

The Poverty of Obama's Pragmatism

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By **Peter Berkowitz** - November 9, 2014

During his meteoric rise to the White House, President Obama was touted as a pragmatist -- one who overcomes ideology, transcends partisanship, and focuses on the practical and doable. The stunning repudiation of the president's leadership on Nov. 4 exhibits the poverty of his brand of pragmatism.

Voters have frozen the president's progressive agenda by handing the Senate to the Republicans and padding their comfortable margin in the House.

This result has ensured that Congress will intensify oversight of administration scandals and policy controversies. The litany includes the IRS targeting of conservatives groups; the Fast and Furious gun-running operation to Mexican drug lords; the Benghazi terror attacks; the seizing of AP reporters' telephone and email records; the prosecution of prize-winning New York Times journalist James Risen; the Bowe Bergdahl prisoner swap; the Veterans Administration hospital mismanagement; the CDC bungling of the Ebola outbreak; the misrepresentation of basic features of the Affordable Care Act and the public's persistent dissatisfaction with the program's cost and effectiveness; the humanitarian catastrophe in Syria; the desultory conduct of military operations against ISIS; and, not least, the exceedingly ineffectual negotiations with Iran over the mullahs' nuclear weapons program.

Small wonder then that, as New York Times reporter Peter Baker put it, "Polling by Gallup shows that since June 2009, in the heyday of the new Obama presidency, public confidence in virtually every major institution of American life has fallen, including organized religion, the military, the Supreme Court, public schools, newspapers, Congress, television news, the police, the presidency, the medical system, the criminal justice system and small business."

Authoritative voices on the left led us to expect something altogether different. And no voice raised expectations more authoritatively than that of distinguished Harvard Law School professor Cass Sunstein, who served from 2009 to 2012 as head of the White House Office of Information and Regulatory Affairs (and is married to U.S. United Nations Ambassador Samantha Power).

In January 2008, Sunstein -- then a University of Chicago law professor and an informal adviser to the Obama campaign -- explained in the New Republic that Obama was a "visionary minimalist." As president, Obama would "listen to" and "learn from" people with whom he disagreed. The candidate was committed to the belief, according to Sunstein, that "real change usually requires consensus, learning, and accommodation." Obama was "unifying" because "he always sees, almost always respects, and not infrequently accepts" the "deepest commitments" of "independents and Republicans."

In a September follow-up, Sunstein maintained that although progressive in outlook, Obama was not a "doctrinaire liberal." Sunstein portrayed a politician who "prefers solutions that can be accepted by people with a wide variety of theoretical inclinations." The senator from Illinois "attempts to accommodate, rather than to repudiate, the defining beliefs of most Americans," Sunstein asserted. "Above all, Obama's form of pragmatism is heavily empirical; he wants to know what will work."

To illustrate the Democratic nominee's distinctively non-doctrinaire, accommodating, and empirically oriented pragmatism, Sunstein offered Obama's health care plan. Obama "would not require adults to purchase health insurance," Sunstein assured. Instead, his goal "is to make health care available, not to force people to buy it -- a judgment that reflects Obama's commitment to freedom of choice, his pragmatic nature (an enforcement question: Would those without health care be fined or jailed?), and his desire to produce a plan that might actually obtain a consensus."

The health care legislation that Obama proudly signed into law in March 2010 was the antithesis of Sunstein's campaign-trail reveries. The Affordable Care Act represented the most partisan legislative package that then-House Speaker Nancy Pelosi and Senate Majority Leader Harry Reid could ram through the two Democratic-controlled chambers. It required all adults to purchase health insurance. Instead of cultivating consensus to win passage of a plan that also respected conservative concerns, the president chose to demonize Republicans.

The public noted the president's high-handed ways and, eight months later in the 2010 midterm elections, returned its verdict. A historic 63-seat gain put Republicans in charge of the House of Representatives, with the power to exercise congressional oversight of the executive branch and to oppose efforts by the Obama-led Democratic Party to increase the size and scope of government.

On the left, one common explanation of what went wrong for Obama is that it was the Republicans' fault. Nasty and brutish know-nothing conservatives were determined to foil the president at every step and at any cost. But that explanation won't wash, and not only because it is false: From the early days of Obama's presidency, Republican leaders such as Reps. Eric Cantor and Paul Ryan demonstrated their willingness to share ideas with the president and consider options. It was Obama who quickly made clear that since he had won it would be his way or the highway.

To be sure, the president invited Republicans, who have been known on occasion to be obstreperous, to his table. But they were only welcome to remain provided that they embraced his policies. Obama was pragmatic or flexible about the means to achieving progressive ends but thoroughly partisan about the ends themselves.

It's not that Obama fell short of the ideal pragmatist Sunstein celebrated. Rather, Sunstein mis-described the brand of pragmatism Obama embodies. Whereas pragmatism purports to set aside ideology, Obama postures as a pragmatist to disguise his ideology. In particular, his pragmatism celebrates conciliatoriness and downplays partisanship to distract attention from the ruthless pursuit of progressive goals.

Obama's political pragmatism follows the deception inscribed in the original philosophical pragmatism of Charles Sanders Peirce (1839-1914), William James (1842-1910), and John Dewey (1859-1952). Pragmatists emphasize experience, the fallibility of knowledge, and the need to test empirically our opinions and revise them in light of their practical consequences. They reject the quest for absolute certainty and instead embrace methods of inquiry that yield incremental advances in understanding.

So far so good.

But the philosophical pragmatists took a good thing too far. They sought to dissolve metaphysical disputes that had divided philosophers since the days of Socrates, Plato, and Aristotle. What appeared to philosophers and theologians -- and to multitudes of ordinary men and women -- to be hard but vital questions about ultimate principles, were really, the pragmatists asserted, only questions about the "expedient," or about how ideas work in practice.

James stressed that pragmatism meant how ideas worked "in the long run and on the whole." However, what works -- whether in the short run or in the long run and on the whole -- has no self-evident meaning. It depends on how you define the task. If government's task is to impose uniformity of outcome, then expanding its reach may work. If its task is to secure individual freedom, then expanding it can be disastrous. Pragmatism's inevitable need to define tasks reintroduces, albeit under wraps, the hard moral and theoretical questions it claims to debunk.

Rather than dissolving metaphysical questions, pragmatism encourages the delusion that they have been dissolved. When pressed, philosophical pragmatism becomes a series of rhetorical ruses designed to impel those who wish to explore the deep conflicts between moral, political, and religious views to shut up and go away.

Obama's political pragmatism operates in similar fashion. It preaches that disputes between left and right that appear unresolvable are illusory, while systematically resolving them in the left's favor.

Obama's pragmatist pose worked in 2008 when he ran without a record and enjoyed the backing of legions of publicists like Professor Sunstein. After almost six years in office, however, this vaunted pragmatism stands exposed as a method of concealing an inexpedient brew of dogmatic progressivism and disdain for government process. It has hurt the Democratic Party by restoring its reputation for aggressively expanding government at home

and projecting weakness abroad. It has impaired the nation's ability to conceive and carry out necessary domestic reforms. And it has eroded America's capacity to discharge vital responsibilities around the globe.

The illiberal and anti-democratic attempt to hide partisan convictions under the cloak of pragmatism has failed. This creates an opportunity to return to the sophisticated candor embodied in the Constitution. Instead of denying enduring partisan tensions, the Constitution seeks to encourage moderation in reconciling our perpetually competing private interests and abiding differences of opinion about how to interpret shared principles of freedom.

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