

from 1975 to 1991, when it hit 210 percent.

Democratic regimes, by contrast, tend to invest their borrowed money, which over time ensures a more stable, growing economy, and, as a result, debt shrinks as a percentage of GDP. With reasonable tax rates, they

are able to service their loans. Democratic Botswana, for example, saw its foreign debt burden fall by 1.6 percentage points per year from 1975 to 1991.

Oatley says that the results of his study provide some basis for optimism. Countries “are not driven ever deeper into poverty by

a hostile global economy over which they have little influence,” he writes, and political reform can help push societies toward better policies. But those who promulgate widespread debt forgiveness should be wary: Their policies may help autocracies most.

POLITICS & GOVERNMENT

The Tea Party's Short Sip

THE SOURCE: “The Tea Party Jacobins” by Mark Lilla, in *The New York Review of Books*, May 27, 2010.

POPULIST MOVEMENTS OF days past aimed to seize political power and use it for the benefit of “the people.” Not so with today’s Tea Party, observes Columbia University humanities professor Mark Lilla. It seeks to neutralize, not use, political power. It has only one thing to say: “I want to be left alone.”

Such “radical individualism” is not new to the American scene. It was the driving force behind both the 1960s-era shift to the left on social issues (sexual liberation, divorce, casual drug use) and the ’80s-era move to the right on economic issues (individual initiative, free markets, deregulation). Today’s Tea Partiers, “the new Jacobins,” as Lilla calls them, are characterized by two classic American traits: “blanket distrust of institutions and an astonishing—and unwarranted—confidence in

the self. They are apocalyptic pessimists about public life and child-like optimists swaddled in self-esteem when it comes to their own powers.”

These attitudes drive the large numbers of Americans who choose to homeschool their children, who refuse to get vaccinated, and who spend “over \$4 bil-

lion a year on unregulated herbal medicines, despite total ignorance about their effectiveness, correct dosage, and side effects.” Lilla writes, “Americans are and have always been credulous skeptics. They question the authority of priests, then talk to the dead; they second-guess their cardiologists, then seek out quacks in the jungle. Like people in every society, they do this in moments of crisis when things seem hopeless. They also, unlike people in other societies, do it on the general principle that expertise and



Most populist movements demand government action. Not so with today’s Tea Party. Its supporters have one simple message: Leave us alone. Above, an April rally in Boston, home of the original Tea Party.

authority are inherently suspect.”

Lilla suspects that the Tea Party will peter out after a few symbolic victories, because it has “no constructive political agenda. . . . [It] only exists to express defiance against a phantom threat behind a real economic and political crisis.” But though it may not last, its libertarian, anti-government underpinnings are here to stay.

POLITICS & GOVERNMENT

Judges for Sale

THE SOURCE: “Economic Crisis and the Rise of Judicial Elections and Judicial Review” by Jed Handelsman Shugerman, in *Harvard Law Review*, March 2010.

IT’S ONE OF THE UGLIEST warts on the U.S. body politic: About 90 percent of America’s state judges are chosen in elections. Inevitably, some of them wander into the political swamps. One successful candidate for the West Virginia Supreme Court in the 1990s accepted \$3 million in contributions from a corporate executive seeking to overturn a multimillion-dollar verdict. Elected magistrates also tend to be reluctant to enforce principles that antagonize the voting public. The irony is that when it swept the nation in the 19th century, the movement to make state judgeships elected positions was seen as a way to create a more independent judiciary.

The movement gained strength after the Panics of 1837 and 1839 sent many heavily indebted state governments reeling and exposed the often corrupt ways of state leg-

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islatures at a time when states were spending heavily on canals, roads, and other “internal improvements.” Populists were already clamoring to subject judges to the people’s will, according to Jed Handelsman Shugerman, a professor at Harvard Law School, but now they were joined by moderates and conservatives, who wanted to make judges independent of the legislatures in order to “embolden [them] and legitimize judicial review by connecting them to ‘the people.’” New York led the way in 1846, when a state constitutional convention approved a switch from appointed to elected judgeships. (Only Mississippi elected its state judges at the time.) By 1853 most of the other states—19 in all—had followed New York’s example.

The reformers got at least one of the results they wanted: “Elected judges in the 1850s struck down many more state laws than had their appointed predecessors,” Shugerman writes. The shift toward elected judges was “a turning point in establishing a more widespread practice and acceptance of judicial review in America.”

In other respects, however, things did not go as the reformers had intended. Far from defending “the people,” the judges took an increasingly counter-

majoritarian tack, defending individual rights against what one court called the “hasty and ill-advised zeal” of the voting public. In 1856, for example, a New York court struck down a ban on liquor sales as an infringement of individual rights. Shugerman says there is a straight intellectual line from this decision to broader U.S. Supreme Court decisions that sharply restricted government efforts to regulate business before the New Deal, such as *Lochner v. New York* (1905).

What motivated the counter-majoritarians? Chiefly, Shugerman believes, they wanted to fend off “legislative encroachment” on their domain and carve out a distinct role for the judiciary. He likens the state constitutional conventions of 1844–53 to the wave of democratic revolutions that swept Europe in 1848. One heartening lesson of that era, in Shugerman’s view, is that badly needed judicial reform can occur with surprising speed.

POLITICS & GOVERNMENT

Political Generals

THE SOURCE: “The Role of the Military in Presidential Politics” by Steve Corbett and Michael J. Davidson, in *Parameters*, Winter 2009–10.

THE AMERICAN MILITARY HAS a proud and long-standing tradition of political neutrality, but in recent presidential elections a “disturbing trend” has emerged: Retired generals have taken to endorsing candidates, write retired