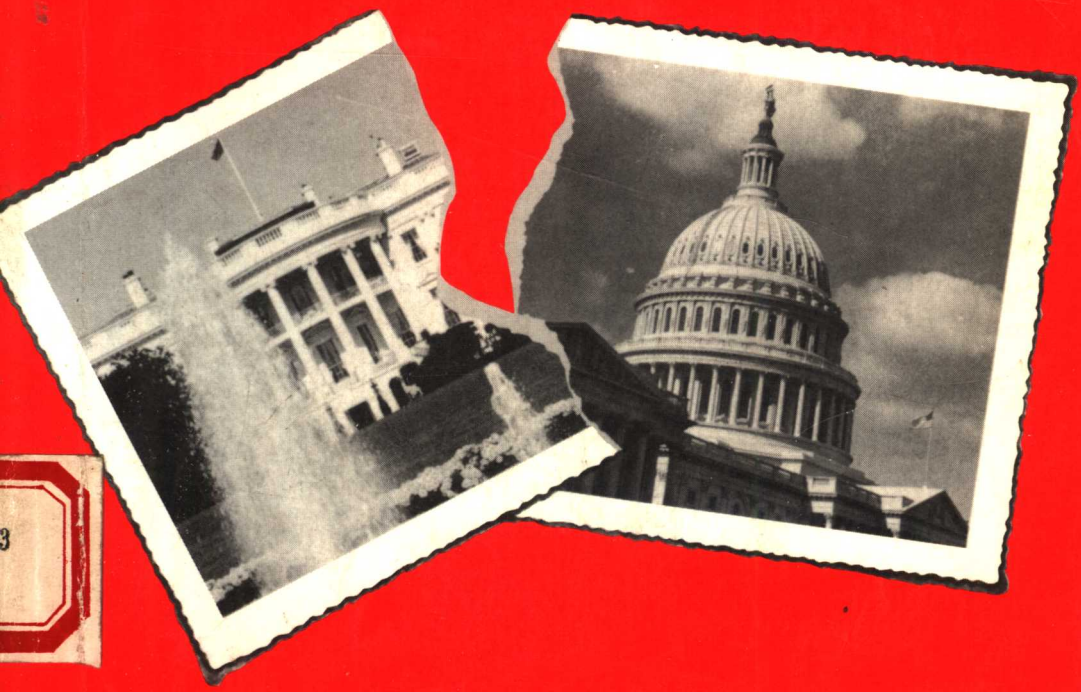
THE POLITICS OF DIVIDED GOVERNMENT

EDITED BY
GARY W. COX
AND
SAMUEL KERNELL



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Gary W. Cox
Samuel Kernell

About the Contributors

Gary W. Cox is professor of political science at the University of California, San Diego. In addition to writing numerous articles, he is the author of *The Efficient Secret,* a study of the development of political parties and political institutions in Victorian England, and coauthor of a forthcoming study of parties in the U.S. Congress, *Parties and Committees in the U.S. House.*

Morris P. Fiorina is professor of government at Harvard University and former chairman of the Board of Overseers of the National Election Study. In the area of electoral behavior he is author of *Retrospective Voting in American National Elections* and coauthor of *The Personal Vote: Constituency Service and Electoral Independence.* The latter won the 1988 Richard F. Fenno Prize for the best book on legislative studies.

Gary C. Jacobson is a professor of political science at the University of California, San Diego. His recent books include *The Electoral Origins of Divided Government* and the third edition of *The Politics of Congressional Elections.*

Samuel Kernell is professor of political science and coordinator of the American Political Institutions Project at the University of California, San Diego. He has authored and edited numerous books and articles, most recently *Going Public: New Strategies of Presidential Leadership* and *Parallel Politics: Economic Policymaking in Japan and the United States.*

Mathew D. McCubbins is a professor of political science at the University of California, San Diego. He is the coauthor of *The Logic of Delegation: Congressional Parties and the Appropriations Process* and a forthcoming book, *Parties and Committees in the U.S. House.*

John R. Petrocik is a professor of political science at the University of California, Los Angeles. His books include *The Changing American Voter* (with Norman H. Nie and Sydney Verba) and *Party Coalitions: Realignment and the Decline of the New Deal Party System.* Currently, he is writing a book on issue ownership of the political parties.

Charles H. Stewart III is the Cecil and Ida Green Career Development Associate Professor of Political Science at the Massachusetts Institute of Technology. He is the author of *Budget Reform Politics* and several articles on the history of Congress, budget reform, fiscal policy, and congressional elections. His current research concerns the modernization of the House after the Civil War and the consequences of divided government in the late nineteenth century.

Martin P. Wattenberg is professor of political science at the University of California, Irvine. He is the author of *The Decline of Political Parties, 1952–1988,* as well as *The Rise of Candidate-Centered Politics: Presidential Elections of the 1980s.* Professor Wattenberg currently is working on a project comparing U.S. and German electoral behavior.

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INTRODUCTION: GOVERNING A DIVIDED ERA

Gary W. Cox and Samuel Kernell

With rampant inflation and widespread labor unrest following on the heels of the decontrol of the wartime economy, in the fall of 1946 political observers agreed that President Harry Truman's Democrats would do poorly in the upcoming congressional elections. Few, however, appreciated just how severe the backlash against this long-standing incumbent party would be or predicted that the Republicans would take control of Congress. Politicians and pundits alike were unprepared to deal with divided party control of Congress and the presidency. The election returns, however, brought both face to face with just that situation.

Collective consternation over the prospect of divided government was vented in a torrent of extraordinary corrective proposals, all seeking either to restore unity or to prevent this unfortunate constitutional anomaly from arising again in the future. Even more extraordinary, in retrospect, than the volume of proposals is the seriousness with which those proposals were received.

Democratic Senator J. William Fulbright was fast off the mark, so much so that his proposal shared headlines with the election results.

He called for President Truman to appoint a Republican secretary of state and then resign: With the vice presidency vacant, the new Republican appointee would go directly into the White House. Without some such drastic remedy, Fulbright argued, the nation faced an unstable international order like a "big helpless giant that is unable to make up its mind, unable to function" (Morris 1946, 19).

Congressional Republicans were understandably quite open to Fulbright's proposal. Surprisingly, so were many Democrats. Marshall Field, the prominent liberal Democratic publisher of the *Chicago Sun,* gave the idea a ringing editorial endorsement. It was picked up by the wire services and widely circulated by the nation's press ("Fulbright Invites" 1946, 3). President Truman initially dismissed Fulbright's proposal as unworthy of comment, but pursued by White House correspondents for a response, he eventually declared he was not about to alter the Constitution's prescription that he serve out his term.

Others with equally serious misgivings about divided government looked to the future. Senator Carl Hatch introduced a constitutional amendment to extend the terms of House members to four years and thereby eliminate midterm elections, which had produced the century's only other instances of divided government. With party voting prevalent in those days, proponents assumed that by aligning presidential and congressional elections, the House of Representatives and probably the Senate, too, would remain in the hands of the president's party.

Less drastic proposals simply called for extraconstitutional arrangements, such as having the president confer regularly with Republican congressional leaders. In these "summits," as they were then called, the politicians would hash out mutually acceptable policies to tide the country over until the next election, when the widely assumed Republican victory would return the political order to more familiar terrain. The president spurned these reforms as well.

The extent to which divided government was an aberration in 1946 is well documented in Table 1.1. There had been only three previous instances during the twentieth century, all at the midterm and each accompanied by turnover of party control of the White House in the next election. Contemporaries had no reason to doubt that the 1946 election would continue this pattern.

Table 1.1 also delineates the present era of divided party control, with Republicans holding the White House and Democrats encamped on Capitol Hill. Since their midterm victory in 1954, the Democrats have controlled the presidency in only three out of ten terms, and the Republicans have never captured both houses of Congress.

The prospect of divided party control no longer causes alarm. As it has become the norm, politicians and citizens alike appear to have

TABLE 1.1 Party Control of Congress and the Presidency, 1875–1992

Years	*Presidency*	*House of Representatives*	*Senate*
1875–1879	Republican	Democratic	Republican
1879–1881	Republican	Democratic	Democratic
1881–1883	Republican	Republican	Republican
1883–1885	Republican	Democratic	Republican
1885–1889	Democratic	Democratic	Republican
1889–1891	Republican	Republican	Republican
1891–1893	Republican	Democratic	Republican
1893–1895	Democratic	Democratic	Democratic
1895–1897	Democratic	Republican	Republican
1897–1911	Republican	Republican	Republican
1911–1913	Republican	Democratic	Republican
1913–1919	Democratic	Democratic	Democratic
1919–1921	Democratic	Republican	Republican
1921–1931	Republican	Republican	Republican
1931–1933	Republican	Democratic	Republican
1933–1946	Democratic	Democratic	Democratic
1947–1948	Democratic	Republican	Republican
1949–1952	Democratic	Democratic	Democratic
1953–1955	Republican	Republican	Republican
1955–1960	Republican	Democratic	Democratic
1961–1968	Democratic	Democratic	Democratic
1969–1976	Republican	Democratic	Democratic
1977–1980	Democratic	Democratic	Democratic
1981–1986	Republican	Democratic	Republican
1987–1992	Republican	Democratic	Democratic

made their accommodations. Republican presidents still campaign for their congressional compatriots, but their statements of how much better off the country would be if it were securely in their party's hands sound more wistful than serious. Growing Republican rumblings since 1990 in favor of a constitutional amendment to impose term limits on members of Congress appear downright quixotic. Meanwhile, Democrats have greater reason to hope every four years that they might manage to win the presidency, but they are busy fortifying Congress's prerogatives and limiting those of the president as though they are pessimistic about their chances.

Many voters split their ballots as if intent on preserving divided party control. Some students of elections have speculated that the U.S. public has, in fact, found virtue in this type of control. Desiring low taxes and a government willing to resist the claims of special interests, many voters, according to this argument, find conservative Republican presidential candidates appealing. At the same time, however, these voters want to maximize the federal dollars to which their communities

are entitled. So, they elect Democratic representatives, who believe more earnestly in these government programs and therefore can more credibly campaign for the services they will provide for the district. The result is a string of conservative Republican presidents and liberal Democratic congresses.

THE SCRIPT OF DIVIDED GOVERNMENT

One of the central questions of this book concerns how the script of conservative presidents pitted against liberal congresses differs from the earlier one featuring unified Democratic party control, from which much of our current understanding of presidential-congressional relations is derived. When legislative and executive authority is unified, policymaking assumes the semblance of a cooperative enterprise. Presidents and their party colleagues in Congress differ among themselves in their constituencies and electoral calendar, but their electoral fortunes are linked by the favorable (and unfavorable) associations their performances in office imprint on their party's label. Whatever the ideological disputes among governing party members, they have a strategic interest in cooperating to produce an electorally attractive record of public policy. The incentive to cooperate renders the formal "checks" of the constitutional system, such as the veto, less relevant to these actors' performances than had been envisioned by the framers of the Constitution.

Under divided government, however, the formal authority assigned the branches becomes a vital asset as each party's politicians stave off encroachment by the other side. The opposition party in the legislature may find its electoral success, for example, lies in frustrating the president's performance. This, combined with the ideological distance represented by divided party control, is a recipe for conflict and impasse. It is reflected in the volume of Republican presidents' vetoes, in their efforts to centralize administration, and in the similarly unilateral methods Democratic congresses have employed to reduce Republican administrators' discretion in formulating and implementing policy.

Divided government will not always produce conflict and stalemate. On rare occasions, Democratic leaders have managed to muster two-thirds majorities in both chambers to override a veto. Far more commonly, overcoming partisan differences follows the traditional route of negotiation across the branches. But even here, divided government entails special strategic considerations that shape the policy agreements. With the president's leverage largely limited to the veto threat, his impact on legislation will be greater in preventing, rather than promoting, changes in current policy. Typically, this would appear to hamstring liberal Democratic presidents more than conservative Republican ones.