
February 2009—Boyett & Associates

Getting Things Done in Washington

by

Joseph H. Boyett, Ph.D.

Author, *Won't Get Fooled Again:*
*A Voter's Guide to Seeing Through the Lies, Getting
Past the Propaganda, and Choosing the Best Leaders*

There have been moments in America's political history when the nation might never have progressed or would have taken a decidedly different course except for the political acumen and personal sacrifice of certain individuals who against great odds got things done in Washington. In each case, success was by no means certain and often was in doubt until virtually the last moment when a few individuals were able to persuade others of the wisdom of one direction for the country rather than another. These men and women rose above the pressures of their day to find pathways to take them, their followers and their country into a new world. We remember the fruits of their labors—our own constitution, the right of women to vote, the protections of the food and drug administration, the right of labor to organize, Social Security, the Civil Rights Acts, Medicare, and so on—but we forget the struggle and the men and women who fought to make these protections and freedoms a reality. We appreciate their accomplishments but forget just how miraculous their accomplishments were. We have not learned from their experiences.

Today the challenge of legislative accomplishment looms larger than ever. The country desperately needs to move forward to solve challenging problems with the economy, education, the environment, healthcare, our infrastructure, the decline of the middle class, and our relationships with other countries and people, to name just a few of the challenges we face. And yet, factions proliferate. Our leaders seek personal and political advantage rather than what is good for the country. The corrupting force of money for influence is stronger than ever. The manipulation of the media is pervasive and more sophisticated. The use of known psychology of influence is more problematic. All sides on every issue use these weapons of persuasion resulting in every side persuading just enough of those in the middle to keep the other side from winning. No side wins and we all lose. We cannot go forward, not because we have no forward path, but because we have multitudes of paths all blocked by one interest or another. We are at stalemate. Has it always been that way? No. In fact, this

nation exists and much of the protections and freedoms we enjoy rest on a foundation of great legislative accomplishment, not legislative gridlock.

There have been times in our history during which the impossibility of legislative action was made not just possible but reality. Legislation that no one thought could pass did and the country was fundamentally changed. There are lessons we can learn from our history about what it takes to right wrongs, move forward, and make this country a better nation. Of course it's never easy to move forward. Real change takes sacrifice, compromise, faith, struggle, confidence, hard work, political smarts, and, most importantly, perseverance—not giving up. There have been times in our history when courageous men and women triumphed over inertia and found a way to achieve the common good through the elevation of common purpose and desire. They took us forward when we could have stood still or skidded backward. They seized the moment and in the face of disaster when we could have fallen apart as a nation or sunk into meaningless pursuit of selfishness showed us how we could achieve. What can we learn from their experiences about getting things done in Washington?

THE IMPOSSIBLE TASK OF GETTING THINGS DONE IN WASHINGTON

The first thing to learn about getting things done in Washington is that the American government has been intentionally designed to prevent anything of consequence from being easily accomplished. James MacGregor Burns, among others, has argued that the architect of the Constitution, James Madison, did all he could to see to it that under the new system of government change would come slowly and major change would almost never occur at the whimsy of the majority of the moment. Madison succeeded beyond his wildest imagination.

One has only to consider how the U.S. government works to appreciate the obstacles to major change the founding fathers built into the system of government they devised. For any piece of legislation to get passed, it must be approved by the U.S. Senate and House of Representatives and signed into law by the President. It then must withstand any constitutional challenge before the Supreme Court. Senators are elected state-wide and serve the interests of the voters in their states. Representatives are elected in districts and serve the interests of voters in their district. The President is elected nation-wide, not by a majority of the popular vote, but by a majority in an arcane electoral college which allocates votes to states according to their number of Senators and Representatives. Consequently, the President serves the interest of the nation or at least the voters in states with the most electoral votes. Members of the Supreme Court are appointed by the President and confirmed by the Senate often because they share the President's and majority party's ideological and/or policy preferences. Like the President, Supreme Court justices are supposed to serve the national interest but often they serve the ideological/policy preferences of a President and Senate that has long vanished from the national stage.

To make matters even more complicated, the President, Senators and Representatives serve different terms. Representatives must stand for election

every two years. Every six years 1/3rd of Senators must face the voters and every four years we vote for a President. Supreme Court justices serve for life. Senators, Representatives, the President and members of the court thus operate on different time horizons.

Increasingly, Representatives are elected from districts which have been intentionally drawn to the advantage of one party and/or political ideology over another, Democratic or Republican, Liberal or Conservative. Often the party that controls the House is different from the party that controls the Senate. Even when the House and Senate are controlled by the same party, the President may be from a different party. There may be and often are sharp ideological differences and policy preferences between the two branches themselves and between the Congress and the President because of the way members of Congress and the President are elected and the frequency with which they must stand for reelection.

Additionally, the rules of order in the two houses of Congress differ so that the very path a bill has to negotiate to become law is quite different in the two houses. For example, Senate rules concerning cutting off debate/filibuster, make it impossible to get controversial legislation passed without a super-majority of 60 members voting in the affirmative.

Finally, since the justices on any particular sitting Supreme Court have been appointed by different Presidents and confirmed by different Senates over what may be decades, the court itself may be severely split ideologically making unanimous ruling difficult, if not impossible. Consequently, laws may be upheld or declared unconstitutional by the thinnest majority. Additionally, at any time the court may be and often is significantly out of step with the prevailing political mood and wishes of the President, Congress and American people.

Beyond these institutional barriers there are the barriers caused by individual and collective competing interests of a pluralistic and ever more fragmented society. For all of the people who at any given time are suffering because of the way things are and hoping for change, there are a smaller but often richer and more powerful group who are prospering from the way things are and are determined to see that no change occurs. The closer advocates of change get to making change happen the more determined the opposition becomes. And, since change always involves a certain amount of the unknown which most of us find frightening, those opposed to change usually have an easier time convincing us to do nothing. They have the fear of the unknown on their side. To get things done advocates of change have to overcome all the incentives built into the system to do nothing. Whenever anyone proposes a major change in public policy, they immediately encounter resistance from those who are threatened by and/are frightened by the change. Momentum starts building to oppose change and it gains strength like a ball rolling down a hill gather anti-change speed as it goes.

LESSONS ABOUT GETTING THINGS DONE

Given all of these institutional and societal barriers to getting anything of substance done in Washington it is amazing that anything truly important has ever been done. However, major change has occurred, not often and not without tremendous effort, but it has occurred. There are important lessons we can learn from our past about what achieving real change in public policy demands. For example,

1. Grassroots organizing—The first lesson is that real change never starts in Washington. In fact, if you leave getting things done to Washington, nothing will ever get done. Contrary to what they might say, most people don't run for office to get things done. They run for office in order to fulfill their own personal need for power, prestige, position, and so on. They run for office and run for office and run for office to get the office, not to get things done. Those things of substance that get done are started in most cases by ordinary citizens in ordinary towns far away from Washington most often by people with little, if any experience, in politics but with a simple conviction and determination to right a wrong. In short, the first lesson to learn is that if you think something is wrong with this country don't wait for your President, Congressman or Senator to do something about it. They won't. If you want to know where change has to start, look in the mirror.

2. Patience and perseverance—Real change in public policy takes time, often a lot of time. It never comes instantly or easily. Major policy victories aren't won in a single legislative session or two or five for that matter. These victories often take decades. Legislative accomplishment is not for those who are faint of heart or who want instant legislative gratification.

3. Confrontation—Those who would change the world in a major way must confront the world in a major way. They must be willing and able to stage image events to garner attention and raise the consciousness of average voters often at the real risk of physical harm. Usually the confrontation necessary to spur change is led by a polarizing figure who becomes a liability to the cause once the stage is set for actual legislation.

4. Knowledge-Base—Someone or some group must take responsibility for gathering and presenting the evidence for the need for change and developing the reasoning to counter the arguments of the opposition. This usually requires someone who is not only adept at doing the research and uncovering the facts but who can present these facts in a persuasive way.

5. Compromise and Coalition Building—The change leadership must stay focused on the main objective and make compromises to expand the base of support without alienating those who are truly committed to the cause in order to get anything done. This requires leaders who can see the big picture and have the ability to tap into the needs of widely diverse interest groups to find common advantage in moving ahead by structuring the argument for change to

appeal to the greatest number while not alienating those in the change movement that are most devoted to change.

6. Vote Buying—Change requires legislative expertise, the knowledge and power to negotiate, trade votes and exchange favors with Senators and Congressmen who are neutral or only weakly opposed in order to build a sufficient majority to secure passage of the legislation. Politics is a dirty business where good legislation is frequently crafted from shady backroom deals.

7. Pivotal Image Event—Finally, real change frequently requires a catastrophe, crisis or shocking expose either real or manufactured to spur the general population to demand action.

These are the lessons our history can teach us about what it takes to get things done in Washington. But, will we listen? Will we learn?