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Speaker Nancy Pelosi: A Master of the House

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Abstract: This article analyzes the record of Nancy Pelosi's four terms as Speaker of the House of Representatives. It evaluates her performance through three main lenses: as a party leader, institutional leader, and major policy-maker. Ultimately, it concludes Pelosi should be considered one of the most skilled and accomplished legislators in the history of the United States.

Keywords: U.S. Congress, U.S. house of representatives, democratic party, speaker of the house, Nancy Pelosi

The first female Speaker of the House may have been its best. She was not the longest serving Speaker. Other than Sam Rayburn (D-TX), a handful of others sit ahead of her. She did not preside over the most prolific Congresses like those of the New Deal and Great Society. But she did pass the first American health care bill in several generations, the most comprehensive Wall Street reform bill since the 1933 Glass-Steagall Act, the largest economic stabilization bills in U.S. history, and the largest expansion of climate research and investment in U.S. history. She was likely not the most powerful Speaker. That honor probably goes to Joe Cannon (R-IL), though with some caveats. But in virtually every metric one could evaluate a Speaker, Pelosi excelled. She has no contemporary peer to compare to. In fact, she was the only modern Speaker to return to the chair after losing it, the first since Rayburn and Joseph Martin in the mid-20th century. All of her predecessors dating back to the mid-1980s were pushed out of office. Pelosi will be remembered most for being the first woman to hold the office. But she was also a generational leader whose impact on her party and the House can only be compared to the most consequential Speakers in American history.

That said, she was not flawless or faultless. Her legacy is complex, with a broad scope and a myriad of positive and negative effects on the institution. No single theory of legislative organization fully captures Speaker Pelosi's tenure, so this article looks back on her tenure through different theoretical lenses. It is divided into three major sections: politics, procedures, and policy.

The politics section examines how the House Democratic coalition structured or limited her power and how Pelosi managed differences in her caucus. By historical

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standards, Democrats were unusually unified during her speakership. Yet on many occasions, Pelosi had to construct majorities by manipulating procedures and facilitating political trades to achieve outcomes. Those interventions were often what set her apart as a great Speaker.

Next, the procedure section examines Pelosi's effect on House operations and the institution more broadly. Like her predecessors, she expanded the use of tools already at Speakers' disposal. But, importantly, she also removed restrictions on the Speaker. The speakership she leaves behind is more powerful than the one she inherited. That has implications for the future development of the House.

Finally, the policy section examines some of the legislative successes and failures under Pelosi and how she balanced her party's electoral and policy goals. Pelosi was a strategic leader. Like any good leader, she sought to protect her most vulnerable members. However, she also never shied away from her party's most controversial policy goals. In all, Pelosi leaves behind a complex legacy. She pursued multiple, sometimes contradictory, goals.¹ She had both positive and negative effects on House operations. And, at times, she risked her colleagues' political careers, sometimes on policies that lacked a viable path to enactment. Still, there is no question she will be discussed as one of the most important and consequential Speakers in American history.

1 The Politics: Adapting to the Democratic Party's Evolution

More than any other factor, a Speaker's coalition affects her ability to lead. The degree to which the majority is unified behind a set of policy goals and the fervency of their policy opposition structures the extent their party empowers them—both in terms of the tools at their disposal and the freedom to pursue major policy goals. In the House, typically the more unified the majority party and the more polarized the opposition, the more powerful the party leadership.²

By historical standards, Pelosi presided over very unified majorities (Figure 1). In many respects, Democrats' impressive unity under Pelosi was a break from tradition.

1 Green, *The Speaker of the House: A Study of Leadership*; Koger and Lebo, *Strategic Party Government: Why Winning Trumps Ideology*.

2 Rohde, *Parties and Leaders in the Postreform House*; Aldrich and Rohde, "The Consequences of Party Organization in the House: The Role of the Majority and Minority Parties in Congressional Party Government"; Binder, *Minority Rights, Majority Rule: Partisanship and the Development of Congress*; Dion, *Turning the Legislative Thumbscrew: Minority Rights and Procedural Change in Legislative Politics*; Lee, *Insecure Majorities: Congress and the Perpetual Campaign*.

Democrats had long been the more diverse and heterogeneous of the two parties. For example, even during the highly partisan 1880s and 1890s Democrats struggled to bridge regional differences in their party. Southern Democrats often complained of northerners' "one-sided reciprocity," as northern Democrats would often align with Republicans rather than back major party priorities like the tariff.³ Democrats' regional divisions grew in the 20th century. With constituencies stretching across the South and along the coasts, plus some pockets in the Midwest, the House Democratic coalition included some of the most aggressively liberal and aggressively conservative representatives in the country. They were a party of everything and nothing all at once. That had changed by the time Pelosi was first seated in 1987. Partisan voting was on the rise.⁴ Members' incumbent advantages dwindled, making them increasingly reliant on their partisan affiliation to secure reelection.⁵ When Pelosi was elected Democratic leader in 2003, partisanship had fully taken hold in the House. Speakers Gingrich and Hastert brought heightened partisan leadership and intense centralization to the House via highly-unified Republican majorities. When Democrats won back the House majority in the 2006 midterms, some questioned whether Pelosi could unify a caucus that had such deep historical cleavages.

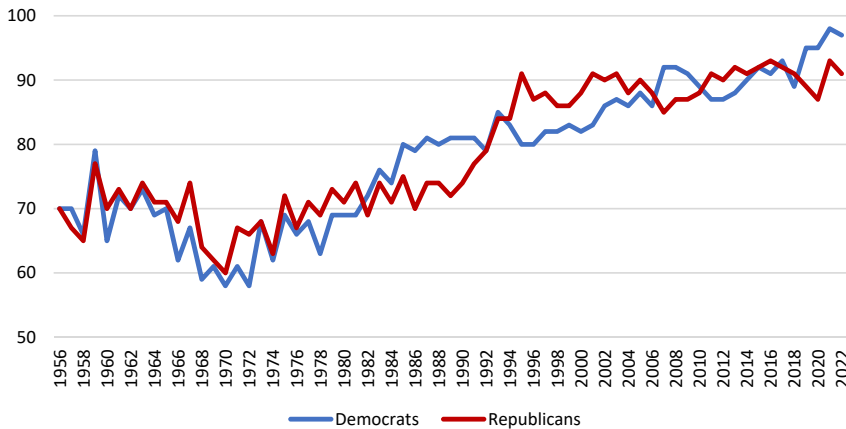


Figure 1: Party unity in the house, by year. CQ measures party unity as the percentage of time members voted in support of their party on party unity votes (when a majority of Democrats opposed a majority of Republicans). Source: *CQ Roll Call Annual Votes Studies*, 2023.

³ Bateman, Katznelson, and Lapinski, *Southern Nation: Congress and White Supremacy after Reconstruction*, 88.

⁴ Bartels, "Partisanship and Voting Behavior, 1952–1996."

⁵ Jacobson, "It's Nothing Personal: The Decline of the Incumbency Advantage in US House Elections."

However, even by Republicans' high standards, Pelosi improved on their numbers. In Pelosi's first and second terms (2007–2011), Democratic unity hovered between 89 and 92 percent. In her third term as Speaker in the 116th Congress (2019–2021), Democratic support on party unity votes reached 95 percent—then an all-time record. It grew further to 98 percent in 2021—the highest-ever rate of party unity as recorded by *CQ Roll Call*—before slipping to 97 percent in 2022. Put simply, Nancy Pelosi presided over the most unified House majorities of the post-World War II Congresses.

However, party unity metrics often conceal the difficulties of internal political negotiations. Like any majority, House Democrats had to find policies that unified moderates and progressives. Finding common ground was more difficult than the numbers demonstrate. Democrats often displayed impressive unity when opposing Republican presidents Bush and Trump. However, the House Democratic caucus was never a rubber stamp for President Obama or Biden. Factions within the Democratic Party limited Speaker Pelosi in important ways. However, House Democrats changed significantly over Pelosi's two decades as leader. The caucus she managed in 2007–2011 was very different than that of 2019–2023. Generally speaking, the balance of power in the Democratic caucus moved leftward in the 21st century. As a result, the political pressures Pelosi faced evolved as well.

In 2007, Democrats retained a significant conservative wing, especially compared to today. Blue Dogs like Ike Skelton (D-MO), Collin Peterson (D-MN), Bud Cramer (D-AL), and Gene Taylor (D-MS) as well as social conservatives, particularly pro-life members like Bart Stupak (D-MI), gave the caucus a far more conservative bent. As a result, Pelosi had to cater to a caucus much more to her ideological right. For example, in 2007, Pelosi and House Democrats adopted a new House rule dubbed PAYGO (Pay-As-You-Go) which prohibited direct spending or revenue bills increasing the budget deficit over a 6-year or 11-year period.⁶ The actual effect of the rule on policymaking is debated, but it did reflect the interests of ideological conservatives in the caucus in the mid-2000s. Meanwhile, the progressives were a smaller – though growing – group composed of members like Reps. Barbara Lee (D-CA), Raul Grijalva (D-AZ), Keith Ellison (D-MN), and Ed Markey (D-MA), among others.

Democrats were more liberal than they had been in several generations, but Pelosi had to be pragmatic. Though liberal herself, Pelosi was not an ideological crusader. For example, Speaker Gingrich recruited, funded, and trained conservative ideologues to win a majority and carry out his vision to revolutionize the House.⁷ Pelosi took a different approach, backing conservative Democratic candidates to win

⁶ House Rule XXI, clause 10, 110th Congress.

⁷ Peters Jr. and Rosenthal, "Assessing Nancy Pelosi"; Grossmann and Hopkins, *Asymmetric Politics: Ideological Republicans and Group Interest Democrats*.

dissatisfied Republican constituencies in more rural areas.⁸ As a result, during this period the parties reflected those tactics. Newly elected Democrats tended to make the caucus more moderate, whereas newly elected Republicans tended to make their conference more conservative.⁹ Nevertheless, Pelosi's strategy won results. Democrats won a majority in 2006 then added 24 seats in 2008, growing their numbers from 233 to 257 in the 111th Congress (2009–2010). It was the largest majority Pelosi enjoyed during her time as Speaker. Yet, it also meant contending with a sizable number of conservative Democrats when major policy debates came to the floor.

Despite adopting a similar strategy in 2018, Pelosi's second stint as Speaker had to adapt to different political realities. The next decade brought a number of changes to both parties' coalitions. In the 2010 Republican landslide, Democrats lost several longstanding rural constituencies in the South and Midwest. Gains made in 2006 and 2008 seats in states like New York, Ohio, and Pennsylvania were wiped out. The decline of rural seats left Democrats increasingly concentrated in cities. This transition had a significant impact on both parties. Nationally, the two parties remained very competitive.¹⁰ But local and state elections forming the backbone of congressional coalitions became less competitive over time.¹¹ With less competitive territory to contest, Democrats struggled to regain a House majority until after the 2016 election of Donald Trump.

In 2018, many suburban, well-educated constituencies that had been held by Republicans flipped to Democrats. The new House "majority makers," frontline members who pushed Democrats over the 218 threshold, took the form of former-Republican, white-collar districts with high proportions of college graduates. Essentially, House Democrats traded the social and fiscal conservatives of the late 2000s for economic moderates in the late 2010s. As a result, in Pelosi's third and fourth term Democrats were far more aligned on issues like abortion, gun control, gay marriage, and voting rights. Indeed, all those bills passed with near-unanimous Democratic support in the 116th and 117th Congresses (2019–2023). However, the new coalition in 2019–2023 complicated the party's ability to pass tax, fiscal policy, and business regulations.

This transition to a more city-centric coalition significantly impacted the composition of the party. First, diversity became far more important for Democrats. Democrats in Congress in the mid-2000s were still largely white and male. That changed dramatically under Pelosi, who emphasized diversity in recruitment. After she stepped down from the post, new Democratic members "will be about 75 percent

⁸ Peters Jr. and Rosenthal, "Assessing Nancy Pelosi," 11.

⁹ Carmines, "Review Symposium: Class Politics, American Style."

¹⁰ {Citation}

¹¹ Hopkins, *Red Fighting Blue: How Geography and Electoral Rules Polarize American Politics*.

women, people of color, and LGBTQ.”¹² Likewise, House Democrats became more liberal. Progressive lawmakers replaced retiring incumbents and even unseated a few “insufficiently” liberal lawmakers. Veteran progressives like Reps. Grijalva (D-AZ) and Lee (D-CA) were joined by a more aggressive generation led by Reps. Alexandria Ocasio-Cortez (D-NY), Rashida Tlaib (D-MI), Ilhan Omar (D-MN), Cori Bush (D-MO), Jamaal Bowman (D-NY), and more. In some respects, the new progressives began to mirror their conservative counterparts. They were a more assertive caucus in the House. They funded primary challengers to incumbent Democrats. They organized opposition to party priorities to extract concessions. Generally, progressives adopted a more aggressive legislative style—even if they remained largely pragmatic. In her third and fourth terms, Pelosi still had to attend to moderates but her caucus’s progressive wing was more powerful and influential.

Pelosi’s leadership of these divides differed from her contemporaries, yet she was not completely unique. Like her contemporaries, she utilized the impressive tools of the Speakership. Institutional reforms since the 1970s weakened the committee system and empowered Speakers. Contemporary Speakers were not shy about using their institutional power to craft, plan, and control the process in pursuit of party goals. But Pelosi had a more sophisticated style when managing her coalition. She was not a strong-armed whip, like Tom DeLay (R-TX), or fashion herself an ideological, visionary leader, like Gingrich. At its core, Pelosi’s leadership was centralized, pragmatic, and transactional. In many ways, her leadership style had the hallmarks of a political machine: centralized power and a near-constant exchange of favors among and between various factions in the House Democratic caucus.

Pelosi often built majorities by bringing their priorities to the floor in tandem as counterweights. For example, in her first term Pelosi was challenged when crafting a congressional response to the Iraq War. The unpopularity of the war was widely credited with Democrats’ 2006 midterm victories. But once in the majority, Pelosi had to balance her party’s public opposition with a sizeable contingent who remained reticent to take drastic steps on war funding or policy. When President Bush requested supplemental appropriations to fund the wars in Iraq and Afghanistan, Pelosi offered conservative Democrats extra funding (\$21.1 billion over President Bush’s request) and progressives a timeline to withdraw troops from Iraq, as well as various domestic programs such as aid to salmon fisheries and spinach handlers to push the deal over the top.¹³ After a two-day delay, the bill won exactly 218 Democratic votes. President Bush eventually vetoed that bill over the withdrawal timeline, forcing Pelosi to craft another negotiated peace between liberal and conservative Democrats. The deal allowed the war funding to pass despite liberal objections in

12 Kane and Mara, “In Her Own Words: Pelosi Steps Back After Decades in Charge.”

13 Pearson and Schickler, “The Transition to Democratic Leadership in a Polarized House,” 168–69.

exchange for domestic spending priorities and a minimum wage increase.¹⁴ This strategy was often evident in her third term. As the House was finalizing the first impeachment of President Trump, several moderate Democrats remained reluctant.¹⁵ When the impeachment articles were finally brought to the floor in mid-December 2019, they were accompanied by an unusual amount of major legislation. After officially impeaching President Trump on December 18th, the House voted on December 19th to reinstate the state and local tax (SALT) deductions repealed under the 2017 Republican tax bill, which particularly affected moderate Democratic “majority makers” in the northeast. Despite 16 Democratic defections on SALT, the bill passed with exactly 218 votes (213 Democrats, 5 Republicans). Minutes later, the House ratified the new United States-Mexico-Canada trade deal negotiated by the Trump administration (USMCA), which had sat in limbo for more than a year after the nations’ leaders signed the agreement. The bill passed with 193 Democrats and 192 Republicans. Thirty-eight Democrats voted against the legislation. Speaker Pelosi did this on countless occasions, such as bringing progressive immigration bills to the floor at the same time as controversial FISA programs needed reauthorization, or coupling the controversial appropriations bills (like Labor-HHS-Education or Homeland Security bills) with wildly popular appropriations (like Defense or Military Construction-VA bills).¹⁶ She delivered competing factions’ policy goals by coupling divergent priorities into a single vehicle or legislative week. As she described her leadership in an interview, “You have to compromise... one day, you don’t get your way. The rest of us come to a compromise. You’re annoyed. You’re some fringe element. But you vote with us because tomorrow might be your day, right?”¹⁷ The tactic might best be described as centralized logrolling. Policymaking was a trade of interests. In a way, her leadership mimicked the brokering speaker-ships of Rayburn and Tip O’Neill. But unlike those Speakers, Pelosi negotiated and drafted deals through her office rather than relying on the committee system. She had a broker’s touch but a czar’s control.

Of course, this mode of operation frequently created political problems. Moderates are often reticent to support progressive policies. Likewise, progressives are wary of supporting watered-down compromises favored by moderates. Pelosi consistently offered the vulnerable members unique opportunities to affect policy and create distance between themselves and the party line. For example, she structured the process to enable vulnerable members to offer amendments weakening important

¹⁴ Pearson and Schickler, 169.

¹⁵ Ferris and Caygle, “Moderate Dems Warn against ‘kitchen Sink’ Impeachment Push”; Ferris and Zanona, “Small Group of Democrats Floats Censure Instead of Impeachment.”

¹⁶ H. Res. 891, 116th Congress, 2nd sess., *Congressional Record* 166, No. 47, H1599-H1613.

¹⁷ Kane and Mara, “In Her Own Words: Pelosi Steps Back After Decades in Charge.”

party legislation. For example, in February 2019, Pelosi allowed Reps. Kendra Horn (D-OK) and Jeff Van Drew (D-NJ) – both from traditionally conservative constituencies – to offer amendments that weakened Democrats’ signature gun control bill.¹⁸ In her first term, she created a “frontline program” aimed at directing funds and campaign resources to competitive districts.¹⁹ She gave many moderates a pass on major legislation, like allowing almost three dozen Democrats to vote against the Affordable Care Act. Pelosi often gave a pass to her majority makers when it did not threaten passage. To the extent their opposition did not threaten party priorities, she allowed defectors as much political space as possible.

Her management style also had flaws. Pelosi relied heavily on a close group of advisors throughout her tenure and she remained fiercely loyal to them. In many respects, that is expected of a political leader, but at times the privileges and support she extended to her inner circle rankled her rank-and-file. In 2006, Pelosi backed John Murtha’s (D-PA) challenge to the incumbent minority whip—and future majority leader—Steny Hoyer (D-MD). Murtha was an unlikely candidate.²⁰ A conservative Democrat and longtime appropriator who had never held a leadership position, Pelosi’s endorsement shocked many of her colleagues. While Hoyer handily defeated Murtha 149–86, the episode fueled a personal rivalry with Hoyer.

Throughout her tenure, members of the Democratic caucus aligned with different leaders. As one staffer described it, tensions between “Team Nancy” and “Team Steny” sometimes flared during organizational decisions.²¹ For example, after Rep. Henry Waxman (D-CA) announced his retirement, Pelosi endorsed her close ally Anna Eshoo (D-CA) for the top Democratic position on the powerful Energy and Commerce Committee. The move would have leapfrogged two more-senior Democrats, Frank Pallone (D-NJ) and Bobby Rush (D-IL).²² Pelosi’s dominance on the Steering Committee allowed Eshoo to win the panel’s endorsement, but Eshoo lost the race when all House Democrats took up the issue. Pallone won 100–90 with the backing of the Congressional Black Caucus (CBC), who saw the move as a threat to the seniority system and, thus, an important power base for the CBC.²³ But Pelosi’s loyalty to her allies did not always create setbacks. For example, her endorsement of Rosa DeLauro’s bid to become chair of the House Appropriations Committee was decisive. However, her loyalty to allies sometimes inflamed her personal rivalry with Hoyer, the second-ranking House Democrat.

¹⁸ *Congressional Record*, February 27, 2019, H2258, H2260.

¹⁹ Peters Jr. and Rosenthal, “Assessing Nancy Pelosi.”

²⁰ Green, “The 2006 Race for Democratic Majority Leader: Money, Policy, and Personal Loyalty.”

²¹ Democratic Chief of Staff, interviewed by author, March 21, 2023.

²² Bresnahan, “Pelosi Backs Eshoo for Energy Panel.”

²³ Bresnahan, “Pallone Win a Victory for Hoyer.”

Despite these tensions, Pelosi left a lasting mark on her caucus's procedural culture. Over Pelosi's tenure, Democrats evolved into a more procedurally disciplined and ruthless party. Historically, this had not always been the case; Republicans had long been viewed as more effective on procedure. The Democratic majorities in the 1990s lost motions to recommit and had multiple special rules voted down, killing leaders' and President Clinton's policy priorities. After Republicans swept in and centralized the process, circumvented committees, and brutalized "regular order" to pass major policy goals, Democrats looked like a disheveled, undisciplined group lacking the ideological cohesion needed to exact centralized control over the House.

That changed under Pelosi. Though she still lost some motions to recommit (at least until Pelosi banned them), Democrats' hesitance to back procedural votes dissipated. As one staffer put it, "This is what leadership told you needs to be done. There used to be a reticence on the Democratic side. That's gone away."²⁴ Thanks in part to greater ideological cohesion, Pelosi communicated more collective messages. She worked to build an us-versus-them team culture. One common plea was "We need to do this to accomplish our values."²⁵ This culture was ubiquitous. "All the modern members are socialized into that philosophy," the staffer noted.²⁶ And while it was not universally accepted on all votes (i.e. motions to recommit), Democratic discipline increased under Pelosi. Part of that was enforcing the norms she socialized. Another staffer highlighted the risks of opposing Pelosi on procedural votes: "You knew which members were pariahs and you knew why. Working with a southern Democrat, you saw other southern Democrats who were conservative, and how they tended to not have support to advance the things they cared about."²⁷ Her approach was a stark contrast to the previous Democratic Speaker, Tom Foley, for whom appeasement and comity were the principal goals. Pelosi instilled the procedural cultures of Gingrich and Hastert while avoiding their early demises. In the process, she helped usher Democrats into the era of partisan warfare.

2 The Institution: Procedure and Organization

Contemporary Speakers' agenda power make them central to House operation. High party unity, interparty polarization, and majority size have all contributed to a

²⁴ Democratic committee staff, interviewed by author, September 22, 2022.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ Democratic Chief of Staff, interviewed by author, January 27, 2023.

highly centralized and partisan leadership.²⁸ However, much of the Speaker's authority is not contingent on shifting political circumstances.²⁹ The institutional changes under one Speaker tend to carry over to the next. Today, Speakers have immense discretion over floor recognition, dilatory motions, the timing of votes and deliberation, and more. These features have not waxed and waned with changes in party unity or polarization, but instead have built upon one another over time.³⁰

This places Pelosi's tenure in historical perspective. She inherited immense power, but her effect on House operations was also significant. On the one hand, she was arguably the most powerful Speaker in American history—the extent to which she used her authority, built coalitions, and controlled legislative outcomes is unparalleled. On the other hand, her goals and effectiveness as a partisan leader weakened other entities in the legislative process. The influence of committees, individual members, and the minority party all declined during her terms in the chair. However, her impact on the House was not purely partisan. Pelosi helped spearhead several changes that increased the House's institutional capacity. In all, she leaves a mixed institutional legacy. Pelosi was a ruthlessly effective procedural leader and vote counter, which hollowed out the traditional legislative process even as she built institutional capacity in other respects.

Pelosi inherited an enormously powerful institution. After decades of committee dominance in the 20th century, liberal reformers in the 1970s re-empowered Speakers.³¹ Since that time, their power has only grown. By the time Pelosi took the gavel in 2007, the speakership was already being compared to the “czar” Speakers around the turn of the 20th century.³² These “tyrant” Speakers, like Thomas Brackett Reed (R-ME) and Joe Cannon (R-IL), exercised discretion over floor recognition, unilaterally appointed all committees, and chaired the powerful Rules Committee.

28 Aldrich and Rohde, “The Consequences of Party Organization in the House: The Role of the Majority and Minority Parties in Congressional Party Government”; Binder, *Minority Rights, Majority Rule: Partisanship and the Development of Congress*; Dion, *Turning the Legislative Thumbscrew: Minority Rights and Procedural Change in Legislative Politics*; Lee, *Insecure Majorities: Congress and the Perpetual Campaign*; Cox and McCubbins, *Legislative Leviathan: Party Government in the House*.

29 Cox and McCubbins, *Legislative Leviathan: Party Government in the House*.

30 Sinclair, *Legislators, Leaders, and Lawmakers: The U.S. House of Representatives in the Postreform Era*; Sinclair, *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*; Bach and Smith, *Managing Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules*; Smith, *Party Influence in Congress*.

31 Today, Speakers serve as chair of their party's steering committee, appoint several members to that committee, and their vote in the steering committee are weighted. For Democrats, party leader votes count as five votes. For Republicans, party leader votes count as four votes. In 1975, party leaders were given the ability to nominate members of the House Rules Committee, which are subject to ratification by their respective caucuses.

32 Smith and Gamm, “The Dynamics of Party Government in Congress.”

Their formal authority enabled them to dictate the flow of legislation as well as influence legislators' behavior through discipline or reward.

The contemporary speakership was not quite as powerful, at least formally. They do not enjoy the same near-unilateral authority House rules afforded the czars. Today, Speakers' influence is more indirect. For example, today's Speakers influence committee assignments as chair of their respective parties' steering committees. They do not control them outright. Contemporary Speakers nominate members to the Rules Committee, which is subject to caucus approval. They do not chair the committee and appoint its members unilaterally as the czars did. Still, Speakers' influence grew considerably since the 1970s. By the 1980s, Speakers were taking more active roles in managing floor amendments and shaping the legislative agenda. In the 1990s, Speakers Gingrich and Hastert went further. They pressed partisan agendas, circumvented committees, and structured the process to limit obstruction and minority participation. The speakership Nancy Pelosi won in 2007 had considerable power and influence to manipulate the legislative process and influence House organization.

Still, Pelosi strengthened the speakership in two major ways. First, she expanded the use of the tools at Speakers' disposal. Under Pelosi, the House considered legislation under more restrictive and sophisticated special rules. Individual legislators had fewer opportunities to offer amendments and committees were less influential over the policies in their jurisdictions. Second, she eliminated several restrictions on the Speaker. Limitations on legislative motions were removed, layover rules were waived, and privileged motions were demoted. This gave Pelosi more unilateral control over the floor procedures than any contemporary Speaker—and arguably any Speaker in history. Time will tell on whether these changes will endure. But if these institutional changes are like other recent procedural tweaks, Pelosi set a new precedent for formal control over the House floor.

Table 1 reports the percentage of closed, structured, and open rules reported from the House Rules Committee, as well as the percentage of self-executing rules amending original bills or introducing new policy reported from committee over the eight Congresses between 2003 and 2023. In some respects, Pelosi's use of the Rules Committee continued existing procedural trends. For example, like Speakers before her, she increasingly limited floor amendments. The percentage of closed and structured rules grew under Pelosi, just as it had under Dennis Hastert, John Boehner, and Paul Ryan. However, Pelosi extended the use of special rules *much* further than her predecessors. By 2007, open amendment floor processes were nearly extinct. Even appropriations bills were no longer immune from political messaging and poison pill amendments that derailed legislation. In 2009, Pelosi decided to protect her members from those political votes, making her was the first

Table 1: Special rules reported in the house, 2003–2023 (Speaker Pelosi in bold).

	Closed	Structured	Open	Self-executing
108th Congress	28 %	47 %	26 %	22 %
109th Congress	32 %	49 %	19 %	28 %
110th Congress	36 %	50 %	14 %	32 %
111th Congress	34 %	66 %	0 %	41 %
112th Congress	36 %	46 %	18 %	26 %
113th Congress	48 %	44 %	8 %	37 %
114th Congress	42 %	53 %	5 %	30 %
115th Congress	56 %	44 %	0 %	45 %
116th Congress	54 %	46 %	0 %	62 %
117th Congress	60 %	40 %	0 %	73 %

Sources: Don Wolfensberger, *House Rules Data from the 117th Congress*, Bipartisan Policy Center, <https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2021/06/BPC-House-Rules-Data-117th-current-through-June-30-2022.pdf>; U.S. Congress, House, Committee on Rules, *Survey of Activities of the House Committee on Rules for the 117th Congress*.

Speaker in U.S. history to fail to consider a single bill under an open amendment process.³³

The percentage of closed rules increased dramatically under Pelosi in her last terms. In her first and second term, she remained largely in line with her Republican peers, Hastert and Boehner. However, in her final two terms the percentage of bills in which no amendments were allowed jumped to 60 percent. Pelosi was protecting an very slim, 4-vote majority in the 117th Congress. Still, that remains a staggeringly high percentage by any historical standard. Even the “czar” Speakers Reed and Cannon did not shut down the amendment process to such a degree.

However, maybe the most revealing statistic in Table 1 is the percentage of self-executing rules during her tenure. Self-executing rules amend the legislation being brought to the floor without a direct vote. As soon as the House adopts the special rule, the underlying bill text changes. This can come in the form of an amendment to the committee reported bill or entirely new text added to or replacing the committee-reported bill. Put differently, this demonstrates the degree to which Pelosi used the Rules Committee to directly control or change the legislative text reported by committees of jurisdiction.

As the data show, Pelosi circumvented committees to a far greater extent than her contemporaries in either party. In the first 18 months of her final term, 47 percent of the bills brought to the floor under a special rule were not reported by committees

³³ Lynch, Madonna, and Vick, “The Erosion of ‘Regular Order’ in the U.S. House: A Historical Examination of ‘Special Rules.’”

of jurisdiction.³⁴ That rate is 10 percent higher than the previous record under Speaker John Boehner in the 113th Congress.³⁵ In her final term, she reported self-executing rules 28 percent more frequently than any other Speaker.³⁶ Of the 70 self-executing rules reported through June 2022, a whopping 89 percent added entirely new language to the legislation.³⁷ For example, in 2020 Pelosi used a self-executing rule to strike all of the language in a bill reauthorizing funding for historically Black colleges and universities and replaced it with two unrelated immigration bills reported from the Judiciary Committee.³⁸ In 2022, Pelosi struck the text of a Senate-passed NASA lease extension bill and replaced it with a revised version of the John R. Lewis Freedom to Vote Act. The bill was then used by Senate Majority Leader Chuck Schumer as the vehicle to attempt filibuster reform in the Senate.

But these examples pale in comparison to the special rules Pelosi implemented during the standoff between progressives and moderates over infrastructure and the Build Back Better reconciliation process. In the summer of 2021, Democratic moderates insisted that the House pass the Senate-negotiated infrastructure bill before discussing the more ambitious portions of Biden's Build Back Better plan. Meanwhile, progressives insisted that infrastructure was tied to the rest of Biden's plan. They feared that if Congress passed infrastructure first, moderates would not support the social program progressives championed.

Pelosi cleared the first hurdle by promising moderates a vote on infrastructure in September in exchange for passing the Senate budget resolution to enable another reconciliation process to begin.³⁹ The Rules Committee reported a special rule establishing a process to vote on the infrastructure bill by September 27th, 2021 and which deemed the Senate budget resolution adopted. In other words, the House agreed to a budget and initiated a multi-trillion reconciliation process without a direct vote.⁴⁰ However, House negotiations over the text of the Build Back Better reconciliation bill were difficult. No deal was struck on the Build Back Better plan when the September 27th infrastructure-vote deadline arrived. Progressives, fearing

34 Don Wolfensberger, *House Rules Data from the 117th Congress*, Bipartisan Policy Center, <https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2021/06/BPC-House-Rules-Data-117th-current-through-June-30-2022.pdf>.

35 *Ibid.*

36 The data are only up-to-date as of June 2022. Therefore, the final 6 months of her last term are missing.

37 The other 11 % included self-executing amendments recommended by the committee of jurisdiction.

38 H. Res. 891, 116th Congress, 2nd sess., *Congressional Record* 166, No. 47, H1599-H1613.

39 Reconciliation is a budget process that enables legislation provided for direct spending, revenue, or debt ceiling to pass the House and Senate under expedited procedures. It is not subject to a filibuster.

40 H. Res. 601, 117th Congress, 1st sess., *Congressional Record* 167, No. 150, H4359.

they would walk away with nothing, threatened to sink the infrastructure bill if it was brought to the floor. Meanwhile, moderates demanded the vote they were promised the previous month.

After immense procedural acrobatics, Pelosi negotiated a new agreement between the two factions.⁴¹ The House would pass the Senate infrastructure bill first, giving moderates the bill they so badly wanted, and moderates would then help pass a special rule that self-executed the entire negotiated text of the Build Back Better bill. After more than a month of negotiations, Pelosi brought both bills to the floor in the first week of November. Infrastructure was reconsidered and passed on November 5th, 2021. The special rule self-executing the entire text of the Build Back Better Act passed on November 6th. The Build Back Better Act officially passed the House on November 19th, 2021 and, after months of start-and-stop negotiations with Senator Joe Manchin (D-WV), the revised and newly-titled Inflation Reduction Act became law in August 2022.

Speaker Pelosi's use of special rules to control legislative text has no parallel in American history. More than any other Speaker, the deals she negotiated were not subject to amendment. More than any other Speaker, she used the Rules Committee to draft legislative text, circumventing or overriding committees of jurisdiction. Committees under Pelosi served more as expert consultants rather than policy-making bodies. Pelosi tapped committee chairs and their staffs to craft legislative text conducive to her political and policy goals.⁴² However, this is a hollow version of the committee system. Chairs and staff gained power by working directly with leadership to craft and structure policy. However, committees as institutions—composed of a subset of members from both parties making discrete decisions that were then considered by the full chamber—became even less relevant to House decision making.

This mimicked the institutional control of the “czar” Speakers like Reed and Cannon, but it differed in an important respect. Previously, the czar Speakers used their formal powers to indirectly control policy. like appointing committee chairs based on assurances that they would comply with the Speaker's policy priorities. For example, Speaker John Carlisle (D-KY, 1883–1889) required A.H. Buckner (D-MO) to promise not to attack the national banking system to become chair the Banking and Currency Committee.⁴³ However, bills were still reported to the chamber by the

⁴¹ Pelosi refused to adjourn the legislative day. Formally, legislative day September 27th, 2021 continued for multiple calendar days. After negotiating a détente between moderates and progressives, Pelosi used her authority under House Rule XIX, 1(c) to postpone further consideration of the infrastructure bill indefinitely, giving her time to finalize BBB text with her caucus over the next month.

⁴² Curry and Lee, *The Limits of Party: Congress and Lawmaking in a Polarized Era*.

⁴³ Alexander, *History and Procedure of the House of Representatives*, 69–70.

committee and the legislation was frequently open to amendment on the floor. Even the “tyrant” Speaker Cannon presided over more open amendment processes than Speaker Pelosi.⁴⁴ Procedural practices under the czars did not include Speakers’ direct control of legislative text. The czars’ control was more political than institutional. Members needed to comply with their demands or potentially face repercussions.

Pelosi’s control over legislative language was, in a way, more institutional. Her procedural leadership dictated policy options to her members.⁴⁵ Members were closed out of the process. They could accept or reject those bills. They could negotiate with Pelosi in exchange for their vote. But at the end of the day, Pelosi crafted and changed the legislation. While theoretically she used this authority on behalf of the various goals of her caucus, the opaque nature of her control means we will never fully understand how Pelosi facilitated trades between members and groups in her caucus and what the outcomes delivered or failed to deliver to those groups. But ultimately, at no point in American history has a Speaker been in such direct control of the legislative text.

However, that was not the extent of the Rules Committees’ functions under Pelosi. She also used the committee to remove restrictions on her procedural freedom and flexibility. For example, in 2009 Pelosi created a rule one prominent Republican staffer affectionately dubbed “The Ejector Seat.”⁴⁶ After losing several votes at the last minute in the 110th Congress—often successful motions to recommit offered by Republicans—Pelosi drafted Rule XIX, clause 1(c) into House rules in the 111th Congress. The rule allows the Speaker to indefinitely postpone consideration of a bill even after the previous question is in operation and the House is moving toward adoption or final passage. Procedurally, this is the ultimate release valve for a Speaker sensing failure on the floor.

Later, in the 117th Congress, Pelosi eliminated motions to recommit altogether. House rules no longer allow the minority to offer motions to recommit “with instructions.” This prevents the minority from proposing a last-minute amendment to legislation just before final passage. More dramatically, however, in a series of special rules adopted between 2020 and 2022, Pelosi kept the House of Representatives in a state of martial law. “Martial law” in the House of Representatives—a term coined by critics of the process—refers to a situation in which the House waives restrictions on the Speaker’s procedural authorities. For example, special rules can be brought to the floor the same day they were introduced without the normally-

⁴⁴ Though, for a period of time in 1908 Cannon presided over the most restrictive process in American history by effectively closing-off amendments to all legislation and limiting debate to 40 min.

⁴⁵ Curry, *Legislating in the Dark: Information and Power in the House of Representatives*.

⁴⁶ Former Rules Committee Staff, interviewed by author, June 28, 2022.

required two-thirds vote, motions to suspend the rules can be recognized on any day of the week (normally limited to Monday through Wednesday), and other privileged floor motions from the War Powers Act to resolutions of inquiry are essentially demoted and unavailable for members wishing to debate those issues.⁴⁷

This extremely centralized process is normally reserved only for emergency situations. For example, martial law was adopted in previous budget shutdowns, debt ceiling standoffs, and national emergencies to allow Speakers to bring a bill to the floor almost immediately. Pelosi sought these authorities during the coronavirus pandemic. However, long after House operations had returned to normal, Pelosi continued to extend these authorities as riders on special rules bringing other legislation to the floor. This continued for two years until she codified it into House rules via a self-executing rule in July 2022.⁴⁸ Essentially, Pelosi had the fewest restrictions of any Speaker and codified her power without a direct vote or debate. What started as delegated authority during the pandemic evolved into the institutionalization of martial law during her tenure. Some of these changes snapped back after McCarthy became Speaker. However, it is not hard to envision a future Speaker following Pelosi's precedent.

Despite her centralized, partisan leadership, Pelosi was also an institutional custodian in some respects. She reformed the earmark process in her first term, making members' funding requests more transparent. In her fourth term, she reinstated earmarks after a 10-year moratorium. She created a proxy-voting process during the pandemic to enable voting by absent members or those unable to travel. Importantly, Pelosi also raised staff pay, establishing a minimum salary and raising the maximum salary for House staffers, and boosted members' representational allowances to afford the pay increases.⁴⁹ Additionally, she worked to protect the House's constitutional prerogatives. For example, she likely passed the most contempt resolutions of any Speaker. Later, after Republicans refused to create a joint committee to investigate the January 6th attack, Pelosi created a select committee and courted two Republicans to serve on the panel over Minority Leader McCarthy's objections.⁵⁰ Like many previous Speakers, her institutional interests were most strongly pursued when they aligned with her partisan interests. However, she also took political risks to boost House capacity and reinforce the House's oversight authority. In sum, Pelosi's legacy as an institutional leader is mixed. She did

⁴⁷ House Rule XIII, clause 6(a), 116th Congress; House Rule XV, clause 1, 116th Congress;

⁴⁸ H. Res. 1232, 117th Congress, 2nd sess., *Congressional Record* 168, No. 119, H6711. Under the terms of the special rule (H. Res. 1232), H. Res. 1230 was considered adopted.

⁴⁹ Cochran, "Pelosi Increases Pay Scale for House Staff, Setting a New Wage Floor."

⁵⁰ Speakers retained direct control over appointments to select committees, a power that dates back to the 1880 House rules revision.

more than most Speakers to erode individual lawmakers' participation in the legislative process, but in limited respects helped build their capacity and protect the House's prerogatives.

3 The Policy: Partisan Lawmaker and Crisis Response

Speaker Pelosi was easily the most effective legislative leader of the modern era. As Speaker of the House, she presided over two of the most consequential Congresses in the last 50 years and successfully passed major legislation when Republicans controlled the Senate and/or White House. The list of major policies passed under Pelosi includes the Affordable Care Act, Dodd-Frank financial reform, Troubled Asset Relief Program (TARP), several stimulus packages, the Lilly Ledbetter Fair Pay Act, the American Rescue Plan, multiple COVID bills, the Inflation Reduction Act, the Ukraine lend-lease program, postal reform, the Juneteenth federal holiday, and much more. She was a renowned vote counter who reportedly sought constant feedback and input from her caucus. However, once in negotiations, she often served as the central—and in some cases the sole—negotiator on major legislation. And while she will most likely be remembered as a powerful and partisan legislator, she also navigated and responded to two of the most daunting crises the United States has faced in the 21st century. Presiding over the House during those crises and her impressive record of pushing the priorities of two presidential administrations through the chamber make her one of the most effective policymakers in the history of the House.

Like many modern Speakers, Pelosi supported presidents' policy goals during unified party government. Presidents Obama and Biden both had significant policy records thanks in large part to her leadership. Pelosi oversaw Democratic priorities like the largest recent expansion to the social safety net, ambitious financial regulations, anti-discrimination policies, and more. However, Pelosi adapted to presidential priorities even when those presidents were not purely pursuing partisan policy ends. After President Biden ran his 2020 campaign on unifying the country and forging bipartisan solutions, Pelosi ensured more bipartisan measures appeared on the House schedule. The frequency of party unity votes in the House fell for the first time in more than a decade during the 117th Congress.⁵¹ Even though the drop was modest, it is a notable break from longstanding trends.

51 Lesniewski and Kelly, "2022 Votes Studies: Division Hit New High in Senate, Fell in House."

However, it could also be argued that Pelosi supported Democratic presidents almost to a fault. She never appeared shy of taking up the most challenging and controversial policy issues, even when they threatened her majority. Pelosi went to incredible procedural lengths to pass the Affordable Care Act (ACA) despite major reservations among Democratic conservatives. She was widely criticized for pursuing cap-and-trade legislation in 2009, forcing her members to take a tough vote on a controversial environmental measure that ultimately failed to become law. For many Democrats, that decision was more damaging for vulnerable members than the ACA.

In 2021, Pelosi pushed moderates to back Biden's incredibly ambitious, multi-trillion dollar domestic program despite very high inflation by historical standards. While protecting a very slim majority in 2022, it is possible she prioritized the party's policy goals out of the belief that holding the majority in the upcoming midterm election was impossible. In 2010, however, with more than a 30-seat majority, Pelosi pushed ambitious policies that put vulnerable members in difficult positions. These were decisions that arguably placed Democrats' policy goals ahead of their electoral interests. Those policies were clearly a priority under unified government during the 111th and 117th Congresses. It was a risk she was willing to take. While her policy pursuits may have cost her majorities during both her stints with the House gavel, she leaves the post as one of the most successful policymakers in congressional history.

Pelosi was also an underappreciated crisis leader. During her time as Speaker, Pelosi faced two economic crises: the 2008 financial collapse and the COVID pandemic that shuttered the economy in 2020. Throughout both crises, Pelosi worked with four different administrations to facilitate overwhelmingly bipartisan government responses.⁵² In the financial crisis, she worked with the Bush and Obama administrations to pass multiple stimulus bills, tax rebates, direct checks, food stamp increases, and unemployment benefits, and more to blunt the economic downturn. In March 2020, as the COVID pandemic began to spread in the U.S., Pelosi—often negotiating alone with Senate Majority Leader Mitch McConnell and the Trump administration as members were sent home to their districts to prevent spreading the virus—helped approve more than \$3 trillion in government aid in 2020 alone. Legislation enacted by Congress during the pandemic subsidized vaccine research; purchased multiple COVID tests, masks, and other personal protective equipment; and funded stimulus payments, rental assistance, loans to small businesses, and more. These bipartisan bills were not her only efforts. She often pushed the House to pass legislation if she believed the administration or Senate needed to take up the

52 The 2009 stimulus bill is the one major exception.

issue. Passage of those bills often took on a more partisan tenor.⁵³ But except for the American Rescue Plan enacted by party-line vote in the early weeks of the Biden presidency, which funded nearly \$2 trillion in additional COVID relief, Pelosi worked across the aisle in moments of national crisis.

Finally, history will remember Pelosi as the leader who impeached a president of the United States twice. The two impeachments of Donald Trump had very different characters. The first impeachment reflected a slowly-building sentiment among most, though decidedly not all, Democrats. Many Democrats elected in the 2018 midterms were ready to impeach President Donald Trump before they were sworn in to office; one Michigan progressive was so eager that she was caught on camera making an impassioned and profane battle cry to impeach Trump to a group of activists in Washington, D.C. But Pelosi took a more cautious approach, holding her caucus at bay for almost a year. After the Mueller Report was released, outlining troubling and potentially illegal activities, Pelosi held off calls from her caucus to impeach Trump. While internally she was able to hold the line, from a messaging perspective it was a difficult position to maintain. At one point, she raised eyebrows after saying impeachment was “just not worth it,” and that “impeachment is too good for him.”⁵⁴

That position changed later in 2019. After information that the administration was withholding military aid from Ukraine in exchange for political favors, the impeachment dam broke. Pelosi shifted from avoiding impeachment to whipping for it. In this sense, she went beyond simply waiting for unity among her caucus to emerge. Pelosi had to work moderates in her caucus, who worried that impeachment might cost them their seats. She cut deals with holdouts, logrolled legislation to ensure moderates supported the resolution, and reached near unanimity among House Democrats, which was no small feat given the number of members who were still floating censure as a punishment the same week the Judiciary Committee was reporting the articles of impeachment to the House.⁵⁵

In other words, once Pelosi decided to pursue impeachment in September 2019, she had a long way to go before she had the votes to impeach. Further, she must have made this push knowing full well, as most did, the President would be acquitted by the Senate. The second impeachment in early 2021 was more immediate and unanimous. After the January 6th attack, impeachment articles were filed almost immediately.

⁵³ Grisales, Snell, and Davis, “House Passes \$3 Trillion Coronavirus Relief Bill That Has Dim Future.”

⁵⁴ Helm, “Nancy Pelosi on Impeaching Trump: ‘He’s Just Not Worth It’”; Choi, “Nancy Pelosi Rejects Impeaching Trump, Calls It ‘the Easy Way Out.’”

⁵⁵ Ferris and Zanova, “Small Group of Democrats Floats Censure Instead of Impeachment.” The first article passed 230–197. The second article passed 229–198. Two Democrats (Reps. Peterson (D-MN) and Van Drew (D-NJ)) defected on the first article and three defected on the second (Reps. Peterson, Van Drew, and Golden (D-ME)).

Without pursuing an investigation, Pelosi brought the House back into session to consider impeachment articles a little more than a week later. Ten Republicans joined every Democrat to adopt the articles in the House. The President was acquitted 57–43 in the Senate but with seven Republicans voting to convict.

Pelosi's evolution on impeachment was perhaps her most interesting episode as Speaker. It exposed a huge variety of conflicting interests that any Speaker must balance to effectively lead. Her initial hesitance reflected her electoral concerns that a wanton impeachment would appear too partisan for her moderate members to survive in the general election. However, once she concluded that President Trump's abuse of power was too blatant to ignore, she led those same members headlong into an impeachment process before their votes were secured rather than waiting for a Democratic majority to naturally emerge. The party, even near the culmination of the process, was not unified. Still, Pelosi was out in front of her members, leading them to where she believed her party needed to go.⁵⁶

These were instances where Pelosi demonstrated incredible individual leadership at a time when the risk and costs were highest. It highlights when a leader's agency directs the caucus toward an end it was not uniformly willing to endorse. In this sense, Democrats' stance on impeachment was substantially affected by Pelosi's leadership. She resisted impeachment until there was broad consensus. But once that was evident, she pushed until nearly her entire caucus supported the impeachment. Her leadership on impeachment transformed a nascent majority into an actual majority.

4 Conclusions

It is difficult to summarize the scope and significance of a Speaker like Nancy Pelosi. She was a partisan legislator, but also crafted some of the most significant bipartisan bills of the 21st century. She was a transactional leader, not an ideologue. However, at times she demonstrated such zeal for a particular goal that her leadership was decisive in House Democrats' success on that issue. She was an institutional leader who promoted House power and helped build capacity and resources within the institution. However, her centralization of power in the Speakership - to a degree not seen in well over a century and quite possibly ever - eroded committees' influence and made policymaking generally less inclusive and more opaque. On the whole, she leaves a mixed legacy, as any extremely effective leader in extremely partisan times would.

⁵⁶ Strahan, *Leading Representatives: The Agency of Leaders in the Politics of the U.S. House*.

That said, Pelosi is comparable only to the most consequential Speakers in American history. Her Democratic predecessors, even her role model Tip O'Neill, failed to match her legislative imprint or authority in the House. Further, she exercised this authority without eliciting a revolt or intra-party plot common under centralized House organization. For example, Joe Cannon (R-IL) is the closest in terms of raw institutional power but his leadership resulted in a coup. Every contemporary Republican Speaker was pushed out of office. Pelosi left her leadership position in 2023 as the second-longest serving House Democratic leader ever, exceeded only by Sam Rayburn, the longest serving Speaker in House history. Her stewardship of House Democrats helped transition a historically divided party into a fully partisan organ. And today, Democrats, not Republicans, appear the more unified of the two parties. That has arguably never before been the case in U.S. history.⁵⁷ Her impact in her party and the House will be felt for a long time to come. Pelosi was a flawed Speaker, but her achievements stand up against any other in House history. From political, procedural, and policymaking perspectives, she is among the masters of the House.

⁵⁷ Bateman, Katznelson, and Lapinski, *Southern Nation: Congress and White Supremacy after Reconstruction*; Caughey, *The Unsolid South: Mass Politics and National Representation in a One-Party Enclave*.