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***Democracy in Question* podcast**

“After the election, what’s next for democracy?”

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Episode Summary:

On November 5, Former President Donald Trump prevailed over Vice President Kamala Harris in the 2024 presidential election, while the Senate flipped party control, and the House remained in GOP hands. The victories give President-elect Trump and the Republican Party a unified government. In this final episode of the podcast, host Katie Dunn Tenpas discusses what this election says about U.S. democracy now and going forward with Senior Fellows William Galston, Sarah Binder, and Molly Reynolds.

[music]

TENPAS: Hi, I'm Katie Dunn Tenpas, a visiting fellow in Governance Studies at the Brookings Institution and director of the Katzmann Initiative on Improving Interbranch Relations and Government. And this is *Democracy in Question*, a podcast about contemporary American politics and the future of democracy. In each episode, I'm asking my guests a different question about democracy so that we can better understand the broader contours of our democratic system.

Well, the 2024 election is over. Former President Donald Trump prevailed over Vice President Kamala Harris in the race for the White House; the House of Representatives will likely remain in GOP control; and the U.S. Senate will shift to a Republican majority. It's a trifecta for the Republican Party in an election with very high voter turnout.

In this podcast, I've been trying to get at the deeper questions of how democracy works or is supposed to work. I've asked my colleagues to answer questions like How do we build trust in elections? Does my vote really matter? And what does it mean to be an American? You can find all the past episodes on our website at Brookings dot edu slash DemocracyInQuestion, one word.

On today's episode, the final one of the season, the question is, where does democracy go from here? To help explore and answer this question in the context of the elections for the White House and Congress, I've invited three of my governance studies colleagues to the show. First, Senior Fellow Bill Galston, the Ezra K. Zilkha Chair and senior fellow in Governance Studies. He'll address the question in the context of the race between Trump and Harris.

Then, Sarah Binder, a senior fellow in Governance Studies and professor of political science at George Washington University looks at the question from the perspective of someone who has long studied the Senate.

And third, Senior Fellow Molly Reynolds, our resident House expert, tackles the question in the context of the outcome for the United States House of Representatives.

Remember, these are conversations not about why the results happened, but what they say about democracy now and going forward.

And now, on with the show. Bill, welcome to *Democracy in Question*.

GALSTON: Great to be here.

TENPAS: Yeah, thank you so much. I know this is a really busy time for you.

GALSTON: Yep. Elections are.

TENPAS: Do you think you could start with maybe some of your big picture ideas or comments or reactions and how this election fits into the broader scheme of presidential elections that you've witnessed and written about and studied. And then maybe talk about how that ties into the future of our democracy.

[2:54]

GALSTON: Well, as you said, it was a high turnout election. Probably when the dust settles, not as high as 2020, but still pretty high by historical standards. From a technical standpoint, it also appears to have been a remarkably well-managed campaign. There are different laws in the different states about vote counting procedures, which means that some states are programed to finish quickly and others much more slowly. They're still counting in California, and they probably won't have final results in California until the first week of December. I think they ought to reconsider those procedures. But that's that's just me.

So, was this a free and fair election? Yeah, sure was. Was there a lot of big money involved? Sure was. Did the winner spend more than the loser? No, not even close. Based on the preliminary figures, Vice President Harris raised hundreds of millions of dollars more than did the Trump campaign. But in the end, it's not clear how much difference that made.

I think that this election confirmed the shift of the Republican Party towards becoming a multiethnic, working-class party, which, if that trend continues, could be extremely significant. And it also dashed a few Democratic Party illusions, you know, that young people would turn out in droves to vote for them, that women angered by the overturning of *Roe v Wade* and the threat to their reproductive freedom would turn out in droves. That didn't happen either. And it certainly should raise some questions about the familiar phrase "people of color," because there was a significant shift among African American men towards Republicans, even more so among Hispanic men towards Republicans. And although it's a bit too early to tell for sure, the people whom the Census Bureau wraps up as Asian and Pacific Islanders also shifted in the direction in the direction of Trump.

TENPAS: And do you have any explanation for that? I'm sure you're using exit polls and other things, but what do you think accounts for that shift if you had to guess?

[5:29]

GALSTON: Two things. First of all, among Hispanics, and there was already evidence of this in 2020, the education divide is beginning to make a big difference. Already in 2020, there was a 14-point gap between Hispanics with college degrees and without college degrees, the former voting more for Joe Biden and the latter for the Republican candidate. I suspect strongly that that has widened.

And it also appears to be the case that gender appeals had an effect. The Harris campaign, by centering her case on reproductive rights, may have sent a message to men, particularly young men, that they were not at the forefront of her concerns. By contrast, the Trump campaign did everything in its power to reach out to men, especially young men. And by all accounts, that media strategy, you know, making use of podcasters who are well known to young men, but not to the general population probably made a difference.

TENPAS: And you talked about sort of the shift away within various groups of color, quote unquote. But was it mostly men or was it across the board, men and women, when you talked about that shift?

GALSTON: It was more men than women. One exit poll found that almost a quarter of African American men voted for Donald Trump. The figure for African American women was way down in single digits, and that split was even sharper among Hispanics.

TENPAS: And what about the Democrats losing the working class vote? Because didn’t President Biden do pretty well with that in 2020?

[7:12]

GALSTON: He didn’t get close to a majority. He did a little bit better than Hillary Clinton. This is not news. The shift, especially of white working-class voters away from the Democrats, began in 1968. You know, it was the topic of intense analysis after 1980 when Ronald Reagan did very, very well among them. You know, he said, I haven’t left the Democratic Party, the Democratic Party left me, and it has left you, too. And a lot of white working-class voters responded to that. So, that’s an old story.

The new story is that nonwhite working-class voters appear to be joining that trend. And if that continues, that will lead to a rolling realignment in American politics.

TENPAS: Interesting. We haven’t seen a major realignment in a long time.

GALSTON: No. And, you know, we always think of realigning elections as occurring all at once. Classic examples, 1896, 1932.

TENPAS: Yes.

GALSTON: And we’re less accustomed to what I think of as rolling realignments when long term trends over time make a big difference even though in any particular election the shift may appear to be relatively modest.

TENPAS: Right. And what about the future of the Democratic Party? I remember in the aftermath of the Democrats loss in 1984 and 1988 there was the creation of the Democratic Leadership Council. I think you were part of that organization.

[8:37]

GALSTON: Yes. And my view is that 2024, although not a landslide, represents for Democrats a combination of 1980 and 1988. In 1980, Democrats saw the formation of a new Republican coalition that challenged many of their assumptions about the way the electorate was constituted and how it would vote.

And in 1988, a third consecutive national defeat convinced Democrats that something had to change and not at the margins. The next four years were devoted to thinking that through and coming up with a new formula for the Democratic Party that turned out to be quite effective and led Democrats to win four of the next six national elections, or conceivably even five of six, depending on what your doubts about 2000 may be.

And my view is that after 2024, enough illusions have been shattered so the party will have to go through another four years of reflection and reform. That is just as soon as the circular firing squad disbands.

TENPAS: Yes. Do you think it’s worthwhile to recreate something like the DLC that does this kind of concentrated effort to think about how the party can move forward and become successful again?

[10:07]

GALSTON: I suspect that there will be various centers of rethinking and reform. I don’t think there’s going to be just one. But it will be a vigorous period for the party. Not a happy one, but a vigorous one. And once new ideas and new strategies are on the table it will all be thrashed out, you know, in a primary election, which will represent a real generational transition. You will have a bunch of governors in particular from states ranging from Kentucky to California, Pennsylvania, Michigan. I could go on.

TENPAS: Yeah.

GALSTON: Who have governed successfully, many of whom have won reelections in purple states or even in the case of Kentucky, deep red states will have their own ideas on how the Democratic Party needs to change.

TENPAS: Yeah. And so, it’s really not a moment where we just look at the election and said, you know, maybe it was the case that Biden just should have stuck to his promise to just do one term and then there could have been a whole primary process and nomination competition. And so, we can’t just sort of look at specific events within this past cycle to say that that was probably the reason you really think given the underlying trends and the rolling realignment that you’ve suggested that really this is like a moment where there needs to be a radical rethinking of the future of the Democratic Party and how to appeal to more voters.

[11:33]

GALSTON: Well, let me give you a qualified answer to that question. In my view, Biden made four key decisions, all of them, I think, in the first year of this administration and certainly all of them by year two, that shaped the outcome of the 2024 election decisively. First of all, he decided to enact a nearly $2 trillion stimulus package at a time when the economy was already recovering from a recession that had been induced not by economic factors, but by, you know, a pandemic and a government shutdown.

TENPAS: And are you referring to the Inflation Reduction Act?

GALSTON: No, I’m referring to the, you know, I think it’s called the American Rescue Plan enacted, I believe, in February.

TENPAS: Oh, right after.

GALSTON: Biden’s first year, almost $2 trillion stimulus. I’m not an economist, but along with many economists I believe that that stimulus went too far and contributed to the inflation, which was, you know, objection number one that the voters had to the Biden administration’s performance.

Secondly, the administration decided to undo all of Donald Trump's immigration policies and replace them with what turned out to be an ineffective muddle.

Third, Joe Biden had always wanted to leave Afghanistan. You know, he counseled against staying in during the Obama administration and, you know, and was determined to do so. But the way he did it had a catastrophic effect on the American public's confidence in his competence and in his administration. You can just track this very easily with his job approval ratings, which were well above 50% before the withdrawal from Afghanistan. And by the fall, just a month or two afterwards, had fallen into the low 40s where they remained.

Decision number four was to break what many Democrats had heard as an implicit promise to be a one-term president and a transitional president. If he had withdrawn from the race, as in retrospect he certainly should have in in the late fall of 2022 or early spring of 2023, we would have had, you know, a no holds barred Democratic primary at which many new ideas would have been on the table.

So, it may be that Biden's policy mistakes and his refusal to withdraw made it deferred an overdue debate within the Democratic Party. Deferred it, but it can no longer be postponed.

TENPAS: Right. And I have this sense, too, that after the midterm elections in '22, where they actually did well, they thought that's great, we're doing well. And they forgot about the four mistakes during that first year that basically sunk them eventually. So, they had this false illusion because of the 2022 midterms.

[14:38]

GALSTON: Yes. And in particular, a lot of Democratic analysts who, in my judgment, should have known better, assumed that the abortion issue, which was central in 2022, would have the same impact on a presidential election two years later. That can be it can be a factor in a presidential election. But presidential elections deal with a much broader range of issues. And assuming that, you know, the midterm elections were a leading indicator, you know, of the role that that issue would play in 2024, always struck me as far-fetched.

TENPAS: Interesting. That's very interesting. So, going forward and in light of what you said at the beginning of the conversation was that there was very high turnout, there wasn't violence in any meaningful way, what does it say about American democracy and its future that a race that seemed to be very acrimonious, and there were lots of lots of discussions about, well, we're not sure we're going to accept the results, you know, it depends kind of thing. There was some rhetoric that had a lot of people uneasy about what might happen, but in light of what did happen, are you encouraged about the future of American democracy? Are you somewhat concerned about the Trump administration's tendency to kind of eschew norms and things of that nature? Or how are you feeling?

[15:59]

GALSTON: I remain concerned, largely because I have always believed that if elected, Donald Trump would press executive power to the hilt. And there are already signs that that will happen. There are also questions about whether that executive power will be used in ways that threaten what I consider to be the pillars of a constitutional democracy. For example, a free press. Government is intertwined with the press in various ways. Broadcasters need government granted licenses, for example. And there could be some interference based on political considerations. Reporters need anonymous sources, and there is some early indication that the Trump administration will be much more inclined to prosecute and, you know, prosecute reporters who refuse to reveal the names of anonymous sources. There are also indications that that Mr. Trump would like to expand libel laws, which could have a chilling effect on press coverage.

There are many other institutions, basic pillars of constitutional democracy. For example, you know, a vigorous and diverse civil society. Will the tax code be used against them, as some Republicans charged that it was used against them during the Obama administration? So, I could work through each one of these pillars of constitutional democracy and indicating why I have fears which are based, I believe, on some evidence, including what the president elect has said. I hope these fears are not realized.

TENPAS: Right. And if I had to push you to put yourself on a scale of 1 to 10 about how worried you are about the future of democracy, where do you think you'd sit on that scale?

[18:02]

GALSTON: Right now, about six. But the only direction I can move is up from that. And I'm and I'm hoping that we get through the next four years with our basic institutions intact. I will consider the next four years a success if that is the outcome.

TENPAS: Yep. And that's a terrific conclusion. Somewhat optimistic, but realistic as well. I really appreciate your time. I always learn something new from you every time I talk to you. So, thank you so much.

GALSTON: It's my pleasure.

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TENPAS: And now Sarah Binder, senior fellow in Governance Studies on the question of where does democracy go from here? She'll be the moderator on an event I'm also participating in on the presidential transition, that is, planning and staffing a presidency. You can find that on our website.

Sarah, welcome to *Democracy in Question*.

BINDER: Thanks for having me, Katie.

TENPAS: Yeah, this is fun. Sarah and I share offices very close to each other, so we're frequently talking about all of these issues, so, you'll have to tell me things you may have already told me during this. But let's talk about what you thought about in the aftermath, aside from the specific breakdown in the Senate, generally speaking, what does that tell you about the future of Senate politics going forward into this new administration?

[19:22]

BINDER: Sure. It’s a great a great place to start. When I when I look at what happened in the Senate election outcomes, I see three different screens. Right? One is clearly a red screen. And what do I mean here? Were used to rising partisanship by voters when they go in the voting booth. What does that mean for Senate elections? It means that most states choose the senator from the president’s party if they are a member of the president’s party. So, I’m a Republican and I live in Missouri, I vote for the Republican Senate candidate and President Trump or whatever you have there. And in fact, that percentage, right? the alignment between the Senate vote and the presidential vote is rising, rising, rising in recent decades, such that 2020 there was just one Senate race where the Republican got elected—Susan Collins—but Biden got elected in Maine.

So, what we’ll see here in many of these races, the ones that never made the news, Republicans running in Republican states. And we want to think a little bit about, like, and we can come back to this, like, is that level of just sheer partisanship, is it good? Is it bad? What does it tell us about the capacity of the Senate when it confronts a lot of hard problems? And the Senate rules require often bipartisanship. Like, what does that mean for the Senate’s ability to solve problems?

TENPAS: Right. And you’re suggesting that because the state is already red and votes for the president of that party, if it’s so solidly in the corner of that particular party, they may not have the capacity to sort of work across the aisle.

[21:05]

BINDER: That becomes an issue. If you look at it, the consequences, if you look across the 50 state delegations in the Senate, in the new Congress there will be, unless Senator Casey wins a recount, but let’s assume he doesn’t, in the new Senate, there will be just three states with divided delegations, split party delegations. That is … well we call it off hand it’s a historic low. But what do we mean? It’s never been this low since direct election was ratified in 1913.

TENPAS: Wow!

BINDER: So, it’s just a world of difference in terms of the depth and breadth of partisanship. And the same thing on the Democratic side. Right? Extremely rare for a state that elected Biden, or in this case voted for Harris to be represented by a Republican. So, three screens here. We’ve got two of them. One, I look at the elections and I think there’s a red screen there and there’s a blue screen. And these are just consistent with what we see historically about the rising spread of partisanship amongst voters. Right? These are voters making these choices.

TENPAS: Yes. Yeah.

BINDER: The most interesting part of this election to me, there’s a purple screen in the middle there. And remarkably, these these were the battleground states.

We all know now there’s seven battleground states. Five of them had Senate elections. And the remarkable point is that in four of them, the Democrats won even though Trump won their states. And then the outlier again are Bob Casey from Pennsylvania. Right?

So, like, what does that mean for us? Well, on the one hand, you think, hey, that that's pretty good for, like, electoral competition that voters are willing to say vote for Republican for Trump and then select the Democrat for the Senate. And at first blush, you think, yeah, that's actually sort of healthy and a little unusual.

TENPAS: Yeah.

BINDER: But then the folks who dig into the votes will tell you this, which it's not clear that that's what voters are doing in those races. Right? One way that happens is voter goes in the voting booth—I guess they don't have curtains anymore. You just like go up to the thing ...

TENPAS: ... right ...

BINDER: ... and you vote for Trump. Let's say I'm a Republican, I vote for Trump. And then isn't the case then that I vote for, let's say I'm in Nevada, and I vote for Jacky Rosen, the Democrat? That would be split ticket voters. It looks like from the vote outcomes that many Republicans went into the voting booth and voted for Trump and then just either walked out or skipped the Senate race and went further down the ballot. And we call it roll off. Sometimes we call it the undervote. And so, in that case, that's not, like, bipartisan behavior.

TENPAS: Right.

BINDER: That's just like partisan behavior. But you were drawn into the voting booth by Donald Trump. And the good thing for those Senate Democrats is they were really they were incumbents either in the House or they were in the Senate running for the Senate races. They're well-funded, but not great quality, by which we mean, have those Republicans held elective office before? Wisconsin and Arizona, Nevada. But Montana, the Democrat lost.

So, something is going on here. And it's still despite the blue cast of those states where Democrats actually, those Democratic candidates outperformed Kamala Harris by about one percentage point, but they really probably benefited from these, in part, from these Republican voters, probably many of them not voting at all the Senate races.

TENPAS: Okay. So, I have lots of questions. So, the first just to tie it back to democracy, you would contend that one of the fundamental features of our American democracy, is to have a competitive two-party system. So, if you have a lot of states where it just seems to be almost unanimously in favor of a single party, that suggests that once they get to the Senate, they're less capable of negotiating across the aisle and they're just sort of hardened?

BINDER: That's one possibility, right? You're so used to being on your red team or your blue team. And when you look back home at your voters, you hear a pretty consistent message, a red message or a blue message. And voters, bless their souls, are not always very well informed and they don't really appreciate the need to make compromises. Or to give the other side something they want in response to what you want. So, the one possibility here is the sheer partisanship, it adds to the difficulty of solving problems.

Now, having said that, two party competitive system writ large, we do have a electorally competitive system, just not typically within states, but across the country. Because, look, in a year in which Trump ekes over the popular vote, and we've all seen those maps in the newspapers with like the red arrows in every nook and corner and demographic groups and race and ethnicity. And yet it's a 53 Republican seats, 47 Democrats. And in the House, they don't even really know what the final outcome is.

So, that is electorally an electorally competitive system. But not strictly within within states.

TENPAS: Yeah, that's interesting. Can you talk a little bit about split ticket voting? I mean, I know that it's it's existed. It's been around. Can you talk about maybe historically what it's looked like in the aftermath of elections and what has happened this year?

[26:30]

BINDER: Sure. So, if we if we drew a graph, we'd see a let's say at mid-twentieth century, we would see a lot of states with split ticket outcomes. And one way to just think about it is we could just count up the number of states and how many were represented by two Democrats, two Republicans, or a Democrat and a Republican. And the number of those split delegations would be maybe 30 plus. I'd have to go check, but really a sizable number.

Like, what is that? It's a couple of things. First, the parties at mid-century and even maybe 1960s, '70s, '80s, begins to wear down in the '90s, the parties then were pretty ideologically diverse. That is, in the Democratic Party, you could have everybody from the far left, liberal progressive Democrats, and then you'd have Southern conservatives like 1940s and '50s—they were Democrats. But from today's perspective and even back then, we would label them often segregationists. Right? All in the Democratic Party. And so, conservative voters would have a choice in the South. And and there really there were no Republicans to vote for in the South at the congressional level. So, you'd vote for that Democratic senator, but you might vote for Goldwater, the arch Republican for the presidency. And that's how you get, like, behaviors split.

TENPAS: Yeah.

BINDER: So, of course, in the South for the state delegations, they were typically all Democratic. And I should say same thing on the on the Republican Party. There were liberal Republicans and there were conservative Republicans.

But that's not the shape of the parties today. Right? Partisans, we think we have like an identity with a particular party, and it lines up, did you did you go to college? Do you live in a city? Do you live in certain areas of the country? Do you have a certain economic status or a certain religion? We seem to be coalescing into two different, some people call them tribes, I don’t know, but two different kind of groups or identities of voters. And when you feel that way about your party and a little negative toward the other party, you just kind of vote straight party ticket. So, much harder to end up in a world where we see split party delegations. And less likely to see as individual voters splitting their tickets across the different offices.

TENPAS: And tell us I’m giving what you know now about the status of the majority in the Senate. What does that narrow margin politics mean for lawmaking?

[28:57]

BINDER: So, it means a couple of things. First, always keep in mind, because it is a Republican president and a Republican Senate, it makes nominations easier, less doubtful, less doubt that they’ll be confirmed because the president’s party controls the Senate.

But to the question ...

TENPAS: You just need 50 plus one.

BINDER: Yes, exactly. The question of what does it mean for lawmaking? I would offer I guess let’s start with two, maybe, maybe three. So, so, unified party control, it greases the skids in many ways, in part because, right? we have House, Senate, president, each with their own sort of different electoral base and a different electoral timeline. When do I face the voters again?

But you share a party label, right? You all run with the "R" next your name. And that means something, we think, to voters. And we think there’s some also common policy agreement across Republicans. So, this policy glue and the electoral glue and unified party control and in theory you can control the, mostly control the agenda in your chamber. It’s going to make it easier for your party to pursue their policy goals.

One thing to keep in mind, though, Senate rules for most policy areas, anything a leader wants to put on the floor, first—we don’t need to go too far in the weeds—but, you need a motion to proceed to the bill. And that can be debated. And in Senate lingo, if something can be debated, it means it can be filibustered. And you don’t even need to go to the floor to filibuster. All you have to do, the leader will go to the floor and say, can I ask unanimous consent to have a vote on proceeding to the bill? Just takes a single senator, say, “nope, I’m sorry.” And we saw Coach Tuberville on appointments. We’ve seen senators in both parties object. And if you get an objection, that means the Senate leader has to go through and the what we call the cloture process.

Most important part there, 60 votes to cut off debate. Why does it matter if you have 52, 53, and maybe you might lose one of the moderates, maybe a Murkowski from Alaska or Collins from Maine. Maybe, maybe someone else might join them on a vote. But by and large, it’s going to be really hard to get to 60 even when the parties stick together, even when the Republicans stick together. And so that can be a stumbling block to slim majorities.

There are workarounds. There are ... well, the big workaround, it's got a fancy title, it's called budget reconciliation. There's limits to what you can pack in the budget reconciliation bills. But the beauty of reconciliation if you're the majority party is no filibuster allowed so long as you comply with all the persnickety rules.

TENPAS: Yeah. Yeah. I see. Okay. So, the majority going forward is not a free ride. It can grease the skids. But there are caveats and there are, you know, obviously, that that whole chamber was created to sort of slow things down. And it's still doing its job to some extent?

[31:59]

BINDER: Yeah, There's historians disagree about what the framers real intent was. Some people say you couldn't actually really filibuster early in the Senate, but it certainly was supposed to be smaller, more conducive to discussion. Those senators are older. Right? Have to be 30 to be sworn in, not 25. And, you know, people didn't live so long back then. So, in theory, they were wiser. Right. They're definitely older today.

TENPAS: Yeah. Yeah. Definitely older.

And one other question; you have studied political polarization and written books about it, and do you think that sort of the groundwork that was laid in the '90s that many argue sort of planted the seeds of polarization had has led us to this historic outcome that you cited at the beginning of our discussion. Is this sort of like the logical extenuation of all of those trends?

[32:51]

BINDER: I think in many ways, yes, because one way to think about polarization, right? is is is the opposite. Right? Which is that we used to live in a world with a sort of a large middle, a large political center, right? And if there's a lot of lawmakers in center left, center right, we wouldn't call that polarized. That's the opposite of polarization. So, we've gone from a period in the '60s and '70 where maybe a third of senators were really in the middle if we looked at their voting behavior, that middle is really gone. There really, is barely anybody there in the current finishing Congress. Sinema and Manchin sitting in the middle there on the Democratic, independent side. On the Republican side, really just Collins and Murkowski. Yeah. And I guess as long as the Congress lasts, maybe a Mitt Romney.

So, as the parties have polarized and the center has disappeared, that's going on at the same time as we see a lot of that at the voter level. And political scientists disagree about are voters as polarized and partisan as the elites and do the elites cause the voter polarization or the voter polarization?

TENPAS: Right.

BINDER: But whatever it is, that's the type of red screen, blue screen electoral outcomes that we saw in all but, right? those five

TENPAS: Yeah.

BINDER: four, five Senate seats.

TENPAS: So, that's really something. So, I typically end my conversations with these incredible scholars with the question about what you're thinking about the future of American democracy. And so, I ask the question on a scale of 1 to 10, how worried are you about the future of American democracy?

[34:33]

BINDER: Well, if we're only thinking about Congress, I'm not a "the sky's falling." I may yet be the sky is falling. If what we're worried about, what I worry about is what I think of this, like, this disappearing Congress. Granted, there are exceptions. We saw it a little bit with early Trump. Certainly, the first two years of the Biden administration, where we had bipartisan agreement— infrastructure, for instance, chips manufacturing, spending. Right? Congress can get stuff done.

But so often there's so much there's so many problems that just linger year after year. And, of course, right, immigration today seems to top the list. But the sustainability of entitlements, Social Security and Medicare, access to health care. Right? All these issues just linger in Congress is just not showing up. And what does that mean? It means presidents try to govern by executive order. And for better or for worse, that's not durable. Right? Right.

TENPAS: No more kick the can. They need to stop that, right?

BINDER: You know, easy for us to say. Hard for them. But Congress, you know, it would be good for a system where we thought the framers wanted these, like, we call them checks and balances. This is like some sort of accountability. Right? The one thing framers didn't want was too much power. They don't want another king. Right. Right. And that is what worries me, if lawmakers are so beholden to their parties but just unable to stick up for their institution.

TENPAS: So, where does that put you on the 1 to 10 scale? Push it a little bit. I'm going to make you pick a number.

BINDER: And is the high ...

TENPAS: Ten is the high, means you're the most worried. The sky is falling.

BINDER: Seven.

TENPAS: Okay. Okay. Ooh, you hit the average of what most other participants said. Well, Sarah, thank you so much for taking the time to talk to me today. It was really Interesting.

BINDER: Thank you for those excellent questions.

[music]

TENPAS: And now I'm joined by Governance Studies Senior Fellow Molly Reynolds to address the question in the context of the outcome for the United States House of Representatives. Where does democracy go from here? Molly is also a panelist with me at the event I mentioned earlier.

Molly, welcome to Democracy in Question.

REYNOLDS: Thanks, Katie. It's good to be here.

TENPAS: Yeah, really appreciate it. And wondering if you could just speak broadly about the results in the House of Representatives and what you think that means for legislating and governing going forward.

[37:02]

REYNOLDS: Sure. So, today's November 13th. And as it stands right now, it looks like Republicans will control between 220 and 222 seats in the House of Representatives. That is more or less where they began the 118th Congress. So, on one level, we have just spent a lot of time, money, and energy to return to where we started. And it's worth noting that that number may get temporarily smaller. President-elect Trump has indicated that he plans to nominate a few sitting House members to Cabinet positions, which could temporarily reduce the size of that majority for Republicans, because you cannot appoint someone to fill a vacant House seat. House seats can only be filled by an election, and so, there would need to be some time to fill those vacancies via special, special election.

TENPAS: Right. And generally speaking, is there sort of a ballpark figure about how long it takes, or does it vary by state?

[38:02]

REYNOLDS: So, the average is about four months. Sometimes states can and do go a little bit faster than that. Sometimes states can and do go quite a bit longer than that. There is a house vacancy in Florida in recent years that took about ten months to fill. We can and should have a longer conversation about the consequences for democracy of this. It is it is not great that it takes this long to fill House vacancies. It deprives people of really important representation in Congress. And in an era of really narrow majorities, high partisanship, and distressingly high levels of political violence, it potentially incentivizes some pretty dangerous behavior. If someone thinks that the way to flip the House majority is to be a violent act against a member of Congress.

And so, there are current sort of, I think, good faith conversations about how to address this. It might require a Constitutional amendment. But I do expect that among the many other things that are going to happen as the result of a narrow Republican House majority that perhaps we'll continue to have these conversations about how could we shore up this particular sort of weak point in our democracy about the possibility of vacancies and how long they last.

TENPAS: Yeah. And you mentioned narrow margin politics. And I'm wondering if you could just give the listeners a quick overview of kind of the history of how we got here, because clearly in the ‘80s and ‘90s it wasn’t this tight. What’s happened and what are the trends that you’re seeing?

[39:27]

REYNOLDS: Yeah. So, here, I think it’s helpful to actually go all the way back to sort of the end of World War II. And so, between the early 1950s and the mid 1990s, Democrats enjoyed uninterrupted control of the House of Representatives. And until 1980, they enjoyed uninterrupted control of the Senate. So, they had very large, at times, very large majorities and really durable majorities. This was built on the back of a coalition for Democrats that included both northeastern, Midwestern liberals and racist white Southern Democrats. And so, when the party’s tent had both of those blocs in it, that made it easier for it to have a really durable majority.

And importantly, both parties over that time frame really expected that Democrats would hold the majority really up until 1980, when Republicans took control of the Senate with the election of Ronald Reagan. So, those sort of 30 years before 1980, both parties looked to the next election and thought, Democrats are going to win. And so, if I’m a Republican and I want to get anything done, I have to work with Democrats. And so, that really shaped incentives for bipartisanship.

In 1980 when Republicans took control of the Senate, that kind of mentality shifted and both parties started to look at the next election as something that either party could win. And it really changed the way that they tended to behave and tended to sort of contest elections in Congress with much more of an eye towards what can I do to keep my opponents from winning or holding the majority? Depending on your perspective in in the next election.

And so, that’s sort of a long trend. And then we combine that with this, the sort of reduction in the number of competitive, truly competitive House seats such that now control of the House is really being fought out in a handful of districts every year. There are a number of different organizations that rate the competitiveness of House races. If you look at the Cook Political Report, which is one of them, this election they had 22 seats that were sort of true toss ups, that were the most competitive category, which in a body of 435 is not that many.

TENPAS: No. And what does that tell you generally about democracy going forward? It strikes me that one of the fundamental pillars of democracy is to have a competitive two-party system. But if 22 out of 435 House races are actually tossups where there’s some competition.

[41:58]

REYNOLDS: Yeah. I mean, so I think our it here sort of depends on what level we’re talking about. So, at a macro political level, in terms of could either party win control of the chamber, we’re actually at a sort of very high level of macro political competition. Each election cycle, both parties look at the election and think they have a reasonable chance of winning. There are broader factors that will make that more or less likely. So, you know, in a midterm year, particularly a president’s first midterm, we know that historically the president’s party tends to lose seats. But again, we're at a pretty high level of sort of macro political competition for control of the House.

But on a more individual district by district level, you're right that we have a declining number of truly competitive congressional districts. And there are a whole host of reasons for this. A lot of it, frankly, just has to do with the way in which Americans have distributed themselves across space and people's residential choices and the fact that people tend to live near other people who share their political opinions.

TENPAS: Right. And that trend has exacerbated over time.

REYNOLDS: It has. It has. And then you add on gerrymandering. So, I don't think gerrymandering is the number one cause here, in part because you can only draw districts so complicated of a way given the underlying distribution of people across space.

But the declining number of truly competitive House districts does raise some important questions, I think, about democracy. It also suggests that in a lot of places, voters, the most meaningful opportunity voters have to weigh in on who their House member in Congress is going to be is when there's an open seat and there's a primary to select or when you have a primary challenger to select a new nominee. And there I think we can ask questions about, well, who turns out to vote in primaries? Do they look like the same kinds of voters who tend to turn out in general elections? That sort of thing.

TENPAS: And the answer is usually no, right?

REYNOLDS: There's some sort of mixed evidence on this. It's certainly the case that people who are just sort of more informed and more engaged are more likely to turn out on the on the national level. And in a lot of ways that that trend has actually come to benefit Democrats. Historically, it benefited Republicans that Republicans would enjoy a higher turnout in midterm elections and that sort of thing because their voters tended to be … have all sorts of characteristics that would make them more likely to participate in politics: higher income, higher education. And as those kinds of voters have shifted to the Democratic Party, we now see that in a lot of midterm elections, for example, Democrats have a turnout advantage.

TENPAS: And can you talk a little bit about how unified party control might impact House productivity or House operations?

[44:44]

REYNOLDS: Sure. So, anyone who's watched the House Republican Conference over the past two years has seen evidence of pretty significant divisions within the conference and a lot of struggles for the party to fulfill some of its basic governing responsibilities. I think unified party control will help Republicans manage some of those differences. But I don't know that it will solve them for them, entirely.

Particularly when you're operating with a very little margin for error in the House you can make choices that will alienate three of your members. And if those folks decide they're really going to dig in on something that can make it make your life really difficult.

And I think a good place to think about this is something like their plans for a piece … a large piece of tax legislation. So, in 2025, the tax cuts passed in 2017 during the first Trump administration start to expire. Then the Senate will need to take some action to address that. I think that they will eventually get to a consensus product. But there are factions within particularly the House Republican Conference who want different things out of that bill. So, there are Republicans from high tax states like New York, New Jersey, and California who really want that bill to do something about the state and local tax deduction. That's a really expensive policy proposal that might be at odds with other things that other Republicans want, want to see in that package.

And so, unified party control can help, I think, and will help them manage differences. But as we saw in 2017 for Republicans and as we saw in 2021 for Democrats, it does not always sort of make them magically disappear.

TENPAS: Right. And what do you see going forward with the elections for the House leadership?

[46:30]

REYNOLDS: So, my expectation is that Speaker Johnson will get reelected Speaker, although there are many things that can happen between now, November 13th, and ...

TENPAS: … so don't bet on this.

REYNOLDS: ... and January 3rd. There are many choices that Johnson can make that might frustrate some elements of his of his conference. And so, I don't at this point, I don't know who sort of another alternative would be. And I think that the sort of prospect of getting going on a Republican legislative agenda and unified party control may be enough to, again, sort of get everyone in line behind Johnson. But the House Republican Conference has surprised me in the past two years. And so, it could surprise me in this way as well.

TENPAS: Yeah, I mean, just the resignation or the stepping down of Kevin McCarthy and the numerous votes and ...

REYNOLDS: Right. I mean, Kevin McCarthy didn't step down. He got …

TENPAS: … yeah

REYNOLDS: … he got deposed by ...

TENPAS: How many votes was that again?

REYNOLDS: So, in January, it took I believe 16 votes to finally elect him Speaker and then—in January of 2023. And then in late September, early October of 2023, was when a group of House Republicans voting with all of the House Democrats sort of used a procedural motion available to them to remove Kevin McCarthy from the speakership.

TENPAS: Yeah. And and am I right in this impression? It seems that majority parties, once they have a majority and, in this case, there might be overconfidence because of the election results and having the presidency and the Senate on their side as well, that it's almost like a license to not disobey, but to sort of raise your own parochial concerns and to kind of be more of a nitpicker. Whereas when you're on the defense, like the Democrats will be, they tend to limit the infighting more because they are in this defensive posture. And so, is it true we might expect to see sort of more infighting and more people speaking about their more parochial interests because they have this majority and there might be this kind of sense of confidence that shouldn't be there?

[48:29]

REYNOLDS: It's a good question. So, I do think that when a party is in the minority, as Democrats are going to be, particularly when they're in what political scientists will call the "deep minority," which means that, you know, they are in the minority in the House and the Senate and they don't control the White House, that there's no onus on you to rack up any legislative accomplishments. You don't have the the reins of power. So, electorally you are likely to think the most effective thing to do is just not do anything that's going to help make the majority's life easier. And then at the next election run against the majority by saying, look, these guys promised they were going to do X, they didn't do X, and you should elect us instead.

On the majority party front, I think it'll be interesting to watch. They are going to have the opportunity with unified party control to try and actually get done some of the things that they told voters they would do, some things that they told voters that they would do that might not actually have the effects the voters are looking for. So, here I'm thinking about the kind of expected combination of potential tariffs and potential sort of very draconian immigration policy, which could stand to raise prices even further, which is exactly what voters, we seem to think, did not want. You know, one of the things that they were angry about in this election were high prices.

And so, it'll be interesting to watch kind of what happens in two years when Republicans will have to run again on whatever record they built in the in the intervening two years. And I'll just say that in 2017, when Republicans had unified party control, some of the moments when President Trump was least popular were when Congress was trying to do things under the mantle of Republican unified control that were unpopular with the public. So, here I'm thinking particularly about their attempt to repeal the Affordable Care Act in the summer of 2017, which they failed to do not because Democrats were stopping them, because they were doing it using some procedures that did not require Democratic votes, but because they could not themselves in their own party agree on exactly what they wanted to do in order to repeal and replace that law.

TENPAS: Yeah. So, this is kind of my own issue here, but I am someone that cares a lot about government shutdowns and the inability to come to budget agreements. In part, it exacts a huge price on the executive branch and the civil servants. And so, that's kind of where I'm coming from. But just more broadly speaking, tell me that maybe because it’s a unified government, they’re less likely to shut the government down.

[51:03]

REYNOLDS: So, why we have unified party control, whatever party is in power is the one who bears, you know, responsibility in the public’s mind for keeping the government open or shutting it down. So, in that sense, I do think the prospect of a government shutdown is a little bit lower. Also, at the end of the day, keeping the government open is the kind of thing on which Democrats, even bearing in mind everything I said before about being in the deep minority, that you could imagine Democrats coming to sort of the rescue of Speaker Johnson, as they did a number of times during this last Congress, because just dispositionally, Democrats are less interested in government shutdowns than Republicans are. And so, we will see. Again, the current House Republican conference has surprised me in the past. So, we’ll just have to watch that over the next couple of months.

TENPAS: Okay. And just a final question, because you’re such a longstanding and astute observer of American politics, I like to ask my guests what they think about the future of American democracy. And just on a scale of 1 to 10, if you could tell me how worried you are about the future of American democracy.

[52:13]

REYNOLDS: It’s a hard question, and I think it depends a lot on, you know, what are we talking about? I mean, I am a person who obviously spends a lot of time thinking about the U.S. Congress, which has managed to kind of muddle through some pretty some pretty tough times before. But I also think given the kind of announced positions of President-elect Trump and the real erosion of the guardrails around executive power, some of that erosion has come at the hands of the U.S. Congress and of the Congress refusing to assert its own institutional prerogatives. There’s a lot that I’m worried about in the executive branch context in terms of the erosion of democracy more so than I am in the legislative context.

TENPAS: Yeah. So, tell me, if you could put a number on sort of just you can even focus it and limit it to just your concern about democracy from the perspective of focusing on the executive branch.

REYNOLDS: I would say ... I don’t I don’t like these questions, but if you if you made me, I would I would put my my concern about the executive branch at, you know, a 7, and my concern with the legislative branch at more like a 3 or 4.

[music]

TENPAS: Yeah. And likely to change. Well, thank you so much for your time. I really appreciate it. There was a really interesting discussion today.

REYNOLDS: Thanks for having me.

Democracy in Question is a production of the Brookings Podcast Network. Thank you for listening. And thank you to my guests for sharing their time and expertise on this podcast.

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I’m Katie Dunn Tenpas. Thank you for listening.