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The Tea Party & Justice Democrats: A Tale of Two Factions

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I. An Introduction to Factions in American Politics

The two-party system is widely recognized as the defining characteristic of American politics. After all, this makes the US stand out from most other countries in the world. Most of US political history and development is commonly understood as the story of inter-party competition: rivalry between the two main parties. However, this binary picture is incomplete and leaves out the role of intra-party strife in the US Congress. Party infighting might be one of the least studied but most influential subjects in congressional politics. Where do factions come from within parties? How do they arise? What determines whether or not they are successful? This paper aims to fill some of these gaps, especially the question of what makes intra-factions successful, by focusing on two modern examples: the Tea Party Republicans of the 2010s and the Justice Democrats of the 117th Congress.

These intraparty factions exist on both the right and left in the American political system. Starting in the 112th Congress, the Tea Party reshaped the very legislative environment around them to serve their interests, not the party's. Over the years, their unremitting hostility toward party leadership culminated in John Boehner retiring: the ultimate sign of their success. Since Boehner retired, the Tea Party remade the Republican Party into its own image, shifting the GOP right. The Justice Democrats are a different story. They routinely spoke about their aspirations to shift the Democratic Party left, especially in their early days. However, once they had enough members to make a difference by threatening to withhold support in the House's razor-thin majority, they never resisted party leadership when it counted. Over three election cycles, the Justice Democrats appeared to acquiesce and were slowly absorbed into the Democratic Party, serving the interests of party leadership. Instead of reshaping the party, the party reshaped the Justice Democrats.

The purpose of this thesis is not to evaluate whether or not the US political system is corrupt or serves the interests of its people. Rather, the purpose of this thesis is to study legislative groups that attempted to alter the status quo by challenging their own party's leadership from both the left and right of the political spectrum. What happens to these maverick movements? Are they successful? What does it take for them to genuinely succeed in accomplishing their goals? What is the role of obstruction in this process? These are the big-picture questions I hope to contribute to an understanding of throughout the remainder of this paper.

The following central question will guide this paper: how should an insurgent intra-party faction act toward the host party in order to accomplish its policy goals? In other words, should the intra-party faction, which has different policy preferences from the host party, be combative or cordial when it comes to following the party line on key votes?

With all this in mind, this is my central argument: intraparty factions can challenge party leadership through obstructionist tactics to succeed in their policy agendas. Despite the fact that intraparty factions only hold a minority of seats in the House, their votes can make a major difference when their host party relies on their support to pass certain high-profile bills.

There are a couple of sub-arguments implicit within this thesis. First, preferential treatment from the party establishments should disincentivize factions from acting as a cohesive voting bloc: their original goal. Understanding which groups have the upper hand in influencing policymakers tells us a great deal about the legislative landscape facing factions. The members of congress with the lion's share of political capital, resources, connections, and finances set the rules of the game that the Justice Democrats, or any outside groups for that matter, must play. A

similar sub-argument is that prospects for improving their status in the Democratic Party have a zero-sum relationship with principled voting behavior in accordance with their policy goals.

Factions are essentially sub-divisions inside political parties. I adopted Bawn et al.'s terminology to define factions. According to Bawn, "Factions are, in effect, parties within the party, seeking either to defend or alter the party balance of power" (Bawn 2013). However, most factions never gain enough leverage to pose a legitimate threat to the host party and make an impact. Once a faction grows powerful enough to make an impact on the host party, it will still face an uphill battle. Party leadership will still have the upper hand, but persistent obstruction will eventually erode leadership's political capital and credibility. Obstruction, and even the threat of obstruction, will force the party to make concessions. If this dynamic continues for long enough, and if the concessions are significant enough, it will shift power to the faction. Eventually, the faction may overtake the organs of party power in the House and the party itself. The corollary is that party leadership may try to squelch the faction, and absorb it into the party infrastructure, neutralizing the faction's radical tendencies. Political analysts and journalists became interested in this dynamic with the Justice Democrats. In February 2022, the New Yorker published an eye-catching article titled "Is Alexandria Ocasio Cortez An Insider Now." The article is based on an interview with the congresswoman in which a reporter asked how she now views congress as an institution after being in office for three years (Remnick).

When asked what it is like to be in Congress, Cortez responded:

> Honestly, it *is* a shit show. It's scandalizing, every single day. What is surprising to me is how it never stops being scandalizing. Some folks perhaps get used to it, or desensitized to the many different things that may be broken, but there is so much reliance on this idea that there are adults in the room, and, in some respect, there are. But sometimes to be in a room with some of the most powerful people in the country and see the ways that they make decisions—sometimes they're just susceptible to groupthink, susceptible to self-delusion (Remnick).

Given the nature of this comment and other bold statements like this from other Justice Democrats, it is worthwhile to analyze how they legislate, specifically in regard to what they have done to improve Congress and address these issues they speak so passionately about. This is the goal of this thesis. After following the Justice Democrats closely for years, I noticed inconsistencies between their public statements and legislative behavior. This initial interest motivated me to begin the research process. From there, I researched different insurgent factions that challenged their own party leadership and found that the Tea Party was the aptest comparison. Namely, the Tea Party challenged Republican Speaker Boehner by attempting to shutdown the government during their first term in 2011 and then again in 2013. This process continued with a series of attempts by the Tea Party to defund Obamacare and undermined Boehner's leadership position.

My research on the Justice Democrats focuses on similar legislative opportunities in which they had the ability to challenge their own party. For example, I compare how both factions responded when they both had the leverage to shape speakership elections. I also compare how they used their leverage when it came time to vote for high-profile legislation antithetical to their policy platforms. I used a variety of journalistic sources to analyze why they voted for speaker Pelosi when their own supporters urged them to use it as an opportunity to extract policy concessions. I also explore why the same phenomena occurred throughout the passing of the Build Back Better Act. Furthermore, I explore situations in which they voted alongside party lines on bills antithetical to their policy platforms. The next chapter will delve into this issue by examining the legislative behavior of the Tea Party and their complex relationship with party leadership in the 2010s. In Chapter III, we will use the same framework to understand how the Justice Democrats legislated and dealt with party leadership under Nancy

Pelosi. Then, in Chapter IV, I conclude this paper while addressing nascent developments in the

118th Congress surrounding the speakership of Kevin McCarthy. I then overview the differences

between the Tea Party and Justice Democrats and offer suggestions for future research.

II. The Tea Party: A Republican Revolution

This chapter will focus on the Tea Party movement as a political faction, primarily in the House of Representatives. First, I will explain what exactly the Tea Party movement is and how it became prominent in the House of Representatives. Next, I will then use empirical data from previous studies to explain their role in the GOP. Then, I will provide a brief history of different situations in which they challenged Republican Speaker John Boehner on several important votes. At the end of this chapter, I argue that this process culminated in the resignation of Boehner and the rise of Tea Party Speaker Paul Ryan.

Throughout these vignettes, the reader will learn how and why the Tea Partiers were so mercilessly anti-compromise in the face of their own party. This is why House Speaker John Boehner's legacy is marked by almost a dozen conservative revolts. For the first time in decades, the Republicans began to revolt against their own party leadership. From 2011 to 2015, Boehner frequently accused Tea Party members of trying to force government shutdowns, betraying the Tea Party's insurgent strategy in the eyes of its advocates. Throughout this process, during which they faced many legislative defeats, the Tea Party remained persistent and kept challenging their own party. This did not happen overnight. However, the process eventually wore down party leadership over the course of several years, leading to the eventual resignation of Speaker Boehner.

According to Matthew Yglesias from Vox:

> Conservative grassroots activists have repeatedly pressed Boehner to endorse high-stakes gambles to try to *force* the Obama administration to make policy concessions that Congress lacks the constitutional authority to enact on its own. Boehner has repeatedly tried to push in the direction of caution, preferring to defer potentially unpopular conflicts and focus on trying to win elections. Many conservatives see this as a lack of principle or

commitment, while most moderate-to-liberal observers think Boehner is merely being practical (Yglesias).

After the 2008 financial crisis, when the federal government spent billions of dollars bailing out financial institutions, millions of Americans lost their jobs and homes (Shalby). On the left, the Occupy Wall Street Movement called for a restructuring of the American economy in order to benefit everyone instead of just the richest elites. On the right, millions of Americans felt the same pain but believed in a radically different set of solutions. These conservatives directed their grievances against the government for bailing out major financial institutions. Outraged by this exorbitant government spending, CNBC's Rick Santelli encouraged all capitalists to join a "Chicago Tea Party" event (Blum 7). At the same time, "Tax Day" rallies spurred up all across the nation. Conservative talk show host Glenn Beck spearheaded the movement with his "9-12 Principles." According to Jared A. Meyer in his dissertation, "People were attracted to the movement because they felt their political parties were failing in representing their core values concerning fiscal policy" (Meyer XI). Eventually, this small movement gained the support of wealthy donors willing to sponsor political campaigns. Groups like FreedomWorks helped to elect Tea Party candidates, and in 2010, they won 63 seats, retaking the House (Lucas 2012). Building on this momentum, the Tea Party picked up 18 new freshmen in the very next session of congress (O'Neill).

The Tea Party story did not end with those electoral victories. Far from these libertarian dreams dying in the halls of congress, the new lawmakers completely transformed the legislative landscape of the House. According to one former Tea Party organizer, "Before the tea party movement, you could maybe count on two hands the number of die-hard fiscal conservatives in the House. Now there are 40 to 60" (Lucas). The House of Representatives was now further right

than ever before. But how exactly did this minority of maverick lawmakers completely alter the balance of power not just in their own party but in the federal government writ large?

The answer to this question lies in the Tea Party's obstructionist behavior in the 2013 House of Representatives. Republicans had a razor-thin majority, and with partisanship levels high, it was almost impossible for them to expect any support from Democratic lawmakers. Since these Tea Party members were not your typical Republicans, picking up these seats meant that Republican Party now required Tea Party approval to pass legislation, giving the Tea Party tremendous legislative leverage. Within the class, "An amazing 77% of newly arriving Republicans, including dozens of Tea Party-Backed Republicans, are to the right of the typical Republican in the previous Congresses - and many are to the right of *almost all* continuing Republicans" (Skocpol 170).

Ideologically, the group did not comprise typical conservative policymakers. These Tea Partiers were unapologetic, militant, uncompromising, and non-secretive about their intentions to push the GOP right. The Brookings Institute aptly explained how the Tea Party is unique from other populist movements since they "exhibit little loyalty to the Republican power structure. Just the opposite: they believe party loyalty has made fools of conservatives, harvesting their votes without delivering on their agenda" (Wirtschafter). This makes sense, considering that up to 70% of Tea Party supporters disapproved of the Republican Party during one period (Pew). Their constituents believed they elected these men and women to Congress with the goal of upsetting the political establishment, especially the Republican Party, in order to extract policy concessions. As one scholar described their mission, "Insurgent senators and representatives offered Republican voters angered by the political clout of eastern financiers the promise that their views would be heard in Washington" (Bloch 303).

Other scholars like Rachel Blum are careful to explain the Tea Party as an intra-party insurgency movement rather than an extension of traditional republicanism. According to Blum, "It is impossible to tell the story of the Republican Party in the early twenty-first century without discussing the Tea Part insurgency" (Blum 2). This view conceptualizes the Tea Party phenomenon as a sort of Republican Party civil war between the old-guard and new-guard factions. This party-infighting conceptualization gives credence to Hans Noel's view that political ideologies reflect the priorities and leverages of different policy-demanding groups within each party's coalition (Noel). This persistence and penchant for creating gridlock created a sense of uneasiness among the party leadership. These maverick tactics did not instantly transform the Republican party into the party of the Tea Party, but over time these hostile legislative tactics wore down party leadership. This gradually eroded party leadership's influence and political capital in the eyes of constituents and fellow lawmakers. I argue that John Boehner's death by relentless obstruction is the best way to conceptualize the zero-sum relationship between the rise of the Tea Party and the simultaneous fall of party leadership. I use this framework to explain how the Tea Party developed a strong reputation for challenging party leadership in order to extract meaningful concessions over the course of several years.

I also argue that the Tea Party Republicans are best described as a *programmatic faction*: a type of party within a party that aims to achieve partywide change (Blum 21). There are two types of programmatic factions: consociational and insurgent factions. Consciational factions are incorporated into parties thanks to their mutually beneficial nature, while insurgent factions are recognized for their aggressive strategies designed to combat their host party (Blum 21). Blum argues that the Tea Party is a programmatic insurgent faction due to its vision and tactics. Since the Justice Democrats claim to want to foment partywide change, they are a programmatic

faction based on their own definition. However, the nature of their legislative strategies

determines whether they are consciational or insurgent, a subject of the next chapter.

As O'Neil explains:

> Even the most rebellious votes, not even 50% of the Tea Party Caucus votes against the Republican Party. This phenomenon can be partially explained by the decision-making of the House Republican leadership. When bringing a bill up for a vote, the GOP leadership cannot usually expect widespread support from the Democratic Party. Therefore, if too many Republican representatives indicate that they will vote against the bill, the leadership has no incentive to bring the bill to a vote and be defeated. A minimum amount of conservative support must be met for us to even observe how the representatives vote. This keeps the bills that would demonstrate greater levels of Republican disunity from being voted on. This also gives a large conservative organization, such as the Tea Party Caucus, the opportunity to influence policies by threatening to rebel (O'Neil 18-19).

Through their willingness to obstruct, the Tea Party reshaped the very legislative

environment around them to serve their interests, not the party establishment's. It is important to

note that the Tea Party remade the Republican Party in its image. As Rubin explains: "As

growing numbers of Tea Party Republicans joined Congress, a rift emerged *within* the

Republican Party. Tea Partiers in the House, like their activist counterparts, were fond of

obstructionist tactics" (Bloch 23). They demonstrated a willingness to vote against the party line

on high-profile legislation. During the 112th Congress, the GOP needed the support of almost all

Republicans to pass bills through the House. Therefore, legislative disunity was a major source

of leverage for the Tea Party. Notable examples of such legislative disunity include 43.6% of Tea

Partiers voting against the GOP on a 2011 Department of Defense Appropriations Bill and

Budget Control Act the same year when over 45% voted against the party (O'Neil).

Political Scientist Rachel M. Blum used cosponsorship and covoting to measure the behavior of Tea Party members from the 112th, 113th, and 114th congresses to determine whether or not significant division existed between them and the GOP. Using DW-Nominate scores, scholars identified two common trends: Both parties are more polarized than ever before and parties have major influence over the voting patterns of legislators (Bailey). DW Nominate is a software that creates ideology scores for Members of Congress scores range between -1 (most liberal) to 1 (most conservative) based on their voting patterns. This tension between party leadership and insurgent objectives lies at the heart of my argument that the Tea Party challenged party leadership when it was difficult to do so. If the Tea Party was not successful, we should expect covoting patterns to be relatively similar to those of other GOP members.

Blum found the following results shown in Table I below:

> In the 112th Congress (January 2011 to January 2013), the average score for establishment Republicans was 0.42, in contrast to 0.57 for Tea partiers. This gap increased during the Congresses in which the Liberty Caucus and HFC became active, rising to a mean of 0.43 for establishment Republicans and 0.59 for Tea Partiers in the 113th (from January 2013 to January 2015), and remaining relatively steady at 0.43 for the establishment and 0.59 for Tea Partiers in the 113th (from January 2015 to January 2017) (Blum 86).

Table I: Ideological comparison of Tea Partiers with other House Republicans

Ideological comparison of Tea Partiers with other House Republicans
DW-NOMINATE dimension 1
Scale ranges from least to most conservative
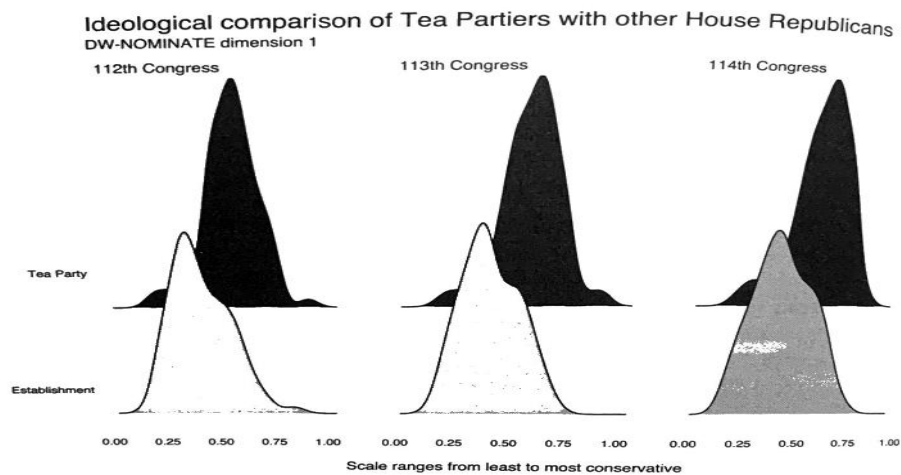
Blum's findings are in line with my central argument that Tea Party republicans frequently deployed legislative hostile tactics in an effort to overtake the party, even if it meant challenging Party Leadership. In order to better understand this dynamic, let us explore a few different legislative scenarios which showcase the Tea Party's aggressive tactics. The following vignettes will provide specific examples of this obstructionism that shifted the GOP right over time.

In the 112th Congress, the first order of business was passing an appropriations bill to fund the federal government. The last congress failed to pass an appropriations bill by October 1, 2011, the start of the new fiscal year. The last congress instead worked with Democrats to pass a continuing resolution (CR), which would maintain the same funding levels set to expire on March 4, 2011. After January 1, 2011, these newly elected Tea Party Republicans promised to cut a minimum of $100 billion in non-discretionary spending as part of a mandate to their constituents. It is important to keep in mind that appropriations bills were must-pass pieces of legislation with the potential to shut down the government if they do not pass — a serious political cost. The catch was that President Obama would not pass any such legislation with such drastic spending cuts (Sinclair and Koger 17).

In February 2021, Boehner came to Obama with a compromise of a $61 million dollar spending cut instead of $100 million. This angered both the Tea Party, who said the cuts were too minimal, and Obama, who said the cuts were too high. In typical Tea Party fashion, fiscal conservatives did not compromise, Boehner made even deeper cuts, and the appropriations bill passed the House on February 19th without any Democratic support. Unsurprisingly, Democrats in the Senate and White House found the bill unacceptable, while Tea Party Republicans would not budge (Sinclair and Koger 18).

Not even one year into the term, three main actors with different goals emerged. The

Democrats wanted to maintain the previous budget. The Tea Party was deeply committed to

drastically reducing the budget. Then there was Boehner, who also wanted to cut the budget to an

extent but was ultimately more concerned with preventing a government shutdown. The

Democrats needed Boehner to get his party in line, and the Tea Party needed Boehner to stand up

for their principles against Democratic demands. Soon enough, Boehner acquiesced to the

Democrats, making him a bipartisan ally in the eyes of Democrats and an unprincipled DC

insider in the eyes of Tea Partiers.

Koger and Sinclair explain the detail of his liberal compromise:

> Boehner soon disappointed the hard-liners by blinking. In early March, after the first
> short-term CR passed, negotiations on the long-term CR began in earnest. Talks behind
> closed doors culminated in an agreement two hours before the shutdown deadline. The
> deal made $39 billion in cuts, while most of the policy riders House Republicans had
> added were dropped. Although the omnibus appropriations bill passed handily in both
> chambers, fifty-nine House Republicans refused to vote for it, convinced that their
> leaders had compromised too much. And to get members to vote for a bill they disliked,
> Boehner promised that the party would hang tougher on the upcoming fight over raising
> the federal debt ceiling (Sinclair and Koger 19).

Boehner's deal with Obama only achieved a continuing resolution (CR), which only

pushed the budget crisis further down the road. They had to reach a compromise by August 2,

2011, with few signs of bipartisanship. Both wanted to prevent a shutdown with cataclysmic

consequences, but neither could agree on funding levels. Finally, on August 1, a day before the

deadline, they passed the Budget Control Act. This act allowed the president to raise the debt

limit by up to $2.5 trillion in two steps but was subject to disapproval by Congress by a

two-thirds vote. The immediate increase in the debt ceiling was to be accompanied by $1 trillion

in cuts in defense and domestic discretionary spending over ten years. A Joint Select Committee

on Deficit Reduction was to be appointed by the four party leaders and charged with agreeing on another $1.5 trillion in cuts, with Congress required to vote for the committee's recommendations as a package. If the committee did not agree, or if Congress did not approve its package, automatic cuts (sequestration) would take effect. The cuts would come half from defense and half from domestic spending, but Medicaid, Social Security, veterans' programs, and many programs targeted to low-income Americans would be largely exempt. Medicare was also mostly protected.

The bill split both parties. The final votes were 269-161. Republicans voted 174-66, and Democrats were 95-95. It then passed the Senate and was signed into law by the president. Perhaps most importantly, this policy of political brinksmanship marked the Tea Party as a group of legislators who cared more about defending their principles than compromising. The Atlantic described the debt crisis as a "failed attempt to stage a revolution in American politics with control of only one house of Congress" (Balkin). Throughout the process, Boehner altered his position many times, signaling a lack of commitment to both Democrats and Tea Party loyalists that would continue for years to come.

The 112th Congress's final and most demanding task was preventing what is commonly referred to as a fiscal cliff. The Bush Tax cuts would expire by the end of 2012. With the Select Committee failing to make an agreement, heavy spending cuts were scheduled for January 1, 2013. In other words, the fiscal cliff referred to "more than $500 billion in tax increases and across-the-board spending cuts scheduled to take effect after Jan. 1 — for fiscal year 2013 alone — unless Mr. Obama and Republicans reach an alternative deficit-reduction deal" (Calmes). Economists said this had the potential to send the US into another deep recession. Again, Democrats and Republicans seemed to have another irreconcilable situation. Democrats were

unwilling to endure the political costs of allowing another recession, and Republicans remained steadfast in their commitment to spending cuts and no new taxes. As a speaker, Boehner found himself in the middle of Bipartisan crosshairs yet again.

On December 18th, 2012, Boehner turned down the latest Obama offer because he did not have enough support from Tea Party Republicans to pass the bill. In order to appease Tea Party Republicans, he offered considerable concessions, which he called Plan B. According to Koger and Sinclair, "Plan B entailed making all the Bush tax cuts permanent for households with income below $1 million. Boehner hoped that the House Republicans would back the proposal and then stick behind it as a tempting take-it-or-leave-it proposal"(Sinclair & Koger 19). The Tea Party rejected this proposal again because they were fundamentally unwilling to compromise, suggesting that Boehner learned nothing from the debt ceiling crisis. Republican leadership then sent the bill to the Senate at first in hope of Minority Leader McConnell being able to compromise with Senate Republicans and Democrats. This worked because the Tea Party had not yet been deeply absorbed into the Senate, something that cannot be said about the House. The Senate passed the bill passing 89 to 9. Next, it passed the House 256 to 171, yet again with the support of almost everyone except the Tea Party, violating the Hastert Rule, the unwritten rule that the Speaker will only bring a bill to a floor if the majority of his own party supports (Strand).

Although the circumstances of the fiscal cliff differed from the debt ceiling crisis, both situations exemplified the Tea Party's hostile legislative tactics. They were both must-pass bills necessary to keep the government running. Boehner tried to compromise with Democrats, only to face backlash from the Tea Party. He then passed the legislation with the support of Democrats at the expense of the Tea Party. The bulk of the Tea Party did not blink, strained relations with

party leadership, and endured high political costs because they remained principled. In the short term, Boehner won, but over time his decline in credibility would cost him.

At the beginning of every session of Congress, the House must select a Speaker. Candidates for Speaker deliver speeches, and members of congress vote. Under current practice, "the Speaker must be elected by a majority of those voting for a specific Speaker candidate by surname. Vacancies, absences and "present" votes lower that threshold." If the House does not reach a majority, then there will be runoff votes until one is reached. The House cannot move forward on any agenda items until there is a speaker. Before 2023, a Speaker election did not go to a second ballot in almost a century. Before that, there were only ever fourteen runoff elections in US history, and thirteen were before the Civil War. In most sessions of Congress, the Speakership election is a formality, but the Tea Party Republicans almost broke this tradition to advance their agendas.

At the start of the 113th Congress, Boehner's leadership team was tired of hard-line obstructionists, so they stripped four of the most outspoken members of their best commitment assignments. The Tea Party retaliated when it came time for the speakership vote; 12 refused to vote for Boehner, 9 voted for someone else, and 3 abstained. Boehner survived this initial coup attempt but understood that he no longer commanded the same obedience from his party that he once did.

At the annual House Republican retreat in January 2013, Boehner made more significant compromises to rebuild trust in the eyes of his caucus. He promised a budget that would be balanced in ten years with no new taxes and no compromise on sequestration. He also promised not to negotiate with Obama on a budget. In exchange, "he got his members to agree to suspend the debt ceiling for three months and pass a CR to fund the government without holding it

hostage to cuts beyond those due to sequestration" (Sinclair and Koger 22). This became known as the Williamsburg Accord, and Boehner kept these promises to his fellow Republicans.

However, Boehner upset the Tea Party once again immediately after the leadership fiasco by violating the Hastert Rule to pass Hurricane Sandy relief. The spending in the bill enraged Tea Party Republicans, so Boehner relied on the support of centrist Republicans and Democrats to push through the legislation. In November of that year, Boehner defied Tea Partiers again to reauthorize the Violence Against Women Act. These three occasions greatly diminished his political capital among Tea Party Republicans and made it clear that the Tea Party's true enemy was Republican leadership, not just Democrats. While Boehner, clinging to remaining voters in his own party and democratic support, passed these bills and produced short-term political wins, he was well aware of the Tea Party's growing resistance.

With the new fiscal year approaching again on October 1, 2013, Boehner once again had to rally enough votes to keep the government funded. In March, Tea Party Members came to him saying that they expected large concessions to increase the debt ceiling and keep the government running. Senators Ted Cruz and Mike Lee demanded that the upcoming CR would defund Obamacare, which would accomplish one of the Tea Party's main legislative goals. Tea Party Republicans despised Obamacare and believed destroying it was one of their primary mandates as lawmakers. Cruz and Lee spearheaded this effort in the Senate, and sixty House Republicans soon agreed by signing a letter. By August, the letter had 81 signatures, and Boehner was extremely concerned about the prospect of a shutdown. In order to compromise, Boehner used the following strategy: "a separate bill defunding Obamacare would be considered and voted on as a package with the CR extending funding at the sequester level through December 15, 2013. The Senate could then separate the two bills and send the clean CR directly to the president for

his signature" (Sinclair and Koger 23). Again, Hard-line Tea Parties empathetically rejected this offer, crying foul and unfair play. The bill started in the Senate but then stripped the part that would defund the ACA and sent it to the House. From here, various versions of the bill were amended and sent back and forth to the House and Senate, but no compromises were reached in time to avert a shutdown.

During this shutdown, the Tea Party forced Boehner to go along with the shutdown process until he finally relented and deferred to the White House on day 16 with the support of non-Tea Party Republicans, republicans, and most Democrats (285-144). Although he initially took the Tea Party line, he again compromised with Democrats to end the shutdown again on day sixteen. Remarkably, the Tea Party did not compromise throughout years of struggle. This was a major blunder for Boehner since he initially showed resolve against the Obama administration but then sided with Democrats against his own party members.

In January 2014, Boehner again had to find a new way to fund the government. Instead of trying to satisfy Tea Partiers, he reached out to moderate Republicans and Democrats, passing the House 359-67. The bill breezed through the Senate and was signed into law. The cost was, of course, further alienating the Tea Partiers.

Unsurprisingly, Boehner's speakership vote for the 114th Congress was far from guaranteed. In the first Speaker election, Boehner did not receive a majority of House votes thanks to the obstruction of Tea Party defectors. However, he did narrowly survive another Tea Party takeover. Weeks later, Boehner's opponents met in Hershey, Pennsylvania, to devise a plan to defeat him once and for all. Strangely enough, in February, they voted against a special rule "to bring up a bill granting President Obama trade promotion authority." (Sinclair and Koger 28). This defied Boehner's agenda, prompting him to retaliate by removing Meadows from a

subcommittee chairmanship. Meadows would not let Boehner have the last word, so he filed a motion to vacate the speaker's chair, essentially firing Boehner. Knowing that he would have no chance of winning Speakership again, Boehner resigned, saving himself embarrassment (Yglesias).

After Boehner resigned, his chosen successor Kevin McCarthy was unable to secure enough votes to become the new Speaker in another act of Tea Party resistance against the party establishment. Even Paul Ryan said, "I never thought I'd be Speaker," but enough Tea Party members pushed him to run for Speaker, and he won. In the same speech, he outlined his legislative goals, which did not change markedly from his time as Budget Chairman four years ago.

As an article from PBS explains:

> Ryan focused his sights on two holy grails of the conservative movement: passing the first tax code overhaul since 1986, and scaling back Social Security, Medicare and Medicaid, and other government services. Ryan included so-called entitlement reforms in several budgets that he wrote and the House passed during his stint as Budget Committee chairman. Ryan also made funding cuts to Social Security and Medicaid a key part of his campaign message in 2012, after joining the GOP presidential ticket as Mitt Romney's running mate (Bush).

How effective was Ryan in accomplishing these goals as Speaker? To start with tax reform, Republicans in the House and Senate passed their tax bill, which was signed into law by President Trump. The Washington Post reported that under this bill, the vast majority of Americans will pay less in taxes until 2026. For top earners, the tax bracket decreased from 39.6 for married couples making over $470,700 to just 37% for couples backing over $600,000. The high corporate tax rate went down from 35% to 21%, making it "the largest one-time rate cut in U.S. history for the nation's largest companies," according to the Post (Palmby). Blum's findings

concerning the GOP being further right each consecutive congress supports this argument that the House became further right than ever before under Speaker Ryan.

Over the course of several years, Tea Party hardliners refused to compromise with party leadership in order to extract policy concessions and gain influence. Table II shows the final votes on all of the issues in which the Tea Party remained unified as a bloc against their own party. In all of these examples, the Tea Party withheld its support for Boehner when he tried to compromise with the Democrats (Sinclair and Koger 33).

Table II. Contentious Tea Party Votes

Issue	Bill No.	Date	Motion	GOP Vote (Yes–No)
FY2011 continuing appropriation	H.R. 1473	4/14/2011	Passage	179–59
Debt limit	S. 365	8/1/2011	Passage	174–66
Fiscal cliff	H.R. 8	1/1/2013	Motion to concur	85–151
Hurricane Sandy aid	H.R. 152	1/15/2013	Passage	49–179
Violence Against Women Act reauthorization	S. 47	2/28/2013	Passage	87–138
Meadows letter		8/21/2013		80–152
CR and debt limit extension	H.R. 2775	10/16/2013	Motion to concur	87–144
FY2014 budget agreement	H.J. Res. 59	12/12/2013	Motion to recede and concur	169–62

Note: FY = fiscal year.

On several occasions, Boehner violated the Hastert Rule, forming a coalition with Democrats that excluded members of his own party. But by refusing to acquiesce, the Tea Party gained policy concessions where they could, which they could have never made by blindly going along with Boehner in the first place. They also eventually took over the Republican party through continuous obstruction. They made it clear that they were a force to stay. Boehner eventually acknowledged his defeat, creating the perfect opportunity for Tea Party favorite Paul Ryan to take his place. Once Ryan began, they shifted congress further right than ever before, accomplishing many of their initial policy aims.

III. The Justice Democrats: Mavericks or Moderates?

The Democratic Party does not do more unless it is pushed. We need to push them. They don't like it. I think I annoy them, but that is our job.

Start bringing the ruckus on the Democratic Party. That is our job.

What the Bronx and Queens need is Medicare for All. We can do it now. It takes Political Courage.

If you're a one-term congress member, so what? You can make ten years worth of change if you're not afraid. — Alexandria Ocasio Cortez

In the aftermath of Bernie Sanders' 2016 campaign loss, a group of his former staffers decided to redirect his progressive energy into the halls of Congress. In 2017, they founded a group called the Justice Democrats, which aimed to elect Bernie Sanders-like progressives into Congress. These goals materialized in 2018 when underdog Alexandria Ocasio-Cortez upset long-time Congressman Joe Crowley in the primary for New York's 14th District. That year, seven Justice Democrats gained House seats for the 2018 midterms: a great success for the organization. According to one journalist, "They've even given themselves a name: the Justice Democrats. And like some mirror-universe version of the Tea Party, the Justice Democrats likewise plan to build grassroots support on the internet."

Justice Democrats cofounders Kyle Kulinski and Cenk Uygur envisaged the Justice Democrats becoming a left-wing version of the Tea Party. The objective was to complete a hostile takeover of the Democratic Party just as the Tea Party did with the Republican Party.

Once the Justice Democrats entered Congress, their legislative behavior painted a different picture. Instead of behaving like a programmatic faction, seeking to achieve partywide change, these Members of Congress actually behaved as a consociational faction, incorporating themselves into the same party machinery they claimed to challenge. One Bloomberg article delves into these shortcomings, "Rather than starting a rival group within the Democratic Party, far-left members are joining and taking leadership positions in the 95-member Congressional Progressive Caucus that's been around for three decades. Minnesota Rep. Ilhan Omar, also elected in 2018, now leads the CPC's vote-counting team" (Dillard). When the Tea Party was in the same position, they started the Freedom Caucus instead of joining the preexisting Republican Study Committee, separating themselves and challenging the party line (Dillard). Throughout the rest of this chapter, I will demonstrate that this difference in strategy is not isolated, accidental, or insignificant. Rather, this marked difference in strategy impacts the Squad's legislative behavior on a variety of votes pertaining to key issues central to their political campaigns.

The Squad voted against party lines about 14% of the time on Congressional Quarterly key votes in the 117th Congress. According to Jeff Lewis, in his DW Nominate software in January 2022, "Curiously, more than 150 roll calls into the 116th Congress, her first-dimension NOMINATE score places her to the right of the majority of freshman Democrats" (Lewis). He also found that Ocasio-Cortez was only the 41st most liberal out of 55 new congress members. These findings further explain a possible relationship between cozy relations with party leadership impacts its legislative effectiveness.

In December 2020, healthcare activists and political commentators devised a clever and provocative strategy to push the Democrats left. Bernie Sanders' former campaign spokesperson, Briahna Joy Gray, and other activists like Jimmy Dore called on the Justice Democrats to

withhold their speakership votes for Nancy Pelosi until she promised a floor vote on Medicare for All. Congresswoman Ocasio-Cortez publicly dismissed the strategy on social media, claiming that such an attempt would be futile since there are not enough votes to pass Medicare for All in the House. In response, Briahna Joy Gray argued that even a failed floor vote could attract massive amounts of energy and pressure establishment Democrats. Millions of Americans lost their healthcare since the pandemic began. Almost 90 percent of Democrats support Medicare for All (Martin). The American public overwhelmingly supports Medicare for All (Jones). Gray and other activists argued that this public favorability towards this policy would create widespread electoral pressure on establishment democrats, creating the perfect opportunity to push them left. This was supposed to be their Tea Party moment. When Speakership was finally up for a vote on January 3rd, 2021, the entire Squad unanimously voted in favor of Pelosi to retain Speakership. The final vote was 216-211, and if more than two Squad members voted against Pelosi, then they could have forced a floor vote on Medicare for All, galvanized public support for the policy, and pressured other Democrats to pass the bill through the house.[1]The Justice Democrats claimed that withholding their support for Nancy Pelosi could enable Kevin McCarthy to be elected as Speaker of the House. This would only be possible if the majority of House Members voted for Kevin McCarthy, an impossible task unless Democrats voted for him. Democrats would not and did not vote for McCarthy. Under House procedure and historical precedent, if a candidate for speaker does not have a majority, there are subsequent runoff votes until a majority is reached. Ironically, members of Congress learned this the hard way in 2023 when Kevin McCarthy was elected speaker after over fifteen consecutive rounds for reelection.

In 2020, the Justice Democrats became synonymous with the political slogan, "defund the police." This slogan created tremendous controversy around the group. When asked what this

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[1] https://voteview.com/rollcall/RH1170001

pithy slogan truly meant, Ocasio-Cortez said, "Defunding police means defunding police, It does

not mean budget tricks or funny math" (Fredericks). In a similar vein, Squad members

introduced legislation to "Slash federal funds to local police along with federal agencies" under

the BREATH Act (Nelson). This legislation had no chance of receiving the votes to pass through

the House. Nonetheless, they designed the legislation to draw attention to the issue.

In May 2020, the Justice Democrats announced they would stay true to the slogan and

vote against increasing the Capitol Police budget. However, once they realized that these 'no'

votes could prevent the bill from passing, they did precisely the opposite and voted to fund the

police. Beyond standing up to party leadership, the Justice Democrats voted in favor of

legislation antithetical to the policy platforms they espoused while campaigning. According to

the Intercept, "The measure, approved by a 213-212 vote, included $1.9 billion for the Capitol

Police and Capitol security" (Grim). Passed on May 5, 2020, House Resolution 3237, which only

passed by one vote, split the Squad: "Democratic Reps. Cori Bush of Missouri, Ilhan Omar of

Minnesota, and Ayanna Pressley of Massachusetts voted to take the measure down, but Reps.

Alexandria Ocasio-Cortez and Jamaal Bowman of New York, along with Rep. Rashida Tlaib of

Michigan, voted present" (Grim). Had one more Squad member voted against the measure

instead of 'present,' the bill would have been defeated. Withholding support on this vote could

have also opened the door for negotiations with party leadership on ways to make the bill more

aligned with the Squad's goals. For example, the Tea Party previously added the "Boehner Rule"

to major spending bills in exchange for supporting such legislation.

Support for Israel has been a particularly sensitive issue facing the Democratic Party in

the last decade. Early in their careers, Squad members became critics of Israel's human rights

abuses, at least rhetorically. According to Politico, Omar triggered controversy in 2019 when she

suggested that "GOP support for Israel is driven by campaign donations from a prominent

pro-Israel group" (Bershman). After vituperative attacks and accusations of antisemitism, Omar

capitulated and apologized for her remarks. In 2021, Omar found herself again in bipartisan,

pro-zionist crosshairs when she tweeted that "we have seen unthinkable atrocities committed by

the US, Hamas, Israel, Afghanistan, and the Taliban" (Zurcher). A month earlier, Ocasio-Cortez

tweeted, "Apartheid states aren't democracies" (Times of Israel). Steadfast supporters of Israel

voiced outrage, calling such criticism of Israel antisemitic.

In July 2021, the Squad voted to increase State Department funding by 12%. The bill,

known as the Legislative Branch Appropriations Act, passed (217-212), and if 3 more Squad

members voted no, the measure would have been defeated. The bill also gave Israel $3.8 billion

in unconditional aid and weapons to the Israeli Defense Force (IDF). Pressley, Omar, Bowman,

Jayapal, Khanna, Lee, and Porter all voted yes. But Ocasio-Cortez, Tlaib, and Bush voted no.

Like the increase in police funding, some of the Squad voted on a bill antithetical to their

campaign promises. But beyond these contradictions, they also did not threaten to withhold their

votes in order to at least gain concessions in other areas.

In October 2021, the House included supplemental Iron Dome funding in an emergency

spending bill. But with the Squad's harsh rebuke, leadership caved and removed Iron Dome

funding and placed the measure into its own bill. According to the Times, "The dispute began…,

after progressives revolted at the inclusion of the Iron Dome funding in an emergency spending

bill, effectively threatening to shut down the government rather than support the money.

Democratic leaders were forced to strip it out of that bill, which passed the House on Tuesday,

and arranged a separate vote to approve the Iron Dome money" (Broadwater). In other words,

the Squad successfully used its leverage to get Iron Dome funding out of a debt ceiling bill, a

rare example of extracting policy concessions. However, once it was time to vote on the Iron Dome funding bill, the Squad once again refused to vote as a bloc against the party leadership. Claiming she felt threatened, AOC voted 'present' on the actual Iron Dome funding bill. Reporters captured her crying on the House floor over the decision (Vallejo). AOC tried to explain this strange vote, claiming that she had felt threatened by such a divisive issue. When apologizing to her progressive supporters, she remarked, "To those who believe this reasoning is insufficient or cowardice - I understand" (Jafanza). AOC then attempted to express sympathy for both Palestinians and Israelis.

In late 2021, the Squad expressed concerns about passing the Build Back Better Act. Namely, they wanted to ensure the social spending and infrastructure packages were in the same bill. The Squad believed that coupling the bill would force conservative Senator Joe Manchin to vote for the entire package. According to one journalist, they attempted to "pressure the moderate senator to support the measure, progressives lobbied Democratic leaders to keep it linked to a vote on a massive infrastructure package known as the Bipartisan Infrastructure Framework, as that latter bill was seen as a priority for Manchin" (Zhou). The bill remained intact but was eventually separated on the basis that Manchin would vote yes on the Build Back Better Act. When it was time to vote for the decoupled bill, only 6 out of 10 Justice Democrats voted against it. Then, shortly after the bill passed the House, Manchin recanted on his promise and told Fox News he would not vote for the bill, proving the Squad's prediction correct.

Journalist Medhi Hasan pointed out that the progressives conceded leverage too soon by voting for the Bipartisan Infrastructure Act before the Build Back Better Act since Manchin later refused to vote for the Build Back Better Act. In an interview with him, Jayapal argued it was impossible to know what would happen if they did not put their faith in Joe Biden's ability to

reach a deal with Senator Manchin. Critics like Hasan argue that there was never full evidence to believe that party leaders and moderate Democrats would negotiate and follow up on negotiations in good faith. Since the Squad opposed decoupling the bills, it made little sense that they would vote for the BIF before opposing the BBB Act. According to the Intercept, "By threatening to withhold support from the infrastructure bill, progressives also got commitments from the conservative Democratic holdouts to support their policy priorities in the bill, including immigration reforms and prescription drug negotiation" (Grim).

In November 2022, the Democrats passed a resolution, forcing unions to accept a tentative agreement with their managers, which made an imminent strike illegal. This bill passed 290-137, and only one Justice Democrat, Praymlia Jayapal, voted against the measure. Meanwhile, every other Justice Democrat voted alongside party lines to crush labor rights. This vote is particularly noteworthy since the Justice Democrats consistently posture themselves as pro-labor bastions of the working class.

When pressed on why she voted for a bill antithetical to the very principles she has espoused for years, AOC justified for strategy as a coordinated effort with union leaders to get through a paid sick leave amendment on another bill. However, the sick leave amendment was almost certainly not going to get through the Senate, just like a Medicare for All bill. When it comes to landmark legislation, the Squad is unwilling to push it through the House. But when it comes to smaller amendments that will receive little to no media attention, they are more than willing to push the legislation through, knowing full well that it will get crushed in the Senate. In all of these examples, the Justice Democrats had opportunities to obstruct the same way the Tea Party did. The difference was that the Justice Democrats chose not to. As explained in Chapter II, the Tea Party cared more about defending its principles than compromising. By analyzing their

behavior in several legislative scenarios, it appears that the Justice Democrats care more about

compromising with their host party than defending their principles.

V. A Coda

The 118th Congress started off chaotically at best. Insurgent Republicans did something the Justice Democrats would not: Force a prolonged crisis on Kevin McCarthy's speakership in order to extract policy concessions. Kevin McCarthy, a long-time Tea Party target, previously served as Republican party whip, fighting off Tea Party influence in previous congresses. In Boehner's memoir, he recalls McCarthy making a deal with Eric Cantor, which prevented a "fiscal cliff." According to Politico, "Elements of the emerging pact between McCarthy and conservatives that Perry did confirm included a one-member threshold for forcing a vote to oust a speaker, controls on government spending and conservative representation" in Congress — particularly on the powerful Rules Committee" (Adragna). One Journalist explains that "As far back as July, hard-liners in the conservative House Freedom Caucus had started making demands to change House rules to weaken the power of leadership, increase the number of right-flank members in key positions, stay out of open Republican primaries and take a more aggressive stance toward the Biden administration, Democrats and the Senate" (Brooks).

Republicans performed worse than expected in midterms, cutting their majority slimmer than party leadership would like. This gave hard liners augmented leverage in the legislative process. Steadfast conservatives, led by MAGA hardliner Matt Gaetz, understood this obstructionist opportunity well and made the most of it. It appears that the House Freedom Caucus was back in full force. They forced fifteen rounds of voting until GOP party leadership met their demands. The New York Times suggested this was a sign of even more party infighting, opining that "The protracted fight foreshadowed how difficult it would be for him to govern with an exceedingly narrow majority and an unruly hard-right faction bent on slashing spending and disrupting business in Washington" (Karni). The run-off votes ensued for over a

week, the longest speakership election since 1859. Eventually, McCarthy received votes from 15

out of 21 of his initial defectors. Finally, McCarthy won speakership in a 15th round 216 to 212

vote late into a Friday night.[2] Numerous news outlets described McCarthy's so-called 'victory.'

According to NPR, "McCarthy emerged victorious" (Sprunt). There is no debate about whether

or not McCarthy retained his Speakership. But what was the cost of gaining Speakership? After

all, MAGA Republicans were not going to give away speakership for free. What did these

obstructionists get from all the ruckus and straining party relations before the 118th congress

even started?

McCarthy agreed to vote separately on 12 different appropriations bills ranging from

defense spending to agriculture instead of bundling them together into an end-of-year omnibus

spending bill. Separating these bills allows congress members to vote on each piece individually

instead of being pressured into voting for them all at once. Disaggregating these bills was an

imperative demand made by obstructionists. In December 2022, Matt Gaetz made an appearance

on Fox News, exclaiming how the House should never allow a "horrendous omnibus bill to ever

pass again" after passing a $1.65 trillion piece of omnibus legislation (Creitz) Additionally,

House members are now guaranteed 72 hours to review bills before a floor vote, so they have

better opportunities to decide what they are voting for. In a similar vein, a floor vote is now

required to raise the debt limit and votes to be held on congressional term limits. In his other

major concession, McCarthy lowered the number of GOP conference members needed to begin a

"motion to vacate." Previously, to start the process of removing a speaker, five GOP conference

members would have to start the process of removing a speaker. Now, due to Gaetz's demands,

the threshold is just one GOP conference member, opening the door for even more obstruction in

months to come.

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[2] https://voteview.com/rollcall/RH1180019

McCarthy's new rules capped discretionary spending for defense and domestic spending in order to balance the budget in the next decade. In other words, this brought down spending to the same level it was at the beginning of the Biden administration. This decreases military spending from $857 billion to $782 billion, a reduction of about $75 billion dollars (Tiron). Gaetz and other Republicans also forced McCarthy to create a subcommittee on the "Weaponization of the Federal Government." According to Forbes, this committee would be tasked with "probing the federal government's information collection on private individuals as well as its ongoing criminal investigations, potentially including the Department of Justice's probes into classified documents at former President Donald Trump's Mar-A-Lago estate" (Bushard). McCarthy also reinstated the Holan rule, allowing reductions in government officials' salaries paid by the US Treasury Department. When it came to electoral pressures, McCarthy acquiesced by keeping his super PAC, the Congressional Leadership Fund, out of open House primary races. This decreases party leadership's ability to influence open primary races in favor of establishment GOP candidates at the expense of anti-establishment Tea Party-like candidates. Despite being only a small minority, compromising 21 of 435 members of the House (less than 5 percent), these insurgents made several major policy concessions (Morgan). Journalist David Morgan of Reuters aptly titled an article, "McCarthy's dream job could become a nightmare", explaining how this looks like the beginning of another Tea Party Boehner saga. For insurgent Republicans, this was about their first in accomplishing their goal of pushing the GOP right instead of having the GOP push them. They were well aware that this would certainly not promote party unity or cohesion. Matt Gaetz even said, "We do not trust Mr. McCarthy with power, because we know who he will use it for. And we are concerned that it will not be for the American people" (Morgan). This open hostility toward leadership, coupled with his long

standing holdout, shows a genuine antagonism and desire to overtake the organs of GOP legislative power.

By studying Republican legislative strategy from 2010 until now, it appears that one way for a faction to accomplish its policy goals is not to get on party leadership's good side but to locate its weaknesses and apply as much pressure as possible. Kevin McCarthy's speakership votes showed what is possible when insurgent lawmakers use their leverage as a voting bloc to extract policy concessions from their host party. This tale of two factions — one willing to withhold support from party leadership and the other who will not — illustrates the true policy potential of minority factions in the House of Representatives.

This maverick behavior might offer insights into the future of the GOP. Matt Gaetz has challenged his party leadership on a number of different issues. In May 2022, when the Justice Democrats went along with their party leadership to send over $40 billion dollars to Ukraine, Matt Gaetz, Marjorie Taylor Greene, and fifty-five other MAGA Republicans crossed the party line and voted against the bill (HR7691).[3] That same month, Gaetz and Greene made fiery speeches, condemning both Democrats and their own party members for funding the war. In February 2022, Gaetz sponsored the "Ukraine Fatigue" bill. According to Newsweek, "The "Ukraine Fatigue" bill discourages all future military, financial and humanitarian aid spending for Ukraine in its war against Russia, and pushes for the two nations to reach a peace agreement" (Mordowanec). Last summer, MAGA Republicans made public statements demanding the defunding of the FBI after the agency raided former President Trump's Maralago Estate. Kevin McCarthy and establishment GOP leadership stayed largely silent on this issue (Bouza). The difference in rhetoric between the MAGA and establishment GOP factions again shows a gulf between two factions of the GOP.

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[3] https://voteview.com/rollcall/RH1170592

Throughout this thesis, I have carefully examined the legislative behavior of the conservative Tea Party Republicans and liberal Justice Democrats. While both groups came to Washington with populist rhetoric and campaign slogans, only one group challenged their party leadership by exercising their leverage as a bloc. Based on my findings in the previous two chapters, there are two observable patterns. First, the Tea Party challenged its own Party leadership in order to advance its policy goals regardless of the political cost with party leadership. Through this onerous process, the Tea Party eventually defeated its leadership through the resignation of John Boehner and remade the GOP to serve the Tea Party under Speaker Paul Ryan. Second, the Justice Democrats did the precise opposite: they did not challenge party leadership to extract policy concessions and generally acquiesced to partisan expectations during key votes. Nancy Pelosi and Democratic Party leadership pushed the Justice Democrats to govern more similarly to establishment democrats, not vice versa.

In chapter II, I explained the differences between insurgent and consociational factions. These differences allow us to best characterize each faction. The Tea Party was an insurgent faction, and the Justice Democrats are a consociational faction. One would expect party leadership to be antagonistic toward both of these groups since both the Tea Party and Justice Democrats spoke extensively about shifting their respective parties in new directions. As I have outlined, this was certainly the case with John Boehner. He ignored the Hastert Rule by going against the majority of his own party, publicly blamed members of his own party for the 2013 government shutdown, stripped Tea Party members of important committee assignments, and separated different pieces of legislation Tea Partiers wanted to keep unified in one bill. Boehner tried to stymie the Tea Party when he could, perhaps because he cared more about keeping the

government running, bipartisanship, and maintaining Congress as an institution than meeting their insurgent demands. Most people remember Boehner resigning in 2015. However, as this paper explains, it is essential to remember that Boehner battled these insurgents for many years before resigning. Without the Tea Party's consistent hostility, there is no reason why Boehner would not still be the face of the GOP.

The same cannot be said for Nancy Pelosi. When Democrats controlled the House, and the Justice Democrats had just enough members to obstruct key legislation, they chose not to on numerous occasions. In 2021, there were over a dozen must-pass bills, some of which this paper has covered, that passed by razor-thin margins in the House. This means there were over a dozen scenarios in which the Justice Democrats could have obstructed in order to extract policy concessions or derail legislation antithetical to their policy platforms. The point is that, unlike Boehner, Nancy Pelosi did not have to deploy her political capital, media access, or clever legislative tactics to wear down the Justice Democrats. This is because the Justice Democrats behaved as a consociational faction, not an insurgent faction. Of these two types of factions, only insurgent factions pose a threat to party leadership because consociational factions do not aim to reshape the party or shift it in a different direction.

It is worth noting that there are examples of the Justice Democrats appearing to challenge party leadership that did receive pushback from their own party. For example, when Ocasio Cortez was first elected, she led a protest outside Speaker Pelosi's office, demanding a Green New Deal. Talib and Omar have endured public criticism for their controversial stance on Israel. Examples of such signaling, as common as they are, have no bearing on real policy and therefore have no significant cost for the Justice Democrats. This signaling also does not genuinely harm or weaken the party establishment. These sound bites and tweets serve merely optical purposes

and help maintain their image in the eyes of ordinary voters. As discussed in Chapter III, the Justice Democrats did not challenge party leadership when doing so would advance their policy objectives. Based on the observable evidence throughout this paper, these lawmakers only cross the party line when crossing the party line is guaranteed to make no difference in policy outcomes. It seems that the pithy soundbites, tweets, and dramatic photoshoots are best understood as a form of political theater more than anything else.

It is important to acknowledge certain limitations. One limitation of this research is knowing the true number of times the Justice Democrats threatened to withhold votes on the passage of major legislation. I say this is a shortcoming because outsiders to the legislative process are unaware of many of the negotiations taking place between members of Congress and leadership behind closed doors. Of course, some of this information is made public or reported, but a great deal of it is unknown. We, therefore, cannot know how many times the Justice Democrats threatened to withhold support in order to gain policy concession, unlike Washington DC insiders. Likewise, much of the preferential treatment the Justice Democrats, or any member of congress for that matter, receives is confidential. It is also highly possible that the preferential treatment members receive is far greater than we would imagine. In fact, it is unlikely that the Justice Democrats would have kept gains secret to their supporters given the fact that it would significantly improve their credibility and image. Still, we cannot definitively know every negotiation made behind closed doors, and this paper is based on verifiable evidence, not opinions or guesses, however probable they may be. It is also important to acknowledge that there have been other times when insurgent factions have altered political parties. Examples include the Labor Democrats in the 1930s and 1940s and Christian Right in the 1980s and 1990s.

These movements are beyond the scope of this paper, but an in-depth study of them could reveal more about what makes factions successful in influencing party agendas.

There are a number of recommendations for future research concerning the legislative effectiveness of intra-party factions. Future research can adopt quantitative methodology as well as game theory models to understand the strategic thinking behind factional behavior. It is also worthwhile to delve deeper into the incentives at play for different actors involved. This paper focused on legislative actions but did not delve deeply into the different incentives involved, such as funding, reelection, career advancement, committee placement, revolving door opportunities, and other influences. Although it is a nascent development, it would also be worthwhile for scholars to examine newer members of Congress like Marjorie Taylor Greene and Matt Gaetz as a faction within the GOP.

While their legislative strategies and outcomes differed as much as their political views, both movements spoke about challenging their own party. Curiously, both the Justice Democrats and Tea Party Republicans shared many overlapping themes. They both use the rhetoric of populism to galvanize support among ordinary citizens. They both believe that elites have too much power and average citizens have too little. These two individual movements are small examples of the fact that Americans have less faith and trust in their own government than ever before. Perhaps ironically, the Tea Party tried to reinstate faith in government through more gridlock, obstruction, shutdowns, and creating an ineffective session of Congress. But in the eyes of the Tea Party, these were just growing pains. In the last decade, the American political spectrum and electorate have become less focused on liberalism versus conservatism and more focused on populism versus elitism. This is why in 2016, Bernie Sanders and Donald Trump, one liberal and one conservative candidate who both shared anti-establishment populism, performed

better than most analysts expected in their respective primaries. Like the Tea Party, Trump made it a mission to be an insurgent within his own party, unafraid of burning bridges. In fact, this belligerence attracted millions of supporters the same way the Tea Party did. Trump carried the Tea Party torch, eventually engulfing the entire American political system. The experiences of the Tea Party and Justice Democrats show how institutions can try to maintain the status quo in the face of robust demands. Scholars and activists can benefit from carefully studying the differences in strategy from the Tea Party to the Justice Democrats to understand why some strategies work and others fail. Understanding and applying these frameworks will be important for understanding the future of factions in American politics.

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