

**Steven Levitsky and Daniel Ziblatt, *Tyranny of the Minority: How to Reverse an Authoritarian Turn and Forge a Democracy for All***

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*Tyranny of the Minority*, written in accessible prose by two Harvard Professors of Government, tackles four related questions about the 21<sup>st</sup> century U.S. that should engage anyone with a serious interest in the modern world.

- How did the Republican Party come to be captured by an intense group of, on the authors' account, angry white Christians with authoritarian attitudes?
- How can this faction, a clear minority of the American people, wield a combination of positive control and negative veto power which, on so many matters, frustrates the wishes of a majority of Americans?
- What has happened to the “normal” electoral dynamic whereby a party losing an election on the basis of relatively extreme policies responds by moderating its policies towards the middle ground?
- What is to be done about this “authoritarian turn”?

The first two chapters set up the conceptual and comparative political context. The core argument begins with a discussion, in a chapter titled “It Has Happened Before”, of what happened in the late 1800s. A power grab by a minority of white Democrats systematically disfranchised black voters and seized power from black officials throughout the South in what was in effect a violent coup, backed by the shock troops of the Ku Klux Klan. “Klan terror crippled Republican organizations and kept Black voters from the polls, making a mockery of elections and allowing the Democrats to unconstitutionally seize power across the South ...” (p. 79). This illegal power grab by angry white men was consolidated by a systematic legal attack on the enfranchisement of black voters, “lawfare” to Levitsky and Ziblatt, with measures including poll taxes and selectively applied literacy tests. These were so effective that, in North Carolina for example, “[t]he number of registered Black voters ... plummeted from 126,000 in 1896 to 6,100 in 1902” (p. 71). Alabama’s 1901 constitution left only 3,000 Black men (out of 180,000) eligible to vote (p. 87).

Nothing in the USA’s “democratic” constitution, political or legal systems prevented this from happening. This chapter sows the seed for the core argument of the book: the US constitution, drafted in a pre-democratic era and extremely difficult to amend, makes it possible, even likely, that an unrepresentative minority can lord it over a majority opposed to their views.

The turning of the partisan tables, whereby the Republicans became the party of angry white men while black voters turned to the Democrats, has been well-documented, driven in large part by reactions to the civil rights movements of the 1960s. With long-run demographic changes piling up voters in Democrat-leaning urban centers, it is also well-known that the Republican response was the “Southern Strategy” – a euphemism for a push to become the white man’s party, and ultimately the

party appealing to white evangelical Christians. The problem for Republicans, of course, is that this “base” is not only far from being a majority of the American people, but is shrinking.

One response in Republican controlled states has been a return to lawfare. “Legal” voter suppression involved cutbacks on early voting and late registration, rigorous voter ID laws, felon disenfranchisement, and other measures. In Florida, on Levitsky and Ziblatt’s numbers, these add up to a situation in which 21 percent of the African-American population has no vote.

This is made possible by another idiosyncratic and undemocratic feature of the U.S. system. Both electoral law and the administration of elections are devolved to state level, and differ widely between states. Shockingly to outside observers who think of the U.S. as a democracy, control over electoral law and administration is typically seen as part of the spoils of victory, shamelessly manipulated by the winning party. The democratic norm, of course, is that these fundamental matters should be far above the cut and thrust of partisan politics. There is no true democracy where the winning party can change the law to hamstring its opponents.

Rather than simply manipulating elections by old-fashioned gerrymandering and voter suppression, however, an alarming recent Republican response is to deny these results altogether – notoriously including the Trump presidential defeat of 2020. This moves a large section of the Republican Party into fully-fledged authoritarian territory. There is no democracy where the loser refuses to accept defeat, and a substantial majority of Republican lawmakers are now election-deniers. Neither is there a democracy where mainstream politicians incite people to violence, as in the Capitol Riot of January 2021, or refuse to dissociate themselves from anti-democratic extremists. Many of these Republicans are not in their hearts rabid authoritarians. But they nonetheless go along with truly authoritarian colleagues, a phenomenon Levitsky and Ziblatt call the “banality of authoritarianism” (p. 127). They enable the extremists, putting career above principle.

Since the Republicans’ angry white Christian base is only a minority of Americans, since voter suppression only goes so far, and since the USA is still on some definitions a democracy, why are extremist Republicans not simply swept out of power as an unrepresentative minority? How can they be a dominant force in American politics, able to block reforms favored by a majority of Americans? Here we get to the logical engine of the book, set out clearly in the chapter on “Minority Rule”. The answer lies in the US constitution. Within the US constitution, the core problem can be found in the Senate.

Most people with any interest in U.S. politics know that each state, regardless of population, sends two senators to Washington. Most therefore know that the votes of citizens in some states carry *much* more weight than others. As Levitsky and Ziblatt remind us, a voter in Wyoming today has about 70 times more influence on the US Senate than a voter in California. Many also know that this happened because the founders needed to entice smaller states into the Union. Since the small states feared being dominated by a few big states in one-person-one-vote federal elections, the solution was to offer them a powerful Senate in which all states, large and small, heavily populated and thinly populated, had equal representation.

What Levitsky and Ziblatt show us so clearly is that economic development and associated population movements have relentlessly driven a process whereby two things have happened. Long run migration patterns have massively increased disparities between the populations of small and large

states, and consequent disproportionalities of representation in the Senate. At the same time, long-run economic development has caused small states to become rural states. The result has been that a constitution explicitly designed to over-represent voters in *small* states relentlessly became one that over-represents *rural* voters. Rural voters are different. In particular they tend to have different partisan preferences. So the constitution came to over-represent, by accidental design, the party appealing to rural voters. And this has become the Republican Party.

The result has been that Republicans can, and regularly do, win a majority in the Senate despite the Democrats winning a majority of national votes cast for Senators. The authors crank the numbers to show that “[a]t no time during the twenty-first century have Senate Republicans represented a majority of the U.S. population ... [in] the 2016 election, for example, the Republicans won a fifty-two-seat Senate majority. But their senators represented only 45 percent of Americans” (p. 176).

This distortion of representation in the Senate is amplified by the filibuster. This is not in the Constitution but has been formally in place since 1917, and today requires 60 of 100 Senate votes to pass a Bill. A minority of 40 senators can block almost anything, and often have. A striking example is that the Senate which, because of its small-rural-states bias, “vastly over-represents gun owners” (p. 188) is where gun control legislation goes to die. Thus, in the aftermath of the Sandy Hook massacre, widely popular legislation mandating universal background checks for gun ownership was killed by 45 senators representing 38 percent of Americans (p. 186).

Levitsky and Ziblatt go on to show that distortion of representation in the Senate bleeds into other important areas of US politics. A well-known example concerns the Senate’s power to approve Supreme Court nominations. The partisan impact of this is amplified by lifetime tenure for Supreme Court judges – itself more or less unique in modern democracies and another bugbear for the authors. The most egregious example of this bias is the unprecedented refusal in 2016 of a Republican Senate representing a minority of voters to process the nomination of Democratic president (Obama) representing a majority of voters. With Trump’s subsequent nomination and the Republican Senate’s approval of three youngish conservative Supreme Court justices, the impact of this distorted representation will cast a long shadow for generations. This is despite the fact that both the nominating President and the approving Senate polled a *minority* of American voters.

Less well-known, perhaps, is the impact of distorted Senate representation on the Electoral College which elects the President. This is what allowed Trump to gain the presidency despite having won only a minority of votes in the country. Since the number of Electoral College votes for each state is its number of House representatives plus its two senators, “the Electoral College has a modest rural bias of about twenty votes in the 538-seat college, which gives the Republicans a small but potentially decisive advantage” (p. 174). This without doubt put Bush rather than Gore in the White House in 2000. On the authors’ calculations this bias means that a Democratic candidate now needs a margin of at least four percent of the national vote over a Republican opponent in order to win the Presidency.

Putting all of this together, Levitsky and Ziblatt state their core argument in crystal-clear terms:

“The rural bias of American institutions enabled the GOP to win the presidency and control the Senate (and eventually the Supreme Court) even as it lost the national popular vote time

and time again. The Republicans became the beneficiaries of a kind of ‘constitutional protectionism’ – institutions that dull the incentive to compete.” (p. 193)

Thus insulated from competitive pressure, the authors argue, “parties may turn inwards and radicalize” (p. 193).

Notwithstanding its clarity, this crucial argument has a missing link. It does not follow *logically* that parties insulated from competitive pressure will turn inwards and radicalize. Indeed if we look outside the United States, parties insulated from competitive pressure tend to become clientelist and corrupt – neither of these a good thing of course – but not to become radicalized.

This is not to say that Levitsky and Ziblatt are wrong, but that their conclusion also depends on the chronically low voter turnout in the U.S. When most citizens vote, winning elections is about changing voters’ minds. Election losers have an incentive to adapt, and in a two-party system typically move towards the center if they want to win the next election. There is no *electoral* incentive for them to radicalize. When many citizens do not vote, however, elections become much more about parties mobilizing their base. If, as the authors argue cogently, the Republican base is now angry white Christians, then it may just possibly make sense to feed these people ever more radical red meat, rather than tacking towards the center and leaving a disgruntled base staying at home on election day because they feel nobody speaks for them. And it is this strategy that is enabled by the constitutional bias in favor of the smaller and more rural states where this base tends to live. Low voter turnout, making elections mostly about mobilizing the base, is one of the things which makes minority rule possible.

Having laid the problem out in compelling detail, the authors answer the question of “what is to be done?” with a 15-point manifesto. They themselves acknowledge this is extraordinarily unlikely to be implemented. Introduce automatic voter registration. Reform the Senate to make it more representative. Abolish the first-past-the post-election system and the Electoral College. Make it easier to amend the constitution. Introduce term limits for Supreme Court Justices. The list goes on. An obvious response from those who agree with the authors’ diagnosis of the problem is that “your cure would be marvelous but it’s never going to happen, so what’s the point?”. Levitsky and Ziblatt reply that “[j]ust because an idea is not taken seriously today doesn’t mean that it shouldn’t be taken seriously – or that it won’t be taken seriously in the future” (p. 238). They remain cautiously hopeful because “American history has been punctuated by rare but meaningful moments of democratic progress” (p. 243).

It might have been nice had the authors also suggested a Plan B – of things which conceivably could be done today, and which would make things even a little bit better. But piecemeal reform is not the point of this book. The authors’ aim, and their considerable achievement, is to draw together into a coherent whole a set of arguments that the US constitution is no longer fit for purpose. It was drafted in what was essentially a pre-democratic era, by founders concerned above all else to draw as many states as possible into the Union, and is so difficult to amend that it has simply not kept up with how most modern democracies do things. Putting the book down, it is hard to argue with this conclusion.

**Reviewer:** Michael Laver is Visiting Professor, Department of Methodology, London School of Economics and Emeritus Professor of Politics at New York University. Among his books are *The Politics of Private Desires* (1981) and *The Governance Cycle in Parliamentary Democracies* (2023).

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