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Lawrence J. Grossback, David A. M. Peterson and James A. Stimson

Excerpt

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## I

**A Single Time in a Single Place**

On the morning of November 5, 1964, Arthur Krock of the *New York Times* posed a problem for newly elected President Lyndon Johnson. How would he answer the “great question created by the most emphatic vote of preference ever given to a national candidate: How will he use the mandate to lead and govern that has been so overwhelmingly tendered by the American people?” (1964, p. 44). Krock’s words capture the reaction of many to the landslide that had brought victory to more than Johnson. In the upcoming Congress, the Democrats would hold a two to one margin in both chambers. Thirty-eight new House Democrats extended their majority to 295 seats while two new Democratic Senators gave them a total of 68, the second largest majority the Democrats had ever held in both chambers (Morris 1965). If there ever was a partisan surge, this was it.

There was, as always, a debate over whether the Democratic surge constituted a mandate for Johnson’s policies. Most Republicans attributed the defeat to the rejection of Barry Goldwater’s brand of conservatism. Some Democrats argued that the victory was rooted more broadly in support of liberalism than in support of Johnson. There was some truth to this last notion. Outside the South, liberal Democrats replaced conservative Republicans. In the South, conservative Republicans replaced equally conservative Democrats. The liberal gains thus went beyond additional Democratic seats. Still, many in the media and in politics saw this as a mandate, and many of them ranked it as among the most significant in history. Even reluctant Republicans had

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to concede defeat and admit that voters had expressed their support for the major parts of Johnson's program. One Republican congressman summed up the meaning of the election well. "He's got the votes. There's not much we can do to stop his program if we tried" ("Great Society" Editorial, p. E1).

Johnson's answer to Krock's question came the following January in his State of the Union Address. Johnson (1965a) would seek the creation of a "Great Society [that] asks not how much, but how good; not only how to create wealth but how to use it; not only how fast we are going, but where we are headed." The Great Society included calls for health insurance for the elderly, the federal funds to support secondary and higher education, a department of housing and urban development to lead a war on poverty, and efforts to fight crime and disease. Johnson also touched on his desire to build on the passage of the Civil Rights Act the year before. The statement was brief, promising "the elimination of barriers to voting rights," but it would come to have major consequence for American politics.

Voting rights were on the agenda of others as well, and well they should have been. In 1964, only about 43 percent of Southern blacks were registered to vote, but the figure was as low as 7 percent in Mississippi (Davidson 1994). One week after the Democratic landslide, the Southern Christian Leadership Conference decided that it needed a rallying point around which to build support for voting rights across the nation (Davidson 1992). The rallying point would be Selma, Alabama. Selma and surrounding Dallas County had 30,000 blacks eligible to vote, of whom only 355 were then registered. Soon the Rev. Martin Luther King Jr. would request a meeting with the president to discuss voting rights proposals. The election results played a role in the renewed drive to pass a voting rights bill. One reporter noted that "passage of the Civil Rights Act of 1964 and the outcome of the Nov. 3 election had the effect of crumbling much of the massive white opposition to change that existed in the Deep South states" (Herbers 1965, p. E5). It did not crush all the resistance, and it had little effect on the white leaders of Selma. It was they who on March 7, 1965 – hence forth known as "Bloody Sunday" – led a group of men on to Edmund Pettus Bridge to attack civil rights marchers, wounding close to a hundred.

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The violence of Bloody Sunday led members of Congress from both parties to call on the Johnson administration to quickly send the anticipated voting rights bill to Congress. The mandate made it time to act. Johnson had wide public support outside the South, and he saw the need to take advantage of the Democrats' massive advantage in Congress before Southern support for the party eroded further (Davidson 1994). On March 15, the president spoke to the country about the need for a voting rights bill. He spoke of an American promise that had to be kept and of the destiny of democracy. He also spoke of Selma. His words were eloquent:

...at times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Alabama. (Johnson 1965b)

As critical as Selma was, it was not enough to ensure passage of a forceful voting rights bill. The bill had to get through the U.S. Senate where Southerners controlled key committees and where they could filibuster the bill to death. The first challenge was the Senate Judiciary Committee. Since 1953, James Eastland (D-MS) had chaired the committee. In that time, 122 civil rights bills had been referred to the committee. Of that number, only one was ever reported back, and that case required the entire Senate to overrule the chair (Kenworthy 1965a). The mandate consensus, however, had strengthened Johnson's hand and the hand of the Senate leadership. To get past Senator Eastland, the Senate leadership required that the bill be reported back in fifteen days. If not, the party leaders would cancel the Easter recess. The mandate effect also lowered the threat of a filibuster. A number of Southern Senators who had opposed the Civil Rights Act of 1964 appeared ready to allow a bill to come to a vote. Their ranks included J. W. Fulbright of Arkansas, George Smathers of Florida, and Albert Gore of Tennessee. Of them, only Gore would join four other Southern Senators who – along with sixty-five others – would vote for cloture.

The belief in a mandate would have a direct influence on the content of the bill as well. In analyses to come, we suggest that certain elections, such as 1964, are perceived to carry a message about the will of the voters. These mandates lead members of Congress to reevaluate how

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to vote on legislation to satisfy their constituents. We can assess the effect of the perceived mandate by asking what would the outcome of roll call votes have been absent these reevaluations. We rerun history (by a method to be detailed later) to observe roll call outcomes in a “normal” 1965 Senate – one in which the effect of the mandate has been removed.

Absent the mandate, two votes on amendments to the Voting Rights Act would have come out differently. One was a (Republican) amendment to limit the ability of the U.S. Attorney General to bring cases under the Act’s provisions. The second was a Southern Democratic amendment that would have given federal courts in the South the discretion to hear cases arising from the Act. Both had a simple purpose: gutting the enforcement provisions of the Act. By putting enforcement in the hands of Southern state attorneys general and sitting Southern judges, the amendments would have watered the bill down to almost nothing, an endorsement of voting rights that would be without practical effect. Both were defeated, primarily because the spirit of the times led a small number of Senators to cast votes that were more liberal than would have been the case in normal conditions.

The result was a second “single time in a single place” when history and fate met to extend freedom to a long oppressed group of citizens. The moment came on August 6, 1965, in the U.S. Capitol. President Johnson entered the President’s Room off the Senate chamber, the very same room that Abraham Lincoln entered in 1861 to free slaves pressed into confederate military duty. He sat at the desk he used as a Senator and at which some believe Lincoln also sat on that earlier day (Kenworthy 1965b). There Lincoln freed the slaves, and there Johnson signed the Voting Rights Act of 1965. Johnson (1965c, p. 8) would remark that “today is a triumph for freedom as huge as any victory that’s ever been won on any battlefield.”

The implication here is striking. The Democratic gains in Congress were not enough to ensure an effective voting rights bill.<sup>1</sup> Absent the unusual politics a sense of mandate put in place, the Great Society would have been very different, especially to black voters across the

<sup>1</sup> And we don’t need to rerun history to know that numbers weren’t enough. That *same* 89th Senate would turn balky the following year, denying Johnson much of what he wanted.

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South. Mississippi may not have seen the percentage of blacks registered to vote increase from 7 percent in 1964 to nearly 60 percent in 1968. Nor would the South see the number of black elected officials rise from fewer than 100 to over 3,265 by 1989 (Davidson 1992). Absent the mandate, the history of racial politics and, indeed, partisan politics might have been very different (Carmines and Stimson 1989).

### 1.0.1 “Our Enemy is Time” – Budget Politics and the Reagan Revolution

On May 7, 1981, two roll call votes took place in the House of Representatives. The first sought to replace the Fiscal 1982 Budget Resolution prepared by the (Democratic) majority Leadership with a substitute resolution written by Ronald Reagan’s budget director, David Stockman. The second would be on the adoption of the resolution that emerged. The substitute resolution was the Reagan revolution. It called for nearly \$37 billion in spending cuts for fiscal 1982, another \$44 billion in cuts by fiscal 1984, and left room for a 30 percent cut in individual tax rates that would cost nearly \$50 billion in its first year and over \$700 billion over five years. The goal was simple; fundamentally scale back the scope of the federal government. Victory for Reagan was not assured. The Republicans had 192 members in the House, 26 short of a majority.

In scheduling the two votes, the Democratic controlled Rules Committee had imposed an up or down vote on the revolution. The Reagan White House framed the vote in simple terms (Stockman 1986, p. 174): “Are you with Ronald Reagan or against him?” In the end, 253 members were with Reagan on the first vote, 270 on the second. Sixty-three Democrats joined 190 Republicans to defeat the Democratic alternative. As members prepared to vote on final adoption, the easy victory led Minority Leader Robert Michel (R-IL) to proclaim, “Let history show that we provided the margin of difference that changed the course of American government” (*CQ Almanac* 1981, p. 253).

Six months earlier, in October 1980, historic change in the course of American government was not inevitable, in fact, it seemed unlikely. Opinion polls showed that President Jimmy Carter had eroded the lead Ronald Reagan had held since early summer (Pomper 1981). Just before the two candidates debated on October 28, Carter opened a

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narrow lead. The revolution was in jeopardy. For a number of reasons, Carter's lead did not hold. Reagan won a majority of the popular vote (51.7 percent, a ten-point margin), and dominated the Electoral College, winning nearly 91 percent of the votes.

Because the election was expected to be tight, Reagan's victory surprised few. A solid debate performance and a final embarrassment of Carter by the Iranian government allowed Reagan to regain his lead in the polls a week out from the election. The extent of the victory, however, "*did* surprise nearly everyone," and "real surprise, indeed astonishment" came in the congressional elections (Jacob 1981, p. 119, emphasis original). The newly elected 97th Congress would see the exit of twelve incumbent Democratic Senators (many among the most liberal), Republican control of the Senate for the first time in twenty-eight years, and a Republican gain of thirty-three seats in the House. Mandate or not, the election was a clear victory for the Republican Party.

The shift in Congress caught the attention of many. On election night, future Reagan Budget Director David Stockman's wrote that his "eyes remained fixed on the House and Senate races across the nation" (1986, p. 69). Congress was of great concern to him because Republicans "needed a substantial transfusion of conservative blood. Otherwise, the world's greatest parliamentary institution would grind the revolution to a halt, presidential mandate or not." The conservatives got just what they needed. David Broder (1980, p. A1) captured the consensus well: "voters . . . elected the most conservative Congress in a generation. Their action strengthened the president-elect's right to interpret his victory as a mandate for the policies of stronger defense and skimpier government." Conservatives believed that control of the Senate gave the mandate claim an institutional component that made it credible (Fenno 1991). The mandate interpretation did not escape the Republican Senators who would lead the revolution in their chamber. Budget Committee Chair Pete Domenici (R-NM) remarked, "There is an American mandate . . . the size of the budget cannot grow as fast" (Fenno 1991, p. 50). The mandate perception did not escape the Democrats either. House Speaker Tip O'Neill admitted that "some of the old ways have to change. It's a new day. A different time" (Stockman 1986, p. 121).

The surprising victory margin, the widely shared mandate perception, and the Republican surge in Congress set the stage for the budget

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showdown on May 7. The budget became the legislative embodiment of the mandate. Domenici made that clear to the Senate: “The blueprint contained in this resolution is clear. It is unequivocal. It responds directly to the mandate of the American people and the requests of our President” (*CQ Almanac* 1981, p. 247). The timing of the showdown, just four months after Reagan’s inauguration, stemmed directly from the recognition that the effect of the mandate might be transient.

Almost immediately, the Reagan team saw the need to move quickly. Stockman made speed a central element of the budget strategy by beginning his first strategy memo with “Our enemy is time” (Stockman 1986, p. 76). He feared “the resurgent political forces of the status quo.” He feared the inevitable change in political information flowing to members of Congress. His fear produced a plan that would see the release of the Reagan budget by mid-February, and a final budget resolution by mid-May. The Republican forces knew that they had to demonstrate their ability to govern and do so quickly. To do so, they married speed with a deft procedural innovation. They would pass budget reconciliation bills first in order to give the entire Reagan package the force of law while avoiding the long deliberations and inevitable alterations that would come if they took the normal path of first passing nonbinding resolutions.

The dramatic Republican surge in Congress offered the final element of a strategy rooted in mandate politics. The revolution would begin in the Senate. Control of the Senate offered the opportunity to use the new majority to push the budget through the Senate and then use it as leverage against the House (Rattner 1981; Fenno 1991). The strategy worked, but not without its share of setbacks. The initial budget package was defeated in committee when three Republicans voted with Democrats because they thought the budget abandoned the principle of a balanced budget. Victory came after an additional \$44 billion in unspecified future budget cuts was included. The changes were superficial, but they succeeded in winning back the three Republicans and three Southern Democrats (*CQ Almanac* 1981). It didn’t hurt that President Reagan had lobbied members from a hospital bed where he was recovering from a would-be assassin’s bullet.

A recovering Reagan also played a crucial role in the House. There, the strategy focused on assembling a coalition of Republicans and conservative Southern Democrats, called Boll-Weevils, to get the votes for

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the budget. Stockman (1986, p. 173) clearly believed that members were engaging in representation by responding to the electorate's signal. He noted that by the time of the House vote on the budget they could count on enough Boll-Weevils because after the assassination attempt Reagan's "already imposing strength in the Boll-Weevils' districts had reached never-before-recorded levels." Stockman was right. Reagan's lobbying proved effective. He equated his budget with the will of the people, a signal few in Congress could afford not to acknowledge. Reagan's efforts prompted Tip O'Neill to concede defeat: "I can read [members of] Congress. They go with the will of the people, and the will of the people is to go along with the president" (Dewar 1981).

In the end, Reagan would have to compromise in the House. A slightly revised budget with smaller deficit numbers passed the House with the support of eighty-four of O'Neill's Democrats. Republican gains in Congress were not enough to pass the bill that would guide the revolution, nor was Democratic control of the House enough to defeat it. As we will demonstrate later, the victory was the result of members voting more conservatively than we would expect under normal conditions. Absent the mandate effect, many of the Democrats and a few Republicans would not have voted to support the revolution. They took the mandate consensus as a signal of public opinion and voted to protect themselves in the 1982 election.

The erosion of that consensus ensured that the final budget enacted by Congress did not contain all of the elements of the resolution passed on May 7. But it would contain most of what Reagan wanted. Close to \$38 billion in spending cuts became law, cuts that would total \$52 billion by 1986, a 9 percent reduction in the federal budget. The budget cut food stamps, child nutrition programs, rent supports, Aid to Families with Dependent Children, student loans, and some Social Security benefits. By one calculation, the budget cut \$12 billion from Great Society grants and services by 1986, a 25 percent cut in the welfare state (Stockman 1986).

Stockman was right to see time as the revolution's enemy. Not long after the final budget victories in late June, the sense of mandate began to unravel. During the August recess, many members of Congress received "a dose of constituency reaction" that included the idea that the social spending cuts had gone too far (Fenno 1991, p. 58). The

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media, too, would sense the change and switch its tone to suggesting that the mandate was overinterpreted. Reagan would eventually be forced to raise taxes and make additional cuts to deal with a ballooning deficit; mandate politics would give way to politics as usual. The policy changes were already in place. The Great Society had been scaled back, taxes lowered, and a decade of deficit politics lay ahead.

### 1.0.2 “We Heard America Shouting” – The End of Welfare as We Know It

In January 1995, President Bill Clinton stepped into the House Chamber to deliver his third State of the Union Address. It had been nearly fifteen years since the Reagan mandate had scaled back the welfare state, and it was now evident that a second round of changes was at hand. The president admitted as much in his speech. He summed up the recent midterm election, noting that “. . . we didn’t hear America singing, we heard America shouting” (Clinton 1995). It was clear from his speech that the president thought the shouts were a call to change how Washington worked. In an attempt to downplay the Republican victory, he interpreted the meaning of the election as a renewal of the call for change that helped drive his victory in 1992. “We must agree that the American people certainly voted for change in 1992 and 1994,” he said. But the election of 1992 was not at all like that of 1994.

President Clinton’s explanation fell on deaf ears. By the time of his speech the idea that the 1994 elections were driven by an anti-incumbent mood had been dismissed by the Washington community. It is easy to see why. The Republicans gained fifty-two seats in the House, assuming control of the chamber for the time since 1952, a feat reminiscent of their taking control of the Senate in 1980. A loss of fifty seats by the president’s party is not unheard of; conventional wisdom sees midterm elections as a referendum on the sitting president, but something happened in 1994 that made this election different. Not a single Republican incumbent—Senate, House, or gubernatorial—lost. All 177 survived. Democratic incumbents fared much worse. In the House, thirty-five Republican challengers beat incumbent Democrats. In the Senate, Republican challengers beat three incumbent Democrats and won all six open Democratic seats. The day after the election Senator

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Richard Shelby of Alabama switched parties to give the Republicans a nine-seat gain. The magnitude of the victory led David Broder (1994, p. A1) to acknowledge that “The center of power in American politics moved sharply rightward yesterday.” The damage to the Democrats went further. Broder noted that “voters gave the GOP an expanded mandate to govern by its own principles” by defeating five incumbent Democratic governors, reelecting Republican governors in California, Illinois, Michigan, and Ohio, and by giving Republicans control of statehouses in New York, Pennsylvania, and Texas. Call it what you want – a landslide, a sea change, realignment, or a revolution – this was no mere call for change.

Mandate interpretations cannot be based on mere claims; they require palpable evidence of change in the electorate. The election of 1994 offered such evidence, but a mandate consensus was not inevitable. A number of competing explanations arose. Democrats, in a clear effort of damage control, placed the blame on anti-incumbent feelings and the Clinton administration’s failings on health care reform, gays in the military, and civil rights. Political scientists, too, downplayed the idea of a mandate. They saw little change in the partisan or ideological makeup of the electorate and too diverse a group of issues at play to signal major change. What they saw was a partisan victory rooted in standard midterm losses, an unfocused antigovernment mood, Republican gains in the South, and a strong mobilization effort by conservative groups (Wilcox 1995). They also discounted the importance of the now famous “Contract with America.” The Contract was the Republican’s vehicle to nationalize the effort to gain control of the House by uniting their candidates behind a set of clear conservative principles and proposals. Skeptics cited as evidence polls that found that fewer than 20 percent of the public had heard of the Contract, only one in four of those planning to vote Republican knew of it, and fewer than 5 percent of voters approved of it (Wilcox 1995, p. 21).

These interpretations were not the view that pervaded Washington in the run up to the president’s speech. The deans of the Washington pundit community weighed in heavily in favor of a conservative Republican mandate. David Broder (1994, p. A1) called it “A historic Republican triumph fueled more by ideology than anti-incumbency.” Richard Wolf (1994, p. 1A), writing on the front page of *USA Today*, called it a “romp to the right,” “a Republican revolution of historic proportions,”