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A Recipe for Gridlock

If you think legislators aren't getting much done, you have plenty of company. Poll after poll finds Americans aren't happy with the perceived gridlock in Washington and the job their representatives at every level are doing.

Conventional political wisdom blames the "partisan divide" — the failure of legislators to work together. But a new book co-authored by a UC Santa Barbara scholar finds that the refusal to compromise on issues isn't rooted simply in disdain for the other side, but in the fear of being punished in primary elections by disgruntled voters.

"Rejecting Compromise: Legislators' Fear of Primary Voters" (Cambridge University Press, 2020) argues that the "routine rejection of what we call *half-loaf compromises* — proposals that move policy closer (but not all the way) to the legislator's preferred outcome — could be a significant contributor to legislative gridlock."

[Sarah E. Anderson](#), an associate professor of environmental politics in UC Santa Barbara's [Bren School of Environmental Science & Management](#) and a co-author of "Rejecting Compromise," explained that the book arose from studies of legislators and a collective bafflement at their refusal to compromise.

"We thought, 'What? You're not supposed to do that,' " she said. "If we offer you something that's closer to what you said you wanted and we tell you it's a one-shot deal, and you've got to take it or leave it, you should take it. What is going on here?"

To illustrate the dynamics involved, the book offers a hypothetical example: Say a legislature is considering raising the tobacco tax on a pack of cigarettes from \$1 to \$1.50. Most legislators like the increase, but suppose another group of lawmakers prefers a \$2 hike. They'll vote against, and may even kill, the lower hike to appease a small faction of constituents who demand the \$2 increase — even though the \$1.50 increase moved the policy closer to what the majority wants.

The book also provides a number of real-life examples of this dynamic, including one that's bothered Anderson for years. Before she went to graduate school, she worked as an aide to Chris Cannon, a Republican congressman from Utah. In 2000, Cannon introduced legislation, vetted by the Democratic secretary of the interior, to protect the state's San Rafael Swell as a National Conservation Area.

The bill seemed like a sure thing to pass. County, state and congressional legislators backed it, but there was a catch: an environmental group thought it didn't go far enough. Ultimately, after legislators introduced a series of amendments to the original legislation, Cannon pulled it from consideration. Perfection turned out to be the enemy of good.

"Democrats supported it, Republicans supported it and everybody agreed the place needed more protection, including my quite conservative Republican boss," Anderson said. "And then it failed, and it felt like it was a bit of a personal failure. I think it's some of the reason that I brought it with me; it was a puzzle to me for a long time."

"Rejecting Compromise" makes clear that this sort of legislative failure is a bipartisan problem. Both liberal and conservative lawmakers torpedo legislation they fear will be opposed by a small group of voters — typically about 15% — who will support a primary-election challenger to punish their representative if they don't get their way.

"A small portion of the electorate is really making a difference in what stances legislators are able to take on policy issues," Anderson said. "We focus in this book on policy issues like balancing the budget or securing Social Security, where compromise might be possible because they're the kinds of issues that everybody can agree on at some level."

If legislators are paralyzed by the fear of being "primaried" — the word has become a verb in today's political climate — what, then, can be done? Anderson and her co-

authors — Daniel M. Butler of UC San Diego and Laurel Harbridge-Yong of Northwestern University — consider a possibility: private negotiations.

Having legislators hammer out policy behind closed doors would be controversial, Anderson acknowledges. But she said it could insulate them from the threat of a primary challenge while they negotiate a compromise.

“We are trying to think about solutions to this in the book,” she said. “And one that has been proposed is this negotiation in private. The trick is you don’t want lawmaking in private. So how do we insulate them from the kind of retribution that they’re facing from voters without jeopardizing representation and responsiveness?”

Anderson notes that any private negotiations wouldn’t stay hidden. Once an agreement is made, legislators would unveil their plans and let the public weigh in. Any compromise, she said, “can’t stay private. The voters have to have the capacity to see what is voted on and how their legislators vote and to punish if they want to. But is there a way to minimize the punishment for the details of the interim negotiation?”

It’s a tricky business for legislators, to whom voters don’t often give the benefit of the doubt.

“I think they feel like they’re walking this really difficult path,” Anderson said, “where they’re trying to serve their constituents and have the courage of their convictions.”

About UC Santa Barbara

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