



FRANCES E. LEE

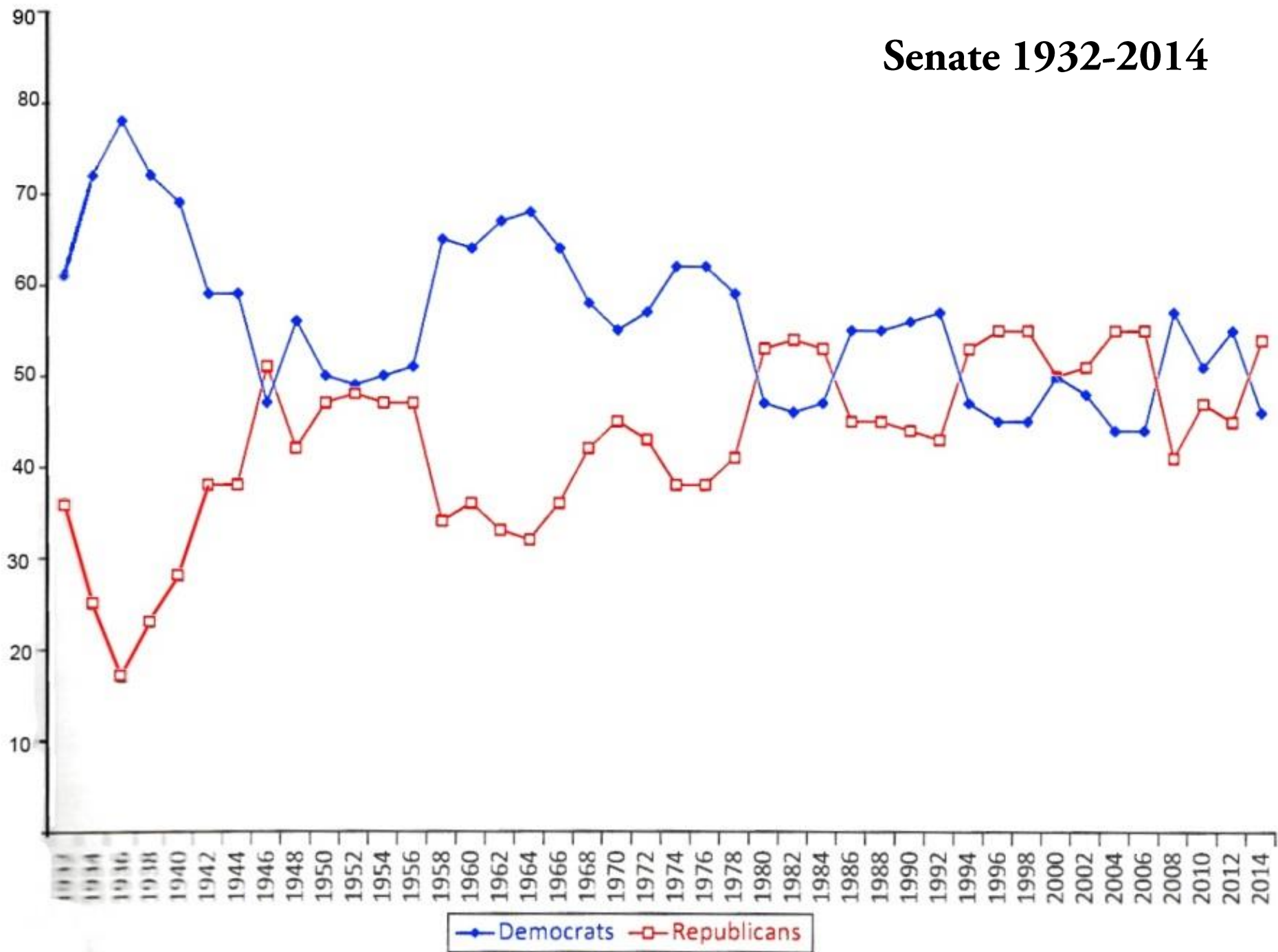
INSECURE MAJORITIES

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CONGRESS AND
THE PERPETUAL
CAMPAIGN

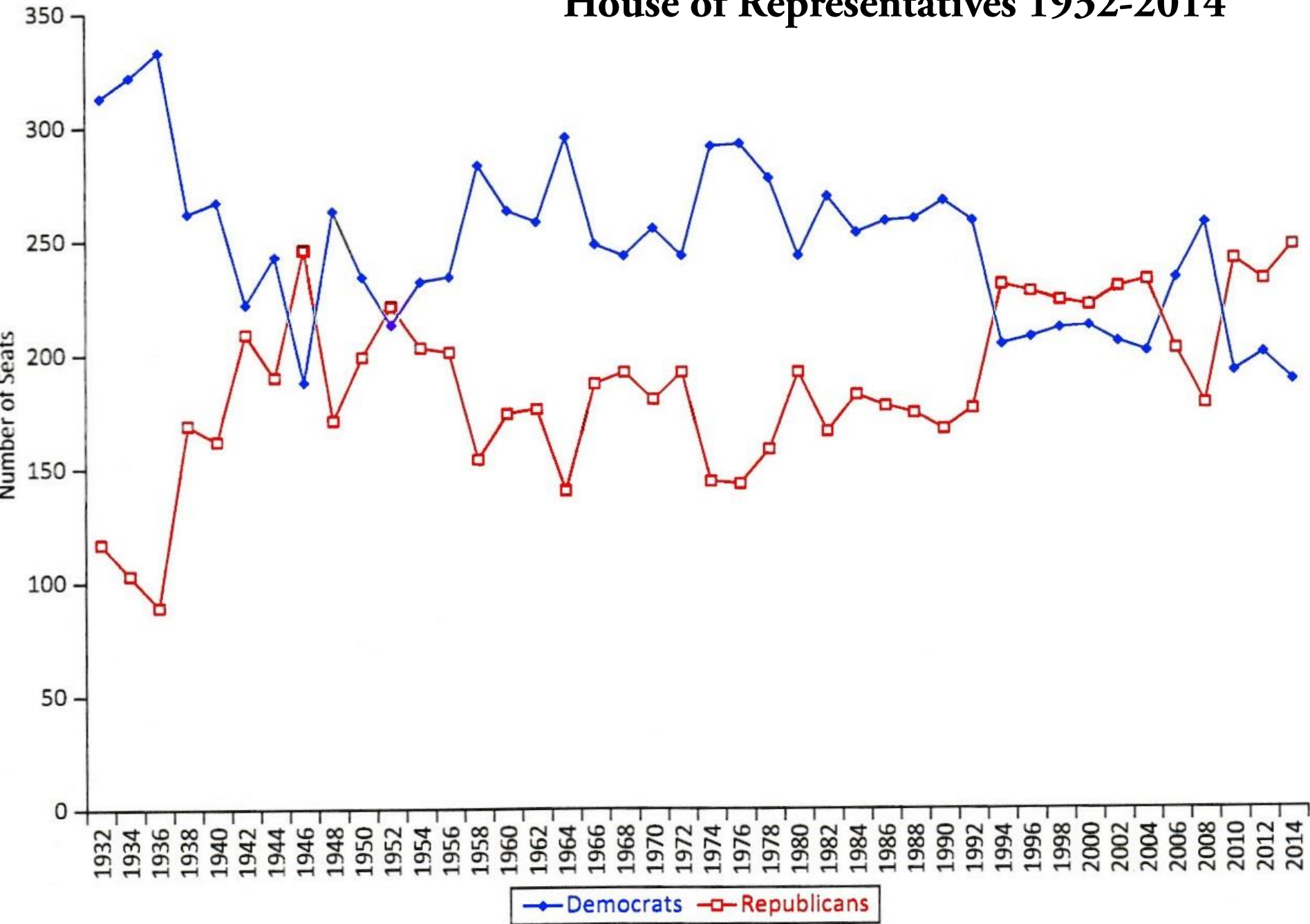
Professor Frances Lee: *Insecure Majorities*

- Frances Lee of the University of Maryland's new book advances a different thesis for why it has become much harder to get legislation passed in Congress, explaining the rise in partisanship and party unity scores.
- She argues that for decades partisan behaviour in Congress was low, legislative productivity high, filibusters rare because 1932- 1980 Democrats dominated both House and Senate. The Minority GOP did not believe that they had opportunities at elections to become a Majority party
 - This meant that the Minority party focused on gaining whatever legislative achievements they could, both for their constituents, and in seeking to amend Democrats Bills so they became somewhat more ideologically acceptable.
 - Ranking Minority members on cttees often worked closely with the Democrat Cttee Chair, sometimes going against the wishes of their party leadership
 - Democrats in the Majority also didn't believe they could lose control, and lacked incentives to vote in highly unified ways, allowing Republicans the possibility of influence. Diffs between Southern and Northern/Western Dems also significant.
- Lee identifies the 1980s as key period of change, beginning current era when party control of Congressional chambers changed hands multiple times and majorities have been lower - now whoever is the minority party believes that they could win the majority at the next election.
- Although not unprecedented 1870-> the last 37 years is the longest period of insecure majorities – and parties have responded with changed behaviour – making US Congress more like the Govt & Opp model of a Parl system.

Senate 1932-2014



House of Representatives 1932-2014



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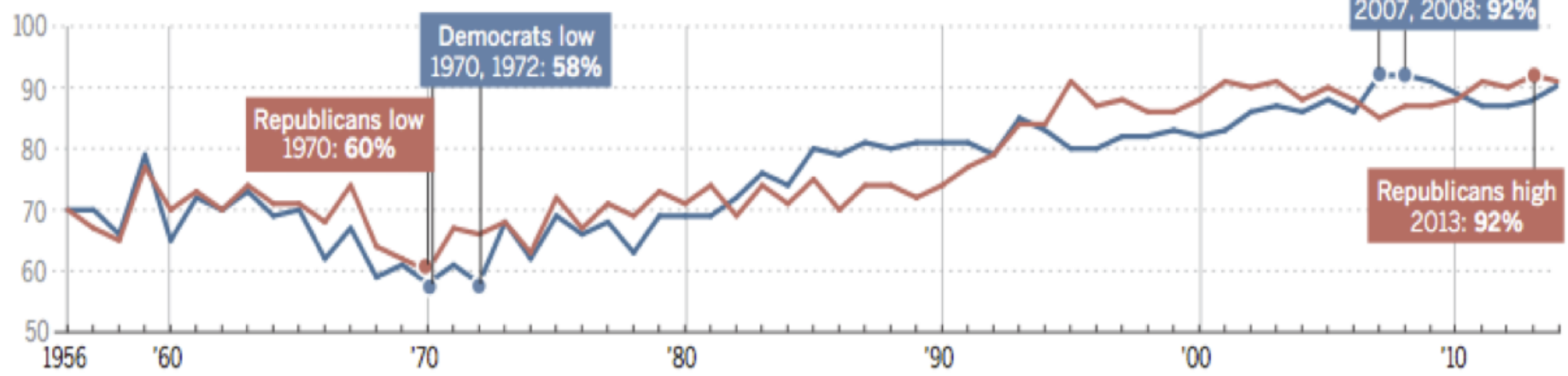
- Believing that the next election might bring a change, the Minority party
 - no longer seeks short-term modest legislative gains via negotiation and amendments in a bipartisan process
 - Instead looks longer-term, acting more unified under its leadership and behaving more confrontationally in the belief this will help it gain majority control in the next election
 - This implies ideological polarisation 1970s-> may not be as great as often thought – because with insecure majs even moderate reps have incentives to refuse bipartisan cooperation. - - But ideological polarisation is still a factor, and the shift in Southern politics has affected both parties
 - Would also tend to suggest political calculations outweigh the influence of lobbying
- Senate saw initial changes 1980-> when unexpected GOP victory made Dems reappraise their stance
- House took longer to follow, with Dems retaining majorities until 1995
 - but 1980s saw divisions within HoR GOP, with leadership and long-serving members retaining a minority mindset (“we’re here to legislate”)
 - while younger GOP members (e.g. Gingrich, DeLay) emboldened by party maj in Senate + Republican in White House advocated more confrontational strategies and eventually gained leadership positions from which to implement them.

Percentage of Party Unity Votes for Congress as a whole

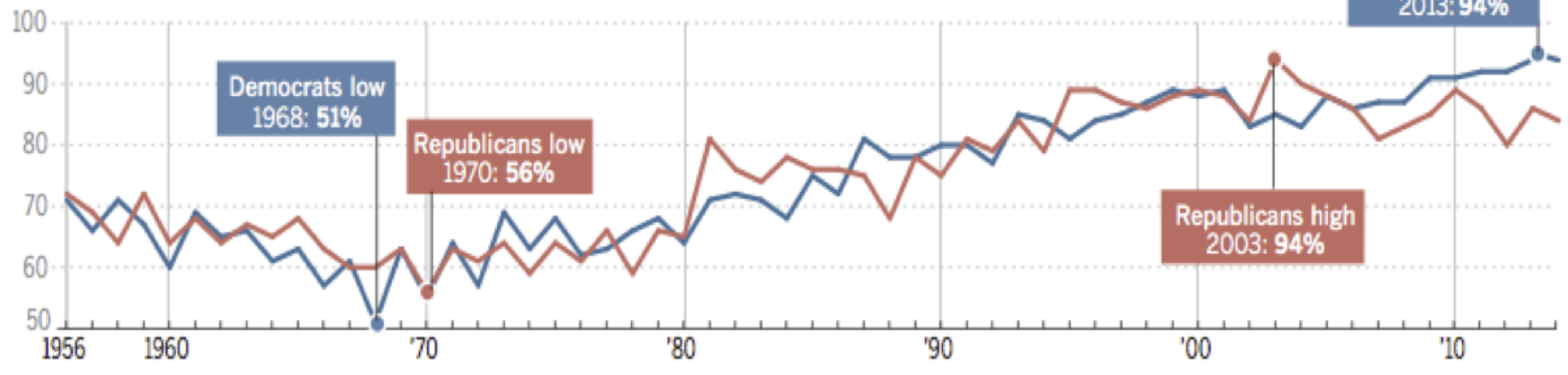


Average party unity scores

HOUSE



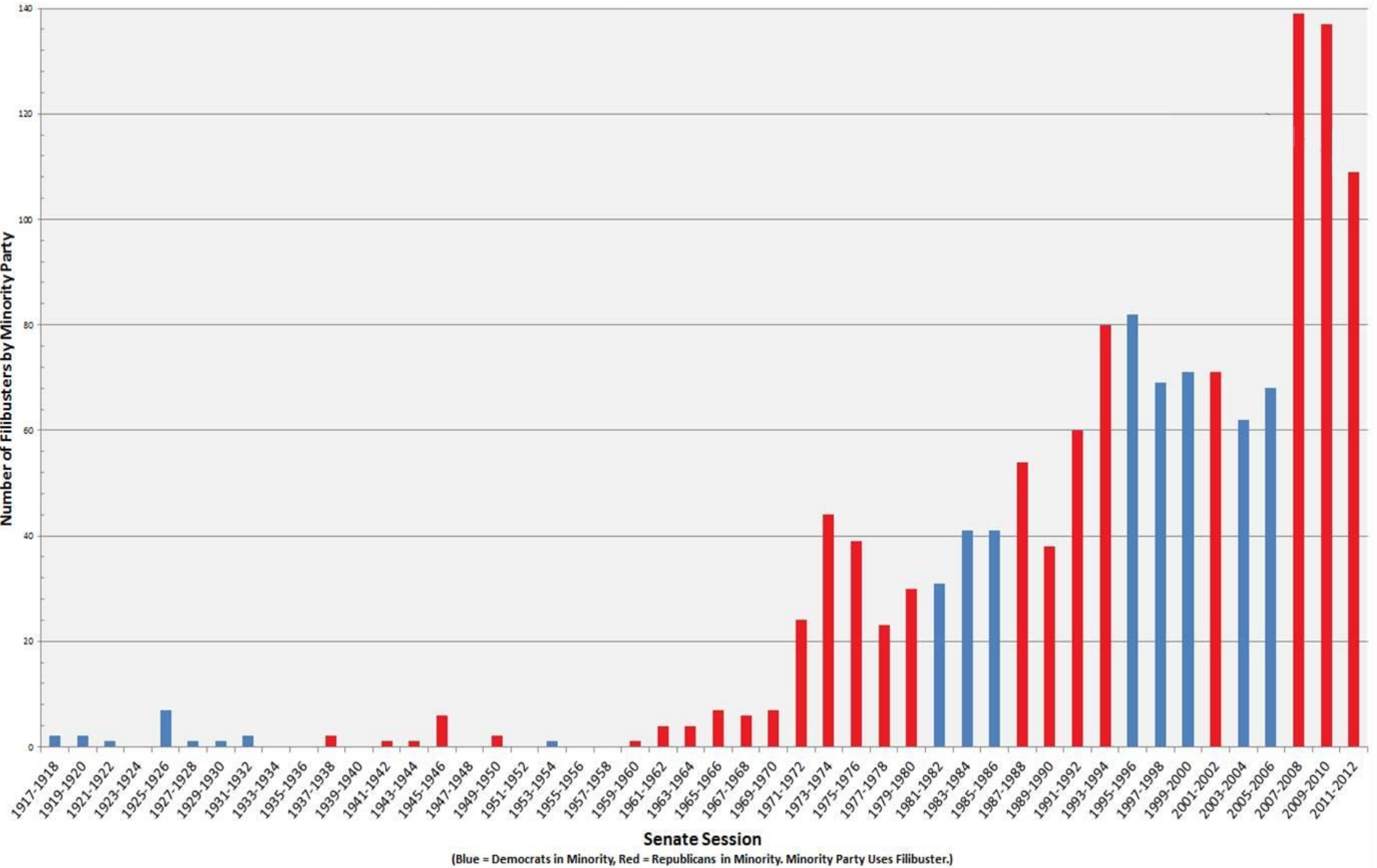
SENATE



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- So even when coop with bipartisan stance would result in **legislation** more ideol acceptable to Min, now they prefer to force the Maj to pass a harder-line bill entirely with their own votes
 - This pleases the Min party's base
 - It recognises that successful bipartisan legislation results in Maj party taking all the credit anyway, while if it's unpopular it will result in Min sharing the blame
 - It forces the Maj party's most electorally vulnerable reps to take hard votes that can be used against them
 - It means Maj party may itself split and the legislation fail – maj party will look bad
 - In the Senate, in involves greatly increased of the filibuster to block actions, in the assumption most outside the D.C. Beltway won't know why legislation failed, and will blame the Maj party for dysfunction.
 - Means unpop but necessary actions like raising debt limit, budget trade-offs are done entirely by the Maj party, allowing Min to take populist stance
 - Allows the Min party to propose populist if unrealistic promises, e.g. lower taxes and better services, reducing deficits just by cutting wasteful spending, free unicorns, etc.

Filibusters by Senate Session - Republicans Take the Filibuster to New Heights



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- All of this creates a clear distinction (in policy, competence and ethics) between the Min party and the Maj, and allows Min to make the case to voters as to how electing them offers real difference – part of the **perpetual campaign** which is blamed for Congr gridlock
- This distinction is reinforced by the growth in **messaging votes**
 - held on resolutions, sample bills and amendments where there is no intention to actually legislate, but instead to express and get on the record a unified and attractive Min party position at odds with the Maj.
 - Failure of the vote is actually desirable, as reinforcing a message about how change is needed at the next election.
 - And if vote splits the Maj party, so much the better
 - Messaging votes esp imp in Senate where they can be extracted as the price for allowing Maj party legisl to go forward to vote.
 - Offering large numbers of messaging amendments, dragging out process forces Maj party to limit debate, e.g via Rules Cttee, departing from “regular order” – for which they can be publicly blamed by min party.
- Also seen in the massive rise of **communications staff** in Congress 1980-> from v few to nearly 50% of leadership staff in Senate and over 30% in HoR
- and much more frequent **caucus/conferences meetings** than pre-1980

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- Impact of insecure majorities differs depending on the current distribution of power between the White House and two houses of Congress -

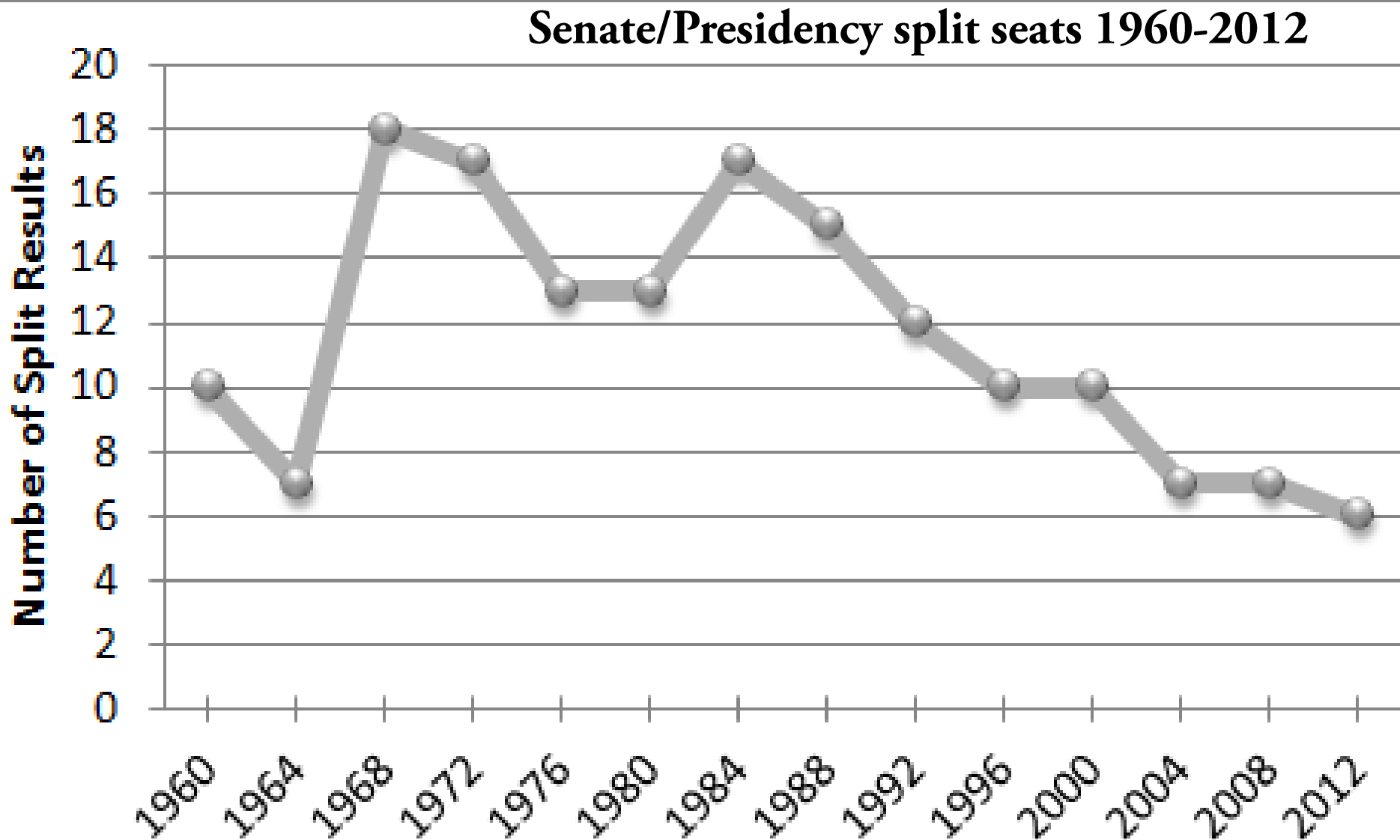
Condition	Majority Party	Minority Party
<p>Unified Govt Congress united & Pres from same party</p>	<p>Strongest incentive to produce legisl results Messaging lower priority</p>	<p>Weakest incentive to produce legisl results Messaging higher priority</p>
<p>Divided Govt – Congress united but Pres held by other party</p>	<p>Fragmentation of power reduces incentives to deliver legisl results Both legisl and messaging imp – messaging designed to create contrast with President</p>	<p>Fragmentation of power increases incentives to deliver legisl results Both legisl and messaging imp – legisl efforts directed at supporting Presidents’ initiatives</p>
<p>Divided Govt with a Divided Congress</p>	<p>The most fragmented configuration – reduces both parties accountability for governing. President’s party with maj in one house has strongest incentive to legislate Other party has the strongest incentive to focus on messaging</p>	

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Consequences

- **Political** – Confrontational stances effective –
 - In crystallising differences between parties in the minds of voters
 - In driving more partisan/loyal voter behaviour – less ticket splitting
 - Mutually reinforcing over time – more partisan base detesting the other side requires more confrontational tactics in Congress, punishes legislative cooperation
 - But also drives down public confidence in Congress as a whole
- **For Congress** – legislating becomes very difficult, esp with divided control
 - Makes budgeting/appropriations process dysfunctional -> stop gap measures, cliff edge deals and even shutdowns, continuing resolutions, omnibus bills
 - Makes difficult big LT decisions, e.g. Immigration reform, social security reform v hard for Congress to deal with -> tendency to “kick the can down the road”
 - Promotes dominance of Maj leaderships over agenda/process – loss of “regular order”
- + Decline in “institutional patriotism”
 - parties reluctant to engage in Exec scrutiny/oversight unless it serves their partisan interests
 - Parties also less interested in defending Congr power vs Exec unless it suits partisan interests

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Consequences

Confidence in Congress

■ % A "great deal" and "quite a lot" of confidence

