

Political  
Foundations of  
State Capacity

# NISKANEN C E N T E R

## THE VIRTUE CURE

Institutional fixes won't save us, but better civics might

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**A**s Benjamin Franklin purportedly quipped to an inquiring Philadelphian, the Constitutional Convention had established “a republic, if you can keep it.” In creating that republic, the Founders had deliberately chosen to empower the people. While the suffrage was limited to a subset of white men, for its time this was a radical step toward democracy. Franklin’s hesitancy about this experiment’s long-term prospects was rooted in the recognition that democracies had historically been prone to a debilitating weakness rooted in the very people to whom the Founders had just entrusted the country. The preeminent apprehension informing the Madisonian system and the Constitution was an acknowledgement that individuals are not naturally imbued with the kinds of sensibilities on which democratic republics are predicated. Specifically, the Framers worried that “the people” could quickly devolve into “the mob” and that demagogues could rise to power by exploiting internal tensions. The key to success, then, was finding a way to empower the people while tempering their susceptibility to passionate, illiberal excess. A major part of their solution was to create a set of carefully structured institutions designed to cool the passions that threatened liberal democracy. Following ratification of the Constitution, additional institutions, namely the political party system and the media, came to play a gatekeeping role that served to buttress American democracy from the pathologies of the illiberal mob and demagogues.

Recently, both pathologies have been on full display in the United States and have threatened American democracy in ways that few of us could have imagined we would see in our lifetimes. The Framers understood and assumed that the mass citizenry would be susceptible to illiberal appeals. What’s surprising is the extent to which the institutions that are supposed to *protect* our democracy from these impulses are now *fueling* them. As a result, institutional fixes — particularly “hardball” reforms like adding new states or increasing the number of Supreme Court justices — are unlikely to ameliorate the situation; they are more likely to inflame it. If the American political system is to be restored and revitalized over time, it will first require a cultural shift that revives norms of civic virtue and compromise.

## Liberal democracy’s enduring challenges and the promise of institutional arrangements

Worry over liberal democracy’s long-term viability has a prodigious lineage, dating back to the Ancients and including Enlightenment philosophers, the American Founders, and contemporary experts. One widely shared theme across the generations is that healthy institutions provide the guardrails necessary to keep democracy from devolving into an illiberal politics. When those institutions weaken, citizens are more likely to dismiss the better angels of their nature and succumb to their less noble inclinations.

Democracies face challenges on three related fronts: aspects of human nature that are in tension with self-government, the allure of demagoguery, and the proclivity toward mob rule. The central problem is that human beings are not naturally endowed with liberal, democratic impulses. John Locke and the American Founders emphasized that people are inherently self-interested and noted the potential problems that spring from that constant. Democracy requires sharing power, tolerance of differences, compromise, and allowing one’s opponents to win elections and

hold coveted offices some of the time. Yet all those demands of a healthy and stable democratic society must compete with the unflattering aspects of human nature that privilege the pursuit of self-interest over the common good. Some students of political regimes have even argued that life in a democracy actively nurtures these darker impulses. In Book VIII of *The Republic*, for instance, Plato depicted democratic citizens as weak, impulsive, undisciplined, consumed by their appetitive desires for material and bodily pleasures, and obsessed with a base form of equality that is hostile to excellence and virtue. Similarly, Alexis de Tocqueville worried that democracy instilled materialism, privatism, and a stifling conformity that could facilitate a descent into a form of illiberal despotism. To the extent that democracy requires an engaged, virtuous citizenry capable of placing liberal commitments above their impulsive desires, these understandings of human nature represent a significant challenge.

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The American Founders worried that the self-interested aspect of human nature leaves people susceptible to the two other pathologies that plague democracy. Demagogues fashion themselves as leaders of the common people and as enemies of elites. They flatter the masses, exploit their ignorance, and appeal to their passions and prejudices. They violate established rules of democratic conduct, cultivate powerful, visceral connections to the people, and then manipulate those connections for their own benefit.<sup>1</sup> Because the people are the foundational source of power in a democracy, their susceptibility to manipulation by a demagogue represents a serious threat to the regime. James Madison emphasized in *The Federalist Papers* that “enlightened statesmen will not always be at the helm” and that destroyers of republics have typically emerged from within, rising to power “by paying an obsequious court to the people; commencing demagogues and ending tyrants.”<sup>2</sup>

The third pathology that threatens to undermine democracy – the rise of the mob – can be easily unleashed when a demagogue exploits and inflames the illiberal impulses inherent in human nature. The mob’s worst feature is its desire to steamroll dissonant thought. This is what Madison had in mind when he warned of “factions,” or groups of citizens who are “united and actuated by some common impulse of passion, or of interest [that is] adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.” He noted that this “dangerous vice” threatens “the character and fate” of popular government as well as the lives of its citizens, particularly when the mob constitutes a majority of the citizenry or otherwise has the power to transform its preferences into policy.<sup>3</sup> Madison’s predicament was that he and the Founders sought to empower the people in a democratic republic, but recognized that the people might use that grant of power to pursue illiberal vendettas against their fellow citizens, thereby undermining or

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1. James Fenimore Cooper, *The American Democrat* (Cooperstown: H. & E. Phinney, 1838); Michael Singer, *Demagogue: The Fight to Save Democracy from its Worst Enemies* (New York: St. Martin’s Press, 2009); James W. Ceaser, “Demagoguery, Statesmanship, and the American Presidency,” *Critical Review* 19, no. 2-3 (2007): 257-298

2. James Madison. “Federalist No. 10,” *New York Daily Advertiser*, 1787.

3. *Ibid.*

even destroying the political system itself. As John Adams put it: “power intoxicates alike despots, monarchs, aristocrats, and democrats... Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy that did not commit suicide.”<sup>4</sup>

Decades later, Tocqueville also worried that elements in society could use democratic power to impose tyranny, although he saw it less as a threat to lives than as a more subtle menace to intellectual independence and free expression.<sup>5</sup> At roughly the same time, a young Abraham Lincoln similarly observed that mobs had pervaded the country and were threatening American democracy. He observed a “growing disposition to substitute the wild and furious passions in lieu of sober judgment of courts, and the worse than savage mobs for the” rule of law. Such behavior could easily spiral out of control, the future president cautioned, leading “the lawless in spirit” to “become lawless in practice” and “absolutely unrestrained. Having ever regarded Government as their deadliest bane, they make a jubilee of the suspension of its operations; and pray for nothing so much, as its total annihilation.” Meanwhile, law-abiding citizens “become tired of, and disgusted with, a Government that offers them no protection; and are not much averse to a change in which they imagine they have nothing to lose. Then, by the operation of this mobocratic spirit, which all must admit, is now abroad in the land, the strongest bulwark of any Government, and particularly of those constituted like ours, may effectually be broken down and destroyed.” When that occurs, Lincoln explained, “Government cannot last... At such a time and under such circumstances, men of sufficient talent and ambition will not be wanting to seize the opportunity, strike the blow, and overturn that fair fabric, which for the last half century, has been the fondest hope, of the lovers of freedom, throughout the world.”<sup>6</sup>

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From Plato to the Founders to Tocqueville and Lincoln, the rationality required by liberal democracy is in tension with the passion and emotion found in human nature. Contemporary analyses have extended this philosophical tradition and identified a related and overlapping set of illiberal pathologies that afflict modern societies. These include increased distrust in government; demagogues who appeal to citizens’ anxiety, anger, or disaffection; problematic psychological predispositions among the citizenry; a Manichean worldview; and paranoid or conspiratorial mindsets. For many democratic citizens, compromise and dissonance feel discomforting and antithetical to the order and security they crave.<sup>7</sup>

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4. John Adams, “[From John Adams to John Taylor](#),” December 12, 1814.

5. Alexis de Tocqueville, *Democracy in America*, eds. Harvey Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), pp. 243-245.

6. Abraham Lincoln. “Address Before the Young Men’s Lyceum of Springfield, IL.” January 27, 1838.

7. T.W. Adorno, et al. *The Authoritarian Personality, Part One* (New York: John Wiley & Sons, 1950); Richard Hofstadter, *The Paranoid Style in American Politics and Other Essays* (New York: Alfred A. Knopf, 1964); Stephen C. Craig. *The Malevolent Leaders: Popular Discontent in America* (Boulder: Westview Press, 1993); Jonathan Rauch, *Demosclerosis: The Silent Killer of American Government* (New York: Times Books/Random House, 1994); Karen Stenner, *The Authoritarian Dynamic* (New York: Cambridge University Press, 2003); John R. Hibbing, *The Securitarian Personality: What Really Motivates Trump’s Base and Why it Matters for the Post-Trump Era* (New York: Oxford University Press, 2020); David Rohde, *In Deep: The FBI, the CIA, and the Truth About America’s ‘Deep State’* (New York: W.W. Norton & Co., 2020).

Conspiracy theories, replete with a dichotomous Us-versus-Them view of the world, are of particular concern and have become increasingly mainstreamed since the 1990s, with help from a strange-bedfellows set of figures including Pat Buchanan, Noam Chomsky, Louis Farrakhan, Lyndon LaRouche, Sarah Palin, Ross Perot, and Pat Robertson, all of whom have argued that nefarious, lying elites lurk among us.<sup>8</sup> Conspiracism has also been legitimized because of real conspiracies (e.g., the CIA plotting coups abroad, Watergate), and because of popular culture, especially movies, in which elaborate conspiracies have been advanced as award-winning entertainment.<sup>9</sup>

The rise of conspiracism coincides with a broader divergence over what constitutes the truth and what to trust as a source of information. Anne Applebaum, for instance, observes:

In an information sphere without authorities — political, cultural, moral — and no trusted sources, there is no easy way to distinguish between conspiracy theories and true stories. False, partisan, and often deliberately misleading narratives now spread in the digital wildfires, cascades of falsehood that move too fast for fact checkers to keep up...part of the public will never read or see fact-checking websites, and if they do they won't believe them.<sup>10</sup>

This environment welcomes those who “want to overthrow, bypass, or undermine existing institutions, to destroy what exists” by “encourage[ing] their followers to engage, at least part of the time, with an alternative reality.”<sup>11</sup> Their Manichean worldview “offers the believer the satisfying sense of having special, privileged access to the truth.”<sup>12</sup> This apocalyptic worldview comes to embrace illiberalism as a means of purging immoral influences from our politics and culture, as it simultaneously separates and polarizes the true believers from everyone else. “Any price should be paid, any crime should be forgiven, any outrage should be ignored if that’s what it takes to get the real America, the old America, back.”<sup>13</sup> Corruption, mendacity, fabrication, and hyperbole are condoned. After all, a battle between good and evil is no time for half-measures.

Others emphasize that democracy is threatened by excessive group conflict, polarization, and rampant social cleavages, all of which have been on the rise. One manifestation of this is the tendency of elites to advance illiberal views and policies by effectively forcing voters to choose between democracy and their self-interested policy preferences.<sup>14</sup> As political scientist Milan Svoblik argues, voters are self-interested first, and pro-democracy second: “In sharply polarized electorates, even voters who value democracy will be willing to sacrifice fair democratic competition for the sake of electing politicians who champion their interests... Aspiring autocrats succeed in subverting democracy only when given the opportunity by a factious public.”<sup>15</sup>

8. Stenner, *Authoritarian Dynamic*; Kurt Anderson, *Fantasyland: How America Went Haywire* (New York: Random House, 2017).

9. See, e.g., *The Manchurian Candidate* (1962 and 2004), *The Conversation* (1974), *Network* (1976) *JFK* (1991), and *The X-Files* (1993-2018).

10. Anne Applebaum, *Twilight of Democracy: The Seductive Lure of Authoritarianism* (New York: Doubleday, 2020), p. 113.

11. *Ibid.*, p. 20, 38.

12. *Ibid.*, p. 45.

13. *Ibid.*, p. 171.

14. Milan W. Svoblik, “Polarization Versus Democracy,” *Journal of Democracy* 30, no. 3 (2019): 20-32; Matthew H. Graham and Milan W. Svoblik, “Democracy in America? Partisanship, Polarization, and the Robustness of Support for Democracy in the United States,” *American Political Science Review* 114, no. 2 (2020): 392-409; Sheri Berman and Maria Snegovaya, “Populism and the Decline of Social Democracy,” *Journal of Democracy* 30, no. 3 (2019): 5-19.

15. Svoblik, “Polarization v. Democracy,” p. 25, 31.

## We the people: increasingly detached from American democracy

There were plenty of warning signs that American democracy was in suboptimal shape prior to the 2020 election and the ensuing cries of fraud that led to the insurrection. In 2019, for instance, 59 percent of Americans reported that they were not satisfied with how democracy was working in their country.<sup>16</sup> And as of the summer of 2021, three out of five Americans report being dissatisfied with the way our democracy is working, including three-quarters of Republicans, two-thirds of independents, and — despite their party’s unified control of Congress and the White House — half of Democrats. For 41 percent of Biden voters and over half of Trump voters, the dissatisfaction is sufficient for them to consider “red” or “blue” states seceding from the Union.<sup>17</sup>

Additionally, U.S. citizens are increasingly indifferent not only toward the American political system, but toward democracy in general. One recent poll reported that more than 40 percent of respondents agreed that “having a strong leader for America is more important than having a democracy.”<sup>18</sup> In another survey, 8 percent went so far as to say that democracy is very bad or bad.<sup>19</sup> In 2018, 18 percent of respondents believed it may be appropriate for the president of the United States to suspend elections. More citizens now entertain the possibility of doing away with U.S. political institutions altogether; one-third of respondents, for instance, (34 percent, compared to 20 percent in 2019) strongly or somewhat agreed with the statement: “If the Supreme Court started making a lot of rulings that most Americans disagreed with, it might be better to do away with the Court altogether.”<sup>20</sup>

Tolerance for political violence is also alarmingly high. In a September 2021 poll, almost one in five Americans (18 percent) agreed with the statement, “Because things have gotten so far off track, true American patriots may have to resort to violence in order to save our country.”<sup>21</sup> Early this year, 34 percent of Americans reported that they think violence against the government is sometimes justified, with 40 percent of Republicans and 41 of independents responding in the affirmative. In 2015, only 23 percent of Americans agreed; in 2010, it was only 16 percent. Another poll from early this year found that 10 percent of respondents thought violence was justified “right now.”<sup>22</sup> Meanwhile, the notion that citizens are susceptible to conspiracy theories is revealed in the 18 percent of respondents who believe that “the government, media, and financial worlds in the U.S. are controlled by a group of Satan-worshipping pedophiles who run a global child sex-trafficking

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16. Richard Wike and Shannon Schumacher, “Satisfaction with Democracy,” Pew Research Center, Feb. 27, 2020.

17. Larry Schack and Mick McWilliams, “[Support for Secession Linked to Conspiracy Belief](#),” UVA Center for Politics, Oct. 5, 2021; Kathy Frankovic, “Three in five Americans are dissatisfied with American democracy,” YouGov America, June 22, 2021.

18. Garen J. Wintemute, et al., “[Views of American Democracy and Society and Support for Political Violence: First Report from a Nationwide Population-Representative Survey](#),” MedRxiv, July 19, 2022.

19. Jonathan M. Ladd et al. “[2018 American Institutional Confidence Poll](#),” Baker Center, 2018.

20. “[1 in 3 Americans Say They Might Consider Abolishing or Limiting Supreme Court](#),” Annenberg Public Policy Center at the University of Pennsylvania, Oct. 4, 2021.

21. “[Competing Visions of America: An Evolving Identity or a Culture Under Attack? Findings from the 2021 American Values Survey](#),” PPRI, Nov. 11, 2021.

22. Dan Balz, Scott Clement, and Emily Guskin, “Republicans and Democrats Divided Over Jan. 6 Insurrection and Trump’s Culpability, Post-UMD Poll Finds,” Washington Post, Jan. 1, 2022; Meryl Kornfield and Mariana Alfaro, “1 in 3 Americans Say Violence Against Government can be Justified, Citing Fears of Political Schism, Pandemic,” Washington Post, Jan. 1, 2022; Matthew S. Schwartz, “1 in 4 Americans Say Violence Against the Government is Sometimes OK,” NPR, Jan. 31, 2022.

operation.”<sup>23</sup> Conspiracism and an openness to violence are likely linked. After all, if Satanist pedophiles were in fact running a widespread child sex-trafficking ring and secretly controlling the world, that would indeed be cause to consider extreme measures.

Collectively, these polls and others like them (Baker Center) indicate that a substantial and growing number of Americans are indifferent or hostile to our political system and its institutions and are even willing to condone violence to get their way. The seeds of nondemocratic rule are germinating, and while not close to approaching majority sentiment, are clearly on the rise and firmly embedded within certain parts of the populace.

This and similar polling data reveal the tensions underlying people’s enduring capacity for democratic citizenship, though it does not necessarily doom democracy. Again, centuries of political theory remind us that grappling with illiberal proclivities in human nature is a given. A reliance on well-crafted institutions has been the primary way channeling democratic societies in positive directions. The institutions the American Founders devised were explicitly designed to do just that. Other extra-constitutional institutions like political parties and the media emerged independently but also came to play critical roles in supporting liberal democracy. A new challenge, however, is that these very institutions that supporters of American democracy have relied on to curb illiberal impulses are now contributing to the problem, not neutralizing it.

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## American political institutions: from antidote to accelerant

These ills pose daunting and enduring challenges for liberal democracy, but most thinkers — both new and old — have maintained that there are palliatives if not antidotes. Diagnoses and treatment plans vary, but one essential and widely agreed-upon element is the presence and sustenance of healthy, democratic institutions.

The American Framers understood this point. Building on Locke, they formulated a complex set of institutional arrangements and embedded them within the Constitution in the hopes that they would channel representative democracy away from the pathologies that threaten to consume it. In Madison’s words:

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.<sup>24</sup>

23. *Ibid.*

24. James Madison, “Federalist No. 51,” *New York Packet*, 1788.

To do so, the Framers established the familiar features of the American political system including checks and balances, separation of powers, a bicameral legislature, federalism, staggered elective terms, and the establishment of behavioral norms to fill in the inevitable gaps in a written constitution. It was this institutional structure that was supposed to cement a healthy liberal democracy in America — and to correct the kind of situation the country finds itself in today.

However, the institutions that have generally served to help American democracy function properly have been inverted. The devices that have tempered the pathologies of democracy have now been turned on their head and serve to exacerbate the very problems they once held in check.

A look at four key institutions — two constitutional and two extra-constitutional — illustrates how they now aggravate the excesses that they are supposed to temper. Any recovery of a healthy, dynamic democratic society will require us to recognize and grapple with this foundational element of our current troubles.

## Presidency

The Framers understood the office of the presidency to be both absolutely necessary and deeply problematic. They knew the executive’s capacity for “energy” and action was essential to address the failures of the Articles of Confederation, yet they recognized that this office — held by a single individual — would be especially susceptible to demagoguery. In particular, popular leadership in the presidency, characterized by passionate appeals to the people, could make it tempting for the executive to manipulate the public given the people’s sometimes fickle and ill-informed views. To insulate the institution against that danger, the Framers sought to instill statesman-like norms of behavior that elevated the presidency above the political fray, entrenching an office characterized by dispassionate dignity and a “view of the whole ground.”<sup>25</sup> For a good chunk of American history, much of that vision endured. Presidents projected the appearance of being above partisanship, rarely addressed the people directly, rhetorically emphasized unifying themes, and even avoided campaigning for the office. To be sure, the office drifted from the Framers’ original vision over time, notably during the Progressive Era, when the distance between the presidency and the people was permanently minimized. But even with these types of changes, there remained a dignity surrounding the chief executive that would have pleased the Philadelphia delegates.

Yet recent developments have shattered many of the remaining guardrails and defenses around the presidency. Unilateral executive orders, for instance, have become a routine way of achieving policy goals. Presidents have also increasingly posed as outsiders performatively observing and commenting on the political system rather than embracing their constitutional role as key duty-bound actors within it. Polarization has interacted with the plebiscitary elements of the presidency in a way that make even benign words and actions from the chief executive fodder for the partisan fray. Finally, the odious norm-breaking during the Trump presidency was overwhelming. The 45th president attempted to remain in power by overturning the results of the 2020 election, undermined the integrity of elections more generally, lied blatantly, rejected basic political civility, and made constant attempts to delegitimize the media and other perceived enemies. These violations of norms have expanded our understanding of what constitutes permissible behavior

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25. Thomas Jefferson, “First Inaugural Address.” 1801.

and discourse in ways that reinforce and exacerbate the challenges facing American democracy. Performance is now considered a presidential trait. Pandering to the populace is the norm. Fidelity to the truth is optional. The dignity of the office, and our trust in it, have ebbed to levels previously unimagined. That Joe Biden — an individual with a long record and set of personal characteristics seemingly ideally suited to restoring the norms Trump shattered and whose candidacy was largely premised on doing just that—has failed to recapture a degree of national unity indicates how deeply entrenched the problem is.

## Congress

Article I of the U.S. Constitution concerns the most democratic of our system’s core institutions, the legislative branch. Its fundamental purpose is just that – to forge legislation as crafted by the people’s chosen representatives. For the past 200 years, it has done so – passing laws large and small, appropriating funding for federal programs and military endeavors, and confirming judges and cabinet members. Leading observers of today’s Congress are prone to use terms like “profound dysfunction,” “grossly underperforming,” or simply “the broken branch” to describe it.<sup>26</sup> From the number of bills passed into law to the number of days in session, from budgets adopted to committee hearings convened, Congress is simply doing very little. To a degree, the institution was designed to work slowly and methodically as a protective device. Moreover, reductionist tallies of the number of bills passed can be overly simplistic and can obscure as much as they reveal.<sup>27</sup> However, the current debilitation far exceeds anything originally intended, and while gridlock and polarization are appropriately identified as the culprits for this lack of activity and results, that obscures another key aspect of the current malaise.<sup>28</sup> As Yuval Levin notes, “the primary reason for that dysfunction may be the worst news of all: Congress is weak because its members want it to be weak.”<sup>29</sup> They have often abandoned the actual work of Congress, like overseeing governmental agencies and investigating problems, in favor of a new understanding of what their own professional role entails, namely “as players in a larger cultural ecosystem, the point of which is not legislating or governing but rather a kind of performative outrage for a partisan audience.”<sup>30</sup> A congressional seat offers lawmakers a prominent platform on which to perform, building their own personal brand and

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26. Yuval Levin, *A Time to Build: From Family and Community to Congress and the Campus, How Recommitting to our Institutions Can Revive the American Dream* (New York: Basic Books, 2020), p. 46; Timothy M. LaPira et al., *Congress Overwhelmed: The Decline in Congressional Capacity and the Prospects for Reform* (Chicago: University of Chicago Press, 2020), p. 1; Thomas E. Mann and Norman J. Ornstein, *The Broken Branch: How Congress is Failing America and How to Get it Back on Track* (New York: Oxford University Press, 2008).

27. Simon Bazelon and Matthew Yglesias, “[The Rise and Importance of Secret Congress.](#)” *Slow Boring*, June 21, 2021; James M. Curry and Frances E. Lee. *The Limits of Party: Congress and Lawmaking in a Polarized Era* (Chicago: University of Chicago Press, 2020); “[David Mayhew on CSPAN: How Media Misleads the Public about Congress.](#)” Yale University, Jan. 11, 2018.

28. Sarah A. Binder. *Stalemate: Causes and Consequences of Legislative Gridlock* (Washington: Brookings Institution Press, 2003); Mann and Ornstein 2012.

29. Levin 2020, p. 46-47.

30. *Ibid.*, p. 48.

fame by fanning social media outrage and generating hits on cable television.<sup>31</sup> The Constitution’s carefully calibrated specifications for Congress’ functioning assumed that its members would be primarily oriented toward pursuing their institution’s prerogatives within the larger system of checks and balances and using its major constitutional power to pass laws. A disturbing number of members now use their positions in Congress to exacerbate divisions in society in a way that degrades not only their own institution but the system in which it is embedded.

## Media

“The press, and particularly the newspaper press, stands by common consent first among the organs of public opinion.” So wrote James Bryce in *The American Commonwealth*. Bryce revealed that newspapers’ power lay in their serving “as narrators, as advocates and as weathercocks,” and that this power supplemented U.S. republican democracy.<sup>32</sup> Fast forward 130 years, and the media, both mainstream and alternative, now foster political behavior that impedes democratic stability.

Traditionally, the mass media (newspapers, radio, newsreels, then television) provided the means by which citizens received information about domestic and world affairs and provided the critical link enabling the public to hold its elected officials accountable. The media were considered gatekeepers and filters of what information would be consumed, and established norms that set the parameters of civic discourse. To be sure, “objectivity” only became a norm in the 20<sup>th</sup> century and never operated perfectly. Prior to that, the press was rabidly partisan. Moreover, previous technological developments like radio and TV upended political communications in their own unique ways. But the new ways we communicate and receive information now are exacerbating our polarized mindset and receptivity to illiberalism. The proliferation of media sources, and the ability to create and disseminate one’s own reality, have resulted in a conflation of fact and opinion that blurs the lines between what is news and analysis. Watch any major cable news show, and one is hard pressed to find “straight” news. But the issue is more than the mere abandonment of professional norms of objectivity or fairness. News consumption has morphed into infotainment. Sober reporting does not drive viewers and readers; what boosts ratings and sells advertisements are controversy and hyperbole, and the most efficient way to provide that is to provoke polarizing discourse.

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Polarized media, broadly defined, have become the primary means by which citizens obtain their news. Algorithms created by these media outlets and platforms are fueled by what one is viewing, reading, and acknowledging as newsworthy. We do not consume the same news, and our political perspectives and consumption habits often reinforce the different news diets we consume. In sum, the democratic polity is divided, both in what we receive as news, and concomitantly, what we believe — about what is fact, what is news, and what is newsworthy. This in turn fuels the very excesses that the probing, watchful eye of the media once helped restrain.

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31. *Ibid.*, p. 46-55.

32. James Bryce, *The American Commonwealth*, Vol. II (New York/London: Macmillan, 1889), p. 930.

## Political parties

Political parties offer perhaps the clearest example of how central institutions that once nurtured liberal democracy by channeling the passions of the people in positive directions now inflame our problems. While never mentioned in the U.S. Constitution, parties promptly emerged and have served several important functions for democratic maintenance, including the recruitment of political candidates, and the development of agendas, platforms, and policies on which candidates run. Additionally, parties help simplify and align policy preferences for potential voters by establishing core principles or values. For the better part of the history of the United States, parties performed these functions relatively successfully. Yet two postwar developments that were initially imagined as ways to improve the parties' performance have become major contributors to the enervation of their democratic role.

In 1950, the American Political Science Association authored a report that advocated further polarization between the two major parties. At that time, the internal ideological diversity of both major parties was thought to impede voters' ability to send clear messages regarding their preferences. Citizens needed to identify clear policy differences, or else the muddled masses would pick muddled leaders, who would in turn generate muddled laws and regulations. The well-being of the republic therefore required differentiated parties that permitted proper democratic accountability.<sup>33</sup> The political scientists' wish came true, but today's hyperpolarization is a nightmarish version of what these critics had in mind. Today's Democratic and Republican parties resemble the kinds of factions that Madison warned us about and are more intent on raising money by cultivating tribal hatred than they are interested in crafting legislation. To describe parties as strong or weak is to misidentify the problem and question. They no longer function in ways that sustain governing or trust in government. To the contrary, they feed off their extremist impulses and energies. Those who donate money, vote in primaries, and lobby the loudest are the most ideologically zealous and the least interested in appreciating alternative points of view or considering incrementalism as a form of political victory.

**To describe parties as strong or weak is to misidentify the problem and question. They no longer function in ways that sustain governing or trust in government.**

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Change in the process of selecting presidential nominees is the other development that has undermined the parties' role in supporting American democracy. One rationale for grafting the political party system on top of the Constitution's formal institutions was to establish a gatekeeper at a particularly vulnerable place in the American political system. If parties were in control of presidential nominations, they would be incentivized to find nominees with broad appeal among voters and who were committed to the party and its platform. Being tied to the party and its preexisting policy and ideological commitments had the effect of drastically limiting the space in which a demagogue could operate. This was essentially what happened under the system of selecting presidential candidates that existed until 1972: The parties — that is, the party's leaders — effectively made the final decision following voter input in primaries, and extreme or otherwise dangerous candidates were shut out. Yet argument that this system was anti-democratic finally

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33. American Political Science Association, "Toward a More Responsible Two-Party System: A Report of the Committee on Political Parties," *American Political Science Review* 44, No. 3 (1950).

broke through after the disastrous Democratic convention of 1968 and both parties adopted the current primary system, which shifted the responsibility of choosing candidates almost entirely to voters. That change transformed the method of selecting presidential candidates from one in which demagogues were kept at bay to one that rewards and encourages precisely the kind of popular appeals that concerned the Founders.

## If our institutions cannot save us, what will?

Dealing with the challenges facing American democracy requires being clear-eyed about their nature. Drawing on the insights of the past, we are reminded of the following:

- Liberal democracy is fragile. Sustaining it requires effort by both the citizenry and the elected.
- Appeals by demagogues are as old as dirt. Emotional and divisive rhetoric and simplistic solutions resonate with a distrustful public. We resist those appeals only when we appreciate the complexity of politics. That understanding requires some level of engagement and knowledge about the political system in which one lives. Citizens are not innately democratic; democracy requires cultivation by institutions that cherish and reinforce its norms. These norms come in different shapes and sizes, ranging from the belief that schools should foster civic knowledge and educate students about science to the way one comports oneself in public life to the belief that free and fair elections should be administered by dispassionate, nonpartisan bureaucrats.
- America's Founding Fathers keenly appreciated all of this. They, and the political theorists and social scientists who preceded and followed them, believed that representative democracy required strong political institutions to withstand illiberalism's temptations.

Given all of this, it is reasonable to entertain the impulse that major institutional reforms are the obvious cure for our ills. However, it is also clear that the major institutional reforms that generate the most enthusiasm are rife with challenges and, given the polarized political climate, not easy to debate, never mind implement. Even setting aside the practicalities of, for example, adding states, adding Supreme Court justices, restoring superdelegates for presidential selection, or removing the Electoral College, these proposed reforms would inevitably anger citizens who would view them as backdoor attempts to disarm their favored tribe and perpetuate what they see as a nefarious and corrupt elite.

However, there are some institutional reforms that are both plausible and have the potential to do at least some good without dumping fuel on the fire. One candidate might be decreasing the partisan sorting that is exacerbated by gerrymandered congressional districts. While there is no guarantee that the quality of legislation or rhetoric would improve if more members of Congress represented districts that were more politically heterogeneous, it certainly wouldn't hurt, and it may allow some politically engaged citizens more opportunities to deliberate with people whose views differ from their own. Admittedly, this type of reform is a big ask given that those with the power to make these changes often thrive in the status quo and would naturally resist changes to

it. Yet numerous states have implemented nonpartisan redistricting commissions in recent years, so it is plausible that others could follow suit. Other reforms of this sort would include revising the Electoral Count Act, further experimentation with ranked choice voting, and regulations on social media companies' use of algorithms.<sup>34</sup>

But ultimately, institutional fixes are not the way out of our institutional malaise. The more aggressive reform proposals are dubious both as a practical matter of enactment and because they could exacerbate the current divisions in society. And while the more modest reforms could certainly do some good at the margins, they will not cure us of our ills. Because our divisions are so deep, they have swamped the “auxiliary precautions” that have traditionally insulated us. Our system's institutions are now actively contributing to our problems, not mitigating them.

If the proposed institutional reforms will not improve the state of representative democracy, what will?

Any route to recovering and reinvigorating our democracy will require a broad recommitment to a common project of building a free and just society to be shared and enjoyed by all Americans. Admittedly, this is not a prescription for quick progress. Our political differences are real. The question is whether dissonant citizens can live peacefully as neighbors, upholding the rule of law while engaging in civic affairs with passion and respect for one another. Mitigating the current mindset, that those who disagree are evil, will require a broad effort to temper our polarizing impulses.

Rather than continue to look to our institutions to save us, we need an updated version of a philosophic tradition that emphasized the importance of local communities rather than our governing institutions; common citizens rather than leaders. The republican tradition and its concept of “virtue” can be traced from the Ancient political philosophers through the arguments made by the Anti-Federalist critics of the Constitution and on to the observations of Alexis de Tocqueville. The tradition's key insight is that while institutional arrangements are certainly important, they are far from sufficient. As the Niskanen Center's Brink Lindsey has recently emphasized, a polity also requires a populace with virtue, understood as a commitment to citizenship and engagement in one's community.<sup>35</sup> People aren't born into virtue, but they are capable of developing it through practice. It is therefore important to actively cultivate virtue, and this is best done by regularly engaging with one's fellow citizens. In contrast to an institutional mindset, an emphasis on virtue is more about the process than the outcome because it is the process of engaging with others in a collective enterprise that develops the habits of the heart that a free society depends on.

**Rather than continue to look to our institutions to save us, we need an updated version of a philosophic tradition that emphasized the importance of local communities rather than our governing institutions; common citizens rather than leaders.**

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34. Rauch, *Demosclerosis*.

35. Brink Lindsey, “Republicanism for Republicans,” *National Affairs*, Winter 2019.

The Anti-Federalists, for instance, felt that their Federalist interlocutors put too much faith in institutional arrangements and paid too little attention to cultivating the skills of enlightened citizenship in the people.<sup>36</sup> Notably, this dispute was more a matter of degree than kind because the importance of virtue was not lost on the Federalists. While the Federalist Papers are remembered for their defense of the Constitution’s institutional fortifications, Madison, Hamilton, and their allies also recognized that a virtuous citizenry was indispensable. As Hamilton wrote, the system they had devised “implies” that “there is a portion of virtue and honor among mankind, which may be a reasonable foundation of confidence.”<sup>37</sup> And Madison noted that “Republican government presupposes the existence of these qualities in a higher degree than any other form.” Moreover, Madison wrote, “a dependence on the people is no doubt the primary control of the government; but experience has taught mankind the necessity of auxiliary precautions.”<sup>38</sup> In other words, the separation of powers and the intricate system of checks and balances was all a break-glass backup in the event the primary safeguard — a basic reliance on the virtue of the people — failed.

Embracing an updated version of the need for republican virtue would be a first step toward a cultural paradigm shift that creates more space for restoring liberal norms and fostering civility among citizens with different political views. If citizens are not naturally inclined toward democracy, and if illiberal propensities, once allowed to sprout, develop a self-perpetuating momentum, then any path towards restoring liberal values and the spirit of republican virtue will require incremental steps and a long-term outlook.

To start the journey, we must create opportunities for citizens to engage in joint projects that are meaningful but detached from divisive political arguments. Such initiatives would by necessity be local in nature so as to indirectly blunt the sharp edges of our nationalized divides. One reason the Northern Ireland peace process has been a success, for example, is thanks to community-based initiatives that deliberately shifted attention away from the existential and unresolvable debate between Irish nationalists and British unionists. Instead, the people of Northern Ireland created a local sphere of politics focused around, for instance, community projects in which they could argue about things — the location of the new bridge or community center — that weren’t existential in nature and in which compromises and practical solutions were possible. Doing so permitted people on opposite sides of the larger division in society to interact with one another on less polarizing issues and to reconcile themselves to living in close proximity to those they had been in violent conflict with for several decades.<sup>39</sup> Creating new opportunities for local, cross-tribal interaction or expanding existing ones is possible. Expanding national service programs such as AmeriCorps, for instance, could help young citizens find common ground while working towards collective national goals. Focusing on

**To start the journey, we must create opportunities for citizens to engage in joint projects that are meaningful but detached from divisive political arguments. Such initiatives would by necessity be local in nature so as to indirectly blunt the sharp edges of our nationalized divides.**

36. Herbert J. Storing, *What the Anti-Federalists Were For* (Chicago: University of Chicago Press, 1981).

37. Alexander Hamilton, “Federalist No. 1,” *The Independent Journal*, 1787, p. 76.

38. Madison, Federalist 51.

39. Applebaum, *Twilight*.

community-based infrastructure projects may likewise remind the politically engaged among us that there is no Democratic or Republican way to sweep a street, pave a highway, or shovel snow. Localism in general could also be enhanced by a revival of local news, which has long been on the decline. Congressional legislation and philanthropy could support the local press as a counterweight to our toxic nationalized media environment, which feeds polarization.<sup>40</sup>

These proposed palliatives are not a panacea. Admittedly, they are moderate in scope and long-term in nature. Yet it is hard to see how our political system can flourish again until there is some decline in our poisonous polarization and a more widely embraced sense of societal cohesion and unity. As Benjamin Franklin implied as he departed the Constitutional Convention, if the newly created republic was to survive, it would require that political opponents find at least some common ground, avoid mutual demonization, and recognize that the U.S. experiment remains both fragile and glorious.

Liberal democracy requires strong political institutions, but those will be scarce if they aren't based on some minimal level of citizen engagement and trust in the political system, a commitment to civil dialogue, an acceptance of disagreement, a willingness to compromise, and a widespread embrace of social mores that recognize and cherish freedom, free speech, and rule of law. Those values and principles are part of the American credo. They are atrophying, but they have not completely dissolved. Recommitting ourselves to them is the prerequisite for beginning to recapture a healthy liberal democracy.

## About the authors

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40. Robert P. Saldin et al., "[Local Beats, National Consequences: The Link Between Local News and American Democratic Health.](#)" Niskanen Center. Oct. 12, 2021.

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