



## What is Gridlock?

- The failure of Congress and the president to solve major problems:
  - Immigration reform
  - Social Security & Medicare’s financial problems
  - Move toward a balanced budget
  - Prevent the gov’t from shutting down
  
- In general: Agree on major legislation and pass it

## With United Gov’t, Will Gridlock End?

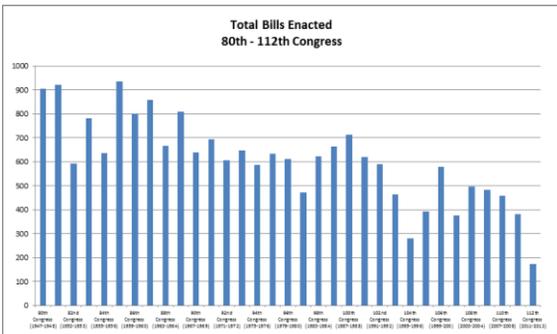
- United vs. Divide Gov’t: Presidency-House-Senate under control of one or both parties
- Question: Do divided or unified gov’ts pass more major legislation?
  - Many presume that united gov’t yields bigger policy changes
  - Evidence suggests not so, but some dispute this

– David Mayhew, *Divided We Govern*, 1991, 2005  
 – David Howell et al., “Divided Government and the Legislative Productivity of Congress, 1945-94” *LEGISLATIVE STUDIES QUARTERLY*, 25 (2000): 285-312.

## With United Gov’t, Will Gridlock End?

- GOP Senate margin of 52 suggests: No
  - Senate Democrats can filibuster legislation
  - GOP holds 52 seats; Democrats 48 (with 2 allies)
  
- Budget bills cannot be filibustered
  - Affordable Care Act most important example
  - GOP is using same tactic to replace it
  - Cut in EPA & elsewhere can be done with budget

## A Measure of Gridlock



## Why Gridlock? Reason 1

- Gridlock occurs because of **constitutional design & rules** (e.g., the filibuster)
- Gridlock would lessen if we had unified, majoritarian democracy
  - Unified government, rather than divided
  - President - House - Senate divisions
  
  - Simple Majority rule, rather than requiring supermajorities (e.g., veto override)

See John Aldrich, “Did Hamilton, Jefferson, and Madison ‘Cause’ the U.S. Government Shutdown?” *The Institutional Path from an Eighteenth Century Republic to a Twenty-first Century Democracy*, *Perspectives on Politics* 13 (March 2015): 7-23.

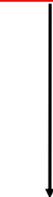
## Recall Madison's design to prevent tyranny

- Our system of representation leads to dispersed power
  - Competing groups control different power points
- This leads to gridlock (which prevents tyranny)
  - Control of *any* step in the process allows a group to block legislation

## Barriers to Legislation

- Attention
- Hearings
- Subcommittee majority
- Full committee majority
- Rules Committee (in the House)
- Getting to the Floor
  - Speaker discretion (House)
  - Hold or Potential filibuster (Senate)
- Floor passage
- House-Senate agreement
- Presidential signature
- Supreme Court review

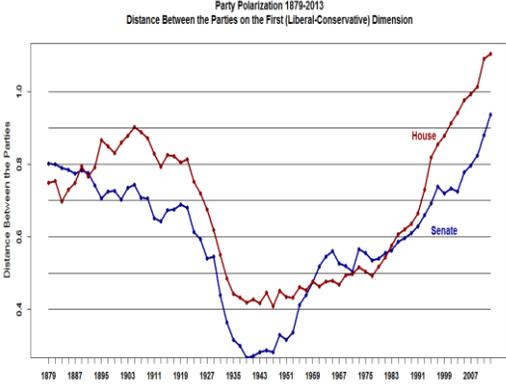
10,000 bills submitted



350 laws passed

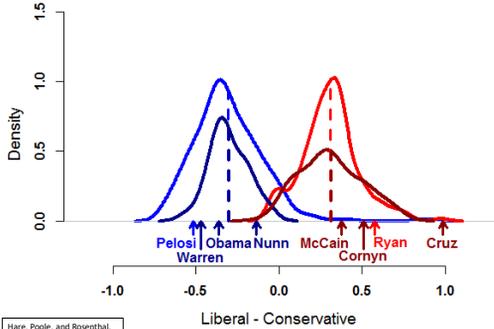
## Why Gridlock? Reason 2

- Polarization among legislators
  - The political distance between the parties is growing
- Think about issues:
  - Balance the budget
  - Raise taxes
  - Same sex marriage
- Polarization = Wide gap between parties
  - Parties can be moving left while the gap grows



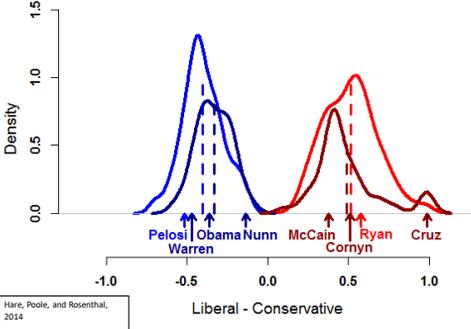
Christopher Hare, Keith T. Poole, and Howard Rosenthal, "Polarization in Congress has risen sharply. Where is it going next?" Washington Post 13 February 2014, <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/02/13/polarization-in-congress-has-risen-sharply-where-is-it-going-next/>

97th (1981-1983) Congress  
Senate = Dark Blue/Red, House = Light Blue/Red



Hare, Poole, and Rosenthal, 2014

113th (2013-2015) Congress  
Senate = Dark Blue/Red, House = Light Blue/Red



Hare, Poole, and Rosenthal, 2014

### Why Gridlock? Reason 3

- Party activists have been polarizing, not just legislators
- Activists dominate nominations
  - Democratic activists work for liberal candidates; Republicans for conservatives
- Activists are most likely to contact MCs
- The public has not polarized

• Alan Abramowitz, *The Disappearing Center: Engaged Citizens, Polarization, and American Democracy*  
 • Morris Fiorina with Samuel Abrams, *Disconnect: The Breakdown of Representation in American Politics*  
 • Philip Converse et al., "Electoral Myth & Reality: The 1964 Elections," *American Political Science Rev.*, 59 (1965): 321-336.



### Why Gridlock? Reason 4

- Rise of anti-govt rhetoric building distrust
  - If people do not trust the gov't, they will not turn to it for solutions
  - Favors goal of small government
- Rise of conflict between parties
  - When people see nasty fights in D.C., they do not trust gov't

• Thomas Mann and Norman Ornstein, *It's Even Worse Than It Looks: How the American Constitutional System Collided with the New Politics of Extremism*

### Why Gridlock? Reason 4

- 1950s: Public trusts government
  - People turned to gov't for help
  - Politicians said to build the economy:
    - Expand public education
    - Build an Interstate Highway system
- 2000s: Trust is low
  - Affordable Care Act was a tough sell

### Why Gridlock? Reason 4

- Mann & Ornstein claim that this is Newt Gingrich's strategy
  - They may be right, but both sides are pushing party conflict to new heights
  - "It takes two to fight"

### Solutions to Gridlock: Mann & Ornstein: Fix the party system

- Redistricting Reform: End "Gerrymandering"
  - Reapportionment every ten years
  - Drawing lines to make safe districts



### Maryland 3<sup>rd</sup> (John Sarbanes, Dem)



## Solutions to Gridlock:

Mann & Ornstein: Fix the party system

- Redistricting Reform: Non-partisan commission to draw district lines (e.g., Calif.)
  - Assumption: Safe districts elect polarized politicians
- Reality: Growing polarization regardless of districts
  - Senators becoming more polarized
  - Polarization rising in both safe & marginal districts
    - But some evidence that it makes a small difference

• A. Abramowitz et al., "Incumbency, Redistricting, and the Decline of Competition in US House Elections," *Journal of Politics* 68 (2006): 75-88; J. Carson et al., "Redistricting and Party Polarization," *American Politics Research* 33 (2007): 878-904; N. McCarty et al., "Does Gerrymandering Cause Polarization?" *American Journal of Political Science* 53 (2009): 666-680.

## Solutions to Gridlock:

Mann & Ornstein: Fix the party system

- Open Primaries: run off among top 2
  - California Prop 14 in 2010
  - Assumption: Moderates/independents will beat extremists
- Reality
  - Voters do not base votes heavily on issues
  - Results: Independents all faltered
  - Money & incumbency are prevailing
  - But perhaps a small difference? Too early to tell

