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## THEY SAID IT

Once it is fully established, bureaucracy is among those social structures which are the hardest to destroy. Bureaucracy is the means of carrying community action over into rationally ordered "societal action." Therefore, as an instrument for 'societalizing' relations of power, bureaucracy has been and is a power instrument of the first order-for the one who controls the bureaucratic apparatus.

Under otherwise equal conditions, a societal action which is methodically ordered and led, is superior to every resistance of 'mass' or even of "communal action." And where the bureaucratization of administration has been completely carried through, a form of power relation is established that is practically unshatterable.

-- Max Weber, *Economy and Society*, 1921.

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## MICHAEL BLOOMBERG AND THE POST-POLITICAL STATE.

New York Mayor Michael Bloomberg is just being coy. He won't admit it now, but he is going to run for president next year, as an "independent." Bet on it. The possibility of an all-New-York presidential campaign has both him and the mainstream news media all worked up, and no one wants the fun dampened by a shortage of candidates. If two New Yorkers (and in one case, we use that term advisedly) is a good thing, then three can only be better. Right?

Anyway, we tend to agree with most serious analysts that this guy has about as much chance of winning next year's election as does Ohio Congressman Dennis Kucinich, the goofball whose most notable policy proposal to date involves changing the name of the Department of Defense to the "Department of Peace." But that doesn't mean that we aren't a little intrigued by a potential Bloomberg candidacy. Truth be told, Bloomberg has enough money, enough name recognition, and enough adoring fans in the liberal media to make this race interesting, or at least fun. And more to the point, he also has the political outlook, the exaggerated self-regard, and the belief in the function of government to make the race instructive and predictive.

Normally, we wouldn't make too big a deal about a candidate who will be little more than a spoiler in the race, but Bloomberg's presumptive candidacy is unlikely to be particularly normal. It is true that Bloomberg lacks the maniacal instability of a Ross Perot. But what he lacks in amusing oddity, he more than makes up for in peevishness and overbearing priggishness. And we can only imagine the great fun that the mainstream media folks will have when it slowly begins to dawn on them that the fact that they agree with Bloomberg on virtually every aspect of public policy means that he is one of them, which, in turn, means that he is far more likely to reprise Nader than Perot and thus to steal votes not from the GOP nominee, but from their other candidate of choice, Miss Hillary.

But what will be most compelling about Bloomberg's run is the glimpse it will offer into the nation's political future – or *post*-political future, to be more precise. As Bloomberg himself will gladly tell anyone who will listen, he's not your average third-party candidate. Like the others, Bloomberg claims to “transcend” party politics. But unlike his predecessors, the Mayor actually does go beyond politics as it is traditionally understood, though that's not exactly the unalloyed good he appears to believe it is.

Historically, third party and independent candidates have been either populists or, as in Perot's case, preoccupied with one principal issue, such as the deficit. But Bloomberg is neither. He is, instead, a post-political technocrat, an administrator, a candidate for whom the ultimate virtue is “managerial competence.” Mayor Bloomberg thinks it is important for guys like him to be heard not because there is some critical issue lacking in the political discussion or because there is no one to stand up for “the little guy,” but because he believes that he has both the expertise and the willingness to embrace others' expertise that will make him a successful chief administrator.

Bloomberg has a muddled ideological background. He is a lifelong Democrat who became a Republican to run for Mayor, who favors liberal social policy yet strongly supported the war on terror and the invasion of Iraq, and who is now officially “unaffiliated.” The rationale he gives for crossing party lines suggests that he sees himself as a serious politician, willing to do whatever is necessary to advance the public good and unwilling to bend to the will of those concerned principally with partisan advantage. He proclaims himself a harbinger of a “New Politics” and has even been described as a post-partisan “New Action Hero” by *Time* magazine. Jonathan Capehart, a member of the *Washington Post's* editorial board and a former advisor to candidate Bloomberg, stated it this way over the weekend:

Bloomberg has long been a firm believer in nonpartisanship. In 2003, he pushed for a change in the New York City Charter to scrap party primaries. Announcing the move in a

May 28, 2003, speech to the Association of the Bar of the City of New York, Bloomberg said, “Fiorello La Guardia once famously observed that there is no Democratic or Republican way to pick up the garbage – just the right way.” (The measure was defeated even though the mayor spent \$7.5 million of his own money trying to get it passed.)

Bloomberg reiterated his nonpartisanship mantra in his statement on his move to non-affiliation.

*National Review's* Jonah Goldberg, who has a forthcoming book on the subject of utopianism, fascism, and liberalism, has knocked Bloomberg for naïve utopianism, which he claims is a common temptation for progressive politicians. “Bloomberg's dream of a New Politics transcending partisan bickering is deeply seductive,” Goldberg writes, but it is also “nonsense.” Goldberg is right that Bloomberg's call for a post-partisan political culture is indeed naïve, utopian, and all too familiar from left-leaning ideologues. But his dismissal of this as “nonsense” is a bit premature.

Not that we believe that the Bloomberg-ian utopia is achievable. Obviously, it's not. Nor would it be desirable, even if it were (rather a *dystopia* than utopia). But Bloomberg's deference to “managerial competence” and his insistence on the supremacy of administration over ideology are indeed signs of the post-ideological political culture and the post-Cold War political paradigm. We have been writing about this “new political paradigm” for more than a decade now, and Bloomberg's proto-candidacy adds anecdotal support to our heretofore theoretical assertions.

Indeed, given his muddled partisan past and his pretense that his educational and professional backgrounds supply him with unique political talents, Bloomberg provides excellent insight into the new paradigm. Bloomberg feels very little compunction about moving between and beyond the parties because he intuitively, whether consciously or unconsciously, that the old partisan divides are largely irrelevant. As we

have noted many times, most of these old divisions – big government vs. small government, labor vs. capital, hawk vs. dove – are immaterial. Capital won. But so did big government. And hawks and doves can and do reverse roles, depending on the conflict and the purported principles involved. Bloomberg’s partisan affiliation has served merely as a vehicle for his ambition, and his ability to transcend ideological labels hints at those labels’ worthlessness.

If you look at the issues for which Bloomberg is best known and for which he claims credit, it is clear that traditional ideology and partisanship play only a small role. From educational quality to smoking and trans-fat bans to fighting crime and battling global warming, most of his signature issues are non-partisan in nature. Who doesn’t favor better schools, for example? Or better public health? Or lower crime?

Naturally, Bloomberg has been accused of statism, given his propensity to enlist the power of government to address every possible issue and to infringe upon personal decisions. And there is little question that he is, indeed, a statist.

But what is germane here is not Bloomberg’s statist tendencies, but the impetus behind them. Unlike the socialists of yore, who pursued collective goals in the name of such values as “equality” and “social justice,” Bloomberg pursues them in the name of the collective good and the “scientific” advancement of societal goals. He believes that through the application of science, the utilization of technical expertise, and proper administration, society can be effectively managed, allowing heretofore unattainable goals to be attained.

Why did Bloomberg favor a ban on public smoking? Because all of the “experts” say that smoking is incredibly unhealthy, that it imposes excessive costs on the public health system, that it thereby drains public treasuries and drives up health care costs, and that its elimination can alleviate some of that undue burden.

Why did he favor a city-wide ban on trans-fats? For precisely the same reasons. Dr. Richard Samuelson, the Salvatori Visiting Scholar in the American

Founding at Claremont McKenna College, has noted that the health “experts” are now as sure of and concerned about the public costs associated with obesity as they are of those associated with smoking. He recently wrote:

What do smoking and overeating have in common? They both cost the taxpayers money. “The health care costs associated with obesity now rival those attributable to smoking,” WebMD notes. Moreover, the site declares, “obesity costs in the U.S. totaled up to \$92.6 billion last year, and government-funded public insurers Medicare and Medicaid financed about half of those expenses.” In sum, as *The Washington Post* reports, “more than a quarter of the phenomenal growth in health care spending over the past 15 years is attributable to obesity.”

The post-partisan government that Bloomberg embraces is the post-partisan government foretold nearly a century ago by Max Weber. It is rule by the “experts.” Bloomberg appears to believe that in an increasingly technological society that everyday decisions are simply too complicated to be handled effectively by politicians, much less average men and women. Therefore, the decisions must be informed by experts, by technocrats who have specialized knowledge far beyond that of a normal person and who thus can offer unique insights.

For example, health care and health care costs in particular are a problem in this country. The traditional solution to high costs of a public commodity is rationing. But people don’t like rationing, particularly where their health and well being are concerned. So in order to find another solution, Bloomberg turns to the experts, who tell him that both smoking and obesity are financial drains on the health care system (both public and private) and that a reduction in both could substantially lower health care costs. So Bloomberg sets about to use the power of government to try to reduce both. True, freedom might be curtailed in the process, but that is a small concession to make in the pursuit of lower health care costs and the greater common good.

We should note that Bloomberg is hardly unique in this sense. Rather, his type is far too common, both today and throughout the history of American public administration. For well over a century, there has been open conflict between politics and administration, with administration's champions believing that its value is too great to be compromised by mere politics. Sometimes this has taken the form of bureaucratic organization that defies democratic accountability. And sometimes, as in Bloomberg's case, it has taken the form of politicians who have proclaimed their ability to transcend "shameful" political squabbling to do what is right and what is best.

One of the most prominent of Bloomberg's technocratic predecessor's, of course, was "Wonder Boy" engineer Herbert Hoover, who also professed to have specialized technical knowledge and who was also heralded by the press as a new kind of politician who sold competence over partisanship. In his classic *Modern Times*, Historian Paul Johnson describes Hoover thusly:

Hoover, born in 1874, not only believed in a kind of social engineering; he actually was an engineer . . .

As Secretary of Commerce for eight years, Hoover showed himself a corporatist, an activist and an interventionist, running counter to the general thrust, or rather non-thrust, of the Harding-Coolidge administrations . . . In fact, his was the only department which increased its staff, from 13,005 to 15,850, and its cost, from \$24.5 million to \$37.6 million. He came into office . . . and immediately set about forming committees and trade councils, sponsoring research programmes, pushing expenditure, persuading employers to keep up wages and 'divided time' to increase jobs and, above all, forcing cooperation between Federal, state, and municipal governments to increase public works. Everywhere he formed committees and study groups, and working-

parties, generating an atmosphere of buzz and business. There was no aspect of public policy in which Hoover was not intensely active, usually personally: child health, Indian policy, oil, conservation, public education, social waste, agriculture – as President, he was his own Agriculture Secretary, and the 1929 Agricultural Marketing Act was entirely his work. Harding did not like this hyperactivity, but was overwhelmed by Hoover's brains and prestige – The smartest gink I know." . . .

Hence the general belief that Hoover, as President, would be a miracle-worker. The *Philadelphia Record* called him "easily the most commanding figure in the modern science of 'engineering statesmanship.'" The *Boston Globe* said the nation knew they had at the White House one who believed in the "dynamics of mastery." He was "the Great Engineer." Hoover said he was worried by "the exaggerated idea people have conceived of me. They have a conviction that I am a sort of superman, that no problem is beyond my capacity. But he was not really disturbed. He knew exactly what to do. He ran the administration like a dictator. He ignored or bullied Congress. He laid down the law like a character from Dickens. He was fond of telling subordinates: "When you know me better, you will find that when I say a thing is a fact, it *is* a fact."

This is not to say that Bloomberg, were he by some miracle to be elected president, would necessarily be Hoover-esque. But it is to say that Bloomberg's resort to "managerial competence" as a solution to all of the world's problems is hardly innovative. It's been done before, and spectacularly unsuccessfully at that. Like Hoover, who made a fortune plying his trade (in mining), Bloomberg has been monstrously successful in business. And also like Hoover, he appears to believe that the importation of administrative policies from business to government will make government function better. But it doesn't quite work like that, as Hoover discovered.

The biggest difference between Hoover and Bloomberg, though, is that the eight decades between them have increased exponentially the technological nature and complexity of society, thereby making the input of expert bureaucrats more crucial and rendering the subordination of politics to administration all but inevitable. Bloomberg is unlikely to be elected to higher office, but that doesn't mean that his vision of a post-political administrative state will be trounced along with him. Indeed, Bloomberg's candidacy is very much the creation of an existing and intact administrative state that attempts to manage everyday life, benevolently if not terribly successfully.

So while we encourage you to watch Mayor Bloomberg's fledgling candidacy with guarded amusement, we suggest that you bear in mind what his candidacy represents. Bloomberg's call for "managerial competence" resonates not because it is something unique, but because it is, more or less, accepted wisdom in this, the administrative state.

## HILLARY WATCH.

Several weeks ago in a piece entitled "It's Hillary All The Way, Redux," we noted that her confidence level is so high and her competition so inconsequential that "as far as we can tell, she's still playing the game cleanly. No reports of pets turning up dead, no reports of private detectives snooping through the trash of the opposition, no bodies adorning the civil war cannons in Fort Marcy Park."

Now we have no proof that this has changed, but there was a disquieting hint in the news last week that "Team Hillary" may be in the early stages of preparing to gather the kind of "oppositional research" for which she and her husband were famous during the days when 900 confidential FBI files on Republicans magically appeared in the White House and when the dynamic duo had a full-time private investigator named Terry Lenzner on the payroll, whose firm, Investigative Group International, specialized in digging up dirt on people. Those were the days,

my friend, when *Vanity Fair* ran an article entitled "The President's Private Eye," describing Lenzner's operation as "Washington's most feared and vilified private-investigation firm" and the Clintons' erstwhile buddy, Dick Morris, called it "the White House secret police."

Anyway, all of this came to mind last week when one of the nation's leading pornographers, Larry Flynt, a friend of Clinton friend James Carville, ran an ad in the *Washington Post* announcing that he would pay \$1 million to anyone who could "provide documented evidence of illicit sexual or intimate relations with a Congressperson, Senator, or other prominent officeholder."

Now it is possible that this had nothing to do with Mrs. Clinton's campaign. But one could be forgiven for believing otherwise. Indeed, the following quote from "porn star" Jenna Jameson, who once adorned the cover of Flynt's *Hustler* magazine, implies, at least, that Flynt's world would be a better place if the Clintons were back in the White House.

I love Hillary. I think that in some ways she's pretty conservative for a Democrat, but I would love to have a woman in office... The Clinton administration was the best years for the adult industry and I wish that [Bill] Clinton would run again. I would love to have him back in office. I would love to have Al Gore in office. When Republicans are in office, the problem is, a lot of times they try to put their crosshairs on the adult industry, to make a point...I look forward to another Democrat being in office. It just makes the climate so much better for us.

Moreover, the following passage from *Hell to Pay*, Barbara Olson's inside look at Hillary's political career, provides additional reason to believe that somewhere, somehow, there is a link – or there will be. Olson served as an attorney at the Justice Department, as a congressional investigator, and as general counsel in U.S. Senate before her untimely death as a passenger in American Airlines Flight 77, which crashed into the Pentagon on September 11, 2001. Her husband Ted was Solicitor General at the time.

Below the surface, Hillary unleashed the secret police. The director of White House records later admitted in a deposition that he ordered a search for “anything and everything we might have in our files on Linda Tripp,” the former White House and Pentagon employee whose taped conversations with Monica Lewinsky helped prove that Clinton was lying. Pentagon spokesman Kenneth Bacon likely broke the law by divulging an embarrassing juvenile arrest from Linda Tripp’s personal security file.

Meanwhile, the president refused to distance himself from the very public efforts of pornographer Larry Flynt, who offered a small fortune [\$1 million] for sex dirt on members of Congress, managing to smear House Judiciary Chairman Henry Hyde for a decades-old affair. The president’s attorney even hired Terry Lenzner and his private detective firm, IGI with the implied threat that if the president was going to go down because of sexual improprieties, he was going to take others with him. As it turned out, of course, others would go down, like the new House Speaker Bob Livingston....

The Clintons had a long history of using private detectives to sniff out vulnerabilities of enemies and keep track of each other’s private lives. In 1992 Betsey Wright hired Jack Palladino, San Francisco detective...to ransack the lives of women who could have turned on Clinton during the campaign....

Flynt eventually announced that he had evidence of sexual improprieties on six or so top Clinton critics in Congress, told the world about one, and promised to release information on any of the others who continued to attack Bill over Monica. It was a brilliant political gambit, since many more than six legislators had reason to fear that they might be on his list, and many more than six suddenly became strangely silent during the subsequent impeachment proceedings.

What makes all of this especially interesting now is that the ability of the Executive Branch to “gather intelligence” on American citizens has grown tremendously since Bill and Hillary were in the White House, mostly as a result of The Patriot Act, which was passed with overwhelming Congressional support just 45 days after the 9/11 attacks.

Among other things, this legislation dramatically expanded the power of the government to search telephone and email communications and medical, financial, and other records. It also eased restrictions on foreign intelligence gathering within the United States and expanded the Treasury Department’s authority to regulate financial transactions, particularly those involving foreign individuals and entities. And most importantly, it mandated that this information be widely shared between and among the various law enforcement and intelligence gathering agencies, including the FBI and the CIA.

Now we are not, by any means, experts on the subject of the use and dissemination of information gathered by the government on the lives of its citizens. But we know that the FBI has traditionally been insulated from White House and upper level Justice Department pressure by a strong tradition and by the fact that the FBI Director is appointed for a ten-year term. We also know that there are no similar traditional, legal or practical barriers existing between the White House and the upper reaches of the CIA and the Justice Department. Indeed, these posts are, for obvious reasons, often especially reserved by presidents for trusted friends and political cronies. The new cabinet level position of Secretary of the Department of Homeland Security, which is the umbrella agency for the whole community of cops and spooks, is also a likely post for a trusted friend of the President.

Need we say it, the upshot of this is that future presidents are unlikely to have as much trouble as Bill and Hillary had purloining FBI files and snooping into the private lives of their enemies. In support of that contention, we would offer the following paragraphs from a letter written in December 2002 to President Bush from Senator Joe Lieberman complaining that

the White House was not moving quickly enough to implement information sharing between the intelligence and law enforcement agencies, via the new Department of Homeland Security.

The legislation provides the Secretary [of Homeland Security] authority to *routinely access* [emphasis added] information collected by the Federal Bureau of Investigation, the Central Intelligence Agency, and other agencies in our government. The assumption behind the legislation is that unless you or future Presidents determine otherwise, all information about terrorist threats that the Secretary considers necessary, including so-called “unevaluated intelligence” (sometimes called “raw intelligence”) possessed by intelligence agencies, would be routinely shared with the Department of Homeland Security. The precise language states that, “except as otherwise directed by the President, the Secretary *shall have such access as the Secretary considers necessary* [emphasis added] to all information, including reports, assessments, analyses, and unevaluated intelligence relating to threats of terrorism against the United States and to other areas of responsibility assigned by the Secretary, and to all information concerning infrastructure or other vulnerabilities of the United States to terrorism, whether or not such information has been analyzed (*italics added*), that may be collected, possessed, or prepared by any agency of the Federal Government.”

In short, the next president will just have to put a buddy in charge of the CIA or Homeland Security and a world of information on his or her fellow Americans will be available at his or her fingertips.

One can hope, and Congress certainly expected, that future presidents will take particular care not to abuse the extraordinary power that The Patriot Act vested in the Executive Branch. Surely, Congress was aware that there is little that anyone could do to prevent a president from abusing this power, if he or she were determined to do so to help a mobbed-up union boss, to extort money from potential “contributors” both foreign and domestic, to put an end to pesky little “vast right wing conspiracies” that might threaten his or her hold on power, or to advance a noble “cause” on his or her political agenda.

Unfortunately, the American public won’t know until it’s too late whether Congress’s faith in the integrity of future presidents is warranted. In the meantime, if Hillary Clinton starts talking about putting some of her sleazy friends (say, Harold Ickes, Terry McAuliffe, Sandy Berger, or Jamie Gorelick) in charge of the CIA or Homeland Security, it will be time for patriotic Americans to prepare for a rocky, raucous, and bloody fight on behalf of their country’s future.

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