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PREVIEW

PARTISANSHIP, DIVIDED GOVERNMENT, AND THE PRESIDENCY

by

Steven J. Showalter

A DISSERTATION

Presented to the Faculty of
The Graduate College at the University of Nebraska
In Partial Fulfillment of Requirements
For the Degree of Doctor of Philosophy

Major: Political Science

Under the Supervision of Professor John R. Hibbing

Lincoln, Nebraska

August, 1997

UMI Number: 9736953

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DISSERTATION TITLE

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PARTISANSHIP, DIVIDED GOVERNMENT, AND THE PRESIDENCY

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University of Nebraska, 1997

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Before the 1970s, divided government did not present serious obstacles to relations between the Congress and the President. Weak congressional parties allowed the president to reach out across party lines and build bipartisan coalitions. Since the 1970s, divided government has become a more serious problem. Strong and polarized congressional parties have undermined the ability of the president to build cross-party coalitions, thus weakening the president's hand in the legislative arena. In the absence of cooperation from Congress, the president will be tempted to resort to institutional powers and govern without Congress. Such a trend is not consistent with American constitutional principles.

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PREVIEW

CHAPTER 1

INTRODUCTION

For decades, political scientists called for stronger parties in American government. The American political system had been rendered largely ineffective and dysfunctional due to a lack of strong, cohesive, programmatic political parties. Voters base their decisions upon individual candidate personalities (Wattenberg, 1993) or incumbency (Jacobson, 1987). The lack of collective responsibility by the two major political parties led to fractured parties and divided government. The only way to save the American system, they argued, was a return to the responsible party government model. America should emulate the British model, where one party control of the executive and legislative functions leads to effective government.

In 1993, both the White House and Congress were controlled by the Democratic party. This scenario presented an opportunity to implement the responsible party government model in the United States. Unfortunately, this ideal standard never emerged. A comfortable Democratic majority passed the 1993 Clinton budget plan with only two votes to spare in the House of Representatives. Vice President Gore had to cast the deciding vote in the Senate after a 50-50 deadlock. Clinton's 1994 comprehensive health care reform

package did not even come up for a vote in the House of Representatives.

The responsible party government model failed to function in spite of the fact that political parties in the Congress have become highly cohesive and programmatic. *Roll Call Monthly* (August 1996) stated that party unity has been at its highest since the 1950's. Furthermore, voters have been given a clear choice between two fairly exclusive ideologies. The Democratic ideology favors government services for the poor and elderly, while the Republican party has moved to cut or eliminate many government programs. Democrats are strongly pro-choice, while Republicans are strongly anti-abortion. Democrats strongly favor progressive taxation, while the Republicans strongly favor tax incentives for investors and business. The choices could not be more clear.

The purpose of this dissertation is to examine the implications of this renewed partisanship with special attention to the executive branch. Does this increased sense of party unity present opportunities for the presidency? Or, does it hamper the ability of the president to lead the country? I will argue that cohesive political parties undermine the power of the presidency. Instead of looking to the presidency for leadership and guidance, members of Congress appear more committed to their party ideology. The best a president can hope for is to land on the winning side of this ongoing party battle.

In 1985, Theodore Lowi argued that the breakdown of cohesive party identity in the electorate and in the Congress presented tremendous opportunities for the presidency. No longer bound to rigid ideology, party members in the Congress became ripe for exploitation by the executive branch. Loose partisan leanings coupled with mass media outlets allowed the president to set the agenda, influence the public, and lead the Congress. On the other hand, Lowi made these reflections 12 years ago. Renewed and frequently bitter partisanship has eroded the opportunities for presidential leadership. Recent presidential initiatives by George Bush and Bill Clinton have run head first into partisan brick walls.

Divided Government

Defenders of the responsible party government model point out that we are only half way there. Certainly, congressional parties are cohesive, but the voters are still not committed to single party control of both of the elected branches. American parties are strong in government, but rather weak in the electorate. Strong congressional parties could work under unified government, but only if the voters would go with a straight ticket. This argument has merit, but unified government is unlikely. Voters are highly suspicious of one party control, and public opinion polls reveal that a majority of voters approve of divided government (Fiorina, 1992). Given the predisposition of the American system and the

American public towards divided government, are strong parties desirable?

Cohesive parties may be desirable under unified government, but they are a disaster under divided government. In years past, the two major parties occasionally demonstrated an ability to work together and cooperate under divided government (see Mayhew, *Divided We Govern*, 1991). Truman convinced a Republican Congress to adopt the Marshall Plan. Eisenhower worked with a Democratic Congress on the interstate highway project. Lyndon Johnson needed Republican votes to pass the 1964 Civil Rights Acts. Richard Nixon signed bills on environmental protection and the earned income tax credit as well as an expansion of Social Security. Reagan convinced a Democratic House to adopt his revolutionary budget proposals. In all of these examples, the opposition party in Congress followed the lead of their president. The two elected branches have demonstrated an ability to put aside partisan differences from time to time, but that is no longer the case.

That spirit of cooperation and bipartisanship is rare in today's divided system. Presidential government is next to impossible in a divided system saddled with uncompromising parties. Spirited partisans draw a clear line in the sand and dare not cross it. George Bush sent budgets to a Democratic Congress that were declared "dead on arrival." Bill Clinton felt compelled to demonstrate to the public that he was still

relevant after the 1994 Republican election victory. Both Clinton and Bush felt compelled to govern without Congress by pursuing veto strategies or rule through the executive order (see Tiefer, 1993). Strong parties combined with divided government represents a serious blow to the legislative presidency. Strong parties lead to weak presidents, even under unified party control.

Executive/Legislative Relations

In order to better understand the relationship between the two political branches, we must examine the two main schools of thought on executive/legislative relations. The two approaches are labeled the "presidency-centered" and "congress-centered" schools. The former approach sees the president as the legislator-in-chief, and it was shaped by impressions of the great legislative presidents like Franklin Roosevelt, Lyndon Johnson, and Ronald Reagan. Regardless of the composition and partisanship in Congress, the president represents the collective will of the American people. In a nutshell, a president who has support from the public can lead the Congress.

Conversely, the Congress-centered school argues that presidents are secondary figures in the legislative battle. The balance of power has shifted to the Congress. This approach gained appeal in the second half of Reagan's tenure and picked up steam during the Bush and Clinton presidencies.

This school argues that partisan lines are so sharp and divided that public support of the president really is not relevant to the actions of Congress. Congress will simply follow their pre-determined ideological views. If the president happens to agree, so be it. If not, the president is not relevant.

Chapters 2 and 3 examine each of these approaches in more detail. A review of the literature will reveal that the presidency school of thought has passed its time. Most of the strong evidence in support of the presidency school was collected and developed before the 1980's. Today, a president's public approval or performance at the ballot box does not carry as much weight as it did in 1932, 1952, 1964 or 1980. The lack of convincing evidence in support of the presidency school forces us to turn to the Congress-centered approach for an explanation. If certain conditions exist in Congress, a president can be successful, but presidential success is dependent upon the legislative branch.

In this dissertation, I subscribe to the congress-centered approach. The presidencies of Bush and Clinton reveal that the conventional wisdom surrounding the presidency no longer applies. The president is not the chief legislator any more. Clinton turned to a veto strategy with the Republican Congress in 1995. He did maintain the status quo and easily won re-election, but he has not been able to translate his new found popularity into any concrete

legislative accomplishments. At best, this public support has given him a critical bargaining chip in the 1997 budget negotiations, but he clearly has not seized the agenda.

The 1997 budget blue-print is loaded with tax cuts, reductions in Medicare and Medicaid, and cuts in domestic spending. This does not sound like a Democratic agenda. Likewise, Bush had a similar experience during the 1990 budget negotiations. Democratic members of Congress forced him to swallow hefty tax increases on wealthy Americans (a cardinal sin for a Republican president) without any cut in the capital gains tax rate. In both cases, congressional priorities prevailed.

So why do members of Congress follow the party and not their president? Quite simply, the parties have changed. Republicans and Democrats in Congress used to be rather loose, heterogeneous coalitions. Both parties were blessed with moderate and ideological wings. Today, the two parties are more homogeneous (see chapter 4), and they are polarized. For example, the southern, conservative wing of the Democratic party has faded in Congress. Likewise, moderate Republicans are becoming increasingly scarce. We are left with liberal Democrats and conservative Republicans. There is an ideological chasm in the middle of Congress, and it has become much more difficult for recent presidents to bridge this ideological gap. Chapter 4 will examine the causes of this change in greater detail.

Chapter 5 operationalizes and tests the general question of this dissertation: Can the president lead the Congress in an age of intense partisanship? By studying party unity votes in the House of Representatives from 1953-1996, I will attempt to demonstrate that an increase in partisan conflict leads to a decrease in presidential success. Presidents need support from both sides of the aisle in order to succeed, even under unified or one party government. Conversely, presidents can succeed under divided government as long as partisanship is low.

This dissertation has broad implications for the presidency. The presidency is no longer a legislative institution. In an era when divided government is saddled with unwavering parties, the president exercises very little sway over the Congress. The votes will be cast along party lines regardless of media strategy, public approval, electoral mandates, or coattails. On an academic level, this forces presidential scholars to reevaluate their approach to the presidency. Instead of focusing on a president's "capital assets" (Light 1983), scholars should focus on the partisan and ideological balance in Congress.

On a broader level, it should force the public to reconsider their expectations of the presidency. The public has a notion that the president must deliver on his campaign promises. Unfortunately, strong parties seriously undermine the ability of the president to follow through on these

promises. Building a bipartisan consensus on an issue is extremely difficult. For an ideologue on either side of the aisle, compromise amounts to surrender. The public simply does not comprehend the obstacles that presidents must overcome.

This legislative gridlock can lead to even more serious constitutional problems. Presidents must govern, and an uncooperative legislative branch forces presidents to resort to other tactics. Presidents Bush and Clinton were forced to make and implement policies without Congress. They both relied on executive orders and their administrative discretion to enact policies that were either ignored or rejected by the Congress. Strong parties weaken the president in the legislative arena, but the institutional power of the executive branch remains. Policy making by executive order is not consistent with republican principles spelled out in the Constitution.

Finally, we must rethink the responsible party government model. Strong parties with distinct, consistent and coherent approaches to government can often lead to gridlock in Congress. The American system has been transformed during the Clinton and Bush presidencies. Mayhew's endorsement of divided government was attractive when parties were weak; the president could lead and form coalitions. Today, the parties are far too cohesive and uncompromising to form bipartisan coalitions. As long as the American system is pre-disposed

towards divided government, strong parties are not the solution.

PREVIEW

Chapter 2

The Presidency School

The presidency-centered approach believes that the president is the dominant policy maker in government. Lowi (1985) argued that the American system is government by plebiscite, whereby the president's program is an expression of popular will. For example, one might argue that the election of 1932 and 1936 reelection of Franklin Roosevelt constituted an endorsement of the New Deal, or at least a popular endorsement of a different approach to government. Other examples include Johnson's "War on Poverty," or the "Reagan Revolution." Not all presidents are dominant, but the potential is there. If a president possesses legislative skills, public support, or an electoral mandate, he can get the upper hand in dealing with Congress. If the president lacks such political resources, he will be ineffective. Still, success or failure depends upon factors unique to the executive branch or individual presidents. Congress can be the dominant institution, but only if the president lacks skill, prestige, or other political resources.

The standard approach to the presidency versus Congress debate often focuses on the personalities, leadership style, or characteristics of individual presidents. Unfortunately, such evidence is based largely on anecdotal accounts, personal impressions, and case studies. While this approach is useful,

it does not allow us to generalize a great deal across different presidents. The great presidential scholars are quite good at developing ideas, but operationalizing these ideas and measuring presidential power is quite difficult. The purpose of this chapter is to examine both theoretical and empirical approaches to the presidency, and ultimately discredit the presidency-centered school.

The Classics

The study of the modern presidency has been shaped by Richard Neustadt's seminal work on presidential power (1960). Neustadt argues that presidential power is the power to persuade, and that the president's most important resources are public prestige and professional reputation. How do Reagan, Roosevelt, or Johnson differ from Carter, Bush, or Clinton? In some form, those first three presidents had superior legislative skill, public support, or strong reputations. The latter three presidents simply lacked the necessary political skills that the former three were blessed with. Neustadt recognizes that Congress is an important player, but skills unique to each president can tip the scales in their favor. The great presidential scholars followed Neustadt's mantra.

Kernell's (1986) approach to presidential leadership built upon this personal approach to governing. Increasingly, presidents "go public" and take their case directly to the

voters. Presidents with public support and the appropriate communication skills can persuade the public to force members of Congress to cooperate and follow the president's agenda. Obviously, some presidents are more skilled than others. Reagan, bolstered by a failed assassination attempt, took his budget plans to the public and won key victories in a Democratic House of Representatives and a skeptical Republican Senate.

On the other hand, an extensive travel schedule by Bush did little to help him deal with a Democratic Congress (Jones, 1994). Bush also failed to capitalize on astronomical public approval after the Persian Gulf War. President Clinton's new found public support has done little to help him influence the Republican Congressional agenda. Kernell's approach is appealing, but it is rather difficult to see tangible results from "going public." Kernell's approach may have applied to Roosevelt or Reagan, but it is hardly applicable to the last two presidents.

James Barber's (1985) approach to presidential power focuses not on political skills per se, but each president's individual personality. Understanding a president's personality allows us to predict his performance in office. Franklin Roosevelt performed well in office because he pursued a full agenda, but he also had a positive approach to leadership. The famous fireside chats were designed to calm public fears over contentious issues like depression and war.

On the other hand, Lyndon Johnson and Richard Nixon were considered failures. These active/negative presidents sought power without public support, which eventually led to their political downfalls.

Regardless of the political context, Barber traces presidential success or failure to factors unique to each executive. In this case, the unique factor is personality. George Bush and Bill Clinton arguably have very different "personalities," yet both were equal in their inability to lead their respective legislatures. Similar to other great presidential scholars, Barber's analysis helps us understand past presidents, but it cannot explain recent presidents.

Paul Light's study of presidential agenda setting (1983) recognizes the limitations of the presidency, but Light also sees a window of opportunity for presidents. The proliferation of interest groups and the devolution of power to Congressional subcommittees and rank and file members has made it much more difficult for the president to succeed. Still, Light sees a chance for presidents. If they act quickly on a limited agenda while their political capital is high, they can succeed. After the Kennedy assassination, Johnson's success with anti-poverty, Medicare, and civil rights demonstrates that a president can have a lasting impact if they pursue a short term public strategy. They must act quickly.

According to Light, presidents must deal with two competing cycles. The first is the "cycle of decreasing influence." At the beginning of the term, the president's influence is at its peak. The president usually claims a popular mandate, a demand from the public for swift action on the president's platform. The president also experiences a "honeymoon," a grace period of sorts where the Congress and the public are willing to let the new president govern and lead. Most presidents experience peak approval during their first year in office (Nice, 1992). Given all of these factors, presidents must act quickly or miss the opportunity.

Presidents have a resource referred to as "political capital." Capital is an analogy for influence, but it is a finite resource. Presidents use up their capital as their term progresses. Every time a president pushes for a program or initiative, he draws upon his account. Their influence decreases steadily as they use up their resources. By the end of the term, the president is out of capital. For example, Clinton used up a great deal of capital early in his term on his initial budget deals. Light might argue that the expense of precious capital by Clinton explains how a Democratic Congress managed to reject a sweeping health care agenda in 1994.

Where does this capital come from? Light identifies three "capital assets." They include margin of victory, party members in Congress, and public approval. Johnson had

extensive assets, which included large victory margins in popular and electoral votes, strong personal popularity, and strong party support in Congress. Given his extensive capital assets, his success in passing Civil Rights, Medicare, and anti poverty programs should come as no surprise. In 1968, Nixon only received a plurality of the popular vote, a slim majority in the electoral college, and his party was in the minority in Congress.

Light's second cycle is the "cycle of increasing effectiveness." As the president's term progresses, they learn the ropes of the legislative process and deal making. Presidents who are not acquainted with the inner workings of Capitol Hill can suffer a rude awakening. Carter's complex and full legislative agenda was not well received by the Congress. Clinton experienced similar problems in his term. Clinton expected the Democratic Congress to simply follow his lead on legislation, not fully grasping rifts within his party or roadblocks in the legislative process (Campbell and Rockman, 1995). On the other hand, Carter learned and did manage to craft compromise energy legislation (Jones, 1994) in spite of the fact that many had written him off as an ineffective legislator. Carter learned from his early experiences.

A great deal of the literature on the presidency-centered approach (Light, Neustadt, Kernell, etc.) is based on impressions, psychological profiles, or historical anecdotes.

While these accounts are rich in detail, it is difficult to compare different presidents. Recently, scholars have tried to rescue the presidency-centered approach with empirical studies. Can presidential influence in Congress be measured? There are two main lines of attack. Some attempt to link public approval with legislative success. Others attempt to link a president's electoral performance with presidential support in Congress.

These empirical approaches to executive/legislative relations reveal as much uncertainty as the theoretical approaches to the presidency. Consensus is elusive. The great presidential scholars cheerfully admit that it is difficult to generalize about the presidency. An examination of the empirical approaches also reveals the same uncertainty, although the empirical scholars probably are not as happy about the outcome.

Public Approval

The debate over presidential power always turns to public approval, often measured by the monthly Gallup polls. Modern presidents make public appeals in order to garner support for their programs. Conventional wisdom argues that Congress will follow a popular president, and ignore an unpopular president. Members of Congress see approval rankings as a surrogate measure of public opinion. If voters support the president, they support his policies. Overly