What's the Answer to Political Polarization in the U.S.?

From partisan gerrymandering to exclusionary party primaries, a breakdown of the factors behind our polarized politics, and common proposals to fix it

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A&Q is a special series that inverts the classic Q&A, taking some of the most

frequently posed solutions to pressing matters of policy and exploring their complexity.

In modern politics, nothing brings people together more than talking about how far apart they are.

Twelve years ago, a speech denouncing political polarization thrust Barack Obama into the national spotlight, and that very premise will outlast him when he leaves the White House next January.

The American public is divided—over economic policy, social policy, foreign policy, race, privacy and national security, and many other things. A host of factors, from partisan gerrymandering to exclusionary party primaries, are driving them further apart. Here we break down those factors behind our polarized politics, along with some of the most common proposals to fix it.

ANSWER

Political polarization is worse now than it's ever been.

QUESTION

Let's stop right there: Is this really true? It's a common cry of politicians, government-reform advocates, pundits, journalists, and disaffected voters to bemoan the state of politics and declare that "Washington is broken," perhaps irrevocably. But people often forget that American history is rife with examples of debilitating polarization that make the partisan battles of today pale by comparison. This was a key point President Obama made in his recent speech to the Illinois General Assembly, where he said that "it isn't true that today's issues are inherently more polarizing than the past."

A fundamental dispute over the institution of slavery plunged the nation into a civil war a century-and-a-half ago. In 1856, violence over slavery erupted in

the august chamber of the U.S. Senate, when an anti-slavery lawmaker from Massachusetts, Charles Sumner, was caned on the Senate floor by a member of the House from South Carolina, Preston Brooks. Fans of the Broadway hit, *Hamilton*, have also been reminded of another black mark on U.S. political history, when the nation's first Treasury secretary was killed in a duel by the sitting vice president, Aaron Burr, in 1804.

More recently, look at the emotional debates over racial equality and the Vietnam War during the 1960s and 1970s. The country witnessed the assassinations of John F. and Robert Kennedy, Martin Luther King, and Malcolm X. The segregationist former governor of Alabama, George Wallace, was shot and paralyzed while he campaigned for president in 1972. Rioting and civil unrest plagued major cities and college campuses across the countries for long stretches at a time.

ANSWER

Fine, the 1860s and the 1960s were bad. But the fact that the nation hasn't fallen into civil war and our leaders haven't been gunned down is a pathetically low bar for a first-world country with the greatest military and strongest economy on Earth. Even during the tumult of the 1960s, Congress created Medicare and Medicaid, enacted landmark civil-rights legislation, and passed a sweeping education bill that still serves as the foundation for federal funding of public schools today.

Ever since Obama's first two years in office, Congress hasn't done anything except shut down the government and come close to tanking the economy with a near-default on the nation's debt. Immigration reform stalled. Gun reform went nowhere. Congress can't even agree to declare war on ISIS, and now that Antonin Scalia has died, it might leave the Supreme Court short-handed for more than a year.

Congress is hopelessly gridlocked, and we need major political reform to fix it.

QUESTION

What's wrong with Congress? Or more precisely: Is anything actually wrong with Congress, or is it simply functioning how it was designed to function?

The confrontations over the last few years have led to rampant complaints that the national legislature is "dysfunctional," which in turn has contributed to a stunningly-low approval rating for Congress. (It sunk to single digits and has recently hovered in the low-to-mid teens.)

For one, lawmakers in Washington have struggled not only to pass big bills, but they've had trouble completing even the most routine tasks of governance. In 2011, Republicans refused for months to raise the debt limit and nearly caused an unprecedented default that could have sunk the fragile economic recovery. Two years later, conservatives forced a two-and-a-half week government shutdown over funding for the healthcare law.

In the Senate, both parties—and particularly Republicans until last year—have used the filibuster more frequently than ever before to stall legislation and presidential appointments. This has led to calls to either reform the filibuster or scrap it entirely as a way to speed up the legislative process and make it easier for Congress to reflect the will of the people. In 2013, Democrats did change the rules to make it easier to confirm executive and judicial appointees (below the Supreme Court), and Republicans didn't bother to reverse those changes when they took control last year.

Yet for all of the consternation, if you are a Democrat, Congress functioned quite well in the first two years of Obama's term. The House and Senate passed so much significant legislation—the stimulus bill, health care, student

loans, and Wall Street reform—that the White House and congressional Democrats had trouble explaining it all to voters. Then came the Tea Party wave of 2010, and the American people elected a Republican House to serve as a check on the Obama administration. It's only natural that divided government would lead to some gridlock, because Congress was designed to only pass laws if there is a consensus in favor of them—especially in the Senate, which was created as a check on the inflamed passions that would lead to political overreactions by the House.

So if you don't like how Congress is working, blame the Founders—which is exactly what my colleague Yoni Appelbaum did last year, when he wrote that the gridlock on display in recent years may be "a product of flaws inherent" in the Constitution's design.

ANSWER

Sure, but the Founders never imagined that partisan gerrymandering would render the House of Representatives so polarized that most lawmakers now fear a primary challenge from the right or left more than they fear losing to the other party in a general election. They have no incentive to compromise. We need non-partisan redistricting commissions to redraw the lines and make House members more accountable to people other than the extremes of each party.

QUESTION

Well, the Founders never imagined political parties at all—but that doesn't mean the system can't work. Is redistricting reform possible, and would redrawing House districts help reduce polarization?

The 435 congressional districts are redrawn every 10 years after the Census, and historically, it has been the purview of state legislatures to determine the

districts in their state. Naturally, the party in power tends to draw them to maximize its advantage, a process that over time has resulted in some totally ridiculous-looking districts that stretch horizontally or diagonally across states, or connect two population centers with a strip as thin as a single road. The *Washington Post* did a good rundown of the most oddly-shaped districts in 2014.

The Republican wave election in 2010, which extended from Congress down to governorships and state legislatures, gave the GOP significant power in redistricting after the decennial Census that year. The results were obvious in 2012, when Republicans retained a large majority in House seats, 234-201, despite the fact that Democrats won 1.4 million more votes than GOP candidates in House races. Yet complaints about gerrymandering cross party lines.

When Obama spoke in Illinois, it was the Republicans in the state legislature who cheered his call for reform, knowing that in the Land of Lincoln it is Democrats who draw the districts. And two retiring members of the GOP's Tea Party class of 2010, Representatives Richard Hanna of New York and Scott Rigell of Virginia, blamed gerrymandering for some of the hyper-partisanship they experienced during their years in Congress.

Good-government groups have been pushing for states to turn over their redistricting process to non-partisan—or at least truly bipartisan—commissions as a way to keep politicians from “picking their voters” rather than the other way around. This past June, the Supreme Court gave a boost to these efforts by upholding the congressional map drawn by an independent commission in Arizona that had been created through a successful ballot initiative. The Republican-controlled state legislature had tried to invalidate the commission's map by arguing that the Constitution vested the power to draw districts in the legislature’s hands, not the voters’. In a 5-4 opinion

written by Justice Ruth Bader Ginsburg, the high court sided with the voter-empowered commission.

A dozen states, including California, currently use some form of a commission to draw districts, and New York will turn to one after the 2020 Census. According to NYU's Brennan Center for Justice, there are "serious reform efforts" underway in an additional nine states. Given the intense interest state legislators have in keeping power over redistricting both on the local and federal level, even reform advocates acknowledge it is difficult to see the total elimination of partisan gerrymandering across the country anytime soon.

As for whether redistricting commissions actually lead to less polarization, that answer also is likely a long way off. When California implemented its new map in 2012, there was a big increase in turnover in the state's congressional delegation. But it will take a while to assess whether those new legislators are any less partisan or more accountable to their constituents than their predecessors.

ANSWER

It's the parties themselves that are the problem. They were never supposed to have this much influence over elections. More and more voters consider themselves independent, but in many district and statewide elections in heavily Republican or Democratic areas, the only race that matters is the primary, and independent voters often find themselves shut out. Every state should follow the California and Nebraska model and adopt non-partisan elections, which empower more voters earlier in the electoral process.

QUESTION

Would non-partisan elections, in place of party primaries, re-empower the political center by engaging more independent voters? That's the argument from the advocates behind Open Primaries, a group that is pushing states nationwide to replicate the models in California, which went to a "top-two" primary system in 2012, and Nebraska, which has had a non-partisan state legislature since 1936. "Top-two" or "jungle primaries" are tailor-made for districts or states that are dominated by one party.

In those elections, whether in deep-red rural areas or heavily-liberal urban districts, often the party primary is the only competitive race, and the general election becomes a one-sided affair. If the primaries are reserved only for registered Republicans or Democrats, independents are effectively shut out of the voting process, and the election becomes a race to the right or left, and rarely the center. The idea behind creating a top-two primary that's open to everyone is that voters would have two opportunities to legitimately weigh in. And in districts or states where two members of the same party end up going up against each other, it would force them to compete in the general election for the votes of the entire electorate, not just the party base.

Advocates hold up Nebraska as an exemplar, citing the fact that even though it's a conservative state, its non-partisan legislature has been able to reach agreement on bills to raise the gas tax, abolish the death penalty, and give driver's licenses to undocumented immigrants—policies that would be unthinkable in many Republican-dominated states.

There are now efforts to enact non-partisan elections through ballot initiatives in Arizona and South Dakota, although supporters acknowledge that the idea hasn't yet gained much support in Congress or reached a tipping point in many other states. And opponents argue that non-partisan elections would disproportionately benefit wealthy candidates who want to circumvent the party system, as Michael Bloomberg did when he was elected mayor of New

York and promptly tried—and failed—to implement non-partisan elections in the city.

ANSWER

The solution is automatic voter registration, or even compulsory voting like they have in Australia.

QUESTION

Would more engagement decrease polarization? It's possible. One big critique of the current state of politics is that because such a low percentage of people typically vote, those that do hold more power, and they are more likely to be either very liberal or very conservative. This is especially true in party primaries, which often determine the winner in lopsided states and districts and in which the most motivated people are likeliest to vote. Oregon and California have enacted laws to automatically register people who have driver's licenses and who are otherwise eligible to vote. Hillary Clinton has endorsed the policy nationally.

In Australia, eligible citizens are required to vote and can face a fine or a court date if they don't. Not surprisingly, the turnout rate there is more than 95 percent. In a 2010 policy paper, William Galston of the Brookings Institution recommended that states experiment with compulsory voting as a way to reduce polarization and force candidates to appeal to a broader electorate. Needless to say, that is unlikely to happen in the United States on a large scale anytime soon. Even the push for universal registration, with the potential to opt out, has drawn opposition from Republicans who argue that people shouldn't be forced to participate if they don't want to.

There is also skepticism among conservatives that the effort is more about Democrats trying to increase voting among minority and young voters, who

tend to lean their way and who vote less frequently than older, white citizens.

ANSWER

Let's be honest. The real issue isn't gerrymandering or the parties: It's money. The influence of wealthy donors has only gotten more pronounced over the years, and the Supreme Court's 2010 ruling in the Citizens United case only tilted the scales even more in the direction of corporations and billionaires. We need to overturn Citizens United and fully adopt public financing of elections.

QUESTION

Isn't money the root of all that's wrong in politics today? Do we have any hope of reducing polarization if we can't get rid of the corrupting influence of money? There's no denying that politics is awash in money: The presidential campaign is now a billion-dollar industry, and it takes millions of dollars to win races for governor, senator, and even some for the House. The Citizens United decision allowed wealthy interests to spend unlimited sums of money to run ads in support of or in opposition to candidates, and the result has been an even greater flood of negative ads on television around election time.

Yet while there are legitimate concerns about candidates being beholden to the billionaires supporting them, money in politics doesn't flow entirely in the direction of polarization. Take Bloomberg, for example: Inarguably, the billionaire businessman would not have been mayor of New York without the tens of millions he spent to win his elections. But he is seen as a centrist figure in politics and has spent money on the national level decrying partisanship and dysfunction (even though he has taken partisan positions on certain issues, like guns and climate change).

Big-business groups like the U.S. Chamber of Commerce also spend large

sums of money to influence elections. But while the Chamber ardently opposes Obamacare and environmental regulations costly to industry, it sides with the establishment against the Tea Party in other areas and has spent heavily to back compromises on things like infrastructure bills and immigration reform. Money may tip the scales in favor of corporate interests and the whims of the wealthy, but that doesn't always benefit the extremes.

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In the end, there may not be any one-shot solutions or simple answers. The present degree of political polarization didn't arise overnight, and seems unlikely to dissipate that quickly, either. But even if they don't solve the entirety of the problem, many voters are drawn to particular solutions—and there's evidence that some can make at least an incremental difference.

These are some of the intriguing questions left to consider:

What does the shocking popularity of Donald Trump say about political polarization? Is his success a reflection of a deep split, or does it actually transcend polarization because he is winning support among Republican voters despite having so many positions that contradict conservative orthodoxy?

If the Republican Party really does split this summer, what are the chances of a viable third-party or independent candidacy, and what impact could that have on political polarization?

Beyond this election, is the creation of a viable third party or centrist movement another possible solution to polarization?

Is polarization strictly a national problem? Does the fact that we see more bipartisanship in state government offer hope that polarization in Washington will begin to soften?

On what issues are Americans—and their elected representatives—actually not polarized? What are the remaining areas of consensus?

Maybe there's an answer we haven't considered yet. Drop your thoughts into an email to hello@theatlantic.com.

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ABOUT THE AUTHOR

RUSSELL BERMAN is a senior associate editor at *The Atlantic*, where he covers political news. He was previously a congressional reporter for *The Hill* and a Washington correspondent for *The New York Sun*.

Twitter Email