

CHAPTER 8

DEMOCRATIZING OUR DEMOCRACY

James Bryce, the British observer of American political life who traveled the country in the late nineteenth century conducting research for his influential two-volume book, *The American Commonwealth*, observed that wherever he went in the United States, Americans asked him, with no small degree of pride, “What do you think of our institutions?” Bryce, an Oxford historian who would go on to serve as British ambassador to the United States, noted,

The institutions of the United States are deemed by inhabitants and admitted by strangers to be a matter of more general interest than those of the not less famous nations of the Old World. They are . . . institutions of a new type. . . .

They represent an experiment in the rule of the multitude, tried on a scale unprecedentedly vast, and the results of which everyone is concerned to watch.

Today, America is engaged in another—equally ambitious—experiment: the construction of a vast multiracial democracy. Again, the world is watching.

Previous efforts to build a multiracial democracy in America have failed. Unlike earlier periods, however, today's experiment has the support of most Americans. It is only in the twenty-first century that a solid majority has embraced the principles of diversity and racial equality.

But this majority alone isn't enough to save our democracy, because in America majorities do not really rule. Not only have steps toward a more inclusive politics triggered a fierce backlash among an authoritarian minority, but our institutions have amplified the power of that minority. The acute constitutional crisis triggered by the Trump presidency might have passed, but rather than regarding those four years as an exception, we should regard them as a warning. The conditions that gave rise to the Trump presidency—a radicalized party empowered by a pre-democratic constitution—remain in place.

We stand at a crossroads: either America will be a multiracial democracy or it will not be a democracy at all.

There are paths forward. Other countries' experiences, as well as our own history, offer some guidance. We aren't the first genera-

tion to face the rise of political movements that assault democracy from within. In the past, democracies have confronted such threats in several specific ways.

One strategy, born in the darkest days of 1930s Europe, is to corral all democratic-minded forces into a broad coalition to isolate and defeat antidemocratic extremists. Facing the specter of a global wave of fascism, many of Europe's new democracies came to the brink of collapse between the two world wars. In some countries, mainstream politicians responded by setting aside their intense ideological differences and forging broad left-right coalitions to defend democracy. Acute crises call for extraordinary cooperation; leaders of rival parties realized they needed to temporarily set aside their policy goals and forge a common pro-democratic front, both at election time and while governing. In Finland in the early 1930s, the leftist Social Democrats joined center and center-right parties in a broad-based Legality Front to face down the fascist Lapua Movement. In Belgium, the center-left Labor Party joined forces with the conservative Catholic Party and the centrist Liberals in a right-leaning unity government to defeat the fascist Rexist Party. In both cases, coalitions of pro-democratic parties succeeded in keeping extremist forces out of power (until the Nazis invaded Belgium in 1940).

Some American politicians used this containment strategy during the Trump presidency. The lifelong conservatives who founded "Never Trump" organizations like Republicans for the Rule of Law, Republican Voters Against Trump, and the Lincoln Project cooperated with the Democrats—a party they had spent their careers opposing—to defeat the Trump-led GOP in elections. Likewise, Representatives Liz Cheney and Adam Kinzinger, two

conservative Republicans, risked their political careers by working closely with Democrats on the House Select Committee to Investigate the January 6th Attack on the United States Capitol. This is how containment should work.

Containment strategies were also employed in America's state legislatures. In Ohio and Pennsylvania after the 2022 midterm elections, Democrats aligned with more moderate Republicans to defeat extremist Republicans for the statehouse speakership. In Pennsylvania, an alliance of Democrats and Republicans elected a moderate Democrat; in Ohio, they elected a mainstream Republican, keeping election-deniers out of power.

These kinds of cross-party alliances—and perhaps even bipartisan tickets—may be critical in 2024 if the Republican Party continues on its extremist path.

Containment is only a short-term strategy, however. Democracy at its heart is about competition, so short-circuiting it for too long can be self-defeating. Progressive and conservative forces may need to close ranks temporarily to defend democracy, but ultimately voters should be able to choose between them. Indeed, evidence from Europe suggests that when “grand coalitions” remain in place for long periods of time, voters come to regard them as collusive, exclusionary, and illegitimate. Excessive mainstream party cooperation may lend plausibility to populist claims that the “establishment” is conspiring against them. So although containment can help keep antidemocratic forces out of power, it doesn't necessarily weaken them. And it might even strengthen them.

A second strategy for confronting authoritarians—known as militant or defensive democracy—also emerged out of the trauma of 1930s Europe. The idea is that government authority and the

law can be used to *exclude* and *aggressively prosecute* antidemocratic forces. The strategy was first implemented in post–World War II West Germany. Haunted by the experience of Hitler’s rise to power, the country’s postwar constitutional designers didn’t want their democratic government to stand by helplessly in the face of authoritarian threats from within. So they wrote a constitution that allowed for the *banning and restricting* of insurrectionist or “anti-constitutional” speech, groups, and parties. Used on rare occasions to investigate extremist left- and right-wing parties (most recently in 2021), the mere existence of this authority to investigate groups that assault the “democratic order” arguably has a deterrent effect on extremist forces. The model has spread across much of Europe.

Militant democracy may at first glance seem at odds with America’s libertarian tradition, but the U.S. Constitution also possesses tools for combating antidemocratic extremism. As constitutional scholars remind us, Section 3 of the Fourteenth Amendment was adopted to explicitly prohibit “insurrectionists” from holding public office in the aftermath of the Civil War. Although it has rarely been used for this purpose, the Fourteenth Amendment offers a powerful tool to defend democracy from domestic enemies. America had never prosecuted a former president before 2023, but numerous other established democracies—from Japan and South Korea to France, Israel, and Italy—have done so, and their political systems were no worse off for it. Indeed, where presidents or prime ministers have committed serious crimes, it is essential for democracy to demonstrate that no one is above the law. Americans strongly agree that the full force of the law should be applied against those who violently assault our democracy. A 2021 Pew

survey found that 87 percent of Americans believed it was important to prosecute the January 6, 2021, Capitol rioters, and 69 percent believed it was “very important to do so.”

Like containment, however, the exclusion strategy has pitfalls. Most important, it is a tool that is easily abused. American history is replete with instances of such abuse: the 1798 Alien and Sedition Acts; the imprisonment of the socialist leader Eugene Debs; the 1919–20 Palmer Raids; the notorious House Un-American Activities Committee and Senator Joseph McCarthy’s political witch hunts; and the surveillance, prosecution, and even killing of African American leaders and activists. Ideas of militant democracy were also used to justify undemocratic bans on left-wing parties in much of Latin America during the Cold War. So although using the full force of the law against violent antidemocratic extremists can be critical to defending democracy, the ever-present risk of politicization and overreach requires that militant democracy be used with extraordinary caution and restraint.

Forging broad coalitions to defend democracy and rigorously enforcing the law against antidemocratic extremists can be indispensable strategies in the face of imminent authoritarian threats. But they are short-term strategies—imperfect tools to fight dangerous fires. They are not long-term solutions. So we must also consider more fundamental steps to shore up American democracy.

Here we return to a basic principle inspired by James Madison and others: Extremist minorities are best overcome through electoral competition. Madison believed that the need to win popular ma-

majorities would likely tame the most “sinister” political tendencies. But his formula requires that popular majorities *actually prevail* in elections. For that to happen, America must reform its institutions. The early twentieth century American reformer Jane Adams once wrote, “The cure for the ills of Democracy is more Democracy.”

We agree. America’s excessively counter-majoritarian institutions reinforce extremism, empower authoritarian minorities, and threaten minority rule. To overcome these problems, we must double down on democracy. This means dismantling spheres of undue minority protection and empowering majorities at all levels of government; it means ending constitutional protectionism and unleashing real political competition; it means bringing the balance of political power more closely in line with the balance of voter preferences; and it means forcing our politicians to be more responsive and accountable to majorities of Americans. In short, we must democratize our democracy, undertaking long overdue constitutional and electoral reforms that would, at minimum, bring America in line with other established democracies.

Americans are often skeptical of sweeping reform proposals—and for good reason. Reform is hard, especially in a political system with numerous institutional veto points and highly polarized parties. But reform never happens when it is never considered, so we ask readers to momentarily set aside concerns about *how* to bring about change—we’ll get to that—and consider three broad areas of reform.

UPHOLD THE RIGHT TO VOTE. The right to vote is a core element of any modern definition of democracy. In representative democracies, citizens elect their leaders. Leaders can only be elected demo-

cratically if all citizens are able to vote. So if voting is costly or difficult for some citizens—if they have to stand in line for hours or travel long distances to vote—elections cannot be fully democratic.

In most democracies, this is not an issue. In a democracy, *people are supposed to vote*. So most democratic societies grant citizens a constitutional (or at least statutory) right to vote, and government authorities make it as easy as possible for people to vote. In some countries (Australia, Belgium, Brazil, Costa Rica, Uruguay), voting is obligatory; it is considered a civic duty, like paying taxes. In nearly all democracies, voter registration is automatic. Once citizens turn eighteen, their names are added to the rolls. And voting is made simple. Nearly all democracies in Europe and Latin America hold elections on the weekend, usually on a Sunday, so that work does not discourage or prevent people from voting. In most established democracies, voter turnout can reach as high as 80 percent. It's not rocket science: if governments make it simple for citizens to register and vote, most of them will vote.

In the United States, to the surprise of many, there is no constitutional or even statutory "right to vote." The Second Amendment affirmed Americans' right to bear arms, but nowhere does the Constitution recognize their right to suffrage. Later amendments specified that suffrage may not be denied on the basis of race (Fifteenth Amendment) or sex (Nineteenth Amendment), but never has the Constitution positively affirmed Americans' right to vote. Likewise, although there are many federal laws protecting voting, no single federal statute grants all adult citizens the right to cast a ballot. Unlike most established democracies, the United States has a long history of governments discouraging and even

suppressing the vote. Even today, America is also one of the few countries on earth (Belize and Burundi are two others) in which responsibility for voter registration lies entirely with individual citizens.

Voting in America should be as straightforward as it is in democracies in Europe and elsewhere. This means we should do the following:

1. Pass a constitutional amendment establishing a right to vote for all citizens, which would provide a solid basis to litigate voting restrictions.
2. Establish automatic registration in which all citizens are registered to vote when they turn eighteen. This could be accompanied by the automatic distribution of national voting ID cards to all citizens. The burdens of the registration process should not deter anyone from voting.
3. Expand early voting and easy mail-in voting options for citizens of all states. It should be easy for all Americans to cast ballots.
4. Make Election Day a Sunday or a national holiday, so that work responsibilities do not discourage Americans from voting.
5. Restore voting rights (without additional fines or fees) to all ex-felons who have served their time.
6. Restore national-level voting rights protections. In the spirit of the 1965 Voting Rights Act, parts of which the Supreme Court struck down in 2013, we should reinstate federal oversight of election rules and administration. This could apply only in states and localities with a history of voting rights violations,

following the VRA model, or to all jurisdictions equally, following the model of the 1890 Lodge bill.

7. Replace the current system of partisan electoral administration with one in which state and local electoral administration is in the hands of professional, nonpartisan officials. This will help ensure fairness in the updating of voter rolls, access to polling places, and the voting and vote-counting processes. Nearly every other established democracy, from France and Germany to Brazil, Costa Rica, Japan, and South Africa, has nonpartisan referees to oversee elections.

ENSURE THAT ELECTION OUTCOMES REFLECT MAJORITY PREFERENCES.

Those who win the most votes should win elections. Nothing in democratic theory justifies allowing losers to win elections. The political philosopher John Stuart Mill wrote that democracy should “giv[e] the powers of government in all cases to the numerical majority.” Unfortunately in U.S. presidential, Senate, and some state legislative elections, this frequently does not occur. Several steps can be taken to ensure that those who win electoral majorities actually govern:

8. Abolish the Electoral College and replace it with a national popular vote. No other presidential democracy permits the loser of the popular vote to win the presidency. Such a constitutional amendment very nearly passed as recently as 1970.
9. Reform the Senate so that the number of senators elected per state is more proportional to the population of each state (as in Germany). California and Texas should elect more senators than Vermont and Wyoming. Because Article V of the U.S.

Constitution stipulates that “no state, without its Consent, may be deprived of its equal suffrage in the Senate” (a form of *liberum veto*), we understand the barriers to such a reform are enormous. But because the structure of the Senate so subverts basic democratic principles, and with such great consequence, any list of important democratizing reforms must include it.

10. Replace “first-past-the-post” electoral rules and single-member districts for the House of Representatives and state legislatures with a form of proportional representation in which voters elect multiple representatives from larger electoral districts and parties win seats in proportion to the share of the vote they win. This would require repeal of the 1967 Uniform Congressional District Act, which mandates single-member districts for House elections. By ensuring that the distribution of seats in Congress more accurately reflects the way Americans vote, a proportional representation system would prevent the problem of “manufactured majorities,” in which parties that win fewer votes in an election capture a majority of seats in the legislature. As the political scientist Lee Drutman writes, a proportional representation system “treats all voters equally, regardless of where they live. And it treats all parties the same, regardless of where their voters live.”
11. Eliminate partisan gerrymandering via the creation of independent redistricting commissions like those in states like California, Colorado, and Michigan.
12. Update the Apportionment Act of 1929, which fixed the House of Representatives at 435, and return to the original design of a House that expands in line with population growth. At present, the ratio of voters to representatives in the House is

nearly *five* times higher than that of any European democracy. Expanding the size of Congress would bring representatives closer to the people, and, if the Electoral College and the current Senate structure remain in place, mitigate the small-state bias of the Electoral College.

EMPOWER GOVERNING MAJORITIES. Finally, Americans must take steps to empower legislative majorities by weakening counter-majoritarian legislative and judicial institutions:

13. Abolish the Senate filibuster (a reform that requires neither statutory nor constitutional change), thereby eliminating the ability of partisan minorities to repeatedly and permanently thwart legislative majorities. In no other established democracy is such a minority veto routinely employed.
14. Establish term limits (perhaps twelve or eighteen years) for Supreme Court justices to regularize the Supreme Court appointment process so that every president has the same number of appointments per term. Such a reform would place the United States in the mainstream of all other major democracies in the world. This would also limit the court's intergenerational counter-majoritarianism.
15. Make it easier to amend the Constitution by eliminating the requirement that three-quarters of state legislatures ratify any proposed amendment. Requiring two-thirds supermajorities in both the House of Representatives and the Senate for a constitutional amendment would bring America in line with most other established democracies, including federal democracies like Germany and India, as well as many U.S. states.

These reforms would have a simple yet powerful effect: they would allow majorities to win power and govern. Not only would our proposed reforms help stave off minority rule, but they would also eliminate constitutional protectionism, unleashing the competitive dynamics of democracy. Importantly, the reforms would compel the Republicans to build broader coalitions in order to win. In America today, these coalitions would necessarily be more diverse, which would dilute the influence of the most extremist elements in the Republican Party. A more diverse Republican Party capable of winning national majorities fair and square might be bad news in electoral terms for the Democratic Party, but it would be very good news for American democracy.

The reforms we propose might appear radical, but they are already in place in the vast majority of established democracies, including highly successful ones like Denmark, Germany, Finland, New Zealand, Norway, and Sweden. Making it simpler to vote, ending gerrymandering, replacing the Electoral College with a direct popular vote, eliminating the Senate filibuster, making Senate representation more proportional, ending lifetime tenure on the Supreme Court, and making it a little easier to reform the Constitution—all of these changes would simply catch us up to the rest of the world.

Still, even if these proposals make sense in *theory*, aren't they utterly unrealistic in practice? Given the nature of the American political system and the state of our politics today, one could argue the quixotic pursuit of hard-to-achieve reforms is a counterproductive distraction from the day-to-day incremental work of "real" politics. In 1911, Joe Hill, the Swedish-born American labor activist and songwriter, warned workers to beware of the idealistic

promises of do-gooders when facing concrete problems. The song begins,

*Long-haired preachers come out every night,
Try to tell you what's wrong and what's right;
But when asked how 'bout something to eat
They will answer with voices so sweet:*

*You will eat, by and by,
In that glorious land above the sky;
Work and pray, live on hay,
You'll get pie in the sky when you die.*

Are democratic reforms “pie in the sky”? The barriers to change today are indeed high—from seemingly unmovable Republican opposition to the unparalleled difficulty of amending the U.S. Constitution. They may appear so insurmountable that it is tempting to set aside a list like ours in pursuit of more immediate goals, like winning the next election or crafting achievable legislation. As political realists, we sympathize with this perspective. Election victories and incremental policy improvements are critical, both to bettering people’s lives and to protecting democracy.

But they are not enough. Even if many of our proposals are unlikely to be adopted in the near term, it is essential that ideas for constitutional reform become part of a larger national political debate. The most powerful weapon against change is silence. When an idea is viewed in mainstream circles as impossible, when politicians never mention it, when newspaper editors ignore it, when teachers don’t bring it up in class, when scholars stop talking about

it for fear of being seen as naive or out of touch—in short, when an ambitious idea is “unthinkable”—the battle is lost. Non-reform becomes a self-fulfilling prophecy.

Just because an idea is not taken seriously today doesn't mean it shouldn't be taken seriously—or that it won't be taken seriously in the future. During the early nineteenth century, the idea of ending slavery was considered unthinkable in mainstream America, and abolitionists were dismissed as dreamers. When the women's suffrage movement was born in the 1840s, no country in the world granted women the right to vote. Well into the twentieth century, mainstream America considered the idea of women's suffrage absurd. And for decades after the Civil War, the pursuit of racial equality and civil rights was seen as impracticable, if not impossible. In each case, the mainstream view changed radically. But for that to happen, someone had to start a public conversation.

The conversation about democratic reform is beginning. In 2020, the prestigious American Academy of Arts and Sciences issued a report, titled *Our Common Purpose*, which laid out a multi-faceted reform agenda for American democracy. Organizations such as the Brennan Center for Justice, New America, and Protect Democracy have presented a range of innovative proposals to create a more proportional electoral system, end gerrymandering, expand voting rights, and improve the quality of elections. And in 2021, the White House formed a presidential commission on the reform of the U.S. Supreme Court, drawing on the expertise of retired judges, law professors, and other experts to explore avenues for institutional change. These are important steps. Change cannot be achieved if it is not even considered.

Talk and ideas aren't empty; they lay the groundwork for re-

form. When Sir Ralf Dahrendorf, the eminent German-born liberal member of the British House of Lords, was asked what explained the “great leap” in the creation of international institutions after World War II, he answered,

If you go back and look at the origins of the postwar order . . . starting with the United Nations . . . the International Monetary Fund and the World Bank . . . and a whole lot of subsidiary institutions—if you look at the origins of that, you will find that most of the ideas were actually thought out during the war. . . . It is extremely important that when the moment comes in which it is possible to take a new leap forward in . . . institution building, the ideas are [already] there.

When institutional change happens, participants often quote the French poet Victor Hugo’s line “Nothing is more powerful than an idea whose time has come.” But an idea’s time can only come if someone has proposed it.

Democratic reform will remain impossible, however, unless we rethink our attitude toward constitutional change. Unlike citizens of other established democracies, Americans tend to resist the notion that our Constitution has flaws or deficiencies that should be corrected, or that parts of it may be out of date. As Aziz Rana observes, many Americans embrace the Constitution with an “almost religious devotion.” We treat the framers as if they were endowed with almost divine or supernatural powers, and we treat the Con-

stitution as if it were a sacred document—one that is “basically perfect.” In other words, our society operates under the assumption that our founding institutions are, in effect, best practice—across history and in all contexts. The idea that the U.S. Constitution cannot be improved upon is not based on empirical evidence or serious debate. Rather, it is an article of faith.

That isn’t how institutions work. Constitutions are never perfect at their inception. They are, after all, human creations. Recall that the Electoral College was an improvised, second-best solution that never functioned as its designers imagined; or that Madison (like Hamilton) opposed equal state representation in the Senate but was outvoted in the Philadelphia Convention. There is nothing sacred about these institutions. And even the best-designed constitutions require occasional revision because the world in which they operate changes—often dramatically. No set of rules is ever “best practice” for all time and under all circumstances. National borders shift and populations expand. New technologies allow people to do things that were unimaginable for earlier generations. Fundamental principles like equality and liberty may endure, but societal norms evolve in ways that compel us to change how we define those principles.

John Roberts, later chief justice of the Supreme Court, recognized this when he championed judicial term limits in 1983, when he was working in the Office of White House Counsel under President Ronald Reagan:

The framers adopted life tenure at a time when people simply did not live as long as they do now. A judge insulated from the normal currents of life for twenty-five or thirty

years was a rarity then, but it is becoming commonplace today. Setting a term of, say, fifteen years would ensure that federal judges would not lose all touch with reality through decades of ivory tower existence.

We also know more today about how institutions work. At America's founding, the very notion of representative democracy had not yet been invented. There were no elected presidents or parliamentary democracies. Monarchy was still ubiquitous. But in the 236 years since the U.S. Constitution was written, dozens of other democracies have emerged. Many of them have produced institutional innovations that have proven successful, from directly elected presidents to electoral systems based on proportional representation to independent national election authorities. These innovations have spread widely over the last century because leaders of new democracies consider them improvements.

Changes in the world around us do not always require constitutional change, but sometimes they do. The idea that certain institutions, set in stone, are always "best practice" flies in the face of years of social science research showing that institutions that function well in one context can become ineffective and even dangerously dysfunctional in another.

The founders actually knew this. *They* were not wedded to the original version of the Constitution. They recognized the limitations of their creation and believed that later generations would—and should—modify them. In 1787, just after the Philadelphia Convention, George Washington wrote, "The warmest friends and best supporters the Constitution has, do not contend that it is free from imperfections; but found them unavoidable." If prob-

lems arose from these imperfections, Washington wrote, “the remedy must come hereafter.” He went on to write that the American people

can, as they will have the advantage of experience on their Side, decide with as much propriety on the alterations and amendments which are necessary as ourselves. I do not think we are more inspired, have more wisdom, or possess more virtue, than those who will come after us.

Thomas Jefferson was especially critical of those who “look at constitutions with sanctimonious reverence, and deem them like the ark of the covenant, too sacred to be touched.” In his view,

laws and institutions must go hand in hand with the progress of the human mind. . . . We might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain under the regimen of their barbarous ancestors.

Institutions that do not adapt may limp along for years and even decades. But they can grow sclerotic and eventually undermine the legitimacy of the political system. This is happening in twenty-first-century America. In 1995, less than 25 percent of Americans expressed dissatisfaction with their democracy. That figure has increased dramatically in recent years, reaching 55 percent in 2020. Although public dissatisfaction with democracy has grown all over the world, it has risen more sharply in the United States than in other Western democracies. According to the Pew

Research Center, only 41 percent of Americans said they were satisfied with democracy in 2021, compared with more than 60 percent in Australia, Canada, Germany, and the Netherlands and more than 70 percent in New Zealand and Sweden. Although we may wish to believe that our Constitution is “basically perfect,” rigidly unchanging institutions are, in fact, prone to rot. And eventually, they fail.

American history has been punctuated by rare but meaningful moments of democratic progress. During Reconstruction, three major constitutional amendments (the Thirteenth, Fourteenth, and Fifteenth) and a series of far-reaching new laws opened up the political system (albeit only temporarily) to African Americans. Likewise, between 1913 and 1920, America witnessed the passage of three democratizing constitutional amendments: the Sixteenth, authorizing a direct income tax; the Seventeenth, establishing direct elections to the U.S. Senate; and the Nineteenth, constitutionalizing women’s suffrage. Finally, a third period of sweeping democratic and constitutional reform began with the series of Supreme Court decisions (1962–64) ending malapportionment in the U.S. House of Representatives, followed by the Civil Rights Act (1964) and the Voting Rights Act (1965). Indeed, much of what we value about contemporary American democracy was achieved via this series of constitutional and legislative changes—many of which were once considered impossible to achieve.

What can we learn from these reform episodes? For one, change doesn’t depend on the arrival of a single transformative leader. Many of America’s most important advances toward political and

economic inclusion were made during the presidencies of individuals who, at the time, were seen as unlikely reformers: Woodrow Wilson, Franklin Delano Roosevelt, and Lyndon Johnson. None were radicals in their own right. Indeed, they were all products of the old regime that they would eventually help overturn. Wilson, for example, was a conservative southern Democrat—very distant from the northern middle-class Progressive movement that, with his support, gave rise to the Sixteenth, Seventeenth, and Nineteenth Amendments (in fact, Wilson opposed women's suffrage early in his presidency). Likewise, Franklin Roosevelt was an American aristocrat who nevertheless played a leading role in establishing basic union and worker rights during the 1930s. Finally, Lyndon Johnson made his career as a southern Democrat, ascending to power in the U.S. Senate with the support of influential segregationist figures such as Richard Russell. But by the 1960s, Johnson was spearheading the passage of the Civil Rights and Voting Rights Acts.

These leaders' transformations did not occur accidentally or overnight. They required robust political movements. A first step in this direction was getting reform on the public agenda. Indeed, critical to the success of any reform movement is the ability of advocates, organizers, public thinkers, and opinion makers to reshape the terms of political debate and gradually alter what others viewed as desirable or possible. The most significant instances of democratic reform in American history, from Reconstruction to women's suffrage to civil rights, were preceded by years of relentless legal, political, and public advocacy work.

For example, the Democratic Party's transformation from a defender of Jim Crow into an advocate of civil rights did not occur

naturally, easily, or quickly. In the 1930s, long before racial equality was viewed as a national issue, activists in the NAACP and the Congress of Industrial Organizations began to organize around civil rights inside the Democratic Party. Guided by labor leaders like Sidney Hillman and John L. Lewis, the CIO began to push Democrats to support not only progressive labor legislation but also civil rights bills such as antilynching laws and the abolition of poll taxes. CIO leaders also worked to shape the values of their rank-and-file members. *The CIO News*, which was distributed nationwide on a weekly basis to the homes of all CIO members, Black and white, featured long articles on civil rights issues (with titles like “CIO Attacks Filibuster on Lynching Bill”), including the reproduction of CIO leaders’ speeches to African American groups. As one historian puts it, “Never before had the proponents of the black struggle reached so broad an audience.”

But setting the agenda is only the beginning. Democratic reform also requires continuous political pressure. Meaningful change is usually driven by sustained social movements—broad coalitions of citizens whose activism shifts the debate and, eventually, the balance of political power on an issue. Campaigns by social movements—using a diversity of means, including petitions, door-to-door campaigns, rallies, marches, strikes, pickets, sit-ins, and boycotts—can reshape public opinion and alter media narratives.

Ultimately, social movements can change politicians’ electoral calculations by creating new constituencies for reform and discrediting the defenders of the status quo. In the case of the civil rights movement, the legal struggle was spearheaded by the NAACP, but the grassroots campaign was carried out by organizations like the

Southern Christian Leadership Conference, which was based on a vast network of churches, and the Student Nonviolent Coordinating Committee.

Politicians like Wilson, Roosevelt, and Johnson did not become reform advocates on their own. Rather, they embraced inclusionary reforms only when large-scale social movements altered their political calculus. President Wilson faced pressure from northern middle-class progressives, many of whom had backed his rival, Theodore Roosevelt. Wilson “converted” to the cause of women’s suffrage while president only after facing pressure from female activists in his home state of New Jersey, when the state held a referendum on the issue in 1915. President Franklin Roosevelt championed workers’ rights during the Depression and amid waves of labor unrest, including the sit-down strike that brought Flint, Michigan’s GM plants to a standstill in 1936–37. And President Johnson fully embraced civil rights amid intense mobilization from the civil rights movement, including high-profile events such as the 1963 March on Washington and the 1965 Bloody Sunday march in Selma.

Each of the above reform periods was the product of a long, grinding struggle. Every major reform movement took decades, and they all encountered roadblocks along the way. Successful movements must learn to cope with setbacks, including electoral defeats, internal divisions, unexpected leadership changes, and divisive foreign wars.

Consider the movement for (white) women’s suffrage, which culminated in the Nineteenth Amendment in 1920. This was no short-term project. As Carrie Chapman Catt, president of the National American Woman Suffrage Association, founder of the

League of Women Voters, and chief architect of the Nineteenth Amendment, put it, “To the unimaginative man on the street,” the Nineteenth Amendment looked “to come out of nowhere.” Of course it didn’t. It reflected the work of more than two generations of women activists. As Catt observed,

To get the word male in effect out of the constitution cost the women of the country fifty-two years of pauseless campaign. . . . During that time they were forced to conduct fifty-six campaigns of referenda to male voters; 480 campaigns to urge Legislatures to submit suffrage amendments to voters; 47 campaigns to induce State constitutional conventions to write woman suffrage into State constitutions; 277 campaigns to persuade State party conventions to include woman suffrage planks; 30 campaigns to urge presidential party conventions to adopt woman suffrage planks in party platforms; and 19 campaigns with 19 successive Congresses. . . . Hundreds of women gave the accumulated possibilities of an entire lifetime, thousands gave years of their lives, hundreds of thousands gave constant interest and such aid as they could. It was a continuous, seemingly endless, chain of activity. Young suffragists who helped forge the last links of that chain were not born when it began. Old suffragists who forged the first links were dead when it ended.

The women’s suffrage movement was scarred by defeat, infighting, and even a deep sense of betrayal, especially after female enfranchisement was pushed to the margins with the passage of the

Fifteenth Amendment in 1870. To survive, the movement had to adjust its strategy. Leaders like Elizabeth Cady Stanton and Susan B. Anthony worked to develop an “origin story” for the movement, elevating the importance of the movement’s original 1848 Seneca Falls Convention. Their influential multivolume *History of Woman Suffrage*, published beginning in the 1880s, was written with the goal of giving the national movement coherence in the face of growing fragmentation and disarray.

Another challenge facing the women’s suffrage movement was its deep roots in upper-class white nativism. But beginning around 1900, leaders like Catt made another shift, turning what had been a mostly elite upper-class movement into one that made inroads with trade unionists, recent immigrants, female socialists, the settlement movement, and Black women’s clubs by arguing that the franchise would help cure a range of social ills, from illiteracy and poor sanitation to child labor. Catt showed an astute “willingness to tailor the suffrage message to regional and group differences.”

Mobilization was also critical. Following the merger of the American Woman Suffrage Association and the National Woman Suffrage Association in 1890, the movement strengthened considerably. Membership in the new National American Woman Suffrage Association soared, increasing fivefold—from sixteen thousand to eighty-five thousand—between 1910 and 1920. Borrowing strategies used by suffrage movements in Great Britain and other countries, the movement adopted a more grassroots approach, going “precinct by precinct” to win the 1917 state referendum on women’s suffrage in New York. Similar campaigns had achieved suffrage in other states, including California in 1911.

There may be a lesson here: suffrage reform was initially achieved, in many cases, at the state level, which helped build momentum for federal constitutional change.

Other major constitutional reforms also took time and relentless effort. The Seventeenth Amendment, which established the direct election of U.S. senators, was preceded by decades of failed initiatives. There were nearly a dozen congressional proposals for an amendment before 1872. The campaign for direct elections gained momentum in the late nineteenth century; twenty-five separate proposals were introduced to Congress between 1891 and 1893 alone. William Jennings Bryan and the Populist Party called for direct Senate elections in their 1892 platform, giving the issue new momentum. The House of Representatives approved the amendment five times between 1892 and 1902, but each time the Senate refused to even hold a vote. In 1906, William Randolph Hearst galvanized national attention further when he hired the popular novelist David Graham Phillips to write a sensationalist series of articles titled “The Treason of the Senate,” a nine-installment series in *Cosmopolitan* magazine that depicted the selection of senators in state legislatures as a corrupt process dominated by wealthy special interests. In 1907, Oregon began holding an “advisory” popular vote to guide the legislature’s selection of senators. By 1912, more than half of U.S. states had adopted this work-around. Finally, in 1913, after a full twenty-nine states had adopted the so-called Oregon System, the Seventeenth Amendment was ratified. Again, reforms began at the state level, ultimately making a federal constitutional amendment unescapable.

What is needed today, then, is not only a democratic reform

agenda but a democratic reform *movement* capable of mobilizing diverse citizens in a sustained nationwide campaign to ignite imaginations and change the terms of public debate.

That may seem like a tall order, but the stirrings of such a movement are already afoot. The Black Lives Matter campaign, born after the 2013 acquittal of the killer of the unarmed Black teenager Trayvon Martin, mobilized millions of Americans behind a core principle of democracy: equal treatment before the law. The May 2020 police killing of George Floyd triggered the largest protest movement in U.S. history. Between fifteen million and twenty-six million Americans—one in ten adult Americans—took to the streets. There were at least 5,000 protests—an average of about 140 per day—in the early summer of 2020. The protests reached every U.S. state and more than 40 percent of American counties, extending even into small towns. They were led overwhelmingly by young people, and they were strikingly multiracial: about half the protesters (54 percent) identified as white. And unlike the 1960s, when surveys consistently found that majorities of Americans opposed civil rights demonstrations, the Black Lives Matter protests were embraced by most Americans. Nearly three-quarters of Americans sympathized with the demonstrations during the summer of 2020. Although this support subsequently waned, 55 percent of Americans continued to support Black Lives Matter in 2021.

And it wasn't just Black Lives Matter. The Trump presidency spawned a massive civic movement in defense of democracy. New organizations—many of them bipartisan—emerged to defend civil and voting rights, safeguard elections, and uphold the rule of law, joining established organizations such as the ACLU, the

League of Women Voters, and the NAACP. Many news outlets established a “democracy beat” for their domestic politics coverage for the first time. Dozens of new national organizations to safeguard democracy emerged after the 2016 election. One prominent organization, Protect Democracy, was created in 2016 to “prevent our democracy from declining into a more authoritarian form of government.” Protect Democracy filed lawsuits and Freedom of Information requests, helped craft legislation, and even developed new software, VoteShield, to help prevent undue purges of the voter rolls.

Another pro-democracy group, Black Voters Matter, was launched by LaTosha Brown. Brown was born in Selma, Alabama, a few years after Bloody Sunday and the passage of the Voting Rights Act. As a child, she watched her grandmother put on her best clothes and pull out her good pocketbook to go to the polling station. Brown would accompany her grandmother, feeling as if she were doing her part. “I didn’t know what voting was,” Brown says. “But I knew it was pretty special.” So when lawmakers across the country began to purge voter rolls, close polling stations, and pass legislation making it harder for minority and lower-income citizens to vote, Brown felt compelled to respond.

In 2016, Brown and Cliff Albright created the Black Voters Matter Fund, which supported community-based efforts—mainly in the South—to fight the closure of polling stations, educate citizens about new registration and voting requirements, and mobilize voters. By 2020, the Black Voters Matter Fund was supporting more than six hundred groups in twelve states. The group organized bus caravans that toured the South, focusing especially on rural communities, where voter suppression laws tend to have the

greatest effect. The 2020 “We Got Power” tour visited fifteen states and contacted more than ten million voters.

Young voters also joined the struggle for multiracial democracy during the Trump years. Gen Z is the most diverse generation in American history. It is also the most troubled by the state of contemporary American politics and, far and away, the most committed to the principles of multiracial democracy. According to a 2022 survey by the Harvard Institute of Politics, two-thirds of likely voters between the ages of eighteen and twenty-nine believe American democracy is “in trouble” or “failed.” Similarly, Pew surveys found that two-thirds of Americans between the ages of eighteen and twenty-nine supported the Black Lives Matter movement in 2021. Younger Americans are more likely than older generations to support immigration and prefer diverse neighborhoods. This is the generation that will secure multiracial democracy in America.

Historically, young people have not voted. Only 39 percent of voters aged eighteen to twenty-nine voted in the 2016 election, compared with more than 70 percent of those over sixty. Because older voters were both more racially conservative and more pro-Trump than younger voters, and by a large margin, this turnout differential had far-reaching consequences for American democracy. But something changed during Trump’s presidency. Young people—especially Gen Z—began to mobilize. In the wake of the February 2018 mass killing at a high school in Parkland, Florida, surviving high school students organized the 2018 March for Our Lives. More than two million people joined marches in 387 of the country’s 435 congressional districts.

Although the March for Our Lives focused on combating gun

violence, its organizers launched a broader movement to register and mobilize new voters and helped spur a generation of pro-democracy activists. Santiago Mayer, a seventeen-year-old immigrant from Mexico, was in high school when he founded Voters of Tomorrow, a group aimed at engaging and turning out young voters, in 2019. During the 2020 election cycle, Voters of Tomorrow launched the “Prom at the Polls” campaign, in which high school seniors—deprived of the traditional prom experience due to the pandemic—showed up to vote wearing full prom attire.

Black Lives Matter and Gen-Z for Change are politically left of center, but the defense of American democracy was a bipartisan effort. It included right-of-center groups like R Street, Stand Up Republic, Republican Voters Against Trump, and Republicans for the Rule of Law. It also included grassroots conservatives. Sharlee Mullins Glenn grew up in a small Mormon farming community in northeastern Utah. Her community was deeply conservative; her family even belonged to the far-right John Birch Society. Glenn was a lifelong Republican, but in 2016 she grew “concerned . . . when a man who built his candidacy on a platform of fear—of immigrants, Muslims, refugees and others—inexplicably became not only the nominee of the party I had belonged to my entire life, but also president.”

So in January 2017, shortly after Trump’s inauguration, Glenn created a nonpartisan Facebook group called Mormon Women for Ethical Government (MWEG). By 2018, the group had six thousand members and chapters in nearly every state. The group registered tens of thousands of voters, worked to defend voting and immigrant rights, went to court to oppose gerrymandering in Utah, and lobbied their representatives—particularly the Utah

senators, Mike Lee and Mitt Romney—to impeach and convict Donald Trump for his “abuse of power” and pass legislation to protect voting rights and shore up America’s electoral guardrails. According to the Idaho member Cindy Wilson, MWEG members seek to be “loud advocates against extremism.” As Glenn wrote in 2020, “We believe that Jesus really meant it when he said that we should love our neighbors—meaning everyone, as the parable of the good Samaritan makes clear.” Although MWEG members hold conservative views on issues like abortion and same-sex marriage, they are united in their commitment to multiracial democracy.

If there is one thing we’ve learned from democracy movements, past and present, it’s this: Democratic reform doesn’t just happen. It is made.

Reforming American democracy requires a reckoning with our not-so-democratic past. If we are truly committed to our democracy, we must face up not only to its achievements but also to its failures. Reformers throughout U.S. history have admired our Constitution while recognizing its flaws and working to correct them. They have simultaneously loved their country and worked to make it better, fairer, and more democratic. To say we cannot both admire America and confront its past is based on a false choice. The German president, Frank-Walter Steinmeier, poignantly captured the necessity of such clear-eyed patriotism when talking about his own country’s tragic history in a 2020 speech:

Rabbi Nachman once said: “*No heart is as whole as a broken heart.*” [Our country’s] past is a fractured past—with re-

sponsibility for the murdering of millions and the suffering of millions. That breaks our hearts to this day. And that is why I say that this country can only be loved with a broken heart.

Loving America with a broken heart means recognizing our own country's failure to live up to its stated democratic ideals—its failure, for too long, to provide liberty and justice for all. It means committing ourselves to achieving those ideals, by building an inclusive, multiracial democracy that all Americans can embrace.

We ended our book *How Democracies Die*—written in the early days of the Trump presidency—by placing that current moment in the context of American history. We reminded readers that this was not the first time that history had called upon Americans to stand up for our democratic ideals. During the Civil War, in the showdown against fascism and totalitarianism in the 1930s and 1940s, and in the civil rights movement of the 1950s and 1960s, Americans stood up to preserve and advance our democracy. We know the stories well: during World War II, anxious citizens bought war bonds, grew victory gardens, and sent loved ones into harm's way. In the civil rights era, citizens joined marches, boycotts, and voter registration drives—often in the face of beatings, jail, and even death.

History called again after 2016. And Americans responded. Citizen activist groups met, planned, and marched; reading clubs raised the awareness of fellow citizens; bipartisan groups of activists

formed civic associations to resist moves toward authoritarianism; get-out-the-vote campaigns reached new voters; professionals—doctors, scientists, lawyers, journalists, civil servants, and military officers—stood up for public ethics in the face of corruption; citizens volunteered their aid at airports and the southern border to advocate for defenseless refugees. And in the wake of the George Floyd killing, a multiracial cross section of Americans braved the risk of COVID-19 to mount the largest protest movement our country has ever seen.

Americans tapped into a vibrant democratic tradition. And the effects of these democratic victories reverberated beyond our borders, providing a model for activists around the world.

The fact that our constitutional system survived four years of the Trump presidency could be taken as evidence that the threat wasn't really so serious and that claims of democratic decline were—and still are—overblown. This is deeply mistaken. Americans who feared for the survival of their democracy came together to defend it, and because they did, democracy survived.

Americans are understandably worn down by the past seven years. Defending democracy is tiring work. Mobilizing people to vote, despite the obstacles thrown up around them, election after election after election, can exhaust even the most committed activist.

With Trump out of the White House (for now), it is tempting to conclude—or even to *hope*—that we can rest easy, that our democracy has regained its balance.

In 1888, *The Atlantic's* founding editor, James Russell Lowell, looked back at the Civil War and worried how Americans remembered their own democracy's near-death experience. He wrote,

After our Constitution got fairly into working order it really seemed as if we had invented a machine that would go of itself, and this begot a faith in our luck which even the civil war itself but momentarily disturbed. . . . We are a nation that has struck [oil], but we are also a nation that is sure the well will never run dry. And this confidence in our luck with the absorption in material interests, generated by unparalleled opportunity, has . . . made us neglectful of our political duties.

At the very moment at which Lowell worried about Americans' confidence that our Constitution was "a machine that would go of itself," the Fourteenth and Fifteenth Amendments were being eviscerated. With the Civil War rapidly disappearing in the rearview mirror, white Americans were turning a blind eye to the construction of an apartheid-like system in the South, poisoning our polity for generations and staining our national identity to this day.

Let us not repeat our past mistake of turning away from public life out of exhaustion. Pro-democratic forces achieved important victories in 2020 and 2022, but the factors responsible for America's recent backsliding—a radicalized partisan minority and institutions that protect and empower it—endure. Our democracy remains unmoored. History is calling again.

Defending democracy is not the work of selfless heroes. Standing up for democracy means standing up for ourselves. Think back to the scenes from January 5 and January 6 that opened this book. What kind of society do we want to live in? Think of the millions of Americans—young and old, religious and secular, of every

imaginable skin color—who took to the streets in the name of justice in the summer of 2020. The young people who marched that summer could have turned away from the system, but they turned out to vote instead. A new generation of Americans stood up to defend our imperfect democracy. But they also showed us a vision of a better democracy—a democracy for all.

As the civil rights generation passes into history, the work of building a truly multiracial democracy falls upon us. Future generations will hold us to account.