

The Tea Party movement

and our collective interest



By James V. DeLong

The most basic conflict in politics is between our *collective* interest in establishing rules governing the political system – rules that are fair for all – and our *individual* special interest in getting favors from the government.

An economic system in which people can enter into contracts, with full confidence that these contracts will be binding, is vital for economic growth. Such a system benefits everyone. But any individual who has made a bad bet – say, by charging too little or paying too much – would like to take it back, to nullify the deal. A typical person in such a situation would be perfectly willing to pressure government officials to protect him from the consequences of his bad decision. Of course, if politicians and bureaucrats get into the habit of nullifying deals for political reasons, the whole system of contract collapses and we all lose the benefits of a robust, contract-based economy.

Another example: Most Americans treasure religious freedom. While some of us might fantasize momentarily that our own faith could be made into an official religion, one imposed on all and supported with tax money, we (almost all of us) are also sensible enough to understand the bitter conflicts that would result from contests among churches to become the established one.

These particular issues are addressed in the U.S. Constitution. One provision, in Article 1, Section 10, forbids the states from impairing the obligations of contracts; another, in the First Amendment, protects the free exercise of religion and forbids the establishment of an official religion. These provisions are only two examples of the

many restrictions on governmental power that exist in the Constitution.

A fundamental purpose of any constitution is to establish fair general rules on crucial issues, rules that prevent us from giving in to our temptations to try to seize personal advantage from the government while ensuring that others are also prevented from doing so. A reason for the success of the U.S. Constitution – the basis for the oldest continuous system of government on the planet – is that it has a set of strict rules, rules that fulfill this purpose better than the alternatives, such as reliance on politicians' self-restraint.

In discussions of this need to reconcile the conflict between civic responsibility and personal cupidity (and the difficulty of doing so), we use terms like "Collective Action," "the Prisoners Dilemma," "Particular Interest vs. Constitutional Interest," and "the Tragedy of the Commons." If one searches for these terms in the academic literature of law or political science or economics, one will find hundreds of articles.

But a funny thing happened on the road to Washington. These terms disappeared.

One can scour the deliberations of Congress or the opinions of the Supreme Court without finding "Prisoner's Dilemma" or, with rare exceptions for labor law, "Collective Action." That's a fact of surpassing oddity considering that constitutional thinking is rooted in such concepts. How have the lawyers managed to erect a constitutional jurisprudence that avoids the main points?

The *Congressional Record* is also largely empty of these terms, and so are the news accounts of political battles, the position papers of D.C. influence peddlers, and the speeches of government officials.

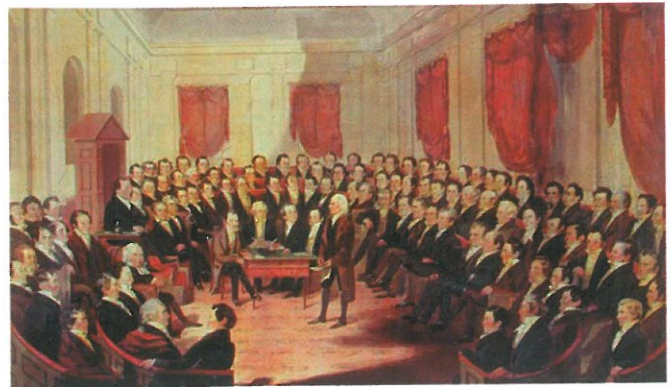
There is a reason for this vacuum. The business of Washington is obtaining special favors for the people who pay tribute, literally, to Washington; it is based on the countless millions of dollars paid to Washington lawyers and lobbyists and public relations specialists and, in the form of campaign contributions and other political support, to elected representatives. To discuss political choices in terms of a conflict between the constitutional interest and the special interest would undermine the entire structure of Washington representation and influence-peddling. The same is true in state capitals and city halls across the country.

As a result, few people working in Washington (or Springfield, or Sacramento, or Albany) represent the overall public interest. In fact, public interest representation is generally limited to a few battered think tanks, grassroots organizations, and publications that adhere to a pro-freedom point of view. With few exceptions, corporations channel their funds into efforts at crony capitalism, not efforts to defending the free market. Almost all D.C. denizens have strong personal incentives to avoiding a free and open debate or even the mere mention in public of the conflict between constitutional interest and special interest. They must not acknowledge, even to themselves, that they devote their days to undermining the Constitution and hurting the public.

The Tea Party movement is a spontaneous and creative public reaction against this destructive Washington dynamic, and gives one hope for the future of democracy. It shows that Americans still have the fiber and sense to turn away from pursuit of their particular interests in favor of supporting our collective constitutional interest in making the system function.

The Tea Party philosophy is the opposite of the current Washington ethic, too prevalent in both parties, that dictates that the goal of politics is to gather a coalition of 51% of the voters so that it can loot the other 49%. The Tea Party goal, instead, is to return to the principles that maximize opportunity for 100% of the voters.

Given the coalition-of-looters mindset, it is not surprising that so many in both parties disdain and even mock the Tea Parties. These silly citizens just don't understand the game! They stand up for principle! Just look at what those crazy Tea Party types in the Veterans of Foreign Wars did last fall –



1830 VA Constitutional Convention

they raised a ruckus over VFW's political action committee endorsements, insisting that the group NOT take the cynical course of pursuing members' short-term interests at the expense of the rest of the public!

The British novelist C.P. Snow commented that a character was exhibiting "the cynicism of the unworldly" by not recognizing the importance of principle and moral force in politics. Today, it is Washington that exhibits the cynicism of the unworldly. It is the Tea Partiers who are the realists, precisely because they understand that no effective government is possible unless the collective, constitutional interest comes first.

How a prosperous and educated society got to this state is an interesting question, but the immediate issue is how to get out of it. As in treating disease, the first step is to make an accurate diagnosis, and Tea Partiers have taken that step by pointing to our detachment from constitutional values. The next step is to use ridicule, disdain, the ballot box, and other means at our disposal to force the politicians and influence-peddlers to accept and admit that they are addicted to narrow-minded pursuit of special interests, and that they need to change their behavior.

Ultimately, our leaders must be judged on how they resolve the conflict between values, not on how much pork they bring home.

[Further reading: Thomas Schelling, *The Strategy of Conflict* (1981), Robert Axelrod, *The Evolution of Cooperation* (2006), William Poundstone, *Prisoner's Dilemma* (1993)]

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