

RESPONSIBLE PARTIES

SAVING DEMOCRACY FROM ITSELF

FRANCES MCCALL ROSENBLUTH
&
IAN SHAPIRO

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*FRANCES McCALL ROSENBLUTH
AND IAN SHAPIRO*

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You cannot choose between party government and Parliamentary government. I say you can have no Parliamentary government if you have no party government; and, therefore, when gentlemen denounce party government, they strike at that scheme of government which, in my opinion, has made this country great, and which, I hope, will keep it great.

BENJAMIN DISRAELI, speech in the House of Commons,
August 30, 1848

Modern democracy is unthinkable save in terms of parties. As a matter of fact, the condition of the parties is the best possible evidence of the nature of any regime.

E. E. SCHATTSCHEIDER, *Party Government* (1942)

In a two-party system one party always represents the government and actually runs the country, so that, temporarily, the party in power becomes identical with the state. . . . Since the rule of each party is limited in time, the opposition party exerts a control whose efficiency is strengthened by the certainty that it is the ruler of tomorrow. . . . The multiparty system never allows any one man or any one party to assume full responsibility, with the natural consequence that no government, formed by party alliances, ever feels fully responsible. . . . Since the rise of the party systems it has been a matter of course to identify parties with particular interests, economic or others, and all Continental parties, not only these labor groups, have been very frank in admitting this. . . . The Anglo-Saxon party, on the contrary, founded on some "particular principle" for the service of the "national interest" is itself the actual or future state of the country; particular interests are represented in the party itself, as its right and left wing, and held in check by the very necessities of government.

HANNAH ARENDT, *The Origins of Totalitarianism* (1951)

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CHAPTER ONE

Misdiagnosing Democracy's Ills

SINCE the 1960s, powerful movements across the democratic world have pursued reforms meant to bring politics closer to the people. Many political parties have adopted primaries, local caucuses, and other decentralized ways of choosing candidates. Districts have been redrawn to ensure selection of racial and ethnic minorities. Party members more often elect their leaders directly. There has been greater use of ballot initiatives, referendums, and plebiscites. Many countries with legislatures elected by proportional representation (PR) are moving toward greater voter choice as well. Unlike closed-list PR systems in which centralized parties offer voters competing policy platforms, open-list PR allows voters to choose individual candidates, injecting an element of personal accountability.¹ These changes are touted as democratic enhancements: they move decisions closer to the people and they elect politicians who are less remote from—and more responsive to—the voters they represent.

Paradoxically, however, this decentralization has been accompanied by dramatic increases in voter alienation from politics. In the U.S., poll after poll reflects historic lows of citizen trust in politicians, parties, and institutions—dramatically underscored by Donald Trump’s populist stampede to the U.S. presidency in 2016. Antiestablishment parties and candidates have surged in the polls in many other democracies as well. Voters reject government recommendations in referendums and plebiscites, and they elect antiestablishment figures who would not have been taken seriously half a generation ago—though they can quickly fall out of favor. Angry voters flail at their own impotence, waging semi-permanent war on the politicians they elect.

Voter disaffection has many sources. A new Gilded Age has brought unprecedented wealth to the ultra-rich and decades of wage stagnation for the great majority. The 2008 financial crisis cost millions their homes and savings, yet their governments bailed out the big banks and paid multimillion-dollar bonuses to the executives who helped cause the mess. Corruption scandals have tarnished governments and forced leaders from office. The U.S. and other Western governments have poured trillions of dollars into failed wars in the Middle East, with little to show for it besides accelerating public debt, rolling refugee crises, and frightening increases in anti-Western terrorism. Low growth and aging populations add fiscal strains to government budgets, compounding anxieties about health insurance and pensions. Voters have many reasons to be angry.

Yet the apparent paradox is real: the decentralizing democratic reforms since the 1960s are a separate, and important,

source of voter disaffection. They feed political dysfunction and produce policies that are self-defeating for most voters, even those who advocate the decentralizing reforms. The seeming truism—that increasing voters’ direct control of decisions and politicians enhances democratic accountability—has, in fact, the opposite effect. The remedies turn out to be the political equivalent of bloodletting. Either they have no impact on the malady they are meant to address or—more often—they make it worse. Rebuilding well-functioning democracies means reversing this trend. In the chapters that follow we make this case, and explain how to go about it.

Our argument runs counter to both the academic mainstream and general opinion, both of which favor measures that purport to “return power to the people.” Advisory commissions around the world routinely urge newly democratized governments to adopt PR electoral rules that fragment the political landscape into multiple parties.² Electoral reforms in Chile, in effect from March 2015, undermine party leaders’ control of candidate endorsement by giving voters a direct voice in ordering party lists. Britain’s major parties have increased their members’ participation in leadership selection and embraced the use of referendums. Scholars of American politics credit primaries with increasing the quality of local public goods by stimulating voter awareness.³ The accretion of executive power, which has been going on for decades but has accelerated under recent presidents, infuses new energy into all manner of decentralizing efforts and initiatives. We are swimming against powerful tides.

The key to resolving the paradox—that devolving power to the grass roots increases voter alienation—lies in

understanding that political parties are the core organs of democratic politics. Parties serve voters best when they compete with each other to devise and implement policies that are good for the broad swath of voters over the long run. Joseph Schumpeter put it in negative terms: “Party and machine politics are simply the response to the fact that the electoral mass is incapable of action other than a stampede.”⁴ The more constructive version of Schumpeter’s insight is also true and more appealing: because parties have the long-view horizons and powerful incentives to invest in relevant information about the effects of policy choices, they can present voters with bundles of issues that take account of long-term consequences and discount each policy proposal by the costs it imposes on every other.

Focusing on good public policy leads us to advocate electoral rules that produce two disciplined political parties—or preelection coalitions of parties—capable of competing for broad public support on deliverable and responsible party platforms. This setup beats internally weak parties, as in the U.S., that often cannot offer coherent policies. It is preferable to coalitions of individually strong but divergent parties that cut electorally unaccountable deals to form a government, as in much of Europe; and it is better for growth and welfare than in many Latin American and eastern European countries, where presidents attempt to do an end-run around legislative deadlock by handpicking legislators deal by deal at untold costs to the public coffer.

The arrangement of two strong parties is traditionally known as the Westminster system. Because a single member of parliament is elected from each geographic district, it is

Table 1.1. Party size and party strength

	Two large—SMD	Multiple varied—PR
Strong	United Kingdom	Northern Europe
Weak	United States	Eastern Europe, Latin America

also known as the single-member district system (SMD). Party leaders are elected by—and retain the confidence of—members of parliament to remain in office. Leaders play a major role in selecting candidates to compete for their party in elections, so that over time backbenchers and frontbenchers select and reselect one another. Our central contention is that competition between two disciplined parties is more likely to produce policies that serve the long-run interests of most voters. The Westminster system beats other setups on offer, although in recent years politics in the UK has been adulterated in various ways that we discuss.

Much of the misguided appeal of decentralizing reforms results from failing to evaluate systems as systems. Reformers typically focus instead on one aspect of the system deemed insufficiently democratic and then devise reforms without attending to their knock-on effects. We illustrate and buttress this contention by exploring recent and ongoing debates about primaries, caucuses, direct election of leaders, majority-minority districts, term limits, and ballot initiatives—all of which are regularly invoked in the name of increasing representativeness and grassroots democratic control. Counterintuitively—since women and ethnic minorities are often among the outsiders fighting establishment politics—strong, centralized parties are also the best bet from the standpoint of vulnerable groups.

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The results of political decentralization are often perverse. Primaries and caucuses allow extreme minorities to pick candidates. Visible signs of this are the Tea Party's power over congressional Republicans and Donald Trump's selection as the Republican candidate in the 2015–16 primaries by a highly unrepresentative 5 percent of the U.S. electorate. In the UK, direct election meant that activists reelected Jeremy Corbyn as Labour leader when he had just lost a confidence vote in his parliamentary party by 172 to 40. Majority-minority districts often weaken parties that serve minorities' interests. Term limits increase the gridlock that most voters abhor: why work with lame ducks when you can just wait them out? Ballot initiatives generate myopic decisions that often frustrate voter preferences. Far from enhancing democracy, these disconnected reforms create Rube Goldberg machines that undermine it.

A WRONG TURN: AMERICA'S DEMOCRATIC PARTY

"I opened the doors of the Democratic Party and 20 million people walked out." So said George McGovern, ruminating on the events that led to his crushing defeat by Richard Nixon in the 1972 U.S. presidential election.⁵ McGovern had lost the popular vote by over 23 percent and the Electoral College by 520 to 17 in one of the most lopsided elections in American history. His candid comment was an apt assessment of the reforms he had ushered into the Democratic Party that had brought him the nomination but contributed to the bruising result. The reforms, as Byron Shafer put it, marked "the

arrival of a revolutionary change in the mechanics of presidential selection, the greatest systematically planned and centrally imposed shift in the institutions of delegate selection in all of American history.”⁶

The damage McGovern was referring to extended well beyond his defeat. It involved changes to the party’s rules that helped solidify Nixon’s southern strategy, which capitalized on white working-class resentment of the civil rights reforms of the 1960s. Apart from helping Nixon win, that strategy would eventually give rise to the Reagan Democrats of the 1980s and Donald Trump’s furious white working-class supporters three decades later. Indeed, the damage that concerns us here went beyond even that. The reforms sustain misguided ideas about how best to select candidates for political office, damaging both U.S. national political parties and many others that have since enacted comparable reforms across the democratic world.

The reforms were proposed by a commission McGovern co-chaired with Congressman Donald Fraser following the Democrats’ tumultuous convention in Chicago in 1968. Bobby Kennedy had been assassinated in June, scrambling the contest between Vice President Hubert Humphrey and Senator Eugene McCarthy, whose insurgent antiwar candidacy had forced President Lyndon Johnson out of the race two months earlier. Humphrey had not contested any of the thirteen state primaries in which antiwar candidates won 80 percent of the vote, but party bosses orchestrated his nomination anyhow. Widespread outrage led to violent confrontations between demonstrators and police, forcing the leadership to agree to make fundamental changes. Nixon’s defeat of Humphrey,

despite the handicap of Alabama governor George Wallace's third-party run, made change irresistible.⁷

Affirming that "popular control of the Democratic Party is necessary for its survival," the McGovern-Fraser Commission sought to "open the door to all Democrats who seek a voice in their Party's most important decision: the choice of its presidential nominee." The 1968 campaign had exposed "profound flaws in the presidential nominating process" that called for two main kinds of reforms: dramatic increases in the representation of blacks, women, and young people in all aspects of the nomination and platform-writing process, and the transfer of decision making from elites to a much expanded grassroots membership.⁸

These changes were to be accomplished through "affirmative steps" designed to achieve "fair representation" of hitherto underrepresented groups, both at national conventions and in state parties.⁹ This was the start of affirmative action in political representation, which would eventually migrate to the electoral system with the creation of "majority-minority" districts designed to increase the number of minority candidates elected to Congress, a theme we take up in chapter 3. We argue that there are better ways to diversify representation—ways that don't come at the price of exchanging healthy for unhealthy forms of political competition.

Inside the Democratic Party, the "affirmative steps" began a reorientation away from broad economic interests and that would eventually spawn Jesse Jackson's candidacy, organized around the ideology of a Rainbow Coalition. Jackson lost in 1984, but his campaign—the first serious nationwide effort by a black candidate—helped entrench the image, set in

motion by the McGovern-Fraser reforms, of the Democrats as a coalition of underrepresented groups.¹⁰ This evolution has made the Democrats function more like the coalitions that are characteristic of PR systems, and less like the broad interest-based parties that we defend in chapter 4. It also came at the cost that McGovern ruefully conceded: alienation of traditional white Democratic voters who had been put in play by Nixon's southern strategy and would be up for grabs in the coming decades, especially during hard economic times like the late 1970s and the period since the 2008 financial crisis. In such circumstances, it becomes painfully apparent that the one color missing from the rainbow is white.¹¹

Another dimension of the McGovern-Fraser reforms was decentralization designed to wrest power away from infamous party bosses in their infamous smoke-filled rooms. Party officials could no longer become *ex officio* delegates, and state committees would be allowed to select only up to 10 percent of their delegations. Proxy voting and the unit rule (which bound dissenting minorities to the majority view) were banned. Rules were formalized, and transparency of all decision making was to be greatly increased. Costs, fees, and other barriers to entry were reduced, and party membership was opened to anyone who did not already belong to another party. An expanded membership would henceforth assert strong grassroots control over all aspects of candidate selection, platform writing, and convention governing. Democratic control of the Democratic Party would become the order of the day. Not to be outdone, the Republicans soon adopted many comparable reforms geared to increasing the representation of women, minorities, and

younger voters, and opening up their conventions to control from below.¹²

A major consequence of these changes was the greatly enhanced importance of primaries for both parties. Primaries were a product of the Progressive Era reforms in the early twentieth century, although they did not achieve the quasi-anointing status that we know today until the 1970s. Primaries had long been a common feature of congressional races. At the presidential level, an impressive showing in large state primaries was required to convince party organizations of a candidate's viability. But it was not sufficient—as Estes Kefauver discovered in 1952. With President Truman's popularity plummeting in the face of a bogged-down Korean War and the rise of McCarthyism, Kefauver won most of the primaries but was still denied the nomination by party bosses who saw him as an untrustworthy maverick. Contrast that with the Republican establishment's traumatized immobilism as Donald Trump romped through the southern primaries in the summer of 2016.

In 1968 Democrats held presidential primaries in seventeen states and Republicans in sixteen; by century's end the respective numbers were forty and forty-three.¹³ Primaries have also become the focal point of every open-seat election in Congress and, increasingly, a means to challenge incumbents. The consequence is that activists, not party leaders, select candidates for office and write their platforms, further weakening parties' ability to represent a broad range of interests. Weakened two-party competition has, among other things, created within the Republican Party a potent coalition between very rich, secular voters who finance campaigns

for the sake of low taxes, and poor, white social conservatives who vote above all else against cultural dilution. America's plurality electoral rules, which push in the direction of broad-gauged party competition, have been no match for organized groups better positioned to take advantage of political fragmentation.

Some contend that as American politics has become increasingly polarized in recent years, parties have been more inclined to vote on disciplined partisan lines.¹⁴ But enacting laws, as distinct from casting votes for measures that legislators know will not become law, usually still requires support from the opposition party and its leadership to compensate for recalcitrant backbenchers in the majority party. On the rare occasions when laws—like Dodd-Frank and Obamacare in 2010 and the 2017 Republican tax cut—are passed on strict party lines, this requires buying off individual legislators with goodies for their constituencies, not to mention lobbyists. By the time they become law, these bills are hodgepodes of logrolling and special favors. This helps explain the otherwise bizarre spectacle of parties voting to pass laws that they know to be widely unpopular. Apparent party discipline conceals its opposite in these situations: legislators who are milking the system on behalf of narrow interests.

ET TU, WESTMINSTER?

Readers raised on the mother's milk of an American civics education will bridle to learn that our model for democratic competition is named for the ancient (pre-Norman) abbey around the corner from the British buildings of Parliament.

Westminster, as we know it, was not designed with the properties we value. Those evolved over several centuries, and some of them have recently begun to atrophy as a result of misguided decentralizing reforms. But Westminster remains one of the best available models of democratic political competition.

Westminster offers two cardinal benefits that spring from its plurality electoral rules and its parliamentary form of government. First, the parties are large—only two, more or less—which forces them both to aim for the political middle. The electoral competition between them is a regular discipline to consider the interests of an electoral majority rather than the interests of narrower groups whose members seek to influence policies in one direction or another. Second, the fact that the system is parliamentary gives party leadership the clout needed to control the policy agenda—clout conceded by party members because in a parliamentary system an undisciplined party is more likely to fall to a vote of no confidence.

Commentators often distinguish the systems of English-speaking nations, most of whose political institutions bear path-dependent imprints of imperial transfer or imitation, from those in the other advanced democracies. This distinction still makes some sense for countries like the UK and Canada, which feature the traditional elements of the Westminster model—even if these have been adulterated somewhat by the rise of regional politics and ill-considered experiments with primaries and other unfortunate innovations. But countries like Australia and especially New Zealand have adopted electoral reforms that have undermined Westminster logic more

extensively, diminishing their genealogy's impact on the way they operate today. More important, the dichotomy ignores—and obscures—the more consequential distinction between the strong and highly disciplined parties that are characteristic of Westminster when it functions well and the chronically weak parties that have afflicted the U.S. system from the beginning. Healthy democracy depends on parties being strong as well as being big. Otherwise, they compete in the wrong ways among the wrong groups over the wrong things.

Internally disciplined and hierarchical parties might seem undemocratic, but the leaders' authority is granted by the party's backbenchers for their collective good. They are all in the same boat and they know it. Party members understand they are better able to get elected and stay in office when they offer coherent policies that reflect well on the party over the long haul; and everyone knows that if they lose confidence in their party leaders to provide that coherence, they can choose new leaders—as the swift departures of Margaret Thatcher in 1990 and David Cameron in 2016 underscore. Parties that are broad gauged, encompass an electoral majority, and disciplined enough to enforce majority-enhancing deals are as good as we can get in a democracy. Voters know not only what the party stands for, but also what it will implement if it wins the election and becomes the government.

Even Westminster is merely good—not perfect—because every attractive attribute of political competition has a countervailing flaw. Favoring the majority at the expense of minorities is a substantial drawback, especially if some voters are permanently in a minority on any issue. We return to this problem in detail in chapter 3, where we point out

that many of the standard solutions to this problem make it worse.

Westminster is also under threat from within. Brexit is a recent instance of piecemeal politics gone wrong. The growing popularity in 2015 of Nigel Farage's chauvinistic United Kingdom Independence Party (UKIP) made some members of Prime Minister David Cameron's Tory Party nervous about sticking to their party's official pro-Europe policy as parliamentary elections approached. Thanks to Britain's plurality electoral rules, UKIP remained a minuscule parliamentary presence. But particularly in some tight electoral districts Tories joined what David Cameron had earlier derided as "banging on about Europe"—grandstanding about protecting British jobs for the British and humming the right wing's anti-immigration tune.

Cameron did not have to hold a national referendum on Brexit. A parliamentary majority, and in fact substantial majorities in both major parties, favored Britain's continued membership in the European Union. By the numbers, there was little doubt that Britain's economy was better off in the EU, given its enormous exports of financial services and the lower labor costs from liberal EU immigration rules. But Cameron, under widespread pressure to be "more democratic," put Britain's EU membership to a popular vote in the summer of 2016. No doubt he was confident that the Brexit gambit would fail. After all, in poll after poll majorities of British citizens had acknowledged the overwhelming benefits to the British economy from EU membership; and they had elected representatives who had made those judgments on their behalf in Parliament. Grabbing the immigration piece

of the issue, the intense Brexiteers turned out in higher numbers than those who favored remaining in the EU—robbing the British electorate of a parliamentary discussion and vote that would have given priority to the broader and longer-term interests of the British people.

Brexit was Cameron's third referendum in five years, a remarkable acceleration in the erosion of the parliamentary supremacy for which Britain had long been so famous. We will see in chapter 4 that the Westminster system is suffering from other self-inflicted wounds that are also by-products of the chimerical search for greater democracy. Power has been devolved to other institutions and regions in ways that leave Westminster politicians accountable for outcomes that they have diminished capacity to influence. Removing the prime minister's discretion to call elections by adopting fixed parliamentary terms has weakened party leaders, as have new rules for selecting leaders and candidates. These and related changes undermine party cohesion, a mainstay of Westminster's greatest strength. The system is resilient and all is not lost, but reversing changes that were adopted in the name of enhancing democracy is hard. It should not be made harder by continuing to reform the system in ways that weaken it further.

PROPORTIONAL REPRESENTATION IN EUROPE

West European democracies have an impressive postwar record of combining economic dynamism with strong worker rights and citizen welfare. Proportional electoral rules award seats according to the percentage of votes won by each party. Because the nations are parliamentary democracies, strong

leaders have some capacity to get their parties to compete against one another on the basis of coherent party platforms. One of the parties in a PR system typically represents organized labor. At the same time, these countries rely for their prosperity on the free flow of goods, services, and people across national borders. The combination of interest group politics and relatively free trade has resulted in an impressive set of arrangements between employers and workers to invest in a highly skilled workforce that would be competitive within Europe and on the world market. These countries have tended to have better worker protections, more after-tax income redistribution, and more generous employment and unemployment insurance, health insurance, and pension schemes.

A flaw of PR, from the voters' point of view, is that it is harder to hold coalition governments accountable because voters do not know what coalitions will be formed after elections. Parties joining in postelection coalition governments might be tempted to logroll among themselves and foist those costs onto the rest of the population.¹⁵ Deals among well-organized groups may lead to higher prices and higher taxes than the average voter might prefer. Those costs may be worth the price if the result improves the general welfare.¹⁶ Even so, some PR countries have mitigated this defect by forging preelection coalitions, as in Sweden, or by establishing rules about how much the government can spend as a proportion of GDP, as in Germany and more recently the EU.

Sadly for Europe and its admirers, PR's advantages for labor and progressive redistribution may be on the wane. Globalization and technology have weakened organized labor vis-à-vis organized business, and the long-term

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unemployed—who tend not to be represented by organized labor—are proliferating. Unions are shrinking as a proportion of the workforce as manufacturing declines, and with them goes a key constituency for social democratic parties. The result is a fragmentation of social democratic forces into multiple parties on the left.

Fragmentation on the left in turn exposes PR to the danger of right-wing populism. Geert Wilders, Norbert Hofer, and Benjamin Netanyahu represent the main vulnerability of proportional representation systems: the potential sway of radical groups. If Britain had PR, UKIP would likely have won close to a hundred parliamentary seats in 2015 instead of one and would have been a serious candidate for participation in a governing coalition.¹⁷ In PR systems, radical groups have less incentive to moderate their appeals and greater ability to hold the public hostage to intense minorities and highly polarized politics. Like single-member districts with primaries, PR systems too easily reward politicians who cater to intense minorities.

POLITICAL LABRADOODLES?

In 1988 a dog breeder named Wally Conron crossed a Labrador with a poodle for the Royal Guide Dogs Association of Australia. He aimed for a dog with the gentle disposition of a Labrador and the low-shedding coat of a poodle. The result, at least some of the time, is the sweet and hypoallergenic dog known today as the labradoodle.

Electoral systems, like dog breeds, invariably come with undesirable attributes. If Westminster's competition between large, internally strong parties is the most likely to produce

good public policy, it is often criticized for lack of responsiveness to groups that are distant from the median voter. Yet the greater representativeness of parties under PR may impose the costs of their supporters' preferences onto the general public when bargaining to form coalitions. It is easier for a pro-business party to get the support of a pro-farmer party by agreeing to agricultural subsidies or tariffs on imported food, even if this means higher prices for consumers. By contrast, the greater accountability of majoritarian systems is achieved by funneling societal interests into two great parties located near the political middle before the electoral contest begins. Other features of electoral systems also involve trade-offs—such as geographical versus nationwide representation or personal connection with politicians versus allegiance to party platforms—but our focus here is on good public policy rather than on representation for its own sake.

Engineers of electoral systems have been no less resourceful than dog breeders in seeking to combine virtues of different rules into one scheme, but with mixed success. Sometimes undesirable traits dominate, producing the electoral equivalent of a poodledor rather than a labradoodle. Institutional tinkering can turn up good or bad surprises when features of the electoral rules interact in unanticipated ways.

In politics there's the added wrinkle that political parties are at once the breeders and the dogs. Whereas dog breeders want only to create the most pleasing dog, politicians vote for electoral systems that enhance their own electoral prospects. Small parties favor representativeness over accountability; large parties do the opposite. Which attributes they choose, and in what combinations, reflects strategic bargaining at the

time of legislative passage. Whether the result is a labradoodle or a poodledor depends on varying combinations of insight, jockeying, and happenstance.

France and Germany represent two models of electoral engineering attempting to create large majority-seeking parties while also incorporating the voices of smaller groups that otherwise would have no legislative presence.¹⁸ France's majority run-off elections institutionalize a place for small parties in throwing elections toward one of the big contenders. Despite the admirable desire for broad-based support, the system gives vetoes to small groups with intense preferences that have made policy reform in France exceedingly hard to undertake. The results have included lower growth and higher unemployment than the country might have enjoyed under a majoritarian system, as well as spectacular political theater.

Germany's economy, the envy of the world, has long drawn attention to its mixed-member proportional electoral system, which apportions legislative seats according to proportionality but fills some seats via district-based plurality elections. Reasonable on its face and perhaps a secret ingredient of economic success, the system has been emulated by a succession of democracies, old and new, seeking domestic improvements. New Zealand, Italy, Japan, and Mexico have all adopted variants of Germany's system, but some key elements of the formula get lost in translation: the importance of two principal parties, top-down party control, and coalition deals that prohibit logrolling at the expense of general welfare. Moreover, we show that even the German system has begun to creak under the pressures of slow growth, immigration, and party fragmentation—especially on the political left.

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SMALL AND WEAK PARTIES

If large but weak parties, as in the U.S., create the conditions for halfhearted party competition dominated by interest groups, small and weak parties offer voters the least accountability of all. Open-list PR, common in much of Latin America and pushed by many democratic activists around the world, puts politicians in competition with members of their own parties for ranking on the list, and therefore for election. The electoral free-for-all created by intraparty competition motivates politicians to trade favors for votes, a recipe for endemic corruption.

Political systems that produce narrowly based and internally weak parties are the world's poodledors. They might look highly democratic, but they produce coalitions that are held together with money and favors. Pork-barrel politics sustains bridges to nowhere to reward local constituents, and it lines the pockets of local bosses who can turn out the vote. The resulting corruption produces baleful economic policies and performance. As we will see, many countries in eastern Europe have moved in this direction, making them vulnerable to strongman populism.

PATHWAYS OF REFORM

It is a great paradox of politics that hierarchical parties are vital for a healthy democracy.¹⁹ If parties cannot bear the costs of informing and mobilizing voters, they are at an immense disadvantage relative to interest groups.²⁰ But to be effective in this role, parties must compete with one another over the policies that they will actually implement if they win power.

If large and strong is best, weakening party control over decisions, candidates, and leadership selection creates only the illusion of more grassroots democracy. In reality, it empowers intense minorities at the expense of most voters, and it promotes the capture, corruption, and lack of unresponsiveness that lead people to demand decentralizing control in the first place. Parties with strong internal hierarchies are best able to deliver on policy promises, particularly when the policies are important for long-term economic growth and development. The more valuable a party's brand name and reputation, the more voters can trust that it is not favoring short-term measures at long-term cost.

The best reforms are those that strengthen parties, weaken local selection mechanisms such as primaries and caucuses, and push back against referendums, direct election of leaders, and other illusory instruments of popular control. In PR systems, the best course of action is to strengthen preelectoral coalitions to signal clear platform priorities, and for parties to control party discipline by managing recruitment and promotion. The aim should be to reduce competition within parties while expanding the size of accountable parties or coalitions so that they compete over broadly defined policy goals.

Change is hard. Because decentralizing reforms have been so widely misconstrued as beneficial, and because incumbents often profit from them, efforts to reverse the tide are bound to meet strong resistance. We describe particular changes that have a fighting chance of making headway in different systems, but our larger goal is to change the conversation: to get people to see why competition between strong parties or enduring coalitions of parties best serves the interests of most

voters in the long run. Unless people come to appreciate this, alienated and disenchanted voters will continue demanding changes that make the situation worse.

This brings us to the centrality of political parties, which America's early political leaders stumbled upon too late to incorporate into the U.S. Constitution, but which they nevertheless scrambled to construct within the constitutional boundaries they had laid out. Campaigning for president in 1800 against John Adams's Federalist administration, Thomas Jefferson saw that he needed a groundswell of political support and that, furthermore, he would need a legislative majority to devise policies that would win the favor of voters in the next round of elections. Jefferson and his contemporaries cottoned on to the two essential elements of this strategy: a set of ideas that appeals to a wide swath of voters, and the ability, if elected, to commit to implementing these ideas over an extended period of time. Through the Republican Democratic Party Jefferson and Madison did just that: they put forward a broad formulation of the national interest for voters to judge and constructed a party that would survive themselves. This made it possible for voters to choose policies that might involve some short-run costs but that had greater long-term benefits, most notably economic growth and development. They did the best they could within the confines of a system that is not well designed to foster responsible parties. Subsequent reforms have made this situation worse.

Parties vary in their ability to offer broad-gauge and long-term policies. The American experiment in democratic engineering—full of false starts, missteps, and persisting imperfections—is a testament to the difficulty of getting it right,

even when intentions are good. In the chapters that follow we explore variants of democratic competition to explain the institutional features that are most suited to voter interests, why they are often resisted or undermined, and how they can be reengineered following their dismantling. No democratic system is perfect, and they all involve trade-offs. But some promote healthy competition and democratic accountability better than others, and they can all be improved by reforms that pull away from fragmented politics and competition within parties and toward programmatic politics and competition among them. Most reforms of the last few decades have pressed in the wrong direction.

The central task is to restore authority to the much-maligned but core institution of modern representative democracy: the political party. In 1942 E. E. Schattschneider identified parties as “one of the principal distinguishing marks of modern government,” so vital that “modern democracy is unthinkable save in terms of parties.”²¹ Eight years later, he was one of the principal authors of an American Political Science Association (APSA) committee report, “Toward a More Responsible Two-Party System,” which we take up in chapter 12. Contrary to what the APSA committee recommended, parties have become weaker rather than stronger—partly because of demographic changes and the deleterious effects of money, but also because of ill-considered efforts to make them more democratic. As a first step, opinion leaders and party reformers need to be freed from the clutches of this self-defeating outlook so that they can stitch together coherent policy platforms and select candidates who are capable of carrying them out.

If political competition is indispensable for political accountability, district-based systems such as those in the U.S. need radical restructuring in light of what has been done to them in recent decades. In an ideal world, every electoral district would be diverse in ways that mirror the nation's diversity across the range of issues that voters care about. The median voter in each district would resemble the national median voter, and their elected representatives would find it comparatively easy to agree on policy priorities. Backbenchers in the legislature would be happy to delegate authority to their party leaders in order to get legislative work done and protect the party's brand.

American geographic diversity puts that arrangement out of reach unless we were to adopt nongeographic districts, as Andrew Rehfeld recommends.²² That extreme solution would in any case generate its own pathologies.²³ More realistically, we argue that reformers should insist on larger districts with more diverse populations to enhance the competitiveness of congressional elections. This recommendation flies in the face of recent history, in which state legislatures have relentlessly redistricted with exactly the opposite purpose: to create the maximum number of districts for their own party while wasting as many of the opposite party's votes as possible in super-safe districts.²⁴ In most districts, this means that the primary election is the only contest of any consequence, and competition between the parties falls by the wayside.

Some proportional representation systems have already experimented with preelection coalitions, coalition treaties to limit logrolling, and a variety of ways to reduce the damaging effects of opening lists by managing recruitment. These are

good innovations where they happen, but they are often stymied by other changes that work at cross-purposes with them—such as giving party conferences and even at-large memberships a veto over coalition agreements. This makes it harder for weaker parties to become stronger and for narrower constituencies to become broader.

Political systems are seldom if ever designed from scratch; we have to start from where we are. But in reforming them we should move in the right direction.

CHAPTER TWO

The Means and Ends of Democratic Competition

No government can always give everyone everything they want. There are winners and losers from almost all policies that governments adopt. Even when everyone benefits, there are many ways to allocate those benefits, so there are still relative winners and losers. For these reasons, no law that is enacted in a democracy unambiguously reflects the will of “the people.” But the same is not true of the democratic system itself. The people, construed as all the voters, are best served by a system that beats the alternatives, taking account of the fact that everyone sometimes loses. Elections should produce governments that give most voters most of what they want most of the time.

What about people who lose all or most of the time? Concerns about what are sometimes called “discrete and insular” minorities are indeed warranted, but we will reject the standard remedies that invoke constitutional courts to constrain what legislatures can do.¹ Instead, we agree with James

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Madison's observation that it is better to give politicians an incentive to prevent majority tyranny than to impose external constraints—he called them “parchment barriers”—that are in any case often ignored when they are most needed.² But whereas the young Madison (he was thirty-six when he wrote the *Federalist Papers*) thought this could be accomplished by competition among the separate branches in a republican system, we will build on his more mature embrace of majority rule.³

The essence of our approach is to structure politics so that governments will be most likely to pursue programs that serve most voters' interests most of the time, but to do it in ways that limit the costs for those whom their policies harm. This means resisting the temptation to focus on particular decisions or outcomes and attend instead to the underlying dynamics of political competition. This focus reveals why two strong parties or preelection coalitions of parties that compete for the mandate to form governments are better placed to do the required job than the going alternatives; why the decentralizing reforms of the last several decades are ill conceived; and what should be done to mitigate their corrosive effects.

EVALUATE PLATFORMS, NOT DECISIONS

The democratic credentials of any decision should never be tested in isolation. If people are free to extract particular decisions from collective consideration at will, then the system inevitably becomes compromised. This is why John Locke wrote that everyone is bound by majority decisions unless

they are willing to risk revolution to overthrow the political order. Otherwise “it is impossible it should act or continue one body, one community.”⁴ If people can opt out of decisions they dislike, or shift them on an ad hoc basis to forums where they are more likely to prevail, the results over time are often perverse—even from their own point of view.

A healthy democracy depends on both voters and legislators evaluating what they want done about any given issue in conjunction with what they want done about others. Otherwise people can make choices without attending to their costs, most obviously with respect to unfunded mandates: decisions to create costly rights, like rights to health insurance or retirement benefits, without reference to who will bear the cost. The same is true of decisions to limit spending or cut taxes without attention to what will be foregone. When polled in isolation, majorities often support cutting taxes, even taxes like the estate tax that most of them don’t pay. But that support disappears if the cuts are paired with losing benefits that they value—such as Medicare prescription drugs coverage.⁵

This disjunction extends from polling to actual politics. Proposition 13, which in 1978 limited California property taxes to 1 percent of assessed value, passed by almost a two-thirds majority in a stand-alone ballot initiative. Yet most Californians were distressed by the resulting decline in the quality of their public schools. Had they been forced to consider property taxes and school funding together, the outcome might well have been different. The point is general: every policy has consequences for other policies that people also care about. We ignore this fact when we consider policies in silos. Only a political system that bundles issues in ways that force

voters to consider their interaction can address their needs taken as a whole.

Some supporters of Proposition 13 did not care whether schools declined, perhaps because they had no children or used private schools. They surely cared about other things, however, such as reducing crime or policing borders, that might have mattered less to other voters than the quality of the schools. It is the job of political parties to bundle these various issues in a way that persuades a large numbers of voters—a majority, they hope—consistently to vote for them. This means being better than the competing party at attending to the distribution of voters' preferences, especially the preferences that are likely to determine how they will vote.

Doing this well requires the ability to take a medium-term perspective. Just as executives who are exclusively focused on the next quarterly earnings report often make poor decisions for their firms and their shareholders, so politicians who consider nothing but the next election will often make poor decisions for their parties and supporters. Proposition 187, another California ballot initiative that passed by a wide margin in 1994, banned undocumented people from receiving nonemergency healthcare or education. Championing the law might well have saved then beleaguered Governor Wilson's governorship, but at the price of driving large numbers of Latinos out of the Republican Party—a price the party continues paying in California to this day.⁶ In 2016, as conditions for Bernie Sanders's endorsement, Hillary Clinton abandoned her support for the Trans-Pacific Partnership (TPP) free trade agreement and accepted changes to future Democratic Party nominating procedures that would weaken

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the central party (see chapter 5). A candidate focused on the medium-term health of the economy and party would have resisted these changes, but Sanders commanded the loyalty of voters Clinton needed, so she sacrificed the future to the present.

Catering to small groups of voters is as destructive as short termism. Politicians who are disproportionally beholden to narrow segments of voters can become hostage to myopic agendas that are at odds with policies that best serve most voters. Voters who work in export-oriented industries benefit from a weaker currency because it makes their products competitive abroad, whereas those who work in the imports sector often benefit from a strong currency that makes foreign goods cheaper. Rather than move with the short-term political winds when voters in one group are particularly exercised or influential, the better approach is to try to maintain an exchange rate that maximizes the economy's growth over time, giving most voters an incentive to remain loyal supporters.

WHY TWO AND ONLY TWO PARTIES?

In a two-party system, both parties aspire to become the government, and each knows that if it fails, the other party will succeed. This is winner-take-all and loser-lose-all politics. Things are inevitably murkier in multiparty systems. Even the large parties know that there is almost no chance that they will be in a position to form a government on their own. They must therefore plan for an uncertain postelection environment in which a number of parties in various coalitions will plausibly contend for power. These uncertainties can to some

extent be mitigated if parties announce preelection coalitions, but forming a government might still require deals with small parties after the election. A governing coalition might or might not consist of ideologically contiguous parties and they might or might not be the largest parties. These differing postelection prospects create different incentives for how parties campaign and how they deal with one another between elections—both in government and out of it.

In two-party winner-take-all systems, appealing to narrow segments of the electorate carries major risks. They are a bit like the risks in “last-best-offer” arbitration in labor negotiations, where the arbitrator is forbidden to craft a compromise between the two sides but must instead pick one of their final offers. This gives both sides powerful incentives to avoid posturing or making demands that will strike the arbitrator as unreasonable. The smart strategy is to take the most robust position that you can for your supporters, but to do it in a way that the arbitrator will find more plausible than the position of your adversary—who you know is trying to do the same thing you are. Not surprisingly, this kind of arbitration generally causes both sides’ offers to converge.

By the same token, political parties in a two-party system will likely lose if they cater to the intense or idiosyncratic demands of minorities of voters at the expense of a platform that can stake a credible claim to be advantageous to the majority. All else being equal, they will want to minimize the costs for others of the policies they favor, particularly the costs to voters toward the ideological center, so as to leave as few voters as possible up for grabs by the other side. Of course, “all else” is not always equal, as we saw in the 2016 U.S. presidential

election. The reasons why that can happen are taken up in chapter 5. Typically, however, in a two-party system a predominantly left-of-center party will worry about mollifying business and consumer interests as much as possible, and a predominantly right-of-center party will concern itself with labor protections, health, and social insurance. It is no accident that Britain's Labour Party has done best when attending to the interests of business and the City as well as those of its core supporters, and that the Tories have learned the wisdom of limiting the effects of public spending cuts on the National Health Service.

In short, both parties in a two-party system have strong incentives to constrain their pursuit of core constituents' interests in ways suggested by John Maynard Keynes's beauty contest analogy. Keynes conjured up a fictional contest in which contestants must choose the six most attractive faces from a hundred photographs—with the prize going to whoever picks those that are most popular. Keynes's purpose was to illuminate price fluctuations in equity markets. Two-party political competition differs from this in that the winner is whoever gets closest to the median voter (as distinct from the average equity investor), but his basic insight holds: politicians seeking office must think not just about what they and their core supporters want, but also about what most other people want.⁷

Parties in multiparty systems face a different electoral calculus. They must maximize support from core constituencies without knowing who else they should also try to reach at the same time. Moving toward the ideological center could help, but it might also leave them outflanked on the left and right,

as happened to centrist parties in Greece in 2015 when the radical left-wing SYRIZA formed a coalition government with the far-right ANEL.⁸ Lacking a clear direction in which to broaden their appeal during the election, the obvious strategy for all parties is to turn out as many core supporters as possible and worry about bargaining later. Such parties are less likely to develop the kind of partisanship based on identification with others in a common project that Nancy Rosenblum identifies as vital for healthy democratic competition.⁹

Turning out core supporters is not a recipe for tempering positions. Not only is it unclear what form the tempering should take, but core supporters tend to be activists and true believers who are seldom wowed by talk of compromise. Moreover, the need to maximize one's postelection bargaining position might well induce parties to take more extreme positions in order to get tactical benefits in subsequent negotiations. That is what often happens in arbitration that lacks the "last-best-offer" constraint: both sides escalate their positions so that later they can claim credit for having made concessions.

Extreme and inflexible positions are likely to grow more common as parties proliferate to include single-issue parties, be they Greens, anti-immigrant parties, or ethnic or religious parties. Supporters will be disinclined to give ground on the one issue that is the *raison d'être* for their party's existence, and leaders will not want to compromise their electoral support in the face of postelectoral uncertainty. They need high turnout among their core supporters, who they know are a more or less fixed group—at least in the time frame of an imminent election. Platforms are therefore likely to become

more rigid and exclusive as parties proliferate. This can be tempered by increasing the minimum threshold for winning seats, as happened in Israel's 2015 election. The three Arab parties that had been historical antagonists combined when the threshold was raised from 2 to 3.5 percent, winning thirteen seats and becoming the third-largest faction in the Knesset.¹⁰ Increasing the threshold mitigates party proliferation but does not address the underlying problem in PR: that parties have no reason to converge on the median voter.

The Israeli Arab example also shows that raising the threshold under PR is a limited remedy for the ills of party proliferation. Raising it still further would not induce the Arab parties to combine with the other small ethnic (right-wing Jewish) parties. But if Israel had a two-party system and the only way the left-of-center Zionist Union could gain power was to appeal to the great majority of the 1.6 million Israeli Arabs who make up 20 percent of the electorate, ZU would discover powerful incentives to advance proposals that would be vetoed by right-wing parties needed to form a legislative majority in the present system. Evacuation of West Bank settlements to make two states genuinely viable is the most obvious, but there might be others—perhaps even expanding the franchise to Palestinians in the occupied territories. Particular proposals aside, adding 1.6 million Arab voters into the mix in a two-party system would create a different competitive dynamic from that which prevails now. (We will have more to say about minority rights in the next chapter.) It might not work; nothing is guaranteed. But giving potential majorities an electoral incentive to attend to minority interests is the best place to start.

Under PR, the difficulties that arise from parties having no incentive to converge on the median voter spill over into the postelection bargaining. All the parties know that whatever deal is struck will apply only to the current parliament. Future elections will present unknowable coalition possibilities, so there is no way to factor them into the deal that must be struck to form a government now. This means that the interparty coalitions in multiparty systems are “short”: no one has an incentive to think about the coalition’s message into the future. This contrasts with the “long” coalitions that make up the catchall parties in two-party systems, where everyone knows that the same groups will be campaigning together election after election.¹¹ There are of course exceptions, such as the collapse of the Whigs in the U.S. after 1856 or Labour’s displacement of the British Liberals in the early 1920s, but these realigning exceptions prove the rule. For the most part, both parties in two-party systems are built out of enduring coalitions that maintain their identities and reputations over time. They are more like marriages, whereas coalitions in multiparty systems are more like hookups.

Coalition partners in multiparty systems also face powerful incentives to force others to bear the costs of their agreements. A business-labor coalition might produce robust protections for workers’ wages and employment in exchange for industrial agreements that avoid strikes, but at the cost of higher consumer prices and increased unemployment. In two-party systems, both parties must build long-term brands and worry that voters they alienate will be available to their opponent. This gives them incentives to minimize the costs of their policies for others, whereas the short coalitions characteristic of multiparty

systems will likely be more opportunistic. Once elections come around, each will likely try to blame its partner for unpopular policies. Governments in two-party systems do not have that luxury.

Parties in coalition governments often have incentives to reward supporters at the expense of policies geared to the economy's health—even if their supporters would benefit from those policies. Their situation reflects the standard prisoners' dilemma, in which both players have an interest in avoiding contributing to shared goods regardless of what the other does. This incentive is especially strong in "one-shot" prisoners' dilemmas like those we are considering here, where there is no option to bear short-term costs so as to tempt others to cooperate in an ongoing relationship.¹² The path of least resistance is for each coalition member to get what is best for its supporters now. This helps account for the fact that British governments, for example, are better at enacting prudential financial regulations than the Germans, whose big banks manage to secure banking regulations that protect their interests to the detriment of competitive capital markets.¹³ More generally, as we discuss in chapter 5, we should expect governments in multiparty systems to spend more than in two-party systems—but in ways that reward supporters directly rather than advance broader economic interests.

A Vital Role for Loyal Opposition

In a two-party system, the party out of power is officially the "loyal" opposition. Its job is twofold. First, it holds the government's feet to the fire by criticizing its legislative program, shining light on its vulnerabilities, and otherwise keeping it

honest. This monitoring function predates democratic politics. It emerged in eighteenth-century Britain to mitigate the king's misgivings about trusting ministers who controlled access to the information needed to monitor them. His Majesty's loyal opposition were given the means and incentive to keep tabs on His Majesty's ministers. This helped the monarch maintain bargaining leverage with the legislative majority.¹⁴

In two-party systems, the loyal opposition performs this role on behalf of the voting public. Multiparty systems forego this advantage because they lack unified, programmatically coherent oppositions. In two-party systems, the opposition party does not pull its punches for the sake of being a future coalition partner. Nor does it fragment after an electoral loss. Instead, it arms itself for the next electoral battle. By contrast, proportional systems give opposition parties incentives to splinter when out of government. They can distance themselves from unpopular policies while remaining available for a place in a coalition—giving the incumbent government a free pass when voters most need their vigilance.

The official opposition's other charge is to be a plausible government in waiting with an alternative program that will be implemented should it win power. To be sure, the opposition is not held to the same exacting standards as a government that is implementing its policies, but the opposition must nonetheless articulate and defend the program that it will run on and enact if elected. If it fails to do this, there will eventually be a cost, as the U.S. Republicans discovered with health insurance in 2017. They campaigned in three consecutive elections and voted sixty times to repeal the Obama Administration's Affordable Care Act before they achieved

unified control of the government in 2016 and the capacity to replace it with their alternative. But their popularity quickly plummeted once it became plain that they had no credible plan to do this. Parties out of government in PR systems are not similarly held to account.

The official opposition in a two-party system has institutional as well as political standing. The opposition leader appoints a shadow cabinet whose members receive civil service support, access to classified information, and security briefings. The opposition gets formal representation on committees, often with ranking members who can second-guess the government's committee chairs in ways that mirror the relations between their party leaders in the legislature. This institutional standing enhances the opposition's status as a potential government with a competing program that voters can consider when evaluating the incumbent's performance, rather than a foe to be vanquished for all time.¹⁵

PR systems lack these advantages. The core supporters of the opposition parties believe in their virtues, but their claims about what they would do in government are not credible. In short, the existence of a standing opposition reduces the costs to voters of getting reliable information about plausible alternatives to the status quo.

Some will object that if both parties chase the median voter, there will be few programmatic differences between them. Particularly in an era when platforms can be intensively polled and tested by focus groups, parties in search of the median voter will converge on similar platforms. What kind of a choice is that? In theory, perhaps, this is a plausible scenario. In reality, parties face numerous pressures from members

and funders, not to mention the beliefs and motivations of the candidates themselves, that influence the platforms they embrace. Moreover, candidates often get the median voter wrong. One has only to think of David Cameron's Brexit referendum in June 2016 and Theresa May's self-defeating snap election a year later.

When parties do converge on policies, it is often because the electorate has a clear preference. Neither party in the U.S. can abandon Social Security or Medicare, and in the UK neither Labour nor the Tories can entertain getting rid of the National Health Service. There will be skirmishing around the edges about the costs and coverage of these programs where the parties will take divergent positions, but preserving the programs themselves will be major planks in both party manifestos. The lack of choice about this is not a demerit. It reflects a recognition that this is what most voters want.

Much of what parties compete over does not command such a strong consensus among voters. In areas like environmental regulation, managing the macro economy, funding education, nationalizing, subsidizing, or privatizing transportation systems, and accommodating ethnic and religious minorities, platforms diverge, as do the policies that governments enact. These differences partly reflect commitments to particular constituencies, but they also reflect conflicting assessments of which policies are likely to serve most people's interests in the medium term. This last goal is what the long coalitions in two-party systems are constrained to aim at. Voters turn on them when they fail to do this in office. If a party's failures are sufficiently egregious, as with the British Liberals in the early twentieth century, it creates an opening for its own displacement by

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a new party. When both parties chalk up poor records, as when the need for money leads them to attend more to the interests of contributors than those of most voters, this opens the way for populist and perhaps even antisystem parties.

SINGLE DOMINANT PARTIES

If two parties are better than many parties, why isn't one party better than two? In some democracies, the same party is indeed reelected for decades. This usually happens in new democracies like Mexico, India, or South Africa, where a liberation movement's superior organization and venerable status as a harbinger of freedom give it a dominant place as it morphs into a governing party. Sometimes other factors play a role, as when Japan's Liberal Democratic Party gained an early advantage from the systematic suppression of left-wing parties by U.S. occupation forces during the Cold War. Whatever the reason for long-term single-party dominance, some commentators praise this condition for the stability and farsighted planning that it makes possible.

But single-party-dominant democracies undermine the goal of serving most interests most of the time. When the only meaningful political competition is intraparty competition, it breeds clientelism and corruption. To protect its position, the dominant party is tempted to pay off groups and individuals that can threaten its monopoly. Fragmented opposition parties lack control of comparable goodies to give out, reinforcing their inability to challenge the government. Moreover, if the ruling party's dominant position seems unassailable, potential opponents will be lured to it as the only

game in town, undermining the possibility of programmatic opposition. Sometimes this can take almost comic forms, as when the remnants of South Africa's National Party that had governed during the apartheid era dissolved itself and joined the African National Congress in August 2004.¹⁶

Lacking the discipline supplied by healthy opposition, single-party-dominant systems benefit sectoral interests in ways that undermine medium-term economic performance, and they often exhibit high levels of corruption.¹⁷ In short, programmatic competition is the lifeblood of healthy democracy. This is best served by two large strong parties. Having more parties is problematic. Having fewer is even more so.

CHAPTER THREE

Vulnerable Minorities

A system that gives most people most of what they want most of the time might nonetheless fail some people all of the time. Racism is an obvious source of entrenched enmity, but systematic exclusion can reflect caste, class, religious, or other sectarian differences. Often these are mutually reinforcing, as in Iraq where the Shiite majority denies the Sunni minority access to wealth, power, and lucrative public jobs. If potent antagonisms are sufficiently enduring, those who are excluded become potential recruits for antisystem parties and movements—whether populist or insurgent. The specter of disloyal opposition rears its head when loyal opposition brings few or no benefits.

This possibility often provokes calls for special attention to the fortunes of minorities in majoritarian politics, either to shield them from possible tyranny or to structure electoral competition so that majorities discover incentives not to trample on them. Our discussion of the Israeli Arabs in the

last chapter indicates that we favor the second strategy, because it builds incentives for minority protection into a strong two-party system. As a prelude to spelling that case out more fully, we start by discussing the shielding alternative. Influential as it is in many circles, it all too easily motivates reforms that compound the alienation they are meant to forestall.

But first we must distinguish vulnerable minorities from powerful ones. Historically, demands for democracy were provoked by concentrations of wealth and power in the hands of elites who showed little interest in relinquishing either. As democratic movements advanced, those elites soon discovered the virtues of minority rights. South Africa's National Party (NP) government ignored complaints that it rode roughshod over opposition in the apartheid era's all-white parliament, and it dismissed the—admittedly tepid—efforts by South African courts to challenge its racist policies.¹ But the NPs robust defense of parliamentary supremacy quickly evaporated at the prospect of real majority rule in the early 1990s. Then the party demanded long lists of constitutional protections and fought hard, if unsuccessfully, for power-sharing guarantees in the electoral system.²

The idea that powerful elites can take advantage of protections intended for the vulnerable is not a new one. When Alexis de Tocqueville sounded the alarm over majority tyranny in *Democracy in America* in 1835, his goal was to warn his peers in the French ruling elite that they were better advised to make concessions to democracy so as to domesticate its “wild instincts” than to risk being crushed by it. “Does anyone imagine that democracy, which has destroyed the feudal system and vanquished kings, will fall back before the middle

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classes and the rich?”³ Tocqueville found his intended audience frustratingly uninterested in this message, but we will see that others have been less obtuse. Reforms geared to protecting vulnerable groups often become little more than Maginot lines—or worse, powerful and well-resourced people hijack them to protect their own advantages.

CONSTITUTIONAL SHIELDS

The most influential way to guard against majority tyranny is to limit majority rule's writ. At least since Madison wrote the first ten amendments to the U.S. Constitution, the standard approach has been to entrench specific protections. After the Civil War, and with explicit reference to America's most vulnerable minorities, the U.S. adopted supplementary amendments that outlawed slavery, guaranteed equal citizenship and legal protections, and outlawed discrimination in voting rights on the basis of “race, color, or previous condition of servitude.” Many countries have followed the U.S. model, adopting bills of rights and entrusting their enforcement to independent or constitutional courts.

How effective has this been? American history offers a cautionary tale. By the time the last of the Civil War amendments was ratified in 1870, Reconstruction was already in retreat. President Ulysses S. Grant's appetite for enforcing it was waning as his administration was consumed by scandals, the 1873 depression, and major losses in the 1874 midterm elections when the Democrats made large gains in the Senate and won control of the House of Representatives. A hostile Supreme Court read the amendments so narrowly as to defeat

their purpose of protecting blacks from racist intimidation.⁴ The Republican Party splintered in the South, losing its control of state legislatures one by one. It soon became clear that southern whites, who had never accepted losing the war, were more committed to resisting racial integration than northern whites were to enforcing it. Politicians responded accordingly, ushering in black disenfranchisement and decades of racist legislation that would not seriously be tackled until the 1960s.⁵

Perhaps nothing short of decades of military occupation combined with a massive program of economic reconstruction could have forestalled the rise of the Jim Crow system in the American South. Certainly, the amended Constitution had little discernible impact. American blacks continued living and dying in appalling segregated conditions, with few opportunities to improve their lots through the legal system. In 1938, in its decision in *United States v. Carolene Products Company*, the U.S. Supreme Court recognized that prejudice against “discrete and insular minorities” that “tends seriously to curtail the operation of those political processes ordinarily to be relied upon” to protect them, warranted special attention.⁶ If anyone met the court’s definition of a minority in need of protection, it was surely American blacks, but the legal ruling did little more for them than the Reconstruction amendments had done. A decade and a half later, the court finally declared segregated schooling unconstitutional.⁷ Constitutional lawyers often cite *Brown v. Board of Education* as a landmark defense of minority rights, but in fact what limited progress there has been in desegregating schools came later and was achieved mainly through legislative politics.⁸

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This is not surprising. Enforcing constitutional protections depends on what Madison described as parchment barriers against legislative power which, as he noted in *Federalist Papers* #48, are ineffective constraints. Madison hoped that competition among the branches of government would rein in legislative power, but he underestimated the executive's capacity.⁹ By the same token, he clearly overestimated the checking power of courts. The historical and comparative evidence shows that courts seldom stray far from the preferences of elected governments, and when they do, it is usually in the direction of public opinion rather than away from it.¹⁰ This makes them unreliable checks on majority hostility to minorities. Democracies do better than nondemocracies at protecting minority rights, and courts do not improve on what democracies do. Working with electoral incentives might not always solve the problem, but it seems clear that nothing else will.¹¹

MINORITIES AND ELECTORAL INCENTIVES

If bills of rights and courts to enforce them amount to ineffective parchment barriers, what of efforts to design electoral systems themselves to shield vulnerable minorities? Arend Lijphart proposed this course for "deeply divided" societies in which a competitive election is little more than an ethnic census that pours gasoline on the fires of conflict. Whether minorities will suffer decades of discrimination like African Americans and Indian Untouchables or reach for their guns like Iraqi Sunnis, they cannot be protected by competitive democracy. In these circumstances, electoral systems must be

engineered around the chasms of hatred and fear. The best way to accomplish that is to give minorities robust veto rights that force majorities to accommodate them. The result will be a so-called consociational democracy, in which “cartels of elites” govern by consensus.¹²

One obvious difficulty concerns enforcement. Adam Przeworski notes that no democratic system will survive unless those with the power to destroy it prefer it to the feasible alternatives.¹³ Why would a majority respect a consociational arrangement any more than it would respect the pronouncements of constitutional courts? This suggests that where consociational arrangements are respected they are unnecessary, and where they are needed they will not be respected. Critics like Donald Horowitz and Brian Barry point out that consociational arrangements have no track record of preventing sectarian conflict. It seems more likely, as Horowitz notes it, that Lijphart has his causation backward: that the “moderation and fluidity” he attributes to older European consociational arrangements were in fact what made them possible.¹⁴

Another difficulty is that systems designed to protect discrete and insular minorities tend to sustain the malady they are meant to cure. They give politicians little reason to de-emphasize sectarian differences by finding other grounds to mobilize electoral support and instead reward them for mobilizing people along sectarian lines. We see this with majority-minority districts in the U.S., where politicians in the minority districts have an incentive to emphasize minority racial concerns while those in the other districts have every reason to ignore them. This is a recipe for ensuring that race will remain contentious in American politics, but not a recipe

for addressing the concerns of racial minorities. The fact that majority-minority districts concentrate African American voters, who are mostly low income and vote Democratic, into the same constituencies ensures that race and class differences will more likely be mutually reinforcing than cross-cutting. It is no wonder the Reagan Justice Department supported an increase in majority-minority districts in the 1980s.

Some writers in the tradition of using electoral systems as shields have designed subtler mechanisms to accommodate intense ethnic divisions without actively reinforcing them. Horowitz proposed various schemes to get politicians to attend to the interests of ethnic groups other than their own. Some involve counting voters' second and third choices through a weighted formula. Others require candidates to win some specified percentage of the vote in more than one region if, as in Nigeria, ethnic groups are geographically concentrated. Lani Guinier proposes systems that allow cumulative voting, whereby people can spread their votes among a number of candidates for office or cast several votes for one candidate.¹⁵ The motivation behind these proposals is to get outcomes that reflect intense preferences without giving politicians the incentives to strengthen them.

Reflective proposals have not been widely adopted, and where they have been tried there is no enduring record of success. One major difficulty is that they can quickly become too complicated for voters to understand and lack legitimacy with the electorate as a result. This was dramatized by Guinier's political fate when President Clinton nominated her to lead the Justice Department's Civil Rights Division in 1993. He was quickly forced to withdraw her nomination in the face

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of ferocious attacks on her writings, which were lambasted as attempts to increase African Americans' voting power by violating the principle of one person, one vote.¹⁶ This was rough treatment, inasmuch as Guinier never proposed giving African Americans more votes than anyone else, but it underscores that there are political limits to the complexity of voting schemes.

That constraint aside, schemes that reflect intense racial preferences without exacerbating them do not go far enough. Really needed are systems that create incentives to reduce the preferences that create discrete and insular minorities in the first place. That will happen only if parties find it to be in their interest to compete for minorities' votes without alienating their other constituencies, and to do so better than their competitors. Instead of shielding minorities from majoritarian politics, the better approach is to structure political competition so it is to political parties' advantage to compete for minority votes.

INSULAR MINORITIES IN MULTIPARTY SYSTEMS

Even though self-identifying ethnic or religious parties might get better representation in the parliament in multiparty systems, our earlier discussion of Israeli Arabs showed that the benefits they can derive from this are limited. If they are truly "discrete and insular" minorities, as Israeli Arabs surely are (unlike the right-wing Jewish religious parties), then almost by definition there is no prospect of their joining an Israeli government. Lacking leverage to extract commitments from

other parties, they are destined to be one of the weakest components of a weak and fragmented opposition.

This is not to deny that there might be times when representatives of a vulnerable minority might hold the balance of power in a legislature that they can use to extract concessions from both sides. Ironically, one of the most dramatic illustrations comes from the battle over the slave trade in mid-nineteenth century Britain, when the parties were notably weaker than they would subsequently become, and a small number of dissenting Whigs in Parliament who cared intensely about abolishing the Atlantic slave trade held the balance of power in the House of Commons for six successive elections between 1835 and 1857.¹⁷ This enabled them to force successive governments to abolish the slave trade and then enforce that abolition at a cost of tens of millions of pounds to the British Treasury and the nation's economy.¹⁸

This dramatic and exceptional example proves the rule. Because the kinds of minorities under discussion here are subject to widespread dislike almost by definition, mainstream parties may not be willing to form governing coalitions with them. And because ethnic parties can mobilize their voters only by appealing to the identity that gives them their *raison d'être*, they are unlikely to adapt ideologies in ways that will moderate the antipathy they confront.

For these reasons, it is not plausible to suppose that multiparty systems are the answer to the challenges facing discrete and insular minorities. If India or the U.S. had proportional representation, parties representing Untouchables or African Americans might have emerged, but they most likely would not fare any better as vehicles for protecting their interests

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than do the Arab parties in Israel's Knesset. Challenging as it might be, the more promising course is to pursue avenues that give the major parties in a two-party system an incentive to ameliorate discrimination in order to win the votes of the groups suffering discrimination.

VULNERABLE MINORITIES IN TWO-PARTY SYSTEMS

In a well-functioning two-party system, both parties have incentives to compete for minority voters who might make the difference between victory and defeat in any given election. They also have incentives to do this in ways that will not alienate other supporters more than necessary; otherwise they undermine themselves. That will be a difficult challenge where there is entrenched racism or other sectarian antipathy. The party leadership must be able to craft an inclusive program that will hold the larger coalition together in the face of the other party's predictable efforts to peel away its traditional constituencies. The history of racial minorities in U.S. electoral politics provides a salutary lesson in just how hard this can be when parties lack the requisite strength. Blacks have achieved more gains through electoral politics than through the courts, but these advances have been slow in coming and partial at best.

Ira Katznelson notes that "over the arc of an entire half century before the New Deal, every effort in Congress to protect black rights failed."¹⁹ The New Deal, which promised new benefits for the economically vulnerable, in many ways repeated this pattern. Southern Democrats held FDR's legislative

agenda hostage to sustaining Jim Crow, not just by insisting on the exclusion of predominantly black agricultural and domestic workers from programs like Social Security, but also by maintaining that presidential support for anti-lynching legislation would cost FDR his legislative program.²⁰ Most white northerners opposed this racism—but with less intensity than white southerners embraced it. As with Reconstruction half a century earlier, the northerners backed down.²¹ The prospects for protecting African American interests through electoral politics remained bleak.

Things briefly looked different in the 1960s, but this turned out to be deceptive. In 1960 John F. Kennedy ran for president on a robust civil rights platform. The election was a squeaker in which he was forced to add Texas senator Lyndon B. Johnson to the ticket to placate the conservative South. It was clear that civil rights legislation would face tough sledding in Congress, where implacably hostile southerners controlled key committees. The administration finally sent Congress a bill in June 1963, but despite Kennedy's efforts to build public support for the legislation, it was still bottled up on Capitol Hill when he was killed that November.

LBJ surprised the world by making civil rights his cause. He barnstormed the country with civil rights leaders to build public support and deployed his remarkable skills as a legislative tactician—skills he honed as Senate majority leader before ascending to the vice presidency—to cajole the bill through Congress.²² In June 1964, for the first time in its history, the Senate voted to end a filibuster of a civil rights bill. If politics is war by other means, this vote was a political replay of the Civil War. Northern Democrats and Republicans in both

houses of Congress voted overwhelmingly in favor of a bill that southerners in both parties rejected.

On signing the bill, Johnson reputedly told an aide, "We have lost the South for a generation."²³ There is doubt about whether he really said this, but the worry would have been reasonable. Johnson's hope was that the rest of his platform would be sufficiently appealing to southern Democrats that they would swallow civil rights, and he had the advantage of running against Barry Goldwater, who had a long history of unwavering opposition to the New Deal and to federal anti-poverty efforts—both programs that appealed to many southern white Democrats. If they stayed focused on southerners' economic interests, Johnson and the Democrats would survive in the South. After all, northern Republicans in Congress had voted for civil rights in the same proportions as northern Democrats.

In the short run, the bundling worked. Along with the civil rights legislation, this included the Economic Opportunity Act of 1964, better known as the War on Poverty, expansion of Social Security retirement and disability benefits, the creation of Medicare and Medicaid, and a series of urban renewal programs. Johnson won the presidency by a landslide in November 1964, taking forty-four states with 61 percent of the popular vote. The Democrats surged to a two-to-one House majority and a filibuster-proof sixty-eight senators. It appeared that Goldwater's hostility to the Democrats' Great Society agenda did indeed matter more to southern Democrats than their antipathy for civil rights. But the southern states Goldwater wrested from the Democrats were harbingers of things to come.

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Southern white backlash against civil rights set in almost immediately after the election. African American voter registration drives ran into brutal opposition across the South, culminating in Selma in March 1965. Vivid television footage of the violence ignited public opinion and led to quick passage of the Voting Rights Act, again by bipartisan northern majorities against bipartisan southern opposition.

But this did not obviously change the electoral calculus. At the time it was not clear that 1968 wouldn't be a replay of 1964, given the menu of popular policies that the Democrats passed—by far the biggest expansion of the welfare state since the New Deal.

The exception to that popularity was Vietnam. The war and its aftermath set American politics on a course that transformed race from a predominantly regional issue into a partisan one, compromised protections for African Americans, and further weakened both political parties. Vietnam was a personal tragedy for Johnson, who continued fighting long after he and his advisors knew the war was unwinnable in order to buy essential support from hawks for the Great Society agenda.²⁴ By March 1968 the war was so unpopular that Johnson was forced to declare that he would not run for a second term. His replacement by Vice President Hubert Humphrey provoked the conflict that led to the McGovern-Fraser Commission that refashioned the Democratic Party.

Part of the pressure for these changes came from the battle against the smoke-filled rooms already discussed, but they were also a response to Richard Nixon's southern strategy—his move to capitalize on southern white racism by signaling lackluster support for civil rights enforcement. This accelerated

the migration of previously Republican black voters to a Democratic Party that was collapsing across the South. The initial push to create majority-minority districts was a response to racial gerrymandering that dispersed minority voters to diminish their influence, but packing them into a district strengthened their influence there at the cost of diminishing it in the surrounding districts.²⁵

The results have been counterproductive for vulnerable minorities. McGovern-Fraser marked the advent of descriptive representation in the Democratic Party, first by creating quotas in the selection of delegates and later by exporting the same logic to press for majority-minority districts to increase black representation—particularly in the South. Majority-minority districts get disproportionate attention, given their small number and relative unimportance in segregating the electorate when compared with geographic sorting and anti-competitive redistricting. But the party's embrace of them highlights its commitment to the primacy of identity politics over interest-based politics.

Of course, the advent of descriptive representation was not the beginning of identity politics in America. Advocates of increased descriptive representation for African Americans were responding to the legacy of white identity politics: the long history of racism that had kept blacks out of office even after they gained access to the ballot box. They were fighting fire with fire. But identity politics begets identity politics, and ultimately everyone gets burned.

As the Democrats have increasingly embraced a patchwork of minorities, they have alienated white working-class voters—the one group that is conspicuously missing from the

Rainbow Coalition. Ironically, this has made it easier for the Republicans to pick up white working-class voters without catering to their economic interests—exploiting their resentment of race-based identity politics as a diversionary scapegoat for stagnant wages and disappearing jobs. Hence the Reagan Democrats and Tea Party voters (who soon became Trump voters) that Arlie Russell Hochschild describes in *Strangers in Their Own Land*. They see society as a zero-sum game in which black advancement has come at their expense, a perception that splits the traditional Democratic base even further—even as minority gains from the policies that poor whites resent have been largely illusory.²⁶

Nor has racial sorting between the parties helped African Americans. Like Muslims in India's nominally secular Congress Party, blacks have become politically tied to the Democratic Party, reducing their political leverage in a party that can take their votes for granted.²⁷ They might turn out in lower numbers, as they did for Hillary Clinton in 2016 compared with Barack Obama in 2008 and 2012, but that is a costly way of registering dissatisfaction when you lack a credible threat of exit. Republicans have no reason to work for their votes if they can win without them. "What the hell do you have to lose?" was Trump's discerning formulation in 2016, without offering them anything to gain.²⁸

Partisan sorting by race has thus played into the rightward drift of American politics fostered by increased capital mobility, the declining power of labor, the role of money in politics, and related factors. Bill Clinton was famous for his "triangulation" tactic of moving to the center to chip away at Republican majorities. Rather than being forced to do

likewise, Republicans have been freer to make Democrats do the moving—and even shift the goalposts to the right in areas like regulatory reform and taxation.²⁹ With African Americans lacking leverage over Democrats and Republicans increasingly able to attract low-income white voters on ethnic grounds, there has been little electoral drag on the pull to the right.

The reforms to the Democratic Party and districting changes have given African Americans more descriptive representation in Congress, but at a steep price. They would be better off if both parties had to compete for their support. There have been no legislative advances comparable to the Civil Rights Act or the Voting Rights Act since the 1960s. It is hard to imagine either of those laws being enacted today. Republicans, rather than competing for black support, as they did outside the South in the 1960s, now find that their principal incentive is to suppress black turnout nationwide.

This tactic has been aided and abetted by a Supreme Court dominated by Republican appointments in recent decades. In 2013 the Supreme Court struck down provisions of the Voting Rights Act that had mandated federal preclearance of changes to election laws in areas of the country in which discrimination in voting had been most pronounced. In her dissent Ruth Bader Ginsburg commented, “It’s like throwing away your umbrella in a rainstorm because you aren’t getting wet.”³⁰ Sure enough, it was still raining: even before that decision, the new century had seen a flood of voter-suppression laws; after the ruling, many states that had been covered by the preclearance requirement quickly enacted such laws. Conservative strategists argued that they could continue by

increasing the white share of voter turnout, even as whites made up a diminishing share of the population.³¹ There was no chance that efforts to restore the overturned provisions would make it to the floor of either chamber of Congress.

Women provide a contrasting example. Neither party can take them for granted, meaning that both are forced to compete for women's votes. The result since the 1970s has been a series of advances in reducing gender-based discrimination in employment, including protections concerning pregnancy, caregiving, pay, and sexual harassment. The legal exceptions that had shielded husbands from prosecution for raping their wives and protected abusive men from being sued by their wives were both eliminated. Despite the failure to ratify an Equal Rights Amendment to the U.S. Constitution, Reva Siegel has labeled these developments a *de facto* ERA.³²

One moral of this story is that where racism is deeply entrenched, devising protections for discrete and insular minorities is difficult even in a two-party system. But notice that the biggest gains came before the parties were further weakened by decentralization and the intensified identity politics that has facilitated. The effects have been especially pernicious for the Democrats because addressing racial inequality pitted their traditional voters against the identity groups their party has pursued since the 1960s. This is less of an issue with Hispanics, whom Republicans have made an electoral priority.³³ In 2016 even Donald Trump won 28 percent of the Latino vote despite his frankly xenophobic platform. But African Americans, who favored Hillary Clinton by 88 to 8 percentage points, continue wielding little influence in a party that has few incentives to respond to their interests.

Had the Democrats been in a position to construct broader coalitions in the late 1960s, things might have evolved differently. Rather than invest so heavily in identity politics in the wake of the Democratic Party's internal reforms and Nixon's southern strategy, they would have been better placed to unite their traditional constituencies with newly enfranchised minorities. This would have meant focusing on policies like expanding Medicaid into single-payer health insurance for younger voters and strengthening public education. These policies could have attracted traditional Democratic constituencies as well as newly enfranchised minority voters, blunting the appeal of the exclusionary white identity politics at the southern strategy's core.

This approach would have led the Democrats to be cautious about policies that could easily become wedge issues to divide them, such as race-based affirmative action. It is easily portrayed as unjust zero-sum even when it is not, because visible costs are often borne by people who do not see themselves as beneficiaries of slavery or discrimination and often were not. The battleground of affirmative action is in police departments and fire departments; often it has little impact on elites who have the money to protect themselves and their children. In 1995 Michael Lind predicted that a snobbish and condescending white overclass that could "live right" and "think left" would embrace policies that would alienate traditional lower-income Democratic voters.³⁴

The better course would have been to advocate a leg up for the presently disadvantaged without reference to race or, if minority status were explicitly referenced, to include compensation for those who bear the costs.³⁵ As things have played

out, Lind's warnings proved prescient. As Democrats and Republicans have both moved to the right on economic issues, they have differentiated themselves over social and identity issues. Democrats have backed themselves into a coalition consisting of a patchwork of minorities and the contemptuous liberal social elites that Lind warned about. Nothing is inevitable in politics, but this has made it much easier for white voters lambasted as the "basket of deplorables" by Hillary Clinton in 2016 to see themselves as abandoned by a Democratic Party that is committed to letting undeserving minorities "cut in" ahead of them in line.³⁶

On the representational front, instead of majority-minority districts it would have been better to push for an American analog of the 1932 Poona Pact system, which reserved seats in 148 designated constituencies for Depressed Classes, colloquially known as Untouchables.³⁷ This could have bought greater descriptive representation for minorities without weakening the Democratic Party in the South or undermining interparty competition for African American votes. Desmond King and Rogers Smith might be right that the role of majority-minority districts in bringing about the Republican takeover of the South has been exaggerated.³⁸ But, in addition to the symbolic cost to Democrats, such districts surely make the situation harder to reverse. They entrench African American dependence on a party they have little leverage to influence, even when their descriptive representation is underscored by Barack Obama's two terms as president of the United States.

The weakening of both parties since the late 1960s has created the dispiriting situation that improved descriptive

representation does little to advance minority interests even as it alienates white working-class voters. For all the divisive controversy over affirmative action, its main benefits have been for a small African American elite, and these gains have in any case stagnated for decades.³⁹

The decentralizing reforms since the 1960s have made it harder for Democrats who will support an inclusive left-of-center platform that can unite a broad constituency to get elected. Republicans, increasingly hostage to Tea Party agendas due to their own decentralizing reforms, are also unlikely to offer policies that would compete for voters of all ethnic and racial stripes who tend toward the political center. That happens in the United Kingdom, where both major parties are much stronger, as will become plain in the next chapter. For the most part, British parties manage to resist the exclusionary temptations of identity politics and compete for support among all ethnic groups.⁴⁰ This, in turn, creates incentives to field diverse candidates without the need for racial gerrymandering.⁴¹ In the U.S., by contrast, African Americans are not well served by the Democrats, yet Republicans are not likely to change their electoral approach to them any time soon. America's parties were weak long before the 1970s, as we discuss in chapter 5. That is one reason why exclusionary groups have often held them hostage to racist agendas, as in the New Deal. But the reforms of the last several decades have made matters worse.

CHAPTER FOUR

Big Strong Parties: Westminster

BRITAIN would not have voted to leave the European Union in June 2016 had the question been left to traditional Westminster procedure. Large majorities of both main parties—Labour and the Conservatives—favored staying in the EU and would have voted against Brexit if given the choice.¹ Instead, in response to his party's noisy right wing, Conservative Party prime minister David Cameron suspended regular parliamentary procedure in the expectation that a popular referendum would reflect Parliament's preferences—as previous referendums on electoral reform and Scottish independence had done. The “leave” vote caught the country by surprise: many pro-Europeans had stayed at home while anti-status quo voters turned out in larger numbers than forecast.

Britain is a well-run country, judging from the government's ability to implement policies with long-term benefits for most people most of the time over the long haul. In addition to the popular national health insurance system, Britain

has strong subsidies for childcare and higher gasoline taxes than Germany to lower carbon emissions.² The UK also keeps its markets open to trade, innovation, and investment. Control of the government alternates between two parties with different centers of gravity on economic policy, but these policy shifts give voters opportunities to try out one idea at a time. The results are sometimes imaginative, as in the 1990s when the Conservative government unraveled Labour's nationalizations of water utilities. The Tories came up with the idea of a regulated asset base (RAB) now commonly used to regulate power, airport, water, and telecommunications assets in much of Europe and Latin America. The RABs limit the profits of mega-firms to the level of a competitive market. Some have suggested RABs as a way for the U.S. to regulate its Silicon Valley technology firms, but American politics has not proved as amenable as Britain's to limiting oligopoly rents.³

Still, like voters everywhere, the British electorate tends to blame its politicians when things go wrong. When especially irate, voters despair of the sufficiency of elections to hold politicians accountable and instead seek different rules for choosing policies and politicians: grassroots participation in candidate selection, new electoral rules, devolution of power to regional bodies, and referendums.⁴

Some recent changes in the world economy—for example, the ease with which businesses can send jobs offshore or replace people with technology—pose challenges for any political system, including Westminster. Blaming the political system for unemployment has often produced cures worse than the illness. If we are right, Britain would have its best shot at coping with these challenges if, instead of throwing

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out its ancient constitution, as it has gradually been doing over the past three decades, it created bigger electoral districts with more internal diversity that would produce vigorous competition between two partisan visions of the future. Political parties are best able to formulate good public policy when their members of Parliament (MPs) come from districts that are more similar to one another, since only then will the MPs be willing to delegate decision-making authority to party leaders to formulate and implement policy. And only internally diverse districts will produce parties that have the interests of the whole country in mind.

GENESIS OF THE WESTMINSTER SYSTEM

Understanding how Westminster produces broad-gauged policies aimed at long-term solutions requires a foray into history. The Westminster system did not emerge, Athena-like, from anyone's head. It was the product of endless tinkering and adjustment, typically without "optimal function" remotely in anyone's view. In 1743 the French philosopher Charles-Louis de Secondat, Baron de Montesquieu, thought England's constitution had reached near perfection because its "separation of powers" among the legislature, executive, and judiciary seemed to protect citizens from overweening authority. But the baron was working with old news. In a series of power plays that included killing Charles I in 1649, winning the Civil War in 1651, and bringing William and Mary to the throne in the Glorious Revolution of 1688, Parliament reduced the monarch to an executive who had to work with a legislative majority.⁵

In the century or so after 1688, the monarchy had substantial resources with which to manage the parliamentary majority whose consent was needed to tax and spend. Parliament was potentially in a strong bargaining position, but the monarch could divide and conquer. The great historian of seventeenth- and eighteenth-century England Archibald Foord catalogs the monarch's use of money, patronage, and honors to manipulate both houses of the legislature: "Government funds were used to subsidize the ministerial press, to provide pensions, to purchase close boroughs, and to carry on such electioneering devices as parades, free beer for electors, and the patronizing of local tradesmen. Patronage provided jobs for electors, employment for parliamentary placemen, and positions for the friends, relatives, and dependents of those who could supply the government with votes in parliament and the constituencies. Honors attracted the 'many who cannot be caught by the bait of covetousness [but] are caught by the bait of vanity.'"⁶ The crown appointed new members to the House of Lords each year, swelling its ranks with loyalists.⁷

The question, as David Hume noted in 1741, was how much it would cost the king to construct a legislative majority. The king's "corrupt" and "invidious" efforts at parliamentary manipulation were most effective, said Hume, when they lined up with the legislature's predominant view, suggesting an economizing strategy.⁸ The parliamentary majority known as the Whigs represented commercial interests and, as descendants of the anti-Stuarts in the English Civil War, they were hostile to a strong monarchy that would likely champion the interests of the landed elite.⁹ William and Mary were understandably wary that the Whigs could direct their spleen at

the new occupants of the throne; but as Robert Spencer, Earl of Sunderland, advised William and Mary in 1694, the Tories had supported the previous dynasty, not the newcomers from the Netherlands. Sunderland “pointed out that the Whig careerists enjoyed more than their fair share of ability, they had more support than the Tories in the House of Commons, and they were firmly committed to the Revolution Settlement.”¹⁰

Whether or not Sunderland’s advice to engage with the parliamentary majority was persuasive, circumstances pushed in that direction. Accepting the hard reality that passing legislation required Parliament’s approval, including essential funds for prosecuting the Nine Years’ War against France in 1688–97, the monarchs appointed ministers who could broker legislative deals.¹¹ After the Tories lost their brief two-house majority of 1710 in the 1714 election, Whig ministries would prevail for the next half century.¹²

For much of the eighteenth century, the crown and ministry supplied money to politicians in order to influence policy, producing one of the most corrupt periods in British politics.¹³ Parliamentary groupings, including the long Whig majority, would be unrecognizable today as Westminster parties. Many MPs were elected in two-member districts, which meant that they could either campaign jointly with a co-partisan or try to win over his supporters with what might politely be called “excess cordiality” to voters. In some districts, moreover, the number of electors was small enough to warrant a strategy of “beer-shop taps freely running for weeks at election-times and . . . vote-buying.”¹⁴ MPs could, in effect, sell their legislative votes for favors conferring electoral advantage.¹⁵ The historian Wilbur Abbott notes that the Whigs and Tories both had

three essential elements of a modern party: a theory of government, a stable and continuous organization, and a purpose to control administration by means of a legislative majority. The missing piece was party discipline. Parties were weak because individual MPs could stay in office by currying favor with their voters.¹⁶

The Tories were on the outs for much of the eighteenth century. The Hanoverians who followed the heirless Queen Anne favored Whigs for ministerial positions for the simple reason that the Whigs were a parliamentary majority.¹⁷ The crown's willingness to reinforce this status quo threw the Tories into despair. According to Bolingbroke, one of the former Tory leaders against whom the Whigs brought a series of impeachment proceedings for supporting a restoration of the Stuart dynasty, it was "the violence of the Whigs which forced [Tories] into the arms of the [Jacobite] Pretender" to rebel, plot, and conspire against the Hanoverian monarchy during the first half of the eighteenth century.¹⁸ After the general election of 1727 the Tories would not form more than a quarter of the House of Commons until the nineteenth century, when district elections became more competitive and party based.¹⁹

It is no wonder that eighteenth-century Tories gained a reputation for absenting themselves from the Commons for long periods. Sir Nicholas Morice, representative from Newport, quite reasonably asked in 1718 why he should travel four hundred miles to Parliament in London "to be baffled and laughed at, for . . . it has been evident that this Parliament never denied the Court any one individual thing they have asked."²⁰ Some Tories, hopeful of crumbs from the royal

table, voted with the Whigs against the censure of chief minister Sir Robert Walpole in February 1741.²¹ Historians Lewis Namier and John Brooke famously declared party politics dead in the 1760s, weak and overshadowed as parties were by the ministry's corrupt dealings.²²

Controlling the government's agenda was a large prize for a legislative majority to seize. Linda Colley finds evidence that during their lean years, a core group of Tory leaders continued to aim at that goal. But the party could not come up with a winning electoral strategy.²³ Parliament's loose political groupings first had to forge themselves into disciplined political parties and they might never have succeeded had it not been an unanticipated consequence of shifting electoral competition from rotten boroughs and multimember districts to large and more competitive single-member districts. Standing on an appealing party platform became more important than being in the king's good favor as England's growing population made parliamentary elections harder to buy.²⁴

The death knell of monarchical influence came in slow, rolling peals.²⁵ The king's influence declined in stages, leaving behind a powerful ministry headed by an elected leader of the majority party—the system we know today as Westminster. Gary Cox points to the Civil List Act of 1837 as the moment the House of Commons first took control over the entire budget. The stakes of interparty competition were now higher than ever, and party leaders moved to strengthen their control over shifting coalitions of backbenchers who might want to raid the treasury. In the first Reform Act of 1832 they had reduced rotten boroughs and began the process, completed in 1884, of eliminating two-member districts where

MPs sometimes succumbed to the temptation to cultivate personal rather than party loyalty.²⁶ In response to the growing middle class, the Reform Acts expanded the electorate and accelerated the emergence of disciplined parties by creating districts that were harder to buy.

The government's stated aim in 1885 was to move closer to one person, one vote, but an even more important if unintended consequence was to enhance party discipline by creating large, competitive electoral districts. The rotten boroughs that had survived reforms of 1832 and 1867 were thrown into larger constituencies. Moreover, the manufacturing boroughs in the Midlands and the north of England, which between 1832 and 1867 had been so sparsely populated as to be vulnerable to vote buying, were now too populous to swing by corruption.²⁷ Tellingly, government subsidies of favored industries dropped as a percentage of GDP over this period.²⁸ Once party members were no longer competing for personal followings, they could see the benefit of delegating authority to their party leaders to create and, in the case of the ruling party, implement coherent party platforms. Parties, not individual MPs, had come to control the nomination and renomination of candidates running for office.²⁹

Walter Bagehot, a financial journalist, writer, and aspiring Liberal politician, noted in 1867 the decline in private members' bills in favor of cabinet bills and termed the shift "the efficient secret."³⁰ Growing party discipline made it possible for MPs to stand for office on party platforms and to take credit for more legislative accomplishment at a lower cost to the British taxpayer. What could be more efficient? What looked like the party leadership's power grab through cabinet control was in fact a preferable arrangement for the

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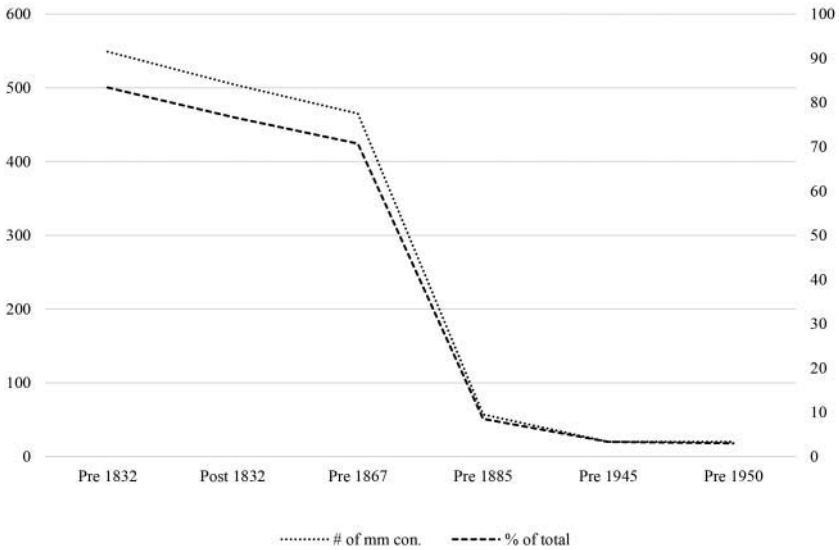


Fig. 4.1. Multimember constituencies in the UK, 1832–1950.
 (Source: Matthew Roberts, “Electoral Reform Dilemmas: Are Single-Member Constituencies out of Date?” *History & Policy*, February 3, 2011, <http://www.historyandpolicy.org/policy-papers/papers/electoral-reform-dilemmas-are-single-member-constituencies-out-of-date> [accessed 12–22–2017].)

backbenchers. Such were the dividends of stronger party leadership—as Bagehot noted, efficient but secret in the sense of being counterintuitive and therefore not obvious to the casual observer.

Some great minds, such as J. S. Mill, did not see the importance of eradicating intraparty competition, although in fairness Bagehot came to see the value of a strong cabinet only in hindsight after the first round of changes had worked their way through the system.³¹ The Liberal Party, predominantly

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urban and middle class, lamented more than anything else the large number of rural districts represented by Conservative delegates, which frustrated many voices in favor of free trade and other Liberal priorities. In the 1850s Liberal politician John Russell championed, without success, a system in which voters would get two votes in three-member districts in hopes of cutting into the Tories' rural plurality.³² For similar reasons Mill, also a Liberal politician, sponsored a bill in 1867 based on Thomas Hare's 1859 plan to allow voters to vote for candidates from other districts than theirs or on national lists.³³

Hare, Russell, and Mill wanted to "liberate" Liberal voters trapped in rural districts, but they did not realize that smaller parties, especially if riven by intraparty rivalries in multimember districts, could fall prey to protectionist interests. They might instead have considered enlarging districts to include voters with a wide range of interests. That would have further strengthened parties by forcing compromises among contending groups, avoiding the costs of weak and fragmented parties. In any case, none of their reforms passed. Not only did the Tories object to changing the electoral rules from which they benefited in the countryside, but so did the majority of Liberals, for fear of losing party size and power. A party with a clear shot of winning a legislative majority no more favors PR electoral rules than a turkey votes for Thanksgiving.³⁴

WESTMINSTER'S DYNAMICS

Competition between two large and disciplined parties benefits British voters for five overlapping reasons. First, any party seeking to gain or retain an electoral majority must

present widely appealing policies. Voters are not asked to pay “extra” for logrolls among single-issue interest groups; parties must strive to offer the best deal at the lowest cost. Groups with intense preferences not shared by many other voters may construe middle-of-the-road politics as a liability, but the alternative is not on its face preferable. Satisfying small groups’ intense preferences requires voters in the middle to pay for expensive policies they do not want.

Second, single-member districts enhance party discipline by putting rebel legislators at risk of being thrown outside the party where “there is no salvation” because the high entry costs in single-member district systems make it hard to start a new party. For voters, it makes sense to support one of the two main parties rather than vote for a candidate who promises the sun and the moon. Because one of the two parties in a single-member district system will likely win a legislative majority, the electoral choice is easy for voters to comprehend: voters choose the party they deem likeliest to advance their interests. In the most quotable summary of the Westminster calculus of all time, a voter is said to have quipped, “I would vote for a pig if my party put one up.”³⁵ The pig, at least, will vote in Parliament in predictable ways.

Third, with only two parties in the game, political competition tends to be based on economic interests that are easy for voters to comprehend. That comprehension aids electoral accountability. Political entrepreneurs might seek to distract voters from economic well-being with noneconomic issues, but competitive plurality races between disciplined parties force hard conversations about the issues that most voters care most about.³⁶ Voters choose between two party platforms

that have a chance at commanding a legislative majority, and thus might actually be implemented.

Fourth, because the parties compete on platforms rather than on personalities or personal favors, British electoral campaigns are cheap.³⁷ This is a bargain for voters, to be sure; but it is more important than that. Parties that do not need funding from rich donors do not need to give away policy favors in exchange for their support. The Tories, who are inclined toward free enterprise, need not go the extra step of offering favorable regulation and oligopoly rents. Tory governments are generally pro-business but have no reason to give up votes in the middle for extreme concessions to the rich.

Fifth, single-member district systems create strong, unified opposition parties that can hold the government to account. From the nineteenth century, as the electorate became the unquestioned arbiters of which party would rule, two things happened simultaneously: the party in power strengthened its grip on the legislative agenda, and the opposition adopted an inquisitorial role.³⁸ The opposition party in the British system has powerful electoral incentives to uncover corruption, broken promises, and faulty proposals for electoral gain. Voters can count on the opposition to be vigilant “critics by profession.”³⁹ It is in the voters’ interests for both major parties to remain informed and engaged with policy in order to offer better ideas should the government’s prove inadequate. That is the sense in which, as Jeremy Waldron suggests, the British public is committed to a strong and “loyal” opposition. “Instead of saying that the word ‘loyal’ in ‘Loyal Opposition’ refers to a stipulated focus of allegiance, we should say that it indicates the way in which the opposition party must be regarded in a constitutional system.”⁴⁰

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Parliament has in fact provided money for the service of a loyal opposition. In one long period of Labour Party opposition, from 1951 to 1964, the Commons awarded funds from government coffers to pay the opposition's researchers and staffers to enable it to function as an informed "shadow government."⁴¹ This helps the opposition function as a government in waiting, cultivating its reputation for consistent principles over the long haul. The opposition party might have to wait for ten or twenty years for its turn at the helm—a whole political career for some politicians—but it "cannot afford to be opportunist" for fear of losing the public's respect for its reliability.⁴²

BRITISH PARTIES IN THE TWENTIETH CENTURY

Britain's slowly evolving set of practices has never cemented into an immutable form, but the core feature of Westminster—two strong parties—reached its high point of global admiration in the mid-twentieth century. The disempowerment of the House of Lords in 1911 meant that the parties vied for power in what was for practical purposes a unicameral system. The gladiatorial battles to control the House of Commons seemed to many to capture democracy's essence. In the words of one of its most insightful interpreters, Anthony King, "As recently as the 1960s the British constitution was almost universally regarded as well-nigh perfect. Only the tiny Liberal Party, its circumstances much reduced since its halcyon days . . . squeaked ineffectually from time to time about the injustice of the simple-plurality electoral system and the need for electoral reform."⁴³

The Labour Party is a relative newcomer to Westminster, having replaced the Liberals in the twentieth century after industrialization created a working class. Labour began as a group of outsiders—unionized workers and socialist societies—seeking representation in a Parliament long dominated by the Tories and Whigs/Liberals; and Westminster, being a single-member district system, had room for only two large parties at a time. This feature of Westminster saved Britain from Oswald Mosley's efforts to create a proto-fascist party in the 1930s in the wake of a terrible depression, and it ensures the failure of the extreme right-wing UKIP party today.⁴⁴ For the Liberal Party, however, the rise of Labour spelled its demise.⁴⁵

The Conservative Party, like a negative film of Labour, began as a group of peers and parliamentarians without a broad voter base. To a remarkable degree, however, the requirements of successful electoral competition in single-member districts forced the two parties toward functional convergence. Labour shed much of its revolutionary rhetoric in the 1920s and the Tories learned to present a friendly face because they are competing for a legislative majority. Constitutional historian Ivor Jennings captures the Westminster party this way: "The essence of the party, and in organizational terms its objective, is the *parliamentary party* consisting of members of Parliament and peers." Whatever the party's origins, winning elections is the means of survival, and both sets of representatives need party leaders skilled at guiding the party to electoral success.⁴⁶ The Tories and Labour sometimes portray each other as autocratic organizations, but in both cases the leader-autocrat is brought down when the parliamentary party loses confidence, usually following electoral loss.

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Westminster parties take internal dissent seriously because muddled party messaging confuses voters and can throw an election. At least since the 1880s, when parties began competing on the basis of party platform rather than individual merit or resources, it has been in backbenchers' self-interest to delegate to party leaders the authority to quell dissent, to withdraw nominations from mavericks, and to propagate a clear and moderate electoral appeal.⁴⁷ Members who fail to grasp this logic usually have short political careers.⁴⁸

The most powerful measure by which party leaders whip votes for government policy is the use of the confidence vote. In 1992 some twenty Tory MPs joined the opposition to defeat Prime Minister John Major's decision to join the Maastricht Treaty. But they caved in when Major called a confidence vote on Maastricht, announcing that he would dissolve Parliament and call new elections if he lost the vote. Opposition within his party melted away and the confidence vote passed, 339 to 299.⁴⁹

POLITICAL FALLOUT OF ECONOMIC DECLINE

Big bumps in the road in the 1960s and 1970s—stagflation, violence in Ireland, and oil shocks—eroded the widespread sense that the Westminster system ensured against policy disaster. The empire had given way to American hegemony, Europe was forming its own vibrant community, and Britain was now “the sick man of Europe.” It was not only an earthquake of self-doubt; an economy with more costs and fewer benefits to go around meant an objectively smaller domain of overlapping interests.

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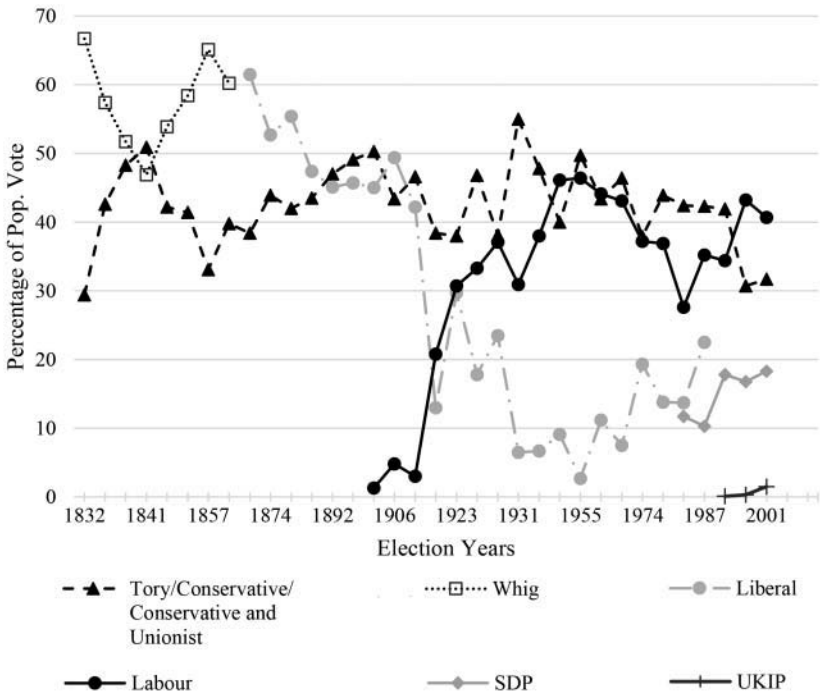


Fig. 4.2. Popular vote by party in UK general elections, 1832–2001.
(Source: Adapted from data in spartacus-educational.com.)

As the governing party for many of those lean years, Labour developed a schism between the party leadership, which was still aiming for the national median voter, and party activists who felt left behind by austerity. This was a preview of the tensions that would later surface in left-of-center parties across the developed world. The disappearance of industrial jobs accentuated these tensions because it meant that the Trades Union Congress (TUC) membership was increasingly made

up of public sector unions that have fewer incentives to restrain wages for the sake of export competitiveness.⁵⁰ Attacking his own prime minister, Harold Wilson, Bristol MP Tony Benn called in 1974 for a “fundamental and irreversible shift of power and wealth in favour of working people and their families.”⁵¹

Lacking enough seats in the Commons to replace the party’s leadership, Benn and his colleagues in the “Campaign for Labour Party Democracy” sought to wrest control from the front bench—an attack on top-down party leadership, on Bagehot’s “efficient secret.”⁵² That gambit failed in 1979 when the unions came out in favor of automatic renominations of incumbents instead of the equivalent of party primaries favored by some activists.⁵³ This postponed the fight for control of Labour without settling it.

Margaret Thatcher’s win in 1979 increased a sense of urgency in the party’s left wing to “introduce an Industry Bill extending common ownership, providing for industrial democracy and enabling the government to control capital movements in and out of the country.” In a twenty-thousand-word party manifesto written for the 1983 general election, Benn urged leaving the Common Market, canceling nuclear weapons programs, expelling American nuclear bases, increasing government borrowing and spending, and increasing the power of the trade unions within the Labour Party.⁵⁴

Voters were not ready for so radical a shift, even in the uncertain world of stagflation. Gerald Kaufman, himself a Labour MP, dubbed the 1983 Labour Party manifesto “the longest suicide note in history” because he read in it electoral doom. This outcome reflected the tight central control of party platforms in the hands of the party leadership.⁵⁵ It works

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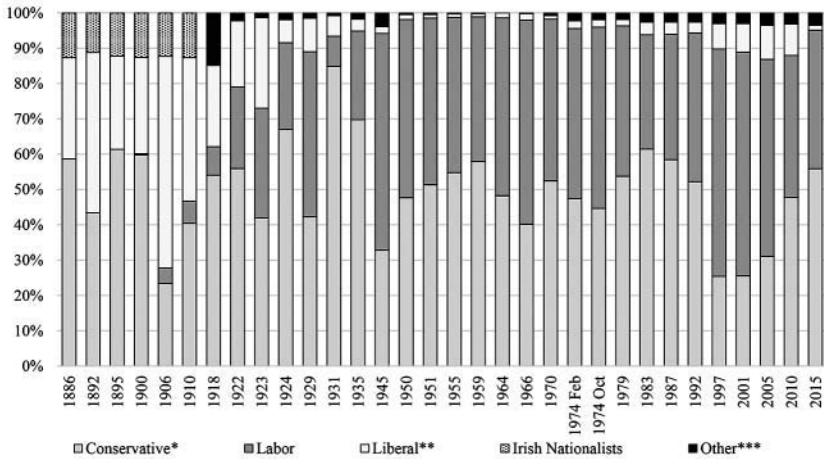


Fig. 4.3. Distribution of seats in the House of Commons,
1886–2015.

(Sources: Pre–1918 data from spartacus-educational.com. Post–1918 data from Lukas Audickas, Oliver Hawkins, and Richard Cracknell, “UK Election Statistics: 1918–2017,” 2017, pp. 13, 24, no. CBP7529, House of Commons Library, London.)

*Includes Coalition Conservatives for 1918; National, National Liberal and National Labour candidates for 1931–35; National and National Liberal candidates for 1945; National Liberal and Conservative candidates for 1945–70.

**Includes Coalition Liberal Party for 1918; National Liberals for 1922; and Independent Liberals for 1931. Figures show Liberal/SDP Alliance vote for 1983–87 and Liberal Democrat vote from 1992 onward.

***Irish Nationalists grouped with others after the 1918 election.

well enough provided the leader is able and willing to devise a platform that can appeal to median voters, but in this circumstance Labour’s far left had captured the leadership.

Reluctant to shift to the center, Labour would spend nearly two decades out of government, during which time

some Labourites, fearing they had become a permanent minority party, joined Liberals in favoring proportional representation. Adopting PR would mean giving up on forming a Labour Party legislative majority on its own, but it would allow the emergence of a genuinely leftist party that would no longer have to moderate positions for the sake of winning an electoral majority. PR would also open the possibility of coalition governments with the Liberals, about which Labour leader Tony Blair and his Liberal counterpart Paddy Ashdown spoke many times in the run-up to the 1997 elections. Blair's interest in PR faded quickly after his landslide victory on a centrist platform in 1997, and in light of Labour's poor showing in 1999 elections run on a PR ballot in Scotland, Wales, and for the European Parliament.⁵⁶

Blair turned out to be the longest-serving Labour prime minister in history. He took over as leader in 1994, continuing the fight against the far left begun by his predecessors, Neil Kinnock and John Smith. Within a year he had won a vital vote to abolish clause 4 of the party's constitution, which had called for "common ownership of the means of production, distribution, and exchange," and to replace it with language about widening opportunity for all.⁵⁷

That victory signaled the end of the party's historic mission of finding a parliamentary road to socialism. Blair used his spectacular success in three consecutive general elections in 1997, 2001, and 2005 to shift the party to a center that was migrating to the right following the worldwide collapse of Communism and the weakening of organized labor. He embraced operational independence of the Bank of England, continued deregulation of the City of London, and market-

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based reforms in health and education, including the introduction of student tuition fees. He also refused to reverse the Tory program of privatization that he inherited. Blair was eventually undone by his support for George W. Bush's "War on Terror" as it played out disastrously in Afghanistan and especially Iraq, but it would be hard to exaggerate his success as leader of the Labour Party, which has since matched his three successive general election victories with successive defeats in 2010, 2015, and 2017.⁵⁸

As this record suggests, the Blairites' penchant for describing their reforms as having modernized their party turned out to be wishful thinking. "Modernize" implies an irreversible transformation of an entity that had been growing obsolete. Not so much. Like the New Democrats in the U.S., Blair's New Labour would pay a heavy price after the financial collapse of 2008 revealed that its deregulatory policies and love affair with the City had left many traditional supporters behind. Against a background of a deindustrializing country and a service-sector economy north of London whose poverty rivaled the American Deep South, the backlash against the Blairites within the party was as unforgiving as it was swift.⁵⁹

DEMOCRATIZING LEADERSHIP SELECTION

In a party with as much centralized control as Labour, a major battle was bound to be fought over the leadership. Tony Blair's successor, Gordon Brown, held onto Downing Street until the last possible moment, but after Labour's defeat in May 2010, the unions waged war on the Blairite would-be

successor, former foreign secretary David Miliband, in favor of his brother Ed. The unions were well positioned to do this because the leadership election procedures had been changed to increase grassroots participation.

Until the 1980s, the Parliamentary Labour Party (PLP) elected its leader. In 1981 this system was replaced by an electoral college pushed by the party's left wing, whose leaders had blamed Harold Wilson's and James Callaghan's centrist governments for their loss to Margaret Thatcher in 1979. The PLP, the unions, and local constituencies each got a third of the votes. The latter two groups were not required to ballot their members, empowering activists to cast bloc votes. This strengthened the left wing, but it also split the party as the "gang of four" broke away to form the Social Democratic Party, which would eventually merge with the Liberals.⁶⁰

Labour's disastrous performance in the 1983 general election, which more than tripled Margaret Thatcher's majority from 43 to 144 seats, produced a strong backlash against the left that not even the bloc voting could forestall.⁶¹ Michael Foot was replaced as leader by the more moderate Neil Kinnock, who pushed for the introduction of one member, one vote (OMOV) within the electoral college system. This led to a decade-long battle that the centrists eventually won, introducing OMOV in 1993. Tony Blair was elected the following year under the new rules, though the difference between bloc voting and OMOV remained unimportant so long as the leader had strong support in all three colleges, as Blair did. His successor, Gordon Brown, was not challenged by anyone with enough votes to get nominated, so it was not until 2010 that the latent tensions in the system would become manifest.

It would also become clear that OMOV offered little protection to either the PLP or centrist party members.

By then, candidates needed nominations from at least 12.5 percent of the PLP to get onto the ballot. The electorate was composed of a third each of members of the PLP and the European Parliament, individual party members, and members of affiliated organizations—unions and socialist societies. Alternative voting redistributed votes from the least favored candidate to the others until someone won an absolute majority. David Miliband won the most nominations from the PLP and he also won the first round of voting with a comfortable plurality of 37.8 percent, beating his brother by 3.5 percent. But unexpectedly, Ed edged him out on the fourth round.⁶²

Having narrowly defeated the PLP, the unions and their affiliates were determined to find other ways to weaken the PLP in an era of declining union power and popularity. With their support, Ed made new changes that would empower self-selected activists and supporters who could be relied upon to pick a leader from the left of the party, but who would not carry the baggage of seeming to be a toady of the unions. This played into Labour's legacy and image as a mass party, but it diminished the PLP still further.

The PLP was already in a weak position to influence the leadership choice, given that its third of the selectorate included the thirteen Labour members of the European Parliament who had no incentive to concern themselves with the challenges of governing at Westminster.⁶³ But this all became moot in 2014, when Miliband pushed the party to replace the electoral colleges with a strict one person, one vote system, while also opening up the electorate to "supporters" who

would become eligible to vote upon paying £3 to join.⁶⁴ The reforms had the desired effect the following year, when Miliband was forced to resign after being trounced by David Cameron in the general election. He was replaced in a popular landslide by longtime backbencher from the left wing of the party Jeremy Corbyn, despite strong opposition from the PLP and virtually every member of Labour's establishment.⁶⁵

Corbyn's election would usher in one of the most surreal eras of British politics. From the start, he was in a state of permanent war with his front bench. Constant resignations from his shadow cabinet erupted in a no-confidence vote among PLP members in June 2016, which he lost by 172 to 40. But the grassroots membership, which had declined to some 292,000 before the 2015 election, had now swelled to over half a million, even excluding affiliated groups and supporters.⁶⁶ Three months later, Corbyn was reelected as leader with 61.8 percent of the vote.⁶⁷ This situation, in which the PLP was led by someone whom more than 80 percent had rejected, was widely seen as untenable—not least because Corbyn stood for policies that most opposed: steep increases in taxation, abolishing university fees, major increases in public spending on health and welfare, strengthening union rights, and re-nationalizing the railways, the Royal Mail, and other utilities.⁶⁸ The almost universal expectation was that Corbyn would be replaced long before the next election, expected in 2020.

But in the short run in politics, you need to be only marginally less incompetent than your competitor. In April 2017 the Tories matched their disastrous Brexit referendum with another self-inflicted wound. Hoping to get a personal mandate from the voters while Labour was on its heels, Prime

Minister Theresa May called a snap election. She then managed to blow a twenty-point lead in the opinion polls and the Tories' parliamentary majority by running one of the most inept campaigns in memory.⁶⁹ As well as being forced into a coalition with the right-wing Northern Irish Democratic Unionist Party (DUP), she gave Corbyn a new lease on life as Labour leader. He had led Labour to its third consecutive general election defeat, but the party had gained thirty seats and come within 2.3 percent of the Tory share of the popular vote.⁷⁰ Corbyn had outperformed expectations dramatically, leaving him unassailable as leader for the moment.

Corbyn capitalized on this good fortune to push through additional decentralizing changes in Labour Party governance. He cut the support needed to get onto the ballot to 10 percent of the PLP and abolished the waiting period before which new members could vote in upcoming elections. As one disaffected centrist put it, "We are now in a permanent campaign to undermine the role of MPs, marginalize their voice and get them to acquiesce" to Corbyn's agenda.⁷¹ Corbyn was riding high.

But it was probably an artificial high. The badly burned Tories would be loath to call another early election and the DUP had no obvious incentive to topple them and lose its windfall influence on a minority government. For the Labour Party, a 2023 election would take place eighteen years after it had last won an election and thirteen after it had been in government—a long time to be in the political wilderness with a leader who by then would be seventy-four years old. There was always the chance that the Tories might turn their Brexit bungle and 2017 fiasco into a trifecta of own goals by adding

some new blunder that would hand Corbyn the keys to Downing Street. But even then, he would be faced with trying to lead a PLP in government that he could not manage in opposition. Implementing any program, let alone a coherent one, would be a tall order.

The alacrity with which David Cameron and then Theresa May squandered the 2015 Tory general election victory might create the impression that they are heading for the trashcan of history, but this underestimates the party's resilience. Whether measured by their longevity as a party or their years in government, the Tories are unmatched in the democratic world.⁷² Much of their success has been due to the ethos of adaptive conservation—changing what you must so as to preserve what you can—that Sir Robert Peel affirmed in his Tamworth Manifesto of 1834, when he embraced the Great Reform Act of two years earlier as an “irrevocable settlement of a great constitutional question.” That act had increased the electorate by half, which seemed radical at the time, though it would double in 1867 and triple in 1884–85.⁷³ In each case the Conservatives adjusted to the new reality and remained a leading contender for government, even as the Liberals faded away—to be replaced by Labour as Britain's second party in the early twentieth century. In 1883, two years after Benjamin Disraeli's death, the *Times* (UK) commented that “in the inarticulate mass of the English populace, he had discerned the Conservative working man as the sculptor perceives the angel prisoned in a block of marble.”⁷⁴ No one should count out the Tory capacity to woo large swaths of the British electorate in the future.

In party governance, too, the Tories have changed with the times as much as necessary, but cautiously. This has been

especially notable in their response to pressures to democratize leadership selection. Traditionally, the PCP picked its leaders more or less as cardinals pick popes—through informal conversations from which someone eventually emerged. They held their first formal election in 1965, when Edward Heath beat two rivals by an outright majority of the PCP. There was still no mechanism to challenge a leader, but ten years later Heath ushered in a new era by calling an election that he hoped would strengthen his diminished authority after three general election losses. Underdog Margaret Thatcher challenged and against all expectations beat him. She would lead the party for the next fifteen years, eleven of them as prime minister, but in 1990 she was toppled by a backbench rebellion over her divisive stance on Europe and an unpopular poll tax that MPs feared would cost them the next election. This firmly established the principle that leaders' very considerable authority is contingent on their capacity to deliver victories. Backbenchers would give them the rope to hang themselves.

In 1998 the Tories finally acceded to the pressure to extend democratic leadership selection beyond Westminster, instituting a system whereby MPs vote among the contenders until only two remain, at which point the entire party membership chooses between them. This diminishes the possibility of a Corbyn-like outcome, but it does mean the PCP can end up with a leader who is not its preferred candidate, as happened in 2001 when the Thatcherite Iain Duncan-Smith won the at-large contest with 60 percent of the vote even though two-thirds of the PCP preferred his centrist rival Kenneth Clark.⁷⁵ It was not a happy marriage. Duncan-Smith was forced out in a no-confidence vote two years later, at

which point the Tories were so demoralized that Michael Howard, their fourth leader in six years, was elected unopposed. He resigned two years later, having delivered Labour its third successive victory with a sixty-six-seat majority in the 2005 general election despite Tony Blair's declining popularity due to the Iraq War.⁷⁶

The Tory leadership selection method remains something of a wild card. The runoff system can whittle the choice down to two centrists, as it did with David Cameron and David Davis in 2005, but it can just as easily produce the kind of divergent choice that occurred in 2001, when Duncan-Smith was the fortuitous beneficiary of a heterogeneous field of five candidates.⁷⁷ The PCP arguably dodged a similar outcome after David Cameron's resignation in June 2016. The main contenders were Theresa May and Boris Johnson, charismatic former London mayor who had been a bombastic leader of the Brexit campaign. Johnson's campaign manager, Justice Minister Michael Gove, knifed him in the back in the run-up to the campaign by declaring him unfit for office and seeking the position for himself instead.⁷⁸ Johnson had to quit, but Gove and the remaining candidates were either eliminated or withdrew after two rounds of balloting, leaving May unopposed. Had Johnson and May faced off in a membership election, Johnson might well have prevailed. However problematic a leader May has proved to be for the PCP, Johnson would likely have been more so.

The Tories' decentralization of leadership selection has been less damaging to the PCP's strength than the route Labour has taken, but it is not without problems. The British parties' motivation to democratize leadership selection has

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mimicked the pattern elsewhere. It seems like a natural extension of democracy that will attract members and mobilize supporters to become more involved. But if the newly mobilized members and activists are unrepresentative of the party's MPs, this is bound to open up fissures within their parliamentary parties. Unless backbenchers can be confident their leader will put together a manifesto that they can run on and win in their own constituencies, relations are bound to be fraught. Direct election of leaders accentuates these challenges and makes governing harder, a heavy price to pay for the misleading appearance of enhanced democracy.

CANDIDATE SELECTION

Successful efforts to democratize candidate selection began with the decision in the early 1980s to require all Labour parliamentary candidates—including incumbents—to be reselected by constituency parties at each election.⁷⁹ More recently, as women have advanced and the electorate has become more ethnically and racially diverse, British parties have sought to improve descriptive representation so as better to mirror the electorate. For the most part, they have done this from above, because traditional constituency-based selection procedures with strong input from affiliated groups produced predominantly middle-aged white male candidates. Labour pursued diversity through the introduction of all-women shortlists, which increased their women MPs from 14 to 31 percent between 1992 and 2010. The Tories' introduction of A-lists of preferred women and ethnic minority candidates produced more modest increases over the same period.⁸⁰ But these gains

have leveled off; in 2017 some 22 percent of the all MPs were women and only 4 percent were ethnic minorities.⁸¹

These efforts ran into limits partly because of a dearth of qualified candidates but mainly because of pushback from constituency parties, which tended to prefer local candidates who were known quantities and to resist shortlist quotas and A-list candidates, who were assumed to be less able despite the use of quality-control criteria employed in drawing up the lists.⁸² These challenges have led parties to look for ways to enhance descriptive representation that can achieve more local buy-in and less conflict, with parliamentary leaderships looking to boost their parties' appeal to a changing national electorate. The Tories in particular have experimented with primaries that are more like American caucuses, meetings in which one hundred to five hundred people gather to discuss and vote on candidates. The results have been mixed, with low turnout of groups who predominantly prefer locally known candidates who are predominantly middle-aged white males. There has been more success at getting women chosen in "postal primaries," in which voters in a constituency select candidates by mail.⁸³

These innovations have yet to generate much data, but we can make some cautionary observations. The most effective means of ensuring gender diversity has been the imposition of all-women short lists and A-lists from above, but it also breeds the most local resistance. Responding to the resistance by introducing primaries invites unintended consequences that the Progressives never dreamed of when they introduced them in the U.S., any more than subsequent reformers did when they reinvigorated them in the 1970s. If British parties enhance local participation in candidate selec-

tion, they risk losing control of the process entirely as newly empowered local members inevitably complain that top-down policies are insufficiently democratic.

The danger lies in the notoriously low turnout in primaries. Particularly in safe seats, this makes candidate selection susceptible to hostile takeovers by unrepresentative voters—typically on the party’s ideological fringe. Tory safe seats might be hijacked by unattached former UKIP voters, whose party all but collapsed in 2017.⁸⁴ Militant Labour voters could do the same thing from the left in safe Labour seats, further weakening the PLP leadership and reproducing many of the pathologies that have beset electoral competition in the U.S. There are some indications that this lesson is being learned. The Tories dropped their plans for increased use of primaries in 2017. Perhaps the spectacle of Donald Trump’s takeover of the Republican Party focused their attention on the risks.

Aggressive pursuit of descriptive representation through primaries has an additional cost that, to Americans, is all too familiar. They are expensive. Without public funding, this compounds the difficulty that candidates must either self-finance their primary campaigns, raise money from contributors, or get it from organized groups such as unions. On top of the many ways in which increased reliance on money weakens parties, it also makes it harder for lower-income people to run. Both parties have already found that their efforts to increase descriptive representation of women and minorities are failing to draw lower-income candidates, who lack the time and resources to compete. Adopting costly candidate selection methods will make that problem worse.⁸⁵

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SINGLE-MEMBER DISTRICT SYSTEMS, STRONG AND WEAK

Westminster has always deviated from the ideal conditions for a strong two-party electoral system because its comparatively small electoral districts can be quite different from one another. Unlike in Germany, where the average size of single-member districts in its mixed system is 222,000, or in the U.S., where the average congressional district has over 710,000 people, the typical size of a UK constituency is 70,000 or fewer.⁸⁶ Growing geographic differences in income between London and the rest of Britain accentuate this flaw. Representing a deindustrialized district, for example, inclines MPs toward local redress rather than policies designed for the population as a whole. MPs can create some room to deviate from their constituents' preferences by being visible and locally involved, but this strategy has its limits.⁸⁷ Economic prosperity, unevenly shared across the British Isles, maps strikingly well onto the patterns of resentment that produced Brexit. We will discuss in the final chapter that the best way to mitigate this problem is to have fewer, larger, and more diverse constituencies.

Westminster parties also face the challenge at the national level of managing the tension between the electoral middle on the one hand and party activists on the other. The latter's preferences will likely be more extreme and intense than those of the voting public. The parties' mass organizations work in the service of two "competing teams of potential leaders in the House of Commons in order that the electorate as a whole may choose between them at periodic General

Elections.”⁸⁸ Those mass organizations may, however, sometimes prefer electoral loss to caving in, as Michael Foot evidently did in 1983.⁸⁹ Losing an election for the sake of ideological purity can mean a larger slice of a smaller pie for the activists, preserving their power in the party in order to set the terms of debate as they hold out hope for a better election the next time.⁹⁰

Westminster works better than many British citizens acknowledge. Voters on the right or left decry the unrepresentativeness of large, strong parties that battle for voters in the middle, but the hope that something better awaits them under proportional representation or decentralized rule is implausible. Proportional representation, it is true, would return parties to Parliament with stronger and narrower convictions, much to the satisfaction of union members, nationalists, or Greens. Calls for PR in the UK are likely to fade in the near term, given the Liberal Democrats’ unhappy experience with coalition government between 2010 and 2015 and the subsequent spectacle of party fragmentation in many European countries, which has made governing—or even forming governments—increasingly difficult. But the pressure to change electoral systems will return, particularly if, as happened in the 1970s, voters and pundits misattribute economic failures to alleged infirmities of the political system and decide to fix something that is not broken. If that begins to happen, it will be important to remind people that the coalitions that arise under PR can make governing easier, but they can also make it harder. And in the long run, coalition governments are less likely to pursue programmatic policies that serve the interests of most voters most of the time, and

more likely to make deals that suit their members while imposing the costs on others.

Decentralizing the selection of candidates and leaders in the name of enhancing democracy courts different but equally serious dangers. Political parties operate best when they are cohesive teams in which leaders and backbenchers pull in the same direction. This ideal can never be fully realized, but reforms that move toward it are always better than those that move away from it. Direct election of leaders is a bad idea for that reason, as is the introduction of primaries and other devices designed to decentralize candidate selection. Party leaders have strong incentives both to find candidates who can win in their constituencies and to develop a national program that can command wide support. Unless they do both tasks well they will lose elections and fail to survive as leaders. Constituency members should be involved in candidate selection because their involvement helps generate necessary information and makes them willing to work to get candidates elected. But leaders have the larger electoral battle in mind, making their role in vetting candidates indispensable and paramount.

CHAPTER FIVE

Big Weak Parties: The American Variant

ON the day before Christmas in 2009, the United States Senate passed the Patient Protection and Affordable Care Act, soon to be known as Obamacare. The bill garnered the minimum sixty votes needed to forestall a Senate filibuster before working its way back to the House of Representatives and through various procedural hurdles to reach President Obama's desk three months later. It was a long time coming. Harry Truman's effort at national health insurance, which had failed in 1950, had been followed by the stillborn efforts of Dwight Eisenhower (1953–54), John F. Kennedy (1962), Richard Nixon (1973–74), Jimmy Carter (1977–78), and Bill Clinton (1993–94). The lone partial success was Medicare. Enacted during the Johnson administration in 1965, it is a popular single-payer plan—but restricted to seniors older than sixty-five.¹ Seen against that historical backdrop, passing Obamacare was a remarkable achievement.²

It was also a nail biter. Even with Senator Al Franken, whose disputed 2008 victory in Minnesota would be tied up in the courts until the end of June, the Democrats lacked the votes they needed until Arlen Specter switched parties in April 2009. Because every vote mattered, individual senators could extract huge premiums for their support. Specter was promised unusual seniority in his new party.³ Senator Ben Nelson of Nebraska extracted the “Cornhusker Kickback,” which committed the federal government to fund his state’s Medicaid expansion indefinitely. Most consequential for the legislation was Connecticut senator Joseph Lieberman. Although an independent, Lieberman caucused with the Democrats and had signaled his support for the healthcare legislation. But he changed his mind ten days before the vote, refusing to support the bill unless the “public option”—designed to keep private insurers honest and provide a public guarantee if no private provider was forthcoming—was dropped. It was.

This outcome was not a surprise. Connecticut is home to America’s insurance industry, which had contributed more than half a million dollars to Lieberman’s campaigns. Consumer advocate Wendell Potter had warned the Democratic Steering and Policy Committee that a bill without a public option might as well be called “The Insurance Industry Profit and Protection Act.”⁴ The industry got what it wanted, but at the cost of forestalling the adoption of a health insurance scheme that would have made it possible gradually to expand Medicare to the whole population. Instead, the U.S. got an unstable system that extended coverage to between 16 and 20 million people but left almost 28 million still uninsured.⁵

Even though the Republicans, who won unified control of the government in 2016, lacked the votes to repeal the law, in October 2017 President Trump eviscerated it with executive orders that cut billions in subsidies for low-income policies and allowed businesses to club together to buy low-cost alternatives that would undermine the risk- and cost-spreading logic at the heart of the Affordable Care Act.⁶ Two months later the Tax Cuts and Jobs Act of 2017 eliminated the mandate on all individuals to have health insurance, guaranteeing large premium hikes, since fewer young healthy people would now participate in insurance pools.⁷

This stumbling saga stands in stark contrast to Britain's enactment of the National Health Service in 1947. Following on the recommendations of the 1942 Beveridge Report, Clement Attlee's postwar Labour government created a single-payer National Health Service in England and Wales in one fell swoop that has been bulletproof ever since.⁸ Despite conflict over funding and coverage at the margins, preserving the NHS has never been in doubt. Even Margaret Thatcher, with her mandate to roll back the welfare state in the 1980s, never dared take it on. Through thick and thin, the NHS has remained one of Britain's most popular public institutions—more widely revered than the British Olympic team, the army, and even the monarchy.⁹

There are many differences between the political systems that produced these divergent outcomes, but one central one is that American political parties are weak. Some sources of the weakness are embedded in the Constitution. Others are products of demography: major regional and urban/rural differences mean that political constituencies vary substantially

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and are a long way away from being microcosms of the national polity. Still other reasons are rooted in the decisions to democratize the parties, particularly since the 1970s. The combined effect is that the U.S. misses out on the main advantages of a two-party system. Parties have great difficulty in coalescing around programmatic policies, and even greater difficulties in implementing them as governments. Obamacare is one of the few recent instances in which a major policy innovation has been enacted on strict partisan lines. Even so, the Affordable Care Act and its aftermath bear the scars of the weak party system that inhibits government from enacting programmatic legislation that serves most voters' interests for the long run.

SOURCES OF AMERICAN PARTY WEAKNESS

America's Founding Fathers engineered political fragmentation at the nation's inception. The colonies were so different from one another that there would have been no republic at all if not for radical decentralization. The plantation economies of the South favored slavery and free trade; the proto-industrial North abhorred slavery and preferred trade protection of its fledgling industries. A nonproportional and powerful Senate in a federal system froze these differences for a century, until westward expansion and the South's impending minority status precipitated the Civil War. Even then, federalism survived.

States' rights, one example of American political decentralization, protected virulent forms of local racism that persist to this day. Other kinds of American political fragmentation

include the “democratizing reforms” of the twentieth century Progressives, who fought machine politics with elected judges, and of twentieth-century rebels, who wrested political control from party bosses. Following their conflict-ridden 1968 National Convention in Chicago, Democrats ushered in more party decentralization that was then mimicked by Republicans, keen not to be outdone in appealing to grass roots.

Ballot initiatives, such as California’s Proposition 13 and referendums on the death penalty, abortion, minimum wages, legalization of marijuana, or the “right to work,” have fallen prey to organized groups in various states, be they corporate interests, religious mobilizers, or single-issue activists of various stripes. Taken all together, the “reforms” they enact further erode the electoral pressure on political parties to represent encompassing voter interests. Weakened two-party competition has, among other things, created within the Republican Party a potent coalition between very rich, secular voters who finance campaigns for the sake of low taxes, and poor, white social conservatives who vote above all else against cultural dilution. America’s plurality electoral rules, which push in the direction of broad-gauged party competition, have been no match for organized groups well positioned to take advantage of political fragmentation.

The staggered electoral timetables of the House, Senate, and presidency amplify these other sources of party weakness. The party controlling the White House almost always loses seats in the midterm.¹⁰ This means that even when they win both houses of Congress and the presidency, as the Democrats did in 2008, the congressional leadership has a narrow window in which to legislate. The Democrats did not know

that they would lose control of the House as well as take an unusually large hit in the Senate in 2010, but they did know that the chances of passing major legislation would diminish. They had to do what they could before their hand weakened, making it easier for Specter, Nelson, Lieberman, and others to extort favors. So they rushed the bill through, disappointing grassroots Democrats who wanted more comprehensive coverage and accepting compromises that would make the bill vulnerable to political and legal attack later.¹¹

When there is divided party control between Capitol Hill and the White House, legislators might anticipate midterm gains that will increase their leverage. But then they face the possibility of presidential vetoes, as happened to the dozens of Republican votes to repeal the Affordable Care Act under Obama. There are times when a party that controls Congress but not the White House can rack up legislative achievements. During the Nixon administration, Congress passed major environmental and health and safety legislation, expanded the Civil Rights Act to cover women, and boosted human resource spending (which exceeded military spending between 1970 and 1975 for the first time since World War II).¹² But much depends on contingencies—in this case a president with few prospects of winning a congressional majority who was the windfall beneficiary of the post-Vietnam peace dividend and who wanted to buy support for his foreign policy. Forcing a legislative outcome on a fully uncooperative president involves marshalling two-thirds majorities in both houses, which is difficult to do and almost always requires strong bipartisan cooperation in the legislature.¹³ Even when a congressional majority can legislate with a president of the

other party, this is a far cry from advancing a programmatic agenda. Attributions of leadership, credit, and blame inevitably become muddled.

The Obamacare saga reflects the vulnerability of party legislative agendas to primary challenges. Despite Arlen Specter's critical vote, the Democrats could not protect him from a primary challenger in 2010—who then lost the seat to Republican Pat Toomey, contributing to Democrats' loss of the Senate that year.¹⁴ Lieberman, despite the party's support, had himself fallen to a primary challenger in 2006 over his support of the Iraq War three years earlier. This prompted his successful independent bid for a fourth term, in which he drew on a power base he had developed decades earlier as majority leader of the state Senate and then a popular attorney general who had become a household name as Al Gore's running mate in the 2000 presidential election. But his lopsided win (33 percent of Democrats, 54 percent of independents, and 70 percent of Republicans), together with his heavy reliance on insurance industry money, made him a prime candidate to demand a ransom from the Democrats, as he eventually did over the public option.¹⁵

There is some debate about the significance of primary challenges, which are often swamped by the major incumbency advantages in U.S. politics.¹⁶ The vast majority of incumbents are reelected, suggesting that the Lieberman and Specter stories are outliers. But the incumbency advantage has been declining in recent decades.¹⁷ Moreover, much of the data on the limited effectiveness of primary challenges precedes the emergence of the Tea Party in 2009 and its well-funded efforts to pull the Republican Party to the right,

which have produced an increase in ideologically oriented challenges to Republicans.¹⁸

It is hard to come by telling data on the effects of primaries because established candidates often adopt positions to head off primary challenges. In late 2009 Senator John McCain of Arizona flip-flopped on climate change in the face of a hard-right primary challenge from former congressman J. D. Hayworth. Over the next few years Republicans in both houses got the message amid rumblings of comparable challenges, so that by 2014 only 8 out of 278 Republicans in Congress were willing to acknowledge the reality of man-made climate change.¹⁹ An earlier generation of Republicans behaved similarly in the face of threats by groups like Americans for Tax Reform if they failed to sign pledges never to raise taxes.²⁰ And even if successful primary challenges are rarer than is commonly believed, the widespread perception that they pose potential threats is reinforced by high-profile challenges such as those to Lieberman and Specter. More recently, the 2014 defeat of the number two House Republican, Eric Cantor, in Virginia and the 2017 defeat of Senator Luther Strange in Alabama by far-right extremist Roy Moore (despite strong support for Strange from the Republican Senate leadership and President Trump) reinforce this perception.

Whatever the importance of primaries vis-à-vis the incumbency advantage, it is worth noting that the latter does not in any case strengthen party leaderships. Widespread incumbency advantages reflect the fact that the great majority of seats are safe seats, the result of population movements that have made blue states bluer and red states redder and concentrated Democratic votes heavily in cities, partisan and bipartisan

redistricting by state legislatures, and the growth of majority-minority districts.²¹

Even if the leadership can influence which candidates are assigned to vacant safe seats, this is like giving a professor tenure: good luck influencing him after that. Incumbents who are vulnerable to primary challenges will be more alert to that possibility than to what party leaders want, and those who are not will have little reason to fear leaders when their constituents' interests diverge from what the leaders want. This is why Senator Susan Collins of Maine could defy the Republican leadership's effort to repeal Obamacare in 2017. She had shown herself to be impervious to primary challengers and she had defeated the Democratic challenger with more than two-thirds of the vote in 2014.²² When she toyed with a possible run for governor three years later, Republicans seriously doubted that they could field a candidate who could hold the seat if she resigned.²³ She was untouchable.

Nor is there much of a leadership option to threaten primary challenges against recalcitrant incumbents. Turnout in primaries is typically low and notoriously dominated by activists who tend toward party extremes. Hoping to use a primary challenge to get a candidate who is closer to the district median than the incumbent, which is what the leadership typically needs, is therefore a high-stakes proposition that could cost the leadership the seat in the general election. For that reason, such threats are seldom credible—as the Trump administration learned in March 2017. The far-right House Freedom Caucus was refusing to back an Obamacare repeal bill that its members deemed insufficiently conservative, but Trump's attempt to move them with primary challenge threats

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got nowhere.²⁴ More credible threats come from the other side, as with Steve Bannon's agenda to run far-right challengers against Republican incumbents in the 2018 midterms.²⁵ This endangers their majority in the general election.

MONEY AND WEAK PARTIES

Obamacare's trajectory provides a window onto money's impact on legislative agendas. As the Lieberman and Specter examples underscore, a well-funded primary challenger can dislodge even an established incumbent who is backed by the party leadership. Unusually, Lieberman was able to make a comeback as an independent but, like a successful primary challenger, he was beholden to the groups that financed his election. Of course, this is not the only way in which money influences legislation and legislative agendas. There is evidence that compared with backbenchers and committee chairs, party leaders bring in more political contributions than a decade ago.²⁶ These data are difficult to interpret, and contributions are in any case only part of the story—perhaps a diminishing part. In the post-*Citizens United* world in which corporate expenditures of difficult-to-track “dark money” are growing substantially, the court's 1976 holding that money is speech protected by the First Amendment continues to haunt American politics.²⁷ To the extent that contributions to candidates and campaigns matter, there is evidence that those who give have even more extreme preferences than primary voters—one more force that pulls candidates away from median voters.²⁸ And as Richard Pildes notes, Congress has made this problem worse by enacting reforms, such as the 2002 McCain-Feingold

Bipartisan Campaign Reform Act, that limit funds that can be given to parties, with the result that more money flows to candidates and independent expenditures.²⁹

The health insurance story shows that powerful financial lobbyists in America's weak party system can operate almost like small parties in multiparty systems: they make mutually beneficial deals and externalize the costs onto others. Two major lobbies were involved in Obamacare: the health insurance and pharmaceutical industries. The insurers' main concerns were to keep single-payer off the table by fighting the public option and to push for individual mandates that would send millions of new—mostly healthy and therefore low-cost—clients their way. Big Pharma was most worried about cost controls, specifically Obama's campaign promises to repeal the provision it had written into Medicare Part D that prohibits the government from negotiating prices with drug companies. Medicare Part D, itself the result of lobbying by Big Pharma and the AARP in the G. W. Bush administration in 2003, provided free prescription drugs for seniors at a projected cost to taxpayers of between \$400 and \$500 billion over the next decade.³⁰ As a candidate, Obama had pledged to repeal the prohibition on Medicare's negotiating drug prices as Medicaid and the Department of Veterans Affairs do, and then to use the savings to expand coverage to millions of uninsured.

Once the Obama White House and congressional leaders began writing the bill, it became clear that this would mean war with Big Pharma. Obama's policy advisors were unequivocal that expanding coverage without controlling costs would create a train wreck later, but despite a good deal of posturing the industry flatly refused to bend.³¹ Eventually a fig leaf was

agreed to whereby the industry promised \$80 billion in savings over ten years. But by abandoning his threat to repeal the prohibition on negotiating Medicare prices, Obama saved them between \$156 billion and \$300 billion—a net benefit to the industry of \$76 billion to \$220 billion.³² Insurers clamored aboard, keeping up the pressure to banish the public option from the bill and retain the individual mandates. With both groups lobbying heavily for passage of the legislation Obama heralded the constructive participation of all the “stakeholders.”³³ This outcome calls to mind the adage that if you aren’t at the table you are probably on the menu.

And so it transpired. Big Pharma retained its lucrative immunity from negotiating Medicare drug prices and the insurers got both the individual mandate and, following Lieberman’s flip-flop, excision of the public option. The good news was that coverage was extended to at least 16 million previously uninsured, with subsidies for low-income Americans. The bad news was that the law was inherently vulnerable to future attack. With neither the ability to negotiate prices nor the public option to ensure that there would be at least one competitor in every insurance market, drug prices and insurance premiums—and with them the cost of government subsidies—were bound to rise.

The situation was worsened by another feature of America’s political architecture that weakens national parties: federalism. More than half the states refused to create the health insurance marketplaces or “exchanges” envisaged in the legislation, which meant that the federal government had to do it—taxing its fiscal and administrative capacities in ways that almost brought down the program. Many Republican-governed states also refused to expand Medicaid as the law called for them to do,

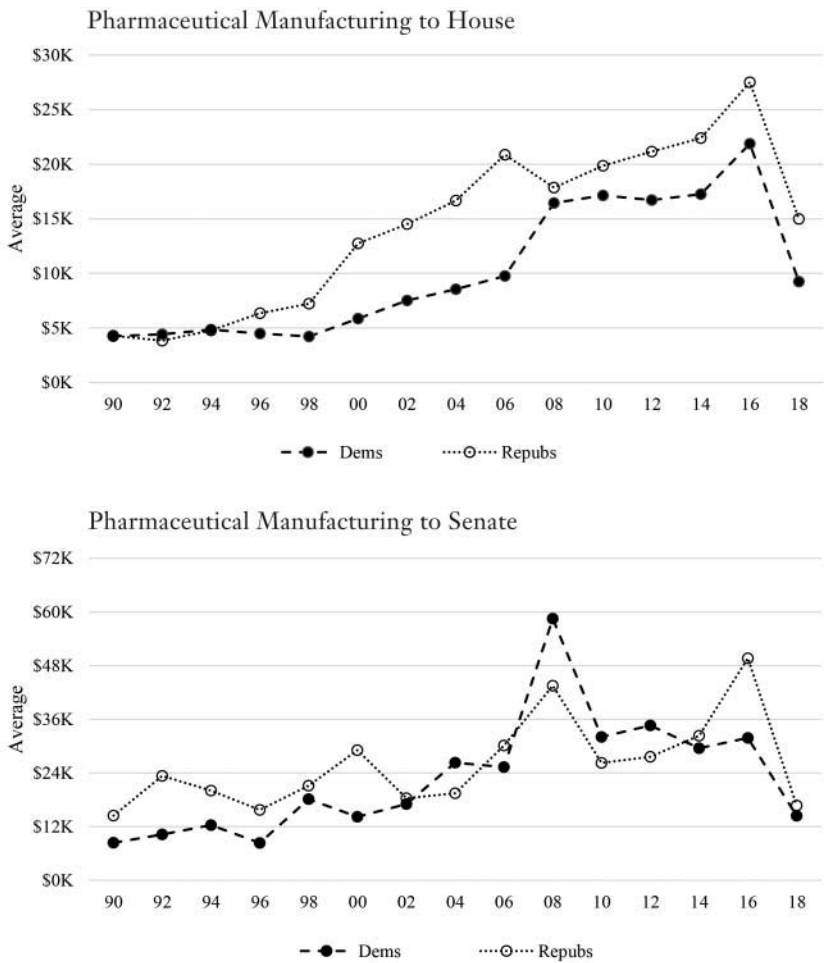


Fig. 5.1. Pharmaceutical industry donations to House and Senate members by party, 1990–2018.
(Source: Adapted from data in OpenSecrets.org.)

and the Supreme Court sustained their challenge to the administration's right to withhold federal funds to get them to comply.³⁴ In these ways, the battles of attrition emanating from dozens of states fueled the ongoing war on the law's viability.

Money's role in the Obamacare story reflects its virtually unstoppable influence, facilitated by the Supreme Court's decisions since *Buckley v. Valeo* (1976) declaring money to be speech protected by the First Amendment.³⁵ Less often attended to is the demand side, fostered by the more or less permanent campaigns required by the staggered election schedule and the huge war chests needed to fight primaries as well as general elections. This reached a tragicomic apotheosis in November 2017, when interim DNC chair Donna Brazile revealed that in the summer of 2015 the Clinton campaign agreed to raise money to fund a virtually bankrupt DNC, still staggering under \$25 million of debt inherited from the 2012 Obama campaign, in return for control of the party's finances, strategy, and personnel hires. The fig leaf of legitimization was that this control would not kick in until after the primaries, but it was widely seen as confirming the widespread perception that the DNC had been in the Clinton campaign's pocket from the start. In effect, Brazile revealed that the party organization was being run, as one commentator said, "as a money-laundering front by its leading candidate, in roughly the same way Tony Soprano would run a bankrupt sporting-goods store."³⁶ This is one more way in which America's weak parties can be captured by those with access to essential funding; they can lose control of their strategic agendas and platforms to those who can deliver the money.

In 2017 the Republicans faced a Hobson's choice with broadly unpopular bills on repealing Obamacare and regres-

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sive tax reform. Evading accountability for passing these bills in the coming midterms would be all but impossible because the GOP controlled the entire government. But donors were demanding, “Get it done or don’t ever call me again,” as New York Republican congressman Chris Collins was told about the tax bill.³⁷ It was the flipside of their inability to support broadly popular policies such as background checks for gun owners in the face of intense opposition from the gun lobby.

This sort of conundrum has become bipartisan as Democrats’ dependence on large donors has grown. In the 2017–18 election cycle, as it became apparent that Senator Bernie Sanders was trying to make single-payer “Medicare for All” into a campaign issue, House Democratic leader Nancy Pelosi immediately declared it a nonstarter. Watchdog groups were quick to point out that the major health insurance lobbyists had become bipartisan donors, having contributed \$250,000 to one hundred members in the current cycle—fifty-nine Republicans and forty-one Democrats. Scholars have noted that both parties have moved to the right in recent years, even as they have become more polarized as measured by roll call votes. Part of the reason is low turnout among immigrants and other low-income voters.³⁸ Bipartisan donations such as these pull in the same direction.³⁹

SPURIOUS DISCIPLINE

There is a widespread perception that the U.S. parties have become more polarized and internally homogenous in recent decades. Primaries have played some role in this, even if less than is often said. Partisan, bipartisan, and majority-minority

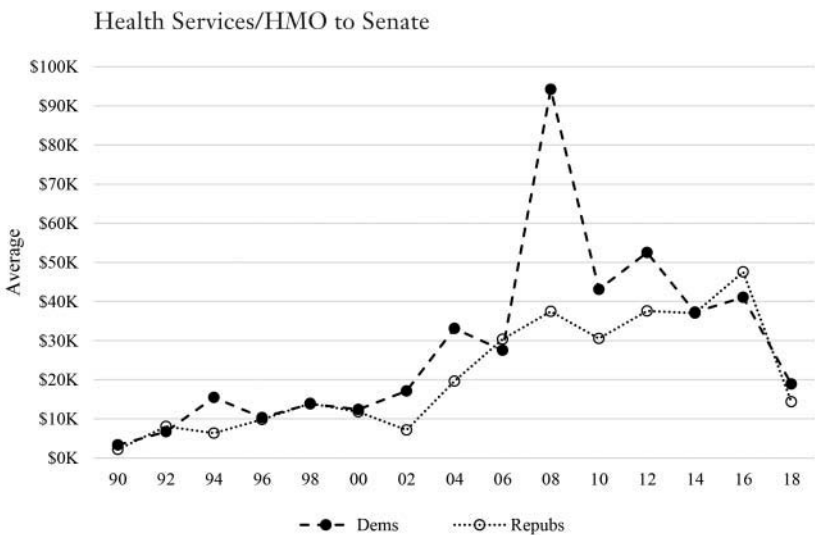
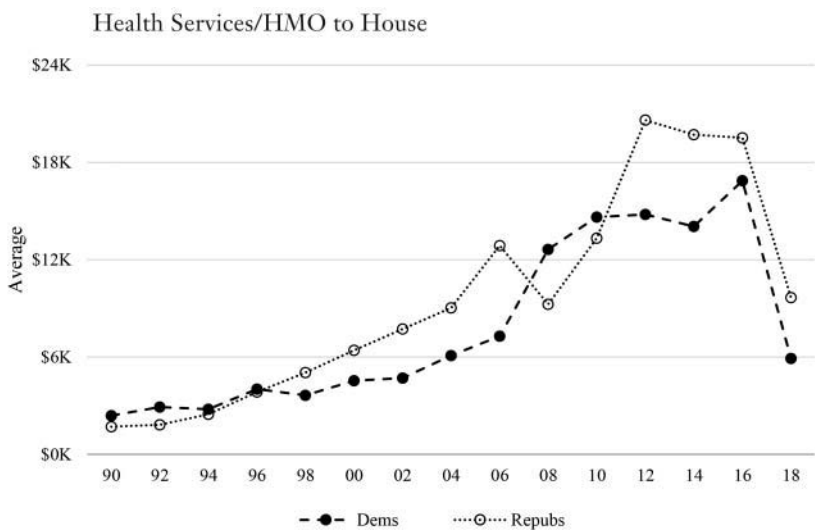


Fig. 5.2. Health services donations to House and Senate members by party, 1990–2018.
(Source: Adapted from data in OpenSecrets.org.)

gerrymandering have contributed, as have urbanization and blue-state, red-state sorting. Polarization has also intensified because control of Congress is more often within reach for both parties. Frances Lee notes that the realistic possibility of winning gave both parties a new incentive to differentiate themselves by honing ideological brands and attacking the other side.⁴⁰ In 1994 the Republicans ended a forty-year run of Democratic control of the House during which the Democrats had also controlled the Senate for all but six years.⁴¹ Between 1994 and 2016, by contrast, the House flipped twice (in 2006 and 2010) and the Senate four times (in 2001, 2003, 2006, and 2014).⁴²

And the parties seem stronger and better disciplined. Party leaders control committee chairmanships that were once seniority-based baronies, and more of the money raised by the parties now flows to leaders, who dole it out to backbenchers. Roll call voting in Congress is often cited as reflecting these changes, with representatives of both parties now voting together more often, and against the other party, than was the case four decades ago.⁴³ These developments might seem to augur well from the standpoint of our argument that internally coherent parties that pose clear programmatic alternatives to voters are exactly what democracy needs. Many commentators complain about these developments and the concomitant decline of bipartisanship, but why should we object?

The reason is that much of the apparent discipline is chimerical, and it is not in any case enough to counteract the other deleterious effects of U.S. institutional arrangements. James Curry and Frances Lee point out that in the American system roll call votes often have more to do with position

taking than legislating. We saw this dramatically illustrated by the Republican inability to repeal Obamacare in 2017, even though they had voted for repeal scores of times during Obama's presidency—knowing that the bills would be vetoed. The more telling indicator of party strength is the ability to pass legislation, and here the data tell a notably different story. On this, Curry and Lee point out that there has been virtually no change since the 1970s. Most laws, including landmark enactments, receive substantial bipartisan support. They are rarely passed over the opposition of a majority of the minority party, and majority parties are no better at passing their legislative programs than they were four decades ago. They are often worse at it than they were when Congress seemed less polarized. When they do succeed, it is usually with support from a majority of the opposing party in at least one chamber of Congress and with the backing of at least one of the opposing party's top leaders.⁴⁴

Curry and Lee's findings suggest that the polarized roll call votes are misleading indicators of party discipline. Otherwise, parties would have less trouble turning platforms into policy when they control the government. Even in passing Obamacare, which we can now see was an outlier, the Democrats could maintain neither the public option nor the approach to drug pricing they had run on, and which were needed to protect the law into the future. Broad intraparty support for polarized party platforms seems more likely to reflect fear of primary challenges from the same fringes that write the platforms, but these might be at some distance from the median voter in members' districts.⁴⁵ This disjunction also helps account for candidates' reluctance to defend party

platforms in any detail while campaigning. It is easier to run on slogans like “Repeal and Replace!” without broaching what that might actually mean. Perhaps the prevalence of character assassination reflects the same phenomenon. For many candidates, the politics of personal destruction might seem preferable to a costly defense of their party’s platform.

Party leaders have notably little power to whip their caucuses to pass legislation. Legislators naturally gravitate toward the median voter in their district, but that will often be some distance from where the leadership needs them to be. Moreover, primary voters often pull legislators away from the median in a different direction, and their pull is stronger than that of the leadership.⁴⁶ This is not surprising in the Senate, where major regional differences create few incentives to delegate whipping power to leaders. Weak leadership was on full display with the Republican Obamacare repeal effort in 2017. Far from able to whip, the bill writers morphed into pushmi-pullyus. They were tugged back and forth between the incompatible demands of senators like Rand Paul and Susan Collins, unable to square the resulting circle.⁴⁷ But the persisting weakness of the House leadership is just as important, if less obvious.

Control of the House has changed substantially in recent decades. David Rohde notes that the 1970s Democratic Party reforms that empowered party leaders at the expense of committee barons also empowered the House Democratic Caucus to elect its leaders, call meetings by a petition of fifty members, and ratify and even replace some committee chair nominations.⁴⁸ House Republicans adopted comparable changes after 1994, getting rid of seniority in committee

chairmanships and centralizing control in the hands of leaders who were subject to election and reelection by the caucus. These simultaneous centralizing and decentralizing moves were criticized by some as contradictory, but they make sense for large parties that want to win elections. Party discipline really means that backbenchers agree to delegate power to leaders so that they can put together platforms that will win elections and then enact them when they are in power. If the leaders fail to do that, backbenchers want to and should be able to pull the plug.

But the reforms were not equal to the challenge. One symptom is that failing leaderships remain in charge, as happened for decades among House Republicans before 1994. Democratic minority leader Nancy Pelosi is the most recent Democratic example. She won an eighth term as leader in November 2016 at the age of seventy-six, despite having led House Democrats to four successive electoral defeats.⁴⁹ That would be unimaginable in a parliamentary system, where backbenchers do not long tolerate leaders who cannot deliver victories. This creates an apparent paradox in the U.S. Leaders lack the authority to discipline backbenchers to support national programs, yet backbenchers are either unwilling or unable to replace underperforming leaders. They are protected but ineffective.

One reason is that the presidential system diffuses responsibility for failure. Everyone expects the party in the White House to lose seats in the midterms. If Capitol Hill leaders have been enacting the president's agenda, they are not obviously to blame for its lack of popularity, and if they have not been doing so, it can easily be portrayed as a failure

of presidential leadership—as it was when the Clinton health-care plan crashed and burned in 1994. Bill Clinton accepted “my share of the responsibility” for the subsequent midterm debacle. Sixteen years later, Obama admitted, “I took a shel-lacking last night.”⁵⁰ Lawmakers who lack the ability to hold presidents accountable might see little reason to hold their own leaders responsible—particularly if they deliver in other ways, such as fund-raising. After the Democrats lost a special election in Georgia in June 2017, there were finally calls for Pelosi to step down—as there might be in a parliamentary system following a by-election loss. But there was little chance of this, in large part because she was the most effective Democratic fund-raiser the House had ever seen—having raised more than \$140 million in the last election alone and more than half a billion since ascending to the leadership group fifteen years earlier.⁵¹

Even though money flows to leaders more than it used to, it is not much of a disciplining device. Kathryn Pearson, who has studied House leaders’ efforts to increase discipline, reports that since the 1980s “vulnerable members received the most resources, regardless of their party loyalty.”⁵² This is scarcely surprising when the likely alternatives are that a representative will be replaced by an even more disloyal one in a primary, the seat will be lost to the other party, or both—an especially costly result for the leadership. Andrew Hall notes that when an extremist wins a close primary race over a more moderate candidate, the party’s share of the general election vote falls between 9 and 13 percent and the odds that the party will win the seat in the general election fall by between 35 and 54 percent.⁵³ In short, threatening to withhold funds

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from disloyal members is usually self-defeating, so it is unsurprising that leaders abjure this kind of sanction.

All this leaves congressional leaders ill equipped to manage their congenital weakness. As well as being at the mercy of midterm backlash against the president's party, Senate leaders have no control over the one-third of Senate seats that are up in a given election cycle. As for legislative outcomes, even highly effective majority party leaders are at the mercy of the other chamber and the president. Moreover, the president tends to suck up most of the media oxygen so that congressional party leaders have little ability to drive public narratives; their policy platforms barely figure in public consciousness. Even in 1994, most voters had not heard of the Contract with America—despite its centrality to the Republican agenda to retake the House in that year for the first time in a generation.⁵⁴ Congressional leaders can neither veto nor select candidates, not even to prevent the nomination of grossly unfit characters—as the 2017 special Senate election in Alabama underscored.⁵⁵ The most consequential thing leaders can do to affect election outcomes is raise money for their candidates, as we saw. Even that might diminish in value in the post-*Citizens United* milieu as spending by outside groups grows in relative importance.⁵⁶

INEFFECTIVE LEADERS AND INEFFECTIVE BACKBENCHERS

The herding cats problem can frustrate leaders, sometimes with devastating results, as with Lieberman and the public option in the Affordable Care Act. But that does not mean that

members can themselves set agendas or control outcomes. In both chambers majority party leaders and committee chairs decide which measures reach the floor, and backbenchers can do little that about it. Discharge petitions can be deployed to force votes on bills, but they are extremely difficult to use. Half the members must sign, and whereas their support used to be kept secret unless that threshold was crossed, since 1993 discharge petition votes are public from the start and published in the *Congressional Record*. This compounds already difficult coordination challenges. Bills seldom make it to the floor by way of discharge petitions and those that do almost never become law. No doubt the threat of a discharge petition can sometimes persuade leaders to allow votes, but members who are most dissatisfied with their leaders are not likely to be able to wield this weapon. They will typically be on the fringes of the caucus, unable to command an absolute majority within the majority party or inclined to collaborate across the aisle against their own leaders.

If backbench coordination to pass legislation that leaders dislike is difficult, coordination to threaten leaders directly is even more so. Nancy Pelosi easily quelled the skirmish against her leadership in 2016, as we have seen. Republican John Boehner, who became Speaker when the Republicans took the House back in 2010, became increasingly unpopular with the Freedom Caucus and other conservatives for working across the aisle to enact vital legislation to raise the debt ceiling and avoid government shutdowns.⁵⁷ But two attempts to remove him from the speakership failed, and when he finally retired conservatives soon found themselves just as frustrated by his successor, Paul Ryan. Ryan soon

found himself targeted by *Breitbart News* and other conservative voices that had earlier labeled Boehner a traitor to their cause.⁵⁸

This grassroots alienation is the all but inescapable consequence of a system in which primaries elect candidates who lean toward the party extremes while leaders can pass legislation only by moving toward the center and even across the aisle. Once elected, these candidates and their supporters inevitably feel betrayed by their leaders, but they cannot do much about it. They might be able to frustrate the leadership's efforts by refusing to back legislation, but this forces leaders to look elsewhere for support or face charges of doing nothing. Either way, the primary and caucus voters who believe they are "taking back" their party are bound to be dissatisfied. Not only do the parties fail to produce programmatic legislation that can appeal to most voters in the long run, they alienate the voters who had demanded—and then taken advantage of—decentralized control of their party in the first place. More moderate voters are often no happier. They find their party leaders fighting perpetual rearguard actions on their flanks with little capacity to execute agendas that can build their party's brand for the long run.

Getting rid of primaries, a stock feature of American politics for more than a century, is likely a bridge too far, but they could be reformed to be less damaging. In presidential contests, a rule declaring convention delegates unbound by primary results in which turnout fell below, say, 75 percent of the party's vote in the state in the previous general election would blunt the power of activists at party extremes. Better still would be to allow the party's sitting representatives and

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senators to select the candidate if the 75 percent threshold was not met. This approach, inspired by the congressional nominating caucus system that prevailed until 1824, would align the president's interests more closely with his or her party in the legislature. American presidents would be a bit more like prime ministers in parliamentary systems.

If a similar turnout threshold was not met in legislative races, House and Senate party leaders or caucuses could ignore the primary result and select the candidate. More robust would be to place the presumptive choice in the party's congressional hands, to be overturned by the primary result only when the turnout threshold was reached. This would decrease the ideological distance between the selected candidates and the median voter in the district or state, empowering party leaders. They would find it easier to maintain discipline because their interests would align more closely with those of their representatives and senators. Such rules changes might not be such a difficult sell politically, because proposing them would highlight the exceedingly low turnout in primary races.⁵⁹

COMPOUNDING THE FOUNDERS' FOLLY

It is no surprise that the American system has weak parties. It was designed by people who abjured the very idea of parties. George Washington denounced them as incubators of factionalism, a view shared by James Madison and Thomas Jefferson, who declared in 1789, "If I could not go to heaven but with a party, I would not go there at all."⁶⁰ But the Founders soon changed their minds. In the early 1790s, when it became obvious that they could not stop Alexander Hamilton's

centralizing agenda without an organized party, they formed the Democratic-Republicans to defeat the Federalists—which they did in 1800. But they were still operating under a Constitution whose framers had embraced the conventional distrust of the very idea of organized political dissension that they had imbibed in the Old World.

The Whigs and Tories had set up opposing camps in Parliament a century earlier, but at the time of the American Revolution eighteenth-century Britain was in a long phase of Whig-dominated cabinet government that the Tories were powerless to resist. Henry St. John, better known to us as Viscount Bolingbroke, who led the Tories during their years of disgrace following a failed attempt to bring back the Stuart dynasty in 1715, extolled the virtues of nonpartisan government. It made sense for Bolingbroke to oppose parties when his party was down. Richard Hofstadter notes that the American revolutionaries had been raised “on imported criticisms of the corruption of Walpole’s era.”⁶¹ It was natural for them to bring this distrust of partisanship with them across the Atlantic and embed it in their Constitution.

But the Founders’ resistance to strong parties had deeper roots than Bolingbroke’s belief, mocked as naïve by Edmund Burke, that it is possible to have politics without partisanship. Their aspirations were fundamentally at odds with Burke’s approving view of the political party as “a body of men united, for promoting by their joint endeavors the national interest, upon some particular principle in which they are all agreed.”⁶² They held an abiding hostility to the idea that the federal government should be able to promote anything beyond the most rudimentary conception of a national interest.

The American republic was a defensive response to the costs of the revolution. The war against Britain had dragged on for years and had almost been lost several times due to the government's inability to get recalcitrant states to supply funds and troops when needed. After the war, the government faced the same impotence in raising funds to service—never mind pay off—its war debts. This stymied basic government operations and made American participation in international trade virtually impossible. The Founders wanted to solve these problems by creating a national government with the resources to defend the nation and finance itself, but they were determined to stop it from pursuing more extravagant conceptions of national purpose. This is why they insisted on the Tenth Amendment, which reserves all powers not expressly delegated to the federal government to the states, and why they were so obsessed with limiting congressional power. The federal government was not meant to do much.

So we inherited a system designed by people with little interest in a government that would pursue national political programs and even less interest in competing political parties. Once parties did emerge, they quickly became centers of gravity of political competition, and though the Founders knew nothing of the dynamics of electoral politics, their choices gave us two. This is because of Duverger's law, which holds that the number of parties will be one more than the number of representatives elected in each district in a given election. Other factors, notably constituency size, primaries, runoffs, and regional variation in political attitudes, can counteract Duverger's logic, but in the U.S., while such factors have sometimes put great strains on the two-party system, they have never destroyed it. If

the number of parties was all that mattered, the U.S. would have a healthy system with two large programmatic parties.

But party strength matters as much as party size, and here the Founders came up short. The independently elected president, the staggered electoral cycle, and bicameralism all weaken the congressional parties and their leaders. Representation in the Senate is especially problematic. In 1790 Virginia's population was 12.65 times that of Delaware. By 2010 California's population was 76 times that of Wyoming.⁶³ Today, seven states have such small populations that they qualify for only a single House member, yet Article I of the Constitution gives each of them two senators.⁶⁴ This means that while one-quarter of the country's population is represented by sixty-two senators, only six senators represent another quarter—an imbalance that will only worsen as growing urban populations accentuate the built-in advantage of small rural states.⁶⁵

Many aspects of today's American system are unintended consequences of the Founders' intentions, but with the multiple veto they got exactly what they wanted. The legislature's internal design, which makes it difficult for it to act, is compounded by external constraints: the other branches in a separation-of-powers system and strong federalism. The large number of veto players creates a powerful bias toward the status quo, and toward those who have enough resources or who are strategically well placed to manipulate the status quo. The net result is to undermine legislators' accountability to voters, feeding their alienation and fueling demands for more direct democracy.

But the Founders' unfortunate choices have been compounded by subsequent generations' misguided if well-intentioned reforms. Among the prime culprits were the Pro-

gressives. Early in the last century, their commitment to bringing democracy closer to the people gave us primaries and caucuses that weakened party leaders and worked against creating coherent national party platforms.⁶⁶ Parties did strengthen leaderships at the expense of committee barons to some extent in the middle part of the century. But the centralizing reforms proved less than equal to the task, and after 1968 the McGovern-Fraser Commission ushered in a new era of enhanced grassroots control marked by the greater importance of primaries and caucuses and the advent of descriptive representation in the selection of party delegates. The architects of those reforms were right to wrest control from party elites and hacks, but instead of empowering congressional backbenchers, they turned power over to activists, who participate disproportionately in primaries and caucuses, and to organized groups that can fund and capture them. The net effect has been to weaken further already weak parties.

Decentralization of presidential selection has compounded these problems. Both parties have some delegates at their national conventions who are party officials, and whose presence is meant to counteract the centrifugal effects of primaries and caucuses. The Republicans have three per state, and although they are technically uncommitted, since 1980 there has been a strong presumption that they will deviate from their state's primary or caucus result only if the first round of convention voting is inconclusive.⁶⁷ This presumption was tested in 2016, and it proved sufficiently strong that they could not stop Donald Trump's hostile takeover of their party despite various schemes that were mooted to do exactly that until the eve of the convention.

The Democratic establishment did manage to stop Bernie Sanders. The great majority of their superdelegates—party officials and activists who constitute some 15 percent of the total—pledged their support for Hillary Clinton well before the primaries ended. This did not decide the outcome, in that she ended up with enough support without them, but their early pledges helped create momentum and funnel money her way—which many Sanders supporters believed gave her an unfair advantage. The cost of Sanders’s eventual support for the Clinton-Kane ticket was an agreement to future reforms that will bind most superdelegates to the primary and caucus results.⁶⁸ This will further untether presidents from their parties, making it harder for them to operate as surrogate prime ministers. It used to be conventional wisdom among political scientists that the importance of primaries since the 1960s has been overrated because party establishments preselected candidates in an “invisible primary” before the voting began.⁶⁹ This was always debatable, as Stephen Gardbaum and Richard Pildes have noted, and the recent nominations of John McCain, Barack Obama, and Donald Trump (not to mention the price that the Democrats have paid for wresting the 2016 nomination from Bernie Sanders) make it clear that the party no longer decides—if it ever did.⁷⁰

The dissatisfaction with superdelegates is one manifestation of antipathy for the undemocratic way in which presidential candidates are selected. Another is the Electoral College system, whereby the great majority of states cast all their votes for the candidate who wins the popular vote in their state. This can produce the kind of anomaly that occurred in 2016, when Trump won the presidency with 304 Electoral

College votes to Clinton's 227, even though she won the popular vote by more than 2.8 million votes, or 2.1 percent.⁷¹ This prompted calls for states to adopt a "national popular vote" blueprint that would bind them *ex ante* to cast all their Electoral College votes to whichever candidate wins a plurality of the national popular vote.⁷²

Winning the presidency while losing the popular vote undermines a president's legitimacy, as Trump underlined by insisting doggedly that he actually won the popular vote when what he alleged to be millions of illegal Democratic votes are discounted. His allegations prompted widespread derision, partly because there was no evidence of significant fraud and partly because the Trump campaign had strongly opposed recounts in several close states—insisting that there was no evidence of fraud or other irregularity.⁷³ The Presidential Advisory Commission on Election Integrity that Trump subsequently appointed in hopes of vindicating his claims soon collapsed into partisan warfare that wound up in the courts and was then disbanded.⁷⁴ Trump's almost comic desperation in this matter was fodder for late-night television, but the more important issue this episode underscores is that strengthening the president's legitimacy by reforming the Electoral College system is a bad idea. It would be better to weaken it further and strengthen congressional leaders instead.

REVERSE THE DIRECTION OF REFORM

Efforts to strengthen American political parties must confront the fact that it was not just the framers who were anti-party—the American public is as well. Neither party has

garnered majority approval since 2004.⁷⁵ Americans despise political parties for their ineffectiveness, yet too often they are seduced by reforms that aggravate it. The 2016 election outcome was a dramatic culmination of this downward spiral of alienation and reform. But while new calls for reform abound, few of them focus on the sources of the problem or propose changes that will address it.

This state of affairs is compounded by Americans' strong allegiance to institutions that underwrite and reinforce weak parties in a multitude of ways. Americans love their constitutional system even as they are continually frustrated by how it operates in practice.⁷⁶ David Mayhew notes that for all its defects, the American constitutional system has "rock-solid" legitimacy.⁷⁷ As John Hibbing and Elizabeth Theiss-Morse put it, in "the minds of the people, the constitutional system is goodness and light."⁷⁸ Ironically, this allegiance has been reinforced in the wake of Trump's election, as anxious observers rejoice that "Trump's inability to enact his agenda shows that the system is working"; that "the Constitution trumps the President"; that "it should cheer voters of all political persuasions that our system of checks and balances is working."⁷⁹

These reactions make sense from the perspective of hemming in Trump, but they overlook the fact that someone like Trump could never have been elected in a parliamentary system with strong political parties. That, of course, is not on the cards in the U.S., given the enormous obstacles to changing the Constitution—even if Americans were not so attached to it. Piecemeal reforms might be all that we can hope for. But at least they should push in the right direction. Continual weakening of parties as a remedy for their ineffectiveness will in

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the end produce governments that can do nothing at all. Decentralizing remedies call to mind an anxious skier who leans back on her skis for fear of falling, not realizing that this makes her more likely to fall. She must learn that leaning forward, while nerve-racking in the short run, enhances her stability, enabling her better to traverse the steep terrain that lies ahead.

CHAPTER SIX

Strong Parties in Small European Democracies

WHEN American dysfunction prompts us to look elsewhere for answers, the Scandinavian countries often look like worthy models for emulation. In addition to the usual claims that these systems are fairer, offer voters more choice, and provide better representation for women and minorities, America's PR advocates praise the Scandinavian countries for "multi-party coalitions that have lasted for decades" and that pass legislation "far more efficiently than our Congress does."¹ Francis Fukuyama notes the common mantra among institutional designers that everyone should "get to Denmark."² Jeffrey Sachs calls attention to Nordic countries' low levels of corruption and poverty and high levels of social trust and life expectancy. The Nordic way, he says, is "proof of concept to help convince the world that there is indeed a path between the vulgar inequalities of U.S. capitalism and the failed central planning of so many moribund economies."³ This might be overstating

things, but this benign comparison motivates calls to replace America's dysfunctional two-party system with the proportional representation for which the Nordic countries are well known.

It is not easy to keep the faith. Nordic social solidarity has rested in substantial part on manufacturing-based prosperity sufficient to fund both job stability and generous social insurance. That is now in question. Scandinavian welfare states are on the generous end of a continuum among small European countries governed by coalitions of multiple parties seeking to prosper within the European community. Those that joined the EU gave the European Court of Justice authority to punish trade protectionism, thereby taking advantage of trade openness, which fueled their prosperity.⁴ European countries differed in the extent to which business and union organizations worked out remuneration schemes across the board and whether the government followed or led those deals. But small states in postwar Europe had a common aspiration to buttress wages in the service of social solidarity, and the ability to do so while remaining competitive as trading nations.

Recent economic changes may have pulled the lynchpin that held that Jenga tower in place. Whereas manufacturing fostered a large class of skilled workers, the service economy requires vastly different levels of skill from different kinds of workers. These skills are unrelated to seniority on the job.⁵ The question now is whether the employer-employee bargaining structures from the manufacturing era can survive the shift to a service sector economy, and if not, whether the resulting discord will bring down the European welfare model on which its benign politics has been built.

In 2006 Tony Judt argued that European social democracy was a precarious achievement that rested on an unusual confluence of military exhaustion, unprecedented postwar growth helped along by the Marshall Plan, favorable demographic trends, and the protective cocoon of geopolitical stability created in western Europe by NATO during the Cold War.⁶ He worried, as Julian Brooks put it, that “the de-ideologized, de-politicized, uncontentious public space of the last 50 years as Europeans have experienced it is not the normal human condition” and predicted that once a major crisis hit, the underlying tensions would threaten the European institutions that had been put in place by elites who would wring their hands while doing little to address the EU’s chronic democratic deficit.⁷ The disappearing contingencies that had made European welfare states possible also fostered a false sense of security about the domestic political systems that seemed to sustain them. His fears have been realized; since the financial crisis, these systems’ less appealing features have come into view, making their benefits harder to discern.

Coalition governments rest on well-organized groups cutting deals among themselves. These deals are best called logrolls because they add up each party’s most intensely desired policies and then charge the public for their cost. The deals can work if the interest groups encompass most of society, as traditionally was the case. Business organized itself around long-term labor contracts, and organized labor—numerous enough to encompass most consumers and tax payers—was self-restrained.⁸ These cartelized economies are less well suited to incorporate new types of workers, who put strains on traditional political bargains. Now that industrial

jobs no longer fuel the rich countries' economies, the party systems of western Europe are fragmenting. Even in the charmed circle of Scandinavia, social democrats find themselves outflanked by more extreme parties and forced to consider less welcome political arrangements.

BELGIUM: A HARBINGER

In January 2011 tens of thousands of Belgians took to the streets to protest the absence of a government. One of the organizers, Thomas Decreus, declared, "We are sick and tired of the enduring political impasse." They were not the only ones. Financial markets punished Belgium for a swollen, untended budget deficit, prompting King Albert II to ask caretaker prime minister Yves Leterme to craft a provisional budget. Belgians would have to wait a record 589 days between elections in May 2010 and the formation of a government in December 2011. It was déjà vu all over again in 2014. The party pressing for secession of southern Belgium won more votes than any other, but not enough to form a government.⁹ As they had done in 2010, the parties spent months in tortured negotiations before forming a government, leaving the country with a caretaker cabinet for 134 days. This outcome would soon become more common. In 2017 the Dutch parties would need the better part of a year to form a government, and even historically stable Germany lacked a government for many months after its September elections.

It was not always so hard for Belgians to form a government and settle on economic policies. After World War II, like Europe's other small democracies, Belgium combined

trade openness, economic growth, and low levels of inequality in one of the world's best advertisements for proportional representation. An economically successful model of social solidarity held out hope that class interests need not be in perpetual conflict, and that capitalism might be made humane.¹⁰ The European sweet spot depended on high-quality exports produced by well-paid, highly skilled workers.¹¹ Coalition governments enabled continual and fruitful bargaining among political parties and their respective producer or worker organizations, and to the extent that the negotiators represented wide swaths of the population, the costs of deals did not need to come at the expense of excluded groups.¹²

But like the rest of Europe, Belgium has seen the rise of far-right and far-left parties alongside a shrinking core of moderates in the political middle. As it does everywhere, the decline in industrial jobs presses hard on the postwar structures of social solidarity. A principal difference between PR and majoritarian countries in the face of this common threat is how easy it is to form protest parties in PR countries. When labor parties can no longer promise both job security and high employment in exchange for wage moderation, disgruntled voters flee to new parties on the far left and far right rather than rail from the fringes. Unhappy voters in both systems want more radical solutions than the middle can offer, but in PR systems they gain seats in the legislature.

It was during an earlier upheaval, the industrial revolution, that Belgium became one of the first countries to adopt proportional representation electoral rules. Unlike in England, where the landed elite had invested heavily in commerce and were in any case coreligionists with the urban elite, the

European Catholics and Liberals remained divided not only over religion but also over the desired pace and direction of industrialization itself.¹³ In 1892, with the arc of history moving swiftly toward universal male suffrage, Catholic prime minister Jules Vandenpeereboom proposed PR in districts that would contain the working class in manageable pockets, retaining majoritarian seats in the rest of the country, which was still predominantly rural and Catholic.¹⁴

This self-serving proposal was easily denounced, but the Liberals too feared electoral annihilation at the hands of the newly enfranchised labor vote in a majoritarian system. The compromise plan of PR in small constituencies would continue to bottle up much of the working-class vote in a few concentrated areas. As new parties gained representation, the districts were enlarged to divide the country into eleven regions from which parties presently compete with lists, using the big-party-friendly D'Hondt method of vote allocation and a 5 percent vote threshold to discourage minuscule parties.¹⁵ Mandatory voting ensures widespread participation through small but strong political parties: Belgium's constitution explicitly bars public referendums that could cede policy initiatives to outsiders.

Proportional representation was the electoral system of choice for Europe's small democracies below and above the Baltic Sea, as well as, to some degree, the large countries of Germany and Italy. The force from which the Catholic and Liberal parties had sought refuge, the newly enfranchised and newly industrialized workers, became core players in these countries' postwar economic policy making. Labor-based parties across Europe took turns at the helm of coalition

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governments, from which position they could press for job security, support wage bargaining, and offer unemployment insurance to keep the unemployed from bidding down wages.¹⁶ Many employers welcomed the opportunity to create systems of “managed competition” that would both protect business profits and provide labor market stability.

SCANDINAVIAN SOCIAL DEMOCRACY, THEN AND NOW

Nowhere was the social democratic deal more normalized than in the Nordic countries. In Sweden, the Employers' Confederation (SAF) wanted to equalize wages across firms and industries even before the unions were in a position to secure “solidaristic wage policy” on their own.¹⁷ During the decades of steady industrial growth and export opportunities, employer concessions to limit layoffs were a cheap price to pay for the labor peace and wage moderation they made possible. Mutual benefit held class antagonism in check, as it had in 1938 when the Swedish employers' organization lauded the Swedish confederation of labor organizations for delivering a “brutal rebuke” to the building industry for wage militancy.¹⁸ In 1956 Karl-Olof Faxén, a spokesman for the Swedish Employers' Confederation, expressed employers' eagerness for reducing interfirm wage competition when he wrote that equalizing wages across firms was “more easily administered” than setting wages by employers' ability to pay.¹⁹

Postwar European prosperity rested on a steady demand for high-quality goods. Strong, relatively small political parties in coalition cut mutually agreeable deals because steady

productivity growth allowed labor and capital to pass along the costs of high and stable wages to consumers who themselves were, for the most part, also the workers in the system. The European model of humane capitalism seemed stable because it was a way for all good things to go together. Who could object?

By the early twenty-first century, the system had come under threat from two sides: the number of stable industrial jobs shrank and a flood of immigrants strained a welfare system designed for insiders. Social democratic parties fell back on protecting workers, their core voters, rather than championing active labor market policies to improve the employment chances and wages of the entire working population. Unlike in the 1970s, growth no longer produced rising tides big enough to lift all boats.²⁰ The resulting strains would run counter to PR's fabled advantages in dealing with environmental challenges and economic regulation, and in mediating relations between business and labor.

Environmental Regulation

PR systems are often hailed for providing public goods like clean air. Western Europe's coalition governments get good marks for handling the 1973 and 1978 oil shocks by passing along higher energy costs to the public while subsidizing firms' transition to energy efficiency. These measures set them up for a strong response to environmental degradation in the new century.²¹ It is easier to cut carbon emissions if firms can be compensated for energy efficiency and if high energy taxes are passed along to the general public to discourage energy use. Politicians in majoritarian countries,

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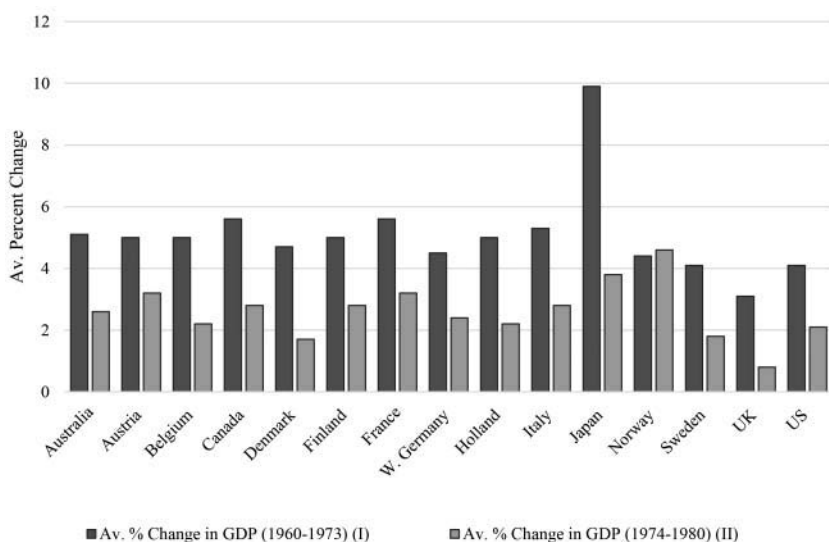


Fig. 6.1. Economic growth in 15 countries, 1960–80.

(Source: Adapted from data in Peter Lange and Geoffrey Garrett, “The Politics of Growth: Strategic Interaction and Economic Performance in the Advanced Industrial Democracies, 1974–1980,” *Journal of Politics* 47, no. 3 [August 1985]: 803.)

by contrast, may fear public outcry over high energy prices and rule out price incentives to cut emissions. But proportional representation systems can target redistribution of the revenues or rents from higher energy prices without worrying about a loss of political support from consumers.²²

These assessments might misidentify the advantages of strong parties as those of coalition governments. After all, the UK, with its majoritarian but strong parties, has CO₂ emission restrictions comparable to those in Germany and Finland, and it manages to levy gasoline taxes on par with

Germany, Denmark, and Norway.²³ Coalition governments bypass voters, but strong parties in Britain's two-party system seem able to do at least as well through public argument and debate. Because they are maintaining a coalition for the long run, they need to worry that they will eventually be blamed if they embrace policies that will permit environmental degradation. It is worth it to them to make the case to their supporters to prevent this outcome.

Financial Regulation

Small European countries survived the financial shocks of the 1990s relatively well. Sweden's handling of its banking crisis in 1991–92 has become a textbook case of good management. The center-right government and the Social Democratic opposition avoided partisan bickering in calming the markets. The Social Democrats in the previous government were the ones who abolished capital controls in 1989, which had increased economic efficiency at the cost of exposing the country to speculative flows and macroeconomic disorder. The center-right parties had supported the policy, leaving no one to point fingers. When Carl Bildt became the first conservative prime minister in Sweden in sixty-one years in October 1991, he continued market deregulation and EU accession plans begun by the Social Democrats.

The Swedish parliament warded off bank runs by setting up a Bank Support Authority with the ability to pay off any creditors in any amount. The government also set up two bank asset management companies to buy up pieces of banks to prevent insolvency. When they finally liquidated their assets fifteen years later, these companies were able to repay

the government in full at the end. Sweden saved itself from a banking system meltdown with a zero net tax burden. Of course, had it not been a small open economy, the rest of the world might not have been willing or able to absorb the flood of exports prompted by its devalued krona. A large economy hoping to export its way out of domestic troubles with a weak currency—think Japan in the 1970s and China in the 1990s—is likely to trigger trade wars.²⁴

Industrial Relations

The decline in industrial jobs has dealt a bigger blow to the coalition model of government. As organized labor has become smaller and weaker, its political representatives have tended to use their waning power to prop up members' wages and protect their job security by externalizing the costs onto consumers and the unemployed. They also become susceptible to politicians campaigning on protectionist platforms and other populist measures that militate against policies that would serve their members' interests better.

Social Democratic prime minister Ingvar Carlsson returned to power in Sweden after the elections of 1994, but the trade unions complained bitterly about tax increases and service cuts during lean years.²⁵ Cooperation between the Social Democrats and the Center Party from 1995 to 1998 stabilized the Swedish budget, but voters balked at the confusing amalgam of left and right platforms. After both parties lost votes in the 1998 elections, the Social Democrats were forced to turn to the Green and Left Parties for support.²⁶

The answer for all democracies struggling with runaway inequality might be to adopt a guaranteed living wage, but

with no clear consensus on how best to achieve that arrangement, parties with a long-term vision are in the best position to argue for it and implement it. Far worse would be a jerry-rigged system formed around an insider advantage paid for by outsiders, or a populist pledge whose supporters have not considered how to pay for it. That is the danger as parties fragment and disenchanted voters become susceptible to chauvinistic promises to restore disappearing prosperity.

Some commentators remain optimistic. Kathleen Thelen notes that social democratic governments have tried to break down the barriers left over from the manufacturing era between the insiders—men working in core manufacturing jobs—and those on the outside: women, immigrants, and the unemployed. Denmark's 1982 center-right government began a set of labor market reforms, which were continued by the 1993 Social Democratic cabinet: the government required the unemployed to find new work in order to receive public subsidies. By shifting the focus from unemployment insurance to worker retraining, the government secured the faith of its populace in the purposes and function of welfare.²⁷ At least so far, social democratic governments of Scandinavia have kept inequality more or less in check.

Can it last? Lucio Baccaro and Chris Howell question the continued viability of cooperative deals between high-level representatives of capital and labor. Sweden's employers, formerly "constrained by an organizationally powerful labor movement and empowered by the institutional capacity to achieve wage moderation, labor market flexibility and industrial peace through coordinating institutions," now seek to undermine national- and industrial-level bargaining arrangements.²⁸ It is

not clear that interventionist governments can step into the breach as the gulf between industry and labor widens. The decline of manufacturing in Sweden has brought a decline in unionization and a steady drop in parties on the left.

Sweden's Social Democrats had historically enjoyed the advantage of being a large, disciplined party, able to deliver what it promised. The right, meanwhile, was divided into five or six parties that disagreed over a whole range of policies, from taxation and regulation to trade and diplomacy. But as the Socialists shrank along with industrial jobs, the Greens split off, and the Communists rechristened themselves the Left with an anti-EU tilt.²⁹ The total proportion of left-leaning Swedish voters declined from a solid majority in 2002 to 43 percent in 2010. Of those, the Social Democrats' share of votes dropped by a third, from 45 percent in the 1980s to 30 percent by 2010.³⁰

In an unprecedented move, five conservative parties forged a common electoral platform called the Alliance for Sweden, on which they won the 2006 elections. They focused on boosting employment while blaming the Social Democrats for failing to cut the jobless rate.³¹ Promising tax cuts is not a median voter strategy in a country where a large percentage of the population receives social transfers or are themselves public sector employees. Accordingly, the Moderate Party leader Fredrik Reinfeldt toned down talk of tax cuts and chose not to tackle labor market regulation head-on. In 2006 he promised increased spending on healthcare to outdo the Social Democrats. Still, the Alliance government cut subsidies for the unemployment schemes run by the unions, forcing them to raise dues—which further reduced

their membership. Social Democrats lost votes to all other parties except the Left, especially among those over sixty-five (33 percent, down from 44 percent in 2002), the unemployed (38 percent, down from 46 percent), and immigrants (37 percent, down from 50 percent).³²

As prime minister from 2006 to 2014, Reinfeldt opened the door wide to immigrants, putting downward pressure on wages.³³ At the same time, the large influx of non-natives appears to have weakened some Swedes' support for social insurance, which many citizens had understood to be "in the family."³⁴ It would perhaps attribute too much foresight to the Swedish right to see parallels to the U.S. Republican position of making everyone (including the poor) pay taxes so everyone would resent taxation, whatever the purposes to which revenues could be put. Whether intentionally or not, the Swedish government's welcoming of foreign workers had a double-barreled outcome: it lowered wages while also eroding long-standing Swedish support for its famous welfare system.

In the 2014 elections, Sweden's Social Democrats regained office but with a bare plurality of legislative seats.³⁵ When their 31 percent of the seats was combined with the Green Party's 7 percent, the two parties made up the weakest minority government in postwar Sweden. The xenophobic and far-right Swedish Democrats had become the third-largest party after the Social Democrats and Moderates, with an unprecedented 13 percent of the vote. The Social Democratic government struggled to win support on the floor of the legislature with concessions to other parties: efforts to reduce unemployment and reduce deficits rested on deals with the right; phasing out nuclear energy and reducing carbon emissions required deals

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with the Greens and the Left Party. To salvage support for the welfare state, the Social Democrats were forced to make sharp cuts in immigration.

REFERENDUM DEMOCRACY IN SWITZERLAND

Always a little off to the side has been Switzerland, famously neutral during the world wars and somewhat aloof from the common project of Europe after World War II but intent on global economic integration for the sake of prosperity. A Rubik's cube of complexity, Switzerland's political system has layered institutions capable of national decision making atop a medieval direct democracy at the cantonal level. But as the world's oldest continuing democracy with one of the world's richest, healthiest, and best-educated populations, Switzerland can be forgiven for going its own way.

Swiss citizens vote on referendums roughly four times a year to decide on public policy. They also elect two houses of their legislature by proportional representation, which produces a profusion of small parties. Not only are party lists open, voters may also choose individual politicians from multiple party lists at once, giving them another way to second-guess political parties.³⁶ To compensate for radical decentralization, a multiparty Federal Council is elected by parliament for a fixed term of four years, irrespective of the electoral fate of parliament itself. The Federal Council, which by design includes all of the major parties and some smaller ones as well, can sometimes defuse conflicts and avoid referendum challenges.

With government spending at 33.5 percent of GDP, compared to Sweden's 50 percent and the U.S.'s 37 percent,

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Swiss taxation and spending are lower than in many other countries because both the benefits and costs of domestic programs like education, health, and pensions are decided by voters in the twenty-six cantons at one time. National health insurance, adopted in 1994, achieved strong health outcomes at a cost in 2015 of 11 percent of GDP (between Britain's 9 percent and the U.S.'s 17 percent). Patients bear about a third of healthcare costs in the form of co-payment. National retirement pensions protect citizens from poverty, but not generously.

In September 2017 Switzerland's left-leaning and centrist parties sought public support for raising value added taxes (VAT) to 8.3 percent to increase pensions, but referendum voters voted against the tax increase, 53 to 47 percent. The plan was opposed by the conservative Swiss People's Party (SVP) and the pro-business Free Democratic Party (FDP).³⁷ The preceding June a proposal for a universal basic income had failed too, 77 percent to 23 percent.³⁸ Perhaps more remarkable than this large margin of defeat was the unions' opposition to the measure.³⁹ Even benign Switzerland is showing the strains as the realities of twenty-first-century capitalism erode the exceedingly high levels of consensus on which its highly decentralized system depended.

VOTER DISENCHANTMENT AND THE PREFERENCE VOTE

As traditional European parties struggle to find new votes to replace shrinking traditional sources of support, they have increasingly allowed voters to rank candidates on party lists.⁴⁰

Their hope and expectation is that this will help attract new voters and grow participation and, with it, turnout.

Initiatives to invite more voter choice in Europe are not new. They began decades ago in parties with nontraditional and relatively loose platforms. In the Netherlands in 1989, the progressive but not social democratic party D'66 achieved incrementally greater levels of list personalization each time it joined a coalition government.⁴¹ Austria in 1992 amended its electoral rules to allow candidates to win a seat in a regional district if they won either half as many preference votes as the number of votes required for a seat, or if they received preference votes amounting to one-sixth of the party vote.⁴² Belgium added a preference vote in 1995 over the objections of the Socialists and Greens. Strong parties had the most to lose from a free-for-all that would undermine party discipline and programmatic coherence.⁴³ Similar dynamics played out in Iceland, Denmark, and Finland.

Norwegian and Swedish parties, particularly those on the left with well-defined policy platforms, have remained reluctant to open lists to voter involvement. They know from Finland and elsewhere that preference ordering can serve up renegade MPs who undermine partisan cohesion.⁴⁴ Facing declining popular support, they nonetheless feel constrained to make some concessions to increased voter participation in candidate selection. In Sweden, parties accepted voter choice with the condition that a large percentage of voters have to agree on the new ordering of the party's list for their changes to be accepted. In Iceland, an open-list formula used in party primaries known as "rank-ordered plurality" encourages candidates to cooperate with each other and to support the party platform.⁴⁵ These measures prevent voter preferences from

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substantially weakening party organization and discipline in these countries.⁴⁶ Swedish parties do, however, appear to use voter preference orderings in promotion decisions within the party.⁴⁷ The question, as in Estonia, which has similar rules, is whether the party leaders can continue to gather information from voter choices without falling prey to short-term demands from voters that work against their longer-term interests.

Some of the most telling evidence comes from Switzerland. Local municipality referendums decide a large number of public policies including, until a Swiss federal court ruled against it in 2009, the number of asylum seekers accepted for admission. The Swiss are not more xenophobic than are other populations, according to the European Values Survey, but referendums tend to produce more xenophobic outcomes than legislation because turnout is strongest among voters who care most intensely. It is therefore not surprising that Jens Hainmueller and Dominik Hangartner found that the acceptance of asylum seekers jumped 60 percent once the Swiss federal court mandated that local councils rather than local referendums make asylum decisions.⁴⁸ Were referendums decided according to what is best for the public interest generally rather than the preferences of particular intense groups, their results would more closely match the programs of strong and consolidated legislative parties.

SOCIAL DEMOCRACY WITH TRAINING WHEELS

European multiparty governments, long admired for their superior record in balancing growth and welfare, are now showing the strains of deindustrialization. The Nordic countries

remain champions of welfare, but their left parties have splintered and are in secular decline. Small European states can to some extent use the institutions of the European Union to constrain self-destructive political impulses toward protectionism and xenophobia. The EU's postwar founders and the signatory countries appreciated the value of "training wheels" on institutionalized agreements with which to navigate the bumpy road of economic openness.⁴⁹ Now the road has become bumpier still. With the drop in the number of industrial workers and the left parties they supported, European small states' signature commitment to welfare appears uncertain.

Europe's larger states, to which we turn next, make decisions that reverberate powerfully outward. There, the stakes of their struggles with deindustrialization are even higher.

CHAPTER SEVEN

The French Mix

IN May 2017 the French chose Emmanuel Macron, a political neophyte, for president over a field of ineffective or extremist opponents. Much of the media attention focused on the threat posed by Marine Le Pen and her right-wing National Front, but underlying this was the notable absence of effective party leaders in the parliament.¹ The Socialists had cannibalized themselves in a vitriolic presidential primary race, and the center-right Republican Party promised to abandon austerity measures in the hope of averting parliamentary defections in the upcoming June legislative elections.² Amid this confusing carnival of dubious promises and wishful thinking, voters decisively backed Macron's centrism with a legislative majority in the House of Deputies, although the Senate remained in Republican hands following the September 2017 elections.³

Unlike most countries often described as "majoritarian," France actually does require legislators and presidents to win a majority of votes, not just more votes than anyone else. This

typically requires two rounds: in the first, voters choose their preferred candidate, few of whom make it past the 50 percent mark. In the second round of voting two weeks later, voters choose the candidate closest to their preferences who also has a chance at winning a majority.

France's majoritarian run-off is intended to produce broad coalitions, and it does. But the unintended by-products often outweigh the benefits. Small, nonmajoritarian parties have an incentive to stay in the game because they can extract resources in exchange for throwing their support to a prospective winner in the second round.⁴ This would not be so nefarious were it not that the existence of small parties also means that legislators in the bigger parties have exit options should they wish to defy party platforms. Although individual defections are relatively rare, the possibility weakens party discipline by forcing leaders to make concessions to strong enclaves in anticipation of defection—as the Republicans did in 2017. The enclaves are often local or sectoral interests, muddying the image of France as a country governed by a centralized bureaucracy.⁵ In the end, policies can be implemented only with the support of large coalitions, but in the meantime the viability of small parties permits interest groups to hold the whole country hostage.⁶ It also gives extremist groups a petri dish in which to thrive and propagate.⁷

France settled on a Gaullist presidency in 1958 to counteract legislative cycles of indecision, but this institutional engineering addressed the symptom rather than the underlying problem of legislative indiscipline produced by run-off elections. Giovanni Sartori affectionately and admiringly views the French dual executive system—the president and the prime

THE FRENCH MIX

minister leading the legislature—as a two-headed creature that, to avoid painfully biting itself, tends toward compromise.⁸ The system may prevent open fighting, but subterranean fights—concessions to buy off potential defectors—produce weak party platforms.

CHANGING THE RULES TO WIN THE GAME

France has a long history of changing electoral rules, ostensibly in search of institutional perfection but also to improve the prospects of incumbent parties. After violently suppressing the radical left in the Paris Commune in 1870, the French right manufactured conservative majorities as the best hope of fending off left-wing ideological attachments that stood in the way of restoring the monarchy.

Closer to the political center, Republican party leaders favored shifting to proportional representation rules. Republican leader Leon Gambetta reasoned that proportional representation would undercut the Conservatives' grip on rural districts, where the landed elite used patronage and power to cultivate support. He was also struggling to shape his own party's platform. Republican district representatives, he felt, had formed "a too pressing intimacy" with constituents.⁹ France has in fact tried proportional representation rules from time to time: 1885–89, 1919–27, 1946–58, and 1985–86.¹⁰ General Georges Boulanger's messianic populism of 1885–89 cooled Republican ardor for a system that did not, as they had hoped, bring out the best in the French electorate.¹¹ Two elections under a mixed system following World War I created an opening for the Communists to split from the Socialists,

after which the remaining Socialists joined with moderate Republicans in reinstating single-member districts.¹²

Proportional rules adopted after World War II were blamed for “kaleidoscopic shifts of groupings and alignment” that rendered the government incapable of steering a steady course.¹³ Disastrous healthcare legislation illustrates why the Fourth Republic was short lived: healthcare funds were administered primarily by representatives of labor unions and business and financed by payroll taxes paid by employers and employees, and they gave doctors unfettered freedom to prescribe tests and treatments.¹⁴ It took a stronger executive in the Fifth Republic to do an end run around the outsized influence of doctors, but that was also the problem: the executive constantly had to make end runs around one or another constituency, with only occasional successes.¹⁵

The Fifth Republic, established in 1958 under President Charles de Gaulle, could have addressed the problem of ineffectual legislative parties by implementing plurality electoral rules in large, diverse districts. But that was the last thing de Gaulle wanted.¹⁶ Instead, he took advantage of the widespread panic over insurgency and possible civil war in Algeria to construct a powerful presidency.¹⁷ As a sufficiently powerful executive, he believed he could outmaneuver a hobbled legislature.¹⁸ The new constitution gave the president power to appoint the prime minister and to enforce policies without the prime minister’s approval “should circumstances require.”¹⁹ Constitutional theorist Carl Friedrich noted at the time that de Gaulle “cherishes, in the manner of Washington, a Government above parties, in the tradition of constitutional monarchy.”²⁰ In the midst of the potentially deadly turmoil of

the Algerian crisis, it was a leadership style the French were prepared to tolerate.

STRONG PRESIDENTS, WEAK LEGISLATURES

De Gaulle described the restoration of the old majority run-off system as a way to limit Communist representation.²¹ But it also undermined the power of legislative parties in general. As Friedrich predicted, the two-vote system would “enable divisive forces to maintain their position.”²² Two large coalitions emerged on the left and right, but the coalitions themselves were divided between Communists and Socialists on one side and strong-state Gaullists versus fiscally conservative Giscardians on the other. All of them held out the prospect of electoral mobilization (or not) in exchange for policy concessions.²³

François Mitterrand, then a member of the center-left coalition between the Gaullists and Socialists, opposed the 1958 amendments to strengthen the executive, but they passed with overwhelming popular majority by the very instrument—referendum—that the new rules put in place as a means of governance. The president could bypass parliamentary immobility with a direct route to public acceptance. The new system represented not so much a misdiagnosis of the problem but a solution to a particular problem: de Gaulle wished to control the legislative body, not make it capable of governing for itself.

Two features of the Fifth Republic’s constitution gave the executive the upper hand in bargaining with the legislature. The first, available to all parliamentary governments, is the no-confidence vote (appropriately known in France as the

guillotine). Because legislators hate nothing so much as putting their political lives on the line in a new election, the government's threat to call a no-confidence vote can sometimes concoct a parliamentary majority out of an otherwise obstreperous legislature. Another feature that favors the executive is the "package vote," which allows the government to force an up-or-down legislative vote on the government's mix of preferred policies after it has taken apart legislation and chosen only the desired measures—more or less equivalent to a line item veto.²⁴ Lacking the disciplined majoritarian parties of Westminster, French governments use both of these measures to force multiparty legislatures closer to their preferred outcomes.

In 1962, once the Algerian crisis had passed, parties on the left sought to amend the constitution once again to weaken the executive, but de Gaulle was two steps ahead. He offered a popular referendum to eliminate the electoral college (which included some eighty thousand members of local governments in addition to the national legislature) in favor of direct presidential elections. The measure passed with a vote of 62.3 percent in favor to 37.7 percent opposed, on a 77 percent turnout.

De Gaulle's ambitions for French national power made big business a natural partner. As Peter Hall put it, "The management of French industrial strategy became a cooperative endeavor between civil servants and industrialists."²⁵ De Gaulle accelerated France's defense buildup, including its nuclear capability, and subsidized corporate "national champions" throughout the manufacturing, transportation, and high-technology sectors. Speaking for the political left, Nicos

Poulantzas saw a government cementing the “hegemony of monopoly capital” over the entire economy.²⁶

Mitterrand, who, politically speaking, rose from the dead in 1964 as a leftist member of parliament, ran successfully for president in 1981. He would outdo de Gaulle for longevity in the office, holding it from 1981 to 1995. Mitterrand now favored the guillotine and package vote provisions to enable executive action, a change of heart that surprised only the naïve. Despite having an absolute parliamentary majority, he still had to avert possible defections on the left. Faced with a sluggish economy with high unemployment and steadily down-trending labor union membership, he passed the Auroux laws mandating firm-level workers’ councils.²⁷

The apparent devolution of authority to the firm level is puzzling since firm-level bargaining favors employers who can use the threat of bankruptcy in a competitive market to win concessions from their workers. But the law’s crucial provision was that formal wage agreements would be signed by union delegates on these workers’ councils.²⁸ Elected union delegates represent all employees, union members or not, in firms with over fifty employees.²⁹ This provision in the French legal code has protected the power of French unions to set wages, hours, and vacation days in the face of a secular decline in union membership, although it has not prevented firms from outsourcing increasing portions of production to smaller firms beyond the reach of that provision.³⁰ As in Germany, outsourcing to firms not included in union agreements has widened the income gap between workers at large and small firms.³¹

Mitterrand also gave municipalities a new voice in town planning, economic development aid to local industry, public

health, and welfare.³² Since 1974 local zoning boards had controlled retail store approval in France, empowering incumbent store owners at the expense of innovation and employment.³³ Mitterrand further expanded the formidable powers of local political elites, making them less dependent upon the state for resources and more able to block centralizing measures they didn't like.³⁴ For example, what are quaintly known as "artisan road transporters" were able to prevent the nationalization of commercial trucking, raising the cost of commerce within France.³⁵ Mayors controlled services that were useful for political mobilization, a fact underscored by the increasing numbers of mayors who ran successfully for parliament: of the mayors of the fifty largest cities in 1989, three-quarters later became members of parliament.³⁶

In another reform, Mitterrand restored proportional representation rules in the place of majoritarian run-off in the hope of tightening his base within the array of left-wing parties. It was a miscalculation. To his dismay, voters punished his party in 1983 over his government's austerity measures, while Jacques Chirac's center-right coalition surged ahead and Jean-Marie Le Pen's far-right National Front went from zero to thirty-five seats.³⁷ Mitterrand was forced to choose Chirac as prime minister, a left-right "co-habitation" of conflicting political agendas.³⁸ They agreed on one thing: proportional representation was worse than the old two-stage run-off system.

Le Figaro published a simulation of what the 2012 French Assembly would look like with and without proportionality rules. Holding all else equal, PR would give the extreme right eighty-five seats instead of three and the extreme left thirty

instead of ten; not surprisingly, these smaller parties continue to favor PR.

In 1988 the dual executive was once again headed by a Socialist president and prime minister, but this time without a Socialist legislative majority. Mitterrand and his prime minister Michel Rocard passed an annual budget by quietly increasing expenditures to every parliamentary group from which they needed at least abstention to pass the bill—essentially a

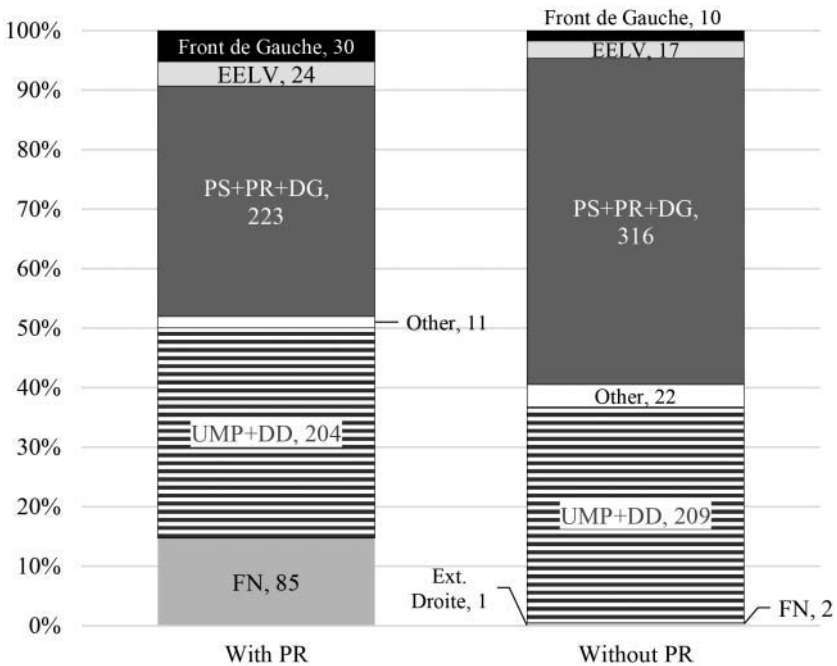


Fig. 7.1. Simulation of 2012 French Assembly results with and without PR.

(Source: Adapted from data in Tristan Vey, "Le PS sans majorité avec la proportionnelle intégrale," *Le Figaro*, June 19, 2012.)

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complex logroll.³⁹ The next year, in an electorally motivated signal to their core voters, the Communists and left wing of the Socialists in the legislature fell out publicly with the government over “excessive concessions to business.” The executive again doled out concessions behind the scenes, but this time the left wing agreed to pass the budget only if it could hide behind a fig leaf—the threat of the guillotine.⁴⁰ This incident tells us little about the effectiveness of the guillotine to break gridlock. A better measurement of the distribution of power in France would catalog the concessions the government made in exchange for going along with the bill.

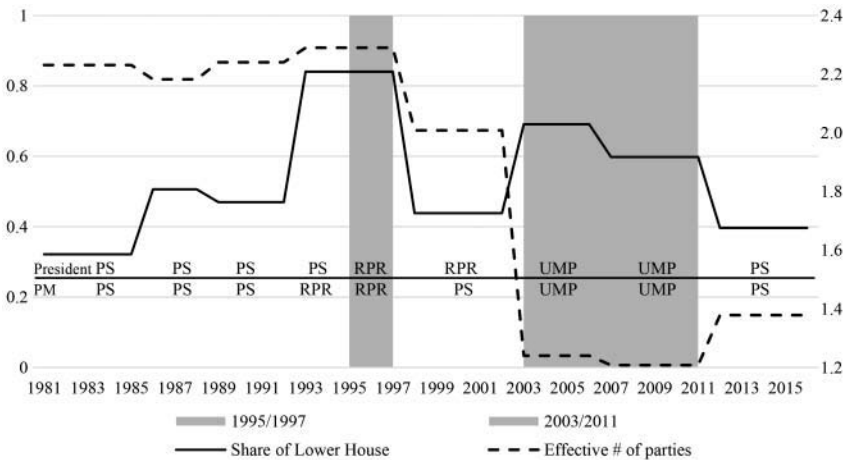


Fig. 7.2. French right-wing parties in power, 1981–2015.

(Source: Pre-2002 data adapted from Wikipedia; post-2002 data adapted from Interior Ministry of France, “Les résultats,” [https://www.interieur.gouv.fr/Elections/Les-resultats/Presidentielles/electresult__presidentielle-2017/\(path\)/presidentielle-2017/index.html](https://www.interieur.gouv.fr/Elections/Les-resultats/Presidentielles/electresult__presidentielle-2017/(path)/presidentielle-2017/index.html) [accessed 12–25–2017].)

In 1993 the right won a parliamentary majority, and two years later, the presidency. The majority was formed by a loose alliance of right-leaning parties: the Gaullist Rally for the Republic (RPR) and its successor party (UMP), led by President Jacques Chirac, and Valéry Giscard d'Estaing's Union for French Democracy (UDF). Each group took a certain delight in seeing the other fail. But even the Gaullists divided among themselves on questions such as European integration, with the RPR's Chirac and Alain Juppé supporting the Maastricht Treaty against a majority of their own party. Electoral and legislative expediency proved to be weak glue for binding the RPR and UDF when Prime Minister Juppé tried in 1996 to reduce healthcare costs against the interests of doctors. When electoral pressure mounted, support for this form of cost cutting melted away.⁴¹

With a new conservative majority in 2003, President Chirac once again sought to “do more with less” in healthcare by taking control of the funds from the representatives of labor and business. But unlike the Juppé plan, the new law did not even attempt to penalize doctors for exceeding expenditure targets; and physicians managed to raise reimbursement rates for their services by “applying pressure.” France's healthcare reform shows the ability of the strong executive, at least when it has a legislative majority, to institute a well-functioning single-payer system even if not at a cost the government deems reasonable.⁴²

Headaches over pension reform, too, reflect the power of well-organized groups of voters, such as public sector employees. In 1995 Prime Minister Juppé's government, with its double-barreled legislative majority, was able to amend the

constitution to allow parliament to vote on the social security budget and health-related measures. But public sector unions mustered enough electoral pressure within the conservative alliance to defeat the government plan to scale back pension benefits for public sector employees. Although another conservative government in 2003 tried to increase the number of years public sector employees must work to obtain a full pension in alignment with the private sector, the measure was dropped before passage.⁴³

The majority run-off system, we have argued, increases the power of sectoral and local interests. The French have relied on strong presidents to punch through the political impasses that result, not considering that presidential primaries have further weakened the capacity of legislative parties to devise and implement policies designed for the good of all. As Sciences Po professor Frédéric Sawicki wrote in *Liberation* in 2011, primaries transform “parties into machines to make ad hoc platforms through communication specialists.”⁴⁴

The Socialist Party primaries in October 2011 selected François Hollande, who competed successfully for president against President Nicolas Sarkozy, but Hollande’s critics in his own party kept him continually off balance by castigating him as being “too centrist.”⁴⁵ That is not, of course, how the rivals themselves describe party primaries. A spokesperson for Jean-Luc Melenchon said of the 2017 Socialist primaries, “We do not appeal to the identitarian patriotism of those who think that we have to save the Left or be left-wing. It is far too minoritarian. We want to win.”⁴⁶ But in fact the primaries pushed Melenchon and the other candidates to the extremes, where strong mobilizers sustained them. The winners in

their respective parties, François Fillon for the UMP and Benoît Hamon for the Socialists, were bad candidates from an electoral point of view. The rounds of leadership contests prompted University of Paris philosopher Jacques Rancière to comment, “The big fervor around socialist primaries renews the illusion that the presidential election is the beating heart of the democracy when it’s only the last figure and legacy of the monarchy.”⁴⁷

THE MINORITARIAN POLITICS OF FRANCE’S
MAJORITY RUN-OFF SYSTEM

Emmanuel Macron gained an electoral mandate in 2017 to push the French economy toward greater flexibility, reflecting a broad consensus that this would improve the livelihoods of ordinary citizens. But in all of the institutions that press France toward broad coalitions—the run-off system that forces bargaining with diverse interests, decentralization of policy making and candidate selection—the devil is in the details. The parties do not have a free hand when they need it most, in putting forward a majoritarian platform before the electorate. Local and sectoral interests retain the ability to force concessions right up to the election itself, blocking parties’ ability to formulate policies for the long term and in service of the broad interests of the general public. France’s system, taken as a whole, is notably less majoritarian than it looks.

French voters have historically chosen strong presidents to break legislative deadlock and the power of local groups; and while strong presidents can sometimes advance a reform agenda, the very existence of a president reinforces the underlying

problem. Presidents stitch together legislative coalitions out of groups that in a Westminster system would gain entry to broadly gauged and programmatic legislative parties only by moderating their demands. Run-off elections, intended to force splinter groups to coalesce behind big parties, force presidential candidates to buy them off. The resulting public policies reveal that their power is merely disguised, not eliminated, by electoral and legislative majorities. The Germans, as we see in the next chapter, have sought broad coalitions by other means.

CHAPTER EIGHT

Of Labradoodles and Poodledors: Germany

JUDGING from attempts at emulation, Germany's mixed-member electoral system wins the popularity prize. In dog-breeding terms, Germany is a labradoodle. An admirably peaceful, powerful, and prosperous postwar country, it does not seem to have been much hampered by its combination of proportional lists and single-member districts, which is often touted as having fostered good governance. This is true up to a point, partly because for most of the postwar period Germany's major parties have been big and strong enough to fend off challenges from narrower interests. These *volksparteien* (national parties) could steer toward the middle and adopt policies that served the long-term health of the economy.

Even in this system, coalition partners can walk away when they don't get what they want. As the benefits from the postwar European political economy and geopolitics began fraying, the tensions that underlie multiparty systems came to the surface. In early 2018 Chancellor Angela Merkel faced

what had become an all-too-familiar task for a European leader: a months-long struggle to cobble together a government after an inconclusive election the previous September. Both major parties had hemorrhaged support to smaller fringe parties. The ultra-right-wing Alternative for Germany (AfD) had come in third, winning ninety-four seats in the Bundestag, a cost of Merkel's leftward shift in search of disenchanted Social Democratic Party (SPD) voters.¹ As with Geert Wilders's PVV in Holland, the AfD was seen as beyond the pale for a coalition. The Social Democrats, gun-shy from losses they had suffered as junior members of previous grand coalitions, dithered for months before agreeing to join the coalition.²

Empowering small parties can sometimes have beneficial effects. Since their founding in 1983, the Greens have forced more parliamentary debates into the open.³ But there is no escaping the relentless logic that coalition members must look for deals that appeal to their core voters while externalizing as many costs as possible onto others. So long as corporatist arrangements between big business and organized labor were accompanied by widespread prosperity and full employment, the system was benign. This would change under the cumulative pressures of globalization, financial crises, and immigration. And as organized labor became a smaller and weaker political force, its elected representatives became less able to protect even their own constituency—never mind the poor. This is say nothing of the risk that extremist parties might begin clawing their way into acceptability as they had in the 1930s, or at least tacitly supporting needy coalitions, as has happened in Austria, Finland, and the Czech Republic.

OF LABRADOODLES AND POODLEDORS

NEVER AGAIN: INSTITUTIONAL DESIGN
IN WEIMAR'S WAKE

The industrial revolution, which catapulted organized workers into politics as a new force, upended single-member district systems across continental Europe in favor of proportional representation. Unlike in Britain, where the landed and urban elite remained the mainstays of two-party competition until Labour overtook the Liberals in the 1920s, elites on the continent were deeply divided along religious and sectoral lines and separately feared annihilation in the face of labor's rising.⁴ Urban-based employer and employee organizations may also have favored proportional representation systems to lessen the grip of rurally dominated geographic districts opposed to industrialization itself.⁵ By 1919 most European states had adopted proportional representation in one combination or another.

Germany today is rightly proud of the labradoodle experiment, given what came before. Perhaps the worst Poodledor in electoral history was the 1919 constitution of Weimar Germany that paved Hitler's way to power. The revered sociologist Max Weber, on a committee along with the Social Democrats' Friedrich Ebert and Hugo Preuss of the Independent Socialists, devised a new constitution upon Germany's defeat in World War I. Weber insisted on a strong executive elected by a popular majority as in the U.S. to help steer Germany through hard times. For legislative elections, the committee chose a system of pure proportional representation that served the electoral interests both of Ebert's Social Democrats, which held a plurality of seats in the legislature,

and of Weber and Preuss, whose Independent Socialists would have been swallowed by the Social Democrats in a majoritarian system.

Hoping to combine the best of majoritarian and proportional elements, the committee of three unwittingly set in motion an accelerating calamity. Germany's crippling economic depression, made worse by war reparations, would have hamstrung any government. But each of Weimar's succession of multiparty coalition governments, one after the other, was too divided among itself to challenge the actions of the president, whose office swelled to fill the void. In a majoritarian system, the Social Democrats would have governed and the National Socialists would have failed to get a legislative toehold. Instead, despite being the largest and most popular party throughout the 1920s, the Social Democrats lost to the Nazis by failing to govern in a system they did not control.⁶

Italy's highly proportional system also produced five straight coalition governments in which no party held a legislative majority between 1919 and 1922. Mussolini took advantage of parliamentary instability to muscle his way to dictatorship, declaring, "The century of democracy is over."⁷ The contrast with Britain during the same period is stark: majoritarian electoral rules ensured that support for Oswald Mosley's New Party and its successor the British Union of Fascists never won seats in Parliament, even though at one point it boasted fifty thousand members and in 1936 one commentator declared it to be "more alive than Hitler's National Socialists were as late as 1928, as its successful mass meetings and demonstrations show."⁸ The majoritarian system denied entry to radicalism.

OF LABRADOODLES AND POODLEDORS

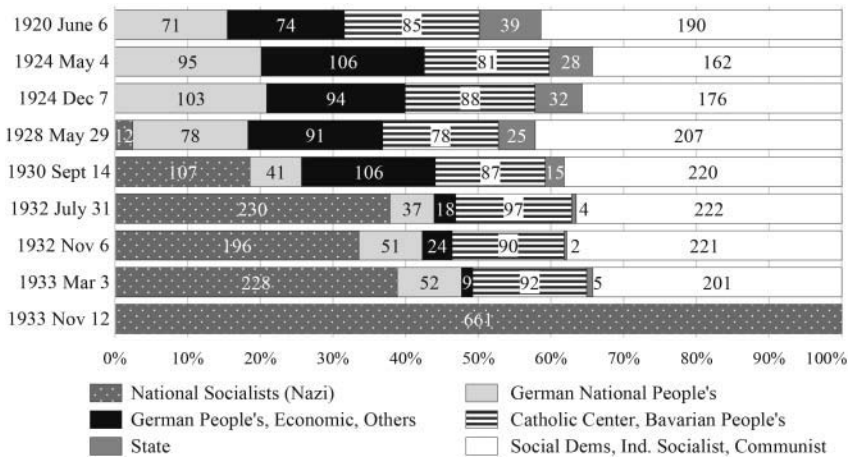


Fig. 8.1. Party representation in the Reichstag, 1920–33.

(Source: Adapted from data in Sefton Delmar, *Weimar Germany: Democracy on Trial* [New York: American Heritage, 1972], 96.)

Leaders of postwar German political parties took a lesson from Weimar's tragic end and sought a sounder institutional foundation for the postwar nation. They also favored a system in which their respective parties could flourish. Because local council and state legislature (*Länder*) elections were held in 1946 and 1947 by proportional rules, the parties knew something about regional patterns of partisanship before they had to decide in 1949 on the features of the national electoral system. The Parliamentary Council charged with designing rules for national legislative elections consisted of leaders of the state legislatures, who favored strong regional parties with recruitment and nomination powers that national leaders would struggle to manage.

The leaders of the Christian Democratic Union/Christian Socialist Union (CDU/CSU) preferred a district-based system by which to seek an outright legislative majority. The SPD, however, had lost some of its strongest districts to Soviet occupation in the east, so its leaders stood by the smaller parties (which they saw as potential coalition partners) in pushing toward proportionality. The compromise, nudged in the majoritarian direction by the American, British, and French occupation officials, was hardly a product of unbiased social engineering.⁹

The Basic Law requires that an absolute majority of the Bundestag elect the federal chancellor by secret ballot.¹⁰ In

Table 8.1. Percentage of Landtage seats by party, 1949

	CDU/ CSU	SPD	FPD	KPD	Other
Schleswig-Holstein	30	61.4	0	0	8.6
Hamburg	14.5	75.5	6.4	3.6	0
Niedersachsen	20.1	43.6	8.7	5.4	22.1
Bremen	24	46	17	10	3
Nordrhein-Westfalen	42.6	29.6	5.6	13	9.3
Hessen	31.1	42.2	15.6	11.1	0
Rheinland-Pfalz	47.5	33.7	10.9	7.9	0
Württemberg-Baden	39	32	19	10	0
Baden	56.7	21.7	15	6.7	0
Württemberg-					
Hohenzollern	53.3	20	18.3	8.3	0
Bayern	57.8	30	5	0	9

Source: Adapted from Kathleen Bawn, "Logic of Institutional Preferences: German Electoral Law as a Social Choice Outcome," *American Journal of Political Science* 37, no. 4 (November 1993): 970.

1949 the CDU/CSU, with 31 percent of the popular vote to the Socialists' 29 percent, formed the first national government in coalition with the small Free Democratic Party (FPD). By 1953 the coalition government had lost its majority in the upper chamber (Bundesrat), which represented the states. To gain an advantage in the upcoming lower house elections, CDU/CSU chancellor Konrad Adenauer proposed making the electoral system more majoritarian. This prompted the SPD, together with the CDU/CSU's own coalition partner the FPD, to counter the move with a proposal giving voters a second ballot for party lists to be drawn up in each of the *Länder*. If voters used both ballots for the same party, the measure would have no effect on the legislature's composition; but if instead some voters were to use their second ballot to vote for a small party not able to win a district seat, the percentage of small-party seats in the legislature could increase.

The parties agreed to reduce majoritarian districts from 60 percent to 50 percent of the seats, and settled on a 5 percent threshold and a second ballot for the proportional tier. This gave each side a partial win, but also secured a handy electoral victory for the governing coalition.¹¹ Subsequent studies have shown that 10–20 percent of voters use their second ballot to choose a small, nonmajoritarian party while opting for a large party in the district.¹²

The rules governing the German legislative elections were not designed with the sole purpose of eradicating the Weimar problem of unstable and weak governments; they were not a pure design exercise of any kind. Parties present at creation fought for rules that favored their own success. The

FPD's presence in state governments that formed the electoral rules councils gave it a voice that was further amplified by the unattractiveness of the Communists as a coalition partner to the SPD. The CDU/CSU was in closer step with the U.S. vision for Cold War Germany and benefited electorally from the "threat from the East." CDU leader Konrad Adenauer, chancellor for fourteen years, maintained popularity in the early postwar years while deriding the SPD as "sextons at the shrine of German unity" for its opposition to American-backed rearmament and NATO membership.¹³

Kurt Schumacher, a World War I hero whose promising political career in the Weimar Republic was interrupted by a decade of imprisonment under the Nazis, led the Social Democratic Party from 1946 until his death in 1952. Schumacher died despondent over his failure to reunite East and West Germany under democratic socialism and his failure to gain an electoral win during his years of leadership. Shut out of government for seventeen years, the SPD would finally join a ruling coalition (with the CDU/CSU) in 1966. But Schumacher's lasting legacy was to navigate both his party's loss of voters when the Soviets occupied the East and the damaged reputation of Marxism in the West.¹⁴ He did so by steering to the middle: reestablishing German socialism on universal ethics and democratic nationalism rather than the Marxist orthodoxy of historical materialism and inevitable class conflict.¹⁵ Doctrinal purists decried Schumacher's pragmatic embrace of middle-class voters as a cynical act of "mobilizing voters temporarily for acts of collective acclamation."¹⁶ Nevertheless, the party ratified his majority-seeking plan at the 1959 SPD conference at Bad Godesberg. Moving

to the center opened space on their left for the Greens, whom Willy Brandt called “the SPD’s lost children.”¹⁷ In 1990 the Left Party in turn picked up votes from those who thought the Greens had moved too far to the right.

German political parties delegate candidate selection to state-level party organizations. Despite the Basic Law’s recognition of the “responsibility of party leaders to the party membership as enforced in primaries, caucuses, and conventions,” German political parties evolved into top-down structures that generally disallow challenges to an incumbent who has served the party loyally.¹⁸ For open seats, aspiring candidates gauge their chances through grassroots mobilizing and in meetings with local party leaders—many of whom are also national party executives—until the official nomination itself becomes uncontested. (This nomination is sometimes called “the coronation.”)¹⁹ Winning the party’s nomination for a constituency is key to being put high on a party’s list, even for small parties that win few constituency seats and therefore rely almost exclusively on their share of list seats for legislative representation.

German backbenchers periodically express great frustration at the inability to move policy in the direction their constituencies demand. In 1956, following three years of tussling with Bonn party elites, angry North Rhine–Westphalia delegates to the CDU Congress went so far as to create two new vice chair positions in the CDU, filling one with a major rival of Chancellor Adenauer. This change came after important pieces of legislation were drawn up by central party officials without attention to the policies’ unpopularity in many regions.²⁰ More recently, the Bavarian CSU affiliate of the

CDU/CSU coalition threatened to run candidates nationwide against the CDU after Angela Merkel refused to rethink her refugee policy, deeply unpopular in Bavaria, following a 2016 terrorist attack.²¹ The SPD leadership has come under similar pressure when the party's base has blamed it for unpopular policies adopted in coalitions. In response, the SPD has dramatically democratized the coalition process in recent years. Still, the CSU and the Left Party have resisted bottom-up nominations and leadership selection.²²

For decades, strong party discipline kept both the CDU/CSU and the SPD on a more or less middle course in politics to maximize votes, exciting a steady chorus of opposition from the parties' flanks. In 1968 organized labor opposed "state of emergency" constitutional amendments for fear that they would weaken its right to strike. One hundred eighty of the 202 Social Democratic deputies had trade union backgrounds; they came under strong pressure to vote against the coalition government, but in the end, most toed the government's line. Even when the FPD triggered a roll call vote to pressure those deputies still further, the SDP lost only a few defectors in the broad daylight of personal accountability.²³

In all parliamentary systems, the threat of a legislative no-confidence vote gives party leaders far greater control than parties can wield in presidential systems. Voting against parliamentary leadership can be political death. Even deeply disgruntled backbenchers, such as the CDU/CSU members who felt Chancellor Konrad Adenauer was "increasingly treating them as just so much more voting cattle standing outside the real arena," generally tolerate leaders as long as they deliver electoral victory.²⁴

Adenauer kept a generation of younger politicians in the wings while he continued to achieve electoral wins for fourteen years. When in 1959 some members of his party wanted him to “accept elevation” from party head and chancellor to the more ceremonial role of president, Adenauer refused, inviting them to bring a motion of no confidence against him instead. The rebels backed down. It took a scandal in 1962 to push him out of office the following year. In 1966 Willy Brandt used the same tactic to secure SPD support for joining the Grand Coalition with the CDU/CSU, winning despite spirited opposition.²⁵

An additional reason for German party strength is the large size of the single-member districts, almost three times the size of the districts in the UK and two and a half times larger than those in France.²⁶ Large, heterogeneous districts dilute the pressure of intense groups of voters. They require legislators to balance a diverse range of interests, and they shrink the distance between the district median and the national median. Moreover, there is little incentive for parties to gerrymander districts because the list vote determines the proportion of party seats in the legislature. In 2013 the Constitutional Court ruled against overhang seats, which were district seats won in excess of the party’s share of the second ballot.²⁷

The CDU/CSU has several times lobbied unsuccessfully to change Germany’s electoral rules to single-member districts. CDU/CSU leader Kurt Georg Kiesinger said in 1966, at the beginning of the Grand Coalition with the Socialists, “It is the view of the Federal Government that during this period of co-operation a new electoral law should be enacted, in principle to make clear majorities possible in future elections to the Bundestag.”²⁸ SPD leaders worried, among other

things, that single-member districts would eliminate coalition partners that were sometimes inclined to form a government with the SPD.²⁹ Vestiges of SPD support for single-member districts were put to rest in January 1968, when the Federal Statistical Office reported that a hypothetical division into 500 districts for the 1965 election would have given the CDU/CSU 294 seats to the SPD's 206, and a division into 400 districts would have favored the CDU/CSU 242 to 158.³⁰ This was a faulty measure of SPD's chances of winning, but it may have been a reasonable guess at how far it would have had to move rightward in order to win.

It is a defect of proportional rules that voters cannot hold politicians or parties accountable for policy choices made in multiparty coalition governments. This in turn produces an even worse problem when narrowly based parties try to signal accountability through standing by the intense preferences of their core supporters regardless of the interests of the general public. Logrolls externalize the costs of favored policies onto the public at large, for instance, by forcing consumers to pay higher prices in order to protect jobs or investments in uncompetitive domestic industries. This common-pool problem is less severe in Germany than it might be because coalitions are usually led by large parties. German governments have also established budget-making rules, parliamentary oversight structures, an independent central bank, and European Union anti-protectionism agreements to tie themselves to the mast of majority-protecting policies.³¹ Germany's success as a labradoodle, as would-be copiers have discovered, has more to do with these instruments of self-restraint than with electoral rules alone.

German parties navigated middle-of-the-road policies more easily in the early postwar period, when large employers favored high wages because they would deter new entrants into their markets.³² A whole constellation of formal and informal institutions supported business-labor cooperation: government banking regulation, which protected bank profits with anticompetition clauses, made it possible for banks to support firms' higher labor costs during economic downturns. This "patient capital" allowed employers to hire workers on long-term labor contracts at high wages, which was conducive to a training regime producing high levels of industry- and firm-specific skills.³³ Not only did this system support comfortable livelihoods for (male) breadwinners and their families, it also gave employers an edge in industrial exports, especially in precision machinery and automobiles. Some of the costs of managed competition, for example, the absence of venture capital and investor mobility, were outweighed by export success and industrial peace. Worker skill translated into product quality, which supported high and stable wages. Employers lacked an incentive to dismantle these institutions.³⁴

The German economy hummed along without sacrificing worker welfare as long as trade unions kept wage demands within the confines of productivity growth, and as long as SPD leader Helmut Schmidt was the taskmaster.³⁵ By 1978 Germany had sailed through two OPEC oil shocks with 2.7 percent inflation and 3.7 percent GDP growth, a stupendous achievement. IG Metall, the massive metalworkers union, accepted wage restraints while Schmidt shepherded modest stimulus packages through the legislature.³⁶ But these conditions were not to last.

By 1982 protesters on the streets were a visible sign of disenchantment with austerity, tarnishing Schmidt's Model Germany. They might have restrained their fury had they known they were bringing down a compromised but assiduous ally. Schmidt failed to save workers from belt-tightening because of an unaccommodating Bundesbank under (Schmidt-appointed) Otto Pohl. The FPD fled the SPD coalition, forming a new government with the CDU/CSU in time for the 1983 elections. The SPD, now smaller because of defections to the new Green Party, continued its downward slide in the polls while Helmut Kohl led the CDU/CSU government for the next sixteen years.

SPD fortunes rebounded following German reunification in 1990, and in 1998 Gerhard Schroeder formed a government with the Greens. But SPD voters began punishing their party almost immediately. Schroeder had appointed Peter Hartz, personnel director of Volkswagen, to head a commission to examine Germany's labor market policies and benefits. To Social Democrats, the rhetoric around the plan sounded starkly pro-market: "Anyone who refuses reasonable work can expect to face sanctions," Schroeder told the German parliament in March 2003. In a series of laws passed by the legislature in 2003–5, the Hartz plan reduced the duration and amount of unemployment insurance and reorganized the labor bureaucracy toward the task of helping the unemployed to find work. Over 2 million workers claiming long-term unemployment insurance in June 2004 would have to find work by January 1, 2005, or endure steep cuts in their monthly checks.³⁷ The overall effect of the reforms was to nudge unemployed workers off unemployment insurance and into low-wage, low-benefit jobs.³⁸

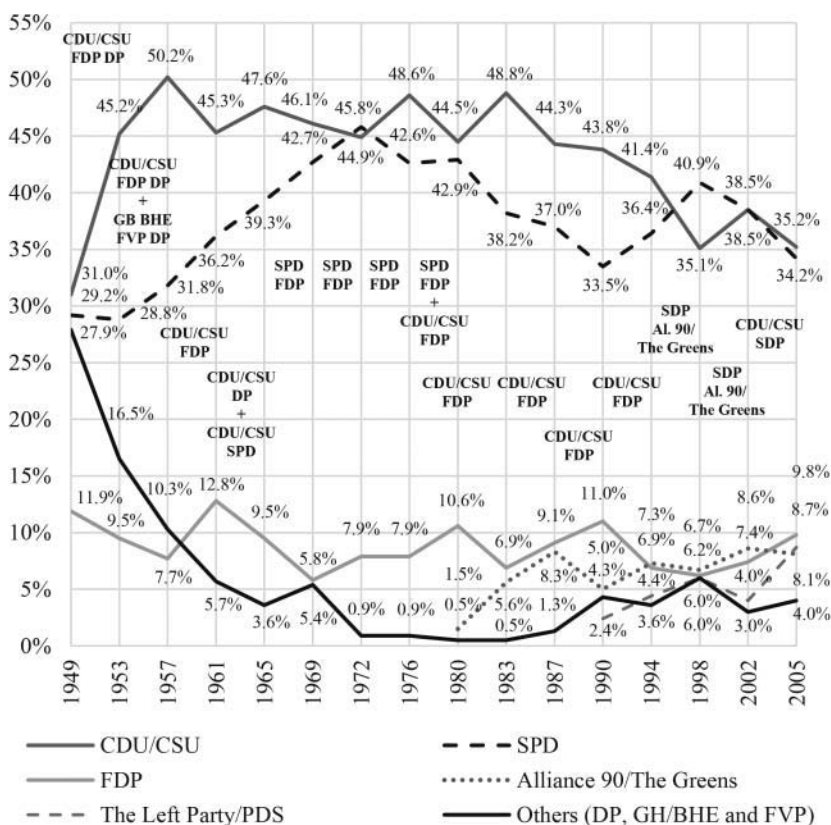


Fig. 8.2. Bundestag election results and subsequently formed governments, 1949–2005.

(Source: Adapted from San Jose, “German Parliamentary Elections Diagram de.png,” *Wikipedia*, https://commons.wikimedia.org/wiki/File:German_parliamentary_elections_diagram_de.png [accessed 12–24–2017].)

The Hartz reforms may get unfair blame for swelling the number of German workers in low-wage jobs, but equally it should not get too much credit for Germany's economic resurgence after it spent the late 1990s as "the sick man of Europe." Employers had already begun using the threat of outsourcing manufacturing and services to low-wage producers in central Europe in order to extract concessions from unions and work councils.³⁹ Having decades ago traded off local wage control for industrial peace, German employers continue to cultivate strong relationships with unions and firm-level worker councils to foster morale and loyalty among employees.⁴⁰ Their union counterparts have chosen to protect the wages and benefits of core workers at the cost of swelling the number of less secure workers. Core workers in German manufacturing firms, who make up about 30 percent of the workforce (compared to the U.S.'s 20 percent), remained relatively secure even during the 2008 financial crisis because employers want to value their loyalty—and they can.⁴¹

By ratifying and standardizing labor market practices already in existence, the Hartz reforms became a lightning rod of discontent for many erstwhile supporters of the Social Democratic Party. As the manufacturing sector continues (however gradually) to decline as a share of the German economy, so shrinks the mobilizational core of the Social Democratic Party. The political right won a striking electoral victory in 2005 and took credit for economic rejuvenation in a succession of Merkel-led electoral triumphs thereafter. The danger, not only for the Social Democrats but for all of Germany, is that once unions fall below a critical mass, the cohesion of the German left gives way. Without the discipline of

partisan organization, disaffection can as easily move far right as far left.

THE SHEDDING LABRADOODLE

So admired is Germany's mixed-member system that optimistic institutional engineers have often tried to copy it. Mixed systems promise to capture the best of two features of democracy: electoral accountability by way of single-member districts that produce big parties with a chance of forming a government, and representativeness by way of proportional lists that give voice to diverse interests. Germany's spectacular economic success after World War II makes this hope for an electoral labradoodle plausible.

But its appealing combination of economic vibrancy and industrial peace rested on circumstances that are not easily replicable elsewhere and may be disappearing in Germany itself. Germany's niche in the global market once rested on the competitiveness of a manufacturing sector reliant on highly skilled labor. Not only were unionized workers contributors to and beneficiaries of Germany's export success, they were the backbone of the Social Democratic Party. The party's strategy to hew to the political middle succeeded because the workers saw themselves there. As workers with secure, well-paying jobs have shrunk as a proportion of the workforce, a growing class of marginalized workers has begun to search for more radical options, whether on the left or on the right. Not since the 1920s has it been harder in Germany for the center to hold.

CHAPTER NINE

Wannabe Labradoodles: New Zealand, Italy, Japan, and Mexico

GERMANY would be an even greater exporting powerhouse than it already is if it could copyright its postwar electoral system. It must settle instead for the sincerest form of flattery: the widespread adoption of German-type electoral rules by countries hoping to emulate its combination of economic success and social welfare. We train our attention here on four democracies that have changed their electoral rules in a German direction—New Zealand, Italy, Japan, and Mexico—for clues about how rules shape political processes and policies. A “before and after” analysis does not provide a perfect test of institutional effects, since larger economic forces can swamp policies and voters often mistakenly credit or blame incumbents for global economic forces beyond their control.¹ But when we trace the intentions and subsequent fortunes of political parties, some broad outlines of electoral effects on politics come into focus.

Unfortunately for its emulators, the German model was designed for a bygone era. After World War II, the median voter was an industrial worker willing to pay taxes now and forego current spending in exchange for future resources, including social insurance and pension benefits. The German Social Democratic Party, with its clear platform and strong party discipline, was able to commit to responsible macroeconomic policies because the ledger added up. But as technological changes have widened the disparities in the productivity of different kinds of workers, the SPD has not been strong enough to deliver wage equalization across the groups that underpin its support. The left has splintered and been forced to ally itself with wishful thinkers on the far left or xenophobes on the far right. Harmonious coalitions of diverse groups of voters who are willing to compromise for the economy's long-term health remain as elusive as ever.

NEW ZEALAND

New Zealand replaced its old Westminster rules with a German system in 1994. The new rules combine district and party lists to allocate legislative seats proportionally overall. With the first election in which they were used, in 1996, voters brought a profusion of new legislative parties to prominence, obliterating the two established parties' ability to form majority governments. In light of Anthony King's explanation of why British and Canadian parties have resisted movements to dispense with Westminster in favor of proportionality—turkeys generally don't vote for Thanksgiving—this raises an obvious question. Why did New Zealand's two established

majoritarian parties choose a system that would force them to form minority or coalition governments with other parties?

Part of the answer is that Labour got caught up in internal squabbling in the bitter aftermath of unpopular economic policies. New Zealand's unicameral system had given alternating majority governments extraordinary latitude to implement their policies. Before 1984 the country had a highly interventionist economy with price supports, compulsory marketing boards, export incentives, tax concessions, and protective regulation for an inefficient manufacturing sector. Rising public debt, inflation, and unemployment brought on by the oil shocks of the 1970s threatened its generous government-financed pensions, healthcare, and education.²

In the 1980s both of New Zealand's major parties favored deregulation as a way to increase economic efficiency and long-term prosperity. Small countries like New Zealand, with limited resources and market size, pay a particularly high price for economic protectionism. To break free of unsustainable public sector debt, New Zealand went in just a few years from what Jack Nagel calls "probably . . . the most protected, regulated and state-dominated system of any capitalist democracy to an extreme position at the open, competitive, free-market end of the spectrum."³

It was Labour's own minister of finance from 1984 to 1988, Roger Douglas, who deregulated and denationalized large portions of the economy.⁴ Had his measures brought in the immediate economic windfall he promised, things might have turned out differently. Instead, the economy continued to languish.⁵ The severity and length of New Zealand's belt-tightening was biblical: "seven lean years" of zero growth in

per capita GDP from 1984 to 1991, during which many workers lost economic ground, before the reforms began to pay off. Real wages fell, unemployment peaked at over 11 percent in 1992, and crime rose in tandem with income inequality.⁶

Voters and representatives who opposed the market liberalizing measures blamed the slump on arrogant, misguided authoritarian parties, and pushed for a multiparty system that would bring more voices into Parliament. They were also reacting to the shape of electoral districts. Labour voters were overly concentrated in cities, reducing their political voice and ultimately their support for the system.⁷ Districts more reflective of the range of societal interests would have generated pressure for more representative policies, at least in the form of compensation for losers. Lacking this pressure, the Labour Party leadership had grown increasingly out of touch with the broader electorate.

In 1986 a Royal Commission on the Electoral System recommended a shift from majoritarian rule to a German-style mixed-member proportional (MMP) system and called for a national referendum on the question. The majoritarian parties might have been able to block this recommendation were it not for massive voter discontent with the status quo, aided by ham-fisted political tactics. To the chagrin of his colleagues, Labour prime minister David Lange misread his briefing notes during a 1987 television interview and committed the party to a referendum on electoral reform, making it difficult for his successor, Geoffrey Palmer, to backpedal in the face of rising public support for change.

Not to be outdone on the fumbling front, the opposition conservative National Party leadership took up the referendum

call, hoping to embarrass Labour. National's backbenchers opposed reform, but their leaders believed it would fail in a referendum. But popular support for reform intensified after the 1990 election, in which National managed to win 69 percent of the seats with only 48 percent of the votes. After that it was only a matter of time. Despite various failed maneuvers to head off change, voters adopted MMP by 53.9 to 46.1 percent at a referendum held concurrently with the November 1993 general election—which produced a hung Parliament in which two minor parties held the balance of power between National and Labour.⁸

Larger forces were at work behind the political amateurism. In recent decades, everywhere in the democratic world, leftist governments have taken a bigger electoral hit in economic downturns than governments on the right. Downwardly mobile voters blame the left for failing to save them, and those in New Zealand are no exception.⁹ Labour lost nearly half of its seats in the 1990 election, going from fifty-seven to twenty-nine. Jim Anderton, a left-wing Labour MP, had bolted from the party the previous year, campaigning against the hubris of out-of-touch big parties, including Labour. The irony is that while erstwhile Labour MPs attacked each other, the National Party won a large majority, giving it scope to deregulate labor markets further.¹⁰

The escalating public hostility toward the electoral system reflected the fact that neither party offered policies that would protect vulnerable voters from economic change. Once it became obvious that the economy was not growing its way out of the problem, party leaders were courting disaster. In part, they were responding to the incentives created by

poorly crafted districts, but a wiser course would have involved thinking about voters' interests, not just their immediate preferences. Some will dismiss this as paternalistic: who are politicians to second-guess what voters want? But the better way to think about this is that when politicians who fail to address voters' medium-term interests eventually confront their preferences, it generally isn't pretty. It is well understood that while trade openness and other market-oriented reforms are good for long-term economic health, they impose major costs on workers in traditional sectors of the economy. Politicians who ignore those costs create room for populist demagogues or, as in New Zealand, invite voters to turn on the system when both parties fail to deliver for them.

New Zealand's new electoral system exhibits the predictable strengths and weaknesses of multimember rules in the twenty-first century. As in all developed democracies, the shrinking industrial workforce deprives Labour of its traditional base. When Labour has won a plurality of seats, as it did in 1999–2008, it has been too weak to impose a programmatic agenda on the country. When there have been coalition governments, they have created the usual obscurity over who is responsible for which policies, or indulged in logrolls to enact narrowly based policies at taxpayer expense.¹¹

The coalition between Labour and New Zealand First in September 2017 courts an additional danger: the specter of economic nationalism that shrinks the pie for all in hopes of bigger slices for some. Her heart-warming victory in becoming prime minister notwithstanding, the dynamic young Labour politician Jacinda Ardern faces more difficult governing challenges than did Willy Brandt or Helmut Schmidt.

ITALY

Italy adopted a version of Germany's mixed system in 2017 in search of governability following a period of low growth, policy instability, and successive fights over alternative electoral rules. The new rules split the difference between large parties seeking legislative majorities and small ones intent on political survival. Nearly two-thirds (63 percent) of seats would be chosen proportionally in multimember districts, a lifeline to small parties. Although only 37 percent of legislative seats would be chosen in single-member districts that tend to favor large parties, the bill accorded an automatic legislative majority to any party or coalition of parties winning 40 percent of the popular vote.¹² Critics heard worrying echoes from the past. As in Weimar Germany, Italy's fragmentation-prone PR system in the 1920s was an unstable platform for governing; and like Hitler, Mussolini promised stability. Mussolini convinced the legislature to pass a law in 1924 that would award a two-thirds legislative majority to any party able to win 25 percent of the popular vote, paving the way for domination by his Fascist party. In 2013 Italy's Constitutional Court permitted a seat bonus for parties or coalitions winning 40 percent of the popular vote rather than Mussolini's 25 percent.¹³

Prime minister Matteo Renzi of the Democratic Party had fought hard for new rules that would make it easier for big parties to win a legislative majority, but he was threading a needle while opponents were swatting his hand. To satisfy small parties, any party or *coalition of parties* would win the seat bonus. He resigned from the head of the Democratic Party when a nationwide referendum rejected his proposed

constitutional revision to reduce the powers of the Senate, a body controlled by local patrons and interest groups.

It is not hard to understand Renzi's sense of urgency or his failure. Political stability has been elusive in Italy, efforts to create large, disciplined parties being stymied by the demands of local bosses and small parties. During the era of Christian Democratic Party hegemony between 1946 and 1992, governments were constantly collapsing and reshuffling to create what Carol Mershon calls "ephemeral governments of permanent incumbents" personified by recurring prime minister Giulio Andreotti, who held the office three times between 1972 and 1992.¹⁴

Weak party discipline, built into Italy's electoral rules, was a reason for this constant shuffling. The mostly proportional rules in postwar Italy gave voters up to four preference votes, a system known as open-list PR. The possibility of moving up the party hierarchy by way of preference votes created a coveted path to power and led factions within the Christian Democratic Party to compete for votes with policy favors such as government money, tax benefits, or regulatory breaks. Italy was a classic example of a system beset with intraparty competition: policy making was biased toward "deficit financing to pay for the fiscal [and other] privileges of special interest groups."¹⁵ Factions, through legislative committees, targeted benefits to constituents in identifiable and therefore saleable ways.¹⁶

Frequent government turnover, often blamed for Italy's troubles, is not the problem.¹⁷ The more damaging costs of factionalized parties did not become fully manifest until growth began slowing in the early 1990s. Then it became

evident that governments had few handles with which to change the system for the better.¹⁸ While the Christian Democrats spent scandalous amounts of money to shore up falling vote shares, small- and medium-sized businesses in the industrial north lobbied for Italy to join the European Union so that the government would have to adhere to stricter European debt-to-GDP ratios.¹⁹

In 1991 and 1993 a renegade Christian Democrat, Mario Segni, spearheaded two referendums on electoral rules that eliminated preference votes and pushed toward majoritarianism. The impetus for change was boosted by “Tangentopoli,” a massive public works kickback scandal that ended the careers—and in some cases the lives—of many prominent politicians and industrialists. But although the referendums had authorized a majoritarian system, legislators engaged in creative interpretation to create a mixed system instead. Three-quarters of both legislative bodies were now to be elected in single-member districts (475 of 630 deputies; 232 of 315 senators), with the remaining quarter elected by proportional representation in twenty-seven regions. To encourage small-party survival, up to five parties could back a single candidate in the districts.²⁰ One classically minded Roman quipped that the mixed system was a “Minotaur”—part man and part bull—reflecting the conflicting interests of large and small parties.

Those rules might have lessened factional competition within parties, but the small parties elected in the PR lists continued to pose a bargaining challenge for governments seeking a legislative mandate.²¹ One strategy was the openly opportunistic one employed by Silvio Berlusconi, who in

1994 assembled his nondescript party Forza Italia (Forward Italy) from disaffected members of the Christian Democratic Party and the Socialists. He forged an ideology-defying electoral pact with the secessionist Northern League and the neo-fascist National Alliance in southern Italy. The Northern League left this cynical coalition after just two years, irked that Berlusconi was luring members of parliament into his own party with favors such as cabinet portfolios.

By 2001 the Northern League had rejoined Berlusconi's coalition for no other reason than to be on the winning side of national legislative elections. Its weathervane politics served it well regionally but failed nationally, opening a path for the antiestablishment, anti-globalist, Euro-skeptic Five Star Movement launched in 2009 by the comedian-turned-politician Beppe Grillo. The Northern League responded with leadership primaries of its own in 2013 that elevated a similarly populist, antiestablishment, anti-immigration politician, Matteo Salvini, who hinted at links with Marine Le Pen and denounced the European Union and especially the euro as a "crime against mankind."²²

In 2005 Berlusconi's government passed new electoral laws that eliminated single-member seats and preference votes to create a closed-list proportional representation system in which a coalition winning a plurality of votes would get an automatic majority—55 percent—of legislative seats.²³ It was a desperate move by Berlusconi's coalition, which was falling behind in the polls. He hoped that the reforms would prevent Romano Prodi's center-left coalition from winning the 2006 election, but in fact Prodi's coalition benefited, returning the Democrats to power. Despite a margin of only

24,755 votes, the center left won the bonus seats for a legislative majority of 349 to 281. Also galling to the right was the left's Senate majority, courtesy of votes from Italians living abroad that the right had expected to win.²⁴

"Lackluster economy" does not begin to capture Italy's malaise in 2011, when the country was routinely described as having experienced a lost decade.²⁵ Along with Greece, Italy was on the watch list for meltdown following the global 2008 financial crisis. Berlusconi resigned after ushering a debt-reduction package through parliament in November. By agreement among the major parties (with the Northern League voting against), nonpolitician Mario Monti formed a new government of unelected professionals to implement austerity measures in line with agreements with the IMF and EU. Monti himself kept the portfolios of the minister of the economy and the minister of finance.

Monti's government failed to turn the economy around, closing the year with negative growth of 2.4 percent and projections of further decline.²⁶ The general elections in February 2013 offered the left an opportunity to capitalize on the bad economic news, but the left itself was in disarray, starting with "third-way" Matteo Renzi's failed leadership challenge in July 2012 for the head of the Democratic Party against Pier Luigi Bersani.²⁷ Bersani led a group of seven parties to a narrow victory in the February 2013 general elections, but the parties then fell to squabbling over priorities, including how to distribute national development funds among their various constituencies, and could not produce a government.²⁸ In April, when Bersani then resorted to conversations with the scandal-tainted Berlusconi about a possible Democratic Party

minority government, angry backbenchers forced Bersani to step down in favor of Enrico Letta, who pulled together a broad left-right coalition. Less than a year later, in February 2014, Letta's unlikely cabinet crumbled under him, when Matteo—having finally achieved control of the Democratic Party—saw an opportunity to become prime minister.²⁹

In the midst of impossible coalition politics, the Italian roller-coaster hit another stomach-lurching bump in December 2013, when the Constitutional Court judged the 2005 law's "bonus seats" unconstitutional. This ruling created a de facto proportional representation system with no centripetal force pushing toward big parties capable of tough choices. The stillborn Italian poodledor was no more, but what remained was scarcely an improvement.

Matteo Renzi became Italy's youngest prime minister in February 2014 when he replaced Letta as head of the Democratic Party and the government. Renzi was eager to make good on promises of reform, declaring, "My ambition [for Italy] is not to do better than Greece but to do better than Germany."³⁰ In December of that year Renzi got the legislature to pass the controversial Jobs Act (which Monti had tried but failed to pass), abolishing workers' protection from dismissal. Even though the new rules exempted currently employed workers and did not affect Italy's 3.5 million-strong public sector, the Five Star, Northern League, and the left wing of his own Democratic Party opposed the bill, prompting Renzi to use the strongest tool at his disposal: turning the vote on the Jobs Act into a vote of confidence in his government. The bill passed, but Five Star, Northern League, and almost forty members of his own Democratic Party abstained in protest.

Renzi's victories were short lived. The general election of March 4, 2018, produced a confusing welter of populist, anti-immigration, anti-EU parties while his party and Berlusconi's parties lost ground. Italy remains one of the hardest modern democracies to govern because small parties have blocked any change that would have sidelined them. Renzi had hoped German-inflected electoral rules would give him a legislative majority, a benefit he was willing to pay for with compromises with smaller parties. It was a bet he lost, but it is hard to see how Renzi or anyone else could create a better system with the materials at hand. The task is like rebuilding a ship at sea with rotten planks. It may take a deeper crisis before voters insist on capable rather than putatively representative government.

J A P A N

Japan's success after World War II was so spectacular that all else could be forgiven. Voters disregarded waves of political scandals as long as their living standards improved. They routinely laughed off their "third-rate politics" because they had a first-rate economy to make up for the embarrassing corruption.³¹ But in 1991, when the stock market plunged to 50 percent of its peak value in a matter of months, politicians were forced to put electoral reform at the top of their agenda. The economy was not immune to politics after all.

The electoral rules adopted in 1994 replaced the notorious system of single nontransferable votes (SNTV) in multimember districts. Any party seeking to win or maintain a majority had to run multiple candidates in most districts,

erasing the value of programmatic party platforms. Rather than lay out policy prescriptions that would apply impartially to all, candidates spent enormous amounts of money cultivating personal loyalty among groups of voters, throwing the advantage to parties on the right that had access to corporate donations. The rules, which dated to 1925, had been resurrected in 1947 with the acquiescence of U.S. occupation officials happy to let conservative forces serve as an anti-Communist bulwark in Asia.

The center right established the ultimate cartel in 1955, when the Liberal and Democratic Parties merged to form a hegemonic Liberal Democratic Party (LDP). From that time until Japan's economic collapse of 1991, no other party could raise the money to be a serious competitor. LDP politicians were little consumed with the formulation and defense of public policy, since those activities would not help them in their competition against co-partisans running from the same district. The key to election was using favors to purchase the personal loyalty of specific groups of voters.

To rake in corporate donations, LDP politicians offered budget subsidies, tax breaks, regulatory advantages, and trade protection. With these donations, they wheeled out an astonishing array of costly events for their constituents back home: trips to hot springs, summer town festivals with ample libations for all comers, flower-arranging classes—the Japanese equivalent of Victorian England's "beer on tap" but offered throughout the year. The more powerful the politician, the more extra money he had to spend on the campaigns of up-and-comers to win followings within the party. Thus were factions built, personal loyalty cultivated, and public

policy distorted by the priorities of those most useful for vote-getting.

The Japanese economy soared despite rampant political corruption. Japan enjoyed the tailwind of U.S. sponsorship in world markets, including unilateral access to American markets without the expectation that Japanese markets would be open to American products in return. Until 1971 a favorable exchange rate meant that export industries prospered even if Japan's economy would have been on a more solid foundation had it opened itself to imports as well.³² Economic policy put in the service of vote grubbing would have slowed Japan's economic catch-up even more were it not for the country's low inflation policy and export-oriented growth.

Japan's postwar miracle ended in 1991 when an asset bubble, fueled by excessive liquidity (a political sop to cushion a rising exchange rate), and unrealistic expectations of eternal growth finally came crashing to earth. The astonishing size of the collapse showed up in the Nikkei 225 stock index, which dropped from its high of 39,916 in December 1989 to 15,000 by 1992. Japanese corporations finally tightened their belts.

Now an emperor with no clothes and facing voter fury, the LDP in 1993 concocted a new electoral system that would not require money it no longer had. The old guard, pressured by young politicians who could more easily imagine a different way of doing politics, helped to usher in new German-flavored electoral rules: a lower house with 200 single-member district seats and 180 seats elected by proportional representation from closed party lists. One difference from Germany was the stronger majoritarian thrust: parties keep all of their district seats on top of the seats they win on regional lists, rather than

the proportion of votes forming a ceiling. This feature favored the big parties while throwing a bone to the small parties: the list was their life raft.

As expected, intraparty competition was replaced with partisan competition. Japanese voters and politicians responded with astonishing speed for a country thought culture-bound: two large parties quickly emerged and for a time appeared likely to alternate in government.³³

Within a decade, however, another dynamic emerged, this one unforeseen: a return to one-party dominance with fragmented opposition. The right-wing Liberal Democratic Party adopted the traditionally left-wing policy of fiscal and monetary expansion to combat post-bubble deflation, leaving the left divided across multiple dimensions for some way to compete.³⁴ Worse, small parties remain an attractive nuisance to members of the big parties unwilling to make themselves unpopular in their own districts. The result is a dominant party that, to keep its members from defecting to smaller parties, builds support for policies with all carrots and no sticks. While fortunate that the post-bubble economic situation calls for fiscal and monetary easing, the Japanese government is hard pressed to lift barriers to competition or raise taxes to solve long-term structural problems.

MEXICO

Mexico's dominant party, Partido Revolucionario Institucional (PRI), has amended electoral rules many times over its decades of political hegemony, but here we will focus on the effects of the German mixed system that, like Japan's,

currently keeps the opposition in shambles. Seats won in single-member districts are added to seats won in proportional representation lists. Although the districts provide an incentive to form large parties, the list seats undermine that incentive by making size unnecessary for political survival. The PRI has steadily lost seat share but remains the plurality party in the Chamber of Deputies and in the strongest position to form a legislative majority because of the opposition's fragmentation.

To see how Mexico's mixed-member electoral rules shape politics, imagine majoritarian rules under which a solid opposition to the PRI would form and move to the middle in order to win. Two parties would alternate in government around deregulatory and redistributive platforms respectively. Instead, under mixed-member rules, many parties appeal to voters along multiple dimensions. Party competition in Mexico has become more intense as the PRI's grip on economic resources has become worth less (not to say worthless) to more prosperous voters, but competition remains fragmented in a way that impedes voter and party coordination around coherent policies with long-term benefits.

Mexico's presidential system and political term limits add two institutional wrinkles not present in parliamentary democracies, both of which weaken parties' ability to formulate and implement policies with long-term benefits for the electorate.³⁵ Divided government, in which the executive and legislative branches are in the hands of different parties or combinations of parties, complicates party strategy since the president and members of parliament are elected by different aggregations of voters.³⁶ Term limits motivate deputies to

secure their next gig, whether inside politics or out, instead of being committed to the legislative party's long-term health.³⁷

From 1929 until 1963, despite regular electoral competition for legislative seats in single-member districts, opposition parties posed little threat to the PRI. Its legacy as the revolutionary party that redistributed land to peasants and gave labor rights to workers would have grown stale had it not channeled government resources to the descendants of those first beneficiaries.³⁸ The PRI used its monopoly control of government resources and policy levers—amplified when it nationalized the oil industry in 1938—to disable the opposition as a viable alternative.³⁹ For most voters, it was better to be on the inside of a corrupt system than to rail hopelessly from the outside. Such are the collective action costs for ordinary citizens who have too few resources of their own to forego government handouts. Citizens vote to keep the spigot open even if those handouts leave the government with less to spend on education, infrastructure, and other policies more likely to produce long-term economic growth.⁴⁰ The result is what some have called “inclusionary authoritarianism.”⁴¹

The PRI responded to the rise of the middle class by creating a whole new group of client firms through privatization and maintaining anemic antitrust regulation to permit these firms high profits that they would recycle to finance political donations.⁴² As Beatriz Magaloni describes this well-oiled machine, the PRI members funneled public funds to their own districts and starved the opposition's constituencies.⁴³ Even the means-tested poverty-relief program, PRO-NASOL, favored incumbent politicians.⁴⁴ PRONASOL subsidies of food, healthcare, and school equipment, which

increased from \$680 million in 1989 to \$2.1 billion in 1992, managed to strengthen support for the PRI where it had been weak.⁴⁵ Recessions and sectoral shifts posed a challenge by reducing available government resources, but for most politicians and voters the PRI remained the best bet.

Mexico's economic development swelled the ranks of two groups who chafed at the PRI's policies: a growing assembly of independent business owners and investors who wanted lower taxes and freedom from government regulation that padded the profits of PRI insiders, and nonunionized workers who did not have the insiders' favorable deals.⁴⁶ Mexico's geography of development is reflected in its three-way partisan competition. The Partido Acción Nacional (PAN), which wins votes from about a quarter of the electorate, is strongest in the north and center west where there is a greater concentration of new industries and urban, educated voters; the Partido de la Revolución Democrática (PRD), at somewhere between 10 and 15 percent of the electorate, is strongest in poorer and more rural parts of the south; and somewhat less than a third of the electorate identifies itself with the PRI, concentrated among poorer, less-educated rural voters as well as unionized industrial workers throughout the country. The remaining quarter to a third of the population is attached to smaller parties, or swings among parties with each election.⁴⁷

The mixed-member system and its various adjustments were brilliant strategies to keep the opposition divided as PRI's vote margins slipped.⁴⁸ PAN managed to win the presidency in 2000 and 2006 by casting itself as the outsider party, but in legislative districts the PRI has been able to keep the PAN and PRD from coalescing.⁴⁹ In 1997 the PRI lost its

majority in the Chamber of Deputies and the PAN's Vicente Fox won the presidency in 2000, but no other party has managed to capture the principal instruments of government at once.⁵⁰

A vivid illustration of how the opposition's fragmentation plays to the PRI's advantage came in the June 2017 gubernatorial election for the State of Mexico when PRI candidate Alfredo del Mazo Maza won a cliff-hanger election with 32 percent of the vote because the opposition could not agree on a challenger. Why does this matter? The PRI can have it both ways: it claims to be at the median while still favoring business insiders. When, for example, intensified electoral competition after the 1997 midterm elections pressured the parties to adopt stricter banking regulation and opened the largest banks to foreign investors, the PRI-controlled government did this in a way that continued to protect the banking industry's profits. Gabriel Aguilera found that "the banking system after 1998 remained highly concentrated, inefficient, and small relative to the country's financial needs."⁵¹

THE PERILS AND LIMITED BENEFITS OF
MIXING ELECTORAL SYSTEMS

Electoral system engineers and the scholars who advise them have hoped that multimember systems can improve on both majoritarian and proportional systems by incorporating the best features of both—creating a proliferation of voices to provide more representation than in a straight majoritarian system, and creating more accountability by giving large parties an incentive to appeal to unorganized voters in the

political middle.⁵² Less optimistically, the strategic possibilities of voters, candidates, and parties in mixed systems produce a far more complex outcome than an averaging of the two systems.⁵³ As in the Japanese and Mexican scenarios, a dominant party facing a divided opposition can favor its own supporters with impunity. As in New Zealand and Italy, extremist parties can gain disproportionate political influence. In all of these cases, the centrifugal effects of the proportional list weaken parties' ability to discipline individual politicians, who have the standing option of defecting to smaller parties.

In postindustrial democracies, the disunity fostered by mixed systems is especially pronounced on the left, where a shrinking unionized workforce has weakened the core voter base. That side of the political spectrum is now fragmented even in Germany, where the SPD had long pursued a majoritarian strategy of appealing to voters in the political middle. Voters disproportionately blame the left for hard times, and some of its defectors have moved all the way into the xenophobic alt-right. German-style systems enjoyed the great advantages of economic success coupled with a generous welfare state, but the conditions for that coupling have not traveled well and may be declining everywhere.

CHAPTER TEN

Presidentialism with Small Weak Parties: Latin America

IN many Latin American countries, a lamentable configuration of political institutions leaves the government vulnerable to corruption and deadlock. Presidentialism corrodes legislative party discipline by opening channels of political advancement outside of parliament. Regionalism and decentralized candidate selection further weaken legislative capacity to formulate broadly gauged public policies; and proportional representation rules produce multiple versions of these weak parties. Legislative majorities are cobbled together after elections, robbing voters of a clear connection between votes and laws. Chronically dissatisfied voters have resorted to ever-stronger presidents to get things done. In the process, legislative parties have become less able to formulate, implement, and advertise policies that would be good for the many and over the long haul.

One after another, Latin American countries in the 1990s reengineered electoral rules to empower voters to choose among individual legislators rather than cast votes in contests

among party platforms.¹ Voters frustrated with belt-tightening neoliberal reforms following the debt debacle of the 1980s—the drying up of foreign lending and the ensuing fiscal collapse—blamed their misery on excessively top-down parties that were criticized as unresponsive to constituents. While the voters' dismay at their worsened fortunes is understandable, they did not grasp that holding politicians individually accountable instead of empowering legislative parties would make things worse. Election-seeking legislators who lack a collective platform would be inclined to promise something for everyone without regard to the cost. They would sell their legislative votes to presidents for favors targeting groups of gullible voters, the policy equivalent of a sugar high that comes with a large price to pay later.

B R A Z I L

Presidents are nimbler than fragmented parliaments in responding to new circumstances.² A case in point is the spate of leftist presidential candidates who adopted neoliberal policies in the 1980s and 1990s after campaigning on leftist platforms.³ One can thank strong presidents—in Brazil's case, on account of a constitutional amendment of 1988—for breaking policy deadlock on a range of issues. The presidents of Brazil between 1989 and 1997 initiated 86 percent of the laws enacted, compared to 43 percent between 1946 and 1964.⁴

The “presidential empowerment” view espoused by frustrated Latin American voters does not reckon with the cost of these impasse-breaking deals. Parties associated with radical policy shifts lost many previously loyal voters. Especially in

combination with poor economic performance, established parties frayed at the edges or collapsed altogether as legislators grubbed for tangible resources with which to win back voter support.⁵ Brazil's presidents after 1988 managed to pass so many laws because so many individual legislators were eager to cut deals in exchange for something to take back to their constituents.⁶ As parties lost ideological meaning and cohesiveness, legislators paid off local vote mobilizers or lined their own pockets with ill-gotten money.⁷ The laws themselves were an ideologically indecipherable hodgepodge.⁸ If majority party governments are marriages and postelection coalition governments are hookups, presidential coalitions forged with patronage deals are sex for pay. In the colorful language of one Latin American politician, strong parties in Latin America were a monogamous phase followed by polygamous alliances; then came the presidential deal-making orgies.⁹

In July 2017 former president Luiz Inácio Lula da Silva was sentenced to nine and a half years in prison for corruption a year after his hand-picked successor, President Dilma Rousseff, had been forced out of office, also on corruption charges.¹⁰ The next president, Michel Temer, was revealed as corrupt as well, suggesting that the problem was not personal or even partisan but systemic.¹¹ Brazil's presidents have forged and maintained governing coalitions through a scheme of payoffs involving corporate donors known as *caixa dois*, Portuguese for "box two," for the off-record column on corporate ledgers. Corporations transfer unreported corporate earnings to politicians in exchange for inside information, government procurement contracts, subsidies, tax breaks, protectionist regulation, and an assortment of other favors.¹²

PRESIDENTIALISM WITH SMALL WEAK PARTIES

In 2017 Brazil's government was considering a system of party-controlled closed lists to offset legislative temptation.¹³ If closed-list rules force the president to strike wholesale bargains with parties rather than retail ones with individual legislators, Brazil could fix one problem by creating another: reducing corruption but returning to policy deadlock. President-led coalitions differ from parliamentary ones because presidents' constituencies differ from those of the parties they seek to lead, and their electoral fates are separately determined. Not playing on the same team, by the same rules, or for the same fans, they are subject to gridlock—and to the temptation to manage it through side deals and payoffs.

C O L O M B I A

While Brazil was strengthening its presidency in the late 1980s, Colombia experimented with the opposite. The 1991 constitutional reform limits the president's decree powers, reducing his or her capacity to dominate the legislature. And whereas overturning a presidential decree had required two-third supermajorities in both legislative chambers, now a bare majority in the House of Representatives would suffice.¹⁴

Colombia's experiment might have worked had it not also weakened legislative parties. New electoral rules allowed multiple factions to present lists under the same party label, creating a functional equivalent of open-list PR. A second set of electoral reforms in 2003 required each party to present a unified list of candidates rather than multiple lists. Parties would have developed more internal coherence and discipline

were they not being pressured by grassroots activists by opening their lists to preference votes. Because open lists require candidates to develop a personal rather than a partisan following, the parties were not motivated by virtue of those changes to distinguish themselves programmatically. Legislators sought to appeal to voters with whatever combination of charisma and material resources they could muster.¹⁵

Despite the intention of weakening the presidency, the electoral rules have so hamstrung legislative parties that presidential initiatives since 1991 have actually been more rather than less successful, while legislative initiatives have declined.¹⁶ As in Brazil, weak legislative parties play to local bosses, sending increasing amounts of budget allocations to subnational governments. When Colombia's deteriorating fiscal condition precipitated an IMF intervention, the government reduced fiscal transfers to local government but then sought to soften the blow for local politicians by extending their terms in office from three to four years.¹⁷ In 2004 Colombia reverted to the Latin American pattern of strengthening presidential powers, allowing him or her to run for a second consecutive term.

ARGENTINA

Unlike most Latin American countries, Argentina has maintained a closed- rather than an open-list PR system for selecting its bicameral legislature since its return to democracy in 1983. Closed lists do less damage to parties because they maintain the legislative parties' ability to control candidate selection and therefore to whip party votes to pursue common priorities.

But the authority of Argentinean parties is undermined by two institutional features. Each of the twenty-three provinces automatically gets five legislative seats irrespective of its population, which amplifies rural interests against those of the more numerous urban voters.¹⁸ Moreover, party bosses in each province control the selection and ordering of candidates on the provincial lists. An indirect measure of provincial dominance is that most national legislators take up provincial party or government posts following short stints in the assembly. Career opportunities skew toward toeing the line of local bosses in hopes of becoming one. Provincial governors, who can set the timing of local elections, ride or avoid national coattails to their advantage.¹⁹

Local bosses leveraged the unpopularity of the 1990s neoliberal reforms to redirect fiscal resources from the national government to the provinces.²⁰ The governor's party can then use these resources to choose and support legislative candidates for the national assembly's provincial list, whereas parties that do not control the governorship are more likely to resort to primaries to choose their slate of candidates.²¹

Not surprisingly, given this setup, national policy reflects the priorities of the president and provinces, diminishing the role of the national legislature. As in Brazil, the president can "buy" deals in the legislature with strategic gifts. Shifts between right-leaning and left-leaning presidents predict policy tilts toward business or labor, but more conspicuous is all parties' generosity toward well-organized groups to which they are beholden—even in the midst of the neoliberal reforms of the 1990s. Privatization of national assets gave local business groups first dibs at favorable deals, and health and pension reforms

avored public sector labor unions.²² Argentina has yet to establish economic policies aimed at benefiting the average voter.

V E N E Z U E L A

Venezuela was governed democratically from 1958 by a relatively weak president and, like Argentina, it chose its legislature by a closed-list PR. Closed-list PR normally produces multiple disciplined parties, but in Venezuela, partly because of government access to oil revenues, two largely indistinguishable parties emerged as a political duopoly that took turns running a highly cartelized economy.²³ Venezuela's rich stores of oil became its greatest curse when the post-OPEC oil boom burst in 1983. The government's subsequent belt-tightening measures produced widespread fury, to which the established parties responded by adopting direct elections of mayors and governors in 1988, and in 1991 a German-style mixed-member electoral system to replace closed-list PR.²⁴

The government hoped that political decentralization and localization would stanch voter rebellion and alarmingly high popular support for a failed military coup. Instead, the mixed-member system weakened the parties' internal discipline as incumbent legislators ran for cover in new parties based on local bosses and networks.²⁵ The number of parties proliferated almost overnight, forcing voters to choose among a welter of ill-defined party platforms and producing the foggiest of coalition-building negotiations among politicians to form a legislative majority.²⁶

In December 1993 angry Venezuelan voters chose as their president Rafael Caldera, a man who had served earlier terms

in the 1960s and 1970s but who now had refashioned himself as an anti-neoliberal rebel. True to his word, he put hard brakes on the painful fiscal retrenchment and deregulatory policies working their way through the Venezuelan economy. But he made matters worse for himself and for Venezuelan democracy by promising workers wages and benefits beyond the government's ability to deliver.²⁷ Firms that had begun to adjust to open markets found their investments wasted, and the future economic benefits of deregulation were nullified.

Venezuelans had made the down payment on economic reforms without seeing the dividends. Michael Coppedge reports that "where the process was allowed to proceed long enough (as in Colombia, Chile, Bolivia, and Mexico), competitive firms became dominant and developed a more mutually satisfying relationship with the state, which enhanced governability in the economic arena. In Venezuela, the election of Caldera in 1993 interrupted this process before the competitive firms could gain dominance."²⁸ Oil revenues that could have been marshalled for the long-term good of all were instead misspent, creating unrealistic expectations.

In 1999, with parties splintered from decentralized candidate selection rules, the new president Hugo Chávez arrogated extraordinary powers to himself.²⁹ Chávez was one of the officers who had led a failed military coup in 1992 and had been released from prison only in 1994. With a potent blend of charm and guile, he won 56 percent of the popular vote to create a constitutional assembly that proceeded to emasculate the legislative branch. The assembly extended the president's term in office from five to six years, gave the president control of the armed forces, extinguished the senate, authorized the

president to call referendums at will, eliminated public financing for political parties, and allowed the president to recall local politicians. By 2006 Chávez controlled 95 percent of the seats in the national assembly.³⁰ A decade later, Venezuela was a failed state.

BOLIVIA

Bolivia shifted from closed-list PR to a mixed-member system with open voting on the PR portion of the ballot in the early 1990s in response to neoliberal pain. As has happened elsewhere, decentralizing electoral choice weakened legislative parties, leaving a strengthened president to appeal over their heads to grassroots populism.³¹

Bolivia's left-leaning coalition under President Hernán Siles Zuazo had responded to the drying up of foreign loans in 1982 by printing money, producing an inflation rate of 60,000 percent a year. In 1995 a center-right government under President Victor Paz Estenssoro followed the IMF-recommended antidote: liberalize trade, stabilize the exchange rate, denationalize industry, decontrol prices, and balance the government budget.³² Inflation vanquished, the economy began improving but not before inflicting deep pain on voters who had relied on a closed economy and wage supports. The sectors benefiting from global economic integration notably excluded miners, teachers, retired workers, and indigenous populations in the highlands.³³

The economic oligarchy in the country's eastern lowlands had long been suspected of making deals with foreign investors for its own benefit at the cost of local accountability and

national interest.³⁴ As one Bolivian voter commented, “Deputies should be known and acknowledged representatives of their constituencies and not anonymous representatives of party leaders. Direct connections between deputies and voters would therefore enhance the legitimacy and representativeness of the parliament.”³⁵ In 2006 an indigenous politician, Evo Morales, won the presidency and quickly renationalized natural gas production.³⁶ While the government’s control of its natural resources gives it more bargaining power with foreign investors, the absence of strong legislative parties enables the president to run public policy out of his or her own office by making one-off deals with strong interest groups. The result is an underdeveloped national infrastructure, hampering sustainable prosperity.³⁷

COSTA RICA

Costa Rica was one of the few Latin American democracies in the 1990s that resisted demands for political decentralization and individual as opposed to partisan accountability.³⁸ Because legislators remain tied to partisan competition in closed lists, they campaign on party platforms rather than on promises of government contracts, corrupt deals, or other favors.

President Óscar Arias of the centrist party, like other Latin American political leaders, was criticized for neoliberal reforms, but he oversaw a more gradual, socially cushioned deregulation and denationalization that did not create a reservoir of antisystem voters.³⁹ It also helped that, unlike Venezuela’s boom-bust oil economy, Costa Rica’s earlier land reforms had produced a large group of farmers operating small- and

medium-sized concerns who supported stable democracy. The rise of ecotourism as a source of foreign money further diversifies the economy and cushions it from destabilizing price shocks.⁴⁰ Costa Rica continues to outperform most of Latin America in public health (the average life expectancy of 78.3 years is on par with Denmark) and education (literacy is 97.8 percent).⁴¹ The percentage of citizens living below the poverty line was 3.1 percent in 2013, which compared favorably with every other Latin American country except Chile.⁴²

One vulnerability of even closed-list PR is that if parties are small enough, they can as an entire party offer favors to a particular group of constituents and logroll those favors into deals with other parties championing their own supporters' interests. Because voters hold their own parties accountable but have no lever on the coalition as a whole, these deals can come at a cost to the general public. Moreover, presidential primaries amplify the voice of well-organized groups at the expense of the general public.⁴³ Governments have granted entire sectors of the economy exemption from competition, including maritime and rail transport as well as agricultural products, with the result that consumer prices are higher in those sectors than even in some (also protectionist) neighboring countries; and innovation and growth are lower.⁴⁴

C H I L E

When Augusto Pinochet stepped down as military dictator of Chile in 1990, he left behind a constitution cleverly designed to block the left from achieving electoral dominance. Chile

had a PR system that elected two representatives per district, but the two parties or coalitions of parties that won the most votes would each win one of the available seats unless one party or coalition of parties won by 66 percent of the district's vote. The landslide requirement effectively blocked an easy run at government by the numerically advantaged left. Coalitions had to be nationwide, a requirement that precluded regionally distinct parties from gaining strong representation and forced parties to form strong preelection agreements under which they would contest every district together.⁴⁵

The binomial system, as it was called, produced predictable results. Control of the government alternated between two centrist coalitions: the center-left Concertación and a center-right coalition. Still, compared to single-member districts, which strongly encourage the development of two majoritarian parties, the list system was a safe haven for smaller, distinct parties that never gave up on the possibility of electoral rules that would free them from the bondage of a two-party alliance structure. Parceling out the seats among coalition partners across districts was strategically complex, given that typically only one person on each list would be elected in each district. For example, members from small parties typically demanded to be paired with members of other small parties to have an even chance of winning a seat. The junior member of a ticket paired with a figure from one of the more prominent parties, whose presidential candidate had better name recognition, generally had little chance.⁴⁶ By 1997 many parties had instituted primary elections to give voice to local interests, but many groups and candidates still felt marginalized.⁴⁷ Former president Ricardo Lagos, who considered himself "an independent

on the left” and chafed at party labels, quipped, “When you vote in Chile you’re offered red wine or white wine and that’s it. There are no subtleties. You don’t get to choose a cabernet sauvignon, a merlot, or a sauvignon blanc.”⁴⁸

Chileans embraced greater representational variety when their parliament voted in January 2015 to adopt new electoral rules: voters would choose from among party lists, open for rearranging, in multimember districts ranging from three to eight. As expected, a proliferation of parties gained representation that November in the first electoral contest under the new rules.⁴⁹ Less well anticipated was the challenge of weak parties in coalition governance. Unlike the old rules, under which disciplined parties worked out policy compromises in advance of the election, the new rules bound individual politicians to their respective constituents before the election.

Chile’s new setup of multiple weak parties led by a president chosen in a presidential primary sounds eerily familiar.⁵⁰ Latin American presidents are not in a position to exert strong executive authority for the benefit of the nation. They, like decentralized legislative parties, are also locally beholden, and they manipulate weak parties to cater to groups with intense preferences. All too often this arrangement has produced corruption and subpar economic performance.

WEAK PRESIDENTS AND WEAKER PARTIES

Latin American countries carry a heavy load of dysfunctional institutions. In the 1990s many of them adopted “democratizing” reforms, including open-list PR and presidential primaries, to make their governments more accountable.⁵¹ Sadly,

these reforms have made things worse because special interest groups are better than ordinary voters at influencing these decentralized processes. Presidents and their jerry-rigged legislative coalitions have been mired in corrupt deals with organized, local, and disproportionately rural groups at the expense of everyone else. The deals they have made have brought widespread misery and growing fury.

Voter demands to democratize control of parties and to achieve greater representational diversity are understandable given disappointing economic outcomes. But the diagnosis of the problem—out-of-touch parties—has been off the mark. The region needs, instead, disciplined parliamentary parties that compete programmatically for the new class of urban voters. Governments capable of formulating and implementing broad-gauge public policies for the long run require fewer parties, not more, and more party discipline, not less.

With Chávez and Maduro as with Trump, presidents do not make things better. It is a lesson eastern European voters would do well to learn.

CHAPTER ELEVEN

Creeping Authoritarianism in Eastern Europe

EASTERN Europe is a major point of entry for refugees fleeing violence and destruction, including those from Kosovo in the late 1990s and from Syria in 2011. Throughout the region, unscrupulous politicians stirred up voter resentment for electoral profit. In Hungary and elsewhere, well-placed politicians were able to leverage xenophobia to strengthen the presidency at the expense of parliamentary democracy. It was a different crisis from the one that had strengthened presidents at the expense of parliaments across Latin America in the 1990s, but the results have been distressingly similar.¹

The immigration shock came on the heels of eastern Europe's extraordinarily costly transition from command-control to market economies. Meager but dependable livelihoods had been propped up in the Soviet era by state controls, the removal of which left unemployment rates as high as 30 percent in some deindustrialized and uncompetitive regions.² Any political party attempting to impose the real costs of transition on

the population faced eviction from office.³ Without party discipline to avoid short-term fixes that would make everyone worse off in the long run, the path of least resistance was to make untenable promises.

Eastern European political institutions make these countries particularly vulnerable to short termism in response to economic and social shocks. After the end of Soviet domination in 1989, most eastern European countries adopted, with understandable optimism, Germany's successful model of mixed-member electoral rules. But in many of the countries, the founding politicians also chose to alloy the German model with an array of features meant to help secure their own political fortunes: some version of presidentialism and open-list PR so as to capitalize on their existing networks and name recognition.⁴ Several countries, notably Poland in 2001, Slovakia in 2004, the Czech Republic in 2006, Romania in 2008, and Bulgaria in 2009, altered electoral rules even further in the direction of personal rather than partisan accountability.⁵

Eastern Europe's institutional blending has turned out to be something closer to Frankenstein than a poodledor. Multiple weak parliamentary parties have withered while right-wing populism has surged, in some cases tending toward single-party systems. As in Latin America, legislators are tempted to redirect their efforts from policy making to getting what they can from a strongman.⁶

P O L A N D

In July 2017 the head of Poland's Law and Justice Party, Jarosław Kaczyński, pushed legislation through the Polish Sejm allowing the government to control the media and judi-

Table 11.1. Constitutional systems in eastern Europe, 2005

Country	Parliamentarism	Presidentialism	Semi-presidentialism
Albania	•		
Belarus		•	
Bosnia and Herzegovina	•		
Bulgaria	•		
Croatia			•
Czech Republic	•		
Estonia	•		
Hungary	•		
Latvia			•
Lithuania		•	
Macedonia			•
Moldova			•
Poland			•
Romania			•
Russia		•	
Serbia			•
Slovakia	•		
Slovenia	•		
Ukraine			•

Source: Adapted from Mirjana Kasapovic, "Parliamentarism and Presidentialism in Eastern Europe," *Politicka misao* 33, no. 5 (1996): 126.

ciary, which had been independent. Kaczyński's consolidation of power was enabled by a legislative majority in the hands of two right-wing parties, the Euro-skeptic Law and Justice Party and the pro-European Civic Platform. A weak array of opposition parties was powerless to block the moves, even with the help of massive public vigils in front of the presidential palace to the plaintive strains of Chopin.⁷

Table 11.2. Electoral rules, 1989–92

Closed lists	Flexible or open lists	Mixed systems	Majoritarian
Bulgaria	Czechoslovakia (1991)	Hungary	Poland (1989)
Romania	Estonia	Lithuania	
	Latvia		
	Poland (1991)		
	Slovenia		

Source: Adapted from Alan Renwick and Jean-Benoit Pilet, *Faces on the Ballot: The Personalization of Electoral Systems in Europe* (New York: Oxford University Press, 2016), 100.

It would be a mistake to think that the rise of Poland's right wing was inevitable. It is true that the right claims the heroic legacy of Polish workers locking arms with the Polish Catholic Church against the leftist collaborationists of the Soviet era.⁸ In the first elections of 1989, multimember districts pitted co-partisan candidates against each other in both the Communist and Solidarity camps, but many voters coordinated around the Solidarity candidates, crossing out the names of Communist Party candidates. Confronted with visible evidence of their unpopularity and fearing a complete eclipse, the Communists led a raft of smaller parties to press for a highly proportional list system of seat allocation. The left alliance subsequently made a comeback, remaining as a force in Polish politics through the 1990s.

Not obvious from the left's electoral success were its deep internal divisions, thanks to the proportional and increasingly personalistic electoral rules. Left-leaning parties might be thought to prefer strong party discipline so as to promote a leftist ideological platform, but because the proportional electoral rules propped up three separate parties on the left,

they had electoral reasons to accentuate their differences rather than emphasize their commonalities.⁹ In March 2001 the Sejm passed a new electoral law that abolished the closed national list, leaving politicians more directly accountable to their local constituents.¹⁰ The left alliance had always been an open marriage among the Social Democrats, Labor, and Polish Peasant Party and now they quarreled publicly, blaming each other when the media got wind of lavish spending.¹¹ The Social Democrats and Labor expelled the Polish Peasant Party from their coalition for bribery in 2003, but that did not save them from being sullied by association.¹²

As the left collapsed, two right-wing parties surged in the polls, riding waves of economic resentment and whipping up immigration worries. The third-largest legislative party to emerge from the 2015 elections, Kukiz, was even more populist and right wing than the Law and Justice Party or the Civic Platform. Not a single leftist won a seat in 2015.

In a surprise move that gave cheer to voters on the beleaguered left, President Andrzej Duda, despite representing the Law and Justice Party, used his constitutional powers to block his co-partisan Kaczyński's legislation to take control of the media and the courts. Under Poland's semi-presidential system, the president shares power with both the legislature (Kaczyński's domain) and the prime minister (held by Law and Order member Beata Szydło). Because of Duda's intervention, the laws in question were rewritten to secure judicial independence, although a requirement remained that judges had to retire at age sixty-five, which would give the majority party more latitude to reconfigure the judiciary. Given that Duda, Szydło, and Kaczyński were all members of the same party, things could

CREEPING AUTHORITARIANISM IN EASTERN EUROPE

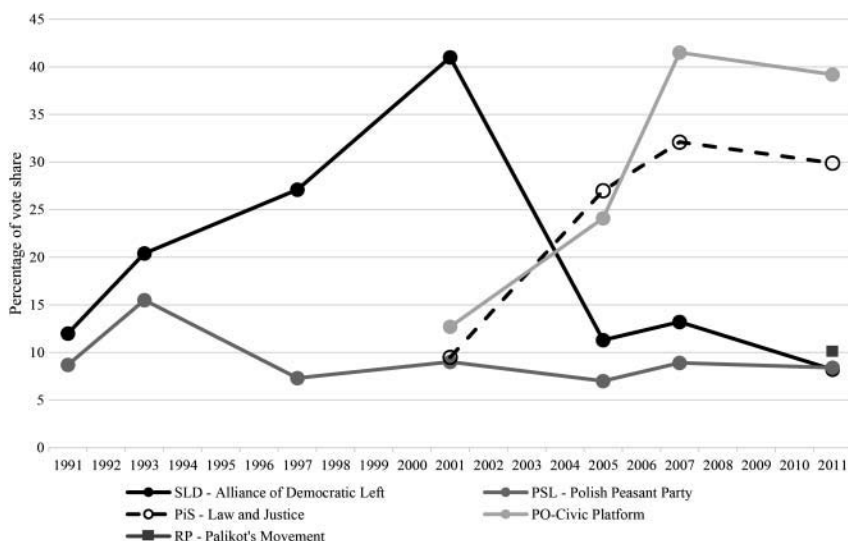


Fig. 11.1. Polish parties' vote share in parliamentary elections, 1991–2011.

(Source: Adapted from Aleks Szczerbiak, "The Polish Left Is in a State of Turmoil Ahead of the Country's 2015 Parliamentary Elections,"

London School of Economics blog, <http://bit.ly/1xYvBiF>. Updated with data from the Political Data Yearbook <http://www.politicaldatayearbook.com/Chart.aspx/85/Poland> [accessed 2–12–2018].)

have gone very differently in the absence of a consolidated and disciplined legislative opposition. The danger for democracy in Poland is that, in the absence of a Duda, they still could.

H U N G A R Y

Viktor Orbán accomplished in Hungary what Kaczyński failed to do in Poland. Orbán's swift seizure of the political reins from established parties might strike us as puzzling because

unlike in Poland, where the Soviet-collaborationist left was fatally discredited, the Hungarian Communists resisted Soviet control during the decades of occupation, giving them a noble place in the national narrative. After the Soviet invasion of 1956, the Hungarian Communist government championed freedoms that included partially free elections, paving the way for the Communists' successful rebirth as the Social Democratic Party when Hungary became a full-fledged democracy in 1989.¹³ Social Democratic-centered coalitions alternated with center-right ones, boding well for stable democracy.

Under the surface of an apparently well-ordered system was a fragmented legislature resting on incomprehensible electoral rules: three electoral formulas allocated a total of 386 seats in the national parliament. Each voter had two votes, one for individual candidates and one for county lists, which sent, respectively, 176 and 152 representatives. Another 58 seats came from "fragment votes" for a total of 386 elected members of parliament. Fragment votes went to close losers in districts or on territorial lists. A later amendment added 8 seats reserved for ethnic minorities.¹⁴ As Anthony Downs could see in 1957, such a system would cause voters to "cease regarding elections as direct government-selection mechanisms."¹⁵ Leaving each legislator to court his or her own personal voting base, the electoral rules motivated parliamentarians to defy party discipline. Even within the ruling party, backbenchers regularly insisted on legislative amendments to protect constituent groups from policies that might have been better on average.¹⁶

For a wily politician like Orbán, strategic complexity created opportunities to outmaneuver the baffled. He appealed to voters' emotions over the din of discord when, for example,

CREEPING AUTHORITARIANISM IN EASTERN EUROPE

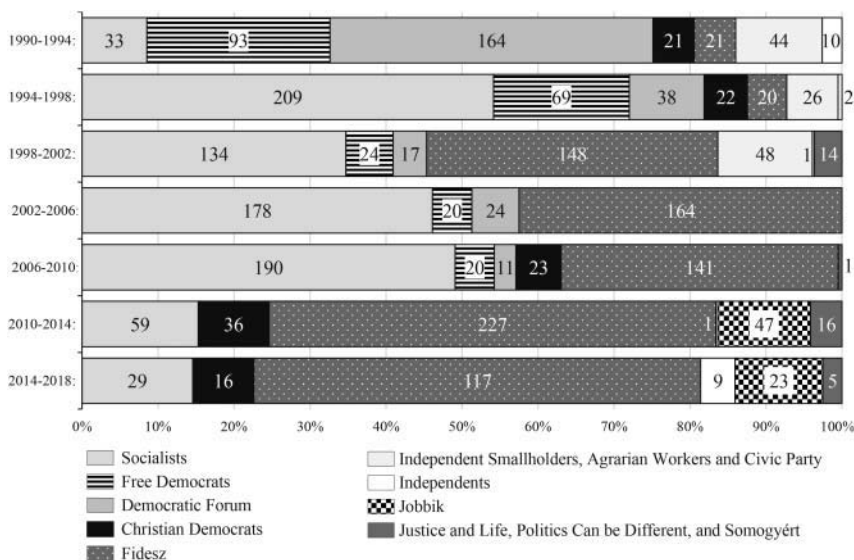


Fig. 11.2. Composition of Hungarian National Assembly, 1990–2018.

(Source: Adapted from “National Assembly (Hungary),” *Wikipedia*, [https://en.wikipedia.org/wiki/National_Assembly_\(Hungary\)](https://en.wikipedia.org/wiki/National_Assembly_(Hungary)) [accessed 12–24–2017].)

in 2002 he opened a museum in Budapest called the House of Terror that blamed the left, moderates, and foreign countries for everything that had gone wrong in Hungary’s past. A wider swath of alleged perpetrators is hard to imagine, and the museum showed little respect for historical truth. Never mind that Hungary allied itself with Nazi Germany in 1944 and shipped off Hungarian Jews to German camps; a German eagle is depicted attacking Archangel Gabriel, who symbolizes innocent and valorous Hungary.¹⁷ The anti-foreign tone

resonated with a population wary of immigrants pouring in from war-torn Kosovo at the time. Minorities make up about 10 percent of Hungary's population. About a third of them are Roma and another third are foreign born. Roughly two out of three Hungarians express negative attitudes toward ethnic minorities.¹⁸

In the 2010 election Orbán's staunchest rival in many districts was the Jobbik party, even more xenophobic and hate-mongering than Orbán. On television, radio, and the internet, Jobbik campaigned on an anti-Semitic, anti-Roma, anti-Muslim, anti-EU, and anti-capitalist platform. Hitler, so Jobbik claimed, was the victim of a western smear campaign against his honorable efforts to protect the German nation.

Within a year of the election, Orbán had passed legislation to control the press and the judiciary, and to gerrymander single-member districts to create safe seats for his party.¹⁹ Four opposition parties formed an alliance in time for the 2014 elections, but they managed to capture only 38 of the 199 parliamentary seats and disbanded amid mutual recriminations. Orbán's party won 8 percent fewer votes than in 2010—voters who had hoped for salvation began to mutter the unthinkable: that Orbán too was touched by “corruption, opportunism, nepotism, mediocrity and an insatiable lust for power.”²⁰ But thanks to his redistricting, he won a two-thirds majority of seats in 2014. He also secured majorities in the assemblies of all nineteen rural counties and in twenty of twenty-three urban counties, including the Budapest City Council.²¹

One problem for Hungary's voters is that because of low thresholds for the proportional representation part of the

ballot, starting a new party is easy and forging a unified opposition is correspondingly hard. In July 2017, in preparation for the 2018 parliamentary elections, a new group proved that there was room even to the right of Jobbik. In the words of one of its leaders, “We declare war on liberalism. They are our main enemy and we will do everything to destroy their ideals in our public. . . . These people lose their nationality, their race awareness and soon their sexual identity. Such people must be forced out of our *lebensraum*.”²² Whatever their seat share, their hate-mongering speeches and mobilization constitute a far-right anchor in the political system.

CZECH REPUBLIC

Back in the days of Czechoslovakia, governments appeased disgruntled voters by amending electoral rules over successive years to make it ever easier to disrupt the rank ordering of politicians on party lists. In 2006, after the Czech Republic had become its own country, parties responded to a new “crisis of confidence in politics” by making it easier for voters to choose favored candidates on party lists.²³ In 2009 some politicians sought to reverse the 2006 changes for fear that open lists fueled “populist, media-driven rebelliousness among MPs.” But as Social Democrat Stanislav Křeček acknowledged in a speech on the assembly floor, it would take “the courage of a Japanese kamikaze” to take back voters’ ballot power. All of the major parties, including Křeček’s, backed away from the suicide mission of reestablishing party-controlled lists.²⁴

Losing control over the reelection prospects of backbenchers robs party leaders of a key lever on policy, especially

when the government seeks to implement unpopular policies such as austerity measures. In a November 2009 vote over planned tax hikes, seven lawmakers of the governing parties broke ranks with their leaders—four voting with the opposition and three abstaining—allowing their own coalition to fall in a no-confidence vote of 101 to 96.²⁵

However much they may have wanted to, voters could not have it both ways. Choosing politicians who promised the easiest course of action was a recipe for policy failure. Against the background of ineffectual governments, entrepreneurs offered a new model of party-as-business. In the legislative elections of 2013, Andrej Babiš, a billionaire tycoon who owned businesses ranging from meat packing and cement to media companies, fielded a new party he called Action of Dissatisfied Citizens (*Akce Nespokojených Občanů*) with the acronym ANO! or “Yes!” in Czech. With Babiš as party chair and two of his corporate managers as deputies, ANO! set about choosing candidates willing to toe the Babiš line, whatever that might be. Although his message of a new beginning appealed disproportionately to Euro-skeptical, anti-immigration voters in high-unemployment rural areas, his corporate interests extended to Europe, forcing him to remain vague on policy. Ironically for someone shrouded in mists of corruption and fraud, anti-corruption is one of Babiš’s most popular slogans.

Building an organization capable of mobilizing voters required widening the circle of personnel to regional offices, but when the ANO! party congress rebuffed some of Babiš’s personnel choices, he responded with his operating principle: “I’m paying so I decide.” ANO!’s charter gives the founder independence of action in all matters. For the 2015 elections,

Babiš and his circle of handpicked leaders reordered and in some cases reconstructed from scratch the regionally produced lists.²⁶ Babiš's top-down management of a program-free campaign, appealing to voters on feel-good symbolism, won ANO! a legislative plurality in the 2017 elections and the prime ministership for himself.

On paper, the Czech president can check the prime minister. A new constitutional provision provided for the direct election of the president in 2012, giving him or her more legitimacy with which to carry out presidential duties. These include appointing the prime minister (understood to mean the leader of the largest legislative party) and recalling him or her in the event of a successful no-confidence motion or an electoral loss. Together with the prime minister, the president appoints and fires members, although the balance between the two executives remains constitutionally hazy.²⁷ In practice, a weak legislature plays into the hands of those with the money to run expensive, personalistic campaigns. If Babiš runs for president, Czech citizens should reach for their wallets. If he is prosecuted and a feel-good presidential figure seeks to restore order, Czech citizens should instead empower legislative parties with the courage to deliver bad news and the ability to campaign on ideas of how to fix real problems.

SLOVAKIA

Slovakia is one of the few countries in eastern Europe with a viable left-wing party. Even here, populism is hard to resist. Robert Fico of the SMER (center-left) Party, taking up his third term as president of Slovakia in May 2016, declared,

“Islam has no place in Slovakia.” Reflecting pressure from presidential primaries and Slovakia’s open-list electoral rules, politicians speak with one voice on the subject of immigration. While Fico’s statement was perhaps meant to preempt the far right, the fascists gained ground. Our Slovakia, a new party with 8 percent of parliamentary seats, chant “Sieg Heil!” at rallies.²⁸

After years of promising, the Slovakian assembly in 2006 lowered the hurdle for voters to alter parties’ lists from 10 to 3 percent of votes cast for a party.²⁹ Even if, as is generally the case, the percentage of voters deploying their votes is relatively low, the existence of the threat forces parties in a different direction: ceding authority to politicians who are responsive to what voters want at the time of election, rather than holding the line in order to deliver, perhaps in several years’ time, policies for which voters will be grateful. Personalized lists shift emphasis to issues causing immediate worry.

As in the Czech Republic, the rule change has brought an efflorescence of new parties with vague promises based on little more than “the project of newness.”³⁰ In the larger parties, some candidates accept lower rankings on the lists in order to demonstrate their individual popularity by attracting preference votes.³¹ Voters in a system with multiple internally weak parties are ripe for manipulation by unscrupulous populist entrepreneurs.

BULGARIA

Bulgarian governments, also resting on multiple and internally weak parties, share their neighbors’ vulnerability to strong-man politics.³² The most robust ballast for parliamentary

democracy is Bulgarian citizens' popular support for their membership in the European Union, and their willingness to sacrifice to maintain that membership. As in Poland, the presidency is largely ceremonial, but the parliamentary leader, Boyko Borisov, is a populist whose survival strategy is to avoid being pinned down on policy and who could, without a Duda to stop him, behave like Kaczyński.³³

As mayor of Sophia in 2006, Borisov formed a new center-right populist party (Citizens for European Development of Bulgaria, or GERB) to compete in national politics. A one-time firefighter, Borisov became a repeat performer as prime minister; he has failed four confidence votes in as many years, only to resurface in new elections against even weaker coalitions of parties.³⁴ In the March 2017 elections GERB won a third of the votes, a socialist coalition a quarter, with others, including ethnic Turks, trailing behind.³⁵

On paper, GERB is led by a chairman elected by a national convention, and the chairman works with a committee of nine to decide on party nominations for national and local government elections, including presidential candidates (GERB charter, article 36.11). In practice, Borisov seems to be the boss, illustrating the difference between strong parties and party strongmen.³⁶

ESTONIA

The Estonian electoral system, like many others in eastern Europe, permits candidates to seek personal loyalty in open-list PR rather than run on a party platform on closed lists.³⁷ To the extent that Estonian parties can maintain discipline,

party leaders must manage candidate selection at earlier stages to exclude types who might seek personal ranking at the expense of the party's platform. Comparing the share of district votes for the party leader with those for the second most popular candidate from the same party, Margit Tavits finds that Estonia's party leaders retain their hold on leadership better than their counterparts in the looser party associations in the Czech Republic and Hungary.³⁸ In Estonia the Center Party, which cultivated and managed local party organizations, gained electoral strength while the Center Coalition, which neglected local organizing, lost strength.³⁹ Using popularity contests for candidate selection is a recipe for meaningless party platforms, since individuals will offer voters what they want without consideration of the costs to others. But Estonia's parties, like those in Norway and Sweden, may have found ways to harness voters' knowledge about local candidates to promote capable politicians without losing control. Sniffing out renegades and isolating them before they go rogue require collective resources that are hard to construct and easily destroyed.

DAMAGE FROM STRONGMEN TO THE RESCUE

It is hard to overstate the challenges facing democratic regimes in the post-Communist east. In some countries, the left was discredited by its Communist-collaborationist legacy. But even where it survived intact, such as in Hungary and Bulgaria, the transition to market economies brought deeply unpopular economic policies and long-lasting malaise that few incumbent parties could survive.

Economic reconstruction works best when governing political parties can own up to the costs of reform, resisting quick fixes that mask a bigger future tab. Few countries in eastern Europe were up to the task because political parties that emerged from the fall of Communism were splintered and weak. The politicians making the electoral rules, whether Soviet-era apparatchiks or anti-Soviet activists, chose rules that favored their biggest assets: personal name recognition and local networks. Moreover, the many groups contending for power gravitated to proportional systems that would ensure multiple legislative roosts. Fragmented and impotent to start with, parties have responded to voter fury with decentralizing reforms that have made matters worse.

Sparking on dry tinder, the fear and xenophobia ignited by the refugee crises were custom-made for unscrupulous politicians like Hungary's Viktor Orbán. The demand for democracy remains deep and widespread among the region's populations, but their ability to push their politicians toward greater accountability is hampered by electoral rules that, by design, promise more than they can deliver.

CHAPTER TWELVE

Ways Forward

PUBLICS around the world blame political parties for being out of touch with the electorate, for sacrificing public welfare to partisan interests, and worse, for sometimes fostering greedy and ambitious leaders who use their positions to line their own pockets. Yes, anti-party movements are dangerous. They can undermine democracy in two ways: by motivating citizens to push for superficially democratic processes that actually weaken democratic accountability and, when these processes fail to deliver good outcomes, by leading citizens to give up on democracy itself.¹ People who believe parties do not care about voters are vulnerable to populist demagoguery.

In an age blanketed with internet access and political information, why not cut out the middlemen and let the public decide on policies instantly, issue by issue? Assuming we could assure universal access and prevent all hacking, think of the improvement in voter registration and voter turnout, not to

mention the colossal cost savings from eliminating the apparatus of representative government.² Proponents of Online Direct Democracy imagine a perfect world in which parties could be circumvented, lobbying and corporate donations would be irrelevant, and the will of the people could triumph without the distorting prism of partisanship.

But we should be worried by the trend in many democracies to weaken the intermediary role of political parties. Partisan divisiveness, political corruption, and out-of-touch leaders are bad mutations of representative democracy, not its inevitable side effects. Political parties are the core organ of democratic competition because they make it possible for voters to hold their representatives to two kinds of promises central to voter welfare: the long-term consequences of policies beyond the next election, and the calculation of costs of attractive policies against the costs of other attractive policies.

Without that discipline, voters can live in a fantasy world where they suppose their favored policies are cost-free—like children gorging on candy without considering the possibility of stomachaches, tooth decay, diabetes, or obesity. Because parties have reputations that outlive those of individual politicians, and to the extent that they must represent a wide view of societal interests, they are more capable of delivering desired outcomes than any amount of direct democracy, and more trustworthy than even the most appealing individual politician.

Many parties deserve their bad reputations. The crucial point for improving the quality of any democratic system is to understand why it functions poorly and to repair the rot at its source. By mistaking process for efficacy and undervaluing

parties' long time horizons and encompassing interests, demands for devolution have made matters worse. Voters who weaken parties by insisting on greater involvement in candidate selection, promotion, and issue-by-issue participation rob the public of policies that are in their best interests. These interests are most likely to be served over the long run if parties are forced to bundle policies into platforms, weighing the costs of every policy they advocate against those of every other policy they advocate in ways that can appeal to as broad a swath of voters as possible. Doing that more successfully than your opponents should be the key to winning an election.

THE PARADOX OF DECENTRALIZING REFORMS

Voters in democracies the world over have legitimate gripes. Governments often fail to deliver on promises. Secular changes in economies come with adjustment costs that few politicians want to acknowledge. When Latin America, New Zealand, and eastern Europe suddenly liberalized their markets in the early 1990s, and more recently as vast numbers of industrial jobs were automated across the rich democracies, voters demand solutions of politicians—who instead point fingers at each other and duck when the anger explodes.

However reasonable do-it-yourself politics might appear, it is a cure worse than the disease: voters' inability to weigh the relative costs and benefits of policies against other policies and over the long haul is a central market failure of politics that parties are in the best position to solve. If parties know they will have to pay for hangovers in the form of diminished reputations tomorrow, they will resist the temptation of

bacchanalian politics now. If favoritism to one group loses votes from other groups, parties will seek policies that benefit as many voters as possible while minimizing the cost to voters whom they harm. The problem is not parties; the problem is parties that are too weak to make and enforce these judgments on behalf of the voters whose support they seek. Voters see the results of weak parties and respond by seeking to weaken them further, a move in exactly the wrong direction.

The philosophical DNA of the Founding Fathers, which they wrote into the Constitution to ensure indefinite reproduction, is the political equivalent of the Hippocratic Oath: First, do no harm. If all branches of government are checked by others, and every level of government by every other, property rights are secure and no one gets hurt. Politicians like Jefferson and Madison reluctantly constructed parties after the fact as instruments to get things done—to strengthen the body politic, not just to avoid killing it—but American parties remain limited and sometimes paralyzed by the layers of institutional constraints within which they operate.

Americans think they like it this way. In particular, they favor bipartisan deals to keep extremism at bay, to force policies toward the broad middle. This, like the impulse to DIY, seems eminently reasonable. But bipartisanship is a way forward only because parties have failed to formulate, advertise, and enforce the moderate, public-interested policies that serve the voters' interests to begin with. Across the Atlantic, without bipartisan deals, Britain managed to establish national health insurance, good public education, environmental protection, and economic dynamism through a system that gives parties the institutional incentives to forge broad voter

support and the institutional authority to govern, one party at a time. Voters can more easily hold parties accountable for policies that can be tracked to their authors. In the U.S., where parties are weak for multiple reasons—including the multiple channels of advancement created by presidentialism and federalism and primaries that make politicians accountable to intense voters and wealthy donors—legislative parties pass legislation loaded with local projects that leave less money for national projects such as healthcare, education, and other forms of national infrastructure.

Every form of government has strengths and weaknesses, but they are not all created equal. If we care about good public policy—policies that over the long term benefit most of the people most of the time—we should acknowledge that Hamilton was onto something before he was shouted down. As early as 1780, at the age of twenty-five, he was complaining to James Duane that the “fundamental defect” of the American confederation was “want of power in Congress.” Congress, he argued, should be given “complete sovereignty” over all matters concerning property rights, social interaction, and taxation.³ Seven years later he insisted at the Constitutional Convention that the “British government forms the best model the world ever produced,” because it was focused on “public strength and individual security.” We have seen in this book that his confidence that “such has been its progress in the minds of the many, that this truth gradually gains ground” was perhaps too sanguine.⁴ Hamilton’s detractors dismissed him as a monarchist, the most damning criticism of his day, but he could see as few others did that the Hippocratic Oath had gone too far in holding back government capability.

American governments have been trying to work around constitutional constraints ever since the Founders' time, sometimes with spectacular success, as in those rare occasions when national crises like the Great Depression and the two world wars demanded clear responses. And it is hard to quibble with success: the U.S. rose to global hegemony, has kept global markets open, and has successfully deterred a third world war (so far). But the U.S. has also lagged behind other countries in giving its citizens an equal chance to develop their full potential. Property rights, while key to entrepreneurial vitality, have trumped national infrastructure and equal access to America's riches, not to mention the basic means of security. In 2013 almost a quarter of Americans reported serious problems paying or inability to pay their medical bills, more than double the proportion in most advanced democracies and three times more than many of them. The same statistic for the United Kingdom was less than 2 percent.⁵ The contrast between Britain's long-established and enormously popular NHS and the ongoing fiasco of U.S. health insurance is a stark reminder of the costs of weak parties.

The proportional representation countries of northern Europe have excelled at providing welfare and have managed to do so while also keeping markets open to competition and building strong economies. They did this, at least in part, on the strength of semi-permanent arrangements between employers and unions—backed by coalition governments forging compromises between capital and labor—to keep wages high for skilled labor. Both sides of the industrial divide benefited as long as these countries had a competitive niche in exporting high-quality manufactured products, but the

automation tsunami of recent years threatens to erase the mutual benefit from job and wage stability. Countries once famous for long-term labor contracts and generous unemployment insurance are moving toward more flexible labor markets; and in response to worsened livelihoods, large numbers of voters are abandoning the social democratic parties that had championed their interests. Both the left and right are fragmenting into more extreme parties, raising the specter of Weimar Germany, when National Socialism offered itself as a solution to fractured politics.

Voters who want to wrest control of candidate selection from parties have sometimes used the term *Caesarism* to describe parties that are out of touch with citizen concerns. They have it exactly backwards. Julius Caesar, as defenders of the Roman Republic feared he would, sought to break out of the strait-jacket of collective governance through a direct populist appeal to the public. Like some others today, he did so with the backing of a military that was personally loyal to him.⁶ Strong parties are not Caesarist because voters are attracted to their policy program, not the dangerous and false allure of personal appeal.

The democracies of western Europe have deep stores of democratic commitment with which to recognize the Caesarist threat and fend it off. In Sweden, Germany, the Netherlands, Belgium, and France, where far-right parties have gained impressive ground, voters reward moderate parties that refuse to form coalition governments with the extreme right. But in democracies with shallower histories of democracy, the social and institutional sources of resistance may be insufficient for the task. Eastern Europe's alarming trend toward populism might portend, in countries like Hungary, a

full-blown reversion to autocracy. Membership in the European Union and the economic benefits it confers are stabilizing, at least as long as Europe itself remains prosperous. But the EU's ballast is a finite resource.

BUILDING BETTER INSTITUTIONS

Voters in many countries are right that established parties have failed to deliver. But eviscerating parties threatens a far more serious destabilization. Even Switzerland, the world's oldest continuous democracy and an experienced user of direct democracy (don't try this at home), faces unprecedented levels of political fragmentation and xenophobic reaction. Switzerland is unlikely to fall prey to Nazism, but countries with weaker institutional and cultural resources are vulnerable to populist demagoguery.

We have argued that competition between two strong parties is the best basis for public-regarding policies for five overlapping and related reasons:

- Any party seeking to gain or retain an electoral majority must present widely appealing policies.
- Single-member districts enhance party discipline because the high entry costs make it hard for renegades to start a new party.
- With only two parties in the game, political competition tends to be based on economic interests that are easy for voters to comprehend; and comprehension aids electoral accountability.
- Competition on platforms is cheap compared to personal or clientelistic appeals, reducing the need

to cater to donors. Programmatic parties have no reason to give up votes in the middle for concessions to the rich or to the extremes.

- Single-member district systems create strong, unified opposition parties that can hold the government to account between elections.

The upshot of these five features is the government's ability to offer, and be held accountable for, public policies that give most voters what they want most of the time.

The Westminster system in its heyday came closest to this ideal, and Britain's long-term public policy record stands among the world's best. But it is important both to recognize the weaknesses of this system in its ideal form and to point out how Britain itself falls short of the ideal. Most important, from the vantage point of the most vulnerable citizens, the middle-of-the-road orientation of single-member district systems may fail to deliver adequate protections to the poor. It is possible, if enough voters see themselves as vulnerable to a fall into poverty because of market unpredictability, that parties will in fact compete to offer social insurance for these contingencies at a cost most voters think reasonable. Westminster's ability to protect the weakest rests on most voters feeling vulnerable, but growing inequality weakens this incentive for the rich. Like any form of democracy, Westminster works best when voters are most like each other. On the other hand, the ability of PR systems to redistribute to the vulnerable wanes as labor unions shrink and the left fragments. The PR advantage on redistribution appears to be dissipating.

PR countries in the postwar industrial era relied on strong political parties in coalition governments to produce stable economies by rolling together the interests of several intensely mobilized groups. Strong parties meant little reliance on corporate donors for campaigns, thereby freeing the system from retail corruption. But relatively small parties led to cartels among interest groups. These cartelized economies offered some public benefits since banks could offer firms stable credit arrangements that in turn sustained firms' ability to stand by long-term labor contracts. Stable bank-based financing meant that firms did not have to lay off workers when stock prices declined as in Anglo countries relying on capital markets. Credit-based economies sustained prosperity for coalition governments in Europe, though at some cost to innovation and venture capital, which need stock markets in order to exploit economies of scale in global competition. It was easy enough to overlook this liability as long as the welfare benefits to workers were sufficiently strong, but these arrangements could grow unstable if the fragmentation of the left weakens labor without simultaneously weakening the banks' grip on the economy. Cartelized economies could skew toward protectionism and inefficiency without compensating for losses in productivity and welfare benefits.

Britain, which has recently unraveled some key features of Westminster, was never a perfect model of it. Even before voters began demanding greater control of party leadership selection, Britain's small electoral districts and geographically disparate zones had always limited parties' ability to stand for the nation's average voter. Electorates of seventy thousand voters—the average size of an MP's district—do not contain

the full diversity of the population, so parties must calculate what loosening of the party's platform will most likely generate an electoral majority. If instead, as David Hume perceived over two centuries ago, electoral districts were demographic and economic microcosms of the country itself, representatives would be more likely to support their parties' attempts to craft policies that are best for most citizens. When district residents have the same interests as the national median voter, internal party debates can focus on what is best for most rather than whose ox will gore someone else's (disguised, of course, in the language of high principles).

Plausible improvements being preferable to unattainable perfection, we propose reforms that get each political system, whatever its starting place, closer to the purposes of democratic competition: accountability in the service of better public policy. This entails moving toward responsible parties that can commit prior to elections a set of policies serving the long-term interests of an encompassing group of voters.

For Britain, where many pieces necessary for responsible partisan competition are already in place, the most effective institutional adjustment would be to establish larger, more diverse electoral districts that include urban, suburban, and rural voters in roughly the same proportion as in the country as a whole. Such districts would return MPs to office who see the whole picture. Because these MPs do not have to protect the interests of districts with very particular characteristics, they will be willing to delegate authority to party leaders to enforce disciplined votes about policy decisions. Similarity across districts will also make it easier for the backbench to coordinate in voting out leaders who fail to deliver electoral

success. Ideally, a piece of London would be assigned to every other district in the country to counteract the effects of geographically connected income inequality. This would of course be a hard sell. Britain's citizens, whether in London or Scotland, will not want to give up their geographical identities. The second-best alternative would be to attempt to construct geographically contiguous districts with a wide range of economic heterogeneity—flower petal districts encompassing urban, suburban, and rural voters.

If two parties are not an option, is there an optimal number? A smaller number limits fragmentation and creates greater predictability for voters, leading some commentators to the view that five is best.⁷ But a smaller number of choices enables potential suitors to bid up the price of joining a government—whether in cabinet portfolios or other commitments or concessions. This is especially so when some parties, like the beyond-the-pale far-right parties in Germany and Holland in 2017, are unavailable for ideological reasons. These systems run the risk of morphing into single-party dominant systems in which one party occupies the middle ground and then pays off coalition partners and potential troublemakers with clientelist benefits so as to retain its dominant position. Proliferation of small parties reduces their bargaining power because potential governing parties have more choices, bidding down the price.⁸ But this comes at the cost of greater frustration of minor party supporters, who wind up with impotent representatives in parliament. There is less clientelism, but more alienation.

Some PR systems, such as those in Norway and Sweden, already have disciplined parties with centralized control over

the recruitment and promotion of candidates. These parties understandably resist losing control of PR lists by setting a high threshold for voters to change the order of candidates on the list, and while they may use primaries to identify talented candidates, they also screen for fit and loyalty. Parties on the right in Sweden have recognized the electoral power of pre-election coalitions that signal to voters what government would form should they win and what policies they would implement. Although the parties would prefer a free hand, voters who receive the benefit of accountability return the favor with increased support. The decline of unions poses a challenge for parties on the left which, although historically dominant in Sweden, may now also need to form preelection coalitions to counter the growing power of the right. As the extended negotiations between the SPD and the CDU/CSU revealed in Germany in 2018, preelection coalitions will become harder to forge if parties commit themselves to decentralized control of negotiations, as the SPD has done by subjecting coalition agreements to approval by its membership.

PR countries that have already moved in the direction of opening lists and adopting candidate selection primaries as a way of reviving voter enthusiasm and participation may, as in Estonia and Sweden, find ways to balance central control with wider recruitment. But this is a risky strategy. It pits “candidate type” against incentives to defect from party control. It is not enough to show, as many studies do, that parties with open lists continue to vote together in parliamentary settings. A better measure of the effects of open lists is what happens to the cohesion of the platform as party leaders struggle to keep their backbenchers voting together. How much do

weaker parties have to give away to buy consensus, sometimes literally?

Germany's charmed postwar history, following its prewar despair, has given its electoral system a star power that does not always translate beyond its specific time and place. Germany's relatively large, internally diverse electoral districts created the conditions for delegation to a strong front bench; and the inclination of the leaders of the two largest parties to aim for voters in the middle of the political spectrum encouraged stable alternation in government. Now that the far right has surged in the polls while the left has split into pieces, the wisdom of the proportional tier looks more questionable. But unlike dog breeders, parties themselves decide on the mixing formulas by which they perpetuate themselves. Small parties, whether in Germany or elsewhere, will not support single-member district rules; by extension, no large party that hopes to govern in coalition with a small party will dare to do so either. A pact between the two largest parties is also unlikely to work given the possibilities for electoral disaster from premature leaks.

There are some examples of parties making an about-face after discovering the unpleasant unintended consequences of decentralization. In Israel in the early 2000s a number of parties adopted primaries as a way to widen electoral support; some have since abandoned them and others have limited their impact by reasserting the right of leaders to name some candidates.⁹ The Congress Party in India adopted primaries in a limited number of districts in state elections in 2014–16 to test the proposition that more competition would help the party attract stronger candidates. It dropped the experi-

ment after primary winners threw the party hierarchy into disarray but did no better in the general election.¹⁰ The Tory experiment with primaries in the UK also seems to have been short-lived.

The U.S. is often paired with the UK because of both countries' majoritarian politics. But in the dimension of legislative party discipline, the U.S. is a closer match with Argentina. As in Latin American countries fragmented by presidentialism, bicameralism, federalism, and decentralized candidate selection, U.S. legislative leaders run a daunting obstacle course to formulate and implement legislation. American political parties may be strong—even antagonistically polarized—as measured by vote cohesion in Congress and by partisan rhetoric. But measured by the ability to get things done, U.S. parties fall far short.¹¹ The U.S. is a military behemoth—showing the potential of bipartisan, cross-branch consensus—but it lacks first-rate systems for its citizens' health, education, and welfare.

In 1950, after four years of deliberation, a group of scholars published a report in the *American Political Science Review* sounding a similar alarm. "Historical and other factors," they wrote, "have caused the American two-party system to operate as two loose associations of state and local organizations, with very little national machinery and very little national cohesion. As a result, either major party, when in power, is ill-equipped to organize its members in the legislative and the executive branches into a government held together and guided by the party program. Party responsibility at the polls thus tends to vanish. This is a very serious matter, for it affects the very heartbeat of American democracy. It

also poses grave problems of domestic and foreign policy in an era when it is no longer safe for the nation to deal piecemeal with issues that can be disposed of only on the basis of coherent programs.”¹²

The American Political Science Association (APSA) committee's aim was for American parties to behave as much like Westminster as the U.S. Constitution would allow. To enable party coordination across branches and levels of government, the committee proposed a new Party Council that would fuse leadership of the executive, legislative, and state and local parties.¹³ Thirty years before, political scientist Charles Merriam had recommended a Party Council of six hundred to seven hundred members composed of five groups: (1) the president, vice president, and cabinet of the majority party as well as the leading presidential candidates of the minority party as determined at the previous presidential primaries; (2) the party members in Congress; (3) the party's governors and their runners-up, including defeated nominees; (4) the National Committee members and state chairs; and (5) party leaders chosen by the National Committee, state committees, or associations such as the Young Democrats and Young Republicans.¹⁴ The APSA committee endorsed Merriam's Party Council idea, but it recommended a smaller group of about sixty to seventy that could “consider and settle the larger problems of party management, within limits prescribed by the National Convention.” This group would meet at least four times a year and would be empowered to draft a preliminary party platform for the National Convention's ratification.¹⁵ To imbue local party organizations with stronger fealty to the national party organization,

local parties were to report to the Party Council on a regular basis, and the council would deal with “conspicuous or continued disloyalty” by expelling members from the National Convention.¹⁶

The APSA committee, which had previously seen Merriam’s suggestions rebuffed by incumbent politicians, also suggested that if a new organ was not politically feasible, existing bodies should coordinate regularly and explicitly to harmonize party platforms.¹⁷ The Party Council could be turned into a smaller body that met every two years to hash out unified party programs. Representation on National Committees would be proportional to population to increase their effectiveness and legitimacy.¹⁸ Party leadership committees would meet together at the beginning of every session of Congress as a Joint Committee on the President’s Program.¹⁹ Majority party leaders would choose congressional committee heads and hold them accountable to party goals.²⁰ State party organizations would focus on state and local issues, and conform to national party platforms on national issues.²¹

The fact that American political parties have not adopted the coordinating devices recommended by the APSA committee, let alone Merriam’s ambitious organ of a Party Council, speaks to the American system’s inertia. The structure created by the Constitution prevents one party at a time from consolidating its hold on government for an entire election cycle as Westminster prescribes. Bipartisanship is another label for decentralized deal making in the absence of a clear partisan program. Americans like bipartisan deals because they are the recognized ways out of gridlock, but they fail to recognize why gridlock exists in the first place.²²

One can only imagine the dismay of the APSA committee members at the ravaging effects of money on American politics in the half century since they issued their report. Since the Supreme Court gave donors a blank check to fund favored politicians in *Buckley v. Valeo* and *Citizens United*, parties are like cops trying to manage traffic in Bangkok. The volume of money unleashed in politics now swamps whatever resources parties might use to direct incumbents. This is not visible in congressional roll call votes, which overwhelmingly follow party lines, but what roll call votes do not reveal is the vast number of concessions incumbents can demand in exchange for a party-compliant vote. Parties get votes through Congress, but not votes that offer meaningful platform-based legislation. Voters settle for Secret Santa legislation—something for everyone, paid for by everyone else—rather than laws that would benefit the most voters at the least cost, over time, and across the many issues that bear on their well-being.

However much the APSA committee members might have desired it, they did not suggest that the U.S. adopt parliamentary government because of obvious constitutional hurdles, not to mention the American public's emotional commitment to the present structure. A constitutionally permissible reform they did not consider, however, would be to draw deliberately large and diverse electoral districts to give representatives greater reward for thoughtful platforms that can be implemented only by a strong national party organization.²³ The disciplined parties of Westminster, after all, emerged only when districts became too big and too diverse for candidates to buy outright.²⁴

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The Supreme Court's concern about partisan gerrymandering offers an opening to address the districting issue.²⁵ American democracy would be best served by electoral districts that are competitive not only in a partisan sense, but also in the sense that legislators' reelection prospects align with the best interests of the country as a whole.²⁶ Large diverse districts would, in the words of James Madison in *Federalist Papers* #10, "refine and enlarge" the public's views. (Here he was echoing David Hume.) The more each district is a microcosm of the country as a whole, the more its representatives could think like national statesmen on behalf of all. Parties would continue to offer ideologically distinct programs because of the inevitable trade-offs involved in any course of action—for example, between growth and equality—and the very same voters, depending on the circumstances, can prefer a different balance between these goals. In a world of partisan competition, the governing party strives to produce good outcomes, while the opposition stands ready to offer an alternative. The voter chooses on the basis of reliable information about both.²⁷

RESPONSIBLE PARTIES

Our brief tour of modern democratic politics has not been encouraging, but it is not devoid of hope. Voters are alert to many tricks of the political trade, to the empty promises that produce postelection hangovers. Many of the attempted solutions we have reviewed, in which voters either try to grab the steering wheel themselves or hand it to a charismatic boss, undermine political accountability by making it harder

to throw out politicians who fail to deliver good public policy.

The classic version of Westminster has much to recommend it for the degree and clarity of partisan responsibility. But classic Westminster does not exist anywhere in today's world. Politicians nudge systems in directions that favor their reelection, and in a world of growing income inequality, they seek cover in decentralized, bottom-up decision making. In addition to creating larger and more diverse districts that would force politicians to consider a fuller scope of the public's challenges, the British would be well advised to reverse their drift (a headlong sprint, in Labour's case) toward direct election of leaders, abandon primaries in candidate selection, repeal the Fixed Term Parliaments Act, abandon reforms that would make the House of Lords a legitimate second chamber, and get over their growing addiction to referendums. They have the great advantage of an unwritten constitution—so that just as they have muddled into these unfortunate choices, they are free to muddle out.

The U.S. faces a greater challenge: money is all in American politics today. As Frances Lee puts it, politicians are forced to run a “perpetual campaign.”²⁸ On the demand side, because parties are weak, politicians deploy money to advance their electoral chances—to pay for attack ads, for example—in the place of a coherent national platform of credible policies. On the supply side, donors are willing to give them the money with which to court voters. Although it is not clear exactly how well politicians on average are able to use money to buy votes, they try. They are trapped in the nightmare of wheedling donors around the clock despite the fact that do-

nors may demand policies that enrage the voters they must woo. Politicians attempt to break out of this trap by, for example, cultivating donors who are not too far from their constituents' interests or by directing voter attention to emotional rather than economic issues. Whatever the escape hatch, it is not a recipe for good public policy.

Europe, the bastion of enlightened reasonableness in the postwar period, also faces dispiriting changes. Coalition governments among strongly disciplined parties governed well when they were able to contain interest group favoritism. Cabinet deals limiting total spending and EU arrangements to keep markets open put ceilings on the temptation to logroll among well-mobilized and attentive constituencies. Labor unions that represented a sufficiently large percentage of the working population to see themselves as also speaking for consumers and tax payers would limit their demands, and employers that could export products based on skilled workers had reasons to invest in long-term labor contracts.

Major shifts in global markets toward automation have shrunk Europe's niche in industrial exports and have correspondingly shrunk the unions that served as the mobilizing base for social democratic parties that appeared so regularly in European coalition governments. With the fragmentation of the European left, coalition governments have struggled to resist the siren song of populist xenophobia. Those with strong parties, and strong preelection coalitions of parties as in Sweden, have been the most successful. Some eastern European countries, with shallower histories of party institutions, have fared less well.

Whatever their country's institutional starting point, citizens of democracies can best cauterize the potential of viral

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demagoguery by promoting competition between strong programmatic parties. Strong parties might not offer what individual voters want at any given time, but they are collective organizations that calculate the costs of policy options against the costs of other options. The resulting offerings may not be as appealing on their surface, but they are more honest and more likely to be viable over time. Responsible parties are better able to deliver what voters need; and voters whose needs are not met become easy prey for populists and charlatans promising remedies that threaten democracy's survival.

Notes

CHAPTER I. MISDIAGNOSING DEMOCRACY'S ILLS

1. Single-member district systems such as those that prevail in the UK and the U.S. produce two large parties so long as most constituencies more or less reflect the political character of the larger polity. If there is great regional variation, as in India, then parties will proliferate even with single-member district systems. Maurice Duverger, *Political Parties: Their Organization and Activity in the Modern State* (New York: Wiley, 1963).
2. Arend Lijphart, a long-standing proponent of PR systems, cheers the heeding of this advice in new democracies. See *Electoral Systems and Party Systems* (Oxford: Oxford University Press, 1995), 10–77.
3. Michael Ting, James Snyder, and Shigeo Hirano, “Primaries and the Provision of Public Goods” (working paper 2016).
4. Joseph Schumpeter, *Capitalism, Socialism, and Democracy* (George Allen & Unwin, 1976 [1943]), 283.
5. Walter Mears, “George McGovern: A ‘Partisan without the Poison,’” *US News on NBC News*, October 21, 2012, http://www.nbcnews.com/id/49493282/ns/us_news/t/george-mcgregovern-partisan-without-poison/#.WIkOxpI46RI (accessed 1–30–2017).
6. Byron E. Shafer, *Quiet Revolution: The Struggle for the Democratic Party and the Shaping of Post-reform Politics* (New York: Russell Sage, 1983), 4.

7. Wallace secured almost 10 million popular votes (13.5 percent) and forty-six in the Electoral College.

8. *Commission on Party Structure and Delegate Selection* (Washington, D.C., April 1970), 48, 7. The commission's original intent was to open up the caucus system, but rather than risk failing to comply with complex new rules that might subject candidates to credentials challenges, most states quickly adopted primaries. See Austin Ranney, *Curing the Mischiefs of Faction: Party Reform in America* (Berkeley: University of California Press, 1975), 203–9.

9. *Commission on Party Structure*, 37, 33; <http://abacus.bates.edu/muskie-archives/ajcr/1971/McGovern%20Commission.shtml> (accessed 12–7–2017).

10. Jackson won three out of forty-nine primaries, 18.1 percent of votes, and 358 out of 3,128 delegates.

11. See Katherine Cramer, *The Politics of Resentment: Rural Consciousness in Wisconsin and the Rise of Scott Walker* (Chicago: University of Chicago Press, 2016); and Arlie Hochschild, *Strangers in Their Own Land: Anger and Mourning on the American Right* (New York: New Press, 2016).

12. Arthur Paulson, *Realignment and Party Revival: Understanding American Electoral Politics at the Turn of the Twenty-First Century* (New York: Prager, 2000), 126–31.

13. Scott Piroth, “Selecting Presidential Nominees: The Evolution of the Present System and the Prospects for Reform,” *Social Education* 64, no. 5 (September 2000), <https://www.uvm.edu/~dguber/POLSI125/articles/piroth.htm> (accessed 12–8–2017).

14. See Kathryn Pearson, *Party Discipline in the U.S. House of Representatives* (Ann Arbor: University of Michigan Press, 2015).

15. Kathleen Bawn and Frances Rosenbluth, “Short versus Long Coalitions: Electoral Accountability and the Size of the Public Sector,” *American Journal of Political Science* 50, no. 2 (April 2006): 251–65; Torsten Persson, Gerard Roland, and Guido Tabellini, “Electoral Rules and Government Spending in Parliamentary Democracies,” *Quarterly Journal of Political Science* 2, no. 2 (May 2007).

16. Eric Chang et al., “Electoral Systems and Real Prices: Panel Evidence for the OECD Countries, 1970–2000,” *British Journal of Political Science* 38 (July 2008): 739–51; Joel Weinberg, “Do Majoritarian

Electoral Systems Favor Consumers? Identifying Cross-National Consumer Bias,” *International Studies Quarterly* 56 (December 2012): 820–26; Frances Rosenbluth and Ross Schaap, “The Domestic Politics of Banking Regulation,” *International Organization* 57, no. 2 (Spring 2003): 307–36.

17. UKIP won some 3.9 million of the 30.4 million votes cast in 2015. Depending on the particular type of PR, this would have yielded somewhere between eighty-three and ninety-nine seats, making them the third-largest party in Parliament and perhaps indispensable for forming a viable government.

18. Set aside for now that their challenges are somewhat different from their smaller European neighbors because their larger domestic economies mean that trade openness is less existentially urgent. However valuable economic efficiency may be for incremental growth in France and Germany, it is harder for French and German politicians than for their counterparts in small European states to convince their voters of the value of forbearance now for greater gain later.

19. Walter Bagehot, who noticed this at the time of eighteenth-century British electoral reform, called it “the efficient secret.” See Gary Cox, *The Efficient Secret: The Cabinet and the Development of Political Parties in Victorian Britain* (Cambridge: Cambridge University Press, 1987).

20. This is a classic example of transaction costs, introduced by Ronald Coase, “The Nature of the Firm,” *Economica* 4, no. 16 (November 1937): 386–45 and elaborated in “The Problem of Social Cost,” *Journal of Law and Economics* 3 (October 1960): 1–44.

21. E. E. Schattschneider, *Party Government* (New York: Routledge, 2004 [1942]), 1.

22. See Andrew Rehfeld, *The Concept of Constituency Political Representation, Democratic Legitimacy, and Institutional Design* (Cambridge: Cambridge University Press, 2005).

23. See Ian Shapiro, *Politics against Domination* (Cambridge, Mass.: Harvard University Press, 2016), 81–85.

24. Gary Cox and Jonathan Katz, “Why Did the Incumbency Advantage in U.S. House Elections Grow?” *American Journal of Political Science* 40, no. 2 (May 1996).

CHAPTER 2. THE MEANS AND ENDS OF DEMOCRATIC
COMPETITION

1. The phrase comes from the famous footnote 4 of Justice Harlan Stone's opinion in *United States v. Carolene Products Company*, 304 U.S. 144 (1938), when the court created an exception from its normal stance that legislation is presumed constitutional, holding that laws aimed at "discrete and insular minorities" that cannot easily protect themselves in the political process will be subjected to the court's most exacting test of "strict scrutiny" for their constitutionality. Defenders of judicial review, most notably John Hart Ely in *Democracy and Distrust* (Cambridge, Mass.: Harvard University Press 1980), have based defenses of judicial review on the *Carolene Products* footnote.

2. Madison argued that "a mere demarcation on parchment of the constitutional limits of the several departments, is not a sufficient guard against those encroachments which lead to a tyrannical concentration of all the powers of government in the same hands." *Federalist Papers* #48, in Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers*, ed. Ian Shapiro (New Haven: Yale University Press, 2009), 251–55.

3. See Ian Shapiro, *The Real World of Democratic Theory* (Princeton: Princeton University Press, 2011), 68–70.

4. John Locke, "Second Treatise of Government," in *Two Treatises of Government and a Letter Concerning Toleration*, ed. Ian Shapiro (New Haven: Yale University Press, 2003 [1681]), 142.

5. See Mayling Birney, Ian Shapiro, and Michael Graetz, "The Political Uses of Public Opinion: Lessons from the Estate Tax Repeal," in *Divide and Deal: The Politics of Distribution in Democracies*, ed. Ian Shapiro, Peter Swenson, and Daniela Donno (New York: New York University Press, 2008), 298–339.

6. Maeve Reston and Gabe Ramirez, "How the GOP Lost CaliforniaLatinos," *CNNPolitics*, June 1, 2016, <http://www.cnn.com/2016/06/01/politics/trump-california-proposition-187/index.html>, (accessed 1–2–2018); Rosa Vargas, "Proposition 187: Redistribution for the Undocumented" (unpublished paper, Yale University, 2017).

7. John Maynard Keynes, *The General Theory of Employment, Interest and Money* (New York: Stellar Classics, 2016 [1936]), 80.

8. Gary Cox, "Centripetal and Centrifugal Incentives in Electoral Systems," *American Journal of Political Science* 34, no. 4 (November 1990):

903–35; Gary Cox, *Making Votes Count: Strategic Coordination in the World's Electoral Systems* (Cambridge: Cambridge University Press, 1997), 99–122.

9. The partisanship she calls for is identification with others in a “system of regulated rivalry that defines representative democracy.” Nancy Rosenblum, *On the Side of the Angels: An Appreciation of Parties and Partisanship* (Princeton: Princeton University Press, 2008), 362–63.

10. Diaa Hadid, “Voters in Nazareth Cheer Gains by Arab Alliance,” *New York Times*, March 17, 2015, https://www.nytimes.com/2015/03/18/world/middleeast/voters-in-nazareth-cheer-gains-by-arab-alliance.html?_r=0 (accessed 12–18–2017).

11. Bawn and Rosenbluth, “Short versus Long Coalitions.”

12. See Jianzhong Wu and Robert Axelrod, “How to Cope with Noise in the Iterated Prisoners’ Dilemma,” in Robert Axelrod, ed., *The Complexity of Cooperation* (Princeton: Princeton University Press, 1999), 33–39.

13. Frances Rosenbluth and Ross Schaap, “The Domestic Politics of Banking Regulation,” *International Organization* 57, no. 2 (Spring 2003): 307–36.

14. Archibald Foord, *His Majesty's Opposition, 1714–1830* (London: Clarendon, 1964). Linda Colley notes, “George II and Caroline periodically dangled the prospect of a tory administration before the eyes of their Ministers to keep Walpole and his friends on their toes.” *In Defiance of Oligarchy: The Tory Party, 1714–1760* (Cambridge: Cambridge University Press, 1982), 49.

15. See Jeremy Waldron, “The Principle of Loyal Opposition,” in *Political Political Theory* (Cambridge, Mass.: Harvard University Press, 2016), 93–124.

16. Christopher Munnion, “Apartheid Party Fades into History by Merging with the ANC,” *Telegraph*, August 9, 2004, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/southafrica/1469022/Apartheid-party-fades-into-history-by-merging-with-ANC.html> (accessed 6–12–2017).

17. Japan used often to be cited as an example of a well-run single-party-dominant system, but it was only a matter of time before the LDP’s corrupt relationship with inefficient industries would come home to roost, as it eventually did. See Frances Rosenbluth and Michael

Thies, *Japan Transformed: Political Change and Economic Restructuring* (Princeton: Princeton University Press, 2012), 53–154. Other commentators point to Singapore as both efficient and uncorrupt. But Singapore's legislature is little more than a rubber stamp on an authoritarian system. The question about its future is whether benign authoritarianism is sustainable. The evidence from the comparative politics literature is that it is not. See Samuel P. Huntington, *The Third Wave: Democratization in the Late 20th Century* (Norman: University of Oklahoma Press, 1993), 31–137.

CHAPTER 3. VULNERABLE MINORITIES

1. Richard L. Abel, *Politics by Other Means: Law in the Struggle against Apartheid, 1980–1994* (New York: Routledge, 1995), 15, 17, 171, 540.
2. Courtney Jung and Ian Shapiro, “South Africa’s Negotiated Transition: Democracy, Opposition, and the New Constitutional Order,” *Politics & Society* 23, no. 3 (September 1995): 286–92.
3. Alexis de Tocqueville, *Democracy in America*, vol. 1 (New York: Doubleday, 1969 [1835]), 12–13.
4. *The Slaughterhouse Cases* (1873) and *U.S. v. Cruikshank* (1876).
5. David Goldfield, *America Aflame: How the Civil War Created a Nation* (New York: Bloomsbury, 2011), 483–505, 526–29.
6. *United States v. Carolene Products Company*, 304 U.S. 144 (1938).
7. *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).
8. See Gerald A. Rosenberg, *The Hollow Hope: Can Courts Bring about Social Change?* 2nd ed. (Chicago: University of Chicago Press, 2008).
9. Eric Posner and Adrian Vermeule, *The Executive Unbound: After the Madisonian Republic* (Oxford: Oxford University Press, 2013); Steven G. Calabresi and Christopher S. Yoo, “The Unitary Executive during the First Half-Century,” *Case Western Law Review* 47, no. 4 (1997): 1451–1561; Steven G. Calabresi and Saikrishna B. Prakash, “The President’s Power to Execute the Laws,” *Yale Law Journal* 104 (1994–95): 541–665; John Ferejohn and Rick Hills, “Blank Checks, Insufficient Balances” (working paper, NYU Law School, 2013).
10. See Kevin T. McGuire and James Stimson, “The Least Dangerous Branch Revisited: New Evidence on Supreme Court Responsiveness

to Public Preferences,” *Journal of Politics* 66 (2004): 1018–35; Michael W. Giles, Bethany Blackstone, and Rich Vining, “The Supreme Court in American Democracy: Unraveling the Linkages between Public Opinion and Judicial Decision-Making,” *Journal of Politics* 70 (2008): 293–306; Nathaniel Persily, Jack Citrin, and Patrick Egan, eds., *Public Opinion and Constitutional Controversy* (Oxford: Oxford University Press, 2008); Barry Friedman, *The Will of the People: How Public Opinion Has Influenced the Supreme Court and Shaped the Meaning of the Constitution* (New York: Farrar, Straus & Giroux, 2010).

11. For criticism of judicial review that proceeds independently of these consequentialist considerations, see Jeremy Waldron, “The Core of the Case against Judicial Review,” *Yale Law Journal* 115 (2006): 1346–1409.

12. Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven: Yale University Press, 1980), chapter 2.

13. Adam Przeworski, “Self-Enforcing Democracy,” in *Oxford Handbook of Political Economy*, ed. Donald Wittman and Barry Weingast (Oxford: Oxford University Press, 2006), 312.

14. Donald Horowitz, *Ethnic Groups in Conflict*, 2nd ed. (Berkeley and Los Angeles: University of California Press, 1985), 572; Brian Barry, “Political Accommodation and Consociational Democracy,” *British Journal of Political Science* 5, no. 4 (1975): 477–505, and “The Consociational Model and Its Dangers,” *European Journal of Political Research* 3, no. 4 (1975): 393–412.

15. Lani Guinier, *The Tyranny of the Majority: Fundamental Fairness in Representative Democracy* (New York: Free Press, 1994).

16. Neal Lewis, “Clinton Abandons His Nominee for Rights Post amid Opposition,” *New York Times*, June 4, 1993, <http://www.nytimes.com/1993/06/04/us/clinton-abandons-his-nominee-for-rights-post-amid-opposition.html?mcubz=3> (accessed 9–1–2017).

17. Chaim Kaufmann and Robert Pape, “Explaining Costly International Moral Action: Britain’s Sixty-Year Campaign against the Atlantic Slave Trade,” *International Organization* 53, no. 4 (1999): 631–68.

18. They scotched any possible doubts about their seriousness by toppling Viscount Melbourne’s Whig administration in 1841, even though this meant the return of Sir Robert Peel’s Tories to office and therefore major losses (at least for the moment) on free trade and the

other Whig causes they supported. Kaufman and Pape, “Explaining Costly International Moral Action,” 661. This was five years before the Tories split over free trade in the fight over the repeal of the Corn Laws. Cheryl Schonhardt-Bailey, *From the Corn Laws to Free Trade* (Cambridge, Mass.: MIT Press, 2006), 19–33, 191–292.

19. Ira Katznelson, *Fear Itself: The New Deal and the Origins of Our Time* (New York: Norton, 2016), 149.

20. Katznelson, *Fear Itself*, 166–68, 176–82.

21. Goldfield, *America Aflame*, 483–505; Katznelson, *Fear Itself*, 131–94.

22. This story is told in detail by Robert Caro, *Lyndon Johnson: The Passage of Power* (New York: Vintage, 2012), 484–597.

23. Steven Allen, “‘We Have Lost the South for a Generation’: What Lyndon Johnson Said, or Would Have Said if Only He Had Said It,” Capital Research Center, October 2014, <https://capitalresearch.org/article/we-have-lost-the-south-for-a-generation-what-lyndon-johnson-said-or-would-have-said-if-only-he-had-said-it/> (accessed 8–16–2017).

24. James Patterson, *The Eve of Destruction: How 1965 Transformed America* (New York: Basic Books, 2012), 33–48, 203–34.

25. See Nicholas Stephanopoulos, “The South After Shelby County,” *Supreme Court Review* 2013, no. 1 (2013): 55–134; and Nicholas Stephanopoulos, “Race, Place, and Power,” *Stanford Law Review* 68 (June 2016): 1323–1408.

26. Jeremy Ashkenas, Haeyoun Park, and Adam Pearce, “Even with Affirmative Action, Blacks and Hispanics Are More Underrepresented at Top Colleges Than 35 Years Ago,” *New York Times*, August 24, 2017, https://www.nytimes.com/interactive/2017/08/24/us/affirmative-action.html?ref=todayspaper&_r=1 (accessed 12–17–2017).

27. Paul Frymer, *Uneasy Alliances: Race and Party Competition in America* (Princeton: Princeton University Press, 1999).

28. Tom LoBianco and Ashley Killough, “Trump Pitches Black Voters: ‘What the Hell do You Have to Lose?’ ” *CNN Politics*, August 19, 2016, <http://www.cnn.com/2016/08/19/politics/donald-trump-african-american-voters/index.html> (accessed 12–17–2017).

29. Michael Graetz and Ian Shapiro, *Death by a Thousand Cuts: The Fight over Taxing Inherited Wealth* (Princeton: Princeton University Press, 2005), 263–65.

30. Ruth Bader Ginsburg's dissent in *Shelby County v. Holder* 570 U.S. 33 (2013).

31. Desmond King and Rogers Smith, "The Last Stand? *Shelby County v. Holder*, White Political Power, and America's Racial Policy Alliances," *Dubois Review*, Spring 2016, 13–14.

32. Reva Segal, "Constitutional Culture, Social Movement Conflict and Constitutional Change: The Case of the De Facto ERA," *University of California Law Review* 94 (2006): 1323–1420. Ironically, losing the ERA has worked to women's advantage by making gender-based remedies to discrimination harder to challenge in the courts. The Supreme Court has interpreted the Fourteenth Amendment's proscription of race-based discrimination to mean that explicitly racial remedies must meet its highest "strict scrutiny" test, which requires them to be narrowly tailored to a compelling state interest. Gender-based distinctions, by contrast, are subject only to "intermediate scrutiny" that mandates a rational relationship to a legitimate government objective. *Craig v. Boren*, 429 U.S. 190 (1976). See Rosalie Berger Levinson, "Gender-Based Affirmative Action and Reverse Gender Bias: Beyond Gratz, Ricci, and Parents Involved," *Harvard Journal of Law and Gender* 34 (April 2010): 8–10.

33. See the Republican 2012 postmortem strategy document, "The Growth and Opportunity Project," January 2013, <https://gop.com/growth-and-opportunity-project/> (accessed 9–4–2017).

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40. Doug Bolton, “4 Charts That Show Exactly What Britain’s Ethnic 3m Minority Voters Think of the Political Parties—and It’s Not Good News for Labour,” *Independent*, May 25, 2015, <http://www.independent.co.uk/news/uk/politics/the-4-charts-that-show-labour-may-be-losing-the-ethnic-minority-vote-10274051.html> (accessed 2–10–2018).

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CHAPTER 4. BIG STRONG PARTIES

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2. The NHS (National Health Service) is funded by general taxation (81 percent), payroll taxes (14 percent), and user charges for dental care and prescribed pharmaceuticals (4 percent). The cost of healthcare in Britain is about a quarter of healthcare costs in the U.S. Public spending on childcare and families amounted to 4 percent of GDP in Britain in 2013 compared to 1 percent for the U.S. Sophie Jacobson, “Who Should Pay? Who Should Provide? American Childcare Preferences in Comparative Perspective” (working paper, Yale University, 2017). Philip Lipsky, “The Electoral Politics of Energy” (working paper, Stanford University, 2017), <https://web.stanford.edu/~plipsky/lipskyelectoralenergy.pdf> (accessed 12–23–2017).

3. “What if Large Tech Firms Were Regulated Like Sewage Companies?” *Economist*, September 23, 2017, <https://www.economist.com/news/business/21729455-being-treated-utilities-big-techs-biggest-long-term-threat-what-if-large-tech-firms-were> (accessed 12–23–2017). The *Economist* calculates that firms could be guaranteed a 12 percent return, and that the average Facebook user would pay \$15 a year for its return on its RAB, but consumers would earn \$23 in selling their data to advertisers, or pay \$37 a year to Google and receive \$45 from advertisers.

4. As John Keeler writes regarding Britain as well as France, “Quiet disillusion and indifference to organised party politics set in when it became clear by the 1970s that governments might prove largely successful at implementing their manifestos and yet still fail to resolve pressing socio-economic problems.” John Keeler, “Executive Power and Policy-Making Patterns in France: Gauging the Impact of Fifth Republic Institutions,” *West European Politics* 16, no. 4 (October 1993): 539.

5. Gary Cox, “War, Moral Hazard, and Ministerial Responsibility: England After the Glorious Revolution,” *Journal of Economic History* 71, no. 1 (March 2011): 133–61.

6. Archibald Foord, “The Waning of ‘the Influence of the Crown,’ ” *English Historical Review* 62, no. 245 (October 1947): 488–89. Cox and Morgenstern quote this passage by Foord to compare England of that period with modern Latin American presidential systems. Gary W. Cox and Scott Morgenstern, “Latin America’s Reactive Assemblies and Pro-active Presidents,” *Comparative Politics* 33, no. 2 (January 2001): 185–87.

7. As Bolingbroke wrote in 1734, “Because the addition of Sixteen Peers to be chosen for every Parliament may possibly open a door to an undue Influence on this House, and therefore we conceive it necessary for ye honour of this House, as well as ye security of the British Constitution, that we should speak plainly & declare strongly, on the bare Suspicion of Such a possible case.” Quoted in Clyve Jones and Stephen Taylor, “Viscount Bolingbroke and the Composition of an Opposition Protest in the House of Lords in 1734 on the Election of the Scottish Representative Peers,” *Yale University Library Gazette* 71, nos. 1–2 (October 1996): 28.

8. Hume observed, “The crown has so many offices at its disposal that, when assisted by the honest and disinterested part of the house, it will always command the resolutions of the whole so far, at least, as to preserve the antient constitution from danger.” David Hume, *Essays Moral, Political and Literary*, vol. 1 (London: Green & Grose, 1875 [1758]), 120, quoted in Foord, “The Waning of ‘the Influence of the Crown,’ ” 488.

9. Steven Pincus, *1688: The First Modern Revolution* (New Haven: Yale University Press, 2011). At first a term of derision aimed at Scottish Presbyterian anti-monarchists in Parliament during the reign of Charles

I, “whig” derives from “whiggamor,” or “cattle driver,” after the western Scots who traded Scottish livestock for British grain.

10. J. P. Kenyon, “The Earl of Sunderland and the King’s Administration, 1693–1695,” *English Historical Review* 71, no. 281 (October 1956): 580.

11. Kenyon, “The Earl of Sunderland and the King’s Administration,” 580. According to Cox, “By the early 1700s an embryonic form of ministerial responsibility had emerged. The Crown’s main advisors had been *defined* as the ministry; each of them was held responsible for anything done in their realm of competence, regardless of whether a trail of paper could be found linking them specifically to the objectionable acts; the cabinet as a whole was responsible for major policy decisions in any realm; and Parliament stood ready to deny supply, in order to force a change of policies or ministers.” “War, Moral Hazard, and Ministerial Responsibility,” 147.

12. Colley, *In Defiance of Oligarchy*.

13. Gyorgy Borus suggests that party competition that dominated between 1696 and 1714 was overpowered by vote buying. Gyorgy Borus, “Political Parties in the Years Before and After the Glorious Revolution,” *Hungarian Journal of English and American Studies* 13, nos. 1–2 (Spring–Fall 2007): 121–30. Jennifer Mori, “The Political Theory of William Pitt the Younger,” *History* 83, no. 270 (April 1998): 234–48.

14. Edward Porritt, “Political Corruption in England,” *North American Review* 183, no. 603 (November 1906): 995–1004.

15. Emmett Avery and A. H. Scouten, “The Opposition to Sir Robert Walpole, 1737–1739,” *English Historical Review* 83, no. 327 (April 1968): 331–36.

16. Wilbur Abbott, “The Origin of English Political Parties,” *American Historical Review* 24, no. 4 (July 1919): 582, 600–601.

17. “Hanoverians: Parliament and Politics from George I to the Reform Act of 1832,” The History of Parliament, <http://www.historyofparliamentonline.org/periods/hanoverians> (accessed 2–12–2018).

18. “Abstract of LB’s Letter to Sir W. Windham,” *London Magazine; or, Gentleman’s Intelligencer*, May 1753, 234.

19. Colley, *In Defense of Oligarchy*, 79. In 1740 the Earl of Marchmont wrote, “If we look back since the Revolution was establish’d, we shall find the power of the crown greatly increas’d by several acts, and

the freedom of the people much subjected, and sometimes explicitly restrain'd. . . . The establishment of the publick funds has alone put the constitution of this kingdom on a very different footing from what it was formerly, and has thrown an immense weight into the scale on the government." Hugh Hume, Earl of Marchmont, "A Serious Exhortation to the Electors of Great Britain" (1740), quoted in H. T. Dickinson, "The Eighteenth Century Debate on the 'Glorious Revolution,'" *History* 61, no. 201 (February 1976), 38.

20. Colley, *In Defiance of Oligarchy*, 19.

21. Eveline Cruikshanks, *Political Untouchables. The Tories and the '45* (New York: Holmes & Meier, 1979).

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23. Linda Colley, "The Loyal Brotherhood and the Cocoa Tree: The London Organization of the Tory Party, 1727–1760," *Historical Journal* 20, no. 1 (March 1977): 77–95.

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25. " 'Your Ministers, sir, are only your instruments of government.' . . . The King smiled and said bitterly, 'Ministers are the King in this country.' " Account by Lord Hardwicke of an interview with the king, January 5, 1745, quoted in Edward Raymond Turner, "The Development of the Cabinet, 1688–1760," *American Historical Review* 19, no. 1 (October 1913): 27.

26. Gary Cox, *The Efficient Secret: The Cabinet and the Development of Political Parties in Victorian England* (Cambridge University Press, 1987).

27. Porritt, "Political Corruption in England," 1001.

28. Alessandro Lizzeri and Nicola Persico, "Why Did the Elites Extend the Suffrage? Democracy and the Scope of Government, with an Application to Britain's 'Age of Reform,'" *Quarterly Journal of Economics* 119, no. 2 (May 2004): 707–75.

29. Gary Cox, "The Developmental Traps of Britain's Fiscal Military State" (work in progress, Stanford University, 2017).

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31. Bagehot, *English Constitution*, 5.

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System and Duverger's Law: An Essay on the History of Political Science," *American Political Science Review* 76, no. 4 (December 1982): 755.

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CHAPTER 5. BIG WEAK PARTIES

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10. This is particularly pronounced in the Senate six years after a presidential landslide, when senators who came in on the president’s coattails will be up for reelection.

11. See Ron Suskind, *Confidence Men: Wall Street, Washington, and the Education of a President* (New York: Harper Perennial, 2011), 190–95, 261–63, 292–96, 317–26, 345–48, 383–85. The Supreme Court also contributed by diluting the Medicaid expansion provision of the law, which had conditioned continuing federal Medicaid payments to states on their participation in the expansion. In *National Federation of Independent Businesses v. Sebelius* 567 U.S. 519 (2012) the court struck this requirement down as coercion of the states by the federal government.

12. On spending, see <https://www.nytimes.com/roomfordebate/2012/06/13/did-any-good-come-of-watergate/nixon-had-some-successes-before-his-disgrace> (accessed 9–30–2017).

13. There have only been eight veto overrides in the last three decades. This is a decline from previous eras (Jimmy Carter faced twelve overrides and Ronald Reagan nine). History, Art, and Archives: US House of Representatives, <http://history.house.gov/Institution/Presidential-Veto/Presidential-Veto/> (accessed 10–1–2017). This decline might reflect the increased polarization in Congress, which makes it harder to marshal votes from the opposition party, votes that are almost always needed to reach the two-thirds supermajority necessary for an override.

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17. Gary Jacobson, “It’s Nothing Personal: The Decline of the Incumbency Advantage in U.S. House Elections,” *Journal of Politics* 77, no. 3 (July 2015): 861–73.

18. See Robert Boatwright, “In the Shadow of Trump: How the 2016 Presidential Campaign Affected House and Senate Primaries” (paper presented at the 2017 State of the Primaries conference, Akron, Ohio), 25, figure 5.

19. Nancy MacLean, *Democracy in Chains: The Deep History of the Radical Right’s Stealth Plan for America* (New York: Viking, 2017), 216.

20. See Graetz and Shapiro, *Death by a Thousand Cuts*, 24–31.

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North Carolina plan to create a single, predominantly black district that was geographically “so bizarre on its face” as to be inexplicable “on grounds other than race.” 509 U.S. 630, 664 (1993). Two years later the justices deployed similar logic to strike down as a “geographic monstrosity” a new Georgia MMD created in response to the 1990 decennial census, which had been taken to imply that, with 27 percent of the population, blacks were entitled to an additional district. *Miller v. Johnson* 515 U.S. 900, 909 (1995). The following year they struck down a Texas plan on the grounds that because race was the predominant factor in the creation of MMDs, they had not carried the strict scrutiny burden of showing it to be narrowly tailored to a compelling governmental interest. *Bush v. Vera* 517 U.S. 952 (1996). In 2003 they struck down a Georgia plan for focusing “too heavily on the ability of the minority group to elect a candidate of its choice in the [safe] districts.” *Georgia v. Ashcroft* 539 U.S. 461, 490 (2003), and three years later they held that the Voting Rights Act did not require creation of an MMD to prevent minority vote dilution unless the minority population in the proposed constituency would have exceeded 50 percent. *Bartlett v. Strickland* 556 U.S. 1 (2009).

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CHAPTER 6. STRONG PARTIES IN SMALL EUROPEAN DEMOCRACIES

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42. Wolfgang Müller, “Austria: Imperfect Parliamentaryism but Fully Fledged Party Democracy,” in Strøm and Bergman, *The Madisonian Turn*, 228.
43. Renwick and Pilet, *Faces on the Ballot*, 136–42.
44. Tapio Raunio, “The Changing Finnish Democracy: Stronger Parliamentary Accountability, Coalescing Political Parties and Weaker External Constraints,” *Scandinavian Political Studies* 27, no. 2 (June 2004): 144. There is also evidence that open lists in Finland amplify the weight of politically irrelevant characteristics such as the candidate’s looks. Niclas Berggren, Henrik Jordahl, and Panu Poutvaara, “The Looks of a Winner: Beauty, Gender and Electoral Success” (working paper no. 2311, Institute for the Study of Labor, IZA, Berlin, September 2006).
45. Indriði H. Indriðason and Gunnar Helgi Kristinsson, “Primary Consequences: The Effects of Candidate Selection through Party Primaries in Iceland,” *Party Politics* 21, no. 4 (2015): 567; Indriði H. Indriðason and Gunnar Helgi Kristinsson, “Primaries and Legislative Behavior,” in *Routledge Handbook of Primary Elections*, ed. Robert G. Boatright (New York: Taylor & Francis, 2018), 350.
46. Renwick and Pilet, *Faces on the Ballot*, 146–47.
47. Olle Folke, Torsten Persson, and Johanna Rickne, “The Primary Effect: Preference Votes and Political Promotions,” *American Political Science Review* 110, no. 3 (August 2016): 559–78.
48. Jens Hainmueller and Dominik Hangartner, “Does Direct Democracy Hurt Immigrant Minorities? Evidence from Naturalization Decisions in Switzerland” (working paper, Stanford University, 2015).
49. Cliff Carrubba, Matthew Gabel, and Charles Hankla, “Judicial Behavior under Political Constraints: Evidence from the European Court of Justice,” *American Political Science Review* 102, no. 4 (November 2008): 435–52.

CHAPTER 7. THE FRENCH MIX

1. “What Debré has called a ‘true’ parliamentary system—‘the first perhaps in many generations’—amounts to organizing the relations

between the cabinet and Parliament as they exist in England, even though the crucial British ingredient which produced the British cabinet's superiority—the exercise of power by a party which holds a working majority—is missing in France.” Stanley Hoffmann, “The French Constitution of 1958: The Final Text and Its Prospects,” *American Political Science Review* 53, no. 2 (June 1959): 335.

2. Sophie Louet and Simon Carraud, “After Macron Win, France’s Main Parties Fret over Parliament Elections,” *Reuters*, May 10, 2017, <https://www.reuters.com/article/us-france-election/after-macron-win-frances-main-parties-fret-over-parliament-elections-idUSKBN186123> (accessed 12-24-2017).

3. Senate elections are indirect, by way of an electoral college of local representatives. The Senate’s one- to two-member districts create more parties, making it hard for any party to gain an outright majority. In the September 2017 elections, Macron’s new party gained 11 percent of the seats, setting back his hopes for constitutional reform to introduce an element of PR.

4. David Goldey and Philip Williams, “France,” in *Democracy and Elections: Electoral Systems and Their Political Consequences*, ed. Vernon Bogdanor and David Butler (New York: Cambridge University Press, 1983), 80.

5. In the words of Ehrmann and Schain, “While formal centralization was not a myth, local political power . . . subverted the system in many ways.” Henry W. Ehrmann and Martin A. Schain, *Politics in France* (New York: Harper Collins, 1992), 381–82. Vivien Schmidt notes that some core elements of local control date back at least a century. Vivien Schmidt, “Unblocking Society by Decree: The Impact of Governmental Decentralization in France,” *Comparative Politics* 22, no. 4 (July 1990): 459–81.

6. David Hanley, “Compromise, Party Management and Fair Shares: The Case of the French UDF,” *Party Politics* 5, no. 2 (1999): 171–89.

7. Following a close result in the 1986 election, the RPR and UDF caved in to FN demands for new immigration controls and heightened police power.

8. Giovanni Sartori, *Comparative Constitutional Engineering: An Inquiry into Structures, Incentives, and Outcomes* (New York: NYU Press, 1994).

9. Amel Ahmed, *Democracy and the Politics of Electoral System Choice* (New York: Cambridge University Press 2013), 148; Gary Cox, Jon Fiva, and Daniel Smith, “Parties, Legislators, and the Origins of Proportional Representation” (manuscript, Stanford University, 2017), <http://www.jon.fiva.no/docs/Cox-Fiva-Smith-2017.pdf> (accessed 12–24–2017).

10. Pierre Martin, “Industrial Structure, Coalition Politics, and Economic Policy: The Rise and Decline of the French Popular Front,” *Comparative Politics* 24, no. 1 (October 1991): 45–75.

11. Ahmed, *Politics of Electoral System Choice*, 152.

12. Ahmed, *Politics of Electoral System Choice*, 163.

13. In twelve years, France had twenty-four different governments.

14. As Ellen Immergut put it, the “scope for parliamentary maneuvering” reduced party control of its members and played to the power of well-organized groups such as doctors. “Institutions, Veto Points, and Policy Results: A Comparative Analysis of Health Care,” *Journal of Public Policy* 10, no. 4 (October 1990): 391–416. By 2004 France funded healthcare from employers and employees (11.8 percent and 0.75 percent of salaries, respectively) compared to an average of 7 percent by both employers and employees in Germany, and entirely from general taxes in the UK.

15. Immergut, “Institutions, Veto Points, and Policy Results.”

16. Having won the referendum in October 1962 and legislative elections in November, de Gaulle boasted, “I wanted to break parties. I was the only one who could do it and the only one who believed it was possible. I was right against everybody.” André Passeron, *Quand de Gaulle parle* (Paris: Brooch, 1962).

17. Ben Clift, “The Fifth Republic at Fifty: The Changing Face of French Politics and Political Economy,” *Modern & Contemporary France* 16, no. 4 (November 2008): 385.

18. Carl Friedrich, “The New French Constitution in Political and Historical Perspective,” *Harvard Law Review* 72, no. 5 (March 1959): 817.

19. John Keeler, “Executive Power and Policy-Making Patterns in France: Gauging the Impact of Fifth Republic Institutions,” *West European Politics* 16, no. 4 (1993): 518–44.

20. Friedrich, “The New French Constitution,” 813.

21. Friedrich, “The New French Constitution,” 827.

22. Friedrich, “The New French Constitution,” 835.

23. Frank Wilson, “Alternative Models of Interest Mediation: The Case of France,” *British Journal of Political Science* 12 (April 1982): 173–200.

24. John Huber, “Restrictive Legislative Procedures in France and the United States,” *American Political Science Review* 86, no. 3 (September 1992): 675–87.

25. Peter Hall, *Governing the Economy* (Cambridge: Cambridge University Press, 1986), 167.

26. Wilson, “Alternative Models,” 180.

27. Bernard Moss, “Industrial Reform in an Era of Retreat: The Auroux Legislation in France,” *Work, Employment, and Society* 2, no. 3 (September 1988): 317–34.

28. The Communist union CGT opposed the bill, fearing that worker councils would become a tool of management. Moss, “Industrial Reform,” 325.

29. Luis Garicano, Claire Lelarge, and John Van Reenen, “Firm Size Distortions and the Productivity Distribution: Evidence from France” (CEP Discussion Paper no. 1128, 2016). Economists show empirically that workers pay for long-term labor contracts with lower seniority-based wages, since employers need not worry about exit. See Magali Beffy, Mosche Buchinsky, Denis Fougère, Thierry Kamionka, and Francis Kramarz, “The Returns to Seniority in France (and Why Are They Lower Than in the United States?)” (Discussion Paper no. 5486, Centre for Economic Policy Research, London, February 2006).

30. “Why French Unions Are So Strong,” *Economist*, March 17, 2017, <https://www.economist.com/blogs/economist-explains/2014/03/economist-explains-15> (accessed 12–29–2017); Baccaro and Howell, *Trajectories of Neoliberal Transformation*, 90; Francis Kramarz, “Outsourcing, Wages, Unions, and Employment: Evidence from Data Matching Imports, Firms, and Workers” (working paper, CREST-INSEE, CEPR, IZA, and IFAU, July 2008). It made little difference in the big scheme of things that the largest union, the Confédération Générale du Travail (CGT), broke with the Communist Party after the fall of the Berlin Wall.

31. Philippe Askenazy, Jean-Baptiste Berry, and Sophie Prunier-Poulmaire, “Working Hard for Large French Retailers,” in Eve Caroli

and Jerome Gautie, eds., *Low Wage Work in France* (New York: Russell Sage Foundation, 2008), chapter six.

32. Mark Rousseau and Scott Hunt, “Political Decentralization in Socialist France: Alternative Theories, Alternative Struggles,” *Mid-American Review of Sociology* 11, no. 2 (Winter 1986): 45–74; Carla King, “The Early Development of Agricultural Cooperation: Some French and Irish Comparisons,” *Proceedings of the Royal Irish Academy: Archaeology, Culture, History, Literature* 96C, no. 3 (1996): 67–86.

33. Marianne Bertrand and Francis Kramarz, “Does Entry Regulation Hinder Job Creation? Evidence from the French Retail Industry,” *Quarterly Journal of Economics* 117, no. 4, (January 2002): 1369–1413.

34. Oliver Borraz, “Reforming Local Government in France: The Case of Two Communautés Urbaines,” *Administrative Theory & Praxis* 21, no. 3 (September 1999): 252–64.

35. Joseph Jones, *The Politics of Transport in France* (Kingston and Montreal: McGill-Queens University Press, 1984), 214.

36. Ehrmann and Schain, *Politics in France*, 379–80.

37. In the 1988 presidential elections, about a quarter of those who had voted for Le Pen switched their allegiance to Mitterrand on the second ballot.

38. Giovanni Sartori was convinced that to avoid a painful bite at close range, both heads of state tend to compromise.

39. Huber, “Restrictive Legislative Procedures,” 148.

40. Huber, “Restrictive Legislative Procedures,” 138.

41. Paul Clay Sorum, “France Tries to Save Its Ailing National Health Insurance System,” *Journal of Public Health Policy* 23, no. 2 (July 2005): 234.

42. Paul Sorum wrote in 1998, “The power of the state over health care is limited . . . in several ways. Interest groups and local electorates apply political pressure on individual deputies to parliament and on the national government. Furthermore, the execution of state policies—such as the regulation of hospital budgets or the provision of prenatal care to the poor—depends on the cooperation of local officials and boards, which often include local notables and interested parties.” “Striking against Managed Care: The Last Gasp of *La Médecine Libérale*?” *JAMA* 280, no. 7 (August 1998): 659–64. Nearly a decade

later the story was much the same. Sorum, “France Tries to Save Its Ailing National Health Insurance System.”

43. Eugenia da Conceicao-Heldt, “France: The Importance of the Electoral Cycle,” in Immergut, Anderson, and Schulze, *The Handbook of Western European Pension Politics*.

44. Frederic Sawicki, “Le prolo, l’expert et le mépris de classe,” *Liberation*, June 11, 2011, http://www.liberation.fr/france/2011/06/10/le-prolo-l-expert-et-le-mepri-de-classe_741694 (accessed 12–22–2017).

45. Bruce Crumley, “Hollande Wins French Socialist Primary, Looks to the Battle Ahead with Sarkozy,” *Time*, October 17, 2011.

46. Cole Stangler, “France Rebels: An Interview with Raquel Garrido,” *Jacobin*, April 4, 2017, <https://www.jacobinmag.com/2017/04/france-insoumise-melenchon-elections-sixth-republic-national-front/> (accessed 12–30–2017).

47. Jacques Rancière, “Des idées pour transformer une République encore oligarchique,” *Le Monde*, May 6, 2013, http://www.lemonde.fr/idees/article/2013/05/06/des-idees-pour-transformer-une-republique-encore-oligarchique_3171667_3232.html#jkeXLCwkgjWDpZpK.99 (accessed 12–30–2017).

CHAPTER 8. OF LABRADOODLES AND POODLEDORS

1. In 1986 Christian Social Union (CSU) chairman Franz Josef Strauß had warned that the CDU/CSU must never create the ideological space for a legitimate party to emerge on its right flank, advice that Merkel in effect flouted. “Wie Merkel Franz Josef Strauß auslegt,” *Süddeutsche Zeitung*, May 21, 2016, <http://www.sueddeutsche.de/politik/streit-in-der-union-wie-merkel-franz-josef-strauss-auslegt-1.3001791> (accessed 3–23–2018).

2. Under newly adopted rules, in addition to the party conference the 450,000 SPD members had to approve the coalition agreement in a referendum. Michelle Martin and Andreas Rinke, “Update 6—Merkel’s Conservatives Make Big Concessions to SPD in Coalition Deal,” *Reuters/CNBC*, February 7, 2017, <https://www.cnn.com/2018/02/07/reuters-america-update-6-merkels-conservatives-make-big-concessions-to-spd-in-coalition-deal.html> (accessed 3–23–2018).

3. Thomas Saalfeld, “Germany: Multiple Veto Points, Informal Coordination, and Problems of Hidden Action,” in *Delegation and*

Accountability in Parliamentary Democracies, ed. Kaare Strøm, Wolfgang Müller, and Torbjörn Bergman (New York: Oxford University Press, 2003), 361.

4. In the alarmist language of Walter Burnham, “The large majority of nonvoters brought into the active electorate between 1871 and 1912 were recruited by the Marxist ‘political church,’ the Social Democrats.” Walter Dean Burnham, “Political Immunization and Political Confessionalism: The United States and Weimar Germany,” *Journal of Interdisciplinary History* 3, no. 1 (Summer 1972): 4. See also Stein Rokkan, *Citizens, Elections, Parties: Approaches to the Comparative Study of the Process of Development* (Oslo: Universitetsforlaget, 1970); Boix, “Setting the Rules of the Game”; Isabela Mares, *Democratic Electoral Reforms and Voter Autonomy* (New York: Cambridge University Press, 2015), chapter 9.

5. Cusack, Iversen, and Soskice, “Economic Interests.”

6. Matthew Shugart and John Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (New York: Cambridge University Press, 1992); Jonathan Sperber, *The Kaiser’s Voters: Electors and Elections in Imperial Germany* (New York: Cambridge University Press, 1997); F. A. Hermens, “Proportional Representation and the Breakdown of German Democracy,” *Social Research* 3, no. 4 (November 1936): 411–33; Roger Myerson, “Political Economics and the Weimar Disaster,” *Journal of Institutional and Theoretical Economics* 160, no. 2 (June 2004): 187–209.

7. Robert Gerwarth, *The Vanquished: Why the First World War Failed to End* (New York: Farrar, Straus & Giroux, 2016), 162.

8. Hermens, “Proportional Representation,” 424; Andrzej Olechnowicz, “Liberal Anti-Fascism in the 1930s: The Case of Sir Ernest Barker,” *Albion: A Quarterly Journal Concerned with British Studies* 36, no. 4 (Winter 2004): 643.

9. Kathleen Bawn, “The Logic of Institutional Preferences: German Electoral Law as a Social Choice Outcome,” *American Journal of Political Science* 37, no. 4 (November 1993): 971; Marcus Kreuzer, “Germany: Partisan Engineering of Personalized Proportional Representation,” in *The Handbook of Electoral System Choice*, ed. Josep Colomer (New York: Palgrave Macmillan, 2004), 230.

10. Thomas Saalfeld, “Germany: Stability and Strategy in a Mixed-Member Proportional System,” in *The Politics of Electoral Systems*, ed.

Michael Gallagher and Mark Mitchell (New York: Oxford University Press, 2003), 209–29.

11. Steven Fisher, “The Wasted Vote Thesis,” *Comparative Politics* 5, no. 2 (January 1973); Kathleen Bawn and Michael Thies, “A Comparative Theory of Electoral Incentives: Representing the Unorganized under PR, Plurality and Mixed-Member Electoral Systems,” *Journal of Theoretical Politics* 15, no. 1 (January 2003): 5–32.

12. William Riker reports that in 1961, 1965, and 1969, the Free Democrats won between 13 and 38 percent fewer district votes than list votes—and conversely, more list votes than district votes. In 1987 the D’Hondt “highest remainder” method to apportion the second votes was replaced by the Hare/Niemeyer formula, which does not advantage larger parties. William Riker, “The Two-Party System and Duverger’s Law: An Essay on the History of Political Science,” *American Political Science Review* 76, no. 4 (December 1982): 753–66. See also Eckhard Jesse, “The West German Electoral System: The Case for Reform, 1949–87,” *West European Politics* 10, no. 3 (1987): 434–48.

13. Arnold Heidenheimer, “Foreign Policy and Party Discipline in the CDU,” *Parliamentary Affairs* 13, no. 1 (August 1959): 71.

14. There is some speculation that Adenauer blocked legislators from West Berlin from the right to vote in the Bundestag because they leaned toward the SPD. Karl Jaspers, the philosopher who became naturalized as a Swiss citizen in 1969, blamed the Western Allies for supporting Adenauer even at the cost of tolerating ex-Nazis. See Gracie Morton, “The Long March of the German 68ers: Their Protest, Their Exhibition, and Their Administration,” 2007 (Electronic Theses and Dissertations, Paper 2141), 11, <http://dc.etsu.edu/etd/2141> (accessed 12–30–2017).

15. Stanley Vardys, “Germany’s Postwar Socialism: Nationalism and Kurt Schumacher (1945–52),” *Review of Politics* 27, no. 2 (April 1965): 220–44; Klaus Epstein, “Review: A New Biography of Schumacher, *Kurt Schumacher: A Study in Personality and Political Behavior* by Lewis J. Edinger,” *World Politics* 18, no. 4 (July 1966): 727–34.

16. Peter Losch, “The Evolution of the SPD,” *German Politics & Society* 14 (June 1988): 32–40.

17. Sheri Berman, “The Life of the Party,” *Comparative Politics* 30, no. 1 (October 1997): 101–22.

18. Peter Pulzer, “Responsible Party Government in the German Political System,” in *Party Government and Political Culture in Western Germany*, ed. Herbert Döring and Gordon Smith (New York: St. Martin’s, 1982), 30.

19. Klaus Detterbeck, “Candidate Selection in Germany: Local and Regional Party Elites Still in Control?” *American Behavioral Scientist* 60, no. 7 (February 2016): 837–52.

20. Geoffrey Pridham, *Christian Democracy in Western Germany: The CDU/CSU in Government and Opposition, 1945–1976* (New York: Routledge, 2014), 82–87, 91–95; Arnold Heidenheimer, *Adenauer and the CDU: The Rise of the Leader and the Integration of the Party* (New York: Springer, 1960), 203–4.

21. “Bavaria’s CSU Conservatives Urge Changes to Refugee Policy,” *DW*, September 10, 2016, <http://www.dw.com/en/bavarias-csu-conservatives-urge-changes-to-refugee-policy/a-19541640> (accessed 12–05–2017). David Large, “Merkel Should Beware Bavarians, Not Populists,” *Foreign Policy*, January 3, 2017, <http://foreignpolicy.com/2017/01/03/merkel-should-beware-bavarians-not-populists/> (accessed 12–5–2017). See also Jutta Helm, “Review: Parties, Stability, and Growth: West German Politics in Transition,” *Comparative Politics* 16, no. 4 (July 1984): 481–94.

22. Klaus Detterbeck, “The Role of Party and Coalition Politics in Federal Reform,” *Regional and Federal Studies* 26, no. 5 (August 2016): 845.

23. Jack Dowell, “The Role of the Social Democratic Party in the Grand Coalition,” *Political Science* 22, no. 1 (July 1970): 52–65. Industrial workers in 1965 made up slightly less than a majority of the SPD’s total support base. David Conradt, “Electoral Law Politics in West Germany,” *Political Studies* 18, no. 3 (1970): 341–56.

24. Heidenheimer, “Foreign Policy and Party Discipline in the CDU.”

25. Dowell, “The Role of the Social Democratic Party,” 62.

26. In 2018 German single-member districts had an average of 206,000 voters, compared to 82,000 in France and 72,000 in Great Britain.

27. Merkel’s CDU/CSU won twenty-four such seats in 2009.

28. Jesse, “The West German Electoral System,” 435.

29. Bawn, “Logic of Institutional Preferences,” 976.
30. Dowell, “The Role of the Social Democratic Party,” 60–61.
31. Mark Hallerberg, Rolf Rainer Strauch, and Jurgen von Hagen, *Fiscal Governance in Europe* (New York: Cambridge University Press, 2009); Lanny Martin and Georg Vanberg, *Parliaments and Coalitions: The Role of Legislative Institutions in Multiparty Governance* (New York: Oxford University Press, 2011); Susanna Lohmann, “Dynamics of Informational Cascades: The Monday Demonstrations in Leipzig, East Germany, 1989–1991,” *World Politics* 47 (October 1994): 42–101; Carrubba, Gabel, and Hankla, “Judicial Behavior under Political Constraints”; Saalfeld, “Germany: Stability and Strategy in a Mixed-Member Proportional System.”
32. Peter Swenson, *Fair Shares: Union, Pay, and Politics in Sweden and West Germany* (Ithaca: Cornell University Press, 1989), 38.
33. Baccaro and Howell, *Trajectories of Neoliberal Transformation*, 97.
34. David Soskice, *Divergent Production Regimes: Coordinated and Uncoordinated Market Economies in the 1980s and 1990s* (New York: Cambridge University Press, 1999); Kathleen Thelen, *How Institutions Evolve: The Political Economy of Skills in Comparative Perspective* (New York: Cambridge University Press, 2004); Thelen, *Varieties of Liberalization*; Torben Iversen and John Stephens, “Partisan Politics, the Welfare State, and the Three Worlds of Human Capital Formation,” *Comparative Political Studies* 41, nos. 4–5 (April–May 2008): 600–637.
35. Jesse, “The West German Electoral System,” 438; Lars Calmfors and John Driffill, “Centralization of Wage Bargaining,” *Economic Policy* 3, no. 6 (April 1988): 13–61.
36. Peter Lange and Geoffrey Garrett, “Strategic Interaction and Economic Performance in Advanced Industrial Democracies, 1974–1980,” *Journal of Politics* 47, no. 3 (August 1985): 792–827.
37. Brendan Price, “The Duration and Wage Effects of Long-Term Unemployment Benefits: Evidence from Germany’s Hartz IV Reform” (working paper, MIT Department of Economics, 2016).
38. Thelen, *Varieties of Liberalization*, 138–40; William Tompson and Robert Price, “The Political Economy of Reform: Lessons from Pensions, Product Markets and Labour Markets in Ten OECD Countries,” OECD, 2009, <http://www.oecd.org/site/sgemrh/46190166.pdf> (accessed 12–22–2017).

39. Christian Dustmann, Bernd Fitzenberger, Uta Schönberg, and Alexandra Spitz-Oener, “From Sick Man of Europe to Economic Superstar: Germany’s Resurgent Economy,” *Journal of Economic Perspectives* 28, no. 1 (2014): 167–88.
40. Thelen, *Varieties of Liberalization*, 49.
41. Rueda, “Insider-Outsider Politics in Industrialized Democracies.”

CHAPTER 9. WANNABE LABRADOODLES

1. Justin Wolfers, “Are Voters Rational? Evidence from Gubernatorial Elections” (working paper, NBER, January 30, 2007), [http://users.nber.org/~jwolfers/papers/Voterrationality\(latest\).pdf](http://users.nber.org/~jwolfers/papers/Voterrationality(latest).pdf) (accessed 12–2–2017).
2. Jack Nagel, “Social Choice in a Pluralitarian Democracy: The Politics of Market Liberalization in New Zealand,” *British Journal of Political Science* 28, no. 2 (April 1998): 223–67.
3. Nagel, “Social Choice,” 228.
4. In 1993 Roger Douglas left Labour to form a libertarian party, Association for Consumers and Voters (ACT).
5. John Quiggin, “Free Market Reform in New Zealand: An Australian Perspective,” *Victoria Economic Commentaries* 7, no. 2 (October 2000): 39, <https://www.victoria.ac.nz/sef/research/pdf/Quiggin.pdf> (accessed 12–20–2017).
6. Nagel, “Social Choice,” 224.
7. Nagel, “Social Choice,” 240. The districting, though nonpartisan, failed to draw districts that mirrored the diversity of the country as a whole.
8. Jack Vowles, “The Politics of Electoral Reform in New Zealand,” *International Political Science Review* 16, no. 1 (January 1995): 95–96, 102–6; Jonathan Boston, Stephen Levine, Elizabeth McLeay, and Nigel S. Roberts, “The 1996 General Election in New Zealand: Proportional Representation and Political Change,” *Australian Quarterly* 69, no. 1 (Autumn 1997): 1–14. Voters chose to retain the mixed system in a referendum twenty years later, 57.8 to 42.2 percent.
9. Mark Kayser and Kassandra Grafström, “The Luxury Goods Vote: Why Left Governments Are Punished for Economic Downturns” (working paper, Hertie School of Governance, 2016). However, in this case the New Zealand Labour Party had not peddled luxury goods

(diversity, environmental policy) in lieu of jobs and wages. As Jack Nagel points out, not all voters on the left can afford to be post-materialist. Nagel, “Social Choice,” 253.

10. David Denemark, “Choosing MMP in New Zealand: Explaining the 1993 Electoral Reform,” in *Mixed-Member Electoral Systems: The Best of Both Worlds?* ed. Matthew Shugart and Martin Wattenberg (New York: Oxford University Press, 2001), 78.

11. Andrew Geddis, “New Zealand’s Ill-Fated Review of MMP” (working paper, Electoral Regulation Research Network, 2013), http://law.unimelb.edu.au/__data/assets/pdf_file/0004/1556023/WP_13_Geddis3.pdf (accessed 12–22–2017).

12. Each voter has one vote for the election of a party list, to be expressed on a single ballot bearing the mark of each list and the name of the candidate at the head of the list. (*Id.* art. 2(4).) Voters may cast their vote for up to two preferences for candidates among those candidates who are not heads of lists. (*Id.* art. 1(1)(c).) Voters who choose to vote for a second candidate within a list must opt for a candidate of the gender other than that of their first choice candidate. (*Id.* art. 2(4).) Violation of this provision nullifies the vote. (*Id.* art. 2(4).) Chamber of Deputies seats are assigned to lists on a national basis. (*Id.* art. 1(1)(d).) To be eligible, a party must have at least 3 percent of the valid vote nationally, with some exceptions applicable to linguistic minorities. (*Id.* art. 1(1)(e).) Any party reaching a minimum of 40 percent of valid votes on a national basis may fill 340 seats, that is, 55 percent of the total number of legislative slots. (*Id.* art. 1(1)(f).) If no party receives 40 percent of the vote, a new election will be held between the two parties that had the highest number of votes. (*Id.* art. 1(1)(f).) The party with the most votes in the run-off election wins the 340 seats.

13. Valentina Consiglio and Gavin Jones, “Italy’s Top Court Rules Electoral Law Breaches Constitution,” *Reuters*, December 4, 2013, <http://www.reuters.com/article/us-italy-law-unconstitutional-idUSBRE9B3oYW20131204> (accessed 11–27–2017).

14. Carol Mershon, “The Costs of Coalition: Coalition Theories and Italian Governments,” *American Political Science Review* 90, no. 3 (September 1996): 534–54; Richard Katz and Luciano Bardi, “Preference Voting and Turnover in Italian Parliamentary Elections,” *American Journal of Political Science* 24, no. 1 (February 1980): 97–114.

15. Vittorio Grilli, Donato Masciandaro, and Guido Tabellini, “Political and Monetary Institutions and Public Financial Policies in the Industrial Countries,” *Economic Policy* 6, no. 1 (October 1991): 381; see also Eric Chang and Miriam Golden, “Electoral Systems, District Magnitude and Corruption,” *British Journal of Political Science* 37, no. 1 (January 2007): 115–37.

16. Miriam Golden, “Electoral Connections: The Effects of the Personal Vote on Political Patronage, Bureaucracy and Legislation in Postwar Italy,” *British Journal of Political Science* 33, no. 2 (April 2003): 196.

17. Joseph LaPalombara, *Democracy Italian Style* (New Haven: Yale University Press, 1989).

18. Italy had some disciplined moments, as in 1995 when nonpartisan prime minister Lamberto Dini managed to pass an austerity budget by calling a no-confidence motion on himself should the budget fail to get through parliament. Legislators hate nothing so much as new elections. John Huber, “The Vote of Confidence in Parliamentary Democracies,” *American Political Science Review* 90, no. (2) (June 1996): 269–82.

19. Serafino Negrelli and Tiziano Treu, “European Integration as a Stabilizing Factor in Italian Industrial Relations” (working paper presented at the European Community Studies Association, 1993); Miriam Golden, “International Economic Sources of Regime Change: How European Integration Undermined Italy’s Postwar Party System,” *Comparative Political Studies* 37, no. 10 (December 2004): 1238–74.

20. Mark Donavan, “The Politics of Electoral Reform in Italy,” *International Political Science Review* 16, no. 1 (January 1995): 59.

21. Richard Katz, “Reforming the Italian Electoral Law, 1993,” in Shugart and Wattenberg, *Mixed Member Systems*; Stefano Bartolini, Alessandro Chiamonte, and Roberto D’Alimonte, “The Italian Party System between Parties and Coalitions,” *West European Politics* 27, no. 1 (January 2004): 1–19.

22. “‘The Euro Won’t Survive,’ Says Matteo Salvini from Italy’s Northern League,” *Euronews*, November 29, 2014, <http://www.euronews.com/2014/11/29/the-euro-won-t-survive-says-matteo-salvini-from-italy-s-northern-league> (accessed 12–22–2007).

23. Gianfranco Pasquino, “Tricks and Treats: The 2005 Italian Electoral Law and Its Consequences,” *South European Society and Politics* 12,

no. 1 (March 2007): 79–93. The list or coalition of lists that obtained a plurality of votes but did not reach the 340-seat mark to form an electoral majority would be allocated a further share of seats so as to reach that number. It was called Legge Calderoli after its drafter or Legge Porcellum (pig).

24. Pasquino, “Tricks and Treats,” 90.

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30. “Renzi Revisited,” *Economist*, October 11, 2015, <https://www.economist.com/news/europe/21623770-italian-prime-minister-stakes-his-credibility-passage-big-reforms-but-faces-plenty> (accessed 12–22–2017).

31. *Keizai ichiryu, seiji sanryu* is Japanese for “first-rate economy, third-rate politics.”

32. Donald Davis and David Weinstein, “Why Countries Trade: Insights from Firm-Level Data,” *Journal of the Japanese and International Economies* 17 (2003): 432–47.

33. Frances Rosenbluth and Michael Thies, *Japan Transformed: Political Change and Economic Restructuring* (Princeton: Princeton University Press, 2010); Amy Catalinac, “Positioning under Alternative Electoral Systems: Evidence from Japanese Candidate Election Manifestoes,” *American Political Science Review* 112, no. 1 (February 2018): 31–48.

34. Herbert Kitschelt argues that the left wing is consigned to noneconomic policies in a globalized economy that limits viable options. Herbert Kitschelt, “Diversification and Reconfiguration of Party Systems in Postindustrial Democracies,” Institut für Europäische Politik, March 2004, <http://library.fes.de/pdf-files/id/o26o8.pdf> (accessed 12–30–2017). See also Kayser and Grafström, “The Luxury Goods Vote.”

35. A difference between Mexico and Japan in particular is that the PRI’s coalition was founded many decades ago on a corporatist deal between big business and unions, both now shrinking elements of the economy. PRI continues to include organized labor, unlike the Japanese LDP’s coalition between big business and agriculture, which also totters on the old economy but has always excluded labor and therefore offers less generous welfare policies apart from benefits targeted to farmers.

36. David Samuels and Matthew Shugart, *Presidents, Parties, and Prime Ministers: How the Separation of Powers Affects Party Organization and Behavior* (New York: Cambridge University Press, 2009), 212–13.

37. John Carey, *Term Limits and Legislative Representation* (New York: Cambridge University Press, 1996).

38. Joseph Klesner, “Electoral Competition and the New Party System in Mexico,” *Latin American Politics and Society* 47, no. 2 (Summer 2005): 103–42.

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40. Beatriz Magaloni, *Voting for Autocracy: Hegemonic Party Survival and Its Demise in Mexico* (New York: Cambridge University Press, 2006).

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43. Magaloni, *Voting for Autocracy*.
44. Ana de la O, *Crafting Policies to End Poverty in Latin America: The Quiet Transformation* (New York: Cambridge University Press, 2015).
45. Victoria Rodriguez and Peter Ward, “Disentangling the PRI from the Government in Mexico,” *Mexican Studies* 10, no. 1 (Winter 1994): 163–86.
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47. Klesner, “Electoral Competition,” 119.
48. Juan Molinar Horcasitas and Jeffrey Weldon, “Reforming Electoral Systems in Mexico,” in Shugart and Wattenberg, *Mixed-Member Electoral Systems*, 211.
49. Klesner, “Electoral Competition,” 116–17.
50. Aguilera, “Party Discipline,” 423.
51. Aguilera, “Party Discipline,” 421.
52. Shugart and Wattenberg, *Mixed-Member Electoral Systems*; John Carey and Simon Hix, “The Electoral Sweet Spot: Low-Magnitude Proportional Electoral Systems,” *American Journal of Political Science* 55, no. 2 (April 2011): 383–97.
53. Yann Kerevel, “The Legislative Consequences of Mexico’s Mixed-Member Electoral System, 2000–2009,” *Electoral Studies* 29, no. 4 (December 2010): 691–703.

CHAPTER 10. PRESIDENTIALISM WITH SMALL
WEAK PARTIES

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2. Samuels and Shugart, *Presidents, Parties, and Prime Ministers*.
3. Susan Stokes, *Mandates and Democracy: Neoliberalism by Surprise in Latin America* (New York: Cambridge University Press, 2001).
4. Argelina Cheibub Figueiredo and Fernando Limongi, “Presidential Power, Legislative Organization, and Party Behavior in Brazil,” *Comparative Politics* 32, no. 2 (January 2000): 151–70.
5. Noam Lupu, *Party Brands in Crisis: Partisanship, Brand Dilution, and the Breakdown of Political Parties in Latin America* (New York: Cambridge University Press, 2016).
6. Octavio Amorim Neto, “The Puzzle of Party Discipline in Brazil,” *Latin American Politics and Society* 44, no. 1 (Spring, 2002): 127–44.
7. Gary Cox and Scott Morgenstern, “Latin America’s Reactive Assemblies and Proactive Presidents,” *Comparative Politics* 33, no. 2 (January 2001): 171–89.
8. Javier Corrales, “Presidents, Ruling Parties, and Party Rules: A Theory on the Politics of Economic Reform in Latin America,” *Comparative Politics* 32, no. 2 (January 2000): 127–49.
9. Eduardo Fidanza, quoted in Lupu, *Party Brands in Crisis*, 59.
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of the 1991 Constitution,” *Policymaking in Latin America: How Politics Shapes Policies*, ed. in Ernesto Stein and Mariano Tommasi (Cambridge, Mass.: Harvard University Press, 2008), 71.

15. Cardenas, Junguito, and Pachon, “Political Institutions,” 210.

16. Cardenas, Junguito, and Pachon, “Political Institutions,” 223. Colombia also introduced presidential primaries in 1990, inclining presidents to cater to groups of voters with intense preferences and high chance of turnout. Flavia Friedenberg, “La reina de las reformas: Las elecciones internas a las candidaturas presidenciales en America Latina” (conference paper, Universidad de Salamanca, July 2014), https://www.researchgate.net/publication/263735162_La_reina_de_las_reformas_las_elecciones_internas_a_las_candidaturas_presidenciales_en_America-Latina- (accessed 11–21–2017).

17. Cardenas, Junguito, and Pachon, “Political Institutions,” 229.

18. Pablo Spiller and Mariano Tommasi, “Political Institutions, Policymaking Processes, and Policy Outcomes in Argentina,” in Stein and Tommasi, *Policymaking in Latin America*, 81.

19. Mark Jones, Sebastian Saiegh, Pablo Spiller, and Mariano Tommasi, “Amateur Politicians, Professional Politicians: The Consequences of Party-Centered Electoral Rules in a Federal System,” *American Journal of Political Science* 46, no. 3 (July 2002): 656–69; Spiller and Tommasi, “Political Institutions,” 90–91.

20. Spiller and Tommasi, “Political Institutions,” 93.

21. Spiller and Tommasi, “Political Institutions,” 95.

22. Spiller and Tommasi, “Political Institutions,” 110. Presidential primaries, introduced in 1988 and made mandatory in 2009, entrench the problem. Freidenberg, “La reina de las reformas.”

23. Mark Blyth and Richard Katz, “From Catch-all Politics to Cartelisation: The Political Economy of the Cartel Party,” *West European Politics* 28, no. 1 (January 2005): 33–60.

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28. Coppedge, “Prospects,” 60.

29. Presidential primaries were also introduced in 1968. Freidenberg, “La reina de las reformas.”

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31. Benjamin Kohl, “Bolivia under Morales: A Work in Progress,” *Latin American Perspectives* 37, no. 3 (May 2010): 113.

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39. Bert Hoffmann, “Why Reform Fails: The ‘Politics of Policies’ in Costa Rican Telecommunications Liberalization,” *European Review of Latin American and Caribbean Studies* 84, no. 3 (April 2008): 8.

40. John Booth and Mitchell Seligson, “Political Legitimacy and Participation in Costa Rica: Evidence of Arena Shopping,” *Political Research Quarterly* 58, no. 4 (December 2005): 537–50.

41. Hoffmann, “Why Reform Fails,” 5.
42. Ricardo Monge González. “Innovation, Productivity, and Growth in Costa Rica: Challenges and Opportunities” (Technical Note no. IDB-TN-920, Inter-American Development Bank, January 2016), 31.
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45. Cristobal Aninat, John Londregan, Patricio Navia, and Joaquin Vial, “Political Institutions, Policymaking Processes, and Policy Outcomes in Chile,” in Stein and Tommasi, *Policymaking in Latin America*, 173.
46. Peter Siavelis, “The Hidden Logic of Candidate Selection for Chilean Parliamentary Elections,” *Comparative Politics* 34, no. 4 (July 2002): 419–38. Siavelis provides a sense of the complexity: “Ultimately the parties of the *Concertación* agreed that districts would be shared equally between the subparts of the left and center, with some minor adjustments on the basis of each subpart’s willingness to accommodate smaller parties. There was also a tacit agreement between the PS-PPD subpart, the PDC subpart, and the PAIS. The *Concertación* would divide candidacies evenly between its two subparts except where the PAIS was fielding a list” (431).
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51. Some Latin American countries have not adopted presidential primaries: Bolivia, Brazil, and Guatemala.

NOTES TO PAGES 213–19

CHAPTER II. CREEPING AUTHORITARIANISM
IN EASTERN EUROPE

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3. Abby Innes, “Party Competition in Postcommunist Europe: The Great Electoral Lottery,” *Comparative Politics* 35, no. 1 (October 2002): 87.
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12. Millard, “Poland’s Politics,” 1009.
13. Anna Grzymala-Busse, “Coalition Formation,” *Comparative Politics* 34, no. 1 (2001): 85–104.
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31. Beblavy and Veselkova, “Preferential Voting,” 527.
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36. Tatiana Kostadinova, “Organizational Structure and Trends in Bulgarian Party Politics,” in *Organizational Structures of Political Parties in Eastern and Central European Countries*, ed. Katarzyna Sobolewska-Myslik, Beata Kosowska-Gąstoł, and Piotr Borowiec (Kraków: Jagiellonian University Press, 2016), 85–108; Barry Levitt and Tatiana Kostadinova, “Personalist Parties in the Third Wave of Democratization: A Comparative Analysis of Peru and Bulgaria,” *Politics & Policy* 42, no. 4 (August 2014): 513–47.
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38. Margit Tavits, “Organizing for Success: Party Organizational Strength and Electoral Performance in Postcommunist Europe,” *Journal of Politics* 74, no. 1 (January 2012): 83–97.
39. Tavits, “Organizing for Success,” 89.

CHAPTER 12. WAYS FORWARD

1. Survey data suggest declining support for democratic institutions even in the U.S., where voters consider themselves champions of democracy worldwide. In 2017, 10 percent of all voters and 25 percent of Republican voters favored shutting down Congress. German Feierhard, Noam Lupu, and Susan Stokes, “How Committed Are Americans to U.S. Democracy?” (working paper, Yale University, 2017).
2. Michael Alvarez and Thad Hall, *Point, Click, and Vote: The Future of Internet Voting* (Washington, D.C.: Brookings Institution Press, 2003).
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12. “Toward a More Responsible Two-Party System: A Report of the Committee on Political Parties, American Political Science Association,” *American Political Science Review*, supplement: 44, no. 3, part 2 (1950): foreword.

13. “Toward a More Responsible Two-Party System,” 40.

14. “Toward a More Responsible Two-Party System,” 41; See Charles E. Merriam, “Nomination of Presidential Candidates,” *American Bar Association Journal* 7 (February 1921): 83; and Charles E. Merriam and Harold F. Gosnell, *The American Party System*, 4th ed. (New York: Macmillan, 1949): 356–60.

15. “Toward a More Responsible Two-Party System,” 43.

16. “Toward a More Responsible Two-Party System,” 48.

17. The Republican National Committee did create a small Party Council in December 1919, but it failed to corral the decentralized powers-that-be and ceased to function after a few years.

18. “Toward a More Responsible Two-Party System,” 38–39.

19. “Toward a More Responsible Two-Party System,” 60.

20. “Toward a More Responsible Two-Party System,” 63: “There is nothing sound in having the party ratio on the committees always correspond closely to the party ratio in the house itself, which may often mean almost as many committee positions for the minority as for the majority—such as six to seven. This gives individual members of the majority party the balance of power and invites chaos. The results undermine party responsibility.”

21. “Toward a More Responsible Two-Party System,” 54.

22. Many of the structural sources of gridlock might be too entrenched to address, but modest moves, like the threshold turnout requirement for primary results to count discussed in chapter 5, would at least press in the right direction.

23. Congress is sovereign over the size of the House and the elections clause of the Constitution empowers it to make or alter state rules and regulations—subject to specified exceptions. Article 1, section 4

provides that “the Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Place of Chusing [*sic*] Senators.” There are additional constraints, such as the thirty thousand minimum constituency size and the requirement that each state have at least one House representative.

24. The Committee on Political Parties recognized the intuition of endogenously created party discipline without providing a districting solution: “To justify its existence a party so conceived must demonstrate its capacity to direct the course of public policy in line with announced programs. This, in turn, means that those who speak for the party must follow a unified course of action. Unity among leaders, however, is difficult if they speak for members with entirely different objectives and fundamentally different ideas on public policy.” “Toward a More Responsible Two-Party System,” 66.

25. Low congressional approval ratings could make it easier for the court to insist on redistricting. The RealClearPolitics average of polls from 2009 through late 2017 shows 14.7 percent approving and 73.3 percent disapproving of Congress. The approval number has not been above 30 percent since early 2010. RealClearPolitics Congressional Approval Polls, December 25, 2017, https://www.realclearpolitics.com/epolls/other/congressional_job_approval-903.html (accessed 12–25–2017).

26. For an example of what such a map would look like for the United States, see Aaron Bycoffe et al., “The Atlas of Redistricting,” the Gerrymandering Project, Fivethirtyeight, January 25, 2018, <https://projects.fivethirtyeight.com/redistricting-maps/#Competitive> (accessed 2–6–2018).

27. Note the similarity to last-best-offer arbitration.

28. Lee, *Insecure Majorities*, 198–210.

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- AARP (formerly American Association of Retired Persons), 105
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