INTRODUCTION

Dysfunction: Any abnormality or impairment of function. Hence dysfunctional.

There can be little doubt that the governmental processes in the United States are not “operating normally.” The appropriations process (or lack thereof) illustrates this point, particularly the crisis in 2013 caused by House Republicans’ refusal to pass a Continuing Resolution. Too infrequently discussed is the fact that Continuing Resolutions would not be necessary at all if appropriations acts, a familiar part of the “regular order” in Congress in the past, were passed on an annual basis. In fact, Congress has not passed a full set of appropriations acts covering all the executive departments since 2005, when a majority of the current members of the House were not yet in Congress.

Is dysfunctionality merely an American condition? Are the citizens of other countries satisfied with the performance of their governments? Although satisfaction with government varies, the answer in many countries is “no,” even in advanced democracies with very different policies and institutions than the United States. For example, Arthur Miller and Ola Listhaug documented the fact that confidence in Sweden’s government declined just as much as confidence in the United States’ government from 1964–1986. At times,
discontentment with government and politics is fueled by scandals that have no counterpart in other countries; the British, for example, experienced a series of scandals in the recent past relating to the malfeasance of Members of Parliament (MPs) claiming expenses. Such country-specific events often reinforce, or at least coincide with, long-term trends of dissatisfaction with government. There have been some attempts to make sense of these trends by identifying deeper causes of malaise in contemporary governance, causes that apply generally to many of the advanced democracies. In the last fifty years, in fact, advanced industrialized democracies have struggled with a series of challenges and, at times, even crises that have called into question these democracies’ capacity and legitimacy. In this Essay, I discuss some of the most significant of these challenges and crises – namely overload, the reactions to overload, globalization, and the global financial crisis – and their applicability to the United States.

I. UNGOVERNABILITY

In most advanced democracies, the twenty years after the Second World War constituted a period of stability and growth, admittedly against a backdrop of international crisis (the Cold War) and with some obvious exceptions such as the demise of the French Fourth Republic. In contrast, the 1970s were years of crisis and turmoil during which advanced democracies faced not merely economic problems but also a governance crisis. This crisis was articulated in the influential literature on overload or ungovernability. Scholars such as Crozier and King argued that, at least in advanced democracies, citizens had unrealistically high expectations that their governments could meet their needs, even though the capacity of governments to meet those needs and expectations had diminished. Overload resulted from a seemingly inexorable expansion in the range of needs and desires that citizens expected government to meet. The supposedly night-watchman state of the nineteenth century had given way to a modern state responsible for managing the economy and the environment.

Comparison of Norway, Sweden and the United States, 29 Brit. J. Pol. Sci. 357, 361 (1990) (analyzing the confidence that citizens of Norway, Sweden, and the United States have in their governments, and showing that this confidence declined from 1964 to 1986).


6 CROZIER ET AL., supra note 5, at 8 (“[T]he operations of the democratic process do indeed appear to have generated . . . an overload of demands on the government, exceeding its capacity to respond.”); KING ET AL., supra note 5, at 15-16.
achieving racial and gender equality, providing education and worker training, transportation, and innumerable other tasks. The pressures of electoral competition had particularly deleterious consequences in economic policy. Unbalanced Keynesianism produced inflation because actions that boosted the economy, such as tax cuts and increases in spending, were popular, whereas tax increases and spending cuts were unpopular. Samuel Brittan did much to popularize the notion of political business cycles in which the politicians’ quests for electoral victory controlled policy rather than the objective needs of economic management.

The overload or ungovernability literature is open to obvious questions and criticisms. Implicit in the concept seems to be a presupposition that citizens had unreasonable expectations of their governments. Even if we agree that they did, one can ask whether these unreasonable expectations were due to the failings of citizens or the unreasonable hopes engendered by contending political elites in their quests for support. For example, in nearly all election campaigns in democracies, the “out” party argues that if only they controlled the government, the economy would perform well. This claim obviously assumes that governments have a great deal of control over the performance of the economy, which they likely do not. The overload thesis, however, played a very important role by intellectually paving the way for the next trend: the de-democratization of governance.

II. THE DE-DEMOCRATIZATION OF GOVERNANCE

The de-democratization of governance took several forms. First, the move in economic thinking from Keynesianism to monetarism shifted opinion among policy elites away from a belief that governments could steer and manipulate the economy towards a belief that governments should adopt stable, predictable, and fixed policies, such as a predetermined rate of increase in the

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7 King et al., supra note 5, at 12 (“[T]he range of matters for which the British government hold themselves responsible . . . has increased greatly over the past ten to twenty years.”); Samuel P. Huntington, The United States, in The Crisis of Democracy 59, 71 (Michael Crozier ed., 1975) (explaining that during the 1960s the United States government greatly increased spending on education, social security, public welfare, health, hospitals, and interest on the public debt).

8 King et al., supra note 5, at 9 (explaining that although the government system changed in an attempt to become more “streamlined,” the benefits of the system are not apparent, with far greater costs for the new system).

9 Alan S. Blinder, Keynesian Economics, Concise Encyclopedia Econ., http://www.econlib.org/library/Enc/KeynesianEconomics.html (last visited Jan. 25, 2014), archived at http://perma.cc/8T6L-RMZK (describing Keynesian economics as a “belief in aggressive government action to stabilize the economy . . . based on . . . the belief[] that . . . the government is knowledgeable and capable enough to improve on the free market”).

money supply.11 The disavowal of Keynesianism was particularly vivid in the
economist’s country, the United Kingdom, and took place before Margaret
Thatcher took office. At the 1976 Labour Party Conference, Prime Minister
James Callaghan told delegates:

We used to think that you could spend your way out of a recession, and
increase employment by cutting taxes and boosting Government
spending. I tell you in all candour that that option no longer exists, and
that in so far as it ever did exist, it only worked on each occasion since
the war by injecting a bigger dose of inflation into the economy, followed
by a higher level of unemployment as the next step. Higher inflation
followed by higher unemployment.12

Rather strangely, this earlier disavowal of Keynesianism was not mentioned in
discussions of policy choices, such as Mark Blyth’s widely cited Austerity.13

Second, governments became less accountable for economic policy when
previously politically accountable central banks, such as the Bank of England,
were given more autonomy.14 The creation of new central banks with high
degrees of independence, such as the European Central Bank, further reduced
governments’ autonomy for the economy.15 This was a particularly important
response to one of overload scholars’ criticisms – that the quest for electoral
success through prosperity created a political business cycle, such that interest
rates and the money supply were manipulated to achieve re-election, and not to
achieve economic management.

Third, privatization reduced government accountability for services on
which people relied. At the time overload literature launched, British citizens
might have legitimately complained to their MPs about problems connected
with coal, the electricity or natural gas supply, rail travel, and air travel,
because all of these industries were state owned.16 Today, many of these
industries in the United Kingdom are privately owned. Some of these

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11 See Mark Kelman, Could Lawyers Stop Recessions? Speculations on Law and
Macroeconomics, 45 STAN. L. REV. 1215, 1239 (1993) (discussing the shift from Keynesian
ideas to monetarism, which is defined as a belief that the best way to avoid problems created
by bad policy is to promote steady growth in the money supply).

12 James Callaghan, Leader’s Speech (1976) (transcript archived at http://perma.cc/4ZZ9-
74V2).

13 See MARK BLyth, AUSTERITY (2013).

14 See, e.g., Paul Moser-Boehm, The Relationship Between the Central Bank and the
Government, in CENTRAL BANKS AND THE CHALLENGE OF DEVELOPMENT 45, 45-46 (2006),
archived at http://perma.cc/J9HR-EGWQ (“[T]he central bank has been . . . granted
autonomy from government to make sure that short-term political considerations do not
interfere with achieving [price stability].”).

15 See id. at 53 (asserting that the European Central Bank could serve as a model for a
bank that operates with the political system while still maintaining independence).

government no longer controlled major industries, such as steel, energy, or transport).
industries are ones that Americans expect to be state owned, particularly the airline industry.17 Heathrow Airport, for example, is owned by FGP TopCo Ltd., a consortium of Québécois, Qatar, and Singapore government agencies, and the Spanish railway company Ferrovial.18 Similarly, the increase in the contracting out of government services has reduced government responsibility for the day-to-day operations. An extreme example is the operation of prisons.19 More commonly, parts of the bureaucracy are separated out from the government and charged with the implementation of policy, as with the “Next Steps” executive agencies in the United Kingdom.20 A contract separates these executive agencies from their parent departments and places the chief executives, rather than the government minister, in charge of the departments and responsible for reliable and efficient administration.21

Roberts has argued convincingly that these measures collectively disciplined democracy.22 While there are undoubted gains from many of these measures, especially privatization, they considerably diminish the range of issues and problems for which a citizen can seek redress through democratic politics.

III. GLOBALIZATION

If the de-democratization of governance reduced political options for citizens, globalization has arguably reduced options for governments. Globalization has many aspects, but at its core it is concerned with the increased ability of corporations to shift production around the globe and the even greater capacity of financial institutions to shift capital at great speed and low cost from one country to another. The era of globalization has witnessed rapid increases in the volume of trade and even greater increases in the volume


20 Francesca Gains, Executive Agencies in Government: The Impact of Bureaucratic Networks on Policy Outcomes, J. PUB. POL’Y, Jan. 2003, at 55, 56 (explaining that agencies had a profound impact in the United Kingdom, with 127 executive agencies employing about eighty percent of civil servants).

21 Id. (“Executive agencies . . . usually involv[e] internal restructuring and the creation of an arm’s length organization with more limited financial, legal, and structural autonomy and greater hierarchical accountability than a private sector partner.”).

22 See generally ROBERTS, supra note 16 (explaining that certain trends that have occurred over the past thirty years — such as privatization and limiting the government interference with the economy — have “disciplined” democracy).
of capital movements. These trends have had many positive consequences, such as lifting millions out of poverty in Asia and providing higher quality goods at lower prices to consumers around the world.\textsuperscript{23}

One negative and important consequence of globalization for governance, however, is that it hinders the ability of elected governments to pursue policies that might be viewed unfavorably by corporations and financial institutions. Higher taxation or stricter regulation might cause capital and investments to shift to another country where these burdens are lower. In the 1970s, Lindblom argued that markets imprisoned voters and governments, perhaps thinking primarily of states and cities in the United States.\textsuperscript{24} In the 1990s, globalization imprisoned national governments that feared the flight of investment or capital not to a neighboring state, but to a country on the other side of the world.

Some political scientists have argued, however, that the effects of globalization are not as great as suggested and that national governments retain considerable autonomy. Vogel, for example, argues that no significant environmental regulations have been repealed in any democracy in order to attract investment.\textsuperscript{25} Vogel limits this assertion; he does not disprove arguments that fears about competitiveness have slowed the growth of regulation, and does not extend his argument outside the sphere of environmental policy.\textsuperscript{26}

It is easy to think of policy areas in which concerns about competitiveness have discouraged the adoption of regulations. The regulatory failures that allowed the recent Great Recession provide one example. One of the likely reasons why the Clinton Administration did not adopt regulations to cover trading in derivatives was that policymakers feared that doing so would place New York at a competitive disadvantage with London. British policymakers were similarly reluctant to impose regulatory burdens on London that might disadvantage it as compared to New York and other financial centers. The international trend to lower taxes on corporations, which could have been easily predicted given the dynamics of globalization, is also striking.\textsuperscript{27}


\textsuperscript{24} See \textit{CHARLES E. LINDBLOM, POLITICS AND MARKETS} (1977); Charles Lindblom, \textit{The Market as Prison}, 44 J. Pol. 324, 332 (1982) ("[N]o market society can achieve a fully developed democracy because the market imprisons the policy-making process.").

\textsuperscript{25} DAVID J. VOGEL, \textit{TRADING UP} 254-56 (1995) (explaining that despite their potential effect on trade, the United States and other countries have made it a priority to enact more stringent environmental regulations).

\textsuperscript{26} See \textit{id}.

\textsuperscript{27} See \textit{infra} Table 1.
The increased power of capital in a globalized economy may also be related to the decline in neocorporatist practices in countries such as Sweden. In the heyday of Swedish neocorporatism, capital was concentrated and national in character, while in the era of globalization, foreign ownership of Swedish firms (for example, Volvo by Ford, and Saab by a series of owners) matched a corresponding increase in overseas investment by Swedish firms. In this context, a grand bargain between national capital, labor, and government is much harder, if not impossible, to achieve.

IV. THE CONSEQUENCES OF THE GLOBAL FINANCIAL CRISIS; EXPERIMENTATIONS UNDER PRESSURE

In 2008, the abrupt end of the NICE (No Inflation Continuous Expansion) era of the previous fifteen years produced a period of rapid experimentation with ways to confront the inflation crisis in the United Kingdom. Many of these experiments involved radical departures from previous practices. The government bailouts for troubled firms in the United States, such as General Motors and AIG, and the nationalization of troubled firms in the United Kingdom, such as the Royal Bank of Scotland, could not have been predicted before the inflation crisis. Central banks pursued novel policies such as Quantitative Easing, the purchase of troubled assets, and almost zero percent interest rates. At first these policies seemed to constitute a “re-politicization”
of several policy areas. One can contrast this type of government ownership of banks with the earlier era’s moves toward privatization. The bankruptcies of financial institutions, furthermore, prompted an extensive discussion of financial reforms, including measures to curb the pay and privileges of the masters of finance who had seemed so godlike in the previous decades.

Surprisingly, however, the global financial crisis produced no coherent or merely sustained left wing response. On the contrary, neoliberal economic policies were astoundingly resilient. The determined pursuit of government debt reduction through austerity in the United Kingdom faced much criticism. The results of these policies—high unemployment in particular—have eroded the political capacity of labor. In a sense, government policies of austerity have replaced globalization as the proximate cause of constraints on the ability of unions to press for higher wages or more advantageous government policies. There have been calls for protectionism to save jobs; however, the institutions of globalization and market liberalization generally resisted protectionism effectively. The EU Competition Directorate, for example, blocked French attempts to force French automobile companies to concentrate job losses in eastern European countries rather than in their home country. As Schmidt observes:

[T]he EU was very watchful, and objected to any French policy that smelled of “economic nationalism” or looked to undermine the “level playing field” of the internal market—as when Sarkozy threatened to

Policy – An Introduction, 122 Econ. J. F271 (discussing the various unconventional methods that central banks used following the financial crisis).


prevent the sale in France of Peugeot cars made in the Czech Republic in early 2009 or urged Renault to repatriate its operations to France.37 Although there have been large scale protests in the countries that have seen the most dramatic effects of austerity policies, such as Greece and Spain, they have little or no effect on changing policy.38

V. DECAYING DEMOCRACY?

Politicians have never spent so much money to try to discover what their citizens are thinking as they do today. The rise of polling, focus groups, and political consultants is a more or less universal feature of modern democratic politics. Almost as universally, however, is a feeling among citizens that they are more distant from, rather than more connected to, the democratic process.39 A wry saying among Europeans is that one can tell which election was the most recent from only the turnout figures, because the most recent election is the one with the lowest turnout.40 This is by no means equally true for all countries.41 As Table 2 illustrates, however, many democratic European countries that do not have compulsory voting (that is, Germany, France, Italy, the Netherlands, Sweden, and the United Kingdom) have all seen voter turnout slip in the last thirty years or so.42 Countries that have traditionally taken considerable pride in high turnout rates, such as the United Kingdom, have found themselves humbled by this recent decrease.

37 Vivien A. Schmidt, What Happened to the State-Influenced Market Economies (SMEs)? France, Italy, and Spain Confront the Crisis as the Good, the Bad, and the Ugly, in THE CONSEQUENCES OF THE GLOBAL FINANCIAL CRISIS 156, 175 (Wyn Grant & Graham K. Wilson eds., 2012).

38 See BLYTH, supra note 13, at 3-4 (explaining the general austerity policies in Greece and Portugal); Cathie Jo Martin, Neo-Liberalism and the Working-Class Hero: From Organized to Flexible Labor Markets, in RESILIENT LIBERALISM IN EUROPE’S POLITICAL ECONOMY 226, 238 (Vivien A. Schmidt & Mark Thatcher eds., 2013).


41 See infra Table 2.

42 Id.
If we shift our attention from voters to political parties, the trends are even starker. European political parties have decayed to the point where some scholars, like van Biezen, Mair, and Poguntke, question whether European political parties are “[g]oing, going . . . gone?” There are more members in the conservationist Royal Society for the Protection of Birds (RSPB) in the United Kingdom than in all British political parties combined. Political parties in other parts of continental Europe continue to exist (when they do) almost exclusively on the basis of state subsidies. The decreased rate of voting, the most important aspect of democratic citizenship, is itself troublesome. Taken together with the decline in political parties, the overall decline in political participation takes on a wider significance because the connective tissues between government and governed have almost completely deteriorated.

The question of territorial integrity is common, though not universal, among European democracies. A common concern about the result of decaying democracy in Europe is that such a decline will lead to the transfer of power to the European Union, an international organization or “proto state” that, for good measure, is commonly thought to suffer from a what I call a democratic deficit. Member countries have transferred important policy areas to the European Union, including trade, agriculture, and environmental protection. While other important policy areas, such as economic, defense, and foreign policy remain in the hands of the governments of member states, the recent economic crisis in Europe has prompted calls for those states to transfer more power to the European Union. Concern about a loss of sovereignty to the European Union was once thought to be confined to the British. More recently this concern has spread to even the staunchest supporters of European integration, such as the Netherlands. Unlike the history of the United States, there has never been a moment of clear constitutional choice in Europe allowing its citizens to express which policy areas should be transferred to the European Union. In consequence, every aspect of policymaking touched by the European Union is open to the charge of illegitimate authority. The democratic

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43 See infra Table 3.
44 See generally Ingrid van Biezen et al., Going, Going . . . Gone? The Decline of Party Membership in Contemporary Europe, 51 EUR. J. POL. RES. 24 (2012).
45 The Royal Soc’y for the Preservation of Birds, RSPB Annual Review: 2012-2013, at 7 (n.d.), archived at http://perma.cc/7X7Q-JAFY (asserting that RSPB has over one millions members); van Biezen et al., supra note 44, at 28 (indicating that 534,664 people are in political parties in the United Kingdom).
deficit and a reputation for wasteful spending further damage the standing of the European Union.47

If the growth in the power of the European Union threatens the European nation states from above, secessionist movements threaten it from below. Secessionist movements are strong in the United Kingdom, taking the form of Scottish and (to a lesser extent) Welsh nationalism.48 Catalan separatism has raised the question of the survival of Spain,49 while Quebec nationalists are always pondering how they can break up Canada.50 This trend is widespread, as evidenced by examples in Belgium,51 Greenland (escaping from Danish rule),52 the Northern League in Italy,53 and even some separatist tendencies in France (Corsica and Brittany).54 Even more widespread than the problem of

territorial integrity is the problem of cultural integrity. The days of general agreement on what it meant to be French or British or Danish have given way to doubt and quests for new forms of a comprehensive, inclusive identity that covers the changing populations in Europe, most notably the rise of large Muslim minorities.55 The (inevitable) failure not only to find such a concept of national identity but also to instill it in all citizens created the conditions for the 7/7 bombings in London and the numerous plots that preoccupy MI5 and its counterparts.56

Finally, the emergence of a permanent underclass has threatened social integration in many countries. The trend towards greater equality has been halted in almost all industrialized societies, though most evidently in the United States and the United Kingdom. The share of national income received by labor, however, has fallen even in the paragons of equality—namely Scandinavia.57 As concerning as these trends are, the emergence of a permanent underclass of unskilled, frequently unemployed people is even more serious. This underclass is essentially competing with labor in underdeveloped countries in an era where companies can readily move production to the cheapest, least regulated setting. There is as yet no clear pattern to the social and political results of these trends, but whenever they occur, they are unlikely to be pleasant.

VI. COUNTRY-SPECIFIC PROBLEMS

Our focus so far has been on trends, such as globalization, that are said to affect multiple countries. Dysfunctionality may also be associated with factors that are specific to individual countries and their institutions. In light of our current concerns with failures in American institutions, it is worth noting some dysfunctions common in parliamentary systems.

There are different forms of parliamentary systems. I note first the problems that can occur in those countries that, because of their electoral systems, generally have coalitions. The most obvious problem can be forming a government. The prolonged inability to form a government in Belgium following the 2011 election set a record—541 days from the election to

55 Id. (explaining that the movement in France is not just about independence, but cultural recognition).
56 See Paul Thomas & Pete Sanderson, Unwilling Citizens? Muslim Young People and National Identity, 45 SOCIOLOGY 1028 (2011) (discussing the impact of the 7/7 bombings on Muslim identity in the United Kingdom).
government formation. Coalition formation may depend on unsavory bargaining, such as paying off minor parties that hold a pivotal position in order to achieve a majority. Once the coalition is formed, it may contain the most unlikely and apparently incompatible partners, with corresponding incoherence in government strategy and policy. Israel provides many instructive examples. The current Netanyahu government includes Yesh Atid, which seeks to end the privileges of the ultra-Orthodox settlers in the West Bank, and Hatnua, “which is committed to reaching a peace agreement with the Palestinians.” This does not imply that all coalition-driven governance is dysfunctional; the past alliances between the CDU/CSU and the Free Democrats in Germany produced relatively problem-free and certainly stable governments. Despite some success in Germany, however, parliamentary coalition government is not always attractive.

Nor is it the case that the system least likely to produce coalition government, the Westminster model, is without its problems. Interestingly some of these problems result from the United Kingdom’s concentration of government and legislative power. King and Crewe, for example, describe a series of policy failures in British government. These failures include improper attempts to collect child support from individuals who in fact had no children and taxpayer-funded “learning accounts” that enabled recipients to spend the money on practically anything they chose. King and Crewe argue that

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59 Edmund Sanders, Rivals’ Pact in Israel Blocks Netanyahu from Forming Coalition, CHI. TRIB., Feb. 18, 2013, at C15.


63 Id. at 364 (analyzing the Learning and Skills Act 2000, which could potentially pay learning accounts to the wrong people or to people who do not intend to spend the money on education).
“[t]here is at the heart of the British system a deficit of deliberation.” 64 Reviewing King and Crewe’s book in the *Guardian*, Peter Wilby commented that:

Britain is said to benefit from decisive government, without the gridlock that the separation of powers frequently imposes on American presidents. The trouble is that it’s as easy to take bad decisions as to take good ones. Parliament has no significant role in framing legislation and no proper system of pre-legislative scrutiny (public bill committees being charades in which MPs mostly catch up on replying to constituents’ letters) such as exists in many other parliamentary democracies, including Scotland. Ministers, advisers and top civil servants rarely involve the people who will have to implement (or, in the fashionable jargon, “deliver”) their policies or those who have relevant experience of implementation. 65

The dysfunctionality of British government in this perspective results from a lack of checks and balances to prevent the adoption of bad ideas. Recent governments have determinedly ignored one of the major checks on bad policy ideas in the past: loyal civil servants who criticize or show skepticism of ministers’ policy proposals. Both Conservative and Labour prime ministers, unwilling to subject their favorite policies to criticism, have substantially weakened the role of civil servants in policy formation, no matter how loyal they are. 66 There has also been a widespread trend towards the politicization of bureaucracies, including but by no means limited to the United Kingdom. 67 Few countries match the United Kingdom, however, in its concentration of political power. Because the majority of parliamentary systems are coalition based, the politics of coalition creation and maintenance impose constraints on the ability of governments to make major policy changes, including “blunders” similar to those that occur in the United Kingdom. 68 Of course even the United Kingdom has moved towards more complicated patterns of policymaking, partly because of the creation of regional governments with significant autonomy in Scotland and Wales, and partly because it is itself currently...
governed by a coalition. Perhaps these added complications will spare the British from similar policy fiascoes in the future.

VII. AMERICAN EXCEPTIONALISM IN A DIFFERENT FORM

This Essay attempts to identify with very broad strokes issues in dysfunctional governance that are familiar to scholars in other countries. The question that arises is whether the United States shares in these problems or is, again, “exceptional.” In general, it seems exceptional that some of the key trends I discuss previously affect the United States relatively little.

Americans played a critical role in the development of the overload idea. Ironically the United States always seemed a dubious candidate for inclusion in the list of overloaded governments. Although the contrast is usually overdrawn, the United States government is small when considering the government spending by percentage of GDP compared to the government spending in the OECD in general. The contrast in terms of the share of GDP taken in taxation is starker; taxes as a percentage of GDP are lower in the United States in this era than any since the Eisenhower Administration, something not true in any other advanced democracy.69 The extreme reaction against Obamacare also contrasts with the popularity of national health insurance in every other democracy.70 At present, Americans are fairly evenly divided on whether it is the responsibility of government to ensure that all have access to health insurance and whether Obamacare is the correct way to provide such access.71 These are not the hallmarks of a polity suffering from overload.

If the United States does not belong in the list of countries with overloaded governments, it does, however, share with those countries many examples of policies that reduce the direct accountability of government and the range of its responsibilities. As in Europe, American policymakers have placed greater stress on reducing government deficits than on conquering unemployment. The willingness to jump the fiscal cliff is striking, at least at a time of low growth

69 See Bruce Bartlett, Are Taxes in the U.S. High or Low?, N.Y. TIMES (May 31, 2011, 6:00 AM), http://economixblogs.nytimes.com/2011/05/31/are-taxes-in-the-u-s-high-or-low, archived at http://perma.cc/Z8JR-E99T (explaining that federal taxes are at their lowest level in more than sixty years, including during the Reagan Administration).


71 See Jeffrey M. Jones, Americans Remain Negative Toward Healthcare Law, GALLUP POL., (Apr. 11, 2014), http://www.gallup.com/poll/168491/americans-remain-negative-healthcare-law.aspx, archived at http://perma.cc/CUD6-2HB9 (explaining that recently more people disapprove of the healthcare reform, while previously Americans were generally divided in their views).
and high unemployment. Although the government could take many relatively modest steps to guarantee the financial viability of Social Security (ending the income ceiling on contributions or continuing to raise the age for full benefits, to name a few), many support the notion that “entitlement programs” are out of control in their costs. Reductions in Social Security and Medicare would be at the heart of any “grand bargain” on the federal budget. Contracting out government-run services is now commonplace, although not necessarily with happy results.\textsuperscript{72} One conspicuous example is the use of private sector armies (such as Blackwater) rather than Marines to provide security for United States diplomats and officials.\textsuperscript{73} Although the United States government did not seem overloaded by any objective measure, it has adopted the same sorts of policies and politics as if it had been.

Globalization has constrained policymakers far less in the United States than in most countries. The United States did most of the diplomatic heavy lifting required to achieve globalization. It promoted the dramatic reductions in tariffs achieved within GATT\textsuperscript{74} and the creation of what was intended to be a more effective system for challenging “non-tariff barriers” (NTBs) in the World Trade Organization (WTO).\textsuperscript{75} Globalization has resulted in some losers in the United States, particularly among unskilled workers now effectively competing with low cost labor in other countries. Even so, the role of the dollar in international finance has allowed the United States the privilege of borrowing almost unlimited amounts of money in its own currency.\textsuperscript{76} Although recent events, particularly irresponsibility over the debt ceiling, have decreased the interest of overseas purchasers in U.S. Treasury bonds, there is no alternative currency that combines security and volume. The future of the euro remains

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\item \textsuperscript{73} Mark Landler, \textit{U.S. Still Using Security Firm It Broke with}, N.Y. \textit{Times}, Aug. 21, 2009, at A6 (explaining that the United States still uses Blackwater to protect diplomats in Iraq and guard them in Afghanistan).
\item \textsuperscript{74} \textit{World Trade Org., From GATT to the WTO: The Multilateral Trading System in the New Millennium 99} (2000) (“American support for GATT stemmed primarily from trade and investment opportunities abroad because of America's lead in the world economy.”).
\item \textsuperscript{75} Jason H. Grant & Kathryn A. Boys, \textit{Agricultural Trade and the GATT/WTO: Does Membership Make a Difference}, 94 \textit{Am. J. Agric. Econ.} 1 (2012) (arguing that the World Trade Organization has improved global trade by encouraging tariff rate reductions).
\item \textsuperscript{76} \textit{See, e.g., Francis E. Warnock, Council of Foreign Relations, How Dangerous Is U.S. Government Debt? The Risk of a Sudden Spike in U.S. Interest Rates 1} (2010), archived at http://perma.cc/D3T9-H9WS (“The dollar’s status as the world’s reserve currency has become a facet of U.S. power, allowing the United States to borrow effortlessly and sustain an assertive foreign policy.”).
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uncertain, and bonds issued by financially responsible countries such as Sweden are too few to provide an alternative. Nothing has therefore come close to exerting the same sort of financial pressure on United States policymakers evident in the United Kingdom in 1976, France in the early 1980s, or more recently, in Greece, Ireland, Italy, and Spain. In that sense the United States government has retained an exceptional degree of freedom from external constraints on policymaking. This is not to say that good policy has been made, but merely that “the fault dear Brutus . . . lies . . . in ourselves . . .”

It seems utterly perverse to say so, but viewed in comparative perspective, American politics seems very healthy in certain key respects. First, turnout in recent elections has increased. The turnout in the 2012 presidential election was 61.8% of the eligible voting population, compared with 58.4% in 1996. Although this is a modest increase, at least it is an increase. The overall increase encompasses changes that few would have predicted in 2000, such as the fact that black turnout was higher than turnout by non-Hispanic whites.

Voter identification laws in some the states may erode this trend by suppressing the black vote but the trend is nonetheless impressive.

American political parties never aspired to being mass membership organizations similar to those of Europe. There is no real equivalent in the United States to party membership; perhaps the closest we come is voting in a party’s primaries in a closed primary state. Duverger saw this as a sign of underdevelopment of American parties whereas Epstein presciently suggested that American political parties based on informally connected networks are a viable means to organizing politics in modern democracies.

Although we cannot compare party membership in Europe with party


79 WILLIAM SHAKESPEARE, JULIUS CAESAR act 1, sc. 2.


81 Id. at 3 & fig.2.


83 See LEON D. EPSTEIN, POLITICAL PARTIES IN THE AMERICAN MOLD 3 (basing the presented analysis on the assumption that American political parties are “organizationally desirable and probably essential”).
membership in the United States, American political parties seem to have been highly effective in mobilizing volunteers.

CONCLUSION

Citizens in most democracies take a dim view of their governments. Perhaps that view is an inevitable concomitant of democracy, although in the past citizens in some countries did have respect, verging on deference, to their institutions and leaders. Though within the country many view the United States government as dysfunctional, it has been relatively immune from some of the trends towards dysfunctional governance that have concerned other democracies. The United States has its problems, but in that at least it is not alone.

Table 1. Some Examples of Changes in Corporate Tax Rates.84

<table>
<thead>
<tr>
<th>Country</th>
<th>2006</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>38.34%</td>
<td>29.55%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>29.6%</td>
<td>25%</td>
</tr>
<tr>
<td>New Zealand</td>
<td>33%</td>
<td>28%</td>
</tr>
<tr>
<td>Spain</td>
<td>35%</td>
<td>30%</td>
</tr>
<tr>
<td>Sweden</td>
<td>28%</td>
<td>22%</td>
</tr>
<tr>
<td>Canada</td>
<td>36.1%</td>
<td>26%</td>
</tr>
<tr>
<td>China</td>
<td>33%</td>
<td>25%</td>
</tr>
<tr>
<td>Korea (South)</td>
<td>27.5%</td>
<td>24.2%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>30%</td>
<td>23%</td>
</tr>
</tbody>
</table>

Table 2. Trends in Voter Turnout, Major National Elections [a].

<table>
<thead>
<tr>
<th>Country</th>
<th>Year: Turnout</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>1950: 84% 1979: 76% 2010: 65%</td>
</tr>
<tr>
<td>France</td>
<td>1951: 69% 1981: 77% [b] 2012: 71%</td>
</tr>
<tr>
<td>Italy</td>
<td>1953: 94% 1983: 89% 2013: 75%</td>
</tr>
<tr>
<td>Germany</td>
<td>1953: 81% [c] 1990: 73% 2013: 66%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>1952: 95% 1981: 87% 2012: 75%</td>
</tr>
<tr>
<td>Sweden</td>
<td>1952: 79% 1982: 92% 2010: 85%</td>
</tr>
</tbody>
</table>

[a] Parliamentary or Presidential  
[b] Presidential in the Fifth Republic  
[c] West Germany

Table 3. Party Membership as a Percentage of Electorate.

<table>
<thead>
<tr>
<th>Country</th>
<th>Year: Percentage of Electorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denmark</td>
<td>1980: 7.30% 1989: 5.88% 2008: 4.13%</td>
</tr>
<tr>
<td>France</td>
<td>1978: 5.05% 1988: 2.98% 2009: 1.85%</td>
</tr>
<tr>
<td>Germany</td>
<td>1980 (West): 4.52% 1999: 2.93% 2007: 2.30%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>1980: 4.29% 2000: 2.51% 2009: 2.48%</td>
</tr>
<tr>
<td>Sweden</td>
<td>1980: 8.41% 1989: 8.00% 2008: 3.87%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1980: 4.12% 1989: 2.63% 2008: 1.21%</td>
</tr>
</tbody>
</table>

86 van Biezen et al., supra note 44, at 43-46.