

The Wicked Problem of Our Failing Social Contract

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Humans dominate and shape our planet as perhaps no other species since the Cyanobacteria about 2.4 billion years ago. Cyanobacteria ruled during its time by oxygenating the atmosphere, transforming both geology and forms of life. While chart-topping intelligence is central to the human story, our killer app is a complex form of social organization I've called "extended cooperation."

Extended cooperation is a shared behavior fostered by prevailing cultural norms, including religion and the transcendental philosophies. Extended cooperation encourages us to give and to make anonymous costly sacrifice to genetically-unrelated individuals in our social group while expecting nothing in return other than the dopamine rush and good feeling we get when doing so.

When this giving becomes widespread in a society, it is self-reinforcing and expands shared material and psychological prosperity. These gifts are sometimes immensely valuable inventions that quickly become free of charge and are handed down across generations through imitation and teaching and have powerfully accumulated to everyone's benefit in number and synergy. While extended cooperation has waxed and waned over human history, its pattern of invention, gifting, teaching and accumulation is one of progress and expansion. The lastingly sweet fruits of extended cooperation include agriculture, written language, calculus, musical polyphony, constitutional government, the Internet, one-size coffee cup lids and politeness to strangers.

But, in a cycle starting in the late 1960s, extended cooperation has waned here in our United States. The wicked problem of climate change has as its root the even more wicked meta-problem of our failing social contract. This failure is characterized by a shift in unwritten behavioral norms to immediate self-gratification and away from long-term shared thriving.

A straightforward indicator of this shift is debt. More debt in a society indicates preference for more consumption now and less investment for later, more for me, less for the grandchildren. Since 1980, when the U.S. consume-now, pay-later debt binge began, total business, household and government debt has more than doubled from 150 to 350 percent of GDP.

An astounding 80 percent of mid-level employees steal from their companies. A survey by the Ethics Officers Association found that nearly half of U.S. workers anonymously admitted to unethical or illegal actions over the prior year, such as expense account padding, discriminating against coworkers, paying or accepting kickbacks, forging signatures, trading sex for sales, breaking environmental laws, time theft and lying to customers.¹

One in four Americans surveyed think it is OK to defraud an insurance company.² Nearly four in ten doctors admit to making false claims to insurance companies over the prior year.³ The

Educational Testing Service in its long running survey of college students reports that, where about 20 percent admitted to cheating in high school during the 1940's, today at least three-in-four do. Among married and engaged couples, one-third of women and one-quarter of men admit to concealing substantial personal expenditures or investments from their partners.⁴

The [General Social Survey](#), run at the University of Chicago, generally considered to be the gold standard source for social science data, has measured a decline in community coherence and mutual trust. Between 1972 and 2016, Americans reporting that “most people can be trusted” has declined from 46 to 32 percent of us. Those with no close friends have tripled to one-in-four of us. Those with no religious preference rose from 5 to 20 percent.⁵ According to a recent [Gallup poll](#), a scant 17 percent of Americans think we have good moral values, with 77 percent of us thinking these are getting worse over time.⁶

This pattern of corrosion of the social compact has made it far more difficult for our political system to deal with problems whose solutions entail short term personal sacrifice in return for long-term shared gain. We can illustrate with two wicked problems with the same deeper root: climate change, whose urgency is proclaimed by the left and our exploding national debt, trumpeted by the right. The ideological divide on both these issues is sharp, making conventional give-and-take political compromise almost impossible.

Where only [15 percent of conservatives](#) believe that measured warming is caused by human activity, 80 percent of liberal Democrats do.⁷ The most recent vote on any substantive policy to address climate change happened in the House in 2009, which very narrowly approved a national carbon cap & trade system. Only eight House Republicans backed this bill which died without a vote in the Senate. More recently in 2016, on a non-binding resolution on a [national carbon tax](#), every House Republican voted in opposition and all but six Democrats voted in support.⁸

Conservatives point blame’s bony finger at liberals and Democrats when it comes to the long-range problem of national debt. Federal debt on the books is now \$20 trillion. This number balloons to a gargantuan \$100 trillion when unfunded long-term obligations are added, largely Social Security and Medicare. This sum is now growing by about \$1 trillion per year and constitutes a massive transfer of wealth and income to present beneficiaries and from young and unborn people who cannot vote on this massive inter-generational theft. Like climate change, the debt bomb will not explode in a fiscal and monetary paroxysm until some uncertain time beyond the next election.

The most recent votes in Congress over substantive policy to address national debt and deficits, a constitutional balanced budget amendment, happened in 2011. The amendment gained support of 236 Republicans and 25 Democrats in the House. All 47 Republicans voted in favor and all 53 Democrats voted against a similar measure in the Senate.

The fundamental connection between these two hardened partisan issues is not a difference in preference for science or facts. Many conservatives are in denial about climate science and rising

sea levels. Many liberals are in denial about the rising cost of entitlement programs. Both problems are easy to back burner because their consequences are imprecise and won't happen until sometime in the future, with heaviest burdens on future generations lacking political power.

When the two critical matters of climate and debt are raised, they are used as wedges to advance partisan advantage rather than politically and substantively credible solutions. Short-term political careerism starves out long-range national wellbeing. Conservatives advance smoke & mirrors budgets without prospect of Democratic support and which don't touch the entitlements third rail. Democrats advance climate measures likely to have near zero Republican backing.

These existential challenges of debt and climate plus healthcare costs and military over-extension led me to run for US Senate in both 2014 and 2016.

On climate, policy experts and activists fully recognize that nothing of substance will happen without at least one Republican leading support. One of my goals was to narrow the partisan divide on the climate issue. So, I launched my 2014 GOP primary campaign with a detailed revenue-neutral carbon tax. There would be no net tax increase (anathema to conservatives) because all proceeds are used to cut corporate and payroll taxes. Conservative academic economists have rated similar plans as simulative to long-term American prosperity and job growth.

My prior consulting work for Union of Concerned Scientists gave me credibility as a Republican with the nation's leading environmental organizations and got me pitch meetings with decision-makers at their political arms. All agreed that a Republican Senator was needed to lead on the climate issue and that my specific plan was substantive and politically solid. Adding to my unique case, [Huffington Post surveyed all 108 GOP Senate primary candidates](#) that year. I was the single candidate to openly support published climate science, and my primary opponent was a science denier.⁹ These environmental groups could therefore demonstrate needed bi-partisanship and support the political courage needed to advance climate policy.

The outcome? Under only highly extraordinary circumstances do environmental organizations break ranks with Democratic incumbents. The logic behind this anti-environment behavior by leading environmental groups is actually sound – in the short term. Incumbents usually vacuum up all the interest-group campaign money and get re-elected about 95 percent of the time. The Democratic incumbent, while not a climate leader, likely did not want good things said about a GOP rival by environmental groups. The rule in Washington is risk aversion. Do not bite the hand of an incumbent if you want any member meetings for the next six years.

Amazingly dedicated and smart groups such as the [Citizens Climate Lobby](#) are working to build support for a revenue-neutral carbon tax. It's affiliated Congressional Climate Solutions Caucus now has 20 GOP House members, most from swing states and relatively safe from primary challenges from the right. DEPLOY-US, on whose advisory board I serve, is doing extraordinary work building support for action among conservative military, business and faith. I learned the hard

way that a carbon tax is dead on arrival in anything like our current Congress. I got no support from the left and failed the global warming litmus test on the right. Nonetheless, we need an aggressive policy response, far more than anything accomplished to date.

The policy alternative now in hand is former President Obama's signature Clean Power Plan, the U.S. contribution to the Paris climate agreement. But if carbon emissions reduction is the goal, both the CPP and the Paris agreement are almost pure greenwash, an excuse to delay.

The CPP requires approximately nothing beyond what utilities are already doing in replacing coal with cheaper-to-run gas-fired power plants. [James Hansen](#), former head of NASA's climate data program and perhaps the world's best-known climate scientist, calls the CPP "practically worthless."¹⁰ Climate scientists say the emission reductions pledged by 195 nations in the Paris agreement – even with the U.S. -- will barely change earth's warming trajectory. "The pledges are not going to get even close," said [Sir Robert Watson](#), former chair of the UN Intergovernmental Panel on Climate Change.¹¹

Given worldwide political and economic reality, humans will not stop burning fossil fuels until abundant, convenient and cheaper energy sources hit the free market. Then, energy consumers worldwide will transition to these cheaper energy sources within a generation or two, without government compulsion. Reflecting on the history of human invention and progress, I am virtually certain that cheaper clean energy sources are coming, but we do not know how quickly or who will invent and commercialize them. The political and technological solution to global warming is therefore to accelerate American energy innovation.

Politically, we can build on the cross-partisan understanding that American prosperity is dependent on domestic innovation. Witness the strong and enduring support by Republicans and Democrats for tens of billions in federal funding for early-stage research in defense technology and the health and biological sciences.

For national defense, annual taxpayer-funded R&D has averaged \$80 billion over the past ten years, spinning off massive societal benefits like microprocessors, the Internet and GPS. Similarly, yearly taxpayer funding over the past ten years has averaged \$34 billion in federal grants for blue-sky health sciences research, with the US dominating the world in medical technology and biomedicine, gaining us high-paying jobs and strong net exports.

Our huge missed opportunity is in energy, a gigantic [eight percent](#) of the world economy, where federally-sponsored basic science research gets only \$3 billion per year, too little to ensure continued American energy technology leadership.

A workable political compromise now can start by phasing out all mandates, subsidies and tax preferences ([\\$5.2 billion per year](#)) for already-commercialized wind, solar, biomass, fossil and nuclear power technologies.¹² Use these savings to phase in funding of \$10-15 billion per year for high-risk, blue-sky research in more efficient photovoltaics ([tunable nanocrystals, quantum dots and](#)

[carrier multiplication](#)¹³), modular thorium reactors, materials science and battery chemistry. During my campaigns, I called this a Manhattan Project for clean energy research.

If today's battery energy density and costs were improved by four times and solar PV made fifty percent more efficient, global warming would be licked. On price advantage alone and without government subsidies or mandates, consumers and business worldwide would shift *en masse* from fossil fuel use. I want these products to be invented and made in America, sooner not later and not in China, which has recently adopted a government-directed, clean energy industrial policy on the scale I have envisioned for the U.S.

To be clear, federal energy spending must not be used to line the pockets of crony capitalist enterprises like Solyndra, where politicians take campaign money bribes to pick market winners. Subsidizing commercialization over basic research, as we do now, corrupts government and distorts and freezes marketplace dynamics which otherwise drive down cost and accelerate commercialization. These distortions give us poorly located windfarms in New Hampshire and grossly uneconomic and bankrupt nuclear plants in Georgia.

Market libertarians object to my plan, preferring private over federal research spending. This is exactly the 50-year trend. Federal investment yielding long-term payoff such as for infrastructure and R&D have been cut to pay for increased spending on current-year benefits such as retirement security and healthcare. In the private sector, [activist investors](#) have forced corporate management to make risk avoidance and fast payoff for R&D spending more important than the science breakthroughs that deliver order-of-magnitude gains.¹⁴ Net, America's long-term competitive position has weakened, with total US R&D spending as a fraction of our economy [dropping to #11 in the world](#).^{15 16}

Regardless of your position on global warming, boosting blue-sky energy research and ending subsidies and mandates means smaller, less intrusive government and a stronger, more secure America. We can reduce energy costs, bring jobs home, end free-world reliance on fossil fuels from hostile nations, and cut pollution and poverty worldwide. This Manhattan Project in clean energy research has a better shot in today's Congress than any other substantive climate solution.

But long-range solutions to climate change and our several existential national challenges will not happen without addressing root cause deterioration of the social compact. Here are three suggestions.

The first is to reform Washington's corrupt political money system. The post-Watergate and McCain-Feingold reforms focused on limiting spending have failed. A ground-breaking [2014 study](#) by two Princeton political scientists traced the political outcomes for 1,800 contested issues over a 20-year period. Little surprise, economic elites and organized business interests had substantial impact on policy. The stunner, average members of public have statistically zero influence over what happens in Washington.¹⁷

With respect to climate change politics, over the [2015/2016 political cycle](#), the oil, gas and mining (primarily coal) industries spent \$406 million on its 722 registered lobbyists and campaign contributions.¹⁸ Ninety percent of these contributions went to Republicans, with the average GOP Senator receiving \$174,000. Two-in-three of these industry lobbyists passed through the conflict-ridden “revolving door,” having previously served in capacities such as Congressional energy committee staffer or energy agency regulator.

It’s no wonder that the public has reached the boiling point about national politics. GSS survey data shows that from 1972 to 2014 those Americans with “hardly any” [confidence in Congress](#) rose from 15 to 52 percent.¹⁹ Today, a [93 percent](#) Americans believe that big-money donors have more influence on elected officials than do regular voters.²⁰

Fortunately, the U.S. Supreme Court tells us exactly how to drain the Washington swamp in [Nevada Commission on Ethics v. Carrigan](#).²¹ In this unanimous 2011 decision penned by conservative icon Antonin Scalia, the Court clears the path for Congress to enact a thoroughly constitutional way to end the pervasive corruption in our nation’s political process.

By law or rule, Congress can require members to recuse themselves from voting on any measure in which they have a perceivable conflict of interest. Such conflicts include campaign contributions, independent election expenditures and personal, business or family-member financial interests perceivably affected by the vote. With an enforceable recusal requirement in place, a large donor wanting to buy a politician would find that politician unable to vote on matters pertaining to the donor’s interest.

Sounding almost left wing, Justice Scalia wrote in the Court’s decision that a recusal requirement is constitutionally permissible because the First Amendment “has no application when what is restricted is not protected speech ... The legislative power thus committed [to the elected official] is not personal to the legislator but belongs to the people.”

The Court found that legislative recusal rules have been common in the states and Congress almost since our nation’s founding. A 1789 House rule read: “No member shall vote on any question, in the event of which he is immediately and particularly interested.” An 1801 Senate rule written by then-Senate President Thomas Jefferson read: “Where the private interests of a member are concerned in a bill or question, he is to withdraw.”

A recusal requirement will help, but on its own may not drain the swamp sufficiently to persuade members of Congress to vote for long-range social prosperity. So, I also add public elections funding to my recipe for fundamental cure.

Under the plan I proposed during both my campaigns, every registered voter is given a \$100 tax rebate voucher each two years. Voters may contribute all or part of their rebate voucher to any federal candidate voluntarily refusing to accept campaign contributions above \$200 from any

source. Eligible candidates must first establish credibility by having raised a threshold sum of private money in small dollar contributions from persons eligible to vote for the participating candidate. The cost of this tax rebate system would be at least an order of magnitude less than the cost of the present pay-to-play system, where political money is traded for taxpayer-financed tax loopholes, pork, and regulatory and diplomatic favors.

Root cause solution number two starts with a rant about media bias, but not for the reasons you'd expect from a Yankee conservative.

In 2016 my opponents had a combined \$120 million of out of state interest group campaign money. Please reflect on this: \$120 million for one US Senate seat. Because I was so underfinanced compared with my rivals and because I am a policy nerd anyway, my Senate campaigns amounted to field tests of the quintessential "campaign of ideas" that editorial writers moon about. I did a deep dive into detail and policy suggestions on the big issues. I had an experienced communications staffer who did nothing but work media contacts all day, every day with my white papers and expert panels. Media, even avowedly high-minded public radio, were uninterested.

Media bias is not liberal or conservative. The bias yardstick sugars down to ... who has money and who said something inflammatory. When issues do hit media's radar, coverage is inch-deep, without context or follow-up. Media bias confines and constricts the breath of public debate, suppresses free inquiry and embeds political sclerosis. These views are not just mine. Between 1972 and 2014, Americans with "[hardly any confidence](#)" in the news media spiked from 14 to a stunning 50 percent of us.²² American media must voluntarily downgrade titillation and put national political health on its menu.

Root cause solution number three is ... us. Last year at GOP events featuring, not just me for Senate, but all primary candidates in New Hampshire for Congress and Governor, turnout was consistently painfully low, probing questions few. We are failing as citizens. Sanders and Trump rallies are not citizenship; they are mass pleas for a savior from the corrupt, unresponsive political establishment. Our founders repeatedly warned us that the system of liberty and self-government they had fashioned depends on a moral and ethical people who constantly exercise their duty to hold government accountable.

In closing, the wicked problem of climate change is actually the even more wicked and fundamental problem of our waning social compact. In our daily personal and professional lives, by our words and deeds, we must each re-center our lives around the greatest of all human strengths, the gift of extended cooperation.

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