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≡ The Oxford Handbook of  
**AMERICAN POLITICAL  
DEVELOPMENT**

THE OXFORD HANDBOOK OF

AMERICAN  
POLITICAL  
DEVELOPMENT



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*Edited by*  
RICHARD M. VALELLY, SUZANNE METTLER,  
*and*  
ROBERT C. LIEBERMAN

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To Theda Skocpol and Ira Katznelson, generous and brilliant intellectual leaders



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## CHAPTER 1

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# INTRODUCTION

## *The Distinctiveness and Necessity of American Political Development*

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SUZANNE METTLER AND RICHARD M. VALELLY

THIS volume showcases an analytic approach to researching and understanding US politics that first came on the scene some thirty years ago; it carries the same name as its subject of study—“American political development” or APD. APD still retains a critical edge that can be traced to its origins as a dissenting form of political science. An insurgent group of scholars associated with the general renewal of historical institutionalism (March and Olsen 1984) urged colleagues across the social sciences to “bring the state back in,” publishing an edited volume under that banner (Evans, Rueschemeyer, and Skocpol 1985). Stephen Skowronek’s roughly contemporaneous book, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920*, epitomized the value of applying such an approach to American politics (Skowronek 1982). Skowronek’s study—now regarded as a classic—traced the fraught, arduous struggle to construct government agencies that could better accomplish crucial tasks of governance. It thus put the development of state capacity front and center as a major dynamic that ramified throughout all of American politics.

In 1986 Karen Orren and Skowronek launched a journal entitled *Studies in American Political Development*, thereby coining and entrenching the term “American political development.” Also, Amy Bridges played a critical role in founding, along with David Brady, the Politics and History Organized Section of the American Political Science Association. The APD approach truly took flight.<sup>1</sup>

The study of APD has attracted not only scholars who directly focus on its various facets and concerns but also many other scholars who have other primary interests—such as the presidency and Congress—and who find the APD sensibility quite useful for enriching their studies. As Jeffery Jenkins shows in this volume, a remarkably similar interest in understanding institutions and their history simultaneously emerged among rational choice scholars as they took stock of the instability theorems. These theorems

(the Arrow Theorem, the Condorcet Paradox, and the McKelvey Chaos Theorem, to name the best known) raised the obvious question of why there was so much real world stability (Tullock 1981). The door to institutional analysis—and to treatment of institutional creation, evolution, and stability—consequently swung open in that part of political science as well.

Moreover, a consciously historical and evolutionary sensibility has migrated into the behavioral core of the field. Increasingly political behavior scholars have considered how to recover public opinion and its determinants and representational consequences before the rise of the modern survey. (See, for example, Dykstra and Hahn 1968; Lee 2002; Karol 2007.) Thanks to the award-winning efforts of Adam Berinsky and Eric Schickler—with input from several talented colleagues—the earliest “modern” surveys of the 1930s and 1940s have been reconstructed and reweighted, permitting a wide range of new investigations into the rise of mass liberalism and conservatism in the twentieth century (Berinsky 2006; Berinsky, Powell, Schickler, and Yohai 2011).

APD scholars have also considered whether and how policy feedback alters the mass bases of politics—and thus the options available to party politicians and elected officials (Pierson 1993; Campbell 2012). In doing this, they have shown that the state sometimes shapes society as much as society shapes the state. A paradigmatic case is the GI Bill. It fed back into American politics and decisively generated the civic engagement of a key population among the citizenry—returning World War II veterans (Mettler 2005; see also Mettler and Milstein 2007).

Given how extensively the APD approach has recast the study of American politics, we believed that the time had clearly come for a *Handbook on American Political Development*. As its editors we have spent the past several years considering what has evolved over the decades following APD’s birth. We have solicited the collection of essays here to indicate the value, scope, and promise of pursuing it. The volume is not, we hasten to add, exhaustive. Nonetheless, the contents of the volume speak for themselves, indicating the breadth and depth of the approach and the many avenues it offers for furthering our understanding of American politics. Our contribution, with this introduction, is not to preview and summarize each essay but instead to offer broad observations about the distinctiveness of APD and its value to the larger discipline.

## A WIDE-ANGLE LENS

---

Perhaps the most distinguishing feature of APD analysis is the ambitious scope and historical depth of the analysis that its followers often undertake. Much of the study of American politics takes what Paul Pierson has dubbed a “pizza pie approach.” Pierson pictures “[h]ighly institutionalized and very large communities of researchers” who “focus on particular slices of the political system (Congress, the presidency, interest groups, parties, etc.)” Each of these, in turn, focuses on specific “sites and modes of

political activity,” meaning particular institutions, or forms of organization, or types of political action (Pierson 2007, 147.) This creates high-resolution precision and clarity—and yields deep understandings of a wide range of vital phenomena, such as the politics of congressional committee jurisdictions, the rise of czars in the White House, whether referenda produce civic engagement, and the variability of Supreme Court medians, just to name a few. Meanwhile, the methodological individualism that suffuses American political science has also pushed ever further into cognitive and affective psychology, neurobiology, and genetics. Combined with the explosion of experimentalism, these inquiries have opened up new and exciting vistas on American democracy’s individual-level foundations.

APD plays, however, an equally vital role by exploiting the possibilities of “macro” and longitudinal treatment of American politics. Scholars of APD typically use a wider-angle lens in their analysis, looking at the historically evolved relationship between some institution and some type of organization or activity, or more broadly, at the politics that has emerged between a pair of institutions, or even at the level of the political system as a whole, across the federal or state levels or between them. (See, for instance, Crowe 2012; Lavelle 2013; Schickler 2001.) APD embraces holism. To put the point another way, APD helps analysts of American politics to see the pizza for the slices!

The wide-angle lens indeed permits APD scholars to broach the proverbial “big questions.” They include the origins and temporal variability of power in the American political system and how it operates, the striking persistence of constitutional forms despite the Civil War and the New Deal, when and how political change occurs, the legitimacy of the administrative state, who gets represented by a given set of political circumstances, how such developments affect society or the economy, whether the American regime nurtures virtue, character, and generous civic engagement, whether the public interest can be identified and prevail, the extent to which civil–military relations are healthy, whether public problems can be addressed and solved, whether government is bloated, the many meanings of citizenship—and, not least, the survival of the American regime itself. These questions constituted the major concerns of such erstwhile luminaries as (among others) Martha Derthick, Samuel P. Huntington, Theodore Lowi, and James Q. Wilson.

APD scholarship aspires to carry on that ambitious legacy. As the discipline of political science has matured the monographic studies that self-consciously engage these kinds of big questions can certainly be found—for example, in the work of Larry Bartels and Nolan McCarty, who happen to be two of our volume contributors. But our pair of examples make our point: senior scholars typically ask the big questions, but junior scholars refrain from doing so. The premium on methodological virtuosity has never been greater. Add to that the new and overriding interest in resolving problems of causal inference. Many scholars today easily conclude that they ought to first work long and hard in the positivist trenches—helping to build a “normal science” of experimental results that are reported in very rigorous and brief articles—before they dare to look up toward the horizon of regime-level issues.<sup>2</sup> The obvious concern is that if they put off learning how to think at the regime level they may never get to do it at all.



By contrast, the study of American political development more readily breaks open regime-level questions. It does this because of its holism, its emphasis on vital arcs of change, and its attendant effort to figure out what they mean. There is a trade-off: the reliability of the proposed causal inferences is not taken as utterly primary (though they are taken quite seriously through various kinds of checks, such as counterfactual analysis.) But by the same token we try to honestly figure out what the wide-angle view is telling us.

One very useful consequence—as Kimberly Morgan’s chapter suggests—is the facilitation of cross-national comparative analysis. (For an example of what we mean, one that draws in part on APD work, see Stepan and Linz 2011.) We hardly claim that *all* APD work operates nimbly at the level of “the regime.” Much APD work certainly focuses on elaborating and extending the generalizations and formulations of leading APD scholars rather than breaking new ground. But we do think that there is more of an “elective affinity”—to borrow from Goethe (2000 [1809])—between APD work and regime-level reflection and generalization. As we have emphasized, several of the contributions to this volume reflect that elective affinity.

## INSTITUTIONS MATTER

---

As the previous discussion has suggested, the phrase “institutions matter” also captures much of what APD is known for. Broadly speaking, by “institutions” we mean the rules and procedures that structure behavior and provide incentives, norms, and resources that shape it. Most APD scholars would include formal governmental institutions: executive bureaucracies, insulated policymakers in central banks and courts, legislatures, and local and special purpose governments. They also mean the internal structure of legislatures, their leadership positions, and their norms. Public law, and public policy—including foreign policy, colonial administration, and national security policy—also count. Informal institutions and organizations, such as political parties, groups, and movements, clearly fall within the institutional purview. So do politically created market institutions—property rights, government-created technologies that undergird commerce, or commercial and admiralty law—that facilitate and regulate commerce and trade.

What does not count? This is a tough question. Elinor Ostrom’s Nobel Prize-winning work on conventions unsupported by property rights is self-consciously institutionalist (Ostrom 1990). APD scholars have a similarly catholic view of institutions. We do not even draw the line where anthropology begins, say, with handshakes. After all, the Supreme Court was different after Chief Justice Melville Fuller instituted the conference handshake. Political life requires many sorts of institutions.

Of course, as our reference to Ostrom is meant to underscore and as we noted at the outset, many scholars not affiliated with APD focus on institutions as well. Among the many social science communities which know that “institutions matter” are rational

choice institutionalists, including scholars who study veto pivots and their consequences for policy, public law, and executive and legislative agenda setting and bargaining. APD is indeed just one part of the “new institutionalism” that emerged in the 1980s and has moved in several different directions since then.

What APD has added, however, is a stronger preoccupation with the emergence and relative durability of American national institutions, policy domains, and governance arrangements. Here’s an example of a question in the APD vein: does Congress continue to be a highly salient institution, and why or why not? In his work on Congress, for example, David Mayhew has asked why Congress has remained viable—and has connected the answer to how Congress is a valued source of consequential careers for talented and ambitious professional politicians. In taking advantage of that opportunity structure members of Congress have strutted on the political stage, sought to shape public opinion—and simultaneously renewed and adapted Congress to the Sysyphean task of remaining a central player in the Madisonian system (Mayhew 2000). Sarah Binder, by contrast, has shown that rising partisan polarization, in combination with institutional arrangements and divided government, has reduced productivity in lawmaking (Binder 2003, 2015).

Or how and why has the Fed’s independence grown despite its role in deepening the 1981–82 recession and in precipitating the 2007–9 recession? Despite periods of sharp congressional criticism, the Fed’s monetary and financial-regulatory authority remains more—not less—powerful in shaping both macroeconomic performance and distribution. Why? Scholars are currently at work on these questions as well (Binder and Spindel 2013; Jacobs and King 2016).

Historically oriented scholars treat these sorts of questions and puzzles. They exercise a keen awareness that adaptive or reconstitutive institutional change is a central dynamic in American politics—one that appeared very early. Milkis has shown that the Founders separated into party factions in part to save the Constitution from Hamilton’s efforts to build a strong central state apparatus. Swift revealed that early in the nineteenth century the Senate was changed from being something like a House of Lords into a popularly responsive and accountable legislature (Milkis 1999; Swift 1996). APD scholarship captures, in other words, the contingent evolution of institutions, tracing the struggles of actors inside institutions and organizations to perpetuate them, to reconstitute how they work, or to adapt them to new challenges.

One also sees this preoccupation with institutionally reconstitutive moments in the growing APD literature on the Civil War and Reconstruction (Bensel 1990; Brandwein 1999; Valelly 2014, 2004)—and in careful studies of major social policy shifts (Skocpol 1992) and in moments of regime stress (Katznelson 2014). The APD literature on interest groups and protest movements—and a very rich APD parties literature—also underscore how APD is particularly attentive to alteration and adaptation over time, usefully denaturalizing what otherwise would seem familiar or normal to us today. The interest group system and its “pressure tactics” and the Washington-based standing congressional lobby are inventions, forged in specific historical contexts. Formative political contexts have included, for example, the exclusion of women from the franchise and

the one-party dominance of Republicans in agricultural states (Clemens 1997; Hansen 1991). Likewise, post-WWII civil rights protest in the South was critically led and shaped by the skills and confidence of returning black veterans, thus opening a fresh angle on a familiar story (Parker 2009).

## IDEAS MATTER

---

As we have just stressed, APD theorizes and lucidly traces previously unexplored but consequential, formal and informal macroinstitutional pivots, developmental paths, and outcomes. More than other parts of the study of American politics, APD scholarship also holds that political ideas matter—that is, that they are independent forces in politics and in the life of the American regime, as the chapters in this volume by Ericson and Morone so richly demonstrate.

Prominent among treatments of constitutive ideas are those focusing on civic ideals and jurisprudential and constitutional innovation. The basic text here, of course, is Louis Hartz's 1955 masterpiece (Hartz 1955). The most sophisticated and persuasive treatment to date of the constitutive role of political ideas—a magnum opus which eclipses Hartz's achievement—is Rogers Smith's now classic identification of competing "civic ideals," that is, very richly developed, conflicting ideational traditions about who deserves American citizenship (Smith 1997). Quite recently, in a painstaking reconstruction of a now lost world of nineteenth-century rights discourse, Pamela Brandwein has shown that the Reconstruction and post-Reconstruction decades were periods of exceptionally creative thinking about the meaning of rights on the Supreme Court (Brandwein 2011). Zackin has shown that those who have made and developed state constitutions have done something similar—created a little known but potent tradition of "positive rights" (Zackin 2013).

The constitutive role of ideas has also been traced for public philosophies and, in particular, for how intellectuals, activists, and of course national party politicians have tried to reconstitute institutions and to entrench or embed these philosophies in those institutions. Thus Howard Gillman has shown how late nineteenth-century Republicans sought to embed their public philosophy through strategies of judicial recruitment and institutional design of the judiciary—and in a companion study has shown how liberal Democratic presidents sought to do the same in order to entrench modern judicial liberalism in the courts (Gillman 2002, 2006). Looking at a very different "ism," Steven Teles has provided a particularly nuanced and rich treatment of the "long march" of modern legal conservatives to change the judiciary and other national institutions (Teles 2008).

Political economic ideas have also played a formative role in creating the American polity. This is shown by scholars in what might be called the "MIT School" of American political development, which flourished in the 1990s. Its inspiration came from how Suzanne Berger and Charles Sabel thought about the historical politics of markets and industrialization, technology, and manufacturing. Its exemplars demonstrated that

*political economic* visions—such as powerful and elaborate theories of how to shape industrial conflict (Hattam 1993), monetary policy (Ritter 1997), railroadization (Berk 1994; Dunlavy 1994), trade (Shoch 2001), and scientific innovation (Hart 1998)—in turn ramified into party politics, economic growth, union formation, trade policy, technology formation, and governmental planning capacities. Political economic analysis can be seen, as well, in the magisterial studies of the late nineteenth- and early twentieth-century political parties produced by Sanders (treating the Democrats) and Bensel (treating the Republicans)—works which show that, unlike non-ideological, vote-getting, catch-all parties, the major parties instead had highly sophisticated economic regulatory programs after the Civil War and into the early twentieth century (Sanders 1999; Bensel 2000).

## IDENTITY FORMATION AND CIVIC STATUS

---

APD scholarship also increasingly attends to the political construction of identities and civic status. On this view, race, gender, ethnicity, class, the family, and sexual orientation are not pre-political identities, whose origins and evolution are best traced by social psychology and sociology. Instead, they are, in significant part, *political* constructs. The sense of linked fate that informs an individual's conscious identification with a "race" or a group or a gender originates in, for example, party strategies, in how public policy creates or sharply reinforces ascriptive differences and hierarchies, and in the power of ideas. Particularly useful in this regard is the foundational work of Desmond King. His corpus of work underscores both the role of the state and of "racial orders" (that in turn are undergirded by democratizing or hierarchy-preserving coalitions) in entrenching or dissolving illiberal racial binaries (e.g., King 2007; King and Smith 2011).

## YES, THERE IS A STATE

---

Another basic contribution of APD scholarship is its insistence that, like other polities, America has a *state*. By that we mean a coherently (though not necessarily tightly) connected ensemble of legitimate, stable, and resilient (but also evolving) national and sub-national institutions of representation and legislation, governance, and jurisprudence building. Skillful professionals circulate into and out of these institutions according to various calendars and schedules. Their linkages to political parties, elections, groups, and public opinion shape their actions, views, decisions, and behavior. But such actions, critically, are imperfectly monitored, even if there are robust, independent private communications media (DeCanio 2016). While responsive to social demands and public opinion the men and women in the state are therefore also "autonomous," that is, their views and behavior are rooted in intellectual worldviews, public philosophy, "reason of

state,” professional ethics, entrepreneurial visions of new roles for government, access to and dialogue with experts, and of course patriotism and public spirit. Systems of revenue extraction support this ensemble of institutions and people (Einhorn 2006; Levi 1988; Pollack 2009). So does access to copious amounts of reliable and longitudinal data about the economy and society and expert evaluations of these data (Kelman 1987). Not least, a monopoly over the legitimate means of force, exercised within territorial boundaries and constructed, expanded, and defended over the course of a national history, protects and legitimates the nation and its representatives and rulers.

At one time APD’s recognition that America has a state, particularly APD’s emphasis on the relative autonomy of the American state, was controversial. Around 1990 one of us faced ridicule at a job talk for asserting that there is a state in America, and was told quite emphatically—to the room’s evident approval—that to talk about the American state was to talk nonsense. Since the author was then untenured, anxious, and unwilling to set off fireworks, awkward silence ensued during this Alice-in-Wonderland moment. But a voice in the author’s head asked, “What about the Joint Economic Committee? The Fed? The CIA? The Pentagon? The Executive Office of the President? The FBI? SEC? FAA? FDA? CBO? OMB? BEA? BIA? EPA? CEA? DEA? LEAA? NIST? NLRB? FMS? DARPA? IRS?” For a long, distracting moment the acronyms would not stop!

To be fair, the kernel of truth in the pompous censure was a sound point, namely, that talking about the American state can lead to abstract theorizing of the hand-waving variety. There is some danger of this, of course—but we are struck by how the institutional orientation of APD scholars instead inclines them to concretely identify and document the variety and functioning of actual arrangements that undergird American governance.

APD scholarship on the state is also particularly focused—borrowing from the discipline’s methodological individualism and emphasis on agency—on the role of *state-builders*. This has everything to do with the ambiguous constitutional status of the state. As Alexander Hamilton’s obsession with and career in early state building suggest, the US Constitution indicated little about how the new nation should develop governing capacity. Federal bureaucracies have varied in their governing authority or accountability to other political actors or the public. Exploiting the ambiguity in the Constitution, innovative bureaucratic leaders have enhanced their agencies’ legitimacy and effectiveness through forging ties with organizations and others in civil society (Carpenter 2001, 2010; Moore 2011; Roberts 2013).

Moreover, as we already noted, “the state” is not just in Washington, DC. Throughout American history, the federal government has encouraged, coerced, or cajoled the individual states to develop their capacity to serve many governing functions—and vice versa (Derthick 2001). States have also done much on their own, often serving as sites for the development of positive rights (Zackin 2013) and policy experimentation (as Andrew Karch notes in this volume). In addition, American government has channeled considerable governing authority through private or non-profit channels, subsidizing or inviting organizations and business to provide services or to distribute resources that it finances (Smith and Lipsky 1993; Dobbin and Sutton 1998). Strikingly Congress built

a robust private enforcement regime of civil rights litigation led by lawyers outside the federal government (Farhang 2010).

Relatedly, APD scholars' interest in the American state has led them to appreciate how the resources inherent in public policies become valued by politicians and citizens even as government's role in bestowing them may simultaneously seem "out of sight," "hidden," or "submerged" (Howard 1997; Mettler 2011). That paradoxical evolution, APD has shown, has emerged historically and developmentally, and it is the cumulative result of policy design, the making of the tax code, bureaucratic evolution, and the creation of a myriad of government-sponsored enterprises (e.g., Fannie Mae, Farmer Mac, or Sallie Mae) and other private-public partnerships (such as the Federal Accounting Standards Board).

Indeed, structuring the role of the state and of government policy in the lives of Americans has been a central project of elected officials throughout the course of American political development (Balogh 2009; Sparrow 2011). The titanic struggle over Obamacare has revolved in large part around whether and how to "bring the state in." But the struggle has been more than a clash over the size of government and program affordability; ultimately the Affordable Care Act may change how Americans think about the state in their lives—and about public policy more generally.

APD scholars do not see society alone as the prime mover in politics, and neither do they understand that role to fall to the state; instead state and society interact in that process, they are joined in a dance over time. Elected officials know that there is a certain social wariness about government—and they can choose to reinforce it, to accommodate it even as they expand the role of government, or to consciously challenge it, knowing that the time is ripe for the challenge to succeed. (For general and formal discussion see Levi 1988.) For instance, the federal government, needing quick access to revenue, instituted tax withholding during WWII. The emergency made that possible. Most ironically, a young Milton Friedman dreamed up the idea (Zelenak 2013, 12, ch. 5). That was a state-centered change which reconfigured the terrain of politics—and after the war created a new normal.

Besides state-society interactions of these sorts, APD scholarship also takes *state capacity* seriously—the variable (which is sometimes dependent, sometimes independent) that Skowronek brought to everyone's attention in 1982. By state capacity we mean "government being able to do what its various legitimate principals want it to do when they want it to." As an independent variable it augments what officials, groups, and citizens *can* do in politics. But it can also constrain such actors. In a terrible crisis state capacity can "sputter"—as Graham Allison showed in hair-raising detail in his pioneering treatment of the Cuban Missile Crisis (Allison 1971).

Much of the literature on state capacity often (and correctly) assumes that state capacity, in a democratic context, is a democratic good. Strong or supple state capacity can expand the menu of collectively useful initiatives for officials and citizens to think about and discuss. Democracy features open public debate about how government ought to acquire and deploy public resources—such as revenue, infrastructure, access to high-grade expertise, accurate and appropriate information about society and the economy,



or means of coercion. Such debate would matter little if government could not actually accomplish broad goals that are defined through open debate and other distinctively democratic institutions and processes.

The focus on state capacity accordingly allows searching investigation of such large matters as competent (or flawed) macroeconomic guidance (Grossman 2013). Instances of both capacity and incapacity in this domain can be seen in the recent performance of the Federal Reserve. Its weakness in financial regulation helped to precipitate the epic financial crisis of Fall 2008—but the creativity that it and the Treasury showed in stabilizing finance and credit helped to rescue the American economy from a catastrophic contraction.

State capacity can also be market making. Consider in this connection the Food and Drug Administration. It has been forced to constantly balance demands to cut regulatory corners and at the same time assure the efficacy and safety of pharmaceuticals. Yet in sustaining its regulatory capacities the FDA has been a major market maker (Carpenter 2010). The pharmaceutical industry in the United States would not exist in the form it does without the American state. Americans ingest a steady diet of useful (and for millions life-enhancing) pharmaceuticals because the American state is competent.

APD's appreciation of the state hardly means, though, that APD scholars are cheerleaders for Leviathan. Nietzsche wrote that "the state is the coldest of all cold monsters ..." (quoted in Rose and Miller 1992, 173). While hardly going that far in our view of the state, we candidly acknowledge that state capacity has a very troubling side as well (Scott 1998).

That aspect of state capacity can be seen all through American history—starting with "Indian removal" and the establishment of an administrative state to govern Native Americans (Rockwell 2010). Another example is the enforcement of the 1850 Fugitive Slave Act (Lubet 2010). Consider, too, the rise of colonial and imperial administration early in the twentieth century (Moore 2011), the internment of Japanese Americans during WWII (Hayashi 2008), the little-known role of eugenics and state-sponsored sterilization (Hansen and King 2013), and the rise of the carceral state over the past generation (see Lerman and Weaver in this volume). Although these illiberal and punitive facets of the state capacity variable have not received as much attention as the democracy-enhancing sides, various contemporary phenomena—the national security state (Goldsmith 2012), the congressional maintenance of a military-industrial complex (Thorpe 2013), and the carceral state (Gottschalk 2014)—are helping, properly, to put "dark state capacity" on the APD agenda.

## HISTORY MATTERS

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APD also holds that "history matters." *All* analysts of American politics grasp the relevance of history, to be sure. What APD counsels, however, is *putting history first*, as opposed to shoehorning seemingly stylized facts about American political history here

and there into one's work. Do history systematically and explicitly, we say, and question existing assumptions about what the facts actually are.

We also debate the many kinds of historical dynamics that shape American politics. We investigate the existence of secular trends, such as modernization, bureaucratization, or democratization. In some instances, the more striking phenomenon in American politics is the persistence of very deep continuities. As Mayhew has often remarked concerning the continuity of the Constitution of 1787—and as Louis Hartz first argued, albeit more by way of bemoaning the limits of American political culture—perhaps a deep kind of *non*-development characterizes American politics (Hartz 1955; Mayhew 2000; Huntington 1968, ch. 2). Concerning presidential elections, Larry Bartels has carefully documented the regularity and strength of electoral competitiveness (Bartels 1998). As King and Smith have argued, racial orders are a permanent feature of American politics (King and Smith 2011).

But besides these steady-state constants and continuities we also wonder about a different kind of constant—namely, various forms of recurrence. While the theory of electoral realignment is dead (Mayhew 2002), the concept of recurring “regimes” in presidential politics has gained considerable traction due to the analytic elegance and power of Skowronek's handling of the idea in his portrayal of the presidency in American politics (Skowronek 1997). APD scholars have indeed long argued for the causal role and comparability of cycles and powerful public moods focused on uplifting political renewal (Huntington 1981; Mayhew 2005; Morone 1990, 2003). Religious awakenings have shaped American politics more than once. The counterpoint between renewal and entropy can extend to the political economy and to society. Thus increases in income inequality and the emergence of debate over whether the super-rich are a problem for American democracy has happened more than once (Hacker and Pierson 2010; Mettler 2015). America has experienced not one but two comparable “reconstructions” of African American voting rights and Southern party and electoral politics (Valelly 2004).

Mark Twain supposedly said something to the effect that while history may not repeat itself it certainly rhymes. He actually never said it (no one knows who did), but the idea captures a truth about a polity that displays the kind of stability and continuities that the American system has shown. We are a nation still strongly tethered, for better or worse (Levinson 2006), to the Constitution of 1787. It would be surprising if, over the course of nearly two and a half centuries, political history did *not* repeat itself (Haydu 1998).

Awareness that “history matters” also sensitizes APD scholars to the role of events and contingency—a valuable corrective for the tendency that all of us have to think that historical processes probably had to take the forms that they did (Shapiro and Bedi 2007). Accordingly, APD scholarship is also alive to the role of turning points and “critical junctures”—and their larger consequences (Soifer 2012; but see Collins 2007). In the evolution of policy domains, change can happen incrementally, yes—but policy change also happens through the episodic (sometimes fortuitous) opening of policy windows that permit non-incremental change (Kingdon 2003).



One turning point that regularly has been revisited and debated is the political incorporation of organized labor (Hattam 1993; Orren 1991). In most advanced democracies the process of industrialization generated social stresses that, in turn, fostered labor radicalism of various kinds. But Debsian socialism, despite its surge before WWI, never transitioned into a significant political force outside certain Northern cities and states and parts of the Upper Midwest. What explains the exceptionalist outcome in the United States? (Archer 2007; Lipset and Marks 2000). The question matters for comparativists—but it also matters a great deal for understanding the subsequent role of organized labor in American politics (Greenstone 1977; Roof 2011; Vossing 2012).

Or consider polarization: the process by which party politicians have separated and sorted themselves into rival, behaviorally cohesive, and fairly disciplined ideological camps (McCarty, Poole, and Rosenthal 2006: 3). Polarization began in the 1970s and has deepened since then (apparently asymmetrically, with the Republican Party moving further to the right than Democrats have moved to the left). In turn, that sorting process has (among other effects) complicated and changed the leadership tasks of congressional leaders and how they coordinate campaign finance, committee assignments, and communication with the public. It probably reduces the rate of policy enactment (see McCarty, this volume). In other words, looking back we can see that the mid-1970s constituted a major turning point in APD (Borstelmann 2011).

As our discussion of polarization would suggest, an idea connected to the turning point concept is path dependence (Pierson 2000). The basic idea here is that a turning point becomes a process that feeds on itself and deepens—and that that happens in considerable part because more and more people adjust their behavior to take account of the process. They act on the expectation that the process not only is here to stay but that its emergence also requires them to adjust, or that it is materially valuable to adjust to it. They thereby—and rather paradoxically—“lock in” the process.

A particularly salient instance in social policy, as Paul Pierson first pointed out, is the contributory finance, old-age income security program that we call Social Security. As participation in the program widened and as millions began to count on it, a second order consequence was the emergence of network externalities—that is, the creation of linkages between the program and, for instance, private pension planning or the rise of retirement communities. The policy began to “feed back” into the society and economy in ways that then permanently altered the context for debate and reform of the program (Pierson 1994).

The linkages are not formal, of course. And, to be sure, continuous administrative initiative expanded Social Security (Derthick 1979). But nonetheless the expectations held by millions of similarly situated market actors—and the actions that they undertake as a result—have embedded Social Security in society and the economy. Moving “off path”—even through a redesign of the benefit delivery mechanism such as the accounts privatization promoted by President George W. Bush in 2005—is insuperably difficult. It is in that sense that path dependence entails “lock-in.”

But lock-in does not always happen—indeed the why and how of retrenchment, backlash, and failure are enduring puzzles (Chinn 2014; Patashnik 2008). Hacker has

shown that retrenchment can occur through inaction and neglect as well as through deliberate policy change. Staszak has adapted his analytic template of unobtrusive but deep retrenchment to showing how access to the courts has gradually but thoroughly been reduced by a wide range of actors in the wake of the rights revolution of the mid-twentieth century (Hacker 2004; Staszak 2015). Yet backlash can also be quite open, indeed unmistakable and deeply unsettling. The most spectacular case is the two-decade long struggle to disenfranchise black Southerners, starting in Florida (1889) and ending in Georgia (1907). That backlash in turn restructured congressional politics and national policy possibilities in ways that were evident for decades, from the Wilson Administration well into the 1970s.

Another facet of APD's attention to historical dynamics is recognition that multiple types of change can happen simultaneously—hence the fertile idea of *multiple orders in action* (Orren and Skowronek 2004: 108–118). Consider the separation of powers, the emergence of bureaucracies, the rise of policy domains, the persistence of federalism, the proliferation of local and special governments (Mullin 2009), different patterns of party-building (Galvin 2009), the relative autonomy of public law and the courts, and the many institutional openings for entrepreneurship (Sheingate 2003). American politics offers a vast beehive of incongruous patterns of political action. They operate according to different logics and “clocks,” as it were. On the other hand, the existence of multiple orders in action also opens up possibilities for creative political action. Entrepreneurs can discern and exploit the political possibilities of different orders operating in parallel. They can innovate new institutional forms that temporarily resolve comparable problems that actors in evolving institutional settings share (Schickler 2001).

To sum up, we seek to expand the *range* of our intuition that “history matters” into a working assumption that history must matter in a remarkably wide—but also quite specific—variety of ways. We have different names for them: regimes, orders, multiple orders in action, layering, path dependence, cycles, disjointed pluralism, policy feed-back. What each of these terms refers to can be found in more detail in the contributions to the volume (see also Sheingate 2014).

All of this, we recognize, may sound like a special case of having a hammer and finding nails everywhere you look. And there is always a risk of that in social science. (For a crisp technical discussion of the basic problem and how to partly correct for it in large-N analysis, see Bartels 1996.) But we think that the risk is worth tolerating. History is inscribed everywhere on present-day American politics. How could it not be given that the American regime is well into its third century?

In fact, seeing all of the ways that history is imprinted on contemporary politics means that APD is very much part of the ever-present work of sorting out what is going on currently in American politics. Recognizing that the present moment in American politics has been multiply constituted means that APD scholars can shed very bright light on the historical origins of a quite wide range of contemporary political phenomena. We can explain what some otherwise puzzling current phenomenon is a case of. We are not limited to general remarks about how some facet of American politics arises from the “liberal consensus” or American exceptionalism (although that might be true

at some general level.) Rather, we can specifically state what the phenomenon is a case of, whether it will persist, and why or why not.

To treat an important and much discussed example, when the Tea Party emerged in 2009 Theda Skocpol and Vanessa Williamson quickly saw that this was a recurrence of “federated organization” for civic engagement. The Tea Party echoed an older style of civic engagement, different from the Washington-based advocacy model of professionalized organizations that serve an organizationally inactive, dues-paying membership. The confidence that Skocpol and Williamson had in their hunch meant that they were able to richly confirm it through interview evidence and geocoded data. They were able to offer the *first* in-depth portrait of how the Tea Party works. APD gave them the insight with which they could address a crying professional—and public question—namely, what was the Tea Party? As Skocpol and Williamson showed, journalists had actually been unable to do that and had even offered rather misleading accounts of the phenomenon. APD literally came to the political science debate first in trying to identify the nature, significance, and likely longevity of the Tea Party (Skocpol and Williamson 2012).

## THE IMPORTANCE OF IDENTIFYING “WHAT HAPPENED”—AND DESCRIBING IT WELL

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Two final characteristics, in our view, distinguish APD scholarship: one, that a different fundamental question underlies it more often than in other subfields, and two (and relatedly), that answering this question requires excellent writing—much different than the colorless, cautious prose that we too often learn to write in graduate school.

Certainly APD scholars, like most other political scientists, often ask “why?” As the previous section underscored, we also very much care about investigating “how,” by tracing historical processes that shaped—and shape—American politics. Far more than other types of political science, however, APD *also* wants to know the answer to “what happened?” We alluded to this earlier, when we signaled the importance of “putting history first.”

In the social sciences there is, quite appropriately, very strong interest in theory building and theory testing, and also in refining techniques for causal inference and in progressively ruling out rival explanations for important phenomena. As a scholarly community we often say that political science aspires to *reducing* the generalizations that we have, to the extent that we can do that.

APD, however, has a strong tendency to produce *new* accounts of the links between past and present—and we make no apology for that. In that respect, APD scholars resemble not molecular biologists but plant or insect biologists who identify behaviors and species that no one previously recognized. We seek to find new things that

people have not seen before because we care very much about getting the answer to “what happened?” right.

For example, the American welfare state is often regarded as not particularly generous and as built on allocating stigma for the receipt of social policy benefits beyond the universal programs of Social Security and Medicare. Yet Christopher Howard discovered a “hidden welfare state” in his first book on social policy through tax expenditure (Howard 1997). In turn that led him to reassess and correct a whole range of stylized facts about American social policy in his second book, *The Welfare State Nobody Knows* (Howard 2007). The mantra that programs for poor people are poor programs simply does not stand up. The growth in Medicaid expenditure in recent decades has been extremely robust. Stylized facts about social policy are no substitute for the kind of careful attention to how direct and indirect programs actually work that Howard pioneered.

Consequently much of APD consists of counterintuitive *descriptive inference*. As Keohane writes, “Descriptive inference is not the same as simple description: it involves an inference, from known to unknown, that can be incorrect or otherwise flawed. And both description and descriptive inference often rest on the interpretation of inherently—sometimes deliberately—ambiguous actions” (Keohane 2009, 361).

But to do descriptive inference well means good writing and careful attention to the reliability of the facts one assembles and how one interprets them. We do “thick description” in various sorts of ways—and increasingly with numbers and findings from econometrics. We do description so that we have a more accurate grasp of our past and a rich understanding of the historical processes that have created our present-day politics. Our audience thus is rewarded with seeing something that it had not previously seen.

Once one of us found a prize-winning APD article characterized online as “Wonderful on the details but woefully undertheorized.” The problem with this sort of criticism is that it misses the contribution: the “details” undergird the originality of the piece. “Wonderful” details don’t just aggregate spontaneously like social insects or bacterial “quorum sensing.” An analyst finds them and arranges them in order to *show* what previously could not be seen as readily. That can sometimes require moving theory to the wings of the stage.

Consider what David Mayhew wrote of V. O. Key Jr. “Anyone familiar with Key’s scholarship will be aware of his great capacity to build interesting and persuasive general points through induction: a mastery of detail produces a wealth of proper nouns and telling instances, often accompanied by quantitative data, that march the reader to a conclusion” (Mayhew 2008, 87). This puts the role of good writing in descriptive inference about as succinctly as it can be put.

Description and good writing are sometimes regarded as low-tech and unscientific, no more difficult than, say, developing an R package. But those who have read Ira Katznelson’s multiple award-winning masterpiece, *Fear Itself*, discovered a

confident command of telling and eye-opening particulars. They know the difference that Katznelson's expository authority makes to the power of his book—and to its general lesson that Congress did as much as FDR—if not more—to save American democracy, and to defend political democracy internationally, in the dark decades of the Great Depression and WWII (Katznelson 2014).

The larger point here is that by putting history first and knowing how to convey historical insight on paper APD sharply improves political science. Indeed, we advance a proposition: no APD, no *adequate* study of American politics. A social science that implicitly or explicitly rests on shopworn, stale, or outdated understandings of the political past and its relationships to the present is not—to be blunt—a social science.

The American regime is now well over two centuries old. Doing history well, and correctly, eventually had to be internalized within political science—rather than remaining outsourced to historians. That simply is essential for the study of American politics to continue growing and getting better.

To be sure, Richard John's contribution to this volume underscores that such internalization is far from straightforward and can certainly irritate historians, not least because political scientists are not trained as historians. Indeed, APD scholars need to be mindful of the kinds of concerns that John raises—and we need to be far more self-conscious about the peril of selection bias in how we use secondary sources (Lustick 1996). We also need—as Daniel Galvin's contribution underscores—to be more methodologically self-conscious, borrowing much more than we have from the qualitative methodological revolution. Recent scholarship highlights the importance of bridging the quantitative and qualitative divide in designing and conducting research (e.g., Wawro and Katznelson 2013). But these are precisely the kinds of issues that were certain to surface once APD fully took root. Their emergence indeed underscores the continuing necessity and expanding relevance of the APD approach.

## RESEARCH TRAJECTORIES

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We now encourage readers to discover for themselves how scholars have engaged in APD inquiry by immersing themselves in the rich and diverse array of chapters contributed to this handbook. The first section features essays that consider broad perspectives on APD. Here we include considerations ranging from political economy and political culture to the role of gender and reflections on how an APD lens enables scholars to understand contemporary politics. The second section focuses on institutions, including the various components of the separation of powers at the national level as well as on American federalism, including a focus on cities and states. The third section examines political processes and state–society relations, investigating such topics as representation and political parties to voting rights politics, public opinion, and interest groups. These chapters showcase inventive approaches to studying mass political behavior over

time, often in the absence of ideal data, and they indicate how an historical approach may challenge prevailing views. Finally, the fourth section highlights new work on how the state shapes the status of citizens and regulates society, shaping identities, hierarchies, and social relations in the United States. The foci range from a focus on race to the welfare state and criminal justice to sexual orientation and the family.

As this brief summary indicates, APD scholarship is as lively, varied, and dynamic as the phenomena it investigates. Our discussion of backlash, retrenchment, continuities, recurrence, and cycles suggest the wide assortment of patterns that scholars have identified, to say nothing of the insights of the impossibility theorems (discussed by Jenkins in this volume). Political development might best be thought of—to borrow Paul Pierson’s phrase—as, simply, “politics in time” (Pierson 2004).

Our subfield has evolved in a wide array of directions over the past thirty years and in so doing it has invigorated the discipline. It enables scholars to illuminate much about not only the American past but also about how political processes operate and the broad character of the American state and governance. It gives them analytic leverage, moreover, for interpreting contemporary events and politics in real time. And it offers an approach to scholarship with high potential for addressing broad concerns in public affairs and engaging a wide audience including policymakers, journalists, and citizens. In that sense it fulfills one of the most important aspirations of social science, namely that it be broadly useful to and accessible by democratic citizens.

We hope that we have given *you* hope for the promise of your own APD scholarship.

## NOTES

1. A comprehensive bibliography, compiled and updated by David Brian Robertson, can be found at [www.umsl.edu/~robertsondb/sy431bib.html](http://www.umsl.edu/~robertsondb/sy431bib.html)
2. See the very important registry effort at <http://egap.org/about/>. Also Monogan (2015).

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PART I

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DYNAMIC  
EXPLANATIONS  
OF POLITICS

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## CHAPTER 2

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# PATHWAYS TO THE PRESENT

## *Political Development in America*

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STEPHEN SKOWRONEK AND KAREN ORREN

THE United States is a relatively young nation, young enough for contemporary issues of government and politics to implicate the whole of its history. This is not to say that little of significance has changed over the years; quite the contrary. Americans have negotiated alterations in their government and politics all along the way, and the cumulative impact of innovation grows ever more profound. The point to be made is that these changes have all been worked through institutions framed at the nation's founding and that we continue to wrestle with cultural norms and constitutional standards that the founding jumbled together. Whether the issues are cultural, constitutional, or political, the entire historical record bears down with remarkable immediacy on present-day controversies.

In these circumstances, the study of political development in America is of more than mere historical interest. Current affairs are constantly prompting us to think about how, and with what consequence, institutional legacies project themselves forward and insinuate themselves in new controversies; about how, and with what consequence, new interests and ideas intrude upon government and connect to older elements already in play; about how, and with what consequence, received lines of authority are redrawn and ideological cleavages recast. Through inquiry into these relationships between past and present, APD's research program illuminates the historical construction of the American polity—its composition in time, through time, and over time. Attending to the sequential rearrangement of familiar elements in new compounds, APD weighs departures against continuities and identifies pathways to the present.

This is an inclusive project. APD occupies an attractive point of intersection among research communities where scholars of different disciplines, and different perspectives on politics, can engage in a productive exchange of ideas. Important contributions have been made by political scientists and historians, "comparativists" and "Americanists," cultural and constitutional theorists, "institutionalists" and social analysts. But APD's porous boundaries should not be mistaken for the absence of core concerns. Examining



the movement of the polity through different historical configurations pushes forward certain kinds of issues; scrutinizing the present against the backdrop of where we began enables particular kinds of insights. The questions at the heart of this research agenda speak to the defining characteristics of the regime; the debates it spawns revolve around the American polity's identity, integrity, capacity, adaptability, and trajectory.

These concerns lend the APD literature a distinctive cast. The work tends to be "polity centered." That is to say, it focuses on the mutually constitutive relationships of state and society in America and the push and pull and rearrangement of their various parts. Attuned to the polity's dynamic qualities, it draws out endogenous as well as exogenous sources of change. The emphasis, overall, is on the contingencies of political order and the engrained processes that upend and reshape it. The APD literature also has a decidedly "presentist" orientation. Though it explores transitions that occurred long ago, the significance it assigns to these events references relations of power and authority today, and because the bearing is toward the present, the insights practitioners seek from the past tend to be more analytic and overarching than those usually found in historical work on particular periods. They want to distinguish different mechanisms of change, examine their portability across periods, and compare their effects. Finally, this literature situates political development in America comparatively. Reference to the experience of other countries serves to identify American variations on broad developmental themes. Though cultural claims of "American exceptionalism" are routinely put to the test in the APD literature, comparison is used, by and large, to draw out emblematic features of the American regime and to consider their consequences.

Research into America's political development flourishes when government and politics in the present seem most unsettled, when patterns drawn from the past are thrown into doubt, and observations no longer conform to what is expected (Orren and Skowronek 2004, 33–77). Hardly surprising, then, that interest in the field has surged in recent decades. Over the past thirty years, questions of America's "governability" have deepened, and political assaults on long-established institutions and practices have intensified into a near-constant siege. Whether this is all part of a "new normal," in which consensus on basic precepts of governance will be in short supply, or whether we are living through a protracted interregnum soon to be resolved, is difficult to say. But with old signposts unreliable and public anxiety running high, the contingencies of political order in America have been thrown open for re-examination and inroads to the future have come under intense review.

Other chapters in this volume provide ample testimony to the multifaceted reassessment under way. We will not attempt a comprehensive overview here. A candid inventory of recent work on constitutional change, institutional change, cultural change, and so on would likely point up more debate than agreement among scholars. But all speak, in one way or another, to the same unsettled condition. If we are correct that the drive to review and revise has been accelerated by the current condition of American politics, we should be able to catch some meaning in the drift.

In the first part of this chapter, we take up three ideas about development that are presently percolating through APD research: displacement, path dependence, and

creative syncretism. We chose these ideas among the many available because each has wide application to a range of political phenomena, because each idea implicates the other two, and because they seem to us more suggestive taken together than separately. In order to bring them to bear directly on one another, we will focus our discussion on a single developmental question, that of state formation. State formation is a major concern of APD research, and while the literature on the topic has grown more contentious in recent years, its inconsistencies point in interesting ways to different aspects of the current moment. Our hunch is that the prominence of these three ideas in recent scholarship is no accident, and that as different as they are, each is picking up something essential about the new situation in contemporary political affairs.

In the second part of this chapter, we follow up with a substantive proposition of our own about America's political development. We introduce the concept of a "policy state," both as a description of the emergent form of modern American government and as a vehicle for drawing greater analytic leverage from recent insights into displacement, path dependence, and creative syncretism. The rise of the policy state tracks familiar historical trends: the dismantling of ascribed social hierarchies and the democratization of the polity, the nationalization of politics and the bureaucratization of government, the expansion of policy choices and the dispersion of power and authority, the erosion of constitutional boundaries and the elevation of pragmatic standards of action. Picture a fully developed policy state as one in which everything about government has become negotiable and every public servant a policy entrepreneur. This, it seems to us, captures the momentum and direction of America's political development. At the very least, it pulls together much of what the recent work on state formation has been telling us.

## PATHWAYS TO THE PRESENT

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### Displacement

Politics entails a persistent testing of the status quo, and political development tracks successive alterations of the arrangements that maintain the status quo. To create something new in politics is, in the nature of things, to displace institutions, norms, or routines that exist. Some displacements cut wider and deeper than others through extant arrangements of power and authority. The overthrow of Jim Crow was a major displacement. It demanded extensive adjustments from elements, like federalism, that were carried forward, and it resulted in a thoroughgoing rearrangement of governmental operations overall. Compare that to the displacement of the old Civil Service Commission by the Office of Personnel Management. The rearrangement of authority relations here, though not insignificant, was relatively contained. We have in this case a metric of development. Displacements set the distance between past and present; the more they disrupt, the broader the ensuing rearrangement of authority is likely to be

and the greater will be the difference between the old system of government and the new. Displacements accumulate over time, magnifying distances and departures from points of origin.

To conceptualize development as a series of displacements is to call attention to the plenary nature of the state's authority. Change never occurs in a void; it is always negotiated against prior arrangements of government and typically substitutes one form of authority for another. Revolutions are events expected to displace authority categorically, their purpose being to dislodge whole systems of rule. In the United States, where reform has been the norm, decisive dismantling has been a rare event, and when it occurs, it is quickly contained (Chinn 2012).

The partial, often-attenuated character of the displacements observed in the development of the American polity has given rise to its own analytic vocabulary. Scholars compare evidence of outright "dismantling" to evidence of a "replacement" of bits and parts, or of a gradual "conversion" of earlier practices to new purposes (Thelen 2004), or of a "layering" of some new arrangement onto an older one (Tulis 1987; Schickler 2001). Reckoning with development through the metric of displacement shows the normal condition of the American polity as a contentious mix, an "intercurrence" of old and new elements (Orren and Skowronek 1994, 1996, 1998, 2004). Intercurrence is not only a hallmark of the historical construction of polities; it is itself a dynamic element. The incongruous juxtaposition of old and new norms, of old and new ideas, of old and new institutions is inherently unsettling. Intercurrence, as a normal condition of the polity, invites further alteration.

For much of American political history, displacement had a decidedly progressive cast, and pragmatic problem solving figured prominently in the common-sense accounts of the changes brought about. In the 1980s, however, empowerment of a long gestating conservative insurgency reversed field, calling into question the standards, programs, and procedures that had been established over the twentieth century in repeated waves of progressive reform. By assaulting bulwarks and priorities of government installed by progressives—by condemning their departure from founding norms as a mistake in principle, a failure in performance, and, in the near term, unsustainable—the conservative insurgency recast the modern American state as the source of the nation's problems rather than the solution to them. Scholarship was recast as well. With less to be taken for granted about either the past or the future, modern forms of rule were thoroughly historicized. With progressive norms under siege, scholars began to take a closer look at exactly how the twentieth-century departure in American governance was negotiated.

The primary target of the conservative critique was the national bureaucracy and the methods of its empowerment. The critics were challenging the efficacy as well as the appropriateness of the extensive machinery the federal government had acquired to manage social and economic relationships. APD scholars responded accordingly. The current generation of research began with studies of state building that connected the rise of national administration to the displacement of early forms of rule. Stephen Skowronek's *Building A New American State* (1982) described the expansion of national administrative capacities as a jagged and prolonged campaign under the pressures of

industrialization to open new avenues for governmental action against the tangled and entrenched arrangements of the nineteenth-century's "state of courts and parties." Research in this vein (e.g., Milkis 1993; Skocpol and Feingold 1995; James 2000; Carpenter 2001) described various mechanisms of displacement, but in each, administrative expansion was driven by categorically new demands on government and assessed in terms of the scope of the displacement of older forms. Success was tied to the contingent removal of prior constraints—constitutional, procedural, social, cultural—on federal action.

This research uncovered uneven, odd, and, at times, contradictory results. It documented rampant inconsistencies in twentieth-century state building—an advance for reformers here but not there, institutional relationships altered on one front but not another, new competencies secured in this area but not that. Party-based administration yielded to modern bureaucracy, and localism to nationalism, in incongruous exchanges (Skowronek 1982; Milkis 1993). Bureaucratic autonomy appeared in pockets amidst the stubborn persistence of congressional control elsewhere (Carpenter 2001); new forms of cooperative management took hold next to more strident forms of regulatory policing (Skocpol and Feingold 1995). By these accounts, the performance problems that draw so many complaints from today's critics are more appropriately tied to reform's shortfall than to its reach, to the fact that reformers' aspirations for a new mode of government far exceeded their ability to deliver. There is ample evidence in this work to support the charge that progressive reform has made hash of the original constitutional design, but here too explanations for the jerry-built character of the modern American state follow upon reform's irregular course. Twentieth-century state builders opened new terrain for political action by displacing what they could, where they could, and by making do with the rest. As improvisations accumulated, rules of action became less generalizable and more policy specific. The resulting system of authority has retained many of its older features but with practical working relationships transformed, operational inconsistencies permeate the whole, and the structure of government appears less determinative of outcomes overall.

Notwithstanding the limitations observed, there is little in this literature to inspire hope for reclaiming the governmental discipline lost to twentieth-century reform. The implication of the displacement observed is that the polity to which those old rules of action applied no longer exists. That point has been underscored by another line of research taking the displacement of older forms as the central developmental dynamic. Though the connection is seldom drawn out, there is a rough historical correspondence in the APD literature between the gradual reconstruction of American government to facilitate national administrative management and the displacement of legal rights that previously governed primary social relationships. In earlier days, the rights of slave masters, employers, husbands, parents over their respective subordinates, and officers in the separate states over the designated affairs of their respective citizens, narrowed the field of action left open to the federal government (Orren 2000). Fair to say, the original constitutional scheme, and the ideology of "limited" government that underwrote its legitimacy, depended upon the continued enforcement of the very legal rights in society that progressive reform movements would work to dislodge.

Research on the displacement of these rights points again to uneven and compromised results and to the insinuation of old systems and norms into the new (e.g., Smith 1997; King and Smith 2011; Valelly 2004; Frymer 2008; O'Brien 1998; Lowndes, et al. 2008; Mettler 1998; Lieberman 1998; McDonagh 2009). But though the dismantling of rights-based social hierarchies has followed a tortured course, and the victories for historically subordinated groups remain qualified, there is no argument that decisive shifts in government followed directly. In *Belated Feudalism* (1991), Karen Orren linked labor's emancipation from the constraints of a court-imposed common-law discipline to the expansion of political choice in industrial relations and to the wholesale expansion of lawmaking through legislation. This has been the recurrent pattern. The opening to public policy is the effect of these displacements, not just their rationale, leaving all rights—both new and remaining—more regularly contested, more assiduously managed, and more contingently balanced.

The cumulative impact of displacing rights-based social hierarchies and of reworking the governmental structures that supported them has been transformative. Notwithstanding the ongoing effects of the Constitution's multiple veto points and the stubborn persistence of cultural biases, the field of public action has been thoroughly redrawn. Legally and socially, politics is less firmly tethered than before; moves on all sides are less ritualized and more open to political manipulation. With the formal structure of government less strongly determinative of the range of discretion in any of its several parts, and with the rights of any one group of citizens less exclusive of the rights of all others, state operations have become less rule bound. This is the stark new reality both for conservatives who would limit government anew in the name of a return to first principles and for progressives concerned to preserve and protect hard-won advances. The new American state makes ever-more promises but offers steadily fewer guarantees. Successive displacements have expanded the commitments of government, but those commitments are more susceptible than ever before to the contingencies of political circumstances and the ambitions of institutional actors.

## Path Dependence

Studies of the displacement of older forms of rule have shown that breaking decisively with the past is difficult even under opportune conditions. Old rules die hard; the arrangements of government, once established, are not easily dislodged. The weight of history makes itself felt in a variety of ways. It figures in the grafting of old values onto new forms, and in the imposition of settlements made long ago as constraints on the range of action open to decisionmakers in the present. Contemporary conservatives wrestle with this reality every day: thirty years into their insurgency, the monuments of progressive state building remain.

This circumstance lends considerable currency to the idea of path dependence in assessments of modern American state formation. As displacement addresses the question of "what's new" in the development of American government and politics,

path dependence considers “what’s durable.” The two ideas play against one another in obvious ways, for the same factors that make an arrangement durable also make it harder to displace. In the leading work, *Dismantling the Welfare State?* (1994, also Pierson 2000a; Pierson 2004), Paul Pierson offered an explanation for the persistence of the governmental commitments which the newly empowered conservative insurgency had targeted for dismantling, and he identified conditions making it more or less likely that governing routines might persevere in the presence of hostile changes in the surrounding environment.

The path-dependent properties of development have been of particular interest in studies of public policy, and for evident reasons. As artifacts of political discretion, public policies are particularly vulnerable to the shifting currents of the day. Their persistence is indicative of their own formative effects, that is, of their success in having changed politics in ways that reinforce demands for their continued operation. Research in this vein scouts out the construction of “positive feedback loops” through which policy implementation refashions the political environment to comport with its particular purposes (e.g., Pierson 1993; Campbell 2005; Hacker 1998; Klyza 1996; Gottschalk 2000; Mettler 2005). Once a policy has “locked in,” that is, secured itself within a mutually supportive network of interests and institutions, it takes on the properties of a governmental subsystem, relatively impervious to outside forces.

As one might suspect, there is a critical period of uncertainty in the formation of these subsystems, and an important connection can be drawn in this regard between durability and displacement. Eric Patashnik makes that point in *Reforms at Risk* (2008), finding that new programs are especially vulnerable to the play of politics just after they are adopted, that is, before other institutions have accommodated themselves to the innovation through adjustments in their own operation. Often program advocates will need to engage in acts of “creative destruction,” attempting to clear away adjacent authority and change protocols of communication so as to provide the new policy with security and influence. To this extent at least, displacement is critical to the creation of the positive feedback loops that lock-in new developments and establish durable paths. Together, the two concepts point to a general definition of political development as a “durable shift in governing authority” (Orren and Skowronek 2004, 120–32).

There remains, however, an underlying tension between these two ideas, one that the literature on state formation has yet to confront directly. Consider each in its larger historical aspect: path dependence conveys the weight of past, the “sunk costs” that make it difficult to break with settled patterns, dislodge received arrangements, and change direction. The long history of displacements points to just the opposite: to a gradual discarding of elements that had once seemed fixed, to a widening of the field of conflict, to a diffusion of choices throughout the institutions of government, to an expansion of political discretion—in short, at least presumptively, to the opening of all parts of government and society to change. A clear view of the “path” of political development in the United States would suggest a polity that has become less “locked-in” overall; or to put it another way, any notion that the contemporary American government can “lock-in” its policy commitments must be balanced against results achieved earlier in American



history when policy remedies were less widely accessible and many more interests were locked out. The trend in APD research toward a focus on policy history is itself a reflection of the expanded range of discretion and choice, of just how much of government in contemporary America has become so much policy.

Absent awareness of this larger pattern of development, we will likely lose sight of the most telling features of the new state of affairs. Policy subsystems have proliferated upon the displacement of a prior discipline, one which employed other forms of rule and limited access to policy remedies. The loss of security overall is currently expressed in the growing list of qualifications and demurrers in assessments of path dependence as an analytic framework for understanding American state formation. Work on deregulation during the 1970s (Derthick and Quirk 1985) showed the pre-emptory dismantling of policy subsystems that had long been regarded as iron clad, so strongly fortified politically and bureaucratically as to appear immovable. Similarly, studies of agenda setting and of shifts in “political attention” (Baumgartner and Jones 1993; Baumgartner and Jones 2005) have suggested that every policy subsystem is a potential target, that a shift from apparent security to vulnerability can be, and often is, quite sudden. As the interregnum in American politics brought by the sustained assault on progressive priorities continues, scholars go on, now modifying the concept of path dependence itself to accommodate the notion of “policy drift” (Hacker 2005; Thelen 2004). This work shows that policies can be transformed by mere neglect, that a choice to let a policy stand is not necessarily a commitment to the broader status quo, that changes that occur in the environment that surrounds a policy can have a significant impact on that policy’s operations and effects. Pushing farther still: recent reassessments of social security policy, long the leading example of self-reinforcing effects in policy development, indicate an ongoing susceptibility to “programmatic” rule manipulations that variously dismantle, evade, reinterpret, or displace substantively important provisions (Jacobs 2010; Beland 2007).

This is not to deny the evidence that “new government policy creates new politics” (Schattschneider 1935) or that policies “lock in,” by degrees, here and there, and from time to time. In that sense, the study of path dependence all by itself tells us a lot about historical construction of modern American state. It accounts for the sprawling array and incongruous operation of relatively independent subsystems of government in modern America, it speaks to contemporary problems of central management and direction, and it explains why the affairs of state remain a good deal less volatile than the politics surrounding it. But all of this appears against the historical backdrop of greater susceptibility to strategic action. Risk, shift, drift, evasion, reinterpretation, manipulation—as more of government turns on policy, these are the features of state operations that grow more pronounced.

## Creative Syncretism

These same features also signal the opening of the state to agency and creativity. Nobody familiar with the story of how Alexander Hamilton used his office in the Treasury

Department to undertake the construction of a national political economy will be surprised to learn that the original structure of American government left much about state action undetermined and opened opportunities for officials willing to seize the initiative. The many rules that organize institutional relationships, at multiple levels, and frame relations of authority power have always been riddled with operational ambiguities. Innovations themselves serve to magnify slippages and multiply incongruities. A fixation on the veto points, or on the density of interest networks blocking concerted action, will likely cause us to overlook change fashioned on a continuous basis by political entrepreneurs who achieve their ends by exploiting rule ambiguity and the protean nature of governmental forms (Sheingate 2007; Mahoney and Thelen 2010; Carpenter 2001; Carpenter and Moore 2007; Hattam and Lowndes 2007).

Though agents of change figure prominently in all the literature on state formation, APD research has been slow to elaborate a conception of agency that corresponds to the political universe depicted in its case studies (Skowronek and Glassman 2007). The regular emphasis on architecture, structure, rules, and constraint—on the difficulties of displacement and the pervasive evidence of path dependence—might well seem at cross purposes with the field's professed interest in political dynamics, in highlighting *development* and elaborating upon its significance. Critics have charged that this imbalance leads to distorted depictions of the American experience, that the emphasis on gridlock and the many observations of labored, delayed, or attenuated development, are hard to square with the evident persistence of state action and innovation. Some scholars have traced this imbalance to the invocation of comparative perspectives, and, in particular, to the adoption, often implicit, of standards of evaluation drawn from European models of state organization and operation. Eschewing those standards as misleading and inappropriate, they urge the elaboration of a theory of state formation that credits the pervasive creativity of agents inherent in all complex institutional settings, and, in particular, the plasticity of the American system.

Gerald Berk and Dennis Galvan have advanced this position with the idea of reorienting historical research theoretically around the concept of “creative syncretism” (Berk and Galvan 2009; also Berk, Galvan, and Hattam 2013). Their claim is that “all institutions are syncretic, that is, they are composed of an indeterminate number of features, which are decomposable and recombinable in unpredictable ways,” and that “action within institutions is always potentially creative, that is, actors draw on a wide variety of cultural and institutional resources to create novel combinations” (Berk and Galvan 2009, 543). As the basis for a theory of action, creative syncretism purports to make sense of much of what the literature on state formation has found to be routine—intercurrence, conversion, drift, reinterpretation, rule manipulation. The syncretic approach argues for a new program of study, raising doubts, for instance, about the utility of period boundaries that have traditionally divided American political history and separated past from present. “Time does not cordon institutions off from one another” because “it is always possible for creative actors to find resources for recomposition by reaching across temporal boundaries” (Berk and Galvan 2009, 558). By bridging period divides in favor of a more continuous history of political entrepreneurship in institutional settings,



scholarship along these lines serves to dissolve the analytic dichotomies that have long organized much of the APD literature: structure and action, order and change, path and juncture, regularity and perturbation.

To anchor a syncretic analysis, Berk and Galvan propose a return to pragmatism. They hitch their program to the philosophy of John Dewey, in particular, to the priority Dewey assigned to human agency in social reformation. Thus, it might be said that as work on displacement looks to “what’s new” in the development of the polity, and work on path dependence looks to “what’s durable” in the development of the polity, creative syncretism directs attention to “what’s American.” A similar appeal informs the work of a burgeoning group of American historians. In a lead chapter, William Novak draws on the insights of America’s pragmatist philosophers to redirect the study of state formation away from “metaphysical debates about definitions, essences, norms, formulas, models, and first principles” and toward the practical effects of officials-in-action, in particular toward the efforts of those in government and politics to deploy the “infra-structural power of the American state to penetrate civil society and implement policies throughout a given territory” (Novak 2008, 763). A focus on practical action and experiential problem-solving will, Novak argues, debunk “the myth of the ‘weak’ American state,” and connect government in early America more directly and harmoniously to the superpower it has become.

Taking a new look at American government in the nineteenth century, these historians have begun to telescope the whole of American state formation through the modality of pragmatic action. Treating differences among periods as “technologies” of practice, their method shows that much of modern state activity was anticipated in earlier forms. One way or another, Americans have always demanded the services of a strong central government (Edling 2003). One way or another, the American state has always been a robust promoter of national development (John 1998; Balogh 2009); it has always supported administrative autonomy and national regulation (Mashaw 2012); it has always been in the business of welfare provision (Novak 1996; also Skocpol 1995; Jensen 2003).

Invoking transhistorical models of development and discovering substantive parallels to present-day activities diminishes the novelty of twentieth-century departures. In that respect, the new pragmatic history of state formation could not be more timely. It offers a potent corrective to conservative critics in our day who claim that the modern American state is somehow un-American, that twentieth-century state-building has been in all important ways a deviation from the nation’s original impulses, and, most importantly, that there is a different, more authentic tradition to which we might return, at least with regard to the role of the state. But the historian’s reminder that Americans have used government to solve problems all along—that they have consistently relied on an activist state—also challenges the political scientist’s penchant for demarcating historical breaks, for distinguishing old and new, for belaboring the obstacles to innovation, and for ferreting out unintended consequences. The outstanding question to those studying developmental processes is how far we can go in disowning “problems” of state formation in favor of a seamless narrative of responsiveness and instrumentalism.

In this regard, it is worth pausing to recall that the pragmatist philosophers on whom the theorists and chroniclers of syncretic action lean for authority had a historical agenda of their own. Their argument for the primacy of agency was trained on what they saw as the polity's excessive attachment to received rules in a critical period of industrial transition. Their method was not merely a cultural expression of "the American way," or for that matter, the only such expression at the time. Pragmatism was part of a widespread "revolt against formalism," a movement that rejected received conceptions of authority, demanded a new way of governing, and that fueled progressive state-building efforts. (White 1949; also Orren 1992; Gillman 1997). None in this movement glossed over the systemic adjustments necessary to accommodate a new economic and social order, or the difficulties of navigating away from the liberalism of the nineteenth century to a new, more pragmatic state, or the cultural obstacles standing in the way of citizen empowerment and creation of an effective public. Timely as it is, then, an account of American state formation buttressed by American pragmatism does not dissolve the dilemmas of development. Indeed, as the conservative insurgency has insisted, pragmatic departures raise conundrums of their own.

## THE DEVELOPMENT OF A POLICY STATE

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Scholarship thrives on variety and contention. There is nothing gained by submerging differences or forcing connections. Still, these three analytic perspectives on state formation seem to us to align with one another and to suggest something more than a sum of their separate insights. In fact, looking more closely, it is not entirely clear where the contenders lock horns. It is easier to describe how they diverge and to appreciate the different episodes they bring to light than to weigh their relative advantages for a definitive choice.

For instance, there is little disagreement with the new pragmatic historians that government was a significant force in early America, that the American state was active from the beginning and always of great consequence for national development. None of the three perspectives lends support to a colloquial shorthand that would reduce development to a shift from a "weak" state to a "strong" state, or a "small" government to a "big" government, or even from "less" government to "more" government (Orren and Skowronek 2004, 20–4). For all its other merits, this part of the historians' new account of state activity in the nineteenth century has been, as it were, pushing against an open door.

The return to pragmatism in historical assessments of state formation does stand apart from the other two perspectives in its treatment of matters of form and structure. To focus on displacement or path dependence is to approach preexisting arrangements of state power as constraints, difficult to dislodge, and with both approaches, the process of transition from one set of arrangements to another is implicated in political developments long afterward. Creative syncretism, by contrast, describes government as

flexible, forms as fungible, outcomes as open-ended, structures as protean, transition as perpetual. On close inspection, however, even this difference is hard to pin down. The first two approaches hardly deny that constraints can be overcome through political action; they merely observe that some have been more difficult to overcome than others. Similarly, they do not claim that early American government belabored all innovation, that it was so rigidly structured as to filter out all but minor changes; their interests rather lie in degrees of openness and in arenas of action in which responsiveness and creativity were more attenuated. Evidence of plasticity, fungibility, and improvisation in state formation, continuously and from the beginning, does preclude evidence on other fronts of engrained constraints that required extraordinary effort to dislodge or of systemic shifts attendant upon their displacement. Much of what has already been said about displacement suggests that American government has become *more* pragmatic, *more* open-ended, *more* “syncretic” as prior rules and limits have lost their grip, that political development registers its effects by rendering forms and structures more permutable or open to recombination, that creative syncretism is a mode of action that has gradually expanded its range against barriers that once contained entrepreneurial manipulation and cordoned off discretionary choice. But to know this empirically, we require a more systematic understanding of constraints, of what in particular they inhibited, and the consequence of their successive dissolution.

Our intuition is that these different lines of investigation point to something that has yet to be addressed directly, and our aim is to capture that missing piece of the puzzle by introducing the concept of a “policy state” (Orren and Skowronek forthcoming). Thinking about American state formation in terms of the development of a policy state recasts the analytic choices offered above, allowing variations in the developmental processes observed to suggest the substantive variables upon which development turns. The “policy state” refers to those aspects of governance that have, at any given time, been thrown open to elements of agency, discretion, and choice. The policy state’s “development” connotes a historical sequence of overcoming limits on—well—policymaking, that is, the removal of obstacles to agency, discretion, and choice as it has occurred over time. Driven by the pressure to resolve problems in society, this development has accelerated through to the present day where it has come to encompass virtually all aspects of governmental operations (see also Wilson 1979).

Consider as a starting point, the shift in the 1780s from the Articles of Confederation to the Constitution. This was a major step in the development of a policy state in America and it set the pattern for future changes. The impetus was eminently practical: to address urgent matters of national security and trade, and to instill in the national government the authority to act independently of the several states for those purposes. This unshackling of agency and expansion of choice at the level of national decisionmaking entailed a significant reshuffling of authority relations throughout the entire governing system. But it only went so far. The Constitution’s ratification hinged on protections offered to authority operating over other spheres. Its elaborate structure was designed, in large part, to provide assurance that the new policymaking powers were limited, cordoned off. Developments moving forward tested these limits as political conflicts gravitated

immediately toward the Constitution's ragged seams and boundaries. These conflicts held in the balance the containment of policy and its further erosion of limits on power. Whenever formal barriers to policymaking fell, governmental relationships throughout the system had to be reconfigured and over the course of multiple iterations, governmental operations at large were transformed.

## Toward a Theory of the Policy State

The broad outlines of this story are familiar, and tracking the process of policy's expansion is a program that should pull together much of what has been written about other aspects of political development in America. The old "realignment synthesis" may, for example, be said to mark major breakthroughs for policy against prior proscriptions. But if the concept of a policy state is to be worthy of consideration, it should do more than just synthesize what is already known; it should also redirect inquiry in timely and productive ways.

As we see it, our formulation prompts more careful thinking about policy as a distinctive method of governing, one with its own attributes and entailments, and its own patterns of transition (Orren 2012; Skowronek 2009). By and large, government by policy is now taken for granted. The rule of policy has become so pervasive and varied in its applications that we seldom take its measure as one way of governing among others; nor do we pause to identify the alternative ways in which government has expressed itself in American history. By historicizing policy as a way of governing, our inquiry leads directly to consideration of what was "not policy" in the early American governance, of those aspects of government in the past that were more or less closed off to official discretion, and political choice. In this way, a study of the development of the policy state opens inquiry into how a system of government which once balanced different methods of rule has adjusted to the dominance of one method over all others.

To have a "policy" is to have an active commitment to a goal or designated course of action, one undertaken authoritatively on behalf of a given entity or public, with accompanying guidelines rationally aimed at the goal's accomplishment. None of these attributes of policy is controversial, but on inspection each element in this definition is fully laden with implications. "Commitment to a goal or designated course of action" means policy is intentional, discretionary, willfully "set." "Made authoritatively on behalf of a given entity or public" is a condition of legitimacy; it references an expectation of compliance by others. This characteristic also anchors policy in a foundation broader than individual policymakers and anticipates mobilization of whatever social resources may be implied. "Guidelines rationally aimed at its achievement" signals the play of discretion in implementation and the orientation of policy toward performance under variable conditions. "Guidelines" captures better than "rules" policy's pragmatism, its openness to learning and reassessment, and to the likelihood of incremental adjustments down the road. Guidelines also suggests a point beyond which a policy may be said to have been abandoned or decisively shifted.

The unifying theme of policy's several attributes is openness to the future. Its orientation is creative, positive, instrumental, calculating. Policy is a style or method of rule animated by circumstances, by social and political problems as they arise, by long- or short-term goals, and by expected results. As a normal aspect of government, policy always implies trial-and-error corrections, potential reversals, and supplementary policies to come. This forward-looking disposition establishes policy's constitutional home-base in the legislature, alone dedicated to the making new law, though here as elsewhere, policy's pragmatic, problem-solving gist breaks down any such narrow confinement. The gradual saturation of all state operations by considerations of policy is the essence of the development of the policy state. Even so, and except for instances of express constitutional or legislative delegation, the making of new law outright, as opposed to its enforcement, is still subject to branding as illegitimate when it occurs outside Congress. Therein lays a good part of the predicament of the policy state in contemporary America (Lowi 1969).

The opposite of policy is not "no policy." A decision not to set a policy can be a positive determination to let existing arrangements stand. This is what the Obama administration did in its early years with regard to gay marriage. In recent years, we have also seen that a decision not to set a policy can be a programmatic determination to let existing arrangements drift and atrophy. The contrast we wish to draw is more thoroughgoing and schematic, that is to say, the opposite of policy must be government by standards that run directly counter to policy's animating attributes. Think of a complete inversion of policy's ideal type. This would be government that is substantively and procedurally determined in advance, that looks backward in time to precepts that constrain choices and changes; it would be government that is animated to uphold and perpetuate a prescribed order, whose rules are compulsory, applied strictly and pointedly to those preselected, on the expectation that they operate timelessly, locked in to the settings in which they appear.

The opposite of policy's attributes in fact turns out to be something historically familiar—government animated by rights. Whereas rule by policy is impersonal in character, subordinating individuals-at-large to the goal or the course set out, "rights" are claims, enforceable in a court of law, which one person, in or out of the government, may make against the actions, persons, or property of another. Rights are asserted not expediently, but on the basis of ascribed status or position, relative to another. To be sure, rights have origins; at some point they were agreed to or "legislated"—by an English monarch, or a Constitution, or an amendment, or in some cases, especially recently, by the legislature alone. But onward from that point, rights are understood to function *a priori*, as "natural" or established features of an ongoing government, features that in disputed instances will be "found" or "affirmed" rather than "made" or improvised. If adjudication of rights results in court opinions that are discordant with well-rooted expectations there will be charges of "judge-made law."

As a matter of law, rule by right occurs within jurisdictions; taken together jurisdictions comprise authority in society as a prescribed and coordinated system of

discretion and command. Jurisdiction means, literally, “the right to say what the law is,” and is most commonly associated with the rights of government officers and of public institutions, as in “states rights.” That is what James Madison had in mind when he argued that the elaborate system of checks and balances in the Constitution would regulate and contain policymaking at the center by tying “the interest of the man to the constitutional rights of the place” (Madison 262). Jurisdictions actively articulate government structure, their distribution across the institutions of the state make up separate spheres of authority and myriad points of intersection between (collective) constraint and (individual) motivation. The realms of private life—families, corporations, churches—are likewise sites of jurisdiction, albeit of a less formal variety, but parallel in their relations of privilege and rule. Jurisdiction implies autonomy, for the state of Virginia, for instance, or for the slave master, or for the husband—each within a designated sphere.

This may seem an outdated conception of how rights function, that it misses important changes how they have been organized and administered over the last half century. But this is precisely our point: the impact on rights of policy’s expansion has been substantial. An examination of the development of the policy state in America might fruitfully begin here, with the erosion once-sharp distinctions between these two methods of rule. The “rights revolution” of the twentieth century placed a vast expansion of policy’s reach in government; at once, policy displaced older rights and created new ones. The new rights, unlike the old, were neither backward-looking nor preservative; on the contrary, they required an extensive transformation of the existing state of affairs for their expression. As a sustained assault on the boundaries insulating rights in personal relations from policy, the “rights revolution” went far toward an erasure of the distinction between protecting an ascribed status and prescribing a new set of social relationships to be promoted pragmatically and programmatically. Workers’ rights, woman’s rights, minority rights, welfare rights, children’s rights—all called upon policy to fill the breach left by displacement of older jurisdictional prerogatives. Because each of these rights is more dependent than the old on elaboration through policy, each has also become less absolute, more susceptible to balance against the others, more a guideline than a rule. There are, to be sure, more rights that claim protection now than ever before, but that itself means a wider range of considerations is taken into account in the protection of any one. In the course of their development and dispersion, rights have lost much of their historical resistance to policy and their indifference to the exigencies of the moment. They have become more fully integrated into programmatic governance.

Something similar can be said of the impact of policy’s expansion on the structure of government. The gradual erosion of the institutional boundaries erected by the Constitution to contain policy is well documented. “Dual federalism” gave way to “cooperative federalism,” and state interposition gave way to “intergovernmental relations.” The rights carried into the original governmental frame, including the Bill of Rights, reinforced the constitution’s structural divisions; modern-day improvisations—consider, for example, the independent regulatory commission or the secret



FISA court—relax them. By prioritizing performance over form, policy assumes an aggressive stance toward structure. The developmental effect is to break down jurisdictional divides. As policy is called upon to do more of the work of governing, the Constitution's intricate division of labor comes to operate less as a containment structure than as an opportunity structure. Officials in all the branches and levels of government now act as policy entrepreneurs. They maximize the power afforded by the positions they hold to advance their policy preferences and, by advancing policy, they strengthen the positions they hold. Formal demarcations of the terrain on which they compete have lost much of their historic correspondence to substantive specialties: "Congress-as-administrator;" "president-as-legislator." As the play of syncretic manipulation and recombination has opened wide, it has become harder to draw rules from structure or to distinguish between institutional constraints on policy and the policies of the moment.

Broadening the analysis still further, one might consider the impact of policy's expansion on American politics at large. Take, for example, party politics. Trust in the policy-constraining effects of jurisdictional divides helps explain the curious failure of Framers to predict the rise of parties, with their capacity to bridge institutional divisions and to coordinate action among the different parts of government on behalf of programmatic ends. And yet, though party organization presented an early and serious complication to the constitutional containment of policy, the relationship between party and the development of the policy state has been anything but straightforward. For one thing, for most of American political history, party competition at the national level tied programmatic appeals closely to jurisdictional disputes—for or against congressional prerogatives, for or against executive prerogatives, in defense of states' rights or of national authority. For another, the early occupation of federal field offices by local party organizations eventually became an impediment to the development of problem-solving capacities at the national level. Long into the twentieth century, the expansion of the policy state was either anti-party in its orientation or concerned to rebuild party organizations in ways that would be less beholden to structural commitments and more responsible for the promotion of national programs.

The irony is that today, with both the policy state and programmatic parties more fully formed, the relationship between them has become even more fraught. Old jurisdictional disputes continue to hold cultural and ideological resonance, so that instead of just competing on alternative policy programs, American parties have recently begun to polarize around the legitimacy of the policy state itself. One organization has become an unabashed defender of this state, stalwart in its promises to solve problem as they arise but stuck with pragmatic juggling of the increasingly unwieldy set of programmatic commitments already on hand. The other organization has become an increasingly radicalized critic, driven by its memory of limits to reject outright the problem-solving ethos of the policy state and to assault the system broadside as an intolerable betrayal of original understandings.

## WHAT GOES AROUND COMES AROUND

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The great legal historian, James Willard Hurst once remarked: “I do not find it profitable to distinguish ‘law’ from ‘government’ or from ‘policy’” (Hurst 1977). Looking out over the operations of American government today, it is easy to appreciate that unabashedly pragmatic disposition. A state in which differences among law and government and policy have all but dissolved is one in which all aspects of authority have been opened to negotiation and subject to performance standards (Eskridge and Ferejohn 2010). But just as surely as Hurst caught the drift of affairs, his casual dismissal of historic differences should give contemporary scholars pause. We are made aware every day that the field of action was not always so uniform and that its subsequent leveling has had real consequences. Constitutionally, politically, and culturally, the United States is reaping the policy whirlwind, caught in the cumulative effects of problem-solving and the collapse of once-meaningful distinctions.

The American state was framed in the midst of a world-historic turn in governance. The Constitution juxtaposed two modes of rule, intercurrently as it were. One, rule by policy, was ascendant and aggressive, the other, rule by right, was defensive and, as a consequence, refortified. Governing was not yet an either/or proposition; the assumption was that each method would have had its own spheres of operation. The Constitution provided for both, its elaborate jurisdictional arrangements anticipating mutual containment and marginal adjustment. But the displacement that began at the start was not so easily tamed, and this finely articulated structure has borne the brunt of later-day developments. Its distention and distortion are reflected today in contemporary concerns about congressional dysfunction, presidential aggrandizement, judicial activism, and the reliability of rights; they frame the knotty issues that surround bureaucratic accountability, federal mandates, social provision, and party polarization. The effects haunt the efforts of contemporary progressives to vindicate themselves against ever-more stringent standards of performance and the efforts of contemporary conservatives to retrieve “original intent” now that performance has eroded all other standards of rule. These are developmental problems, products of the path pursued. Their original resolution hovers over every aspect of the contemporary predicament.

To better understand the relationship between past and present, we need all the tools at our disposal. With the concept of path dependence, we can account for the development of an incongruous array of subgovernments in the modern American state, and with the concept of creative syncretism, we can account for the responsiveness and malleability of governmental forms. These stories are not as incompatible as they may seem, but each on its own is incomplete. A different but equally incongruous array of sub-governments defined the early American state. Those older forms were firmly “locked-in,” legally and socially, so much so that they were not dislodged until they became, under the pressure of mass insurgencies, wholly unenforceable. The development of the policy state connects these dots, and as it displaces older forms, clarifies the distance travelled.



This process has brought a switch from rules to guidelines, a growing politicization of rights, and a transformation of the government's elaborate divisions of labor into a disjointed platform of entrepreneurialism.

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## CHAPTER 3

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# ANALYZING AMERICAN POLITICAL DEVELOPMENT AS IT HAPPENS

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THEDA SKOCPOL

DECADES ago, political science and most other major social sciences were thoroughly dismissive of history. Empirical studies focused on present-day patterns of economics, society, and politics—and theories stressed ways in which current variables influence simultaneous outcomes. The past was, at best, considered a storehouse of examples to be plugged into theoretical boxes insensitive to change over time. All of that has changed, of course. Historical–institutional approaches in political science track the development of states in relation to other institutional systems and consider how state structures affect the formation and political clout of interest groups and alliances (Pierson and Skocpol 2002). Policymaking itself becomes not just a “dependent variable,” as scholars probe the ways in which prior policies influence later politics by affecting government capacities, the goals of interest groups, and the attitudes and behaviors of citizens (Pierson 1993, 2000; Mettler and Soss 2004).

Even so, the study of “American political development”—the subfield in which historical institutional arguments have been most fully developed and applied—brings to mind tomes on state-building in the past and long-term trajectories of policy development. Classics such as Stephen Skowronek’s *Building a New American State* (1982), Daniel Carpenter’s *The Forging of Bureaucratic Autonomy* (2001), and Jacob Hacker’s *The Divided Welfare State: The Battle over Public and Private Benefits in the United States* (2002) set the mold for the study of American political development. Rarely do we think of “APD” or “HI” (that is, historical institutionalism) as tools for illuminating current-day politics and unraveling contemporary policy battles.

But any analytical perspective that is truly powerful has to make sense of contemporary twists of history, not just explain events long past. I am not talking about simple prediction of what happens next. No branch of political science is really all that good

at nailing specific outcomes (even much-touted presidential election models prove correct only some of the time). Forecasting precise happenings aside, a powerful theoretical approach should give clear guidance about questions worth asking and explanatory factors that need to be taken into account to make sense of outcomes of interest and highlight alternative possible directions of change in the future. In my view, that is precisely what historical institutional analysis does very effectively—much more effectively than approaches that try to read politics off immediate economic conditions or current public opinion or the most recent election outcomes.

Here I make the case for the relevance of historical institutionalism to analysis of current political junctures by briefly discussing two major studies I have recently worked on—using them to highlight the basic ingredients of a powerful APD approach to the politics of the here and now. In essence, I sketch the answer I give when people say “I thought you were a historical political scientist; why are you studying current events? Have you given up on your previous theoretical and methodological approaches?” No, I haven’t. Recent projects I have done with collaborators deployed basic historical-institutional approaches to address key puzzles about the early Obama presidency:

- How did a reform-oriented president, resoundingly elected in 2008 along with Congressional majorities in his party, manage to accomplish major policy shifts yet in the process provoke and empower political opponents much more than he satisfied and mobilized supporters? Along with a working group of other historical institutionally oriented political scientists and political sociologists, this is the puzzle I tackled in *Reaching for a New Deal: Economic Meltdown, Ambitious Governance, and Polarized Politics in Obama’s First Two Years* (Skocpol and Jacobs 2011).
- Why did the Republican Party lurch further rightward after a big defeat in 2008—and how are we to understand the goals and capacities for leverage of Tea Party forces that propelled this shift? This was the question Vanessa Williamson and I addressed in our book *The Tea Party and the Remaking of Republican Conservatism* (Skocpol and Williamson 2012).

My collaborators and I tackled these puzzles in a characteristically historical-institutional fashion, by tracing multiple tendencies and levels of politics into and out of the key policy battles and political episodes. We did not look only at public opinion or voting trends, or solely at interest group maneuvers, or strictly at Congressional agendas and votes. All of these were taken into account, but all were tracked over time and placed in institutional contexts. What is more, each study (as well as Skocpol 2012, a set of lectures I delivered based on them) situated policy battles in the Obama era in relation to previously enacted and implemented public policies. Obama arrived in office promising to remake federal policies, but taxes and social benefits already in place set an important part of the context in which current political battles unfolded. Prior policies influenced ideological and social cleavages and powerfully conditioned the results that followed from immediate victories or defeats.

For each set of puzzles investigated—the ironic politics of the early Obama presidency and the extremist turn of the Republican Party—I will briefly explain the overall approach and findings, and then highlight the historical–institutional analytic strategies that proved especially pivotal for making sense of the conflicts and developments at hand. The study of American political development has always stressed timing and sequence, institutional contexts, and policy feedbacks, and these central tenets are just as important to deciphering immediately unfolding political transformations as they are to making sense of events and trends in the past.

Years ago, in my book *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Skocpol 1992, Introduction), I laid out the basics of the kind of historically oriented historical–institutional approach I rely upon. Several analytical strategies are basic to what I called a “polity-centered approach”:

- In analyzing episodes of political conflict or policy change, situate the goals and actions of officeholders and political leaders in relation to preexisting governmental organizations, institutional rules of the game, and existing political party organizations and systems. Such prior organizational arrangements facilitate certain lines of action and block or frustrate others. Many commentators, for example, have attributed to President Barack Obama’s personality certain tactical choices of his presidency that are better explained in institutional terms—such as his administration’s choice to pursue some goals through administrative and regulatory action when the realities of Congressional rules like the filibuster made legislative progress impossible.
- The organizational structures and rules of government and political party systems also influence possibilities for action and coalition formation by social movements and economic interest groups. In the U.S. polity, for example, a duopoly of two major parties is very difficult to displace in an election or two or three, no matter how far one of the two major parties moves from the ideological center in any given period—and that means that extremists can, for a considerable time, capture the agenda of a major party, as the Tea Party has done in the contemporary U.S. Republican Party.
- Finally, prior public policies always shape the interests, goals, and political possibilities of actors striving to shape or reshape policies at a later time. Such “policy feedback” effects must be tracked, because prior policies shape government capacities, create vested interests, and influence values and conceptions of what government can and should do. In the present studies, I took full account of the prior policies that existed—and did not exist—in America’s peculiar form of the welfare state circa 2000. That welfare state had generous social benefits for the retired elderly, but left gaping holes in protections such as health insurance for younger Americans, holes that Obama and the Democrats set out to fill. And that welfare state had recently shifted its overall mix of public social policies away from highly visible public spending such as Social Security and toward a whole series of tax breaks and hidden social spending that would have to be changed by any reformist president, but without many citizens understanding what was being changed or why.



In short, all of the basic analytical strategies outlined long ago in my first major study of the American welfare state of the late nineteenth and early twentieth century have been again deployed in my more recent studies of U.S. politics and policy changes in the early twenty-first century.

## BREAKTHROUGHS AND BACKLASH IN THE EARLY OBAMA PRESIDENCY

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Making sense of the early presidential accomplishments of Barack Obama and his Democratic Party allies must start by noting the central paradox of that pivotal moment: an ambitious coalition won a big election and set out to change the direction of several decades' worth of U.S. social policy and tax policy. It actually accomplished quite a bit of such change remarkably quickly, but the political results were not as expected. That combination of breakthrough and backlash has to be understood in the context of the government capacities and array of entrenched policies already in place, plus the imbalanced political opportunities existing U.S. political arrangements afforded to potential supporters and opponents of President Obama's reform program.

Just weeks after the 2008 election, the cover of the November 24, 2008, issue of *Time* magazine featured a broadly grinning Barack Obama wearing a fedora and riding F.D.R.-style in an open convertible car, a cigarette in a long silver holder jutting from his lips. The issue trumpeted "The New New Deal" and the title story argued that the stage was set for the incoming Obama administration, backed by robust Democratic majorities in Congress, to fashion public programs and tax measures that would help a majority of Americans—and pay off politically by cementing Democratic dominance for years to come (Beinart 2008, 30–32).

*Time* might have been a bit over the top, but many pundits at the time agreed that momentum in U.S. politics lay with the Democrats. After all, the new president-elect was backed by a broad, cross-regional and multiracial coalition dominated by voters under age 45, and most Americans seemed to be looking to Obama and Washington for (as Obama's campaign slogan put it) "change you can believe in." By contrast, Republicans were virtually written off by many pundits, after losing the presidency, Congress, and many state houses. They remained in the unpopular shadow of outgoing President George W. Bush and were reduced to a hard core centered in the once-Confederate South and the inner-West. Obama and the Democrats appeared to enjoy an extraordinary opportunity to use federal government power to counter the economic downturn and begin to reverse the increased inequality and spreading social insecurities of recent decades. If Obama Democrats could fashion a second New Deal, political good fortune was thought likely to shine for some time on the new president's party.

Within two years, such prognostications looked silly. Obama's popularity declined only months into his presidency. In January, 2010, Democratic Congressional clout



took a big hit when a special Senate election in Massachusetts to fill the seat of recently deceased liberal lion Ted Kennedy shockingly resulted in victory for a conservative Republican backed by populist protesters in the Tea Party. Nine and a half months later, gale force winds hit Democrats, who lost sixty-three seats as very conservative, uncompromising Republicans took firm control of the House of Representatives. Republicans also won twenty-three out of thirty-seven gubernatorial races and made huge gains in state legislatures just prior to redistricting decisions following the 2010 census.

Sheer policy failure did not cause the turnaround from 2008 to 2010. President Obama and the Democrats of the 111th Congress fashioned landmark pieces of legislation for comprehensive health reform, the revamping of higher educational loans, and the regulation of Wall Street financial practices (for the overall record, see Skocpol and Jacobs 2011). The Obama administration used cabinet powers to spur school reforms, improve health and safety enforcement, enforce immigration laws, and tackle environmental threats. Economists of various persuasions and the non-partisan Congressional Budget Office agree that the fledgling Obama administration and Congressional majorities also took the basic steps necessary in 2009 to cut short a financial crisis, prevent the sudden disappearance of the U.S. auto industry, and forestall overall economic collapse into a second Great Depression. During 2009 and 2010, America's beleaguered economy turned from nearly unprecedented contraction to gradual growth. All this happened as the White House pulled back from the protracted bloodletting in Iraq and, as Obama had promised during the 2008 campaign, redoubled the military effort in Afghanistan in preparation for starting a pullback in 2011.

What happened to that "*new* New Deal?" Notwithstanding major policy accomplishments in line with what Barack Obama promised the electorate in the historical 2008 contest, why did political payoffs fail to materialize for the Democrats—and indeed, why did vanquished Republicans so quickly gain new electoral ground? Certainly, a number of factors were bound to create an undertow for the Obama presidency. U.S. electoral outcomes normally swing back and forth—and a rebound for the out party is especially likely in midterm Congressional elections when the other party controls the presidency and both Houses of Congress. For Obama, the swings were likely to be greater than usual, because older, richer, and whiter voters, are the ones most likely to turn out in midterm elections—and according to exit polling for the 2008 election, these were the demographics least enamored of Obama. In addition, it has long been documented in survey research that Americans are ideologically cautious about strong government or government activism—so any early achievements by the Obama administration likely would arouse popular opposition or wariness.

These factors helped afford Republicans extraordinary opportunities to block much of what Obama wanted to do, while at the same time gaining sufficient voter support to gain major ground in the next election. In additional, institutional realities magnified the possibilities for GOP obstruction. The Republican Party was already polarized far to the right when Obama took office in 2008, yet it did not depend on general popularity to react against Obama initiatives, because minority levers were available given existing rules of the U.S. Senate, including the possibility of filibustering any measure that

could not get sixty or more votes. From the day Barack Obama moved into the White House, GOP leaders in Congress decided on a strategy of all-out obstruction, refusing to allow Republican votes for bipartisan measures the president wanted, no matter how many compromises he offered. Overall, the strategy worked, as the GOP leaders knew it could, because most American voters do not understand the details of Congressional procedures, and because President Obama and his party were certain to face a midterm election well before any full economic recovery from the Great Recession could take hold. Voters tilted toward older white conservatives would have only two choices in 2010, given the party duopoly that structures U.S. politics, so Republicans were bound to benefit from any popular disillusionment.

To be sure, Obama's push for changes in federal policies started out strong. The new president enjoyed sky-high public approval ratings and quickly persuaded Congress to pass the American Recovery and Reinvestment Act (the so-called "Stimulus") that injected nearly a trillion dollars into the economy and included initial resources for new policy initiatives in education, clean energy production, and healthcare (Alter 2010, 135–137). Congressional Democrats passed and Obama quickly signed legislation about fair pay and children's health insurance that had been vetoed under President Bush. The president's first budget proposed to trim subsidies to favored private industries and tax cuts for the very wealthy in order to shift resources toward broadening access to higher education, stimulating K–12 school reform, paying for health insurance for all Americans, and encouraging new environmentally friendly practices. Following this blueprint, Obama soon urged Congress to work on bold legislation for comprehensive health reform, on a new national energy policy, and on tightened regulation of Wall Street practices. In addition, the administration used regulatory and administrative measures to make changes in other key domestic policy areas such as labor law reform and immigration reform.

Although energetic, the Obama administration's efforts were soon slowed and obstructed by extraordinary partisan obstruction and intense political blowback and undercut by lack of enthusiastic support among many of the voters who supported Obama and Democrats in 2008. More than the usual political swings fuelled the huge turnarounds of 2010 and ensured that policy change would not lead to immediate political payoffs for Obama and his party.

The methods and theoretical insights of historical institutionalism help to make sense of what happened, by revealing the ways in which timing, institutional constraints, and long-term trends shaped the successes and failures of the fledgling Obama presidency. My collaborators and I proceeded by comparing the launch of the first New Deal of the 1930s and the early efforts of Obama's change-oriented presidency. We did not presume that Obama's early presidency was similar to the original New Deal; rather, we used the comparison across eras to highlight contrasts between two periods of reformist Democratic politics amidst deep economic crises. Our full analysis explored many macroscopic and temporal factors that shaped and limited Obama's accomplishments, including the extreme partisan polarization that had already aligned ideology and party very closely well before 2008 (Skocpol and Jacobs 2011, ch. 1). Many

previously entrenched features of U.S. party politics, and media institutions created opportunities and blockages for both President Obama and his supporters and the interest groups and social movements that were determined to block or defeat any second New Deal. I cannot present the full analysis here, but I will discuss in detail two sets of insights that emerged from the cross-temporal comparisons I used—first, from highlighting the nature of the economic crises and timings of arrival in office of FDR in the 1930s versus Obama in 2008–9, and second, from grasping the difference, politically, between a New Deal that launched new federal government initiatives and a second New Deal aiming to revise and redirect already entrenched federal programs and practices. As a developmental approach would suggest, sequences, timing, and prior policies and politics condition what can be done, and with what political consequences, even by popular and powerful U.S. presidents.

## **Reformist Presidents Confront Economic Meltdowns**

The timing and nature of economic crisis is the place to start for understanding why managing a national economic emergency does or does not reinforce reformist policy undertakings or reward them politically. Franklin Delano Roosevelt and Barack Obama both came into office as change-oriented Democrats, but sequences of developments plus the nature, and severity of the economic crises each faced explain crucial differences between Obama's debut in 2009–10 and FDR's launch of the New Deal during 1933–4. Roosevelt moved into the White House several years into the Great Depression, when the U.S. economy was at a nadir, with some 25 percent of Americans unemployed and the nation begging for strong federal action. Congressional Republicans and Democrats alike were ready to pass any remedial legislation FDR sent them, sometimes without even having fully written texts of bills before Congress voted (Patterson 1967, ch. 1); and citizens battered by the Great Depression were open to the direct federal creation of jobs. By contrast, Obama took office amidst a sudden financial seizure that was just beginning to push the national economy into a downward spiral of as-yet undetermined proportions. Just as Republican President Herbert Hoover was in the early 1930s, Obama after 2008 was fated to be associated with steep economic decline and severe job losses. What is more, because the American people as of early 2009 had yet to experience much of what was to come in the Great Recession, they could not know what to demand or expect from initial federal recovery efforts. Obama started off without FDR's clear-cut opening to dramatize a full-blown national economic emergency and pursue a full range of policies, including direct federal job-creation programs.

The nature as well as phasing of the financially induced crisis starting in 2008 affected Obama's economic leadership, real and perceived. Obama electoral triumph over John McCain gained momentum during the Wall Street meltdown that became apparent in September 2008, yet Obama was also drawn into cooperation with the outgoing Bush administration starting before the November election and during the presidential transition. Decades earlier, FDR had deliberately avoided invitations to cooperate

with outgoing Republican President Herbert Hoover. But in 2008, with the economic meltdown just getting started, Obama could not avoid transitional efforts to prevent the initial Wall Street crisis from spiraling out of control, a catastrophe which would have taken down the world financial system and plunged the United States into a massive and prolonged depression.

Soon-to-be President-elect Obama became engaged with Bush administration efforts to mitigate the financial crisis through the politically unpopular decision to build Congressional support for a massive financial rescue plan, the Troubled Asset Relief Program. Ironically, the insurgent Democratic candidate who campaigned by promising a bottom-up approach to economic growth and renewal in America, started his “presidential” economic efforts amidst a bipartisan scramble to help Wall Street first. A couple of months later, President-elect Obama would also urge outgoing President Bush to support legislation to rescue collapsing U.S. auto companies. No incoming Democratic president could stand by while key industries headquartered in the Midwest went down the tubes, but, again, this looked to many Americans outside the Midwest like a selective taxpayer bailout. To millions of Americans beginning to face the realities of declining family fortunes, underwater mortgages, and looming pink slips, the Wall Street bailout and the auto rescues alike looked like helping the big guys float free while ordinary Americans were left to drown.

Obama’s initial economic efforts may also have limited his purview going forward. After his election, the president-elect quickly decided that two Wall Street-connected experts, Timothy Geithner and Lawrence Summers, would lead his White House economic advisory team (Alter 2010, 49–53). In a financially induced crisis, Obama believed they were uniquely qualified to figure out where reforms were needed—and perhaps persuade bankers to help the larger economy going forward. But building this kind of economic team also meant that Obama was not going to hear day-to-day from other kinds of economic experts who thought of job creation as the first-order challenge, or who saw U.S. economic recovery over the longer term as requiring commitments to structural transformation and seeding innovative new industries. Drawing on established macroeconomic wisdom and the “common sense” of the financial community to which they are connected, Summers and Geithner advised Obama to counter the Wall Street crisis with bank bailouts that imposed minimal penalties, hoping to cajole and sooth bankers into resuming lending. Beyond that, Obama’s team, joined by other orthodox economic advisors, urged spending a lot of federal money as quickly as possible—which necessarily meant spending on established programs that could be expanded without new planning or protracted negotiations. Investments in infrastructure and green jobs, for example, were set aside as requiring too much planning or risking protracted litigation. Tax cuts would also be added into the Recovery Act, accounting for a third of the overall stimulus package. Calm the bankers, cut taxes, and quickly spend as much as Congress would enact for projects that could be implemented without a lot of corruption or litigation, and then be patient as the economy slowly recovered over the course of 2010 and 2011: that was the prescription.

Although recovery came slowly and with periodic setbacks, Obama's early approach worked economically. But it did not pay off politically. The quickly devised economic recovery strategy confused many Americans who did not see how heightened federal spending, funded through a growing deficit, could work. Most citizens wanted jobs saved or made immediately available, but Obama's bailouts, spending, and tax cuts would, at best, bring about only a gradual recovery with jobs appearing last, after banks and businesses recovered. By the summer of 2010, even aggregate growth was slowing, and unemployment remained above nine percent (a pattern that repeated itself again in 2011). During the run-in to the November 2010 election, and afterwards into 2011, Obama and his party were hampered by too little job growth and the sense among many Americans that "federal spending does not work" to create economic recovery—or, worse, that the usual insiders are the real beneficiaries of recovery efforts (Silverleib 2010). In one of several piercing ironies, the winds of populism and change that swept Obama into office in 2008 turned against him two years later, and threatened to block further government actions to promote economic recovery, spur job creation, and broaden social opportunity.

## Creating versus Reshaping National Policies

Another highly consequential contrast between the FDR New Deal and Obama's attempted reprise helps make sense of the political blowback that greeted Obama's efforts to further reforms in healthcare, higher education, energy and the environment, and federal taxation. Back in the 1930s, the New Dealers in Congress and in the FDR Administration were advocating *new kinds* of federal government interventions—new financial regulations, unprecedented national policies like minimum wage and maximum hour rules, Social Security, unemployment insurance, and new rights for labor unions to organize. Previously, apart from setting tariffs, helping farmers, and seeding infrastructure and western expansion, the U.S. federal government had intervened actively in economic and social affairs only temporarily during major wars. The New Dealers, amidst a massive Great Depression, were advocating a series of innovative permanent peacetime interventions into the mature industrial economy. They were selling governmental reforms amidst a huge economic emergency—and, ultimately, World War II reinforced and helped to entrench and generate tax revenues to support much of what they started during the Depression itself.

Starting in 2009, by contrast, Obama and his Democratic allies pursued not first-time interventions, but redirections of already extensive federal regulations, benefits, and taxes. Obama arrived in office following a half-century of previous accretions of pervasive regulatory and fiscal interventions (Pierson 2007), setting out to reverse some and redirect others. What is more, the new president and his allies came to office dogged by already-ballooning federal deficits. Finding new resources for redistributive social benefits—such as more generous college grants for low-income families, or subsidies to help poor and lower-middle income people afford health insurance—required that Obama

and his Congressional supporters raise new revenues or recapture funds previously devoted to other federal programs. Finally, Obama launched legislative and regulatory overhauls just as an economic free-fall was gathering steam, not at its nadir. And in contrast to the positive impact of World War II on many New Deal initiatives, the wars Obama inherited in Afghanistan and Iraq drained rather than reinforced economic recovery and diverted attention from domestic reforms.

In addition to not being able to start from scratch like FDR, Obama's attempt to fashion a second New Deal was bedeviled by the knotty dilemma of how to shift policies in redistributive directions, in ways that cut against current political inequalities or threaten interests with established niches. Health insurance coverage for lower and middle-income insured Americans could be financed only through hard-fought steps to place new charges on businesses and the well-to-do (Jacobs and Skocpol 2010). Enhanced Pell grants for lower-income college students and better loan terms for middle-class college students required a battle with private bankers accustomed to receiving guaranteed profits for administering federally backed loans without risk (Mettler 2011a). Proposals for new energy policies aroused strong (and ultimately decisive) resistance from coal and oil and gas interests, including businesses with a strong presence in regions represented by Congressional Democrats (Layzer 2011). What is more, Obama's 2008 campaign promise to allow the expiration of George W. Bush's tax breaks for the very highest income earners faced fierce pushback and was undermined by Democratic skittishness, even when the president's party enjoyed congressional majorities in 2009 and 2010 (Campbell 2011).

Fighting for a second New Deal in the current U.S. policy and political landscape was also bound to be confusing and opaque because previous federal policy changes during the late twentieth century mostly happened in the form of hard-to-trace tax breaks and regulatory adjustments. Back in the 1930s, American citizens could see that big, new things were being proposed and debated in Washington, DC. Social Security at its inception enjoyed support from two thirds or more and as the program was implemented, adjusted, and expanded from the 1930s to the 1970s, direct benefit checks flowed to millions, so Americans could understand where their payroll taxes were going—to fund a program that makes a big difference for retirees and their children and grandchildren. Highly visible Social Security benefits helped to mobilize senior citizens to new levels of citizen engagement (Campbell 2003). In contrast, today's U.S. public policies include many complex regulations and publicly invisible tax credits and tax breaks (Hacker, Mettler, and Soss 2007; Mettler 2014). Middle-class Americans enjoy much public support to buy houses, take out college loans, and obtain health care from employers that claim tax subsidies. But in all instances, they may not know that public policy matters a great deal to their personal and family fortunes (Mettler 2011b).

Given all of the difficulties the president and Democrats faced in 2009 and 2010, Obama's ambitious agenda for policy change made major, rapid progress—toward comprehensive health reform, reformed higher education loans, tightened regulation of financial institutions, and changes in many other realms of law and regulation. A new New Deal of sorts *was* successfully launched by President Obama and Congressional



Democrats in 2009 and 2010. But much of what happened was either invisible or ominously incomprehensible to the majority of American citizens, including to many of Obama's younger, less privileged supporters. Big, worrisome, and easily caricatured—especially at a time of economic stress when people know one thing for sure: the national economy is not getting stronger fast enough to ensure that a rising tide lifted all boats.

Unfortunately for the Obama reformers, incomprehension and anxiety among most everyday Americans coexisted with acute awareness on the part of privileged strata and groups about even the smallest disadvantages imposed upon them by the unfolding policy shifts. The slightest tweak in upper-end tax codes sets off a veritable explosion of political pushback. Business interests and many wealthy conservatives went all out to support GOP challengers to Democratic governors and Congressional candidates in 2010 and during the 2012 presidential contest—and have redoubled their efforts for 2014 and 2016. Ironically, the enemies of the Obama New Deal knew what was up, even if they were more paranoid than actual policy changes justified. Established interests and conservatives understood that Obama and his Democratic allies were taking small steps that could have big social and political consequences over time, if they survived and were fully implemented. But the potential beneficiaries remained in the dark or were easily misled.

To put it mildly, this was not a winning political formula for the early Obama administration and its Congressional Democratic allies. Given the failure of the early economic recovery to gain sufficient steam to re-employ millions of out of work Americans, the Obama Democrats went into the November 2010 midterm election with discouraged supporters facing revved up opponents. They faced Republican and conservative and business opponents determined to cut short and roll back early Obama reforms, while most Americans remained unsure that anything to their advantage had happened in Washington, DC. No wonder the Democrats lost in November 2010 even more resoundingly than routine U.S. political cycles suggested they might. The early Obama Democrats will go down in history as cautious reformers who did just enough to provoke powerful enemies, while leaving their political friends, actual and potential, disappointed and mystified.

## THE TEA PARTY AND THE RIGHTWARD LURCH OF THE GOP

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Obama's first years in the White House offered plenty of puzzles for the analysis of American political development in real time. But years from now, in the cold light of retrospect, the main story of the critical juncture between 2008 and 2010 may not be Barack Obama's hard-fought and politically perilous attempt at a second New Deal so much as the lurch of the Republican Party toward far-right anti-government extremism. The GOP trajectory after 2008 defied the conventional political science wisdom

positing that losing parties will move toward the center in order to appeal to “median” voters in subsequent elections.

Although a degree of GOP revival at the voting booth in 2010 was to be expected due to the usual swings of U.S. elections exacerbated by a prolonged economic downturn, if we look at policy stances and national agendas of debate, it is clear the Republican Party after 2008 did anything but moderate. Forces inside the party and on the right of the GOP—Tea Partyism in its various manifestations—energized hard-edged antigovernment conservatism to reinvigorate and reposition the Republican Party for 2010 and 2012. In many ways, these hard-right forces are still pushing Republican officeholders and candidates away from appealing to median voters in statewide or national elections (Skocpol and Williamson 2013). Very few GOP “moderates” remain in office or currently run for office, as Tea Party forces have successfully propelled the GOP into highly ideological hostility to any use of federal powers to promote economic growth and expand social opportunity. Tea Partied Republicans have become the anti-New Dealers of our time.

How did this happen? What exactly is the Tea Party, and why has it had such a big impact? Along with Vanessa Williamson, I tackled these issues in research for our 2012 book on *The Tea Party and the Remaking of Republican Conservatism*. From the start, our project was framed in historical institutional terms: we approached Tea Party phenomena by looking at organizations, not just sporadic public demonstrations or the evolution of disembodied public opinion. We asked how organized Tea Party forces maneuvered in relation to U.S. political parties and institutions and framed their policy and political goals in reaction to prior policies and contending forces already in place.

As part of our data-gathering, Williamson and I did interviews with self-declared grassroots Tea Party participants and visiting and observing local Tea Party meetings in three regions, New England, Virginia, and Arizona. Such research techniques strike many scholars as unusual for macroscopically oriented historical-institutional scholars—and, in truth, it was the first time in my lengthy research career that I had done such ethnographic observations and in-depth interviews with non-elite political actors. But it is worth stressing that Williamson and I did not use these techniques just to get personal or local flavor. We preferred in-depth interviews and local observations to reliance only on journalistic reports of mass demonstrations or national social surveys of aggregates of respondents, because observations and in-depth interviews allowed us to get more directly at the organizational and institutional questions we prioritized—and also allowed us to flesh out and situate what Tea Party supporters meant when they said they opposed “government regulations” and “government spending” during the Obama era.

We made full use of representative national social surveys, to be sure, collecting all that were available and arraying them chronologically to track trends. And we compared the demographic characteristics and attitudes of our interviewees to those of nationally representative samples of Tea Party sympathizers and activists. These techniques allowed us to be sure that our interviewees were similar to nationally representative samples, which they were. Yet the interviews and direct observations were anything



but superfluous, because from them we gleaned nuances of meaning that surveys using canned questions usually miss.

Were the local Tea Party groups that formed and met regularly across the United States by late 2010 simply relabeled pre-existing groups? Or were they *de novo* creations? Did these groups get funding and authoritative direction from national, professionally run organizations identified with Tea Party efforts? If not, how did top-down and bottom-up organizational efforts in the Tea Party combine forces? And how did they relate to and impact Republican Party officeholders, organizations, and candidates? All of these are profoundly structural questions and the best way to get relevant information about matters not covered in national surveys was to ask grassroots leaders and participants in meetings how they learned about the Tea Party, how they launched local groups, and whether the locals knew about and worked with supra-local organizations. At the same time, by asking open-ended questions and listening to people talk at length, we were likely to learn a lot more about the precise types of government regulation and spending Tea Party supporters opposed than we could learn by looking at tallies of answers to national surveys that posed pre-cooked questions and alternatives. By combining macroscopic, demographic, and in-depth qualitative research, in short, we learned how the Tea Party got leverage and discovered exactly how new populist energies were channeled into such widespread and fierce opposition to President Obama, Democrats, and any Republicans inclined to compromise or work with them. We also learned why health reform, in particular, was such a flashpoint for popular Tea Party opposition.

Here I cannot recount all we learned, but I can highlight crucial features of the Tea Party phenomenon in institutional and historical perspective—our findings about Tea Partiers’ reactions to various parts of U.S. social policy and our findings about Tea Party organizations and how they impact Republicans.

## Tea Party Activists and Their Views

As President Obama took office in early 2009, conservatives in and around the Republican Party were angry and alarmed and strongly opposed to the new president’s policy initiatives. But the earlier Bush presidency had been discredited and conservatives were sour about Republican Party compromise on government spending in the early 2000s and the efforts of failed 2008 GOP nominee John McCain. How could a counter-movement crystallize with the GOP in such disarray? In the first weeks of the new administration, opposition was scattered, but in mid-February of 2009, just weeks after Obama’s Inauguration, an inspiration presented itself. On February 19, CNBC financial commentator Rick Santelli, speaking from the floor of the Chicago Mercantile Exchange, launched a rant against nascent Obama Administration policies to help underwater mortgage holders, many of them lower-income and minority Americans. He called for Tea Party protests against subsidizing “losers’ mortgages,” invoking of Revolutionary War symbolism to appeal to people who felt beleaguered by Obama’s victory.