

# Compromise: The new bad word?

Ryan P. Walker discusses the policy implications for a divided government after the 2022 midterm elections



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**O**n a summer evening in 1790, a trio of American icons—Thomas Jefferson, Alexander Hamilton and James Madison—met for dinner in New York City to break a deadlock in Congress.

The decision to be made was whether or not the Federal Government would assume the debts states incurred to finance the Revolutionary War and also where the capital of the federal government would reside. The outcome of this meeting, known as the “Compromise of 1790”, was a pivotal moment in US history. An agreement was reached between the three, whereby Jefferson and Madison agreed with Hamilton’s proposal to create a system of public finance by assuming the debts of the states and Hamilton agreed to support Jefferson and Madison’s proposal locating the nation’s capital along the bank of the Potomac River between Maryland and Virginia in what is now Washington, DC.

Could this type of compromise occur in the present-day political environment? Media outlets profiteering from prolonged political division would have you believe it is not possible, but if Shakespeare’s character Antonio in *The Tempest* was right when he said “what is past is prologue” the political process is truly less of a zero-sum game and more of a journey in incrementalism.

While the current legislative and executive branches of the Federal Government are controlled by the Democratic Party, one-party rule is historically short-lived and the forthcoming

midterm elections of 2022 are likely to maintain that trend. While conventional thought would lead to a belief that one-party dominance would yield a litany of public policy successes, the 117th Congress has produced very few noteworthy policy victories for the majority party. For instance, outside of COVID-19-related response legislation, the single most prolific piece of legislation signed into law has been the Infrastructure Investment and Jobs Act (IIJA). Furthermore, the leadership of the Democratic Party has struggled and, to date, has failed to get all of its members to support passage of the proposal by President Biden known as the Build Back Better Act (BBB). This has left the annual government funding (appropriations) process and reauthorization of the National Defense Authorization Act (NDAA) as the lone legislative vehicles on which to attach other policy initiatives. However, this period of unproductivity may soon run its course as the 2022 midterm elections are expected to usher in a new period of divided government and...compromise!

If history is to repeat itself, we can expect House Democrats—who currently hold a 9-seat majority (with two Republican vacancies)—to lose their majority, as the incumbent President’s party has lost an average of 26 seats in midterm elections since World War II. Similarly, the incumbent President’s party loses an average of four Senate seats in a midterm election cycle. In the current environment, a loss of four Senate seats would amount to a tectonic shift in political fortunes, but the electoral map does not favour

Republicans as they currently have to defend 20 of the 34 seats up for re-election. Yet, in an environment where COVID-19 persists; President Biden’s approval rating hovering in the high 30 to low 40 percent range; inflation surging to over seven percent; and a war raging in Ukraine, anything can realistically happen in the coming months.<sup>1</sup> The prevailing assumption is the House will flip to Republican control and the Senate remain in Democratic hands—and that scenario has significant impact on public policy outcomes.

It may seem counterintuitive, but, during periods of divided government, Congress has actually been more productive. According to analysis by the Pew Research Center spanning over 30 years (1989-2020), four of the five most productive sessions of Congress took place while there was divided government.<sup>2</sup> Much of this success can be explained by applying the theory of incrementalism or by what famed political scientist Charles Lindblom referred to as the “science of muddling through” to those four sessions of Congress. Rather than attempting to push through broader and, quite often, more ideological, legislative packages that occur more frequently during one-party rule scenarios, Republicans and Democrats are forced to work together through the give-and-take procedural process. Recent times have shown us these types of negotiated outcomes produce more durable results. For instance, the Reagan tax cuts of 1981 and 1986 and Welfare Reform during the Clinton Administration are just a few of the immediate



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examples of public policy which have stood the test of time—because they were negotiated during times of divided government, forcing policy-makers to compromise for the good of the country.

Although many believe compromise to be a quaint concept of the past and the two major political parties in the US have only entrenched themselves further into hyper-partisan bickering, President Biden's record as a member of the Senate from Delaware and as Vice-President of the United States indicates a predisposition to compromise. Furthermore, it is unknown if he will actually run for re-election in 2024 and will most certainly be looking to build a legacy. A Republican-led House of Representatives and a Democratic-controlled Senate will undoubtedly need to find ways to work together—and with the White House—to address the near endless list of public policy conundrums. Ongoing issues of

deficits and debts, matters of national security, climate change, the US-China relationship, the current conflict in the Ukraine as well as NATO spending will all require bicameral and bipartisan agreements.

The Founding Fathers of the United States intentionally created a system of government, where it would be difficult to move policy proposals forward to protect its citizens from government overreach and the passions of factions. While many engaged in modern-day political discourse pan the structure and procedures of our Republic as archaic, Jefferson, Madison and Hamilton knew what they were doing. Their mission was to avoid the trappings of a monarchy and instead force compromise.

It is alleged that Benjamin Franklin was asked by a bystander upon exiting the Constitutional Convention in 1787 what kind of government they had just given the people, to which his response was "*A Republic, if you can keep*

*it*". To keep it requires compromise, not an abdication of conviction—and that evidence can be found in passionate debates throughout history, both in the United States and around the globe. The world awaits new leaders who will author the next great compromise to carry America, and the global community, into the future. ■

#### Footnotes:

- 1 See: <<https://abcnews.go.com/Politics/economic-concerns-hurt-bidens-approval-democrats-peril-ahead/story?id=83128327>>.
- 2 See: <<https://www.pewresearch.org/fact-tank/2021/02/03/single-party-control-in-washington-is-common-at-the-beginning-of-a-new-presidency-but-tends-not-to-last-long/>>.



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