

Other Institutional Explanations

Tyler Swartzell – Persily, Chapter 16: The Senate Syndrome

The Senate Syndrome is characterized by an ineffective Senate. More specifically, the Senate Syndrome refers to the increasing “pattern of obstruction and restriction”, which leads to higher levels of legislative gridlock (p. 219). This specific pattern can be seen simply by the drastic increase in filings for cloture motions over the past twenty years.

Smith argues that the Senate requires reform based on public opinion data obtained by the author and a colleague. This public opinion data shows that most Americans support the ability of the majority party to bring their legislation to a vote and the right of the minority party to have its amendments considered. Moreover, a vast majority of those polled are not in favor of the right of the minority party to delay or block a vote on legislation, much different from today. While I disagree with the phrasing of one of the polling questions, I won’t discuss that here. Smith used this data to suggest Senate reforms based on a plan championed by former Democratic Senator Tom Harkin.

Harkin’s Senate reform plan favors majority rule over minority rights, which is in keeping with Smith’s public opinion data. The main point of the plan is reducing the votes needed to invoke cloture from 60 to 51, a simple majority. Steps would be taken incrementally over a period of weeks to draw down the number of votes required from 60 to 57 to 54 to 51. This strategy gives more time for debate instead of implementing the plan in one vote (p. 226). However, these proposed rules will only be effective if the Senate is not overly polarized.

Reforming electoral rules is essential to recruiting more moderate candidates. Smith briefly argues for two proposals that does this. The first proposal is the nonpartisan primary. This system uses one general primary where all candidates for a specific office are placed on the primary ballot compared to separate party primaries. The top two candidates then compete in a runoff election. The theory states that the more moderate candidate should win because he or she will be required to appeal to more than one party. However, it is unclear how nonpartisan primaries play out in increasingly party-sorted districts.

The second proposal is instant runoff voting (IRV). Smith states this has the potential to eliminate primary elections and encourages multicandidate general elections. Essentially, voters rank those running for a specific office on their ballot. A candidate will need a majority of the first-ranked votes to win. If this is not achieved, the lowest ranked candidate is eliminated, and a new count takes place until a winner is found. Smith argues that this system has flaws and is less likely to be implemented when compared to nonpartisan primaries.

In conclusion, the partisan polarization that impacts the Senate is not easily ameliorated. Reforming senate rules is unlikely to improve partisan polarization. Moreover, implementing new Senate rules will take a generation to produce more moderate leaning elites.

Cassidy Milne – Persily, Chapter 17: Finding the Center

Chapter 17 focuses on solutions for elite polarization- specifically, reintroducing a middle ground between parties in Congress. Muirhead's main argument is that the two parties have become so polarized that they are making all issues extreme and double-sided, even ones where realistically, majority of people across parties would be happy compromising. The structure of Congress, with minorities of extremists on both sides, and the rise of polarization is causing gridlock in Congress and preventing legislation that actually represents the views of the latent majority from being passed.

Muirhead gives two solutions to bring back a middle ground on issues and "empower the latent majority". His first solution is for the minority party in the House to team up with the more moderate members of the majority party to elect a moderate Speaker of the House. Muirhead argues that the current system encourages extremism because since the Speaker is from the majority, there is an unspoken norm (known as the Hastert rule) that they only select bills to be taken to the floor for a vote if they have support from majority of their party, or their party will vote them out. Since getting the majority of the majority party includes the more extreme party members, moderate bills that require certain compromises rarely reach the floor. Muirhead argues that if the more moderate majority party members teamed up with the minority party, they would create their own majority and then the Speaker would not be held to the Hastert rule and would be able to allow more moderate bills to come to the floor, which he argues would be likely to pass because they actually represent the views of the latent majority.

Muirhead also introduces the idea of a Centrist party. While he sees this as an independent party, he argues that it would not have to be a national party, but rather represent a few states/regions that do not fit the traditional party molds. He argues that with even 5-8 Centrist party Senators, they could create a majority to stop filibusters on any issue, making legislation more ideas-based and less party-based. He also argues that the Centrist party House representatives could help transform the Speaker role into more of a bipartisan position in the same way that moderates teaming up with the minority party would.

Both of these solutions, Muirhead argues, would encourage more moderate policy to be passed that better represents the views of the general public without getting wrapped up in party politics, ultimately helping to tackle elite polarization. He argues that trying to tackle elite polarization in other ways, such as through the electoral process, would not be as effective because these solutions would aim more at changing the parties themselves which is less likely and not entirely necessary. Muirhead argues that targeting Congress is the best solution because it allows party divides to continue to exist, but helps to moderate the effects they have on the legislative process.