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Selected Essays*

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*Here the
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To Laura

Acknowledgments

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Introduction

Most of the essays in this volume have appeared in scholarly journals or in books edited by others. A few are published here for the first time. None has been taken from one of my books. A would-be reader would have to go to much trouble to find them; that is the reason for bringing them together.

Collections of essays are frequently miscellanies. This one is not. Except for the final two chapters, all deal with some aspect of the American political system. Some have to do with the structure and functioning of the federal system, others with the nature of public—and incidentally other—organization, and still others with the causes and supposed cures of the social problems that government is nowadays expected to solve or cope with. The two final chapters are about the relationship between economics and political science; for lack of a better term they may be called *methodological*.

The essays are at once descriptive and analytical. Concretely, their subject matter is the American political system. In my view, the feature of that system that is analytically most interesting—that is, the one that is most useful in explaining it or (if there is one) any other system having the same feature—is the extreme fragmentation of formal authority. Many consequences follow this fragmentation, the most obvious perhaps being widespread participation—interference, some might call it—in the day-to-day conduct of government. It is to stress this analytical focus that the book is titled *Here the People Rule*, and not, as it might have been if the focus were on the concrete and descriptive, *American Government and Politics*. The title, incidentally, is a sentence taken from the statement made by Gerald Ford when, after the resignation of Richard Nixon, he became president of the United States. One may profitably contrast it

with the famous phrase of Jefferson's favorite philosopher, John Locke: "the people shall judge" (also now the title of a book).

Several analytical themes recur in the essays, most of them related to what a few lines before I called the analytical focus of the book. Each section of the book is preceded by a short introductory note, the purpose of which is to call attention to the themes that unify that section and to relate them to the most general theme of the book. The essays have been reprinted without change under their original titles.

It may be useful to give some account of the mode of thought that is reflected in these essays. For space and other reasons, it will have to be a very brief account; nevertheless it may help the reader to place what follows in a framework that will make it more intelligible.

Let us begin with the nature of man. In the eighteenth century, it was widely believed that man is by nature mainly a creature of passions and only incidentally one of reason. His overriding passion is to be admired (no man ever got enough admiration to satisfy him, John Adams wrote, and the neglect or contempt of the world "is as severe a pain as the gout or stone"). This and other passions lead men to be good members of society, but it also leads them to violate laws and to tyrannize when doing so will bring them admiration. The great problem of government is to place limits on the lust for power, and this, as everyone knows, was a principal reason for the Founders' preoccupation with devising a system of checks and balances and a division of powers; as Publius wrote in *Federalist* 51, "ambition must be made to counteract ambition."

Whatever limitations it may have from other points of view, this conception of the nature of man is, in my opinion, the only appropriate one for the political thinker. It makes conflict, actual or potential, the central, ineradicable fact of life. Reasonable discussion does of course occur, but the nature of man is such that it can never be the principal basis of order in society. Order depends ultimately upon the exercise, actual or potential, of political power.

The emulative or, if one prefers, selfish nature of man precludes in general the possibility of voluntary action to secure a good in which all will share. This point is developed somewhat in the introductory note to Part I.

The system of checks and balances that arises from a recognition of the emulative nature of man results in a wide distribution of power and in a public opinion that holds (the Founders to the contrary notwithstanding) that everyone has a right, indeed an obligation, to participate—or

interfere—in the day-to-day conduct of government. As I said before, this is the defining characteristic of rule by the people. In other democracies it is taken for granted that the people will give or withhold consent at intervals and that in the meantime the government, so long as it has a working majority in parliament, has the exclusive power to make and implement plans. Rule by the people, by contrast, necessitates creating a sufficient coalition of powerholders issue by issue.

In such a system, the function of the politician is to find the terms on which the many holders of bits and pieces of power will collaborate: he is a broker who arranges deals in this way. Obviously his talents and skills are very different from those of the statesman, whose function is to discern the content of the common good and to devise strategies for securing it. Although they are analytically unlike, the politician and the statesman may be concretely the same: no one will doubt that Lincoln, for example, was both a politician and a statesman. It will be seen, however, that it is in the nature of rule by the people (as opposed, say, to parliamentary democracy) to make more use of politicians than of statesmen.

The intellectual, meaning here one whose talent is for the manipulation of abstract ideas, has nothing in common with the politician and, except as he may sometimes be used by the politician, plays no part in American politics. As in the previous paragraph, I speak here of analytical types. It sometimes happens that an intellectual is also a politician: Lincoln is a good example here too. The combination does not occur very often, however, and when it does the individual finds it expedient to keep his intellectuality out of public view.

Rule by the people allows no place for the making and carrying out of comprehensive, internally consistent plans. Planning in this sense is incompatible with the character of a highly fragmented political system. To be sure, the universities give degrees in planning, and there are countless governmental planning bodies, most of which produce documents called plans. When government acts, however, it is not on the basis of these plans; rather it is on the basis of compromises that have been reached among competing interests. For further testimony on this, see the words of Woodrow Wilson quoted in the introductory note to Part III.

Government by compromises often leads either to stalemate or to outcomes that are indefensible from a public standpoint. The reader will find examples in the accounts given here of the Model Cities Program (Chapter 4) and of site selection by the Chicago Housing Authority

(Chapter 9). Such outcomes often impose very high costs upon those most affected, and, what is worse, they raise doubts about the ability of the government to meet emergencies of a kind that require an internally consistent line of action. Government by pressure groups, as political scientists are fond of pointing out, has its good—even indispensable—side in that pressure groups not only bring information that would otherwise be overlooked to the attention of officials but also oblige them to take it into account. Moreover, not all such groups are “selfish.” As Jeffrey M. Berry writes in *Lobbying for the People*,¹ there are many “public interest” groups, the defining characteristic of which is that the benefits they seek are not for members, supporters, or activists but for “the public.” It goes without saying that such groups sometimes have narrow or mistaken notions of what constitutes the public interest; nevertheless the effort to distinguish public from private interest is significant.

Taking the pluses and minuses into account as best I can, it seems to me that government by compromise is a luxury that democracy can and should afford except possibly in the gravest emergencies of war.

The citizen is rarely a very competent ruler. As Joseph Schumpeter remarks in *Capitalism, Socialism, and Democracy*,² when he deals with public as opposed to private affairs (himself, his family, his business, and so on), the individual’s sense of familiarity and responsibility is usually much reduced, in which case “ignorance will persist in the face of masses of information however complete and correct.”

Acting without any immediate responsibility for the outcome, the citizen, it seems to me, is apt to show naiveté in three contexts that are of particular interest here.

First, he is likely to favor any changes (“reforms”) that are likely to make the political system more democratic. The democratic ideal allows for the exercise of only such power as arises from reasonable discussion about the common good in which all participate; all other sources of power—for example, “machines” and “bosses”—are incompatible with the ideal and should therefore (the citizen is apt to think) be eliminated. The ideal, however, is unrealizable: government cannot operate *solely* on the basis of reasonable discussion, and the elimination of illicit sources of

¹Jeffrey M. Berry, *Lobbying for the People* (Princeton: Princeton University Press, 1977).

²Joseph Schumpeter, *Capitalism, Socialism, and Democracy* (New York: Harper and Brothers, 1942).

power will, if carried far enough, render it ineffective. For a discussion of these matters in concrete terms, the reader is referred to Chapters 2 and 3 on reform of the American party system.

Second, the citizen is likely to overlook the systemic character of institutions and to suppose that an intended change can be effected without thereby giving rise to consequences that are neither intended nor wanted. Here again the chapters on reform of the party system are illustrative. A (political) system is a set of relationships such that a disturbance at one point in the system is felt throughout it and may change its entire character. It is naive for a reformer to think that he can change one feature of a system without affecting others or to ignore the real possibility that in improving matters in one respect he may unwittingly make them worse in other, perhaps more important, respects.

Third, the citizen is prone to assume that the morality appropriate to personal relations (with family, friends, neighbors, business associates, and so on) is also appropriate to affairs of state. Chapter 17, "The Dangerous Goodness of Democracy," contends that this is mistaken simplicity.

An explanatory principle put forward in several of these essays is the special outlook, or ethos, of the growing American middle class. For present purposes, the middle class consists of those persons who expect to send their children to college or who have attended college themselves. Whether because of their interest in formal education or for other reasons, middle-class people tend to take more account of the future than do working-class people, to have more interest in public affairs, to be more willing to make small sacrifices of private for public interest, and to participate to a greater extent in public affairs. One might infer from this that continuing "middle classification" will eventually immunize public opinion against the kinds of naiveté that I have described. On the contrary. In my judgment, the middle class, especially its higher reaches, has a stronger attachment to the democratic ideal than does the working class and a more unquestioning faith that good intentions will produce good consequences. Confident that goodwill and expertise can solve, or at least alleviate, all social problems, a middle-class person is very likely to feel a positive obligation to undertake reform no matter what the costs.

The typical middle-class reformer has undue confidence in the use of social science and of organized knowledge generally. He fails to see that the problems of society are at bottom moral and political, arising from differences of opinion as to what is and, especially, as to what ought to be. Insofar as such problems are solvable, it is by discussion, bargaining,

and struggle; to try, as the reformer is prone to do, to substitute information for wisdom is likely to exacerbate rather than to alleviate these problems, which arise from the nature of man and in one form or another are ineradicable.

While failing to recognize the essentially moral nature of social problems, the reformer is given to moralizing about them, and this is worse than futile. The moralizer urges as a basis of action moral principles or standards that cannot be applied in the circumstances in which action must be taken: he averts his gaze from the facts that constitute the problem while advocating what, if the situation were different, would be a right course of action.

It should be emphasized that the reformist impulse exists among conservatives as well as liberals. Even among conservatives of the libertarian variety—perhaps especially among them—there is a distaste for politics and compromise, a persistent effort to substitute for it a system of rules adherence to which will produce “welfare” (“the public interest”), and a characteristic confidence in the efficacy of information as opposed to wisdom. Like the liberal, the conservative reformer wants to break up concentrations of government power. Ironically, the efforts of both lead, albeit in somewhat different ways, to increasing the concentrations. Neither the liberal nor the conservative seems able to accept the central fact, which is that the nature of the American political regime does not allow of more than a dash of consistency in policy. A reformer who wants to be effective must reconcile himself to recycling old compromises. That rule by the people is incompatible with rule by general principles is a painful reality that reformers cannot bring themselves to accept.

In my view, the reformer-moralizer constitutes a serious problem for rule by the people. For one thing, he recommends measures that cannot work and are apt to make matters worse. For another, he blames “society” for its failure to do the undoable and by so doing he creates disenchantment, cynicism, and mutual distrust: in short, he undermines the consensual basis of the society. Thus Ramsey Clark, quoted in Chapter 1, asked: “What is to be said of the character of a people who, having the power to end all this [slums, racism, crime, etc.], permit it to continue?”

To say (as I said previously) that the essays in this book are descriptive and analytical implies that they are free, or almost free, of value judgments. I do not accept the categorical distinction that is often made between *facts* and *values*: each, it seems to me, partakes in some degree of the nature of the other and all judgments, including of course those of

probability, have a subjective element. To say what the world *ought* to be like is a task that challenges the highest faculties of intellect as well as imagination. It is not, however, the one to which I have addressed myself. Although this book is by no means free of opinions, those that it contains are, I think, opinions about the nature of what is, rather than of what ought to be.

I hasten to add that I do not regard these as “mere” opinions. The assertions on which most of the weight of argument rests—that the American political system is highly fragmented, that interest groups play an important part in the day-to-day conduct of affairs, that comprehensive plans are rarely if ever made the basis of action, that the middle class is the main support of reform efforts—these and other assertions of the same generality are supported not only by data presented or referred to in the essays but are in the nature of common knowledge among students of the American political system. Where there is difference of opinion it is mostly not about the facts but about their causes and, especially, their probable consequences.

Although they all discuss problems of one sort or another, none of the essays ends with a set of policy recommendations. (A partial exception is Chapter 18, where some “minor changes” in library practices are put forward as “illustrative ideas.”) The reason for not making recommendations is that I do not see how, after explaining why things are as they are, one can go on to say how they could be different. The point is made by Frank H. Knight in words that I quote in Chapter 10: “scientific explanation of what is demonstrates that it is inevitable under the given conditions.”³ To this one may of course reply that a recommendation need only consist of showing how the given circumstances may be changed so as to make possible a different and better outcome. No doubt it is practicable to make such a showing in some matters. With regard to those discussed here, however, I do not think that it is at all practicable. The “givens” here are altogether too immovably given: to propose a change in the structure of the American government or in the ethos of the middleclass, for example, would be a waste of words at best and a misrepresentation of reality at worst.

This view cannot properly be called *Panglossian*. I do not claim that all is for the best in this best of all possible worlds: only that I am not

³Frank H. Knight, *On the History and Method of Economics* (Chicago: University of Chicago Press, 1956), 143.

able to specify the means by which it may be made better in important respects.

It is, of course, a conservative view. It is not the kind of conservatism that says most people are not worth bothering with or the kind that says the devil take the hindmost. What it *does* say is that the nature of man makes conflict inevitable, that social institutions are the outcome of a long process of trial and error, that they cannot be reformed by central planning and direction, and that the goal of public life, which is to afford every person a real opportunity to live a life that is fully human, requires above all the exercise of prudent judgment, a faculty given to relatively few.

One may well wish that the world were different—that men were capable of governing themselves and of realizing their full human potential by means of reasonable discussion. But as these essays show, the world is not what one would wish, and government, even government by the people, must take it as it is.