

THE President's Cabinet

GENDER,

POWER, AND

REPRESENTATION

MaryAnne Borrelli

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Representation

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THE PRESIDENT'S CABINET

*To Katherine Rita Gilboy
and Philomena Borrelli,
two special women in my family*

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Introduction: Linking Presidency Research and Gender Studies

Personnel are policy. That familiar adage is especially relevant for the cabinet secretaries, who reveal political priorities even before their first decision. To understand the deeper implications of this truth for the departments, the presidency, and society, cabinet nominations and confirmations must be carefully studied.

In this investigation of cabinet secretaries-designate, I argue that cabinet members make perhaps their most notable contribution to the presidency by serving as representatives. It is therefore essential that we understand the factors and events that shape this service.¹ As a starting point, the constitutive functions of representation can be identified as relationship building and communication. A relationship is essential if the representative is, literally, to re-present a people, an interest, or an ideal. To make present those who are absent, understanding and respect must exist between the representative and the represented. Otherwise, the representative will lack the knowledge and credibility to speak on behalf of the represented. And trust is made possible by communication. Representatives “speak for” people because they have previously “spoken to” those persons.²

In selecting the secretaries-designate to serve as representatives, presidents take electoral, policy, and bureaucratic factors into account. A president’s past campaign debts and future reelection hopes relate to the individual secretaries-designate, in their own right and as liaisons to particular issue networks. Whether the prospective cabinet members have previously served in the department and their familiarity with the

department's policy jurisdiction and with associated Washington networks, as well as their skill in managing large organizations, are all important concerns.³ As representatives, therefore, cabinet secretaries-designate are expected to perform an array of what might otherwise be viewed as distinctive tasks—building electoral support, making policy, and managing people and programs—while withstanding intense public scrutiny.

Consider, for example, the 1993 nomination and confirmation of Clinton secretary-designate of agriculture Mike Espy. The agriculture secretary has typically represented midwestern states and agribusinesses. Espy, however, was a southerner. An African American and a former member of Congress (D-Miss.), his involvement in agriculture policy had focused on rural poverty and small farmers. The Espy nomination, accordingly, was taken as an indication that there would be a significant shift in the department's priorities. When Espy resigned in 1994, he was replaced by a far more traditional nominee.⁴ Like Espy, Agriculture Secretary-Designate Dan Glickman (D-Kans.) was a former member of Congress. Unlike Espy, Glickman was from Kansas; had chaired the Agriculture Subcommittee on Wheat, Soybeans, and Feed Grains; and was considered an expert in agricultural commodities markets. Glickman therefore provided historically dominant agricultural interests with representation. In return, the Clinton administration gained credibility in powerful policy networks.

These nominations begin to suggest the ways in which cabinet secretaries individually and collectively reveal their presidents' perception of key *constituencies*. To be identified as a constituent is to be recognized as "politically relevant."⁵ As the Espy and Glickman examples indicate, nominations that alter a constituent's status may or may not effect long-term change. Providing representation for those who have been historically excluded from the political process may be particularly difficult. Though many formerly marginalized peoples are participating more in politics, their networks are sometimes at an earlier stage of development, and their policy perspectives are still emerging. Moreover, it may be difficult for a societal group to be politically unified. Women, for instance, are distinguished from one another by race, ethnicity, socioeconomic status, religion, and many other characteristics. Examining the conflicts generated by the nomination of Clinton attorney general-designate Zoë E. Baird reinforces the impression of diversity rather than unity. It also suggests some of the difficulties associated with providing cabinet representation to women.

As Clinton's attorney general-designate, Baird was the first woman named to the inner cabinet, which is composed of the attorney general and the secretaries of state, treasury, and defense. These departments are identified with issues of national concerns and their executives are often among the president's closest advisers.⁶ The nomination of a woman attorney general-designate, therefore, seemed to signal that women had arrived at the apex of the Washington power structure. Already women had been recognized as decisively influencing the outcome of a presidential election: Clinton was significantly indebted to women for his 1992 victory.⁷

Yet it soon became clear that there was no agreement about Baird's role as a representative of women. After her nomination was formally announced and before her confirmation hearing began, a front-page article in the *New York Times* revealed that Baird had broken labor and tax laws in employing undocumented workers in her home. Although these disclosures did not initially compromise her congressional support, polls revealed that the public quickly rejected her nomination. Fifty-six percent of respondents believed that Baird considered herself above the law, and 59 percent felt that her actions had undermined her ability to enforce the law. Seventy-five percent did not believe that she was telling the truth when she claimed to be unable to find qualified "legal" workers for hire.⁸ Baird was described as presumptively unwilling to invest in child care, with media commentators (a number of them women) noting that her income as senior vice president and general counsel to Aetna Life and Casualty allowed her to engage highly trained caregivers.⁹

The strongest and angriest statements, therefore, centered on certain aspects of Baird's identity as a *woman* attorney general-designate. As a wife, she was responsible for her home. As a mother, she was responsible for her child. Neither statements that her husband had employed their household workers nor claims of a happy family life could alter the public's judgment. Countervailing political support was limited. Most notable, in light of the debates about Baird's identity, was the silence of the Washington women's and "women's issues" networks. Baird herself had no ties to these organizations, which had unsuccessfully advanced their own candidate for the attorney general's office.¹⁰ Baird's nomination was subsequently withdrawn.

Ultimately, Baird was nobody's representative.¹¹ Public criticism was vociferous. Washington networks either withdrew their support or failed to provide endorsements. And yet, members of the executive and legislative branches were initially supportive of Baird, accepting her

apologies and viewing her illegal acts as irrelevant to her future contributions as an attorney general.¹² Here is an extraordinary divergence of opinion about a woman secretary-designate's qualifications and anticipated performance as a representative of women.

For scholars of women in history and politics, the controversy attending Baird's nomination was entirely predictable. Women had been excluded from politics, first by legal mandate and later by informal practices, for hundreds of years. Support for that sanction rested on a series of contentions. Women were identified as inherently unfit for politics, their instinct to nurture disqualifying them from participating in a constitutional system premised on self-interest, ambition, and conflict.¹³ Other critics contended that women lacked the professional and political credentials to succeed as policy- and decisionmakers.¹⁴ Of course, some were advantaged by this exclusion. Withholding influence, authority, and access from everyone except a white male elite ensured a distribution of goods that was consistently to the benefit of a few, who were correspondingly well aware of the losses they would suffer in a more inclusive system.¹⁵ It was only to be expected, therefore, that women would encounter a more stringent review when they entered high political offices. Women cabinet nominees overturn longstanding expectations about women's and men's gender roles. What it means to represent women in the cabinet has consistently been a matter for careful negotiation.

UNDERSTANDING REPRESENTATION

Given that representation encompasses a variety of political actions, it is understandable that it can also be evaluated along several dimensions. Such assessments have been conducted by a number of scholars, but those of Hanna Fenichel Pitkin are among the most comprehensive and detailed. Pitkin focuses on the theory and praxis of representation, investigating the ways in which ideas and behaviors influence one another. Identifying relationship building and communication as constitutive of representation, she examines these functions in terms of four distinct (though related) aspects of representation. These are substantive representation, formal representation, descriptive representation, and symbolic representation.¹⁶

Substantive representation is concerned with the articulation and advancement of interests within policymaking arenas. In simple terms,

it is about serving as an advocate for a particular group to secure and increase its resources. In the earlier examples, Agriculture Secretary-Designate Espy's precabinet career led observers to expect that he would be a substantive representative for the rural poor and small farmers, and that Agriculture Secretary-Designate Glickman would be a substantive representative for agribusiness and commodities firms. Yet the most crucial term here is *expected*. A cabinet nominee's loyalties have not yet been fully tested; more than one cabinet member has stressed that cabinet service is like no other. Nominations and confirmations are therefore based on educated guesses about the secretary-designate's future decisions and actions.

In reaching their decisions on these matters, presidents and senators rely on various criteria. There is the nominee's professional and political precabinet career, with all that it suggests about an individual's learning, achievement, and alliances. There are references and recommendations, which indicate both the networks with which a secretary-designate is affiliated and the relationships that will be brought into office. And there are also the connections that the secretary-designate establishes with the chief executive and influential legislators. Time and again, presidents state that they want a certain "chemistry" in their cabinet, and courtesy calls on the members of the Senate confirmation committee are expected of all nominees. Throughout this study of cabinet secretaries-designate, these criteria are carefully pieced together to reveal the expectations of substantive representation that guide nominations and confirmations, singly as well as within and across administrations.

Of the four aspects of representation, substantive representation may be the most familiar to cabinet scholars and political observers. Academic analyses and media commentaries have each considered the secretaries-designate's prior associations with departmental clients and issue networks, as well as their partisan allegiances. Likewise, the "balance" of regions, religions, interests, and party affiliations within the president's cabinet have received a great deal of attention.¹⁷ The addition of gender, race, and ethnicity to this cataloguing of the secretaries-designate is comparatively recent. The significance of these qualities for substantive representation is, as noted in the Baird case study, still a subject for public debate. In this study of women secretaries-designate, I will examine the nominees' credentials and alliances to see whether they might be expected to demonstrate an awareness of women as a distinctive presidential constituency. This assessment par-

allels the judgments made about other secretaries-designate, with the important proviso that women are a far more diverse societal cohort whose interests are not as easily or as readily advanced. That said, a woman secretary-designate who had been educated at a woman's college, had been active in the Washington women's or "women's issues" network, or had administered government programs for women was viewed as presumably more likely to substantively represent women's interests.

Formal representation refers to the constitutional and statutory provisions that structure governance. The Constitution, in an arrangement that was the result of numerous debates and negotiations, assigned the power to nominate to the president and the power to confirm to the Senate. The relationship between these powers has always been complex, and it has only become more so in recent decades. The factors that distinguish presidential nomination politics have already been mentioned. Meanwhile, ethics legislation, partisan politics, and policy debates have combined to create a confirmation procedure that is an "obstacle course" at best and a "war" at worst.¹⁸ The late Senator Paul Tsongas (D-Mass.) acknowledged as much, concluding that confirmations were the Senate's opportunity to "highlight issues, exact promises, score points, send messages, convey threats and otherwise check and balance the actions of the Administration."¹⁹ These tasks have only been performed with greater thoroughness as the Senate has become increasingly individualized and media-conscious.²⁰

Though large Senate majorities typically confirm cabinet nominations, those outcomes cannot be presumed.²¹ In 1959, the Senate voted against confirming Commerce Secretary-Designate Lewis Strauss. As chair of the Atomic Energy Commission, Strauss had failed to comply with congressional requests for information. Senators felt that he continued to be evasive during his confirmation hearing. Their negative vote was an expression of Senate views about proper legislative-executive relations in policymaking and oversight.²² In 1989, the Senate rejected one of its own, Defense Secretary-Designate John Tower. It was the ninth time in history that a cabinet nominee was denied confirmation, but it was only the second that a former senator was denied confirmation and the first that an initial nominee was denied. Though partisanship and policy positions each had their role in this defeat, it was the nominee's character and integrity that received the most attention. These issues had, in their turn, been highlighted by the president-elect's promise to prioritize ethics. The campaign's emphasis on "tradi-