faces either a continuing divided Congress or a Congress with Republicans in charge of both houses, there is little reason to expect a new modus vivendi in which the president and GOP leaders are able to find reasonable compromises in areas like budget policy, health reform and financial regulation."

Welcome to the both of you.

NORMAN ORNSTEIN: Great to be with you, Bill.

THOMAS MANN: Thank you, Bill.

BILL MOYERS: Okay, the election's come and gone and the deep dysfunction that has gripped our government for so many years now is still with us. What are you thinking today?

THOMAS MANN: You know, the election was even more stunning, in a way, in its sweep than we might have imagined. So you would have thought things would be different. Maybe in an issue or two, like immigration, it will be. But if you look at the gun issue, the background check, so much of the focus has been on the four Democrat apostates who drifted away from their party.

Forty-one of 45 Republicans voted no. That includes people from states that wouldn't naturally be a part of a big gun culture. What's the reason? It's the tribalism we described in the book that continues. If he's for it, we're against it. We're not going to give him a victory, even if we were for it yesterday. And I'm afraid that pathology is still a driving force, dramatically so in the House; a little bit less in the Senate. But as we saw with background checks, not quite enough.

THOMAS MANN: Sadly, divided party government, which we have because of the Republican House, in a time of extreme partisan polarization, is a formula for inaction and absolutist opposition politics, not for problem solving.

You know, it wasn't that long ago when you could actually get something done under divided government. There'd be enough members of the opposition party who want to legislate, not simply to engage in what we used to call the permanent campaign is now a permanent war. But that doesn't happen anymore now. It's Republicans are unified in their oppositions, or beholden to a "no new tax" pledge that really keeps the country, the Congress, and its political system from dealing honestly and seriously with the problems we face.

BILL MOYERS: Well, take the gun vote again. It occurred to me that Senate Majority Leader Harry Reid may have made a fatal blunder when he caved earlier in the year and didn't go for the end of the filibuster, as he could have. Do you agree with that?

NORMAN ORNSTEIN: I have mixed feelings about that, Bill. The difficulty that Harry Reid faced was to do this would cause a lot of turmoil in the Senate. There are so many other ways that a minority party can bollix up the works. And it's worth a price, if it's going to lead to legislative outcomes. But with a Republican House, all those bills passed would have met a graveyard.

BILL MOYERS: They could have still blocked it over in the...

NORMAN ORNSTEIN: Could have still...

BILL MOYERS: Anything that...

NORMAN ORNSTEIN: ...blocked it.

BILL MOYERS: ...passed in the Senate.

NORMAN ORNSTEIN: So he went for a deal with Mitch McConnell which makes it easier, if the two leaders want to do something, to overcome individual rogue senators, like a Ted Cruz or a Rand Paul. But it didn't bank on, he didn't bank on the Republican leader basically going back to where he had been for the first four years of the Obama administration on nominations for judges and top administration officials, and on a whole host of bills, and once again raising the bar to 60 routinely.

BILL MOYERS: You really surprised me last year, because I know how hard you both have worked to be bipartisan and to work with Democrats and Republicans, but you were very blunt in the way you came out and finally, you know.

THOMAS MANN: Yeah.

BILL MOYERS: ...named names and pointed fingers. You wrote, "The two parties are not equally to blame because the Republicans have become extreme both in," quoting you, "in terms of policy and process." And you're saying here today, a year later, that's still the case?

THOMAS MANN: It's very much the case, Bill. We had no choice but to say it. It was in some ways, it was obvious if you if you look at the situation, and there is a body of scholarly research that has demonstrated this rightward march of the party, both among elected officials, but also rank-and-file Republicans. And the strongest, most extreme of those, the Tea Party people, have pulled the others back toward them. It's a reality, and it's not just ideological difference either. They begin with those differences, but then it's the strategic hyper-partisanship, what Norm referred to earlier: If Barack Obama is for something, we have to be against it because he's not a real American.

NORMAN ORNSTEIN: Let me just offer a bit of a caveat here on two fronts. First, we're not saying Democrats are angels here. Plenty of flaws there. But I also hold out still some hope for the Senate. You have a number of Republicans in the Senate, and this has less to do with ideology than with focus. Are you there to solve problems, or are you there either to pursue a radical agenda or to gain political advantage? Everybody's going to look for political advantage.

There are problem-solvers in the Senate. They are flawed ones, as we saw with the gun bill. You know, people like Lamar Alexander or Bob Corker, who joined with most of their colleagues. But I've talked to them when it comes to either reforming the nomination process, doing something in a larger fiscal sense that will include revenues, acting on immigration. I think you've got some opportunities here. Those opportunities will go to the House, and the only way they'll pass is with far more Democrats than Republicans. And they may not make it through. But we don't have a lost cause yet in the Senate.

Now, the recent evidence is not great on that front. And the fundamental pathologies that we wrote about and talked about and we just felt an obligation that we'd built up some capital over the years. What's it for if you're not going to spend it now?

BILL MOYERS: You riled the Republicans but you riled the press by talking about false equivalency. Their evenhanded treatment of decidedly uneven behavior on the part of the two parties, the equal treatment for true and false statements by advocates, equal weight to competing spin between opposing politicians and pundits without regard to the accuracy of either. You didn't get invited on the Sunday talk shows after that, did you?

NORMAN ORNSTEIN: And still haven't been.

THOMAS MANN: You noticed that? It's because those programs are predicated upon having spin from one side and then the other side. We're not the first to point out the, this artificial balance. I mean, reporters, good reporters do it partly out of a sense of professionalism, to be fair. To be wary of allowing your own personal political views to influence your writing. All of that is good.

But now it's a safety valve. It keeps you from being charged as a partisan. It satisfies your producers, worried about advertising. And frankly, it's become really quite pernicious. We point out example after example in the book where they treat clearly unequal behavior as equivalent.

NORMAN ORNSTEIN: You know it's not even that we weren't invited on the Sunday shows, it's the radio silence on the topic. So you mention "The Washington Post" piece that appeared at right at the time that the book was published. And it just exploded on the scene, frankly; partly because of the title, which was "Let's Just Say It: Republicans Are the Problem".

You know, within less than 24 hours after it was up unannounced on *The Washington Post* website, they had 5,000 comments. They stop counting after that. We got over 265,000 Facebook referrals; 1.5 million

web his. That weekend it appeared on a Thursday, and then in the paper on Sunday. That weekend, this was the topic of discussion in Washington, there's no doubt about that.

All those Sunday shows have panels, their charge being, let's talk about what people are talking about in Washington. Nothing. You could invite other people on; you may not want to have us for one reason or another. How can you not raise the issue at all? Because it's so uncomfortable for them to even raise the notion that they should focus on the truth rather than this notion of balance no matter what. And that remains the case.

BILL MOYERS: So look what's happening. Senate Republicans are filibustering and blocking scores of executive and judicial nominations, as you point out in your new preface; they're delaying the confirmation of others. They're still willing, as you said last year, to use any tactic, no matter how dangerous and destructive, to damage the President and to force its will on him through a form of policy hostage-taking. You say that this policy hostage-taking was devised by this group, calling itself the "Young Guns." Who are they?

THOMAS MANN: They are Eric Cantor they are Paul Ryan, and the third is the Republican whip Representative McCarthy of California. They laid out before the election a strategy to take hostage the full faith and credit of the United States by threatening not to raise the debt limit to accommodate previous decisions made by Congress, and signed by the president. It's hard to imagine a more destructive action that could be taken.

We've got problems here, but there is still a flight to the dollar around the world. The one thing we have going for us is people trust the dollar and trust the fact that Treasury will pay its obligations when people buy bonds. But they were going to take that hostage in order to get immediate spending cuts.

BILL MOYERS: There was some compromise in January over the, over the deficit. Were you encouraged by that? Did you get an adrenaline shot when you...

NORMAN ORNSTEIN: No. And unfortunately. And here's the reason why. I mean, first of all, of course, we knew that the leverage was with President Obama in this case, not with people trying to hold something hostage, because inaction here would mean sharp tax increases across the board. And after that, the president can come back and say, "I want to propose the biggest tax cut in history for everybody except those making over \$250,000 a year."

So you could, it was clear there would be some kind of a deal that would emerge, whether before or after. One of the things that was discouraging about this is it happened very late in the game, of course, as we know. It was Joe Biden meeting with Mitch McConnell and coming up with a plan.

But here's the plan that gets 89 votes in the Senate, including some of the icons of the conservative wing of the party which is really a radical wing of the party, from Pat Toomey to Jim Inhofe and Tom Coburn. And it goes to the House, and John Boehner, who may have the worst job in America could barely get a third of his own party to go along. Now, that's a modest deal. If you can't get more than a third of your House Republicans to support a deal like this, that doesn't speak well for the prospects of change.

BILL MOYERS: And you say that he, that Cantor more than any other politician helped to create the series of fiscal crises that you described just a moment ago?

THOMAS MANN: He really did. He hovered around John Boehner as Boehner was getting into negotiations with the president over the course of 2011 to head off the debt ceiling crisis. Bob Woodward...

BILL MOYERS: The Watergate Bob Woodward.

THOMAS MANN: Yeah.

THOMAS MANN: Watergate Bob Woodward has written...

NORMAN ORNSTEIN: Now the post-Watergate Bob Woodward.

THOMAS MANN: ...written a book about these negotiations and did a lot of talking to the Republicans. And ended up saying Boehner and Obama reached a deal and Obama walked away from it. Well, Eric Cantor, in his interview with Ryan Lizza of *The New Yorker* couple of months ago basically corrected him. He said, Well, I talked to Boehner and said it really wouldn't be a good idea to reach a deal now because then the issue evaporates, the president gets the credit, and he has a better chance of being reelected. Better to keep it alive and fight it out in the in the election.

BILL MOYERS: And it didn't pay off for them, did...

THOMAS MANN: It didn't pay off at all.

BILL MOYERS: Except they held the House but it didn't pay off for them in the Senate. He lost two seats in the Senate. Didn't pay off for him in winning the presidency?

NORMAN ORNSTEIN: It was a, call it a riverboat gamble, I suppose you could say. Because what Cantor said in that interview was, if we win it all, then we don't have to compromise. They didn't; but the reaction wasn't, all right, now we have to compromise. Instead it was, we're still not going to compromise.

BILL MOYERS: You've said you have some hope for the Senate. There is some seeming to have to someone from afar movement on immigration. Is that must be hopeful to you?

THOMAS MANN: It is, but it's so different than everything else. The reason there is movement on immigration is because Republicans have such a powerful incentive to move on immigration.

BILL MOYERS: Because they lost the Latino vote...politics.

THOMAS MANN: They're on the verge of being marginalized in presidential politics. They are losing overwhelmingly the Latinos, Asian Americans, other immigrant groups the young voters. The growing parts of the electorate are moving away from the Republicans to the Democrats. They have a reason to do it. Hardball politics, not grand, bipartisan consensus. And they've put it together well. It's a group of Republicans and Democrats who are working out this bill. Obama has...

BILL MOYERS: In the Senate, right?

THOMAS MANN: In the Senate. Obama stayed off to the side, as they requested, because it's very hard for Marco Rubio to support anything the president's campaigning for. So his absence is what they needed to move this along.

NORMAN ORNSTEIN: But we shouldn't just focus on the members themselves. There are, in the House, at least a few people who'd like to work to solve some of these problems and Boehner among them, I think. And...

BILL MOYERS: You really believe that?

NORMAN ORNSTEIN: ...some others well, I think, you know, he's sees himself as the Speaker of the House. And some of it is political as well. He's being pushed by other forces. But it's really important that we focus as much on the outside forces as the inside ones.

BILL MOYERS: Such as?

NORMAN ORNSTEIN: Well, when the fiscal cliff debate came up and we get this bill coming over with 89 votes in the Senate, and you had around that time, before those negotiations, Boehner trying to get a little

traction, knowing there would be a tax increase. Coming up with his very poorly named Plan B, you know? I think maybe some of his members rejected it because they thought they didn't want an over-the-counter drug here.

But it was, give me some traction. I'd propose a million dollars as the level here, and then we can negotiate. And some of his members were ready to support him, just to give him that traction. The Club for Growth, Heritage Action step up and basically said, you members, you lift your heads out of that foxhole and support any tax increase, and you've got a target on your backs and millions of dollars in a primary against you.

Some of this is coming from the kinds of people who we're electing to office, through a nominating process that has gotten so skewed to the radical right. But some of it is an electoral magnet that pulls them away from voting for anything that might have a patina of bipartisan support because they'll face extinction.

THOMAS MANN: Bill, this is such an important point. Nowadays, political parties are not organizations, they're networks. We talk sometimes about parties versus outside groups. No, no, no. The outside groups are part of the political parties, and so too are the media outlets. The large funders. It's a broad system. Super PACs don't exist as independent forces. They in fact are run by former party operatives and leaders of one kind or another.

And right now, you have a conjunction of forces that you can see in the conservative media, in the funding organizations, and in the Grover Norquist and the Koch brothers. And it all comes together to provide such overwhelming pressure on individual Republicans to toe the line, to oppose even when they want to engage in problem solving.

BILL MOYERS: So when you mention The Club for Growth, you're talking about essentially Wall Street finance group of private citizens who will take on a Republican in the primary to defeat him if he doesn't toe the line on what the financial interests want?

NORMAN ORNSTEIN: And these are financial interests who don't just focus on financial interests. Many of them are themselves radical either libertarians or who have a very strong ideology. And so The Club for Growth will intervene not just on tax issues, but on others. And they're joined by other groups. You know, when Jim DeMint left the Senate

BILL MOYERS: To head The Heritage...

NORMAN ORNSTEIN: Head the Heritage Foundation, you know...

BILL MOYERS: Right. A very conservative organization.

NORMAN ORNSTEIN: Which used to be a think tank. Now, of course, it has a 501(c)4 called Heritage Action. They're raising money. They're aggressively participating in the political debates, and will in campaigns. Because you can have as much impact as Tom said, it's all part of a party apparatus now. From the outside, if you use the leverage of money, and you can also use the leverage of the social media, the talk radio hosts, and others, who have such a dominant impact on the party now, that it takes the problem solvers and puts them in a really, really tricky situation.

BILL MOYERS: You say, in the book, that what we all know: President Obama made great efforts to work cooperatively with the Republicans during his first term. Didn't get him anything in terms of legislation; got him maybe a second term. But in *The New York Times* this week, Michael Shear and Peter Baker say, call him, "A president who hesitates to twist arms." Can you not be president without twisting arms?

THOMAS MANN: Oh, I think that's a myth.

BILL MOYERS: Do you?

THOMAS MANN: I just think the press is now overrun with President Obama's personal shortcomings. That he doesn't engage, that he doesn't put pressure on members, doesn't tell them what to do. He doesn't give them bourbon and branch water and he and he doesn't raise hell with them. And the reality is that presidential leadership is contextual.

He's operating with a Republican Party that's part of this broad apparatus. What can he do to any one of those Republicans? He can't do anything. He's not in a position to do it. He tried negotiating early, that was his brand, right? The post-partisan President. He realized what he was up against, and then he said, you know, I've got to maneuver, position myself with the Democrats in a way that we can get some things done.

NORMAN ORNSTEIN: You know, I would say on the gun issue too we're premature here. It's not only that you can't twist arms in the same way that it might have been available to you before. And the few arms that he could twist on the Democratic side were almost all, with one exception, people who were up for reelection in really tough places. You're always going to tread a little bit more carefully there. And on the Republican side, it's not clear what either schmoozing or arm twisting would do.

But my guess is you're going to see this, the issue of a background check come back. You're also going to see some executive actions, we're already beginning to see them, to make sure that people who shouldn't have access to guns have to go through a process to make it happen. So it's not only that, this meme in the press: "Why can't he be like Lyndon Johnson or like Bill Clinton?" As if all the schmoozing that Bill Clinton did got him a single Republican vote for his economic plan. And it took seven months to get the Democrats helped his health care plan, or kept him from being impeached.

BILL MOYERS: Yeah, I'm not impressed when people say, well, Barack Obama's not Lyndon Johnson. Lyndon Johnson is...

NORMAN ORNSTEIN: Today he couldn't be Lyndon Johnson...

BILL MOYERS: Couldn't be Lyndon Johnson.

BILL MOYERS: This is not the 1960s when Congress had a huge bevy, a large bevy of moderate Republicans.

BILL MOYERS: So who wins, and who loses, when we have this deadlock and dysfunction?

THOMAS MANN: Well, first of all, the public and future generations really do lose. We have serious problems, short and long term, in the country. We're going to have to figure out how we can compete in a global economy where not just low value but high value jobs may end up elsewhere. We're going to have a radically different workforce as the population changes, not only in terms of having more African American, Asian American and Hispanic Americans making up a part of that workforce, but as the population gets older and lives longer.

We've got challenges in terms of energy and the environment, how you compete in a globe where the threats are very different ones. If you have a government that can't function, or that gets caught up in a war of the roses where what's most important is doing short-term damage to the other side, shed a little blood so that you can take over and implement a revolution, we're all going to lose.

But I think in political terms, I just don't see a Republican Party that continues down this path. And I'm not alone in that. The Jeb Bushes of the world, and the Haley Barbour of the world, and the Mitch Daniels of the world, and the Chris Christies of the world see it too. If you move off the mainstream and pursue a radical ideology, and if you say, "We're just not going to make any movement at all," in some of these issues, eventually voters are going to say, "Enough of this."

THOMAS MANN: Bill, we've been living through now years of stagnant wages, of high unemployment, of growing economic inequality. So the work of our legislature, our governments makes a big difference.

And right now, those issues are not being addressed in any substantial way because of the dysfunctional politics, and because the Republican Party has drifted so far from the mainstream of our politics. If there's optimism, it's one that the old democratic accountability still works.

BILL MOYERS: Small "d" democratic...

THOMAS MANN: Small "d" democratic accountability, that a party that goes so far from the mainstream gets disciplined, gets beaten, gets hit over the head with a two-by-four by the voters. And then other voices can emerge within the party to change things. That's perhaps the most the most important. Over time, though, we've got changes to make. We simply have to increase the size of the electorate in primary elections as well as

BILL MOYERS: Turnout, voters.

THOMAS MANN: Turnout, voters --

BILL MOYERS: You see that as the--

THOMAS MANN: Participation and turnout. It's absolutely key because the smaller the turnout, the more extreme the views. And the more likely they are to appeal to the very people who are who are defending the core values of that party.

BILL MOYERS: Norman Ornstein and Thomas Mann, *It's Even Worse Than It Looks: How the American Constitutional System Collided with the New Politics of Extremism*. Thank you for joining me and thank you for writing this.

NORMAN ORNSTEIN: Thank you, Bill.

THOMAS MANN: Thank you, Bill.

BILL MOYERS: America lost a happy warrior and I lost a friend this week – Bob Edgar, the president of the citizens' lobby Common Cause. A fearless advocate for a fair and just America. You will find my eulogy for him – and other tributes – at our website, BillMoyers.com. And there's more on our Facebook page and our Twitter feed. I'll see you there, and I'll see you here, next time.
