and empirically, I have ended by relating the new model to my data on congressmen's voting decisions.

There may be a wider applicability of the key concepts presented here beyond the case of legislative voting, in the sense that wide varieties of decision-makers may use versions of a similar general approach to their decisions. Legislators, bureaucrats, judges, and others may all be thought to search for consensus in their environment, to subset that environment in the event that agreement is lacking and to search for consensus within the most critical subset, to identify their most important goals and ask if there is agreement among them, and to get into more complex decisions if these simpler rules fail them. The well-known use of standard operating procedures in bureaucracies, for example, may be due to consensus among the relevant actors in the bureaucrat's environment — his superiors, the agency clientele, his coworkers, his professional associates outside the agency —

that given SOP's are appropriate for a given class of cases. Or judges deciding on sentencing of convicted defendants, for another example, have been found to impose the sentence recommended by police, prosecutor, and probation departments if the three agree; if they do not agree, the judge must enter a more complex set of decision rules. Legislative behavior exhibits similar characteristics: when various important influences agree, the voting decision is made; when they do not, the voter is said to be under "cross-pressure," and the decision becomes more complicated. Space does not permit an extended discussion of the possible applications, but it is worth noting that the model presented here may represent a general decision strategy, an approach to decision-making, which is widely used. Thus this work hopefully contributes not only to further understanding of legislative behavior, but also to the general building of theory about decision processes.

CHAPTER TWENTY-SEVEN

Pivotal Politics

A Theory of U.S. Lawmaking

Keith Krehbiel

Krehbiel develops a simple, spatial model of lawmaking in the U.S. Congress. He argues that focusing on the policy positions of "pivotal" voters such as the person crucial to ending a filibuster or overriding a presidential veto, instead of divided government, is the proper way to study the causes and consequences of legislative gridlock.

Who is pivotal in U.S. lawmaking? This is a difficult question insofar as "the United States has the most intricate lawmaking system in the world." However, based on the hope that even a simple theoretical answer to a difficult question is better than no answer at all, this chapter introduces a theory of pivotal politics that is unabashedly elementary by contemporary modeling standards. The theory not only answers the question of who is pivotal in U.S. lawmaking but also generates a sizable set of empirical implications. After a brief overview of the general properties of good theories — assumptions, results, and interpretations — this chapter turns to their specific manifestations in the pivotal politics theory.

ASSUMPTIONS

Assumptions of the theory cover preferences, players, policies, procedures, and behavior.

These can be addressed in varying degrees of mathematical precision and generality. Here I opt for a relatively informal and example-based exposition.

Policy Space

Collective choice occurs via voting over proposals or policies that can be arranged on a line. That is, the *policy space is unidimensional*. It is convenient and intuitive to think of the policy space as a continuum on which liberal policies are located on the left, moderate policies are located in the center, and conservative policies are located on the right. Because the policy space is continuous, it is possible to consider policies at any point between liberal and conservative extremes. Finally, an exogenous *status quo point, q,* reflects existing policy and can be interpreted as the outcome from a prior period of decision making.

Players and Preferences

Players in the game are generically referred to as *lawmakers* and include a president and *n* legislators in a unicameral legislature. Each player has an *ideal point* in the policy space, that is, a policy that yields greater benefits to the player than all other policies. Each player's preferences are *single-peaked*, meaning that as policies in a given direction farther and farther from an
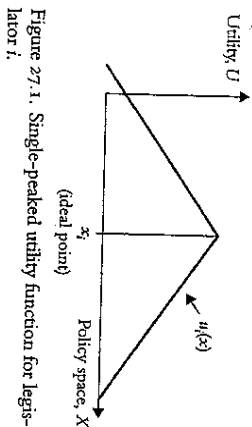
Keith Krehbiel

Figure 27.1. Single-peaked utility function for legislator i.

individual's ideal point are considered, utility for that player never increases. Figure 27.1 shows a simple example of one player with an ideal point x_i, and a single-peaked utility function $u(x)$. For convenience and spatial intuition, it is helpful further to assume that utility functions are symmetric. Therefore, for any two policies y and z in the policy space, a player always prefers that policy which is closer to his ideal point.

Procedures

In contrast to generic pure-majority-rule voting models, the capacity of politicians to enact policies in this theory is tempered by two *supermajoritarian procedures*: the executive *veto*, and the Senate's *filibuster* procedures. The U.S. Constitution confers to the president the right to veto legislation subject to a $^2/_3$ majority override by the Congress. Similarly, the Senate's Rule 22 confers to each individual the right to engage in *extended debate* (filibuster) subject to a $^3/_5$ vote to end debate (invoke cloture). Under configurations of legislative preferences to be specified, the filibuster, too, effectively raises the voting requirement for policy change.

Pivots

Webster's New World Dictionary defines a *pivot* as "a person or thing on or around which something turns or depends." This commonsense definition transports well into the pivotal politics modeling framework. The "something" that depends on the pivots in the theory is collective choice, that is, the law. The focus of

the modeling exercise is to discern which of n legislators or the president is pivotal in various lawmaking situations and why.

Among the n legislators (for convenience, n is odd), two players may have unique pivotal status due to supermajoritarian procedures, even though these players possess no unique parliamentary rights. A third player, the median voter, is also singled out for baseline purposes. These are illustrated in Figure 27.2, which shows an eleven-person legislature and a liberal president. The key pivots in the most basic version of the pivotal politics theory are the *filibuster pivot* with ideal point f and the *veto pivot* with ideal point v. These are defined with reference to the president, whose ideal point is p.

If, as shown, the president is on the left (liberal) side of the median voter m, then the veto pivot is the legislator for whom his ideal point and all ideal points to his right make up exactly or just more than $^2/_3$ of the legislature. The number of ideal points to his left therefore make up no more than $^1/_3$ of the legislature. For the eleven voters in Figure 27.2, for example, the veto pivot is the fourth voter from the left. A similar definition can be given for a president on the right (conservative) side of the median voter m.

The definition of the filibuster pivot follows a similar fractional algorithm. If the president is on the left (liberal) side of the median voter m, then the filibuster pivot is the legislator for whom his ideal point and all ideal points to his left make up exactly or just more than $^3/_5$ of the legislature. The number of ideal points to his right, then, make up no more than $^2/_5$ of the legislature. For the eleven-voter case, this would be the seventh voter from the left, as shown in Figure 27.2. If the president were instead on the right (conservative) side of the median voter m,
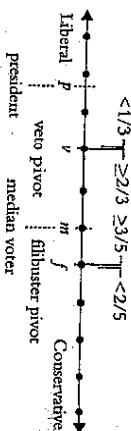

Figure 27.2. Pivotal legislators if the president is liberal.
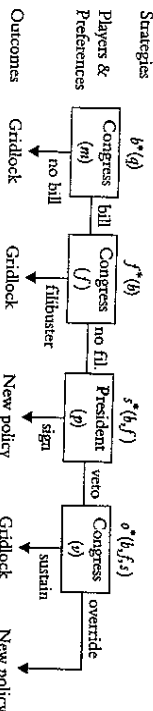
Pivotal Politics: A Theory of U.S. Lawmaking

Figure 27.3. The pivotal politics model.

then the filibuster pivot will be on the opposite side of the median, likewise splitting ideal points into exact or approximate groups of $^2/_5$ and $^3/_5$.

Sequence of Play

A formal version of the four-stage model is shown in Figure 27.3. First, to reflect the strictly accurate procedural fact that it takes only a simple majority to pass a bill in Congress, the median voter of the legislature moves by choosing any bill b in the policy space, or by deciding to accept the exogenous status quo point, q. Though seemingly dictatorial, this one-player choice is more appropriately interpreted as a strategic simple-majoritarian action by the median voter on behalf of all voters with ideal points to one side of m. No restrictions are placed on amendments or on who can offer them.

Second, if a bill, b, is proposed in stage 1, then the filibuster pivot with ideal point f as defined above chooses whether to mount a filibuster, which leads to a status quo outcome, or whether to let the game proceed to the next stage. This one-player choice likewise can be interpreted as a $^3/_5$ minority action even though it is modeled as an individual's strategy.

Third, if the filibuster pivot does not filibuster in stage 2, then the president who is pivotal decides whether to sign or to veto the bill.

Fourth, if the president vetoes the bill, then the veto pivot with ideal point v decides whether to sustain or to override the president's veto. As with stages 1 and 2, this unilateral action represents the behavior of a bloc of voters with identical preferences with regard to the two surviving policies in question — the bill, b, and the status quo, q. Thus, the model condenses a large but plausible simplifying structure.

Behavior

Players in the game are assumed to adopt strategies that maximize their utility, conditional on the expectation that all other players in future stages of the game do likewise. Players know the game, know each others' preferences, understand who is the pivotal voter in any given setting, and adopt optimal strategies accordingly.

Equilibrium and Gridlock

One analytic focal point is on the institutional basis for *gridlock*. To capture not only stalemate in government but also the sense of majority disappointment or injustice that sometimes accompanies it, *gridlock* is defined as the absence of policy change in equilibrium *in spite of the existence of a legislative majority that favors change*.

Parties

No special assumptions are made about the ability of political parties to shape individual lawmakers' decisions. This, admittedly, is a judgment that is likely to be controversial. The present aim is not to preempt or stifle controversy but rather to clarify the issue so that neutral readers can form independent judgments after a substantial amount of evidence is presented. Three preliminary observations are relevant in this regard.

Case 1: The Economic Stimulus Package and the Filibuster Pivot

RESULTS

The war-room mantra for the Clinton–Gore campaign in 1992 was, "It's the economy, stupid!" Democrats campaigned aggressively and effectively on the assertion that the U.S. economy was in bad shape and that, upon the return to unified government, their party could improve it. In the meantime, Democrats alleged that Republicans "just don't get it," which, evidently, is why Democrats added the fourth word to their mantra.

Not surprisingly, an early legislative strategy in the Clinton administration was to try to capitalize on the confluence of unified government, an electoral mandate, momentum, and a honeymoon by proposing an ambitious set of programs that would infuse federal funds into the economy to jumpstart a recovery. The economic stimulus package, as it came to be called, consumed a great deal of the administration's time and effort in the early months. The original bill included high-technology purchases for the federal government, summer jobs for youths and unskilled workers, social programs for the poor, and numerous public works projects aimed at creating jobs and spurring economic development. When bundled together in a supplemental appropriations bill, these goodies came with a price tag of $16.3 billion.

After swift and smooth House passage, the ride got rough for the new administration. A divided vote in the Senate Appropriations Committee was a harbinger for the disagreements on the Senate floor. Surprisingly to some, the first obstacles were put up by Democrats, not Republicans. Fiscal conservatives (and overall moderates) such as David Boren of Oklahoma, John Breaux of Louisiana, and Richard Bryan of Nevada wanted to enact spending cuts elsewhere before appropriating money for the stimulus package. As a compromise, they proposed cutting the cost of the bill in half and coming back to the other half after the normal appropriations process had run its course. Eventually, the three B senators dropped their demands after receiving a letter from Clinton, who pledged to propose spending cuts if Congress failed to meet the deficit reduction targets in the congressional budget resolution. But Republicans were not convinced that a stimulus package was needed, or did not view such pledges as credible, or both. Forty-two of the 43 Republicans signed a letter to Minority Leader Bob Dole promising to initiate a filibuster unless major changes to the bill were made. Several Democrats, too, continued to press for changes, including Dennis DeConcini of Arizona, Herb Kohl of Wisconsin, and Bob Graham of Florida. The threatened filibuster occurred, multiple cloture votes were taken, cloture was not invoked, and, to round up cloture votes and bill support, the bill was eventually diluted nearly beyond recognition. What had been a complex $16 billion omnibus initiative became a simple $4 billion measure to extend unemployment benefits. It passed on a voice vote.

Who was pivotal? The case can be analyzed in the pivotal politics framework to answer this question. As shown on Figure 27.4, the standard liberal–conservative spectrum can be given somewhat more precise labels pertaining to the desired level of government involvement in the economy. Liberals tend to favor high involvement (a large cash infusion); conservatives tend to favor low involvement (status quo or lower levels of cash infusion). Notwithstanding his self-proclaimed New Democrat credentials in other spheres, President Clinton clearly lay on the liberal end of this spectrum, and his initial legislative proposal reflected it. Congress, however, does not take–or–leave presidential proposals as offered, and, besides, it quickly became evident that this proposal would have been left behind – not taken – as originally offered. Thus began a long and tortuous process of diluting

Figure 27.4. f is pivotal on the stimulus package; incremental change.

High government involvement ← $b\ldots$ $b'\ldots$ m p f_q $b''\ldots b^*$ → Low government involvement (60th senator)

the bill ($b, b', b''\ldots$). The parliamentary device that made such dilution necessary for passage of any package at all was, of course, the filibuster. A credible blocking coalition of 41 or more Republicans and moderate-to-conservative Democrats refused to vote to invoke cloture unless and until the provisions of the bill were sufficiently moderate, relative to the status quo, q, that 60 senators preferred the bill to the status quo. In the end, the scope of the package was small. The dramatic "change" that had been promised repeatedly in the election was incremental at best, and the reason it was not larger than incremental is that the supermajoritarian requirement of cloture has the effect of making f, the sixtieth percentile senator, pivotal. Given this, b^*, which leaves the filibuster pivot, f, indifferent between the status quo, q, and the bill, b^*. Given such a bill, cloture is invoked (or the filibuster is called off because the obstructionists know their blocking coalition has been eroded), the bill is passed (by a bipartisan supermajority), and the president signs the bill (even though its content is a far cry from the initial proposal and even a substantial cry from what the median voter in the Congress wanted). In short, while this is not a case of gridlock in the sense of complete policy stalemate, it is a case of incremental change and disillusionment by moderates, attributable to supermajoritarian procedures.

Case 2: Family Leave and the Veto Pivot

As early as 1985, Democrats in Congress argued that the United States was alone among industrial nations in its failure to guarantee parents leaves of absence from their jobs in order to care for their newborns. From the mid-1980s and into the 1990s, however, Republican presidents, backed by small-business interests, argued that mandated family leave would undermine companies' competitiveness by disrupting their day-to-day operations. In the early years of this dispute, Congress threatened to act, or did act, on family leave legislation, only to see their efforts fail to come to fruition. In 1986 and 1987, for example, family leave legislation did

not make it to the floor, although there was some committee activity. In 1988 and 1989, a wider assortment of committees took favorable action on family leave, but the bill languished in the Senate because of filibusters and Senate Majority Leader George Mitchell's inability to muster the requisite 60 votes to invoke cloture.

By 1990 and 1991, congressional support for the idea of family leave had increased. A key development was that moderate Republicans, such as Labor Secretary Lynn Martin and Representative Marge Roukema of New Jersey, came on board and became more assertive in giving the cause a bipartisan voice. Bipartisanship was also facilitated by the growing affinity of Republicans for family values and by considerable weakening of the family leave bill over the years. As a result, proponents obtained greater than simple-majority support in both chambers in 1991. In the Senate, Republican Kit Bond of Missouri proposed a substitute bill to the Democrats' stronger version; the substitute passed 65–32. The House then passed the bill 253–177. In spite of these seemingly comfortable majority margins, however, the bill languished in conference committee in 1991 because the vote margins were not comfortable *supermajority* margins. President Bush was clearly opposed even to the weakened legislation, so congressional leaders opted not to force Bush's hard, which had a firm grip on a veto pen.

In 1992 the conferees met and weakened further their version of the provisions of the family leave bill. The aims were twofold: obviously, to attract still broader support, less obviously (perhaps), to embarrass the reelection seeking president for being on the minority side of what was widely perceived as a majoritarian cause. So, on the eve of the Republican National Convention, the Senate passed the conference report on the bill by a voice vote. Since 65 senators had earlier voted for a stronger bill, a veto-proof majority seemed within reach. (Three of the senators who missed the earlier vote had since voiced support for the bill.) In the House, however, support seemed to be waning by the time the Congress reconvened after the convention. On September 10, the House voted 241–161 to
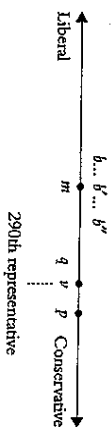
lock.

The veto occurred on September 22. The resulting preelection rhetoric was predictably intense, and the Senate, after four years and 32 vetoes from Bush, finally overrode the president 68–31. House proponents, however, fared less well, falling 27 votes short of the $2/3$ mark. Thus, the status quo (and gridlock) prevailed once again.

Who was pivotal? The $2/3$ voter in the House, or veto pivot v, as illustrated in Figure 27.5. Similar to the case of the economic stimulus package, the history is one of fluid proposals, not take-it-or-leave-it agenda setting. Bill proponents often start with strong proposals to sharpen attention on the issues, float trial balloons, or mobilize support among more ideological legislators. Sequential proposals of this sort are not explicitly captured in the pivotal politics theory. What the theory does say, however, is that given a status quo point and a profile of preferences such as those in Figure 27.5, the veto-pivotal voter with ideal point v must be made to favor the bill or to be indifferent between the bill and the status quo for a new law to be passed. When this is not possible — as was the case in 1992 on the family leave bill and with the status quo, q — gridlock occurs.

In brief, the $2/3$ override provision in the Constitution makes lawmaking difficult whenever the president opposes policy changes that congressional majorities favor. In this sense, the pivotal politics theory captures the central tendency to gridlock in U.S. lawmaking.

Case 3: Family Leave and the Filibuster Pivot

Family leave was a salient election issue during the presidential campaign of 1992. On the campaign trail, Al Gore spoke often of his ability to take time off from the Senate to be with his son who was critically ill after being struck by a car. After the election, the new 103d Congress acted quickly on the new family leave bill. HR 1 passed the House 265–163 on February 3, 1993. The next day the Senate passed its own version 71–27, which the House subsequently accepted 247–152.

Although these vote margins were similar to those of the previous Congress, one thing was much different: the new president favored the bill, so a $2/3$ congressional majority was no longer required. Furthermore, although a $3/5$ majority was still required to overcome a possible filibuster in the Senate, this was not a problem insofar as the Senate had crossed that threshold in the previous year. So, on February 5 — after approximately eight years of legislative efforts — the family leave bill was signed into law. At last, gridlock was broken.

Who was pivotal? The situation is illustrated in Figure 27.6. The old veto pivot v is unimportant in light of the new president, p, who prefers any plausible leftward change in policy. Large leftward changes are still not possible, however, because of the filibuster threat. Therefore the bill, b^*, represents the optimal legislation given the $3/5$ senator's pivotal status. It leaves the filibuster pivot, f, indifferent between the bill and the right-of-center status quo.

Gridlock in Unified Government

In their rapid reactions to the election of Bill Clinton in 1992, journalists such as Richard Cohen hailed the new regime as a "dramatic shift from a divided government stuck in neutral to one in which a single party was operating the vehicle and had well-defined goals."
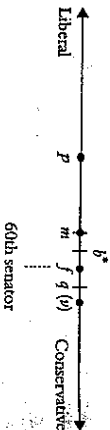
Liberal $b...$ $b'...$ b'' m q v p Conservative

290th representative

Figure 27.5. v is pivotal on the family leave bill: grid-lock.

Liberal p m f q (v) b^* Conservative

60th senator

Figure 27.6. f is pivotal on the family leave bill: grid-lock is broken.

In their rapid reactions to the first half of Clinton's term, however, editorial assessments even offhandedly newspapers were much different. The *New York Times* put it this way: "Bill Clinton and the Democrats have failed to persuade the American people that they [sic] can govern as a party . . . even when [the majority party] has the keys to the Capitol and the White House." *The Washington Post* concurred: "It's back to gridlock . . . of a nasty internecine kind that makes the Bush administration seem like a checkers game by comparison." Even the public seemed to agree, with only 19 percent of respondents saying that Congress accomplished more than it does in a typical two-year period and 52 percent saying it accomplished less. Should this turnabout be surprising? A closer look of the pivotal politics theory suggests that it should not, and thus helps to explain the puzzle of gridlock in unified government.

The theory clarifies the central role the status quo plays in identifying conditions for policy change in a separation-of-powers system, but it can be criticized for two related reasons. First, the status quo is an exogenous parameter in the theory. Second, the theory is multistage but not repeated, thus it is essentially static. How does the substantive conclusion about the probable pervasiveness of gridlock change in a more dynamic setting? For example, is it empirically possible and analytically demonstrable that when divided government gives way to unified government — or, when regimes abruptly switch as in 1992 — the ostensibly rare conditions for breaking gridlock are nevertheless met?

To answer these questions and to try to shed more light on the contemporary political scene, we can conduct a simple experiment in which recent U.S. political history is viewed through the lense of the pivotal politics theory. Specifically, we begin by considering the Carter administration (unified government, left-of-center president). Then, under historically defensible suppositions about how preferences and unified/divided government regimes changed up until the Clinton administration, we identify equilibrium changes in policy over

time. The objective is to obtain a better sense of the real-world likelihood of breaking gridlock by thinking through the prior generation of otherwise exogenous status quo points.

Regime 1

Jimmy Carter was elected in 1976. Along with 292 House Democrats plus enough Senate Democrats to give his party a 61–38 majority in the upper chamber, Carter ushered in the first era of unified government since 1968.

Figure 27.7 represents major regime shifts over the subsequent two decades. The initial question is how much the hypothetical unrestricted initial distribution of status quo points q_i for regime 1 will converge to more moderate policies after just one play of the game for any possible q. The vertical lines in Figure 27.7 represent policy trajectories that pass through specific intervals which, in effect, embody equilibrium behavior that stipulates whether and how policies change. Thus, all interval I status quo policies ($q < 2p_1 - m_1$) converge to the median m_1. Interval II status quo policies map into outcomes between Carter's ideal point p_1 and the legislative median m_1. Interval III is the gridlock interval where, by definition, policies remain unchanged and thus drop straight down. Interval IV consists of status quo points for which the filibuster constrains convergence to the median. And interval V status quos again converge fully to the legislative median.

Upon the occurrence of these events, all new policies x_i, plus old unchanged policies $q_i = x_i$, become stable. Indeed, as noted above, gridlock in this theory is an inevitable feature of any administration which, with the Congress, has made one pass at the major issues of its term. The exercise also yields refined if not alternative interpretations of so-called presidential honeymoons and presidential success. Depending on starting conditions, an administration may indeed be characterized by a flurry of initial and ostensibly successful legislative activity. The prediction of this theory is that such activity inevitably drops off soon. While the drop-off makes the prior activity appear as if it were a honeymoon, the successful passage of legislation in this model is not generated by those forces
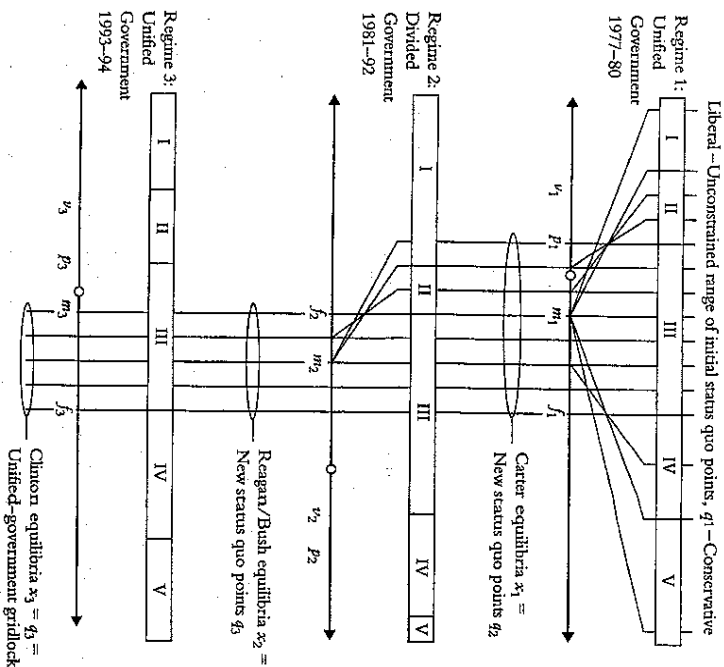
identified elsewhere in the literature as central to presidential power: for example, presidential popularity, prestige, going public, persuasion, or signaling. Rather, it is a more straightforward consequence of old policies being out of equilibrium given new preferences.

Regime 2

Shown in the middle of Figure 27.7, the Reagan–Bush years marked a change not only to divided government ($p_2 > m_2$) but also to a more conservative Congress ($m_2 > m_1$). Now the theory can be applied to the divided-government Reagan–Bush years. In conjunction with the Carter regime of unified government, the Reagan–Bush regime of divided government yields a prediction about whether, which, and how the policy remnants of the Carter years will change.

Carter equilibria x_1 become Reagan–Bush status quo points q_2. The rightward shift of preferences plus the change to divided government also causes the spatial locations of the behavior-determining intervals to change. Some regime 2 status quo policies ($q_2 = x_1$) are much more liberal than the 1980s median legislator ($q_2 < 2f_2 - m_2 < m_2$) and are thus in interval I. Policy changes, but only incrementally.

Regime 3

The funneling effect of liberal policies toward the regime 2 median creates Reagan–Bush outcomes x_2 which serve as status quo points q_3 for Clinton. These are located at or near the median m_3. Given the regime shift in preferences as a consequence of the 1992 election (and, in the case of the Senate, the secular loss of seats throughout the 1990s), the new

Figure 27.7: Quasidynamic properties of the theory.

Liberal—Unconstrained range of initial status quo points, q_1—Conservative

Regime 1: Unified Government 1977–80 — I, II, III, IV, V — v_1, p_1, m_1, f_1
Carter equilibria $x_1 =$ New status quo points q_2

Regime 2: Divided Government 1981–92 — I, II, III, IV, V — f_2, m_2, v_2, p_2
Reagan/Bush equilibria $x_2 =$ New status quo points q_3

Regime 3: Unified Government 1993–94 — I, II, III, IV, V — v_3, p_3, m_3, f_3
Clinton equilibria $x_3 = q_3 =$ Unified-government gridlock

median m_3 becomes more liberal than the old median m_2. Furthermore, we assume that the administration with the automatic ability to move its Clinton-regime filibuster pivot f_3 is the same as that during the Carter-regime f_1.

Piecing these observations and assumptions together, this application of the theory broadly predicts what is appropriately termed *unified-government gridlock*. All history-based status quo points lie in the unified-government gridlock interval III (p_3, f_3), thus no new policies are to be expected.

What actually happened? As always, assessments are somewhat mixed. On the positive/high-productivity side of the argument are researchers who stress that President Clinton received historically high levels of individual-vote-based congressional support and who argue that when the president announced a position on a roll call vote, his position commanded a majority of votes. On the negative/low-productivity side of the argument are observers from a broad spectrum of professions and employers. A more typical sample of wrap-ups follows.

The 103d Congress was going to be different. With one party in control of the Senate, the House, and the White House for the first time in 12 years, and a large freshman class eager to prove that Congress can get things done, it was supposed to be the end of gridlock. But barring a quick burst of activity, it will not be so. (*New York Times* op-ed, "Before Congress Quits," September 20, 1994)

The 103d Congress that began by boasting that it would break gridlock is coming to an end mired in it. (*Wall Street Journal* op-ed, "Glorious Gridlock," October 4, 1994)

With a Democrat in the White House and with Democrats firmly in control of Congress, government gridlock would end. The executive and legislative branches would work together, with a minimum of rancor. That was the prediction. That hasn't been reality. (*National Journal* outline for Richard E. Cohen's "Some Unity?" September 25, 1993, 2290)

Finally, what about the constitutional and weak-party mechanics underlying the modal assessment of the 103d Congress and unified government?

Clearly, unified government does not provide the administration with the automatic ability to move its initiatives ahead.... The administration will appeal to party loyalty, but lacking the ability to command it, will engage in the painstaking process of assembling majorities, issue by issue, in a Congress whose members remain willing (often eager) to assert their constitutional powers. Madison lives! (Rieselbach 1993, 10, 11)

In summary, the exercise in dynamics sheds some light on recent events and provides clear answers to the two broader questions raised at the beginning of the section. How does the earlier conclusion about the probable pervasiveness of gridlock change in a more dynamic setting? It is strengthened. Any given governmental regime, unified or divided, has only so much to do that is politically feasible. Furthermore, when something can be done – that is, when status quo policies are not in the gridlock interval – that which is feasible is typically incremental. Is it, then, empirically possible and analytically demonstrable that, when divided government gives way to unified government, the ostensibly rare conditions for breaking gridlock are nevertheless met? Of course it is empirically possible for unified government to break gridlock. Indeed, this had been the hope and expectation of critics of divided government. This empirical expectation, however, has at best a weak analytic basis within the present framework, and recent events seem to provide at least a weak form of support for the theory.

CONCLUSION

The theory of pivotal politics identifies a single, conceptually tidy, necessary and sufficient condition for breaking gridlock. Policy change requires that the status quo must lie outside the gridlock interval, as defined by the president, filibuster, and veto pivots in theory and illustrated in Figure 27.7 as interval III.

More generally, the pivotal politics theory seems promising. It implies that gridlock is common but not constant, and it identifies

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the condition under which it will be broken. Furthermore, when gridlock is broken, it is broken by large, bipartisan coalitions – not by minimal-majority or homogeneous majority-party coalitions.

The theory has some bonus features as well. Loosely applied, it serves as a rationalizing device for one of the biggest recent surprises

in U.S. politics: a unified government gridlock. Also loosely applied, it provides a sort of lens through which we can better envision other regularities: honeymoons, fast starts, and eventual fizzles within presidential terms; intraterm decreases in the number of presidential initiatives; declining presidential popularity; and frustrations of moderate legislators.

PART IX. CONGRESS AND THE PRESIDENT