

## Mitigating Extreme Partisanship in an Era of Networked Parties: An Examination of Various Reform Strategies

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### INTRODUCTION

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Partisan polarization is undoubtedly an issue of great concern among policy-makers and political observers in the United States today. By scholarly consensus, America's political parties are as polarized as they've been in modern history, with members of Congress largely refusing to vote with members of the other major party on all but the most trivial matters. Such polarization has important consequences for American public policy, including an inability for Congress to agree on terms of funding the federal government, widespread holes in the federal judiciary corps, major legislation that is called into question due to its lack of support from even a single member of the minority party, and a general climate of gridlock in which the federal government cannot act on even its most solemn responsibilities.

Given the potential problems associated with party polarization, several reform efforts have recently been proposed designed to mitigate legislative partisanship in the U.S. Congress and allow some measure of bipartisanship to return to the chamber. This paper is an effort to evaluate some of these proposals. I will discuss not only their political feasibility and prospects for reducing partisanship, but also the possible costs associated with their implementation.

I begin, however, with a discussion of the structure of modern American political parties. This is an important digression because, as I explain, the network structure of parties often ends up undermining reform efforts. Understanding what modern parties look like and how they behave is key to understanding what sustains them and why so many efforts to rein them in run awry.

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## PARTIES AS NETWORKS

It is notoriously difficult to determine who the leader of a modern American political party is. A 2009 survey asking respondents “who speaks for the Republican Party today” produced a range of names, including Rush Limbaugh, Dick Cheney, Newt Gingrich, and John McCain, with little variation in their popularity.<sup>1</sup> This is not to say that there is one correct answer, especially for a party not currently in control of the White House, but the responses are telling. They include recent presidential nominees, former officeholders, and media figures with no formal role in government or the official party itself. (Notably, the then-chairman of the Republican National Committee, Michael Steele, was named by only one percent of respondents.)

This serves as a reminder that a modern American party has many facets, with none obviously outranking the others. Rush Limbaugh, for example, holds no official party or government post, but he certainly holds influence over whom the Republican Party nominates for high profile offices and how it behaves while governing. Indeed, it is a commonly observed phenomenon that when Limbaugh and a Republican officeholder have a public disagreement, it is usually the officeholder who ends up apologizing.

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Regrettably, the picture usually conjured up when one discusses political parties is a rather outdated, hierarchical model, stemming from the days of party bosses like Chicago Mayor Richard J. Daley in the 1950s and 1960s, or even the Tammany Hall organization in 19th century New York City. Parties at those times were formal machines, with a few key public officials holding sway over thousands of patronage jobs that could be offered to loyal regime supporters. When an election came around, the clerks, police officers, sewer workers, and elevator operators who held those public jobs were put to work to make sure that voters turned out for the candidates loyal to the party boss and didn't turn out for the other candidates. Party leaders were easy to identify and the contours of the party were obvious to anyone who possessed a city organizational flowchart. Interest groups like labor unions, trade organizations, and civil rights groups seemed more clearly distinct from the parties and attempted to influence their behavior from the outside.

As a consequence of various court decisions and corruption crackdowns, greater transparency in the transactions that fuel our political system, increased political competition across the country, the rise of the civil service, and the creation of a class of journalism devoted to rooting out blatant corruption and abuse, parties have taken on a new form in recent decades.

<sup>1</sup> Gallup. 2009. “Limbaugh, Gingrich, Cheney Seen as Speaking for GOP.” June 10. <http://www.gallup.com/poll/120806/limbaugh-gingrich-cheney-seen-speaking-gop.aspx>

Today, the main labor of parties is provided not by municipal employees but by ideologically-motivated activists. Official party leaders are able to coordinate electioneering activities—informally, when necessary—with interest groups and media organizations and fund candidates through a sophisticated web of 527s and Super PACs, channeling funds from wealthy donors with axes to grind to the candidates that need them with only marginal traceability.

A more realistic model of the modern American party is that of a party network. A party, that is, is a collection of different types of actors—donors, activists, interest groups, officeholders, candidates, even some media officials—working together to advance a set of policy goals by controlling party nominations and winning elections. The concept of hierarchy doesn't map well onto the modern party. It can often be difficult to determine just who is in charge or even who is in the party. The modern party is a “polycephalous creature with ambiguous boundaries.”<sup>2</sup>

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The recent rise of the Tea Party movement offers us a case in point. Most observers would regard it as a powerful faction within the broader Republican Party, even though many of its generals and foot soldiers came from outside traditional Republican circles. They have become a powerful influence in presidential, congressional, and state legislative primaries, helping to pull the Republican Party as a whole rightward. Many would regard Karl Rove, the former presidential political strategist and current media commentator, as a key figure within the Republican Party, but despite his obvious discomfort with many Tea Party candidates, he has proven unable to make the movement disappear.

This helps explain why the bulk of recent national party polarization has been driven by Republicans moving rightward; the typical Democratic position has been stable for years. To be sure, some of this polarization began before the Tea Party's emergence, but it was essentially the same set of issues being championed by the same sorts of activists and officeholders outside formal party circles with access to resources that were

2 Heaney, Michael, Seth Masket, Joanne Miller, and Dara Strolovitch. 2012. “Polarized Networks: The Organizational Affiliations of National Party Convention Delegates.” *American Behavioral Scientist*, 56 (12): 1654-76.

important in Republican primary elections. Official Republican Party leaders, including congressional leaders and the elites of the Republican National Committee, have demonstrated concern about their candidates drifting too far to the right, making the party less competitive as a result. But these same people appear powerless to stop it. Activists and candidates affiliated with the Tea Party and other conservative groups have their own sources of funds and influence, and given their power to influence the outcomes of nomination contests, they have just as much claim to control the direction of the party as any formal party elite in Washington.

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Seeing the party as a network is also key to understanding party reform efforts and why they so frequently fail. If a reform seeks to limit partisanship by disabling a function of the parties, the party network may simply compensate for the reform and overcome it. For example, campaign finance restrictions enacted in Colorado in 2002 sharply limited the ability of the state parties to directly fund their preferred candidates. The state's Democratic Party adapted by building alliances with a small group of very wealthy liberals with their own policy agendas, developing a network of alternative funding streams to channel millions of dollars toward competitive races and overwhelm their opponents.

It should be noted that not all these reforms had the reduction of polarization as their chief aim. Campaign finance reform is usually rooted in a broad desire to simply limit the role of money in politics and thus undermine corruption, with a reduction of polarization seen as a useful secondary objective. Yet in most of these cases, both the primary and secondary objectives fail to obtain; spending continues to increase, the parties continue to polarize, shrill voices grow ever more shrill. Such setbacks have hardly discouraged reformers. Indeed, calls for new reforms to the political system seem to increase in spite of failures, with reformers seemingly convinced that the next reform will turn back the clock on polarization and make our political system once again manageable. What follows next is an examination of several of the more popular reform suggestions designed to mitigate partisanship.

## **PRIMARY REFORM**

Reformers have held the promise of primary reform in great esteem over the past decade, pressing it as a solution to legislative gridlock. Behind it is the theory that elected officials are as polarized as they are because nearly all of them are nominated via partisan primary elections, and those elections tend to be dominated by ideologically extreme voters. Moderate the primary electorate, the theory goes, and you'll moderate the party nominees it produces.

Primary reform comes in a variety of flavors. Some simply advocate an end to closed primaries, which limit participation to registrants of that party only. Thus, a more open primary, allowing independent voters or even registrants of other parties to participate, might produce a more ideologically diverse set of nominees. Others advocate for an explicitly nonpartisan primary (as is currently employed in Nebraska) or a top-two primary, in which every candidate, regardless of party, appears on the same ballot to every voter, regardless of their registration. The top two vote-getters then go to a runoff election. This form of primary has existed in Louisiana for decades and has more recently been adopted by Washington and California. Initiative movements in other states, including Colorado, may spread the top-two presence further.

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The existing political science literature, however, is not very encouraging for the prospects of primary reform. Some studies<sup>3</sup> have found that members of Congress nominated via open primaries tend to be slightly less partisan than those elected via closed primaries. However, the most thorough study done to date<sup>4</sup>, examining the behavior of state legislators nominated via different primary systems and even those same states when they change primary systems, finds no effect at all of primary rules on partisanship. Recent studies of California's new top-two system have contradictory findings, with some showing slight

moderation of officeholders and other actually showing greater partisan polarization.<sup>5</sup> This state obviously requires continued study in the coming years.

Why does primary reform tend to fail? For one, even if primary participation is broadly accessible, those elections tend to be relatively low-turnout ones. Those who turn out to vote tend to be the most politically interested, and it is a long held finding in political science that the more politically interested tend to be more ideologically extreme. That is to say, even if a primary is open to everyone, the electorate will look similar to that of a closed primary. Another reason primary reform tends to fail is that party elites have proven highly successful

3 Kanthak, Kristin, and Rebecca Morton. 2001. "The Effects of Primary Systems on Congressional Elections." *In Congressional Primaries and the Politics of Representation*, eds. Peter Galderisis and Mike Lyons. Lanham, MD: Rowman and Littlefield; Gerber, Elisabeth R., and Rebecca B. Morton. 1998. "Primary Election Systems and Representation." *Journal of Law, Economics & Organization* 14: 304-24.

4 McGhee, Eric, Seth Masket, Boris Shor, Steven Rogers, and Nolan McCarty. 2014. "A Primary Cause of Partisanship? Nomination Systems and Legislator Ideology." *American Journal of Political Science* forthcoming.

5 Kousser, Thad, Justin Phillips, and Boris Shor. 2013. "Reform and Representation: Assessing California's Top-Two Primary and Redistricting Commission." Presented at the annual conference of the Midwest Political Science Association in Chicago, Illinois; Grose, Christian. 2014. "The Adoption of Electoral Reforms and Ideological Change in the California State Legislature." Unpublished manuscript. The Schwarzenegger Institute, University of Southern California."

in seeing that the types of candidates they like (usually loyal partisans) get key advantages in primary elections, such as donations, endorsements, and campaign expertise, while other candidates do not.<sup>6</sup>

One version of primary reform that could potentially make a difference would be an open primary combined with an effort to boost voter turnout. At least in theory, this could increase the turnout of the moderates and political independents who do not typically participate in primaries. Such turnout efforts could potentially come in the form of holding polling times on weekends or holidays, or perhaps by relaxing (or eliminating) voter registration rules. Nonetheless, it seems reasonable to think that primaries will almost always feature substantially lower turnout than general elections due to the lower media attention to the contests. Furthermore, given that the key stages of candidate recruitment and dissuasion occur long before the primaries, there is only so much that higher-turnout primaries can do.

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## **REDISTRICTING REFORM**

Gerrymandering remains a bugaboo for many who are concerned about excessive partisanship. In the eyes of many reformers, gerrymandering is a perversion of representative government: instead of voters picking politicians, the politicians pick the voters, ensuring their own reelection and making them impervious to retribution by voters for acting in too extreme a fashion. Indeed, the more unbalanced the district becomes, the smarter it becomes for the incumbent to behave in a very partisan manner; moderation may be seen as a fireable offense in such districts. More than a few commentators blamed redistricting for Republican intransigence during the government shutdown and the near-breach of the debt ceiling in the early fall of 2013.

The truth is in fact a good deal more nuanced. It is certainly true that congressional districts have become more polarized in recent decades—the number of competitive congressional districts has dropped from more than 100 in 1992 to only about 35 in 2012. However, little of that is due to redistricting itself. Indeed, states have polarized at a similar pace, yet those have not been redrawn. Other research has revealed the polarization of counties over the past few decades, although those, too, generally have fixed borders.<sup>7</sup>

<sup>6</sup> Cohen, Martin, David Karol, Hans Noel, and John Zaller. 2008. *The Party Decides: Presidential Nominations Before and After Reform*. Chicago: University of Chicago Press; Masket, Seth E. 2009. *No Middle Ground: How Informal Party Organizations Control Nominations and Polarize Legislatures*. Ann Arbor: University of Michigan Press.

<sup>7</sup> Bishop, Bill. 2009. *The Big Sort: Why the Clustering of Like-Minded America is Tearing Us Apart*, Mariner Books.

It also should be noted that states employ a wide range of methods to redraw state legislative and congressional districts every decade. In some, the legislature itself draws the new maps. Others appoint special commissions, sometimes with distinctly nonpartisan approaches. For example, Iowa's redistricting authorities are not permitted to examine voters' party registration when drawing districts, and New Jersey has an even number of Democrats and Republicans on their commission, with an independent political scientist often appointed as tie-breaker. In other states, panels of retired judges draw the lines. Importantly, these different methods appear unrelated to the partisanship of the politicians elected by them.<sup>8</sup> Further study shows that districts tend to polarize more between redistrictings than during them. That is, this is more a phenomenon of voters sorting themselves into more ideologically homogeneous districts than it is politicians drawing such districts.<sup>9</sup>

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Furthermore, drawing more polarized districts is only one of several possible strategies redistricters may pursue. Such a strategy may make sense under conditions of divided government control, when the only plan that will pass is one that makes every incumbents' district safer. However, when one party controls both chambers of the legislature and the executive branch (as was the condition in more than 35 states after the 2012 election), it may make more sense for the majority party to seek to increase its numbers in the legislature rather than make every district safer. To do so, it almost invariably makes districts more competitive, moving loyal partisan voters out of safe districts into more moderate districts to make them more winnable.

Redistricting reform appears ever more popular, particularly after California's successful adoption of a citizens' redistricting commission process in 2010. However, its prospects for substantially reducing the partisanship of America's politicians are modest at best.

<sup>8</sup> Masket, Seth, Jonathan Winburn, and Gerald Wright. 2012. "The Gerrymanderers Are Coming! Legislative Redistricting Won't Affect Competition or Polarization Much, No Matter Who Does It." *PS: Political Science and Politics*, January, 39-43.

<sup>9</sup> McCarty, Nolan, Keith Poole, and Howard Rosenthal. 2009. "Does Gerrymandering Cause Polarization?" *American Journal of Political Science* 53 (3): 666-80.



## MEDIA REFORM

The media clearly have a role to play in polarization. Some political observers blame the increasingly fragmented media for contributing to further polarization, reinforcing voters' predispositions rather than challenging them. A few decades ago, anyone watching the nightly news—whether to learn about politics, sports, crime, or the weather—would have been exposed to roughly the same set of stories and the same interpretations as anyone else watching one of the three major networks. The American political discourse used to begin with a common framework and set of facts. The rise of new media networks and the cable industry has shattered that shared experience.

Today, people can tune in to hear whatever ideological interpretation of the day's events that will suit their predispositions. Perhaps more importantly, people uninterested in politics need never hear about it; they can see weather on the Weather Channel, sports on ESPN, etc., with nary a whiff of political coverage. The ideologues watch news that reinforces their beliefs, while the moderates stay out of the discussion altogether.<sup>10</sup> More partisan media outlets may actually have an effect on elected officials themselves, goading them into more extreme behavior.<sup>11</sup>

Yet the media may actually be the key to moderating politics somewhat. One study examined quality of media coverage in congressional campaigns by measuring the congruence (or overlap) of congressional districts and media markets.<sup>12</sup> The study found that where there was greater congruence between districts and media markets, there was greater coverage of the congressional candidates, and thus greater accountability of them. Indeed, in the 1994 election cycle, ideologically extreme Democratic members of Congress were substantially more likely to lose their seats if they were in highly congruent districts than if they were in less congruent districts. Voters are capable of holding officeholders accountable for extreme behavior, but only if they know about such behavior, and they rely on the media for this information. This finding is highly suggestive, but its utility is questionable. Improved media coverage of congressional elections is undoubtedly a desirable goal, but at a time when newspapers are

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10 Levendusky, Matthew. 2013. *How Partisan Media Polarize America*. Chicago: University of Chicago Press; Prior, Markus. 2007. *Post-Broadcast Democracy: How Media Choice Increases Inequality in Political Involvement and Polarizes Elections*. Cambridge: University of Cambridge Press.

11 Clinton, Joshua, and Ted Enamorado. 2013. "The National News Media's Effect on Congress: How Fox News Affected Elites in Congress." *Journal of Politics*.

12 Bawn, Kathleen, Martin Cohen, David Karol, Seth Masket, Hans Noel, and John Zaller. "A Theory of Political Parties: Groups, Policy Demands and Nominations in American Politics." *Perspectives on Politics*. 10 (3) 571-97.



increasingly scaling back their political coverage or even shutting their doors, it is a difficult goal to achieve.

## CHANGING MEMBERS' SOCIAL NETWORKS

It may be possible to influence political behavior by manipulating politicians' social networks. As has been noted by many political observers, the typical member of Congress is only in the Capitol a few days out of the week and spends much of that time meeting with her staff, her party caucus, lobbyists, and donors. Opportunities to meet with colleagues from the other major party are very rare. A few decades ago, we are often told, members would occasionally get together across party lines for drinks, although this was likely more the result of a less polarized political system than the cause of it.

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Nonetheless, new research<sup>13</sup> suggests that members' social networks may have an effect on the way they process political information and ultimately vote. As Ringe and Victor show, the typical member of Congress joins a number of official legislative caucuses during her time in Washington. These caucuses vary a good deal by type—some are social (the bike caucus), others are explicitly political (the Tea Party Caucus), while others are demographically based (the Hispanic Caucus). These groups are quite popular; there were no fewer than 419 caucuses in the 111th Congress (2009-10), with the typical member of Congress belonging to between one and two dozen of them. They join these

caucuses for any number of reasons, including searching for new friends upon moving to Washington or finding allies for their legislative agendas.

Quite a few of these caucuses, it turns out, are bipartisan in nature. Some evidence shows that joining a bipartisan caucus can increase cross-partisan voting by legislators. This suggests an opportunity for cross-party understanding and mitigating some of the excesses of legislative partisanship. The challenge, of course, comes from providing the more ideologically extreme members of Congress with some sort of cover to join these bipartisan caucuses. However, were these caucuses to become more popular, there would likely be less of a price for membership.

13 Ringe, Nils, and Jennifer Nicoll Victor. 2013. *Bridging the Information Gap: Legislative Member Organizations as Social Networks in the United States and the European Union*. Ann Arbor: University of Michigan Press; Victor, Jennifer Nicoll, Nils Ringe, and Stephen Haptonstahl. 2013. "Multiplex Legislative Networks and the Power of Caucuses to Alleviate Partisan Polarization." Presented at the annual Political Networks conference in Bloomington, Indiana.

## THE RETURN OF EARMARKS

Earmarks, or the awarding of federal spending to the districts of members of Congress outside normal budgeting procedures, have largely been eliminated in recent years. This move was heralded by many at the outset, as earmarks were seen as a symbol of corruption in Washington and the cause of billions of dollars in unnecessary federal spending. It was a classic prisoners' dilemma, with virtually every member benefiting from district-level spending but the institution and the nation suffering financially from the results.

Yet as others have noted in recent years, earmarking was a valuable addition to bipartisan negotiations. Members who might be ideologically disposed against a particular bill could be persuaded to support it in exchange for some federal expenditures at home that might boost their electoral support. Such earmarking was vital to the passage of controversial legislation such as Bill Clinton's first budget or Medicare expansion under George W. Bush. Earmarks certainly didn't make the chamber any less ideologically polarized. But they allowed compromises to occur and progress to be made, while today, legislative leaders have little to offer members in exchange for ideologically uncomfortable votes other than their gratitude.

It is certainly possible that some sort of earmarking could be reintroduced to Congress, perhaps with safeguards that minimize the size of projects being offered. Such a move would certainly not be politically popular—no doubt some rebranding would be in order to avoid the stigmatized word “earmarks”—but it would likely be no worse for the public's estimations of the chamber than continued gridlock and shutdowns would be.

## BARRING FRINGE CANDIDATES

One of the sources of polarization in legislatures is ideologically extreme primary challengers.<sup>14</sup> Even when traditional party sources are protecting their incumbent, ideologically extreme candidates may still run and, thanks to more lax fundraising rules, raise substantial sums of money, benefit from substantial independent spending, and run a credible race. Even when

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<sup>14</sup> The presumed power of primary challengers to induce polarization may well be overstated. Indeed, primary challengers may come from the center as often as from the extremes. See: Boatright, Robert. 2013. *Getting Primaried: The Changing Politics of Congressional Primary Challenges*. Ann Arbor: University of Michigan Press.

incumbents prevail, as they usually do, they may be driven toward the extremes to forestall future such challenges.

The challengers who run in such races typically do not have broad support. That is, they may only have backing from a handful of generous donors and some activists and voters in a small geographic subset of the district. Ballot access laws for congressional seats vary wildly across the states, with some requiring a set number of signatures (1,000 for a congressional candidate in Colorado, Virginia, and some other states), others requiring fees (\$600 in Louisiana), and others largely exempting candidates who are running with established parties. Nearly all these rules, however, are quite lax, barring few from running for office.

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In theory, barriers could be raised, either by making a ballot position more expensive or requiring a greater number of signatures. Signatures could also have an added geographic component to them, requiring a minimal number of signatures from each zip code within the district. This would be similar to some states' requirements for presidential or statewide offices, which have signature thresholds for each congressional district. Such requirements would help ensure that the candidate has minimal support throughout the district rather than just in one area of it.

Establishing such barriers would not be a small task; the American election system is notably a patchwork of highly variable laws that are often administered at the county level. Nonetheless, a national reform along these lines is potentially achievable if the federal government were to offer election management funds in exchange for new rules.

## **RANKED CHOICE VOTING**

Some reformers hold out hopes that ranked choice voting (RCV) in primaries could mitigate partisanship. Under RCV (also known as instant runoff voting, or IRV), voters are typically given the opportunity to rank their top three preferences for an office, rather than simply voting for one candidate. When the ballots are counted, the lowest vote-getter is dropped, and her votes are redistributed according to the second place slots on those ballots. This procedure is repeated until there is only one candidate remaining. This system is currently being used in such cities as San Francisco and London, as well as in presidential elections in Ireland and parliamentary elections in Australia.<sup>15</sup>

<sup>15</sup> Daigneau, Elizabeth. 2013. "Can Adopting Ranked-Choice Voting Make Politics Civil?" *Governing*. November 4.

RCV has been demonstrated to produce a greater diversity of officeholders.<sup>16</sup> While winner-take-all elections tend to produce winners from the dominant faction within any party, RCV elections often allow for some representation of smaller factions, typically resulting in greater racial and ideological diversity among the nominees. This is potentially promising for those seeking to reduce partisanship, as more ideologically diverse parties have a much harder time maintaining party discipline. It is far easier for a minority party to pick off members of a majority, meaning that voting blocs are less stable and centrist compromises are more attainable.

Theoretically, RCV may limit the negativity in campaigns, as well. Candidate A may well be less likely to attack Candidate B if A is hoping that B's most ardent supporters will list him second on their preference ballot. San Francisco's experiences also suggest that RCV may increase voter turnout.

While RCV is currently being used successfully in a limited number of localities in the United States, all of these polities utilize nonpartisan elections. More than a dozen state legislatures have considered some form of RCV for their elections but have stopped short of it due to legal complications associated with determining majority rule.<sup>17</sup> A true test of RCV voting in American party primaries has yet to be undertaken. The possibility of employing RCV in conjunction with a top-two style primary is, at the very least, intriguing. Yet this sort of voting represents a significant departure from longstanding American electoral traditions, although it seems to have been well received where it has been adopted.<sup>18</sup>

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## CAMPAIGN FINANCE REFORM

Money is frequently blamed as a contributor to excessive polarization. Political donors, particularly those on the small end of donations, tend to be ideologically extreme relative to the rest of the electorate. At least some evidence suggests that those members of Congress who depend on such donations themselves tend to vote in an extremist fashion.<sup>19</sup> Additionally,

16 Robb, Denise Munro. 2011. "The Effect of Instant Runoff Voting on Democracy." Doctoral dissertation. University of California, Irvine.

17 Langan, James P., 2005, "Instant Runoff Voting: A Cure That Is Likely Worse than the Disease," *William and Mary Law Review*, vol. 46, issue 4.

18 Neely, Francis, and Corey Cook. 2005. "Ranked-Choice Voting in San Francisco: Assessing the Ease of Electoral Reform to an Alternative Voting System." San Francisco State University.

19 Drutman, Lee, 2013, "Are the 1% of the 1% Pulling Politics in a Conservative Direction?", *The Sunlight Foundation*, [http://sunlightfoundation.com/blog/2013/06/26/1pct\\_of\\_the\\_1pct\\_polarization/](http://sunlightfoundation.com/blog/2013/06/26/1pct_of_the_1pct_polarization/), June 26. Although see Malbin, Michael J. 2013. "Small Donors: Incentives, Economies of Scale, and Effects." *The Forum*. 11(3): 385-411.

campaign money allows more ideologically extreme members of Congress to rise to leadership positions.<sup>20</sup> Indeed, the ability to raise money is seen as vitally important to the rise of members of Congress within party leadership, more so than expertise, intellect, voting records, or anything else.<sup>21</sup> This has led to widespread calls to change the flow of money in American politics or even to drive it from the political system completely.

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Some have suggested that the increasingly fragmented method of financing American elections is contributing to party polarization. That is, individual (and highly ideological) donors, along with Super PACs and other relatively extreme spending organizations, have out-sized power today, and candidates' dependence on these groups for financial support may be goading them toward more extreme voting behavior. Perhaps by removing some contribution limits or channeling more funds through the traditional party organizations, we could disempower the more polarizing figures in our political system.<sup>22</sup>

In actuality, such a restructuring of campaign finance is unlikely to have a substantial effect on partisanship given the parties' networked structures. If it were

easier to funnel campaign money directly through the formal parties than through more extensive funding networks, those who wanted to donate money would simply do that. The only reason they go through our byzantine modern financing system is because that's what the law essentially requires for those who wish to give more than existing financing caps allow. Ideologically extreme donors would still exist in equal numbers no matter how the money got channeled, but they might simply pursue more direct routes to get their dollars in the hands of candidates. Given how resilient networks are to impediments, there is little reason to believe that a change in the campaign finance system would substantially hurt or help parties or change the voting behavior of the politicians they nominate.<sup>23</sup>

20 Heberlig, Eric, Marc Hetherington, and Bruce Larson, 2006, "The Price of Leadership: Campaign Money and the Polarization of Congressional Parties," *Journal of Politics*, 68 (4): 992-1005.

21 Mann, Thomas, and Norman Ornstein. 2013. *It's Even Worse than it Looks*. Basic Books.

22 Hasen, Richard J. 2014. "How 'The Next Citizens United' Could Bring More Corruption—but Less Gridlock." *The Washington Post*. February 21; Pildes, Richard. 2014. "How to Fix our Polarized Politics? Strengthen Political Parties." *The Monkey Cage*. *The Washington Post*. February 6. <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/02/06/how-to-fix-our-polarized-politics-strengthen-political-parties/>

23 Bernstein, Jonathan. 2014. "Looser Campaign Finance Laws Won't Help Parties." *BloombergView*. February 24. <http://www.bloombergview.com/articles/2014-02-24/looser-campaign-finance-laws-won-t-help-parties>; Masket, Seth. 2014. "Our Political Parties are Networked, not Fragmented." *The Monkey Cage*. *The Washington Post*. February 14. <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/02/14/our-political-parties-are-networked-not-fragmented/>

What if money were removed from politics altogether? The idea of simply abolishing private money from campaigns seems in many ways Utopian; many reformers would be satisfied with improved disclosure or modest caps on donations and campaign spending, or at least applying the same limits on independent spending committees that are currently applied to individuals. But what if money could actually be removed from the equation? Could we have a less partisan political system if political candidates were not dependent upon ideological donors to run?

The most direct evidence we have on this question comes from the states of Arizona, Maine, and Connecticut, which employ full public funding (on a voluntary basis) for state legislative candidates. Under these laws, candidates receive the amount of a typical state legislative campaign from the state on the condition that they engage in no private fundraising and spending. These systems were quickly embraced by many candidates of both parties in their states soon after adoption. Miller's recent study<sup>24</sup> of these public (or "clean") campaign financing schemes finds that they produce substantial benefits for a political system, including reduced candidate time spent fundraising, greater candidate-voter interaction, greater voter participation, and a wider array of legislative candidates.

However, as to whether this clean funding can reduce polarization, the answer appears to be no. Those who came into office via "clean" (public) funding appear to be no more moderate than those who came into office using traditional campaign finance methods, even controlling for district-specific factors.<sup>25</sup> Another study actually finds that "clean"-funded candidates may be more ideologically extreme than traditionally-funded ones.<sup>26</sup> Changing our campaign finance system does not appear to be a fruitful avenue for reducing polarization, even if it may produce some other positive outcomes for our political system.

## A BRIEF DIGRESSION ON THE REPUBLICAN PARTY

When seeking to diagnose the sources of polarization in the American political system, it is

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24 Miller, Michael G. 2013. *Subsidizing Democracy: How Public Funding Changes Elections, and How it Can Work in the Future*. Ithaca: Cornell University Press.

25 Barber, Michael. 2014. "Political Ideology, Campaign Contributions, and Legislative Polarization." Ph.D. Dissertation, Princeton University; Miller, Michael, and Seth Masket. Ongoing research.

26 Hall, Andrew. 2013. "How The Public Funding Of Elections Increases Candidate Polarization." Working paper. Harvard University.

*But what if money could actually be removed from the equation? Could we have a less partisan political system if political candidates were not dependent upon ideological donors to run?*

difficult to avoid the observation that the bulk of recent polarization is one-sided, stemming largely from the rightward movement of Republicans; Democrats, on average, are about the same ideologically as they were decades ago. Not only are Republicans moving rightward quickly, but they are increasingly embracing legislative tactics—including government shutdowns and debt ceiling “hostage-taking”—previously considered beyond the pale.<sup>27</sup> One is tempted to conclude that a large part of the polarization problem is the modern Republican Party.

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But such a claim doesn't begin to explain just what the problem is. Is it ideological extremism? Is it the use of unsavory tactics? Is it the manifestation of an ideology that is fundamentally hostile to a functioning federal government? Jonathan Bernstein has persuasively argued that the problem is neither ideological extremism nor polarization, but simply that the Republican Party is “broken.”<sup>28</sup> A healthy party is one that seeks to govern, and it will balance its agenda with a desire to win over enough voters to claim majority control. By contrast, says Bernstein, the current Republican leadership, broadly defined, contains a large percentage of people who perversely either don't care whether their party ever governs again or actually have a rooting interest in it remaining a minority party. Vilifying the Democratic majority is

actually good for business, monetarily speaking, and considerably easier than governing. On top of that, Bernstein notes, is that parties tend to over-learn from history, and that modern Republicans place too much faith in the formula for success they believe they discovered in Ronald Reagan's combination of personal charm, demonization of government, and distrust of intellectuals. Today's potential Republican nominees are thus judged by their adherence to this caricature of the 40th president.

If the root of our nation's current troubles is the dysfunction of one of the major parties, it is difficult to conceive of a solution for reform. For one thing, attempting a reform designed to moderate only one party is sure to draw massive resistance.<sup>29</sup> For another, parties do not readily submit to reform movements imposed from the outside. Indeed, the only thing

<sup>27</sup> Mann and Ornstein, 2012.

<sup>28</sup> Bernstein, Jonathan. 2013. “The Republican Party is Officially Broken.” *Salon*. April 6. [http://www.salon.com/2013/04/06/the\\_republican\\_party\\_is\\_officially\\_broken/](http://www.salon.com/2013/04/06/the_republican_party_is_officially_broken/)

<sup>29</sup> Lebo, Matthew, Adam McGlynn, and Gregory Koger. 2007. “Strategic Party Government: Party Influence in Congress, 1789-2000.” *American Journal of Political Science*, 51: 464-481.



proven to get a party to change its ways is a series of embarrassing losses.<sup>30</sup> Perhaps the coming years will bring such a reckoning, but that is far from certain.

## DISCUSSION

The review of potential solutions to legislative polarization in American politics is a rather bleak one. Most of these solutions, even if theoretically promising, fail to show any real effects in the most rigorous tests available. Others, such as media reform or social network manipulation, certainly show promise, but even at their most effective would have only very modest effects. The forces driving polarization run deep in American political history and are not easily mitigated, no less reversed, by even the most thoughtful reform.

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This is not to say that reforms aren't worth attempting. Rather though, we should be sober in our expectations. And we should consider devoting some of our reformist efforts toward another end: accommodating strong parties rather than trying to abolish them. That is, we might seek to adjust our political system to work with strong parties, rather than to adjust our parties to work with our political system.

The American political system is rife with inefficiencies and veto points. This is not an inherently bad situation—the Founders wrote the Constitution with inefficiency as a goal, such that it would be difficult for a powerful faction, even a majority, to substantially change the legal structure. And yet there's an increasing impression that these inefficiencies are becoming problematic, or that the minority party is exploiting them. Surely the Founders did not foresee a Senate with mandatory supermajority vote requirements on all legislation, or a minority faction that could determine legislative outcomes by preventing a vote on a debt limit increase and threatening a national default.

It's important to remember that polarization does not automatically create gridlock. The 111th Congress (2009-10), for example, was a highly productive one, passing a broad range of legislation on health care, the economy, the environment, the financial sector, higher education, and other areas. The British House of Commons is famously productive and also famously polarized. What doesn't work well is intense polarization combined with institutional structures designed to stymie majority rule. No doubt few would rally to dismantle midterm elections, bicameralism or the basic structure of the U.S. Senate, but perhaps some of the

<sup>30</sup> Cohen et al., 2008.

more dangerous tools available today, such as the filibuster or debt ceiling vote, could be eliminated.

Beyond that, we might do well to remember that polarized parties serve a valuable function in a democracy, offering stark policy choices, providing critiques of ruling administrations, and imbuing elections with meaning. Even if the vast majority of voters will never follow what a given politician is doing in office, they do have a sense of what the parties stand for and how the nation is being governed, and if they don't like what they see, they can vote a new party into power and get very different results. This basic form of democratic accountability only works when parties are present and distinct from one another.

If we desire a government that works better, we should think clearly about what that means, and whether it requires weaker or stronger parties, or governing structures that are more divided or more effective.

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