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WEBINAR

THE FUTURE OF AMERICAN DEMOCRACY:
A CONVERSATION WITH REP. JAMIE RASKIN

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P R O C E E D I N G S

MR. ALLEN: Good morning, ladies and gentlemen. My name is John R. Allen and I'm the president, The Brookings Institution and it is a great pleasure to welcome you all today for an important event for us. It is entitled, *The Future of American Democracy: A conversation with Congressman Jamie Raskin.*

Many if not most of us remember where we were on the sixth of January 2021. I was teaching a class to the students of the National War College and at that particular moment, we were actually talking about the constitution in our oath of office. In real time, though across America we witnessed as a country groups and individuals descend on the U.S. Capitol, the very heart of our nation's government with the intent of overthrowing a sacred American process, the election of the next United States president.

And these groups signaled a grim reality, the fragility of America's democracy. Now, a little over a year later, the American people have a clear question. Now, what of the future? What is the future of America's democratic process and our institutions? What is the future of America's democracy?

Now, multiple recent studies have shown a dangerous uptick in polarization as more and more Americans drift away from the work for compromise and more towards partisanship and sometimes called hyper partisanship because of the nature and the degree of the disagreements. Some may even go so far as to argue that the American population has never been more divided than the period of time before the American civil war.

So in moments like this when the future seems uncertain, the prerogative for civic and local leadership to step up to lead becomes more paramount, it's most paramount today. So with us today is someone who has truly taken this task to heart. Who has truly led from the front. U.S. Congressman Jamie Raskin.

First elected to office in 2017. Congressman Raskin has proudly served the

constituents of Maryland's eighth district for five years. And as detailed in his recently published book, *Unthinkable: Trauma, Truth, and the Trials of American Democracy*, Representative Raskin has an intimate and personal perspective into the current state of America's political system.

Grieving the recent loss of his son, Thomas, Representative Raskin joined his congressional colleagues on January 6th for a joint session that would formally pronounce then Democratic nominee, Joe Biden, as the next president elect. Over the ensuing number of hours, Representative Raskin witnessed as the Capitol became ground zero and as individuals squared off and pursued of either preserving or undermining our democracy, he witnessed the chaos of that day.

And in the wake of that violence, Representative Raskin lead the efforts towards the second impeachment of then President Donald Trump. First, by drafting an article of impeachment within hours of the insurrection. And then later, serving as the lead manager of the impeachment trial.

Welcome, Congressman. It's a true honor to have you with us today. And also, congratulations on your book, *Unthinkable*. It will no doubt be crucial tasks when we look back at this time in our nation's history.

Now, before I invite the Congressman to the floor for our fireside chat and some questions and answers. Just a brief reminder, we're very much live and we're on the record today. And we'll go for about 45 minutes and then I'll turn the floor over to Sarah Binder who will lead our first panel.

Again, Congressman, thank you for joining us today. And thank you for your leadership.

MR. RASKIN: Well, thank you, General Allen for your very kind words. And I've been very much looking forward to this conversation with you and your colleagues at

Brookings.

MR. ALLEN: Thank you, sir. Now, the book, Unthinkable, deals with both personal and national tragedy. Can you speak for a moment about how those experiences influenced your decision to write this book?

MR. RASKIN: Well, these two events were profoundly intertwined in my psyche and as I say in the book, I'll probably spend the rest of my life trying to disentangle them. And if anything, they seem more closely related today than they did when I wrote my book like six months ago.

You know, I see our loss of Tommy as very interwoven with COVID-19 and the depression and the isolation and the demoralization that overtook our country. But certainly, young Americans. And I think that that kind of failed state quality of COVID-19 also prefigured the failed state fascistic attack that took place on January 6th against our democratic institutions.

But in any event, they were very intertwined in my mind, in my heart. And I couldn't sleep during that period. I couldn't eat and so I was up all night. I was up too late even to call friends on the West coast. And so, I began to write about Tommy, to write about what happened and to write about the traumatic events of January 6th and then also my experience as the lead impeachment manager putting together the case against Donald Trump.

MR. ALLEN: As you think about as you say, you spent a lot of time in reflections, spiritual reflection, in my respects I would imagine.

As you think about how the situation is unfolding today and the dire warnings and sometimes the enthusiastic support for how we are configured today and ultimately what our system of government will look like.

What and where are you most hopeful about America's future as a leading

democracy in this world?

MR. RASKIN: Well, I feel very hopeful about the young people. I feel hopeful about the new Americans who are in some sense very closely bound up with the oldest ideals and values of the country. But I'm not really despairing of the political situation because forgive me if I sound partisan here, John, but you'll come to see that I have a pretty much strong critique of my own party as I do of the other party.

But I will say that we have one prodemocracy party left which is the democratic party. And this party is the reciprocal of the hopes and dreams of the vast majority of the American people. I mean Hilary Clinton beat Trump by three million votes in the popular vote even when she lost to him in the electoral college.

Joe Biden beat him by more than seven and a half million votes while defeating him in the electoral college. And the young people are totally on the side of democracy and have gotten beyond the racism, the immigrant bashing, the antisemitism, the misogyny. Unfortunately, they've also gotten a little bit beyond grammar too, but that's a different problem.

So I feel like it's a race between the majority will of the people of the country and then our antiquated political practices and institutions like gerrymandering of our elections, which of course is not in the constitution. The filibuster which is not in the constitution. A manipulation of the electoral college. The electoral college of course is in the constitution and we should be doing whatever we can to perform it and at least solidify the popular dimension of it so we can move to a popular vote for president.

But what we've got is a contest between the majority will and kind of a bag of antidemocratic tricks.

MR. ALLEN: Is that what concerns you the most right now? About the state of our democracy? Or are there other things that as we think about what an individual

American citizen ought to be considering in doing for our country. What are those concerns that we all as citizens be thinking about?

MR. RASKIN: Well, I think that's right. You know, we do have some rickety and obsolescent political practices and institutions that we need to get through. You know, I'm very much of the John Dewey frame of mind. In fact, a lot of our great democratic presidents have said this. That, you know, the solutions to the ills of democracy are always more democracy.

Making democracy more perfect. Making the union a more perfect representation of the will of the people. There is wisdom in crowds. And the vast majority of the people reject insurrection and coups and big lies, conspiracy therapy and, you know, kind of this new ideological attack on democratic institutions. So what we're looking for is a patriotic assemblage of people from all across the political spectrum to stand up for American constitutional democracy as it exists and as it can be a more perfect representation of the will of the people.

MR. ALLEN: Does this -- can this, sir, can this be the source of the beginning of the healing of the many divisions in the country? Because there, you have just gone down a list about racism and misogyny and the various phobias that are abroad today in society. How do we go about beginning to heal these many divisions?

MR. RASKIN: Well, it's going to be through social dialogue and discussion. It also will require a lot of education which of course our framers were adamant about that we need to educate society and educate ourselves individually. All of the lying and the conspiracy therapies and these totalitarian tactics are the opposite of education.

They're filling people's heads with authoritarian ideas and fantasies rather than with facts and understanding. And, you know, whatever the flaws and imperfections of our framers, our founders, and obviously there were many. They did believe in science and

rationalism and purism. I mean one of the great virtues of our constitution was it was the first democratic constitution to break from theocracy and the union of church and state.

And it insisted upon freedom of religious worship and ideas, but also that when it comes to government that we don't have religious ideas dictating to people. And I think that that can stand for the idea that there's a realm of mystery and personal belief which is apart from government, which must be based on facts and data and science and reason.

MR. ALLEN: Well, in your own branch of the government. Obviously, in Congress, the country is -- our attention is riveted to the polarization that we have seen. You've already described it, I think well. But how and often by bipartisan is seen as weakness. How do we restore that? How do we begin to move back to a willingness to move to the middle in the context of being bipartisan? And finding a nonpartisan way forward?

MR. RASKIN: Well, I think it's the right question. I think we've got to think far more broadly about the problem than we have in the past. Our constitution, of course, was written if not against political parties at least apart from political parties.

Political parties are not mentioned much less a two-party system, much less bipartisanship or two specific parties. The idea was to try to implicate Republican virtue in each citizen and then in the workings of the institutions. The framers understated or underestimated the extent to which bipartisanship would come to dominate our political thinking so we get to a point where a president can actually incite a violent insurrection against Congress itself and then members of the Congress would vote not as partisans of Congress, which is what the framers expected, but rather as partisan of their political party. And it's a dangerous thing.

You know, we do know how to operate in a nonpartisan way as members of

Congress, for example. And I always point to our constituent offices. If you come to my constituent office in Rockville. You've got a problem with social security or Medicare or PPP or your passport or whatever it is. We don't ask you are you a Democrat or a Republican or Libertarian or Green or whatever. We just say, do you live in my district? And if you live in my district, I'm going to go to bat for you. So we know how to do that.

That's the mentality we've got to have certainly with respect to defending the constitutional structure itself against attacks from the outside. But I would hope that we can adopt that attitude when it comes to promotion of the common good. And when we think of legislation, I'm not, you know, interested in making improvements to social security or to our energy policy for a particular group or for a particular party. I'm trying to do that for everybody.

So I think the language of bipartisanship itself is a little bit of a trap because there are millions and millions of people who think both of our parties and who view themselves as outside of both of our parties. And I think what we have to think about is remembering that the word party comes from the French word parte, apart. Each party is just a part of the whole.

And we can fight like cats and dogs between parties when we're in an election and that's good because competition is good in politics like in economics and sports and ideas and so on. But once we're in, we have to try to think about the whole and not just the part that helped us most get elected.

MR. ALLEN: Great explanation particularly the part about when they come to your constituent office. That's really a very powerful statement.

You know, and I think we talked about this before that even though there appears to be some pretty big divisions in this country at this particular moment. We actually share a lot in terms of our values. And often there is much more that we share than

we don't.

Can I ask you to talk a bit about when you think about our shared values? What that means for the audience to get a sense from an elected representative when we talk about those two words which are so important for the future of our country. What are the shared values that unite us and give us hope that we can move forward as a democracy that is functioning as it was intended to?

MR. RASKIN: Well, Americans I think are very practical people, pragmatic people who see a problem and want to confront it and transform it. And I see that every day in my district, in my state, in Maryland. I see it all over the place. And if we think in terms of problems to solve rather than issues to divide us, I feel like we can get together and we make things happen.

Certainly, we see it during, you know, weather calamities and emergencies. We see people coming together to work together towards a problem. You know, one would hope that that would be the attitude animating our response to climate change. Climate change doesn't have to be about blaming particular people for decisions we've made in the past which were basically collective decisions.

I do believe that some blame attends to those who are trying to deny climate change and block us from working together to make the changes that we need to make. But in truth, climate change should be an opportunity not only for us to unify the whole country but to unify us with other countries working together to save us against this common enemy. It's not about the assignment of blame, but it's about the mobilization of our capacities to build resiliency into our political and economic institutions generally.

And I think that is a profoundly American attitude. That's something that can and should unify us. But what we've got is this ideological crusade organized around one guy on kind of an authoritarian culture basis which is totally outside of the mainstream of

American history. And I don't mean to deny that he's picked up on things like racism and white supremacy and, you know, immigrant bashing that have a history here. But we're really so far beyond that.

And we know we're so far beyond that. So I've got to believe we're going to come out of this. It's going to be a political struggle because as I was saying, the tools and implements of political control can be in the hands of political minorities against the majority. That's the struggle that we're in.

But culturally and socially, John, I mean you would know this better than me. But I think that would country is ready to confront the problems of the new century. Does not want to be dragged back into debates about fascism and race and all of those things that made the 20th century such a nightmare in so many ways.

MR. ALLEN: I think you're exactly right. And we are poised I believe to have those conversations. We've certainly had the reckoning on race in the last couple of years that has surfaced so many of these issues that we have to talk about it. That we have to embrace the solutions to.

MR. RASKIN: Well, we -- if I could make a plug for one of your fellows. You know, Fiona Hill's book which is about the structure of economic and social opportunity in different countries is so critical because it's the failure to address the lack of opportunity for so many people and so many societies that creates a temptation to move in an authoritarian direction.

But if we get that right, if we make opportunity real for everybody in our societies, for everybody then I think we won't be dragged back into the nightmare conflicts of the 20th century. And, you know, we've got our own problems to deal with right now in terms of plague and disease and climate change and so on.

MR. ALLEN: And let me just add that there are also on other panels today

but we have a very rich body of research going on on these very issues about race, justice and equity in this institution.

And we are fully committed, obviously, to the analysis and policy recommendations that can improve the quality of life of all Americans across the entire spectrum.

Now, one of the points that you made which is really important and I think people are very interested in, in your thoughts but everyone's thoughts on this. And you talked about one of the solutions to our being able to move forward with shared values as a population is going to be bound in education. Could you talk a bit about when that term is raised, what is the education that we need to consider for our youth, as you say, they are our future in this regard. For our youth for the population in general right now, what role will education have in strengthening this moment for our democracy?

MR. RASKIN: Well, I wish my friend, Fiona Hill, were here because I know she's got an excellent perspective on this. But look, my take on it is that we have to think about education much more broadly.

So much of education traditionally we know in lots of societies around the world has simply been about the reproduction of social hierarchies in power. So it's kind of been about exclusion rather than inclusion. And it's been about monopolization of ideas rather than the sharing of ideas. And the, you know, the battle of ideas.

So the development of all the new technology rather than making propaganda and lies more available to people should be making education more available to people. And we need to be thinking about ways that we can see education as something that is going to take place for everybody in every stage of life. It's a continuous process that uplifts everyone.

So I think we need a little bit of a reckoning of the way that education has

been exclusionary and limited as great as our institutions have been in different ways. Opening it up further and improving our ability to mobilize knowledge and critical discussion and debate. You know, the internet should be an occasion for such celebration in terms of the opportunities for bringing people in.

And I know that there are things going on in the internet which really do bring people in and make education a lifelong process and deepen it. But we do need some social investment in that process to make it happen. And, you know, because the people who are using the internet for -- well, at its worse just hate speech and the dissemination of fascist ideas and so on. They will rally under the banner of the First Amendment.

And so, we need solutions to this. They're not about censoring people but about overcoming them with knowledge. And the teaching of the best of all of what human civilization has to offer to everybody. I mean I think that's going to be our way fundamentally to defeat the epistemological crisis we're in where people simply denying things like climate change, who won the 2020 presidential election, what happened on January 6th.

I mean we're being buried in constant Orwellian totalitarian revisionism.

MR. ALLEN: Well, you raise a really important point. And we're doing a lot of work here on this and other think tanks are as well on this issue associated with, you know, the superhighway of the internet being the basis for the introduction into everyone's lives. Almost on a moment-to-moment basis, 24 hours a day of not just misinformation which is information that's wrong, but disinformation which is coldly calculated to have a radicalizing effect one way or the other.

And whether it stimulates white supremacy or stimulates antisemitism or stimulates any of the other of the really negative phobias that we have to deal with today. It's all coming out --

MR. RASKIN: Another reason -- if I could add one other thing.

MR. ALLEN: Please.

MR. RASKIN: One of the reasons I'm very -- I've been excited about the Build Back Better plan was because of the investment in universal pre-K for three-year-olds and four-year-olds because obviously for a long period of someone's growth, they don't need the internet.

What they need is human connection. They need to learn about friendship and play and learning how to read and learning the basics of math and science and how to learn and so on. So we can't neglect that. And, you know, modern science has confirmed. The fundamental importance of cognitive development is at the very youngest ages.

MR. ALLEN: Well, that's an important realization that we all have to embrace. And that has been, of course, one of the challenges we've had under COVID is the limitation that the children have had to interact and also to interact with their teachers. And we're beginning to see hopefully that trend reverse itself.

But let me ask, Congressman Raskin, the role of Congress on the point I was making a few minutes ago. The role of Congress -- or is there a role for Congress in trying to get its hands around the really pernicious intent and effects of intentional miss or disinformation? And you said, people take refuge behind the First Amendment. But we know it's often much worse than the issues associated with freedom of speech.

And we also have clear enemy entities outside the borders of the United States using the internet and social media platforms specific to try to breakdown the cohesion of our society and to shake the confidence of the American people in their leadership and in their institutions, et cetera.

Is there a role for Congress in thinking this through, helping the American people understand it and perhaps even considering some form of a legislative process that could give us some remedy on this?

MR. RASKIN: Well, there's a central and fundamental role for Congress which is the representatives of the people in fighting for a prodemocracy program and fighting for all of the policy reforms we need to move the country forward. But specifically, with respect to the misinformation and the disinformation and the propaganda, absolutely. I would hope that our January 6th select committee which I proudly serve on will play a central role in both describing the role that that kind of propaganda played in the crisis of January 6th and the onslaught against our democratic institutions.

And also, will forward different ways of thinking about it for policy solutions at different levels of government. So we can, you know, excavate ourselves from all of the propaganda, the disinformation and the polarization. So yeah, I think Congress is going to be right at the center of dealing with that. And obviously, you know, we've got a role to play in terms of the internet.

We've had something to do with the internet in terms of immunizing internet service providers against certain kinds of lawsuits which has been critical to the development of the internet. And then we've got to think about, well, does that make sense? Is it better to make them responsible? Or if we're going to make that investment are there other kinds of regulatory guardrails that can be put up so, you know, we deal with the problem of propaganda and hate speech.

That's complicated and I think that at the end of the process of the January 6th inquiry that we're doing about what happened on that day and why? And, you know, how to -- it was a violent insurrection mobilized against us. What were the mechanics of this attempted presidential coup? All of that we will get to the broader problem that you're talking about.

MR. ALLEN: And we hope so. And we hope to learn a lot from the outcome of this work.

MR. RASKIN: And if I can add one other thing, John. As you said, it is a global problem. I mean we know that propaganda and disinformation are the tools of the authoritarian regimes and movements around the world. Putin in Russia. Orban in Hungary. Duterte in the Philippines. Al-Sisi in Egypt. Bolsonaro in Brazil. The homicidal crown prince of Saudi Arabia. You name it. All of the enemies of democracy have unified under that kind of propaganda assault on democratic institutions and values.

President Biden has talked about the way that the, you know, the authoritarians and the despots will say to him, you know, you're a nice guy to Biden but you're yesterday's news because what we need is dictatorship today. We need strong men and not democracy. So that's our challenge that we've got to defend and rehabilitate the democracy idea and democratic institutions and practices for the new century.

MR. ALLEN: Well, let me put a plug in for a major program that we're undertaking at Brookings which is a global forum on democracy and technology. Because it gets to the very point that you're making, which is that technology as it is emerging, artificial intelligence, supercomputing, et cetera. Gives the capacity, frankly, for the democracies. And most of the democracies are technologically advanced.

It gives them an opportunity to do good for their societies in ways we could never have imagined before. In medical research, in education, transportation, development of urban centers. It really gives us a tremendous opportunity. But there are open societies and these same technologies as you've just pointed out really give the autocrats and the illiberal and the authoritarians and the totalitarians, it gives them a capacity both to surveil, suppress opposition in their own countries but also to penetrate our own societies.

And, you know, we have to understand this as we go forward. And this is one of the things that we've embraced with our own research. And undertaking a global look at this in the context of how democracies can ultimately aggregate their commitment to the

rule of law and human rights as we embrace these technologies to further the good that these can do for our society. Rather than to strengthen, as you say, strengthen the dictators who will invariably use these technologies against their own populations.

MR. RASKIN: That's excellent.

MR. ALLEN: As we go forward as a society and, you know, you hear the term frequently that all politics is local. And I think, as you've said, very well. Lots of the healing that will be necessary for our democracy going forward has also got to be local.

What is the role of civil society as we seen this, the momentum moving forward on strengthening our democracy?

MR. RASKIN: Well, civil society is completely unimportant in the authoritarian societies and the dictatorships. Civil society, if anything, is a threat to the character of the political regimes, right? And so, it needs to be totally subordinate.

I noticed in today's newspaper that Daniel Ortega had just taken over the private universities in Nicaragua. Have been taken over and subdued the public universities. And but in a democratic society, civil society is that essence of what we're fighting for, right?

I mean we have got a view civil society as a central element of what democracy is. It is the social organism that inhabits the free space of a democratic society. And so, civil society has taken a hit in a lot of ways. COVID-19 being one of them as it has stifled so much social activity. And again, we've got to, you know, the tyrants and despots figure out immediately how they can use the technology to enrich themselves to insulate their power and to destabilize democracies.

And I think for democracies, it's been a much slower process trying to figure out how to integrate technology with real life in a civilized and decent way. And of course, you know, there are different reactions. Some people just say, well, we can't have this just like we can't have TVs or we can't have drones. And then others say, well, let's figure out

how we can make it work and so on. And so, that's why I'm glad you're doing the work you're doing.

We need to be talking about this because we need to be defending. You know, all of the institutions of civil society, the schools and the universities and the churches and, you know, the -- you name it. The athletic leagues, the sports leagues, the civil life of society and make sure that they are not all subordinated to the dictatorial will of one person.

MR. ALLEN: Well, as you look out across the spectrum of public policy research institutions which also the term is think tank of which you're joining us today in a think tank at Brookings.

As you look out across the spectrum of the think tanks, Congressman Raskin, what can we do? What do you need for the think tanks to be doing to help to support the strengthening of democracy here at home? And frankly, abroad?

MR. RASKIN: Well, that's a great question. You know, there are lots of think tanks that I draw a lot from including the Brookings Institute and FairVote, the center for promoting democracy which does a lot on electoral institutions. The institute for policy studies which my father was a cofounder of. The Cato Institute which has done such great work on freedom and so on.

You know, there are some think tanks that really subordinate themselves to particularly political parties or even political politicians. And that's obviously a degradation in bastardization of the idea of what a think tank should be. You know, and I don't know to what extent the different think tanks come together around the defense of democracy.

But I think that if ever they did, now would be a perfect moment to do it. And that might breakdown some of the unnecessary walls that exist between them. I mean, you know, to move democracy forward in the 21st century is going to require ideas coming from a lot of different places. Some ideas that have been called radical. Some that have

been called conservative. Some that have been called liberal. Some that have been called libertarian, what have you.

We have to bring together the best of all of those ideas to defend democracy against authoritarian attack. And I think the think tanks, which -- I don't know if that's an American innovation or not. It feels like an American innovation. But in any event, I think we do have a thriving policy sector and think tank sector. Getting the think tanks together to figure out, you know, what sorts of common values and programs there might be would be great thing to do.

MR. ALLEN: Well, let me assure you that, in fact, many of the think tanks that you would think of here in Washington. We are, in fact, thinking about this. And we're sharing ideas. And the good news is as well that we're talking to many of our counterpart think tanks around the world because many of them are under direct attack, their ideas by the authoritarians and the illiberal societies.

And in some respects, these are outposts of democracies, and outposts of values just as in some respects, they are serving the --

MR. RASKIN: And I don't know if this particular book exists. And I don't mean to give you guys homework or anything, but I would love to see a book, you know, coming out of Brookings or a collection of the prodemocracy think tanks that confront directly the ideas to the extent that they exist of the Steve Band and universe.

Like what these people are actually saying and what it means. And, you know, is there merit in any of them? Or is all of it just a shell game to try to, you know, open up the closets and pull out the ghosts and the skeletons of the 20th century? Is it just a way to go back to racism and fascism and antisemitism and misogyny and authoritarian ways of doing business? I think it's definitely worth a study.

MR. ALLEN: Well, we'll certainly take a look at that. What I will tell you is

that there are some that serve that purpose. And they were purpose built to do that or they were funded ultimately to do that. But I'll also tell you that there are think tanks around the world today we deal with from time to time or all the time where our colleagues in those think tanks are, in fact, at personal risk because they are taking a stand on behalf of human rights.

And they are taking a stand on the rule of law. And they are taking a stand on the direct assault on the democracies of their countries.

MR. RASKIN: Yeah, and that's clearly another important role that our think tanks can play is the defense of intellectual life in other societies where, you know, just writing an essay or an op ed can get you thrown into jail.

MR. ALLEN: That's exactly correct. We have just a couple of minutes left. Let me ask -- I probably should have asked this at the top of the chat, the fireside chat. But let's go back to the 6th of January last year.

As that really long and traumatic day came to an end. Can you share with us what your thoughts were in terms of the experience you had just had? And how that was going to shape your commitment to democracy going forward? And I think we have benefited from that so far this morning. And we all have benefited from your leadership on the Hill and from reading the book that you have just written.

But as you walked out of the Capitol that day what was going through your mind, sir?

MR. RASKIN: One thing that was going through my mind was trying to understand what had just taken place. And I can see already on that first day, three levels of sedition, if you will. Three rings of activity.

And one was a mass demonstration which turned into a mob or riot involving tens of thousands of people. Many of whom had been innocently drawn to Washington for a wild protest called by the then president. But that level of action resulted in

the injury and the wounding of a 150 of our officers who ended up with broken necks, vertebra, lost fingers, broken jaws, traumatic brain injuries, post-traumatic stress syndrome and so on.

A second ring, a middle ring of activity was what I could perceive was the realm of the insurrection itself. That is organized domestic violent extremist groups like the Proud Boys, the Oath Keepers, the Three Percenters, the Aryan Nations, the militia groups, the First Amendment Praetorian, the QAnon networks, which had actually been training for battle. Some in paramilitary fashion and came to smash out our windows, knock down our doors, begin the assault against our officers and lead the storming of the Capitol in order to interrupt the counting of electoral college votes.

But the most terrifying ring of all was the innermost ring, the ring of the coup. And we think of that as not really an American thing. We don't have enough experience with coups in our own country. But -- and also, you know, we think of coups as something taking place against a president. And this was a coup orchestrated by the president against the vice president and against the Congress.

And so, that was the part that actually -- I understood the best at the beginning because, you know, I had been following Trump as he -- first, he tried to get election officials like Secretary of State Brad Radisson Berg in Georgia just to nullify the popular vote and find 11,780 votes.

And when that didn't work with dozens of election officials, he tried to get state legislatures to just overthrow and nullify the popular vote and install electoral slates pledge to him. And when that didn't work, you know, there was some side maneuvers to try to just seize the electoral machinery and essentially impose a military dictatorship.

But really what they ended up with on January 6th was an attempt to get Mike Pence to proclaim hitherto unknown extra constitutional powers to nullify electoral

college votes coming from the states here, Arizona, Georgia and Pennsylvania. Lowering Joe Biden's vote total below 270. From 306 to somewhere below 270 depending on the number of states they could reject and return.

And what that would have done under the 12th Amendment was to immediately convoke a so-called contingent election under the 12th Amendment. And the reason for that was they understood that in a 12th Amendment even though Speaker Pelosi and the Democrats were in charge, we would be voting not one member, one vote but one state, one vote. And after the elections, they had 27 state delegations. We had 22. We have 22. Pennsylvania was split right down the middle.

So even had they lost the outlier rep from Wyoming as I think they would have, Liz Cheney. They still would have had 26 states to clear Donald Trump the victor. And at that point, I think he was prepared to invoke the Insurrection Act and declare martial law.

So anyway, I was trying to figure all of that out and how these different levels of activity worked with each other at the same time. That I was thinking about both impeachment and an attempt to implement the 25th Amendment because remember everybody was really afraid that this wasn't the end. That there would be further insurrectionary activity, further attempts at a coup. No one knew what Donald Trump would do in order to consolidate his hold on power.

And so, we did end up voting to ask the Vice President to invoke the 25th Amendment. And when he refused to do that then we moved to impeachment. So that was basically on my mind. In my heart, of course, was my son, Tommy, and thinking about Tommy and how devastated and demolished he would have been to see this happen because one of his sisters, his younger sister, Tabatha, was there with me and his brother-in-law, Hank, too.

MR. ALLEN: Well, Congressman Jamie Raskin of the 8th District of Maryland, author of *Unthinkable*. You have helped us today with this session of the future of American democracy: *A conversation with Congressman Jamie Raskin*.

You have helped us to set the conditions for this conversation, but you also helped us to consider our actions as we move forward as a public policy research institution about the matters that we've discussed. And our obligation to do good for the American people and more broadly for our counterparts in civil society and around the world. I can't thank you enough for joining us.

MR. RASKIN: Well, thank you, General Allen, for all of your great work and the work that your colleagues do at Brookings. And I'm delighted to be part of the conversation. I wish I could stay and hang out with you guys but the people in the eighth district beckon. And I have to go out and see some people right now.

MR. ALLEN: How fortunate they are. Thank you very much for joining us. And I'll turn the floor over to Sarah Binder. And thank you, Congressman Raskin. Thank you, sir.

MR. RASKIN: Thank you.

MS. BINDER: Thank you very much, John. And welcome everyone to our panel of Brookings' scholars and some eighth district residents, I believe.

Our goal this morning is to consider and the reflect upon these hard challenges to American democracy that Representative Raskin and Brookings' president, John Allen, have explored today this morning.

So once we're all here, Fiona up on the screen? Excellent. Perfect. So let me start us with a quick round of introductions and then we will get into some questions.

First, Molly Reynolds, a Senior Fellow in Governance Studies. An expert on Congress and legislative politics. And an expert as well on oversight and the January 6th

communicate.

Quinta Jurecic, a Fellow in Governance Studies, a Senior Editor at Lawfare. An expert on technology misinformation and much more.

Rashawn Ray, a Senior Fellow in Governance Studies. Professor of sociology at Maryland College Park and an expert on racial equity, criminal justice, policing and more.

And, Fiona Hill, a Senior Fellow in foreign policy. Expert on European and Russian affairs, National Intelligence, thus security and more.

Okay. So this morning, if you'd like to submit a question you can do so by going to Twitter [@BrookingsGov](https://twitter.com/ BrookingsGov) using #USDemocracy. That's capital U, capital S, capital D, democracy. Or by email, easier, events@brookings.edu.

We're going to talk amongst ourselves for 30 minutes or so and then as the questions come in, we'll turn to all of for questions. So we have all just heard Congressman Raskin's very moving personal as well as constitutional reflections on the insurrection of January 6th.

So I'd like us to start off with a round of your own reflections from the events of that day. From your vantage point as scholars of governance here and abroad. What would you say are the most important consequences or takeaways from what we witnessed that day? We'll start with Molly and then move to Quinta and then Rashawn.

MS. REYNOLDS: All right. Thank you, Sarah. And thanks everyone for joining us today. So Congressman Raskin talked quite a bit about his own sort of takeaways from January 6th. And what it says about the health of our democracy.

And I suspect that my colleagues will also have really perceptive things to say, but as someone who thinks about the United States Congress as an institution. I would say that the most -- the sort of biggest takeaways for me were, one, that so many elected

members of Congress were willing even after a physical attack on their building and on their own safety to still return to the floor after the violence had ceased and cast votes to disregard the electoral votes from Arizona and Pennsylvania.

And just simply sort of what that says about the sort of Representative Raskin talked about the need for members in certain moments and at certain times to put aside their partisan affiliations and sort of stand up for the institution of the Congress, the institution of democracy. And sort of that is -- so the fact that so many members, so many Republican members were willing to do that as one of the things that I have sort of really taken away from the day.

And then say, sort of a little bit further down the line from there. You know, the consequences of the day for the foregoing functioning of the legislative process. So one of the things that Mr. Raskin mentioned is that, you know, he continues to have a great deal of faith in sort of the young people of the United States.

But one of the things that again as someone who watches Congress that we've seen on a kind of day-to-day level in terms of the mechanics of people trying to work together to solve the problems of the country inside the Congress is that January 6th has, you know, made that a more difficult task. And it has made Congress and congressional service and public service just a less attractive thing for the kinds of young people who Representative Raskin has so much faith in for them to want to do.

And so, I think that one of the things that, you know, in addition to the very big picture, things to take away from the 6th is that it has simply made it more difficult for the people who go to work every day on Capitol Hill to try to solve the myriad problems of our country beyond sort of the rising authoritarian impulses and the antidemocratic forces. All of the other problems that we have to face. It has just made it harder for perfects to do that.

MS. BINDER: All right. Thank you, Molly. Quinta?

MS. JURECIC: Yeah. As Molly says, I think that Congressman Raskin's reflections on what it was like to be a member of Congress and to work in Congress on the 6th are really striking particularly so in my view because the Republican party is going through a bit of an internal fight about whether or not to use the Republican National Committee's language, the events of January 6th constitute legitimate political discourse.

And what I'm referencing by that phrase, of course, is the R&C's statement centering Representatives Liz Cheney and Adam Kinzinger who are the two Republican members sitting on the January 6th committees saying that they're persecuting Americans who were only engaging in legitimate discourse on that day.

And that freezing has raised a lot of questions about what the R&C was referring to. They say that they weren't referring to violent rioters. I think there's arguably a little bit of ambiguity perhaps intentionally in that statement. But that that conversation that was stirred up around that. The fact that the R&C walked that back, defended itself.

Senate Minority Leader Mitch McConnell then came out and said that the events of the 6th were not legitimate political discourse really underlines for me how first off, the sort of role of January 6th and the civic memory of Americans is really unsettled. That, you know, a year and change on there is not agreement that the fact of a violent attack on the U.S. Capitol was a bad thing. Or even there's not agreement that there was a violent attack on the U.S. Capitol. Or if we do agree on that we might not agree on that we might not agree on who did it, which itself striking.

And within the Republican party, I think what we're seeing is a sort of an effort to straddle the line of neither completely rejecting the 6th on the part of the mainstream Republican party nor embracing it. And so, of allowing a little wiggle room to appeal to people who adhere to, you know, a range of different views on the reality of what happened that day.

And to me that really emphasizes just how much danger, frankly, American democracy is in if, as Congressman Raskin says, one of our two major political parties is the party that is representing democracy in America and the other major political party is a party that is undecided on whether or not a violent attack on the U.S. Congress in an effort to overturn an election is a bad thing or can't organize itself sufficiently in order to decry that attack.

That is very dangerous because it means that the continuance and health of American democracy is to some extent dependent on the continuing victory of one party, which is of course concerning insofar as that party may not win. But also, in the sense that we shouldn't want that. You know, a healthy democracy, it should be possible to have many different outcomes of elections and for that democracy to still continue.

So in that sense, I think Congressman Raskin's remarks today really drive home to me the danger that I think we're currently in.

MS. BINDER: Thanks. Let's put a pin on the note about the relevance and the impact of parties and the strength of those parties are not fostering democratic rule. Rashawn?

MR. RAY: Well, when I think about January 6th, I think about a lack of political accountability. Quinta, just highlighted this as well as Molly.

There have been a lot of arrests for sure. But part of what we know is that the lack of political accountability for individuals who it has become clear to some of us knew certain things. It might have played a larger role in this process. Individuals who have been elected. And then we know if we look back on the 2020 election, there were people who participated on that day. Who ran for office and have since been elected.

And I think for a lot of people, it further drives a lack of trust and that there are a select few who are playing a game with people's lives. You know, one of the things

that Representative Raskin noted. He stated that we're beyond that. And that was white supremacy. It is this decisiveness he was talking about. The fact that we are in this democratic experiment and that people more or less buy into that.

But sometimes that gives me pause when we hear those particular statements because he then said, he was like, well. You know, of course we just look back on the 20th century and there was a lot of racism going on there and we've moved on. And then, you think, well before the 20th century, we had the 19th century. And people that looked like me were still enslaved and before that even more so.

And now, here we are in this particular century and we've had this insurrection. And I think we have to be honest as Americans that in every aspect of American history, we have had these problems. Yes, there's been a lot of progress. But admitting that some of us actually want America to look quite different and actually want only a few people to control it, I think is emblematic of what we saw on January 6th. And while people like Representative Raskin are walking the walk. There are not enough people doing so. I'm unsure if there are even people talking the talk.

And as James Baldwin stated, I can't necessarily believe what you say because I see what you do. And faith and follow through are different things. So accordingly, we can have faith in our democratic experiment, but until all of us are actually able to actualize it that's something different.

You know, on January 6th, I remember reflecting just days after January 6th. Looking at the narratives, hearing what people were saying. And I said, wow. There's going to not be any political accountability.

And again, Representative Raskin, he stated that he's on this committee and there's going to be accountability. We're going to see because history tells us that we aren't there yet. But accordingly, the comparison that I thought about is guns and Sandy

Hook. And I thought, okay. Wow. If Sandy Hook did not lead to America grappling with a very different relationship with guns.

Similarly, if January 6th, if the insurrection of domestic terrorists storming the Capitol, aiming to uphold white supremacy and American ideals only for a select few people didn't change the status quo then what is that saying about us? And what we need in Washington on Capitol Hill as well as in the state legislatures is more political will. And I think that is the big reflection that I have is from the moment that happened, I was like there's going to be a lack of accountability. There's going to be a lot of scapegoating. And people who should be responsible for this are not.

They're going to run office again. They're going to get elected again. They're going to use January 6th as a sound bite and people's lives are going to continue to not be as well as they could be.

MS. BINDER: Right. Let's come back to several of those points. First about accountability and what we think about the January 6th committee and whether it's poised to perform that type of -- any type of accountability? And also, your point about the roots, the roots of January 6th. I think we should come back to Fiona.

MS. HILL: Thanks very much to everyone. I mean these are really excellent points from like Quinta and Rashawn. And I think, you know, at least just to offer, you know, a slightly different perspective which actually ties into everything that they have said here.

From the outside looking in at January 6th, and of course I was here. In fact, I was right here with a little Zoom space. So I always seem to be in since the beginning of the pandemic. So I remember exactly where I was actually in watching things in real time on my computer and on the television.

But I also started to get a lot of emails and, you know, calls from friends and

family overseas who were completely shocked by what was happening. For a lot of people abroad this was kind of the 911 of politics. Just as people saw the twin towers and behind it the symbolism of America. The freedoms of America. America capitalism. You know, everything about America being brought down by the planes on that faithful and terrible day.

People were similarly shocked and stunned by the idea that this time as, you know, Rashawn was basically depicting here. A group of predominantly white Americans, predominantly men. Some, you know, with all kinds of symbols of hatred from the confederate flag to all of the other, you know, accoutrements that they kind of brought with them including, you know, putting up a noose outside of the Capitol and the pipe bombs.

So, you know, also the attempted terrorist attack on the night before January 6th. Would be storming the Capitol building, which is the symbol of freedom in the United States. A representation of democracy not some evil citadel that is seen as something alien to be conquered. That was just a massive shock.

And I think that within -- while we're investigating our own domestic debates, we don't realize the impact this has had internationally. Because the United States had a very powerful example with its democracy, free and fair elections. We were the gold stone in many respects of certainly attempts notwithstanding all of the other problems that we've laid out on the table here of trying to actually conduct an election in an admirable fashion.

And for all of the people who actually handle the election and oversaw the election and supervised the election, there were also foreign observers. There was an agreement that the election of 2020 was one of the most secure, the most free and the most fair in American history. Against the backdrop of the pandemic. And so, then that jarring juxtaposition of, you know, kind of what would have been a successful election. And then an attempt to overturn it was just completely shocking.

And the kind of scenes that you would see in other settings. In fact, you know, we saw them relatively recent in Kazakhstan with the storming of government buildings and the burning due to socioeconomic process. It wasn't a socioeconomic process there. But actually, what actually did turn into a power struggle which is, you know, basically on the streets of Almaty, the southern city of Kazakhstan of great violence and that's what this became.

It was really -- it wasn't a socioeconomic protest. It was a power struggle and a group of people trying to retain power. And that's the second observation that I had. You know, I was in the middle of, you know, writing the book that Congressman Raskin referred to and I had to completely rethink it in real time. I realized that what I was seeing unfolding before my eyes, just like many other people saw it, was an attempted coup. Or was part of an attempted coup.

And I think, you know, this is why the committee -- it's so important to get out all the details around that. Having been in the Trump administration and, you know, having been called up as a witness in the first impeachment trial and having, you know, seen for myself this effort to subvert our national and foreign policies by President Trump, I had already become very attuned to the fact that he was trying to stay in power by all kinds of means.

A phone call with President Zelensky of Ukraine, for example. All kinds of manipulations and that without we got Raleigh, which I've been partially paying attention to. And then with the events of, you know, basically inciting and encouraging a mob to storm the Capitol was further evidence of what was a slow motion, ongoing process to overturn the election and to stay in power.

I wrote about it immediately afterwards. A lot of other people have written about it as well. But it was also how it looked from the outside. I mean again while we're

having our internal discussion which is vital, we have to remember that the eyes of the world are upon us as well. Because of the United States fails at this experiment. If we fail at the accountability that Rashawn is talking about. If the reversal of the things that Molly and Quinta are referencing as well. The importance of a two-party system and we want the Republican party to survive and prevail and not become a cult of personality.

We want to have that vibrant democracy of a healthy two-party system that we've had in the past. If we fail at this then there's not much hope for democracy elsewhere because we keep forgetting in the world that the United States has played since World War II in helping to rebuild democracies in Europe and still being a kind of flagship and a beacon around the world.

But we've lost that right now. It's completely tarnished. And what we would probably expect to see is more of the same elsewhere if we kind of fail too also really fully bring accountability to the system and try to reverse some of the problems that we've seen there. So this debate that we're having is going to be watched and scrutinized very carefully not just in Washington, D.C. or around the United States but around the rest of the world as well.

MS. BINDER: Thank you, Fiona. That's important to keep our blinders up like broadened for sure.

Let's turn to some of the issues you've raised in answering this question. I think it will be helpful to think a little bit more about the roots of what we saw on January 6th. You want to say, each of you, a little bit about how you see that? How much is stemming from what we might think of as the Trump personality and the Trump presidency? Or are there deeper, longer roots here? Some Rashawn has referenced already. But can we knit it together a little more fully?

And then when we get to Fiona maybe think about where else do you see

these sorts of movements? Do you see reflections of these movements abroad as well?

Well, go Quinta, Molly, Rashawn and then back to Fiona.

MS. JURECIC: Sure. Absolutely. I do think that Rashawn is absolutely right that, you know, to really understand the 6th that you do have to look farther back than the Trump presidency. And that the 6th makes the most sense understood as a kind of revolutionary action aimed reestablishing largely, more exclusive white control over American political life.

That, you know, one of the instances and the descriptions of the Capitol police officers who were there on that day that I keep coming back to is the testimony of Officer Harry Mr. Dunn who is black and has testified about his incredible exchange with a rioter. A white female rioter in the Capitol who told him that everyone had voted for Trump and he responded that he had voted for Biden and did his vote not count. And at that point, the rioter called him the N word.

And I think, you know, that that interaction really seems to encapsulate so much about the 6th insofar as it was not only I would argue a violent insurrection and a coup attempt but also an effort to say that, you know, white Americans are a certain slice of predominantly white Americans are those whose voices truly count. That are truly American and that should truly be represented in the halls of government. And that the voices and beliefs of other Americans who didn't fit that description de facto did not count because they didn't fit into those, you know, demographic and cultural categories.

I do think that, you know, I don't want to underplay the role that Trump himself played in this. I mean I do think that Trump is in some ways a unique political figure at least in recent American political history and the extent in which he was willing to demonstrate how thin some of the norms that we have governing our political life are. And how willing he was to not only exercise power for power's sake, but also encourage his

followers to do so as well.

And to sort of take -- encourage them to take raw power and ignore the legal structures around it or bend those legal structures to their own ends. And I think it's a long debate to what extent that's unique, but I would argue that there is something unique there. And that that sort of encouragement led to a willingness on the part of the crowd to make some of those currents that Rashawn pointed to that I think have long been sort of sublimated at least in recent American politics just very, very present and violent in a new way.

MS. BINDER: Thank you. Rashawn and then Molly.

MR. RAY: Yeah. I mean I think Quinta nailed it. I mean when I think about what we see there. On one hand, we have active participation. People who clearly did something. And then, of course, we can have people who are participating in some sort of conspiracy where they might have had directly engaged in the act, but of course they helped to facilitate it.

But the group that often times gets left out are individuals who engage in what we might call benign neglect. So they knew that it was happening. They didn't do anything. As a person who studies law enforcement, I think that's one of the things that happened.

I mean the way that police officers as many of you all noted and as Representative Raskin noted that the number of police officers who were injured on that day, who did not have backup. I mean that is a travesty particularly when in the area like Governor Larry Hogan in Maryland who is a Republican governor by the way. It's important to note was planning to send and mobilize people to the Capitol in the way that things are supposed to be. And he was told not to send them. And I think when we put this together, I think we have to juxtapose this with the summer before, the Summer of 2020.

Where we saw Black Lives Matter protest in a very similar position. And guess what? Over 300 people were arrested that night. And overwhelmingly that was a nonviolent protest compared to January 6th. I believe it was about 60 people or so, and I could be slightly off on that number, but definitely less than a 100 that were arrested that day on January 6th.

And so, part of it when we juxtapose that we can see the way that people who are upholding certain ideas, in this case, we might think an ideology of white supremacy and right-wing extremism. And then on the other hand, I think what people might consider to be racial progressiveness. We can see the way that those particular aspects are responded to.

And then we do have to think as Quinta was saying, the role that the president played in particular. We go back to the 2016 election. We know that in places where Donald Trump campaigned at that hate crimes increased over 200 percent. So we know that people's words matter. That their rhetoric can inflame things and I think it boiled over on January 6th, but there were also other opportunities where people knew that they might not face the same consequences as other people.

Not only the juxtaposition with the Black Lives Matters protest, but also Carl Rittenhouse who of course ended up getting off later. But at that time when he engaged in that act in the open Midwest and he shot people and killed people. He just walked straight by law enforcement. Just walk straight by them. They told him, go home.

And then, of course, we have to think about the antilock down protest, which I view as a precursor in some ways to what happened on January 6th. Where there was very little accountability. Where people were storming state capitols. People were threatening governors. And what happened? Not a whole lot. And so, part of it, it speaks to what Fiona was stating about as it relates to how our democracy is being viewed particularly

in an international context.

So I think it's important for us to put this in a broader context and see these connections. That January 6th was not isolated. It was just a large event that boiled over and it is very unclear to me if we have done really anything to prevent something else like that happening again.

MS. BINDER: Thank you. Molly, do you want to reflect a bit on roots here?

MS. REYNOLDS: Yeah. So Quinta and Rashawn have done a really great job of sort of situating us in a big picture answer to this question about the roots. I mean I just sort of add a couple of kind of inside the Capitol ways to think about this question on roots.

And one actually picks up on what Rashawn was saying about sort of benign neglect. And like one of the things that we now have a sense of that happened on the 6th is why were the Capitol police as unprepared as they were? Why did sort of, you know, they not accept help from Governor Hogan and others who wanted to send backup?

And some of that is because they looked at this protest with the intelligence they had about this protest and they treated it differently than they would have treated a similarly situated protest from Black protestors. You know, Rashawn was talking about the contrast between the approach to January 6th and the approach to the racial justice protests in the Summer of 2020. But that's just a very specific example of how these broader forces kind of played out.

The other thing I'll say, again, thinking about the role of individual members of Congress in kind of what happened and the reaction is that one of the things Representative Raskin talked about is the way that kind of members think about their representational role. And I think one of the -- to go back to my comment before about, you know, the number of members who were willing to show up after the violence had ceased

and still vote to throw out the election results.

Is that we have members who kind of see their jobs as kind of overwhelming difference to the preferences of their constituents over taking, you know, stands at moments of great national crisis. And so, I think that that's again that's a much longer -- to go back to your original question here. That's a much longer trend in American politics and congressional politics.

And then the last thing that I'll say, and this actually goes to something, Sarah, that I knew you've written a lot about which is the very specific role, I think of over time kind of stretching of procedural norms. So one of the things that Representative Raskin also talked about is the degree to which at the crux of all of this was this idea that like Mike Pence could do something. He had power on the 6th under the rules and the procedures and the law to do something other than simply open the envelopes and announce the results of the votes.

And kind of how do we get to a world where people thought that that was true? And I would pause it that -- I'm not going to say this is the cause of that but sort of several decades of kind of boundary pushing and stretching and envelope pushing of legislative procedures has gotten us to a place where there are people to whom it seems plausible that Mike Pence has power to do this because of kind of the ways that members have otherwise treated procedural rules and norms.

And so, that's not a -- that's a little piece in this big story. But I do as we kind of go down. And maybe Fiona will take us back up again to think about the different pieces of the puzzles.

MS. BINDER: Right. And we can come back to these questions. There are some from the audience about norms versus institutions and what was the bedrock here? And why do they seem to be crumbling? Fiona, do you want to offer us some thoughts on

where else we see these types of intentions or authoritarian tendencies? Where would you say to be the roots where we see them elsewhere?

MS. HILL: Look, I think if we look around the world, we see, you know, very similar phenomenon in many different settings, which is why this is so important that we actually show that we can find a way of resolving all of the tensions and the contradictions here and to put ourselves in a different place to move forward.

Picking up on what both, you know, John Allen and Jamie Raskin said about always striving for that ever-perfect union which is always off in the future. But is certainly in the preambles of the constitution. It was certainly of the founding of the republic of trying to think about, you know, this is going to be a work in progress. And how we were always going to fix it. And as, you know, Rashawn has pointed out. We've got a long tale on some issues that just kind of keep cropping up over and over again. And clearly, is a big message that we have to do, you know, something about this.

And that is really why, you know, people look to the United States for an example. I mean we are a multiethnic, multi-confessional, multicultural country that is, like I said, multi-everything. That is really at a tipping point because we're at a demographic tipping point. We're at a tipping point in our economy again. And certainly, in terms of our institutional politics as Molly and, you know, you have both pointed out here about this sort of stretching of legislative procedures and norms.

Because, you know, we're constantly in this need of refurbishment and reform of our institutions. So other settings are very similar. I think, you know, do hold a lot of cautionary tales. And the one thing that really kind of struck me as I kind of think back to January 6th and getting back to, you know, what was just said by Molly about many of members of Congress thinking that their job was somehow to deference to the preferences of their constituents.

It was also kind of a deference to their tribe of their team. I mean the constant way of not letting somebody else win. And I have to say that this may sound bizarre but this really reminded me of soccer violence in the United Kingdom. So I grew up at a time in the U.K. in the northeast of England where we had all kinds of things happening. But one of it was the rise of the unbelievable soccer hooliganism that really was the scourge. It was even known as the British disease around the rest of Europe.

And when you looked at that soccer hooliganism, which is, of course, extremist versions of tribalism and, you know, sort of team loyalty and winning and losing. There were violent entrepreneurs at the core of it who were setting off the violence. In the support, people were often bankers in the City of London, you know, for example. Or other, you know, just like the, I think, people that we saw in January 6th who were not the great washed masses of supporters who were, you know, out there for the game.

But we're looking to set off violence. And some of them got money out of this. They also got a kind of a certain prestige and power. There's an absolutely brilliant book that I'm always recommending to people called, *Among the Thugs* by Bill Buford, which was written in that kind of period of the middle '80s and '90s that height of soccer hooliganism that shows that that dynamic.

And there were all of these intertwining threads. And that's where we are. People are looking at party politics now particularly in the Republican party sad to say as a kind of an extreme version of this team, you know, affinity. And setting off this violence. I mean I've been in those crowds and feeling it. There was this word aggravation. People wanted a bit of aggravation and aggression. And when I looked what was happening on January 6th that felt like the same thing.

And the violence in which, you know, people picked up implements and beat the crap out of the police and other people around and that's what I saw when I was in, you

know, soccer crowds after matches in the U.K., you know, as a younger person. And I was shocked when I saw that.

But it also then kind of fits into these other forms of communal violence in other places. And that's where we are right now. You know, I've mentioned at one point in some of the discussions that we all had about kind of a cold civil war. And I don't think that quite gets where we are because that gives people a completely different impression. But it's that kind of idea of extreme polarization of parties that I was trying to get across.

But what we are in already in a state of intercommunal violence that can take its forms of different kinds of communities, you know, affiliate groups that people are putting themselves in. It can be from, you know, violence among the supporters of a particular sporting team. But it can be, you know, of any kind of particular group. And those are examples of communal violence everywhere in other societies.

Look at India with this happening all the time under the influence of, you know, the Hindu nationalist party. And you're getting all kinds of upsurges of communal violence. Northern Ireland, we know again the period when I was growing up in the U.K. It was intercommunal violence in Northern Ireland between Catholics and Protestants, but also supporters of Sinn Fein and then the IRA. Many enablers in society that Rashawn was talking about there.

A very small hard core of people who were actually interested in violence and terrorist activities, but a much larger pool of people not just on the Irish Republican cause but also (inaudible) calls that actually just facilitated the violence by not wanting to step in because it was their side.

And I think what we saw in January 6th was because we still are a majority white nation that other people thought, well, no, my group couldn't possible do that. I mean these are people who -- again the description of people who took part in January 6th. Real

estate agents, your local pastor. You know, the kind of a guy who run the garage down the street. The local store owner. I mean these were all -- these weren't, you know, kind of an unwashed mass just like football supporters.

You know, these were people who had jobs and, you know, some of them have come to terms about what they did later. But other people have actually been galvanized by this. And others have looked at it and thought, well, those people are like me. I can't possibly imagine that these people could be extremists. And that again is why it is so essential to have accountability because every other society that's on the verge of this kind of phenomena or has intercommunal violence that's already breaking out is going to be watching us to see how we deal with it because we have to nip this in the bud.

MS. BINDER: Thank you. Let's spend a little more time on this point about accountability. Molly, do you want to offer some thoughts either to rate the work of January 6th communicate so far? Or is it too early to judge? I mean Jimmy Raskin gave us a sense of what they're up to. But how important is how they've come so far? How would you rate the chances? Or what type of accountability might emerge?

MS. REYNOLDS: That's a really great question. And as I sort of see the work of the January 6th committee so far, it has really seen itself as an investigative panel. So there are news reports that say, it's sort of the members of the staff have organized themselves into five teams.

One is tracking the sort of financing of what happened on the 6th. One is tracking how federal agencies prepared and responded. One is looking at the degree to which President Trump pressured the staff at the Department of Justice and state officials to overturn the election. One is examining sort of the rally planners and the stop the steal movement. And then one is doing the role of violent extremist groups like the Proud Boys.

And they've, you know, conducted hundreds of depositions. They are

litigating, you know, probably at this point double digit number of cases about people who don't want to comply with requests for information, subpoenas. So it is this really big investigative effort at this point, which is really important. And I think we should ask ourselves, you know, is a select committee of the House of Representatives really the kind of vehicle that -- the only vehicle that can accomplish this?

I think that given the sort of breath of what they're doing that may well be the case. I think the real question then comes with kind of what do they do with all of this information that they are uncovering? And this gets to this accountability question.

They have by all accounts at this point basically 10 more months through the end of the calendar year. I think the reasonable expectation that Democrats lose control of the House of Representatives in the midterms given what history tells us about midterm elections would mean that this is -- that 2022 is the rest of the life of this committee. And so, when they have this information what do they do with it?

They have yet to really have widespread public hearings. Representative Raskin himself has said, I believe that they expect to begin those at some point in March. Although, the sort of the date at which they are supposedly going to have hearings is then sort of moving like the date at which we can give COVID vaccines to children under five. It keeps going. It keeps going out there in the future a little bit. And so, I think it's a real issue.

And then the question is also sort of what purpose will those hearings serve? So we know from sort of thinking about congressional hearings that one of their values can be to help construct a coherent narrative for the public around the set of complicated events. Is January 6th the sort of what Quinta suggested before simply beyond the point at which we will ever get a coherent agreement on what happened and why?

So this is all to say that it is from everything that we can see on the outside and we can only see part of what is happening. They have been doing a lot of work and

really uncovering a lot of information and winning a lot of legal battles, which is kind of good for Congress as an institution as a whole. But I think in the near term the rubber is really going to hit the road as we start to have to figure out like what is actually going to come of all of this information?

MS. BINDER: Great. Thank you, Molly. We're going to turn to audience questions in just a moment. I did have another question for Quinta on this question of accountability. And some of these are coming in through the chat as well.

Is there a role here for the Department of Justice that there's obviously been written about, you know, why isn't the Attorney General doing more? Should he be doing more as a question of setting norms? Restoring norms? Or is it a matter of prosecution? Where do you come down on that? Or how should we think about that question?

MS. REYNOLDS: I think that's sort of the question when it comes to the Justice Department right now. So I've written with (inaudible) also at Brookings and under (inaudible) basically pointing out that Attorney General Merrick Garland has been very quiet.

He entered the role of attorney general speaking in both is confirmation hearing and in his initial remarks after being sworn into the Justice Department saying that he understood his role as someone who, you know, wanted to restore the independence and integrity of the department after a very difficult fort years during which it was sort of repeatedly under attack by Trump trying to really bend it to his will.

And yet, Garland has been very quiet. He did speak recently about the prosecutions of the January 6th insurrectionists. And certainly, after that we did see the indictment on a seditious conspiracy charge of a number of members of the Oath Keepers militia so that's, you know, that's pretty important. And I think shows that the OJs didn't miss seriously seditious conspiracy charge is something pretty heavy to throw around.

But you're absolutely right that, you know, we have not yet seen any

indication or heard anything from the department that it's looking at, you know, the higher political echelons. So Trump, those in his immediate orbit obviously there have also been some suggestions that members of Congress might be criminally investigated for any role that they have in the riot.

And the department has been quiet on this. So I think that, you know, there are competing norms here as you kind of hinted, Sarah. You know, there's one argument is, well, the department -- we don't want the department to look as if it's going through political prosecutions. We don't want it to look like it's prosecuting enemies or perceived enemies of President Biden and that itself would be harmful to public trust in the department at a really politically divided time.

On the other hand, as you also pointed out there is a good argument, and I think I would put my cards on the side of this argument, that showing that the department is committed to equal justice under law requires a willingness to go after, you know, offenses committed even by those in power wherever that may lead. That doesn't mean pursuing a prosecution where one isn't merited, but I do think it means investigating and sort of going to the end of the line and seeing if charges might be merited.

Now, we don't know that the department isn't doing that. Like I said, they've been quiet. They haven't said that they're not pursuing it, but to me I think that silence is in itself notable. And I would argue that the department -- that it would be beneficial for the public, for the public conversation if the department gives some signal one way or another in how it is thinking about possible criminal accountability for these actors and in particular former President Trump.

Because in the absence of that all we can really do is cross our fingers and hope that the department is thinking about this in a serious and careful way wherever it comes down. And if we're thinking about restoring public trust, I don't think that's good

enough.

MS. BINDER: Thanks, Quinta. So many of the questions that have come in are all many of them variants of, well, what is to be done? Some of the questions are disinformation, misinformation of what are the important guardrails to install or reinstall?

So I thought maybe we would do a round here, but starting with Rashawn. You've of course done tremendous work on anti-Black bias amongst policing. Could you suggest where that policy needs to go? Especially, I think given the stalemate that we've seen on the congressional angle in dealing with criminal justice and policing reforms?

MR. RAY: Yeah, I mean it's a great question. I mean often times where people go and Representative Raskin, he talked about it and what as a sociologist I would call from an interpersonal level that it needs to be people speaking up and people need to do stuff.

But when we looked throughout history, the changes that have been made when it comes to addressing racism have primarily been done through policy. They've also primarily been done through the president's pen particularly executive orders. And so, people are looking at President Biden saying, look, okay. You've made -- you've said that you're going to put a Black woman on the Supreme Court. Kind of all of this, the three or four, I guess that are on the current short list, I mean are highly qualified.

And it's also thinking about it from that vantage point, it's important to put this in a broader historical context as quickly. Well, honestly, actually we don't even have to go that far. We can go to yesterday when Howard University has been, I think now going up to about 10 historical Black colleges and universities that have received bomb threats over the past several weeks.

That is very reminiscent of what happened in the 1940s, '50s and '60s when what was happening? When we were in a racial awakening where it was going to take

people with a lot of political will to do something about it. And guess what they did? And things got better. And things have been better. But what's important for people to know is that things can reverse.

So accordingly, what we need is the discussion that you were just having with Quinta. The Department of Justice definitely needs to step up. And I think they have been particularly when it comes to thinking about policing. There are a series of investigations, patent and practice investigations of police departments around the country that often times, I think is missed in the headlines, but my research documents that those go a very long way.

We also know that ensuring that government contractors and workers go through bias training. That's important. Why? Because under Obama that was put in place. And then under Trump that was rolled back and now that it is being put back in place under Biden.

These sort of things are really, really important to ensure that anyone who works with the federal government then it trickles through ends up having a similar sort of training and understanding not just about the way that bias works, implicit bias or explicit bias, but what does it mean to be antiracist? What does it mean to be racially equitable? What does it mean to be an accomplice which is often times using one's own privilege to address racism and discrimination in society?

So I think policy is the way to go. And then we know that there is a broader attack in education trying to really put a chilling effect on teachers engaging in certain discussions. And you all know like I know it's important to note this. Of course, I'm talking about critical race theory, which up until last year when it became such a big deal, I didn't even teach it to my undergraduates in my race class.

Like it just wasn't something. It was something that was reserved primarily

for graduate students, but it's students now that are asking for this information. So we have to be clear about what's going on and collectively these are connected because when we think about these bomb threats that are happening right now. And we go back to the '40s, '50s and '60s, we saw not only bomb threats we saw bombings.

And until legislation particularly hate crime legislation starts to enhance, we're going to continue to see people be able to hide under the First Amendment. And eventually, you're going to get incidents like what we saw on January 6th. You're going to get incidents like what we saw with the mother, Emanuel Ame Church Massacre in South Carolina, which mind you played a big role in Biden actually being president.

Because I think like you all know, but I think it's important for people who might know the story. When he was vice president and Obama was president, they go to South Carolina to be at this church. Obama gives the eulogy. Biden is there and guess what happens? All these people leave. People go back to Washington. Who stayed? President Biden. Why? Because he lost his family, he lost his son, and he knew what grieving meant. And he stayed with people and had conversations.

So when the primaries came around to come through South Carolina. And, of course, he was losing at that time. Who did people come out to vote for? And overwhelmingly when you're talking about the primaries. Black people in South Carolina make up a large block of Democrats. They voted for Biden.

So these things become connected in an interesting way and we know that Biden ran for office because of the statements that Trump made about Charlottesville and what happened there. But we have to have policy beyond the rhetoric. And I hope I've laid out a few examples of things that could be done and strengthened.

MS. BINDER: Thank you. I think that's very helpful kind of knitting it all together there, Rashawn. Quinta, do you want to say a little bit about a question here about

disinformation? Is there something that can be done? Congressman Raskin talked a little bit about it, but you want to kind of frame the issue for us here?

MS. JURECIC: Sure. Absolutely. I think that, you know, disinformation can be a tricky term. It's sort of become a major part of discussions around public life in the United States and around the globe. Really since 2016 sort of sparked by Russian trolling online around the 2016 election.

But I think often what we're really talking about when we talk about disinformation is polarization, a lack of trust in one another as citizens, as fellow members of society, in institutions. And so, it hard to say, how do we address disinformation without, I think addressing those underlying factors.

You know, you can say try to limit the material that people get online that say -- undermines their confidence in elections or undermines their confidence in the safety and efficacy of the Corona virus vaccine. But at the end of the day, it seems to me that there is a -- you know, that can some effect, but perhaps a limited effect if one major political party and, you know, social and political groups with which people feel affiliated and feel a strong connection to are encouraging people to believe in those things and putting out, you know, all kinds of media that people seek out and want to see.

And so, I think that, you know, that isn't to say that there aren't interventions that could be made to sort of make our information environment healthier. I think often, you know, it's easier to kind of take these things, scoping them very narrowly. You know, say what do we want from Facebook in particular? Perhaps more data? Perhaps we want to break Facebook up. Although, I question whether that would, you know, help with the problem of disinformation.

Maybe what we want is we want to think about, you know, the role of cable news. Or as Congressman Raskin suggested, we want to think about the role of civic

education in our schools. So at the same time as disinformation is, you know, a huge topic that touches on these sort of tectonic social issues. I also think in some ways that it can be more useful in terms of thinking of what to do by scoping our interventions very narrowly.

That's unsatisfying because it means that there is no magic fix and I wish that there were. But that's ultimately my sense of the best way to think about this problem. And I'll be interested to see as Congressman Raskin mentioned what the January 6th committee has to say both about the role of misinformation in the January 6th attack and he suggested that they might have some policy recommendations. I'll be looking forward to see what those might be.

MS. BINDER: Great. We have time for an audience for Fiona and then for Molly and then I think that will bring us to the close. So, Fiona, someone asked that one message the U.S. delivers in developing countries is the concept of peaceful transition of power. And calls to those who lose in fair elections to submit election results.

You've touched on this a little bit already but what would you say to those skeptics in other countries who now question the U.S. role as a democracy promoter?

MS. HILL: Well, I think that really ties to what Quinta has just said. You know, if there's recommendations coming out of the January 6th committee that's going to be quite critical especially if we actually implement them.

And, you know, what Rashawn was just saying about the importance of the pen of the president and policy is going to be critical as well. I mean there's one element in this that actually could also play a role. It is certainly the demonstrate in effect, right? It's the power of our example which we've lost right now.

The power of our example is pretty negative because of the results of January 6th. And before it's been quite positive. Again, as our attempts to constantly reform ourselves and to be open about this. You know, we're usually very transparent about the

processes that we're undergoing. But Congressman Raskin did talk about, you know, people needing to stand up.

And I think Rashawn is absolutely right that you need the presidential pen, but people do need to stand up as well to make things happen. And, you know, around the events of January 6th, it would be very important for I think for citizen groups to step forward. And one thing, again, you know, I mentioned just in passing the troubles in Northern Ireland which was, you know, a huge part of my youth.

As a kid, I would, you know, recommend to people going to see Kenneth Runner's film of Belfast, you know, set in 1969. Kind of older than me but, you know, seeing that outbreak of communal violence between, you know, Irish Protestants and Catholics were the same people, they're Irish. Just, you know, division on the basis of religion.

And we're all Americans. We've got to remember that. As we, you know, divide ourselves off into various identity groups. What we still have in common, you know, this policy, this country. We're all Americans. We've got to figure out a way of having these cross group, across, you know, kind of generational as well coalitions to get things done.

But in Northern Ireland one of the movements for action was then political decisions and the pen, you know, the decisions of the government and then we had, you know, the good idea called in the hope to be broken by, you know, U.S. Senator Mitchel, for example, was a citizen's movement.

And it came in multiple forms, but one of them began in the late 1970s run by two women who had suffered tragedies. You know, members of their family had been killed in the cause of the sectarian violence. And they brought people across from both partisans and Republicans from like about 1976ish to the 1980s. And it was these women's peace marches which got people's attention. And then though there was all kinds of dynamics there that didn't quite work out. They helped to promote this kind of sense of that

people were also demanding a change and a resolution to this sectarian violence.

We're in sectarian violence. Sectarian doesn't mean the Protestant/Catholic. It means sectarian is different groups that identify themselves on different basis. We have this. We've had this as Rashawn pointed out for like an extraordinary long time and it's continuing.

And so, we have to figure out how to move across that. And policy and pronouncements and new legislation is pretty critical. The Department of Justice has a critical role to play but so does citizens and citizen's coalitions. And Black Lives Matter movement actually had the kernel of that because, you know, what we saw after the murder of George Floyd was large groups of people from all kinds of different backgrounds, racial, socioeconomic, you know, you name it, getting out into the streets.

We could have turned that into something, you know, quite different, and it still could be. I mean we could have that kind of that citizen's movement maybe, you know, inspired by whatever the rulings of the January 6th committee are in that would be, I think prove to people elsewhere that you can actually do something.

And we're in the same kind of need as, you know, Northern Ireland was at the height of the troubles for trying to find some kind of reconciliation in society and some kind of legislative part forward.

MS. BINDER: Thank you, Fiona. And then, Molly, the last word. If you could have a magic wand what is to be done?

MS. REYNOLDS: I wish I had one thing that I could do with my magic wand. I think it is important both to keep in mind what may seem like from the outside as small ball type actions that the committee may recommend, but that are important to preventing some sort of attack like this from happening again.

But I also think we face really big challenging questions about kind of our

democratic system. And questions about, you know, have we ever really had a moment where we've had true multiparty, multiracial democracy in the United States? And I would love to reconvene this group of people to sort of tackle that question together. But I think that's the magnitude of the question. And so, like I said, I wish I had one thing say, but I'll leave it there.

MS. BINDER: Excellent. Modern democracy is unthinkable, same in terms of the parties as a great public scientist has said. Thank you all to the panel and thank you to our very active audience for your questions and for listening. And thank you all for being here with Brookings today.

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