

# Back to Deadlock by Paul Starr

**T**he voters often surprise us, but this fall's midterm election seems nearly certain to have at least one consequence. For the next two years, Congress will be unable to make any significant headway on the great challenges facing our country. The Republicans may win one or both houses, or they may fall a bit short, but their gains will be enough to

stymie substantial legislation to deal with climate, immigration, the economy, and long-term fiscal challenges. A majority of the electorate may think those problems need urgent attention, but when the votes are tallied, they will likely add up to paralysis.

Impediments to large-scale policy innovation are built into the structure of American government, but recent developments have made legislative change even more difficult. Use of the Senate filibuster has become routine in an era when bipartisanship has become nearly impossible. With the advent of a tea-stained Republican Party, it will be no small feat even to get the congressional bargaining necessary for a minimally effective national government.

Many who voted for Obama now express disappointment with what he's done. It's fair to be disappointed; unemployment is far too high. But the problems are systemic and institutional. The impact of the financial crisis was bound to last for years, and more aggressive policies to combat the recession could never have reached the 60-vote threshold in the Senate. It was practically a miracle that health-care reform achieved that level

of support, considering that it required the votes of Joe Lieberman and Ben Nelson. And if you want to get mad about the deals made to pass that legislation, get mad at the institutional obstacles that made those deals necessary—and thank Harry Reid (along with Nancy Pelosi) for finally breaking an impasse that has lasted for decades and allowed the number of uninsured to grow to more than 50 million.

The Senate Democratic caucus had its 60-vote majority—the first since the late 1970s and the last until God knows when—for not quite half a year between the seating of Al Franken in July 2009 and the election of Scott Brown the next January. Ever since, except for the necessarily compromised financial-regulation bill, major initiatives have been buried in that quiet cemetery known as the Senate chamber.

Come next January, the great American impasse will be back in all its toxic splendor, and far from being an unusual result, this will be in keeping with what has become the standard pattern. Recent presidents have made their mark on domestic policy in their first two years. The midterm elections are almost always

a setback for their party, at which point the window for major initiatives has closed.

Unfortunately for Democrats, this pattern has more damaging consequences for them than it does for Republicans. Democrats need a government capable of social, economic, and environmental remedy, but except for cutting taxes and gutting social outlay and regulation, Republican presidents are often

Democrats wouldn't trust a Republican majority with a free hand to govern, just as Republicans wouldn't trust Democrats, and neither side is interested in entering into compromises with the other.

In saying we're on a path to deadlock, I don't mean to suggest that voting this fall won't matter. The outcome will have important consequences on critical tax issues and spending priorities, judicial nominations, the implementation of health-care and financial reform, and the administration's ability to address climate, energy, and other policy issues through regulation. The outcome

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content to do little domestically and to turn their attention to foreign affairs.

We desperately need systemic reforms—an end to the Senate filibuster and a four-year term for members of the House to coincide with presidential terms to give us a government that can perform year in, year out, instead of being periodically incapacitated.

But let's be honest. In this era of bad feeling, which side would trust a federal government more capable of decisive action? And what sort of bipartisanship is feasible now that the Tea Partiers have intimidated the few remaining moderates in the Republican Party?

will also determine whether Obama, if re-elected in 2012, has any chance of recapturing significant majorities in both houses. And state elections will influence how districts are redrawn after congressional reapportionment in the wake of the 2010 census.

Every seat will matter. Small margins will have large consequences, as they did in Florida in 2000 and Minnesota in 2008. Obama got elected by raising expectations of a post-partisan era; now he'll have to show he's more of a fighter, steeled by experience and able to use the resources of the presidency to position himself and the Democrats for the battles ahead. **TAP**