What Eric Schneiderman Means for New York State's Culture of Corruption

Domestic abuse is a different problem from financial corruption, but New York's political system seems to promote scandals of all kinds.

by Alan Greenblatt | May 8, 2018

(AP/Mike Groll)

Eric Schneiderman's career is finished, but the accusations that brought him down will have continuing ramifications for New York politics, including this year's election to succeed him as state attorney general and the race for governor.

In recent years, the state has been as bombarded with more scandals and resignations than any other. "Once again, a blow has been struck against the idea of government as a positive force, or public officials as public-spirited, ethical people," says Doug Muzzio, a Baruch College political scientist.

Schneiderman announced his resignation just hours after the publication of a damning article in The New Yorker. Its allegations of abuse and alcoholism from multiple women may not relate to official duties in the way that financial transgressions might, but at some level it seems in keeping with the culture of corruption in the state. "Even though it's private, it has to bleed into the public sphere," Muzzio says. "It shows a duplicity of character."

In the decade since Eliot Spitzer resigned as governor amid reports he had solicited and slept with a prostitute, more than two dozen New York state legislators have stepped down or been convicted in a variety of corruption cases, including former Senate Majority Leader Dean Skelos and former Assembly Speaker Sheldon Silver. In March, Joseph Percoco, a former top aide to Gov. Andrew Cuomo, was convicted on corruption charges.

"On the one hand, this is obviously a personal failing," says Iona College political scientist Jeanne Zaino, referring to the allegations against Schneiderman. "But I suppose you can say that about other people who were embroiled in scandals. We have to see it as part and parcel of this Albany culture."
The accusations against Schneiderman grew directly out of the #MeToo movement, with activist Michelle Manning Barish, one of the accusers, praising actress Rose McGowan for her example and bravery in speaking out against harassment. "Prominent men in powerful positions are being outed as sexual harassers, and this is one of them," says Gerald Benjamin, a political scientist at SUNY-New Paltz.

Needless to say, sex scandals involving powerful politicians predate the current movement. And certainly, endemic corruption appears to be a problem in other states. Last month, Cliff Rosenberg resigned as Ohio House speaker amid an FBI investigation that may be widening. Over the past couple of years in Alabama, the governor, state House speaker and chief justice have all stepped down or been removed from office.

But no state has matched New York's recent record in terms of sheer volume of scandal.

"New York's great for many things, but democracy and clean politics are not among them," says Daniel DiSalvo, a political scientist at City College of New York. "Something about the structure and incentives of New York's political system means that those who rise ultimately have to do things that compromise their character in one way or another."

For years, analysts have pondered why New York politics are so prone to corruption. Some academic work has suggested that states with capitals that are distant from major media and population centers are more likely to have problems, due to lack of oversight and public interest. What happens in Albany -- often based on decisions made only by the governor and top legislative leaders behind closed doors -- can feel distant to people living in New York City.

Given the Empire State's size -- and the amount of money flowing through the political process, particularly in Manhattan -- there's a real temptation for politicians to hide or redirect spending in ways that will benefit them personally, says Grant Reeher, director of the Campbell Public Affairs Institute at Syracuse University. Given Democratic dominance of statewide politics and the lopsided partisan nature of most legislative districts one way or the other, there's little by way of real political competition to check or even blow the whistle on many offenses.

What's more, the state's political culture remains deeply imprinted with the secretive and self-serving habits of the political machines that once ruled. "That whole kind of Tammany Hall culture, which is very insular and very closed and very tribal, is something that's been imprinted onto the capital's political culture," Reeher says.

The problems with Albany's culture have been a major focus of the Democratic primary challenge brought against Cuomo by actress Cynthia Nixon. Cuomo promised to clean up the capital, but he shut down an anti-corruption commission the year after he appointed it. While Cuomo himself has not been implicated in any wrongdoing, other politicians and close associates have been. "In the corruption Olympics that is Albany, I think Andrew Cuomo is winning himself some gold medals," Nixon told the Buffalo News shortly after launching her campaign in March.

Schneiderman's offenses are of a different kind than, say, Percoco's conviction for receiving bribes from a state contractor, Benjamin says. But these discreet offenses become conflated in the public mind. Nixon remains a long shot, but Schneiderman's downfall will add resonance to her complaints.
Cuomo immediately called for Schneiderman's resignation on Monday, perhaps in part because he sensed the potential for political fallout that might damage his own campaign. "It's bad timing for the governor, even though I think he's still going to win the primary," Reeher says. "It will go into that box in people's minds about, 'This is what's wrong with Albany.' It will give Nixon something more to reference, either obliquely or directly."

As soon as Schneiderman announced that he was stepping down, speculation turned to the question of who legislators might appoint to replace him, whether it might be an insider from within their own ranks or whether Cuomo would seek to persuade them to appoint his counsel, Alphonso David. State Solicitor General Barbara Underwood is now serving as the acting attorney general.

Depending on who the legislature chooses, that person could face a primary challenge from the left. Possible candidates drawing attention and speculation include Zephyr Teachout, Cuomo's primary opponent in 2014, and former U.S. Attorney Preet Bharara, who convicted a number of legislators and once railed against the "show-the-money culture in Albany."

"All have called the governor out on his failure to deal with what is a corrupt culture in Albany," says Zaino, the Iona College professor. "For progressives, who have seen this as an office standing against President Trump, this is going to play much larger than a race for AG normally would."

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