

AMENDING A CULTURE OF CORRUPTION

Rhode Island Political Culture and the Separation of Powers Movement

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- A B S T R A C T -

Yet to be published, let alone conceived, the *Providence Journal* “Guide to Rhode Island Politics” might well begin with an Edward Achorn opener:

Like longtime victims of spousal abuse, Rhode Islanders are quick with excuses and fond of hoping things will get better if they simply endure. When their politicians beat them, they laugh it off, cover up their bruises and insist that, deep down, those guys really love them.

They seem not to be unduly concerned that some of their elected leaders behave little better than thugs. If they notice political corruption at all, they often seem not outraged, not even mildly disgusted, but, rather, delighted. “Only in Rhode Island,” they sigh, with native pride, a twinkle in their eye.¹

Local delight in wayward individualism is as much a historical legacy as a contemporary norm. Indulged since Rhode Island’s days as a colonial rebel, corruption is incarnated by a 350-year string of special interest deals, partisan ambushes, federal corruption probes and media ethics crises exposes. From Bevilacqua to DiPrete, Harwood to Cianci, Irons to Celona, politicians and their loyal supporters enjoy the cozy rewards of the crooked system they built and milked, all the while stunting reforms that might come from within the system. As Smith Hill malfeasance became a routine facet of government, concerned observers began to whisper of a “culture of corruption” that held the state hostage.

Reactively, the 1990s became a period of political reforms: the creation of the statewide Ethics Commission, the passage of revolving door legislation, workers’ compensation changes, the opening of state pension records, the downsizing of the General Assembly, and the introduction of revolutionary fiscal and welfare policy initiatives. Then in the fall of 2002, reformers seized on a constitutional amendment guaranteeing a separation of powers between the executive, legislative, and judicial branches of the state’s government. Whereas scholars often take for granted the genius of a system able to govern itself by

¹ Achorn, Edward. “The government we deserve.” *Providence Journal*. 19 November 2002.

checks and balances, local interpretations of Rhode Island's constitution had preserved broad General Assembly powers as first set in 1663. According to the antiquated model, the state legislature was able to make appointments to the more than 400 state boards and commissions that execute laws drafted by the self-same lawmakers – thereby making it possible for both legislative and executive powers to bleed together in House and Senate chambers. If Rhode Island amended its constitution and added a separation of powers guarantee, it was insisted, the influence of the legislative branch would be curbed, thusly reversing the image of a state known for corruption and political deal making.

Such sudden and intense zeal to cure a conflicted political system, however, fundamentally diverges from attitudinal stereotypes of the state. Rhode Island had evaded, perhaps even resisted, change for a significant and defiant 350-year run. How can there have been such an abrupt change of heart in the year 2002? Will the changes mandated by the amendment mitigate existing imbalances of power between the legislative and executive branches? Are the currently proposed reforms even enough to restructure local attitudes and expectations of state government? Indeed, come the 2004 referendum, superficial restructuring may usher the state towards meaningless, perhaps even counterproductive, changes that simply cleave away branch powers without consideration of the consequences hasty restructuring may beget. Talked into reconstructive surgery without a proper grasp of the matter, Rhode Island may have been duped to place its faith in a false and short-lived digression from its familiar political rheumatisms. Indeed, while observers ponder the awkward transition from dissidence to reform, it is unclear whether the present obsession with government ethics is symptomatic of a change in political culture, or an isolated exception as rallied by incendiary reform groups and watchdog media.

In this nature, a three-part appraisal of ideology, tradition, and method will be undertaken to document the success of reform efforts in transforming Rhode Island political culture. Part I introduces the philosophy behind the separation of powers doctrine. Drawing from ancient text, founding father, modern scholar, and court opinion alike, the analysis presents the idea of institutionalized checks and balances as an ingenious method by which to correct the tyrannical temptations of corrupting power. Part II considers Rhode Island's penchant for political scandal. Historical grounds for eccentricity and willful independence are found to feed a belief system that tolerates and encourages crooked behavior. As such, the set of government reforms that swept the state in the 1990s appear to be the product of coincidental events and active reform campaigning, thereby warning against hasty conclusions that Rhode Island's political culture has undergone a complete reorientation. Finally, Part III combines classic philosophy and cultural assessment to address the question of whether the imposition of new separation of powers provisions can "cure" a statewide tradition in corruption. Given the hold of old cultural orientations, the uncertain strength of reformist resolve, and technicalities that may serve to stall the implementation process, one wonders whether the present demand for government change has the potential to follow through and endure.

Optimistic observers point to 1990s reforms and the imminent passage of the separation of powers constitutional amendment as a historic turning point in Rhode Island's rebellious history. Considering the layered ambiguities lawmakers are in store to find, however, it may be that the effect of separation of powers reforms upon statewide balances of power may neither be as extensive, nor as clear-cut, as endearing marquis headlines tote them to be. The question is, can the public's push for good government reforms realign the corrupt and entrenched political culture of Rhode Island?