

Policymaking in the 103rd Congress

It may seem odd to assess divided government in a Congress of unified government. The 1992 election returned the Democrats to the White House, albeit with a modest plurality majority of the vote (52% percent) in a three-way race. The Clinton Campaign offered a platform of change, to which the electorate seemed to respond positively. The Democrats retained a slightly reduced congressional majority, holding 256 House and fifty-six 56 Senate seats. Moreover, the legislative party branch, energized by the restoration of one-party, unified government and a putitive-putative popular mandate, seemed anxious to move ahead vigorously, not only on the high-profile items (health care, a middle-class tax cut, and welfare reform) of the Clinton addenda agenda, but also on the second-tier matters (e.g., family leave legislation, anti-crime measures, and the North American Free Trade Agreement [{NAFTA}]). Conditions seemed propitious for successful presidential leadership. An inability of the Chief Executive to forge winning congressional coalitions under these favorable circumstances would surely cast doubt on his capacity to achieve his purposes in the less conducive conditions, such as divided government, that have obtained-been more commonly in recent years (including the 104th Congress elected in 1994). The 103rd Congress thus, in a sense, offers a conservative test for the influence of divided government. If the president cannot build majority coalitions when the opposition controls the legislature under unified government, he surely cannot pass priority programs under unified government when the opposition controls the legislature.

How effective was presidentially policy making under these promising circumstances? It is instructive to look first at the aggragate-aggregate evidence. The

initial lesson to emerge from the statistics of the 103rd Congress is that if ~~he~~ Clinton could get a vote on his favored proposals, he stood a strong chance of winning. One gauge of Congress's independent impact is the extent ~~that to which~~ it accepts or rejects the ~~C~~hief ~~E~~xecutive's initiatives.¹ Lower levels of support for the ~~P~~resident indicate that the ~~law makers~~lawmakers are prepared to block the ~~A~~administration's ideas, or to modify them substantially.²

The data in ~~t~~Table 5.1 points to two fundamental conclusions. Most specifically, Bill Clinton achieved a higher success rate than any of his post-World War II predecessors; the 103rd Congress approved 86.4 ~~%~~percent of the measures the president supported. More generally, the figures also reveal that divided government reduces presidential success. Democratic presidents, including Clinton, with Democratic congressional majorities, fared better than GOP chief executives who faced a Congress where the opposition controlled at least one ~~C~~hamber.³ Even the allegedly weak leadership of Jimmy Carter secured a higher success rate (76.4 percent) than the miserable performance of the most successful post-war Republican president (Eisenhower, 72.2 percent **[AU: In table Eisenhower is listed at 86.0 percent under unified government and 66.5 percent under divided government. Pls check figure.]**). Overall, then, ~~he~~ Clinton won congressional approval of five out of every six of his requests in '93 1993 and '94 1994.⁴

~~In turning~~Turning to specific issues, Clinton compiled a mixed, but generally positive, record on his most significant initiatives. On many major matters, particularly in the House, he was able to get sufficient backing from Democrats alone to ~~insure~~ensure passage of his preferred bills; on others, he was forced to rely on Republican votes. Of

~~20~~ twenty high-priority bills, Clinton managed to get the House and Senate to vote on fourteen and eleven became law; the six others failed without getting a roll call in one or both chambers.

Looking first to the House, it is obvious that the e~~e~~lan of the chamber leaders, (particularly ~~speaker~~ Speaker Thomas Foley and his team, though much maligned inside the B~~b~~eltway) sought to provide the president with the votes needed to move the administration agenda forward. Seventeen of the ~~20~~ twenty priority items cleared the House. The eleven that became law are listed in table 5.2 [AU: Where is table 5.2?]. Of the seven that passed the House but failed to become law, three were voted down in the Senate and three others—telecommunications legislation, Safe Drinking Water Act amendments, and mining law reform—died without a direct vote in the Senate. Sixteen of the bills that the House enacted received roll call votes, and eleven of these would have passed without a single Republican vote. Republicans provided 7 seven votes to invoke ~~closure~~ cloture and end debate on the ~~Anticrime Bill~~ anticrime bill.

Overall, the president won on eleven of the twenty key issues. Five victories needed no Republican help in either chamber; two (Goals 2000 education and abortion clinic access legislation) required GOP votes in one housechamber; and four passed only with bi-partisan backing in both House and Senate. The implication of these aggregate figures is that the president can, at least in circumstances of unified government, use the available resources to win a significant number of his public policy struggles with Congress. Skillful leadership can overcome structural obstacles ~~which~~ that a decentralized legislature raises, sometimes by rallying the party faithful, sometimes by constructing cross-party coalitions.⁵ On the other hand, unified government was not

enough to secure passage of the most important elements (e.g., health care, campaign finance reform) on the Clinton agenda.⁶ A full assessment of the causes of policy failure, even under unified government, requires a closer look at the details of campaigns to pass specific pieces of legislation.

Notes

1. James A. Thurber, "Representation, Accountability and Efficiency in Divided Party Control of Government," *PS: Political Science & Politics* 24 (1910 ~~[AU: should be 1991? See note 3]~~): 653–657.

2. Gary W. Cox and M. D. McCubbins, "Divided Control of Fiscal Policy," ~~in~~ *The Politics of Divided Government*, eds. Gary W. Cox and Samuel Kernell ~~[AU: Kernell or Kernel? See note 5]~~ (Boulder, ~~CO~~ Colo.: Westview, 1991), 155–175.

3. David R. Mayhew, *Divided We Govern: Party Control, Lawmaking, and Investigations, 1946–1990* (New Haven, Conn.: Yale University Press, 1991); David R. Mayhew, "Divided Party Control: Does ~~It~~ Make a Difference?" *PS: Political Science and Politics* 24 (1991~~,~~): 637–40.

4. Andrew J. Taylor, "Understanding Madison's Curse: Divided Government and Domestic Policy, 1955–1992" (~~Paper~~ paper presented at the ~~Annual~~ annual Meeting meeting of the American Political Science Association, New York, 1994).

5. Samuel Kernell, *Going Public: New Strategies of Presidential Leadership*, ~~second~~ 2nd ed. (Washington, D.C.: Congressional Quarterly Press, 1992).

6. ~~Adam~~ Clymer, ~~Adam~~, ~~Robert~~ Pear, ~~Robert~~, and ~~Robin~~ Toner, ~~Robin~~. "For Health Care, Time ~~was~~ Was a Killer," ~~The~~ *New York Times*, 29 August 1994, A1, A8.

Table 5.1

Presidential Success in ~~congress~~Congress; ~~Under~~ under Unified and Divided
Government, 1953–1994

President	Years	% Success
<u>%Success</u>		
Unified Government		
Eisenhower (R)	1953–1954	86.0
Kennedy (R -D)	1961–1963	84.6
Johnson (D)	1963–1968	82.6
Carter (D)	1977–1980	76.4
Clinton (D)	1993–1994	86.4
Divided Government		
Nixon (R) -Eisenhower (R)	1955–1960	66.5
Eisenhower- Nixon (R)	1969–1974	67.2
Ford (R-)	1974–1976	57.6
Reagan (R-)	1981–1988	61.9
Bush (-R)	1989–1992	51.6

Sources: Norman J. Ornstein, Thomas E. Mann, and Michael J. Malbin, *Vital Statistics on Congress, 1993–1994* (Washington, D.C.: Congressional Quarterly Press, 1994), Table 8–1; Steven Langdon, “Clinton’s High Victory Rate Conceals Disappointments,” *Congressional Quarterly Weekly Report*, December 31, 1994, 3619–23.

Note: These numbers represent, of all roll calls on which the president announced a clear stand, the percentage on which his position prevailed.