

The Conservative Governing Disposition

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AMERICANS TODAY ARE DEEPLY DISSATISFIED with their country. As 2014 began, a mere 28% thought the country was “generally headed in the right direction,” and their unease is especially focused on the federal government. The Pew Research Center reports that, between 1958 and 2013, the percentage of people who trusted Washington “to do what is right just about always or most of the time” declined from 73% to just 19%. Between 1985 and 2013, Congress’s favorability ratings fell from 67% to 23%.

Highly visible failures of governance—from the response to Hurricane Katrina to the rollout of Obamacare—surely have not helped. But this mounting anxiety is not simply about individual fiascos. There is a deeper sense that many threats to good governance that have been slowly building over the years are now coming to a head. Sprawling scale becomes unmanageable; internal complexity culminates in kludgeocracy (to use Steven Teles’s term); our electoral processes seem to produce little real accountability; and interest-group-driven sclerosis chokes off the possibility of reform. Our political debates often seem disconnected from particulars and stuck in familiar, unedifying ruts. “Ungovernability,” which has long loomed as an ominous possibility, seems very much upon us today.

Naturally, conservatives are inclined to believe that conservatism offers an answer to this complicated tangle of problems. But so far conservatives have not done a great job of helping the public see what their

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answers might look like and how they would work. In their 2008 and 2012 losses—and, for that matter, in their 2010 victories—Republican candidates sought to take advantage of anti-government sentiment without having to offer a vision of what the party was *for* when it comes to governing. As a result, thinkers and politicians of the right now find themselves in an exciting but fraught period of introspection about what their governing agenda should look like. The American left is identified with the federal government to some extent, and the public is clearly unhappy with the federal government. But what is conservatism identified with? What are voters supposed to think of when they think of the American right? Perhaps more than at any point since the founding of the modern conservative movement, today's right needs to contemplate the question: What is conservatism?

Answers to that question can draw on a variety of different sources and take a number of different forms. But a conservative approach to answering the question would likely involve consulting the intellectual traditions that have shaped American life; it would ask what conservatism is by asking what it has been. Rather than offering a particular set of proposals, the conservative intellectual tradition offers a disposition or temperament, which has best been exemplified by classical-liberal thinkers including Edmund Burke and David Hume, James Madison and Alexander Hamilton, Michael Oakeshott and Friedrich Hayek, Alexis de Tocqueville and Robert Nisbet.

Dispositional conservatives can and do disagree about the particulars of nearly every policy and political choice. But they are unified by their orientation to social change: They counsel humility, because people are fallible and the world is complex, and therefore urge a healthy respect for evolved social practices and institutions. Tempered by these insights, conservatives can encourage prudential reform to address our society's problems in ways that are well suited to our society's character.

Temperamental conservatism is not a good match for every problem. Although most of America's founding fathers had deep conservative attachments to English traditions of liberty and colonial traditions of self-reliance, they secured their place in the pantheon of history by following a radical, revolutionary path in 1776. For that matter, when George Washington, James Madison, and their contemporaries used the Constitutional Convention in Philadelphia in 1787 as a platform for framing an entirely new federal government, rather than attempting a

more incremental transformation of the Articles of Confederation, their course was a radical one; had history turned out differently, the convention might be remembered as a failed coup. And for all of his appeal to conservatives, Abraham Lincoln oversaw some of the most violent, rapid (and sometimes legally questionable) changes to America's governing institutions in the nation's history, much to posterity's benefit. When existing institutional structures are incompatible with liberty or justice, conserving them is rightly seen as illiberal or unjust.

Conservatism has the most to offer societies that have much worth conserving yet run the risk of dissipating their inheritance through wrong-headed, sweeping changes or stubborn inaction. In many ways, this is America's current situation. On the one hand, some progressives champion a vision characterized by government-centered technocratic expertise, arguing that the current system is weighed down by half measures and unnecessary complications. But by doubling down on centralization and technocracy, these progressives would exacerbate the very problems that have made the system ungovernable and make them permanent. On the other hand, some on the right seek to break with the past in a very different manner—repudiating 80 years of institutional development and reinventing America as a nation that rejects a substantive role for regulation or a social safety net. Though they are often labeled as “conservatives,” their ambitions, and especially their rhetoric, emphasize the need for a sharp break with many features of our current governing institutions. Whatever the merits of that position, it represents a clear divergence from the conservative intellectual tradition.

When applied to the American context, this tradition emphasizes the virtue of incremental adaptation, embodied in our constitutional order and in the mediating social institutions that evolve to fill the spaces made possible by such an order. Now is the time to recover and reapply that tradition, which should rightly aim to sustain these means of incremental improvement rather than forsaking them. This is no easy feat, of course, but it offers the most plausible way to prevent today's predicament of misgovernment from becoming an overwhelming malaise, and to recover America's promise of liberty, equality, and dynamism.

WHAT IS CONSERVATISM?

To understand what conservatism has to offer in 21st-century American politics, we should start by developing a firm idea of what conservatism

is, which is a more complicated task than one might imagine for a couple of reasons. First, the word “conservative” is most commonly used today as a synonym for “staunch Republican” or “the right.” The much-analyzed political polarization of the last 40 years has made it difficult for many Americans to process the idea that a staunch Republican may not be a philosophical conservative, or indeed the fact that “liberal” and “conservative” are not always and everywhere opposites. Second, conservatism does not offer a particularly tidy set of ideas or formulas that can be straightforwardly applied to contemporary political questions. Indeed, philosophical conservatives have tended to be consciously anti-ideological.

As the right has formed into a relatively disciplined political coalition over the last half-century, philosophical conservatism in America has never managed to synthesize a single theory that unites its disparate strands. The lack of such a synthesis is unsurprising in part because of the nature of conservative ideas. Indeed, philosophical conservatives have in different times and places defended a variety of conflicting ideas and institutions, including, in the words of intellectual historian Jerry Muller, “royal power, constitutional monarchy, aristocratic prerogative, representative democracy, and presidential dictatorship; high tariffs and free trade; nationalism and internationalism; centralism and federalism; a society of inherited estates, a capitalist, market society, and one or another version of the welfare state.” Contemporary observers obviously and justifiably recoil at many of these ideas, particularly the illiberal ones. Thus, a coherent conservatism for the present cannot be derived from a catalogue of the institutions that self-described conservatives have defended in the past.

If there is a conservatism that can be profitably employed in American politics today, it is not to be found in a timeless set of positions, but rather in a *disposition*. In Peter Viereck’s words, conservatism is “an implicit temperament, less an articulate philosophy than the other famous isms.” Likewise, political scientist Samuel Huntington described conservatism as a *situational* and thus *positional* ideology, a response to a “distinct but recurring type of historical situation in which a fundamental challenge is directed at established institutions and in which the supporters of those institutions employ the conservative ideology in their defense.”

Although conservatism is centrally concerned with mitigating the disruptive effects of certain kinds of social changes, it does not aspire to

preserve the status quo just as it is. Indeed, Edmund Burke noted that a “state without the means of some change is without the means of its conservation.” Along the same lines, he wrote that a “disposition to preserve and an ability to improve, taken together, would be my standard of a statesman.”

As such, dispositional conservatism offers a cast of mind, a useful constellation of recurrent ways of thinking about political change in situations where there is much worth preserving but prudent reform is nonetheless needed.

What makes up the conservative temperament? First and foremost is humility. Conservatism starts with the premise that social practices, habits, and institutions embody the accumulated wisdom of trial-and-error experience. Conservatives thus doubt the ability of fallible people to overhaul this evolved social order according to their vision of how it should be. In contrast to the faith in reason that characterized much of the European Enlightenment, dispositional conservatives from Hume to Hayek have stressed the limitations of knowledge that hinder individuals who try to reshape and control society by imposing simplified or incomplete mental models, which are likely to err in a world that is highly complex and interconnected. Thus, conservatives doubt the usefulness of inventiveness or cleverness for their own sake in the political realm, and indeed they fear the bad (and sometimes tragic) consequences of devotion to abstract and noble-sounding theories.

Rightly understood, however, conservative humility does not imply a rejection of all innovation, since change and evolution are organic qualities of the societies in which we live. “Indeed,” Samuel Huntington writes, “in order to preserve the fundamental elements of society, it may be necessary to acquiesce in change on secondary issues.” When approaching practical reform, then, conservatives prefer incremental change through tentative reform aimed at particular problems, trusting the wisdom of experience and eschewing radicalism in the service of abstract principles. Burke in particular emphasized that reform should be mindful of our social inheritance, building on top of institutional strengths rather than at cross purposes to them, noting that “[r]age and frenzy will pull down more in half an hour, than prudence, deliberation, and foresight can build up in a hundred years.” Tentative and incremental reform, therefore, is more likely to be successful, and it is less costly when it is not successful.

Experience is thus essential to prudential and incremental reform. As Burke put it, “the science of government . . . requires experience, and even more experience than any person can gain in his whole life, however sagacious and observing he may be,” which ought to fill would-be reformers with a sense of “infinite caution.” This is in stark contrast to the rationalist, whose preference for abstraction, rigid principle, and perfection tends to lead to extremism. For the rationalist, as Oakeshott puts it, “[e]ach generation, indeed each administration, should see unrolled before it the blank sheet of infinite possibility.” Conservatives’ preference for the extant and the time-tested, and their skepticism of big ideas lacking deep historical roots, fosters in them a spirit of moderation.

Flowing directly out of this desire to modestly improve on our social and institutional inheritance is an inclination to understand political action in particular rather than universal terms — most of the time. Conservatives certainly often acknowledge that politics must be subservient to some fundamental principles, including principles of justice. “I do not put abstract ideas wholly out of any question,” Burke wrote, “because I well know that under that name I should dismiss principles, and that without the guide and light of sound, well-understood principles, all reasonings in politics, as in everything else, would be only a confused jumble of particular facts and details, without the means of drawing out any sort of theoretical or practical conclusion.” But conservatives also tend to be very wary of assuming that every political question can be addressed by direct recourse to such principles, which would be to treat their principles as dogmas, rather than as the frame around a politics of prudence. Whenever possible, they prefer a politics of practical judgment to a politics of abstract rules.

This practical orientation also means that politics should be grounded in the particular life of a particular community. In Oakeshott’s awkward but precise formulation: “Politics is the activity of attending to the general arrangements of a collection of people who, in respect of their common recognition of a manner of attending to its arrangements, compose a single community.” Such an enterprise is necessarily rooted in a particular existing community and its traditions. It seeks to work from the premises that existing institutions provide to explore as yet unrealized possibilities. This exploration, as mediated by our institutions of representative government, should be thought of not just as a means to an end (like maximizing utilitarian well-being), but as a

worthy enterprise in itself, as an expression of what our community is at this point in its development.

Given the desire to act with reference to the conditions actually prevailing (as opposed to orienting action to fixed ideas about labor and capital, and the like), dispositional conservatism should push its adherents toward a skeptical empiricism. The rise of empiricism in the form of social science therefore represents a double-edged sword for conservatives. On the one side, systematic empirical investigations provide the best—and perhaps the only—means of understanding the contours of a country as vast as the one we inhabit. On the other side, a deep reliance on scientific justification creates pressure to reject those lessons of experience that are not easily demonstrated in a scientific manner, and conservatives have good reason to fear a “scientism” that excludes all knowledge not easily assimilated into the scientific mindset.

The progressive vision of remaking society along fully rational lines to be discovered through scientific inquiry—embodied in Auguste Comte’s influential attempt to develop a “social physics”—is nearly the antithesis to conservatism’s caution. Following David Hume, dispositional conservatives should aim to cultivate a “mitigated skepticism” about purposeful attempts to make sense of the world, acknowledging the idea that scientific inquiry can contribute to our understanding while also resisting any sense that it will do so easily or without many false starts.

Finally, conservatives pay special attention to the way rhetoric translates these dispositional qualities into practice, enabling a governance of incrementalism. A rhetoric that privileges the radical and the abstract, by contrast, overpromises in precisely the wrong ways, conveying the intention to make unrealistically radical changes and, at the same time, conveying the desirability of such radical change. Predictably, this results in unwisely bold experiments, disappointed expectations, or both. A conservative’s rhetoric avoids these pitfalls. As Oakeshott put it:

The man of this disposition understands it to be the business of a government not to inflame passion and give it new objects to feed upon, but to inject into the activities of already too passionate men an ingredient of moderation: to restrain, to deflate, to pacify and to reconcile; not to stoke the fires of desire, but to damp them down. And all this, not because passion is vice and moderation

virtue, but because moderation is indispensable if passionate men are to escape being locked in an encounter of mutual frustration.

All of these dispositional elements contribute toward an overall political orientation. In short, conservatives seek to conserve and improve what is good in their societies, acting as responsible stewards of their social inheritance and addressing their worst problems by building on the best of what they have. Thus, conservatism only makes sense if one feels that there is much that is worth conserving. If America is rotten to the core and needs to be transformed, as many progressives suggest, then conservation shouldn't be the order of the day. And if the very foundations of American life have been eroded, so that right-thinking citizens are now at sea, as some on the right now suggest, then one might apply Barry Goldwater's maxim that "extremism in the defense of liberty is no vice" and turn to one variety or another of revivalism. Conservatism is far more phlegmatic, appropriately adopted by those who think that the tendency to constantly proclaim dire crises reflects our society's aesthetic preferences for news consumption more than any truth about how things really are.

None of that is to counsel quiescence: Our country is today beset by quite a number of unsettling trends, and there are ample reasons for agitation and pessimism in many respects. But there is something inherently sunny about conservatism, and it best suits those who believe that their own societies are complex, flawed, but ultimately worthy of appreciation. In Oakeshott's words, the conservative disposition "centre[s] upon a propensity to use and to enjoy what is available rather than to wish for or to look for something else; to delight in what is present rather than what was or what may be." Society must seem capable of going in the right direction without needing to execute a hairpin turn.

CONSERVATIVE POLITICS

How then does the dispositional conservative approach contemporary American government? First, he should do so with the purposes of government foremost in mind. Second, he should seek to preserve its strengths and to prudently reform where necessary, always attentive to the particulars of the American context.

To identify the purposes and strengths of American government, one could do far worse than looking to the Constitution's preamble:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

The Constitution sets out a framework of limited government that is capable of both promoting and safeguarding individual rights. It is therefore also capable of promoting and safeguarding those aspects of human society that fill the space between the individual and the state, including the institutions of family, civil society, and the market economy. Dispositional conservatives from Alexis de Tocqueville to Robert Nisbet have identified these socially evolved mediating institutions—which embody a wealth of accumulated habits, practices, and tacit knowledge that make social life work—as the principal sources of human flourishing and meaning. The Constitution’s durability, and America’s successful development as a nation, stems in large part from its fostering of incremental adaptation and improvement in these institutions. Our often-adversarial system of checks and balances allows for trial-and-error experimentation in policymaking, with partisan and inter-branch competition continuously correcting missteps and building upon incremental improvements. The overall system has proven remarkably adaptable, accommodating itself to the agrarian republic of the late 18th century, the industrializing nation of the 19th century, and the global economic and military superpower of the 20th century.

This understanding of the purposes and strengths of American government enables us to understand more clearly its current weaknesses and problems. The various ills that now beset us are distressing precisely because they call into question this core strength of durable adaptability. Our federal government is variously described today as a morass, opaque, unaccountable, and sprawling. While it is always easy to romanticize the past as tidier than it really was, these complaints about modern governance are attributable to something more than mere nostalgia. In the American system, even more than in parliamentary ones, policies accumulate, layer by layer. Very rarely does a coalition form with the strength and will to wipe the slate clean in any policy arena. And after eight decades of nearly uninterrupted expansion of federal power, our policy inheritance is a thicket that has grown nearly impenetrable to the average citizen.

This tangled mess has created a resistance to change that goes beyond what Madison and other conservative founders intended for our system. While it prevents the wholesale transformation sought by some misguided radicals of the left and right, it unfortunately also prevents the gradual evolution that conservatives know is responsible for the American republic's durability. And the frustration that results from such sclerosis endangers the very things that conservatives value about our system of government. It has led some on the left to openly call for abandoning the fundamental character of our constitutional system—perhaps in favor of a parliamentary model that would allow for greater dispatch and authority. On the opposite side, many on the libertarian right have embraced a quixotic Constitutional program that often rejects out of hand decades of judicial precedents and nearly our whole body of administrative law.

Both moves are anathema to the temperamental conservative, for whom the rhetoric of destruction and renewal must be inherently alarming. Such grandiose prescriptions go over well at cocktail parties and perhaps in primary-campaign stump speeches, but provide almost no guidance for actually governing, since “starting over” is not (and should not be) a plausible option.

As such, a conservative reform agenda should actively try to address this sclerosis before left and right both reach more aggressively for rapid, wholesale change. Conservative reform is desirable because of its method, but also because incrementalism forestalls the need for disruptive changes under crisis conditions—conditions that almost never make for outcomes friendly to liberty.

DIAGNOSIS AND TREATMENT

A reform agenda aimed at mitigating the gross sclerosis of our government would have to begin by assessing the causes and consequences of the problem we confront. What are now the foremost obstacles to the proper functioning of the American constitutional system?

First, government has become too complex. In some respects, dispositional conservatism is sympathetic to complexity; it rejects the progressive resentment of evolved systems too complicated for anyone to fully know. And it is easy to overstate the dangers of complexity: Not every aspect of a system needs to be tidy for it to function effectively, and people can often cope with considerable ambiguity. Nevertheless, conservatism's emphasis

on humility and the cognitive limits of policymakers makes it naturally opposed to any novel and clever (rather than gradually evolved) complex policy artifice. No matter how intricate a Rube Goldberg machine looks on paper, in practice it is likely to misfire.

Obamacare surely furnishes a pre-eminent example. President Obama and his progressive allies found in America's health-care system a complex mess and decided to double down on its messiness. This decision is sometimes framed as a quintessential example of the president's supposedly moderate temperament. After all, the president's defenders say, having learned the lessons of the early 1990s' political debate surrounding the failed push to remake American health care, he did not try to reinvent things from scratch this time but rather made peace with the main features of the existing system. But this view understates just how much the appeal of his reform depends upon buying into a huge complex of interrelated assumptions, many of which could be justly described as deeply technocratic and unworkably ornate. If one is willing to accept several dozen assumptions about policy, politics, and the government's ability to provide a coherent structure of prices for insurance and medical services, then Obamacare might be seen as a fine means to advance such a vision, given the political realities. But, if one is unwilling to accept those assumptions, its intricacy begins to look like a fatal flaw.

The temperamental conservative's emphasis on the political process also has much to say about why the complicated machinery of the law is unlikely to be made functional. Facing seemingly intransigent opposition, the Obama administration and its Democratic allies in Congress made the strategic decision to go it alone, relying on their slim majority to secure the bill's passage. In order to hold together their barely adequate coalition, they made concessions to every significant interest group within it, leading to an unwieldy law that contains a number of elements that are difficult even for its champions to defend in principle or in practice. Doing the work required to build a broader coalition would have put lawmakers less at the mercy of any one group, allowing them to create something cleaner and simpler as well as carving out the political space for continuous incremental improvement after the initial reform. This is a much-neglected virtue of hashing out politically acceptable compromises through deliberative politics, rather than waiting for opportunities to unilaterally impose a landmark change, and it has much to do with how precarious the future of Obamacare remains.

Some amount of complexity is surely endemic in modern government, notwithstanding any visions of wholesale simplification through “big-government libertarianism” (in the mold of Charles Murray’s book *In Our Hands*, for instance). But there are many reforms conservatives could champion that would make government simpler, and thus more administrable, on the margin. Given the right circumstances, these can include consolidating redundant authorities; allowing the government to cut checks rather than develop a web of difficult-to-monitor relationships with contractors in an attempt to deliver in-kind transfers; and advocating for bright-line rules rather than hard-to-pin-down standards prone to misuse (like Dodd-Frank’s empowering the new Consumer Financial Protection Bureau to prevent “abusive” practices with hardly any guidance as to that legally novel term’s meaning).

A second obstacle to the proper functioning of our political system, which often grows directly out of the problem of complexity, is the problem of opacity: Government’s operations become illegible to its own citizens, who are thus discouraged from asserting responsibility for its actions. This might be because government intentionally shields itself from public scrutiny through official secrecy, but more often the problem is a government skilled in the art of misdirection by crosswise finger-pointing. When citizens are unable to clearly assign responsibility, democratic sovereignty becomes attenuated and enfeebled, and the system’s ability to benefit from appropriately directed discontent is destroyed.

America’s tax code is our country’s foremost fog machine, obscuring the true nature of our public commitments through a dense cloud of dull details. Because sophisticated actors are largely indifferent to whether they receive government largesse in the form of subsidy checks or targeted tax relief, many have carved out comfortable niches in the Internal Revenue Code, where their advantages are generally shielded from public view. This leaves us with what Christopher Howard has dubbed the “hidden welfare state,” a submerged and politically invisible reservoir of costly commitments, mostly to groups that are not naturally sympathetic targets for subsidization. Assembling policy wonks (of both parties) to say this is a pernicious development is easy; mobilizing the diffuse public’s interest against it is extremely difficult. Nonetheless, a conservative push to make tax expenditures more transparent, perhaps by including them in the budget process, could help create the political conditions necessary for meaningful democratic accountability.

Third, institutional resistance to incremental experimentation and improvement can sometimes lead to an impulse to reach for grand plans that are ill-fitted to the problem at hand. There is perhaps no better example of this dangerous tendency than American education policy. A variety of factors—including the power of teachers unions, school districts’ monopoly control of public schools, and extensive regulations—have made the education system highly resistant to experimentation and therefore to incremental improvement. This problem is only exacerbated by increasing federal involvement in the system, but reformers on both the left and right seem increasingly eager to address the system’s stagnation from the national level.

Federal involvement in education began with the modest goal of channeling funds to low-income students. Since then it has expanded dramatically, most notably in requirements for testing and accountability. Most recently, while giving lip service to local experimentation and control, the Obama administration has opportunistically leveraged the punitive measures of No Child Left Behind—and Congress’s failure to reauthorize that statute—to further increase federal influence on state and local education policies by granting states waivers from parts of the law in exchange for various reforms that Washington wants. Through this waiver process, the federal Department of Education has established significant authority over state-level education policies, and created a powerful incentive for states to implement the controversial Common Core State Standards and accompanying assessments.

These reforms originate in noble intentions. Education Secretary Arne Duncan recently remarked, “We’re pushing a lot of change in a short amount of time, and maybe in a perfect world, we’d do it over 10 or 15 years, [but] I just don’t think our kids can wait that long.” But lurching from one grand plan to another is likely to yield profound difficulties, in large part because these plans reflect a lack of humility about the immensely complicated and important systems they aim to reshape.

The dispositional conservative, by contrast, would promote greater competition and deregulation to facilitate experimentation at the state and local level while perhaps expanding the federal government’s role only in educational research, data collection, and trust-busting, as Frederick Hess and Andrew Kelly have proposed. This strategy might lack immediate political appeal, but it is more likely to avoid overpromising in the short run and to yield real gains in the long run.

In contrast to the increasing centralization of education policy, Social Security is an example of a program that accomplishes its aims with low overhead and minimal intrusiveness: It is simple, and its administrative centralization appropriately matches its purpose and function. Because of its long-term fiscal imbalances, some on the right often lump Social Security in with Medicare and Medicaid as grave dangers to the public treasury. To be sure, the program should be reformed to ensure solvency and to reduce disincentives to work and save. But, in striking contrast to the byzantine spending structures of medical entitlements, it is otherwise a model of administrative and programmatic simplicity in the service of a broadly shared social goal. Conservatives should seek to emulate its simplicity in other policy domains.

The fourth hurdle to improvement is a harmful preoccupation with the size of government. While there are deep disagreements between left and right about the legitimate purposes of government, de-emphasizing important questions about the purpose of government has led some of the right to focus exclusively on questions of government's size. Size is of course important; many of our fiscal problems are a consequence of programs slated to grow unsustainably large—especially our health-care entitlements. But focusing too much on the question of big versus small government discourages asking more important and basic questions: What should government do and why? What is the purpose of a given program or regulation? How well, if at all, is it fulfilling that purpose? How do we know? If it is not fulfilling its purpose, what are the relevant alternatives? Answering such questions requires investigating history (how we got here), current problems (what should be prioritized), and policy details (how best to address priorities given the tools available)—rather than just opting for big or for small.

Focusing too much on size instead of purpose wastes time and attention that would be better used making government more effective and more susceptible to incremental improvements. This ought to be conservatives' top priority, as it is also in practice the best way to make government leaner. Gradual reform requires learning about past results and putting this knowledge to work, but taking advantage of opportunities to collect and use data requires a willingness to invest in government capacity that a fixation on smallness does not allow. Of course, in some cases there is no substitute for decentralization and trial-and-error learning. But in domains where government has legitimate

purposes to fulfill, government should take advantage of systematic experimentation—which can be a complement, rather than a substitute, for Hayekian learning.

Our government currently employs a haphazard mix of retrospective policy studies, and conservatives ought to seize the opportunity to institutionalize their inclination to learn from the past by improving these studies. Recognizing the difficulties inherent in such retrospective studies, they should also follow the advice of Jim Manzi's 2012 book, *Uncontrolled*, and look to support systematic experimentation that takes advantage of randomized-control trials where appropriate.

We should have no illusions about what empirical work can show us; as Manzi points out, macroeconomics provides one especially prominent example in which leading practitioners' vehement disagreements about fundamentals cannot be resolved through more or better data. And knowing more about a problem is quite different from knowing what to do about it. Understanding these limitations, conservatives should embrace a disciplined empiricism that draws on the best of the social sciences while remaining aware of their limits.

Finally, conservatives must devise some program of cautious reform of our nation's institutions of representative government. It may be tempting for conservatives simply to deny that there is any serious problem on this front—after all, Madisonian gridlock serves an important purpose, especially if one takes the long view of history. But our policy-making institutions, and especially Congress, do seem to be reaching historical nadirs in functionality. This problem is much more pressing now than it was even a few years ago: The 112th and 113th Congresses have (to this point) been historically unproductive in the extreme. Ad hoc executive-branch action, which only the most sanguine or partisan observer can see as wholly benign, is increasingly the dominant mode of adjusting policy to changing conditions. This is clearly not what the framers of our system intended, and it is not a trend conservatives should abide.

Instead, dispositionally conservative governmental reform in 21st-century America should focus on rehabilitating the virtues of representative government. As one of our society's most important institutions, representative government allows the messy plurality of citizen's opinions to be forged into a more or less coherent set of serviceable preferences. Throughout America's history, more radical reformers of

both the right and left have often come to doubt the basic importance of such mediation. Instead, as James Morone described in *The Democratic Wish*, radicals have alternated between promoting direct democracy, in which “the popular will” is supposed to express itself in unadulterated form, and the promise of bureaucratic expertise delivering correct results derived “outside” of politics. Perhaps paradoxically, both of these more radical solutions have actually resulted in a government less accountable to diffuse publics and more easily manipulated by interest groups equipped with the time and resources necessary to intervene in every stage of the political process, from framing ballot initiatives to submitting comments to regulatory agencies.

We must put aside the cynicism about politics that is behind these rejections of representative democracy. Many on the right feel the urge to scoff at the idea of constructive deliberation, but this impulse is profoundly anti-conservative, especially as we live under a 225-year-old representative government. Americans must find a way to send representatives of good faith to Washington to argue about the ends and means of government, and these debates must yield compromises with broad political legitimacy among the electorate. If one cannot muster any hopefulness about our continued ability to achieve a healthy system of representation and debate, then the gratitude and confidence of dispositional conservatism are surely misplaced.

If, on the other hand, one does choose a course of cautious optimism, one should understand all its implications: Our politics will be grounded by our citizenry’s real attachments. This is salutary for dispositional conservatism, as America’s population is not nearly as blinkered as our political debates suggest. But it means coming to terms with the fact that many regulations and social programs seem indispensable to most Americans in spite of their gross imperfections, and the fact that an egalitarian sense of fairness is one of the most enduring characteristics of American society. Reformers on the right must realize that a politics that handles these demands is also more likely to be a politics that can restrain the power of the farm lobby and public-employee unions.

OBSTACLES TO CONSERVATISM

American politics would be more constructive and ultimately deliver better governance if dispositional conservatives played a larger role in it, but this is much easier said than done. A number of features of our

political landscape work against dispositional conservatism, and—in the spirit of dealing with the society we have, rather than the idealized one we might want—we should not imagine that these can be easily wished away.

One major obstacle is that both of our major political parties have developed approaches to knowledge and power that are not conducive to conservative thinking. Today, Democrats are deeply committed to a vision of scientifically backed technocracy; Republicans are so violently opposed to the idea of expertise that they seem at times to reject empiricism altogether. This puts dispositional conservatives in an awkward position, as they share neither the left's confidence in expert extrapolations nor the right's thoroughgoing distrust of experts' diagnoses of current ills. Conservatives must work to create a political habit of drawing on the contributions of expertise while remaining properly cautious of the experts' own biases and hubris. But being "pro-expertise but anti-technocracy" is a fairly subtle position for retail politics, especially in the face of noisy accusations of being "anti-science" or "in thrall to out-of-touch coastal elites."

Among some Republicans, the antipathy to the conservative temperament sometimes seems to run even deeper. Politics bleeds into eschatology, and any willingness to compromise is taken as a sign of moral impurity, making proposals to improve government incrementally seem beside the point or worse.

At the same time, although less widely appreciated, conservatism also faces enormous obstacles precisely because of its interest in reform. The forces working to maintain the fundamental features of the status quo are extremely powerful in American politics, stifling change in a remarkably bipartisan way. The most important of these groups is not the business lobby or labor unions but elderly Americans. As Tyler Cowen has put it, "The real question about our fiscal future is not Republicans vs. Democrats but rather whether any coalition can limit benefits to older people." The temptation for both parties to demagogue all reforms to Social Security and Medicare as attacks on the elderly—who can often be relied upon to turn out to vote in their own self-interest—has so far proven irresistible. It is unclear whether any amount of rhetorical work emphasizing the duties owed to posterity will be sufficient to change the political dynamics around this subject, but doing so is crucial if conservatives are to conserve many of our system's virtues.

Reforms to dysfunctional governance structures will also face opposition from a variety of special-interest groups that are insulated from competition by current policies and have much to lose from a departure from the status quo. Both left and right have some allies answering to this description: On the one side they have big business; on the other, public-sector unions, service-provider trade groups, and trial lawyers. Public-choice thinking, which highlights the many ways that actors learn to exploit a system over time, offers some very deeply disturbing reasons to doubt the prospects for incremental improvement. Ultimately, addressing the political puzzle of these concentrated interests may require an old-fashioned notion of leadership as well as persistent and persuasive appeals to the diffuse interests of the public.

More speculatively, the very wealthy might become an obstacle to the reforms that dispositional conservatism requires. As the ultimate established interest, they may have little to gain and much to lose from even incremental adjustments. Concerns about their outsized influence on American politics, in vogue of late, are often wildly exaggerated but may not be entirely off-base. It is important to remember, then, that if dispositional conservatives are to be a force for good in American politics, they must always take as their object society as a whole, rather than society as experienced by elites.

CONSERVATISM IN PRACTICE

Despite all of these reasons to doubt that a resurgence of dispositional conservatism is possible in American politics, there are also reasons for optimism. A strong case can be made that, at least since the middle of George W. Bush's presidency, the major theme of American politics has been dissatisfaction on all sides with the basic competence of American government. Especially among the less ideologically committed portion of the public, people just want things to work. Conservatism has much to offer these voters.

Because dispositional conservatism is a practical cast of mind oriented toward the purposes of government and its attendant details, embodying it in practice requires getting one's hands dirty, struggling through the messy and sometimes mundane aspects of governance. In particular, the act of reform—making positive changes on the margin—requires deep interest in and knowledge of our starting place and of the plausible means of making improvements. In other words, the sometimes boring

and arduous task of reform, which is essential in a world where so much is worth preserving, requires great and persistent effort.

The instinct to reach for grand plans and big changes, on both the right and left, suggests a despair unwarranted by even our troubled situation. Many public institutions and programs call out for reform, and various threats to our system's vitality demand our urgent attention. But the great strengths of incrementalist governance remain intact in America. Recovering and consistently applying the insights of dispositional conservatism offers the surest way to sustain and improve upon our inheritance.