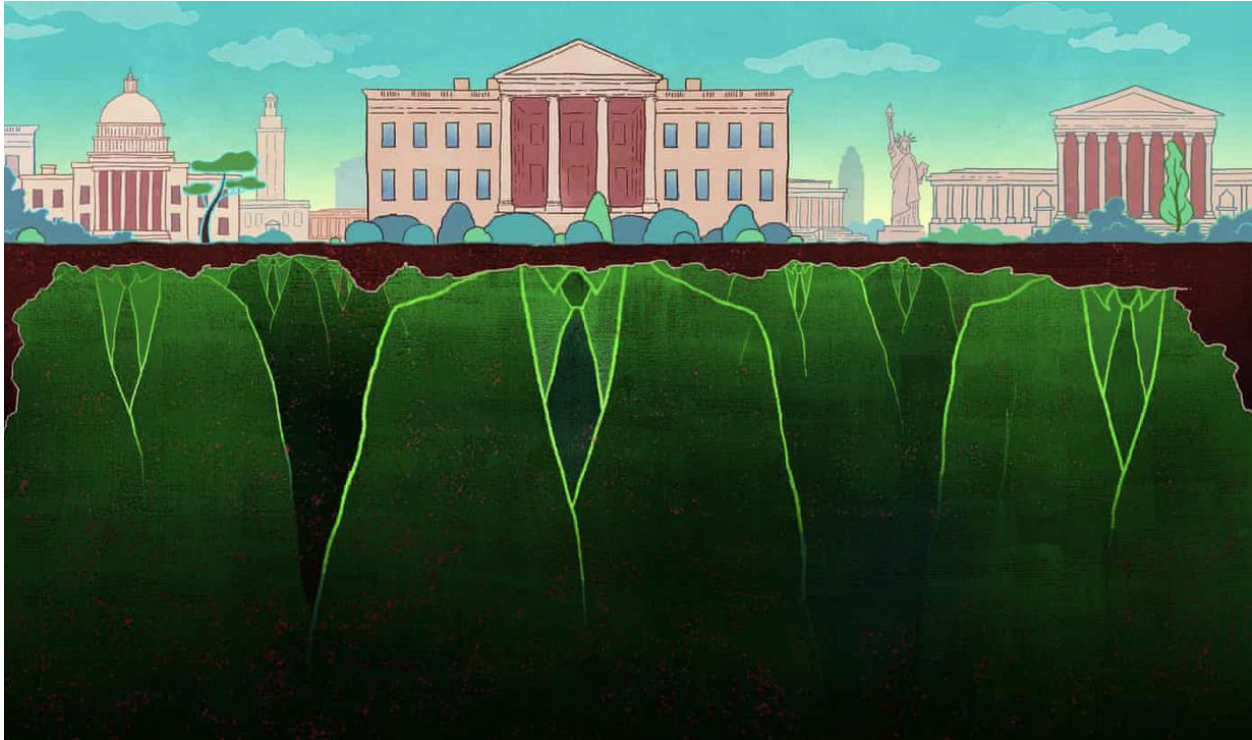


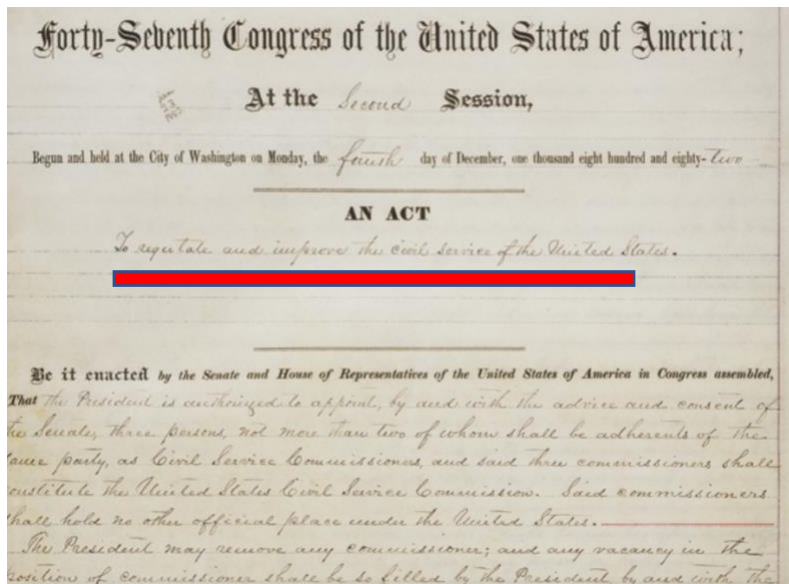
Supplemental Notes to Lecture 17: The Bureaucracy and the “Deep State”



“American Democracy *Depends* Upon the Deep State”

Note that this week’s “guest” lecture—a Bill Moyers interview with Mike Lofgren—took place eight years ago, in April of 2014. At that time, Lofgren could not have known that invocations of the term, the “Deep State,” would soon increase exponentially; however, its meaning has become highly contested.

For instance, Francis Fukuyama, the Stanford Political Scientist best known for his controversial 1992 book, *The End of History*, published an op-ed in the *Wall Street Journal* in which he argues that, far from undermining representative government as Lofgren claims, the Deep State fights corruption, upholds the rule of law, and ultimately preserves American Democracy: “American constitutional government depends on the existence of a professional, expert, nonpartisan civil service. Hard as it is to imagine in this moment of extreme partisan polarization, government cannot function without public servants whose primary loyalty is not to the political boss who appointed them but to the Constitution and to a higher sense of the public interest. Like all modern democracies, the U.S. needs a Deep State.” For Fukuyama, the Deep State appear synonymous with a meritocratic bureaucracy whose origins lie in the 1883 Civil Service Reform Act, presented, as seen below, in order to “regulate and improve the civil service of the United States” (it was also known as the Pendleton Act, discussed on page 519 of our text).



By describing the Deep State as a stabilizing force that protects the constitution and the public from the excesses of elective leaders, Fukuyama not only ignores Lofgren's characterization of the Deep State but also upbraids the Trump Administration without mentioning it by name: "Those attacking the 'deep state' are really attacking the rule of law. Public officials [i.e., federal bureaucrats] in the executive branch are obligated to implement the policies of their political bosses, even if they disagree with them. But they have a higher obligation to uphold the Constitution, and they must exercise their own judgment if they see a policy that violates it." Readers of Fukuyama's essay are left with the impression that anyone who suggests there is something sinister or threatening about the Deep State possesses an irrational fear of powerful bureaucrats and has fallen prey to conspiracy theories.

We should note, however, that many who have denounced the Deep State regard it as something that Lofgren would not recognize. Indeed, Lofgren says exactly that. To his dismay, the term has "become a cliché" and a partisan tool, used by the Trump Administration and its supporters to attack the Democratic Party¹; for instance, Steve King, until 2020 a Republican Congressman from Iowa, [stated in 2017 that the deep state is "led by \[former President\] Barack Obama."](#) Lofgren maintains, however, that *the Deep State poses a threat precisely because it operates beyond the reach of both parties*; crucially, it is not beholden or partial to either.

Three Versions of the Deep State

We are thus left with three different Deep States: the nexus of corporate power and nonpartisan governmental authority concentrated in certain national security and law enforcement agencies [I]; Fukuyama's depiction of selfless civil servants who uphold the rule of law [II]; highly partisan national security officials who, working closely with a Democratic Party led by Obama, attempted to undermine the Trump Administration's legitimacy [III]. It would seem impossible for all three versions of the Deep State to co-exist. Could this mean that the Deep State *does not*

¹ A month after the 2016 elections, an anonymous author writing under the pseudonym, [Virgil](#), wrote "[The Deep State vs. Donald Trump](#)," which was published in Breitbart News.

exist at all—other than as a psychological projection that expresses deep-seated anxieties about political powerlessness in the face of tremendous technological, economic, and cultural change?

Indeed, in response to the use of the term by the likes of former Congressman King, Centrist Democrats and retired federal government bureaucrats in particular have taken offense to the idea that there is a Deep State I or III in the United States. Such things do not happen here, as the saying goes; shadow governments are only found elsewhere—like in the Middle East, a claim that both betrays a spirit of [“Orientalism”](#) and contains a kernel of truth, in the sense that the term, Deep State, is of [Turkish origin](#) (*deren devlet*), having come into use in the 1990s.



As Lofgren puts it, the term “described the combination of finance, industry, and military and intelligence organizations in Turkey that made certain that policies would remain the same, no matter how the government changed.”² (Note that, as we saw in his 2014 discussion with Moyers, this is precisely how Lofgren defines the American version of the Deep State.)

Such Things Do Not Happen Here

The idea that such a power structure could operate in the United States resonates with sizable segments of the population, if we go by polling results, which also reveal the ways in which surveys not only reflect but also help to shape public opinion, as discussed in Lecture 6. For

² Former Canadian diplomat and retired UC Berkeley Professor Peter Dale Scott, perhaps the first to use Deep State I to describe power structures in the US (in his 2007 book, *The Road to 9/11*) lets the circumstances surrounding the origins of the Turkish term speak for themselves: The Turkish term ‘deep State’ (*deren devlet*) was coined after the so-called Susurluk incident, a 1996 car crash whose victims included the deputy chief of the Istanbul Police Department, a Member of Parliament, and Abdullah Çatlı, an international heroin trafficker and killer recruited by the Turkish police for ‘special missions’ and paid in heroin while he was officially being sought by the Turkish authorities for murder.”

example, a Monmouth University poll taken in 2018 found that “few Americans (13%) are very familiar with the term ‘Deep State;’ another 24% are somewhat familiar, while 63% say they are not familiar with this term. However, *when the term is described as a group of unelected government and military officials who secretly manipulate or direct national policy*, [i.e., when it is defined as Deep State I] nearly 3-in-4 (74%) say they believe this type of apparatus exists in Washington.”

32. As it stands right now, do you think that unelected or appointed officials in the federal government have too much influence in determining federal policy or is there the right balance of influence between elected and unelected officials?

	March 2018
Unelected or appointed officials have too much influence	60%
Right balance of influence between elected and unelected officials	26%
(VOL) Don't know	14%
(n)	(803)

33. Are you very familiar, somewhat familiar, or not familiar with the term Deep State as it applies to the federal government?

	March 2018
Very familiar	13%
Somewhat familiar	24%
Not familiar	63%
(n)	(803)

Unelected and appointed officials are believed to unduly exert influence over the policymaking process in a system of representative government in which *overwhelming majorities of citizens already feel as though their needs are not met by their senators and congresspersons*, which is a point worth empathizing, in the sense that those critical of a sinister Deep State often maintain that the legitimate, open state should be protected and empowered, even though many do not think that those entrusted with the making of laws, no matter whether Democrat or Republican, are fulfilling their duties. (Last year, [Gallup](#) conducted a survey in which a mere 18 percent of respondents approved of “the way Congress is handling its job.”)

These sorts of poll numbers would perhaps *suggest there is a need for Deep State II*, whose authority and expertise *is* ignored at a cost paid by members of Congress and the public alike. “The civil service is here to assist duly elected representatives and appointees administer the government,” Russell Travers explained in a *Washington Post* Op-Ed shortly after retiring from the civil service in 2020. “Those who use the available expertise to inform their decision-making are invariably more successful than those who don’t.” Perhaps what is needed is a Deep State II that confronts rather than ignores the existence of Deep State I. However, that is not where things currently stand.

Opinion: I'm a former civil servant. We are professionals, not a 'deep state.'

By Russell E. Travers

July 14, 2020



Civil Servants like Travers and Loren DeJonge Schulman (who served on the National Security Council during the Obama Administration) are highly offended by the claim that Deep State I is a powerful entity in American Politics. According to Schulman, it's one thing to "talk . . . about Turkey or Egypt or other countries, [where] part of [the] government or people outside of government . . . are literally controlling the direction of the country no matter who's actually in charge, and probably engaging in murder and other corrupt practices . . . [But] it's shocking to hear that kind of thinking from a president [i.e., Trump] or the people closest to him."

Schulman professes to be shocked, but writers like [David Rhode](#), author of the recently published *In Deep: The FBI, CIA, and the Truth About the American Deep State*, are forced to concede that "the deep state isn't exactly a phantasm. . . I do think there's what we might call a permanent government or an institutional government. We have these incredibly large and powerful organizations like the FBI and the CIA and the NSA . . . Together these organizations make up what a lot of people mean by 'deep state,' and I agree they need aggressive oversight." Rhode refers to Deep State II as "institutional government," a benign enough name given to a network of "incredibly large and powerful organizations" that simply require "aggressive oversight," the need for which is calmly discussed in our text on pages 533-539, under the section heading, "Controlling the Bureaucracy." Unfortunately, such "aggressive" oversight mechanisms have not been put to good use since there were established nearly half a century ago, in the [mid 1970s](#), which provides the public with one more reason to tell Gallup pollsters that Congress is not "handling its job" (especially given respondents' concerns about the power wielded by "unelected officials," as reported in the Monmouth survey).

We'll close this introduction to the Deep State with a quotation from [Jack Goldsmith](#), a Harvard Law Professor who is also a member of the conservative Hoover Institution: "Some see . . . American bureaucrats as a vital check on the law-breaking or authoritarian or otherwise illegitimate tendencies of democratically elected officials. Others decry them as a self-serving authoritarian cabal that illegally and illegitimately undermines democratically elected officials and the policies they were elected to implement. The truth is that the deep state, which is a real phenomenon, has long been both a threat to democratic politics and a savior of it. The problem is that it is hard to maintain its savior role without also accepting its threatening role. The two go hand in hand, and are difficult to untangle."

Quiz Questions from Moyers's Interview with Lofgren (Interview begins at 1:27 and ends at 20:40)

- 1. Why does Lofgren invoke the authority of President Eisenhower?**
- 2. According to Lofgren, what is "the paradox of American Government in the 21st century?"**
- 3. How does Lofgren describe the phenomenon of "Groupthink"?**
- 4. To what does "our present-day Cincinnatus" refer?**
- 5. According to Lofgren, what is the "ideology" of the Deep State?**

Quiz Questions from the Supplemental Notes

- 6. What are the three different "types" of the Deep State?**
- 7. How would you respond to the two survey questions posed in the 2018 Monmouth poll? Briefly explain your responses.**