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The President and Congressional Parties in an Era of Polarization

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Abstract and Keywords

This article describes a portion of the research on Congress and the president produced over the last two decades that relates to presidential party leadership. The main focus is on whether the theoretical arguments and empirical findings of that research apply to the polarized partisan era of the 'Republican Revolution' and the Bush presidency. It also concentrates on only a few aspects of the literature, particularly presidential success in the legislative process, the tendency to 'go public', and the consequences of divided government. Three aspects of presidential-congressional interaction are explained. A segment of the literature that is particularly relevant to this discussion involves the consequences of divided government. The implications of polarization are relevant to a large and important share of the political agenda.

Keywords: American president, Congress, partisan polarization, Republican Revolution, presidency, divided government, presidential party leadership

DURING the first six years of George W. Bush's presidency, his party controlled both chambers of Congress for all but a little over a year. In that period, Bush vetoed only a single bill. After the GOP lost control of the House and Senate in the 2006 midterms, the situation changed. Before Labor Day of 2007, the president had vetoed two more bills. As the Congress worked on the twelve regular appropriations bills in the summer of 2007, Bush had issued threats to veto at least nine of them. Moreover, his administration had threatened or advised a veto of about half of the major pieces of regular legislation then working their way through Congress (*CQ Weekly* 2007). These data would seem to suggest that whether the president and congressional majorities were of the same or different parties mattered a great deal in determining whether legislation was produced that reflected the president's views.

In this chapter we will discuss a portion of the research on Congress and the president produced over the last two decades that relates to presidential party leadership. Our main focus will be on whether the theoretical arguments and empirical findings of that (p. 290) research apply to the polarized partisan era of the “Republican Revolution” and the Bush presidency. The space available for this discussion in this multifaceted volume precludes an analysis of all works that bear on the matter, so we will focus on only a few aspects of the literature, particularly presidential success in the legislative process, the tendency to “go public,” and the consequences of divided government.

Partisan Polarization and Law Making

Until fairly recently, the view gleaned from the literature on presidential-congressional relations was that the role of political parties in both the Congress and the presidency was modest, and it followed from this that the president's role as party leader was of limited consequence. Shortly after the end of the Reagan presidency, George Edwards (1989) offered an extended analysis of presidential leadership of Congress. In the chapter that dealt directly with the president as party leader, Edwards (1989, 99) emphasized that “there are severe limitations to the responsiveness of members to appeals to party loyalty, the influence and reliability of party leaders, and the utility of favors and sanctions, and there are substantial obstacles to party unity.” This viewpoint was not only representative of research on presidential-congressional relations, but also reflected more generally the work on congressional parties (see Rohde 1991, ch. 1). Moreover, Edwards (1989, 100) argued that changing congressional rules that would strengthen party discipline would “depend on the acquiescence of persons who have a stake in the status quo.” He contended that “[t]he probability of such reforms occurring is very low, and once reforms are made, they require the active support of these same people to ensure that the power they allocate is used on behalf of the president. But there is little incentive for this to happen.”

Yet despite the fact that this perspective was widely shared, we know that there was a sea change in the role of parties in Congress beginning with the Reagan administration, and with its roots even earlier. The independence of committees and the powers of their leaders were undermined, and the powers of party leaders were enhanced (Rohde 1991; Cox and McCubbins 1993; Sinclair 1995). This trend was amplified after the Republican congressional victories of 1994 (Aldrich and Rohde 1997–8, 2000a, 2005). These institutional changes, and the changes in the legislative process they induced, were widely seen to be linked to increasing partisan polarization in the US.

Aspects of Polarization

Political polarization by party is not an undifferentiated phenomenon; it has a number of aspects that can each affect the political process in different ways. (p. 291) With no claim to be exhaustive, we will note briefly three important aspects here: polarization among elites, among activists, and among voters.

Elite Polarization

Elite polarization is the aspect that has been most apparent to analysts and about which there is little disagreement. Beginning in the late 1970s or early 1980s, ideological stratification among members of Congress along party lines began to intensify, reversing a pattern that had existed for decades (Rohde 1991; Poole and Rosenthal 2007; Jacobson 2007). For example, Jacobson (2007, 23) shows that average DW-Nominate scores of Democrats and Republicans in both the House and Senate have been moving further apart since the late 1960s, and now stand at levels of polarization not seen since the early twentieth century. (DW-Nominate scores are the result of a scaling technique for roll-call votes developed by Keith Poole and Howard Rosenthal. They indicate where members stand on a left-right spectrum. See Poole and Rosenthal 2007.) Jacobson notes that the same pattern is apparent in other roll-call measures such as ADA scores and party unity scores.

Aldrich and Rohde (2001, 281) offer another perspective on congressional polarization. They arrange the DW-Nominate scores of House members for the 91st and 105th congresses (1969–71 and 1997–9 respectively) into deciles, from the most liberal 10 percent of the House to the most conservative 10 percent. These data show that in the earlier Congress there were Democrats in every decile, and Republicans in every one but the most liberal. In the 105th Congress, on the other hand, there were only Republicans in the five most conservative deciles and only Democrats in the four most liberal deciles. Only one decile contained members of both parties. These data vividly portray the change in the pattern of ideological alignments in Congress. In the late 1960s, regardless of where a member of either party stood on the political spectrum, there were members of the other party with similar views. In the 1990s, however, only the Democrats were on the liberal side and only Republicans on the conservative side. The only place where members of both parties held similar positions was in a small range near the middle of the spectrum.

Since presidents do not participate in congressional roll calls, one cannot compute scores for them that are precisely comparable to the DW-Nominate scores of members. It is possible, however, to derive an analogous score for presidents by estimating the score of a hypothetical member who supported the president's view on all of the roll calls on which he took a position. Based on this measure, the estimated positions for the presidents from Truman through Clinton were always closer to the median score for their party than the median score for the House, and this remained true as the congressional scores polarized (Aldrich and Rohde 2000a, 68–9).

Activist Polarization

Standing between the officeholding elites we have just considered and the ordinary voters we examine next are partisan activists. As we will discuss further below, these actors have a disproportionate impact on various aspects of the political process, (p. 292) including what kinds of candidates each party nominates for office and the policy positions those candidates adopt. Democratic and Republican activists have always held contrasting positions to a degree, but evidence indicates that, like elites, the degree of ideological differentiation between the groups of activists has grown larger in the last three decades and is much greater than the differences between party identifiers.

For example, in 1996 a *New York Times* survey of major-party convention delegates and of the general public showed that the opinions of the delegates were extremely divergent on a range of issues (Aldrich and Rohde 2001, 278). The opinions of rank-and-file party identifiers were less in conflict than those of the activists, but the opinions of Democrats tilted toward the liberal side of the spectrum while those of Republicans tilted to the conservative side across all issues. Similar data for 2004 show even greater differences (Fiorina, Abrams, and Pope 2006, 17). Abramowitz (2006, 76) presents data on the standard deviations of scores on seven-point issue scales from the National Election Studies 1984–2004. This measure of polarization increased 23 percent among “active citizens” (those who engaged in at least one election activity in addition to voting) over the two decades. Abramowitz (2006, 83) also portrays the ideological distributions of both parties' active citizens in 2004. The two distributions are almost as disjoint as those of the representatives in the 105th Congress discussed above.

Polarization among Voters

The scholarly discussion of polarization among ordinary voters exhibits less consensus than that about elites and activists. The principal dissenters to the view that voter polarization is similar to the others are Fiorina and his co-authors (2006). They contend that the claim that the nation is in the midst of a “culture war” is vastly overdrawn and that the views of voters tend to be generally centrist on most issues. Over time, they contend, the increase in polarization on issues among the electorate as a whole has been modest. On the other hand, they say, voters have increasingly “sorted” themselves between the parties based on issues, creating what they (and we) have referred to as greater partisan polarization.

To some degree, the differences between Fiorina et al. and other analysts tend to be matters of emphasis and degree, but data provided by other researchers do indicate a substantial growth in polarization even among voters. Abramowitz (2006, 76), for example, shows that the standard deviation of issue scale scores increased 25 percent during 1984–2004, slightly *greater* than the increase among active citizens. Jacobson (2006) argues that partisan voters have perceived increasing divergence between their own policy positions and those of the opposition party and its candidates, while voters have perceived no increase in divergence between their positions and those of their own party and candidates. This asymmetry occurred despite the acknowledged increase in

elite divergence noted above (see also Jacobson 2000). Brewer and Stonecash (2007) present evidence of increased partisan polarization based on cultural issues and see an important relationship between such polarization and class divisions. Finally, even Fiorina perceives important changes in the electorate related to polarization. He and a co-author note that the proportion of strong partisans in the (p. 293) electorate has increased over time, while the proportion of weak partisans and independents has decreased. “The result is an actual electorate (as opposed to an eligible electorate) that is considerably more ideological than the electorate of a generation ago” (Fiorina and Levendusky 2006, 108).

So What? The Possible Consequences of Polarization for Law Making

Having outlined some dimensions of polarization in American politics, we now consider the theoretical relevance of these developments with regard to presidential party leadership in Congress. Before we discuss this matter in relation to specific aspects of the literature, we want to deal briefly with the question in general: in what ways might polarization affect the law-making process, beyond merely leading to different values for certain parameters previous theory considers relevant? We argue that it is possible—even likely in some cases—that the various aspects of polarization could alter previous theoretical relationships and make new ones relevant in the law-making process.

John Aldrich (1994, 209) contended, in a discussion of the application of rational choice theory to the study of institutions, that the “fundamental equation” of rational choice theory in political science is: “Political outcomes are the product of goal-seeking behavior by actors, choosing within both a set of institutional arrangements and a particular historical context.” Regardless of whether one considers rational choice to be the best avenue for research, we think that most analysts would agree that these elements—actors' goals, institutional rules, and political-historical context—are important for explaining patterns of political outcomes. We argue that the development of the various aspects of polarization we have discussed could affect each of these elements and the ways they interact with each other to shape outcomes.

Let us illustrate with some examples. Partisan polarization is an element of the political context. We have seen that there is evidence that the amount of polarization in each of its aspects has changed substantially over time. But polarization is also, in turn, related to other changes in the political context. One salient change is in the competitive situation regarding party control of Congress. During most of the post-war period, the Democrats seemed to have unshakeable control of the House and (for most of that time) the Senate. House control did, in fact, last for forty years, ending with the election of 1994. Before 1994, virtually no observer had serious doubt on a given election day which party would control the House after the next election, two years hence. That subjective certainty, we believe, conditioned all legislative relationships, both within the Congress and between the Congress and the White House. Republican presidents like Nixon and even Reagan

knew it was highly probable that they would be dealing with opposite party control throughout their presidency.

Since 1994, however, things are radically different. On every election day, leaders and members of both parties know that majority control of both chambers is likely to be in doubt in the next election, and that their strategic choices during those two (p. 294) years could well determine the outcome. Every legislative choice is made with one eye (or all eyes) on the next election. Such a strategic context encourages constant electioneering, great emphasis on fund raising and providing benefits to contributors, and the incessant search for lines of attack that can undermine any positive public perceptions of the opposite party and of an opposition president. The situation encourages what has been called “the politics of blame” (Groseclose and McCarty 2001).

To be sure, all of these developments would likely have occurred to some degree as a result of greater competition even without polarization. But just as polarization played a role in increasing the competition for party control, it also raised the stakes for the actors of the outcome of the competition, and personalized the political conflicts among elites and activists. Is it plausible that these major changes would not affect the legislative interactions of the president and the congressional parties?

Furthermore, polarization has produced significant institutional changes in both the Congress and the White House. The congressional literature contains many discussions of the procedural changes that gave additional powers to the majority party in both chambers.¹ Of particular relevance here are those that undermined the independence and influence of committee chairs, those that enhanced majority party control of the floor agenda (especially leadership control of the House Rules Committee), and those that increased leaders' control of incentives that could influence members' legislative decisions (e.g., committee assignments). These tools in the hands of the president's party could guarantee a place on the agenda for his proposals (except in the decreasingly likely event that the congressional majority's preferences conflicted with the president's). They could also block the minority from offering their own proposals or from seeking changes in the president's bills. On the other hand, if controlled by the opposition party, such powers could potentially block access to the agenda for the president's initiatives and limit the ability of his allies to alter the other party's bills.

Polarization could also have affected the kinds of people who seek public office and how they behave if they are winners. That is, polarization could have produced different kinds of goals, or at least a different mix of goals, among the actors. A central part of the argument of Fiorina, Abrams, and Pope (2006) is that political elites have changed and that their preferences have become increasingly different from those of voters. Observers of the political scene frequently remark that American politics has become coarser, meaner, and more conflictual. Many analysts contend that the increased polarization of activists and their domination of congressional and presidential nominations have led to more officeholders with intense personal policy commitments, and to greater

unwillingness to compromise among those without such commitments due to fear of activist retribution.

(p. 295)

Although we do not yet have a lot of systematic evidence that polarization produces differences in the types of candidates that seek office and are chosen as nominees (indeed the need for such research is part of our point here), there are some indications to that effect. For example, Brady, Han, and Pope (2007) analyze House primaries between 1956 and 1998. They show that candidates are cross-pressured by primary and general electorates, and that members who do well in general elections often do poorly in primaries. Primary losses are most likely to happen among ideologically moderate incumbents. They infer from over-time trends in primary losses that members responded to the large number of primary losses around 1970 by moving closer to the party extremes. This resulted in fewer primary losses after the early 1970s. These results are consistent with the idea that changes in primary competition led to more extreme and more ideological candidates being selected. Assuming these descriptions of changes among members of Congress are accurate, would we not expect such people to approach legislative interactions differently than those of an earlier era?

If this analysis is correct, then we must reconsider (although not necessarily change our view of) the theoretical arguments and empirical analyses regarding the president in the legislative process that have been viewed as persuasive regarding the past. It is quite possible that relationships that accurately described the earlier era may no longer obtain given the increased polarization. We now turn to an application of these ideas to the three aspects of presidential-congressional interaction.

Agenda Setting and Presidential Success

Edwards and Barrett (2000) argue that setting the congressional agenda is important because items not under consideration have no chance of passing. For the president, then, getting his proposals on the agenda is a necessary condition for success in the legislative arena. Edwards and Barrett find that during the period of their analysis (1953–96) the president virtually always got his items on the agenda. The data for this study, however, include only two years after the GOP took control of Congress and polarization increased substantially. Did the same pattern obtain in later years? Moreover, even if the pattern persists, if the president refrains from making proposals because he perceives they have no chance, that is the functional equivalent of failing to get proposals considered. We will further consider this aspect of the endogeneity of the agenda at the end of this section. Another important consideration that we will discuss in connection with divided government is the significant impact polarization has had on the president's success in getting his proposals on the agenda.

Agenda-Setting Strategies

Edwards (2002) argues that especially in a more polarized era, as the complexity of a bill and the amount of proposed change from the status quo increases, opposition to the bill also increases. There are several strategies, then, that a president may utilize in setting his agenda. First, he may decrease the complexity of the bill or not stray too far from the status quo. Second, he may try to pass legislation through quiet negotiations with congressional leaders. Third, he may go public and take the case to the people, counting on their support for the president translating into a favorable vote for the president from their representative.

The relationship between the president and his party leaders in Congress also is important in the president's attempt to pass his legislation. Covington, Wrighton, and Kinney (1995) argue that the president may be able to affect legislative outcomes through his congressional party leaders' influence on the rank-and-file members. Edwards (1989, 34) asserts that, "if the party leadership [in Congress] is less dependable, if his fellow partisans in Congress are less amenable to his leadership, then the chief executive is more likely to be restricted to the more modest role of facilitator." Edwards argues that the president's leadership of his party must be a priority in his overall strategy. He must establish himself quickly and firmly as party leader in order for his party members to be counted upon for support (see also Bond and Fleisher 1990; Fleisher and Bond 2000).

Agenda Setting and Presidential Success in a More Polarized Era

It is difficult to imagine that the increase in polarization has not affected presidential agenda setting and legislative success, as intra- and interparty dynamics are significant determinants of both. The most relevant effect can be seen in the party elite, where the amount of diversity within and overlap between the two parties has significantly decreased. Although loyalty to the president of their own party is never a given, members consistently voting with their party is much more commonplace and expected than in previous eras. Barefoot Sanders (1967, 1), the director of legislative liaisons in the House from 1967 to 1968, notes that "These [northern Democrats] are usually solid Administration votes ... the principal need is for increased personal attention to their individual problems and frequent massage-type visits to let them know of our continuing appreciation for their support."

Thus, although the president must maintain responsiveness to his core partisans, maintaining such relationships is much easier than both trying to establish new ones with cross-pressured members or the opposition and expending the resources to gain their support. That is, starting out with a substantial level of solid loyalty and shared preferences with his base in Congress is a much easier way for the president to begin a

vote than by facing a sizeable opposition or large groups of undecided members with which he must negotiate to change preferences. Recognizing this will, in turn, influence (p. 297) the president's decisions on the content of his agenda. The larger and more dependable the group of core supporters in Congress is, the more ambitious a president can be in fashioning proposals with a realistic chance of success. On the other hand, with fewer core supporters we would expect a more modest and limited agenda.

Considering the increase in member loyalty and decrease in intraparty diversity, is it easier for presidents in the polarized era to gain support for their legislation? On the one hand, current presidents have a more solid partisan base from which they can build their legislative coalition. With decreased interparty overlap, however, presidents are less able to appeal to members of both parties. The core legislative coalitions, in addition, are more stable than in previous eras; because fewer members find themselves cross-pressured, fewer members oscillate between sides on issues. Thus, presidents in a more polarized era find it more difficult to craft bipartisan coalitions on matters that are salient to the parties. Although presidents' party bases are more secure from issue to issue, if their base does not constitute both a numerical and legislative majority, then they have a much more difficult time in appealing to members of the opposing party than earlier presidents. Covington (1988) argues that a president's successful coalition-building efforts often depend not on his base, but rather on the marginal sources of support: cross-pressured members of Congress. If this is the case, then current presidents should have a more difficult time in building legislative majorities, all else equal, because there are fewer marginal sources of support to approach than there were for past presidents.

The consequences of changes in the nature of majority legislative coalitions through polarization—from broad and diverse to narrow and comparatively cohesive—is one important focus for future research on agenda setting and success. Although under unified government the president would have more party members as potential allies in the former case (e.g., Carter), partisan theories of legislative organization contend that the enhanced powers granted the majority party's leaders in the latter case may more than compensate in the struggle over policy outcomes.

Thus, it is not necessarily the case that all the implications of polarization are to undermine presidents' ability to achieve their legislative goals. Another feature of legislative interaction that may be affected in the opposite direction is the veto. Charles Cameron (1999) led the way in applying formal theory and systematic quantitative analysis to the study of vetoes and renewed scholarly interest in this presidential power (see also Krehbiel 1998; Gilmour 2002; Conley 2003; Cameron and McCarty 2004). Space limits preclude extended discussion of this literature, but we must note that Sinclair (2006, 247) shows that as polarization has increased, use of veto threats on major bills has also grown, although the increase is confined to divided government situations.

Of course the veto is an effective blocking tool for a president as long as he can maintain the support of a third of one chamber, but it can also be used as leverage to extract concessions toward the president's preferred position when the Congress's desire to pass

a bill is sufficiently strong (see Sinclair 2006, 248). (Cameron 1999 termed this process “veto bargaining.”) Polarized parties in Congress have thus strengthened the president's hand in this regard and increased the attractiveness of (p. 298) veto threats as a strategy because it is more likely that the president can hold the support of a sufficiently large portion of his party to make the veto a credible threat. Moreover, as Evans and Ng (2006) show, the interaction involving veto bargaining is not only related to the desire to affect the content of bills, but is also related to each party's message strategies to influence public opinion and, in turn, future elections.

Ornstein and Fortier (2002) direct attention to another feature of this more polarized era: September 11, 2001. They (2002, 50) argue that in terms of agenda setting and presidential success rates, “September 11 changed everything.” They assert that Bush's education reform might have passed by a slim margin but that the rest of his agenda would have been in trouble. Once the war on terrorism became the focus of Bush's agenda, “the nation united, and bipartisanship became the watchword in Congress” (Ornstein and Fortier 2002, 50). Bush's approval ratings soared as the partisan interests in Congress decreased significantly and both Congress and the public rallied around the flag. As subsequent developments in the 2002 midterm elections and later revealed, however, the bipartisanship was generally short lived. Conflict over domestic matters quickly returned and intensified, and then extended to national security issues as public support for the war in Iraq waned. These later developments suggest the events of 9/11 had not given the president new leverage with the opposition party in the legislative arena on national security matters, but future research will have to assess the relationship across the full range of issues.

Measurements of Presidential Success

The increase in polarization has added another complication to the measurement of presidential success. If, as we have contended, politics is different in the more polarized era, how does this affect the comparisons across presidents in different eras of polarization? Does the fact that presidents in the polarized era face different challenges in coalition building than earlier presidents, for example, create problems in making comparisons across time? If the difference in politics between the two eras has contributed to differences in the ability to form successful coalitions, then comparing the influence of presidents across time on this issue may be complicated. Sullivan (1988), in seeking to accurately measure presidential influence within Congress, argues that a key factor in such an analysis is to distinguish the position changes of members that are due to the members' personal decision making from changes that are due to actual presidential influence. He finds that President Johnson built bipartisan coalitions by converting the positions of members from his opposition's base. Was part of Johnson's success due to the fact that the opposition party's base in the pre-reform era was closer to the center of the ideological spectrum than the parties' bases are now?

The President and Congressional Parties in an Era of Polarization

Edwards (1989) argues that in analyzing questions of this nature, policy agreement must be the main research focus. Members of the same party typically share many policy preferences and this has only been magnified in the polarized era. If the president simply has taken stands that are congruent with the normal policy positions of his party members in Congress, then is the president truly needed as the party leader? Is the (p. 299) president's role as party leader diminished when he does not have to mobilize his party members but rather only propose the issues with which they all agree?

Krehbiel (1993) seeks to assess more accurately the primary legislative function of parties: whether they can pass legislation that is different from laws that would be passed in the absence of parties. Krehbiel (1993, 238) asks that when casting party-line votes, "do individual legislators vote with fellow party members *in spite of their disagreement* about the policy in question, or do they vote with fellow party members *because of their agreement* about the policy in question?" He concludes that although parties are important contributors to the legislative process, partisanship does not explain much variation in outcomes at different stages of the construction of legislative policy.

Writing in the middle of the increase in polarization, Krehbiel (1993, 261) argues that "as party ties weaken among voters, congressional candidates are less conspicuously party-affiliated during an ever-present electoral cycle ... Eventually, electorally grounded non-partisanship invades the legislature." If, as we have contended, however, the increase in polarization has affected both party elites and the mass public, then the non-partisanship Krehbiel spoke of rests on a shaky foundation. Indeed, Bartels (2000) shows that the relationship between party affiliation and voting behavior has grown stronger in more recent presidential elections.

One challenge that faced presidential researchers prior to the polarized era is the significant amount of individuality unique to each president. These individual personality traits, leadership styles, and overall characteristics specific to each president can make comparisons between the leaders challenging. When applied to presidential-congressional relations, for example, was President Johnson more successful than Carter in getting his legislation passed because of factors such as the ideological composition of Congress and public sentiment toward Congress and the president, or because Johnson had a more persuasive leadership style unique to him? Similarly, one important question that the full consideration of George W. Bush's administration will have to address is the degree to which his decision to focus on a highly partisan strategy in dealing with Congress was strategic and, if so, whether it undermined or enhanced the enactment of his priorities.

The political environment also plays a part in this question because we often are forced to use controls for outlying events such as foreign conflicts and assassinations. For instance, can we rightfully compare George W. Bush's legislative record in the period directly after September 11 to another president's during a period of international stability? The combination of the reformed presidential nomination system of the 1970s and subsequent increased polarization may have led to presidential nominees that, while still

representing the center of their parties, represent more extreme points on the ideological spectrum. Note that George W. Bush is the only president initially selected since 1994. Krehbiel and the increase in polarization that followed from the partisan shift that year. Clinton (and his running mate) had sought support on the grounds that they were different from and more moderate than previous nominees. That has not been a successful theme in either party since Clinton's nomination.

(p. 300)

These developments offer reasons to question the current applicability of findings regarding presidential-congressional relations and presidential party leadership that were derived from analyses before polarization. They suggest the need to consider the impact of additional variables that are unique to presidents and presidencies in the more polarized era. These include, among others, a conflictual and divergent political context, leadership and governing styles that are rooted in ideology, and elite policy preferences that are closer to the extremes of the spectrum.

In addition to this type of reconsideration, however, we think that the adequate assessment of the relationship between agenda setting and partisan success requires some new approaches. Specifically, we believe that not enough attention has been paid to what is the central object of the legislative process: the substance of legislation. To be sure, there have been case studies of a number of bills that have produced useful details. There has not, however, been the same kind of systematic attention to legislative content as there has been to bill adoption or roll-call success.

Presidents and members of Congress seek to pass bills that contain particular policies and programs. Disagreements over the particulars of these features are often the focus of political conflict between the parties (or potentially between the president and his party's leadership). Who is successful and who is not, and to what degree, depends on the details of legislation Congress adopts. For example, when Bill Clinton and the 104th Congress battled over the passage of welfare reform, three successive bills were concerned involving two vetoes. Each of these bills was a Republican proposal, and in the end the president signed a bill he did not like very much. However, the final proposal that became law had moved closer to Clinton's preferences in many respects. He was more successful than he would have been had the first bill become law, but we can only judge these matters of relative success by focusing on the bills' specifics. Knowing who made an initial proposal that passed is useful information, but it often will not tell us what is most relevant because the content of the final bill may differ greatly from the original proposal. For example, in Nixon's first Congress (1969-70), he threatened to veto three of his own proposals because congressional Democrats had altered them substantially (Conley 2006, 171). We suggest that future work should seek to expand on the insights of the agenda-setting research discussed above by focusing on the sources of specific legislative proposals and on which of them were actually included in the bills that were adopted. Such analyses would provide a firmer assessment of the relative influence of the president and congressional party leaders over what ideas were under active

consideration for final policy. While the work of Edwards and Barrett discussed above provided much new information, the criterion of a proposal having received legislative hearings sets a low bar for inclusion as an agenda item. Indeed, a congressional majority from the opposite party may have only held a hearing to berate the administration about its proposal.

In addition, developing a list of specific policy proposals would facilitate attention to another feature of the legislative agenda that has received relatively little attention: matters of priority and saliency. The quantitative research on agenda setting and success, whether concentrating on bills proposed or individual roll calls, has generally (p. 301) treated each item as equally important to the actors. Yet we know that presidents and congressional leaders regard various items differently. Indeed, variations in priority are often a basis for bargains across pieces of legislation. Various sources, such as public speeches and Statements of Administration Policy (SAPs), can offer indications of which proposals have the highest import for presidents and party leaders. Thus a focus on specifics would offer a variety of ways to assess better the legislative consequences of the strategic choices of the president and the party leaderships with regard to proposing and adopting policy options, and thereby the impact of presidential leadership on congressional parties.

One significant effort to consider legislative details is the work of Brandice Canes-Wrone (2001, 2005). In her analyses, Canes-Wrone compares presidential budget proposals to final appropriations to measure the degree to which final legislation reflects the president's preferences. This work has been justly praised (see Howell 2006, 312–13; Howell also notes the general difficulties of measuring the match between policy and presidential preferences). It is important to note, however, that spending measurements capture only one aspect of policy, even in spending bills. For example, in the struggle over the budget in 1995–6 that led to the government shutdowns, the tax and appropriations bills that were at the center of the fight involved both amounts of money and substantive policy, mostly due to legislative riders in the appropriations bills (see Aldrich and Rohde 2000b). If the final results of this battle had been legislation in which every appropriation amount matched exactly Clinton's proposals, but all of the legislative changes proposed by the GOP had been included, the administration would probably not have seen it as a presidential victory. It would be highly desirable if the substantial insights offered by Canes-Wrone's budgetary analysis could be built on by studies that tried to measure the qualitative aspects of final legislation and to employ those measurements in systematic analysis.

Going Public

As noted above, Edwards (2002) indicates that one strategy of presidential influence in Congress is going public. Kernell (2007, 2) defines going public as “a strategy whereby a president promotes himself and his policies in Washington by appealing directly to the American public for support.” Tulis (1987, 4), in introducing the rhetorical presidency, similarly states that “since the presidencies of Theodore Roosevelt and Woodrow Wilson, popular or mass rhetoric has become a principal tool of presidential governance. Presidents regularly ‘go over the heads’ of Congress to the people.”

Fett (1994) contends that if a president reveals his preferences and makes an issue well known to the public, then legislators may be forced into a constituency-oriented (p. 302) voting pattern on the issue. By publicizing an issue, the president increases the chances that his issue will become more salient to members' constituencies. Because the member does not want to hurt his reelection chances, he most likely will vote with his constituency on the issue. For the president, this strategy is successful if his issue preferences coincide with a majority of constituency preferences. Accordingly, this scenario most likely arises on party-line votes. The president mobilizes his core partisan supporters while ostracizing his core opponents, as they most likely represent constituencies whose preferences are not aligned with the president's.

Ornstein and Fortier (2002) examine how going public focuses on the costs of non-compliance rather than the benefits of compliance. They note that in 2001, George W. Bush traveled to states in which he had received strong electoral support but whose members were wavering in their presidential support. Although this strategy backfired in some cases—the visits induced some constituency voting patterns that were unfavorable to the president—Bush did pick up several Democratic votes in future legislation. In contrast to Ornstein and Fortier's focus on campaigning, however, Edwards (2003) concentrates on presidents' speeches and concludes that instances of those speeches moving public opinion substantially, either on evaluations of the president or support for specific policies, are rare if not non-existent.

The juxtaposition of these two analyses suggests future lines for additional research. Edwards convincingly demonstrates that presidents' opportunities for making gains in public support via speech making are limited. However, that is not the only avenue for going public. There can be alternative strategies or purposes that reflect broader interests, some of which are connected to rallying or maintaining party support in Congress. For example, the president's purpose may be to shift public attention away from a politically disadvantageous issue not discussed to the subject of a speech. Or the president may be trying to stave off a decline in support from his base, rather than the more ambitious goal of increasing support. Strategically, the president may focus on campaigning rather than speeches, as Bush did in 2002 when he used the campaign trail

The President and Congressional Parties in an Era of Polarization

to force the Democrats to capitulate to his proposals for structuring the Department of Homeland Security. There are other possibilities, but assessing the success of such efforts requires more information about the particulars of each situation.

Once the president has gone public, he has publicly stated his issue position and has little room to compromise with Congress members without being accused of waffling. In this situation, the president reduces his ability to compromise; the members are the only ones left with this option. Reflecting one of the downsides of more homogeneous party coalitions, the president may risk his reputation, especially with his core supporters, by publicly contradicting his original issue position. "Staying private" (Covington 1987), then, by negotiating with members out of the public eye may help to avoid the appearance of contradictions. The need to stay private rather than go public thus may be greatest when, in order to compromise for support on final passage, the president must contradict positions taken earlier in the bargaining process.

(p. 303)

Going Public in a More Polarized Era

The possibility of staying private on an issue in order to keep necessary issue contradictions equally private also raises questions. In this polarized era with a ubiquitous media presence, it is unlikely that these presidential position contradictions would not be made public at some point. In the 2004 election especially, the effort to exploit “flip-floppers” was quite visible. In order to gain electoral and party image advantages, the opposition may jump on the opportunity to reveal a presidential contradiction made obvious during the bargaining process. In this era, then, the negative consequences may be growing quite similar for going public or staying private when the president contradicts himself.

In addition, the increasingly conflictual political environment, largely a result of greater polarization, has decreased the president's ease in crafting bipartisan coalitions. Although staying private may be a plausible strategy for the president when crafting a bipartisan coalition, he must take into consideration one of the most significant elements in the polarized era, the motivated opposition. The president is not the sole determinant of whether an issue becomes salient. The opposition may want to increase the saliency of an issue that is disadvantageous to the president. To be sure, the president can do his part in not acting on an issue and trying to keep the issue from becoming publicized, but just because the president does not want an issue to become salient does not mean that it will not. In fact, the president's reluctance to publicize an issue may signal political weakness to the opposition and serve as motivation for them to go public.

So what is it precisely about modern politics that encourages presidents to go public? Kernell (2007, 71) argues that going public is a more fitting strategy for modern presidents for three main reasons: the current political relations discourage quiet and considerate bargaining; presidential nomination reforms have led to presidents who are more inclined toward and skilled at public relations; and the increased regularity of divided government has introduced a “zero-sum game that shrinks the availability of mutually acceptable policies and otherwise makes bargaining risky by rewarding renegeing.”

The regularity of divided government in light of greater polarization may have increased the appeal of going public rather than bargaining, as the odds of the president succeeding by going over the heads of his political opponents, though limited, may appear greater than by bargaining with them. It seems that the reformed presidential nomination system made it easier for extreme candidates to be sent to the presidency than in the pre-reform era. In the wake of subsequent polarization, presidential nominees still may represent the ideological center of their party, but the parties themselves have tilted toward the extremes of the ideological spectrum. Thus, what qualifies as the center of the parties in the polarized era may have been the extremes in the pre-reform era. The

The President and Congressional Parties in an Era of Polarization

combination of increasingly ideologically divergent parties with increasingly common divided government has lessened the appeal of bargaining in favor of going public.

Under unified government, the president and congressional leaders have incentives to appear cooperative by settling disagreements harmoniously and in private. Party differences are resolved knowing that the higher collective good of the party image is the most important priority at stake. In this situation, then, going public can be costly to the party's reelection chances (as, for example, in Bush's efforts to pass immigration reform in 2006); staying private is the preferred strategy. Under divided government, however, a different dynamic arises. Negotiations move from the private to the public arena and politics becomes a more zero-sum game. The main priority often changes from policy to electoral advantage, significantly changing the political incentives. Kernell argues that presidents use going public for the same positive reasons that they bargain: to pass a bill, ratify a treaty, etc. Under divided government in this partisan era, the chances of cooperation so that the president can achieve these goals are very slim on a range of major issues. Constituent pressure may be one of the only ways in which opposing members will support the president.

Kernell hints at the effects that the increased polarization may have on the strategy of going public. In order to go public successfully, two key components must exist: the president must first mobilize public opinion and the public in turn must influence their representatives. With the increase in partisanship, however, members have become less susceptible to "political breezes the president can stir up in their constituencies" (Kernell 2007, 216). In addition, presidents in the more polarized era may need to adopt a counter-intuitive strategy when going public. With the increase in polarization, the president's support from his base is nearly a given as is the opposition from the other party's base. Given these two probable conditions, the independent voters are the ones left for the president to target. A highly partisan targeting strategy is unlikely to sway independent voters and, in fact, may undermine the president's ability in the long term to influence this group's vote. (Research on Bush's governing strategy, and on those of Obama, will help to shed light on the probabilities of success these strategic options offer.) With greater polarization, then, one going public strategy the president might consider turning to more often is that of playing down exactly what helped him get to the White House in the first place: his partisanship. Yet the types of people selected as presidential nominees, coupled with the need to avoid alienating the partisan base, may undermine the feasibility of such a strategy.

Divided Government

A segment of the literature that is particularly relevant to this discussion involves the consequences of divided government. Since David Mayhew's pathbreaking book was published in 1991, researchers have focused a great deal of attention on the matter. (He updated his analysis with a second edition in 2005.) Mayhew was interested in divided government both because of its increased frequency and because many observers regarded it as consequential for the operation of government. He (1991, 1-3) (p. 305) noted that analysts from Woodrow Wilson to contemporary political actors shared the expectation that divided government would reduce the likelihood that important legislation would be enacted, while unified government (either because of the acceptance of presidential party leadership or due to shared preferences) would increase the likelihood. On the other hand, these analysts expected that divided government would increase the incidence of congressional investigations, as the opposition party sought political advantage.

Based on his analysis, Mayhew concluded that divided government neither significantly decreased the likelihood of passing major laws, nor increased the incidence of high-publicity congressional investigations. While subsequent research did not challenge Mayhew's most basic conclusion that important legislation can pass under both divided and unified government, the evidence from many varied perspectives indicates that divided government is less likely to be legislatively productive (Edwards, Barrett, and Peake 1997; Binder 1999, 2003; Howell et al. 2000). Moreover, the recent research reveals a variety of ways in which this tendency is likely to be reinforced in the context of high partisan polarization.

Divided Government and Polarization

Work by Conley (2002, 2006) offers some of the most current evidence on these issues. Building on previous analyses, Conley (2006, 152) focuses on “the ways in which unified or divided government *does matter* for presidential leadership.” He argues that the impact of divided control is more varied than that of unified government, particularly over time. He (2006, 164–7) shows, for example, that while there is relatively little temporal variation in presidential success on roll calls under unified government during the post-war era, success has declined substantially in the “postreform/party unity era” (1981 on) compared to earlier periods. Furthermore, regarding this later period, he (2006, 172) concludes that “few landmark bills [using Mayhew's classification] are consistently connected with the president's stated policy objectives.”

These results illustrate the consequences of the transformation of majority party power in Congress that has both resulted from and reinforced polarization. Given these institutional changes, the president is less able to focus the Congress's attention on his priorities when government control is divided. For example, Edwards and Barrett (2000, 122) show that in the 100th and 104th congresses almost none of the potentially significant bills on the congressional agenda were presidential initiatives. On the other hand, these same majority powers can guarantee serious consideration for virtually all presidential initiatives under unified government.

Furthermore, the decline of the proportion of moderate members in both chambers that has accompanied polarization makes it more difficult to secure the legislative compromises that are likely to be necessary under divided control to secure passage of important bills. Binder's (2003, 68) analysis shows that a one standard deviation increase in the proportion of moderates decreases the probability of (p. 306) gridlock by 9 percent, nearly the same as a shift from divided to unified government. Moreover, this consideration is closely tied to the kinds of candidates that are chosen by the parties to run for office and the kinds of strategic choices they make once elected. George Bush deliberately chose a highly partisan governing strategy (Sinclair 2008, 168) for his presidency. It is certainly true, as Fiorina (2008) argues, that this was not an inevitable consequence of polarization. We would argue, however, that current conditions make it more likely that someone like Bush (or a Democratic counterpart) would be nominated, and more likely that a strategy like Bush's would be chosen. Similarly, polarized politics would seem to increase the probability that the congressional nominating process will result in the choice of candidates who manifest the intense personal dislike for members of the opposition party that has characterized the Congress over the last two decades. This in turn makes legislative agreement more difficult under divided government, over and above the effects of policy disagreements and conflicting electoral interests.

Comparisons of the varying strategic contexts during the Clinton and George W. Bush administrations will help to discern better the consequences of divided versus unified government, especially if part of the focus is on legislative specifics as suggested above.

The President and Congressional Parties in an Era of Polarization

The key issue here is not whether there are major bills adopted under each regime as Mayhew asserts. That is too minimalist a criterion. Rather we want to know whether there is systematic variation in the frequency of major policy initiatives being adopted and in the content of those initiatives, and whether those patterns have been altered by polarization.

Bush, in the wake of his reelection, claimed that he had political capital and intended to use it. Yet his waning approval appeared to have undermined his ability to rally his own party and to overcome Democratic resistance, leaving the administration with few significant victories in that Congress. After the 2006 elections, on the other hand, Bush was much more able to maintain his party's support in blocking Democratic initiatives, permitting the president to exploit fully his advantages in veto bargaining. This suggests that polarization may enhance the president's influence under divided government when the only goal that will often be feasible is to prevent the opposition from making significant departures from the status quo. Under unified government, on the other hand, where the president's ambition is to rally his co-partisans and induce Congress to adopt his new initiatives, the president's success will be dependent not only on his party's majority control, but also on maintaining significant public support. Without those conditions, especially with the current era's narrow majorities, his congressional partisans will likely be resistant to following his lead; they will think instead about maintaining their majority and their individual seats.

In addition to the consideration of passing legislation, research on divided government would profit by attention to Mayhew's other focus: investigations. There has not been much research on congressional oversight since the growth of polarization. Mayhew (1991) argues that the evidence shows that divided government does not lead to significantly more congressional investigations of the executive than unified government. Mayhew, however, focuses only on "high-publicity" investigations of (p. 307) topics that are already salient to the public. His results do not deal with the more routine and more numerous enquiries that are less visible to begin with, but could reveal politically damaging information. Public pressure will always compel Congress to investigate salient events like 9/11, but that does not mean they will investigate waste of aid to Iraq, formaldehyde in Federal Emergency Management Agency trailers, or the politicization of the executive branch (investigations of all of which were launched by rep. Henry Waxman (D-Calif.) in 2007). Moreover, some recent work on high-profile investigations indicates that even in that narrow category divided government yields more and longer hearings in both House and Senate (see Kriner and Schwartz 2008). More systematic attention to this subject, including comparisons of the 1980s and earlier to recent congresses, could give us a clearer picture of the consequences of partisanship and polarization for policy implementation and presidential unilateralism (Rudalevige 2006), and whether presidential party leadership in the current era may short-circuit the operation of this aspect of checks and balances.

Conclusion

In this chapter, we have sought to explore the potential effects of partisan polarization on presidential-congressional interactions within and between parties, and to reflect on the implications of those possible effects for previous theoretical arguments and empirical findings. In closing, we should offer some caveats about these arguments to avoid misunderstandings. First, we are not claiming that all legislative matters have become partisan. Despite increased polarization, much—indeed most—legislation involves little or no conflict (Aldrich and Rohde 2005, 263). However, most legislation that is highly salient to the president, the Congress, and the public is more likely to involve partisan conflict than was true twenty-five, or even fifteen, years ago. Furthermore, we do not imply that all legislative conflict has a partisan cast. It is still possible for parties to be internally divided on important issues, as recent battles over immigration reform and efforts to regulate greenhouse emissions demonstrate. But it is also true that such issues are fewer and less damaging to intraparty homogeneity than used to be the case. Thus, the implications of polarization we have considered are relevant to a large and important share of the political agenda. On those bills the president is likely to have naturally the vigorous support of his party's congressional leadership and the equally automatic opposition of the other party's leadership.

Obviously this is just a beginning of the discussion, and no firm conclusions can be offered. We have argued that both theory and preliminary evidence suggest that polarization among voters, activists, and elites has probably affected political interactions and policy by changing the political context, the preferences and goals of relevant political actors, and the institutional structure. Thus, we believe that (p. 308) students of presidential-congressional relations must think systematically about the relevance of polarization for existing theories. In addition, we must conduct new empirical analyses that parallel those that produced the most convincing patterns of evidence about the past to determine whether those relationships still hold in this arguably very different situation.

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Notes:

(1) See, for example, Rohde (1991); Aldrich and Rohde (1997-8, 2000a, 2000b, 2005); Sinclair (1995, 2006). Not all analysts, however, are convinced that these institutional changes have consequences over and above the effects of the distribution of preferences. See Krehbiel (1993, 1998) and Brady and Volden (2006).

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