Political Institutions and Power in the Twenty-First Century Republic
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Stephen Krason’s study of the American political experiment is a valuable exercise in traditional political science. His analysis leads a reasonable observer to ask whether the republic established by the Founders is still operative, or whether it has evolved into something quite different from the democratic republic of 1787. The creation of an administrative state in modern America, which has taken form especially in the past half-century, has moved the political system toward new modes of governing and domination by a new class of political elites. The article concludes by asking whether the American democratic republic is a lost cause.

The American political system was and is an experiment in orderly self-government. The Framers of the Constitution understood it as such, and they so informed their fellow citizens about the regime that the Federal Convention had concocted in the hot summer of 1787. According to an old anecdote from the events of that summer, a woman asked Benjamin Franklin what kind of government the Convention had devised for the United States. Franklin replied, “A republic, if you can keep it.” Similarly, James Madison referred to the Constitution and the political arrangements it established as an experiment—not once only, but in several contexts and to several different correspondents. Finally, no less an authority than George Washington, in his First Inaugural Address, referred to the constitutional system as “the experiment entrusted to the hands of the American people.”

What is the status of the American political experiment? From time to time, that question is posed to the nation, although rarely with the sort of analytical seriousness appropriate to the subject or to the question. While we have had serious reflections on the question from Abraham Lincoln and others, most American politicians give little thought to the topic—except as they reflexively celebrate our political system or use the question to attack their opponents for undermining the nation. From time to time journalists and pundits weigh in on the topic, usually in the form of “thumb-sucking” editorials meditating on some recent event (Watergate, Iran-Contra, the Clinton impeachment, etc.) or in pretentious books that seek to diagnose the nation’s ills through a pithy phrase or metaphor (“demosclerosis” and...
“Ameritopia”³ are good examples). As for scholars, from whom we should expect serious analyses of the subject—after all, they are in the business of studying politics, and the study of American politics is the most common focus of the nation’s professional political scientists—there are far fewer such examinations of this question than one might expect.

Contemporary political scientists tend to avoid big questions like this one. They are trained to focus on smaller, more discrete questions that can yield themselves to analysis by statistical methods and produce quantifiable results. Some scholars weigh in on the state of the American regime when they write a textbook on American politics, but in most cases the overarching themes of “democratic theory,” rational choice analysis, or “the irony of democracy” are either purely pedagogical devices or axes for the authors to grind. Other scholars—almost always proceeding from a left-wing orientation—take on the question of the state of the American political experiment with books that excoriate the political system for failing to provide political and economic equality, pure democracy, more rapid social and political change, or existential fulfillment for citizens. Some political scientists, such as James Q. Wilson, have taken on topics that touch aspects of this question, but generally avoid a direct and systematic examination of the state of the American republic.

In sharp contrast to this scholarly practice of avoidance, Stephen Krason directly confronts the state of the American political experiment. He does not do so, however, just by bringing to bear his own prejudices and employing those preferences as an authoritative guide to how American politics ought to work. On the contrary, Krason proceeds from the perspective of the Founders who created that system. In short, Krason evaluates the American experiment by grounding his analysis in the experimental design on which it was based. In The Transformation of the American Democratic Republic,⁴ Professor Krason provides a thoroughgoing analysis of what happened to the American experiment that is a serious and sobering exercise in traditional political science.

THE POLITICAL SCIENCE OF TRANSFORMATION

The discipline of political science has a proud and venerable heritage that reaches back to the ancient Greeks. For centuries, the study of politics was animated by questions that focused on the nature of the regime and political authority, the quest for the common good, and the problems inherent in the fact that politics is an eminently human enterprise. In the modern era, that long heritage—which James Ceaser calls traditional political science⁵—came under attack and was superseded by behavioralism, rational choice theory, and other methods that emulated the physical sciences and
economics. But traditional political science continues to inform our understanding of the political realm and to offer insights that elude practitioners of more recent and exotic methods.

As Ceaser has pointed out, one issue in which the contrast between contemporary and traditional political science is most apparent is that of liberal democracy. Ceaser employs the term “liberal democracy” to describe the predominant form of political system in the West, but also notes several other terms by which that form is known: “constitutional republic, democratic republic, constitutional democracy, representative democracy, and representative republic.”

Contemporary political science, adopting a “value neutral” stance, regards liberal democracy as just one of many types of political arrangements available and operating in the world today. The operations of representative democracy may be interesting to political scientists, but they do not (as political scientists) regard the success or fate of constitutional democracy as having any special significance as a research topic. In contrast, traditional political science regards the fate of Western democracy as a vital question for scholars and citizens alike.

**Traditional Political Science**

Traditional political science denies the value neutrality claimed by its contemporary cousin. For traditional political science, politics is as much a moral enterprise as it is an endeavor to arrange and conduct power relationships in public affairs. Until the rise of behavioralism, the central concerns of political science were framed by three issues raised by Aristotle in his *Politics*. Not all thinkers in this tradition arrived at the same conclusions, but their focus on the same concerns formed the great tradition of political science as an intellectual discipline. As Ceaser has outlined it, traditional political science consists of three main elements: knowledge of place; a general political science of regimes; and the political science of a particular place.

1) **Knowledge of Place**: Traditional political science is not an art of reasoning in a vacuum. Rather, it seeks knowledge within a context: historical circumstances, geography, and the character of a nation or people. A consideration of the American regime, for example, must be grounded in the history, geography, and “genius” of the American people. This context is intended to prevent the sort of abstracted reasoning that pervades exercises in women’s studies, multicultural studies, and other efforts to fit all human institutions on a Procrustean bed of “race, gender, and sexual orientation.”

2) **General Political Science**: Possessing a knowledge of place does not mean that traditional political science keeps its gaze to the ground and
never looks toward the sun. It is also concerned with more general issues: regime types, the factors that support or undermine different regimes, and the general human nature that characterizes people in all regimes. In contrast to plastic notions of human nature found in most Enlightenment and post-Enlightenment thinking, practitioners of traditionalism accept human nature as it is.

The general part of traditional political science looks to different types of regimes and seeks to discern the factors that cause them to work or fail. It examines how human nature interacts with each regime type and what benefits and hazards exist for people living in different types of political systems.

3) The Political Science of a Particular Place: The final part of traditionalism is the search for knowledge about the working of a particular regime at a particular time. It involves applying the knowledge from the first two elements to a specific place. For example, an analysis of the state of the contemporary American regime could provide cautionary insights for the citizens and policy makers of the United States.

If Caesar is right about the basic outlines of traditional political science—and I believe that he is, because he is pointing to the influence of Aristotle in Western thought—then it is a mode of analysis consistent with Catholic thought. Traditional political science is an application of human reasoning, but does not exalt reason, abstraction, or ideology. It can be used to apply principles of Catholic social teaching, which are employed with a sense of the context of time and place. It can be used to restore political science to its rightful place as an authoritative science, and it requires a sense of the importance of virtue.

The Politics of Virtue

The idea of virtue is one of the oldest in Western thought, and came to be thought unnecessary or dangerous only in the ideological revolution of the twentieth century. As long ago as Plato, the four cardinal—or political—virtues were seen as prudence, justice, temperance, and fortitude. Traditional political science—what Aristotle, Augustine, Aquinas, Shakespeare, Thomas More, James Madison, and Abraham Lincoln all knew—was built in part on these virtues. Contemporary political science wants to remember James Madison as a kind of proto-Ayn Rand: one who celebrated self-interest and rejected the idea of virtue. But Madison saw virtue as essential to the success of free government, and counseled only that designers of political institutions take into account the reality of political self-interest (in the form of factions). But where does the teaching about the threat of factions come from? It permeates Aristotle’s *Politics*, and it is the case
that James Madison was looking for a new solution to a very old problem. Despite the efforts of some contemporary interpreters of Madison to have it otherwise, the Founder recognized the importance of virtue.

**Krason’s Application of Traditional Political Science**

In addition to virtue and a sense of place, Aristotle was particularly concerned with what conditions and actions were necessary to maintain a regime. A large section of *Politics* is concerned with tracing the ways in which well-ordered regimes (those dedicated to the public interest) degenerate into corrupt forms and/or into other types of regimes. In short, Aristotle’s political science—the foundation of traditional political science—was centered on understanding general principles of politics, understanding how politics is conducted in a particular place, maintaining a focus on virtue and the moral dimension of politics, and discerning what it takes to maintain a regime. Ben Franklin’s reply on the work of the Federal Convention, “A republic, if you can keep it,” was a statement with an Aristotelian heart.

Professor Krason has written a book in this tradition. His analysis of the American democratic republic does not evaluate that system from the perspective of an abstract ideology, but from the ground on which the American experiment was built. Of course, in our time, to take the Founders seriously can be attacked as an ideological stance (Doesn’t Krason know that the Founders were dead white males who owned slaves and oppressed women?), but to his credit Krason does not flinch from seeing both the admirable (a commitment to liberty and law) and the reprehensible (slavery) among the Founders. Nevertheless, he takes the Founding as a significant and serious event that deserves respect because it produced a constitutional representative democracy that balanced order and liberty, promoted justice and the rule of law, and produced a civilization that became the envy of the world.

Krason’s political science is in the great tradition of Aristotle, Tocqueville, and others, because it not only treats the mechanical arrangements of the constitutional system and how they have evolved, but also focuses on the central role of virtue, culture, and norms in shaping and sustaining a political system. Much of the story told in *The Transformation* is the story of a changing culture—a changing social and economic culture, as well as a changing political culture. Consider these excerpts from the powerful summary of his analysis that Krason provides in the book’s final chapter:

1. **On the state of the political system:**
   The relationship between the federal government and the states has changed substantially. Federalism has been considerably
weakened since political power and public policy-making have been increasingly centralized. Government at all levels has sharply expanded and intervened into more and more areas of American life, but the expansion of the federal government particularly has been marked. With the activism and interventionism of government has been a corresponding decline of individual, family, and private institutional liberty. While, to be sure, the Founding principle was ordered liberty, there is much indication today that today’s restraints on liberty go well beyond what good order requires. Even traditional liberties that were held so central by the Founding, such as religious liberty, are imperiled.\(^8\)

On the changing economic culture:

We have commented about how such other Founding Era norms related to economics as thrift, sobriety, temperance, simplicity, frugality, a willingness to make present sacrifices for future good, and the avoidance of luxury are not widely practiced in contemporary American life.\(^9\)

On the changing moral culture:

Perhaps at the root of these deteriorating Founding cultural norms—since the departure from so many of them involves the absence of proper personal formation (i.e., the shaping of the soul)—is the increasing breakdown, which we have chronicled, of three other Founding Era norms that were talked about so emphatically by Tocqueville: marital fidelity, the importance and integrity of the family, and—referred to above—the adherence to religion.\(^10\)

Krason’s Aristotelian political science has produced a devastating critique of the state of the American experiment. But to arrive at that critique, so effectively summarized at the end of the book, Krason engages in a careful and compelling survey of American political history. By basing his analysis on this survey, Krason avoids the simplistic “way things used to be” or “way things ought to be” approaches that typically characterize an argument of this scope. His conclusions are not just editorializing, but a critique of the current state of American civilization that is grounded in a fairly comprehensive understanding of the nation’s political experience since the Founding.

What has that experience led us to? As Krason demonstrates, the United States has moved from the democratic republic of the Founding,
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based on principles of ordered liberty, the rule of law, decentralization, and a strong traditional culture, to something very different. As he puts it, “What America has become is, in part, what we will recall Tocqueville foresaw: a gentle despotism where people continue to elect their leaders, but increasingly see their everyday lives regimented, liberty reduced, and governmental power centralized.”11 Krason thus serves to document that Tocqueville’s warning about the danger of democracy has come to pass: In the twentieth century the United States has seen “the consolidation of the administrative state. Government regulation—or more accurately, regimentation—reached levels and concerned activities (e.g., social, cultural) never before seen. The future discerned by Tocqueville of the liberties of republican citizens being curtailed in so many of the areas of their day-to-day lives became a reality.”12

In the twenty-first century, the United States has now arrived at a place where a reasonable observer can ask whether the nation has been able to keep the republic created by the Founders. Not only has our government become a centralized administrative state, but the consolidation of power in that state has accelerated in the past few years. Today, deliberation and the rule of law have been replaced by administrative fiat and governance directed at remaking American society.

THE ADMINISTRATIVE STATE AND THE AMERICAN REPUBLIC

The administrative state that began with the Progressives, was expanded during the New Deal, and consolidated in the Great Society, has replaced government deliberation and the rule of law. There are two chief aspects to this administrative state: a new mode of governing and a new class of political elites.

A New Mode of Governing

As Krason notes, the rise of an administrative state in America took place in a series of phases or waves, from the Progressive Era to the Great Society. In the administration of Barack Obama, however, the nation is experiencing what we can regard as a fourth phase in that development. Under President Obama, the United States is now governed by what I call the presidential administrative state.

The traditional understanding of the administrative state is that it is marked by the delegation of substantial governmental power to appointed officials. These officials exercise all three types of governmental power: legislative (through rule-making), executive (through administration and rule enforcement), and judicial (through adjudication of rule violations, as well as
the imposition of sanctions for violations). The most obvious arms of this administrative state are the independent regulatory commissions—the Federal Trade Commission, the Federal Communication Commission, etc.—but all elements of the “regular” bureaucracy exercise these powers as well. Government departments and independent agencies issue thousands of rules each year, and it is a truism of contemporary American government to point out that administrative rules are the fastest-growing body of law in the nation.

The expansion and consolidation of the administrative state is concomitant with a government that has the vast scope and reach of the federal government in modern times. Another truism of contemporary government is that Congress passes many laws and creates many large-scale programs (the Patient Protection and Affordable Care Act—“Obamacare”—being the most recent example), then delegates to the bureaucracy the power and responsibility to write the rules needed to carry out the laws and programs established by the legislature. Having delegated such broad power to the bureaucracy, Congress has sought to keep a check on administrative government through oversight mechanisms (mostly through investigative hearings and the appropriations process) and by requiring agencies to follow certain procedures in rule-making, enforcement, and adjudication. The Administrative Procedures Act (APA, 1946), along with a number of later laws, forms the foundation for an elaborate body of administrative law intended to insure that agencies at least observe certain procedural safeguards as they exercise such sweeping governmental powers.

In the past four decades, presidents of both parties engaged in a project of seeking to bring administrative agencies under greater White House control. This project began with Richard Nixon, but accelerated under Ronald Reagan and Bill Clinton. Its primary purpose was to gain control over administrative rule-making, at minimum to blunt or stop rules that were contrary to the president’s policies. In particular, presidents such as Nixon and Reagan sought greater White House influence over rule-making to prevent ambitious administrators from adopting regulations that these presidents thought were unnecessary, intrusive, and likely to damage economic growth. Recent administrations have used the Office of Management and Budget and White House staff to try to gain more direct control over rule-making and other activities of the administrative state.

In the Obama Administration, this trend of greater White House control has aligned with other developments to give the president a high degree of unilateral control over public policy. The president has not been shy about using that power to advance his policy agenda, with the result being that the United States is now governed by a presidential administrative state. This new administrative state has three general characteristics:
1) Presidential direction of the administrative state: As a result of a forty-year effort by several presidents, the White House now possesses de facto directive authority over rule making by administrative agencies. Moreover, presidents employ policy “czars” and other techniques to enhance their influence over the bureaucracy and policy development.

Agency rule making has been a central concern of presidents of both parties. In principle, government agencies are assigned authority to make rules directly by Congress, and the president does not have direct authority. But in 2011 Barack Obama joined seven of his predecessors in requiring that agencies submit proposed rules to the Office of Management and Budget for pre-clearance and review. Despite the fact that most scholars do not believe that the president actually has legal authority to directly control rule making in this fashion, there is also a consensus among scholars that such White House control is well-entrenched and likely to continue.

Under Barack Obama, it has become obvious that rule making is now directed by the White House. Two examples bear out this reality: the president’s 2011 rejection of a rule on ozone emissions proposed by the Environmental Protection Agency (EPA), and the president’s direct involvement with the so-called “HHS mandate” on contraception coverage by insurance plans announced in 2012. In the first case, shortly after Labor Day 2011 the president publicly announced that he was killing a new ozone standard that EPA had been developing since 2009. Not only was this action by the president more public than usual (130 other regulations turned down by the White House were killed without an announcement), but it was intended to demonstrate Mr. Obama’s direct involvement in the issue and to assert his control.

The second example is more famous. In 2012, the Department of Health and Human Services issued a proposed rule requiring all employers to offer free contraceptives as part of their health insurance benefits. This proposal stimulated a backlash among Catholics and many others, and the president became publicly involved in the issue, announcing a few days later that he had developed a “compromise” on the rule (requiring insurers to provide the contraceptive coverage) that still left religious employers (many of whom are self-insured) being forced to violate their conscience—but Mr. Obama also announced a one-year delay in implementing the rule.

In both cases, the president did not even pay lip service to the fiction that the agencies involved had authority over these rules. Rather, he spoke and acted as if these rules were ukases for him to enact or reject as he saw fit.

Another method used by President Obama for asserting control over policy is the White House “czar.” Obama is not the first president to use...
czars, but he has used them more extensively than other presidents. Indeed, as one study of presidential czars has found, Obama gave at least one of his czars unprecedented power. In 2009, Obama appointed Kenneth Feinberg as his “pay czar,” to establish and enforce executive pay guidelines for companies that had received federal bailout money from the $700 billion Troubled Asset Relief Program (TARP). Then, in June 2010, the president directed Feinberg to oversee a $20 billion oil spill victims’ fund established by British Petroleum in the wake of the disastrous Gulf of Mexico spill that year. Feinberg was now also the administration’s “claims czar.” Despite the fact that Feinberg exercised discretion over taxpayer and private money, neither of his appointments was subject to Senate confirmation and the White House “seemed uncertain of the legal basis for the claims czar position even weeks after Feinberg’s appointment had been made.” The truth is that Feinberg was given sweeping authority on the basis of presidential fiat alone.

These developments give the president much broader authority over the administrative state than was the case decades ago. While the initial impetus for presidential directive authority—especially under Nixon and Reagan—was to restrain the administrative state, the tools that presidents developed can and have been employed to enhance the power of administrative government.

2) Enhanced administrative discretion: Another characteristic of the new administrative state has been the enhancement of bureaucratic discretion in making public policy. Coupled with presidential direction of the administrative state, the result is greater executive unilateralism in shaping and directing national policy.

Discretion has been enhanced in three ways. First, Congress essentially mandates broad administrative discretion by passing laws that delegate policy-making power to administrative agencies with only ambiguous guidelines for what agencies are supposed to do. A variety of laws direct agencies to interpret and apply such vague standards as “feasibility,” “fair competition,” “excessive profits,” “Contribute to the reestablishment of peace,” and “safe.” Reviewing these ambiguous standards, Justice Rehnquist dismissed them as “legislative mirages . . . appearing to some Members [of Congress] but not to others, and assuming any form desired by the beholder.” He said that they were merely precatory, that is, admonishing an administrator to try to achieve some standard, but excusing the official if it was not possible to do so. Congress clearly facilitates broad administrative discretion through its lawmaking.

The Obama Administration has enhanced this discretion through two means. First, the president’s 2011 Executive Order 13,563 on “Improving
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Regulation and Regulatory Review” not only keeps in place the White House review of proposed agency rules that has existed since the Reagan years, but adds a new wrinkle that broadens discretion. The order directs that, in drafting and reviewing rules, “each agency may consider (and discuss qualitatively) values that are difficult or impossible to quantify, including equity, human dignity, fairness, and distributive impacts.” While such principles are admirable, they are left to the eye of the beholder and have the practical effect of giving the administration—particularly the White House—even greater discretion than Congress has in shaping and reviewing rules.

The other means for enhancing the administration’s discretion is the widespread practice of “government by waiver.” Certainly, previous presidents have waived provisions of laws (waivers often being authorized by the laws themselves) to allow states and others to exercise greater latitude in achieving public purposes. But the Obama Administration has used waivers as a tool for reshaping policy in ways quite distinct from the laws of the land. The Obama Administration has given several states waivers from the 2001 No Child Left Behind Act and from the 2010 Affordable Care Act. While these waivers seem to permit greater variety and recognize federalism, in reality they facilitate the administration developing its own policies on a state-by-state basis—the White House negotiates with state leaders to promote its own agenda, using the granting or denial of a waiver as both a carrot and stick to shape policy. The widespread use of waivers has come under attack for undermining the rule of law, because it goes beyond making necessary exceptions to laws and replaces generally applicable laws with discretionary (and White House-controlled) policies. The most egregious example of government by waiver came in 2012, when President Obama announced that his administration would effectively implement through administrative fiat the “DREAM Act,” a proposal to allow persons brought to the United States illegally as children to remain in the United States. The administration justified the action as an exercise of prosecutorial discretion, but it is really a waiver of the law in the case of those persons who meet the president’s conditions. The consequence of these various waivers is to insure that, in contrast to the laws passed by Congress, policy in the areas of public education, health care, and immigration reflects President Obama’s agenda.

3) Enhancing the autonomy of the administrative state: In 1946, Congress passed the Administrative Procedures Act to restrain the growing federal bureaucracy through procedural safeguards. The APA has been accompanied by other laws adopted since then, including the Freedom of Information Act, the Paperwork Reduction Acts, the Regulatory Flexibility

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Act, and the Congressional Review Act, all intended to limit the autonomy of administrators. But recent developments run counter to this trend.

Most significantly, important administrative entities created or given broader authority by legislation adopted during the Obama presidency have been placed beyond the reach of normal checks on administrative agencies. The Consumer Financial Protection Bureau, created by the Dodd-Frank Act, was established as part of the Federal Reserve System and is funded outside of the appropriations process. This fact gives the Bureau a large degree of independence from congressional oversight. The U.S. Preventive Services Task Force, an advisory body that has gained considerable power under the Affordable Care Act, is another example. According to *CQ Researcher*:

> Created in 1984, the independent panel of private-sector experts evaluates the scientific evidence for the effectiveness of preventive services, like mammography. Until March 23, its recommendations were considered authoritative, but primarily advisory.

Now USPSTF guidelines will have the weight of law. Under health care reform, all insurance plans eventually will have to cover at little or no cost to patients all preventive services that the task force rates as “A” or “B,” indicating that science shows the service provides a net benefit that is moderate to substantial.

The problem is that the Task Force is not subject to the APA or to the Federal Advisory Committees Act, another law intended to restrain administrative entities in their exercise of public power.

Yet another important entity exempted from the restraints of the APA is the Independent Payments Advisory Board. As one study summarized the purpose and power of this board,

In 2010, the Patient Protection and Affordable Care Act (PPACA) created the Independent Payment Advisory Board, or IPAB. When the unelected government officials on this board submit a legislative proposal to Congress, it *automatically* becomes law: PPACA requires the Secretary of Health and Human Services to implement it. Blocking an IPAB “proposal” requires at a minimum that the House and the Senate and the president agree on a substitute. The Board’s edicts therefore can become law without congressional action, congressional approval, meaningful congressional oversight, or being subject to a presidential veto. Citizens will have no power to challenge IPAB’s edicts in court.
Placing powerful agencies beyond the ordinary checks of administrative law considerably increases the power of the administrative state. In addition, the Obama Administration has employed other techniques to discourage challenging administrative power in court—prosecuting whistleblowers inside the government, the EPA’s use of “sue and settle” tactics to pressure companies into complying with the agency’s agenda—the result being that contemporary government in the United States is increasingly conducted by administrative and executive units acting unilaterally.

**A New Class of Political Elites**

With government increasingly conducted through unilateral executive and administrative action, the United States is now dominated by a new class of political elites. The Progressives’ dream of a government by experts has come true: experts in and out of the government dominate public affairs. Traditional elites grounded in families, communities, churches, and elected offices have been supplanted by experts in law, policy, economics, the social sciences, and technology. These elites certainly do not all agree with one another, but they share common characteristics: They share a tremendous self-confidence in their own abilities and fitness to shape public life; they value their own expertise and see the values of their professions as trumping traditional standards of morality or ethics; they assume the propriety of their power and influence; and, they regard those who resist or oppose them as little better than Neanderthals who must be defeated. These technocratic elites find allies and financial backers in the cultural elites of Hollywood and the mass media.

Consider how the Obama Administration handled the storm of criticism it received for the HHS mandate on contraceptive coverage in 2012. The attitude of the president, the Secretary of Health and Human Services, and others in the administration was that objections to the mandate from Catholic bishops and others only demonstrated why the mandate was necessary. As far as administration officials were concerned, the experts in the government needed to assert their power precisely because the moss-backed patriarchal old fools of the Catholic Church needed to be dragged into the twenty-first century. Catholics and others who spoke up for religious freedom were subjected to withering criticism for trying—in the eyes of the elites who supported the mandate—to keep women “in a permanent state of pregnancy” by denying them unlimited access to free contraception. While HHS Secretary Kathleen Sebelius repeatedly emphasized the importance of “giving women control over their health care” and other officials tried to frame the issue as one of access to “preventive health services,” dozens of liberal bloggers and commentators invoked the cliché about keeping women “barefoot and pregnant.”
IS THE DEMOCRATIC REPUBLIC A LOST CAUSE?

Considering the changes that have occurred to the American political system and the corresponding cultural changes the nation has endured, is it the case that there is nothing left to the democratic republic established by the Founders? Is the republic a lost cause?

The answer is not encouraging. Two centuries of emphasis on egalitarianism have yielded a government that is, as Tocqueville predicted and Krason confirms, larger, more intrusive, and less democratic. The presidential administrative state now in place enables the progressive agenda to be pursued aggressively, as in the case of Obamacare and the HHS mandate. Cultural change, especially the creation of a culture of materialism, has almost eliminated the more sober and religious culture of an earlier era. Contemporary America is a place in which shameless celebrities and arrogant experts show scorn for religious leaders, traditional social norms, deliberative government, and the rule of law.

On the other hand, no cause that has merit is truly lost. The Constitution, however it has been bent and twisted, still maintains a fundamental structure that provides a foundation for government. Despite the best efforts of so-called reformers, the Constitution has helped to prevent even worse abuses. Despite attacks on traditional society, there are signs of hope and resistance to being ruled by experts and celebrities. The Obama Administration’s overreach on the HHS mandate helped to awaken American Catholics to the threat to their liberties from the new elites, and the United States retains its religiosity even in the midst of a culture of materialism. It is not the case that the democratic republic has been completely lost, however it may seem that way at times.

Power in twenty-first-century America is in different hands than those that held it at the time of the Founding. To be fair, that is not all to the bad: Slavery is no longer with us, and the once-dominant Protestantism of American culture has been replaced by one in which Protestants and Catholics share a common cause in defending religious liberty and traditional social norms. But Professor Krason has produced a powerful summary of what happened to the Founders’ Republic. By his application of traditional political science to the big question of the state of the American regime, he has opened American political development to unflinching scrutiny. His book is a *Summa Republica* that serves as an indispensable tool for those who seek to understand why our politics and culture in the nation’s third century have turned out as they have.
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Notes

6. Ibid., p. 6; italics in original.
9. Ibid., p. 476.
10. Ibid.
11. Ibid., p. 477.
12. Ibid., p. 485.

13. Independent regulatory commissions, insulated by law from the president, have not been brought under White House control. The forty-year project has been directed at departments and independent agencies.


17. Ibid.


