Dynamic Democracy: Citizens, Politicians, and Policymaking in the American States[1]

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October 5, 2021

[1]Forthcoming with the University of Chicago Press

Chapter 11

Conclusion

Political science has a venerable tradition of skepticism about ordinary Americans' capacity to influence, let alone control, their governments. Recent exemplars of this pessimistic tradition include empirical studies, such as Jeffrey Lax and Justin Phillips's on state policy representation and Steven Rogers's on accountability in state elections, as well as ambitious syntheses, such as Martin Gilens's *Affluence and Influence* and Christopher Achen and Larry Bartels's *Democracy for Realists*.[1] This impressive body of scholarship poses a compelling and discomfiting challenge to what Achen and Bartels call the "folk theory" of democracy, which holds that elections reliably and unproblematically translate the will of the people into government policy.

This book has been a sustained attempt to address these challenges empirically and, to a substantial extent, rebut them. This has required both an unprecedented wealth of data and a distinctive approach to analyzing it. A key feature of our empirical strategy has been its focus on the relationship between citizens' policy

[1] Lax and Phillips, "Democratic Deficit"; Rogers, "Electoral Accountability"; Gilens, *Affluence and Influence*; Achen and Bartels, *Democracy for Realists*.

preferences—the "starting point" of liberal democratic theory[2]—with what is arguably the end point of the political process: government policies. That is, unlike many empirical studies of representation, we have treated outcomes such as election results and roll-call votes as potential mediators of policy representation rather than as the ultimate phenomena of interest. Among other things, this focus on policies has revealed states to be more ideologically stable than election returns suggest and shown partisan differences to be much less prominent than they are on legislative roll calls.

A second distinct feature of our approach has been its emphasis on aggregation. This aggregation has come in two main forms. First, we have aggregated data on individual policies and survey items into summary measures of conservatism within broad issue domains. Second, rather than analyzing preferences and attitudes of individual citizens, we have focused on the aggregate characteristics of collectivities—namely, state publics. By strengthening the ideological "signal" relative to issue-specific noise, this double-aggregation clarifies the structure underlying state policies and (especially) mass preferences and mitigates the instability and incoherence of issue-specific attitudes. In combination with our model-based approach to measurement, it also is what permits us to compare ideological patterns in all fifty states across more than eight decades.

This brings us to our third distinctive contribution: our analysis of time-series as well as cross-sectional variation. Although many studies of representation have examined one or the other of these dimensions of variation, exceedingly few have analyzed them in combination, especially over such a long time span. Our dynamic

[2] Achen, "Mass Political Attitudes and the Survey Response," 1220; see also Bartels, "Democracy with Attitudes," 50–1.

perspective has several benefits. From a methodological point of view, it has enabled us to employ statistical models, particularly dynamic panel models, that provide a stronger basis for causal inference than would be possible with cross-sectional or time-series data alone. More substantively, it has allowed us to examine how representation unfolds over time, over both the short and the long term, and even how policy outputs feed back into the political process. Finally, our nearly century-long perspective century has highlighted the fact that the character of state politics is not static, but rather is strongly shaped by states' developmental trajectories and historical context.

Our distinctive approach has revealed new perspectives on state politics that both resonate with and challenge existing accounts. In line with more pessimistic views of American politics, we find that state policy responsiveness is often disappointingly sluggish and piecemeal. Due in large part to the difficulty of overturning existing policies, even large shifts in public opinion and partisan electoral fortunes frequently echo only faintly in states' policy profiles, at least in the short term. Moreover, the probability that a politically salient state policy is congruent with majority opinion is, in the short term, not much better than chance.

A central theme of this book, however, is that a snapshot perspective on representation captures only part of the story. Policy responsiveness may be incremental in the short term, but over the long term many small changes cumulate into large differences. According to our statistical estimates, it may take decades before the effects of ideological shifts in the mass public are fully felt. Nevertheless, the long-run result is a powerful correlation between opinion and policy and, for older issues, substantially greater congruence with majority preferences. In this respect, our results vindicate Erikson, Wright, and McIver's *Statehouse Democracy*, whose strong cross-sectional correlation between mass and policy liberalism can be explained as the equilibrium

outcome of the dynamic processes we document.[3]

In other respects, however, this book has also revealed the limitations of any single model of state politics, statehouse democracy included. Many of the puzzles which Erikson, Wright, and McIver so elegantly resolved no longer exist. Relying on data form around 1980, near the end of a period of unusually decentralized and depolarized politics, these authors highlighted the almost nonexistent relationship between states' partisan and ideological orientations as well as the large ideological variation across states within each party. These observations undergird their depiction of state parties as highly responsive to state median voters and state publics as equally responsive to the positions of the parties in their state.

Our data confirm their conclusions but reveal them to be unusual relative to state politics before and especially after. Since the 1980s mass policy preferences in different domains have become strongly aligned with each other as well as with partisan preferences and electoral outcomes. Indeed, Democratic and Republican identifiers now diverge strongly within states while exhibiting little ideological variation across states. State policies, though already more aligned than mass preferences, followed a similar trajectory. Moreover, the causal effects of party control on state policies, which probably reached their nadir in the 1970s and 1980s, have grown sharply in the subsequent decades. As indicated by the large policy shifts in Wisconsin after the Republican takeover of 2010 and of Virginia after the Democratic one of 2019, it is no longer plausible to claim, even to a first approximation, that pressures to converge on the median voters cause the two parties to enact similar policies when they control state government.[4]

[3]Compare Erikson, Wright, and McIver, *Statehouse Democracy*, 94.

[4]Although Erikson, Wright, and McIver acknowledge the divergence of party elites' *positions* within states, their structural equation estimates indicate that Democratic control of the legislature has

At the same time, however, *Statehouse Democracy*'s emphasis on parties' responsiveness to their electorates retains a great deal of truth. Even the increased partisan effects on policy evident in recent years pale relative to the policy differences across states. As noted earlier, one of the advantages of focusing on policy outcomes rather than, say, roll-call votes is that the latter tend to exaggerate differences between parties and downplay areas of relative consensus. Indeed, we find little evidence that partisan turnover is the primary mechanism by which mass preferences influence state policies—largely because, net of partisanship, mass policy preferences are weakly related to electoral shifts. Rather, it appears that due to the electoral incentives we document in chapter 6, politicians in each party feel strong pressure to adapt preemptively to public opinion. The paradoxical consequence is that although electoral competition is key to incentivizing responsiveness, fairly little of the public's influence over state policymaking is exerted through the actual outcome of elections. Though consistent with much research emphasizing politicians' anticipation of voter sanctions,[5] this conclusion is strikingly at odds with the prominent view that "citizens affect public policy—insofar as they affect it at all—almost entirely by voting out one partisan team and replacing it with another."[6]

no net effect on policy liberalism (the negative direct effect almost exactly cancels the positive indirect effect mediated through legislative liberalism). They therefore conclude that when it comes to policymaking, Democrats and Republicans "respond to state opinion—perhaps even to the point of enacting similar policies when in legislative control"; Erikson, Wright, and McIver, "Political Parties, Public Opinion, and State Policy," 735, 743; see also Erikson, Wright, and McIver, *Statehouse Democracy*, 130.

[5]David R. Mayhew, *Congress: The Electoral Connection* (New Haven, CT: Yale University Press, 1974); John W. Kingdon, *Congressmen's Voting Decisions* (Ann Arbor: University of Michigan Press, 1989); R. Douglas Arnold, *The Logic of Congressional Action* (New Haven, CT: Yale University Press, 1990); Stimson, MacKuen, and Erikson, "Dynamic Representation."

[6]Achen and Bartels, *Democracy for Realists*, 249.

11.1 Normative Implications

How, then, should we evaluate the quality of democracy in the states and, by extension, in America at large? On the whole, our findings are reassuring, though not entirely so. We find that, in broad strokes and over the long term, the public exerts a powerful influence over the general direction of state policymaking. Such responsiveness is often considered the *sine qua non* of democracy,[7] if not its very definition,[8] and without evidence of it we would have good reason to doubt that American democracy is functioning as it ought to. Of course, influence does not necessarily imply fine-grained control, and indeed we find that in the short run policies are very often out of step with majority opinion. But again, policy proximity tends to increase the longer a policy is on the agenda. Moreover, policies with lopsided support tend to fall off the political (and polling) agenda, biasing the survey data toward controversial policies more likely to be incongruent. In sum, even by the demanding standard of popular control, statehouse democracy seems to function better than pessimistic accounts suggest.

There are, however, grounds for concern as well. For one thing, the time lag between opinion change and policy response is not unproblematic. Opponents of, say, anti-sodomy laws or legal abortion may find only small comfort in the knowledge that the injustices they seek to rectify will be overturned a generation hence. The normative reassurance we offer is also limited by our near-exclusive focus on the *average* citizen. As a consequence, our finding that states respond dynamically to their publics does not rule out unequal responsiveness to citizens in different income

[7]Dahl, *Polyarchy*.
[8]John D. May, "Defining Democracy: A Bid for Coherence and Consensus," *Political Studies* 26, no. 1 (1978): 1–14.

or racial groups, as a number of other studies have found.[9]

Moreover—and not unrelatedly—our evidence suggests that the quality of democracy is uneven across states. Like the "brown spots" identified by Guillermo O'Donnell in many nominally democratic countries, states in the American South in particular seem to represent their citizens less well than states in other regions.[10] The policies of Southern states are more conservative than those of non-Southern states with comparable publics, and the match between policies and public opinion is lower. Given the persistence of policies over time, this representational deficit is likely at least partly due to the hangover from its long history of authoritarianism and racial oppression through the mid-20th century,[11] which the decades since its transition to democracy have only partially erased.

This relatively sanguine explanation, however, is not fully satisfying. Though the statistical evidence is not conclusive, policy responsiveness seems to be lower to this day in the South, at least on economic issues. This is unsurprising, for there are good reasons to suspect that the extension of formal political equality to African Americans and other racial minorities in the South did not instantly endow them with political influence equal to that of White Southerners. Southern Blacks' turnout in presidential elections did not converge with that of Southern Whites until the early 21st century, and turnout among Latino Southerners remains almost 20 points below the regional average.[12] For their part, Southern Whites continue to display higher

[9]Rigby and Wright, "Whose Statehouse Democracy"; see also Gilens, "Inequality and Democratic Responsiveness"; Bartels, *Unequal Democracy*; Hajnal, *Dangerously Divided*; Schaffner, Rhodes, and La Raja, *Hometown Inequality*.
[10]O'Donnell, "On the State."
[11]Key, *Southern Politics*; Mickey, *Paths Out of Dixie*.
[12]Midterm turnout among Blacks remains substantially lower than Whites'; see Fraga, *Turnout Gap*, 41, 48.

levels of antagonism towards Blacks than do Whites elsewhere in the country.[13]

Just as important, perhaps, is the extent of racial polarization in much of the region. Especially in Deep South states such as Alabama and Mississippi, the population roughly clusters around two modes: a smaller liberal one (mostly Black) and a larger conservative one (nearly all White). Due to this unusually skewed distribution, the median citizen—arguably the most relevant quantity from a theoretical point of view[14]—is actually substantially to the right of the average. The effects of this discrepancy are magnified by its interaction with the two-party system. The Republican Party, itself dominated by Whites, now dominates nearly every Southern state, while Democrats are confined to semi-permanent minority status.[15] Though states like Virginia are exceptions, most Southern states have shifted from being governed by "conservative Democrats elected by whites to conservative Republicans elected by whites".[16] As a result, we find that Blacks continue to receive weaker representation than Whites in Southern states.

Finally, it is worth noting that the institutional legacy of the Jim Crow South lives on in sometimes subtle ways. In some cases, these legacies are policies themselves, the most important of which are not merely "sticky" but also offer permanent institutional advantages for certain political actors and coalitions.[17] A chief example is state right-to-work laws, which prohibit employment contracts that require employees to join or contribute to a union. As we and others have argued, such laws persistently

[13]Valentino and Sears, "Old Times."
[14]Anthony Downs, *An Economic Theory of Democracy* (New York: Harper & Row, 1957).
[15]Seth C. McKee, "The Past, Present, and Future of Southern Politics," *Southern Cultures* 18, no. 3 (2012): 95–117; Seth C. McKee and Melanie J. Springer, "A Tale of 'Two Souths': White Voting Behavior in Contemporary Southern Elections," *Social Science Quarterly* 96, no. 2 (2015): 588–607.
[16]Black and Black, *The Rise of Southern Republicans*, 151.
[17]Pierson, "When Effect Becomes Cause."

disadvantage unions, Democrats, and liberal policymaking. Every state in the former Confederacy has a right-to-work law, and all except Louisiana adopted it before the voting rights revolution of the 1960s.[18] These laws thus further entrenched the South's low wage and thinly unionized labor market just as it was about to extend political and civil rights to all of its citizens, reinforcing a political-economic trajectory that was difficult to reverse.[19]

In sum, the normative implications of our empirical conclusions are mostly positive but by no means entirely so. The dynamic responsiveness we document indicates that U.S. states satisfy what is arguably the most important substantive criterion of democracy: popular influence over the government. While far from perfect, this responsiveness nevertheless flies in the face of the most pessimistic accounts of American democracy. Moreover, there are good reasons to believe that these optimistic conclusions can also be extended to the U.S. federal government, which is both less constrained than state governments and more attended to by ordinary citizens.[20] At the same time, these are very much "on average" claims: averaging across policies, the typical state responds over the long term to the conservatism of the average citizen. On some issues, such as gun control, policymaking may be dominated by intense and organized minorities rather than the mass public. Some citizens, such as minorities and the poor, likely have less influence over the government than others. And in some states, such as those in the South, policies may be less responsive and more bi-

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[18] Louisiana passed a right-to-work law in 1954 but repealed it two years later. A permanent law was adopted in 1976. See William Canak and Berkeley Miller, "Gumbo Politics: Unions, Business, and Louisiana Right-to-Work Legislation," *Industrial and Labor Relations Review* 43, no. 2 (1990): 358–271.

[19] On complementarities across institutions in capitalist political economies, see Peter A. Hall and David Soskice, eds., *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (New York: Oxford University Press, 2001).

[20] For a similarly positive assessment of national responsiveness, see Erikson, MacKuen, and Stimson, *The Macro Polity*.

ased than elsewhere. In short, our conclusion that states are on the whole responsive to their citizens does not imply that American democracy is perfectly or uniformly responsive to its citizens.

11.2 Prospects for Reform

In chapter 9, we examined the effects of eleven state-level reforms on five aspects of the political process. Only two effects were robust enough to really trust: both direct democracy and right-to-work laws increase the conservatism of state policies, mainly in the cultural domain. Although these consequences may please conservatives, the evidence we present provides little basis for defending them ideologically neutral grounds. Neither reform seems to affect how much influence citizens have over policymaking (responsiveness) nor the match between policies and citizens' preferences (proximity). In the case of direct democracy, there are strong theoretical arguments, as well as a good deal of empirical evidence from other sources, for positive representational effects, especially on policies where citizens and elected officials have sharply diverging interests, such as term limits.[21] Similar arguments have been made for the other reforms we examine; we just don't find convincing evidence that they systematically improve democratic performance.

Personally, we are more optimistic about reforms designed to limit partisan bias in legislative maps, such as nonpartisan districting commissions. As Chapter 9 shows, when one party is advantaged in the translation of votes to seats, representation suffers. The goal of partisan gerrymandering is to maximize the advantage of the party in control. As Chapter 10 shows, districting commissions limit the dominant party's

[21] Matsusaka, "Public Policy."

ability to gerrymander: when states implement them, the effect of party control on partisan districting bias almost disappears. There is thus good circumstantial evidence suggesting that districting commissions would improve democracy, even if the direct evidence on representational effects is inconclusive.

An important reason that the effects of districting commissions and other reforms are so uncertain is lack of variation across and especially within states. Only fourteen states use some sort of commission to draw state legislative districts, and only four of these—Hawaii, Washington, Idaho, and Arizona—implemented the reform between 1976 and 2012. Similarly, all but five states with the direct initiative adopted it by 1924, a decade before the first national opinion polls.[22] More precise causal estimates may simply not be possible until more time has passed and more states have had a chance to try these reforms. In our view, the proper attitude toward democratic reforms is a mix of openness and skepticism. Americans should continue to experiment with ways to make democracy work better, while at the same time continuing to critically evaluate reforms rather than taking their efficacy on faith.

11.3 Whither State Politics?

As we have emphasized throughout, state politics is dynamic, not static. What is true of its operation at one point in time may not be true of others. Thus any given portrait of state politics, including this one, will almost certainly become outdated as time passes. It therefore behooves us to consider how future trends may change the character of state politics.

With respect to state politics, the most important developments over the past

[22] LaCombe and Boehmke, "Initiative Process and Policy Innovation," 12.

half-century have been the ideological polarization of the parties and the nationalization of American politics. Though distinct phenomena, these trends have interacted with and reinforced each other in powerful ways. As national elites from the two parties have increasingly clustered around opposing poles on cultural and racial as well as economic issues, their ideological "brands" have become increasingly clear, reducing the scope for state parties to develop distinctive subnational reputations. At the same time, as the media and voters themselves have focused increasing attention on national politics at the expense of state and local, the electoral rewards to subnational partisan differentiation have diminished. These developments have substantially attenuated state-level politicians' ability and incentives to adapt themselves to their state electorates.

Even today, however, these developments are far from complete. In particular, minority-party gubernatorial candidates—from Maryland Republican Larry Hogan to Kansas Democrat Laura Kelly—still regularly win elections by projecting a moderate image and, often, by taking advantage of scandal or policy overreach by the dominant party. Given that (gerrymandering aside) state legislative elections closely track the public's party loyalties, the minority party's ability to compete for the governorship provides an important check on one-party domination in the states.

If political attention and attitudes continue to nationalize, however, such victories will likely become rarer and rarer. Moreover, if the parties continue to polarize within states, policy differences between "red" and "blue" states will grow more and more distinct, possibly worsening representation in all states.[23] Under such conditions, alternative accountability mechanisms such as primary elections[24] and

[23]On polarization across states, see Grumbach, "From Backwaters to Major Policymakers"; on overresponsiveness, see Lax and Phillips, "Democratic Deficit."

[24]See Shigeo Hirano and James M. Snyder Jr., *Primary Elections in the United States* (New York:

direct democracy,[25] both birthed in an earlier era of widespread one-party dominance, might become increasingly critical mechanisms of representation.

Another threat to the health of democracy in the states is the continuing demise of local news.[26] Across the country, newspapers are laying off journalists and reducing their coverage of state and local politics. In some places, they are even closing or reducing the numbers of days where they public print editions.[27] The decline in news coverage of state politics has likely contributed to lower levels of knowledge about state and local officeholders and candidates.[28] This decline in knowledge about local candidates makes it harder to hold candidates accountable.[29] This is likely to lead to less split ticket voting in gubernatorial races.[30] It is possible this will reduce the incentives for politicians to take moderate issue positions, and thus reduce policy responsiveness.[31]

On the other hand, what if these trends have already reached their apogee or countervailing trends intervene? It is possible, for example, that a relatively staid Biden presidency in the wake of the more exciting Obama and Trump ones will redirect attention away from national politics. An increase in the salience of policies largely determined at the state and local level, such as criminal justice and policing,

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Cambridge University Press, 2019), ch. 10.

[25]Matsusaka, "Public Policy."

[26]Hopkins, *Increasingly United States*.

[27]Joshua P. Darr, Matthew P. Hitt, and Johanna L. Dunaway, "Newspaper Closures Polarize Voting Behavior," *Journal of Communication* 68, no. 6 (2018): 1007–1028.

[28]Hayes and Lawless, *News Hole*.

[29]James M. Snyder Jr. and David Strömberg, "Press Coverage and Political Accountability," *Journal of Political Economy* 118, no. 2 (2010): 355–408.

[30]Darr, Hitt, and Dunaway, "Newspaper Closures"; Daniel J Moskowitz, "Local News, Information, and the Nationalization of US Elections," *American Political Science Review* 115, no. 1 (2021): 114–129.

[31]For comparative politics evidence that a free press is a vital part of the democratic process, see Dan Hiaeshutter-Rice, Stuart Soroka, and Christopher Wlezien, "Freedom of the Press and Public Responsiveness," *Perspectives on Politics* 19, no. 2 (2021): 479–491.

might have a similar effect. Likewise, if leftwing interest groups and activists begin to match the conservatives' recently heightened focus on state-level politics and policies,[32] then public attention might follow. It is also possible that new sources of local news coverage will emerge. Finally, it should be noted that the nationalization of American politics has taken place within a particular constitutional regime in which the national government's power has been relatively untrammeled. As the persistent constitutional controversy over the Affordable Care Act indicates, however, this expansive view of federal power is under serious attack from conservatives; if these attacks succeed, then the locus of policymaking (and political conflict) on issues such as health care will shift to the states.

A final caveat is in order. Our analysis has been predicated on the assumption that, aside from the South before the 1970s, state elections have been free, fair, and inclusive. In fact, it is our conviction that variations in the precise form of democratic institutions—at least those that have been tried in United States—matter little relative to the fundamental distinction between democracy and authoritarianism. As much as it would be comforting to believe that the United States has irrevocably transitioned to democracy, democratization is always reversible. Indeed, the nation underwent just such a reversal after the failure of Reconstruction in the late 19th century.[33] As scholars like Steven Levitsky and Daniel Ziblatt warn, it could happen again, and with incidents such as the effort to block certification of the 2020 presidential election, in some respects it already has.[34] American democracy cannot be taken for granted, but must be actively protected and sustained.

[32] Hertel-Fernandez, *State Capture*.
[33] Valelly, *Two Reconstructions*; more generally, see Suzanne Mettler and Robert C. Lieberman, *Four Threats: The Recurring Crises of American Democracy* (New York: St. Martin's Press, 2020).
[34] Levitsky and Ziblatt, *How Democracies Die*.

11.4 Implications for Future Research

Even if it succeeds in its ambitious mission, this book hardly represents the final word on state politics. Let us therefore suggest some promising avenues for future research. First, it bears reemphasizing what has been largely absent from our account: interest groups. Although scholars such as Virginia Gray and David Lowery have shown the constellation of organized interests to be a critical factor in state politics,[35] producing dynamic measures of this construct proved impossible given the data at our disposal. It is entirely possible, however, that future research will find a way around this problem. One potentially promising data source for this and other measures is state and local newspapers, which, if mined with text-as-data methods, may yield a wealth of useful information—not least on the media itself, another feature of state politics we largely neglect.[36]

As scholars develop new measures, we hope that they do not lose sight of the importance of making those measures *dynamic*. Dynamic measures are crucial not only to understanding change over time, but also for credible causal inference, as we hope we have shown. That said, there are certainly opportunities to make these inferences still more credible using stronger causal research designs. Particularly valuable would be designs that leverage as-if random variation in the policy preferences of state electorates, which would establish more firmly that the opinion–policy covariation we document is not confounded by other causes. Even the best-identified design, however, is of little use if the estimates it yields are too noisy to be informative. This again points to the importance of measurement—in particular, to the importance of

[35] David Lowery and Virginia Gray, *The Population Ecology of Interest Representation: Lobbying Communities in the American States* (Ann Arbor: University of Michigan Press, 2000).

[36] For an exemplary use of newspapers as data, see Pamela Ban et al., "How Newspapers Reveal Political Power," *Political Science Research and Methods* 7, no. 4 (2019): 661–678.

measuring outcomes of interest as precisely as possible. Given the ever-expanding availability of data and the increasing sophistication of research methods, we are sure that future research will bring many new insights about democracy in the American states.