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The New New Deal

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The following is adapted from a lecture delivered at Hillsdale College on February 1, 2010, during a four-day conference on “The New Deal,” co-sponsored by the Center for Constructive Alternatives and the Ludwig von Mises Lecture Series.

In President Obama, conservatives face the most formidable liberal politician in at least a generation. In 2008, he won the presidency with a majority of the popular vote—something a Democrat had not done since Jimmy Carter’s squeaker in 1976—and handily increased the Democrats’ control of both houses of Congress. Measured against roughly two centuries worth of presidential victories by Democratic non-incumbents, his win as a percentage of the popular vote comes in third behind FDR’s in 1932 and Andrew Jackson’s in 1828.

More importantly, Obama won election not as a status quo liberal, but as an ambitious reformer. Far from being content with incremental gains, he set his sights on major systemic change in health care, energy and environmental policy, taxation, financial regulation, education, and even immigration, all pursued as elements of a grand strategy to “remake America.” In other words, he longs to be another FDR, building a New New Deal for the 21st century, dictating the politics of his age, and enshrining the Democrats as the new majority party for several decades to come. Suddenly, the era of big government being over is over; and tax-and-spend liberalism is back with a vengeance. We face a \$1.4 trillion federal deficit this fiscal year alone and \$10-12 trillion in total debt over the coming decade. If the ongoing expansion of

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**SPECIAL MESSAGE
FROM PRESIDENT
LARRY P. ARNN**

government succeeds, there will also be very real costs to American freedom and to the American character. The Reagan Revolution is in danger of being swamped by the Obama Revolution.

To unsuspecting conservatives who had forgotten or never known what full-throated liberalism looked like before the Age of Reagan, Obama's eruption onto the scene came as a shock. And in some respects, obviously, he is a new political phenomenon. But in most respects, Obama does not represent something new under the sun. On the contrary, he embodies a rejuvenated and a repackaged version of something older than our grandmothers—namely the intellectual and social impulses behind modern liberalism. Yet even as President Obama stands victorious on health care and sets his sights on other issues, his popularity and that of his measures has tumbled. His legislative victories have been eked out on repeated party line votes of a sort never seen in the contests over Social Security, Medicare, and previous liberal policy successes, which were broadly popular and bipartisan. In short, a strange thing is happening on the way to liberal renewal. The closer liberalism comes to triumphing, the less popular it becomes. According to Gallup, 40 percent of Americans now describe themselves as conservative, 35 percent as moderates, and only 21 percent call themselves liberal. After one of its greatest triumphs in several generations, liberalism finds itself in an unexpected crisis—and a crisis that is not merely, as we

shall see, a crisis of public confidence.

To try to understand better the difficulties in which the New Deal finds itself, it might be useful to compare it to the original. The term itself, New Deal, was an amalgam of Woodrow Wilson's New Freedom and Teddy Roosevelt's Square Deal, and was deliberately ambiguous as to its meaning. It could mean the same game but with a new deal of the cards; or it could mean a wholly new game with new rules, i.e., a new social contract for all of America. In effect, I think, the term's meaning was somewhere in between. But FDR liked to use the more conservative or modest sense of the term to disguise the more radical and ambitious ends that he was pursuing.

In its own time, the New Deal was extremely popular. Among its novel elements was a new kind of *economic* rights. The Progressives at the turn of the century had grown nervous over the closing of the American frontier and the rise of large corporations—developments they thought threatened the common man's equality of opportunity. Aside from anti-trust efforts and war-time taxation, however, the Progressives did not get very far toward a redistributive agenda, and were actually wary of proclaiming new-fangled rights. They were more comfortable with duties than rights, and disapproved of the selfish penumbras cast by the natural rights doctrines of old. Woodrow Wilson and Teddy Roosevelt preached moral uplift—doing your duty in a more socialized or socialistic era. They tended to associate rights talk with individualism of

the backward-looking sort. It took the cleverness of FDR and his advisors to figure out how rights could be adapted to promote bigger government and to roll back the old regime of individualism and limited government.

What was this new concept of rights? Instead of rights springing from the individual—as God-given aspects of our nature—FDR and the New Dealers conceived of individualism as springing from a kind of rights created by the state. These were social and economic rights, which FDR first proclaimed in his campaign speeches in 1932, kept talking about throughout the New Deal, and summed up toward the end of his life in his annual message to Congress in 1944. These were the kinds of rights that the New Deal especially promoted: the right to a job, the right to a decent home, the right to sell your agricultural products at a price that would allow you to keep your farm, the right to medical care, the right to vacations from work, and so on. FDR elevated these rights to be parts of what he called “our new constitutional order.”

Of course, not all of these rights were enshrined in law. After all, President Obama has only just now enshrined a dubious right to health care into law. And not one of these rights was actually added to the Constitution, despite Roosevelt's pitching them as what he called a “second Bill of Rights.” And the fact that none of them was ever formulated into a constitutional amendment is entirely consistent with FDR's and modern liberals' belief in a living constitution—that is, a constitution that is changeable, Darwinian, not frozen in time, but rather creative and continually growing. Once upon a time, the growth and the conduct of government were severely restricted because a lot of liberal policies were thought to be unconstitutional. In fact, many New Deal measures proposed by FDR were struck down as unconstitutional by the Supreme Court in the 1930s. But nowadays it's hard to think of a measure expanding government power over private property and enterprise that the Court, much less

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Congress, would dismiss out of hand as simply unconstitutional.

If you consider the financial bailouts or the re-writing of bankruptcy law involved in the GM and Chrysler deals, these are the kinds of things that politicians in sounder times would have screamed bloody murder about as totally unconstitutional and illegal. But hardly a peep was heard. After all, once we have a living constitution, we shouldn't be surprised to find we have a living bankruptcy law, too. The meaning of the law can change overnight as circumstances dictate—or as the political reading of circumstances dictates.

Despite not being formally enshrined in the Constitution, most of these new rights—what we've come to call entitlement rights—did get added to the small “c” constitution of American politics anyway, either during the New Deal or during its sequel, the Great Society. Social Security, Medicare, Medicaid, and kindred welfare state programs moved to the center of our political life, dominating the domestic agenda and eventually usurping the majority of federal spending, now delicately termed “uncontrollable.”

The social and economic rights inherent in these entitlements purported to make Americans secure, or at least to make them feel secure. “Necessitous men are not free men,” FDR liked to say—which meant that freedom required government to take care of a person's necessities so that he might live comfortably, fearlessly, beyond necessity. The long-term problem with this was that the reasons given to justify the relatively modest initial welfare rights pointed far beyond themselves. No one ever doubted, for instance, that good houses, well-paying jobs, and decent medical care were fine things. But the liberal alchemy that transformed these fine things into “rights” was powerful magic. Such rights

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[Latin]: in the first place

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implied, in turn, duties to provide the houses, jobs, and medical care now guaranteed to most everyone.

And on whom did the duties fall? Liberalism never came clean on that question. It pointed sometimes to the rich, suggesting that enough of their wealth could be redistributed to provide the plenty that would be required to supply houses and medical care and jobs to those who lack them. But liberalism also liked to say that the duty to provide these things fell broadly upon the American middle class—that these were basically insurance programs into which people paid and from which they took out their benefits when needed.

Could future benefits be cut or eliminated? Liberals breathed nary a word about such unhappy scenarios, selling the new rights as though they were self-financing—that is, as if they would be cost-free in the long-term, if not a net revenue generator. In fact, entitlements are the offspring of formulas that can be trimmed or repealed by simple majorities of the legislature. And the benefits have to be paid for by someone—as it turns out, primarily by the young and the middle class.

The moral costs of the new rights went further. Virtue was the way that

free people used to deal with their necessities. It took industry, frugality, and responsibility, for example, to go to work every morning to provide for your family. It took courage to handle the fears that inevitably come with life, especially in old age. But the new social and economic rights tended to undercut such virtues, subtly encouraging men and women to look to the government to provide for their needs and then to celebrate that dependency as if it were true freedom. In truth, the appetite for the stream of benefits promised by the new rights was more like an addiction, destructive of both freedom and virtue.

The new entitlements pointed to a beguiling version of the social contract. As FDR once described it, the new social contract calls for the people to consent to greater government power in exchange for the government providing them with rights: Social Security, Medicare, Medicaid, Obamacare, etc. The more power the people give government, the more rights we receive. FDR’s New Deal implied that there’s nothing to fear from making government bigger and bigger, because political tyranny—at least among advanced nations—is a thing of the past.

In truth, however, the new

socio-economic rights were group rights, not individual rights. They were rights for organized interests: labor unions, farmers, school teachers, old people, blacks, sick people, and so forth. Collectively, these rights encouraged citizens to think of themselves as members of pressure groups or to organize themselves into pressure groups. Subtly and not so subtly, citizens were taught to identify their rights with group self-interests of one kind or another.

These new group rights were conspicuously not attached to obligations. The old rights—the individual rights of the Declaration of Independence and the Constitution—had come bound up with duties. The right to life or the right to liberty implied a duty not to take away someone else’s life or someone else’s liberty. The new rights, on the other hand, had no corresponding duties—except perhaps to pay your taxes. The new rights pointed to a kind of moral anarchy in which rights without obligations became the currency of the realm—in which rights, understood as putative claims on resources, were effectively limited only by other, stronger such claims. The result was, at best, an equilibrium of countervailing power.

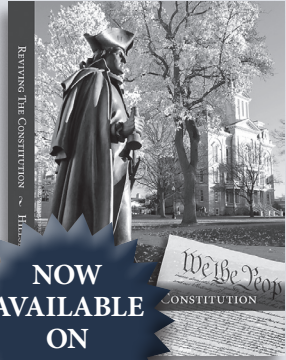
President Obama’s New New Deal doesn’t look so distinctive when you view it in this historical light. The collectivization of health care, for instance, is a hearty perennial of liberal politics and fulfills a 65-year-old promise made by FDR. Moreover, in cultivating the aura of a prophet-leader, uniquely fit to seize the historical moment and remake his country, Obama follows the theory and example of Woodrow Wilson. But there are signs of a few new or distinctive principles in this current leftward lurch, and I will mention two.

First, there is the postmodernism that crops up here and there. Postmodernism insists that there’s no truth “out there” by which men can guide their thoughts and actions. Postmodern liberals admit, then, that there is no objective support—no support in nature or in God or in anything outside of our wills—for liberalism itself. Liberalism in these terms is

just a preference. The leading academic postmodernist, the late Richard Rorty, argued that liberals are moral relativists who feel an “aversion to cruelty,” and it’s that aversion that makes them liberals. And indeed, if one admits that all moral principles are relative, the only thing that really sets one apart as a liberal is a certain kind of passion or feeling. President Obama calls this feeling empathy. And yes, of course, all this implies that conservatives don’t have feelings for their fellow human beings—except perhaps a desire to be cruel to them.

Now I don’t mean to suggest here that President Obama is a thoroughgoing postmodernist, because he’s not. But neither is he just an old-fashioned progressive liberal of the 1930s variety. New Deal liberals believed in the future. In fact, they believed in a kind of predictive science of the future. Postmodernists reject *all* truth, including any assertions about progress or science. Postmodernists speak of *narrative*—one of those words one hears a lot of these days in politics—rather than truth. Narrative means something like this: Even if we can’t find meaning in any kind of objective reality out there, we can still create meaning by telling each other stories, by constructing our own narratives—and the more inclusive and empathetic these narratives, the better. President Obama often speaks this postmodern language. For example, here is part of a discussion of the Constitution and the Declaration of Independence in his book, *The Audacity of Hope*:

Implicit in [the Constitution’s] structure, in the very idea of ordered liberty, was a rejection of absolute truth, the infallibility of any idea or ideology or theology or “ism,” any tyrannical consistency that might lock future generations into a single, unalterable course, or drive both majorities and minorities into the cruelties [notice cruelty: he’s against it] of the Inquisition, the pogrom, the gulag, or the jihad.



REVIVING THE CONSTITUTION AN ONLINE TOWN HALL MEETING

ON JANUARY 30, Hillsdale College hosted an online town hall meeting on the principles of the Constitution, how those principles have been undermined, and what is needed to revive them. Over 30,000 Americans signed up to view this event live. Now it is available on DVD for \$15, plus s/h.

To order go to thekirbycenter.org.

Obama's point here is that absolute truth and ordered liberty are incompatible, because absolute truth turns its believers into fanatics or moral monsters. Now granted, it was certainly a good thing that America escaped religious fanaticism and political tyranny. But no previous president ever credited these achievements to the Founders' supposed rejection of absolute truth—previously known simply as truth. What then becomes of those great self-evident truths that President Obama's admitted hero, Abraham Lincoln, celebrated and risked all to preserve? And that Martin Luther King, Jr., invoked so dramatically?

Postmodernism came out of the 1960s university—though it flowered, if that's the right word, in subsequent decades, especially after the collapse of Communism. President Obama is a child of the '60s—born in 1961. The Sixties Left was in some ways strikingly different from the Thirties Left. For one thing, the '60s left was much more—as they liked to say in those days—"existentialist." That is, '60s leftists admitted to themselves that all values are relative, and therefore irrational. But they still believed or hoped that morality could be felt, or experienced through the feelings of a generation united in its demands for justice *now*. Shared feelings about values became a kind of substitute for truth among protesting liberals in the '60s, which goes far to explaining the emotionalism of liberals then and since. But when the country refused to second their

emotions—when the country elected President Nixon in 1968 and again, by larger margins, in 1972—the kids grew bitter and increasingly alienated from the cause of democratic reform, which used to be liberalism's stock-in-trade. In this context, President Obama represents not only a return to a vigorous liberal reform agenda like the New Deal, but also a kind of bridge between the alienated campus left and the political left.

The second new element in President Obama's liberalism is even more striking than its postmodernism. It is how uncomfortable he is with American exceptionalism—and thus with America itself. President Obama considers this country deeply flawed from its very beginnings. He means not simply that slavery and other kinds of fundamental injustice existed, which everyone would admit. He means that the Declaration of Independence, when it said that all men are created equal, did not mean to include blacks or anyone else who is not a property-holding, white, European male—an argument put forward infamously by Chief Justice Roger Taney in the *Dred Scott* decision, and one that was powerfully refuted by Abraham Lincoln.

In short, President Obama agrees with his former minister, Reverend Jeremiah Wright, much more than he let on as a presidential candidate. Read closely, his famous speech on that subject in March 2008 doesn't hide his conclusion that Wright was correct—that America is a racist and ungodly country

(hence, not "God Bless America," but "God Damn America!"). Obama agrees with Wright that in its origin, and for most of its history, America was racist, sexist, and in various ways vicious. Wright's mistake, Obama said, was underestimating America's capacity for change—a change strikingly illustrated by Obama's own advances and his later election. For Obama, Wright's mistake turned on not what America was, but what America could become—especially after the growth of liberalism in our politics in the course of the 20th century. It was only liberalism that finally made America into a decent country, whereas for most of its history it was detestable.

Unlike most Americans, President Obama still bristles at any suggestion that our nation is better or even luckier than other nations. To be blunt, he despises the notion that Americans consider themselves special among the peoples of the world. This strikes him as the worst sort of ignorance and ethnocentrism, which is why it was so difficult for him to decide to wear an American flag lapel pin when he started running for president, even though he knew it was political suicide to refuse wearing it.

As President Obama hinted in his Berlin speech during the campaign, he really thinks of himself as a multiculturalist, as a citizen of the world, first, and only incidentally as an American. To put it differently, he regards patriotism as morally and intellectually inferior to cosmopolitanism. And, of course, he is never so much a citizen of the world as when defending the world's environment against mankind's depredations, and perhaps especially America's depredations. In general, the emotionalist defense of the earth—think of Al Gore—is now a vital part of the liberalism of our day. It's a kind of substitute for earlier liberals' belief in progress. Although his own election—and secondarily liberalism's

achievements over the past century or so—help to redeem America in his view, Obama remains, in many ways, profoundly disconnected from his own land.

This is a very different state of mind and character from that of Franklin Roosevelt, who was the kind of progressive who thought that America was precisely the vanguard of moral progress in the world. This was the way Woodrow Wilson, Lyndon Johnson, and every great liberal captain before Obama thought about his country—as a profoundly moral force in the world, leading the nations of the world toward a better and more moral end point. Obama doesn't think that way, and therefore his mantle as an American popular leader—despite his flights of oratorical prowess—doesn't quite fit him in the way that FDR's fit him. One can see this in the tinges of irony that creep into Obama's rhetoric now and then—the sense that even he doesn't quite believe what he's saying; and he knows that but hopes that you don't.

Obama's ambivalence is, in many ways, the perfect symbol of the dilemma of the contemporary liberal. How can Obama argue that America and liberalism reject absolute truths, and in the same breath affirm—as he did recently to the United Nations—that human rights are self-evidently true? You can't have it both ways, though he desperately wants and tries to. Here, surely, is the deepest crisis of 20th-century American liberalism—that it can no longer understand, or defend, its principles as true anymore. It knows that, but knows as well that to say so would doom it politically. Liberals are increasingly left with

an amoral pragmatism that is hard to justify to themselves, much less to the American public. The problem for liberals today is that they risk becoming confidence men, and nothing but confidence men. ■



DID YOU KNOW?

On May 8, Hillsdale College held its 158th Commencement exercises. There were 339 members of the graduating class of 2010. Also present were members of the class of 1960, on campus for their 50th reunion. Former U.S. Attorney General Edwin Meese III delivered the Commencement address.