

**Reforming Congress Project  
Sunwater Institute  
Interview with Norman Ornstein**

**Norman Ornstein Part 1**

**CHERVENAK:** Norm, thanks so much for joining us.

**ORNSTEIN:** Sure, my pleasure.

**CHERVENAK:** Why don't we start off with the arc of your career, where you started, where you've been focused over time, what you're doing now?

**ORNSTEIN:** Sure, so I was an undergraduate at the University of Minnesota, and I actually had an interdepartmental major. I did politics, political science, economics, sociology, and math, in part because it was an easy way to avoid some of the onerous requirements. I had some wonderful professors there, one of whom, a man named Gene Eidenberg, had come to teach fresh from having a Congressional Fellowship, had worked on Capitol Hill and infused his classes with stories, and I said, I want to do that.

So I went to graduate school at the University of Michigan, became a Congressional Fellow, worked on the Hill in 1969, '70, went back, finished my PhD dissertation, actually finished wrapping it up with my first teaching job, which was in Bologna, Italy at Johns Hopkins School of Advanced International Studies, came back to teach at Catholic University, got very much immersed in Congress directly at the time. I'd worked a lot on reforms when I was a fellow, and then in 1978 went to the American Enterprise Institute part-time, created something with my colleague Tom Mann called The Congress Project.

We did a book called "Vital Statistics on Congress" that continues now at Brookings, and a number of other projects. I went then halftime and then full time in 1983 or '84, and I've been there ever since. I'm now emeritus. I took some time to work on the staff and then become staff director of a committee in 1976 and '77 that reorganized the Senate's committee system. Went out to the Center for Advanced Study in the Behavioral Sciences in Palo Alto for a year and came back, and have pretty much immersed myself in issues surrounding Congress, the political system more broadly, and reform, and have had a hand in a lot of the reforms that have taken place over a number of decades.

Now, among other things, we're back with a Continuity of Government Commission, which is a set of issues I plunged into in the immediate aftermath of 9/11 that have new implications with both COVID and the events surrounding the election and January 6.

**CHERVENAK:** So I think you covered your focus areas, but generally speaking, is there an overarching set of themes to your work that that you'd like to outline?

**ORNSTEIN:** I would say if you look at the books that I've done, many of them with Tom Mann, they're really focused on an institution that increasingly grew dysfunctional through the decades that I've worked on it, and with it, and I've worked with members inside and outside on almost every reform effort. Had a hand in creating the Office of Congressional Ethics, the Congressional accountability that took place in the late 80s and early 90s, reforming the committee system, and many other areas.

And it's trying to make sure that the institution works the way it is supposed to work with at least some ability to solve problems. Also dealing with the broader implications in the interactions with other institutions and in the society.

**CHERVENAK:** And so for Congress itself, why don't we dive into some of the issues that you've talked about? Obviously, party is a major one, but I'd like to talk specifically about party within Congress, and one thing I've talked to previous guests about is this idea that within Congress there are a set of rules, and also the parties impose rules on their own members within the Congress. I'm curious about what you think the appropriate role of party is within the Congress itself, not as it regards the elections, but after the election. What happens in Congress, and how does this structure play out, and what makes sense and what doesn't?

**ORNSTEIN:** So, if you go back to the beginning, of course, parties were not mentioned in the Constitution. The framers didn't think about them. They became the essential way of organizing, and I think you see this in every society. You need a way to organize so that you have people in charge who can set an agenda, who can run the institution. You need to have a level of accountability so that in elections people can at least in theory judge whether you like what's happened and want to keep people in place or want to change.

And then you have to have a mechanism for the orderly transition and change in regime and in power. Parties are the way to do that. We've always had this tremendous tension in our system, though, because our parties can't function the way that they do in a parliamentary system. Parliamentary system it's fairly clean, and the culture kind of reinforces all of that, where you have a much more direct line of accountability because you have one election, and you get a majority and you have a minority. The role of the minority is to oppose and unite in opposition. People all unite and vote together.

But in a system where you have separate elections for the House, Senate, and President, where you have regular periods with divided government, your parties can't operate that way. And if they do, then you end up with gridlock, so the tension that exists, a party has a majority, they presumably do have to unite together when it comes to the initial organization so that the majority can select in the House, the Speaker, in the Senate, a Majority Leader, so that you can decide what the rules are going to be and how the committees are going to organize.

You have procedural votes that presumably become party votes, but then you have to have in our political system some slack in the way that parties operate so that you can build coalitions across party lines. I think there's another element to that, which is that the rules and the nature

of these institutions interact with the culture in the society. In a parliamentary system, it is basically accepted that the majority makes decisions and the public can decide in four or five years, or sometimes less, if they like them and they want to keep those people in place or if they want the alternative, or sometimes multiple alternatives. If the culture accepts that.

When we have decisions made by one party with the other party opposing them, because of the nature of our political system built up over centuries, you're going to have a large number of people, if they're very sweeping decisions, who will see those decisions as illegitimate. Daniel Patrick Moynihan, the late great senator from New York and a mentor of mine, said frequently that when we do things that affect the social fabric, that cause disruption in people's lives, you need to have broad leadership consensus. And that means you need to have some bipartisan buy-in if you're going to have people accept the fact that there may be some short-term pain or dislocation for a longer-term benefit.

So we have that tension that's built in. I would just say that as Tom and I, Tom Mann and I pointed out in our book in 2012, it's even worse than it looks. One of the tensions that we've had that has emerged over the last two decades is, we have parties acting more like parliamentary parties. Certainly that's true of the Republican Party when it's in the minority, than like our traditional parties that have broader tents and that have an ability to work across those lines. And that's created enormous problems.

Now, we actually have, I think, a paradox here because at one level you say our parties are weak. They can't control who gets elected. They don't have a great deal of ability to say in a Congressional district, we don't like you because you're not going to be loyal enough, we want this one instead.

I'll give you a good example of that now with the Democratic Party. Right now, we have an election for, a special election, for a House seat in Ohio, in Cleveland, to replace Marcia Fudge, who has moved to the President's cabinet as Secretary of Housing. One of the candidates, a very progressive candidate, Marcia Turner, Nina Turner, excuse me, is somebody who campaigned viciously against Hillary Clinton in 2016. And in 2020 during the election campaign said that whether it's Donald Trump or Joe Biden, it's a question of which bowl of excrement you want to eat. So, she may well win this primary. That's not what a Democratic Party with extremely narrow majorities in the House, a tied Senate, and a President who needs a lot of party loyalty would prefer, but you don't have control over those things.

So at one level they're weak. At another level, we're seeing enormous discipline in terms of how people and some constant level of tension that has ratcheted up as we've moved into politics that are significantly more tribal in their identity. And of course the other element here is that when you have a closely divided political system, when every election can bring a turnover in power, the pressure to conform to your party is ratcheted up.

Just to step back, when I came to Washington in 1969, and for at least a decade, maybe two after that, it was fairly clear that we had seasons in our political process. You'd have a season of

campaigning, probably six months out of the two-year cycle, where all the focus was on the campaign. Then you'd have eighteen months that's a season of governing, and one of the norms that fit with that was, you as a member of Congress would never go into the district of a colleague from the other party to campaign for his or her opponent because that would damage the governing process.

We moved to an era of what Sidney Blumenthal defined as the permanent campaign. And now it's all campaigning all the time. And if you believe that every step that you take working with the other party could reduce the chances of your either holding the majority or gaining the majority, then working with the other side becomes more like sleeping with the enemy. And that creates a much greater level of tension. So we have real problems, I think, with our parties.

And I would add one final note here, which is in a parliamentary system which has many, many flaws, and it's not that I would want to adopt, one and I'm not sure we could in our culture in any event, but there you have much greater opportunity to have a third party or a fourth party emerge so that you can build different kinds of coalitions. And we've seen many instances of that where, for example, in Germany the Social Democratic Party, when it had majorities, had to build them with the Green Party, and you had to make compromises, and on the other side you'd have other kinds of coalitions.

We don't have that ability easily here in our system. We have a few Independents in the Senate, one or two in the House, but we don't have a third or fourth party, and so if you have a party that demands discipline inside but you have very different points of view, you don't have the ability for some people to break off and form a different kind of party that might join in coalition but will have a different relationship. And that's another level of tension within our political system right now.

**CHERVENAK:** But you know, what enforces this kind of adherence to the party line, obviously it could be their religion, and they would follow all such dictates willingly. On the other hand, there's a set of rules inside Congress itself within the party. If you don't tow the party line, you don't get a committee assignment, or you don't become, you can't keep your chairmanship. There's a set of rules that parties are able to enforce on their members within the Congress. Now if those were removed, it would in theory, seems to me, create a lot more flexibility in the ability to make these coalitions around issues rather than around party, right? So I'm curious about your perspective on if you remove such kinds of party rules within the Congress, whether it would solve some of the problems that you're seeing.

**ORNSTEIN:** You could also end up with chaos. Now, I would say that the ability of the party to influence individual members was much greater in the 50s and 60s when you had a hierarchy. Committee chairs, for example, had enormous power over all of their members. They could decide who would sit on subcommittees. They could decide who would travel to different places. The Speaker was not all powerful, actually, the committee chairs were more powerful, but the individual members had little ability to act independently. They didn't have the resources, and many of the resources, even the money coming in, was allocated from the top.

We have a different idea about political money now, to some degree, but Sam Rayburn had a bag full of cash in his office for political purposes that he could use to help people if they had a difficulty in an election. Now, a lot of people don't care so much about that. It's a problem. Members are not that interested in policy. They have their own political identities. They can raise money outside. You can become a maverick, in some ways, and if you use social media appropriately, or other kinds of media, you can raise more money than the leaders can raise for you. And you can travel anywhere you want anyhow.

And just to take one example, we have one person who's had committee assignment stripped, not by her party. By the House as a whole. Marjorie Taylor Greene. Marjorie Taylor Greene has no committee assignments. I will bet you that that hasn't bothered her for a nanosecond. She has her own platform right now, and of course it also tells you something about the nature of the Republican Party right now, that a Marjorie Taylor Greene has not been sanctioned by her own party, but the one person who has is Liz Cheney, who stepped out to protect our political identity and process.

So it's not as simple as changing the rules that give parties control because what's happened as parties have weakened is you're getting people coming in who are entrepreneurs on their own, who don't operate with the same set of norms that they used to in the past. Committee assignments for some are very valuable. In other instances, they don't mean much at all, and the outside forces can have more of an impact on leaders and their ability to move people from committees than the leaders themselves might prefer.

**CHERVENAK:** And so let's just do a thought experiment where you remove these rules from the party, these party rules inside Congress, and every Congressman and Senator is an entrepreneur. It could lead to chaos, as you said, or you could use some kind of other way, other kind of process to bring order to the House or Senate. There's even and I'd say there's technologies available today that weren't available 100 years ago to help coordinate actions in ways that didn't exist, and that you might be able to institute some kinds of process. Have you thought through that at all or have seen any proposals that would, think about how to organize outside of using party as the method?

**ORNSTEIN:** I haven't seen anything that I find persuasive, and keep in mind that we have some legislatures out in states that are nonpartisan. They're not partisan in theory. They don't allocate through the same set of rules, but they do. And I'd be very interested to see if there is a model that could work that would be different than the parties. You're going to have to have divisions of labor in a complex society and in a legislative body that now has to deal with issues domestic and international that are extraordinarily complex.

So you need a division of labor. Committees provide that division of labor. You have to have some mechanism for deciding which members serve on which committees. You have to have some mechanism for deciding how you're going to organize subcommittees within those

committees, and who will be determining the agenda for the committees, the subcommittees, and then who will be determining the agenda for the Congress as a whole.

And if there's a better mechanism than a party, fine, but if it's just simply changing the name in the end and you have it operating in much the same way, I'm not sure you gain much of anything. And, of course, keep in mind that we have laws in the states and federal laws that have been built up around the Constitution that not only pretty much make it a two-party system. You could change those laws, you could change the Constitution to make a proportional representation, for example. There are a lot of things you could do in terms of the electoral process that could alter the way parties operate. There are things you could do with the rules internally, but I haven't seen anything persuasive yet that would make a huge difference if we still have the same kind of election system with the same incentives and disincentives for people recruited or self-recruited to run for Congress and with the ability to win.

## **Norman Ornstein Part 2**

**CHERVENAK:** Let's move on to this representation idea. I know you've talked about the Senate in particular, about how it over time, and in the future, it'll be even more unrepresentative of the population than it is now, but it requires an amendment to change that. Maybe we can focus on the House instead. You've talked about changing the number of House members, of Reps. Can you talk a little bit more about what you think there, structurally, that might create a better institution?

**ORNSTEIN:** So, I'm an advocate of enlarging the House. I think the rule that I would, and let's keep in mind that effectively the House size was frozen after the 1910 census, when it reached 435. It wasn't changed in the 1920 census, and a law was passed, it's only a law, that froze the House membership at 435. If you look back at why that was done, it was basically because you had this wave of immigrants who came in after the turn of the century, mostly in New York and the northeast, and then you had a movement of Blacks from the South towards the North, and the powers that be in the House feared what would happen if they were given more representation and there'd be many more seats.

So the reason for freezing the size of the House was not a sort of clean, independent, oh we can't operate effectively as a body with larger numbers. It was political power, basically. But the House originally was set to have a ceiling of 30,000 for each representative so that the representatives would be closer to the people. Now we have seats of more than a million, and at the same time, while the average is now between seven and eight hundred thousand, and there is some variation, of course, with each state having at least one representative, but we're also seeing many more districts that are homogeneous in nature, and that accentuates the division between the parties. The competition is basically in primaries, but it also means that representatives don't represent the wider range of people in the society with some level of diversity.

So if you enlarge the House, you're at least going to reduce to some degree the disparities that exist out there. You're going to have members who are a little bit closer to the numbers of people that they represent, and if you do this appropriately, you also have a very positive effect on the electoral college, which is growing more and more distorted, you know, the ratio of population between the smallest and largest states is now 70 to 1, and that means that voters in Wyoming have multiple times the power in selecting a President of voters in California or Florida, say.

So if you added the numbers, you would reduce that ratio to some degree. But what I'd like to do is enlarge the House by saying that House sizes will be built around the smallest district in the country. It should be around 550,000, it's Wyoming or North Dakota, and that means at this point you probably had 150 or 160 seats. You could physically handle that, I think. But what I also want to do is repeal a 1967 law that required single-member districts. I'd like to move to allowing multi-member districts and add rank choice voting.

And just to give you an idea of why, in Illinois for many decades, their legislature was selected in three member districts, and people who voted in those districts had three votes. You could cast three for one, or two for one and one for another, or one for each of three. And you had a wide range of candidates. You had heterogeneous districts, but the incentives in campaigning were to reach out to different groups of people so that even if they didn't vote for you as their first choice, maybe they give you one of their three votes, and so you had a much more moderate legislature, and a legislature that was much more attentive to representing the wider groups of people. They did away with that in the '60s, and now the legislature in Illinois is just like most of the others in the country, divided along tribal lines and with more extreme members.

So, those are reforms that I think if we could manage them, that don't require Constitutional Amendments, these are all involving laws, that could actually have a huge impact, positive impact, on representation and ideally on deliberation.

**CHERVENAK:** Well, maybe that can lead us to our—I know we have limited time, so I'm going to move on to our common questions we ask all the guests, and the first one is really about what you think Congressional representation should mean. I mean obviously, if you could only represent the partisans in your district, or you could represent the whole district, what is your perspective on what a representative should mean for those Congressmen and Senators?

**ORNSTEIN:** So of course we have the dilemma here that goes back to Edmund Burke, whether you have your own points of view that govern how you operate or you are simply a reflection of the voters in your district. If it's the latter, then, and we've seen more of that, and because as we talked about earlier, the primaries become the most important part of most of these elections, you end up with a deeply divided country as people represent the extremes more than they do the country as a whole.

I think we have a larger problem, which is the House is supposed to be closest to the people. That means it reflects larger national trends, and if something happens, people want to make a change, every two years they've got that opportunity. Most of the districts are safe for one party or the other, so it no longer represents the national interest or those larger national trends. And some of that has to do with the nature of redistricting and partisan gerrymandering. Some of it has to do with natural residential patterns.

I'll just give you one example, though. Bob Livingston was a conservative Republican Congressman from New Orleans for a long time, almost became Speaker of the House but didn't and left. And I remember at one point Bob Livingston telling me that in his district they had maybe 20 percent African Americans, and they didn't vote for him, and they weren't going to make or break him, basically, but what he said to me was, you know one, I have a fiduciary responsibility to represent everybody in my district, and two, I don't want to do something that so pisses them off that they will turn out in droves against me.

So, for example, he was very sensitive to the idea of a national holiday for Martin Luther King. That district now has a trace element of African Americans, and the representatives who have succeeded him have a completely different point of view. So if you move away from having some heterogeneity, where you hope that somebody getting elected believes that at least to some degree they have to listen to and try to represent the interests of everybody in their districts, and if you basically drain them of the ability to have some competitiveness where you have to worry about how the other side thinks about you, you end up with some of the problems that we have now.

So I think we've moved very much away from an ideal of what we would want with representation, balancing your own partisan interests, your own ideological viewpoints, a larger national interest that might conflict with the interest of your own district or state, or the viewpoints of your own interest or state, with the understanding that you're there to represent both your people and the country's national interest as well. And you know I don't think that's something that most members think about for a nanosecond.

**CHERVENAK:** But for yourself, it sounds like you're a Burkean.

**ORNSTEIN:** More than anything else. You know, at the same time, go back and look at issues like the period right before we entered World War II. Sam Rayburn, the Speaker, understood that we would need to extend the draft, the Selective Service System. It was unpopular in the country. He had to pull out every stop to get a very narrow victory. You look at the Civil Rights bills in the 1960s. Pivotal in passing those Civil Rights bills were conservative Republicans like Bill McCulloch of Ohio, like Everett Dirksen in the Senate of Illinois. They saw a larger national interest even at the time knowing that it conflicted with their own party's political interest. They put [--] first. We have much less of that now, and that's going to be a long-term enormous problem for us.

**CHERVENAK:** So, the next question is, how would your ideal Congress allocate its time? And by that I mean between district and D.C., and legislation versus oversight.

**ORNSTEIN:** I am a longtime proponent of dramatically changing the Congressional schedule. I want to have three weeks in Washington every month and one week off. I want to have those three weeks nine to five, Monday through Friday. If you're there all week, you're going to have some time to read, to deliberate. You are actually going to have more time to debate on the floor. You're going to have more thoughtful hearings. Now in an ideal world, I would combine that with a ban for those fifteen days a month in Washington, no fundraising. Now what happens, of course, is when members are there, they're spending half their time running off the Capitol complex to either the Capitol Hill Club or the National Democratic Club or to safe houses to do call time, fundraising. You'll have fifteen days a month to do that otherwise, but if you're there nine to five, you're in the office, and you're on the floor, and you can do more debate.

You know, I've tried that over and over. We've had speakers, I remember John Boehner when he first came in, telling me, I'm going to change this schedule. And he hasn't been able to. And no leader has been able to change the schedule in a fundamental way. Members want to go back home.

Now the other plus for this, it would seem to me, is if you're there five days a week, three weeks a month, you're going to have more of an incentive to bring your families to Washington. And that's not a panacea. We all talk about, many people talk about, how oh, in the old days they would socialize together, and that would, you know, reduce the level of hostility, of tribal tension. That's true, but it was because of a broader norm surrounding the institution. Senators, many of them, do have their families here. They do interact socially, and you can't argue that that's made it a wonderful place for the parties to interact.

**CHERVENAK:** Well that's a good segue to the next question, which is, how should debate, deliberation, or dialogue occur or be structured in Congress? Should it be in committee? Should be on the floor? Should it be in private rooms? Should it be out in public? What are your thoughts on that subject?

**ORNSTEIN:** Well one, all of the above, but I will tell you I have also been a longtime proponent, written about it a lot, and pushed the parties and leaders a lot, to do a series of weekly prime time debates, structured debates, on the big issues facing the country. And they don't all have to be divided along party lines. At one point after a lot of effort, I got the House to do an experiment on this, on the floor, in prime time. But they did it like an Oxford style debate, except that, of course, they wanted to make sure that nobody was left out.

So every subcommittee chair and ranking member participated, so you had like 10 people on each side, and that meant that they would have like a minute to do a proposal and then a 30-second rejoinder and then a rebuttal and a re-rebuttal, and it was completely fragmented and didn't at all do what one would want. I really believe that now if you did this, that it's not that you would get a prime time audience that would rival the old days shows like "Friends" or

“Seinfeld,” but you would have them up on YouTube, and they would be used in the classroom, and they would be a kind of fulcrum for news shows, the NewsHour on PBS, or the shows on cable television, to bring in the people doing the debates or to use excerpts to talk about these subjects. And it would make the public at least see the nuances of some of these issues, the different sides, and it might make Congress function a little bit better, but it also might create a little bit greater sense of legitimacy out in the public. And it still baffles me as to why they haven't seized on this because it's such a low-cost thing to do.

**CHERVENAK:** And what about the structure of the dialogue itself? You know, I'm a longtime student of scientific dialogue, and in science there's a common goal, in theory, which is to arrive at a truth. This is the hope of the scientist, even if they don't always execute it well, but in politics, it's a very different environment where the goal—information is oftentimes just a means to a certain end. And so misinformation or information can be equally used in order to achieve an objective, and so that creates a problem in dialogue where people don't necessarily use facts in the same way. Any thoughts about how that kind of dialogue could be structured so it would be a more positive experience for everyone? Can you agree on a set of facts and use that as a basis for discussion, or any thoughts along those lines?

**ORNSTEIN:** Let me be blunt here. We have one party that's conducted a war on science and facts because the facts are inconvenient for them, and that's the Republican Party now, and so you know, I've talked for example to my friend Bob Inglis, who served for twelve years in Congress. Free market conservative Republican who believes that climate change is real and believes that we need to find market solutions for this existential problem. He is shunned in his own party. He, of course, got dumped in the primary because he was an apostate on this front, and if you think about how you're going to have a debate on climate change where the debate ought to focus around whether it's appropriate to have a regulatory regime that prices carbon or that you have a carbon tax or you have other kinds of incentives, but you start with the reality that this is a real problem and we have to look for different ways of solutions.

But if you have a party that largely believes it's a hoax and tries to undermine the scientists and the data, how are you going to have a dialogue? Think about the way vaccines have been handled now, where data is discarded or challenged. So we've got a real problem on that front. Now, one way that I've thought about dealing with this is setting up, using former members of Congress, a kind of dialogue where you can find people that range across the spectrum ideologically from progressive left to conservative right, but who accept that there is a problem, accept data and facts, and let, and they're skilled enough at how to deal with a legislative dialogue, and you set up in effect the a kind of parallel Congress that shows by example what could be done.

Maybe that would have an impact or make a difference, but you know so much of what we see now, because of the tribal environment, is a reaction that if you're for it, I have to be against it because if I'm for it that's giving aid and comfort to you. And even where, I mean I look at the way Republicans in Congress have handled the vaccination issue by and large, and it's—I'm going to leave my own constituents vulnerable, many are going to die, but I will own Biden and

the left by not accepting this nonsense about vaccination. And it leaves me despairing about the possibility of having reasonable debate on a whole range of issues.

That's not every issue. We're seeing it in a positive way on criminal justice reform. We've seen it to some degree, we'll see how it works out, on something like infrastructure. I've seen it on mental health policy, an area I'm deeply engaged in. So it's not everything, but on so many big and crucial issues, it's very, very difficult to have a reasonable dialogue when you look at the viewpoint of the members. That's more true in the House than it is in the Senate, but it's true in both bodies.

And now I finally say on this front, if we look at debate in Congress in the past and you think about the great debates, what's always used as a model is the debate over the entrance into the first Iraq war. George H.W. Bush was President. It was, you know, a decision where our viewpoint at that point was, we could have a massive war with large numbers of casualties, and we had this three-day night and day debate in the House and Senate, and everybody thought it was just wonderful, that people were speaking from the heart. They saw this as an issue where you had to put aside a lot of the differences, and you had people on both sides of the aisle arguing both sides of whether the United States should enter the war.

But if you go back and look at it, it's not a real debate. It's a series of serial speeches by members laying out their own position. So, the Senate has never been a great deliberative body where you have actual debates, where you have a person saying, here's what I believe and then somebody else gives a rebuttal. And you need to have a different structure to do that, and that's what we need to do. Where we do see that in Congress is sometimes when you have in the Senate organize colloquies, members who come in and structured around having a dialogue, and dialogue is just not anything that happens with frequency in Congress.

**CHERVENAK:** So you don't have a magic bullet for that?

**ORNSTEIN:** You know, the magic bullet is getting a different group of people.

**CHERVENAK:** That's always the hope, that better people lead to better results.

**ORNSTEIN:** Let me say that if you go back to what we might view as a golden era, Congress had its large share of people of subnormal intelligence, of limited ethics, not necessarily everybody you would want serving there, but you had leadership in both parties that put the national interests first, that put the institutional integrity of their own body force, that had a high level of what we call institutional patriotism.

And you actually have probably a much higher average and median IQ in Congress now than we've had. You probably have, in general, higher ethical standards, many exceptions to that, but we have that. But you don't have that institutional patriotism, and you don't have a leadership across party lines, that puts the institution first. The norms have been blown up, and that's a key part of the problem.

**CHERVENAK:** Yeah, that's one of the reasons I mentioned the scientific endeavor. They have a common goal, which is the truth, and in the Congress if the common goal is the institution's performance for the country, that's a common goal. If you don't have that goal, you have your parochial goal, then it breaks down.

**ORNSTEIN:** Our mass media have been a part of the problem here as well. They treat their dialogue—this is especially true of cable news shows and of the Sunday shows—as if it's like a trial and the public watching is the jury. And you have the advocate for one side and the advocate for the other side, and then you make a judgment, but in fact it often distorts that reality.

And climate change, I think, is the best example. Where they've had discussions of climate change, they bring on a climate scientist and a climate denier, and the public looking at this thinks that the scientific community is evenly divided along those lines, and of course it's ninety-nine on one side and one percent on the other, and every scientific issue is not going to have everybody agreeing, even when the data and the facts are clear.

But there is a consensus that develops, and if you end up presenting it as if that consensus just doesn't exist or it's much more divided than it actually is, you give more traction to people who deny the facts.

**CHERVENAK:** It's a fundamental problem of how do you represent minority rights or minority views in such a way that puts them in perspective, but that's a challenge, as you said, even in the electoral process, where they're magnified. So my next question is, what book or article most shaped your thinking with respect to Congressional reform?

**ORNSTEIN:** I would say there wasn't a single book that that did it. It was more my own personal experience. I came to Congress in 1969 and worked for a representative named Don Fraser of Minnesota who ran the Democratic Study Group, and so I got immediately engaged in the reform process there. If there was a book at that time that influenced me, it was a book by Nelson Polsby, a late and very important political scientist, and actually more articles that Nelson wrote than the books that he did, but you know because I had the privilege of being immersed in this process and then being engaged directly with members and the whole series of reform efforts, that had more of an impact on me than the books did.

**CHERVENAK:** The last question is just around your plans. What's coming for yourself in terms of your writing, in terms of your work?

**ORNSTEIN:** Right now, my main effort is this continuity of government issue. We do not have an insurance plan in place. We don't have a will for the political system. If United 93 had left on time instead of being 45 minutes late, it is very likely it would have hit the Capitol Dome around the same time that the other plane hit the Pentagon, and we could have seen a Congress decapitated for months, a House that had to replenish itself by special elections that, even if

you have just one, takes three or four months. If you had two or three hundred, it would be chaos.

No Congress in the immediate aftermath of that attack would have meant the equivalent of martial law. Not a good way to run a political system. If the anthrax attack that followed had been a serious one done by terrorists, we could have had sixty Senators in intensive care units with anthrax and no Senate. And you can't replace them. You'd have to expel them, and you'd need two-thirds to do that, and there wouldn't be members to do it. And you wouldn't have a quorum to do any official business.

So we began to focus on how to deal with that. Now we have the additional problems. COVID, or any other pandemic, could mean that hundreds of members of Congress couldn't get to Washington or couldn't function. How do we handle that? We have, it's true, for Presidential succession and the Supreme Court as well, and now, of course, we have these additional questions. You know, when you have the tribal divisions that we have right now and you have a House where if five or six members of the Democratic Party were wiped out, you change the majority. You have to worry that somebody might target five or six members. It's not fanciful to think about that anymore.

What January 6 showed us is that we have these internal problems. So we're now renewing these efforts. We had a commission that issued three reports, most of which were ignored by both parties in Congress, and now we're trying to supplement those with some additional recommendations, and I'm going to spend a fair amount of time on that. And I'm also spending a lot of time on the filibuster rule in the Senate.

**CHERVENAK:** We'll have to touch on some of those questions in a future interview. Well, thanks so much, Norm, for joining me. I much appreciate it.

**ORNSTEIN:** You bet. My pleasure.