

Political Dysfunction (in the United States)

POL 395.02

Spring 2020

Professor Sanford Clark Gordon

I. Introduction

From impeachment to legislative gridlock to unequal representation, there is a keen sense among observers across the ideological spectrum that the political system of the United States is, or has become, dysfunctional. In this seminar, we will explore precisely what this means, with particularly close and recurring attention to four questions:

1. What are the evaluative criteria by which one can assess the performance of a political system – and that of the United States in particular; and what can one reasonably expect from it given the historical peculiarities of the American experience?
2. In light of those evaluative criteria, what are the sources of political dysfunction in the United States?
3. How can we evaluate political dysfunction in the United States comparatively – both temporally (in relation to other periods in U.S. history) and cross-sectionally (in relation to other advanced industrial nations)?
4. Are there institutional solutions that might alleviate some of the most acute problems that we identify, without creating new pathologies in the process?

II. Contact and Meeting Information

Professor

Sanford Clark Gordon

19 W. 4th St., Room 311

Phone: (212) 998-3708

E-mail: sanford.gordon@nyu.edu

Office Hours: Thursday 9am-11am, or by appointment

Class meetings

Mondays, 9:30am-12:00pm, 60 5th Ave, Rm C04

III. Required Readings

The following books are available from the University bookstore:

- Kramer, Katherine J. 2016. *The Politics of Resentment: Rural Consciousness in Wisconsin and the Rise of Scott Walker*
- Lee, Frances E. 2016. *Insecure Majorities: Congress and the Perpetual Campaign*
- Mann, Thomas E., and Norman J. Ornstein. 2016. *It's Even Worse Than It Looks: How the American Constitutional System Collided with the New Politics of Extremism*

Additional reading materials are available via NYU Classes (denoted CL), NYU libraries (L), or the web (in which case the reading will be hyperlinked in this syllabus).

IV. Student Responsibilities and Course Grading

Formal Course Requirements

Class Participation

20%

Active participation in classroom discussion is an essential component of the seminar experience. During our discussions, students will be expected to demonstrate successful mastery of the week's assigned readings, and to be ready to comment on other students' response papers (see below). If you feel that shyness is preventing you from participating as fully as you would like, I would be happy to meet with you to discuss strategies for improving your performance in class discussions.

Bi-Weekly Response Pieces

40%

Every other week, half of the students will each prepare a 400-500-word response piece on the assigned readings. The response should not be a summary; rather, it should (a) address a perceived deficiency in one or more of the arguments encountered in the readings; (b) advance and argue for the importance of a question unaddressed in those readings but pertinent to the general topic of that particular week; *or* (c) consider how some facet of contemporary American politics may be better understood by taking the perspective of one or more of the readings for that week. Note: you are not required to write on the thematic questions posed in the syllabus.

Students will be divided into two groups: A and B. Members of Group A will write on the assigned readings for Weeks 2, 5, 7, 10, 12, and 14 (class will not meet Weeks 4 and 8, owing to Presidents' Day and the Spring Recess). Members of Group B will write on the readings for Weeks 3, 6, 9, 11, 13, and 15. At the end of the semester, I will drop the lowest paper score when calculating final grades.

Assignments must be uploaded to NYU Classes *no later than* noon on the Friday preceding the course meeting; so, for example, if you are a member of Group A, you must upload your response for the February 3 class no later than noon on Friday, January 31. (Note that the noon deadline is programmed into Classes – at 12:05pm, the option to upload your comments for the week will disappear.)

After the Friday deadline, I will compile the response papers into a zip file and place it in that week's Resources folder on Classes for viewing by the entire class. Make sure you reserve time to read your fellow students' response papers, *especially* on weeks when you are not writing one.

Final Research Paper

40%

Students will write a research paper, approximately 15 pages in length (12 pt. font, double-spaced, with one-inch margins on all sides), on a topic related to the material covered during the semester. Students must get approval on the topic from Professor Gordon by March 23.

Additional guidance will be provided during the semester. Research papers are due in class on May 11, when each of you will offer a brief presentation of your paper to the class.

Policy on missed exams and late papers

Short Papers: Response papers will not be accepted past noon on the Friday before class.

Research Paper: In general, research papers will be penalized 1/3 of a grade (e.g., from a B+ to a B) per day late.

V. Academic Integrity

All of the work you do in this course is expected to be your own. Absolutely no cheating or plagiarism (using someone else's words or ideas without proper attribution) will be tolerated. All ideas not your own must be properly cited. Any cases of cheating or plagiarism will be handled according to university policy. For more information on university policy, please consult the [CAS Bulletin](#).

VI. Weekly Schedule

Part 1. Preliminaries

Week 1 (January 27) What Dysfunction?

What are some common complaints with the operation of the U.S. political system? Are they static, or do they vary over time? What are the evaluative criteria we should employ to evaluate whether a (the) political system is functioning appropriately – aside from “my preferred policies are/aren't being implemented?” What are some obstacles to achieving the “first best?”

- Mann, Thomas E., and Norman J. Ornstein. 2016. *It's Even Worse Than It Looks: How the American Constitutional System Collided with the New Politics of Extremism*, 43-80
- Committee on Political Parties of the American Political Science Association. 1950. “Toward a More Responsible Two-Party System, Part I: The Need for Greater Party Responsibility” 15-28 (CL)

Week 2 (February 3) Foundational Considerations

Group A thought papers due by noon on January 31

What is the web of preferences and expectations that gives rise to a political “order” beyond the description of its formal institutions? Is a stable order better understood as a shared set of commitments, norms, and obligations, or “ambition counteracting ambition?” In a heterogeneous polity, how should we balance the need for compromise with the possible infringements that such compromise might entail?

- Machiavelli, Niccolo. 1531. *Discourses on Livy*, nos. 2-6 (CL)
- Madison, James. 1788. [Federalist #51](#).
- Graber, Mark A. 2014. “Belling the Partisan Cats: Preliminary Thoughts on Identifying and Mending a Dysfunctional Constitutional Order.” *Boston University Law Review* 94(3): 611-647 (CL)
- Gutmann, Amy, and Dennis Thompson. *The Spirit of Compromise: Why Governing Demands it and Campaigning Undermines It*, Introduction and Chapter 1 (CL)

Part 2. Accountability

Week 3 (February 10) Voter Competence I. Democracy and an Uninformed Electorate

Group B thought papers due by noon on February 7

In his second annual message, President James Madison wrote that “a well-instructed people alone can remain permanently a free people.” Recent research suggests that voters are prone to numerous cognitive biases or impairments that might prevent them from holding politicians accountable. How worried should we be about the competence of voters? Would a more

informed electorate generate better politician behavior? And what counts as evidence for the competence or incompetence of voters?

- Brennan, Jason. 2016. "[Against Democracy.](#)" *The National Interest*, September 6, 2016
- Achen, Christopher H., and Larry M. Bartels. 2017. *Democracy for Realists: Why Elections Do Not Produce Responsive Government*, chs. 4-5 (CL)
- Ashworth, Scott, and Ethan Bueno de Mesquita. 2018. "Learning about Voter Rationality." Blog post summarizing their article in the *American Journal of Political Science*, available [here](#).
- Fowler, Anthony, and Andrew B. Hall. 2018. "Do Shark Attacks Influence Presidential Elections? Reassessing a Prominent Finding on Voter Competence." *Journal of Politics* 80(4) (CL)
- Suggested: Goldstein, Dana. 2020. "Two States. Eight Textbooks. Two American Stories." *New York Times*, January 12, available [here](#).

Week 4. (February 17) Presidents' Day – Class will not meet

Week 5 (February 24) Voter Competence II. Democracy and a Misinformed Electorate Group A thought papers due by noon on February 21

Picking up on some of the themes from our previous session, how effective are efforts to mislead voters? Are voters resilient in the face of those efforts, or passive consumers of fake news? What are the consequences of media bubbles for democratic politics and polarization? How has social media transformed the political landscape? What, if any, may constitute countervailing forces to message fragmentation?

- Arendt, Hannah. 1967. "Truth and Politics." *The New Yorker*, February 25 (CL)
- Sunstein, Cass. 2017. *#Republic: Divided Democracy in the Age of Social Media*, Chapter 1 (CL)
- Allcott, Hunt, and Matthew Gentzkow, 2017. "Social Media and Fake News in the 2016 Election." *Journal of Economic Perspectives* 31(2): 211-236 (CL)
- Guess, Andrew, Brendan Nyhan, and Jason Reifler. 2019. "Exposure to Untrustworthy Websites in the 2016 U.S. Election" (CL)
- Suggested: Klein, Ezra. 2020. "Why the Media is So Polarized and How it Polarizes Us." *Vox.com*, January 28, available [here](#).

Week 6. (March 2) Electoral Distortions I: Voter Demobilization

Group B thought papers due by noon on February 28

It would seem that a necessary, if not sufficient, condition for politicians to internalize the preferences or concerns of citizens is that those citizens be able to vote. Concern exists, however, that extant policies in the U.S. may distort the composition of the electorate away from what it would be in a world of, say, compulsory voting. One of these is incarceration – which may have a direct (in the case of felon disenfranchisement laws) or indirect (via socialization) effect on voter turnout. Another is state laws requiring various forms of identification to vote. What are the political consequences of these policies? How might they erode accountability? Are the effects likely to be extensive or minimal?

- Weaver, Vesla M., and Amy E. Lerman. 2010. "Political Consequences of the Carceral State" *American Political Science Review* 104(4): 817-833 (CL)

- Highton, Benjamin. 2017. “Voter Identification Laws and Turnout in the United States.” *Annual Review of Political Science* 20: 149-167 (CL)
- Hajnal, Zoltan, et. al. 2017. “Voter Identification Laws and the Suppression of Minority Votes.” *Journal of Politics* 79(2): 363-379 (CL)
- Grimmer, Justin, et. al. 2018. “Obstacles to Estimating Voter ID Laws’ Effect on Turnout.” *Journal of Politics* 80(3): 1045-1051 (a critique of Hajnal et. al.) (CL)
- Cantoni, Enrico, and Vincent Pons. 2019. “Strict ID Laws Don’t Stop Voters: Evidence from a U.S. Nationwide Panel, 2008-2016.” *NBER Working Paper* No. 25522. (Just read the main body, tables, and figures – paper is much shorter than it looks!) (CL)

Week 7 (March 9) Electoral Distortions II: Gerrymandering

Group A thought papers due by noon on March 6

By its very nature, political representation entails a mapping from the preference profile of the electorate to the preference profile of the representative assembly. In the United States, the mapping is geographic, and in the House, subject to revision following each decennial census. How might the irreducibly political process of drawing district boundaries distort the quality of representation in Congress? What special considerations should and should not be prioritized by map makers? What should the role of the courts be in this process?

- “Political Science Professors in Support of Appellees and Affirmance.” Brief of *amici curiae* to the Supreme Court of the United States, in *Gill v. Whitford*. September 5, 2017 (CL)
- “The National Republican Congressional Committee in Support of Appellants.” Brief of *amici curiae* to the Supreme Court of the United States, in *Gill v. Whitford*. August 4, 2017 (CL)
- Roberts’ opinion in *Gill v. Whitford* (CL)

Week 8 (March 16) Spring Break – Class will not meet

Week 9 (March 23) Economic Power and Political Power

Group B thought papers due by noon on March 20

This week, we try to cram an entire semester’s worth of material into less than three hours. So far, we’ve discussed potential distortions in political accountability directly traceable to distortions in voting. With that as a backdrop, how does economic, organizational, and network power translate into political influence in the U.S.? Most importantly, to the extent that it does, should this even count as “dysfunction,” or is it appropriate that actors with more “skin in the game” exercise disproportionate influence in the policymaking process? The literature on “capture” has existed largely in parallel to the literature on money in politics. Are these distinct mechanisms of democratic distortion, or do they reflect two sides of the same coin? What evidence is most appropriate in discerning the extent and normative implications of disproportionate influence by elites?

- Acemoglu, Daron, et. al. 2016. “The Value of Connections in Turbulent Times: Evidence from the United States.” *Journal of Financial Economics* 121:368-391 (CL)
- Carpenter, Daniel P. 2013. “Detecting and Measuring Capture.” In Carpenter, Daniel P., and David Moss, eds., *Preventing Regulatory Capture*. New York: Cambridge University Press (CL)

- Gilens, Martin. 2012. *Affluence and Influence: Economic Inequality and Political Power in America.*, chs. 2-3 (CL)
- Wood, Abby K. 2020. "[Citizens United Turns 10 Today. Here's What We've Learned About Dark Money.](#)" *The Washington Post, Monkey Cage Blog*, January 21.

Week 10 (March 30) Candidate Selection and the Hollow Center

Group A thought papers due by noon on March 27

The final week of this part of the course provides a bridge to our discussion of polarization in the next. Specifically, we consider how distortions in the incentives for candidates across the ideological spectrum might confound democratic accountability. What are the institutional and behavioral factors that might discourage moderates from running for office? Can voters achieve meaningful representation if their legislators are polarized? What effect do partisan presidential primaries have on candidate selection? How can we tell?

- Hall, Andrew B. 2018. *Who Wants to Run? How the Devaluing of Political Office Drives Polarization*, chapters 3-6 (L)
- Cohen, Marty, et. al. 2016. "Party versus Faction in the Reformed Presidential Nominating System." *PS*, October 2016, 701-708 (CL)
- Steger, Wayne. 2016. "Conditional Arbiters: The Limits of Political Party Influence in Presidential Nominations." *PS*, October 2016, 709-715 (CL)
- Azari, Julia. 2016. "[Weak Parties and Strong Partisanship are a Bad Combination.](#)" *Vox.com*, November 3

Part 3. Polarization, Gridlock, and Governance

Week 11 (April 6) Causes and Consequences of Elite Polarization

Group B thought papers due by noon on April 3

What is polarization? What are its origins? Why are public officials and the activist class so much more at odds than the American public at large (although wait until next week)? Is polarization symmetric? What are the consequences of polarization for the functioning of American government and the U.S. political system more generally? This brings us back to some of the themes of Week 2's meeting: does effective governance require compromise and consensus or mutually opposing forces?

- Barber, Michael, and Nolan McCarty. 2015. "Causes and Consequences of Polarization." In Mansbridge, Jane, and Cathie Jo Martin, eds., *Political Negotiation: A Handbook*, pp. 37-89 (CL)
- Mann, Thomas E., and Norman J. Ornstein. 2016. *It's Even Worse Than It Looks: How the American Constitutional System Collided with the New Politics of Extremism*, ch. 3, 5, and 6.

Week 12 (April 13) Mass Polarization and Red-Blue Resentment

Group A thought papers due by noon on April 10

Henry Adams defined politics as "the systematic organization of hatreds." Last week, we discussed the phenomenon of polarization among elites. But what do we see in the public more broadly? What is "affective" polarization, and is it a problem? What are the underlying sources of resentment between different groups of citizens in the United States? Does Kramer's discussion of rural consciousness mask racial animosity, or is something different at work?

- Iyengar, Shanto, and Sean J. Westwood. 2014. "Fear and Loathing Across Party Lines: New Evidence on Group Polarization." *American Journal of Political Science* 59(3): 690-707 (CL)
- Kramer, Katherine J. 2016. *The Politics of Resentment: Rural Consciousness in Wisconsin and the Rise of Scott Walker*, chs. 3-6.
- Optional: Pew Research Center. 2014. "Political Polarization and the American Public." Overview (CL)

Week 13 (April 20) Legislative Gridlock

Group B thought papers due by noon on April 17

What are the consequences of political polarization for how Congress does its job? Do changes in campaigning and the media landscape cause political divisions in the legislative setting or exacerbate preexisting ones? What institutional fixes might ease tensions and contribute to greater legislative productivity? And is legislative productivity a good thing in and of itself?

- Binder, Sarah. 2014. "The Dysfunctional Congress." *Annual Review of Political Science* 18: 85-101 (CL)
- Lee, Frances E. 2016. *Insecure Majorities: Congress and the Perpetual Campaign*, chs. 1-5

Week 14 (April 27) Executive Overreach or Executive Sclerosis?

Group A thought papers due by noon on April 24

Is the solution to political polarization and conflict a more powerful executive? What do you make of the diagnosis of American politics offered by Howell and Moe? What do you think of their institutional solutions? Relic was published in April of 2016, meaning that it was written without the experience of the Trump presidency. Would Howell and Moe have written the same book today? How does Levitsky and Ziblatt's idea of forbearance as applied to the executive branch affect your interpretation of the Trump presidency?

- Howell, William G., and Terry M. Moe. 2016. *Relic: How our Constitution Undermines Effective Government and Why We Need a More Powerful Presidency*. 95-179 (CL)
- Levitsky, Steven, and Daniel Ziblatt. *How Democracies Die*, pp. 127-133 (CL)
- Michael Lewis. 2018. *The Fifth Risk*, pp. 35-80 (CL)

Week 15 (May 4) Can Decentralization Diffuse Dysfunction?

Group B thought papers due by noon on May 1

There is a widespread belief that in divided societies, decentralizing government authority might prove an attractive solution to persistent problems of political conflict. On the other hand, calls for "states' rights" have an unfortunate history in the U.S. context, because of their association with the defense of slavery and later, Jim Crow. Does decentralization mitigate or exacerbate political conflict? Assuming the former, can a revitalized federalism work in a world where peoples' primary loyalties are more to parties than states? Does federalism as an institutional solution to political conflict rely on intangibles that can't be manipulated by public policy? Are there meaningful checks on decentralization that protect minority rights?

- Levy, Jacob T. 2007. "Federalism, Liberalism, and the Separation of Loyalties." *American Political Science Review* 101(3): 459-477 (CL)
- Bulman-Pozen, Jessica. 2014. "Partisan Federalism." *Harvard Law Review* 127(4): 1077-1146 (CL)

- Gordon, Sanford C., and Dimitri Landa. 2018. "A (m)adisonian Theory of Political Conflict." Typescript (CL)

Week 16 (May 11) Brief Presentations of Final Papers
Final Papers Due