

**"The Rise of the Washington Establishment"**

by **Morris P. Fiorina** (from *American Government -- Readings and Cases*, 15th ed.)

**Dramatis Personae**

In this selection I will set out a theory of the Washington establishment(s). The theory is quite plausible from a common-sense standpoint, and it is consistent with the specialized literature of academic political science. Nevertheless, it is still a theory, not proven fact. Before plunging in let me bring out in the open the basic axiom on which the theory rests: the self-interest axiom.

I assume that most people most of the time act in their own self-interest. This is not to say that human beings seek only to amass tangible wealth but rather to say that human beings seek to achieve their own ends—tangible and intangible—rather than the ends of their fellow men. I do not condemn such behavior nor do I condone it (although I rather sympathize with Thoreau's comment that "if I knew for a certainty that a man was coming to my house with the conscious design of doing me good, I should run for my life."). I only claim that political and economic theories which presume self-interested behavior will prove to be more widely applicable than those which build on more altruistic assumptions.

What does the axiom imply when used in the specific context of this, a context peopled by congressmen, bureaucrats, and voters? I assume that the primary goal of the typical congressman is reelection. Over and above the six figure salary plus "perks" and outside money, the office of congressman carries with it prestige, excitement, and power. It is a seat in the cockpit of government. But in order to retain the status, excitement, and power (not to mention more tangible things) of office, the congressman must win reelection every two years. Even those congressmen genuinely concerned with good public policy must achieve reelection in order to continue their work. Whether narrowly self-serving or more publicly oriented, the individual congressman finds reelection to be at least a necessary condition for the achievement of his goals.

Moreover, there is a kind of natural selection process at work in the electoral arena. On average, those congressmen who are not primarily interested in reelection will not achieve reelection as often as those who are interested. We, the people, help to weed out congressmen whose primary motivation is not reelection. We admire politicians who courageously adopt the aloof role of the disinterested statesman, but we vote for those politicians who follow our wishes and do us favors.

What about the bureaucrats? A specification of their goals is somewhat more controversial—those who speak of appointed officials as public servants obviously take

a more benign view than those who speak of them as bureaucrats. The literature provides ample justification for asserting that most bureaucrats wish to protect and nurture their agencies. The typical bureaucrat can be expected to seek to expand his agency in terms of personnel, budget, and mission. One's status in Washington (again, not to mention more tangible things) is roughly proportional to the importance of the operation one oversees. And the sheer size of the operation is taken to be a measure of importance. As with congressmen, the specified goals apply even to those bureaucrats who genuinely believe in their agency's mission. If they believe in the efficacy of their programs, they naturally wish to expand them and add new ones. All of this requires more money and more people. The genuinely committed bureaucrat is just as likely to seek to expand his agency as the proverbial empire builder.

And what of the third element in the equation, us? What do we, the voters who support the Washington system, strive for? Each of us wishes to receive a maximum of benefits from government for the minimum cost. This goal suggests maximum government efficiency, on the one hand, but it also suggests mutual exploitation on the other. Each of us favors an arrangement in which our fellow citizens pay for our benefits.

With these brief descriptions of the cast of characters in hand, let us proceed.

### **Tammany Hall Goes to Washington**

What should we expect from a legislative body composed of individuals whose first priority is their continued tenure in office? We should expect, first, that the normal activities of its members are those calculated to enhance their chances of reelection. And we should expect, second, that the members would devise and maintain institutional arrangements which facilitate their electoral activities . . . .

For most of the twentieth century, congressmen have engaged in a mix of three kinds of activities: lawmaking, pork barreling, and casework. Congress is first and foremost a lawmaking body, at least according to constitutional theory. In every postwar session Congress "considers" thousands of bills and resolutions, many hundreds of which are brought to a record vote . . . . Naturally the critical consideration in taking a position for the record is the maximization of approval in the home district. If the district is unaffected by and unconcerned with the matter at hand, the congressman may then take into account the general welfare of the country. (This sounds cynical, but remember that "profiles in courage" are sufficiently rare that their occurrence inspires books and articles.) Abetted by political scientists of the pluralist school, politicians have propounded an ideology which maintains that the good of the country on any given issue is simply what is best for a majority of congressional districts. This ideology provides a philosophical justification for what congressmen do while acting in their own self-interest.

A second activity favored by congressmen consists of efforts to bring home the bacon to their districts. Many popular articles have been written about the pork barrel, a term originally applied to rivers and harbors legislation but now generalized to convey all manner of federal largesse. Congressmen consider new dams, federal buildings, sewage treatment plants, urban renewal projects, etc. as sweet plums to be plucked. Federal projects are highly visible, their economic impact is easily detected by constituents, and sometimes they even produce something of value to the district. The average constituent may have some trouble translating his congressman's vote on some civil rights issue into a change in his personal welfare. But the workers hired and supplies purchased in connection with a big federal project provide benefits that are widely appreciated. The historical importance congressmen attach to the pork barrel is reflected in the rules of the House. That body accords certain classes of legislation "privileged" status: they may come directly to the floor without passing through the Rules Committee, a traditional graveyard for legislation. What kinds of legislation are privileged? Taxing and spending bills, for one: the government's power to raise and spend money must be kept relatively unfettered. But in addition, the omnibus rivers and harbors bills of the Public Works Committee and public lands bills from the Interior Committee share privileged status. The House will allow a civil rights or defense procurement or environmental bill to languish in the Rules committee, but it takes special precautions to insure that nothing slows down the approval of dams and irrigation projects.

A third major activity takes up perhaps as much time as the other two combined. Traditionally, constituents appeal to their congressman for myriad favors and services. Sometimes only information is needed, but often constituents request that their congressman intervene in the internal workings of federal agencies to affect a decision in a favorable way, to reverse an adverse decision, or simply to speed up the glacial bureaucratic process. On the basis of extensive personal interviews with congressmen, Charles Clapp writes:

Denied a favorable ruling by the bureaucracy on a matter of direct concern to him, puzzled or irked by delays in obtaining a decision, confused by the administrative maze through which he is directed to proceed, or ignorant of whom to write, a constituent may turn though his congressman for help. These letters offer great potential for political benefit to the congressman since they affect the constituent personally. If the legislator can be of assistance, he may gain a firm ally; if he is indifferent, he may even lose votes.

Actually congressmen are in an almost unique position in our system, a position shared only with high-level members of the executive branch. Congressmen possess the power to expedite and influence bureaucratic decisions. This capability flows directly from congressional control over what bureaucrats value most: Higher budgets and new

program authorizations. In a very real sense each congressman is a monopoly supplier of bureaucratic unsticking services for his district.

Every year the federal budget passes through the appropriations committees of Congress. Generally these committees make perfunctory cuts. But on occasion they vent displeasure on an agency and leave it bleeding all over the Capitol. The most extreme case of which I am aware came when the House committee took away the entire budget of the Division of Labor Standards in 1947( some of the budget was restored elsewhere in the appropriations process). Deep and serious cuts are made occasionally, and the threat of such cuts keeps most agencies attentive to congressional wishes. Professors Richard Fenno and Aaron Wildavsky have provided extensive documentary and interview evidence of the great respect( and even terror) federal bureaucrats show fro the House Appropriations Committee. Moreover, the bureaucracy must keep coming back to Congress to have its old programs reauthorized and new one added. Again, most such decisions are perfunctory, but exceptions are sufficiently frequent tha bureaucrats do not forget the basis pf their agencies' existence.... The bureaucracy needs congressional approval in order to survive, let alone expand. Thus, when a congressman calls about some minor bureaucratic decision or regulation, the bureaucracy considers his accommodation a small price to pay for the goodwill its cooperation will produce, particularly if he has any connection to the substantive committee or the appropriations subcommittee to which it reports.

From the standpoint of capturing voters, the congressman's lawmaking activities differ in two important respects from his pork-barrel and casework activities. First, programmatic actions are inherently controversial. Unless his district is homogeneous, a congressman will find his district divided on many major issues. Thus when he casts a vote, introduces a piece of nontrivial legislation, or makes a speech with policy content he will displease some elements of his district. Some constituents may applaud the congressman's civil rights record, but others believe constituents may applaud the congressman's civil rights record, but others believe integration is going too fast. Some support foreign aid, while others believe it's money poured down a rat hole. Some advocate economic equality, others stew over welfares cheaters. On such policy matters the congressman can expect to make friends as well as enemies. Presumably he will behave so as to maximize the excess of the former over the latter, but nevertheless a policy stand will generally make some enemies.

In contrast, the pork barrel and casework are relatively less controversial. New federal projects bring jobs, shiny new facilities, and general economic prosperity, or so people believe. Snipping ribbons at the dedication of a new post office or dam is a much more pleasant pursuit than disposing of a constitutional amendment on abortion. Republicans and Democrats, conservatives and liberals, all generally prefer a rich district to a poorer one. Of course, in recent years the river damming and stream-bed straightening activities of the Army Corps of Engineers have aroused some opposition among environmentalists. Congressmen happily reacted by absorbing the oppositions

and adding environmentalism to the pork barrel: water treatments plants are currently a hot congressional item.

Case work is even less controversial. Some poor, aggrieved constituent becomes enmeshed in the tentacles of an evil bureaucracy and calls upon Congressman St. George to do battle with the dragon. Again Clapp writes:

A person who has a reasonable complaint or query is regarded as providing an opportunity rather than as adding an extra burden to an already busy office. The party affiliation of the individual even when known to be different from that of the congressman does not normally act as a deterrent to action. Some legislators have built their reputations and their majorities on a program of service to all constituents irrespective of party. Regularly, voters affiliated with the opposition in other contests lend strong support to the lawmaker whose intervention has helped them in their struggle with the bureaucracy.

Even following the revelation of sexual improprieties, Wayne Hays won his Ohio Democratic primary by a two-to-one margin. According to a *Los Angeles Times* feature story. Hays's constituency base was built on a foundation of personal service to constituents:

They receive help in speeding up bureaucratic action on various kinds of federal assistance- Black lung benefits disabled miners and their families, Social Security payments, veterans' benefits and passports.

Some constituents still tell with pleasure of how Hays stormed clear to the seventh floor of the State Department and into Secretary of State Dean Rusk's office to demand, successfully, the quick issuance of a passport to an Ohioan.

Practicing politicians will tell you that word of mouth is still the most effective mode of communication. New favors to constituents gets around and no doubt is embellished in the process.

In sum, when considering the benefits of his programmatic activities, the congressman must tote up gains and losses to arrive at a net profit. Pork barreling and casework, however, are basically pure profit.

A second way in which programmatic activities differ from casework and the pork barrel is the difficulty of assigning responsibility to the former as compared with the latter. No congressman can seriously claim that he is responsible for the 1964 Civil Rights Act, the ABM, or the 1972 Revenue Sharing Act. Most constituents do have some vague notion that their congressman is only one of hundreds and their senator one

of an even hundred. Even committee chairmen may have a difficult time claiming credit for a piece of major legislation, let alone a rank-and-file congressman. Ah, but casework, and the pork barrel. In dealing with the bureaucracy the congressman is not merely one vote of 435. Rather, he is a nonpartisan power, some one whose phone calls snap an office to attention. He is not kept on hold. The constituent who receives aid believes that his congressman and his congressman alone go results. Similarly, congressmen find it easy to claim credit for federal projects awarded their districts. The congressman may have instigated the proposal for the project in the first place, issued regular progress reports, and ultimately announced the award through his office. Maybe he can't claim credit for the 1965 Voting Rights Act, but he can take credit for Littletown's spanking new sewage treatment plant.

Overall then, programmatic activities are dangerous (controversial), on the one hand, and programmatic accomplishments are difficult to claim credit for, on the other. While less exciting, casework and pork barreling are both safe and profitable. For a reelection-oriented congressman the choice is obvious.

The key to the rise of the Washington establishment (and the vanishing marginals) is the following observation: the growth of an activist federal government has stimulated a change in the mix of congressional activities. Specifically, a lesser proportion of congressional effort is now going into programmatic activities and a greater proportion into pork-barrel and casework activities. As a result, today's congressmen make relatively fewer enemies and relatively more friends among the people of their districts.

To elaborate, a basic fact of life in twentieth-century America is the growth of the federal role and its attendant bureaucracy. Bureaucracy is the characteristic mode of delivering public goods and services. *Ceteris paribus*, the more government attempts to do for people, the more extensive a bureaucracy it creates. As the scope of government expands, more and more citizens find themselves in direct contact with the federal government. Consider the rise in such contacts upon passage of the Social Security Act, work relief projects and other New Deal programs. Consider the millions of additional citizens touched by the veterans' programs of the postwar period. Consider the untold numbers whom the Great Society and its aftermath brought face to face with the federal government. In 1930 the federal bureaucracy was small and rather distant from the everyday concerns of Americans. By 1975 it was neither small nor distant.

As the years passed, more and more citizens and groups have found themselves dealing with the federal bureaucracy. They may be seeking positive actions—eligibility for various benefits and awards of government grants. Or they may be seeking relief from the costs imposed by bureaucratic regulations—working conditions, racial and sexual quotas, market restrictions, and numerous other subjects. While not malevolent, bureaucracies make mistakes, both of commission and omission, and normal attempts at redress often meet with unresponsiveness and inflexibility and sometimes seeming

incorrigibility. Whatever the problem, the citizen's congressman is a source of succor. The greater the scope of government activity, the greater the demand for his services.

Private monopolists can regulate the demand for their product by raising or lowering the price. Congressmen have no such (legal) option. When the demand for their services rises, they have no real choice except to meet that demand—to supply more bureaucratic unsticking services—so long as they would rather be elected than unelected. This vulnerability to escalating constituency demands is largely academic, though. I seriously doubt that congressmen resist their gradual transformation from national legislators to errand boy-ombudsmen. As we have noted, casework is all profit. Congressmen have buried proposals to relieve the casework burden by establishing a national ombudsman or Congressman Reuss's proposed Administrative Counsel of the Congress. One of the congressmen interviewed by Clapp stated:

Before I came to Washington I used to think that it might be nice if the individual states had administrative arms here that would take care of necessary liaison between citizens and the national government. But a congressman running for reelection is interested in building fences by providing personal services. The system is set to reelect incumbents regardless of party, and incumbents wouldn't dream of giving any of this service function away to any sub agency. As an elected member I feel the same way.

In fact, it is probable that at least some congressmen deliberately stimulate the demand for their bureaucratic fixit services. Recall that the new Republican in district A travels about his district saying:

I'm your man in Washington. What are your problems? How can I help you?

And in district B, did the demand for congressman's services rise so much between 1962 and 1964 that a "regiment" of constituency staff became necessary? Or, having access to the regiment, did the new Democrat stimulate the demand to which he would apply his regiment?

In addition to greatly increased casework, let us not forget that the growth of the federal role has also greatly expanded the federal pork barrel. The creative pork barreler need not limit himself to dams and post offices—rather old-fashioned interests. Today, creative congressmen can cadge LEAA money for the local police, urban renewal and housing money for local politicians, educational program grants for the local education bureaucracy. And there are sewage treatment plants, worker training and retraining programs, health services, and programs for the elderly. The pork barrel is full to overflowing. The conscientious congressman can stimulate applications for federal assistance (the sheer number of programs makes it difficult for local officials to stay

current with the possibilities), put in a good word during consideration, and announce favorable decisions amid great fanfare.

In sum, everyday decisions by a large and growing federal bureaucracy bestow significant tangible benefits and impose significant tangible costs. Congressmen can affect these decisions. Ergo, the more decisions the bureaucracy has the opportunity to make the more opportunities there are for the congressman to build up credits.

The nature of the Washington system is . . . quite clear. Congressmen (typically the majority Democrats) earn electoral credits by establishing various federal programs (the minority Republicans typically earn credits by fighting the good fight). The legislation is drafted in very general terms, so some agency, existing or newly established, must translate a vague policy mandate into a functioning program, a process that necessitates the promulgation of numerous rules and regulations and, incidentally, the trampling of numerous toes. At the next stage, aggrieved and/or hopeful constituents petition their congressman to intervene in the complex (or at least obscure) decision processes of the bureaucracy. The cycle closes when the congressman lends a sympathetic ear, piously denounces the evils of bureaucracy, intervenes in the latter's decisions, and riders a grateful electorate to ever more impressive electoral showings. Congressmen take credit coming and going. They are the alpha and the omega.

The popular frustration with the permanent government in Washington is partly justified, but to a considerable degree it is misplaced resentment. Congress is the linchpin of the Washington establishment. The bureaucracy serves as a convenient lightning rod for public frustration and a convenient whipping boy for congressmen. But so long as the bureaucracy accommodates congressmen, the latter will oblige with ever larger budgets and grants of authority. Congress does not just react to big government—it creates it. All of Washington prospers. More and more bureaucrats promulgate more and more regulations and dispense more and more money. Fewer and fewer congressmen suffer electoral defeat. Elements of the electorate benefit from government programs, and all of the electorate is eligible for ombudsman services. But the general, long-term welfare of the United States is no more than an incidental by-product of the system.

**[Editors note by Peter Woll]**

### **Committee Chairmen as Political Entrepreneurs**

The preceding selection pointed out how the personal power incentive on Capitol Hill supports and expands committee government. Congressional committees became a dominant force in the legislative process toward the end of the nineteenth century. In 1885 Woodrow Wilson was able to state categorically in his famous work, *Congressional Government*:

The leaders of the house are the chairmen of the principal Standing



Committees. Indeed, to be exactly accurate, the house has as many leaders as there are subjects of legislation; for there are as many Standing Committees as there are leading classes of legislation, and in the consideration of every topic of business the House is guided by a special leader in the person of the chairman of the Standing Committee, charged with the superintendence of measures of the particular class to which that topic belongs. It is this multiplicity of leaders, this many-headed leadership, which makes the organization of the House too complex to afford uninformed people and unskilled observers an easy clue to its methods of rule. For the chairmen of the Standing Committees do not constitute a cooperative body like a ministry. They do not consult and concur in the adoption of homogeneous and mutually helpful measures; there is no thought of acting in concert. Each Committee goes its own way at its own pace. It is impossible to discover any unity or method in the disconnected and therefore unsystematic, confused, and desultory action of the House, or any common purpose in the measures which its Committees from time to time recommend.

With regard to the Senate he noted:

It has those same radical defects of organization which weaken the House. Its functions also, like those of the house, are segregated in the prerogatives of numerous Standing Committees. In this regard Congress is all of a piece. There is in the Senate no more opportunity than exists in the House for gaining such recognized party leadership as would be likely to enlarge a man by giving him a sense of power, and to steady and sober him by filling him with a grave sense of responsibility. So far as its organization controls it, the Senate... proceedings bear most of the characteristic features of committee rule.

The Legislative Reorganization Act of 1946 was designed to streamline congressional committee structure and provide committees and individual members of Congress with increased expert staff; however, although the number of standing committees was reduced, subcommittees have increased so that the net numerical reduction is not as great as was originally intended. Further, because Congress still conducts its business through committees, (1) the senior members of the party with the majority in Congress dominate the formulation of public policy through the seniority rule; (2) policy formulation is fragmented, with each committee maintaining relative dominance over policy areas within its jurisdiction; and (3) stemming from this fragmentation, party control is weakened, especially when the president attempts to assume legislative dominance.

Although Congress is often pictured as powerless in confrontation with the executive branch, the fact is that the chairmen of powerful congressional committees

often dominate administrative agencies over which they have jurisdiction. They are an important part of the broad Washington establishment. This is particularly true of the chairmen of appropriations committees and subcommittees; because of their control of the purse strings, they are able to wield far more influence over the bureaucracy than are the chairmen of other committees. The appropriations committees have a direct weapon- money- that they can wield against administrative adversaries. And, the chairmen of all committees have seniority that often exceeds that of the bureaucrats with whom they are dealing. The secretaries and assistant secretaries of executive departments are political appointees who have been around for one or more decades. This gives the latter expertise that the political levels of the bureaucracy often lack. Political appointees in the bureaucracy must rely upon their professional staff in order to match the expertise of senior members of Congress. The power of the chairmen of the appropriations committees often leads them to interfere directly in administrative operations. They become, in effect, part of the bureaucracy, often dominating it and determining what programs it will implement. The constant interaction between committee chairs and agencies results in “government with-out passing laws,” to use the phrase of Michael W. Kirst (See Michael W. Kirst, *Government Without Passing Laws*, Chapel Hill: University of North Carolina Press, 1969.)

While committees remain an important part of the Washington power establishment, their chairmen often becoming informal “prime ministers” dominating the policy arenas their committees control, though the chairmen are no longer the feudal barons Woodrow Wilson portrayed. But congressional committees, more than political parties, continue to define the legislative process. The dispersion of committee power adds new dimensions to divided government. As the president confronts Congress he must deal with multiple power centers, making presidential leadership more complex and difficult.

**Questions (please type and include question):**

1. What are the two major assumptions that Fiorina makes about those in the “establishment?”
2. List and explain the three types of activities that typify Congress. Why do Congressmen engage in these activities?
3. What institutions make up the Washington “establishment?” What behaviors do they engage in that makes them part of the “establishment.”
4. Why is Congress the lynchpin of the establishment?
5. Provide three examples of contemporary Congressmen engaged in the types of activities identified by Fiorina.



