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Lilly Goren (she/her)

Hello, this is Lily Gorin with the New Books Network, the New Books and Political Science podcast. Today I'm joined by Stephen SkoraneK to talk about his new book, The Adaptability Paradox, Political Inclusion and Constitutional Resilience.

00:15.80

Lilly Goren (she/her)

This was published by the University of Chicago Press in 2025, and it is a deep dive into the sort of history of the American constitutional system and how it has evolved and changed over 230 years.

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Lilly Goren (she/her)

thirty years But I'm going to let um Stephen explain that to us. I'd like to welcome Stephen SkoraneK to the New Books podcast and ask him to tell us a little bit about himself and how he came to this particular project. Hello, Stephen.

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stephen skowronek

Hi, Lee, thanks for doing this. um Yeah, so ive my field is ah in American politics. I've written a lot about the American presidency and about the development of American national institutions.

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stephen skowronek

ah My first book was about ah the development of the administrative state, And ah this this project is, in in a sense, going back to that because I think that we're in the midst of dismantling the administrative state.

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stephen skowronek

So i wanted to think about that, think about um how we got to this spot. And so I thought that I would take an even broader view ah than I had in previous work and think about the democratization of the constitution, how that happened and and the kind of irony of of of the crisis, what I think of as right now, the crisis of constitutional government ah at the very moment when we become ah kind of fully democratic polity or at least approached a fully democratic polity.

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Lilly Goren (she/her)

And so when we're talking about these ideas of a democratic polity, um which are abstractions, it's just one of the things you also talk about in the book.

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stephen skowronek
When.

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Lilly Goren (she/her)
um And we talk about the constitutional system in the United States, which is something I try to teach my students about. Um, I, I would love for you to sort of define this concept of democratic polity because most people sort of think, okay, well, we live in a democracy and it's a Republic. And sometimes there are fights about whether it's a democracy or a Republic, but could you explain a little bit about what you mean about fully embracing or fully activating this idea of being a democratic polity?

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stephen skowronek
Right. Well, you know the Constitution begins with we the people. it begins with ah a radical ah new idea, popular sovereignty.

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stephen skowronek
But as we all know, popular sovereignty was a long time in coming. For a long time, ah whole sectors of the population were not included in the, didn't have full access to the Constitution's protections and privileges.

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stephen skowronek
ah some were excluded completely and some were excluded partially, but it wasn't really until the rights revolution of the sixties and seventies when all of those, when those, uh, uh, ancient old exclusions were fully, cast off and,

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Lilly Goren (she/her)
So.

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stephen skowronek
Americans met one another on a level playing field oh where there was no distinction made among groups in terms of their rights and access. so That's what I meant by full inclusion, full inclusion in the protections and privileges of the Constitution, which for a long time, ah whole groups, not only the obvious case,

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stephen skowronek
is African Americans, first in slavery and then in Jim Crow. But African Americans were only one ah group that was excluded from the full protections or equal access to constitutional privileges, gender-

related, labor relations, family relations, gender relations.

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stephen skowronek

These were all subject to other incongruous rules of governance that took a long time to that took a long time to shed.

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Lilly Goren (she/her)

and And so there's a lot of discussion about, as you note, the perhaps constitutional crisis that we're possibly in the middle of. um But the the idea of the Constitution itself, and again, there's you know we neither you nor I were alive back in 1787, but that a lot of what we understand was there was a sort of false start with the Articles of Confederation.

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Lilly Goren (she/her)

Um, and there were problems with it. And as you talk about in the book, the issue around the new constitution wasn't that like the articles of confederation was kind of thrown out the window, which it kind of was.

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Lilly Goren (she/her)

but that aspects of it were still inherent in the new constitutional system that sort of set up perhaps constraints around how the constitutional system itself evolves.

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Lilly Goren (she/her)

Can you talk a little bit about that? Because I think that's something that most people don't have a lot of knowledge of.

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stephen skowronek

Well, I mean, the book begins with the Constitution, ah but in fact, the Constitution itself was an adaptation. ah It was, ah there were 13 states that had governments ah loosely confederated under the Articles of Confederation, and a perception that that system, and in in these adaptations, and what prompts an adaptation is a sense of a governing crisis, that the government that exists is not solving the problems of the day.

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stephen skowronek

ah And that's exactly how you could describe the promulgation of the Constitution. And ah one of the problems in adaptation is how do you, adaptations are not revolutions.

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Lilly Goren (she/her)
Thank

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stephen skowronek
They don't wipe the slate clean and start over again.

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Lilly Goren (she/her)
you.

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stephen skowronek
Even though the constitutional convention was the last time we thought about all of these relationships holistically, right? ah In fact, ah there was no,

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stephen skowronek
adapting adopting a new constitution without um appeasing, ah accommodating the powers that be, and the powers that be were the 13 states. The state-based system was largely incorporated into the new constitution.

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Lilly Goren (she/her)
Thank you.

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stephen skowronek
and you know much to the chagrin of many of the nationalists at the convention, in particular, James Madison, who we think of as the father of the Constitution, fought ah tooth and nail against the idea of equal representation for the states ah in the Senate, ah lost that battle, ah lost a lot of other battles that protected the interests of previously established interests,

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stephen skowronek
ah While at the same time ah gaining and new national government, this was an adept a very significant adaptation.

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stephen skowronek
we gained a national government that had a measure of independence and could act without the permission of the states within a particular domain.

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Lilly Goren (she/her)

And one of the the the points that you make and and that you just kind of alluded to here um is that one of the most enduring dimensions of the constitutional system that is also perhaps problematic is this question of federalism.

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Lilly Goren (she/her)

um And so that as we sort of proceed forward talking about the periods of adaptation, um what is it about federalism itself that seems to be, say, a sticking point?

09:08.00

stephen skowronek

Well, ah in the initial formulation, the federal government, the national government, I should say, had only certain powers, enumerated powers. and All the rest of the power remained with the states.

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stephen skowronek

And what were what's what's important for me in this book is that ah powers that the important powers that were left to the states were control over personal relations, relations between individuals.

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stephen skowronek

And that included obviously relations, master and slave and employer and employee and husband and wife, parent and child. All of those relationships remained outside the purview of the national government and were protected by this federalism boundary.

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stephen skowronek

ah And over a time, those those relations were contested and rights work rights were created. The national government assumed more authority.

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stephen skowronek

ah And yeah, so at the end of the day, we're left with a federalism that does not have clear so social content.

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stephen skowronek

like and the social content of federalism is then wide open for contestation.

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Lilly Goren (she/her)

and And so i was I was curious about that as I was reading along,

because you do talk about the other aspects of, you know, sort of the basic understandings of our constitutional system that sort of have evolved rather dramatically, but that the federalism component or the the federalism boundary itself.

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Lilly Goren (she/her)

is one that sort of remains continuous. but But in talking about that, I would like to get into the thesis itself with regard to what you're calling the adaptability paradox.

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stephen skowronek

Mm-hmm.

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Lilly Goren (she/her)

um and And so the paradox is that we have this constitutional system that's been in place for a very long time, historically relevant long time, um but that it's also been sort of stress tested various points um in an effort to potentially become more democratic.

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stephen skowronek

yeah

11:40.46

Lilly Goren (she/her)

um But it has, and it has adapted. But in the adaptation, it has also perhaps lost some of the connection to principle.

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Lilly Goren (she/her)

Can you explain about what you're weaving together in this sort of thesis?

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stephen skowronek

Yeah, so the idea is that the book is about the democratization of the Constitution, and it identifies political inclusion, the inclusion of previously excluded groups as the driving force behind the major adaptations of constitutional government.

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stephen skowronek

and it identifies the expansion of rights ah as a as the mechanism. ah ah

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stephen skowronek

It ah identifies the expansion of rights against structural constraints, and in particular, structural constraints like federalism.

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stephen skowronek

So each of these adaptations relaxes the constitutional structure. And what I'm interested in is ah

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stephen skowronek

how relaxed can those, how much can you relax the structure and still hold the democracy together? So the adaptability paradox is that once we, the people became a fully encompassing reality, the constitution seems to have lost its capacity

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stephen skowronek

I wasn't being recorded.

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stephen skowronek

Oh.

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stephen skowronek

I'm seeing those beneath your picture, my voice is is registering in this

13:58.54

stephen skowronek

Yeah, yeah.

14:01.58

stephen skowronek

Huh.

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stephen skowronek

Okay. Yeah, this is an important one.

14:13.85

stephen skowronek

i

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stephen skowronek

Is that my signal here on this?

14:38.65

stephen skowronek
but I've got a green check if that helps. I don't know.