

**ELECTIONS COURSE**

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“The Future of Democracy”

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We are now one week away from completing what has to be acknowledged as one of the most bizarre electoral cycles in this nation’s history.

But I’m afraid that we are a much longer distance away from absorbing the shocks and wounds that have been inflicted on our body politic over the last many months. And since, as I’ve said many times, everything, including this election cycle, has a history, even a deep history, let me put the point still more broadly: How will future historians explain how we came to this – how will they assess the shocks and wounds that this *society* has suffered over the last many *years, even decades*, that have brought us to this pass? And how will they tell the story of this election’s sequelae?

In a recent *New Yorker* article, George Packer put it this way:

“The fact that so many informed, sophisticated Americans failed to see Donald Trump coming, and then kept writing him off, is itself a sign of a democracy in which no center holds. Most of his critics are too reasonable to fathom his fury-driven campaign. Many don’t know a single Trump supporter. But to fight Trump you have to understand his appeal.”

I won’t venture to guess how many people in this room are ready either to “fight” or support Donald Trump. But I’ll bet that most of us in these deep-blue Bay Area precincts know very few if any Trumpistas. And I dare say that Packer is describing many of us in this room when he talks about those supposedly informed sophisticates who did not see Trump coming. For most of us, it takes both a dose of

humility and a bold leap of political imagination to understand our current situation.

In our defense it might be added that we are all engaged with this class, at least in part, to understand Trump's appeal – not just the character of Donald Trump, a darkly fascinating but in the end trivial subject -- but, much more importantly, what gives with those millions of people who have rallied to him?

They are, after all, our fellow citizens. And they are not going away after November 8.

As Packer goes on:

“A disaster on this scale belongs to no single set of Americans, and it will play out long after the November election, regardless of the outcome. Trump represents the whole country's failure.”

*The whole country's failure.* Let's take that accusation seriously and let it inform our discussion this

evening. Some here will remember the pithy dictum that the cartoonist Walt Kelly famously put in the mouth of his character, Pogo: “We have met the enemy, and he is us.”

So – in that spirit, tonight’s class provides an occasion for some self-examination and some soul-searching, painful as it might be.

It also provides an occasion for some retrospection on the themes that have preoccupied us over the last month: 1) the ways that the Constitution, money, the media, and the evolution of the political parties have shaped -- or arguably distorted -- our modern-day electoral process; 2) the national security and foreign policy challenges that will confront the next president, whoever that may be; 3) the widening wealth and income gaps and concomitant narrowing of the avenues of opportunity for young people, in particular, that have emerged in the last generation or two; and, 4) the dizzying changes, largely driven by technology and by

globalization, that are in the process of re-shaping the American workplace almost beyond recognition.

And, to bring us back to our announced subject this evening, this election season provides an especially robust stimulus to do some thoughtful rumination about the nature of democracy itself – and especially about our own peculiarly *American* democracy. What is the essence of democracy? What is its history? Has its history in this country deepened and amplified its essence or compromised or even betrayed its essence? And of course – again, our subject of this evening -- what is its future?

Just to get the discussion going, let me suggest that there are three necessary elements that compose democracy, and that might provide a framework for our discussion.

1) As the Greek root of the word suggests, it puts the “people” at the heart of the matter. Democracy is based on popular consent, on the premise that the ultimate and singular source of legitimacy and authority is the

“people.” Realistically speaking, in a society of more than 300 million citizens, that means the people as exercising their authority through their elected representatives, who are accountable to the people through the electoral process.

2) Democracy is predicated on the principle of equality. That is to say, it makes no distinctions of rank or privilege in social affairs – “no dukes or dauphins,” as Mark Twain put it in *Huckleberry Finn*, and, more seriously, in theory at least, it tolerates no differences in access to political power, nor to avenues of opportunity.

3) And at least in the American case, democracy also affirms the principle of inclusion -- that is, admission to full social membership – including, of course, the rights and privileges of citizenship – to anyone who affirms his or her allegiance to those antecedent principles of popular rule and equality.

In practice, that commitment to inclusion strongly implies a commitment to tolerance – mutually extended

by and to peoples of different creeds and colors and ways of life so long as they accept the basic terms of the American social contract.

So: the authority of the people; equality; and inclusion -- that's my definition of the Holy Trinity of American democracy.

My own examination of conscience about these questions carries me back to some of the sacred texts in the great American canon. Four in particular: the Declaration of Independence; the Gettysburg Address; the Constitution, notably its Preamble; and the most trenchant commentary ever written about this nation's political culture, Alexis De Tocqueville's classic from the 1830s, *Democracy in America*.

First, the Declaration: I take note especially of the latter part of that famous sentence about certain truths being self-evident. I'll pass over here the well-known passage about men being created equal, and all of them endowed with certain inalienable rights. The passage that

interests me for purposes of this evening's discussion comes just a bit further along: the part that says that "to secure these rights, *governments* are instituted among men, deriving their just powers from the consent of the governed."

Note that word, "government."

From the outset American identity was intimately bound up with a certain (democratic) form of government. Indeed, foreign visitors to the United States in the 19<sup>th</sup> century – from Charles Dickens to Andre Tardieu to Jose Marti -- repeatedly griped about the way that Americans never stopped crowing about their government. In short, for a long historical season, Americans took pride in their government, bragged about it, cited it as the thing that distinguished them from other peoples, gave them a common sense of identity -- and led hundreds of thousands of them to lay down their lives so that "*government* of the people, by the people, for the people" should not perish from the earth. Note what Lincoln did

not say, not that “free markets” or “capitalism” should not perish, nor “American hegemony,” but popular *government*.

Not to belabor the obvious, but those kinds of sentiments are a far cry from the declaration that “government is not the solution, government is the problem.” That message has informed much of our political life for nearly two generations, enfeebling government to a degree that prompts the likes of Tom Friedman to pray “if only we could be China for a day.”

So here’s my first question for our panelists: What has democracy come to when the performance of its apparently chronically catatonic institutions prompts even liberal thinkers like Friedman to pine for the efficacy of an authoritarian and notoriously repressive regime?

My next text is the Constitution’s preamble, especially its opening words: “We the People of the United States.” Those words not only reaffirm the Declaration’s statement that the only legitimate form of

government is that which is based on the consent of the governed. But in addition, that phrase, “We the people” has also been endlessly invoked to define the master narrative of American history -- that our story, our nation’s vector through time, is all about the ever-expanding “circle of We.” We pride ourselves on being a nation that has long welcomed immigrants; on being the first nation to enfranchise all adult white males; on being a people willing to sacrifice hundreds of thousands of lives to extend that franchise to all adult males, regardless of “race, color, or previous condition of servitude”; on eventually extending the franchise to all adults, *tout court*, regardless of gender; and in our own time to offer full social membership to gays, lesbians, and transgender people.

So here’s my second question for our guests (actually a set of related questions): What has happened to make us wary of our own tradition as an immigrant people? What forces have given rise to a presidential candidate who

preaches exclusion, not inclusion, and who apparently pins his electoral hopes on the narrow demographic of less-educated white men? Perhaps most disquieting: What has driven so many millions of our country men and women to such state of despondency that they will not even bother to vote, and feel so alienated from the very institutions that were once such a source of national pride?

My final text is from Alexis DeTocqueville.

A bit of background: Tocqueville is customarily credited with expanding the science of political study to include not just formal institutions, and statutes, and jurisprudence, but equally – or even more – importantly, the underlying beliefs, values, mores, and behaviors of the society at large. Tocqueville gave to those things the collective name “habits of the heart,” and he deemed them no less important than the Constitution in shaping the destiny of the Republic. It’s in that sense that some have called him the first sociologist, whose insights invite

comparison with those of the person who was arguably the first modern political scientist, Nicolo Machiavelli.

Tocqueville came to America as a 26-year-old young man in 1831, during the reign of Andrew Jackson, when he witnessed the full flowering of mass democracy, with virtually universal white manhood suffrage, the likes of which had no precedent in either the modern or ancient world. He spent nine months traveling the country and returned to France to write his classic study.

So here is its first sentence, which lays down a premise, or a foundational observation, from which all the rest of his analysis will flow:

Amongst the novel objects that attracted my attention during my stay in the United States, nothing struck me more forcibly than the general equality of condition among the people. I readily discovered the prodigious influence which this primary fact exercises on the whole course of society; it gives a peculiar direction to public opinion, and a peculiar

tenor to the laws; it imparts new maxims to the governing authorities, and peculiar habits to the governed.”

So here's another question for our panelists: Can American democracy survive in the context of gross - - and growing -- inequality? What forces have so stressed our social fabric and political culture that we seem at the moment no longer to conceive of ourselves as a people bound together by agreement to a shared set of norms, values, and expectations. How to explain polling data that has sadly documented the steady decline over the last two generations of our trust and confidence in institution after institution, including the Congress, the Presidency, the courts, the political class generally, the media, big-league sports, even the churches and the Boy Scouts?

So: the authority of the people as exercised through representative government; equality; and inclusion. Those are my candidates for the definitional elements of democracy, rooted, in the American case, in the

Declaration, the Constitution, and the Gettysburg Address, and powerfully elucidated by Alexis De Toqueville.

As I've already noted, we have with us for this retrospective – and prospective – discussion of our political fate three deeply engaged contributors to our public life and our collective effort to understand ourselves in this confusing passage in the Republic's history. On behalf of Jim Steyer and Rob Reich, and all of you, I welcome them to this platform and thank them for making the effort to be with us.

Larry Kramer is currently the President of the William and Flora Hewlett Foundation, where he has been since 2012.

Before going to Hewlett, Larry served eight years as Dean of the Stanford Law School, where he emphasized curricular reforms that promoted a public service ethos. He has been a professor of law at the University of

Michigan and NYU, as well as at the University of Chicago, where he got his law degree. He clerked for U.S. Supreme Court Justice William Brennan, and his research and teaching have been deeply invested in constitutional law (including, I happen to know because he has invited me to teach in it, an annual seminar on that subject that he offers for high-school teachers).

Arlie Hochschild is professor of Sociology emerita at U. C. Berkeley, where she received her graduate training after graduating from Swarthmore, and where she has taught for almost as long as I have taught at Stanford -- maybe longer (49 years?) Her research interests have long focused on the relation of person to persona, or private life to public performance, or more broadly, on the ways that individual character and social and historical context are inextricably interconnected.

She is well known to a public far beyond the academy through books like *The Second Shift: Working Parents and the Revolution at Home*. Her current book,

*Strangers in their Own Land: Anger and Mourning on the American Right*, is the result of several years of researching and living among the citizens of Louisiana Bayou country, and trying to understand -- and help us to understand -- why they have embraced the Tea Party. The New York Times' reviewer described the book as "generous, disconcerting, smart, respectful, and compelling." It is a nominated finalist for the 2016 National Book Award.

Peter Wehner is currently a senior fellow at the Ethics and Public Policy Center in Washington DC, which describes its mission as "dedicated to applying the Judeo-Christian moral tradition to critical issues of public policy." Peter has served in three Republican administrations – those of Ronald Reagan, George H. W. Bush, and George W. Bush (where he headed the White House Office of Strategic Initiatives, and where I first met him in 2006). He is the co-author of two notable books: *City of Man: Religion and Politics in a New Era* (co-

authored with Michael J. Gerson) and *Wealth and Justice: The Morality of Democratic Capitalism* (co-authored with Arthur C. Brooks). Peter is currently a contributing opinion writer at the *New York Times*, where he writes uncommonly thoughtful commentaries on our current cultural and political scene, and where he has used that platform to separate himself from Donald Trump and urge his fellow Republicans to do the kind of soul-searching about the future of their party that we hope to do about our country at large here this evening.