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## of Political Organizations and Parties

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## Shaping the 44th Presidency

Charles O. Jones and Kathryn Dunn Tenpas

Twenty-Second Amendment, as ratified in 1951, replaced a question mark with a period. Will the president seek a third term? He or she cannot. Once reelected, a president becomes the present that is tomorrow's past. Heads begin to turn, focusing as much or more on "who's next" as "who's still there." As this happens a new presidency begins to take

Three presidencies have experienced this inevitable look forward—those of Eisenhower, Reagan, and Clinton. And now George W. Bush (Bush 43) is serving in that period when the present is forming the future.

This issue paper compares Eisenhower, Reagan, and Clinton before turning to Bush 43. The first three have several common characteristics that help to explain the type of presidency being formed. In its period of termination, the Bush 43 presidency scarcely resembles those of his predecessors and the differences cause concern. The 44<sup>th</sup> president will inherit a *diminished* presidency in a system that appears now to be pitted against itself.

#### THREE TERMINATING PRESIDENCIES

The Eisenhower, Reagan, and Clinton presidencies show these common characteristics in the last two years in office.

- Relatively high job approval scores—averaging just over 60 percent for Eisenhower and Clinton; 50 percent for Reagan.
- Predicaments to overcome—the embarrassing U2 incident for Eisenhower, the Iran-contra investigations for Reagan, Lewinsky and an impeachment and trial for Clinton.
- Opposition party majorities in the House and Senate.
- Heir-apparent vice presidents as the president's party nominees.
- Domestic issues dominating the legislative agendas.
- Vetoing about the same rate as before.
- New presidents entering office with weak political and/or legislative
- Net loss of congressional seats for new president's party.

There were also notable differences across these administrations:

- Few major laws were enacted in the last of Eisenhower and Clinton's four congresses (by the count of David R. Mayhew in Divided We Govern) whereas Reagan's last congress was the most productive of his four, by this same count.
- Congressional prominence ascended, with agenda designation shifting to Capitol Hill, in the last two years of Eisenhower and Reagan presidencies whereas the impeachment aftermath interfered with a similar rise in status for the Republican controlled fourth Congress of Clinton.
- Leading out-party candidates were drawn almost entirely from the Senate in 1960 and from Congress and the state houses in 1988 and 2000.
- Party shifts occurred in the White House in 1960 (Republican to Democratic) and 2000 (Democratic to Republican) whereas in 1988 Bush 41 became the first sitting vice president to win since Van Buren in 1836.

#### RESULTS

One could logically portray the type of presidency being formed in each of the three post-1951 administrations. The legislative agenda was brim full as

Eisenhower's second term was concluding. Democrats were anxious to pass laws and were optimistic that their White House team of Kennedy and Johnson could unite the party sufficiently to overcome the conservative coalition of southern Democrats and Republicans. A legislative presidency was being formed to be managed either by Kennedy or Nixon.

Equally apparent was the type of presidency to follow Reagan. The Democratic 100th Congress had virtually starved the 1988 campaign of issues by enacting over twice as many major laws as the Eisenhower's last two years. Emptying the agenda had the effect of forming a status quo presidency, a development further set in place by the victory of the vice president and Democrats remaining comfortably in the majority in both houses.

There was no shortage of issues during the last two years of the Clinton presidency. Clinton identified most of them in his 1998, 1999, and 2000 State of the Union Messages: for example, Social Security, healthcare, Medicare, tax cuts, crime, and education. As with Eisenhower, few major laws were enacted to treat these issues. Party politics had changed dramatically from the fifties, however. Areas previously represented by southern Democrats were now Republican. Partisanship was more purely Democrats vs. Republicans. The impeachment and trial of the president accentuated partisan differences in lawmaking. Consequently a partisan presidency was being formed, one likely to be realized whichever candidate won—Bush or Gore.

#### THE OUTLIER CASE—GEORGE W. BUSH

The present term-limited presidency of George W. Bush differs from these others. For example, Bush 43 entered his last two years with low job approval numbers. Vice President Cheney is not a candidate, and national security and foreign policy issues dominate the agenda.

Even where conditions are similar, the specifics are notably different. Democrats regained majority status in the House and Senate in 2006 with small margins in both houses. Multiple foreign and domestic predicaments have invited extensive oversight and investigations, along with efforts to constrain executive perogatives.

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Chair: Russell Dalton, University of California, Irvine

**Secretary-Treasurer:** Holly Brasher, University of Alabama at Birmingham **VOX POP** Editor: John Green, The University of Akron

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#### FROM HEADQUARTERS

### Letter from the Chair June 2007

Dear Colleagues,

I want to write as the new president of the *Political Organizations and Parties* section to say hello, and begin a discussion on some issues facing the section.

First, we have a very strong executive committee, and we greatly benefit from Holly Brasher's work as Secretary/Treasurer and John Green's efforts with *VoxPOP*. And I feel fortunate to follow in Aldrich's shoes with everything working so well.

Second, I encourage you to visit our 'new' website, http://www.apsanet.org/~pop/. It has undergone a partial facelift since the APSA meeting, and I welcome your suggestions. We want to make this a more useful portal for members of this section, including information on the section, research in the field, teaching resources, etcetera. If you have ideas to list under resources, or upcoming events/news, please email me and I'll have them added to the website.

Third, John Aldrich and I are working with Sage to get a formal proposal on making *Party Politics* the official journal of the section. I welcome any ideas or thoughts you have at this point, since we are still early in the process. As soon as we have the details from Sage, we will share them with you.

Fourth, we will develop a fundraising campaign to provide an endowment to support the Leon Epstein prize of the section. This is a wonderful way to institutionalize Leon's contributions to the field by providing a permanent endowment for the prize. Paul Herrnson has volunteered to assist with this effort, but if anyone had personal ties to Leon and would also like to help with this effort, your help would be greatly appreciated.

Finally, I welcome your other ideas for this section. Are there other initiatives we should be undertaking? We are in a vibrant field of research. But two years ago I saw a paper that argued that party research was fading away, and tried to marshal evidence to support that point. In contrast, I think there is steadily growing and increasingly sophisticated research on parties and political organizations, and the section can help foster this growth.

Best, Russ Dalton University of California, Irvine

### SCHOLARLY PRECINCTS

#### CALL FOR PAPERS

Comparative Sociology

www.brill.nl/coso

Comparative Sociology is a quarterly international scholarly journal published by Brill of Leiden, Netherlands dedicated to advancing comparative sociological analyses of societies and cultures, institutions and organizations, groups and collectivities, networks and interactions. Two issues every year are devoted to "special topics," and three topics currently open for submissions are: Democracy and Professions; Rule of Law and Rechtstaat; and Typologies of Democracy and non-Democracy. Consult the Brill website for descriptions of each topic www.brill.nl/coso.

Editor-in-Chief is David Sciulli, Professor of Sociology, Texas A&M University, and Columbia University Ph.D. in Political Science. Submissions are welcome electronically by email insert at compsoc@tamu.edu not only from sociologists but also political scientists, legal scholars, economists, anthropologists and others. Indeed, the journal is particularly keen to receive works of comparative political sociology and comparative legal sociology. All submissions are peer-reviewed and (initial) decisions are typically made within three months.

## Minutes of Political Organization and Parties (POP) Business Meeting

APSA Annual Meeting, Chicago, IL August 31, 2007

John Aldrich called the meeting to order at 12:00 pm.

#### 1. MINUTES AND TREASURER'S REPORT

Secretary-Treasurer, Holly Brasher presented the Treasurer's report.

TREASURER'S REPORT (July 1, 2006 to June 30, 2007)

FUNDS ON HAND JULY 1, 2006	\$ 12,308.60	
REVENUE FOR PERIOD		
APSA Section Dues	\$ 908.00	
Interest Income	.00	
Section List Rebate	.00	
Bank fees - credit	.00	
TOTAL REVENUE		\$ 908.00
EXPENDITURES *		
2007 Awards	(\$ 114.88)	
Shipping of Awards	(\$ 17.35)	
Bank Fees	(0.00)	
TOTAL EXPENDITURES		(\$ 132.23)

NET ACTIVITY FOR THE PERIOD \$ 775.77

#### **FUNDS ON HAND JUNE 30, 2007**

\$ 13,084.37

#### 2. CHAIR'S REPORT

<u>Year</u>	<u>POP Membership</u>
2007	590
2006	589
2005	601
2004	629
2003	634
2002	614
2001	619
2000	617
1999	527
1998	565
1997	505
1996	519
1995	589
1994	571

#### 3. 2005 APSA PROGRAM

Information was presented by Jennifer Victor and Seth Masket on new procedures for presenting at the 2008 APSA meetings and other changes in panel formats. Information on procedures can be found on the POP web page at http://www.apsanet.org/~pop/APSA2008.htm.

#### 4. SHORT COURSES

The short course for APSA 2008 will be conducted by the Comparative Study of Electoral Systems (CSES). John Aldrich and André Blais will be involved in planning the short course.

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<sup>\*</sup> Copying, printing, postage, telephone, travel and staff provided gratis by Duke University, the Bliss Institute at the University of Akron, and the University of Alabama at Birmingham.

#### FROM HEADQUARTERS

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#### 5. AWARDS

The POP Executive Council voted on August 30, 2007 to provide the monetary awards along with the POP Awards. The Council established that the Leon D. Epstein Outstanding Book Award, the Jack Walker Outstanding Article Award, and the Party Politics Award would have a \$150 award, and that the Emerging Scholars Award would have a \$250 monetary award. The Samuel J. Eldersveld Career Achievement Award will not have a monetary award.

- a) Party Politics Award The Council also decided that the language of the award should be changed so that it does not reflect a guarantee that the winning paper will be published in *Party Politics*.
- Leon D. Epstein Outstanding Book Award The Council also decided a fundraising effort for this award will be lead by incoming POP President, Russell Dalton.

#### 6. CAMPAIGN FINANCE INSTITUTE

Michael Malbin presented information on a research commons facility. It will be a place to post papers and data and will also be used by advocacy groups and journalists. Members may sign up to receive email. The address is http://cfinst.org/Community/.

#### 7. LOBBYING DISCLOSURE DATA

There is an ongoing effort to collect the Lobbying Disclosure data. The data collection will be conducted jointly with the Center for Responsive Politics. A password protected site is being constructed for data coding and collection.

#### 8. DISSERTATION SERVICE

The POP Dissertation Service was discontinued. The service was rarely used.

#### 9. PARTY POLITICS

John Aldrich reported on the negotiations between POP and *Party Politics* and the efforts to formally associate the journal with the section. Different possibilities for pricing POP section membership once the journal is added were discussed. Incoming President, Russell Dalton, will continue the negotiations with Sage, the publisher of the journal. An issue devoted to POP is planned once the association between the section and the journal is final.

#### 10. AWARDS

- The *Party Politics* Award for the best paper presented at a POP panel at the last APSA meeting was presented to Georgia Kernell, for her paper entitled "Candidate Selection and Political Participation."
- The Jack L. Walker, Jr. Outstanding Article Award for an outstanding article on political organizations or parties published in the last two years was given to Richard L. Hall and Alan V. Deardorff for their article entitled "Lobbying as Legislative Subsidy" (American Political Science Review).
- The Leon D. Epstein Award for an outstanding book on political organizations and parties was given to co-winners Henry E. Hale for his book entitled Why not Parties in Russia? Democracy, Federalism, and the State, and to Beatriz Magaloni for her book entitled Voting for Autocracy: Hegemonic Party Survival and It's Demise in Mexico.
- The Samuel J. Eldersveld Award for a lifetime contribution to the field of political organizations and parties was given to Paul A. Beck.
- The Emerging Scholar Award, recognizing unusual promise within 7 years of receiving a Ph.D., was given to Susan Webb Yackee.

#### 11. NEW PRESIDENT

John Aldrich introduced incoming President, Russell Dalton.

The meeting was adjourned at 1:50 pm.

Respectfully submitted, Holly Brasher POP Secretary-Treasurer

#### AWARD CITATIONS

**SAMUEL ELDERSVELD AWARD**, a scholar whose lifetime professional work has made an outstanding contribution to the field.

RECIPIENT: Paul Beck, Ohio State University

AWARD COMMITTEE:

Thomas M. Carsey (Chair), University of North Carolina, Chapel Hill; Kira Sanbonmatsu, Rutgers University;

William B. Heller, SUNY-Binghamton.

Paul Beck received his Bachelors degree from Indiana University, and his Masters and Ph.D. from the University of Michigan. He served on the faculty at the University of Pittsburgh and Florida State University before moving to Ohio State in 1987, where he currently serves as Dean of the College of Social and Behavioral Sciences. Paul Beck's career has been one of great distinction in all aspects. He has received awards for his teaching, for his scholarship, and in 2005 he received APSA's Frank J. Goodnow Award for distinguished service to the profession.

Paul Beck's scholarly impact on the study of parties and partisanship is unquestioned. He has a long string of extremely influential papers, many of which were supported by prestigious grants and awards. This extraordinary body of work includes seven papers published in the *American Political Science Review*. He has authored or co-authored several books, including one of the leading textbooks on political parties. His work has shaped the way a generation of scholars think about and study political parties and partisanship in both the United States and abroad. One simply cannot be a scholar of political organizations and parties without having read Paul Beck's work.

Paul Beck has played a major role in our profession as a leader providing service. He has held numerous leadership positions in our profession, including serving as Program Chair for the APSA and the Midwest Political Science Association annual meetings, Vice-President of the Midwest Political Science Association, Chair of APSA's Strategic Planning Committee, and in so many other capacities that they defy enumeration.

Finally, Paul Beck's impact on the discipline is felt through the twenty-nine dissertation committees that he has chaired over the course of his career. His extraordinary commitment to graduate education and mentorship ensures that Paul Beck's professional legacy will continue to shape future generations of students and scholars.

Thus, it is with great honor and enthusiasm that this year's committee is unanimously agreed that the 2007 Samuel J. Eldersveld Career Achievement Award should be given to Paul Beck.

**LEON EPSTEIN AWARD**, honoring a book published in the last two calendar years that makes an outstanding contribution to research and scholarship on political organizations and parties.

#### Co-RECIPIENTS:

#### Henry Hale, George Washington University

Why not Parties in Russia? Democracy, Federalism, and the State (Cambridge University Press, 2005)

#### Beatriz Magaloni

Voting for Autocracy: Hegemonic Party Survival and It's Demise in Mexico (Cambridge University Press, 2006)

#### AWARD COMMITTEE:

Scott Ainsworth (Chair), University of Georgia; Jeff Grynaviski, University of Chicago; Susan Scarrow, University of Houston

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## FROM HEADQUARTERS (Continued from page 3)

Hale and Magaloni share the Epstein Award this year for their works exploring, respectively, the development of party systems in Russia and Mexico. Each book is theoretically grounded, empirically rigorous, and carefully detailed. Magaloni explores the logical foundations for Mexico's coupling of elections and autocracy. Though seemingly incompatible, Magaloni shows how an autocratic regime, Mexico under the PRI, can enhance its grip on power through elections. Hale evaluates how party substitutes and competing electoral institutions in Russia have stymied the development of a strong party system. Hale's work reminds us that party building does not occur in a vacuum, removed from other goal-oriented institutions. The strong theoretical foundations for these works suggests that they will find application well removed from Mexico and

JACK WALKER AWARD, honoring an article published in the last two calendar years that makes an outstanding contribution to research and scholarship on political organizations and parties.

#### RECIPIENTS:

Richard L. Hall and Alan V. Deardorff, University of Michigan, for their article "Lobbying as Legislative Subsidy," published in the American Political Science Review in February 2006.

#### AWARD COMMITTEE:

Beth L. Leech (Chair), Rutgers University; Michael Laver, New York University; Jeremy Pope, Brigham Young University

In this article, Hall and Deardorff take a paradox that has been known to scholars of lobbying since Bauer, Pool, and Dexter published American Business and Public Policy in 1963 and make theoretical sense of it. We know lobbyists prefer to lobby their friends, but why? Hall and Deardorff propose that interest groups lobby their friends to subsidize the policy efforts of those friends, and then, more importantly, Hall and Deardorff think through where that proposal takes our expectations about how interest groups will act. Hall and Deardorff lay out these policy expectations in a formal model and a series of hypotheses that serve to clarify our thinking and focus our future field research. This is an article that will be enormously influential, both because it so clearly lays out what observers of interest groups know to be true and because it lays the groundwork for the research to follow.

EMERGING SCHOLAR AWARD, honoring a scholar who has received his or her Ph.D. within the last seven years and whose career to date demonstrates unusual promise.

RECIPIENT: Susan Webb Yackee, University of Wisconsin, Madison

#### AWARD COMMITTEE:

Lonnie Rae Atkeson (Chair), University of New Mexico; Andrea Campbell, Massachusetts Institute of Technology; Ken Kollman, University of Michigan

This year's emerging scholar award goes to Susan Webb Yackee. Professor Yackee's research encompasses the study of parties and interest groups and within those parties in Congress, agenda setting, the bureaucracy, public policy, public administration, and governance. One aspect of her work has focused on the role that organized interests play in influencing the United States bureaucracy's implementation of policy. More specifically, she asks: under what conditions are bureaucracies influenced by its stakeholders. One seminal study of hers was the first systematic attempt to quantify the impact of interest group comments on the announcement of bureaucratic rules and regulations. She found that the bureaucracy is responsive to elected leaders, like Congress and the President, first when those government agencies show an interest in the rule making process, but when elected leaders show little interest bureaucrats have greater flexibility and then allow a larger influence by interest groups over policy implementation. More recently, Professor Yackee's research investigates the influence of organized interests on the passage of new medical malpractice reforms in the United States. Her work is of great importance to a broad array of interest group and bureaucracy scholars because it is providing new and valuable insights on how different actors influence the policy-making process. Such work is an important link between the passage of legislation and its implementation.

Her work has been published in the Journal of Politics, British Journal of Political Science, Political Research Quarterly, Journal of Public Administration Research and Theory (J-PART), Public Management Review, and Policy Studies Journal. She has also co-edited a book on the politics of welfare reform. Professor Yackee's 2005 article in the Public Management Review received the Best Article of the year award. Her research has been supported by the Smith Richardson Foundation and the Z. Smith Reynolds Foundation. From 2003-2005, she was a Robert Wood Johnson Foundation Scholar in Health Policy Research at the University of Michigan in Ann Arbor. Professor Yackee has also served as an H. B. Earhart Foundation Fellow and a Harry S. Truman Scholar.

Professor Yackee's work is outstanding, theoretically rich and empirically rigorous. I am honored to be able to present her with this award.

POP/PARTY POLITICS AWARD, honoring the best paper presented at a POP-sponsored panel at the previous APSA meeting.

#### RECIPIENT:

Georgia Kernell, Columbia University, "Candidate Selection and **Political Participation**"

#### AWARD COMMITTEE:

Barry Burden (Chair), University of Wisconsin; Hans Noel, Georgetown University; Bonnie Meguid, University of Rochester

The committee is delighted to award this year's POP/Party Politics award for the best paper presented at the 2006 APSA meeting to Georgia Kernell of Columbia University for her paper, "Candidate Selection and Political Participation."

The paper is deserving of the award because of the sophisticated way it connects candidate selection and voter participation in a truly comparative fashion. Kernell makes an innovative argument and carefully examines it using a combination of existing and original data. It is well-conceived, well-executed, and represents some of the best new work on comparative parties.

This paper shifts the focus of those interested in elections and representation from examining competition between parties to competition within parties. Just as electoral systems decide which parties hold office, candidate selection mechanisms decide which candidates may run for these offices. Although there has been little systematic study of these selection techniques, they are obviously important and it is likely that they affect such things as political participation of party members. Kernell uses data from the Comparative Study of Electoral Systems (CSES) and original information on parties' candidate selection procedures to test competing hypotheses about the relationship between selection and participation. She finds that citizens are more likely to be active on behalf of a party if candidate nomination takes place at the national rather than the subnational level. The logic behind this finding is that "information divides": local nomination means that party members are more involved in candidate selection and are thus clearly divided into "winners" and "losers" once selections are complete. Presumably losers in this competition learn about flaws in the chosen candidates and are demoralized by having supported candidates who did not garner nomination. In centralized parties, nominations are done centrally without much input from party supporters. In these settings, party members are on average five to 10 points more likely to campaign on behalf of the party and attempt to persuade others to support the party. This study finds not only intriguing relationship between candidate selection and participation but opens the door for further exploration of the consequences of selection mechanisms.

## SHAPING THE 44<sup>TH</sup> PRESIDENCY (Continued from page 1)

The partisan presidency of 2001 has persisted to the present (broken for a brief period of bipartisanship on national security issues only in the immediate aftermath of 9/11). The margins have been narrow throughout, thus fostering the party discipline needed to win. Maintaining party unity with narrow margins can and did strain relations between the parties, leading to resentment and anxiety for pay back by the Democratic minority.

The 2006 elections gave the Democrats a chance for retribution. A weakened president has turned to veto threats, confident that narrow Democratic margins prevent overrides. Thus, partisanship has taken a form in 2007 different from 2001 through 2006. It is demonstrably the case that split party government can pass major laws (Mayhew, *Divided We Govern*). In the present case, however, events (notably Iraq and terrorist threats), a weakened president as pure executive threatening vetoes and a majority party in Congress claiming a mandate to govern from Capitol Hill conspired to limit productivity in the first seven months of 2007.

Further, the 2008 presidential nominating campaign has had the earliest start ever. Democratic and Republic front runners emerged by late spring 2007, with exploratory probing and fundraising occurring even earlier. Debates were well underway by the beginning of summer. Meanwhile, virtually every action by the new Democratic Congress has had overtones for the presidential campaign, especially given the spate of investigations underway and the number of candidates from Capitol Hill playing simultaneous campaigning and governing roles.

Another special feature of the Bush case is the limited political capital of the president. Eisenhower, Reagan, and Clinton were comfortably elected and reelected. Bush will go down in history as having had nearly the least political standing of any president. Upon entering office in 2001, he ranked last of postwar presidents when combining his percentages of popular vote, electoral vote, and job approval, only to drop slightly lower by these combined measures upon returning to office in 2005. Astonishingly, by 2007, *Time* magazine did not include the president in their list of the world's most influential people of that year.

The president might have been expected to be cautious in exercising power under these circumstances. However, upon reelection, he announced the boldest agenda of any reelected president in the postwar era. Further, the issues he tackled were bound to be contentious, even within his own party; for example, Social Security, immigration, education, and tax code reform. As the pure executive, the president governed as though forthrightness was the essence of leadership in a separated system.

The 2006 congressional election results were broadly interpreted as a dramatic shift in power, providing the Democrats with a mandate for change. The House results were impressive, resulting in a Democratic majority in the House for the first time in twelve years. Yet the net gain in seats was less than that in 1958 and produced a slim margin.

Senate Democratic net gains in 2006 were half of those of 1958 and two fewer than in 1986, when Democrats also recaptured majority status. Still the Democrats won a razor-thin majority and thus had control of both houses for the first time since 1994.

The narrow margins in each house adversely affect the capacity of Democrats effectively to shift the balance to Congress. The result is more like that in the last two years of Clinton's presidency than those of Eisenhower or Reagan. Clearly there has been change: notably the further weakening of the president's political and legislative standings. But his loss appears not to have been Congress's gain. Party discipline and the majority's advantage in House rules have permitted passage of bills in that chamber but the slim margin in the Senate has made it difficult to get the 60 votes needed to prevent filibustering of major legislation. Further, promises by Democrats to be considerate of the minority's status have proven difficult to fulfill. The intense partisanship of narrow-margin politics remains.

Meanwhile, the president who vetoed only one bill in the first six years of his presidency has threatened to say "no" more often. Chances are slim that Democrats can muster the two-thirds needed in both houses to override Bush's vetoes. Conclusion? *The presidency has diminished without a compensating increase in the status of Congress.* Put otherwise: Weakness versus weakness equals stalemate.

Perhaps the most striking difference between Bush 43 and the other term-limited presidencies is in the nature of the agenda. In the three previous cases, the legislative agenda was weighted more to domestic over national security and foreign policy issues (mostly left for presidential decisions). The reverse is true for Bush 43. The war in Iraq dominates, along with a series of security issues associated with protecting against terrorism at home and abroad. This highly contentious, even politically toxic, agenda will likely carry forward to January 20, 2009.

Many of these issues are traditionally and, in some cases, constitutionally considered to be more executive in nature than legislative. Intense public and -5- may still be time to shape a different presidency. Is there the will or the way?

congressional dissatisfaction with results, however, has led to serious attempts by members of Congress to fashion a stronger legislative role in what are ordinarily executive matters. These attempts should be studied for their effects in shaping the 44th presidency. Congressional constraints on or redefinitions of presidential powers are not easily ignored later, especially if endorsed by the winning presidential candidate.

Promises made by the winning candidate need also be subject to scrutiny. Embedded in those pledges will be a concept of governing then to be reconciled with the reality of a presidential-congressional balance of powers fashioned in the last months of the Bush 43 term. Related is the experience, and frustrations, of members of Congress in justifying a more co-equal role in regard to a series of divisive national and homeland security issues. The new president may find it difficult to reclaim powers that have been circumscribed or redistributed.

There is more to consider in evaluating the last two years of Bush's terminating presidency. Cheney's decision not to run results in a wide-open race in both parties for the first time since 1952. One effect is to allow the Republican candidates to fashion their own campaigns. It is not quite correct, however, to state that there is no "heir apparent" candidacy. As with Nixon in 1968 and Mondale in 1984, Hillary Clinton can claim serious White House experience in certifying her candidacy.

As with Nixon and with Mondale to an even greater extent, her candidacy will profit or debit from that familiarity with executive life. Her husband is hugely more active in the campaign than was true of either Eisenhower for Nixon or Carter for Mondale.

Further, her election would, for the first time in history, bring a former president into the role of First Spouse. These prospects raise issues that should be explored in the 2008 campaign, raising questions of a co-presidency different from those in 1993, to include relationships between a former president and the newly elected vice president.

An open race has produced many more candidates than in 1952. Eight Democratic and ten Republican prospects participated in the debates in the late spring, 2007. Most of these eighteen candidates have had legislative experience—six sitting senators (Biden, Clinton, Dodd, and Obama among Democrats; Brownback and McCain among Republicans), four sitting representatives (Kucinich among Democrats; Hunter, Paul, and Tacredo among Republicans), and three who previously served in Congress (Edwards and Gravel in the Senate; Richardson in the House among Democrats).

Just one sitting governor is running—Richardson, along with two former governors Huckabee and Romney among Republicans—two other Republicans, T. Thompson and Gilmore pulled out in July and August respectively), and one former mayor (Giuliani among Republicans). Two prospective candidates at this writing, both Republicans, also have legislative experience (Fred Thompson as a senator and Gingrich as House Speaker).

#### THE RESULT?

An extraordinary presidency is closing down. A weakened and weakening president faces critical challenges to his exercise of executive powers. George W. Bush has served as a pure executive, often insufficiently attentive to the advantages of incorporating congressional perspectives into presidential decisions. Now the efforts by congressional Democrats to tip the balance their way typically constrains presidential discretion. The intense partisanship of Republicans versus Democrats has now been extended to Congress versus the presidency.

The agenda requires public and congressional support for executive decisions and that support is lacking. An earlier than ever campaign forces candidates to commit themselves on divisive issues that will change in the coming months. Iraq, immigration, treatment of detainees, surveillance and other issues of privacy, homeland security, energy supply and demand will all greet the 44th president. Candidates presently in Congress are participants in the tug of war (over war) between the two elected branches, a spectacle that seemingly is contributing to low and lower public support for both institutions.

As has happened before in the post-1951 era of the two-term limitation, a

As has happened before in the post-1951 era of the two-term limitation, a new presidency is being shaped as the old one is being terminated. In the present case, however, a *diminished presidency* is being wrought, a development that can prove dysfunctional for the separation of powers. Congress is ill equipped to perform executive functions through oversight or legislation. Presidential rule by the veto checkmate indicates lack of influence in lawmaking, a mark of weakness, not strength. And in narrow margin politics, vetoes are unlikely to be overridden. Sustaining a negative by 34 percent in one house can hardly be labeled a "win." A system separated against itself cannot govern effectively.

Checks and balances were not designed to freeze the system in place but to assure differing perspectives and talents from divergent presentation, term lengths, institutional settings, and constitutional prerogratives. Presidential candidates in 2008 need to reveal how they intend to cope with these institutional issues, in addition to the serious policy matters that are piling up in a system presently exemplified by balanced checking between the presidency and Congress. There may still be time to shape a different presidency. Is there the will or the way?

## SCHOLARLY PRECINCTS

# MOMENTUM VS. DELEGATES OF THE

#### 2008 PRESIDENTIAL PRIMARY

by Dr. Rick Farmer,

## Oklahoma House of Representatives

Could the 2008 presidential nominating process become a contest of delegate counts rather than momentum? Not likely. However, it does illustrate how the Democratic Party may be moving closer to a brokered convention in the near future. States front-loading the 2008 presidential primary season had the potential to turn the competition into an actual race for delegates rather than a race for momentum. However, Senator Clinton's commanding lead in a majority of states may stave off the threat.

American political parties grant their nomination to a single candidate at a national convention. Both the Republican Party and the Democratic Party nominations can be won with a simple majority of the delegates. Delegates are pledged through a series of caucuses and primaries. Both parties are following similar calendars but Republican Party rules will likely result in a different type of contest than Democratic Party rules.

Since the McGovern-Fraser report to the Democratic National Committee in 1971 the lengthy presidential primary contest has become a winnowing process. Candidates who fail to meet expectations in early primaries and caucuses lose the ability to raise resources and are forced to withdraw (Patterson 1994). Candidates who exceed expectations press on to the next set of primaries and caucuses with renewed vigor. The last candidate standing consolidates power and enters the nominating convention triumphant.

This process empowered states with early primaries or caucuses and frustrated states who reserved their delegate selection contests until later in the year. Voters in early states enjoyed a wide selection of the candidates and received much national attention. Later states' contests offered far fewer candidate choices and little attention because the party nomination was *fait accomplis*.

For states, the incentive was to move their primary or caucus to the front of the line. States with traditionally early contests, in an effort to preserve their place of honor, were forced to move even earlier. The Democratic Party attempted to limit this front-loading by creating a delegate selection window. It allowed Iowa, Nevada, New Hampshire and South Carolina to maintain their traditional place at the front and prohibited others from beginning the process before February. Republicans followed suit with similar rules.

By 2008 several iterations of working within these rules resulted in two unintended consequences. First, the first Tuesday in February is looking very much like a national primary day. Second, some states are ignoring the party rules and their potential sanctions and planning delegate selections prior to February 5.

States continue to move their 2008 delegate selection contests. Table 1 shows the list of primaries and caucuses by date through February 5. It includes the number of pledged delegates selected in each state. These dates are current as of October 24, 2007. (For a detailed description of each state's contest see the Green Papers 2007.)

Currently, 20 Democratic contest and 20 Republican contests are slated for February 5, accounting for 44% of the pledged delegates to the Democratic convention and 40% of the delegates to the Republican convention. This date has been labeled "Super Tuesday", "Super Duper Tuesday," "Tsunami Tuesday," "Giga Tuesday," "Mega-Tuesday, Powerball Primary" and the "Tuesday of Destiny" (Wikipedia 2007). It is the closest that we have come to a national primary day in the U.S.

TABLE 1: STATES' PRIMARY AND CAUCUS DATES WITH NUMBER OF DELEGATES

<b>Democratic</b>	Democratic Contests		Republican Contests		
State	Date	Pledged	State	Date	Total
IA	1/3	45	IA	1/3	40
NH	1/8	22	WY	1/5	28
MI	1/15	128	NH	1/8	24
NV	1/19	25	MI	1/15	60
SC	1/26	45	NV	1/19	34
FL	1/29	185	SC	1/19	47
AK	2/5	13	FL	1/29	114
$\mathbf{AL}$	2/5	52	ME	2/2	21
AR	2/5	35	$\mathbf{AL}$	2/5	48
$\mathbf{AZ}$	2/5	56	AK	2/5	29
CA	2/5	370	AZ	2/5	53
CO	2/5	55	AR	2/5	34
CT	2/5	48	CA	2/5	173
DE	2/5	15	CO	2/5	46
GA	2/5	87	CT	2/5	30
ID	2/5	18	DE	2/5	18
IL	2/5	153	GA	2/5	19
MN	2/5	72	IL	2/5	70
MO	2/5	72	MN	2/5	41
ND	2/5	13	MO	2/5	58
NJ	2/5	107	MT	2/5	25
NM	2/5	26	NJ	2/5	52
NY	2/5	232	NY	2/5	101
OK	2/5	38	ND	2/5	26
TN	2/5	68	OK	2/5	41
UT	2/5	23	TN	2/5	55
			UT	2/5	36
			WV	2/5	30

SOURCE: Wikipedia 2007.

Several leaders have stated publicly that the national attention gained through an early primary is worth the potential loss of delegate votes at the convention. Others have suggested that ultimately the party conventions will not have the backbone to deduct delegates from the numerous states who violate the selection window. Iowa and New Hampshire were granted exemptions from the selection window by the Democratic Party and have pledged to be the first in the nation no matter what.

Two states' Democratic parties (FL & MI) are openly defying party rules by scheduling their primary before February 5. They risk losing half of their pledged delegates and all of their unpledged delegates at the national convention (see DNC rule 20). This brings the total number of Democratic contests prior to February 5 to 6, accounting for 13% of the pledged delegates if no sanctions are applied. Michigan's January 15 date may push Iowa or New Hampshire or both into December 2007.

On the Republican side, 7 states have scheduled contests prior to February 5 accounting for 14% of the delegates if no sanctions are applied. Four primary states (NH, MI, SC, FL) risk losing half of their convention delegates (see RNC rule 15). Again, Michigan's primary date is pushing Iowa and New Hampshire toward 2007.

Together the early contests and February 5 account for 57% of the pledged delegates to the Democratic convention and 54% of the Republican delegates. These totals would suggest that the contest would be substantially over if a particular candidate were able to amass a sizable lead as of February 5. However, Democratic rules provide an interesting twist.

McGovern-Fraser established, among other things, proportional representation for Democratic delegate selection. Any candidate receiving a minimum of 15% of the votes in a state's primary or caucus must receive a proportional share of the state's pledged convention delegates. Republicans have no national rules regarding proportional representation and most state parties have chosen to award delegates on a winner-take-all plurality basis.

(Continued on page 7)

## SCHOLARLY PRECINCTS (Continued from page 6)

If several strong Democratic candidates were able to avoid the winnowing process through February 5, proportional representation could divide 57% of the delegates into several small camps. This would make it difficult for any one candidate to gain the 50% of the vote needed to win the nomination on the first ballot.

Current polling in Iowa suggests the votes may well be split, with Clinton 29%, Obama 24% and Edwards 21% (RealClearPolitics.com 2007). Traditionally, these numbers would be good enough to give each of the candidates a boost into the next contest. The renewed momentum and resources may be enough to significantly alter the political landscape in New Hampshire and South Carolina. However, if Obama and Edwards are not able to capitalize on a strong Iowa showing the race may very well be over. Senator Clinton is polling above 40% in the majority of other states and Edwards is not polling the 15% required to glean delegates from a contest. With 6 contests before February 5 the field may be winnowed before 77% of Democratic voters have a chance to participate. On the other hand, if all of the major candidates remain in the race the combined results through February 5 may provide Clinton with about 20% of the necessary delegates with only 43% remaining to be determined. At that point the nearly 20% of unpledged delegates could become crucial to the outcome.

A brokered Democratic convention remains unlikely. Either the winnowing process will leave only one candidate standing or of the finalists the front-runner should be able to collect enough unpledged delegates to get them over the top.

On the Republican side, the dynamic for collecting delegates is very different. The winnowing process is likely to determine the outcome, but if it does come down to delegate counts there are far fewer national rules. This creates a hodgepodge of selection processes. State delegations are often identified as unpledged when in fact they are pledged through a caucus/convention system. Most of the contests are winner-take-all and not proportional, though they may be district and not statewide contests.

The polling is also more interesting. Romney leads in Iowa, New Hampshire and Michigan (RealClearPolitics.com 2007). If this result holds through the election it should give his campaign a significant boost. Giuliani leads in most other states. Because of the winner-take-all nature of the Republican contests, if Giuliani can withstand the initial onslaught he may be able to wrap up the nomination soon after February 5.

All of this suggests that as the U.S. moves closer to a national primary day if the Democratic Party retains its proportional representation rule the likelihood of a brokered Democratic convention increases.

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