


greater political engagement and better calibrating policy-making based on institutional competence. But for those, and others, to happen, we first need a genuinely functional multiparty democracy that checks against presidential aggrandizement without fear of reprisal from each side's increasingly strident base. Profound misunderstandings set our threatened scheme into motion. For U.S. democracy to endure and thrive, we must now correct the Framers' unforced errors—presidentialism and the two-party system.

Colomer's book is a major contribution to the literature on our constitutional crisis. Our job remains devising remedies worthy of his powerful historical account.

**Response to Maxwell L. Stearns' Review of  
*Constitutional Polarization: A Critical Review of the  
U.S. Political System***

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— Josep M. Colomer 

Juan J. Linz initiated the modern critique of the United States political system and its imitators by warning about “the perils of presidentialism” and praising “the virtues of parliamentarism” (especially in his 1990 article for *Journal of Democracy* and later in his 1994 book, *The Failure of Presidential Democracy*, with Arturo Valenzuela). My point is that these two institutional systems can be better labeled as separation of powers and fusion of powers or parliamentarism (to follow Walter Bagehot's nomenclator). “Presidentialism” is not an institution but an anomalous behavior in an institutional system of separation of powers; as it favors the concentration of powers in one of the institutions, it generates institutional conflict with the separate congressional branch.

My book is subtitled “a critical review” of the U.S. political system, while Maxwell Stearns' book is a proposal for its transformation. He says that my “powerful diagnosis demands as effective a cure.” I agree, and in the last chapter of my book, I suggest three possible lines of behavior that could improve the current system's performance without major institutional reforms. First, improving voting with procedures already spread at the local and state levels, such as open primaries with a top-two runoff. Second, reinforcing cooperation between the Cabinet and Congress by generalizing the Secretaries' delivery of periodical accounts of their job to Congress. And third, more overlooked and more important, reconsidering some divisions of powers between the federal government and the states to diminish the confrontation on certain issues that may be more consensually settled at lower institutional levels. The subsidiarity criterion states that whatever a low-level government can do efficiently should not be transferred to a higher level. What the local government can handle should be left to the local government; what the state can handle should be under state jurisdiction; the

federal government should have jurisdiction only over those issues that lower-level authorities cannot handle well. An efficient distribution of issues between the different levels of government should lower the stakes of national politics and, thus, reduce the contentiousness of presidential elections and de-escalate political conflicts in Washington.

All in all, my proposals point to “parliamentarizing presidentialism.” Let us change political behavior if the foundations of the institutional system cannot be replaced. The tone may sound like muddling through and kicking the can down the road. This is because I guess that the blockage of the existing political system regarding major legislation is even stronger when it comes to constitutional amendments. But, of course, I salute the debate about more ambitious initiatives for institutional reforms, such as those framed by Maxwell Stearns, which can always serve as a reference for critical comparison.

**Parliamentary America: The Least Radical Means of  
Radically Repairing Our Broken Democracy.** By

Maxwell L. Stearns. Baltimore: Johns Hopkins University Press, 2023.  
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*Parliamentary America* is a highly relevant, timely book about the flaws of the United States political system with a proposal for its transformation. The author, a law professor, makes good use of political economy, social choice theory, and comparative politics to make his case. It certainly is not an “academic” exercise in the bad sense of the word, but it is in the best one. The presentation is didactical, with a practical purpose; for the author, his book is not a “mere thought experiment,” but “deeply personal and existential” (p. 241).

I particularly appreciate the diagnosis of the long-term origins of the United States' current institutional and political crisis. Contrary to a broadly shared opinion, Maxwell Stearns holds that the U.S. Constitution does not deserve credit because it has “long outlasted other constitutions through the world” (p. 28). A better explanation of its endurance can be found in the country's geopolitical isolation, which avoided military threats and foreign wars on its territory, the long-term experience of slavery, the steady and constant influx of immigrants. “To the extent that the story of our nation is exceptional, it's in spite of, not because of, our constitutional design”, he states (pp. 2-3). In fact, the basic tenets of the U.S. constitutional system—the separation of powers between the legislative and the executive branches alongside congressional elections in single-member districts by plurality rule—have not been replicated anywhere else across the globe.