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Realignment and institutional change.

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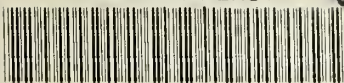
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REALIGNMENT AND INSTITUTIONAL CHANGE

A Dissertation Presented

By

BARRY S. DELIN

Submitted to the Graduate School of the
University of Massachusetts in partial fulfillment
of the requirements of the degree of

DOCTOR OF PHILOSOPHY

September 1983

Political Science



Barry S. Delin 1983

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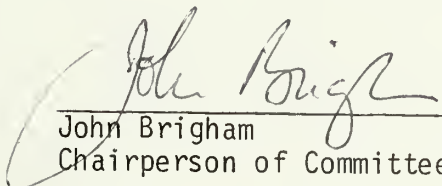
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By


BARRY S. DELIN

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For my parents, Sydney and Pearl Delin

PREFACE

This dissertation is not the one I first intended to write. My original plan was to investigate the relationships between patterns of authority in the workplace and individuals' development of political efficacy. Unable to conduct the necessary research I turned to a second idea, an examination of the relationships between realignment and institutional change.

The two dissertation topics are more closely related than they might appear to be at first glance. I consider individual political efficacy to rest on certain cognitive skills as well as subjective feelings of competence. Still, however political efficacy is defined, individuals act in a structured world. Institutional structure and process have important effects on how and whether individuals, however efficacious, can obtain their political ends.

In the United States, elections are said to provide a mechanism through which a mass citizenry can control the actions of governments. This assertion can be viewed as a central political myth of American society. I do not evaluate the validity of this myth in this dissertation. However, even staunch believers in the myth of popular sovereignty accept the fact that there is often a large discrepancy between majority views and government action, often for substantial time periods. Realignments, some argue, provide the most important way to overcome this discrepancy.

Students of realignment generally identify the conformity between citizen preferences and government action in terms of political agendas and public policies. I have no objection to this choice of indicators. However, another indicator should be added, institutional structure and process. My reason is simple. Structure and process influence what can and cannot be accomplished. If realignments constitute a transfer of long term political dominance to a new partisan coalition, then there is a *prima facie* reason for institutional change to take place. Institutional structure and process that helped a previously dominant coalition to obtain its policy goals would necessarily discourage the adoption and implementation of substantially different policy goals.

This dissertation is an investigation of the existence and process of post realignment institutional change. In Chapter I, I examine the realignment literature to see how these questions have already been treated and for suggestions on how to proceed with my investigation. Chapter II is an analysis of the meaning of the term governmental institution and in turn what it means for such institutions to change. This analysis is built on the concept of social practice as the key element of institutional life. Institutional change is understood mainly as the transformation and subsequent crystallization of institutional practice.

Chapters III, IV, and V are case studies of institutional change following electoral events. The first two case studies examine institutional change in the 1930s, focusing on the development of the EOP and the evolution of the pre-NLRA labor boards. The third case study

is an examination of recent changes in the budget process. Because the 1980 election is not considered a realigning election, the choice of the third case study requires additional comment. A current issue in realignment theory is the absence of a critical realignment since the 1930s. There is growing skepticism over whether a classic realignment is possible under current conditions. Yet the degree of policy change following the 1980 election more closely resembles the level of change associated with realigning elections than with other kinds of elections. Thus the 1980 election may represent a new type of election, one not easily placed in present classifications of elections but performing some of the functions associated with realigning elections.

The case studies focus mainly on the process of institutional change following elections. In Chapter VI my goal is to explicate the connections between institutional change and the periods of debate and politicization that occur before realigning (and comparable) elections. Finally, Chapter VII examines the inadequacy of the metaphor that underlies realignment theory, the exercise of popular sovereignty. I make initial suggestions about a substitute understanding, based on Alain Touraine's idea of debates.

Whatever is of value in this dissertation is the result of the help and support of many people, not all of whom I can mention here. In particular I owe much to the members of my dissertation committee, John Brigham, Sheldon Goldman, and James Wright. John Brigham deserves special thanks for his painstaking efforts to help me improve my writing

and thereby the clarity of my argument. Despite the improvement, I am aware of how much more can be done.

This dissertation would not have been completed without the support and encouragement of Helen Schneider. As my supervisor at the Orchard Hill Residential College at the University of Massachusetts/Amherst, Helen not only insisted that I finish my dissertation, but facilitated that process in many ways.

Finally, I must acknowledge the support of my wife, Shirley Ann Haslip, and of my daughter, Polly Jo Haslip. Polly's main contribution was to humor me and when that was impossible to simply tolerate me. I also wanted to complete my college education before Polly started hers. I have managed it with a margin of several days to spare. I owe an enormous debt to Shirley, who completed her dissertation several months ago. The fact that she found the time and patience to give me both emotional support and editorial help implies the praise she so richly deserves.

ABSTRACT

Realignment and Institutional Change

September 1983

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The United States has been characterized by long periods of relative stability in electoral coalitions, issue agendas, and public policies. These periods begin and end in partisan realignments, which are major and persistent changes in electoral coalitions. Realignments are normally followed by major policy changes that are supposed to be in close accord with the electoral majority's preferences. The literature also suggests that important institutional change follows realignments. This claim, and the evidence and argument that support it, receive only passing attention. This dissertation presents a sustained exploration of the relationships between realignments and institutional change through examination of case study material.

Particular attention is given to the process of institutional change. Institutional structure and process necessarily influence what can or cannot be done through institutions. All governmental institutions embody political purpose. This dissertation explores what it means for an institution to embody political purpose and what it means to say that an institution has changed. I argue that institutional structure and process are rooted in the practices and understandings of

institutional participants. Realignment events are seen as contextual events that provide incentives for the development of new practices.

Realignment theory, and the research based on it, contain a characteristic understanding of how realignments encourage policy and institutional change. Change results from the electorate's use of its latent power of popular sovereignty. This viewpoint provides an insufficient understanding of the process of change following realignments. An alternative is suggested based on Alain Touraine's concept of debate. While realigning elections retain an important role in encouraging governmental response to deep social tensions, an election is only one moment in the process of articulating, joining, and resolving a social debate. One implication of this understanding is that some functions of realignments can be performed by elections and other political events that do not fit the classic idea of realignment.

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C H A P T E R I
REALIGNMENT AND INSTITUTIONAL CHANGE:
A REVIEW OF THE LITERATURE

Institutional Stability and Change in the United States

In their broad outlines the government and political institutions of the United States of America have changed very little in comparison to those of most other nation states. Even in comparison with those nation states with political systems similar to that of the United States, i.e., those systems termed liberal democratic, the United States has exhibited an unusual degree of institutional stability over the course of its history. Despite the enormous social and economic changes comparable to those in other liberal democracies, the United States Constitution has been in continuous operation for nearly two hundred years. Amendments to that document have had remarkably little effect upon either the formal structures or powers of the national government. This stability even extends to many institutional features of the political system which are not specifically mentioned in the Constitution.

Nevertheless, some observers have perceived significant institutional change in the American political system. A distinction is sometimes drawn between the Constitution as a written document and the actual structure, process, and function of a government and political community in the United States. That is, the form and operation of institutions is related to but in no sense simply an outgrowth of a

literal reading of the constitutional document. This distinction between a formal and real constitution is not a new one. As early as the 1880s Woodrow Wilson wrote that:

. . . the Constitution is . . . only the sap-centre of a system of government vastly larger than the stock from which it has branched - a system, some of whose forms have only very indistinct and rudimental beginnings in the simple substance of the Constitution, and which exercises many functions apparently quite foreign to the primitive properties contained in the fundamental law . . .¹

In a more recent and far stronger statement of this viewpoint, Theodore Lowi has claimed that the United States is currently operating under a regime that in its essential operation and basis of legitimacy is different than the regime defined by the Constitution of 1787. In Lowi's terminology, the present government of the United States is a "Second Republic." Lowi also contends that in reality the U.S. has gone through several basic regime alterations since the revolution; he calls the present regime the Second Republic only because the other changes had not been properly noticed and enumerated in the past.² Whether Lowi is correct in his assertions is not as important here as his proposition that important changes in the structure, process, and function of the U.S. political system have taken place through its history.

Discussions about how significant political change occurs in the United States (or elsewhere for that matter) is bound up to underlying ideas about the nature of political activity. To speak about political change is to at least implicitly make claims about the nature and distribution of power. Thus, I will also be making such claims throughout this dissertation. For the moment, however, I only wish to alert readers to the many sources of political change, such as change initiated by

a cohesive elite outside the government, interest group initiatives, acts by government officials, inevitable adjustments to social or economic imperatives, or even the unforeseen results of purportedly incremental changes. In a liberal democracy there is also the possibility of important change initiated upon the demand of ordinary citizens, that is, change initiated on the basis of popular sovereignty. Given the oft repeated claim that governments in liberal democracies, particularly in regard to important long term policies and commitments, rest on the consent of the governed; the question of popular sovereignty should be examined as one source of major political change in such systems. Furthermore, those policies that shape a government's basic structure, process and function are the most important in the long run. Indeed, the question of how a liberal democracy alters its structure and process is central to any investigation of the efficacy of a democratic political system, both in terms of a system's response to majoritarian needs and wishes and in terms of the possibility that citizens, individually and collectively, can act efficaciously within that system.

There is no universally accepted definition of the concept of popular sovereignty. However, I contend that in the United States popular sovereignty generally means that the preferences of long term majorities will be translated into governmental policy. There are many ways in which citizens either explicitly or implicitly attempt to influence governmental activity and there is significant disagreement over whether majority preferences are in fact expressed and if so, when and how. In terms of the sheer numbers of participants involved, national elections

provide the most fully utilized form of political participation. Further, elections are a form of structured decision making.³ Because electoral choices are highly structured, virtually the entire citizenry can participate. However, individuals can make electoral choices without devoting much in the way of their own time and effort. Elections provide an extremely "cheap" form of participation. Also, the very aspects of elections that allow low cost participation mean that neither citizens nor government officials can learn anything directly about public preferences beyond the choices structured into the ballot. In the United States all national elections are for the selection of governmental officials, only two of which, the President and the Vice President, are elected on a national basis. There are never any issues on the ballot. While candidates and political parties can choose to wage electoral battle on well defined issues or upon clear presentation of ideological positions, it is widely recognized that American candidates and major parties have rarely done so. Then, on what basis can anyone claim that national elections provide a mechanism for promoting popular sovereignty in the United States?

Even the most cursory examination of American political history will demonstrate that elements of the body politic change over time. Tariff policy was one of the preeminent political issues of the 19th century. While not without importance today, the tariff is now a secondary concern. Few people would support a candidate or party simply because of the position taken on that issue. Besides changes in the issue agenda, there have been changes in public policy and in the

fortunes of different political organizations and coalitions. This list is meant to be indicative not exhaustive; the point is that persons interested in understanding United States politics need to talk explicitly about the existence of political change and its possible relationship to the exercise of popular sovereignty by a mass electorate.

Robert Dahl has suggested talking about political change in the United States in the context of what he calls "historical commitments," that is, choices made at times among a number of possibilities. These choices structure or mold future political and social development in the society. The commitments made cease to be seen as choices, but simply as expressions of the natural order of things. Dahl cautions us not to see this process as rational and neat, but to identify it by the existence and cessation of conflict that was ". . . overt, bitter, sometimes prolonged, and in one way or another came to involve a substantial number of citizens."⁴ While Dahl's primary aim is to investigate the implications of historical commitments, one can infer that the involvement of numerous citizens suggests some role for elections, and thereby popular sovereignty, in the process of making a historical commitment. Particularly suggestive is Dahl's point that conflict on the relevant issues generally dies quickly and that the end of most of the periods of conflict coincides with presidential election years, such as 1800, 1896, or 1932. These election years are somehow thought to be especially significant.⁵

Of course Dahl, or any other current political scientist with an interest in American national politics, knows that there is a whole body

of work which seeks to explain why certain elections are more important than the others over the long haul. Long periods of relative electoral stability have been punctuated by occasional periods of partisan realignment. In realigning periods significant numbers of voters form or reconfirm long standing attachments to a political party. The elections where major realignment takes place, or at least in retrospect where realignment can be observed, are termed "realigning" or "critical" elections. These elections are presumed to have a significant impact on the subsequent character of political life.

Given that most elections or most non-electoral mass political participation in the United States are not acts of popular sovereignty in the sense of determining public policy, the concept of realignment, i.e., that some elections have long term implications, provides a basis from which to claim that popular sovereignty exists and in turn to investigate its meaning. For example, Trilling and Campbell, two prominent students of the realignment phenomenon, speak about realignment and popular sovereignty as follows:

The essential element--citizen control of government--exists only in a potential form most of the time. Realignment translates this control into kinetic form, and it is the fact that control can occur that makes a system democratic.⁶

Thus, realignment theory provides a kind of last ditch defense that the citizenry as a whole, on the basis of majoritarian decision making, controls the general nature and activity of the United States political system as opposed to merely influencing the decisions of a political elite. However, there is no inherent reason why a different contention,

that realignments at best mediate the activities of a political elite, would be untrue. Even if this weaker contention (from the standpoint of democratic values) is the more accurate description of political reality, realignment might still be a phenomenon of some importance in explaining how and why political change occurs.

Over the years since V. O. Key's path breaking article in 1955, "A Theory of Critical Elections," a rudimentary theory of the realignment process has gained wide acceptance. Although there are a number of important disagreements about how realignments occur and what their effects are, most observers conceptualize realignment as a five step process which links the political environment to both mass and elite behavior and thence to public policy formation. The process begins with the existence of severe social or economic tensions that gradually rise to levels which seem to threaten social stability. Eventually there are rapid and persistent electoral shifts in the makeup of the coalitional bases of the two major political parties. This is the critical election, or series of elections, itself. The fourth part of the process is the turnover, resulting directly or indirectly from the realigning election, of elected officials, party leaders, and to a lesser extent appointive governmental officials such as judges and career bureaucrats. Finally, the political system responds to the underlying crisis with new policies which are in accordance with the interests or perhaps the expressed preferences of the new majority coalition. While this process is most often described as sequential, it is only roughly so. For example, shifts in political leadership and government policy may

proceed concurrently. Most observers concede that any "theory" of realignment is still in a very tentative stage of development.⁷

Before proceeding, it is also important to note the distinction between the terms "critical" and "secular" realignment. Critical realignment refers to an important and sudden shift in the composition of electoral coalitions. Secular realignment refers to important electoral changes arising from long term demographic changes. The distinction is analytical, not necessarily empirical. However, it is important to remember that unless otherwise qualified, the term realignment will be used to mean critical realignment for the duration of this dissertation.

The results of critical realignments may manifest themselves in an area other than voter identification and party competition, alternation in political leadership, or public policy formation. Despite the appearance of long term institutional stability in American politics, realignments also have an impact upon the very structure and operation of political institutions themselves. How institutions are organized influences what can or cannot be done through them. Any attempt to enact important changes in public policy will be encouraged or discouraged by existing institutional arrangements. There is no reason to assume that institutional forms that proved useful to the dominant interests of a particular political era would necessarily prove as useful to those of the subsequent political era. Indeed one should expect the opposite. New clusters of interests wanting innovations in public policy would need to make some institutional changes to facilitate their own

goals. One purpose of this dissertation is to inquire into the empirical truth of this contention.

Before proceeding, it is important to give some content to the idea of significant institutional change. On one extreme, one can talk about wholesale changes in the nature of a regime; for example a shift from a system based on separation of powers to a unified parliamentary system, or a change from hereditary privilege to popular consent as the basis of political legitimacy. If this is the standard used, I would certainly agree with those who say that the United States has experienced little significant institutional change over the past two centuries. Alternatively, one can claim that virtually any modification in institutional organization, recruitment patterns, internal procedure, etc. is important. Rejecting both these extremes, I am proposing several indicators of "significant institutional change" that would apply to the United States. Although the full range of important political institutions may stretch far beyond the confines of government formally defined, in this dissertation I will consider only change among and within governmental institutions.

Given that institutional change in the United States government usually involves something less than the creation of new branches of government, the search for significant institutional change must be carried out within the structure of the government. Organizations are created and disbanded occasionally; the functions and jurisdictions of organizational units also change over time. What counts as truly important? My first suggestion is to look for the appearance of new

institutional forms, especially when the government creates a large number of organizational units constituted on the basis of the new form. For example, the independent regulatory commission was created as a new institutional form in the late 19th century. These organizations proliferated in the 20th century, particularly after Franklin Roosevelt's administration came to office. It wasn't simply the creation of an institutional form that was important, but its increased use at a later time.

Another indication is when established institutions take on significant functions different in subject matter from those they performed in the past. For example, after World War II the Department of Defense took on a major role in foreign policy making and implementation that DOD's organizational predecessor, the War Department, did not have. As a third area of significant institutional change I would suggest examining changes in the formal and even informal relationships among governmental institutions. As a case in point, when Congress created the Bureau of the Budget, Congress hoped that the agency would provide information and expertise that would strengthen the legislature itself. Today, the BOB's successor agency, the Office of Management and Budget, is often viewed as a major political competitor of Congress, especially of many of Congress' committees and subcommittees. Ironically, Congress, in the 1970s, felt the need to create a new budgeting agency of its own to perform many of the same purposes as the original Bureau of the Budget.

Finally, when governments begin to perform new kinds of functions, as opposed to simply adding a new version of a familiar function, important institutional change has occurred. If a government that has subsidized a given activity, let us say railroad transportation, now decides to subsidize air travel, it may have to create a new organizational unit. Still, that new unit would not need to operate in a radically different fashion than the agency aiding the railroads. I would not classify this example as significant institutional change. On the other hand, if the government wanted to design, implement, and operate an entirely new transportation technology, previous institutional forms would not be as relevant to the task. Further, new kinds of functions seem to require new forms of justification to legitimate them.⁸

Significant institutional change might well occur in other ways. However, the subject here is whether and in what ways institutional change arises out of electoral realignment. The remainder of this chapter is devoted to examining what researchers interested in realignment have to say on this subject. Because they have said relatively little, the primary foci of research have been to establish the empirical validity of the concept, to develop a methodology to accurately identify realignment periods, and to understand the electoral and coalitional shifts that occur in realignments. As Campbell and Trilling point out, the concept of realignment was originally seen as an electoral phenomenon. Only later did researchers begin to explore its other ramifications.⁹ Nonetheless, the earliest researchers were concerned with the overall nature of American politics and their interpretations provided

hints that institutional change was among the results of the realignment process. This chapter will close with a brief examination of several other writers who do not focus on realignment per se, but have considered the issue of significant political or institutional change in the United States.

The Realignment Literature: Application to the Analysis of Institutional Change

I am dividing my consideration of realignment research into three chronological periods. In the first period, roughly 1955 through the early 1960s, researchers aimed at defining the concept and demonstrating its empirical existence. Important figures in this period include V. O. Key, E. E. Schattschneider, and the Michigan Survey Research group. In the second period, centering around 1970, most researchers focused on describing and explaining the causes and mechanics of realignment. The studies by Burnham and Sundquist are probably the definitive ones of this period. The third period, that of the past decade, has witnessed an increasing concern with the implications of realignment on political leadership and public policy, though not specifically on institutional adaptation.

Initial Work: Developing the Concept

The terms "realignment" and "critical election" were originally defined by V. O. Key. Key's initial work in this area focused on the classification of United States national elections; although this interest in classification was certainly linked to broader interests into how

the political process operates. The author notes that ". . . the attempt to move toward a better understanding of elections in the terms here employed could provide a means for better integrating the study of political behavior with the analysis of political systems."¹⁰

Key's definition of the critical or realigning election has been the one, which with various modifications, has been used by subsequent researchers investigating realignment and electoral cycles. The central elements of his definition include: (1) unusually deep voter concern, (2) high voter turnout, (3) decisive results that show important changes in pre-existing electoral alignments and divisions, and (4) persistence of new electoral alignments for at least several future national elections. Key stresses this fourth element, persistence of the new alignment, as the single most important indicator of a critical election.¹¹ Implicit in Key's original work on critical elections is the notion of electoral cycles, although he did not explore either what prompts a realignment or what happens between critical elections in any detail. Yet Key observed that, ". . . An understanding of elections and, in turn, of the democratic process must rest partially on broad differentiations of the complexes of behavior that we call elections."¹² Key's observation implies that electoral cycles have an important impact on subsequent political developments.

Key's discovery and interpretation of electoral realignment rests on aggregate voting data. However, among the students of voting behavior of the 1950s and 1960s, Key was unusually sensitive to the possibility that voting constituted rational acts by many, perhaps most, voters

within the limits of the information and alternatives available to them.¹³ His views on this matter are important here insofar as any connection between any policy or institutional impact of realignment and popular sovereignty requires that voters are rational actors pursuing their understanding of their individual and social interests, at least during periods of realignment. Specification of the form and dynamics of voter rationality would inform ideas of how the expression of voter preferences influences, or directs, the actions of government officials and other powerholders in the social order.

According to Key, the most useful and accurate explanation of an individual's vote is his or her perception of past candidate performance. In the context of presidential elections, this clearly means the performance of the administration not just the incumbent. Key acknowledges that election campaigns, childhood socialization, and other factors have an impact on the vote, but he says that impact is secondary.¹⁴ As Key points out:

Governments must act or not act and action or inaction may convert supporters into opponents or opponents into supporters. Events, over which government may, or more likely may not, have control, shape the attitudes of voters to the advantage or disadvantage of the party in power.¹⁵

If Key is correct electoral judgements are largely retrospective, one cannot claim a direct relationship between electoral results and institutional change. However one can conceptualize a relationship in which a new administration would undertake institutional change as part of its policy response to the perceived dissatisfactions of the electorate with the previous administration. Further, institutional adaptations might

then, in a general way, be ratified or rejected by voters in the next election.

Key divides voters in any given election into three categories: "standpatters," "switchers," and "new voters." Individuals do not necessarily stay in these categories in future elections and members of all of the categories are presumed to act rationally in casting their votes. Standpatters are individuals who vote for the same (presidential) party they did in the previous election. Switchers change their party allegiance. However, it is important to note that such changes may or may not be longstanding. The category of new voters includes registered voters who did not vote in the previous presidential election as well as those not registered before. Even in normal, that is non-realigning elections, switchers and new voters constitute a very significant part of the electorate. Key reported that typically 30 to 40 percent of the electorate did not "standpat" in any given normal election.¹⁶ These percentages are probably higher today given the decline in party identification and organization in the two decades since Key wrote The Responsible Voter. Realignment necessarily means an even greater degree of either switchers or new voters, and probably both, in the electorate.

However, the dynamics of the election following realignment, i.e., the one in which the new political order presumably receives the electorate's blessing, are not as obvious. One possible expectation would be a relatively stable electorate as those who had wanted a change now standpat. Notwithstanding this expectation, Key found evidence of a

post-alignment movement of voters based on the policies and ideological appeals of the newly dominant political party and coalition.¹⁷ This second effect is more consistent with the idea of retrospective judgment in that persons dissatisfied before realignment might be equally or more dissatisfied with the record of the new administration.

The preceding material should not be taken to suggest that a critical election is little more than an extreme case of a typical election. Key notes two differences in the election itself and two more in its outcome. It is clear that while issues are not necessarily better defined they are more salient. More voters are usually involved, not only in the act of voting, but in the political discourse that surrounds the election as well. Similarly, the results are different in kind. New aggregate structures of voting patterns and other kinds of political support become apparent and these new structures, while not static, are persistent. For instance, the patterns growing out of the realignment of 1896 were still clearly discernible on the eve of the Great Depression. Today, even a half century after the New Deal realignment, enough of the structure of the great Democratic majority remains that contemporary Democrats can still seriously talk about its remobilization.

Key never wrote at length about institutional change arising from realignment. Key did pay greater attention to the question of policy changes after realignment and he did so in a way that suggested there was a linkage between realignment and institutional change. As early as 1955 Key speculated that critical elections might have implications upon public administration, the legislative process, and the operation and

regulation of the economy.¹⁸ In later work, Key, speaking about the New Deal, emphasized the basic changes in the relationship between the state and the citizenry that occurred at that time. While Key writes mostly about policy initiatives, he seems aware that new kinds of institutions were needed to implement these departures, e.g., a WPA for direct relief or an NRA to support industrial self-regulation.¹⁹ In truth the distinction between policy change and institutional change may sometimes be only an analytical one. If institutions are in the end human creations meant to serve certain purposes, then a *prima facie* reason for institutional change is to implement new purposes.

A second approach to the study of realignment stemmed from the work on individual voting behavior conducted by Campbell, Converse, Miller, and Stokes. The group's primary concern was to understand individual voting decisions in terms of individual perceptions and attitudes. As such they were less immediately concerned with the social and political context in which the individual vote occurs.²⁰ However, since one of their key attitudinal variables was voters' psychological identification with a political party, i.e., "party identification," Campbell et al. realized that they had to understand why there are both short term and long term variations in the votes given to party candidates in different elections, despite the relative stability of party identification among individual voters.

The concept Campbell et al. use to capture the meaning of elections, as opposed to describing individual attitudinal and behavioral change, is the "normal vote." The meaning of elections is understood by

the degree of deviation they exhibit compared to the ideal, although empirically unknown, situation of an election where voters act in perfect accordance with their long standing identification with a given political party.²¹ All presidential elections are in some sense different from the normal vote, although the party with the largest percentage of identifiers is usually expected to win. Campbell and associates call this a "maintaining election." Occasionally there will be enough variation from the normal vote for the minority party to win. This is called a "deviating election." Finally, there is the situation where deviations from the normal vote are both massive and permanent. In this situation it is also likely that many new voters will come to the polls for the first time. Like Key, Campbell et al. call this a "realigning election."²²

Campbell et al. said little about either the mechanics or the effects of realigning elections. This is consistent with their emphasis on individual attitudinal stability and change as determined through pre-election surveys. All of their data collection was done during maintaining and deviating elections. Yet the SRC group has made some suggestions about the relationships between voters and government officials which provide insights into understanding the relationship between realignment and policy and institutional change.

Campbell et al. recognize the limited formal decision that occurs in United States national elections, that is, the selection of office holders. However, they also argue that all elections hold an implicit meaning:

We have said that popular elections are one of several means of decision making in the political system, that this system coheres largely because its decision processes are bound together by relations of mutual influence, and that, as a result, decisions of the electorate are of interest for their influence on what occurs elsewhere in the system.²³

Reviewing their survey evidence, the authors note that the electorate as a whole does not have detailed information about the past actions or future plans of public officials, political parties, or governmental institutions. They also point out that extremely few voters think in ways that can be characterized as ideological. Rather, Campbell et al. claim that the electorate defines the broad universe of political discourse and action by approving or rejecting presidential candidates and their parties based on general understandings of the notions of "general societal goals" that these candidates/parties represent. These "decisions" are most focused during realignments.²⁴ Indeed, the authors believe that realignments are times of increased ideological focus and that this focus provides incentives for a minority party, an insurgent group within a major party, or a third party to suggest new governmental priorities.²⁵ Thus, the substance of the so-called Campbell-Key debate on voter rationality is hardly substance at all when it comes to realignment. During realignment the ill informed non-rational independent voter portrayed by the Michigan group acts very much like Key's rational switcher.

A third major example of early work on the concept of realignment is that of E. E. Schattschneider, particularly as presented in The Semi-Sovereign People. Unlike Key or the SRC group, Schattschneider pays scant attention to how voters make their choices or to how to classify

elections. For the most part Schattschneider doesn't use the same terminology as most other scholars in the field. His stated purpose in The Semi-Sovereign People is:

. . . to work out a theory about the relation between organization and conflict, the relation between political organization and democracy, and the organizational alternatives open to the American people. The assumption made throughout is that the nature of political organization depends on the conflicts exploited in the political system, which ultimately is what politics is about.²⁶

Schattschneider holds that in a liberal democracy elections provide a simple and regular avenue of public participation in working out political conflicts. But elections are also by their nature highly structured, that is, organized events. Schattschneider offers a normative standard for judging if the organization of popular sovereignty through elections is a viable one. He points out that the importance of the decisions made by the public is more significant than the number of decisions made. Furthermore, he contends that the nature of available alternatives, i.e., the "completeness" of the options, is every bit as important as the nature of the issues. Elections, in the broadest sense, should be organized in a way in which political leadership will have incentives to act in a manner consistent with these standards.²⁷

Schattschneider was aware that United States national elections rarely meet these standards. Still, Schattschneider noted that about a half dozen presidential elections had a truly important impact on American society; the very elections that Key, the Michigan group, and subsequent writers identify as critical or realigning.²⁸ Schattschneider clearly identifies the elections of 1896 and 1932 as realigning and discusses the nature and some of the implications of these realignments.²⁹

However, Schattschneider's contribution to understanding realignment does not come from his ability to identify the phenomenon. His main contribution comes from providing a language suitable for talking about the reasons for and the implications of great electoral and political shifts.

Like most American political scientists, Schattschneider saw politics as a quasi-market process where individuals and groups competed in a framework of widely accepted rules and institutions. Within this framework it is the conflict over differences rather than any shared sense of community that provides the key to comprehending political life. Community or solidarity is seen as mainly the product of conflict, that is, as a result of people either pursuing their goals or opposing others pursuing different goals. For Schattschneider, it isn't important that conflict exists, as he sees that as inevitable, but how particular conflicts get to be defined as important ones. Major conflicts literally define the political system, drawing lines of both division and unification. Many new or potential conflicts remain, either unimportant, suppressed, or unrecognized, because a previous major conflict has already organized political forces in a distinctive way. New conflicts which divide and unify people along similar lines as preexisting political divisions are more likely to penetrate the political system. That is, in a stable political alignment it will be difficult to pursue new issues outside the existing structure of conflict. However, should the original structuring conflict become, to use Schattschneider's term, "displaced," a new set of conflicts, and

inevitably a new alignment of political forces will replace the previous one. This is what happens, or at least becomes apparent, in a realigning election.³⁰

Perhaps Schattschneider's most felicitous idea was his concept of "mobilization of bias," that is, the purposefulness built into any form of human organization. The term was originally used to examine the kinds of purposes a given form of political organization would carry out, such as interest groups or political parties.³¹ For example, due to their particularistic nature interest groups are inherently biased, i.e., have strong organizational incentives, to limit the scope of political conflict. In contrast, political parties, because they rely upon the votes of a mass electorate, have strong incentives to expand the scope of conflict. Schattschneider then extended this notion of organizational bias to more abstract forms of organization such as political alignments, i.e., the structuring of conflict. He contended that the very structure of political conflict produces incentives and penalties for anyone seeking to raise new issues or to obtain new public policies. Schattschneider showed how the sectional alignment of the 1890s reduced the incentives for political parties to expand political conflict on economic or racial issues and how the more national, quasi-class based alignment of the 1930s had the opposite effect.³² That is, the incentives and constraints embedded in the overall structure of political conflict are more important than the mobilization of bias built into any particular institution.

Like Key and Campbell et al., Schattschneider often alluded to the important changes in political agendas and public policy that follow realignments. Unlike Key and the Michigan group, and all too many later students of realignment, Schattschneider's concept of the mobilization of bias allowed him to talk about the linkages among realignment, institutional change, and policy initiatives in an intelligible and systematic way. He notes that ". . . The function of institutions is to channel conflict; institutions do not treat all forms of conflict impartially, just as football rules do not treat all forms of violence with indiscriminate equality."³³ Thus institutional forms are both a part of and an expression of a political order's characteristic mobilization of bias. Institutional forms are part of the mobilization of bias in that they structure conflict in predictable ways, but they are also an expression of the mobilization of bias in that they reflect a given set of political and social priorities. When social and political conflicts were displaced in a significant way, newly dominant interests would necessarily seek to remove prior institutional structures and practices which worked against them with structures and practices that would favor the attainment of their goals. Previously dominant interests may try to utilize old institutional forms to prevent policy changes or to raise doubts about the legitimacy of newly dominant political forces. To argue to the contrary would mean that either institutional forms have trivial impacts on political competition and public policy formation or that Schattschneider is wrong about the exclusionary tendencies of important conflicts.

While the first argument may be true in some political systems, it is unintelligible within any understanding of American political life. Even those observers who stress the power of economic elites or organizations to limit the range of the decisions made within formal governmental institutions recognize that governmental institutions shape policy and enhance legitimacy. The second argument fails to recognize an inherent limit of all human creations, whether language, or tools, or institutional forms. Intent and partiality are two sides of the same coin; to specialize one must limit and vice versa. As it would be impossible to communicate all of one's thoughts with a single word or to build a house with a single hand tool, so too it would be impossible to design a form of social organization and practice that could perform an infinitude of functions and do them all well.

While Schattschneider did not make a detailed examination of the impact of realigning elections upon institutions, he did make several suggestions about where to look to find these effects. Specifically, the author notes a number of changes in the operation of the United States Senate and the Presidency related to the extension of the franchise and the creation and extension of national patterns of partisan conflict.³⁴ In particular, Schattschneider examines the periods following 1932 and 1896 realigning elections for indications of institutional change. After discussing the 1932 realignment and the subsequent, if not necessarily related, increased United States involvement in international relations, Schattschneider says that ". . . the cumulative effect of these two revolutions has been to produce what is virtually a

new government and a new political base for American public policy."³⁵ One implication of his statement is that the 1930s realignment was a contributing factor to important institutional change in the United States government.

In contrast, Schattschneider says that the 1896 realignment did not bring about major institutional change. The 1896 realignment was an affirmation of the status quo; that is of the dominance of a corporate dominated elite associated with the Republican party. The Republicans remained the political bulwark of economic privilege, except in the South where an equally or more conservative elite associated with the Democratic party gained near total ascendancy over its previous rivals. Thus Schattschneider claims that institutional change was not substantial at the national level. Rather previous institutional features were used more assertively on behalf of dominant elites, for example, judicial review and the refusal of the executive branch to enforce certain existing laws.³⁶ One might ask if the kinds of institutional change adopted later in this historical period, i.e., those embodying the principles of nonpartisanship and the managerial ethos, were related to both the nature of the dominant elites and the noticeably non-competitive nature of the regionally based alignment itself. In a more general way Schattschneider seems to imply a relationship between broad social change and political change. "Every change in the organization, technology, and scope of the economy has had to be matched by parallel changes in the organization of political power."³⁷ The linchpin of this process is the realigning election.

Later Work: Dynamics and Impacts of Realignment

Still, what is the nature of this linch-pin? In what ways is socioeconomic change connected to electoral phenomena and then to elite turnover, policy change, and institutional alteration? Indeed, is realignment the only way in which major political adjustments can be made in the context of the current United States political order? It is to these questions of when, how, and why realignments occur that the researchers of the second period of realignment inquiry addressed themselves. Once again, most researchers gave secondary consideration to the impacts of realignment; that is, to impacts other than the composition of the new party coalitions. Yet, if any claim is to be made that policy and institutional changes following realignments stem from an exercise of popular sovereignty, one must be able to specify how the public generates demands or expectations for significant change or at least mediates the demands of newly dominant elites.

Gerald Pomper's writings on the subject of realignment are indicative of this shift in emphasis. Like members of the first generation, Pomper directed much of his attention to recognizing and classifying different types of elections. In common with the members of the second generation Pomper paid increased attention to the dynamics of realignment.

Pomper's most fruitful insight in regard to institutional change is that realignments have structuring effects on subsequent political conflict and outcomes. Pomper describes these effects in terms reminiscent of Schattschneider with a particular focus on the relationship

between party coalitions and dominant conflicts. Pomper contends that the main long term effect of any election is seen in terms of its effect on the majority party coalition in any electoral era, i.e., between realignments. In the absence of major changes in the composition of party coalitions there is little likelihood of major policy departures or alterations in the political agenda. The actions of government officials will rarely deviate from established practices.³⁸ In other words, Pomper suggests there is little chance of important institutional change without realignment.

Pomper's strongest example of the impact of elections on policy does not involve realignment. Rather, it involves an examination of the policy responses of both state and national governments to the use and suppression of suffrage among American blacks. Pomper makes a fairly convincing case that public policy in a number of fields such as civil rights, public education, and law enforcement reflects to some extent black voter turnout. He goes on to claim that the very terms of political discourse, that is of what is politically acceptable, also reflects the need, or lack of need, of public officials to anticipate the reactions of black voters towards them in future elections.³⁹ While the author is not specific on details, changes in these policy areas no doubt required some changes in institutional practice.

James Sundquist might qualify as the archetypical analyst of this period of realignment studies because of his concentration on the issue of how realignments come about. Not only does Sundquist have almost nothing to say on the question of institutional change; one can read his

most important work on realignment, Dynamics of the Party System, without finding any important reference to policy or leadership changes following a critical election period. Nonetheless, through his discussion of the process of realignment Sundquist considers in detail how insurgent groups prompt a realignment and how the nature of that realignment arises from the circumstances of the insurgency. His work thus provides insights into the possible connections between realignment and subsequent institutional changes.

Like Schattschneider, Sundquist begins his analysis by looking at the basic structure of conflict in a political system. He uses the term "organic" to denote this structure. Given that the author is interested mainly in the United States, he assumes that political conflict will always be mediated by a party system with normally two dominant members. Thus, a realignment requires a shift in the organic composition of a party system rather than the movement of voters, however large, among parties within the pre-existing structure of conflict.⁴⁰ However, Sundquist recognizes that, empirically, no change in a structure of conflict completely erases past structures. Instead, new realignments overlay previous ones creating a complex situation where dominant conflicts are somewhat muffled by the remaining echoes of earlier conflicts. Seeking clarity, Sundquist chooses to deduce a number of hypothetical scenarios for electoral realignment and then to examine historical cases of both realignments and unsuccessful attempts to induce realignment to ascertain the utility of his constructs.⁴¹

Sundquist sees five variables as central to understanding the dynamics of realignment. These are ". . . the breadth and depth of the underlying grievance, the capacity of the proposed remedy to provoke resistance, the motivation and capacity of party leadership, the division of the polar forces between the parties, and the strength of the ties that bind voters to the existing parties."⁴² It is important to note that these variables interact with each other rather than having separate effects.

The first two factors, the nature of the new dominant issue and the capacity of that issue to provoke resistance is a restatement of the adage that important conflicts unify and divide at the same time. To begin the realignment process, these factors need to be strong enough to create serious political uncertainty through the formation of "polar blocks" whose members feel extremely strongly about the ultimate resolution of the new conflict. Sundquist asserts that this strong feeling may often take on a moral quality, that members of the respective polar blocks see their own positions representing good and their opponents' embodying evil. This is important in that it suggests that, for at least the members of the polar groups, realignment is more a prospective than a retrospective process.

Also important is the translation of the original grievance into an explicitly political issue with a proposed or at least implied remedy. For Sundquist, it is the suggestion of a remedy that is critical to both the mobilization of an opposition and the exact composition of that opposition. By implication, the nature of the opposition will in turn

influence the continued mobilization of the original aggrieved group, which will add or lose active sympathizers based on the nature of the opposition as well as the issue itself. It is at this point that the character of political leadership plays a singular role.⁴³ Certainly, one should also expect that any institutional change arising out of a particular realignment would be related to attempts to resolve the issues that were central to the new structure of conflict.

By political leadership, Sundquist means the leadership of the dominant political parties before realignment. While leadership may have only a secondary role in creating the conditions for realignment, leadership behavior is critical to whether a realignment will occur and the form it will take.

The power and capacity of the established party leadership are, in a sense, matched against the strength and momentum of the issue. If the leaders have the skill and motivation to handle the issue in a way that will check the growth of the polar blocs, and if the issue is the kind that allows such handling, a major realignment will not take place. If, on the other hand, they throw in their lot with one or the other polar group, the realignment becomes inevitable. The historic realignments of the American party system occurred because the leaders either did not try to mediate and compromise the issue or tried and failed.⁴⁴

Thus one of the main variables that might affect the nature of institutional change following a realignment is the extent to which members of the previous leadership are able to stay in power during the realignment. To some extent such leadership will attempt to maintain connections to their previous (or indeed current) constituencies. This could easily influence the extent to which institutional forms are altered to implement new purposes or remain as before. Thus, one implication of Sundquist's work is that the strength of institutional resistance to the

new political agenda is related to the remaining strength of previous electoral/coalitional alignments in the new structure of political conflict.

Sundquist's last two factors, the division of polar forces between the major parties and the strength of existing partisan attachments, no doubt serve to mediate the previous three variables, particularly that of leadership. For example, it is easier to get individuals to reconsider inherited party identifications, than to get them to put aside identifications resulting from personal choice in a highly politicized situation. Certainly this influences the readiness of weakly committed political leadership to embrace new constituencies.

Of more importance in Sundquist's schema is the size and relative growth of polar forces within the existing two major parties. Sundquist says that if opposing forces have significant and relatively equal support in both parties, party leaders will seek to delay realignment. However, if and when realignment happens, the scale of the realignment will be greater and the degree of disruption to the existing political system will also be increased.⁴⁵ One implication of this position is that the scale of subsequent institutional change would be greater in those situations where there is a commensurate level of change in prior patterns of constituency/leadership relationships. Sundquist also notes that the leaders of both parties normally seek to diffuse new issues by inaction or incremental policy responses. He notes that professional politicians as a group benefit from and therefore seek to preserve the existing political alignment; especially those politicians who hold

leadership positions in institutions where members tend to form strong constituency relationships, for instance, legislatures.⁴⁶ Thus, on the basis of Sundquist's work, one can postulate that a similar process operates in the area of post-realignment institutional change. For example, most formal institutional change in the United States government must be approved by Congress. Yet, the members of this institution are normally apt to have fewer incentives to push for such change, even after realignment.⁴⁷ Thus, major formal institutional change might be delayed or may not occur at all; although informal change could still be quite extensive.

Along with Sundquist, Walter Dean Burnham is one of the most important figures of the second period of realignment research. Like Sundquist, Burnham gives particular attention to the details of how realignments come about. While there are some significant differences between the two men on these issues, it is clear that they are describing and explaining the dynamics of the same political reality. Unlike Sundquist, Burnham is explicitly concerned with the impacts of the realignment process. Indeed, he is the first prominent researcher clearly interested in examining the impact of realignment on institutional development.

The critical realignment . . . constitutes a political decision of the first magnitude and a turning point in the mainstream of national policy formation. Characteristically, the relationships among policy making institutions, their relative power and decision making capacity, and the policy outputs they produce are profoundly affected by critical realignments.⁴⁸

While Burnham is not primarily concerned with documenting institutional change arising out of realignment, he notes several examples of

such change. Among these Burnham stresses the institutionalization and fragmentation of the United States House of Representatives, the rise and decline of the Supreme Court's role in economic policy making, and the current (or perhaps now declining) dominance of "groupism" in United States politics.

Burnham contends that before the 1896 realignment power in the House of Representatives was largely in the hands of partisan leaders. Further, these leaders were highly subject to the will of their party caucuses. After 1896, the power of the partisan leadership was reduced and that of the committees, and of their chairs, enhanced. Seniority gradually became the near absolute basis of attaining committee power. Concurrently, party leadership positions became "professionalized," that is, not so subject to turnover. The party caucus became an agency of legitimation rather than of leadership selection and policy making. Burnham sees these phenomena as closely related to what he terms the negative public policy purposes of the new party system.⁴⁹ His argument concerning the role of the Supreme Court after 1896 is similar. The Court's extensive use of judicial review to negate both federal and state legislation on economic matters reflects the often essentially issueless nature of politics in the 1896-1932 period.⁵⁰ Finally, Burnham's discussion of the rise of subgovernmental politics following the 1930s realignment is based on an understanding of the constraints of liberalism, that is in its broader sense of liberal individualism, on institutional adaptation. While Burnham sees this governmental response

to the problems of a complex industrial society as a partial outgrowth of the decline or disaggregation of American political parties, he states that even this adaptation could not have occurred outside the realignment process.⁵¹

Burnham, in contrast to Sundquist, does not construct a formal model of realignment dynamics. Yet Burnham's analysis of electoral change in one state, Pennsylvania, tends to confirm the importance of the five elements that Sundquist emphasizes; that is, the nature of the new conflict, the nature of the opposition it provokes, the role of political leadership, the distribution of conflicting forces in the existing major parties, and the residual strength of party attachments formed in and since the previous alignment. In concurrence Burnham states:

Each realignment was in effect a set of constituent decisions by critical minorities within the electorate and by elites working within majorities brought into being by critical elections. These decisions reallocated the processes and outputs of politics in terms of the major elements in the new coalition and, in one form or another, served to manage and contain the political tensions which contributed to the realignment.⁵²

Thus, while Burnham in large part validates Sundquist's model, he does so with a distinctive edge of his own. Realignments change the process of government as well as the participants and issues of the political process.

While Burnham notes that realignment is a surrogate for revolution in the United States, Burnham also contends that realignment serves to hold political change within certain limits.⁵³ The limiting factor is the American ideological heritage of Lockian liberalism. More

precisely, realignment allows the redefinition of political processes and policies and of the secondary principles of liberalism without a wholesale change in either the material or subjective underpinnings of the political order.⁵⁴ If true, the limits of as well as the opportunities for institutional adaptation through realignment become apparent. In contrast to Sundquist, Burnham implies that the potential results of realignment are not completely determined by the process of the realignment itself.

Burnham is clear in his assertion that realignment is a way in which the United States political system adjusts to major socioeconomic change. Thus the role of moral combat in realignment must be a secondary factor and voter decisions are more likely to take on the retrospective quality suggested by Key and others. Burnham emphasizes the integrative and aggregative functions of political parties as the American norm and duly notes the inability of United States parties to act as a policy link between the electorate and political officials. Thus, Burnham sees normal politics as a process that produces an ever widening disjuncture between new political demands arising out of an evolving social and economic context and the irrelevant or counterproductive public policies produced within the existing mobilization of bias. As Burnham puts it, there is ". . . a chronic, cumulative tendency toward underproduction of other than currently 'normal' policy outputs."⁵⁵ Realignment became more likely as tensions grew, or at least did so in the past.

Burnham also sees a more prominent role for third parties in the realignment process than Sundquist. Sundquist sees the third party as a last resort, a political option to be used only if all attempts at insurgency within the major parties fail.⁵⁶ Burnham sees third party activity as a protorealignment phenomenon, that is, as the first place in which the growing disjuncture between the political status quo and at least some major elements of society is clearly articulated. Burnham attaches great importance to the democratic and "leftist" orientation of most third parties. However, it is still usually a major party that provokes the realignment by using the third party issue, rather than the third party itself.⁵⁷ As a result, there will be a somewhat different constellation of political elites following a realignment, even when the insurgents win, and with it a different and often less radical flavor to any institutional adaptation that takes place.

Yet it would be misleading to say that Burnham claims that realignments normally result in extensive institutional change. He agrees with those observers who hold that United States policy making institutions have been, to use the author's phrase ". . . astonishingly little transformed in its characteristics and methods of operation."⁵⁸ Critical elections are explained by the very failure of such stable institutions to make the policy adjustments demanded in a very dynamic social and economic system. Thus, Burnham is greatly concerned about the circumstances that promote or impede eventual realignment. This explains his attention to electoral disaggregation, that is the reduced ability of political parties to mobilize electoral support based upon long

standing and committed partisan attachments. Burnham's fear is that electoral disaggregation, which he sees as a long term and possibly irreversible trend, will make it difficult or perhaps impossible for realignments to take place.⁵⁹ While a disaggregated electoral system might not necessarily be an issueless one, Burnham believes that it would be virtually impossible to get public officials to coordinate their activities in ways supportive of majority preferences, a condition that he thinks has occurred, if incompletely, following realignment. Restated, Burnham thinks that future political change will not be based in any sense upon popular sovereignty.⁶⁰

Concurrent with Burnham's work, and probably influencing it, was the work of a number of writers focusing on the broad dynamics of social and economic change and its impact on political life. Everett Carl Ladd and Thomas Jahnige serve as two important and representative examples of this group. Like Burnham, they generally agree that realignments arise from the tensions created by underlying and persistent social and economic forces. Ladd and Jahnige differ from Burnham and previous students of realignment in that they do not see each realignment as an equally significant event.

Ladd is particularly insistent on this issue. He does not categorize United States political history in terms of periods of party alignments, but in terms of "socio-political periods" that can extend over two or more realignments. In a sociopolitical period, a single "political class" dominates the majority party coalitions of the entire period. That is, coalition members, and some relatively transient

aspects of the political agenda, can change in the realignments within a sociopolitical period. However, the dominant political class, which Ladd defines as a social collectivity which because of its resources and/or functions is particularly important in the economic life of the time, remains in control of the political agenda and directs to itself a disproportionate share of governmental benefits throughout the sociopolitical period. A given era of political history ends when there is a new political alignment in which a new political class achieves dominance. Ladd claims that only at such times can a minority party become a majority.⁶¹ Thus Ladd implies that the extent to which the organization of political life changes is not the same after all realignments. Further, it would appear to vary in a regular fashion. Realignments within a sociopolitical period would result in less dramatic changes in political elites and the political agenda than realignments that marked the beginning of a new sociopolitical period. If the subsequent impact of the realignment is closely related to the alteration of the structure of political conflict, then the probability and significance of institutional change should also be greater in the initial post-realignment period of any sociopolitical era.

Both Ladd and Jahnige use the term "political style" to refer to differences in the behavior of elites and the expectations of publics in different political eras. The term is left undefined, although examples elucidating its meaning are interspersed through the two men's writings. For example, both authors claim that pre-Jacksonian politics was based on a deferential style of relations on the part of most citizens toward

a social and political elite.⁶² Similarly, the New Deal period was a time in which most citizens substituted the image of the state for that of business as the principal agent of nation building.⁶³ While changes in political style need not mean that there must be formal institutional change, the concept implies at least informal change in how institutional elites operate within the existing framework of institutional rules. It is this change in the *modus operandi* that Jahnige appears to have in mind when he writes, "Lastly every party system period has associated with it a particular style of politics . . . and institutional structure which has often differed radically from those which characterize the preceding and succeeding periods."⁶⁴

Current work on the issues of realignment deals increasingly with the impacts of realignment. This work has been focused on changes in public policy and elite composition and behavior rather than institutional change *per se*; but these matters bear upon the question of institutional change, especially of the sort that occurs without legal sanction. As there has been no grand synthesizer of this research, as say Burnham or Sundquist were during the earlier period, I will briefly discuss several examples of current work that I think have important implications for understanding the connections between realignment and institutional change.

Seligman and King have found that important changes occur in the occupational and demographic profile of members of Congress during realignment. Individuals with lower social/economic status win legislative office in greater numbers. Further, the authors found that the

influx of this kind of member had an effect on coalitional patterns in Congress and on legislation.

During realignments, however, background factors successfully predicted congressional voting behavior, indicating that new legislators, elected in the midst of realignment, acted as a cohort, seizing opportunities presented by the realignment crisis to represent the interests of the disaffected.⁶⁵

They also found that the old demographic profile of Congress was gradually restored in the years following realignment.⁶⁶ Studies of this sort provide useful material for conceptualizing the dynamics of both formal and informal institutional change. On the basis of Seligman's and King's research it is possible to make a counterargument to Sundquist's claim that Congress, because of strong constituency based relationships, tends to restrain the extent of post-realignment change.

The research conducted by Benjamin Ginsberg and David Brady also serves to confirm the impact of realignment upon public policy. Both authors look at the passage of legislation in selected issue areas and seek correlations with variables such as national party platform content, changes in congressional membership, and changes in congressional committee membership. Both authors found that the number and scope of policy changes in the issue areas they examined are greater than average in the years immediately following realignments. They also indicate that the degree of policy change is greatest in those issue areas related to the kinds of conflict that prompted the realignments. However, their data also shows that significant policy changes have occurred without realignment, although this appears to be an occurrence less common than realignment itself.⁶⁷ Brady's work is noteworthy in that it

goes beyond demonstrating the strong association between realignment and policy change to suggest causal relationships. Brady posits and then examines several models of how the realignment process might influence congressional committee actions. He concludes that no single model fits the data well, that different models seem to be valid for different issue areas.⁶⁸ Brady's results imply that realigning elections have variable impacts in different policy areas. Thus the degree to which post realignment policy or institutional change can be termed a result of popular sovereignty also appears to be variable.

David Adamany comes to a similar conclusion in his examination of the role of the Supreme Court in the realignment process. He claims that the Court's role is complex, that perhaps the Court's most important role is in helping to restructure majority coalitions within what Ladd called a sociopolitical period. Key judicial decisions may have a vital role in attracting and rebuffing coalitional partners for the dominant political class. Adamany sees Supreme Court decisions in the 1890s as a good example of this phenomenon. The author also suggests that the Supreme Court plays an important though lesser role in a process of restraining and to some extent delegitimizing the policy and, by implication, institutional innovations of the new majority coalition. This would be particularly true after a realignment that begins a new sociopolitical period. An example of this would be the Court's hostility to some aspects of the New Deal.⁶⁹

Realignment and Institutional Change:
Other Pertinent Literature

While the main thrust of this dissertation is to look at realignment as a precondition of subsequent institutional change, available research on the impact of electoral alignment does not yet document any such relationship. It only implies it. Apart from realignment research I find at least two other kinds of political science literature pertinent to the issues I want to examine. The first group of works focuses on the interactions between national government institutions and organized segments of the private sector. Writers such as Theodore Lowi and Grant McConnell are prominent representatives of this perspective. These authors are primarily concerned with institutional arrangements since industrialization. Therefore, their material and insights are most applicable to understanding the impact of the 1930s realignment. The second kind of literature I will review examines political and governmental adaptations to changes in the nature of an underlying capitalist economy. Most of this work is radical or Marxist in orientation and tends to be skeptical of the impact of elections on political life in any capitalist society. This work is relevant because these writers still need to explain how and when economic elites promote or shape political change to deal with problems or crises arising out of the operation of the economic system. Once again, these writers are chiefly concerned with the period after industrialization.

Lowi and McConnell

Lowi explicitly claims that a new form of government, a "Second Republic," has evolved in the United States since the realignment of the 1930s. Lowi uses the term Second Republic only because previous "regimes" went largely unrecognized as such. However, Lowi fails to link the origin of these other republics, or the Second Republic for that matter, directly to electoral realignment. He does note that "Every regime develops a politics characteristic of itself, consonant with its own claims of legitimacy and congruent with its own particular uses of government."⁷⁰ This might be restated as follows: Every regime creates its own pattern of institutional structure and process within the general forms of the United States Constitution.

Lowi speaks about the process of institutional adaptation in more detail than the authors I previously discussed. His analysis is consistent with all the forms of institutional change I presented earlier in this chapter: (1) the widespread use of new institutional forms, (2) the performance of new functions or those captured from previously existing institutions, (3) major changes in the interrelationships among political institutions, and (4) the performance of new kinds of governmental functions. In principle, all four kinds of change may occur informally, without specific legal sanction. Lowi stresses the fourth type of change in his evaluation of the institutional adaptations of Roosevelt's New Deal.

The transition to the Second Republic began in earnest during the 1930s. . . . The best known but least significant characteristic of the New Deal period was the increasing size of the national government, measured in budgetary terms . . . of far greater significance

is the change during the New Deal in the functions of the federal government . . . the federal government was adopting two entirely new kinds of functions, new at least for the federal government in the United States. These functions were regulation and redistribution. . . . These two new functions involved the federal government in direct and coercive use of power over citizens.⁷¹

Lowi then notes that these new functions brought fundamental changes in institutional relationships. Among these changes were the shift toward executive oriented government, the rise of delegated power to the bureaucracy (particularly in the extremely wide discretion given to agencies to enact "administrative legislation"), and in the gradual adjustment in the function of the federal courts to these other new institutional forms and functions.⁷²

Lowi's work gives substantial content to Ladd's and Jahnige's concept of political style. Lowi would say that the style of the Second Republic is administrative, that the most characteristic kind of political relationship is one in which the likelihood of governmental coercion is immediate but the incentives and likelihood for peaceful adjustment are high. In this situation, participants have largely internalized the probable sanctions so that the sanctions rarely need to be applied. Lowi states that the administrative style develops a degree of legitimacy precisely because the coercion is internalized, unnoticed, and thus mundane.⁷³ Within the context of the fragmentation of formal government authority and of the dominance of liberalism in the United States, the characteristic institutional expression of the administrative political style is what Lowi calls the process of tripartite bargaining. Others have referred to tripartite bargaining and its institutional forms by terms such as groupism, clienteleism, subgovernments, and iron

triangles. Lowi notes that the characteristic policy making process in the post-1932 period has become this process of privatized negotiation among relevant bureaucratic agencies, congressional committees, and organized interest groups.⁷⁴

In fairness to Lowi's views, I must note that he does not think that the Second Republic is the direct result of the New Deal or of the 1930s realignment. While Lowi acknowledges that the preconditions for the new regime were established in the 1930s, the Second Republic came to fruition in the Democratic administrations of the 1960s and was finally legitimated upon the continuance and extension of the new style of governance by the Republican administrations of the 1970s.⁷⁵ This raises the question of the time scale in which one must look for the impacts of a realignment. Should one limit inquiry to the years immediately following realignment or look at the entire period between two critical election periods? Lowi's position seems to be the former, and is supported by research such as Seligman's and King's on Congress. Yet an effective counterargument can be based on a number of factors including the gradualness of elite turnover in other institutions such as the federal courts and bureaucracy and of the tendency of some elected officials in the dominant party coalition to maintain strong ties to old constituencies and/or to remain committed to various aspects of the old political agenda.

Lowi says nothing about the impact of elections upon the process of institutional change. Indeed, he does not present a model to explain the fundamental political change he documents and interprets. Yet one

may infer the outlines of a model from his concept of "the public philosophy."

Lowi appears to use the concept of the public philosophy to mean something similar to what others might call an ideology or a system of political beliefs. A public philosophy provides an understanding of the realities of social life, suggests a set of values or goods for public life, and implies the boundaries of acceptable political action. However, for Lowi, the public philosophy is different from an ideology in that it shapes institutional practice and policy formation. Above all else the public philosophy is the set of legitimizing ideas behind a regime and the preeminent source of justification or rationalization for that regime's actions. Therefore, it is more than an ideology; although an ideology may become the public philosophy or a discarded public philosophy may remain an important ideological force. Lowi also appears to think that the public philosophy constrains the range of serious ideological discourse.⁷⁶

Lowi contends that the public philosophy primarily represents the interests of a social and political elite and only secondarily those of the general citizenry. He argues that a public policy exists only when there is widespread agreement among the elite over the nature and purposes of public life. When agreement is not general, there are only competing ideologies. This is a sure sign of the decline of any public philosophy.⁷⁷ Lowi characterizes the public philosophy of the Second Republic as interest group liberalism, a synthesis reflecting the need of elites to accommodate capitalist ideology, the previous public

philosophy, with the increasing need to build and justify a positive state emphasizing administrative rule.⁷⁸ While the decline of capitalism as the public philosophy began about 1900, the rise of interest group liberalism to the status of the new public philosophy takes place in the 1930s. Thus the rise of the public philosophy of the Second Republic is concurrent with the New Deal realignment and a major crisis of the social-economic order, the Great Depression.

Realignment can therefore be conceptualized as a time of transformation of elites and/or elite ideas. Nonetheless, it must be cautioned that Lowi never claims that there is a unified economic or political elite in the United States. Indeed, Lowi emphasizes the multiplicity of constituencies and therefore elites that arise out of the complexity and specialization of a modern industrial society. For Lowi, the observed importance of subgovernments documents this point.⁷⁹ So how does a public philosophy coalesce and become acceptable or at least accepted as a given to the citizenry in general? Lowi has nothing to say on this point, but I think his concept of the public philosophy fits well with Ladd's idea of a political class. That is, one might investigate whether the dominant political class of each sociopolitical period accepted an ideological perspective which it was later able to enshrine as that era's public philosophy. Toward the end of an alignment or of the longer sociopolitical period, a decline in the reality value of a public philosophy might signal the weakening of a dominant political class and foreshadow the emergence of new social forces and of a new alignment or sociopolitical era. Further, the persistence or decline of

public philosophies might serve as one way to tell the difference between realignments that mark the boundaires of sociopolitical periods from realignments that are within one political era.

Grant McConnell views American poltical institutions much like Lowi, particularly with regard to the domination of areas of public policy by particularistic coalitions. Like Lowi, McConnell sees this phenomenon as mainly occurring since the New Deal and as defended by a widely accepted orthodoxy or public philosophy.⁸⁰ In contrast to Lowi, McConnell does not see as sharp a transition in the patterns of governance. McConnell believes that many of the ideas of the New Deal are implicit in its supposed antithesis, the Hoover administration. The differences involve in part the sheer size of Rooseveltian initiatives; but the central difference is in the national government's willingness, beginning in the New Deal, to make use of coercion to create and enforce the policies of clientele centered policy making coalitions.⁸¹ This is exactly the departure from past federal practice that Lowi says constitutes the main change in institutional practice. Elsewhere McConnell admits that F.D.R.'s administrations have had a major impact on the institutional practices of the United States government. For instance, McConnell notes that all presidents since the 1930s were Rooseveltian in the sense that all of them, when compared to pre-New Deal presidents, are activist or strong presidents, irrespective of policy preferences or personal temperament.⁸²

Radical Analyses

In general, radical observers of the United States political process pay little attention to the institution and phenomenon of elections. The political system is seen as largely reflecting the needs and aspirations of a relatively unified elite who get their power mainly from the control of productive wealth. Of course, these observers are hardly of a piece in their interpretations of how the political process mediates elite control; but institutional decision makers, interest group leadership, party leadership, etc., tend to be seen as having more effective impact upon policy than does the mass electorate. Elections provide information about popular dissatisfactions and a safety valve to discourage more disruptive forms of political action based on these grievances. More importantly, radicals tend to see elections as a mechanism through which the elite can greatly control the granting of concessions to public demands, even to the extent that concessions can be shaped to the actual advantage of all or at least part of the political-economic elite.⁸³ Other observers stated that the main functions of elections in the United States are to create a sense of (false) social solidarity and a legitimation of elite decisions in terms of the democratic ethos.⁸⁴

Nevertheless, radical observers need to explain why an elite needs to utilize electoral mechanisms to accomplish significant change in government policy and institutions. Given that all aspects of social life, including politics, in a capitalist society are already expected to be shaped to the advantage of the elite, why would elite members seek

change? The answer is twofold. First, no political-economic elite is likely to be fully unified. Few radical observers would deny that differences of interest arise within an elite because of competing economic interests, social attachments, or even the vagaries of individual development. They would only say that in most circumstances these divisions within an elite are much less important than most pluralist observers claim. Secondly, individuals and organized groups can sometimes be mistaken about the efficacy of existing policies and institutional arrangements. For example, some members of an economic elite may explain a drop in corporate profits as the result of government regulations or the wage inflation promoted by organized labor. Yet a more objective analysis of the problem might find that capital's failure to reinvest past earnings in new technological processes was the root of the problem. Similarly, an elite, or part of one, may remain committed to old government policies or forms of organization long after they cease to further elite interests.

Within the context of elite differences and the expression of popular grievance, it becomes possible to talk about a radical interpretation of electoral realignment. For example, Piven and Cloward agree with the general proposition that elections are a way to express grievances that is essentially non-disruptive to the operation of a capitalist, industrial system. Yet given the fragmented and constituent nature of United States political parties, Piven and Cloward understand that majorities are necessarily transitory being composed of diverse elements. Individual officeholders can easily lose their offices because

of electorally channeled dissatisfaction. Thus elections are anything but non-disruptive events to elected officials.⁸⁵ As Piven and Cloward go on to explain, "Political incumbents try to use the powers and resources of governments to intervene in the institutional arrangements that bred dissension or to develop public programs intended to recapture the allegiance of disaffected voting blocks."⁸⁶

However, major concessions to subordinate groups are not the rule in political life, but occur only under rather atypical circumstances. For the most part, following Burnham's argument, Piven and Cloward see realignments and crises in the larger social-economic system as closely related. However, Piven and Cloward do have a distinctive view of the actual process of realignment. In part, the impact of electoral instability arises from the concurrent build up of disruptive protest outside the bounds of sanctioned political activity.⁸⁷ Serious disruptive protest is likely to occur only when the normal constraints of work and other aspects of everyday routine are no longer present. This is most likely to occur during periods of economic depression and other severe forms of social dislocation.⁸⁸ Interestingly, the very success of governmental responses initiated by "new" members of the political elite to the crisis, provides the basis for reimposing social control and even some degree of retrenchment of government policy. As a case in point, Piven and Cloward observe that the most innovative stage of the New Deal, especially in regard to policies improving the status and condition of non-elites, ended once electoral stability returned with the massive Democratic electoral victory in 1936.

Although it was not recognized at the time, the election of 1936 had sounded the death knell for those who believed anything was possible in America . . . the extremist parties polled only 2.9 percent of the vote . . . the underlying popular unrest upon which insurgency draws had been quelled. The little the poor had gotten was enough.⁸⁹

The dynamic of dissatisfaction among the populace, particularly of those parts of it in economic distress, is one side of a radical theory of realignment. The second side is the political conflict among members of the elite within the same context of a serious social or economic crisis. For example, Edward Greenberg says that the New Deal was a period when one segment of the corporate elite was able to extend the size and function of the slowly emerging positive state. The members of this segment had long wanted a greater role for the state in the regulation and support of the capitalist economy but had not been able to overcome the opposition of those members of the elite who were still committed to "laissez-faire" or strictly volunteerist policies. The disintegration of the economy, and the electoral and social disruptions of the era, produced a context in which the more "advanced" wing of the corporate sector was finally able to prevail.⁹⁰ The role of the electorate in this process was to select public officials more amenable to new approaches for responding to social and economic difficulties and then to legitimize the new policies by returning these officials to office. Innovative members of the corporate elite would have ample opportunities to convince elected officials to try their plans.⁹¹

Thus realignment might be seen as part of the process of the readjustment of state forms to the needs or tensions produced by the

historical evolution of a capitalist system. In the case of the United States, this readjustment is greatly slowed by the built in fragmentation of both the governmental process and of the nature of American electoral arrangements. One can conceive of government policies, taking loosely James O'Connor's categories of "accumulation" and "legitimation," as actions aimed at maintaining both the profitability of economic units and of the social quiescence on which industrial production depends. The particular form, level, and mix of policies aimed at fulfilling the functions of accumulation and legitimation, may not necessarily fill either the technical or political demand for them in a given society.⁹² Thus in the American political system, realignment may be viewed as furnishing one way in which appropriate adjustments can be made in such policy outputs, and by implication, in the institutions that create and implement these policies.

In this chapter, I have examined current political science literature pertinent to the examination of the impact of electoral realignments upon institutional change in the United States national government. While none of these sources provide substantial documentation of such change, examples of institutional change are given, sometimes explicitly, sometimes implicitly. While none of these sources fully explicates the fashion in which realignment causes or mediates institutional change, the literature does put forward a general framework in the form of a chain involving social/economic crisis, electoral instability, elite turnover and policy innovation, and electoral restabilization. Particular authors provide suggestions about the relationships

among the various elements of this chain. The remainder of this dissertation will focus on two major issues: (1) the further documentation of institutional change following and integrally related to realignments, and (2) the further explication of both the process by which such change comes about and of important variations in that process.

CHAPTER II

INSTITUTIONS AND INSTITUTIONAL CHANGE

Governmental Institutions as an Ambiguous Phenomenon

Because government institutions are sites of political conflict, loci of public decision making, and seem, at least in liberal-democratic societies, to bestow legitimacy upon public policies, institutions are an essential subject for political inquiry.¹ As I noted in the last chapter, institutions are purposeful. They embody the intentions and preferences of human beings. These may be the purposes of persons long dead, the living poorly served, or the most powerful segment of a social order; but in any case institutional forms are never neutral. There is a meaning to what they do and how they do it. Thus, as I argued earlier, changes in the structure and processes of governmental institutions imply modifications in the purposes they serve. Conversely, changes in the interests of those who hold power or in the social or economic bases of holding political power imply that powerholders will seek to modify institutional structures and procedures.

The "purposefulness" of governmental institutions provides an important justification for their study, which is reinforced in putatively democratic political orders where it is expected that government policies rest on the consent of subject citizens, that is, upon the exercise of popular sovereignty. In the United States, and in liberal democracies in general, at least some government officials are selected by an

electorate which is nearly coextensive with the adult population. Other major officeholders are then selected by elected officials or by procedures set up by elected officials. It is useful to study governmental institutions both in the ways they are organized to embody "popular sovereignty" and the ways in which their policies reflect and in turn structure citizens' needs and desires. The results of such study can inform judgements about the degree to which the American electorate actually exercises sovereignty. The results can also inform proposals for institutional reform.

As noted in the United States an electoral realignment seems to be the situation in which significant changes in government officials and public policy are most closely related to the expression of the public will through electoral mechanisms. I have also discussed why it makes sense to look for changes in the structure and process of governmental institutions following realignments. Ultimately, my reasons for this contention are based on the proposition that institutions embody purpose. However self evident this assertion may be, it says nothing about exactly how governmental institutions embody purpose nor how those purposes are altered. The main function of this chapter will be to analyze more precisely what it means for a governmental institution to embody a purpose; that is, what defines the concept of "governmental institution." My explication will be aimed at making sense of this concept within the United States. Ideas which prove to be useful there will no doubt apply to institutions in many other political orders.

The previous material is not an attempt to obscure the obvious. Almost everyone knows a governmental institution when they see one. Everyone knows that the Congress and the Presidency are institutions. Individuals more familiar with the United States government know that it is differentiated into numerous institutions and subinstitutions, including diverse elements like the House Agriculture Committee, the Office of Management and Budget, and the Court of Appeals of the 9th Circuit. Each of these subinstitutions is identifiable as an entity with relatively stable functions and processes. They are also unambiguously part of a larger entity called the United States national government. Then, why is there any need for further analysis of the identity of governmental institutions?

For the most part political scientists interested in United States national politics have chosen to ignore definitional questions in regard to institutions. One might think that at least newcomers to the formal study of politics would need to be given an explicit definition of the term "governmental institution" or the more general term "political institution." Yet a brief examination of introductory texts will show that their authors rarely discuss the subject. The working presumption seems to be that students will recognize a governmental (or political) institution when they encounter one; that is, as a persistent entity within or continually associated with a government.² Although true, this is hardly a complete description of the standard, though usually implicit, view of institutions. In most textbooks chapters on institutions follow chapters on the Constitution. Governmental institutions

are seen as entities within the government which are set up through the Constitution either directly or indirectly.³ This implicit definition includes the criteria of "organization" and "legality" along with "persistence." Yet many non-governmental institutions can meet all three of these criteria.

A few textbook authors do adopt a more explicit definition of institution. Several authors define governmental institutions on the basis of certain organizational characteristics derived from Max Weber's discussion of the ideal type bureaucracy.⁴ Alternatively, at least one "radical" text speaks of government institutions as mediations between social structure, especially the means of production, and individual citizens.⁵ Still these views add little to the idea that governmental institutions are identifiable entities within a government. While both of these viewpoints say something potentially useful about the relationship of government institutions to the rest of a society, these conceptions do not respond to the question of what it means for institutions to embody purposes.

Research intended for the professional community suffers from the same sort of problem. Nonetheless many of these studies provide useful ideas and examples for explicating the nature of institutions. While little attention has been given to the problem of explicating the concept of governmental institution, substantial attention has been given to the question of why a certain class of institutions, for example legislatures, is different from another class, for example executives. Similarly, there is a good deal of work concerning how and why specific

institutions within a particular class, e.g., legislatures, are alike or different from each other. Nevertheless, even authors dealing openly with questions of defining particular kinds of governmental institutions do not deal with the more general question of what a governmental institution is.⁶ But to make claims that certain events or processes (for example, realignments) result in institutional change, researchers must be able to identify objects or processes central to something called a governmental institution. Further, as governmental institutions are a subset of a larger universe of institutions, it is also necessary to find criteria for identifying that subset. However difficult it may be to articulate the distinctions that underlie our ability to know a governmental institution when we see one, the explication of those distinctions is crucial to any systematic investigation of institutional change.

Conceding it is relatively simple to identify governmental institutions in the United States, there are still ambiguous situations where one can identify a governmental institution but the usual definitional characteristics of organization, legality, and persistence do not completely fit the phenomenon. At first glance, "governmental institution" appears to be an example of what has been called an essentially contested concept. If so, the decision to call a phenomenon a governmental institution would be based on the observer's political or moral purpose.⁷ Yet, the fact that governmental institutions are intuitively recognizable in stable political systems suggests that the idea of

institution as a contested concept is most useful only where a government or social order is under severe attack.

Following Frohock, I will define governmental institutions in terms of their core properties. Core properties are those aspects of a phenomenon necessary to maintain the basic intelligibility of its definition.⁸ That is, I am looking for a formulation of the concept of governmental institution that is more flexible than a taxonomic definition, and yet will still be relatively free from differences in meaning based upon political perspective. I will now discuss some political phenomena which do not fit neatly into the usual ideas about governmental institutions and yet are things most political scientists agree are governmental institutions. These ambiguous cases will alert us to the range of conditions that a truly useful concept would include.

The Presidential Cabinet is called a governmental institution. Richard Fenno, the author of perhaps the most widely cited study on the Cabinet, said that ". . . The President's Cabinet is a distinct, discrete, and describable political institution."⁹ While Fenno uses the term political institution, he makes it clear that in the context of his writing he means government. That is, the core personnel of the institution are in fact part of the government.¹⁰ Then, in seeming contradiction, Fenno goes on to note that the Cabinet has no legal existence as part of the government. Its legitimacy as an institution comes from its persistence and from the needs it serves. While no President is required to form a Cabinet (as opposed to appointing heads of executive departments) or meet with one, not to do so is thought to have enormous

political cost. Nonetheless, the Cabinet has no legal basis from which to act as a Cabinet; that is, it does not have a manifest legal function.¹¹ Given the prevailing implicit definition, how can the Cabinet be a governmental institution without a legal status or function?

Further, it is clear that the Cabinet neither acts nor deliberates as a Cabinet. As Fenno points out, the institution is not capable of effectively promoting interdepartmental coordination despite the fact that its members include the President and the chief executive officers of the departments of the executive branch.¹² Indeed, some presidents have difficulty in even recognizing some members of their own cabinets.¹³ This reflects the tendency of presidents to restrict their interactions with most cabinet members to symbolic occasions or to those policy matters involving the members' departments. Presidents usually engage in general discussion and planning with only some Cabinet members. Is this inner circle an institution? After all there is a tendency to include certain Cabinet posts in this so-called inner circle (e.g., Defense, Justice), as well as certain non-Cabinet members (e.g., the National Security Advisor, the White House Chief of Staff). At least this pattern has been typical of recent administrations.

The Cabinet presents definitional problems because it is an organizational entity without a clear legal mandate. The "institution" of United States Federalism presents problems for different reasons. The legal functions of the federal system are identifiable and relatively persistent in their broad outline. However, there is no organized entity that performs and situates the federal function in the sense that

the Congress performs and is the location of the legislative function. Rather, federalism is a set of relatively stable relationships among governments and their constituent institutions. Therefore it is not surprising that the treatment of United States Federalism as an institution in political science literature is in turn uncertain.

Typically, in introductory material, a "structure and process" of Federalism is described in much the same way as the structure and process of national government institutions, although the material on Federalism is placed in a separate section of the text.¹⁴ The same uncertainty over the institutional status of United States Federalism is also found in professionally oriented material. For example, the Handbook of Political Science includes its review article on federalism in the volume on governmental institutions. Yet, the author, William Riker, treats the term federalism as a concept describing certain kinds of governments and their constituent institutions rather than conceiving it as an institution per se. Still, to call a political order a federal system, the concept must be expressed in concrete institutions. For example, Riker says the key indicator of a federal system is the location of final decision making power for at least one area of policy in the institutions of at least two separate governments.¹⁵

These two examples demonstrate there are governmental institutions without either legally defined status and functions or a clearly identifiable organizational center. There are even governmental institutions that have neither of these two characteristics. The web of relationships called a subgovernment can serve as an example of this kind of

phenomenon. Basically, a subgovernment is a longstanding pattern of bargaining and accommodation among interest groups, bureaucratic agencies, and congressional committees dealing with a narrow policy area of immediate mutual concern. The subgovernment normally makes policy in the interests of its members. The unit persists because its members are better able to provide each other with desired resources and supports than non-members. Subgovernments operate in a context that is a result of the high degree of formal fragmentation embodied in United States bureaucratic and congressional structure. While some subgovernments (e.g., many dealing with agricultural issues) have some legal status, most subgovernments are not formally a part of the United States government. Yet these units make or implement public policy in a wide variety of areas.¹⁶ Furthermore, these units are hardly *sub rosa*. Subgovernments can be clearly identified and studied, so much so that political scientists can develop generalizations about the conditions and policy areas where these entities are apt to form or to be most effective.¹⁷

Therefore, two of the three standard identifying criteria of governmental institutions must be questioned, if not rejected. Some institutions are neither legal in function (e.g., the Cabinet, most subgovernments) nor origin (e.g., most subgovernments). Some institutions have no organizational center (e.g., United States Federalism, subgovernments); although these still consist of organized relationships among organizational centers. Indeed, an institution need not be part of the government to be a governmental institution. This is one implication of considering subgovernments as a type of governmental institution. While

it is true that subgovernments contain members who are government officials belonging to identifiable government agencies, at least one member of the coalition is usually a representative of a private interest. In fact, all sorts of supposedly non-governmental organizations make public policy in the sense that their actions have important effects upon the general public. Must I now concede that any line separating government from the rest of the social order is an arbitrary one? Ultimately I think not. I will construct an argument for the distinctiveness of governmental institutions which will include the understanding that such institutions are political and even social as well as governmental. I will start by examining what, in a general sense, constitutes a social institution.

Toward a Concept of Governmental Institutions

The implicit understandings about institutions that political scientists use have been borrowed from other disciplines, most notably sociology. One kind of understanding begins from the proposition that institutions are organizations. According to the proponents of this approach, those who want to understand institutions need to look at the division of labor, the location of power centers and the content of organizationally defined roles.¹⁸ A second approach focuses on the norms and values of an institution's participants or subjects. Institutions are defined mainly by internalized roles acquired and maintained largely through socialization rather than through the conscious decisions of individuals.¹⁹ Finally, a third general approach focuses on

individual behavior and the motivations of institutional participants. From this point of view, institutions are relatively permanent constraints in the marketplace of individually derived tastes.²⁰ All three of these approaches have informed some substantive research about the operation of governmental institutions. However, none of these approaches to institutional understanding sufficiently captures the relationship between human purpose and institutional form.

While I reject the view that one can create a perspective toward institutional inquiry that straightforwardly incorporates the insights of disparate approaches, analysts must deal with the strengths of other approaches within the boundaries of their own perspectives. David Apter, in his series of essays entitled Political Change, focuses on this very point. His main concern is not institutions per se, but historical change on a societal, though particularly political, level. Apter contends that human societies, in a collective sense, involve choice--the choice to maintain the status quo or to change. The author sees choice as a process occurring within certain boundaries rather than as an unstructured process. These boundaries coincide with the three general approaches to institutional study that I noted above. Apter calls these constraints (1) the normative boundary, (2) the structural boundary, and (3) the behavioural boundary. The normative boundary is manifested socially in culture and ideology, individually as norms and values. The structural boundary refers to the organization of human relationships. Finally, the behavioural boundary refers to conscious human action. This includes the perceptions and motivations that

activate behavior which Apter sees as distinguishable from norms or values.²¹

In principle, one should be able to predict the general nature of any one of the boundaries if one understands the status of the other two.²² Apter concedes that in most historical situations the relations among the three variables are not easily predictable. Instead, each variable alters dialectically with the others. In fact, Apter sees the boundaries interacting in an asymmetric fashion. He understands norms and structures as constraints upon choice. The behavioural boundary represents the active process of choicemaking working within and against the constraints. On this basis he defines political orders as the systems of choice created by the normative, structural, and behavioural boundaries.

While my immediate concerns center on institutions rather than entire political systems, Apter's suggestions about open and closed boundaries to social systems are useful because I must confront the simultaneously open and yet closed appearance of social life. However, I am changing Apter's notion of choice to the more restricted terms of purpose and function. This is defensible because the term "choice" implies intentionality, although the congruence between the intentions of individuals and the choices embodied in collective action is far from automatic. Restated then, an institution embodies purpose through the reciprocal effect of current human action within and upon the normative and structural constraints created through previous human action.

Since I am claiming that institutions arise and are maintained through human action I must explain the concept of human action and then show how it becomes crystallized into institutional forms. This requires making a distinction between human behavior and activity or action. Behavior refers to all observable responses of a human organism to its environment. The terms action and activity refer to all responses, observable or not, that arise from the intentions of a human being. I am explicitly considering thought as well as observable phenomena such as movement and speech as forms of action. This means that any valid analysis of institutions must begin from the position that the participants or subjects of any institution must be understood as self-conscious agents. Persons are not simply acculturated into holding certain norms. They must in some sense recreate the norms out of their own experience. Thus persons are not usually "forced" into subservience to institutional structure and process. They must recreate institutional forms through their actions. Yet these implications seem unacceptable; persons are confronted with alien norms and institutions and usually face heavy sanctions if they fail to take the normative and institutional structure of a social order as given. In effect, this reality raises Rousseau's dilemma, "Man is born free, and everywhere he is in chains."²³ The response to this quandary is, to paraphrase Marx, that human beings create their own social existence, but not in the circumstances of their own choosing.²⁴

While human beings have self-consciousness only as individuals and thus directly act only as individuals, they do so only in a social

environment. Indeed, self-consciousness can only develop through social interaction with other human beings. If the preceding assertions are correct, then any interpretation of institutions, or of social order more broadly, as a contract between or the congealed tastes of previously asocial individuals is illogical on its face. Yet, if what Apter calls the behavioral boundary is socially produced, would not a direct focus on either the constraint of values or of structure provide the proper beginning for the study of social institutions? It could, but at the cost of reducing personhood to the causal product of the external social environment. To retain the position that persons genuinely produce social life through the process of self-conscious thought and action, one must establish the nature of the connection between human action and the creation of norms and organization. The perspective of social analysis called symbolic interaction provides one plausible understanding of that connection. I will use several elements of the interactionist approach to describe how institutions embody human purpose.

The Interactionist Approach

The key concept of the symbolic interactionist approach is "meaning." Its importance is that it serves as a bridge between what others might call the normative and behavioral realms. More accurately, there are no separate realms. The meaning of human action is embedded in the action. Neither the actor nor the observer need refer to a separate domain of principles in order to understand the action. Symbolic

interactionism is constructed upon three basic premises.

First, human beings act toward things on the basis of the meanings that the things have for them. Secondly, these meanings are a product of social interaction in human society. Thirdly, these meanings are modified and handled through an interpretive process that is used by each individual in dealing with the signs he/she encounters.²⁵

The third premise is of crucial importance in that it stresses the ability of individuals to self-consciously alter what they have learned socially and that communication, especially through the mechanism of language, is the basic glue of the social process.

A detailed review of the relation of language to reflective thought and ultimately to the process of institutionalization would go beyond my needs in this chapter. However, these themes need to be briefly sketched to provide a basis for understanding institutional rules and practices. Communication in some sense occurs when one individual by his or her action can call out a predictable response from a second individual. However, human thought that is self-conscious occurs only when the action of an individual calls out the response in himself as well as in another individual. That is, the action or, in the case of language, the symbol calls out the same response in both individuals. This is the least complex situation. The action need only call out the response in the individual's own mind, not in the external world. Further, since the response is no longer automatic, an element of choice is now present, if only in the sense of either choosing to or choosing not to complete the act.²⁶ Thus the individual is as George Herbert Mead said divided into a "me" and an "I." Rather than being two separate personalities, the terms refer to different orientations of the self

with respect to thought and action. The "me" is both the internalization of significant symbols learned through social interaction and the modifications of those symbols through self-consciousness. The "I" is the self in action, with the possibility of uncertainty in both the execution and result of either thought or action. The human or environmental responses that result provide the basis for the recognition of novelty by the "me." In a certain sense the dialogue between the "I" and "me" parallels the dialogue between two individuals or between individuals and society.²⁷

Societies, in turn, are constituted by individuals who have internalized similar significant symbols. There is no presumption that all such symbols or meanings are either fully shared or similarly interpreted by all members of a social order. Indeed variation should be expected because of differentiation in the social order and the potential of most individuals for creative thought. However, when Mead defined the term "institution" he did so on the basis of shared significant meanings.

The institution represents a common response on the part of all members of the community to a particular situation. . . . When we arouse such attitudes, we are taking the attitude of what I have termed a "generalized other." Such organized sets of response are related to each other; if one calls out one such set of responses, he is implicitly calling out the others as well.²⁸

By implication the institution, as part of the social environment, influences the development of individuals, although Mead did not present a fully developed theory of the impact of social organization.

Later advocates of an interactionist approach have dealt somewhat more explicitly with this issue. In an attempt to apply the framework

explicitly to politics, Peter Hall wrote, "Order or structure is not something that automatically occurs but rather must be worked at and must occur, to the extent that it does, out of the repeated, reaffirmed, reconstituted acts of participants."²⁹ This is in essence the concept of "negotiated order," a variant of the social contract based on either shared agreements or tacit understandings within a social context. Hall also notes that negotiated orders leave room for significant conflict based upon the perspectives of different participants.³⁰ Erving Goffman takes a similar position. Although, in the context of what the author calls total institutions--for example the mental hospital Goffman studied, the impact of formal structure is much more apparent. In this case the negotiated order is the underlife of the institution. It takes place in the areas of social life left unorganized by the more formal aspects of institutional structure.³¹ A reasonable inference is that the realm of negotiated order must be far greater in the larger society outside the total institution.

Yet however much institutions are constituted by shared meanings, institutions are seldom experienced as the products of cooperative action. Rather, institutions are usually experienced as givens to which persons adjust their behavior and sometimes as sites of human oppression. Critics of the symbolic interactionist approach have subjected it to intense disapproval because of this issue. They charge the approach with being ahistorical and blind to the implications of organization and power.³² These charges are in my view substantially true. How then can

one address these issues and still retain the insight that in the end human beings create the social world through their activity?

One approach to this problem is to compare the ideas of social process and social structure. Social process refers to the interactions of individuals and groups based upon their intentions (in the case of a group "aggregated" intentions). Thus social process is in principle voluntary in nature. In contrast, the concept of social structure rests upon the idea of constraint. The relations among individuals and groups are structured or organized externally to their intentions. Human activity takes place within those constraints; that is, structure finds expression through the behavior of individuals and groups. Just as supporters of the social process perspective find it difficult to explain why persons often see their actions as highly constrained, supporters of a social structural viewpoint find it difficult to account for deviant behavior or, more importantly, efforts aimed at social transformation.

Tom Bottomore, following Georges Gurvitch, suggests a way of examining these two faces of human society, and by implication, institutions. Bottomore defines social structure as a permanent process of destructure and restructure, that is, of the transformation and maintenance of social structure.³³ Bottomore makes no claim that social structure is a negotiated order, although he would probably agree that one could imagine social orders that approximated that condition. The advantage of Bottomore's definition is that it focuses on the role of human activity in the creation and maintenance of structure and thereby

the creation and maintenance of institutions. One must now look a little deeper into Bottomore's idea and ask what it means for human action to create, support, or overturn structure. What do human beings do when they engage in the process of destructure and restructure?

To begin this analysis I am returning to Mead and his ideas of the significant symbol and the generalized other. The significant symbol is a gesture, whether through language or physical action, that calls out the same response in both the observer and the actor. According to Mead, both human thought and social activity rest upon the sharing and the use of significant symbols.³⁴ Although Mead's ideas about social structure and organization were not fully developed, he implied that organized social life is grounded in more than the possession of common significant symbols.

Mead develops this point by examining the differences between what he calls "play" and "games." Pure play requires only the existence of common significant symbols to coordinate and give meaning to the activities of the individuals involved. There is no coordinating purpose built into the participants' actions. In any situation that can be called a game this changes. As Mead points out,

The fundamental difference between the game and play is that in the latter the child must have the attitude of all the others involved in the game. The attitudes of the other players which the participant assumes organize into some sort of a unit, and it is that organization which controls the response of the individual.³⁵

It is this unity in thought and action, structured by the common activity, that Mead calls the generalized other. Note that the generalized other rests on more than internalized norms and values. It can be

no more than a mere shadow outside of a context of social action. It is this generalized other that provides the basis of both the process of institutionalization and institutional control. As Mead continues,

The complex co-operative processes and activities and institutional functionings of organized human society are also possible insofar as every individual involved in them or belonging to that society can take the general attitudes of all other such individuals with reference to these processes and activities and institutional functionings, and to the organized social whole of experiential relations and interactions thereby constituted--and can direct his own behavior accordingly.³⁶

Thus the individual encounters structure through the taking of the role of the generalized other. Yet how then can persons experience institutions as alien or oppressive?

At this point in my discussion institutions appear as clusters of significant symbols relating to structured activity, that is to the arrangement or coordination of diverse individual activities on some relatively persistent basis. Yet this is only part of the reality of institutions, or at least of institutions as normally understood. All institutions certainly rest upon patterns of common understandings and actions, but institutions also organize the material world outside human interaction. That is, institutions organize space, material resources, and so on. Further, institutions also direct human actions in ways outside of or in opposition to the intentions and understandings of individuals. While grounded in human understandings and practices, institutions are themselves environments which persons must interact with or respond to. Just as the game, through the embodiment of the generalized other in constitutive rules and actual practices, appears as a given reality in most circumstances to new participants; so too, in principle,

do almost all phenomena that can be called social institutions. The most salient difference is the character of the sanctions and rewards available to many institutions relative to those built into games. Thus, an institution embodies purpose through the crystallization of social understandings into rules and rule governed social practices, normally understood as institutional structure or organization and institutional process. These rules, in turn, guide the manifestation of the institution in the material world and thereby the creation of the environment that people experience as the institution.

Rules, Practices and Understandings

Thus, institutions are structured through two kinds of rules. The most explicit rules publicly codify the organization and process of the institution. These rules need not be entirely formal or legal as long as they are in principle public; that is, easily intelligible to a community significantly wider than active participants in the institution. For example, one can talk about the rules that codify the organization and operation of a standing committee in the Congress. These rules may in fact be formal, as in the jurisdictions granted standing committees in the 1946 Legislative Reorganization Act; or they may be informal, as in the rules that govern the party composition of different committees. My understanding of these codifying rules is roughly equivalent to Rawls' view that institutions are ". . . a public system of rules which defines offices and positions with their rights and duties, powers and immunities, and the like."³⁷

However, there is often also a set of rules, in addition to the public rules, which guides and supports participants' understandings of an institution. These rules consist of social practices within the institution and the understandings that make these practices intelligible to institutional participants. These rules are never as explicit as those that codify the institution and should not be assumed to be shared or indeed sharable in the same sense that the codifying rules can be and often are. Rawls expresses this notion when he describes institutions as being simultaneously an abstract form of human conduct (i.e., codifying rules)³⁸ and the concrete activity of human beings in reference to rules. I will refer to this second kind of rules, or more properly activity structured or governed by such non-public understandings as institutional practices. The situation where a congressional committee is led by a person other than the chair serves as a good example of this difference between codifying rules and institutional practices. Active participants in the committee's environment would understand this reality and modify their actions in that environment accordingly. Few members of the general public would be aware of the impact of this situation on the committee's operation.

Peter Winch gives a particularly useful analysis of rules as practices based upon participant understandings. It is worth noting the many places at which Winch's ideas are congruent with Mead's and those of most other symbolic interactionists. This congruence is strongly reflected in their respective views of the relationship between human thought and action and social process.

Winch is interested in explicating the conditions in which individuals may be said to be following a rule in their action or thought. He contends there are three necessary conditions, the first of which is that rules can only occur in social settings. One can say that an individual is following a rule, in language or any other context, only if other persons can, in principle, discover the rule in question.³⁹ Two implications follow from this criterion. First, all individuals must engage in a sort of internal social relationship. To understand one's own use of a rule is equivalent to the way in which others understand that use from an external perspective. Stated differently, human beings experience themselves indirectly as an "other" or an "object." Second, rules can be followed without fully conscious knowledge of their nature. A person need not recognize his use of rules except "in principle." That is, the individual would recognize the rule if it was explicitly brought to his attention. Hence, one can speak of tacitly following a rule. Certainly this provides a partial explanation for why individuals do not perceive their actions as part of the process of restructuring social institutions.

A second condition of using a rule is that a rule establishes and embodies connections between previous experience and action and that of an individual in the future. "The rule can only seem to me to produce all its consequences in advance if I draw them as a matter of course."⁴⁰ Therefore one could say that a person is following a rule only if, in principle, other persons can deduce from it expectations about the first person's future actions. Further, if these other persons were to follow

the same rule, all of them would have a common understanding of what to expect from each other in the specific context of that rule. ". . . Given a certain sort of training, everybody does, as a matter of course, continue to use these words in the same way as would everybody else."⁴¹ It follows that commonly understood rules provide the basis for roles and institutions.

Finally, rule following is identified by its logical inseparability from the notion of "making a mistake." Winch contends that it is nonsensical to talk about rules except when it is possible to judge if someone is following the rule correctly. For example, in the case of language, Winch says that if one claims that he is using a word correctly, he must also, at least tacitly, know what constitutes incorrect usage. Indeed, others must be able to determine if mistakes in usage are being made in order to understand the first individual. As evaluation of language usage is ultimately social, it follows that the evaluation of the usage of or appropriateness of any rule is also social.⁴² Additionally, if the idea of contravention is a necessary part of the idea of a rule, then one can consider the possibility of deliberately making a mistake; that is, of choosing to reinterpret or abolish existing rules. Thus, consciousness or understanding of a rule involves, above all else, understanding what it means not to follow that rule. As one can choose to contravene a rule, in principle the range of alternatives to the rules is vast, perhaps infinite. Thus, the rules that human beings possess are potentially open textured and the actions related to them are likewise alterable.⁴³ To the extent that

institutions are experienced as constraints, it is because institutions through their very existence as systems of rules impact upon individuals to construct boundaries to the open field of human activity, much as the organization of Mead's games produces the similar appearance (and experienced reality) of constraint.

This tension between constraint and the potential for choice is an important feature of institutions. That is, as John Brigham notes, institutions are the possible forms of conduct realized in the social world.⁴⁴ In this view, ". . . understanding an institution implies awareness of the dynamics between possibilities and action."⁴⁵ Brigham then gives examples of this tension in the context of the Supreme Court, describing situations showing the variable constraint of practices (i.e., rules in Winch's use of the term). For example, the practices governing interpretive latitude in the meanings given to terms like commerce, contract, full faith and credit, and due process are quite broad. This allows Justices to have commensurate flexibility in the range of intelligible decisions possible in cases involving these terms. In contrast, the use of the term equal protection in anything but a very specific way would not be intelligible to those persons who understand the institutional environment of the Court. Brigham says the application of equal protection to cases of search and seizure would not make sense to other judges, lawyers, the relevant press, etc., even if that application might make sense to many members of the general public.⁴⁶ That is, such understandings or practices are not on their face sharable with those persons who are not active participants in the institution.

In such cases it may be difficult to convince outsiders of the intelligibility of such practices for insiders. The outsider might perceive institutional action based on privatized practice as fixed or corrupt. For the insider the action would likely be viewed as arising through correct procedure.

In contrast, what I called codifiable rules, such as the formal process of voting in the Supreme Court to decide cases or to decide what cases to hear, carry a much wider and more immediate sense of intelligibility. One should not assume that rules are inherently intelligible. Rather, the probability that a rule will make sense may be largely a function of the audience addressed. Rules, in terms of social understandings and practices, usually require a greater degree of active participation in the business of the institution to make sense. Codifiable rules, that is the rules governing the most publicly available aspects of organization and process, may require only a person's internalization of the preconceptions of a given culture to be intelligible. This may be particularly true in liberal societies like the United States where it is generally believed that institutions either are or should be rule governed. This cultural preconception is particularly strong in the case of governmental institutions. Such institutions are expected to operate according to fair procedures, not simply by procedures. Indeed, codifiable rules may be a precondition for institutional effectiveness in liberal democratic societies.

One way of looking at the respective roles of codifiable rules and of practices in constituting institutions is to imagine an institution

without structure and process, without common understandings of the range of required, expected, possible, or impermissible activity. Plainly such institutions would violate common understandings of the nature of institutions, perhaps even of the nature of social interaction generally. However, occasionally people have tried to design institutions to minimize rule generated constraints on participants' actions. Examples of institutions of this type are many of the women's groups established in the United States during the 1960s and 1970s. In a study of such groups, Jo Freeman discovered that a set of rules governing group practice arose despite the intentions of group members. Indeed, Freeman found that such unrecognized rules were usually more pernicious both to the interests of most group members and to the expressed purposes of the organizations than formal rules concerning structure, decision making, etc. would have been. Freeman contends, to adopt Brigham's terminology, that when the practices of unstructured groups are unavailable to all of its members, those members who know the practices are far less likely to act responsibly, i.e., in the interests of the entire membership. Private rules often result in the creation of an elite, whether by intent or coincidence.⁴⁷ In a more theoretical context, John Commons agrees with this point; although he qualifies the argument by stating that public access to rules embodied in practices are only a precondition for institutional responsibility.⁴⁸

Commons' work also is helpful in differentiating an institution from a persistent system of social interaction. That is, his work helps to explain why, for example, a legislature is an institution and a

cross-generational friendship between two families is not. Both kinds of social relationship are in some sense rule governed, dependent on common understandings and practices. Nonetheless, for Commons, only institutions are "going concerns," that is, chains of what Commons calls transactions. He defines a transaction as a pattern of human interaction in which there are rules which specify what individuals must do, may do without interference from the institution, can do without expecting the institution to use its power and resources to aid, and can do with the aid of the institution.⁴⁹ Thus, Commons holds that institutions must exist for some public. Institutions cannot be totally private arrangements.

Still, institutional publics are seldom identical to the entire community or cultural unit, nor may those institutional publics share fully in the knowledge of all significant rules and practices. Governments and governmental institutions in liberal democracies do provide a case in which the institutional public is nearly equivalent to the entire (adult) community. This is a result of the inclusive notion of citizenship found in most liberal democratic societies. However, there is no reason to expect that different parts of that public know the rules and practices of governmental institutions either fully or in the same ways. As I noted before, there are good reasons to think that rules in the sense of practice are relatively private in comparison to the more abstract, and often formal, rules that constitute the most public face of an institution.

Some Applications

I will explicate this idea of social differences in the knowledge and understanding of institutional rules and practices by using it to analyze a common description of United States political parties. Sorauf and others have described American political parties as having a loose but identifiable three part structure consisting of "the party in government," "party organization," and "the party in the electorate."⁵⁰ These structures through their interactions form the institution called a major political party in the United States. However, these structures must not be mistaken as organizational units. Each of the three structures is an abstraction rather than a structure that is directly experienced by participants. There is no party in government per se. Instead there is a President of a given party who may seek support from or give support to members of Congress belonging to the same political party. This pattern of interaction may occur between the President and individual members of the House and Senate, the partisan leadership of these bodies, or through a number of other mechanisms. Further, party in government can involve other interactions involving neither a President or members of Congress. Cooperative activity between two appointed bureaucrats representing different agencies also qualifies as an example of party in government.

A similar analysis can be done for both party organization and the party in the electorate. Major United States parties are often described as loose coalitions of state parties. Yet, the state parties may not always have coherent organizations. Some local components may

be strongly organized, but other local party units may exist in name only. Similarly, there is nothing in the American political environment that can be simply isolated and called the party in the electorate. Different parties in the electorate may be found or constructed for differing purposes. For example, most Southerners call themselves Democrats in regard to state and local politics and they usually vote in ways consistent with those self perceptions. Since about 1970, Southern whites have increasingly called themselves Independents in regard to national politics. Some have theorized that nonaffiliation provides a socially acceptable way to vote Republican in presidential elections. Rather than viewing political parties as three distinct if overlapping elements, it makes greater sense to think of political parties as differentiated patterns of understandings and practices within a system of potentially public rules.

This idea that different persons can share common understandings about the existence of an institutional form and yet in some ways perceive that institution in radically different ways need not be restricted to political or governmental institutions. It applies to social institutions in general. For example, both supporters and opponents of the Equal Rights Amendment seem to share a similar conception of the family on the most general level. I suspect that if a number of concrete groupings of individuals were described, most proponents and opponents would label most of the same groups as either "families" or "not families." Should supporters and opponents then be asked to give reasons for their answers, I still doubt that members of the two camps

would differ greatly in their replies. They would be basing their answers on the widely available public rules about how to recognize a family in United States society. However, if these same people were asked to estimate the effects that implementing the ERA would have on the quality of family life, I believe that supporters and opponents would now tend to give extremely different replies. While part of this expected divergence might reflect different perceptions about the content of the ERA, I also expect that differences in the less public understandings of what a family is are now coming into play. That is, they are basing their judgements in part on implicit understandings based on actual social practice. It is important to remember that the meaning of practices lies in action as well as thought. Despite similarity in the public rules that define families, the actual practice of real families may give rise to different understandings of the institution of family.

Differences among individuals, groups, and broader publics over the nature of institutional practices, within broad agreement over the nature of institutional rules, may be the most common source of tensions that generate institutional change in the United States. The court packing incident in Franklin Roosevelt's second administration provides an example of this dynamic. After 1933, the Supreme Court declared several major laws unconstitutional. These laws had strong support in the rest of the national government and, apparently, among the general public. At least the second claim seems reasonable on the basis of the 1936 landslide for Roosevelt and congressional Democrats. Yet the

Supreme Court appeared ready to use judicial review against additional New Deal legislation. Roosevelt sought to gain a working majority on the Court by proposing legislation aimed at giving him the power to appoint new justices should Court members refuse to retire at a certain age. In brief, the Supreme Court and its allies were able to mobilize the public against Roosevelt's proposal by using the publicly held expectation that the Judiciary is predominantly a legal rather than political body. Although Roosevelt correctly understood the intrinsically political function of the Supreme Court, he was unable to convey this to the public. That is, he was unable to convey the differences between the public rules that define an institution in a general way and his understanding of the practices that defined the institution's actual operation.⁵¹

The court packing example provides a useful beginning for showing how the interplay of different persons' understandings of institutional rules and practices can serve as a window into both the nature of institutions and of institutional change. I will extend this analysis through a second example based upon Fenno's analysis of the Interior and Insular Affairs Committee of the United States House of Representatives. I want to show how Fenno's examination of changes in the composition, operation, and policy decisions of this committee in the early 1970s can be further elucidated by looking at the interplay of committee rules and practices.

Despite the fact all House standing committees operate under the same general formal and informal rules established by the House, Fenno

found important differences in the character and operation of the six committees he examined. In the 1955-66 period, Fenno observed the Interior Committee to have the following characteristics: (1) members usually came from western states and sought committee membership to aid their reelection,⁵² (2) members had extensive interaction with specialized but diverse clienteles,⁵³ (3) members attempted to secure passage of all member sponsored and clientele supported bills and thereby to give priority to the interests of commercial users of natural resources, and (4) members engaged in logrolling, both in the committee and in the House, on the basis of non-partisan expertise, to move bills through the legislative process.⁵⁴ In reality, these practices were far more specific and yet more flexible in application than my summary indicates. For example, Fenno observed that despite the pro-business orientation of the committee's western majority, members made real efforts to mollify the concerns of a senior eastern member with strong conservationist views.⁵⁵

It is doubtful that any member of the House Interior Committee during the 1955-66 period believed that the committee operated in an illegitimate fashion. While members might concede that the immediate goal of the committee was to act in the interest of specific functional and electoral constituencies, rather than some broader concept of national interest, there is no reason to believe that most members would understand their constituents' interests and those of the nation as ordinarily opposed. There is no way to document how the general public felt about how the Interior Committee operated during this same period. Given the low level of information and interest that the public

generally has in the day to day operation of the United States government, it would be surprising if any substantial element of the citizenry knew of the committee's existence. Nonetheless, the public has some awareness of Congress and that its function is to make law for the entire nation. Thus, one might expect that there would be a general public expectation that Congress should make law in primarily the nation's interest rather than primarily in the interest of any particular constituency. I would expect the same standard to be applied to the judgement of committee activity, except to the extent that self or group interest is directly affected by that committee's actions.

Therefore, to the extent that the general public became aware that the first priority of the House Interior Committee was to serve the tangible interests of western commercial resource users, the question of legitimacy would be raised. I am not claiming that the public would be surprised to learn that members of a congressional committee would act in ways supportive of special interests that could aid those members' goals or reelections. Certainly, there is a public folk lore concerning how politicians "sell out the people" to further their own personal interests. Rather, practices and decisions that were perfectly acceptable on the basis of members' understandings of the Interior Committee become potentially suspect from the perspective of the general public.

Traditionally, the Interior Committee's work was relatively non-controversial. Beginning in the late 1960s, this situation began to change. Greater societal concern with what can be broadly called environmental issues gradually changed the political environment in which

the committee operated and generated greater awareness and concern among at least some elements of the public over the subject matter included in the Committee's jurisdiction. By 1972 Fenno discovered the beginnings of change in the committee's operation. New members interested in environmental policy making rather than constituency service began to join the committee. There were also some changes in committee rules which reduced the formal powers of the Chairman and strengthened those of the subcommittees. Fenno, as of 1972, did not think these changes had made an important difference in the committee's decisions on legislative matters, but he noted that the preconditions for major changes in committee outputs had been set in place.⁵⁶ Thus, the environmental movement represented a situation in which tensions resulting from differences in members' understandings of acceptable practice and those latently held by the public became important enough to require some form of resolution. Whether these changes were mainly symbolic or have made an impact upon the substantive actions of the committee or of Congress are of course matters subject to empirical investigation. However, it is clear that Interior in the early 1970s was gradually changing from what Fenno calls a corporate type committee to a permeable type committee. Corporate type committees are more likely to get bills they report to the House passed, but these committees are usually responsive to rather narrowly defined interests or constituencies. In contrast, permeable type committees operate in a more pluralistic environment. However, such committees are less able to effectively pass legislation through unified committee action.⁵⁷

While the apparent transformation of the House Interior Committee from a corporate to a permeable type committee resulted in a number of changes in what I call codifiable rules, most of the changes took place at the level of what I call rule governed practices and understandings. For example, neither the House nor particular committees have formal rules governing how seriously a committee should take its subcommittees' recommendations about pending legislative business. In the case of the Appropriations Committee, acceptance of subcommittees' views was almost pro forma. Fenno describes this committee as a near perfect case of the corporate type. During the 1955-66 period the Interior Committee followed, if somewhat less fully, Appropriations with respect to having a high degree of subcommittee autonomy in making policy decisions.⁵⁸ Over the same time period, the House Education and Labor Committee, the very model of a permeable type committee, paid little attention to its subcommittees' reports.⁵⁹ If the House Interior Committee was in fact becoming more permeable during the 1970s because it was operating in an intensely partisan and pluralistic environment similar to Education and Labor, then Interior's previous tendency to ratify subcommittee decisions should be declining. While the changes in Interior's codifiable rules appear to support more power for subcommittees, the committee members should be learning to act and to understand their actions in quite an opposite manner.

While institutions may change through alterations in either codifiable rules or in practices, in the long run there should be a large measure of coincidence between explicit and implicit rules. Yet,

particularly in societies subject to rapid change, one should expect that full coincidence between rules and practices would be rare. When Brigham says that, ". . . understanding an institution implies awareness of the dynamics between possibilities and action" he seems to be focusing on this very point.⁶⁰ In very stable institutions, a great deal of change may take place through alteration in institutional practices without any immediate change in the formal or formalizable rules. Indeed, a change may be fully institutionalized when observers or participants can realize that the new rule can be consciously stated by participants. The changes described in the operation of the House Interior Committee fit this pattern. On the other hand, rapid disjunctive institutional change seems to be related to major changes in the formal rules governing and defining the institution. Institutional changes coming from the victory of revolutionary movements serve as a useful if extreme example. Yet even in this case underlying social practices may affect the way institutions operate. For instance, despite the official abolishment of the untouchable status in India after independence, members of that caste are still effectively barred from most positions of institutional authority in that nation.

As I noted earlier, the governmental and political institutions of the United States are highly stable as such things go. Thus, I expect that institutional change occurs as much or more by the gradual alteration of institutional practice and its eventual impact on codifiable rules than vice versa. To the extent that electoral realignments present situations when there are relatively large shifts in political

relationships, I expect that an unusual degree of change in formal institutional rules would occur. Still, realignments can be called revolutions only if one is given to rhetorical excess. There is no reason to reject the expectation that post realignment institutional change will be reflected mainly through changes in understandings and practices. In any case, the total amount of institutional change occurring in the wake of realignments should be greater than that occurring at other times provided that the electoral process is either a significant expression of the public's power or provides opportunities for elites to initiate political and social change.

My analysis to now has focused on institutions and institutional change in general. To apply this material to understanding how governmental institutions change requires the ability to differentiate governmental institutions from other kinds. Further, the term political institution is sometimes used as a synonym for governmental institution. Yet, the terms are not used interchangeably in either political science or ordinary discourse. A discussion of this issue will also help to explicate the meaning of the term governmental institution and what it means for a governmental institution to change.

Governmental Institutions: Selectivity and Legitimacy

Previously I discussed some of the problems resulting from the use of conventional definitions of governmental institutions. As noted, the Cabinet, Federalism, and subgovernments do not fully meet conventional defining criteria such as having a legal existence or a definite

organizational structure. Yet the Cabinet, Federalism, and subgovernments are still called governmental institutions. Further, almost all political scientists call all three of these examples political institutions as well as governmental institutions. Yet, the term political institution is regularly applied to a much more diverse group of phenomena than the term governmental institution. Most political scientists would call interest groups a type of political institution. However, I am not aware that the National Rifle Association or the AFL-CIO's Committee on Political Education have ever been called governmental institutions.

Nevertheless, political scientists, or people generally, may disagree over what constitutes a political institution. For example, I may say that the Chase Manhattan Bank is a political institution. I might claim that the bank's management has a great deal of power to shape economic development in the United States and elsewhere and has a significant ability to influence government policymakers. Another individual, even one who agrees that I have accurately portrayed the bank's operations, may still reject my characterization of the bank as a political institution. He or she might answer that the Chase Manhattan Bank is an economic organization which may at times act in the political environment.

Clearly, ideas about which entities or sets of social relations should be called political are closely related to ideas about the nature of politics. Furthermore, ideas about politics inevitably serve someone's political purposes. Yet the concept of politics involves more

than a debate over the objects the concept describes. Any intelligible idea of politics involves questions of preference; that is, the conditions to be preferred, the means chosen to obtain these conditions, and the persons and processes that will decide the first two items. While politics is more than just a moral or normative concept, both ideas about politics and the practice of politics refer to conditions that have moral or normative implications.⁶¹

While politics can be an unbounded or contested idea, most persons are uncomfortable calling all aspects of the human condition solely political. I doubt that anyone would go beyond saying that all aspects of social life can be politicized, that is made political under some circumstances. Individuals may differ in their use of the concept of politics, but in any culture some situations are regularly seen as political, others as non-political. In the United States for example, the passage of tax bills through Congress is normally considered political, the birth of a child is not. Sometimes usage is ambiguous. For example an individual might talk about the politics of a charitable organization. While some persons may conceive of such organizational struggles over power and policy as fully and unambiguously political, most people would agree that this situation is not political in the same sense that the legislative process in Congress is political. Rather, the situation will be termed political insofar as the actions of the participants in the charitable organization resemble the actions of participants in what would normally be called a political process in ordinary language.

To the extent that one can identify those aspects of the concept of politics that are more central than others or indeed constitutive of the concept, one has a firmer basis to differentiate political from non-political institutions. Along these lines, Fred Frohock suggests three standards to identify central or what he calls core properties. These include (1) that core properties remain "constant" despite changes in other properties, (2) that if core properties change, all other properties must also change, and (3) that a change in a core property results in a radical change in the meaning of the concept. The implication is that core properties are those that allow individuals to understand a concept differently and still know they are expressing the "same" idea. Frohock goes on to claim that the core properties of politics are "directing" and "aggregations." Politics involves "directing" in that politics always involves actions to influence human behavior. Politics also involves "aggregations" in the sense that political actions are only intelligible as such when they involve the fortunes of social collectivities. Frohock holds that both core terms are central to the idea of politics.⁶²

The absence of either core term renders any situation incompletely political. For example, the internal dynamics of the charitable organization appear to meet the condition involving "directing" but does not meet the condition involving "aggregations." Thus, the internal struggles of the charitable organization can be meaningfully described in political terms but without other justification should not be called political. However, if I were convinced that the organization in question

had through its actions a large impact on the benefits and burdens placed upon some identifiable collectivity (e.g., "the poor"), I would probably reconsider my position. That is, I might now say that the charity was a political institution and/or was engaging in politics. To the extent that Frohock's two core terms actually capture the basic nature of politics, distinctly political institutions would need to embody purposes involving these dimensions of power and large scale social relations.

Still, Frohock's specification of the core terms of politics seems to be missing at least one crucial dimension of how politics is experienced. Any useful concept of politics must reflect the potential openness of all social life. It must involve a recognition of the possibility of human choice in thought and action. Politics is based on the interactions of human beings pursuing their choices in a social environment. For want of a better term, I claim that politics always involves "reciprocity." However, I am not claiming that politics is restricted to relations among relative equals. Thus, an institution that made policies without something that can be called discussion or negotiation in the broadest sense of those terms would not be intelligible as a political institution.

If the core terms of politics could be fully specified, then the basic dimensions on which political institutions embody purpose would be those consistent with the core terms. Still, such terms are highly abstract and give little information about how political or governmental institutions operate or change. To understand an institution and what

happens when an institution changes one needs to know the concrete forms in which the core properties of politics are embodied in institutional structure and process. Among the universe of ways in which such properties can be expressed, an actual institution can embody only a very limited part of this universe in rules and rule governed practices.

Otherwise the institution cannot embody purpose. Institutions are constituted on the basis of selectivity. More specifically, political institutions involve selectivity on the specific understanding and practice of forms of direction, definitions of aggregates, and so forth.

E. E. Schattschneider stresses this idea of selectivity when he says, "The functions of institutions are to channel conflict; institutions do not treat all forms of conflict impartially"63

Recent work on the theory of the state also focuses on the issue of selectivity, despite the fact that this work proceeds from assumptions quite different from Schattschneider's. Authors such as Charles Benda and Claus Offe see political institutions as entities exhibiting policy selectivity through the operation of their rules. That is, institutional rules ". . . act as 'selection mechanisms,' actively sorting or filtering the demands placed on the state and actively formulating certain policies without external demands or participation being necessary."⁶⁴ Observers of political institutions should give attention to how rules structure the likelihood that certain issues will be raised and certain policies will be adopted. This approach is especially appropriate to the study of realignment insofar as realignments are expected to result in significant changes in public policy.

Political institutions, then, appear to be organizations with selective rules that effect outcomes that require the direction of human behavior, involve significant collectivities, and result from a process based on reciprocal human action. Earlier in this chapter I rejected the view that institutions are equivalent to organizations. As cases in point I referred to patterns of relationships such as subgovernments and American Federalism. These are patterns that many call institutions, but patterns not centered in organizational entities. Yet neither subgovernments nor Federalism exist or act apart from organization. Thus, I have not fully divorced institutions from organization. One writer, Alain Touraine, makes this departure. While I believe that Touraine is wrong on this point, I also believe Touraine's approach to institutional questions offers valuable insights into the nature of political and governmental institutions.

Touraine understands institutions as decision processes, not as organizations. He views institutions as being in principle distinct from organizations or administrative entities. Touraine defines institutions as follows:

We shall therefore use the term "institutions" here for that set of mechanisms by which the doubly open field of historicity is transformed into a set of rules for social life which, in their turn, predetermine the functioning of organizations.⁶⁵

That is, political institutions are involved in a mediating process, adjusting organizational structure and process to the demands and constraints arising out of a particular sort of social order. In point of fact, Touraine makes no distinction between the terms institutional and political. It would be more accurate to say that Touraine is talking

about a system of decision making rather than identifiable institutional entities.⁶⁶ While this approach may appear to be similar to Marxist ideas about the state, Touraine denies that the institutional system and the state are identical. He contends that the state, while rooted in the political/institutional system, acts mainly on the level of social organization. In Touraine's terms, the state is more an instrument of power than the producer of decisions and rules that structure social life.⁶⁷ Therefore, political institutions, or more properly the political/institutional system, decide the basic rules for social life and the structure and functions of its constituent units. In contrast, social organizations are involved in the management and repression of that social life. Yet where and how are the rules determined? It is one thing to say that institutions operate in an environment structured by class relations, technology, forms of knowledge, etc.; however it is unwarranted to abstract a decision making process outside any identifiable set of human relationships and concrete human actors. If, as Touraine would agree, society is ultimately the product of human action, just where do human beings act when they make basic decisions? The separation of institution and organization on the concrete level must be rejected.

Still Touraine's ideas are valuable precisely because organization can now be treated as a dependent rather than independent variable. Organization becomes the result rather than the source of institutional purposes. In the context of this study, I expect that changes in the nature or priority of political purposes held by members of dominant

coalitions following a realignment will result in institutional modifications aimed at fulfilling those new or reprioritized purposes. Yet what is the dynamic relationship between changes in purpose and changes in organization to embody purpose? After all if previously existing institutional forms are selection devices, then the relation between purpose and form cannot be unidirectional. Previous organization, unless totally uprooted, will certainly have an impact on how new purposes will become embodied in organizational form. Touraine suggests this process can be examined by looking at what he calls societal debates, ". . . the public expression of the tensions between the elements of a system, particularly between the elements of the system of historical action."⁶⁸ Because political institutions are selective, that is open to some interests and purposes and closed to others, not all debates will occur in the setting of political institutions. Further, those debates which are carried on in or through political institutions will be distorted to some degree by the nature of the institutional forms. Touraine expresses this idea as follows:

Institutions, because they are mechanisms of discussion, negotiation, and translation, at the same time as being the political expression of a social domination, are always simultaneously instruments of constraint and legitimation. They do not codify the totality of the field of historicity; they distort it, exclude certain components from it, limit the action of the social classes, above all that of the dominated classes.⁶⁹

The study of institutional change following realignment can provide some insight into this process. An examination of the interaction between formal institutional rules, the understandings and practices of institutional participants, and the understandings of outside groups or

publics during and following realignments can provide a useful way to grasp the channeling and ultimate institutionalization of what Touraine calls societal debates.

Some writers use the terms political, government, and governmental institution as essentially synonyms. This view has merit only so far as the realm of politics is restricted to the government proper, its actions, and to a select group of institutions which are almost totally concerned with the operation of government (e.g., major political parties). Those people who hold a more extensive view of the domain of the political usually claim that some institutions can be political without being governmental. Using an earlier example, I might want to claim that major banks are political institutions. Yet I cannot intelligibly claim that American banks are governmental entities, no matter how powerful they may in fact be. What is the basis for this distinction?

To begin with, the idea of government is sometimes seen as identical to that of the state, sometimes not. Initially, it will be easier to proceed working within the first approach. Most American political scientists work from Max Weber's assertion that governments are those social entities that have or can intelligibly claim to have a monopoly on the legitimate use of violence in a given territory.⁷⁰ In this tradition, institutions are organizational sites which make decisions ultimately enforceable by legitimate force. Other observers hold that the state and the government are not the same. Government is merely a part of the state, though usually a very important part. The basic reason for this distinction is that such analysts think that real decision

making and enforcement powers are often held by groups or institutions outside the government. Still, the ideas of government and governmental institutions are important ones in this tradition. The reason is again the question of legitimacy, particularly over the use of violence.

Touraine notes that government is the most important part of what he calls the institutional system because governments can appear, in principle if not actual practice, to be autonomous from dominant social formations.⁷¹ Nico Poulantzas elaborates on this view by saying that governments act to legitimate the actions of the state by taking action in the name of a "people-nation" which is inclusive of almost all social groupings. This is important because process and discourse are often structured to give preference to the interests of a dominant class. However, to be legitimate, such process and discourse cannot be reduced to simply a mystification of class power.⁷²

Perhaps this idea and its implications for institutional operation and change are best grasped through C. B. Macpherson's description of governments as dual systems of power. Macpherson contends that governments act upon society both directly through their own policies and indirectly by giving sanction for non-governmental institutions to exercise legitimate authority over some area of human activity. That is, non-governmental institutions borrow legitimacy from the government and if need be these institutions can call upon the government to use legitimate violence to enforce their authority.⁷³ Though real power may be concentrated elsewhere, in most contexts it is proper to restrict the term governmental institution to those rule governed patterns of social

interaction that are formally part of a government or are in primary and constant interaction with a government.

Thus, the essential difference between governmental and other kinds of political institutions is that the characteristic of legitimacy is central to the former. Should governments or governmental institutions lose legitimacy completely, they are simply another sort of political institution. That is, there is no substantive function or form of organization which is inherently governmental. The paradigm case of the loss of legitimacy is the revolutionary overthrow of a government. Before the overthrow, the pre-existing government was legitimate to the extent that the way it operated assured that its decisions would be either obeyed or disobedience would be hidden or disguised. The government's legitimacy rested upon its ongoing social relations with its citizens rather than on merely how the citizens felt about the government. Similarly, the destruction of the regime automatically destroys its legitimacy. The new government becomes legitimate because it acts like a government, i.e., in Macpherson's terminology a dual system of power, and becomes imbedded in the ongoing activity of the total social order. While in more stable political orders the disjunction of social and political life is far less, changes in institutions imply changes in the operative character of legitimacy. As Robert Grafstein points out,

In the purest sense, a legitimate institution secures obedience to its decisions by the very fact of having made them through appropriate institutional procedures. Its outcomes are accepted, in the behavioral sense, when they are generated through the decision-making process of the institution . . .⁷⁴

Conclusion

In this chapter I have attempted to explicate the idea of what it means for an institution to embody a purpose. By doing so I hoped to lay a basis for penetrating into the nature of institutions and institutional change at a somewhat deeper level than mere description of structure and process over time. I also sought to understand institutions from a perspective consistent with my understanding of persons as active participants and makers of their social life.

I have taken the position that institutions are best understood as human created but crystallized patterns of social interaction based upon both explicit rules and implicit but ultimately rule governed practices and understandings. I have sought to understand institutional change through the interplay of rules, practices, and efforts to redefine or modify them. I have also tried to distinguish governmental institutions, the actual subject of my inquiry, from social institutions in general and political institutions in particular. While I have not been able to find a simple standard of differentiation, I contend that governmental institutions must be identified by the activity of bestowing legitimacy upon their own policies and those of non-governmental institutions.

Through the rest of this dissertation I intend to use the concepts developed in this chapter to explicate the process of institutional change arising out of major electoral realignments in the United States. The demonstration and explanation of such change is important. First,

changes in institutional structure and processes imply changes in public policy and it is public policy that in the end affects the lives of ordinary people. Secondly, in a society that claims that legitimate government action must in the end arise through some process involving popular sovereignty, it is important to evaluate the ways, if any, in which elections are related to policy. As I have pointed out, in the United States the relationship between elections and policy formation is a murky one, but any such relationship should be strongest and most clearly seen following realignments.

In the previous chapter, I suggested several places to look for significant institutional change following realignments. These included (1) the appearance of new institutional forms, (2) the creation of new institutional functions, (3) changes in the relationships among institutions, and (4) the initiation of new governmental functions. To these four, I want to add a fifth. Changes in institutional process, particularly those related to new constituencies or policy goals should be added to the list. While these changes can be most obviously identified in alterations in formal or codifiable rules, in many cases these changes might occur, at least initially, primarily on the level of practices and understandings. Therefore, attempts to document and explain institutional change following realignments could focus on rules, practices, or both.

C H A P T E R I I I
A CASE STUDY: REALIGNMENT AND THE DEVELOPMENT OF
THE EXECUTIVE OFFICE OF THE PRESIDENT

Realignment Debates and Institutional Change

In my review of the realignment literature, I noted that most scholars found a definite relationship between realignments and alterations of government policies. To a lesser degree, researchers also claimed there was a connection between realignment and institutional change. This connection was noted by Burnham, Schattschneider, Key, and others. However, these authors did not make a serious effort to document this point. Rather, they supported their arguments through brief historical examples and vignettes. In this and the following chapter I examine the relationship between realignment and institutional change in more detail. I show that the forces and conditions that produce significant institutional change following realignments are integrally related to the forces and conditions that prompt major electoral and coalitional change.

In the realignment literature great stress is placed on the realigning election itself as a cause of subsequent political change. In brief, realignments are seen as exercises in popular sovereignty. This characterization is unfortunate because the realigning election is a response to deep political tensions that arise from major social and economic problems. The realigning election is but one moment in a

longer period of political debate and conflict. Thus, any understanding of policy or institutional change following realignment must be linked to the history of the debate that led to the realignment.

A full discussion of the debate and transformation of discourse that would accompany any realignment would be a massive undertaking. Yet any institutional change following a realignment would be more comprehensible in light of understanding the realignment debate. After all, I claim that institutions embody purpose through the crystallization of social understandings into rules and practices. New institutional structure and process would correspond to the crystallization of the discourse of the newly dominant political coalition. At least one tradition of work focuses, if coincidentally, on these very issues.

During the 1960s a number of American political scientists became interested in the formation and consequences of the peculiarly American form of the positive state, usually called interest group liberalism. Members of this school, including Kariel, McConnell, and Lowi, were not explicitly concerned with electoral realignment. However, each to some extent perceived that the current procedures of United States national governance had either their origin or their first complete articulation in the New Deal, i.e., following the 1932 realigning election. As a group, these authors saw this new style of governance as a politically viable response to the need for a more activist state in a society where most politically active members had deep misgivings about the exercise of state power. These authors viewed interest group liberalism as an ultimately self-defeating form of governance.¹ Of these authors,

Theodore Lowi most fully traces the connections between ideological discourse before the realignment, the institutionalization of the new discourse following realignment, and the implications of that discourse for subsequent policy and institutional adaptation.

As I noted in Chapter I, one of Lowi's most important concepts is the "public philosophy," that is, an ideology that dominates political action and discourse over a relatively long period of time. The dominance of the public philosophy that Lowi calls capitalism was reaffirmed by the 1896 election, but soon came under questioning given the various tensions and irrationalities still produced by industrial capitalism. Thereafter, according to Lowi, a debate was joined by proponents of what most 20th century Americans call conservatism and liberalism over the proper use of state power. Lowi says this debate ended in FDR's second term with the retreat of the Supreme Court from conservative principles. The conservative-liberal debate was replaced by the hegemony of interest group liberalism.

After 1937, the Constitution did not die from the Roosevelt Revolution, as many had predicted, but the basis for the liberal-conservative dialogue did die. Liberalism-conservatism as the source of public philosophy no longer made sense. Once the principle of positive government in an indeterminable but expanding political sphere was established, criteria arising out of the very issue of expansion became irrelevant.²

The author then continues by exploring the consequences of the public philosophy of interest group liberalism that began to emerge in the 1930s upon the policies and forms of state action adopted in a sampling of policy areas.

Lowi's work, by its very scale, is strong on the elucidation of cause and effect but is less convincing in terms of process. That is, he does not provide the reader with a detailed view of the concrete actions and events that resulted in the conversion of ideas into practice and policy. Reading Lowi, one may be able to see why there is a particular form of positive state in the United States, but it is hard to grasp the actual process of its creation. A large scale "history" of a realignment, or better, a series of realignments, including the full sweep of the process from its origin to its uttermost consequences, would be a most useful addition to the literature. But that project is far beyond the capacities and resources of this writer. Instead, it is more manageable to look for case studies of institutional change following realignments and then to relate those cases to the general debate that constituted that realignment.

While I am not aware of any case studies of that sort, there are case studies upon which a reader can interpose that kind of framework. One example of this material is Matthew A. Crenson's, The Federal Machine. Crenson's intention is to understand why bureaucratic forms of governmental organization began to replace forms based on other principles during Andrew Jackson's administration. Specifically, Crenson looks at the rapid pace of bureaucratization in two agencies, the Post Office Department, and the General Land Office. These agencies employed about 75 percent of the civilian federal employees and were the most important points of direct citizen contact with the national

government. Most realignment theorists consider Jackson's election in 1828 a realigning election.

Ladd and Jahnige have each characterized United States national politics in the half century prior to 1828 as having a style of deference to a so-called natural aristocracy.⁴ Jacksonian politics were built on the decline of this political style, a decline resulting as much from the rise of entrepreneurial capitalism on a vast scale as from the rapid extension of the egalitarian frontier. Guardianship of the previous concepts of public morality and the possession of economic power no longer coincided as in the past. This created new problems of governance for the incoming Jackson administration. As Crenson states,

. . . the social conditions of the era would present these executives with a special set of administrative problems. In the absence of the old institutions' regulating power, it would be necessary for civil servants to find new mechanisms for securing peaceful, reliable compliance with laws and administrative directives.⁵

Given that government officials came from the same social order whose members no longer obeyed social or political authority on the basis of deference, Crenson's argument applies to these officials as well.

The Federal Machine presents the story of how the Jacksonians gradually established bureaucratic forms in the government's largest agencies to deal with the crisis caused by the decline of the political style of deference. Bureaucratic reorganization was not the Jacksonians' first attempt to deal with the crisis of non-compliance. The traditional, almost familial, structures of agency operation were first replaced by the extensive use of party based patronage. This, by itself, proved insufficient to maintain administrative and political

control in the growing and more geographically dispersed agencies like the Postal and Land Offices. While positions were still filled through the spoils system, the principles of office operation changed radically. For the first time the government instituted a clear separation between official and private acts in office, genuine internal specialization of functions in agencies, and the specification of duties by formal rules.⁶ Of key interest is the relation of these administration actions to the public debate of the realigning election itself.

Crenson believes that the Jacksonians came to Washington without any major policy changes in mind. Rather, they came to reestablish the old moral order of civic virtue in government.⁷ Ironically, they were both the products and the beneficiaries of that breakdown. Many of their actions, including government reorganization on bureaucratic principles, the direct support of local constituencies, and even patronage itself, can be understood as attempts to recapture civic virtue through institutional mechanisms instead of by direct appeal to individual conscience. Crenson proceeds to claim that the net result of these activities was the creation of a new standard of political legitimacy based upon the affections of the citizenry for the government (and governors) rather than the standard of Washingtonian virtue the Jacksonians had hoped to preserve.⁸

A second kind of case study is represented by Kenneth Finegold's article on the origins of the Agricultural Adjustment Act of 1933. The relation of this work to realignment research is fairly obvious; the passage of the AAA, a radical departure from the government's

agricultural policies of the 1920s, occurred soon after the 1932 realigning election. Unlike Crenson, Finegold does not see the election as a direct factor leading to policy change. Instead the election resulted in a new political context in which the power and opportunities of various political actors were substantially altered. The author focuses on the interaction among four groups of actors: corporate business, political parties, farmers' organizations, and the academic-government complex of agricultural economists. Until about 1930, reflecting the alignment of 1896, large business interests and their governmental allies were simply not interested in responding to the agricultural depression of the 1920s. The business community generally sought to keep agricultural prices down to subsidize their own interests. Reflecting their dominant position in the post 1896 majority coalition, big business had an effective veto over most public policy.

From 1933 onward, the business community's interests counted for less in the emerging structure of political power. Business lost its veto power. Concurrently, FDR's massive electoral victory reduced the ability of organized agriculture to initially control the specifics of New Deal agricultural policy. The Democratic administration was freer to turn to the agricultural economists for programmatic ideas. As a result, organized agriculture accepted elements in the AAA that it normally would have opposed (e.g., production controls).⁹

Both the Crenson and Finegold case studies provide examples of what should be included in a case study that explicitly attempts to link a policy or institutional change to a realignment. Both studies focus

on appropriate topics. In each case the policy or institutional change selected for examination has an organic relationship to at least a part of the overall political debate arising prior to realignment. Once again I am using the term debate in a broad sense, to encompass the whole range of the public expression of tensions arising out of the operation of the social order. These debates are often carried on through many means outside the usual confines of political action, i.e., electoral competition, interest group activity, and formal government institutions. Crenson's examination of changes in the operation of the executive branch is appropriate in that those changes are organically connected to the tensions arising from the decline of traditional patterns of social power and the rise of new ones based on the expansion of entrepreneurial capitalism in early 19th century America.

Finegold's examination of New Deal agricultural policy is also a good subject for a case study for much the same reason. The agrarian insurgents were among the biggest losers of the 1896 realignment. The boom-bust cycle that in large part prompted the insurgency did not abate over the following three decades, nor did all demands for structural change to respond to agriculture's plight. However, the use of government for these purposes was effectively blocked by the structure of political conflict and power of the 1896-1932 period. The agricultural question was but a part, though an important one, of the ongoing debate over the need for positive government in the United States.

The differences between the two case studies are equally instructive. Crenson is directly concerned with tying the discourse of the

election and of politics generally to subsequent institutional change. Finegold is more interested in the interaction of various social actors directly concerned with a policy area. He is not overtly concerned with the more publicly available discourse of party and electoral competition. For Crenson, the election of 1828 provided the Jacksonians with a fairly explicit message, if no instructions on how to proceed. For Feingold, the 1932 election was a context altering event. It changed, in often uncertain ways, the relations of political actors who normally operate in a fairly privatized context. As politics in the United States proceeds in both public and private modes, whether in realignments or normal times, case studies of change after realignments should focus on both types of political action.

Still, I think there is a necessary third element to appropriate case studies, especially ones looking at institutional change. The Postal Department, the General Land Office and the Agricultural Adjustment Administration all were or became identifiable entities of social action where participants behaved in cognizance of explicit or implicit rules and understandings. That is, all were identifiable as social institutions. Thus, in each of these institutions, participants had an identifiable way of life or way of doing things. While the creation or alteration of such institutions may be traceable to the realignment debate, much of the actual process of change occurs within the institution itself or in its interaction with its immediate environment.

This approach should be especially fruitful in the American context given the incremental tendencies of the United States political

process, tendencies that have been noted within all political eras. Earlier I noted that institutional change could be conceptualized as either a process where changes in explicit rules force an ultimate reconciliation of institutional practices with these rules or as a process where changes in institutional practices and understandings eventually result in alterations of codified institutional rules. To the extent that the second process is more typical of institutional change in the United States, as should be expected in an incrementally oriented political order, then researchers should emphasize investigations of how the realignment debate influences the internal life of governmental institutions.

In the rest of this chapter and in the next I will look at two examples of institutional change stemming from the 1930s realignment. Since the use of cases from more than one realignment would seem an obvious strategy because it would allow comparative analysis, some justification for limiting the cases to the New Deal must be given. After all the 1930s realignment was atypical in some important respects, for example its rapidity and that no third party threatened to replace one of the major parties.¹⁰

I made this choice for two reasons. I wanted to look at realignments where the discourse was truly national in scope. Since the national communications media are a product of the late 19th and 20th centuries, only the 1896 and 1932 critical elections are appropriate choices. I eliminated 1896 because the proponents of change failed. Certainly the Republican coalition after 1896 was somewhat different

than before, but the elements who already managed to implement policies favoring the development and consolidation of large scale capital were even more powerful in the new political era. While many of FDR's supporters (and opponents) may not have imagined the nature and extent of change that the new administration would enact, few observers expected a reprise of the business oriented government and public policies of the 1920s. I will limit my analysis to the 1930s because unlike the 1890s the purposes of government and therefore its institutions were changing.

The 1930s Realignment and the Formation of the EOP

An important element of the executive branch of the United States government is the Executive Office of the President (EOP). The EOP is the most important element of the executive branch under direct presidential control. The EOP is the institutional apparatus that allows presidents to make a credible attempt to control and coordinate the activities of the national government. The EOP has varied in its size and constituent elements. In 1980 the EOP contained ten units with about two thousand employees. Important and familiar units include the White House Office, the National Security Council, the Council of Economic Advisors, and most notably the Office of Management and Budget. This important institutional cluster is surprisingly new, being legally established late in the New Deal on September 8, 1939 by Executive Order 8248.

The BOB and the Debate on the Positive State

On the surface, government reorganization does not seem to be the kind of issue involved in realignment. Instead, one thinks of economic depression, federal supremacy, slavery, or the relative political power of industry and agriculture as the sort of issue involved in transformations of the United States political order. Nonetheless issues relating to government organization seem to often follow realignments; for example the Jacksonian innovations directed at enforcing government authority in a changing social order¹¹ and the institutionalization of congressional seniority and the disenfranchisement of blacks and the poor that followed 1896.¹²

While one can find hints of most of the programmatic innovations of the New Deal in the discourse of the 1932 campaign, the Roosevelt administration entered office largely uncommitted to any set of programs. However, it was clear that the new administration would be an activist one that would use public power in new forms for new objectives. Yet the structure and process of a business oriented government were clearly not adequate for supporting programmatic innovation. Thus, FDR stressed the need for reorganization in the campaign and in the first days of his administration.¹³

In retrospect it seems amazing that Roosevelt waited until January 1937 to submit his first formal reorganization proposal to Congress. Nevertheless, a kind of reorganization, especially of the Presidency, took place from the start of the administration. This reorganization occurred in part through changes in the formal rules and structure of

admittedly ad hoc institutions. However, the more important elements of this process of reorganization, the ones that led to the formation of the EOP, initially took place as alterations in institutional practices and understandings.

Arthur Schlesinger Jr. tells a story of FDR's first day in office that sounds nearly unbelievable to those familiar with the current institutionalization of the Presidency, and the current process of presidential transition. Schlesinger writes that FDR literally found nothing in his office save a desk and a chair. There was nothing to write with, nothing to write on, and no way to even summon his secretary except Roosevelt's own voice. Schlesinger reports that Rexford Tugwell recalled that Roosevelt saw the situation as a metaphor for both the nation's helplessness before the forces of Depression and of the weakness of the presidential office to take appropriate action. Roosevelt, believing in the tradition of Wilson and the first Roosevelt that the Presidency had to be the activist center of the United States government, found this an intolerable situation.¹⁴

The Presidency of 1933 was not without institutional resources that could be applied to the task of coordinating the growth and activity of the positive state. There was the Cabinet, an institutional form dating back to Washington's administration. Still the Cabinet is in some ways as much a creature of Congress as the President. While Woodrow Wilson's judgment that Cabinet members, because of their departmental responsibilities, are virtual servants of Congress no longer applied by 1933; Cabinet members were not completely free to be the

President's servants either.¹⁵ Besides ties to Congress, Cabinet officers must also cultivate their departments and key constituencies.

Direct help for the conduct of presidential business had always been meager compared to the need. Until 1857 Congress would not provide funds for hiring even one presidential clerk.¹⁶ Presidents always had made use of informal advisors and troubleshooters of one sort or another. These included department heads, officials borrowed from other agencies, and persons with no formal government position. Yet these expedients presented certain problems in assuring legitimacy and accountability, and, most crucially, resulted in the lack of any institutional memory. When Roosevelt entered office one element of the future Executive Office of the President was already in place, the Bureau of the Budget. The Bureau of the Budget had been operating since 1921, but its manner of operation was significantly different from what it was to become. Today, the Director of the Office of Management and Budget, the successor agency to the Budget Bureau, is the subject of greater public attention than most Cabinet members. OMB itself is perhaps the most powerful instrument of presidential leverage over the rest of the executive branch.

The need for positive government and the parallel need for means to direct it is mainly a consequence of industrialization. The United States government was established in circumstances where the need of national coordination was largely restricted to the contingencies of war and internal revolt. The framers intended the President to provide emergency coordination, mainly in the capacity of Commander-in-Chief.

Even in this role, the President's ability to coordinate federal action was quite limited. Lincoln needed to assume extra-constitutional powers to carry on the Civil War. As the pace of industrial and urban development increased, the United States government did not have adequate institutional capacity to respond to the new kinds of problems that arose. That is, the government had neither the type of personnel nor the organizational experience to cope with the problems of industrialization even if the political leadership before 1932, and especially before 1900, had chosen to act.¹⁷ Indeed, the institutionalization of the constitutional doctrines of separation of powers and of checks and balances in the national government resulted in a strong bias against governmental coordination. To a lesser extent, this remains true today.

To most Americans living in the final quarter of the 20th century, the Presidency seems the most obvious location for coordinating government activity. This was not always the case. The center of national government in the period of rapid industrial development following the Civil War was Congress. As an indication of its power, Congress both originated and passed the budget. The President had no official role in the process. The Secretary of the Treasury had responsibility for gathering agency estimates, preparing an aggregate budget estimate, and simply sending the materials on to Congress.¹⁸ Woodrow Wilson reported that contests for the selection of the Speaker of the House received nearly as much press coverage as did presidential elections.¹⁹

This system of congressional dominance showed a number of weaknesses, theoretical and actual. Wilson, anticipating the problem that

would result in the creation of the Budget Bureau, noted that the budget process only worked because there was usually a surplus. He goes on to state,

. . . when revenue is scant and economy imperative, it is absolutely necessary to have financial administration in the hands of a few highly-trained and skillful men acting to a very strict responsibility, and this is just what our (congressional) committee system does not allow.²⁰

Of more immediate seriousness was Congress' inability to respond legislatively to the needs of urban labor and of farmers in the pre-1896 period. In the years from 1877 to 1901 only twenty-one major pieces of legislation, excluding appropriations and pork barrel, passed Congress. It was clear that Congress could not initiate its own policy response to the problems faced by an industrializing nation.²¹ The electoral insurgency of the 1890s failed, and the period of economic prosperity that coincidentally followed muted the political expression of deep social and economic tensions. However, the tensions did not vanish.

In retrospect, the Progressive movement can be seen as an attempt by some elements of the victorious Republican coalition to address the problems of industrialization without challenging the basic features of industrial capitalism or initially the Republican party. As a group, progressives realized that only government could address the problems of the new era. Therefore, there needed to be some mechanism to mobilize and coordinate the use of government. Congress could not be that mechanism. The institution was too decentralized internally and in its relationships to external constituencies. Similarly, the progressives initially rejected the political party as a coordinating agency.

American political parties shared many of the same shortcomings as Congress. In any case the reformers did not find parties an attractive mode of political action. They were repelled by the corruption that seemed intimately linked to partisan activity. It was also true that many progressives felt strong loyalties or antipathies to a major party following the polarization of the 1896 realignment. As such, the executive provided the one institutional basis for reformist action to improve the managerial capacity of the national government.

The developing tradition of progressive sponsored institutional reform at the state and local levels would have a marked influence on reorganization in the New Deal. This tradition was firmly centered on the use of executive and administrative power.²² At this time there was also a noticeable increase of executive power and initiative at the federal level. Following McKinley's election, Wilson observes in a revised edition of Congressional Government that McKinley's more assertive presidential style might presage the future. Wilson stressed the growing integrative role of the Presidency in the overall operation of government to the degree that he speculates on the possible obsolescence of his book's title.²³ It can be argued that the modern Presidency, at least in its personal elements, was complete when Wilson left office two decades later.

However, it was Congress, perhaps because executive agencies were products of legislative action, that conducted the first modern inquiries into the need for reorganization of the federal executive. Congress authorized several studies in the decades following the Civil War,

culminating in the Dockery-Cockrell Commission of 1893. No action was taken on the basis of any of these studies.²⁴ Yet these early studies are important. They demonstrate a congressional perspective toward reorganization that has lasted to the present. From the start, Congress was more interested in the potential of reorganization to save money than in the goal of increasing executive capacities to plan and implement policy. Congress valued "economy" over "efficiency."²⁵

During this same period, Congress slowly began to respond to certain problems of an industrial society through establishing specialized and decentralized administrative entities now known as independent agencies. Beginning with the Interstate Commerce Commission, Congress actually reduced the potential for central coordination, whether by itself or by the Presidency. Indeed, the Congress' decision to reorganize the government in a fashion oriented to special treatment of narrow constituencies resonates with the later growth of the system of subgovernments after the 1930s realignment. The result, as Harold Seidman aptly expresses it, is ". . . An Alliance - which is what the executive branch really is - is by definition a confederation of sovereigns joined together in some common goal. Some members may be more powerful than others, but they are nonetheless mutually independent."²⁶ The problem under this circumstance is to make sure that those with a putative responsibility to define and implement the putative common goal have some real capacity to undertake those functions.

Congress took the first step toward creating a presidentially centered institutional mechanism that could help integrate federal

activities with the passage of the Budget and Accounting Act of 1921. It is not likely that Congress understood the potential effects of forming the Bureau of the Budget beyond the immediate goal of bringing the federal deficit under control. The action was prompted by the disappearance of the almost traditional budget surplus of the late 19th century. The period of 1904-1910 was marked by an unheard of six consecutive deficits. These deficits were followed by a series caused by World War I spending. Congress' establishment of the Budget Bureau was entirely understandable within the tradition of seeing economy as the main purpose of reorganization. As such, many members of Congress believed the agency would be as responsive to Congress as to the President. Nonetheless, while Congress responded to the pressure of mounting deficits, the response itself was designed by the executive.

The proposal for a central budgeting agency under presidential direction, originally came from a special commission appointed by President Taft. Clearly Taft was in agreement with the commission's report. Taft even prepared a budget of his own, which was promptly ignored by Congress.²⁷ Wilson also strongly supported the formation of a budgeting agency. The legislation he submitted almost passed during his second term.²⁸ Among the advocates of central budgeting was Franklin Roosevelt, who as Assistant Secretary of the Navy had pushed for more centralized control of programs as well as funds.²⁹

The 1921 legislation attached the Budget Bureau to the Treasury Department rather than directly to the President. However the Budget Bureau was to be in but not of the Treasury. Congress also decreed that

the Secretary of the Treasury would have no authority over the operation of the Budget Bureau. The President was to appoint the bureau's Director and Assistant Director. In addition there was no confirmation requirement for the appointments, making the Budget Bureau's leadership directly responsible to the President.

The Bureau of the Budget was directed to evaluate and revise the funding requests of other agencies as well as to collect and aggregate them. Other agencies were specifically denied the right to make appropriations requests directly to Congress. The implication here, given the President's control of Budget Bureau personnel, is that the budget proposal presented to Congress has the President's approval, not just the bureau's. In fact the 1921 Act required the President to submit an annual message to go with the budget proposal. Finally, the Budget Bureau was empowered to make studies of other federal agencies for the purpose of recommending changes in the interest of economy and administrative efficiency. This second mandate was not implemented until after the creation of the EOP.³⁰

The role of the Budget Bureau in its early years was very different from what it would become after the 1932 realigning election. However, the agency's practices and understandings of its functions that evolved in the 1920s had independent consequences for the ways the agency changed in the 1930s. President Harding appointed Charles G. Dawes the first Director of the Bureau of the Budget. The new director had extensive experience in accounting and procurement in the Army, and doubtless that experience informed Dawes' implementation of the Budget

and Accounting Act of 1921 and the organizing of the Budget Bureau's structure and routines.

Dawes quickly established two principles of agency operation. The first of these was that the Budget Bureau was an instrument of the President, that its placement in Treasury was no more than accident of history. Harding was highly supportive of Dawes on this issue. Harding let Dawes use the Cabinet room for his meetings with department heads and put Dawes in charge of the governmental retrenchment following demobilization. Dawes' second principle was that the Budget Bureau would act according to the tenets of good public administration as then understood. The agency would always be impartial, impersonal, and above all else non-political.³¹ Dawes denied that the agency had any role in policymaking. On one occasion he noted,

Much as we love the President, if Congress in its omnipotence over appropriations and in accordance with its authority over policy, passed a law that garbage should be put on the White House steps, it would be our regrettable duty, as a bureau, in an impartial, non-political way and nonpartisan way to advise the Executive and Congress as to how the largest amount of garbage could be spread in the most expeditious and economical manner.³²

Dawes' initial efforts bore fruit. Until the Nixon administration and the reorganization of the Budget Bureau into the OMB, most Washington observers saw the agency's staff as the closest American approximation to the spirit of neutral competence identified with the British civil service.³³

Nonetheless, any agency involved in evaluating and revising a budget has to make policy decisions. One reason that Director Dawes was able to quickly establish his agency was the biases he embedded in

agency routines were compatible with the objectives of President Harding and his Republican successors. Dawes favored governmental retrenchment and economy, and he and his agency developed their routines to achieve those goals. The Budget Bureau even cut its own expenses. The agency spent only \$120,000 of its \$225,000 initial appropriation. Dawes' immediate successors at the bureau continued this policy, thereby depriving the agency of the resources to carry out some of its mandated functions, e.g., administrative studies.³⁴ More important in the long run was the agency's initiation of the process of central clearance. Central clearance refers to the power of the Budget Bureau or other presidential surrogate to approve or reject an agency request for funding and/or programmatic authorization in the name of the President. It is this practice, whether for appropriations or legislative proposals generally, that became the consolidating focus of presidential efforts to control the national government. The practice of central clearance laid the institutional basis for the creation of the EOP.

In 1954, Richard E. Neustadt observed that legislative clearance . . . is by far the oldest, best intrenched, most thoroughly institutionalized of the President's coordinative instruments - always excepting the budget itself - receiving new stability and new significance by virtue of its demonstrated power to adapt and survive.³⁵

Today Neustadt's judgement remains accurate, although the locus of clearance has shifted from the stylistically neutral Budget Bureau to the highly politicized White House Office.³⁶ Though clearance is usually thought of as a presidential function, the practice had its origin in the mutual interests of the newly formed Budget Bureau and the

Appropriations Committees in Congress to stave off interference in the budget process by executive agencies and other congressional committees. The initial proposal for a clearance process came from the House Appropriations Committee in November 1921. Dawes promptly adopted the substance of this proposal in Budget Circular 49 of 12/19/21.³⁷ The aim of the clearance process as then adopted was expenditure control, not central program planning or implementation. This decision, once institutionalized in agency practice, came to influence the applications of clearance that would make sense to officials in the Roosevelt administration.

Clearance of appropriations was not fully institutionalized immediately. Cabinet officers strongly protested to President Harding and Dawes. The bureau then backed off. For important matters, and often in practice routine ones, agency heads went directly to the White House. Thus, while Dawes did not succeed in fully establishing clearance, he did not have to recall Budget Circular 49.³⁸ The Budget Bureau could wait until there was a President with the political will to fully enforce central clearance.

Calvin Coolidge was just that President, being interested in expenditure control both as a general principle and to offset the revenue losses that were expected from the business oriented tax cuts drafted by Treasury Secretary Mellon. Over the period of 1924-1926, the President's use of the Budget Bureau as his clearance agent became nearly universal on funding requests. Indeed the Budget Bureau became rather heavy handed in the exercise of its authority. Neustadt reports that

Budget Director Herbert Law ". . . peppered key departments with warnings, abjuration, and complaint, backed by a considerable amount of Budget staff investigation and analysis."³⁹ Central clearance continued in this form at the beginning of the Hoover administration. Subsequently, as the Hoover administration gradually became immobilized by the Depression crisis, the use of clearance declined and then virtually disappeared.⁴⁰

As should be clear from the previous material, the Republican administrations of the 1920s did not reject the notion of the coordinating role of the executive out of hand. Rather, the role of the President and the proper scope of activity for the national government was delimited by the final extension of the political logic of the 1896 realignment. As Coolidge was reported to have said, the business of America was business. While it was now clear that the satisfactory operation of the economy required some government activity, that activity had to be in forms favorable to business, especially large business, and not interfere with the performance of legitimate business functions. Specifically, the purpose of government was to exhort the private sector to take appropriate action for its own and thereby the country's welfare.

One facet of this style of state action has been labeled "ad hococracy." This term refers to the use of government personnel and services, mainly by business, without actual state control. The federal government, especially the Commerce Department, supported the creation of trade associations, coordinated the spread of technical information,

aided promotional efforts, etc.⁴¹ A second element of the adhococracy was the use of executive, including presidential, persuasion to convince business and financial leaders to take necessary actions. In certain emergency situations, the President could even initiate governmental provision of crucial services like relief or loans to prevent bankruptcies. Congress, potentially responsive to special interests (which at this point in time did not include big business by the political definition of 1896) was not in a position to properly exhort the business community. Congress, according to the Republican Presidents of the 1920s, was likely to take actions that would undermine business confidence, such as farm relief or public power development.⁴²

This "Hooverite" theory of activist government bears some resemblance to the preconceptions that informed congressional action in the creation of independent agencies, except that at least in the latter case the agencies have substantial statutory authority to make and/or enforce policy. Both the idea and practice of adhococracy had an impact on New Deal programs such as the National Industrial Recovery Act and on the development of the phenomenon of subgovernments which is such an important form of state action today. Yet, FDR's election pointed toward a change in the role of the federal government in general, and of the Presidency in particular, from exhorter to the agency of policy initiative. The executive branch would need the aid of Congress to perform this new role. Franklin Roosevelt, aware of this new context, stated in his first inaugural address:

I am prepared under my constitutional duty to recommend the measures that a stricken Nation in the midst of a stricken world may require. These measures or such other measures as a Congress may build out of its experience and wisdom, I shall seek within my constitutional authority to bring to speedy adoption.⁴³

Realignment and the Institutionalization of the EOP

The election of 1932 did not mandate the eventual creation of an Executive Office of the President, but the event does seem to have unleashed the forces that would require an integrative agency of some sort attached to the Presidency. Given three years of economic disaster it was hardly surprising that the nation elected Roosevelt and a massive Democratic congressional majority. However, the size and distribution of the Democratic landslide was somewhat unexpected, especially to observers familiar with post-1896 voting patterns. Roosevelt ran up a plurality of over seven million votes, an eight to one margin in the electoral college, and carried 282 counties that had never gone to a Democratic presidential candidate before. While some of these gains reflected the continuation of the party's growing popularity in the 1920s among urban dwellers and farmers,⁴⁴ the Democrats' gains were only weakly correlated with those of 1928 and 1930.⁴⁵

Congressional results were equally impressive with the Democrats acquiring a healthy majority in the Senate and massively adding to their thin House majority. Congressional and presidential voting patterns were closely matched, implying a strong coat tail effect.⁴⁶ Further, there was substantial turnover in the membership of the Democratic, as well as the Republican, congressional delegation. Over 55 percent of the persons who served in the House during the 72nd Congress did not

return for the 73rd.⁴⁷ One final sign of the electorate's restiveness, and their apparent choice of FDR and the Democratic party as an agency of reform, was that the 1932 election was a bad year for progressive Republican incumbents. The progressives had done very well in 1930, despite the general turndown in the Republican vote.⁴⁸ In short, the country had made a massive almost unidirectional shift to the Democratic standard.⁴⁹

In addition, many historians have inferred a deeper meaning to the 1932 election than the change in voting patterns. There was nothing approaching a unified Democratic viewpoint on the problems of the Depression, nor on their underlying causes. Many congressional Democrats had economic views indistinguishable from those of the Hoover administration. Though FDR was widely believed to be progressive and activist in outlook, his advisors and appointees held many different viewpoints. Some appointees were quite conservative, including the first budget director, Lewis Douglas.

The most important aspect of the political environment following the 1932 election was the sharp decline in the position of large scale capital as the preeminent source of action and legitimacy in the American polity; that is, the decline of big business as what Everett Carl Ladd calls the main political class.⁵⁰ William Leuchtenburg, the historian, summarizes this phenomenon as follows:

As the depression deepened, amorphous resentment finally took form in one overwhelming question: Who was to blame? The answer came readily enough. Throughout the 1920s, publicists had trumpeted one never-ending refrain: that the prosperity of the decade had been produced by the genius of businessmen. If businessmen had caused prosperity, who but they must be responsible for the depression?⁵¹

The fact that it was possible for the government to make significant policy departures during the New Deal can only be understood in the context of the decline of business legitimacy. In the Republican administrations following the 1896 realignment, typically more than 80 percent of the top executive appointments were given to persons who were members of the United States financial/industrial elite. In the Roosevelt administrations of the 1930s elite representation in these posts declined to 47 percent. Phillip H. Burch Jr., on the basis of these figures, claims that the Roosevelt administration was the most pluralistic in all of United States history.⁵²

The sequence of events leading from the 1932 election to the establishment of the EOP is neither short nor straightforward. In part this is a reflection of Roosevelt's administrative style. FDR was known to favor overlapping sources of information and structures of authority. He felt this would enable him to retain firmer control over final policy decisions. To accomplish his goals Roosevelt often relied on the personal support of a series of key aides such as Howe, Moley, and Tugwell. This was more than a matter of personal style; it reflected the failings of more institutionalized forms of support.⁵³ However, the main reason for the delay in setting up the EOP was that while the incoming administration understood the need for integrative mechanisms, the administration lacked, save the World War I mobilization, much experience with coordinative mechanisms at the federal level. This problem did not arise from the idiosyncratic character of the Roosevelt administration.

It would have been a major problem for any incoming administration that desired to use governmental power for new purposes.

Leuchtenburg reports that the Roosevelt administration faced a situation in 1933 that was in many respects similar to that faced by newly independent nations after the colonial administration leaves. There were few skilled Democratic administrators except for some veterans of the Wilson years.⁵⁴ The new administration could have tried to retain many of the top officials from the Hoover administration. This option was rejected given the probable hostility of most of these individuals to the new administration's aims. Many of the appointments made to the rapidly constituted emergency agencies were chosen from outside the ranks of the Civil Service for much the same reason. The administration preferred to rely on new talent.⁵⁵

Another option was to proceed with formal reorganization to create a fully integrated administrative structure. Despite FDR's support in the 1932 campaign for this course of action, and a certain amount of political pressure in its favor, the President was understandably more concerned with programs aimed at increasing public confidence and ameliorating the economic emergency.⁵⁶ Instead, the administration's main approach was to try a number of experimental devices. Through the decade the use of these expedencies provided the administration with a learning process on organizational issues.

The Roosevelt administration made relatively little use of the one integrative agency available from the start, the Bureau of the Budget. This was not odd, given that the agency's principal goal of budget

reduction was at variance with the administration's goal of expanding the realm of government activity. Neustadt reports that financial clearance came to a near standstill. The turnover in the federal administration left many agencies in the hands of officials who knew or cared little about the clearance procedures.⁵⁷ FDR seems to have tolerated agency efforts to circumvent the process. Further, as policy differences sharpened between the President and his conservative Budget Director, Roosevelt increasingly used personnel borrowed from other departments to do budget work. Apparently, Roosevelt did not see any potential in the Budget Bureau for any function beyond gatekeeping at this time.⁵⁸

Nonetheless, Roosevelt did not force the bureau to rescind or amend Budget Circular 49. Thus the basic regulations governing clearance remained formally in effect. At the very point the Budget Bureau's clearance authority appeared fatally weakened, the agency began to reassert its authority. This was done slowly and cautiously. Low level staff began to remind equivalent officials in other agencies of their clearance obligations in early 1934. This was done on the Budget Bureau's own initiative and prepared the way for the agency's quick return to a position of significant power in the executive branch.⁵⁹

In the initial days of the administration, coordination, especially on fiscal and economic matters, was attempted through ad hoc groups of advisors and officials including the famed "brain trust."⁶⁰ By the second half of 1933, Roosevelt set up a more definite structure to help integrate the executive branch. This new entity was named the Executive

Council. The Executive Council was composed of a fairly large number of department and agency heads. The body had no agenda, little staff support, and promoted little serious work or discussion on its members' part except when Roosevelt himself was in attendance.

In November 1933, Roosevelt by executive order initiated a smaller body, the National Emergency Council (NEC), composed of only ten officials heading departments or agencies that were central to the recovery effort. While no formal power was initially granted to the NEC, the agency received staff to prepare agendas, do research, and maintain liaison with a wide variety of federal and state agencies. Ultimately the NEC became enlarged and thus subject to many of the failings of the Executive Council (which was absorbed by the NEC in 10/34). While the National Emergency Council at times showed signs of developing into a genuine mechanism of policy and administrative coordination, the NEC mainly served as a forum where agency heads could learn about their counterparts' concerns and activities and as a mechanism to reduce interagency tensions.⁶¹ Most NEC members had more interest in their own agencies and constituencies than in the government as a whole. In retrospect the NEC can be viewed as an opportunity for political learning. Schlesinger expresses this interpretation of the NEC when he states,

. . . the NEC enabled the President to begin to gain control of the administration's legislative program by providing for the central clearance of all legislative proposals coming out of the executive branch.⁶²

Roosevelt authorized the National Emergency Council to engage in clearance of substantive legislative proposals in December 1934; although the NEC itself had discussed the matter as early as February.⁶³

Roosevelt has been quoted as being ". . . quite horrified - not once but half a dozen times . . ." by finding out about some agency's plan for submitting major legislation from the press or some other indirect source.⁶⁴ By December 13th, NEC Director Donald Richberg announced an initial set of procedures. While "substantive" matters would go to the NEC Director or one of several NEC committees for clearance, the Budget Bureau would officially resume clearance of requests for appropriations. The Budget Bureau protested that the procedures were unclear given that most legislative authorizations are meaningless without funding. In April of 1935, Roosevelt directed that the situation be clarified. The Budget Bureau drafted a new set of clearance regulations and managed to get presidential support for them. Indeed Roosevelt personally informed the NEC that the Budget Bureau now had his support. These proposals were issued as Budget Circular 336 on 12/21/35.⁶⁵

Under Circular 336 the bifurcation of policy and appropriations continued, except that there was a joint clearance process for legislation that involved both elements. While awkward on paper, the process worked. This in large part reflected the Budget Bureau's long operational experience with clearance in some form. It also reflected the rapid decline of the NEC as an effective and influential agency. Neustadt points out that the basic procedures set forth in Budget Circular 336 have remained in effect ever since. More importantly, he notes that legislative clearance was no mere extension of the budget process, but a significant departure in executive coordination.

. . . In form and fact and terms of reference this was Roosevelt's creation intended to protect not just his budget, but his prerogatives, his freedom of action, and his choice of policies, in an era of determined presidential leadership.⁶⁶

Before the end of 1936, the Budget Bureau was in practice the only agency engaged in legislative clearance. This fact was recognized with the issuance of Budget Circular 344 in December 1937. While the decline and ultimate death of the National Emergency Council can be attributed to the routinization of the relief and recovery efforts and to an increasingly conservative political climate in Roosevelt's second term, the Budget Bureau took advantage of this situation to establish its pre-eminent position in the area of central clearance. The bureau and ultimately most other agencies simply ignored the NEC's rights under Circular 336.

This happened, actually, as a matter of course, a detail of administrative tidying, a minor item among all the major changes in the Bureau's status, role, and outlook . . .⁶⁷

That is, the exercise of a new practice, closely related in form and function to the Budget Bureau's traditional practices and understandings gradually became codified into formal rules. While some major agencies were at first willing to end run the Budget Bureau in 1935-36 (a practice clearly tolerated by FDR), by 1939 the Budget Bureau cleared virtually all legislative proposals. One political scientist of the era characterized the agency's performance as having such great influence that it was "frequently commanding."⁶⁸

During the early 1930s there were a number of other experiments in policy coordination. One of these was the National Resources Planning Board, which was later placed in the original EOP. The board had its

beginning in July 1933, when Harold Ickes, then the Administrator for Public Works, appointed a three member National Planning Board. This board was directed to coordinate and develop plans for public works construction that would take account of the impact of these projects on a wide variety of social, economic, and environmental factors, as well as the more traditional tasks of avoiding waste and preventing interagency duplication and conflict. The board received additional status when FDR reorganized it into the National Resources Planning Board in mid 1934.⁶⁹ Overall, the board was successful in carrying out its function of rationalizing public works construction, with the exception of projects where other agencies already had made heavy political or material investments.⁷⁰ Congress ended the board's appropriation, and thereby its existence, in 1942. At least one author attributes this event to the then dominant conservative coalition's wish to prevent the presumably liberal agency from shaping development in the post war period.⁷¹ In any case, the experience of the National Resources Planning Board informed the structure and operation of future EOP boards with coordinative functions, for example, the Council of Economic Advisors.

If the realigning surge of 1932 made an activist government possible, and with it the need for institutionalized forms of coordination, the elections of 1934 and 1936 shaped the forms those coordinative entities would take. Most observers interpreted the election of 1934 as a tremendous victory for the Roosevelt administration. In an off year election, the Democrats made substantial gains in both houses of Congress, gaining better than two third majorities in both houses.

Further, many of the newly elected Democrats were more activist and radical than either FDR or most members of his administration. The victory of the Democratic party in 1936 was perhaps the greatest electoral victory in the nation's history. Democratic congressional majorities were raised to at least 3 to 1 in both houses. FDR won all but two small states, nearly sweeping the electoral vote. 1935 had been a year of programmatic innovation producing the greatest wave of social reform in the 20th century, including the Social Security Act and the National Labor Relations Act.

However the 1936 victory was very different than the one in 1932 and size was the least of the differences. From 1936 onward, the basic voting patterns that would structure American electoral competition for at least the next five decades, admittedly with gradually weakening effect, were set in place. Those reference groups later identified as basically Democratic, e.g., city dwellers, organized labor, and various racial, ethnic, and religious minorities, voted for FDR by much greater margins in 1936 than in 1932. Similarly, members of those groups subsequently identified with the Republican party, e.g., businessmen, white collar labor, and small town dwellers, were in 1936 much less likely to vote for Roosevelt or other Democrats than in 1932.⁷² Using Nancy Zingale's term, the 1936 election demonstrated a "realigning interactive surge." That is, the election results demonstrated long term patterns of political polarization.⁷³

The electoral alignment, and to a lesser extent the coalitional lineup, that emerged from the 1936 election had some appearance of

representing a class cleavage in American society. While the quasi-class makeup of the realignment can be greatly exaggerated, it is clear that its composition was hardly what Roosevelt originally sought. Rather, the administration intended to bring together a grand coalition to meet the emergency of the Great Depression. Roosevelt's aim is summarized by Leuchtenburg as follows:

. . . to redress the imbalances of the old order by creating a new equilibrium in which a variety of groups and classes would be represented. The New Dealers sought to effect a truce similar to wartime, when class and sectional animosities abated and the claims of partisan or private economic interest were sacrificed to the demands of national unity.⁷⁴

The truce lasted barely a year. By 1934 much of the business community had stopped backing the administration and began to favor the restoration of the old political order and the dominance of the Republican party. Much of the resulting political rhetoric portrayed the New Deal as a proto-totalitarian phenomenon, closely related to the twin horrors of Bolshevism and Fascism. Typical of this discourse was Herbert Hoover's 1934 book, The Challenge to Liberty, in which the author wrote that the New Deal was ". . . the most stupendous invasion of the whole spirit of Liberty that the nation has witnessed . . ."⁷⁵ This discourse proceeded through action as well as word. For example many employers refused to abide by Section 7(a) of the National Industrial Recovery Act, which gave government protection of the right of labor to organize and collectively bargain. Perhaps the most important form of anti-New Deal activity was located in the national government. Beginning in 1934 an increasing number of federal court injunctions were directed against the New Deal. The Supreme Court's resistance is well

known. Less commonly appreciated is the resistance of the district federal courts. At this time any district court could issue an injunction suspending the enforcement of a law or regulation nationally. During 1935-36 the federal district courts issued an unprecedented 1600 injunctions of this kind.⁷⁶

The creation of the American "welfare state" after the 1934 elections was in part attributable to Roosevelt's need to solidify his left wing support. Roosevelt sought to protect his administration from leftist inspired electoral insurgencies. No doubt he felt this need because the political right had largely abandoned the New Deal. However the administration's actions in 1935 further increased the polarization that would be demonstrated in the 1936 election returns. President Roosevelt realized that increased polarization worked to his electoral benefit in the short run. He told his advisors that the most effective Republican campaign strategy for 1936 would stress moderation. He thought the Republicans could adopt the general goals of the New Deal but criticize it for excess and waste.⁷⁷ This insight was related to Roosevelt's growing interest in governmental reorganization. Clinton Rossiter states that Roosevelt's intention to set up an EOP came from ". . . Roosevelt's own candid recognition that an otherwise professional performance during his first term . . . had been hampered by a lack of staff to help him stay on top of his ever-growing duties."⁷⁸ In this vein, FDR appointed a Committee on Administrative Management in March 1936, chaired by Louis Brownlow. The committee's report coincided with Roosevelt's increasingly strong views that reorganization should

strengthen presidential control over the executive branch. When the administration submitted reorganization legislation to Congress based on the Brownlow Committee report in January 1937, the administration expected the measure to easily win approval. Unfortunately for the administration, the polarization that led to the great victory of 1936 would prove to be an increasing problem in terms of Congress and public opinion.

Reorganization was not the only approach to improve executive capacity that Roosevelt hoped to use. Since 1932 the administration had some success in using the Democratic leadership and caucus in Congress to pass presidentially endorsed legislation. After 1936 these efforts were augmented by attempts to ensure that pro-administration candidates got party nominations. This effort culminated in the notorious and counterproductive attempt to purge some conservative Democrats in the 1938 primaries. A second attempt to increase administration control was Roosevelt's attempt to expand or pack the United States Supreme Court in 1937 and thereby to get a working majority willing to uphold New Deal legislation.⁷⁹

Whatever impact the court packing measure submitted to Congress in February 1937 had on the Supreme Court's later decisions, the court packing legislation resulted in the delay and ultimate defeat of the first reorganization proposal. Further, the incident worked, along with the concurrent wave of sit down strikes, to weaken the middle class political support for Roosevelt and liberal Democrats. This decline in political support, combined with a severe economic turndown in 1937,

resulted in a strong Republican comeback in the 1938 elections. The newly enlarged Republican congressional delegation, while as a group not openly against the New Deal, was virtually devoid of the progressive members who had been a significant part of the party before the 1930s. The Democratic congressional delegation had never been entirely reformist. Many members of the party remained committed to the conservative policies and constituencies that had been central features of American politics from the 1890s until the Depression. By 1936, it is likely that the occupational/demographic profile of Congress was returning to the lawyer dominated, high status pattern of the past.⁸⁰ Thus, by 1937 the basis of what is now termed the conservative coalition was in place. After the 1938 election, the conservative coalition would become the dominant force in Congress.

The main reason for the defeat of the 1937 Reorganization Bill was that it became a rallying symbol for a variety of anti-New Deal interests. Charges of executive usurpation made sense to the broader public given the court packing episode, the rise of European fascism and the possibility of war. Initially the reorganization measure seemed to have public support. However, this support dissolved by the summer of 1937. Public support for the bill decreased to 22 percent (as measured in polls taken in March and May of 1938). Support for reorganization was only 36 percent even among individuals who described themselves as Roosevelt backers.⁸¹ The remarks of a woman interviewed in Philadelphia by the Roper organization were typical, reflecting a new hostility toward political experimentation: "We are just confused with so many

changes and theories, and want to stop until we get on our feet again."⁸²

Nevertheless, the fate of the proposal was probably sealed by the peculiar internal discourse of Congress itself. The bill was defeated almost by accident. The Senate floor manager forgot to move that a conference committee be formed.⁸³ Perhaps such parliamentary mistakes would not have happened if Roosevelt had consulted relevant members of Congress about the proposal in late 1936. In addition, those parts of the bill that involved or implied reorganization of the structures and jurisdictions of line agencies created another problem in Congress. Interest groups and bureaucratic agencies effectively worked with their congressional allies to kill objectionable parts of the legislation.

Nearly every pressure group in American society took exception to some feature of reorganization. The program commanded no support among organized interests; those that did not actually assail reorganization remained neutral, and their influence counted for little.⁸⁴

Already the pattern of subgovernmental politics was beginning to take hold.

Another factor in the defeat of Roosevelt's reorganization bill was that members of Congress still evaluated reorganizational issues mainly in terms of their traditional standards of economy and administrative efficiency. The Roosevelt administration put little effort into explaining the experiences that informed their proposal. In particular, the key member of Congress on these issues, Senator Harry Flood Byrd of Virginia, still maintained that only economy justified reorganization. Byrd had the tactical advantage of having generated a report from the

Brookings Institution that tended to reinforce the congressional perspective on reorganization. The effect of this report was to negate the Brownlow Committee's claim to unique expertise on organizational problems. Beyond differences in the understandings of what goals a reorganization plan should achieve, there were also a number of substantive differences between the presidential and congressional approaches. These differences involved disputes over the placement of certain agencies, changes in civil service administration, and the independence of the Comptroller General from the White House. Even some liberal Democrats opposed the first reorganization bill because of these concerns.⁸⁵

In 1939 the Roosevelt administration submitted a second reorganization bill to Congress. Despite the major Republican gains in 1938 congressional elections, the bill passed with little difficulty. No doubt the previous two years proved to most members of Congress that there was little chance of a presidential dictatorship, while the reality of a prospective general European war and its potential danger to the United States was becoming increasingly obvious. This time Roosevelt consulted with Congress before sending the proposal. The President and congressional leaders found compromises on those substantive issues that had resulted in conflict during the previous two years. Congress saved face by including some language in the measure stating that the main purpose of reorganization is economy; Congress also retained a veto over presidential reorganization plans. The bill passed in late March. In early April Roosevelt submitted a plan to establish an Executive Office of the President including a White House office, the National

Resources Planning Board, and the Bureau of the Budget. Congress consented by the end of the month.⁸⁶

The basic structure and purposes of the EOP were codified in Executive Order 8248 of September 8, 1939. In the case of the Bureau of the Budget, Order 8248 simply formalized the practices that the agency had developed and enforced, often before full presidential backing, during the preceding five years. These included, among others, budget preparation and supervision, advising functions in the area of administrative management, serving as a conduit for information about the activities of most other federal agencies, and of course legislative clearance.⁸⁷ Another duty of the Budget Bureau was to recommend, on the basis of its own analysis and the comments of other relevant agencies, whether the President should sign or veto legislation passed by Congress. That is, the bureau became the chief institutional advisor on legislation. Neustadt claims this function, combined with the clearance function, became the Budget Bureau's principal source of power. The agency could now monitor the executive branch's participation throughout the legislative process.⁸⁸

The Budget Bureau had given advice to the President on enrolled, that is, passed appropriations as far back as 1921. However, because there was no efficient way to get copies of the legislation to the agencies and back to the Budget Bureau and the President within a ten day period, the Budget Bureau was rarely in a position to have effective influence in these matters. Beginning in 1934, the White House, because of the great increase in legislative business, required fuller and more

rapid information on enrolled bills. This task fell to the Budget Bureau due to its previous experience and institutional resources. Much as in the case of legislative clearance, the agency aggressively took advantage of this opportunity. In particular, the Budget Bureau taking advantage of recent advances in copying technology began to insist on rapid and detailed responses from other agencies. By early 1939, well before the establishment of EOP, the Bureau of the Budget codified evolving practice into Budget Circular 346. Yet the practices formalized in Budget Circular 346 had been in widespread use for at least a year.⁸⁹

In this chapter I have used the development of the EOP after the 1932 critical election to show how various forces within and outside of government impinged upon existing institutional practices and understandings, resulting in their transformation and ultimate codification into formal institutional structure and process. The evolution of the Budget Bureau is an important example of the implications of this phenomenon. As the agency's capabilities grew, so did its potential to give a President a way of integrating the activities of an otherwise highly fragmented executive branch. However, the internal development of the Budget Bureau since its inception had been directed at restricting programmatic initiative. Roosevelt gradually turned legislative clearance over to the agency for this reason, to protect his administration from the unsupervised innovation of agency officials. Unfortunately, the end result of reliance upon the Budget Bureau, and the institutionalization of its gatekeeper role, was to leave the evolving

Presidency without an institutionalized capacity to spur innovation. Thirty years later this role would fall to the White House Office. However, given that senior White House officials necessarily tend to act in the immediate partisan interests of the incumbent president, and that they cannot duplicate the experience and memory of an agency like the old Budget Bureau, the White House Office has shown that it cannot effectively perform this role.

Finally the initial development of the EOP suggests that institutional change, even following realignment, tends to be conservative in nature. Institutional change, at least in this case, follows pre-existing courses of development. That is, to borrow Skocpol's and Finegold's terminology, institutional change tends to occur where there is previous institutional capacity. The EOP represented a new institution, let alone a new institutional form, in only the most artificial sense. The EOP was constituted from existing institutions (e.g., the BOB) and crystallizing forms of institutional activity (e.g., the White House staff). In contrast, the Roosevelt administrations' attempts to create new coordinative institutions, with the exception of the National Resources Planning Board, failed before the creation of the EOP.

Thus, in the case of the EOP, institutional change is mainly the result of changes in institutional practice. For example, the BOB undertook new kinds of governmental functions such as legislative clearance and the evaluation of enrolled legislation that were only distantly related to its earlier clearance functions. By performing these functions, often on its own initiative, BOB strengthened its position vis a

vis most other government agencies. In particular BOB was able to survive and prosper because it was able to transform its routines (i.e., institutional capacity) to fulfill the need of the administration and the new coalition of dominant interests for an agency that would help improve the capacity of the federal government to coordinate its actions. While coordination was not a major policy goal of the newly dominant coalition, it was a necessary condition of the extension of federal activity into new policy areas.

C H A P T E R I V

CASE STUDY #2: REALIGNMENT AND THE DEVELOPMENT
OF THE NATIONAL LABOR RELATIONS BOARD

Realignment and the Rise of Labor

In this chapter I emphasize the effects of realignment upon the internal operation of institutions. By doing so I hope to bring into even greater relief the relationship between changes in political purpose and their institutionalization. The subject is the initial development of the National Labor Relations Board (NLRB). In a strictly formal sense the NLRB was created in 1935 with the passage of the National Labor Relations Act (NLRA), or as it is commonly called, the Wagner Act. In the half century since its inception, the National Labor Relations Board has been the central federal institution regulating the relationship between private sector employers, organized labor, and workers seeking to be organized. It is the NLRB that has primary responsibility for interpreting and enforcing the provisions of the NLRA and its subsequent amendments.¹

Indeed, the ongoing development of the NLRB as a governmental institution parallels the development of both labor law and social practice. The Wagner Act, as Karl Klare points out, ". . . was a texture of openness and divergency, not a crystallization of consensus or a signpost indicating a solitary direction for future development."² The NLRB would serve as the chief interface between the ongoing social conflict

over labor issues and the adjustment of those issues within the tradition of American jurisprudence. However, the NLRB's capacity to undertake this mediating function rested upon the evolution of appropriate institutional practice by earlier labor boards.

While the NLRB's powers are intelligible in the context of United States experience with independent regulatory commissions, the NLRB is a singular institution relative to the patterns of regulation of the capital-labor relationship in other democratic nations. In most of these countries the right to organize and bargain evolved with less government participation. Indeed, as McCulloch and Bornstein have pointed out, given the United States judiciary's hostile application of the common law tradition toward labor, any governmental initiative aimed at rectifying this situation required the creation of a new labor law and a new forum for its interpretation.³

The NLRB is a singular institution in another sense. The NLRB is a regulative agency that is mandated to regulate a powerful and consistently opposed party.⁴ The NLRB has largely fulfilled that mandate. While the NLRB regulates labor as well as business, the board's primary regulatory focus has been the latter. The normal history of federal regulatory bodies has been to reach some accommodation with powerful interests in the agency's immediate environment. The more powerful the interest is, the more likely the accommodation will be on terms advantageous to that interest. In a number of cases regulatory agencies have been "captured" by those interests the agency was designed to regulate.

That is, the public policy made and/or implemented by captured agencies primarily serves the end of the "regulated" interests.

Yet most observers agree that the NLRB has favored the less powerful interest in its environment, organized labor, over the potentially greater power of private business. While it can be argued that NLRB actions have generally served to incorporate organized labor into a subordinate position in the United States capitalist system, it cannot be denied that the NLRB has often decided specific issues against the expressed wishes of the business community. Judgement on this matter is highly dependent on the choice of a comparison model, whether that be pre-1930s American practice, current practice in other industrial nations, or a potential form of social relations. Nonetheless, despite the institutionalization of management-labor conflict since the 1930s, there remains enormous business hostility to the purposes as well as the specific application of the NLRA. McCulloch and Bornstein, writing nearly a decade ago, said, "Today, nearly forty years after the passage of the Wagner Act, the Board is required to act as a policeman to halt patently lawless conduct by parties who only grudgingly obey the law."⁵ With a very conservative administration in Washington today, the expressed hostility of some segments of the business community toward organized labor has, if anything, increased.

Still, the status of organized labor in the United States has changed radically since the early 1930s. Few observers contend that organized labor is as powerful as business or the government itself. Many observers even believe the economic and political strength of

organized labor is in decline. Nevertheless, it does not seem silly to talk about "big labor" in the same breath as "big business" or "big government." In contrast, a similar statement would have seemed nonsensical or at best wishful thinking before 1935. The notion of labor as a power bloc capable of exercising countervailing power is intelligible only in the context of the changes in the status of labor following the realignment of the 1930s.

The changes in the situation of organized labor in the years following the 1932 election were enormous. In 1933 union membership had dipped to under three million workers, barely 10 percent of the nonagricultural workforce. In 1920 there were over five million unionized workers who made up 19.4 percent of the nonagricultural workforce. Most of this decline took place in the prosperous 1920s, despite the historical tendency for union membership to grow in prosperous times. To this 1.6 million decline in union membership, the depression by 1933 resulted in a loss of nearly 500,000 more members. Unionization was largely restricted to the traditional crafts and had only minor footholds in basic industries. Further, union leadership was demoralized, being primarily occupied with retaining their organizational bases and fighting over internal and jurisdictional questions.⁶ Politically, the labor movement maintained its traditional posture of non-involvement. Unions had little involvement in either electoral competition or in most areas of public policy making.

The New Deal brought a massive change in the status of organized labor. By 1946 the ranks of organized labor had quintupled to 15

million persons.⁷ In the same year the percentage of workers organized, as eligible under the NLRA, had reached 48 percent.⁸ Labor organization became common in basic industries, so much so that it is only recently that there is a general recognition that basic industries are far from fully organized. Organized labor also became politically active. Since the 1930s the labor movement has generally been both the largest single source of contributions for Democratic, particularly liberal, candidates and extremely active in promoting or opposing proposals for public policy. Labor became concerned with policies that had no direct impact on either labor-management relations or the immediate welfare of union members.

In particular, organized labor since the 1930s has been closely associated with the Democratic party, perhaps the most important interest group associated with the party. While labor's ability to mobilize its members at the polls is questionable, union members, even fifty years after realignment, are significantly more likely to vote for Democrats than the general population. Of course, some of the most important expressions of the changes in labor's status were reflected in public policy. The passage of the National Labor Relations Act and the establishment of the National Labor Relations Board are only the most important of these. However, as will be seen, organized labor played only a modest role in framing and adopting these policies.

It is unusual for a weak group in the United States to secure advantageous public policy. In 1933 organized labor was weak in both numbers and leadership. Given the longstanding hostility of powerful

elements in American society to organized labor, how did such a weak member of the political community gain such a fundamental improvement in its status? For fundamental it was, or at least as great a change in the material as well as symbolic situation of any other social group in United States history. On one point there is near universal agreement. Although the unions benefited from the policy innovations of the 1930s, the unions' role in obtaining those policies was minor. Union leadership, especially the top leadership of the American Federation of Labor (AFL), often resisted the attempts of unorganized workers to form unions. Craft based unions were often more interested in maintaining the privileged position of their members.⁹ If the unions were secondary and sometimes reluctant participants in their rise to social and political power, who were the primary actors?

There are two basic understandings of who was most responsible for the change in the status of labor in the 1930s and the passage of the NLRA. One understanding focuses on the role of political elites in realizing the time was appropriate for change. By 1933 the context for political action had substantially changed. The composition of both the government and of the individuals and groups with excellent access to government had been transformed by two factors: the massive electoral shift to the Democratic party and the concurrent delegitimation, however temporary and symbolic, of business leadership. The new leadership "cadre," faced with the emergencies of underproduction and mass unemployment and less hampered by anti-union ideology, was willing to take steps that would help to maintain social stability and to increase

production. Support for unionization in this context made sense both in terms of its potential stabilizing impact on production and consumption and as a form of symbolic recognition for a constituency of some size. Further, the economic weakness of that constituency, the craft unions, was encouraging them to make some efforts toward mobilizing unorganized workers.¹⁰

A second approach focuses on the importance of labor instability, especially strikes and disruptions that occurred in either the absence of a union or without the sanction of union leaders. In this view, it was the growing worker insurgency, most of it "spontaneous," that forced the response of political elites. Indeed the rapid growth of unions came only after the government conceded that the right to organize should be protected by state power. When the insurgency ended, despite the growth of unions, so too did further governmental initiatives to improve the status of labor.¹¹ These two kinds of understanding are not mutually contradictory, although to know which understanding is closer to the truth would provide a valuable insight into the nature of social change in the United States. The first understanding implies the responsiveness and perhaps the wisdom of political leaders and institutions given an appropriate context for action. The second understanding stresses the resistance of leaders and institutions to mass based change, requiring those seeking change to press their demands in the most vigorous way possible.

In both these understandings the general public, especially in the form of an electorate, has a modest role to play in the process of

change. The public's actions are viewed as a contextual condition favoring or discouraging action by others.¹² For example, McCulloch and Bornstein believe that the passage of Section 7(a) of the National Industrial Recovery Act and of the Wagner Act reflected in part a gradual softening of public opinion toward labor that had been apparent at the time of the passage of the Norris-La Guardia Act in 1930. They point to the growing public displeasure with the federal courts' indiscriminate use of anti-strike injunctions in the 1920s.¹³

Although the current basic labor policy and law of the United States dates back to the 1930s, policy in this area, especially on the subnational level, dates back to colonial times. Early policy in this area was unremittingly hostile to labor. Unions were at first viewed as criminal conspiracies. Later when unions were recognized as legal, strikes and many organizational activities were still judged illegal.¹⁴ Before the 1930s, even when the laws were neutral toward labor activity, the actions of governments were not. Government use of court injunctions, police power, and often military force was blatantly anti-union. Further, governments on all levels tolerated the use of intimidation and violence by private parties against workers.¹⁵

At first federal involvement in labor disputes was undertaken by the executive and judicial branches. Congress, however, began to enter this policy area after the Civil War. Initial congressional interest centered on railroad disputes. Legislation such as the Railroad Arbitration Act of 1888 and the Erdman Act of 1898 were in the context of the era sympathetic to the interests of organized labor. By the early

1890s Congress began to consider legislation restraining the use of federal court injunctions in labor disputes. This policy goal was seemingly accomplished with the passage of the Clayton Anti-Trust Act in 1914. However, the Supreme Court, in *Duplex Printing vs. Deering*, managed to render the Act's anti-injunction provision useless. Congress finally passed an effective anti-injunction measure, the Norris-La Guardia Act, in 1930. Even in the anti-labor climate of the 1920s, Congress had passed the relatively pro-labor Railroad Labor Act of 1926.¹⁶ This pattern of congressional rather than presidential initiative in the field of labor policy would continue through most of the Roosevelt administration.

There is no evidence to suggest that in 1933 President Franklin Roosevelt, or any leading figure in his administration, was interested in using state power to promote labor organization or collective bargaining. While there is ample indication that Roosevelt had genuinely wanted to improve the living and working conditions of American workers, his interests seemed to lay in the area of social welfare policy, including legislation covering unemployment insurance, pensions, wages and hours, and the ending of child labor. Roosevelt and his advisors generally emphasized the potential for cooperation between business and labor. While this was a pragmatic position in terms of encouraging economic recovery, this position also reflected the progressive underpinnings of much New Deal thought and action. Roosevelt's views were manifested in his first appointments of officials responsible for labor policy. The new Secretary of Labor, Frances Perkins, came out of this

social welfare tradition. Her appointment was opposed by the AFL, mainly because of Perkins' lack of connection to labor leadership. Similarly, Donald Richberg, a man sympathetic to labor concerns, but without close ties to organized labor, was appointed second in command at the National Recovery Administration. Richberg, the principal author of the 1926 Railroad Labor Act, supported collective bargaining. However, he emphasized that his support rested on his expectation that collective bargaining would encourage cooperation between capital and labor.¹⁷

Given the political weakness of organized labor and the lack of interest on the part of the incoming administration, where did the push for an explicit labor policy come from? In particular, given that labor issues per se were not an important element of the Democrats' 1932 campaign rhetoric, how can one claim that there can be an organic relationship between the realignment and subsequent labor policy?

One striking characteristic of post 1932 voting patterns was their strongly class based character relative to earlier United States electoral alignments.¹⁸ Apparently the strength of this relationship was strongest in the elections in the decade following 1932 (not in 1932 itself), with a significant and steady weakening of this relationship after World War II.¹⁹ While the concept of class is defined in a number of different ways, there is general agreement that unsalaried nonagricultural workers and their families provided an extremely important source of electoral support for the Democratic party from the New Deal period to at least the late 1960s. That is, the blue collar voter was

the most important element in the national Democratic electoral majority.

In contrast, the blue collar voter in the 1896-1932 political era was, at least initially, save in locations with large immigrant populations, more likely to vote Republican than Democratic. Most observers explain this fact by noting the various sectional and ethnic cleavages of the day. The political system was organized to suppress openly economic or class issues.²⁰ Late in this period of Republican dominance, the Democratic vote among workers began to increase, reflecting secular trends such as the growing voting strength of immigrants and their children. Concurrently, the sectional conflicts of 1896 were slowly being replaced by the class related economic and cultural conflicts arising out of industrialization and urbanization.²¹ While the blue collar vote shifted overwhelmingly to FDR and the Democrats in 1932, so too did the vote of almost every other identifiable group. Only later in 1934 and particularly in 1936 did the quasi-class nature of the Democratic coalition become apparent. Yet, through most of the pre-1936 period the Roosevelt government was sincerely committed to a program of class cooperation, not class conflict. If realignments are "processes" through which government policies are readjusted to coincide with putative majority preferences, then the NLRA should have been passed in 1937, not 1935.

Elites, Insurgents, and Elections:
Transforming the Debate

However the NLRA did pass in 1935. Does this mean there was no organic relation between the evolution of a national labor policy and the realignment process? Must one conclude that the NLRA's passage was a result of political forces unrelated to the realignment? I think not. Realignments are more than changes in voting patterns and party coalitions. Realignments are also a kind of institutionalization of a major societal debate. As before, I am using the term "debate" as Touraine defines it. Debates are the "Public expressions of the tensions between elements of a system . . ." ²² Debates do not necessarily refer to explicit dialogues or overt conflicts. Participants in a debate can speak and act in ways at least partially unintelligible to other participants. Indeed participants' actions need not be efforts to communicate; their actions need only be responses to the tensions embedded in their lives. As a process involving transformation in agendas, elites, and so forth, realignments can be viewed as an important stage in the institutionalization of important social debates. As these debates become structured, first as systems of common discourse and then as systems of social action (Touraine uses the terms "discussions" and "deliberations"), it becomes increasingly possible to initiate new public policies and/or new forms of institutional activity that in some way respond to the social tensions expressed in the original and possibly incoherent debate.

The 1896 realignment is often interpreted as a resolution of the conflict over who would direct the political, social, as well as

economic development of the United States in the emerging age of technology and industrialization. In short the answer was that large scale financial capital and industrial capital would remain the main architects and movers of that development.²³ On the surface it seemed that most workers agreed, but the role of labor in industrial America was far from settled. While it would be an exaggeration to say that labor issues were absent from the political agenda of the post 1896 political order, the dominant members of the era's majority coalition were generally hostile to an economically and politically strong labor movement.

Still, the size and economic importance of the industrial labor force grew rapidly during the first three decades of the twentieth century. Despite the growing weakness of organized labor in the 1920s, the secular trends that supported the slow rebound of the Democratic party suggested the fragility of the post 1896 "social contract." The same pressures that were forcing some sort of new accommodation between capital and labor in other industrial democracies were also at work, if somewhat less apparent, in the United States. In retrospect the need for a new accommodation seems inevitable, assuming the continuation of a liberal-democratic order. However, the nature and timing of the accommodation was not. The debate over the form of a capital-labor accommodation was a long one. Frequently there was no real dialogue, although there was often intimidation, violence, and other forms of repression. It was the Great Depression and the rejection of Republican political leadership that removed the greatest barriers to the clarification and institutionalization of the debate of the previous half century.

Earlier I noted two possible explanations for the adoption of a national labor policy despite the weakness of organized labor. One form of explanation centered on the efforts of a reconstituted political and economic elite willing to negotiate a new social contract to promote economic recovery and to make the reforms needed to prevent a reoccurrence of the Great Depression. The second type stresses the importance of spontaneous worker action in wrenching concessions from elites. On their face these explanations may appear contradictory. One could argue that if mass protest was the crucial factor, then elites made involuntary concessions. Similarly, one could argue that if major change resulted from elite action, then mass insurgency had little positive effect. Perhaps, given this line of reasoning, insurgency may have been counterproductive in that it tended to mobilize opposition within the elite or the public more generally. Yet I would argue that these two kinds of explanation are not intrinsically contradictory. The actions of elites and insurgents can have a reinforcing and perhaps symbiotic impact. As parties in a debate, the various social actors, through their actions, may have a role in generating responses by other actors that would not have otherwise happened.

For example, let us assume that Section 7(a) of the NIRA was in fact an elite concession that was meant to be symbolic; a sop to workers or to organized labor intended to get their concurrence with the industrial self-regulation provisions of the legislation. Even if powerholders regretted the spontaneous wave of labor organization and recognition strikes that followed, the very existence of these conditions produced a

structure of incentives and penalties that had to be taken into account in future policy making. Similarly, one could generate a comparable argument focusing on how elite responses to spontaneous worker insurgency influenced the future course of labor protest. In fact, this is a perfect example to demonstrate that a social debate does not require explicit communication among the conflicting parties.

While I claim that the debate over the need for a national labor policy can be traced back almost to the 1896 critical election, I want to focus on the "heating up" of that debate in the period immediately before the passage of the NIRA. For it is only with the efforts to define and implement Section 7(a) that the debate over national labor policy entered into its more explicit and institutionalized forms leading rapidly to the adoption of the National Labor Relations Act. Beginning in the late 1920s with the rapid decline of economic prosperity, first for the worker and only later for the industrialist and financier, the social debate over labor policy moved to a high level of engagement both for potential insurgents and for the members of political and economic elites.

Generally speaking, the Stock Market Crash of October 1929 is said to mark the start of the Great Depression. However the prosperity of the 1920s did not come to so sudden an end. Indeed for some groups, most notably the nation's farmers, there had been no boom at all. For industrial workers the characterization of the 1920s as a period of prosperity was more genuine. Still, serious unemployment was apparent by mid-decade. By conservative estimates, unemployment between 1925 and

1929 always remained above 6 percent. Other observers claim that unemployment in this period was always over 10 percent of the workforce. In this same period industrial wage levels were stable, despite a significant increase in both prices and productivity.²⁴

Despite the fact that organized labor had largely abandoned the strike as a tactic, and that some industrialists felt that the fear of unemployment promoted a more docile labor force, there was a marked growth in labor conflict as the economy declined. Of particular note was the wave of largely spontaneous strikes in the southern textile industry, as they demonstrated a new degree of militancy among a formerly docile workforce. As unemployment grew and the real wages and working conditions of employed workers declined, the strikes spread to other regions and industries. As in the case of the textile strikes, the new strikes were organized by either non-unionized workers or by union members against the wishes of their national leaders. Further, advice and support for these actions was in many cases provided by left wing activists.²⁵ Left wing participation and/or sponsorship of militant labor action or of unions of the unemployed had a significant impact on the labor struggles of the 1930s. Their activism accustomed workers to the idea and benefits of labor organization as a political and economic weapon. This helped to undo many workers' education in docility, an education that had been provided by the official leaders of organized labor.²⁶

The increase in labor insurgency that was well underway even before the passage of the National Industrial Recovery Act (NIRA) was an

easily observed phenomenon. There was also an increased level of debate among elites, although the situation is more complex. The proper use of the term "elite" has been a highly contentious issue in the social sciences. No single formulation of the concept can please all analysts since all formulations reflect differences over the nature and location of power. However, for the purpose of my analysis of the events leading to the establishment of the NLRB, I have adopted two working principles. First, it is useful to distinguish between members of a political elite, either holding public office or constantly interacting with public officials, and an economic elite which controls the major institutional units of a corporate dominated economy. Granted, in a capitalist society one should expect a large measure of mutual accommodation among members of the two elites. Yet the degree to which such accommodation takes place, or that individuals belong to both elites, or that one elite dominates the other is a matter of substantial empirical variation.

Similarly, the term "elite" connotes substantial cohesion among the members in terms of both belief and action. Since no definition of "elite" requires complete unanimity among members, the pertinent question becomes how much community of interest and cohesive action must be present to refer to an aggregate of individuals as an elite. In practice I think the following criteria are sufficient: that the members of an elite have a commitment to an overall pattern of institutional practice and share a general conceptual and normative understanding of social life (e.g., "liberalism" in the United States). Of course elite

members must hold appropriate positions of institutional authority or influence. Thus I feel justified in talking about the actions of an economic elite, or of disputes within that elite, even though its members may be substantially divided on specific issues. These differences may reflect differences in concrete economic interests or in partisan or ideological preferences.

Realignments result in significant turnover in elected officials. This turnover often includes shifts in the ideological and occupational backgrounds of officials, as well as changes in partisan identification. Still this turnover can disguise continuities with the past. The Democratic legislative gains in 1930 and 1932 meant that the party members who would hold most committee chairmanships and other leadership positions would be individuals who came from relatively safe, and in this circumstance, mostly conservative districts. That is, these congressional leaders would be relatively insulated from pro-labor political pressure. Nonetheless, Congress as a whole was more Democratic, somewhat more "progressive," and certainly given the dire situation more likely to accept substantial innovation. Pro-labor members, like Senator Wagner, would now have much greater access to the President, to much of the executive branch officialdom, and to the majority leadership in Congress.

The 1932 election also brought significant changes in the executive branch. In the 1920s about 80 percent of high federal appointees came from high corporate positions or were from families with large corporate holdings. In contrast, this declined to under 50 percent in the

Roosevelt administration.²⁷ On a more specific level I have already mentioned that some key administration officials were concerned with the status and condition of the working class, even if these officials were at most lukewarm about unionization and collective bargaining.

Of equal importance to changes in recruitment patterns were the Roosevelt administration's actions to substantially limit the role of officials and institutions with close representational or constituency ties to the business community in making or enforcing labor policy. During the 1920s, the Commerce Department had a major role in this area. In the 1930s the Department would have virtually no impact on labor policy.²⁸ While this separation was not as clear in the case of the National Recovery Administration (NRA), the pre-NLRB labor boards were never placed under direct NRA control.²⁹ Therefore, while the formal powers of these labor boards were weak, the boards' administrative independence allowed them to openly contest the NRA's attempts to define Section 7(a) to the advantage of the corporate sector.

The 1932 election, especially in terms of its effect on executive branch composition, clearly represented an important event. The election "gave" institutional power to those elements of a political elite more sympathetic to a national labor policy. Further, the Roosevelt government increased the political role of those elements of the business community willing to tolerate unionization.

Throughout the post-1896 period at least some business leaders wanted to reach an accommodation with organized labor. These leaders hoped business would obtain labor stability in return for relatively

modest concessions to workers and their unions. Yet the dominant view of business toward organized labor remained hostile. These views were pressed forward not only by individual firms, but by trade and peak (i.e., cross-sector) associations as well. Indeed, some major business groups, for instance the National Association of Manufacturers (NAM) were organized specifically to combat unionization.³⁰ The development of trade and peak associations had been encouraged by the Republican administrations of the 1920s, which saw in these groups an acceptable way of promoting the cooperative action needed in a large capitalist economy. One effect of this connection between these organizations and the Republican administrations was the largely unsympathetic administration policy on labor and social welfare issues.

The 1932 election represented a transition in the relation between the economic and political elite in the United States. Even though by 1932 corporate power was increasingly institutionally rather than entrepreneurially based, there remained (and still remains) a pronounced correlation between "family" holdings and corporate institutional power. In the 1896-1932 period, the influence of the "House of Morgan" and those associated with it was especially great. Phillip Burch contends that the Morgan financial empire was the single most important political and economic force in this period, although its power was often contested by other members of the corporate elite.³¹ Burch also claims that until Roosevelt's election in 1932 every elected President back to Cleveland had been strongly linked to the Morgans.³²

In contrast, the Roosevelt administration received much of its political and financial support from a coalition of other powerful family groups. While this coalition contained long established members of the politico/economic elite, e.g., the Rockefellers, W. Averell Harriman, etc., the coalition also included emerging financial interests. Many of these new "families" (e.g., Lehman, Giannini, Kuhn-Loeb) had little influence in the previous Republican administrations. In general these interests believed that their limited access and influence were closely related to the antisemitic and xenophobic attitudes of much of the old corporate/banking elite.³³ While this coalition was only one force in the new administration, its members' desire to reduce the influence of the Morgans encouraged the new coalition to be open to policy approaches that the Morgans and their allies had worked against during the Hoover administration.

Just as the 1932 election can be seen as a critical point in the House of Morgan's political decline, so too does that election represent a moment when the increased economic and political importance of corporate managers became much clearer. Although the importance of this trend has been exaggerated, particularly by FDR brain trusters Adolf Berle and Raymond Moley, the "managerial revolution" required a change in outlook on the nature of effective corporate practice.³⁴ For the shift to greater managerial control promotes a tendency to look at problems from an institutional perspective instead of from the personal or entrepreneurial perspectives common to owner dominated firms. Specifically, managers tend to look for institutional rather than personal

solutions to the problems of labor stability and productivity. Thus members of the corporate elite who were more fully incorporated into the managerial ethos found it easier to contemplate and sometimes to support a national labor policy. High level managers, such as Gerard Swope, Walter Teagle, and H. I. Harriman, had an enormous influence on the drafting and passage of the National Industrial Recovery Act, including Section 7(a).³⁵

The National Labor Board and the old National Labor Relations Board were administrative entities created to mediate or settle disputes arising out of Section 7(a) of the NIRA. Most observers contend that 7(a) was intended to be a relatively minor part of the Act. That is, Section 7(a) was aimed at gaining labor support for the seemingly more important industrial self-regulation parts of the measure and to symbolically demonstrate that the legislation would be of general benefit rather than a piece of class legislation. Yet the possibility remains that 7(a) could have been made either stronger or weaker. Therefore, it is important to ask who was in fact involved in the drafting of the NIRA.

The Roosevelt administration usually sought information and advice from diverse sources. Thus, there are a number of accounts about the importance of various sources of input into the original bill. One account stresses the role of a group of non-governmental officials, who can be characterized as members of the corporate elite. Included in this group were corporate figures such as Bernard Baruch, Swope, H. I. Harriman, and James Warburg. However, Roosevelt also asked Senator

Wagner to produce his own version of an economic recovery measure, which given Wagner's history would certainly contain a strong pro-labor component.³⁶ In April 1933 Roosevelt was still unprepared to support any particular industrial recovery plan. However the unexpected Senate passage of Hugo Black's proposal to limit working hours to thirty per week forced the administration into action. As would often be the case, the administration backed meaningful proposals only to head off more drastic congressional action.³⁷

The composition of the group who wrote the actual draft of the NIRA suggests the strong corporate influence on the legislation. Of this group including Moley, BOB Director Lewis Douglas, future NRA head Hugh Johnson, and Donald Richberg, only Richberg had any real knowledge of or sympathy toward labor. Further, the strongly corporate stamp of the NIRA would become clearer soon after its enactment in June 1933. For example, the NRA Director, Hugh Johnson, had a close professional association with Bernard Baruch. More significantly, the members of NRA boards, especially the crucial Industrial Advisory Board, would for the most part come from corporate positions. Of special note was the role played by the Business Advisory and Planning Council (BAC). This group, again composed of members who held important positions in very large private concerns, was attached to the Commerce Department. BAC's main purpose was to institutionalize corporate input in the administration and to mobilize corporate support for New Deal policies. Nonetheless, there was intense conflict in BAC. This ended with the departure of BAC members who would have a major role in forming the anti-Roosevelt

American Liberty League. BAC would remain the focal point for that part of the corporate elite willing to cooperate with (and secure cooperation from) the administration. The ubiquitous Gerard Swope of General Electric was BAC's first chairman.³⁸

Notwithstanding the corporate sector's dominance of the agency and advisory boards that would implement the NIRA, the most important actor in the drama remained President Roosevelt. On the labor issue, as on many other controversial matters, FDR avoided giving complete approval to any single policy approach. Yet his interest in speeding recovery resulted in a community of interest with capital, i.e., those who directly controlled production. When signing the NIRA into law, Roosevelt stressed workers' obligations to act responsibly to aid recovery. He specifically noted that 7(a) was not intended to encourage greater labor discord.³⁴ Roosevelt's actions in the period up to the passage of the NLRA were generally consistent with this position. Still, Roosevelt refused to interpret 7(a) strictly in business's short term interest. For example, the NRA sought industry code provisions, so called merit clauses, that would either force employees to join company unions or to refrain from joining unions at all. Roosevelt promptly rejected this interpretation of the NIRA.⁴⁰ Similarly, while Roosevelt would sometimes overturn the decisions of the labor boards, he resisted pressures to put the boards under direct NRA authority.

Section 7(a) of the NIRA dealt with three matters: (1) that individuals had the right to organize and engage thereby in collective bargaining; (2) that membership in any labor organization be voluntary; and

(3) that enforcement of these rights should be worked out through the NRA code making process. However Section 7(a) did not deal with these matters in enough detail so that contesting parties could agree on the basic intent of the section, let alone its application to specific cases. As early as June 1933, the NRA argued that labor provisions in the industry codes did not have to be collectively bargained to be enforceable. The NRA quickly began to approve such codes. Only in those industries that were already strongly organized did the unions have any real influence over the drafting or implementation of the codes.⁴¹ Despite this, and the continuing depression, employees in many firms attempted to unionize. The typical employer response to this wave of largely spontaneous organization was to refuse to recognize the new unions. Thus the summer of 1933 witnessed the greatest number of strikes since 1921.⁴² To promote labor peace and to mediate problems arising out of conflicting interpretations of Section 7(a), Roosevelt set up the National Labor Board (NLB) on August 5, 1933.

Evolving Practice: The National Labor Board

The National Labor Board and its successor the old National Labor Relations Board provided institutional settings that allowed the development of practices that would ultimately be codified in the NLRA and the enforcement of that law by the NLRB. Historian James A. Gross notes the importance of these labor boards when he states,

These boards, proceeding less by ideological premeditation than by the pressure of circumstances, hammered out the essentials of a labor policy on a case-by-case basis in a series of turbulent and dramatic conflicts with employers and unions, President Roosevelt,

Congress, the National Recovery Administration (NRA), the Department of Labor, the National Association of Manufacturers, the Liberty League, the press, and the Department of Justice and the federal judiciary, including the Supreme Court of the United States.⁴³

In this process, the boards themselves changed as they reciprocally modified their practices and their understanding of their functions. In 1933 the NLB stressed mediation and generally flexible interpretation of the NIRA. By 1935, the successor board, the old NLRB, had evolved into

. . . a quasijudicial body of neutrals deciding cases by setting forth principles of law, conducting formal hearings, issuing rules and regulations, and requiring legalistic uniformity in procedure.⁴⁴

Roosevelt established the National Labor Board without the use of an executive order. As such the NLB's powers and jurisdiction were always in doubt. The board's composition reflected the precedent created by the World War I National Labor Board. The NLB included three labor representatives, three business representatives, and a public member. In terms of purpose and function, the NLB was meant to operate much like a NRA code authority; that is, to promote government sponsored self-regulation among the immediately affected parties.⁴⁵ The NLB's first chair was Senator Wagner, the board's public member. The three business representatives were appointed by the BAC dominated NRA Industrial Advisory Board. The appointees included BAC Chairman Swope, Walter Teagle of Standard Oil of New Jersey, and Louis Kirstein of Filene's.⁴⁶

The original board had only the reputation of its members and the moral support of the President to persuade parties to settle. The NLB had no power to subpoena persons or records and witnesses did not testify under oath. Board procedures were reputed to be extremely informal. Yet the initial activity of the NLB suggested the beginning of a

consistent policy approach. Typical settlements provided for an end to the work stoppage, worker reinstatement, NLB supervised representation elections, and an employer agreement to negotiate with the elected bargaining agent.⁴⁷

At first glance the NLB appeared to be a major success. In its first three months the board settled about 90 percent of its cases through mediation and largely avoided having to explicitly interpret Section 7(a). Still, the NLB had not intervened in conflicts involving either large firms or anti-union industries. In particular the NLB had not yet faced the issue of the legal status of company unions. Furthermore, a number of internal weaknesses were becoming clear. These weaknesses included insufficient member time and staff support to handle the increasing demand for mediation services and problems stemming from the tripartite structure of the board. To the extent that the NLB's decisions split along industry vs. labor lines, the board was less able to effectively mediate disputes. Losing parties attacked the board's "lack of objectivity." While the NLB tried to solve the first problem by expanding its staff and setting up regional offices, the use of tripartite boards continued to pose difficulties until the passage of the NLRA.⁴⁸

By late 1933 the NLB had moved toward a more uniform and legalistic mode of operation. These initiatives laid the foundation for the evolution of labor board practice. The reasons for this shift in practice were in part internal, reflecting the inevitable confusion arising from the independent activities of the regional boards. However, the

external pressures toward greater rationalization were far more important.

The NLB was faced with two problems. First, business opposition and resistance to NLB decisions was growing. Secondly, the NLB did not have the power to enforce its decisions. The NLB had to depend on either the NRA Compliance Division or the Justice Department for enforcement action. It was obvious by early 1934 that neither of these organizations was willing to help the NLB. Even in the NLB there was a major conflict over whether the agency should emphasize mediation or attempt to carve out a more authoritative role in making and enforcing labor policy. In general this conflict reflected differences in perspective between the board members and the staff. Board members, "representing" a constituency from outside the agency, generally wanted their constituency to retain final decision making authority. This was true for both labor and business members. In contrast the staff formed a greater commitment to the activity they performed on a full time basis. They wanted to be effective. Senator Wagner, as the public member and an important member of Congress, proved to be the pivotal figure within the NLB. As he slowly became convinced that the NLB could become effective only if it operated in a more formal, legalistic way, the staff increasingly acted in that legalistic mode--even though it had no formal authority to do so.

The NLB's original instructions to its regional boards were to ". . . make settlements even though you are told it violates all the laws of the land, if it meets the dictates of sound judgement and common

sense . . ."⁴⁹ Regional boards also were directed not to interpret Section 7(a) or to determine violations of the law. The NLB would have exclusive jurisdiction over these cases. Yet the NLB was reluctant to take on such cases. When, in the Berkley Woolen Mills case, the NLB decided that workers could choose non-employees, i.e., union officials, to represent them, the decision was seen as pro-union. However the opposite decision would have been seen as pro-business. Any substantive decision weakened at least one party's perception of the NLB's capacity to be an objective mediator.⁵⁰ While this effect was a result of the rising level of conflict between capital and labor, the NLB's tripartite composition aggravated the problem.

In the internal NLB debate over this quandary, the staff led by its director, William Leiserson, contended that to continue to stress mediation instead of authoritative action would result in labor settlements favoring the stronger economic party (i.e., usually business). Their position was confirmed when the business dominated NRA decided to interpret and enforce 7(a) itself. In general, NRA decisions condoned the activities of anti-union employers. Both NRA Director Johnson and General Counsel Richberg announced that 7(a) permitted company unions, plural representation, and did not oblige employers to agree to any labor contract. Further, the NRA set up local compliance boards in rivalry to those of the NLB. Only Wagner's threat to resign from the NLB forced the NRA to retreat on these issues. Still, the NRA effectively blocked enforcement of NLB decisions. The NRA either refused to

prosecute cases or was willing to have those proceedings drag on indefinitely.⁵¹

The NLB's weakness became all too apparent in late 1933. In the Budd and Weirton cases, the employers completely refused to cooperate with the NLB. Indeed, in the Weirton Steel case, the employer conducted an election for a company union under the company's own direction. Weirton Steel took this action despite having previously agreed to an NLB supervised election. Given this challenge, the NLB, through Senator Wagner, approached the President for a more formal grant of authority. Roosevelt complied, but in a manner that created further ambiguity about the NLB's status. Executive order 6511, issued on December 16, 1933, formally established the NLB and gave it authority over its own procedures and administrative structure.⁵² However 6511 gave the NLB no explicit authority to interpret Section 7(a), nor any authority to oversee representational elections. Thus, employers interpreted Roosevelt's order as largely symbolic in intent. In the period between the issuance of Executive Order 6511 and a second stronger order in February, the NLB had almost no success in either getting mediated agreements or compliance to previously negotiated agreements.⁵³

Nonetheless, at this time the NLB began to conduct most of its activity in a quasi-judicial manner. These actions cannot be understood in terms of any sense of increased authority; 6511 did not provide any. Instead, there was an increasing public debate over the necessity and desirability of such power. Wagner did not publicly commit himself to support of greater NLB powers until after 6511. Anti-NLB organizations,

especially the NAM, quickly counterattacked.⁵⁴ The increasingly formal operation of the NLB must be understood against its hope that it would be granted more substantive authority and its realization that the NRA and the Justice Department would continue to be recalcitrant on enforcement issues. By the end of 1933 Senator Wagner was beginning to prepare the 1934 Labor Disputes bill with the technical assistance of the NLB staff.⁵⁵ From this time the NLB staff began to mold the agency's practice to fit the provisions of the draft legislation.

Without formal sanction for its substantive decisions, the NLB operated very cautiously. For example, in the Dresner case the NLB ordered a representation election. The Dresner Company then obtained a restraining order from a state court to block the election. The NLB, believing that it had little chance of winning in a hostile state court, entered into a compromise agreement with Dresner. The election was held, but was conducted by a third party under the conditions specified by Dresner.⁵⁶ The NLB made similar compromises in other cases involving the definition of good faith bargaining and the connection of bargaining to union recognition. Nevertheless, in this period the NLB worked out an alternative "labor law" significantly more favorable to workers than the common law tradition. Gross contends that:

Despite these compromises in pursuit of employer and union cooperation, the board had begun to develop a common law of labor relations from mid-December 1933 to February 1, 1934 by ruling that an employee discharged for union activity be reinstated with back pay . . . that the employee's right to bargain imposed a corresponding duty on the employer, that the parties approach negotiations with open minds and exert every reasonable effort to reach an agreement, that self-organization and representation elections concerned employees exclusively . . . that strikers be given reinstatement priority . . . that all strikers be reinstated at the end of the strike when the

board believed the strike was justified or when the strike was caused by an employer's violation of the law, and that, in many cases involving representation elections and reinstatement, strikers were to be treated as employees.⁵⁷

The NLB's inability to get or enforce settlements soon forced it to seek additional presidential support. In particular, the NRA had again begun to encroach on NLB jurisdiction. The NRA Compliance Division began to hold de novo hearings in cases sent to it for enforcement. That is, the NRA chose to disregard the case histories developed by the NLB. Apparently interested in preserving NLB independence from the NRA, Roosevelt issued Executive Order 6580 on February 1, 1934. This order was amended on February 23. Executive Order 6580 gave the NLB the power to make rules for and to exclusively conduct all representation elections. The order also affirmed the NLB practice of allowing exclusive bargaining agents based upon a majority vote in the relevant unit.⁵⁸

The NRA immediately sought to negate the impact of Executive Order 6580. On February 3, Johnson and Richberg told employers that 6580 did not prohibit minority bargaining agents or even bargaining by individual employees. Thus the White House was forced to deal with the new public conflict between the NLB and the NRA. For the moment, Roosevelt decided to back the NLB. The February 23 amendment to 6580 explicitly deprived the NRA Compliance Division of any power to review NLB actions.⁵⁹ However, the new version of 6580 did not settle the enforcement question. In fact, in the coming labor crisis in the automobile industry, FDR would retreat from his previous support of the NLB.

The enforcement issue was more forthrightly addressed by Senator Wagner in the Labor Disputes bill. Introduced on March 1, 1934, the

legislation provided for a National Labor Board that would have the explicit authority to interpret the legislation (replacing Section 7(a)), to issue binding orders, and to enforce those orders through the federal district courts.⁶⁰ After the promulgation of Executive Order 6580 (amended) and the introduction of the Labor Disputes bill, an emboldened NLB moved further into a legalistic mode of operation and made more assertive decisions. On April 16, the NLB directed its regional boards to conduct their business in a more judicial manner. Regional boards would now be required to collect and use evidence in a uniform fashion and to maintain complete transcripts of all testimony.⁶¹ In addition the NLB was no longer willing to compromise its authority. In contrast to the Dresner case, the NLB insisted that unions elected by a majority vote would be exclusive agents and that only the NLB could supervise representation elections. Early 1934 decisions, especially those in the Denver Tramway and Houde Engineering cases, continued this trend.⁶²

However, while the NLB was establishing the procedural and substantive foundations for the future NLRB, the NLB also faced a crisis that led to its destruction. By March 1934 Roosevelt had to choose between actively supporting the NLB or accommodating a major industry. Roosevelt chose the latter course. This decision was not surprising given Roosevelt's interest in promoting economic recovery and his normal caution in acting against the interests of a powerful constituency. Nonetheless, Roosevelt took a course of action, that according to his Secretary of Labor, the President would later regret.⁶³ During 1933 and early 1934, the United Auto Workers, under AFL tutelage, had organized

some 50,000 workers. Concurrently, the automobile companies had scrambled to set up company unions. In March 1934 the UAW asked the NLB to supervise representation elections. The companies replied that they would not allow any election under NLB auspices to take place. The companies also appealed to the sympathetic NRA for assistance. NRA Director Hugh Johnson convinced Roosevelt to create an independent labor board for the auto industry outside of NLB jurisdiction. Further, Roosevelt directed this Automobile Labor Board to accept the NRA backed concepts of plural representation and the legitimacy of company unions.⁶⁴ Clearly, if the auto industry could get its own sympathetic labor board, by implication, so too could other powerful industries. Thus Roosevelt, through his actions in the auto crisis effectively nullified his Executive Order 6580 of the month before.

The automobile industry settlement and thereby the gutting of the NLB, severely weakened labor confidence in the government's willingness to protect workers' rights under 7(a). Indeed, strikes and other forms of direct action had become increasingly common since the NIRA's adoption. Piven and Cloward claim that Section 7(a) encouraged and legitimized workers' translation of their private troubles into social and political issues. "Felt grievances became public grievances, for the federal government itself had declared the workers' cause to be just."⁶⁵ By spring 1934, although the government seemed in retreat from its earlier commitment, the government's new policy could not by itself serve to delegitimize worker grievances. The spring of 1934 witnessed a massive wave of labor unrest, including the nearly unknown phenomenon of

general strikes. It is important to note that these actions were discouraged by the leaders of the AFL and its member unions. The protests, even when union led, were fed by the militancy of rank and file workers.

However the 1934 worker insurgency must be understood against the backdrop of business resistance to the enforcement of Section 7(a) and to labor organization generally, as well as the government's failure to enforce its apparent labor policy. In addition to the general reluctance of business to abide by NLB decisions or mediation agreements and some businesses' attempts to create docile company unions, during this period many firms, encouraged or aided by trade associations, took more direct action to limit the spread of labor organization.

In the late 1930s, the La Follette "civil liberties" subcommittee of the Senate Education and Labor Committee documented the vast sums of money spent on anti-union activities. The subcommittee also documented the use of intimidation and violence against labor, whether directly conducted by private firms or by public authorities at the request of business.⁶⁶ The public as well as private discourse of some business interests was brutally frank. During the 1934 New England textile strikes one trade journal editorialized that, "A few hundred funerals will have a quieting influence."⁶⁷ No doubt this remark represented an extreme opinion. Nonetheless, members of the corporate elite sought armed federal intervention into the large scale labor disputes of spring 1934. During the San Francisco general strike, Hugh Johnson, Cordell Hull, Homer Cummings, and other high officials with strong ties to the corporate establishment placed enormous pressure on President Roosevelt

to send troops. Roosevelt refused to acquiesce.⁶⁸ Indeed, an increasing number of other public officials, on both the state and local level, refused to use force against strikers--even in situations where the use of force would have been common before 1932. Clearly, the nature of permissible governmental action was changing.

Another indicator of the growing intransigence of the business community was its expressed hostility toward labor leaders and even government officials in the context of official contacts. If hostile actions are condoned in an official context, there is every reason to expect even more hostile actions in less public situations. Schlesinger presents two examples of this phenomenon. He reports that Secretary of Labor Frances Perkins organized an NIRA code meeting between the presidents of six steel companies and AFL president William Green. Despite the fact that Green was generally supportive of the industry's draft code, none of the corporate leaders was willing to be introduced to Green. They were afraid that simple action, and the public recognition it demonstrated, would encourage labor organization in the steel industry.⁶⁹ Similarly, during a 1933 visit to Homestead, Pennsylvania, Secretary Perkins attempted to meet with a group of steel workers. In this company town, the mayor refused to allow the meeting to occur in any public facility. Schlesinger properly notes the questionable status of first amendment rights in such business dominated communities. What expectation could an ordinary citizen have that his or her rights would be respected when even a high federal official had problems?⁷⁰

In this situation of increased labor-capital hostility, Roosevelt's actions in support of the auto industry and the NRA had important effects beyond weakening the NLB. His actions also implied opposition to Wagner's Labor Disputes bill, despite the fact that Roosevelt privately expressed strong support for the measure even after his auto decision.⁷¹ Thus, perceiving a more hostile political situation, Wagner introduced amendments to soften his bill. The draft measure no longer prohibited company unions or placed a retroactive ban on contracts that violated the proposed law.⁷² The bill was further enervated in committee. The bill's final version was so vague that almost all members of Congress and the administration could support it. However, by the start of June, it was clear that neither industry, organized labor, nor the press would support passage. The Labor Disputes bill seemed doomed to failure.⁷³

Nonetheless, Roosevelt was convinced by the rising labor insurgency that the government needed stronger machinery to deal with industrial conflict. In particular, the threat of a nationwide organizational strike in the steel industry, and the steel owners' preparations for a possibly violent response to that strike, moved the President to quick action. Roosevelt had the NRA draft a measure that would allow him to create a new labor board with the ability to hold representation elections. This measure, Public Resolution Number 44, passed Congress in June 1934 with little difficulty. Supporters of the Labor Disputes bill had still hoped to get action on that measure, but Wagner decided to support PR 44 at the last moment. Bernstein reports that Wagner,

feeling that it was no longer possible to get strong labor legislation in the 73rd Congress, thought that conditions for such legislation would be more favorable after the 1934 election.⁷⁴ Bernstein also notes, that despite its public silence on the issue, business was generally pleased by the passage of PR 44. As evidence he quotes the statement of a U.S. Steel vice-president:

I view the passage of the joint resolution with equanimity. It means that temporary measures that cannot last more than a year will be substituted for the permanent legislation proposed. . . . I do not believe there will ever be given as a good a chance for the passage of the Wagner Act as exists now, and the trade is a mighty good compromise. I have read carefully the joint resolution, and my personal opinion is that it is not going to bother us very much.⁷⁵

This opinion would prove to be wrong (and Wagner's correct) for at least two reasons. The 1934 election resulted in a massively Democratic and very liberal Congress. Members committed to social and labor reform were elected in even traditionally conservative districts. In Zingale's terminology, the 1934 election was the beginning of the realigning interactive surge that would peak in the 1936 election. That is, while voting patterns favored the Democrats as they had in 1932, by 1934 one began to see the electorate unify and divide on the political and demographic bases that would be characteristic of the coming electoral era. The quasi-class nature of these voting patterns helped to convince Roosevelt and his advisors that the President could govern and be re-elected without the massive support of organized business. Indeed, there could be partisan benefit to actively strengthening the status of organized labor.⁷⁶ Much of the administration's legislative activity in 1935-36, the so-called second New Deal, is best understood as an attempt

by the administration to consolidate and control its left wing support. However, the Roosevelt administration would still not support the Wagner bill until very late in its legislative history. Secondly, the new labor board, now known as the old NLRB, took a more activist stance than might have been predicted when Public Resolution 44 passed Congress. The old NLRB operated in a fashion that both continued and expanded the institutional practice originated by the NLB.

Evolving Practice: The Old NLRB

On June 29, 1934, through Executive Order 6763, Roosevelt created a National Labor Relations Board as mandated by Public Resolution 44. The Board's powers were comparable to those of the NLB. Still, there were significant differences in the authority given to the two agencies. While the NLRB was given stronger authority to conduct investigations and elections, it was weaker than the NLB in several areas. Executive Order 6763 did not mention the majority rule principle previously recognized in Executive Order 6580. Further, 6763 allowed the President to create labor boards for specific industries. This allowed the creation of separate labor policy for powerful industries. By early 1935 Roosevelt used this authority, removing the auto, coal, and newspaper industries from the NLRB's jurisdiction. The Executive Order also established a clumsy administrative relationship between the NLRB and the Labor Department. Further, the ultimate enforcement of the Board's rulings remained in the hands of the hostile NRA Compliance Division and the Justice department.⁷⁷

One genuine innovation in 1934 was that NLRB members would no longer represent or be selected by constituencies. All members would be responsible to the public. As significant, whether by chance or design, was that all three NLRB appointees, Lloyd Garrison, Edwin Smith, and Harry Millis, either came from legal backgrounds and/or institutional positions that predisposed them to favor uniform over expedient action. Garrison would soon leave. He was replaced by a lawyer, Frances Biddle. Given that the old NLRB retained most of the NLR staff, there was a solidification of the prior support for a legalistic approach to labor policymaking in the "new" organization.

The NLRB soon made its intentions known to FDR and the leaders of relevant federal agencies. The Board intended to act as the primary interpreter of Section 7(a), thereby overseeing the activities of its own regional boards and the special industrial boards.⁷⁸ In a report to Roosevelt in August 1934, the NLRB insisted that,

. . . if Section 7(a) is to be enforced, as it must be enforced, some agency of the Government must pass authoritatively upon each unsettled case as it arises, and that we take it to be the duty of this Board.⁷⁹

Of course this position required further deemphasis of mediation activities.

While the primary activity of the NLRB was to strengthen and extend the nascent labor law the NLR had created, the NLRB undertook several organizational reforms to insure that it and particularly the regional and the special industry boards would handle cases in a legalistic manner. The NLRB stopped all mediation activity and limited the other boards to mediating only those cases in which the dispute did not

require an interpretation of 7(a). The NLRB also worked to insure that regional boards followed standard procedure and kept complete case records. Eventually this led to a bureaucratization of these offices, as board members or staff were restricted to either judicial or administrative functions. During 1935-36 even the regional boards began to end their mediation activities. This was only partially a result of NLRB encouragement. Rather, the end of mediation activities mainly reflected the increasing hostility between business and labor members of the regional boards. In turn, this trend increased the NLRB's role in decision making, since the regional boards were paralyzed by their internal conflicts.⁸⁰

Still, the real mission of the old NLRB involved the substantive matter of the evolving new "labor common law." Two cases, Houde Engineering Company and the San Francisco Call-Bulletin, demonstrate how the NLRB extended the practice of the NLB. The Houde case focused on the substantive interpretation of Section 7(a) of the NIRA. The Call-Bulletin case, while involving important substantive considerations, focused on the jurisdictional question. Neither case would be resolved exactly the way the NLRB wished. This would be impossible until Section 7(a) was replaced by a genuine labor law. Nonetheless, the old NLRB through its work on these (and other) cases contributed to both the passage of the National Labor Relations Act and the practice of the new NLRB that was formed to enforce the NLRA.

The Houde Engineering Company case involved critical questions about the nature of representation and good faith bargaining. The case

was first considered by an NLB regional board. That board ordered an election at the Houde Company. Houde claimed that neither the regional board nor the NLB had any right to compel the company to deal with a union. The company also objected to the regional board's order for a secret election. In a March 1934 ruling, the NLB rejected the Houde position and subsequently supervised an election at Houde. This election, also in March 1934, resulted in the selection of a UAW affiliate as the bargaining agent. However, Houde still insisted that it had the right to bargain with a company organization, the Houde Welfare and Athletic Association, that had gotten about 30 percent of the vote. At this time the NLB was willing to agree to having plural bargaining agents in return for Houde dropping its demand to know the identity of all UAW supporters. However, the union rejected this accord and pressed its demand for recognition as the sole bargaining agent for the unit. In the six months prior to the NLRB decision in the case, Houde refused to seriously negotiate with the union. Houde did negotiate an employee insurance plan with the Welfare and Athletic Association, although it never discussed this matter with the union.⁸¹

As an important case, and as one of the NLRB's first decisions, the Houde case received exceptionally detailed consideration. Several years later NLRB Chairman Garrison reported that the NLRB ". . . devoted to no other case as much thought and discussion as to this one."⁸² In its August 1934 decision, the NLRB took positions in a form consistent with a legalistic approach to labor relations and which in turn would become codified in the Wagner Act.

The basic elements of the board's decision were that "the fundamental purpose of Section 7(a) was to encourage collective bargaining," that under Section 7(a), "employees were to 'have the right to organize and bargain collectively,' and to be free from interference in self-organization 'for the purpose of collective bargaining,'" that "the right of employees to bargain collectively implies a duty on the part of the employer to bargain with their representatives," that "without this duty to bargain the right to bargain would be sterile," and that "the only interpretation of Section 7(a) which can give effect to its purposes is that the representative of the majority should constitute the exclusive agency for collective bargaining with the employer."⁸³

The implications of this decision were obvious to the business community. If the NLRB ruling in the Houde case could be enforced, then employers would have to bargain in good faith and in most cases with labor organizations they did not sponsor. The NAM responded to the Houde decision by telling its members to simply ignore the NLRB. Indeed, NAM correctly noted that the NLRB's decision in the Houde case contravened Roosevelt's decisions in the automobile crisis earlier that year. Large business seems to have followed NAM's advice in the following months. In the period between the Houde decision and the NLRA's passage, only 2 percent of the cases that came to the NLRB involved units of over 1,000 employees. After the Houde decision, business members of the regional labor boards resigned in large numbers. While to some extent the resignations reflected business hostility toward the NLRB and organized labor, some business members resigned because few serious disputes were coming to the regional boards.⁸⁴

However, the NLRB's main problem following the Houde case was that it was still not able to enforce its decisions. This was true even in the Board's strongest area of jurisdiction, the conduct of representational elections. Many companies began to use the court review

provision of Executive Order 6763 and of Public Resolution 44 to create delay. These companies understood that the federal courts were unsympathetic to the New Deal. In 1935-36 alone, federal courts issued over 1600 injunctions suspending the enforcement of federal laws and regulations.⁸⁵ However, the NRA and the Justice Department remained the most important institutional centers of resistance to NLRB decisions. The Justice Department failed to obtain a single favorable judgement in any of the thirty-three election related cases the NLRB submitted for enforcement. This was less the result of hostile courts than of the Justice Department's unwillingness to prosecute.⁸⁶ Similarly, throughout the period after the Houde decision, the NRA remained hostile. The conflict between the NLRB and the NRA reached its peak in early 1935 with the San Francisco Call-Bulletin Case.

The case was brought to an NLB regional board by a former Call-Bulletin employee who claimed that he was forced to resign because of his pro-union activities. Soon after, the regional board was incorporated into the NLRB structure. The Call-Bulletin claimed that the NLRB had no jurisdiction over the matter because Roosevelt and the NRA had given jurisdiction to a different board established under Executive Order 6763, the Newspaper Industrial Board (NIB). The Call-Bulletin also claimed that as a newspaper it served a special public function that exempted it from most forms of government regulation. The NLRB was initially reluctant to pursue this case, no doubt remembering the fate of the NLB following the auto settlement. However, the NLRB finally agreed to decide the Call-Bulletin case because of the agency's

commitment to the principle of a consistent and rational labor policy.⁸⁷ The NLRB realized that the case would result in a direct confrontation with the NRA, NLRB Chairman Biddle later stated,

I agreed there would be a row, but rather relished the idea. I felt the weakness of our setup, and thought that a showdown would clear the air, emphasize the inconsistencies, the wearying slowness and vagueness of the way labor disputes were being handled.⁸⁸

In a December 3, 1934 decision, the NLRB defended its jurisdiction over the Call-Bulletin case and by implication all other private sector labor disputes. The NLRB claimed that Executive Order 6763 gave it ultimate authority over the principles and procedures used by the code boards, including the NIB, that were outside the administrative control of the NLRB. While the NLRB acknowledged that it would defer to the decisions of such boards, provided they used correct procedures and interpretations of 7(a); given the NIB's inability to reach a decision in the Call-Bulletin case, the NLRB would also make a substantive ruling on the dispute. The NLRB then ruled in favor of the former Call-Bulletin employee. The NLRB concluded that the Call-Bulletin had interfered with the former employee's right to self-organization under Section 7(a).⁸⁹

The NRA quickly responded to the NLRB's challenge. On December 6, the NRA asked that the case be reopened. Donald Richberg, now the NRA Director, supported the industry position in a confidential memo to the NLRB. Richberg contended that the NLRB's job was still to mediate labor disputes in the interest of effecting economic recovery. Richberg went on to ask for private hearings on the case, insisting that public hearings would make cooperation among relevant government agencies more difficult. Finally, Richberg visited NLRB offices the next day. He hinted

that he and Roosevelt had already reached a secret understanding with the Call-Bulletin and the newspaper industry.⁹⁰

While the NLRB agreed to reopen the Call-Bulletin case, the NLRB refused to retreat from its procedural rules, including the public hearing requirement. While the NLRB's toughness in this matter can be interpreted as stemming from its desire to promote its conception of good labor policy, the simpler explanation is that the NLRB sought to protect its institutional integrity. This integrity rested on the legalistic mode of operation developed by the NLRB and its predecessor the NLB. For reasons that are not fully clear Richberg conceded the NLRB's procedural claims and sent NRA representatives to the public hearings. These hearings added nothing significant to the case. No new evidence was presented. As a result the NLRB upheld its previous decision in the case.⁹¹

During the period between early December 1934 and February 7, 1935, when Roosevelt "resolved" the Call-Bulletin problem, all parties to the dispute attempted to apply maximum political pressure on the administration. This maneuvering was not limited to just business and labor interests, but was also rampant within the administration. Richberg continually protested to the White House about NLRB's "arrogant self-assertion." More substantively, given that the Call-Bulletin case did not involve issues touching on representational elections, the NRA Compliance Division was the agency responsible for enforcing the NLRB decision. The NRA refused to enforce the Call-Bulletin decision. Instead, the NRA raised the level of conflict by sending the case's

paperwork back to the NIB instead of to the NLRB.⁹² This action implied the illegitimacy of the NLRB's claim of jurisdiction.

The NLRB's attempts to gain presidential support for its Call-Bulletin decision failed. By late January, Roosevelt took the newspaper/NRA side in the conflict. In a meeting with the NLRB Roosevelt admitted that the Board's decision in the Call-Bulletin case was the correct one. Yet Roosevelt also reprimanded the Board for not recognizing his need for political flexibility in such matters. Roosevelt apparently did not comprehend the internal development of his labor boards. That is, the NLRB, because of its past practice and its members' and staff's understandings of that practice, could no longer shift easily into a predominately expedient (i.e., "political") mode of operation. In a January 22 memo to the NLRB, Roosevelt for the first time denied that the NLRB had any substantive authority over labor disputes in those industries, e.g., newspapers and automobiles, that he wanted under NRA authority. At most the NLRB had a right to investigate. Roosevelt ended the Call-Bulletin controversy on February 7, 1935 when he directed the NLRB not to consider or discuss the Call-Bulletin case.⁹³

Thus by February 1935 Roosevelt, perhaps inadvertently, accomplished two things. First, he made clear his willingness to remove any politically controversial case from NLRB jurisdiction. Second, the NLRB could consider cases similar to the Call-Bulletin only if the NLRB would turn its back on the legalistic mode of practice that it and the NLRB had created. The NLRB was not willing to do this. The Board was now

convinced that it could not get the Roosevelt administration to effectively enforce Section 7(a). But the NLRB's members and staff for the most part remained with the agency in hope of encouraging the passage of Wagner's new labor bill.⁹⁴

On July 5, 1935 Roosevelt signed the National Labor Relations Act into law. As a result the old NLRB was replaced by a new board with the same name. The new NLRB would have a strictly "judicial" function and it would be the primary interpreter and enforcer of the NLRA. In those cases where the NLRB needed to seek federal court action, the NLRB would no longer need to use an unfriendly intermediary like the Justice Department. Further, the substantive provisions of the Wagner Act reflected, indeed largely codified, the substantive decisions made by the NLB and the old NLRB in the two previous years.

Of course, the activities of the NLB and the old NLRB did not directly result in the Wagner Act's adoption. Rather, the NLRA's passage was rooted in both the alteration of elite members and the growth of labor insurgency that occurred because of the Great Depression. Even circumstantial factors played a role in the NLRA's passage. For instance, the Supreme Court's decision in the Schechter case destroyed the NRA. The decision also invalidated Section 7(a) as a consequence of voiding the entire National Industrial Recovery Act. The Court's action forced Roosevelt to consider alternative mechanisms for promoting recovery. In the field of labor policy, this meant that Roosevelt was more amenable to the passage of legislation, like the Wagner proposal, that might help to limit the number and severity of strikes that occurred

around recognition issues. Nonetheless, the experience of the old labor boards was a relevant factor in the NLRA's passage. Wagner himself became convinced of the need for a legalistic approach to labor policy only after seeing the contradictions involved in the NLB's mediation activities. Indeed the labor boards served as experiments in organization, process, and substance. The boards' very existence gave focus to the debate over labor policy. Congress, relevant interests, etc. could finally argue about the concrete impact of given principles of labor law and labor board procedure, instead of engaging in a relatively unfocused debate over abstract principles. Finally, the modes of practice developed by the labor boards proved an important resource for the new NLRB in its initial operation. One could argue that the legalistic style gave the new board the weapon that it needed to survive the initial challenge to its existence.

Many observers expected the NLRA to be voided by the Supreme Court as an unconstitutional expansion of the national government's power. The new NLRB, relying on the institutional capacity developed under the old boards, found itself in a strong position to develop a strategy that would maximize its and the NLRA's chances of surviving the upcoming court challenge. The Supreme Court decision to uphold the NLRA in the *Jones and Laughlin* case was largely traceable to the decision of swing Justices to make an accommodation with the New Deal. However, the NLRB's own decision to limit its activities to those disputes that the NLRB thought were most easily sustainable under past interpretations of Congress' power to regulate interstate commerce certainly made it easier

for the Supreme Court to render a favorable decision.⁹⁵ The experience of the labor boards proved important to the NLRB in a second respect as well. While the members of the NLRB board were new, the core staff of the agency was carried over. That is, the NLRB began with a set of practices and ideas that were highly developed by past institutional experience. The new agency did not have to face the constitutional challenge, or subsequently hostile political interests, without the benefit of previous institutional learning.⁹⁶

In this chapter I showed how the realignment of the 1930s, through both its initial electoral surge and its subsequent creation of new patterns of electoral conflict, encouraged and molded the substantive and more importantly institutional development of a national labor policy. I also elucidated how the early labor boards, through their practice, greatly influenced the codification of United States labor law and the institutional development of the NLRB.

The critical actions in this process were the NLB's early decision to adopt a legalistic form of institutional practice and the extension of that practice in virtually every situation where the labor boards' power was contested. This developmental path can be understood in part by the boards' limited abilities to engage in other forms of political conflict. The NLB and the old NLRB could not successfully compete with the NRA or business groups for either presidential or congressional favor. The boards had neither the resources nor the organized constituency to engage in interest group politics on favorable terms. Further, as governmental agencies, the labor boards did not have the capacity to

mobilize worker protest. Indeed, it is likely the boards would have been summarily disbanded had they tried. At best the boards could use worker protest to strengthen their position vis a vis other agencies and interest groups.

However, the labor boards' inability to win in explicitly political contexts does not explain their development of a legalistic mode of practice. Rather, the boards' actions must be understood within the general American tendency to disguise substantive political actions as procedural, especially legal, actions. While in the post 1896 period this mode of political action had been used mainly and rather directly for the benefit of propertied and other dominant interests, under the twin pressures of depression and realignment judicial and administrative agencies began to use procedural decisions to facilitate new accommodations between different components of the social order. In the area of labor relations, the NLB and the old NLRB began this process before the federal courts. As a result the labor board decisions often seemed to contradict previous judicial decisions made before the NIRA. Nonetheless, the labor boards' decisions were firmly within the new understandings of the appropriate forms of judicial action that became dominant by the end of the 1930s.

Before the 1930s the federal courts maintained a strict ideological separation of state and society by claiming that decisions were essentially deductive applications of the general principles of law. By the mid 1930s the federal courts, if only to preserve their authority, began to openly recognize situational, that is, political considerations

in making their decisions. The challenge the federal courts have faced since the 1930s has been to adopt the doctrine of legal realism in a way that would be compatible with maintaining the public/private distinction upon which a capitalist society rests. More cynically, the courts' function was to find ways to justify state action in behalf of powerful private interests while protecting those interests from "disruptive" exercises of state or state supported power.⁹⁷ Klare shows that the federal courts pursued just this course of action in its treatment of cases arising under the NLRA. In particular, the federal courts interpreted the NLRA in a way that limited the scope of spontaneous worker action.⁹⁸

The members and staff of the pre-NLRA labor boards, especially the old NLRB, were aware of the conflict and gradual accommodation between the proponents of the legal doctrines of conceptualist formalism and legal realism. In general the boards were sympathetic to the aspirations of labor. However when the Boards chose to mold their administrative practice and their substantive interpretations of Section 7(a) in forms akin to legal practice, they channeled labor conflict in directions alien to the spirit of the militant labor action that played a large role in both the adoption of the Wagner Act and its "acceptance" by employers. As labor conflict became incorporated into a legalistic mode, procedure became more important than substance and moral rights became privileges under a statute to be balanced against the rights of other parties.⁹⁹ The benefits and costs of this structure of labor-capital conflict have been extensively debated and will continue to be

so. However, the pre-NLRA labor boards' shift to legalistic practice certainly presaged the federal courts' treatment of labor relations under the NLRA.

C H A P T E R V
CASE STUDY #3: THE 1980 ELECTION AND
THE CONGRESSIONAL BUDGET PROCESS

Introduction

The 1980 election, at least in popular discourse, is said to have had a strong impact on public policy. The commanding victory of an explicitly conservative Republican presidential candidate, along with the election of the first Republican Senate majority in a generation, is said to have laid the groundwork for the subsequent major alteration of the United States government's budgetary priorities. Some attempts, if not fully convincing ones, were made to show that these policy changes were a result of a recognizable electoral mandate.¹

According to some observers, the 1980 election resulted in changes of the political process as well as of public policy. Many of the critical policy changes were in the areas of spending and taxation. Similarly, much institutional change occurred in those parts of the political process where budgetary decisions are made. Lance LeLoup, examining the political success of the fiscal 1982 Reagan budget, notes that ". . . It appears that the reconciliation bill passed by Congress represents the first time in budgeting that Congress has really been able to overcome its decentralized structure and its general pattern of accommodation."² While the Reagan "budget blitz" of 1981 was not fully repeated in 1982, one observer of the process, Richard Cohen, reported

that the process of institutional change apparent the year before had continued.

In a demonstration of how congressional procedures can be informally refined or exercised to satisfy the will of a political majority, Budget Committee leaders and other Members have skillfully adapted the budget laws in ways never envisioned by its drafters. The most obvious example is the reconciliation device that has been attached since 1980 to the annual spring budget targets to force spending cuts by authorizing committees. In addition, during each of the past three years, the revised budget resolution required in September has largely been ignored, with the result that the budget approved in the spring, even though it has typically proven unduly optimistic, has become the government's basic operating plan.³

Yet even after the fiscal 1983 budget was adopted,⁴ some observers, including most members of Congress, were not ready to say that important institutional change had occurred.

Members agree on one point--governing by omnibus legislation cannot go on forever. Some envision its demise only after the current policy of economic retrenchment takes hold and the government pulls back from many areas of federal involvement. Others believe the packaging scheme has already worn out its welcome and that Congress will quickly return to its traditional legislative ways.⁵

In this chapter I argue the contrary. I claim that the movement to an "omnibus" budgetary process is permanent, although the eventual form of that process may be significantly different from the one developed during the past two years. Nonetheless, that process, whatever its details, will strengthen the capacities of the Presidency to encourage the adoption of relatively coordinated public policies in behalf of some form of national constituency. The basic aim of this chapter is to describe, explicate, and interpret changes in the use of the Budget and Impoundment Control Act of 1974 toward that end.

Important changes in public policy and, by implication, in the political process, have been associated with realignments. At present

most observers have not found substantial evidence to support the judgment that the 1980 election is a realignment or represents a major change in the ideological or policy preferences of the electorate.⁶ Still, the 1980 election, in terms of its apparent impact upon public policy, closely resembles previous realigning elections. Walter Dean Burnham notes that ". . . Virtually without exception, previous policy shifts of this magnitude have been crucial symptoms of critical realignments."⁷ Burnham, while not claiming that 1980 is a realigning election, thinks that the implementation of the Reagan program by Congress and executive branch action may by itself reconstitute the structure of political conflict in the United States.

In the present state of our knowledge, the best general explanation of the 1980 result in the short term is that it constituted a landslide vote of no confidence in an incumbent administration. But it also appears to have gone rather beyond this. It includes that most amorphous but decisive event in American political history--a general mood swing not just against an incumbent president, but against the established order of things and consequently against the party which has been in the majority in Congress during the preceding fifty years. Accordingly, most voters may well not have been involved in ideological choice . . . but their choices have put people in power who were determined to make this election serve ideological purposes, to create political facts en masse, and thus to change the entire face of American politics.⁸

In this chapter I look at the evolution of the budget process in 1980-82 to describe the character and process of institutional change in this area. My purposes in doing this are largely conceptual rather than historical. To the best of my knowledge, conventional journalistic accounts of this history are accurate.⁹ My goal is to use the descriptive material about the budget process to inform my discussion of how general economic and political forces, mediated by elections, encourage

specific institutional change. This discussion appears in the next chapter.

Just describing the budget process itself presents a thorny conceptual problem. It is never clear when and where the budget process either begins or ends. It is too simplistic to say that Congress ever finishes a budget, whether that is thought of as the completion of all pending authorizations and appropriations, or since 1975 the passage of a final budget resolution. Congress may be asked to pass supplemental appropriations, or contrawise may have committed itself to spending in future fiscal years. Even if Congress completed all of its budgetary work by the start of a new fiscal year, significant changes in a budget can occur through the executive branch's execution of that budget. While some of these alterations now require Congress' approval, decisions taken on either the presidential, departmental, or agency level can significantly change the actual use of public resources. Any number of events beyond the control of government officials (e.g., recessions, natural and military emergencies, etc.) can change the actual patterns of government activities. Nevertheless, there still is value in using the standard conceptualization of the budget process, if only for its familiarity. That is, the budget process is divided into three basic components; the formulation of a budget proposal within the executive branch, congressional action on that proposal, and finally the executive branch's implementation of the congressionally approved budget. While there is considerable and increasing overlap among these components,

they can be thought of as occurring in roughly sequential order. In theory, each component takes approximately one year to finish.¹⁰

While changes can happen in all three parts of the budget process, I limit my examination of budget process changes to the first two components of executive formulation and legislative action. I do not look at budget implementation because, in part, it is still in process (at the time of writing) for the first two Reagan budgets. Further, the locations of budget execution decisions are multiple. Therefore it is difficult to separate technical from political considerations in any budget changes that take place. Finally, I believe there is a certain elegance to stopping my examination at the adoption of a formal budget by Congress and the President. This budget can be viewed as a basic statement of the government's priorities and purposes, one that is more important than other "statements" in that it ties tangible resources to intended goals and has been approved by both "political" branches of the national government. Certainly this statement is in reality something of a fiction. However, the status of the implemented budget as a statement of governmental intent is far from dubious. The alterations that are made in the congressionally passed budget occur in a highly privatized political environment and are thus produced by "subversions" of the more legitimate modes of public policy making.

Even within the two remaining segments of the budget process, executive budget formation and congressional action, the problem of privatization affects the attention I choose to give to different aspects of the process. Regrettably, I give more attention to congressional

action. I say regrettably because a knowledge of EOP interactions with bureaucratic agencies constitutes as important an aspect of the budget process as EOP or department/agency interactions with Congress itself. While I look at some material on budgetary politics in the executive branch, my largely journalistic data is far more complete in regard to relations between the Presidency and Congress and those internal to Congress.

Yet there are some positive aspects to this necessary focus on congressional action in the budget process. First, the action is relatively public. Therefore participants' interpretations of electoral forces are more likely to be an important consideration in their actions. Second, if it is true that Presidents, provided they can reasonably claim coattails, find that they can build partisan coalitions on issues in Congress, then Congress will be an important location of any effective efforts to change either budgetary process or priorities. Beyond the obvious fact that Congress is in part organized on a partisan basis, and that Congress must pass or appear to pass (i.e., continuing resolutions) a "budget" for the government to operate; the legitimacy of fiscal decisions made outside Congress is still generally questionable. This was demonstrated by the political conflict, litigation, etc. that followed Nixon's attempt to make major changes in the budget through strictly executive action. Clearly, if President Nixon had a fairly disciplined congressional majority, opponents of Nixon's budgetary priorities could not have as effectively used the potent claim of illegality against Nixon's policy changes.

In any case Congress is presently a very attractive setting for studying alterations in the budget process. One unintended product of Nixon's efforts to remake the budget through executive action was to encourage Congress to reassert its formal authority over spending. The single most important act in this reassertion of congressional power was Congress' passage of the Budget and Impoundment Control Act of 1974. This law was aimed at two problems. The first problem involved the regularization and limitation of executive activities in the implementation of the budget. I discuss this aspect of the Act only in passing. I focus most of my attention on the new budget process that Congress mandated in the 1974 Act. Nevertheless, this process did not emerge from the 1974 Act fully developed. As Allen Schick points out, "Since 1975, Congress has been making budgetary war and peace within the budget process it established in previous years."¹¹ My focus will be on the evolving use of this process from the initial use of the reconciliation process in 1980 through the beginning of the 1983 fiscal year. While artificial in a budgetary sense, this timeframe encompasses the politically relevant period of the 1980 election campaign through the Republican setback in the 1982 midterm election.

To identify changes in the actual practice of the budget process it is useful to establish a baseline for comparison. The basic process and timetable set forth in the 1974 Budget Act serves this purpose. In the years since the passage of that legislation Congress has more or less followed the specified process, at least in its broad outline, every year. While a number of observers have argued that the process

had only marginal effects on government spending until the first use of reconciliation in 1980, it is important that Congress made real efforts to abide by at least some of the formal requirements of the Budget Act. Congress might simply have ignored the process in the same way it ignored those provisions of the 1946 Legislative Reorganization Act requiring the Appropriations Committees to coordinate spending through the use of an omnibus appropriations bill.¹² This change in congressional behavior suggests that by the mid 1970s members felt growing pressures for at least the appearance of spending control.

Pre-1980 Practice of the Budget Act

Before the passage of the 1974 Act, the congressionally approved budget was basically an abstraction. That is, the "budget" was the total of appropriation measures and of backdoor spending mandated for the coming fiscal year. Backdoor spending refers to spending resulting from authorizations alone, for example entitlements, contractual authority, and guaranteed loans. Indeed part of the pressure for budget reform is traceable to members' concerns with the increasing percentage of federal spending that was beyond the control of the yearly appropriations process.¹³ The procedures set up under the Budget Act gave Congress the potential of creating a true budget document, one that despite its inevitable ambiguities in a world of uncertain revenues and spending commitments could be a cohesive statement of national priorities. The law also authorized the institutional resources needed to carry out the budget process. It established standing Budget Committees in both houses

of Congress and a permanent budget office to provide Congress with an independent analysis of the President's budget and tax requests.

The 1974 Act gives Congress a roughly nine month period to pass a budget before the start of the new fiscal year on October 1. This time-span is somewhat artificial. Budget Committee staffs in both houses and the Congressional Budget Office (CBO) anticipate the new presidential budget proposal for months before the start of the formal budget cycle. After the end of the formal cycle Congress may still be involved in the passage of supplemental appropriations.¹⁴ The congressional budget cycle is divided into four basic stages: (1) the preparation of a non-binding first budget resolution by the budget committees, (2) congressional passage of the first budget resolution, (3) committee and congressional consideration and action on appropriations bills (concurrently the budget committees are preparing their versions of the second budget resolution), and (4) the passage of a second budget resolution and the adjustment of spending bills to this resolution.

The first stage of this process begins with the President and OMB submitting the proposed executive budget with an estimate of the future cost of current levels of government programs and activities. The CBO is required to evaluate the accuracy of the economic assumptions, revenue projections, and program costs included in the presidential proposal and to report its conclusions to the budget committees by April 1 (although in practice the CBO reports in February). Meanwhile, other congressional committees are expected to submit their own budgetary estimates and views to the appropriate budget committee by March 15.

The Budget Committee in each house reports the first budget resolution to its parent body by April 15.

Congress is expected to pass a first budget resolution by May 15. It is important to note that this concurrent resolution contains more than a total limit on spending. In addition to the total spending limit the resolution must specify expected revenues, all new budget authority and outlays, projected surpluses or deficits, and debt authority. Further, this specification must be made within functional categories. At present there are nineteen of these functional areas. Originally the first budget resolution was meant to provide general guidance on spending rather than impose definite legally or politically binding limits. The Budget Act also requires that committee reports on new authorization bills be finished by the same May 15 date.

While the Budget Act did not explicitly alter past congressional practice in the third stage of the process, committee and floor consideration of spending bills, the Act implied two forms of constraint. The first constraint was the limited time frame imposed by the four month separation between the first and second budget resolutions. Appropriation committees and subcommittees would have far less time to complete their business. Second, though the functional targets specified in the first resolution were not legally binding, the fact that Congress as a whole had already recommended a general apportionment of federal funds before Appropriations Committee action had taken place suggested that those committees would have less autonomy than in the past. That is, any member of Congress who was unhappy about major

changes from the first resolution in an appropriations bill reported to the floor could argue that the Appropriations Committee had frustrated the will of its parent body.

The last stage of the mandated budget process is the passage of a second concurrent budget resolution and the adjustment or reconciliation of spending measures to its terms. While it is clear that the second budget resolution was meant to be binding, Congress did not fully provide the machinery needed to accomplish this task. Congress, through section 311 of the 1974 Budget Act, did rule out the passage of new legislation that would raise spending above or reduce revenues below the levels specified in the second resolution.¹⁵ Still, the original process required completion of spending legislation before the adoption of the second resolution. This appears to mean that reconciliation could take place within rather than after the second resolution. Given the small amount of time involved, it is likely that either of two things could happen. First, the Budget Committees could incorporate all of the bills passed by Congress into the second resolution. In this case the Budget Committees would exercise little or no independent judgement, thereby acceding to the largely uncoordinated requests of other standing committees. In this circumstance the budget process would be largely ornamental. The second basic option was for the Budget Committees to report a resolution embodying the committees majorities' perspectives. While this course allowed the incorporation of some spending not anticipated in the first resolution, it is still likely that there would be

major differences between the reported second resolution and the actual spending bills passed by Congress.

The 1974 Act provides two options to meet this second contingency mentioned above. However, neither of these options is binding upon Congress. Under the Act, Congress has the option of passing any number of binding budget resolutions. While this provision was intended to legitimate necessary spending commitments made after the adoption of the second resolution, the provision could also be used to resolve differences between a second resolution and actual spending. Functionally, this is really a variation on the theme of incorporating all of the spending measures already passed into the second budget resolution. The Act provides another option in section 310. During the period between the adoption of the second resolution and the start of the new fiscal year the Budget Committees can ask their parent bodies to amend legislation already passed to bring spending and revenues in line with the second resolution. This is the essence of the idea of reconciliation. Yet this optional reconciliation procedure technically must take place in a mere two weeks. Obviously the short time available mitigates against the use of section 310, even in the absence of political opposition (an unlikely event in any case). In initial drafts of the 1974 Budget Act, the first budget resolution was binding. This would have allowed a longer period to accomplish reconciliation, provided the political will to accomplish it was present.¹⁶ Thus the innovative use of reconciliation in 1981-82 had been anticipated years before by the drafters of the Budget Act.

There is a consensus that the process established by the 1974 Act had little impact on the substantive content or size of the federal budget before 1980. Havemann points out that the budget's rate of growth remained about the same and that there were no major changes in spending patterns.¹⁷ He also judges that the President's budget remained the most important determinant of discretionary federal spending.¹⁸ Ippolito substantially agrees with Havemann's assessment of the budget process. Ippolito also notes that the Budget Committees had not yet carved out a truly independent legislative role. "Both committees are, in truth, adding-machine committees that take the demands of spending committees and impose as much restraint on them as the current congressional mood allows."¹⁹ At most the congressional mood in the 1975-1979 period supported modest budgetary restraint, whether restraint meant expenditure control or the coordinated setting of governmental priorities.

Schick succinctly explains why the process tended to continue old priorities and to lead to higher expenditure totals. The targets set by the first resolution were widely viewed as budgetary floors rather than ceilings. Thus the targets served to institutionalize existing spending patterns, especially those in policy areas where there were strong constituency oriented coalitions. Schick quotes one close observer of budgetary politics as saying,

. . . recipients of federal funds . . . are going to expect the full amount of the ceiling. And the pressure will build against the Appropriations Committee, and the appropriations process, not to provide less than the ceiling. My point is that lobby groups, organizations, associations, people who represent other people with human needs, are going to figure out how to get up to that ceiling, and then they're going to figure out how to bust the ceiling.²⁰

Thus a kind of symbiotic relationship developed between the Appropriations and Budget committees. By establishing targets the Budget committees made it politically easier for the Appropriations committees (especially the House committee) to pursue their traditional role as guardians of the treasury. Appropriations committees could turn down requests from authorization committees and/or clientele groups, noting that they were but enforcing the Congress' will as expressed in the first budget resolution. However, as long as the Budget committees were unwilling or unable to enforce their targets, the Appropriations committees were still able to reward those constituencies they or their subcommittees supported. The Appropriations committees also appreciated the implications of targets for potentially limiting the growth of backdoor spending. Generally, the Appropriations committees do not like backdoor spending because it falls outside their jurisdiction.

The Budget committees were the weaker partner in this relationship. This weakness resulted as much from the structure and jurisdiction of the committees specified in the 1974 Budget Act as from the optional nature of the reconciliation process. Nonetheless, the Budget committees, when conditions were favorable, attempted to increase their influence over budgetary decision making. In addition, the character of the Budget committees' accommodations and initiatives differed between the House and the Senate. The separate histories of the two Budget committees had a definite imprint on the evolution of the budget process in the 1980-82 period.

Standing committees derive much of their power from the stability of their membership and their control of an area of legislative jurisdiction. While these factors do not ensure that a committee will have its way on the floor, any committee without these resources is at a severe disadvantage. Yet members' terms are limited on the Budget committees, there is less opportunity to accrue power through seniority. The committees also work with the disadvantage of having some of their members appointed as representatives of other standing committees. A particular Budget Committee member may see himself as a representative of the Appropriations Committee or one of the revenue committees.

Another area of difficulty has been the Budget committees' lack of a distinct committee jurisdiction. The Budget committees must deal with the entire range of government activity; hence, it is far more difficult for their members to obtain deference on the basis of presumed specialized knowledge. In theory the Appropriations committees have a similar problem, but they surmount it through their direct control of spending and a well developed subcommittee structure. Thus the Appropriations committees can develop and reward patterns of strong clientele and agency support. This option is largely denied to the Budget committees. Their mandate is inevitably to limit not to enhance the normal congressional practice of logrolling in support of particularistic interests.

Therefore the power of the Budget committees is dependent on their ability to link their interests to those of a stronger partner. For example, I discussed the patterns of accommodation between the Budget and Appropriations committees before 1980, a pattern that still favored

particular interests as long as they had strong ties to the Appropriations committees or their subcommittees. Expenditure control or the transformation of national priorities requires an exceptionally strong coalition concerned with the overall character and impact of government policy. The most obvious ally in this regard is the White House/OMB. Still the administration is often an ally of limited value since it does not want to alienate the members of other committees. This was certainly the case in the 1975-80 period.²¹ However the changing political and economic environment of the late 1970s and the turnover in government personnel following the 1980 election established the preconditions for an effective coalition between the Presidency and the Budget committees.

Nonetheless, if there is going to be any institutionally based enforcement of the congressional budget procedures, it will have to come mainly from the Budget committees themselves. Some observers believe that the committees have been ineffective in their enforcement efforts. In their opinion the analyses provided to Congress by the Congressional Budget Office have furnished the only real check, stemming from the 1974 Act, upon presidential or congressional committee efforts to increase spending.²² Yet there is counterevidence that suggests the Budget committees made progress toward defending budget targets even before 1980. This was particularly apparent in the Senate where the Budget Committee developed a bi-partisan consensual approach to its functions. On several occasions the SBC went to the floor to oppose legislation that exceeded budget resolution targets. The committee's success on the floor has been mixed. The SBC was more effective to the extent that it

could define issues in procedural rather than substantive terms. This suggests a high level of member support for the ideal if not the actuality of coordinated budgeting.²³ In fact the SBC was occasionally able to use procedural considerations to get the Senate to enforce the committee's views on substantive matters.

In the House of Representatives, the Budget Committee generally sought to avoid conflict on the floor. HBC members have preferred to reach accommodations with other standing committees, accommodations that were usually weighted in favor of well organized interests. The HBC, in the 1975-80 period, also developed a highly partisan style. Committee decisions, staff activity, etc. followed strict party divisions. This operative style was also apparent in floor consideration of the budget resolutions. Again voting patterns were highly partisan, far more so than in the Senate. However it can be argued that this pattern basically reflected the already high level of Republican cohesion in the House.²⁴ The net result was that in a highly contentious partisan environment the HBC limited itself to private deals on substantive matters and only went to the floor to defend the integrity of clearly formal aspects of the budget process. These issues were few, but on these issues the HBC had good success.²⁵ These patterns of committee behavior and relationships with their respective legislative bodies were to have an important bearing on the development of the budget process in later years. When the SBC adopted the so-called fast track approach in 1981, its actions were intelligible within its past activities and traditions. Similarly, the passage of the Gramm-Latta substitutes in the House is

more fully comprehensible given the highly partisan tradition of budget conflict in both the HBC and the larger body.

Given that Congress, under relatively little presidential pressure, had begun to develop practices of coordinated budgeting before 1980; it is important to note that institutional change in this area should not be thought of only in terms of the relative balance of presidential against congressional power. Too often the budget battles of 1981-82 were described simply as the Reagan administration's victory over the old line Democratic congressional leadership who were committed to spendthrift practices and moribund programs. While there is some truth to this characterization, it distorts the nature of the changes that occurred in budget practice and politics. This is because most analysts sought to understand events mainly in terms of the actions and motives of the individual participants. Should Ronald Reagan or some future president fail to obtain his budgetary program, those who understand budget outcomes mainly in terms of circumstantial or personal factors will conclude that the events of 1981-82 were ephemeral occurrences.

Yet such conclusions may be wrong. If the reconciliation process should remain in use, or the traditional expectations and operating procedures of congressional committees, bureaucratic agencies, and interest groups remain different from their pre-1980 patterns, then one can reasonably claim that significant institutional change has taken place. Therefore, an examination of the budget process during the 1981-82 period must deemphasize circumstantial factors that perhaps made budget

process changes appear more revolutionary than they actually were. A greater focus on institutionally based change, both in procedure and outlook, will help to dampen the extremes of judgement that often flow from descriptions and explanations that restrict themselves to individual behavior and motivations.

It is here that realignment theory is most helpful, providing a plausible explanation for discontinuities in institutional structure and practice. However, the value of realignment theory rests on the presence of two conditions aside from institutional change. First, there must be evidence that social and economic tensions have led to the instability of preexisting electoral and coalitional patterns. Second, there must be evidence that election results encouraged political leaders to make innovative responses to political instability in the interests of some identifiable political coalition.

1981: Presidential Centralization

While I cannot prove that recent changes in budget practice and expectations are permanent, I will argue this by examining the intelligibility of events within the terms of the impact of the economic stagnation of the 1970s upon the emerging political discourse of the 1980s. Although this examination will be presented in a largely chronological manner, the actual sequence of events is not of primary importance. I believe a chronological presentation is the most straightforward way to elucidate the connections among changes in institutional practice in several related but conceptually independent areas, e.g., presidential-

congressional relations, presidential-agency relations, interest group activity, internal congressional operation, and so forth. Above all else I am interested in the question of whether the relative decline of the importance of particularistic power centers, for instance subgovernments, in the budget process is indeed a permanent one.

There is widespread academic agreement that both political activists and the general public judge presidential performance largely on how well or poorly the economy is doing. The executive budget proposal gives the President a forum to make economic predictions and to proclaim his administration's ideas on how to maintain or restore prosperity through the activities and the levels of spending and taxation recommended in the document. Despite this, and the Carter administration's support for the first use of the reconciliation procedure, a thorough pre-election analysis of Carter's performance failed to mention any of his activities in the budgetary field. This analysis reflected the realities of a fragmented policy process often dominated by particularistic coalitions. Thus it focused on legislative success and failure in separate issue areas.²⁶ Nonetheless, both Ronald Reagan and Republican congressional candidates, individually and collectively, made extensive use in their campaigns of the theme of alleged Democratic fiscal irresponsibility. The fullest disclosure of Republican plans to re-evaluate the whole budget was put forward by the Reagan campaign on September 9, 1980. Reagan asserted his support of supply side inspired tax cuts and his desire to reduce total government outlays by 2 percent in each of his first two years in office.²⁷ Given that Republicans

usually run on the issue of controlling "runaway" federal spending, the Reagan statement was seen as mainly symbolic, despite the changing political atmosphere of the late 1970s. However after the election the incoming administration began to act to exploit the changed environment.

Shortly after the election, the Reagan transition team began to take substantive action on three fronts; generating a new budget proposal for fiscal 1982 to replace the one that the lame duck Carter administration would submit to Congress in January, discouraging the cooptation of new agency leaders by their employees and the constituencies their agencies serve, and preparing for the use and strengthening of the reconciliation process in Congress. Much of the initial budget and tax planning was carried out by two of Reagan's principal pre-election economic advisors, Caspar Weinberger (who headed the budget transition team) and George Schultz. Both of these men were familiar with past budgetary practice. Both had served as OMB Director in previous Republican administrations. Weinberger's and Schultz's efforts were aided with staff and input from a number of sympathetic organizations including conservative think tanks, like the American Enterprise Institute, a House based task force headed by future OMB Director David Stockman and Phil Gramm, and perhaps most importantly the Republican staff of the Senate Budget Committee. The Republican SBC staff prepared a detailed report on possible cuts that more than any other document laid the basis for the specifics of the Reagan budget. The budget transition team also had an opportunity to plan major revisions in the

1981 budget. The 96th Congress adjourned without appropriating money for numerous agencies including four departments.²⁸

Nevertheless, the incoming administration was hardly of one mind as to what needed to be done. There were proponents of three major policy approaches to economic problems. At times the President-elect seemed to agree with all three groups, although to some extent the three approaches were contradictory in their expected effects. Reagan and his chief advisors settled the conflict by avoiding it. They rationalized that the counterimpacts of each approach would be minor. To begin, they decided to give each faction in the administration control of one policy area or track of its own. Those who most feared the impact of large federal deficits on private investment were to be satisfied by the efforts to control or cut non-defense spending. The monetarists were satisfied by the incoming administration's strong backing of the tight money policies of the Federal Reserve Board. Finally, the supply siders were given their due with the three year tax cut plan.²⁹

Yet it would be unfair to say this exercise in conflict containment was simply a new application of particularistic politics. The Reagan people claimed, at least publicly, that all three of these policies would have reinforcing effects. Spending control and tax cuts would release private investment capital to promote economic growth. The expected growth would generate additional revenue which, hopefully by 1984, would make up the deficit that would initially be caused by the tax cuts. Similarly the tax cuts, by allowing more investment out of current income, would more than make up for the discouraging effect of

high interest rates on investment. Yet because high interest rates would tend to dampen the high inflation rate, economic recovery would take place without a major inflationary spurt. This was the rationale behind the incoming administration's "riverboat gamble." However flawed this plan might prove to be on reflection, it had a cohesiveness not often seen in American economic policy.

It is however one thing to make plans and another to achieve them. To effectively control spending the administration had to limit the usual scope of the particularistic politics so typical of American government. This involves not only the problem of constraining the actions of legislatures and constituencies, but also the problem of controlling one's own bureaucracy. However dubious one may be about how cohesive a philosophy informed the Reagan administration's economic proposals; it is clear that the administration acted in a rapid and coordinated fashion to gain unusual control over the federal bureaucracy.

Most incoming presidents announce that the Cabinet will have a greater role in making major decisions than in the previous administration. Then things return to normal. The President develops close ties with members of the so-called inner Cabinet, i.e., the heads of departments such as Defense, State, Justice, and Treasury that have important coordinating functions. Other Cabinet members become immersed in the constituency oriented politics of their home departments. While the inner/outer distinction was again replicated in the Reagan administration, the administration initiated a new pattern of White House relationships to the outer Cabinet and other agency heads reminiscent of the

pattern that was developing in the Nixon presidency. These relationships stressed effective control. "The Reagan White House has shown what it means by 'Cabinet Government.' It has imposed discipline akin to that of a military chain of command."³⁰

The immediate reason for imposing tight control on agency heads was to keep new appointees from forming alliances with agency staff and constituencies as long as possible, at least until initial budget decisions were made. Senior Reagan advisor Ed Meese was the principal architect of administration efforts in this area. He designed the transition operation so that major appointees would learn about their agencies mainly from conservative task forces rather than from agency personnel. In many cases sub-Cabinet agency heads were assigned deputies with close ties to the White House in order to set up a parallel chain of authority, bypassing, if needed, Cabinet officials who might choose to act independently of administration wishes. Meese also went to great lengths to insure that Carter holdovers were encouraged to leave promptly. One result of this was that many sub-Cabinet posts were empty when Reagan entered the White House. Yet this too served to weaken the ability of newly appointed agency heads to understand the full implications of the proposed spending cuts.³¹

In the first days of the administration, Meese and OMB Director David Stockman developed another technique to enforce budgetary restraint on agency heads. They formed a budget working group for each department to review possible cuts. Members included the relevant Cabinet member, Meese, Stockman, and a number of other officials. As

Stockman later pointed out, the membership of the groups were stacked to enforce the presidential perspective. Cabinet secretaries had to fight for their budget and program against a roomful of opposition. While a few Cabinet officers were able to salvage some of their losses through private negotiations with the President or later congressional action, the working groups generally resulted in acquiescence to White House/OMB views.³² These working groups were eventually institutionalized in the form of several "Cabinet councils," again reminiscent of the Nixon administration innovation of the Domestic Council. Still the new councils could not provide the administration with the same leverage as the original budget groups. Agency officials, by then, had become socialized, and perhaps co-opted, to their agency's environment.³³

The Reagan administration, by its actions to insulate agency leaders from their agencies and usual constituencies, weakened the potential strength of interest groups in the coming budget struggle. For the same reasons the White House also directed OMB to ignore the requests of some interest groups for either information or negotiation over specific programs.³⁴ Indeed the White House and OMB hoped to create a public perception that sacrifices would be required of all, not just the politically weak. In this, the administration was trying to do two things. They were trying to focus budgetary discourse in terms of what could be called broad or public interests in a national economic emergency. Not only did this language make it somewhat harder to raise specific interests, more importantly it justified the administration's delay or avoidance of negotiations with affected groups over budget details. Second,

this language provided a moral posture that the administration hoped to use to mobilize public support. Stockman's statement to William Greider is typical of this discourse.

We are interested in curtailing weak claims rather than weak clients. . . . The fear of the liberal remnant is that we will only attack weak clients. We have to show that we are willing to attack powerful clients with weak claims. I think that's critical to our success--both political and economic success.³⁵

While the initiatives outlined above, if successful, would weaken the ability of interest groups to press their budgetary claims, the Reagan administration would still need active support to persuade Congress to adopt its budget and program priorities. Toward this goal it would be helpful to have substantial interest group support. Thus the Reagan administration needed to mobilize some interest groups support in terms of general economic goals as well as discouraging action in support of particular government benefits. Given the nature of traditional coalitional patterns, the most obvious source of potential support was the business community. Indeed, that community has been so important a source of Republican financial support that if the Reagan administration failed to mobilize that support on the budget and tax issues, there would be much less incentive for Republican members of Congress to support the President.

As a group the leaders of the business community were aware of the increasing disjunction between the demands placed upon government and the resources available. Essentially, they had already convinced themselves that the general weakness of the economy overrode the value of the specific government benefits they received. However, the matter

goes deeper. Earlier I noted that government policies, whether in terms of spending or revenue production, can be divided into two basic kinds. Some policies promote profitability, others can be viewed as state efforts through either the carrot or the stick to maintain order and legitimacy. Relatively speaking the business community has little direct stake in what O'Connor calls legitimation. Rather they are more concerned with the nature of policies intended to aid capital accumulation. While the upper levels of the business community could be and in large part were persuaded to accept some reduction in specific benefits in return for tax breaks, reduced regulation, and if federal spending was controlled, the hope of lower interest rates in the future; there was no problem in mobilizing them against what from their point of view were excessive expenditures for social programs. Piven and Cloward take this line of argument one step further with their claim that the administration and its business supporters hoped to improve profitability by such actions. That is, reductions in social programs would mean a more insecure and thus docile labor force. In turn this would be translated into lower labor costs.³⁶

Not only was it in the administration's interest to encourage business support, but to do so in a way that would lessen the bargaining power of specific firms and industries. Coalitions of interest groups perform this very function by encouraging their members to reach some accommodation with other member having somewhat different interests. Such accommodations are needed before common action can take place. In the case of the business community, coalitions must be formed by members

of different industries. Otherwise, the coalitions remain trade associations seeking very specific policy ends. The Reagan administration was fortunate in that this sort of coalitional behavior was becoming entrenched before the 1980 election. In part this behavior was a response to the increasing internal fragmentation of Congress during the 1970s, as committee chairs' prerogatives were limited and the number of subcommittees expanded.³⁷ Nonetheless some of these groupings were already organizing around general economic concerns. For example, one such coalition, known as the Carleton Group, formed in 1978 to push for the 10-5-3 tax plan. One of its organizers, Charles E. Walker, headed Reagan's tax advisory group for the election campaign. The Reagan administration would effectively use such groups and more formal organizations, e.g., the Business Roundtable and the United States Chamber of Commerce, in the following months. The White House even appointed a special assistant, Wayne Valis, whose main job was to coordinate those actions. Apparently, previous administrations had not placed a high priority on similar efforts.³⁸

The third element in the old structure of logrolling politics was the most important. No matter how much the administration succeeded in limiting the pressure put upon Congress by either constituency groups or bureaucratic agencies, Congress still had the final say in basic spending and taxing decisions. However, the 1980 election resulted in a congress that in its ideological makeup was sympathetic to Reagan's concerns on the tax and budget issues. Legislative success was mainly a matter of creating the incentives necessary to maintain the ideological

majority of Republicans and conservative Democrats. Schick summarizes administration thinking on this point as follows: "From the outset the White House had a clear vision of what it took to win. The President had to get the marginal member on his side."³⁹

The notion of what constituted a marginal member was somewhat different for each house of Congress. While there was a clear Republican majority in the Senate, and several senators who attributed their election to the Reagan landslide; the body had a tradition of bipartisan accommodation on budget issues. The institution also had a more liberal approach to spending than the House, often acting as a "court of appeal" on such matters.⁴⁰ The administration's goal was to achieve greater voting cohesion among Republican members. The basic strategy to achieve this had two elements. First, the administration sought to reinforce the widespread perception that the electorate had demanded spending restraint and tax cuts. Second, the administration hoped to rapidly move its budget cuts through the Senate as a package. At least at first, the new Senate Majority Leader, Howard Baker, saw his job primarily as a presidential agent. His chief goal was "... to mobilize the Senate into an instrument of presidential power."⁴¹ Baker, along with SBC Chairman Pete Domenici and Stockman, sought to establish politically strong budget targets even before the passage of the first budget resolution.

They agreed that Reagan's election mandate and the unexpected GOP takeover of the Senate gave Republicans a rare and probably brief opportunity to implement their campaign promises of paring federal spending and the size of the bureaucracy. . . . By compressing the budget cuts into a single bill and a short time-span, they hoped

they could hamstring the interest groups supporting the programs targeted for cuts and build momentum for the overall package⁴²

This agreement was the beginning of the so-called fast track strategy.

With the Democrats in control of the House, the nature of the marginal member there was different. If the Reagan administration could get Republicans to vote as a unit, the administration would only need to pick up just over fifty Democratic votes to win. Thus there were two problems, maintaining control of Republican votes from relatively liberal districts in the Northeast and Midwest and picking up the necessary conservative Democrats, who were mainly from the South. Even before the 1980 election, 95 percent of House Republicans were voting against the HBC budget resolutions. Similarly many of the conservative Democrats had already voted against their party leadership on budget issues during the same 1975-80 period.⁴³ In the previous Congress, Phil Gramm had already begun his pattern of active budget cooperation with the Republican members of the HBC.⁴⁴ Thus the administration strategy was based on encouraging existing voting patterns and making those accommodations necessary for victory. It turned out, at least for spending issues, that neither the Gypsy Moths or the Boll Weevils extracted much in the way of concessions.⁴⁵

Besides their emphasis on their electoral mandate, the Reagan administration found other ways to increase the pressure on Congress. They made effective use of congressional campaign contribution disclosures, both for informational purposes and to mobilize pressure from campaign contributors.⁴⁶ The President also made effective use of the inherent difficulty that Congress faces in drafting coherent legislation

of its own. While claiming to hold out the hand of cooperation to Congress, Reagan continually stressed that his budget had to be passed because there was no real alternative to it other than profligate spending.⁴⁷ The effect of these persuasive efforts was all the greater given the increasingly grave economic situation and the electoral instability demonstrated the previous November. Although the House incumbency rate was still nearly 91 percent, this seemingly impressive figure hid a trend that could strike terror into the hearts of most public officials. Traditionally, the surest way to be reelected was to stress constituency relations and service. This had been particularly true in the 1970s. Often members could turn marginal districts into safe ones by following this formula. Yet by 1980 this route to a safe district seemed less certain. For example, seventy-five new Democratic House members were elected in the 1974 post-Watergate election. Of the 74 who ran for reelection in 1976 only 2 (3 percent) were defeated. Because many of these members came from marginal districts, they devoted substantial effort to constituent service. Normally this would be expected to strengthen their electoral prospects, but in the 1980 election 9 (16 percent) of the 57 remaining members of the 1974 cohort were defeated.⁴⁸ Thus, the Reagan administration, claiming a mandate, had the advantage of an unusually fluid electoral situation in which to influence the Congress.

While the strategies the administration and its allies used to accomplish reconciliation in 1981 were different in the two houses of Congress, both strategies accomplished the same goal. "The aim of

reconciliation is to deter challenges to individual spending cuts by packaging them in omnibus legislation."⁴⁹ In both the House and Senate the 1981 use of reconciliation involved modifying the precedents established in 1980 to the political circumstances of each body. The most important of these precedents was the inclusion of savings targets for all functional budgeting areas in the first budget resolution. Although there is some doubt about the substantive effectiveness of this requirement in 1980, it established the principle that standing committees had to alter their work to fulfill at least the formal requirements of the budget resolution. On paper Congress made about 8.3 billion of the 10.6 billion dollars of savings and revenue increases mandated by the first resolution.⁵⁰ Congress also gained some experience with the unwieldy conference procedure necessary to implement the reconciliation process. On the other hand, attempting to avoid lobbying and electoral pressures, Congress delayed work on reconciliation until after the November election. This placed Congress and the Budget committees in the familiar bind of having most of the spending legislation already a fait accompli. This is one reason that Robert Hartman claims that the 1980 reconciliation procedure had disappointing results. He also contends that many committees were able to meet targets by shifting fiscal 1981 spending to future years.⁵¹ Because of this, these committees were able to both abide by reconciliation and to protect favored interests.

Thus the Reagan administration's major task was to find ways to make the budget targets stick. Previous congressional practice had been to "hold" the total spending figure to that specified in the relevant

budget resolution. The nineteen functional targets were largely ignored, even in the binding second resolution.⁵² However, since 1977 House Republicans had sought to maintain firm limits on functional totals after the passage of the first resolution. It was this idea of reconciliation that would prevail in both houses of Congress in 1981, although in a more flexible form in the Senate. Indeed by the start of the 97th Congress both Democratic and Republican members of the Budget committees were actively looking for support for various proposals aimed at converting budget resolution targets from pliant floors into impregnable ceilings.⁵³

The path toward adoption of a strong reconciliation measure in the Senate was a relatively smooth one. This was largely attributable to the Republican party's majority status, which besides ensuring the votes in any strictly partisan showdown, gave the administration effective control of the budget process. The Senate tradition of bipartisan budget action also had a reenforcing impact. Democrats did not feel an immediate need to frame a partisan alternative and could expect some accommodation to their individual needs. The SBC passed a resolution containing reconciliation instructions by March 23, even before it began formal consideration of the first budget resolution. The vote was 23-0. The Democratic minority voted for the final version of the resolution; their support was viewed as ". . . an admission of Reagan's popularity."⁵⁴

Substantively the resolution meant approval of almost all of the administration's specific program and spending cuts. The resolution did

not add new spending. This reconciliation measure, S Con Res. 9, also directed specific spending cuts and changes in current laws to both authorization and the Appropriations committees, as well as establishing binding functional targets. Further, committees were expected to make mandated cuts for fiscal 1982 and 1983. The SBC expected that this multi-year procedure would overcome the 1980 problem of committees invalidating cuts by making future spending commitments. However the SBC resolution, while recommending specific program cuts, allowed committees to make their own final decisions on program reductions provided the committees remained within their allotments.⁵⁵ The SBC and the majority leadership also made it clear that they would take vigorous action on the Senate floor to enforce reconciliation.⁵⁶

Enforcement proved unnecessary in the Senate. By late March, SBC Chairman Domenici received general commitments from all other committee chairmen that they would abide by the SBC targets if they were adopted by the whole Senate.⁵⁷ S. Con. Res. 9 was adopted on April 2, 1981, four days before the SBC began its formal consideration of the first budget resolution. Only two minor flaps developed before the final passage of the omnibus reconciliation bill on July 31, 1981. A number of SBC Republicans, worried about the size of the impending deficit, joined with the Democratic minority to defeat the administration backed version of the budget resolution. The Republicans were brought back in-line by Stockman's "magic asterisk," the promise of unspecified future budget cuts to make up for some of the revenue shortfall expected from the Reagan tax package. Potentially more serious were the

rumblings out of Senate Appropriations Chairman Mark Hatfield, who was promoting the view that the budget targets could not be binding. He strongly objected to authorization committees making cuts that heretofore were in his committee's jurisdiction.⁵⁸ While this potential conflict had no immediate bearing on the passage of the reconciliation measure, it proved significant in later months. In both the Senate and the House, the Appropriations Committees would be major sites of opposition to the budget process.

There would be no fast-track strategy in the House of Representatives. In addition to the fact that the Republicans were the minority party, there was a history of partisan budget conflict in the institution. Further, the 1980 election produced an unusually strained atmosphere in the House. The Republican party, violating congressional norms, had made a concerted effort to defeat members of the Democratic leadership.⁵⁹ Thus the Reagan strategy was to try to form an ideological coalition to defeat any budget alternative the Democratic leadership might suggest and then to pass and enforce the administration's own program.

The Democratic leadership understood, because of their safe majority on the HBC, that they could report to the floor nearly any budget resolution they chose. They also understood that the administration would be much stronger on the House floor. Therefore the leadership, and in particular HBC Chairman Jim Jones, were willing to include large budget cuts in the draft for the HBC report for the first resolution. The HBC mark included slightly higher total outlays than the Reagan

budget, but the mark had a lower target for defense spending.⁶⁰ The Democrats also seemed to be leaning toward loose enforcement of the ultimate budget totals. Further, the Democratic leadership did not believe that the Reagan administration would be able to so effectively constrain the operation of subgovernments. Early in the 97th Congress, the National Journal reported that Jones was conducting extensive negotiations with interest group leaders. These discussions were aimed at fashioning a compromise budget plan that would cut the budget's growth on terms as acceptable as possible to those groups.⁶¹ Clearly Chairman Jones still believed that interest groups would retain their previous political strength.

The HBC reported a first budget resolution that was essentially the Jones mark. The enforcement provisions of the draft resolution were similar to those adopted by the Senate. Authorization committees were given both overall targets and suggested cuts. Again, the targets were binding, but the committees had the option of deciding the spending levels for specific programs. However, while the legislation included provisions to block the final passage of appropriations and other spending that would surpass either the functional or total limits; there was no provision for a mandatory omnibus reconciliation bill.⁶² The absence of this provision became a major procedural issue in the House. The Republicans and the Democratic Boll Weevils sought a single up or down vote on all reconciliation issues. They expected, as it turned out correctly, that adjustments in behalf of their favored constituencies could be accomplished through conference committee action. The Democratic

leadership, committee chairman, and much of the rank and file, wanted the flexibility to protect constituencies that a separate reconciliation vote on each functional area of spending would allow.

The conservative coalition won the first crucial budget vote in the House on May 7 with the victory of the Gramm-Latta substitute over the HBC's first budget resolution. The weakness of the Democratic leadership's position became apparent some days earlier with the approval of most of Reagan's recissions for the 1981 budget and the failure of formerly effective agencies, like the FHA and the SBA, to get expected levels of interest subsidies for their loan programs.⁶³ Gramm-Latta I, beyond the substantive adoption of the Reagan budget, required an omnibus reconciliation procedure and that committees spell out specific cuts and program changes in their reports. Like the HBC resolution, Gramm-Latta's suggested cuts were not binding upon committees. The legislation also for the first time extended specific reconciliation instructions to future years, applying to entitlements as well as discretionary spending.

After the passage of Gramm-Latta as the first budget resolution, the HBC made a genuine effort to enforce the substitute's provisions. A stringently worded directive, prepared by HBC member Leon Panetta (D, Cal.), specified the limits on committee autonomy in the reconciliation process.⁶⁴ Generally speaking the authorization committees complied with the formal requirements of Gramm-Latta. Yet these committees made enough marginal changes so that the HBC's reconciliation report greatly resembled its version of the first resolution.⁶⁵ Although these changes

were largely marginal, the Reagan administration claimed that the House leadership was seeking to betray the voters' mandate. The White House also claimed that some of the House cuts were illusory. Reagan himself led the public attack, claiming ". . . there is now a clear danger of congressional backsliding and a return to spending as usual."⁶⁶ At the same time Stockman and the OMB staff were working with Gramm and Delbert Latta to prepare a substitute for the HBC's reconciliation report.

Meanwhile the House Democratic faithful were finding it difficult to work together in defense of "their" reconciliation measure. This was so for a number of reasons. Many of the party leaders were unwilling to lead a frontal assault on Reagan's budgetary priorities. Instead they tried to attack on the arcane issue of the faulty economic assumptions that informed the Reagan budget.⁶⁷ Further, most House Democrats, especially the committee chairmen, were deeply committed to protecting the interests of the constituencies and agencies they had worked with for years. Had the Democrats been willing to take an all or nothing vote on the HBC's reconciliation measure they most likely would have been able to avoid its defeat by the second Gramm-Latta substitute. Members of the HBC understood this. But Speaker O'Neill decided to support a more flexible enforcement of targets and therefore separate votes on each reconciliation issue. The Speaker's approach prevailed over that of HBC members Jones and Panneta.⁶⁸ In 1980 the leadership had found it difficult to overcome the resistance of the authorization committees to the reconciliation procedure. To contain such intra-party conflict in 1981, O'Neill and Rules Committee Chairman Richard Bolling assured several

chairmen that the leadership would not allow reconciliation without votes on cuts in each functional area or in some special cases for specific program cuts. In its reconciliation report, the Education and Labor Committee stated that O'Neill and Bolling had given an absolute guarantee that separate votes and floor amendments would be allowed.⁶⁹

On June 26, 1981 the House rejected its majority's reconciliation package and accepted the Gramm-Latta II substitute. From a procedural standpoint the most critical vote taken was the 210 to 217 defeat of the Rules Committee's motion to allow separate votes on some of the spending cuts. As such Gramm-Latta II was accepted on what was functionally a closed rule. Most House members had received the details of the substitute mere hours before the vote. Thus the House accepted the spending cuts negotiated between the substitute's sponsors and OMB and thus ignored the decisions of its own committees. Another result of Gramm-Latta II was that the single up or down vote served to protect some generally unpopular programs from the budget knife, e.g., the Clinch River Breeder Reactor and the infamous sugar and peanut support programs. These programs were either not funded or funded at a lower level in the HRC's reconciliation measure.⁷⁰ The results of the reconciliation conference were almost a foregone conclusion. When Congress completed final action on reconciliation on July 31, 1981, the final measure, even in its details, was remarkably close to the proposals the OMB sent to Congress the previous March.

Congress also passed the Reagan tax plan in late July. On the surface the plan's adoption seems to contradict the claim that the

administration had effectively limited the play of constituency politics. Given the competition between the White House and the Democratically controlled Ways and Means Committee to each claim that they were responsible for the tax cut, large tax concessions were made to certain interests. As Stockman noted, "The hogs were really feeding. The greed level, the level of opportunism, just got out of control."⁷¹ Yet most of the political science literature on tax politics in the United States stresses the role played by peak or quasi-class organization in this area of explicitly redistributive policy making.⁷² What happened was that the White House, in the tax bidding war, lost full control over the massive corporate coalition it had helped organize early in 1981 around the budget and tax issues. The business coalition, so important as a revenue source for Republican candidates, took advantage of its central role in administration lobbying activities. That is, the coalition members did some lobbying on their own behalf as well as for the economic recovery program.

Business organizations and corporations greatly extended the reach of the administration efforts by setting up phone banks to call (congressional) Members and by urging their members and employees to do so. Campaign contributors reminded Members--gently or forcibly--that they wanted a pro-Reagan vote.⁷³

Thus corporate business reaped benefits as a quasi-class through relatively unified action. On the other hand, subgovernmental effectiveness has usually been greater in the area of distributive politics, that very area typified by budget outlays and authority. A Congressional Quarterly Weekly Report study of so-called sacred cows noted that while almost all of these programs survived the budget ax, most received substantial

funding cutbacks.⁷⁴ While some of the political weakness of interest groups can be attributed to the speed at which the political environment changed and the slowness of non-business interest to copy the coalition-al efforts of the business community, even in the second year of the Reagan administration the basic question asked to organizations interested in legitimization policies would remain, "What are you willing to give up?"⁷⁵

1982: The Beginnings of Congressional Centralization

Those unhappy with the substance of the fiscal 1982 budget and the movement of effective political power to the Presidency in the 1981 budget process had two basic options open to them in the coming year. They could try to reassert the old pattern of committee/constituency/agency domination of a segmented budget process. Opponents could also adopt more centralized strategies, particularly ones focused on political party leadership, broad interest group coalitions, and so on. Depending on their preferences and political circumstances, opponents could use this second approach to either frame and then press for the passage of a budget alternative or to seek a compromise with the administration. These courses would necessitate other steps to strengthen the influence and cohesion of the Democratic congressional party.

Dennis Ippolito, in an analysis of the budget process written before 1980, stressed the relation between weak legislative parties and the lack of incentives to engage in some form of coordinated budget action.⁷⁶ The events of 1981 demonstrated the obverse. Although

congressional Republicans had long tended to act more cohesively than Democrats, in 1981 the Republicans would maintain almost total solidarity on final budget and tax votes. No doubt this solidarity was built in part out of some circumstantial factors, e.g., the perceived electoral mandate and the large number of newcomers without entrenched constituency or agency ties. Nevertheless, while this solidarity weakened in 1982, the Republicans still maintained a very significant level of cohesion on critical votes. In contrast, Democratic efforts to respond to the "Reagan Revolution" were initially made on the basis of their traditional decentralized practices. I have already noted the ineffectiveness of these practices in the struggle over the adoption of the 1981 Reconciliation Act. While these practices were to prove slightly more effective in the fall 1981 battle over appropriations, the Democrats would in the following year increasingly turn to more coordinated action on fiscal issues. Despite the fact that the substantive aspects of the budget and tax measures passed in 1982 largely reflected administration priorities, the efforts that congressional Democrats made to achieve greater party cohesion demonstrates that the political context arising out of the underlying economic crisis provided more rewards for coordinated action and the serious use of the budget process than incentives to return to pre-1980 modes of decentralized and segmented political action.

The limitations of the constituency oriented approach were most fully demonstrated by the administration's victory in the series of conflicts over the appropriation of money for the fiscal 1982 budget. The

Reagan administration was under increasing pressure from its allies in the financial and corporate communities to contain the growing size of the federal deficit. To deal with this problem, Reagan announced in September 1981 the necessity for greater government austerity. He asked for \$13 billion in non-defense spending cuts, \$3 billion in so-called revenue enhancers, and the limitation of certain entitlement benefits. This last proposal was quickly withdrawn because of a highly negative public reaction. Reagan also said that he would veto any appropriation that was larger than his March spending requests, even if that spending was provided for in the Reconciliation Act. Despite this obvious challenge to Congress' actions, the President hoped that the Appropriations committees would maintain their past practice of lowering authorized spending.

However the members of both Appropriations committees, particularly those in the House, were feeling increasing resentment about their limited influence in the evolving use of the budget process. While Senate Chairman Hatfield agreed that there was a need for a strong reconciliation process, he suggested that reconciliation take place only after the consideration of an omnibus appropriations bill. House Chair Jamie Whitten also supported late reconciliation after final appropriations action. He hoped that this would restore his committee's previous, and to him legitimate, authority over spending matters. However, Whitten still insisted on separate appropriations bills. This position reflects the strong ties between organized constituencies and members of the House committee. These ties are traditionally among the strongest

in Congress because they rest on the Appropriations Committee's acceptance of highly autonomous subcommittees.⁷⁷

The Appropriations committees, again especially the House committee, drafted a number of appropriations bills that differed from the reconciliation targets. This reflected the power of some organized interests and the efforts of the Republican "gypsy moths" to protect their electoral base in the industrial North. However, the slim margins of passage for the HUD and Interior money bills made it clear that the eventual Reagan vetos would be sustained.⁷⁸ As a result the 1982 fiscal year began without the final passage of even one appropriation. Congress passed a continuing spending resolution, followed by a second in late November. Because continuing resolutions maintain the spending patterns of the previous year's budget, Reagan, unhappy about the balance between domestic and military spending in the continuing resolution, vetoed the November measure. Most of the government had to shut down until Congress hurriedly approved a continuing resolution more to Reagan's liking.⁷⁹ After this event it should have been clear that the overall power of constituency oriented political action had declined significantly. This was true even though Reagan's own popularity and perceived effectiveness were also declining. The conflict over appropriations and continuing resolutions also represented a transition to a *de facto* omnibus appropriation. Most of the government would operate through the entire fiscal year without Congress' approval of specific funding measures.

In the second session of the 97th Congress, constituency oriented committees would still resist the centralization of decision making on budget issues. However, for the most part this resistance would be passive. Before 1981 committee members' specializations usually enhanced their power, both in their own committees and in the larger institution. Beginning in 1981, specialization would prove to be a two edged sword. Richard Cohen reports that members' past reliance on committee centered patterns of action made it more difficult for many members to perceive the new realities of their institutional environment. Members' old political habits and loyalties also lessened their capacity to engage in forms of inter-committee cooperation and coordination not based on logrolling.⁸⁰ In December 1981, the House Budget Committee asked the other standing committees to submit by March 15, 1982 detailed comments on the administration's fiscal 1983 budget request and the committees' own proposals for alternative spending or reductions. The HBC's goal was to use this information to construct a coordinated and politically attractive Democratic budget proposal. However, most authorizing committees did not submit reports and those who did were unwilling to state specific recommendations or budget targets.⁸¹ In the absence of consensus among the Democratic leadership, the House again adopted an administration inspired budget substitute in June. As a result, the House authorization committees were locked out of the decision making process for the second straight year.

Once again in 1982 the Appropriations committees made the most active assertion of committee power in the budget process. The most

notable instance of this assertion came during the House's consideration of eight different versions of the first budget resolution on May 27, 1982. Although none of these resolutions passed at that time, all were amended at the insistence of Chairman Whitten to void the "deferred enrollment" provision (section 311) of the Budget and Impoundment Control Act of 1974. That is, even those completed appropriations bills that approved spending higher than the functional targets set in the budget resolution would again, as before 1980, be sent to the President for final action.⁸² However, when the House finally passed a first budget resolution two weeks later, the House restored the reconciliation enforcement machinery. Over the subsequent months, the House Appropriations Committee continued its rear guard action against the budget process. For example, Whitten violated the reconciliation instructions by changing the functional limits for each Appropriations subcommittee from those mandated in the budget resolution.⁸³ At this writing it is uncertain whether Whitten's action had any meaningful effect. No appropriations bill passed before the start of the fiscal year on October 1, 1982.

In 1982 the Reagan administration was again able to get favorable treatment for its tax and budget proposals, although not quite as favorable as in the previous year. In part this was due to the slow unraveling of the grand corporate and conservative coalition, and to the inevitable resurgence of constituency oriented forces in Congress, the federal bureaucracy, and in the private sector. Although this resurgence was speeded by the apparent inability of the Reagan program to

produce an improvement in economic conditions, it is likely that the administration's grip over its coalition would have declined even had the economic recovery program been a huge success. For though under current economic conditions there are now great incentives for a more centralized style of institutional practice in the United States, this is so relative to past practice and within the constraints imposed by liberal ideology, fragmented government, and a capitalist economy.

A notable example of this almost natural fragmentation is found in the highly public debate within the Reagan administration over the probable effects of the increasing size of the federal deficit.⁸⁴ This internal debate was paralleled by a similar controversy in the financial community that demonstrated that the administration's political allies were increasingly skeptical about the value of the administration's economic policies. Further, the administration lost some of its control over agency involvement in the executive budget process. As might be expected, agency heads, now familiar with their domains and often more sympathetic to their agencies' programs, took a more active role in budget deliberations for fiscal 1983. To counteract this tendency, the administration strengthened its system of Cabinet councils and established a budget review board dominated by EOP personnel.⁸⁵ Still, agency heads increasingly made end runs to the President, supportive officials in the EOP, and particularly to the Republican congressional leadership. Finally, as the economy declined and the 1982 election approached, Republican members of Congress tried to place increasing distance between themselves and the White House. Many Republican

members began to use their party leaders rather than administration officials to communicate or negotiate with the White House.⁸⁶ Even the previously warm relations between SBC Chairman Domenici and the White House became strained when Reagan rejected Domenici's attempt to forge a compromise during the continuing resolution crisis in the fall of 1981. SBC staff director Stephen Bell reported in spring 1982 ". . . the dramatic contrast to the previous year, when Domenici and his aides worked daily with Reagan aides . . ."⁸⁷

If the growing stresses in the still very effective Reagan coalition demonstrated the inevitable centrifugal forces of United States politics, the gradual strengthening of the capacities of congressional Democrats for cohesive planning and action was all the more remarkable. For congressional Democrats, especially the more senior members, had been among the chief political beneficiaries of the half century reign of interest group pluralism. With the adoption of the Gramm-Latta substitutes in 1981, some congressional Democrats began to advocate stricter measures to enforce party discipline on some substantive as well as organizational matters. Congressional Democrats were not yet ready for such measures, if indeed they ever will be. Instead, dissatisfaction with party "defectors" was initially funneled against the pet programs of certain highly visible Reagan supporters. For example, in October 1981 the House reduced peanut subsidies from the levels agreed to in the reconciliation measure. The majority's main purpose in taking this action was to punish Reagan budget advocate Stenholm (D-Tex.).

Still the most significant kinds of party action revolved around the efforts to reach a bipartisan compromise on the 1983 budget. As 1982 began, there was a widely shared perception among House Democrats that, despite the adoption of Gramm-Latta the previous year, the HBC report represented something reasonably close to a consensus position on budget issues for a majority of the party. Furthermore, the Democrats understood that a large number of Republicans, because of either reelection problems or the worsening economic situation, were willing to consider a tax increase or a deferral of the 1982 tax cut, a limitation on further social program reductions, and/or a reduction in the rate of defense spending growth. A variety of Democratic budget proposals were put forth, most of them in general accord with the emerging bipartisan understanding. Similarly, in the Senate the Hollings (D-S.C.) proposal received favorable comment from the Republican majority leadership.

Beginning in March, budget negotiations began in earnest between Democratic congressional leaders (e.g., Jones, Rostenkowski, Bolling, Hollings), Republican congressional leaders (e.g., Michel, Latta, Domenici, Dole), and high EOP officials (e.g., James Baker, Stockman). The outlines of a compromise were brought in late April to Reagan and Speaker O'Neill as the final parties to the agreement. Although this final negotiation narrowed the remaining differences, the compromise package was rejected by both men. Nevertheless, the activities of the "Gang of 17" were important as they reflected the Democrats' growing acceptance of the need for more centralized policy making on economic

issues. The attempted compromise also laid the substantive basis for the tax bill Congress passed the following August.⁸⁸

The administration followed the collapse of the spring budget compromise with another public offensive on the budget. Again they stressed that the Democrats had an eternal tendency to support archaic and wasteful programs. The Democrats, at this point, finally attempted to create an alternative discourse on budget issues, a discourse that focused for the need for fairness and equity in future budget and tax decisions.⁸⁹ Nonetheless, Reagan was still able to mobilize the conservative budget coalition in the House to pass another Republican substitute. However, the Democrats, after the adoption of the first fiscal 1983 budget resolution, continued to make slow progress toward greater unity in legislative action. By late 1982 the Democratic party, both in Congress and nationally, was approaching a consensus on how to respond to both long and short term economic problems. Further, there was substantial support in the House for the adoption of rules that would strengthen the Speaker's power over the conduct of business. The Democratic House caucus also seemed poised to oust some Reagan supporters from their seats on the Budget and other major committees (for example Phil Gramm).⁹⁰

There are few procedural changes in the operation of the budget process in 1982. This fact is in itself significant. Given the round of complaints that has followed each major innovation toward a more coordinated budgeting process, the continuation of major changes in practice is a sign of their growing institutionalization. Between 1933 and

1980, there was a nearly continuous increase in the effective influence of privatized coalitions of (mainly) economic interests, bureaucratic agencies, and congressional committees in the budget making process. This trend had accelerated since the early 1960s.⁹¹ Given the stability of this trend, in the absence of the level of change in the structure of political conflict typical of realignments, subgovernments, as a group, should have had the political strength to restore the old *modus operandi*. After all, the passage of the Budget Act in 1974 had no effect on the practice of budgetary logrolling.

Nevertheless, the reconciliation process in 1982 was essentially the same as in 1981. The only major change in the process was a provision in the 1982 first resolution to make it, including targeted cuts, binding if no second resolution was passed by the end of the current fiscal year. In reality this was merely a codification of how the process had been used the previous year. More significantly, the 1982 budget process witnessed the first time all the participants used a common baseline for making budgetary decisions.⁹² As a result a new and unexpected problem in the process is becoming apparent. In 1981 the Reconciliation Act required conformance to mandated savings. Since almost all the savings were accomplished through spending cuts enforcement was nearly automatic. In 1982 the process mandated about \$77 billion in savings, but only targeted about \$27.5 billion in specific cuts. Most of the savings were expected to be met through new tax revenue. While Congress did pass new tax legislation in 1982, the reconciliation

process did not contain strong mechanisms to insure that a tax measure would in fact be passed.⁹³

Finally, an examination of the changing political discourse on fiscal issues should attend to both complaints about the evolving process and proposals for the alteration of that process. In 1981-82 there were many complaints. Representative Silvio Conte (R-Mass.), the ranking minority member of House Appropriations, summarized the hostile feelings of many members toward the budget process when on the passage of the fiscal 1983 first resolution he said, "The best thing this Congress could do is repeal the Budget Act. . . . We're almost in molasses here."⁹⁴ Nonetheless, serious discussion of budget reform for the most part has involved proposals to strengthen Congress' ability to make cohesive policy. Some members have suggested a two year budget process; focusing on authorizations the first year, and appropriations the second. Other proposals seek to alter the schedule for different parts of the current one year process. For example, the Appropriations committees believe that reconciliation should be delayed until after a more lengthy consideration of spending bills. Yet in all this discourse there is at least grudging support for the concept of binding reconciliation and in most cases its application early in the legislative year.⁹⁵ Again this seems to be a function of the perceived need to respond to long term economic difficulties.

In summary, the 1980 election set in motion the forces that promoted the growing centralization of budgetary decisions; through the use of omnibus reconciliation bills, the de facto development of omnibus

appropriations (through the use of continuing spending resolutions), and the development of both executive and legislative practices aimed at more coordinated decision making. Concurrently the same forces encouraged the limitation of constituency based influence in budget making.

CHAPTER VI

ELECTIONS AND INSTITUTIONAL CHANGE

Elections and the Transformation of Political Debate

The preceding case studies describe changes in institutional rules and practices following important electoral events. An implication of the realignment literature is that such institutional changes are a political response to deep social or economic tensions. It is the election that both demonstrates and confirms the opportunity for a transformation in the structure of political conflict. The preceding case studies focus on the process of institutional change generally following electoral events. In this chapter I look more closely at how elections can serve to encourage institutional adaptations to social or economic tensions.

This examination focuses on the 1980 election and subsequent changes in the use of the 1974 Budget and Impoundment Control Act. One advantage of using this case study, instead of either New Deal period study, is the greater accessibility to more recent social discourse it presents. However, there is a more important advantage. Because there has not been a classic realignment since the 1930s, many political scientists are skeptical about the probability or even the possibility of realignment. If realignment is either nearly or completely impossible, the United States political system will lose its most important mechanism to facilitate changes in power relationships, major shifts in public

policy, and, as I have argued, major changes in institutional structure and process.¹ As William Schneider notes, "Something is clearly changing, but it seems to fall short of the popular notion of realignment."² A focus on the 1980 election allows consideration of this problem; that is, how elections can have a profound influence on political change even in the absence of a classic realignment.

Non-Realigning Elections and the Potential for Change

Historically, major changes in governmental action have been associated with what are called realigning or critical elections. The key indicators of these elections are major and durable shifts in voting patterns and in the interest group and constituency coalitions associated with the major political parties. While realignments do not always portend immediate major shifts in public policy (e.g., 1896), such shifts usually occur. In contrast, non-realigning elections occasionally result in major policy changes (e.g., 1980, 1964), but most often do not. Indeed many non-realigning elections exhibit shifts in patterns of political support that can have marginal but observable impacts on the policy process. Nonetheless, those electoral factors leading to more cohesive political action by public officials are normally stronger during realignments.

Understanding why realigning elections increase the likelihood of changes in governmental activity provides insights into why important policy and institutional changes follow only a few non-realigning elections. Realignment present a special and in some ways extreme case of

the dynamics of most if not all other national elections. The realignment provides an opportunity for change by seriously eroding prevailing patterns of conflict and unity. This occurs both on the macro level of voting and coalitional behavior, and the micro level of replacing some officials and creating political insecurity for others. The realignment also presents an opportunity for new patterns of political action. Again, this occurs both on the institutional and individual levels. New coalitions are tried out on the macro level. On the micro level individual officials seek new bases for obtaining or protecting their positions. To borrow Schattschneider's concept, realignments are moments of displacing and replacing the structure of political conflict. With this process of displacement, new possibilities for conflict and cooperation open up. Inevitably new issues arise and usually new policies result.³

Yet for Schattschneider and all other students of the realignment phenomenon, the realigning election is only one part of a larger social process. Realignments are a result of the failure of incremental action to result in the amelioration of important and persistent social and/or economic problems affecting American society. Political stability returns when a reconstituted political elite achieves a "successful" resolution of the underlying social or economic tension. Realignments are thus associated with many of the grand conflicts of United States history. For example the realignment of 1800 allowed a resolution to the tensions over the initial democratization of United States politics. Similarly the realignment of the 1930s permitted a settlement of the long debate over the need for an activist state. It is the explicit

politicization of such tensions that helps create the widespread agreement that there needs to be a major adjustment in national policy to resolve the social/economic crisis.

Realignments are "needed" because the usual operation of the political order is weighted against non-incremental governmental action. Indeed, it is this very difficulty that generates the impetus for political readjustment in the form of realignments. "It can be taken as a necessary consequence of the realities of incremental bargaining politics in the United States that they will tend to produce crises which will lead to non-incremental change."⁴ Clearly though, there have been some important changes in governmental activity without realignments. Not all of these changes can be related to electoral phenomena, but many can. For instance, the unexpected victory of Woodrow Wilson and Democratic congressional majorities in 1912 enabled the passage of new legislation increasing the federal role in the regulation of economic life (e.g., the Federal Reserve Act, the Clayton Anti-Trust Act). Similarly, the 1964 Johnson landslide temporarily broke the power of the Conservative Coalition to effectively block or emasculate most domestic legislation. As a result the government adopted new policies in areas such as civil rights, education, and social welfare. Policy innovation was possible in both these cases because the preceding election demonstrated the weakening, albeit temporary, of the strength of the pre-existing patterns of political conflict and unity. The 1980 election seems to fit this pattern, not a realignment, but an election that provided an

altered political elite with both opportunities and incentives to fashion a non-incremental response to serious economic problems.

The association, if not the causal relation, of elections to policy change is well established. The existence of a relationship between elections and changes in the political process is much less clear. Any particular form of political structure and process is likely to allow some range of potential policies to be adopted. Yet it is equally clear that institutional structure and process can constrain the range of probable policies. That is, structure and process can either encourage or discourage the adoption of particular kinds of policies as well as influence the ease or difficulty of adopting public policies in general.

If one accepts the view that institutional structure and process generally favor dominant interests and existing policies and that realignments usually create new political majorities seeking large changes in substantive policies, then it is logical to expect relatively large institutional changes following certain elections, particularly realignments. The Reagan administration came to office with policy goals significantly different from those of past administrations, including those of recent Republican presidents. Whether one conceives of these policies as a "new beginning" or as the trojan horse of a corporate dominated elite, the forms of institutional structure and process developed since the realignment of the 1930s represented a potential barrier to the fulfillment of many of the administration's policy goals. The general wisdom expressed in January 1981 was that the Reagan administration would be heavily constrained by the same patterns of political

fragmentation and constituency politics that constrained previous administrations.

Elections and Social Debates

There is another correspondence between realigning and at least some other elections that requires explication. The very dynamics of the realignment that produce policy or institutional change should be operative in some lesser sense in other elections as well. To understand how change results from any social event is necessarily complex. As a result observers seek to appropriately abstract or form metaphors of complex events and processes to create an intelligible understanding of the resulting social change. In the realignment literature the basic metaphor is the electorate's exercise of its latent sovereignty over the political process. Trilling and Campbell's summary of this view is typical:

The essential element--citizen control of government--exists only in a potential form most of the time. Realignment translates this control into kinetic form, and it is the fact that control can occur that makes the system democratic.⁵

Of course no political scientist believes that policy or institutional change occurs directly and automatically from the election itself. An important idea presented in the realignment literature is that of elite responsiveness to the message of the new electoral majority. It is the political elite that actually initiates and implements change.⁶ Still, this political elite, consciously or not, is presumed to be acting in behalf of an emergent electoral majority. By implication, the lesser shifts in governmental action that occur without realignment can be

understood through the same metaphor of popular sovereignty, although the exercise of that sovereignty would be constrained by the structure of political conflict produced after the last realignment.

Thus discussions of the relation of elections to political change primarily focus on the actions of the electorate, though it is well understood that the meaning of the actions of the electorate, even in critical elections, is far from crystal clear. The metaphor of popular sovereignty can obscure as much as it illuminates. A better understanding would conceptualize the exercise of popular sovereignty as only one element in the process of political change. An election, even a re-aligning election, may or may not have a major effect on later policy and institutional changes. Thus a more appropriate understanding starts from the position that elections can have variable impacts upon subsequent change, rather than having to overcome the potentially false assumption of popular sovereignty.

It is more useful to view the social and political process of re-alignment as a continual form of debate.⁷ By debate I am not implying a structured interaction between conscious and opposing social actors. This may be the case in some circumstances, but should not be assumed to always be the case. Indeed, to the extent that political life is necessarily organized around certain conflicts and constituencies, some social and political debates must necessarily be carried on indirectly. Rather, this concept of debate is based upon Alain Touraine's definition of the term, the publicly observable expression of the tensions among elements of a social order. Such tensions are always present to some

degree, but these tensions do not always result in explicit conflicts that can be dealt with by governmental institutions.⁸ Within any electoral alignment political elites will avoid dealing as long as possible with those conflicts that threaten to seriously disrupt the prevailing configuration of political power.

United States national elections have a potentially meaningful role in social debates because elections allow the possibility of a highly public form of debate, both in terms of wide public knowledge and participation in that debate. Necessarily, elections are a highly structured form of public debate. Elections are structured in ways that can obscure the meaning of most participants' actions. Realignment can be thought of as representing debates that are less obscure. If the literature is correct, critical elections occur under conditions of a widely understood context of social or economic crisis. The social or economic crisis is said to produce a time of political examination, debate, and finally politicization. It is this gradual political reeducation and polarization that makes it intelligible to say that citizens are making or ratifying choices in a rational manner during the realignment period. To a lesser extent this process can go on at an individual, group, or regional basis in other elections.

The metaphor of debate, besides not overemphasizing the role of popular sovereignty, increases one's ability to think about the impact of elections on subsequent political change. This is especially true in the case of institutional change. Granted the relationship between elections and policy innovations is difficult enough to trace. However,

if there is in fact widespread open debate before realignments and some other elections, one can reasonably infer a relationship between election results, through elite mediation, and later governmental decisions. As a case in point, many of the general policy directions of Franklin Roosevelt's first administration could be predicted given the preceding half century of debate over the need and desirability of a positive state. Roosevelt was clearly perceived as a supporter of an activist federal government, especially in the context of the Great Depression.⁹ Obviously, it would be more difficult to infer public support for specific programs, e.g., the NIRA or the Social Security Act. Most difficult is the attempt to infer voter demands for institutional change per se. Perhaps if one knew the public wanted the NIRA or Social Security, one could then say that this implied support for those institutional changes necessary to implement the programs. However this leap of logic can be enormous. How then can one say that voters who understood that they were mandating a more activist government "wanted" institutions, such as the Executive Office of the President, to be established to provide a coordinating center for that activism?

Debates and Institutional Change

Given a set of changes in institutional structures and processes following an electoral event, how does one separate those changes resulting from the election from those unrelated to it? It is here that conceptualizing realigning and other elections as elements in an ongoing social debate will prove most fruitful. Realignment happens in the context of a widely recognized social or economic crisis. Yet it is known

that often a crisis must proceed for many years before a realignment takes place. This is understandable in that political elites and many political constituencies have a stake in preserving existing patterns of power, conflict, and policy. Ideas about how politics work, what are legitimate issues, etc., are by this time widely shared and understood. These ideas in turn reinforce the more external social and institutional relationships of the era. Thus most political actors (and perhaps non-actors) work from the assumption that the political future will be much like the present. It is hardly surprising then that many observers expected the Reagan Administration would find it difficult to implement its budgetary priorities.

Yet the realignment literature points out that there is another necessary condition underlying a critical election. There needs to be a period of intense politicization before realignment is completed. Given that the political language along with the institutional and electoral processes of any electoral era makes it more difficult to define new issues, constituencies, and so forth; in the period before realignment, during realignment itself, and often after it, emerging political actors and elites must struggle with the development of a new form of political language. Without a different way of talking about political and social life, it will be impossible to conceive of new responses to the social or economic crisis or to mobilize the political support needed to put those responses into effect.¹⁰ This element of politicization can take a long time (e.g., preceding the 1896 realignment) or can appear to be very rapid (e.g., the 1930s). Even in the case of rapid politicization,

the process of retooling political language takes a long time. The discourse of the New Deal had roots going back to the start of the 20th century.

The creation of new political language is not a straightforward endeavor. The new language must be flexible enough to encompass new issues, constituencies, and policy responses without being unintelligible or too radical to those citizens it is directed at. Any new terminology of political debate is constrained by the near universal acceptance of the liberal individualist world view in American society and at least initially by the specific form of those ideas emphasized in the current form of discourse. It is also constrained by the operation of political institutions that are structured by existing patterns of political conflict. Further, as the potential realignment approaches, the language must be adopted and developed by professional politicians, most of whom are initially committed to the old electoral system. As social or economic crises develop and become the central concern within the political system, increasing numbers of politicians begin to develop an interest in the new issues, constituencies, and politics encapsulated by the new political terminology. At the very least this happens because the political environment becomes increasingly unpredictable, indeed threatening. However this adjustment is a difficult one given political actors' fears of losing existing support. Similarly, new political actors find, because of this instability, an opportunity to mobilize political support in ways that were impossible before.

This modified political language has a number of functions. However, the two most important are to provide an understanding of the dynamics of the social or economic crisis and to suggest how policy makers should attempt to deal with the crisis. Given this, one can ask whether a government action taken after an election is more intelligible within the new terms of political debate than the old. If this criterion can be met, then one can reasonably infer that the governmental action is a response in the ongoing socio-political debate represented by the realignment. That is, one can infer what I call an organic relationship between the occurrence of the election and the subsequent governmental action. It is not necessary to prove that the election was a causal event, i.e., that the electorate exercised the power of popular sovereignty. In any case this would usually prove to be a vain undertaking. Rather, the inference must be supported by two kinds of additional evidence beyond the intelligibility of the change within new political understandings. First, one must show that the election resulted in the selection of officials and/or the mobilization of constituencies sympathetic to the new policies or institutional arrangements. Second, one must show that such actions are a tangible response to some aspect of the underlying crisis.

Both substantive policies and institutional change can be described as having an organic relation to realignments. For instance, in the New Deal period a measure like the NIRA could be understood as having an organic connection to electoral events because the policy was intelligible within a framework that held unregulated industrial

competition as both a cause of the Depression and as a barrier to economic recovery. In the same vein one can talk about an institutional development such as the establishment of the Executive Office of the President having an organic relationship to the 1930s realignment. That is, the realignment set into motion the forces that would produce a larger and more activist state, and with it the need to promote greater governmental coordination. It is useful to look at the Reagan administration's departures in policy and practice in a similar light. Even if the 1980 election did not constitute a realignment in any sense, one can still ask whether there was an organic relationship between the election and the administration's actions, especially in the area of budgetary policies.

The 1980 Election and the Transformation of Debate

Stagflation and the New Political Debate

Most analyses of the 1980 election focus on the defeat of Jimmy Carter rather than the victory of Ronald Reagan. Dissatisfaction with the Carter administration stemmed from the widespread perception that it was incapable of effectively dealing with the nation's problems. There seemed to be two points of concern. The first was the state of the United States economy. High inflation and interest rates generally help the electoral chances of Republican candidates. Perhaps most important was the fact that for once the rise in the inflation rate occurred at the same time as a general and substantial decline in real income in the eighteen months prior to the election. Although real disposable per

capita income was higher in November 1980 than in November 1976, in the period of the first quarter of 1979 through the third quarter of 1980 per capita income dropped from \$4,536 to \$4,447 (in 1972 dollars). During the same period the unemployment rate increased 31 percent (from 5.7 percent to 7.6 percent) and there was over a 1.5 percent decline in the GNP.¹¹ Individuals who perceived a decline in their economic position were only half as likely to vote for President Carter as those persons who felt their economic situation had improved in 1979-80 (25 percent versus 53 percent). This pattern was also evident among those components of the electorate who traditionally support Democratic presidential candidates.¹² A second area of concern was the perception of the diminished power and respect of the United States in the world. This concern was focused by the Iranian hostage situation, especially by the series of administration failures during the election year to rescue or negotiate the release of the Americans being held prisoner.¹³ While both these concerns were in a certain sense temporary and there is no evidence that the electorate perceived a connection between the economic and national security issues, both of these concerns are facets of a deeper long term socioeconomic crisis.

The last realignment, that of the 1930s, was signaled by the massive shift of votes to Franklin Roosevelt among almost all groups in the electorate, what is called an electoral surge. A similar dynamic is apparent in the 1980 results. Most voting shifts in 1980 were quite large and were almost all in the same direction. Even when the shift was small, as in the widely publicized case of the female vote, Reagan

still ran a bit better against Carter than Ford did in 1976.¹⁴ However, the ideological breakdown of the vote for major party candidates was virtually the same as in 1976, implying no major shift in the underlying structure of political conflict.¹⁵ Yet this may be misleading, for an electoral surge, as in 1932, may provide an opportunity for more permanent electoral and coalitional change. Indicative of this possibility were the results of a New York Times exit poll. While only 11 percent of those who said they voted for Reagan said they did so because Reagan was a conservative, about 40 percent of the Reagan voters stressed the need for significant changes in the direction of government action as the main reason for their votes.¹⁶

A parallel theme is found in the results of the 1980 congressional elections. The Republican gains in the Senate, which resulted in that party's control of the body for the first time in a generation, are well enough known to require no further comment. There were also significant changes in the partisan composition of the House of Representatives. The loss of 28 Democratic seats reduced that party's net majority from 117 to 51 seats, making it easier to reenergize the traditional coalition between conservative Democrats and Republicans. As in the Senate, the most prominent losers were liberals. Some of these defeated incumbents held leadership positions; for example, Brademas (D-Ind.), the majority whip, and Ullman (D-Ore.), the chairman of the Ways and Means Committee. Indeed, in the context of the House of Representatives, 1980 proved to be the worst election for incumbents in two decades, excepting the post Watergate election of 1974.¹⁷ At least temporarily, House

members seemed to be facing a reduction in the incumbency advantage, similar, if less in impact, to that affecting senators since the late 1960s. The first inference to be made in the context of a strong victory by the presidential candidate of the minority party is that there has been a coattail effect. Objectively, there is no clear evidence that the Reagan vote per se was the decisive factor in Republican congressional gains.¹⁸ Nonetheless, the perception of coattails, or indeed of generalized public support, is a significant resource for presidents in building legislative coalitions.

It isn't surprising that President Reagan and the Republican congressional delegation claimed an electoral mandate. What was unusual about the 97th Congress was that many Democratic members conceded that the mandate the Republicans claimed was a real one. By early March 1981, the Democratic leaders in the House announced that they would act on the Reagan budget and tax proposals before the end of July. It was reported that the House leadership feared that the Republicans would effectively charge that the Democrats were blunting the will of the voters if the House did not pass measures that reduced spending and taxes.¹⁹ House Budget Committee chairman Jim Jones made the same point more explicitly earlier in the session, "If we are perceived as going back to fiscal chaos, there isn't a Democrat or Republican who would be safe in the next election."²⁰

In 1982 it was well nigh impossible to find Democrats referring to a presidential mandate because it was an election year. However the attempts of House Democrats to reach a budget compromise with the

administration (i.e., the episode of the "Gang of 17") suggests that the Democrats still felt strong pressure to pass a unified tax and budget program. As late as June of that year, majority leader Wright told House Democrats that he preferred the passage of even the Reagan backed Latta budget to that reported by the House Budget Committee if that turned out to be the only way the House could pass a first Budget Resolution in reasonable time.²¹ Representative Hefner (D-N.C.) summarized this acceptance of an implicit mandate to produce a unified budget package when he noted that "I am going to hold my nose a little and vote for Jones. . . . I'll hold my nose a lot if it fails and vote for Latta, simply because we have to have a budget."²² Perhaps the best indicator of Democratic acceptance of Reagan's budget priorities is the fact that both budget resolutions reported out of the House Budget Committee in the 97th Congress, and even most of the alternatives presented by other Democratic members, subscribed to the basic Reagan position in terms of both expenditure control and resource shifts toward defense spending.

In fact the Democratic congressional delegation had already moved somewhat in this direction during the 96th Congress when the party had substantial majorities in both the House and Senate. The 1980 session witnessed the first real use of the reconciliation procedure authorized in the 1974 Budget and Impoundment Control Act. The Democratic leadership both on the Hill and at the White House, apparently worried about the electoral impact of Republican charges of promoting inflation through deficit spending, decided to try the reconciliation procedure. Although action on the reconciliation measure was not completed until

after the election, Congress achieved 8.3 of the 10.6 billion dollars in savings "directed" in the Budget Resolution passed the previous June.²³ This suggests that the forces supporting the Reagan administration's 1981-82 initiatives were already influential before the 1980 election. The use of reconciliation also suggests that significant changes in the practice of the budget process were underway when Reagan entered office. Nevertheless, the political uncertainty that encouraged the use of reconciliation in 1980 grew geometrically with the November election. Further, a new leadership emerged in both the executive branch and the Senate with a somewhat different understanding of how the political process should and could work.

In a certain sense the 1980 Republican victory was not surprising. Poor economic performance during the administration of a majority party president is by itself sufficient reason to expect a deviating election to occur. Yet the degree of change following the 1980 election has been far greater than that normally expected when an incumbent is removed for apparent ineffectiveness. While it is true that Ronald Reagan is probably the most explicitly ideological president in this century and that many of the newly elected senators are of the same mold, these facts would have been of small account except that the economic difficulties of the late 1970s were generally perceived somewhat differently than the earlier recessions and inflationary periods of the post 1945 period.

Not only were past unemployment and inflation statistics less severe than more recent ones, such conditions were once viewed as temporary aberrations in an otherwise prosperous and growing economy.

Increasingly, economic difficulties in the United States are viewed as deep and persistent, a direct consequence of most individuals' and institutions' experience since the late 1960s. Some of these difficulties appear in retrospect to have been inevitable, a result of the relative decline of American political and economic power stemming from the gradual post-war recovery of other industrial economies. Yet this decline should only have been relative; it should not have resulted in the long term stagnation of the United States economy. Another disturbing factor has been the attendant social and cultural malaise that many Americans, though disagreeing on its nature and causes, seem to perceive. Finally, it is increasingly clear that there are some major problems facing the entire world industrial economy, irrespective of any nation's political or economic system. It appears that the great age of rapid economic growth that followed the Second World War has finally come to an end. Thus, the United States faces precisely the type of deep and prolonged difficulties that can disrupt old structures of political power.

Though there is still little agreement on the root causes of the United States, let alone the world, socioeconomic crisis, there is the beginning of a consensus on the relationship between the government and the economic system in the United States and its effect in causing or exacerbating economic stagnation. It is not that most observers share the same analysis of these relationships, but that something of a common language is developing among experts of different intellectual and political perspectives.

The heart of this approach is that an understanding of current economic conditions cannot proceed simply from abstractions of economic behavior derived from the assumptions of a competitive human nature and of marginal choice rationality. Instead, one must begin with an understanding of group, institutional, and/or class behavior.²⁴ A number of economists closely associated with the Reagan administration or the corporate establishment, such as the Friedmans and Alan Greenspan, focus on the economic consequences that follow the long term efforts of organized groups to obtain government power and resources in contravention to the "true public interest" in a free market. In their view what is needed is a retrenchment of state power and programs that directly or indirectly impede the ability of private firms to operate or invest profitably.²⁵ A similar analysis, though one more supportive of state action in support of non-business groups, has been developed by a number of social scientists, for example McConnell, Lowi, and Thurow.²⁶ Finally, a similar language has been adopted, though from a perspective more critical of capitalism, by figures such as O'Connor, Lindblom, and Gough.²⁷ I will use this third approach because it best captures the state's role in providing the necessary infrastructure for economic activity. In any case, all three approaches present a common frame of reference that has become increasingly familiar to political actors over the past decade. This framework will be used to delineate the organic relationship of recent changes in the United States budget process to the political tension growing out of economic stagnation.

James O'Connor in The Fiscal Crisis of the State and Charles E. Lindblom in Politics and Economics introduce concepts that facilitate understanding the actions of the Reagan administration in altering the practice of the budget process. In brief, both authors see government and private business locked into a permanent relationship requiring co-operation but full of potential for significant if limited conflict. Governments in capitalist societies are basically tax states. They cannot directly generate most of the resources they need to operate without changing their basic character. They must get resources by taxing directly or indirectly the operations of the private sector. More bluntly, the state is heavily dependent on the largely independent decisions of business to produce and invest.²⁸

Given that economic units can in some degree choose whether, what, and how much to produce, these units will attempt to induce governments to undertake policies that will maintain or increase their profitability and/or that of the private sector generally. Indeed, private enterprises must receive a minimal level of state support to operate (e.g., the establishment and protection of property rights, enforcement of contracts, etc.). Of course many firms may need or want higher levels of support. Capital, individually and collectively, has significant capacities to encourage favorable government action, including the crucial power to withhold investment and production. This potential power is rarely used, but is so great, that under almost all circumstances governments need to reach some accommodation with capital. This is the

essence of one major function of the activities performed by capitalist governments. O'Connor calls this function "accumulation."²⁹

Social control is intrinsic to the idea of government. While under many circumstances people engage in self-control, there is always some probability that some persons will oppose the will of the government or of other important institutions. The inevitable inequalities produced in capitalist societies create a permanent reason to expect occasional lapses in social order. Serious breakdowns in social order, besides threatening the government's capacity to enforce its policies, also threatens the stability needed by most businesses to operate profitably. The control and prevention of these lapses, whether through incentives, penalties, or manipulation, constitutes what O'Connor calls the second basic function of capitalist government, that is "legitimation."³⁰

O'Connor, and by implication Lindblom, make three critical points about the relationship between the functions of accumulation and legitimation. First, both must be performed to some degree in any capitalist society. Without social order accumulation is difficult. Similarly, failure to promote profitability results in economic problems which are often reflected in social disorder. In liberal democratic systems, like the United States, the pressure to perform the legitimation function is usually greater because other interests besides capital are legitimate competitors in political life, if often at disadvantageous terms. Second, the performance of the two functions can be mutually contradictory. To do more in the area of accumulation means, at least in the

short run, having fewer resources to perform the legitimation function (and vice versa). Further, the determination of an acceptable balance is not a simply technical problem. Any possible balance has social and political effects and is therefore subject to being contested. Finally, the evolution of capitalism into its corporate and increasingly international form has had the dual effect of increasing the minimum levels at which the functions of accumulation and legitimation must be performed and thereby, because of limited resources, decreasing the probability that an economically and politically acceptable equilibrium can be found.³¹ It is this heightened level of need and contradiction which is the heart of what O'Connor calls the fiscal crisis.

The Limits on Debate

This crisis is exacerbated in the case of the United States by certain long and medium term institutional, ideological, and structural features of the society. Long term features refer to aspects of political and social life that have been present through most of the history of American society. These features should not be thought of as constants, but as persistent themes that are manifested in different forms of practice, structure, and belief over time. Medium term features are those specific to a particular political/economic era.

The three most salient long term features of the American polity are (1) the extreme fragmentation of formal governmental authority, (2) the hegemony of liberal-individualist beliefs, and (3) the continuous existence of a capitalist economic and social system. Without asking which, if any, of these features is most important to the origin of

the others, it should be clear that historically each has been reinforcing of the others. The first theme, fragmentation of formal authority, has been expressed in a directly institutional fashion. The implications of concepts such as "separation of powers," "checks and balances," and "federalism" are widely understood. Simply, institutional powerholders can rarely act (legitimately) without securing cooperation from others. Conversely, most institutional powerholders are in a strong position to block or delay policymaking and implementation. This extreme fragmentation was created to respond to a particular set of political concerns. Briefly, the aim of the "framers" was to create a stronger central government without seriously endangering their liberty and property. Part of their solution to this problem was to tolerate widespread rights of political participation but to make it difficult for majorities to mobilize and to translate their preferences into government action. The expression of this solution was the institutionalization of the principle of extreme fragmentation of formal authority.

However, from the point of view of reformers and increasingly of dominant interests, it is necessary to find ways to overcome this fragmentation to gain effective control of governmental activity. In particular, as capitalist societies have become more complex and interdependent, and as a result less self-regulating, the need for positive government action has increased.³² So too has the need to bridge legal fragmentation, whether by public majorities or private minorities.

Many observers have commented on the limited range of political ideas in the United States in comparison to other liberal democracies.

Virtually all powerholders in the United States, whatever they call themselves--liberals, moderates or conservatives--subscribe to the general political perspective called liberalism. Even most insurgent movements have largely phrased their aspirations and demands within the framework of liberal ideology in this broader sense. This phenomenon is not of recent origin. It dates back to the earliest days of the society. Whatever the reasons for this historical persistence of liberal beliefs,³³ the key to liberalism's current dominance is its nearly complete translation into social practice, not merely the lack of competing ideological traditions.³⁴ In turn, the key to the impact of liberalism on American political life is that framework's limitation on definitions of the realm of the political and on the forms of appropriate political activity and governmental response. For example, the difficulty of defending any substantive notion of public interest within the terms of liberalism has encouraged the definition of issues and policy responses in terms of individual and narrow group interests. Because political institutions are organized in ways compatible with liberalism, such political definitions and responses make good sense within the limits of the system. In turn, the winners in this political quasi-market now have incentives to maintain and expand political institutions and processes, formal and informal, that overcome fragmentation in ways favorable to the goals of relatively narrow and privatized interests.

The final theme is that of capitalism itself. Certainly the agrarian and commercial capitalism of the nation's first century is not directly comparable to the concentrated industrial and financial

capitalism of the 20th century. Still, certain important similarities remain; the protection of property, the bundle of use rights attached to property, the profit motive, the generation of inequality out of the social relations of production, etc.³⁵ Also, capital, although rarely acting as an organized class, has had two very important points of contact with political life. It has controlled a high proportion of available social resources that can be used to gain and maintain political power. Capital also makes crucial social decisions (e.g., investment, technological development, income distribution, etc.) in a relatively autonomous fashion. As capital has become increasingly centralized, especially in finance and critical areas of production, its power has increased. Due to the increasing complexity and interdependence of United States society, this increased ability to mobilize power occurs in a context of an ever larger need by advanced capital for higher levels of governmental support. As a result there are ever greater incentives to convert plentiful resources into effective power.³⁶

However, capital exists as individual firms or as economic sectors as well as a "class." Firms certainly have an interest in the protection and profitability of capital as a whole; but they also have a very immediate interest in their own profitability. Particularly, in a culture that stresses the legitimacy of self interested behavior, firms find it more prudent, under most conditions, to pay more attention to their own or their industry's needs than those of their class. A highly fragmented political system provides an additional incentive for this kind of behavior.³⁷ Yet, if such interest group activity in

aggregate is widely perceived to endanger the profitability of capital in general, then incentives for "class action" would be greater, despite the barriers raised by extensive governmental fragmentation.³⁸

While these three themes of fragmentation, liberalism, and capitalism have been continuously present, their manifestations change over time. One can specify historical periods in which the operation of the political process has been noticeably different than in the preceding and succeeding periods. These periods are of course the spans of time roughly corresponding to periods of party alignment. If the Reagan administration, as Burnham claims, is attempting to implement the scale of policy and institutional change usually associated with realignments,³⁹ it is then useful to focus on the nature and perceived shortcomings of the forms of governance the administration is seeking to replace. The last realigning period, that is universally recognized as such, was that of the New Deal. Like all such periods, the New Deal brought changes in how powerholders sought to overcome institutional fragmentation, as well as changes in electoral coalitions, issue agendas, and policy responses. It is not only important to note that the New Deal resulted in an increased role for government in economic and social life, or that it did it in a way compatible with the interests of large scale capital; but that the New Deal gradually produced a distinctive form of institutional action.

1930s Realignment and 1970s Governance

Perhaps the most distinctive and important form of institutional action that evolved during this period is that of tripartite bargaining.⁴⁰ This phenomenon is well known but does not always receive the attention it deserves as an important and common form of political practice in the United States. There are other names for this sort of relationship; e.g., subgovernments, clienteleism, and iron or cozy triangles. It is this last name which provides the simplest but essential institutional description of tripartite bargaining. In brief, the "triangle" is a largely self contained political unit involving relevant members of the executive and legislative branches and representatives of organized interests. These triangular coalitions seek to make government policy in a narrow subject area of mutual interest to the members. As might be expected, the unit's basic aim is to make policy which favors the interests of its members. The triangular coalition holds together because members are better able to provide each other with desired policy and political support than outsiders. These triangles are normally well insulated from external interests and pressures. While part of the triangle's autonomy comes from the lack of resources or immediate interest of potential competitors, part comes from the common frame of reference that gradually develops among triangle participants. Alternative views of the nature of problems or the range of appropriate policy in a given subject area have a difficult time becoming legitimate in the eyes of triangle members.

My concern here is not with individual patterns of tripartite bargaining, but with an overall system of many such units; that is, with a government where policy making is to a large extent segmented and distributed to largely autonomous quasi-private units. Clearly, this form of policy making increases the total fragmentation of the policy making process. However, for their members, patterns of tripartite bargaining serve as a way to reduce the effects of fragmentation in the very area of most concern to participants by privatizing both conflict and decision making to themselves. Notice that these arrangements overcome both the formal separation between the executive and the legislative branches of government and the public and private spheres. To understand the persistence of this form of political organization, one must look into the basic relationship among the different units of tripartite bargaining, a relationship which is more often cooperative than conflict laden. The best place to examine this relationship is in Congress, especially in the appropriations process.

It is well known that the most important source of direction and power in Congress has been its system of standing committees. Other sources of power such as party leadership or the President have been for the most part less important. Much of the weakness of other power centers can be traced back to the fragmentation of power discussed earlier. However, congressional committees are themselves a source of fragmentation as they are largely independent of each other. At least until 1981, it seemed that any form of coordination must begin with the recognition of a high degree of committee and sometimes subcommittee

autonomy. Given that no committee contains more than a small fraction of the total membership, how can Congress act?

The major operative principle of cooperation between individuals and/or committees is logrolling. Quite simply logrolling is an agreement, open or tacit, to cooperate with a particular member or committee in return for later cooperation on some matter of importance to the second party. As most (though clearly not all) issues are of only secondary importance to most members, this process allows a substantial amount of business to take place. For the most part the average member, particularly in the House, is irrelevant to what gets serious consideration in Congress. Committees and their key members are by far the more important actors. Thus committees and their members can often secure passage of what they want by aiding other committees and their members in obtaining their goals. Put more broadly, a triangular alliance rooted in one committee can often get what it wants at the price of conceding to other alliances control of other areas of government policy making.

Therefore, logrolling is a form of bargaining, but of a most unusual sort. It is not bargaining over the substance of an issue. It is an agreement not to interfere in each bargainer's respective "business." To the extent that the constituencies engaged in triangular alliances are necessarily those with significant resources and power, this system of mutual accommodation serves to maintain the existing distribution of power, resources, benefits, and burdens. In practice this means that capital is well represented in this system. Groups unable to form

triangles for either material or ideological reasons have found that even when congressional committees have been sympathetic to their concerns that those committees were generally unable to engage in effective logrolling.⁴¹

While patterns of mutual non-interference occur in both the authorization and appropriation processes in Congress, the appropriation process is the more appropriate place to demonstrate the implications of the material presented about the relation between the state and large scale capital. After all, government policies, whether directed at promoting accumulation or legitimation, require the spending of money.⁴² Clearly appropriation by logrolling can get to be a very expensive proposition to the extent decisions are made by the principle of mutual non-interference. Most triangular alliances will get most of what they want most of the time. This system may be fiscally tolerable for participants and even many non-participants under some conditions. Indeed, if there are slack resources new participants can easily be added to the system. In situations where resources are equal to or exceed organized demands there will be no fiscal crisis per se. The system also works better when issues are largely independent of each other and can be dealt with through small adjustments in the status quo. Although such conditions have never really existed, something approaching them was widely perceived to exist in the United States for much of the post World War II period.

However, since about 1970 the United States has faced increasingly severe and intractable economic difficulties. In addition, since the

1960s the number of claimants for government expenditures has increased, especially in the area of legitimation.⁴³ Further, the serious economic, energy, and environmental problems associated with advanced industrialization have demonstrated the futility of ameliorating such intertwined concerns through incremental action. In O'Connor's terms, there has been a massive and in large part necessary increase in demands for both accumulation and legitimation at exactly the time the political system's ability to respond has been severely reduced. This crisis provides an impetus for the gradual reversal of the political dynamic which supports segmented policy making. To be more specific, the fiscal and economic crisis has provided an impetus toward greater coordination of policy and expenditure at the expense of the autonomy of units of tripartite bargaining.

In the preceding material I have discussed some of the reasons that the patterns of governance developed in the post 1932 period have proved incapable of dealing with current economic problems, especially the gap between public resources and effective public demands. Under these conditions it is not surprising that decision makers have begun to look for new institutional patterns and procedures which speak to current problems and yet are reasonably compatible with the existing social and political structure and culture of the United States. Still, these new forms of institutional action must be able to neutralize the impact of subgovernmental politics to have any capacity to promote a more economically and politically acceptable resolution to the tension between the accumulation and legitimation functions of the state. While

this and the preceding chapter focus on Reagan's efforts in this direction, I believe that serious attempts at adjustment began in the first Nixon administration. Before discussing the aborted developments that took place in the decade before Reagan came to office, I want to briefly discuss why members of economic and political elites in the Great Depression and in subsequent years found government by tripartite bargaining so attractive, that is beyond the prospect for material gain.

Given that the development of capitalism in this century required greater levels of government support, it became important to develop institutional forms that would respond to this need without seriously disrupting existing patterns of economic power. While it is possible that there were other basic solutions than those embodied in the New Deal, tripartite bargaining satisfied two essential conditions reasonably well. Not only was tripartite bargaining compatible with corporate capitalism, but it gave organized sectors of capital a particularly felicitous way to translate their resources directly into political power. Secondly, governance through tripartite bargaining was ideologically defensible in that it was decentralized and allowed the most directly involved interests to participate in, and often control, policy making. Thus, it provided a way to defend against charges of statism and socialism.⁴⁴ Needless to say, any foreseeable solution to United States economic/political difficulties must be seen as compatible with American traditions of decentralization, liberalism, and capitalism. Reagan and most members of his administration are particularly bound to these

traditions and to political support from business, particularly the corporate sector.

The Opportunity for Change

As the costs, electoral, economic, and otherwise, of the post New Deal pattern of governance grow, so too do the incentives for a greater degree of coordination and explicit priority setting. On the micro level this may be seen as arising from the more or less rational calculations of political actors and interests. To the extent such actors come to judge that the injuries they individually suffer from the deterioration of the general social and economic environment outweigh the specific benefits they obtain from government action, they will be increasingly willing to consider trading those specific benefits for more coherent public policies. In short this would mean less support for the subgovernmental politics so typical of the post 1932 political era. While many Americans have always been dubious about the value of government expenditures serving constituencies to which they do not belong, until recently these attitudes could only occasionally be mobilized into political action, and only then against the interests of the weak or unorganized. At present there seems to be a widespread perception of an "overload" of the political process and upon public resources, thus of a greater need to explicitly choose among priorities. Of course there is only limited agreement on which government purposes should have priority. Thus, while there may be increasing structural pressures for some degree of governmental retrenchment, the form of this

retrenchment depends greatly upon the nature of the interests, if any, that hold effective political power.

At present any political coalition must act within an institutional environment that will remain legally fragmented. It is also reasonable to expect the ideological environment will remain essentially liberal. Therefore, in the short run, the possible institutional bases for greater programmatic and budgetary coordination and control are quite limited. Indeed there are only two likely candidates. The first of these is the use of political parties to achieve cooperative activity among formally independent officials. The second means is the one that has traditionally been the most centralizing element of the government structure and the electoral system, the Presidency.

Most observers see American political parties as poor candidates for effecting greater governmental control and coordination. At best parties seem to be a form of holding action, i.e., they keep the system from fragmenting more. It is well known that United States political parties have developed in a way that reflects the fragmented environment in which they operate. Factors such as the institutional arrangement of elections, state regulation of political parties, and the formal fragmentation of governmental authority itself severely mitigate the possibility of "responsible" parties along European lines. Through most of the twentieth century the trend has been in the opposite direction, toward greater disaggregation, as other social institutions increasingly share in the functions once largely performed by parties alone. Despite certain centralizing moves in recent years by the Republican party in

the areas of campaign advertising and fund raising, political parties by themselves can do little to promote cohesive action by their members. In particular, this is true of congressional parties where both institutional organization and members' normative ideas work strongly against most forms of party discipline. To the extent that parties can be effective agencies of policy coordination, it will be in large part because of presidential action to promote that effectiveness.

The Presidency, the second obvious source of coordinative potential, is the one more likely to be the institutional heart of such efforts. Several observers have noted the increasing responsibility placed on the executive by both economic elites and the general public for developing and coordinating aggregate economic policy.⁴⁵ This historical tendency has again been demonstrated by events in the first two years of the Reagan administration. In any case, the evolution of the office, at least since the 1890s, has been in this direction. Of course the Presidency refers to an institutional apparatus as well as to the individual who formally holds the office. Occupants of the office acquire a number of resources that can aid in any coordinative efforts. The President is the only significant official elected on a national basis, the nominal leader of a political party, the nominal head of a vast national bureaucracy, etc. Nonetheless, the chief immediate resource a President has to attempt coordination of policy and expenditure is his actual control of that part of the bureaucracy most involved in preparing the federal budget proposal, that is, the Executive Office of

the President, especially the White House staff and the Office of Management and Budget.

While the budget passed by Congress is certainly not identical to the one submitted by the President and OMB, the reality is that Congress does not have the political cohesion to do more than amend the presidential proposal.⁴⁶ Not surprisingly, interests organized into units of tripartite bargaining were usually able to skew the budget in their favor. When congressional committees, executive branch agencies, and interest groups acted in concert they usually held the upper hand. The point of the 1980 election was that this situation was changed. While the election results could be viewed as an immediate cause of change in policy and institutional practice, it is of course the growing disjunction between particularistic patterns of action and benefit that is at the root of the matter. Any president elected in 1980, or thereafter for the foreseeable future, will need to respond (if perhaps in some cases by non-action) to the tensions created by the relative decline of the United States economy and the gradual exacerbation of the fiscal crisis.

In a certain sense these problems are old ones. In the twentieth century claims for government resources have been continuously greater than available resources. All presidents from Franklin Roosevelt onward have attempted to use budget preparation to coordinate policy to some degree. For the most part their efforts were neither extensive nor particularly effective. It was President Nixon who made the first

substantial efforts to gain effective presidential control of the federal budget.

It was no coincidence that the Nixon efforts to control government expenditures occurred at the time when intractable economic problems arose for the first time since the Great Depression. While there were frequent changes in the Nixon administration's substantive economic policies, and Nixon was willing to incur huge deficits for electoral purposes, in terms of its procedural initiatives the administration was highly consistent. Their principal method of increasing policy coordination was to increase their control over budgetary matters. The Nixon approach, which was to come to full flower after the 1972 election, had three main elements: (1) increased formal and informal guidance of agency decision making by the White House or by super councils headed by a senior White House official or a politically loyal Cabinet member, (2) an increased role for OMB in the evaluation of agency requests and in the actual disbursement of money to the agencies based upon political rather than technical criteria, and (3) unprecedented use of executive "powers" of impoundment and transfer. The bulk of evidence supports the view that the Nixon administration was achieving an unheard of degree of central control.⁴⁷ However, the Watergate scandal and the subsequent weakening of the administration returned the situation to the pre-Nixonian status quo. Not only were the Ford and Carter administrations forced to retrench in this area, but Congress passed the 1974 Budget Act to limit the use of impoundment and to at least formally strengthen its role in the budgetary process.

The Reagan administration also has attempted to obtain greater budgetary control and coordination through the Presidency. Indeed, in the simplistic sense of having Congress abide by the administration's basic priorities, the Reagan people were highly successful in their first two years. As noted in Chapter V, many of the administration's tactics are similar in general outline, if not in specifics, to those used by the Nixon administration. For example, the Reagan administration replaced the legally questionable Nixonian use of impoundment and reprogramming of funds with the extensive use of the deferral and rescission processes established in the 1974 Budget Act. Some Reagan opponents claimed that the President was trying to make de facto budget cuts by submitting so many deferral requests that Congress would not have time to evaluate them.⁴⁸ Reagan also made use of the other two components of the Nixon approach, although in a less imperious or conspiratorial fashion.

However, there are important differences between Reagan's efforts and those of the Nixon administration in terms of method and of the external situation to which those efforts were applied. The shortcomings of past operating procedures in dealing with economic and related problems is much more obvious to powerholders today than in the early 1970s. Secondly, Reagan was perceived to have coattails. For the first time in many years at least some members of Congress saw their fortunes as tied to those of the administration. The impact of this perception was directly reflected in the behavior of those members. At least in the 97th Congress, many Republicans gave Reagan some credit for either their

own election or for the newly obtained majority status of their party in the Senate. Further, many Reagan opponents conceded the President's popularity and the initial widespread public approval of Reagan's general approach on salient public policy issues.⁴⁹ Finally, the Republican Senate victory and the defeat of key members of the Democratic House delegation resulted in changes in committee chairs and partisan composition that somewhat disrupted existing patterns of accommodation.⁵⁰

A key additional feature of the Reagan strategy was to use party affiliation as an important element in coordinating budget policy and adoption. That is, the administration encouraged Republican members of Congress to feel a deep identification with the administration's program, thereby implicating them in the success or failure of the economic recovery program.⁵¹ This course was not open to Nixon, who saw the congressional Republican party as much as an impediment as a resource. It is notable that Nixon divorced his 1972 reelection campaign from that of the party he supposedly headed. Given the minority status of the Republican party and the continuing trend toward electoral and party disaggregation this was probably a useful strategy to maximize his own vote. However, the 1972 Nixon landslide, which on its surface was much more impressive than Reagan's 1980 victory, did not have any material impact on the balance of political forces in Congress. Still, even if Nixon had attempted to mobilize electoral strength on the basis of party it would have availed him little. The gradual increase in levels of electoral instability, for offices other than the Presidency, was still in the future. Perhaps one of the most important effects of the 1980

election will be the growth of a perception among elites and maybe among the wider citizenry that officials cannot govern in isolation of each other. The simple principle of punishing the incumbent once again increases the value of party cohesion to office-holders both as a risk management device and as a way of seeking a return to electoral stability on favorable terms.

Thus if the Reagan administration's economic recovery program proves ineffective, the developing economic situation and its attendant political instability will encourage future attempts toward resolving underlying economic and social problems. While in the short run it is not impossible that a particular administration or Congress might try to return to the pre-1980 status quo, the inevitable deterioration of economic conditions under those political circumstances will result in public officials again turning to more innovative, less incremental, ways of dealing with the nation's problems. Those who innovate will need to set priorities and to coordinate the adoption and execution of those choices. They will need to use some combination of presidential power and party mobilization to seek to obtain their chosen needs.

C H A P T E R V I I
DEBATES, REALIGNMENTS, AND INSTITUTIONAL
CHANGE: A SUMMARY

Elections and the Focusing of Incremental Change

One goal of this dissertation is to demonstrate and explore the relationship between critical realignments and subsequent changes in governmental structure and process. A second goal is to explicate the ideas of governmental institution and institutional change. These goals are closely related. While most Americans develop clear ideas of the differences between governmental institutions and other kinds of institutions, it is very difficult to articulate those differences in a way that allows the construction of an ostensive definition of the concept of a governmental institution. As a result, it is difficult to identify what really counts as significant institutional change. Exploring the impact of realignments on governmental institutions requires clarification of these questions. Indeed, these conceptual questions are important to any study of governmental institutions and how they change.

In Chapter I, I noted there is little work that explores the relationship between realignment and institutional change. Yet many researchers imply that realignments encourage institutional change. In part their expectations rest on historical evidence. Institutional structure and process do seem to change after realignments. Despite the fact that the grand structures of the United States government have

essentially remained constant since the 1970s, the forms or styles of governance have changed several times.

Nonetheless, the study of the connection between realignments and institutional change has been a minor concern to students of electoral phenomena. Most researchers devoted their main attention to studying the dynamics of realignments. Research has centered on the role of social and economic tensions, as mediated by the actions of political elites and insurgents, in encouraging the formation of persistent new voting patterns, political coalitions, and issue agendas. Yet researchers have generally felt that realignments matter, in fact matter very much. In brief, realignments are viewed as a major form of adjustment within a relatively stable political system to new conditions and political forces. Indeed, a system of party/electoral competition can be understood as an institutional form itself. Partisan alignments embody a set of purposes which have crystallized into rules and rule governed social practices that are widely recognized as one process the society uses to make binding, i.e., governmentally enforced, decisions.

Although realignments can be understood as a major form of institutional change, I examined realignments and similar electoral events as a "cause" of change in either other governmental institutions or the relations among institutions. This argument, which has its roots in Schattschneider's work, is that governmental structures and processes tend to embody the purposes of the interests or social groupings that designed, altered, and/or maintained those institutional arrangements. If an emerging class or set of interests requires the occurrence of a

realignment to gain control of the state and of the political agenda, then it is reasonable to expect that newly dominant political forces will want to change the structures and processes of government in ways that help them to obtain their policy goals. While some changes in substantive policies can result from simply the turnover in government officialdom, the complete maintenance of pre-existing institutional arrangements will bias the government in the direction of replicating the public policies favored by previously dominant political forces.

The case studies examined in this dissertation, the establishment of the Executive Office of the President, the evolution of the pre-NLRA labor boards, and the development of congressional and executive practice under the 1974 Budget Act, were selected to illustrate the process of institutional change following important electoral events. In the strict sense it has not been proven that institutional change is more common following realigning or comparable elections than at other times. However one cannot count the incidence of significant institutional change as conveniently as one can count indicators of policy change, such as Acts passed by Congress.¹ Laws are discrete phenomena. In contrast, institutional change, excepting formal alterations of structure, process, and authority, does not exhibit clear transitions from the previous state of affairs. The identification of institutional change is in part a matter of judgement.

One implication of the case studies is that formal institutional change is the least common and important type of institutional change in the United States political system. Formal institutional change usually

follows change in institutional practices. When formal institutional changes are instituted without previous changes in institutional practice, as in the case of establishing the labor boards or the inclusion of the reconciliation option in the 1974 Budget Act, the formal changes remain ineffectual or dormant until appropriate practices and understandings develop. Changes in institutional functions and power relations also seem to be more closely associated to changes in institutional practice than to changes in formal structure and process. Thus, while it may be possible and ultimately desirable to construct a method to count the incidence of institutional change, that method would necessarily prejudice the question of what constitutes significant institutional change. That standard would almost certainly be the same one that informed the selection of the case studies in this dissertation. An institutional change is significant insofar as it has a major impact on what interests and issues receive governmental attention and on what public policies are adopted and implemented.

The institutional changes described in the EOP and labor board case studies have in fact had an enormous influence over what the United States government did following the institutionalization of those changes. Before the formation of the EOP, the federal government lacked the institutional capacity to administratively manage the relations between the state and the larger society on a sustained basis. While the value and effectiveness of that capacity are often questioned, the fact that such coordinative capacity exists represents a constitutive difference between the United States political system since the 1930s and the

one that previously existed. Effects of comparable importance followed the development of labor law and administrative practice. These case studies of institutional change in the 1930s represent major components of the governmental transformations that Dahl calls historical commitments and Lowi regime changes.² The relationship between these institutional changes and the concurrent period of electoral instability and recoallescence is not coincidental. Although the questions of governmental coordination and the status of organized labor were not major partisan issues in 1932, these matters were continuous themes in the ongoing debate and conflict of the era following the 1896 realignment.

It is premature to make a similar historical judgement about the long run impact of the changes in the budget process that have occurred since 1980. However the potential impacts of an omnibus budgeting process upon both the character of politics and the distribution of public resources are comparable to those resulting from the major institutional changes of the New Deal. In particular, changes in the budgetary process imply important changes in the power relationships among those segments of American society currently active in distributive politics. Since the 1930s, public power has been expanded chiefly under the control and to the benefit of narrowly based coalitions. The current transformation of the budget process, though far from complete, portends a greater degree of central coordination of public policy in the interests of broader, though not necessarily more pluralistic, coalitions. Despite some of the rhetoric of the Reagan administration, the continuation of the positive state is not at issue. What is at stake is the

form the positive state will take and the interests it will serve. The potential results may well be important enough to classify as a historical commitment or a regime change.

The changes in institutional practice under the 1974 Budget Act constitute, as explained in Chapter VI, a governmental response to the political instability arising from prolonged shortcomings in United States economic performance. Although the 1980 election cannot now be called a realigning election, as Burnham notes, there is an unusual degree of similarity between the period following the 1980 election and the periods following realigning elections in terms of changes in the political agenda, public policy, etc.³ Indeed, given the improbability of a classic realignment occurring under the conditions of the late 20th century, 1980 may turn out to represent a new kind of election that does not fit the standard classification used by political scientists since the 1950s. Elections like 1980 may provide the closest functional approximation to realigning elections in the future.⁴

Earlier in this dissertation I listed five indicators of significant institutional change. These indicators were (1) the appearance of new institutional forms, (2) the creation of new institutional functions, (3) changes in the relationships among institutions, (4) the initiation of new governmental functions, and (5) changes in institutional process related to the dominance of new constituencies. To some extent all three case studies illustrate all of the indicators of institutional change. Yet, the appearance of distinctive new institutional forms is a very minor theme. Even in the most pronounced example of this type of

change, the ad hoc labor boards, the boards borrowed their organization and routines from models provided by other governmental and private institutions.

The appearance of new institutional forms is the most distinct and visible type of formal institutional change. Its relative absence in these case studies suggests that formal change in institutional structure and process is a secondary form of institutional adaptation in the United States. Formal institutional change is not a crucial element in any of the three case studies, although formal change is more significant in the EOP and labor board cases. For the most part, formal change is concentrated at either the beginning or end of the process of institutional change. The role of formal change is mainly either to provide an opportunity for the development of informal practices and understandings or to legitimize that development after the fact. This observation is not surprising; it conforms with commonplace expectations about large organizations. Much formal organizational change is little more than alterations in personnel titles and organization charts. On the basis of the three case studies, I tentatively conclude that formal institutional change is a relatively unimportant indicator of electoral effects on the form or style of governance in the United States.

Changes in the functions performed by governmental institutions, the kinds of functions performed, and in the relationships among institutions are, on the basis of these case studies, far more important indicators of institutional change. For example, the EOP represents an increase in presidential power relative to Congress and to the executive

bureaucracy. The EOP case also demonstrates an institutionalization of the new function of overall coordination (however limited). In particular, the Budget Bureau facilitated this process by adopting new functions in a changing and initially hostile political environment. Comparable summaries can be written for the other case studies. If realignments should be understood as the institutionalization of the political ends of newly dominant political coalitions, then institutional change that follows realignments, or comparable electoral situations, should reflect these changes in purpose. This is clearly true in all three case studies.

The final indicator of institutional change, changes in institutional process related to the goals of new constituencies, appears to be the most important one. As noted earlier, most of this form of change takes place as changes in institutional practices and participant understandings rather than as changes in codified institutional rules. Of course informal change is a formal rather than substantive category. Informal change can occur that has no relation to the demands of a newly dominant political coalition or to the imperatives of a transformed political environment.

However, in the three case studies, changes in practices and understandings are a far more important part of the process of institutional change than changes in formal institutional rules and structure. As noted formal change is usually anticipated or routinized by informal change. Codification generally followed institutionalization rather than preceding it. The pre-NLRA labor boards created a labor law and a

legalistic tradition of board procedure through the creative extension of informal practice to new situations. The BOB entered the areas of legislative clearance and the enrollment process mainly by creative extensions of old practice. The congressional Budget committees enforced the reconciliation process mainly by creative extensions of past practice.

However, these extensions of institutional practice are not merely products of some exercise of "institutional will." These extensions occur in situations where previous understandings of the politically possible have been expanded. In part this expansion is related to the existence of deep economic and social tensions, in part to the long term social discourse about those tensions, and in part to the political uncertainty reflected in electoral instability. In turn, this expansion of the possible is augmented through the extension of institutional practice into new areas of policy and/or process. While the case studies verify the actuality of disjunctive change in institutional process and thereby policy, the dynamic of that change is unexpectedly incremental in character. Realignments and similar electoral events seem to multiply the rate of incremental change and to channel that change in a consistent direction. Alterations in practices and understandings rather than formal changes in institutional rules is the central feature of this process.

This tendency of institutional change to be rooted mainly in institutional practices and understandings may be particularly strong in the United States. Certainly this interpretation is consistent with the

liberal preconception to avoid the appearance of the exercise of government power. In this, the phenomenon of informal institutional change exhibits a family resemblance to aspects of American political practice such as the tendencies to settle political conflicts through judicial action and to use interest group based "triangles" as the operational basis of the United States positive state. The dominance of informal modes of institutional change in the United States has implications for how one should study institutional change. The crucial element of governmental institutions is how political purposes are translated into participants' practices and understandings. The crucial element of institutional change is how new purposes, whether external or internal to the institution, transform institutional life. To understand how purposes crystallize into what are called institutions requires the examination of how participants willingly or not convert those purposes into institutional practices.

Realignments as Debates

If realignments encourage institutional change, there must be some link between electoral events and the transformation of institutional rules and practices. Realignment theory provides one understanding of that linkage: institutional change results rather directly from the demands of an electoral majority. However this understanding is insufficient; it places an insupportable emphasis on the ready translation of voter preferences into state action. I suggest that it is better to

think of the linkage between realigning and comparable elections and institutional change as stages in an ongoing "social debate."

Realignment theorists share a common understanding or characteristic "story" of how realignments encourage policy and institutional changes. Realignment theorists begin with the contention that normally there is a relatively stable structure of linkages between the citizens and the state; in Schattschneider's terms, a characteristic mobilization of bias. Generally, the most important form of linkage is the party system, including voting patterns, interest group coalitions, and issue agendas. Realignments are the transformations of relatively stable mobilizations of bias to new ones. Old party systems, and structures of political conflict, break apart under the pressure of social or economic crisis. Ultimately new party systems which are organized around new electoral majorities come to power. Elected and appointed officials belonging to the new majorities then seek to resolve the realignment crises on terms favorable to their period's majority. If perceived to be successful, they will solidify their party's political base and thereby the new structure of political conflict. In short, realignments are stories of crisis and decline followed by renewal. In this story the critical election (or elections) is the key event that initiates renewal and the subsequent restoration of political stability.

Realignment theory and research not only furnishes a story about political change in the United States of wide historical applicability,⁵ the literature also offers a near universal explanation for the policy, coalitional, and elite shifts that follow realignment. The very

structure of this form of explanation rests upon the existence of a key explanatory metaphor. An election or series of elections, usually presidential, is viewed as the key motive force in the post-realignment period. Although the critical election cannot happen without an underlying social/economic crisis, response to the crisis can occur only in the wake of an election that seriously disrupts the operation of politics and government as practiced in the previous political era. Similarly, the actuality of the new political era can only be confirmed by the results of subsequent elections. Thus, the central metaphor of the realignment process is the exercise of popular sovereignty through the mechanism of presidential elections. The following statement by Trilling and Campbell provides an excellent summary of this metaphor:

The essential element--citizen control of government--exists only in a potential form most of the time. Realignment translates this control into kinetic form, and it is the fact that control can occur that makes a system democratic.⁶

Nonetheless, while the principal metaphor offered in the realignment literature is the existence of popular sovereignty in the United States, there is a second theme incorporated into the explanatory structure. As the authors of the previous quotation observe the exercise of popular sovereignty is an uncommon phenomenon. Major adjustments in the operation of government and politics generally occur only after major crises, and often with enormous tension and difficulty. However, this contention represents a contradiction to the major theme of popular sovereignty, not simply a limiting factor upon its exercise.

Most political scientists and historians agree that Americans, both now and in the past, have generally preferred incremental political

change. Paradoxically, the realignment metaphor proposes that it is easier to achieve relatively disjunctive change through realignment than incremental change on major problems at other times. Realignment theorists could reply, and to some extent have, that political alignments produce and then are maintained by a variety of political, ideological, and institutional constraints. Some realignment theorists might add that other factors can mitigate the will of a popular majority. The existence of a dominant economic class or the extreme fragmentation of formal governmental authority can serve as examples. Realignment theorists admit that the period of political instability prior to a critical election is often long. Usually political insurgents find it extremely difficult to "induce" a realignment, however much they desire one.⁷ As such it is singularly inappropriate to believe that all these constraints are simply absent at the point of realignment. Indeed, as a number of researchers have confirmed, echoes of old political alignments can be discerned in the voting behavior and forms of political organization found in many localities and even regions. The metaphor of popular sovereignty cannot render fully intelligible what researchers have discovered about realignments.

While the metaphor of an electorate's exercise of popular sovereignty had unacceptable flaws as an explanation of how realignments (or similar events) influence later policy and institutional changes, the metaphor may be appropriate under special conditions. One approach to the problem of constructing a more suitable metaphor for understanding the effects of realignments is to examine the conditions assumed in the

prevailing explanation. I am not claiming that any realignment theorist believes that any or all of the following conditions are met or approached in United States national politics. Rather, I want to show how the current metaphor underlying the idea of realignment can distort the understanding of policy and institutional change following realigning and other comparable elections.

The metaphor of popular sovereignty suggests that realignments are situations reminiscent of direct democracy. The metaphor suggests images of New England town meetings, ancient Athens, or Rousseau's republic. I have already discussed one respect in which this understanding is misleading. It neglects the impact of numerous forms of institutionalized constraints. However, the metaphor is misleading in a second way, which unlike the issue of constraint has been generally unrecognized by students of realignment. Given the pluralist viewpoint, and therefore liberal-individualist orientation, of almost all political scientists interested in the question of realignment; little attention is given to the question of the relationship between the understandings that people have of their needs and interests and the articulation and aggregation of such into political issues.⁸ It is now widely admitted that any number of institutionalized constraints, especially the coalitional makeup of a party system, can prevent or delay the consideration of certain kinds of political issues. Still, realignment theorists seem to assume that individuals easily reconceptualize relevant personal concerns into political issues.

Yet there is as much reason to believe that individuals do not commonly transform their personal troubles into public issues. As C. Wright Mills points out, most individuals have direct experience of and the ability to directly act in a relatively limited social milieu. Political conflict and action take place largely in settings and forms of discourse somewhat removed from most individuals' everyday life. The private trouble must be translated into the language of public values and in that translation the formerly private, though often widely shared, concern can lose the concreteness and be divorced from its original context.

This debate (on the now public issue) is often without focus if only because it is the very nature of the issue, unlike even widespread trouble, that it cannot very well be defined in terms of the immediate and everyday environments of ordinary men.⁹

The empirical existence of political quiescence in the United States is well established.¹⁰ Any satisfactory understanding of the realignment process must come to grips with the fact that the translation of troubles into issues is anything but automatic. Indeed the near hegemony of implicit liberal-individualist beliefs among Americans exacerbates this tendency insofar as those beliefs establish a rather rigid cognitive separation of private and public life.

Thus I find that popular sovereignty is a singularly inappropriate image of the realignment process. An appropriate way of understanding realignments would need to describe a plausible connection between the realigning election and subsequent institutional change. While the previous analysis demonstrates that there cannot be a simple connection

between the voting results of realigning elections and subsequent governmental change; in past realignments major change has followed shifts in voting patterns. Further, periods of substantial change in government policy and process have not usually happened without a critical election first.¹¹ The original understanding, based on the exercise of popular sovereignty, seems fruitful to the extent that the critical election is a crucial linkage in the realignment process, but this understanding is clearly wrong insofar as it connotes that the election performs a directly constituent function. The central explanation of the realignment story must encompass both aspects of the phenomenon's appearance.

Most realignment theorists claim that between the social or economic crisis that sets the realignment process in motion and the realignment itself is a period of progressively focused political debate and the increased politicization of the citizenry. While this process is never completely linear, it is definitely cumulative. In Mills' terms, one can say that social troubles are translated increasingly often and accurately into an issue or cohesive set of issues. Yet strangely, most of the elections associated with realignments have not been as intensely contested as one might have expected given the preceding periods of increasing politicization.

In 1932 Franklin Roosevelt generally sought to give the impression of favoring modest governmental innovation to relieve the collective burdens of the Depression and to promote economic recovery. Still, he emphasized his symbolic approval of several contemporary political

icons, such as the balanced budget, that allowed him to consolidate conservative support.¹² In contrast, the 1928 presidential election between Hoover and Smith had witnessed more intense invective and debate on matters that in retrospect seem almost trivial.

The level of discourse in the 1896 election, coming after years of increasing polarization, was remarkably mild. This was despite the fact that many opinion leaders saw the election as a turning point in United States history. It is true that campaign rhetoric was intense on one issue. But it was a narrow one, the comparative virtue of the silver versus gold backed currency. Otherwise the McKinley campaign was a muted one based on generalized claims that the Republicans would restore economic prosperity. While more aggressive in style, the Bryan campaign essentially purged any reference to the institutional and structural reforms that had formed the basis of the populist program.¹³

Earlier realigning elections were fought on a more localized basis than those of the 1890s and 1930s, reflecting the limitations of transportation and communication in those times. Still, with the exception of the 1800 election, the campaign discourse of realigning elections is always mild compared to what it was reasonable to expect given the increased level of political conflict prior to those elections. In contrast, elections which were in no sense realigning were often carried on with extreme intensity by the rival candidates and parties. To give contemporary examples, the elections in 1964 and 1968 were accompanied by intense campaign rhetoric far exceeding in power the rhetoric of the 1932 election or the important, but unclassified, 1980 election.

It is well known that American candidates and parties tend to moderate their appeals to build the broadest possible electoral support. That candidates and parties would still tend to do so in realigning elections also seems reasonable for the same reasons that inform the general rule; for example, institutional arrangements, the rather attenuated distribution of political outlooks in the United States, or the vested interests of officials in maintaining old issues and forms of political discourse. Nonetheless, it is still remarkable that the intensity and the range of alternatives presented in directly electoral discourse is not appreciably greater in realigning elections than in other elections. If realigning elections are in fact exercises in popular sovereignty, then the electorate needs some set of cues, however subtle, to tell them that the election is really crucial. The existence of a crisis is not enough; the crisis can continue for many years before there is a realignment. The growth of third parties or of insurgencies in major parties is not enough; insurgencies can occur for many years without prompting a realignment.

One thing that does happen following realigning elections is that many incumbent officials are turned out of office and are replaced by new ones of usually a different party affiliation. Further, while some of these changes occur in marginal constituencies, some occur because of unexpected voting shifts within a constituency. A particular occupational group or ethnic group in an electoral district may now distribute its vote for candidates and parties in a pattern that has no relationship to its past behavior. This kind of change implies a shift or the

potential for a shift in the coalitional makeup of political parties. Certainly, one would expect this kind of phenomenon in a realignment by definition. Yet this very effect will be seen in some electoral districts in any election, especially in deviating elections. While being a rarity, the degree of electoral instability in a deviating election can exceed that of a realigning election. Of course in this case voting patterns will largely return those expected in a given political era, at least on a national basis, in the next election. Still, the fact that voting patterns return toward the period's norm does not by itself explain a certain problem. If changes in the party affiliation of office holders can be as large in deviating elections as realigning elections, why is the degree of observed policy and institutional innovation much more significant following realigning elections?¹⁴

One plausible answer is the perceived permanence of the new voting and coalitional patterns. This answer is largely wrong. The greatest periods of policy (and institutional) innovation have occurred in the first presidential term following realignment. For example, most of the New Deal was put into operation in Franklin Roosevelt's first four years. Another possible answer is that governments elected in deviating elections either do not attempt large scale policy innovation or if they do the reinstatement of the dominant party results in the repeal of those innovations.

There may be some truth to this construct, but it too has severe problems. Occasionally, presidents and congressional majorities elected against the grain of a political era will adopt significant new

policies. The Wilson administration provides a good example of this sort. Yet despite the return of overwhelming Republican dominance in the 1920s, most of the Wilsonian initiatives were preserved. How then can one identify, except in retrospect, the likelihood that an election, particularly one that occurs in a period of social or economic crisis, and following a period of intensifying politicization, is a realigning election?

Burnham, Clubb, and Flanigan make a useful suggestion that can be applied to this problem. They contend that during the period of politicization before the realignment, there is a process of narrowing or constraining the issue agenda.¹⁵ However, before the realignment the new agenda does not fully penetrate those areas of political and governmental activity dominated by the political elites of the dying electoral era. This is especially true for the electoral arena where the old elites have an immediate interest in maintaining old forms of conflict and cohesion. Despite the attempt to ignore or suppress the emerging agenda, the increasing need to respond to that agenda, at least before some other party does, encourages some political actors to make use of the new issues. In the case of major party members, the use of the new agenda is made in a somewhat cryptic fashion. That is, political actors invent symbolic patterns which as Burnham et al. contend act as shorthand explanations of the crisis and as suggestions of the general direction of ameliorative policy. Burnham et al. then claim that these symbolic patterns become central to the political discourse in the years following realignment. It is the institutionalization of the new

political agenda, through what others might call "condensation symbols," that allows political parties to serve as the principal agency of what Burnham et al. call a reintegration of the political system.¹⁶ Thus the realigning election is not so much the ending of a debate over how to respond to a social or economic crisis by the national electorate, but an event that transforms the structure of officially organized political debate to coincide with the real political agenda and that gives one political coalition an opportunity to act decisively to meet that agenda.

I think this idea of the transformation of officially organized political debates is a useful place to begin a reconstruction of the central metaphor for the realignment scenario. Yet the idea seems vague, without any obvious reference to everyday life. In contrast, popular sovereignty, despite its ambiguities in application, is a familiar idea in American culture. The idea of popular sovereignty makes intuitive sense because it is closely related to a preeminent value of liberal cultures, i.e., individual choice. The understanding of the idea of individual choice seems intuitive because it resonates with most Americans' experience of economic and social action in their society. One chooses his or her spouse, friends, occupation, place of residency, and purchases of goods and services. Popular sovereignty is this principle of individual choicemaking transformed into a set of rules and practices applicable for conscious collective choicemaking. Can one find a similar set of everyday experiences that will allow one to make sense of the notion of alteration of debate on the official level?

Many common situations involving interpersonal conflict have elements of precisely this sort. Imagine a conflict between a husband and wife over whether the wife should seek a job. Let us make the increasingly dubious assumption that the earnings of the husband are sufficient to purchase those goods and services the family needs and wants. Given this, the husband says he cannot understand why the wife wants a job, especially given the things of value the wife and/or family will need to give up. As long as the husband understands paid work as simply a way to earn money, it will be difficult for him to understand why his wife wants to enter the labor market, or will see it as resulting from a greater, and perhaps illegitimate, desire for more goods and services.

Perhaps the wife has completely different reasons for wanting a job: desires for self-development, new social relationships, community recognition and so on. If she can articulate these reasons and make them comprehensible to her husband, she will thereby change the nature of the debate and by that the terms of the conflict. Indeed, to the extent that her arguments reinforce either the husband's previously unarticulated experience (e.g., that his job has many values not connected to compensation) or the arguments he has heard in his social milieu or through the media, her arguments are likely to be recognized as making sense. While the husband may still object, in many cases the resolution of the conflict will be different than if one or both of the parties maintained their original understandings. This same sort of analysis, including the analysis of cases where no transformation of the terms of

debate took place, can be applied to most forms of interpersonal conflict familiar to Americans.

This notion of the transformation of debates is in many ways congruent with Schattschneider's view that the results of political conflicts are greatly influenced by their scope, that is by the number and resources of the combatants. Expansion or contraction of participation in a conflict is likely to have asymmetrical impacts on the ability of each side to win.¹⁷ Similarly, changing the language of political discourse, by changing the sense of the conflict, allows the mobilization of participants and resources on new terms. While, in principle, it is easy to determine the scope of conflict by counting the bodies on each side; the measurement of change in political debate is trickier. For example, I said, extending the insights of Burnham, Clubb, and Flanigan, that critical elections seem to only exhibit hints of the emerging discourse. Yet it is clear that the discourse is already widely understood before the realigning election, as much or more by officials and political activists than by the general public. After all, realignments are preceded by periods of increasingly intense debate and politicization, implying that the real change in debate among members of actual or potential political elites occurs before realignment. Is there any way to deal with this terminological confusion?

Alain Touraine provides a useful vocabulary through which to overcome some of this confusion. Touraine uses three terms to talk about differences in the character of various aspects of what I have called social debate or discourse, clumsily distinguishing between

official and underlying debates. Touraine's most general term, "debates," refers to any public expression of the tensions among various aspects of a social system. While debates require public expression, it need not be in the form of articulated discourse. It is the situation, not the discourse, that matters. For example, debates could be carried on in forms as diverse as changes in the divorce rate, labor absenteeism, or the average actual driving speeds on interstate highways. Touraine uses the terms "discussions" and "deliberations" to denote progressively more articulated but also more institutionally constrained forms of discourse. Discussions require organization as well as articulation, with conflicting parties at least tacitly recognizing each other's existence. Deliberations involve a fuller institutionalization of debate, including the specification of roles, rules of procedure, and a common language of discourse. Unlike debates, and to a lesser extent discussions, in deliberations it is no longer possible for the parties to completely talk past one another.¹⁸

There are three points of contact between this material and the realignment literature. First the debate is the public expression of the tensions generated or exacerbated by the social or economic crisis. Second, the term "discussion" seems to fit the activities carried on in the time of politicization occurring before the realigning election. Finally, Touraine's concept of "deliberations" seems congruent with the period following realignment, when the newly dominant political forces are able to take action on the basis of the political discourse developed before the realignment.

Debates and the Alteration of Institutional Practice

The main value of conceptualizing the realignment process as a debate rather than as an exercise of popular sovereignty is that the first understanding provides more insight into how post-realignment change occurs. The metaphor of popular sovereignty, which informs almost all realignment studies, proves unfortunately limited as a basis from which to generate plausible explanations for how either institutional or policy change takes place. Because this understanding of political change emphasizes the role of the electorate in demanding and legitimating government action, the process of change is understood almost entirely in terms of the electorate's beliefs and actions.

Realignment theorists offer two major variables to explain the process of post-realignment change. One variable focuses on the state of the electorate, its "motivation" in changing its longstanding voting patterns. Some observers think that during realignment many voters are actively seeking changes in public policy. This is called anticipatory or prospective voting.¹⁹ Another group of observers hold that the electorate approves post-realignment change retrospectively, i.e., in later elections. The initial change in voting patterns is interpreted as a massive vote of no confidence in the dominant political party of the fading political alignment. The new voting patterns become permanent only if there is "majority" support for the actions of the administration formed by the newly dominant party/coalition.²⁰ Some analysts have constructed syntheses of the two views.²¹

Technically, policy and institutional change is adopted and implemented by government officials. But why do officials undertake such change? In addition to electoral pressure, realignment theorists hold that there are always groups or constituencies that actively seek policy and by implication institutional change during realignments. Once again there are two basic views as to who are the primary agents of change. The first view implies a combination of wisdom and democratic responsiveness on the part of holders of institutional power, public and private, in the realigning period.²² The second view credits non-elite insurgents with forcing elite concessions. Often these concessions are forced through "extra-political" actions as well as electoral instability.²³ Once again, some observers have attempted to combine elements of the two approaches.

On the basis of the case study material I examined, I conclude that the occurrence of prospective and retrospective electoral judgments in realignments (or other electoral situations) is largely situational. It is difficult to make a strong case that the electorate demonstrated either prospective or retrospective judgement in regard to the EOP, the pre-NLRA labor boards, or recent changes in the budget process. Even if data about voters' issue positions was available for these cases, it would be hard to confirm the effect of those issue positions on actual voting behavior. Further, even when policy issues related to later institutional changes were campaign issues, e.g., the role of labor in 1936 and budget deficits in 1980, the institutional

implications of candidate and party issue positions were rarely, if ever, publicly mentioned.

Materials that can be used to support judgements about the relative influence of elites and non-elite insurgents in the process of institutional change is more readily available. On the basis of the case studies, the relative influence of elites and non-elites is specific to the historical situation. Mass insurgency played an important perhaps critical role in both the adoption of a national labor policy in the 1930s and in the development of institutional practice in that area. Yet even in this case elite action also had an important impact on that development.²⁴ In contrast, it is difficult to find any insurgent activity, let alone influence, in the formation of the EOP. The 1980-82 changes in the budget process represent an intermediate case, although a case much closer to the elite agency model. Actions by ordinary citizens, such as non-payment or underpayment of taxes and the passage of tax or expenditure limitation referenda, appear to have created a context that encouraged institutional powerholders to alter the budget process.

An advantage of viewing realignments and post-realignment change as elements in a long term social debate is that it allows the observer to systematically cope with these variations in the realignment process. Debates can be followed through their increasing levels of clarity and institutionalization. This dissertation looked mainly at the final stage in that progression, the period of "deliberations." During such periods institutional practice and rules are changed to more closely

fulfill the purposes of newly dominant political coalitions. However, this kind of institutional development is possible only because the earlier stages of debate have occurred. Indeed, the stage of "discussions," preceding the significant electoral event, establishes the preconditions for institutional (or policy) change. New forms of institutional action rest upon the extension of the realm of the politically possible.²⁵

Throughout this dissertation I have argued that institutions are forms of crystallized social action. While this crystallization is to some extent codified by formal rules, it always exists in a deeper and more extensive form in the practices and understandings of active institutional participants. In particular, prior to codification, practices and their related understandings always permit a measure of flexibility in their application. Yet the extent of this flexibility is not a given; it is revealed and articulated through institutional action. Brigham contends that ". . . understanding an institution implies awareness of the dynamics between possibilities and action."²⁶ This claim is made in the context of what a social scientist understands when he or she understands an institution. By implication, something parallel happens when an institutional participant acts in new ways within the institution. The participant must first be aware of the possibility of greater flexibility in action. However, each extension or transformation of practice implies new possibilities and thus a somewhat different way of knowing the institution.

Nonetheless, this process of extension is anything but random. Institutions are always constrained environments. There are potential rewards and penalties for each change of institutional practice. It is here that the stage of "discussions," i.e., politicization (and by extension electoral instability), is so important. As the social debate becomes more explicit and focused the possibilities for changes in institutional practice grow, but only in ways related to the progress of the debate. Similarly, politicization and electoral instability provide cues to the likely rewards and penalties that will be associated with potential changes in practice and public policy.

Thus, the stage of "discussions" or politicization provides the cues for the development and crystallization of the new social knowledge into rule governed institutional practice and in some cases into codified rules. This social process is the institutional component of what has been variously called "the public philosophy" or "political style."²⁷ Although the emphasis here has been on this process as an aspect of institutional change following realignments and other significant electoral events, the approach can be applied to any study of governmental institutions or institutional change to the extent that institutions are forms of social action.

NOTES

Chapter I

¹Woodrow Wilson, Congressional Government (Boston: Houghton Mifflin, 1885), p. 7 as quoted in Douglass Carter, Power in Washington (New York: Vintage Books, 1964), p. 3.

²Theodore J. Lowi, The End of Liberalism, 2nd ed. (New York: W.W. Norton, 1979), p. 271.

³There is substantial literature dealing with the effects of specific electoral mechanisms. For a sustained argument concerning how elections in general structure political outcomes see Benjamin Ginsberg, The Consequences of Consent (Reading, Mass.: Addison-Wesley, 1982).

⁴Robert A. Dahl, "On Removing Certain Impediments to Democracy in the United States," Dissent, 25, No. 3 (Summer 1978), p. 310.

⁵*Ibid.*, pp. 311-12.

⁶Richard J. Trilling and Bruce A. Campbell, "Toward a Theory of Realignment," in Realignment in American Politics, ed. Bruce A. Campbell and Richard J. Trilling (Austin: University of Texas Press, 1980), p. 4.

⁷*Ibid.*, p. 4. Also see John R. Petrocik, Party Coalitions: Realignment and the Decline of the New Deal Party System (Chicago: University of Chicago Press, 1981), pp. 3-11. Petrocik claims that there are in fact five different conceptions of the idea of realignment.

⁸Cf. Lowi, p. 276. Lowi also contends that interests seek governmentalization of functions for reasons other than the capacities or resources of governments. Rather the chief reason is that government applied sanctions are normally seen as far more legitimate than privately applied sanctions. Thus social control will more likely be effective without actually applying sanctions on a regular basis, p. 37.

⁹Cf. Trilling and Campbell, p. ix.

¹⁰V. O. Key Jr., "A Theory of Critical Elections," The Journal of Politics 17, No. 1 (February 1955), p. 17.

¹¹*Ibid.*, p. 4.

¹²*Ibid.*, p. 3.

¹³V. O. Key Jr., The Responsible Electorate (New York: Vintage Books, 1966), p. 6.

¹⁴*Ibid.*, pp. 9-11. Key, like most other students of American politics, would seem to agree that these factors are more important the less salient the office is, and in particular, the less media coverage it receives. Other factors may have a similar effect. For instance, many voters may ignore election publicity, their political socialization, etc. to vote for (or against) candidates for Congress (especially the House) on the basis of their perceptions of the incumbent's performance of constituency services.

¹⁵*Ibid.*, pp. 9-10.

¹⁶*Ibid.*, pp. 16-22.

¹⁷*Ibid.*, pp. 34-36. Also see Nancy H. Zingale, "Third Party Alignments in a Two Party System: The Case of Minnesota," in The History of American Electoral Behavior, ed. Joel H. Silbey et al. (Princeton: Princeton University Press, 1978), p. 111. Zingale describes 1932 as a "surge" with the distribution of almost all kinds of voters shifting toward the Democratic Party. In contrast different kinds of voters were pulled in different directions in 1936 at which point the New Deal party system takes on its quasi-class division most clearly.

¹⁸*Ibid.*, p. 17.

¹⁹*Ibid.*, p. 18.

²⁰Angus Campbell, Philip E. Converse, Warren E. Miller, and Donald E. Stokes, The American Voter: An Abridgement (New York: John Wiley and Sons, 1964), pp. 15-16.

²¹Angus Campbell, Philip E. Converse, Warren E. Miller, and Donald E. Stokes, Elections and the Political Order (New York: John Wiley and Sons, 1966), pp. 10-11.

²²Cf. Campbell et al., "American Voter," pp. 274-79.

²³*Ibid.*, p. 280.

²⁴*Ibid.*, pp. 282-3. Since the 1950s a number of studies have shown that the electorate is more ideological than Campbell et al. thought. In particular see Norman Nie, Sidney Verba, and John R. Petocik, The Changing American Voter (Cambridge, Mass.: Harvard University Press, 1976) and Joan Huber and William Form, Income and Ideology (New York: Free Press, 1973).

²⁵Cf. Campbell et al., "Political Order," pp. 177-8.

²⁶E. E. Schattschneider, The Semisovereign People (Hinsdale, Ill.: The Dryden Press, 1960), p. viii.

²⁷*Ibid.*, pp. 139-40.

²⁸*Ibid.*, p. 140.

²⁹*Ibid.*, Chapter 5, "The Nationalization of Politics," pp. 78-96.

³⁰*Ibid.*, pp. 62-71.

³¹*Ibid.*, p. 30.

³²*Ibid.*, pp. 79-80, 86-89.

³³*Ibid.*, p. 72.

³⁴*Ibid.*, p. 14.

³⁵*Ibid.*, p. 89.

³⁶*Ibid.*, pp. 80-81.

³⁷*Ibid.*, p. 123.

³⁸Gerald M. Pomper with Susan S. Lederman, Elections in America, 2nd ed. (New York: Longman, 1980), p. 83.

³⁹*Ibid.*, Chapter 9, "To Secure These Rights," pp. 179-205. This material has been updated from the original edition of Elections in America to include information about the impact of the Voting Rights Act and its renewal (see pp. 199-200). The chapter also shows some linkage between the 1896 realignment and the suppression of black suffrage rights in subsequent years.

⁴⁰James L. Sundquist, Dynamics of the Party System (Washington: Brookings Institution, 1973), pp. 6, 9.

⁴¹*Ibid.*, p. 11.

⁴²*Ibid.*, pp. 28-29.

⁴³*Ibid.*, pp. 29-31.

⁴⁴*Ibid.*, p. 31.

⁴⁵*Ibid.*, pp. 32-33.

⁴⁶*Ibid.*, pp. 283-4.

⁴⁷The assumption here is that many members of Congress, particularly of the House of Representatives, are from relatively homogeneous districts. Typically these members are more likely to attain major leadership positions, especially those that result from seniority, such as committee chairmanships. Thus members who might be more insulated from the issues related to realignment than average would still have great control over the business of Congress. Similarly, members of Congress in leadership positions are likely to also have strong ties to interest constituencies that might not want to alter the political agenda.

⁴⁸Walter Dean Burnham, "Party Systems and the Political Process," in The American Party Systems, 2nd edition, ed. William Nisbet Chambers and Walter Dean Burnham (New York: Oxford University Press, 1975), p. 289.

⁴⁹Walter Dean Burnham, Critical Elections and the Mainsprings of American Politics (New York: W.W. Norton, 1970), pp. 102-3.

⁵⁰Cf. Burnham, "Party Systems," p. 289. Of course Burnham does not mean that there were no political issues in the 1896-1932 period. Nor would Burnham contend that the party coalitions of the post 1896 period had no basis in the interests of their members. By "issueless politics" Burnham seems to mean that there was little open conflict between the major parties on the basis of the interests of the coalitional partners. Rather, such potential conflicts were largely suppressed. The Republicans did not challenge white supremacy in the South, nor did the Democrats challenge the methods of industrialization carried out by Northern capital, largely associated with the Republican Party. Also see cf. Schattschneider, pp. 78-85.

⁵¹Cf. Burnham, "Critical Elections," pp. 185-8.

⁵²Ibid., p. 68.

⁵³Cf. Burnham, "Party Systems," p. 289.

⁵⁴Cf. Burnham, "Critical Elections," p. 181.

⁵⁵Ibid., p. 27.

⁵⁶Cf. Sundquist, p. 27.

⁵⁷Cf. Burnham, "Critical Elections," pp. 27-30.

⁵⁸Ibid., p. 176.

⁵⁹Ibid., pp. 91-92.

⁶⁰Ibid., p. 133.

⁶¹Everett Carl Ladd, Jr., American Political Parties, Social Change and Political Response (New York: W.W. Norton, 1970), pp. 2-6.

⁶²*Ibid.*, p. 58. Also see Thomas P. Jahnige, "Critical Elections and Social Change, Towards a Dynamic Explanation of National Party Competition in the United States," Polity 3, No. 4 (Summer 1971), p. 481.

⁶³Ladd, pp. 189-90.

⁶⁴Cf. Jahnige, p. 470.

⁶⁵Lester G. Seligman and Michael R. King, "Political Realignments and Recruitment to the U.S. Congress 1870-1970," in cf. Campbell and Trilling, p. 157.

⁶⁶*Ibid.*, p. 171.

⁶⁷David W. Brady, "Elections, Congress, and Public Policy Changes: 1886-1960," in cf. Campbell and Trilling, pp. 199-200. Also see Benjamin Ginsberg, "Elections and Public Policy," American Political Science Review 70, No. 1 (March 1976), pp. 41-9.

⁶⁸*Ibid.*, pp. 186-7.

⁶⁹David Adamany, "The Supreme Court's Role in Critical Elections," in cf. Campbell and Trilling, pp. 229-59, in particular see p. 257.

⁷⁰Cf. Lowi, "End of Liberalism," p. 272.

⁷¹*Ibid.*, p. 273.

⁷²*Ibid.*

⁷³*Ibid.*, pp. 38-39.

⁷⁴*Ibid.*, p. xii.

⁷⁵*Ibid.*, pp. 274 and 277.

⁷⁶*Ibid.*, pp. 22-6.

⁷⁷*Ibid.*, p. 49.

⁷⁸*Ibid.*, pp. 42-3.

⁷⁹*Ibid.*, pp. 31-2.

⁸⁰Grant McConnell, Private Power and American Democracy (New York: Vintage Books, 1970), pp. 338-41.

⁸¹Ibid., pp. 68-69.

⁸²Grant McConnell, The Modern Presidency (New York: St. Martin's Press, 1967), pp. 13-14.

⁸³Michael Parenti, Power and the Powerless (New York: St. Martin's Press, 1978), pp. 208-9.

⁸⁴Murray Edelman, The Symbolic Uses of Politics (Urbana: University of Illinois, 1967), pp. 2-3.

⁸⁵Frances Fox Piven and Richard A. Cloward, Regulating the Poor (New York: Vintage Books, 1972), pp. 39-40.

⁸⁶Ibid., p. 40.

⁸⁷Frances Fox Piven and Richard A. Cloward, Poor People's Movements (New York: Vintage Books, 1979), p. 16.

⁸⁸Ibid., pp. 11-12.

⁸⁹Cf. Piven and Cloward, Regulating the Poor, p. 111. However the authors are quite clear in saying that symbolically progressive programs (e.g., Social Security, the Wagner Act) were constructed in a way congruent or even supportive of the general interests of capital. They also see policy innovation of this sort as intended to reinstitute social routine and thereby lessen social disruption.

⁹⁰Edward S. Greenberg, Understanding Modern Government (New York: John Wiley and Sons, 1979), pp. 87-88.

⁹¹For two discussions on the ability of corporate based elites to influence and/or make public policy see Charles E. Lindblom, The Policy Making Process, 2nd edition (Englewood Cliffs, N.J.: Prentice Hall, 1980), pp. 71-82 and Ralph Miliband, The State in Capitalist Society (New York: Basic Books, 1969), in particular see Chapter 6, "Imperfect Competition," pp. 146-78. Despite the fact that the first account is written by a "mainstream" United States political scientist and the second by a Marxist, both discussions agree on most major points.

⁹²James O'Connor, The Fiscal Crisis of the State (New York: St. Martin's Press, 1973), pp. 1-10.

Chapter II

¹See C. B. Macpherson, The Real World of Democracy (New York: Oxford University Press, 1972), pp. 38-44. Macpherson's main point here is that in liberal societies, and by implication in other modern

societies, government sanctions and supports the operation of other social institutions because of the theoretically more legitimate nature of state power. Macpherson however makes no claim in regard to the actual primacy of state power.

²I have examined a number of textbooks readily available to me for the nature and extent of their treatment of institutional material. I was especially interested to see if the authors explicitly defined or explained what an institution (government or political) was and where in relation to other material such explanations were placed. I do not claim that this sample is random, but I believe the texts I examined were reasonably representative of what is currently available. Most of these texts reflect a traditional pluralist perspective on United States national politics, although there are several so-called "radical" texts included. The texts also vary substantially in length. Some are clearly intended to provide only the most "basic" information on the subject, others are more "encyclopedic" in character. The texts examined were: James MacGregor Burns, J. W. Peltason, and Thomas E. Cronin, Government by the People (Englewood Cliffs, N.J.: Prentice-Hall, 1975); Milton C. Cummings Jr. and David Wise, Democracy Under Pressure (New York: Harcourt Brace and Jovanovich, 1981); Kenneth M. Dolbeare and Murray J. Edelman, American Politics (Lexington, Mass.: D.C. Heath, 1981); David V. Edwards, The American Political Experience (Englewood Cliffs, N.J.: Prentice-Hall, 1982); Peter K. Eisinger et al., American Politics: The People and the Polity (Boston: Little Brown, 1978); Edward S. Greenberg, The American Political System: A Radical Approach (Cambridge, Mass.: Winthrop, 1977); Barbara Hinckley, Outline of American Government (Englewood Cliffs, N.J.: Prentice-Hall, 1981); Ira Katznelson and Mark Kesselman, The Politics of Power (New York: Harcourt Brace Jovanovich, 1975); Robert L. Lineberry, Government in America (Boston: Little Brown, 1980); Theodore J. Lowi, Incomplete Conquest: Governing America (New York: Holt, Rinehart and Winston, 1981); Michael Parenti, Democracy for the Few (New York: St. Martin's Press, 1980); Samuel C. Patterson, Roger H. Davidson, and Randall B. Ripley, A More Perfect Union (Homewood, Ill.: Dorsey Press, 1982); Harrell R. Rodgers Jr. and Michael Harrington, Unfinished Democracy (Glenview, Ill.: Scott Foresman, 1981); Robert S. Ross, American National Government (Boston: Houghton Mifflin, 1981); Max J. Skidmore and Marshall Carter Wanke, American Government (New York: St. Martin's Press, 1981); Grover Starling, Understanding American Politics (Homewood, Ill.: Dorsey Press, 1982).

³See footnote 2 above.

⁴For good examples see cf. Lineberry and cf. Starling.

⁵Cf. Katznelson and Kesselman, pp. 12-18. This view seems implicit in at least some of the other "radical texts."

⁶For a good example of this "failure" to explicitly define or explicate the meaning of "governmental institution" see Fred I. Greenstein and Nelson W. Polsby, eds., Handbook of Political Science, Volume 5--Governmental Institutions and Processes (Reading, Mass.: Addison-Wesley, 1975).

⁷See William E. Connolly, The Terms of Political Discourse (Lexington, Mass.: D.C. Heath, 1974), pp. 10-41 for a discussion of "essentially contested concepts."

⁸Fred M. Frohock, "The Structure of 'Politics,'" American Political Science Review 72, No. 3 (September 1978), p. 863.

⁹Richard F. Fenno Jr., The President's Cabinet (New York: Vintage Books, 1959), p. 3.

¹⁰Ibid., pp. 4-5.

¹¹Ibid., pp. 19-20.

¹²Ibid., p. 155.

¹³A recent and extreme example of this phenomenon was President Reagan's failure to recognize his own Secretary of Housing and Urban Development, Samuel Pierce. Reagan mistook Pierce as the mayor of a medium size midwestern city! See Newsweek, 99, No. 4 (1/25/82), p. 25.

¹⁴See footnote 2 above for the texts I examined.

¹⁵William H. Riker, "Federalism," in cf. Greenstein and Polsby, pp. 93-94 and 101-2.

¹⁶See cf. Lowi, "End of Liberalism," and Grant McConnell, Private Power and American Democracy (New York: Vintage Books, 1970).

¹⁷For a good example of this sort of work, see Randall B. Ripley and Grace A. Franklin, Congress, the Bureaucracy and Public Policy (Homewood, Ill.: Dorsey Press, 1980).

¹⁸Amitai Etzioni, Modern Organizations (Englewood Cliffs, N.J.: Prentice-Hall, 1964), p. 3.

¹⁹Talcott Parsons, Politics and Social Structure (New York: Free Press, 1969), pp. 127-8.

²⁰William H. Riker, "Implications from the Disequilibrium of Majority Rule for the Study of Institutions," American Political Science Review 74, No. 2 (June 1980), p. 443.

25. ²¹David E. Apter, Political Change (London: Frank Cass, 1973), p.
- ²²Ibid., p. 8.
- ²³From The Social Contract by Jean-Jacques Rousseau as quoted in Ernest Barker, ed., Social Contract (New York: Oxford University Press, 1960), p. 169.
- ²⁴This is essentially a paraphrase of Marx's conception of history. See Erich Fromm, Marx's Concept of Man (New York: Frederick Ungar, 1966), pp. 197-8 and 217-9.
- ²⁵Bernard N. Meltzner, John W. Petras, and Larry T. Reynolds, Symbolic Interactionism: Genesis, Varieties, and Criticism (London: Routledge and Kegan Paul, 1975), p. 1.
- ²⁶George Herbert Mead, Mind, Self, and Society, ed. Charles W. Morris (Chicago: University of Chicago Press, 1962), pp. 68-75.
- ²⁷Ibid., pp. 173-8.
- ²⁸Ibid., p. 261.
- ²⁹Peter M. Hall, "A Symbolic Interactionist Analysis of Politics," Sociological Inquiry, 42, No. 3-4 (1972), p. 43.
- ³⁰Ibid., pp. 43-8.
- ³¹Erving Goffman, Asylums (Chicago: Aldine Publishing, 1961). See entire book, but particularly 304-20 for an explanation of the idea of "secondary adjustment"; that is, of a negotiated order within structural or institutional or institutional constraints.
- ³²Cf. Meltzner et al., pp. 96-100.
- ³³Tom Bottomore, "Structure and History," in Approaches to the Study of Social Structure, ed. Peter M. Blau (New York: Free Press, 1975), p. 160.
- ³⁴Cf. Mead, pp. 71-2.
- ³⁵Ibid., pp. 153-4.
- ³⁶Ibid., p. 155.
- ³⁷John Rawls, A Theory of Justice (Cambridge, Mass.: Harvard University Press, 1971), p. 55.
- ³⁸Ibid., pp. 55-6.

³⁹Peter Winch, The Idea of a Social Science and its Relation to Philosophy (London: Routledge and Kegan Paul, 1958), pp. 30-1.

⁴⁰Ibid., p. 31.

⁴¹Ibid.

⁴²Ibid., p. 32.

⁴³Ibid., pp. 64-5.

⁴⁴John Brigham, "The Supreme Court: An Institution as Conventional Practice," mimeographed (Amherst, Mass., 1981), p. 7.

⁴⁵Ibid., p. 81.

⁴⁶Ibid., pp. 11-12.

⁴⁷Jo Freeman (Joreen), "The Tyranny of Structurelessness," in Radical Feminism, eds. Anne Koedt, Ellen Levine, and Anita Rapone (New York: Quadrangle, 1973), pp. 287-88.

⁴⁸John R. Commons, Legal Foundations of Capitalism (New York: Macmillan, 1924), pp. 140-41.

⁴⁹Ibid., p. 6.

⁵⁰Frank J. Sorauf, Party Politics in America, 3rd ed. (Boston: Little Brown, 1976), pp. 9-12.

⁵¹This idea grew out of a conversation with John Brigham in February 1982. I don't remember if it was his idea or mine.

⁵²Richard F. Fenno, Jr., Congressman in Committees (Boston: Little Brown, 1973), p. 5.

⁵³Ibid., pp. 39-40.

⁵⁴Ibid., pp. 57-64.

⁵⁵Ibid., p. 63.

⁵⁶Ibid., pp. 285-87.

⁵⁷Ibid., pp. 278-79.

⁵⁸Ibid., pp. 94-97.

⁵⁹Ibid., pp. 101-102.

⁶⁰Cf. Brigham, "The Supreme Court . . . as Conventional Practice," p. 8.

⁶¹For a discussion of some of the issues involved here see cf. Connolly, pp. 22-35.

⁶²Cf. Frohock, pp. 865-87.

⁶³E. E. Schattschneider, The Semisovereign People (Hinsdale, Ill.: Dryden Press, 1960), p. 72.

⁶⁴Charles G. Benda, "State Organization and Policy Formation: The 1970 Reorganization of the Post Office Department," Politics and Society 9, No. 2 (1979), p. 125.

⁶⁵Alain Touraine, The Self-Production of Society, trans. Derek Coltman (Chicago: University of Chicago Press, 1977), p. 178.

⁶⁶*Ibid.*, p. 179.

⁶⁷*Ibid.*, p. 217.

⁶⁸*Ibid.*, p. 460. The term system means a social order or social system. The term system of historical action refers to a system of class relations in a given social order. However some debates have the potential to spread beyond the constraints of a given system and thereby to become a force for transforming that system. See Touraine, pp. 72 and 75.

⁶⁹*Ibid.*, pp. 178-79.

⁷⁰H. H. Gerth and C. Wright Mills, ed. and trans., From Max Weber: Essays in Sociology (New York: Oxford University Press, 1946), pp. 77-78.

⁷¹Cf. Touraine, p. 188.

⁷²Nico Poulantas, State, Power, Socialism, trans. Patrick Camiller (London: New Left Books, 1978), p. 58.

⁷³Cf. Macpherson, pp. 39-44.

⁷⁴Robert Grafstein, "The Legitimacy of Political Institutions," Polity 14, No. 1 (Fall 1981), p. 58. I find Grafstein's position fruitful because it focuses on legitimacy as a result/aspect of a social process rather than as an individual attitude.

Chapter III

¹See Theodore J. Lowi, The End of Liberalism, 2nd ed. (New York: W.W. Norton, 1979); Grant McConnell, Private Power and American Democracy (New York: Vintage Books, 1970); and Henry S. Kariel, The Decline of American Pluralism (Stanford, Cal.: Stanford University Press, 1961).

²Lowi, p. 43.

³Matthew A. Crenson, The Federal Machine (Baltimore: John Hopkins University Press, 1975), pp. ix-xi.

⁴See Thomas P. Jahnige, "Critical Elections and Social Change, Towards a Dynamic Explanation of National Party Competition in the United States," Polity 3, No. 4 (Summer 1971), p. 480 and Everett Carl Ladd Jr., American Political Parties, Social Change and Political Response (New York: W.W. Norton, 1970), pp. 57-58.

⁵Cf. Crenson, p. 46.

⁶Ibid., pp. 3-4.

⁷Ibid., p. 161.

⁸Ibid., pp. 171-72.

⁹Kenneth Finegold, "From Agrarianism to Adjustment: The Political Origins of New Deal Agricultural Policy," Politics and Society 11, No. 1 (1982), pp. 1-27.

¹⁰James L. Sundquist, Dynamics of the Party System (Washington: Brookings Institution, 1973), p. 335.

¹¹Cf. Crenson (entire); i.e., this is a major point of the book, although Crenson does not use the term "realignment."

¹²Walter Dean Burnham, Critical Elections and the Mainsprings of American Politics (New York: W.W. Norton, 1970), pp. 73-82 and 101-4.

¹³Richard Polénburg, Reorganizing Roosevelt's Government 1936-39 (Cambridge, Mass.: Harvard University Press, 1966), p. 6.

¹⁴Arthur M. Schlesinger Jr., The Coming of the New Deal (Boston: Houghton Mifflin, 1958), pp. 2-3.

¹⁵Woodrow Wilson, Congressional Government (Boston: Houghton Mifflin, 1925), p. 266.

¹⁶Edward S. Corwin, The President Office and Powers, 1787-1957, 4th ed. revised (New York: New York University Press, 1957), pp. 300-1.

¹⁷For a fuller discussion of "state capacity" see Theda Skocpol and Kenneth Finegold, "State Capacity and Economic Intervention in the Early New Deal," Political Science Quarterly 97, No. 2 (Summer 1982), pp. 255-78.

¹⁸Cf. Wilson, pp. 148-49.

¹⁹Ibid., p. 106.

²⁰Ibid., p. 135. Note: my parentheses on "congressional."

²¹Loren P. Beth, The Development of the American Constitution 1877-1917 (New York: Harper and Row, 1971), pp. 29-30.

²²Barry Dean Karl, Executive Reorganization and Reform in the New Deal (Cambridge, Mass.: Harvard University Press, 1963), p. 33.

²³Cf. Wilson, pp. xx-xxi.

²⁴Cf. Polenburg, pp. 3-4.

²⁵Cf. Karl, p. 167. Of course the meaning of "efficiency" is subject to contention. It can mean management control or the ability to respond to substantive problems. These two values are to some extent always in contradiction.

²⁶Harold Seidmann, Politics, Position, and Power, 3rd ed. (New York: Oxford University Press, 1980), p. 86.

²⁷Cf. Beth, p. 25.

²⁸Larry Berman, The OMB and the Presidency 1921-79 (Princeton, N.J.: Princeton University Press, 1979), p. 4. The bill actually passed Congress, but Wilson vetoed it over a dispute over whether the President could remove the Comptroller General and other GAO officers.

²⁹Cf. Seidmann, p. 102.

³⁰Cf. Berman, pp. 4-5.

³¹Ibid., pp. 5-7.

³²Ibid., p. 6.

³³Ibid., pp. ix-x.

³⁴Ibid., pp. 7-8.

³⁵Richard E. Neustadt, "Presidency and Legislation: The Growth of Central Clearance," American Political Science Review 48, No. 3 (September 1954), p. 642.

³⁶See cf. Seidmann, pp. 78-79 and Allen Schick, "The Budget Bureau That Was: Thoughts on the Rise, Decline, and Future of a Presidential Agency," Law and Contemporary Problems 35, No. 3 (Summer 1970), pp. 519-34.

³⁷Cf. Neustadt, p. 643.

³⁸Ibid., pp. 644-45.

³⁹Ibid., p. 646.

⁴⁰Stephen J. Wayne, The Legislative Presidency (New York: Harper and Row, 1978), p. 96.

⁴¹Cf. Skocpol and Finegold, pp. 262-63.

⁴²Jordan A. Schwartz, The Interregnum of Despair (Urbana, Ill.: University of Illinois Press, 1970), pp. 4-5.

⁴³Cf. Wayne, p. 16.

⁴⁴Samuel Lubell, The Future of American Politics, 3rd ed. revised (New York: Harper Colophon Books, 1965), pp. 48-49 and 166-67.

⁴⁵John M. Allswang, The New Deal and American Politics (New York: John Wiley, 1978), p. 12.

⁴⁶Ibid., p. 13.

⁴⁷Cf. Schwartz, p. 237.

⁴⁸William E. Leuchtenburg, Franklin D. Roosevelt and the New Deal (New York: Harper and Row, 1963), p. 27.

⁴⁹The 1932 election was an unusual realigning or pre-realigning election in that there was no significant third party vote. See Leuchtenburg, p. 27.

⁵⁰Cf. Ladd, p. 5.

⁵¹Cf. Leuchtenburg, p. 17.

⁵²Phillip H. Burch Jr., Elites in American History, Vol. III (New York: Holmes and Meier, 1980), p. 51.

⁵³Cf. Schlesinger, "The Coming of the New Deal," p. 549.

⁵⁴Cf. Leuchtenburg, p. 63.

⁵⁵Cf. Polenburg, p. 22.

⁵⁶Ibid., pp. 5-6.

⁵⁷Cf. Neustadt, p. 647.

⁵⁸Cf. Berman, pp. 8-9.

⁵⁹Cf. Neustadt, p. 648.

⁶⁰Gerhard Colm, "The Executive Office and Fiscal and Economic Policy," Law and Contemporary Problems 21 (Autumn 1956), p. 710.

⁶¹Lester G. Seligman and Elmer E. Cornwell Jr., eds., New Deal Mosaic, Roosevelt Confers with his National Emergency Council, 1933-1936 (Eugene, Ore.: University of Oregon Books, 1965), pp. xiii-xxix.

⁶²Cf. Schlesinger, "The Coming of the New Deal," p. 547.

⁶³Cf. Seligman and Cornwell, p. 79.

⁶⁴Cf. Neustadt, p. 649.

⁶⁵Ibid.

⁶⁶Ibid., p. 650.

⁶⁷Ibid., p. 652.

⁶⁸Ibid., pp. 651-62.

⁶⁹Cf. Karl, pp. 76-78.

⁷⁰Donald K. Price, "Staffing the Presidency," American Political Science Review 40, No. 6 (December 1946), pp. 1161-62.

⁷¹Cf. Lubell, p. 35.

⁷²Lubell, essentially the entire book is a description of how the characteristic post-1932 Democratic and Republican coalitions came into being.

⁷³Nancy H. Zingale, "Third Party Alignments in a Two Party System: The Case of Minnesota," in The History of American Electoral Behavior, eds. Joel H. Silbey, Allan G. Bogue, and William H. Flanigan (Princeton, N.J.: Princeton University Press, 1978), pp. 109-10.

⁷⁴Cf. Leuchtenburg, p. 84.

⁷⁵Cf. Schlesinger, "The Coming of the New Deal," pp. 472-73.

⁷⁶Arthur M. Schlesinger Jr., The Politics of Upheaval (Boston: Houghton Mifflin, 1960), p. 447.

⁷⁷*Ibid.*, p. 603.

⁷⁸Clinton Rossiter, The American Presidency, revised (New York: Mentor, 1960), p. 122.

⁷⁹Cf. Karl, p. 247.

⁸⁰Lester G. Seligman and Michael R. King, "Political Realignment and Recruitment to the U.S. Congress 1870-1970," in Realignment in American Politics, eds. Bruce A. Campbell and Richard J. Trilling (Austin: University of Texas Press, 1980), p. 171.

⁸¹Cf. Polenburg, pp. 51, 146-51.

⁸²*Ibid.*, p. 148.

⁸³Cf. Karl, p. 249.

⁸⁴Cf. Polenburg, p. 79.

⁸⁵*Ibid.*, pp. 28-40.

⁸⁶*Ibid.*, pp. 181-88.

⁸⁷Cf. Berman, pp. 13-14.

⁸⁸Cf. Neustadt, pp. 654-55.

⁸⁹*Ibid.*, pp. 654-57.

Chapter IV

¹These amendments include a number of major pieces of legislation including the Taft-Hartley Act the the Landrum-Griffith Act.

²Karl E. Klare, "Judicial Deradicalization of the Wagner Act and the Origins of Modern Legal Consciousness, 1937-41," Minnesota Law Review 62, No. 3 (March 1978), p. 291.

³Frank W. McCulloch and Tim Bornstein, The National Labor Relations Board (New York: Praeger, 1974), p. 23.

⁴Karl E. Klare, "Labor Law as Ideology: Toward a New Historiography of Collective Bargaining Law," Industrial Relations Law Journal 4 No. 3 (1981), pp. 456-58. The author argues that United States collective bargaining law and practice provide a crucial and perhaps paradigmatic example of how liberal ideology and jurisprudence were adjusted during the New Deal period to deal with the tensions created by the new uses of state power to support/regulate the larger society. In particular, Klare argues that labor law as shaped by the NLRB and by federal court decisions has legitimized state action in general in a way that has preserved the ideological justification for a sharp distinction between the public and private spheres.

⁵McCulloch and Bornstein, pp. viii-ix.

⁶Irving Bernstein, The New Deal Collective Bargaining Policy (Berkeley, Cal.: University of California Press, 1950), pp. 2-4.

⁷Ibid., p. 2.

⁸Ibid., p. 145.

⁹Frances Fox Piven and Richard A. Cloward, Poor People's Movements (New York: Vintage Books, 1979), pp. 115-19 and 147-53.

¹⁰Cf. McCulloch and Bornstein, pp. 8-9. There is of course some controversy on this last point.

¹¹Cf. Piven and Cloward, pp. 96-97. Also see all of Chapter 3.

¹²James Wright points out that the worker insurgency model "... requires an active, indeed, militant, constituency 'out there' in the body politic." I agree with this comment. But given the way American elections and major political parties are organized, the electoral impact of this constituency is indirect or contextual. Government officials, professional politicians, etc. have to infer the meaning of electoral results. See cf. Pivan and Cloward, pp. 27-32.

¹³Cf. McCulloch and Bornstein, p. 9.

¹⁴Ironically, Robert F. Wagner may have been the first judge in the United States, state or national, to issue a "pro-labor" injunction in a labor dispute. Cf. Bernstein, p. 28.

¹⁵Cf. Piven and Cloward, pp. 102-4.

¹⁶Lawrence H. Chamberlain, The President, Congress and Legislation (New York: Columbia University Press, 1946), pp. 138-63.

¹⁷Cf. Bernstein, pp. 23-27.

¹⁸This assertion rests on conventional wisdom, based on historical conjecture informed by ecological analyses of election returns. As James Wright points out (comment on chapter draft) the relationship between class and voting patterns was first systematically examined in the 1930s.

¹⁹Paul R. Abramson, Generational Change in American Politics (Lexington, Mass.: Lexington Books, 1975), pp. 11-19.

²⁰See E. E. Schattschneider, The Semisovereign People (Hinsdale, Ill.: Dryden Press, 1960), pp. 78-85. Also see Lawrence Goodwyn, The Populist Moment (New York: Oxford University Press, 1978), especially pp. 264-322.

²¹John M. Allswang, The New Deal and American Politics (New York: John Wiley and Sons, 1978), pp. 2-4.

²²Alain Touraine, The Self-Production of Society, trans. Derek Coltman (Chicago: University of Chicago Press, 1977), p. 460. In this case the relevant system is the political order of the United States.

²³Robert A. Dahl, "On Removing Certain Impediments to Democracy in the United States," Dissent 25, No. 3 (Summer 1978), pp. 311-312.

²⁴Thomas R. Brooks, Toil and Trouble (New York: Dell, 1965), p. 155.

²⁵*Ibid.*, pp. 155-59. Also see cf. Piven and Cloward, pp. 107-10.

²⁶Bernard Karish and Phillip L. Garman, "The Impact of the Political Left," in Labor and the New Deal, ed. Milton Derber and Edwin Young (Madison, Wis.: University of Wisconsin Press, 1961), pp. 96-97.

²⁷Phillip H. Burch Jr., Elites in American History, Vol. III (New York: Holmes and Meier, 1980), p. 51.

²⁸Murray Edelman, "New Deal Sensitivity to Labor Interests," in Labor and the New Deal, ed. Milton Derber and Edwin Young (Madison, Wis.: University of Wisconsin Press, 1961), p. 174.

²⁹Charles A. Dearing et al., The ABC of the NRA (Washington: Brookings Institution, 1934), pp. 46-47.

³⁰Cf. Bernstein, p. 13.

³¹Cf. Burch, p. 7.

³²*Ibid.*, p. 45.

³³*Ibid.*, p. 18.

³⁴Moley organized the "Brains Trust" and selected most of its members including Berle. During 1932-33 Moley and Berle were in close accord in both their understandings of social and economic conditions and their policy recommendations. See Beatrice Bishop Berle and Travis Beal Jacobs, ed., Navigating the Rapids 1918-1971: From the Papers of Adolf A. Berle (New York: Harcourt Brace Jovanovich, 1973), pp. 31-84.

³⁵William E. Leuchtenburg, Franklin D. Roosevelt and the New Deal (New York: Harper and Row, 1963), p. 59.

³⁶*Ibid.*, pp. 55-56; cf. Burch, pp. 35-36.

³⁷Cf. Chamberlain, p. 18.

³⁸Cf. Burch, pp. 18-19 and 36.

³⁹Cf. Dearing et al., p. 127.

⁴⁰*Ibid.*, p. 21.

⁴¹James A. Gross, The Making of the National Labor Relations Board, Vol. 1 (Albany, N.Y.: State University of New York Press, 1974), p. 12.

⁴²*Ibid.*, pp. 14-15.

⁴³*Ibid.*, p. 2.

⁴⁴*Ibid.*

⁴⁵*Ibid.*, pp. 14-19.

⁴⁶Cf. Burch, p. 38.

⁴⁷Cf. Gross, p. 20.

⁴⁸*Ibid.*, pp. 21-28.

⁴⁹*Ibid.*, p. 30.

⁵⁰*Ibid.*, pp. 31-32.

⁵¹*Ibid.*, pp. 33-39.

⁵²*Ibid.*, pp. 41-42.

⁵³*Ibid.*, pp. 45 and 54.

⁵⁴*Ibid.*, pp. 42-46.

⁵⁵Cf. Bernstein, pp. 62-63.

⁵⁶Cf. Gross, pp. 46-48.

⁵⁷Ibid., pp. 52-53.

⁵⁸Ibid., pp. 54-56.

⁵⁹Ibid.

⁶⁰Cf. Bernstein, pp. 64-66.

⁶¹Cf. Gross, p. 55.

⁶²Ibid., pp. 57-59.

⁶³Cf. Bernstein, p. 60 (footnote 17).

⁶⁴Ibid.; cf. Gross, p. 61.

⁶⁵Cf. Piven and Cloward, p. 113.

⁶⁶For a fuller summary of the La Follette subcommittee findings see cf. Brooks, pp. 164-65.

⁶⁷Cf. McCulloch and Bornstein, p. 15.

⁶⁸Arthur M. Schlesinger Jr., The Coming of the New Deal (Boston: Houghton Mifflin, 1958), p. 392.

⁶⁹Ibid., pp. 142-43.

⁷⁰Ibid., pp. 143-44. Secretary Perkins did finally hold the meeting at a local post office, which was of course federal property.

⁷¹Cf. Chamberlain, p. 169. For example, at a 5/25/34 press conference a reporter asked FDR if there was a need for the Labor Disputes bill. FDR responded, off the record, that "It would be very helpful, because it would clarify administrative procedure and at the same time create methods that were perfectly clear under the law . . ."

⁷²Cf. Gross, p. 67.

⁷³Cf. Bernstein, pp. 73-75.

⁷⁴Ibid., pp. 76-80.

⁷⁵Ibid., p. 81.

⁷⁶Cf. Edelman, p. 170.

⁷⁷Cf. Bernstein, p. 84. Also see cf. Gross, pp. 72-73.

⁷⁸Bernstein, p. 84. Also see Gross, pp. 76-78.

⁷⁹Gross, pp. 77-78.

⁸⁰Ibid., pp. 80-87.

⁸¹Ibid., pp. 89-91.

⁸²Ibid., p. 89.

⁸³Ibid., p. 91.

⁸⁴Ibid., pp. 91-95.

⁸⁵Arthur M. Schlesinger Jr., The Politics of Upheaval (Boston: Houghton Mifflin, 1960), p. 447.

⁸⁶Cf. Gross, pp. 125-29. Also see cf. Bernstein, p. 87 and cf. Edelman, p. 175.

⁸⁷Gross, p. 110.

⁸⁸Ibid., p. 111.

⁸⁹Ibid., pp. 111-12.

⁹⁰Ibid., pp. 112-14.

⁹¹Ibid., p. 117.

⁹²Ibid., pp. 118-19.

⁹³Ibid., pp. 119-22.

⁹⁴Ibid., p. 123.

⁹⁵Ibid., pp. 179-87.

⁹⁶Theda Skocpol and Kenneth Finegold, "State Capacity and Economic Intervention in the Early New Deal," Political Science Quarterly 97, No. 2 (Summer 1982), pp. 255-78. The authors argue that previous institutionalization was a major factor in the political and/or functional success of various New Deal agencies. They do not discuss the NLRB or the older labor boards, although they look at the NRA in detail.

⁹⁷Cf. Klare, "Judicial Deradicalization of the Wagner Act," pp. 275-80.

⁹⁸See Klare, pp. 265-339 (entire) and cf. Klare, "Labor Law as Ideology," pp. 450-81 (entire).

⁹⁹Cf. Klare, "Judicial Deradicalization of the Wagner Act," pp. 292-93.

Chapter V

¹See Lance T. LeLoup, "After the Blitz: Reagan and the U.S. Congressional Budget Process," Legislative Studies Quarterly, 7, No. 3 (August 1982), pp. 333-34; Allen Schick, How the Budget Was Won and Lost, a paper for the AEI Conference on Presidential-Congressional Relations (January 7, 1982); and Hedrick Smith, "The President as Coalition Builder: Reagan's First Year," in Rethinking the Presidency, ed. Thomas Cronin (Boston: Little Brown, 1982), pp. 271-86.

²Cf. LeLoup, p. 330.

³Richard E. Cohen, "Revising the Budget Act," National Journal, 14, No. 40 (October 2, 1982), p. 1684.

⁴Given the characteristic failure of Congress to complete, or even begin, passage of appropriations bills by the start of the fiscal year, it is difficult to say when there is an actual budget. Indeed, given the changes in both spending and revenue that can occur after appropriations are passed it may be debatable whether a budget is ever adopted. For the purposes of this paper, I will say that a budget functionally exists after reconciliation has taken place. Of course this contention applies only since 1980.

⁵"Use of Omnibus Bills Burgeons Despite Members' Misgivings; Long-Term Impact is Disputed," Congressional Quarterly Weekly Report, 40, No. 39 (September 25, 1982), p. 2379.

⁶Walter Dean Burnham, "The Eclipse of the Democratic Party," Democracy, 2, No. 3 (July 1982), p. 7; also see Gerald M. Pomper, "The 1980 Presidential Election and Its Meaning," in Rethinking the Presidency, ed. Thomas E. Cronin (Boston: Little Brown, 1982), pp. 3-28. However some observers see the election results confirming a long term pattern of secular realignment, especially in the South. See James L. Sundquist and Richard M. Scammon, "The 1980 Election: Profile and Historical Perspective" in A Tide of Discontent, ed. Ellis Sandoz and Cecil V. Crabb Jr. (Washington: Congressional Quarterly Press, 1981), pp. 19-43.

⁷Burnham, p. 7.

⁸Ibid., p. 8.

⁹My main source material is two journalistic publications that focus upon the operation of the United States national government, The National Journal and Congressional Quarterly Weekly Report. I think this is justified for the following reasons: (1) The audience for these publications consists in significant part of individuals who would be aware of significant factual errors in the total coverage of budget events. Thus the journals in question have an incentive to be reasonably accurate. (2) My interest in the operation of the budget process is a general one. I am looking at it as a case study of the impact of electoral events. I am not concerned with writing either the definitive history or analysis of the evolution of the budget process in 1980-82.

¹⁰For a basic and still largely accurate description of the budget process and its three main components see Aaron Wildavsky, The Politics of the Budgetary Process (Boston: Little Brown, 1964), pp. 47-56.

¹¹Allen Schick, Congress and Money (Washington: Urban Institute, 1980), p. 1.

¹²Dennis S. Ippolito, Congressional Spending (Ithaca, N.Y.: Cornell University Press, 1981), pp. 48-51.

¹³Ibid., p. 71.

¹⁴No doubt the new process was meant to limit the growth in the use of supplementals. It did not. There is some contention over whether the process has encouraged the use of supplemental appropriations and continuing resolutions because of the short time left for appropriation action under the 1974 Act. However one can argue that the problem is mainly a result of the lack of centralized congressional power and would occur in any case. Yet the budget process, especially since the use of the reconciliation process, complicates the issue. Now there are real ceilings for nineteen areas of budget activity as well as for total spending. Not only must Congress pass appropriations, but it must pass appropriations that fit into two sets of targets. Thus, passing spending bills by logrolling is no longer a suitable way for controlling conflict and allowing the prompt passage of legislation.

¹⁵Cf. Schick, "Congress and Money," p. 389.

¹⁶Ibid.

¹⁷Joel Havemann, Congress and the Budget (Bloomington, Ind.: Indiana University Press, 1978), pp. 123-24.

¹⁸Ibid., p. 190.

¹⁹Cf. Ippolito, p. 104.

²⁰Cf. Schick, "Congress and Money," pp. 474-75.

²¹Ibid., p. 388.

²²Cf. Ippolito, pp. 133-34.

²³Cf. Schick, "Congress and Money," pp. 364-70.

²⁴Ibid., pp. 222, 239, 363-64.

²⁵Ibid., p. 370. It is interesting to note that the HBC's greatest success on the floor in terms of a substantive issue came with the support of the Democratic leadership over Appropriations Chairman Mahon. Speaker O'Neill defended a larger target figure for jobs creation from the first budget resolution over the objections of Mahon and President Carter. O'Neill said the matter was basic party policy and was able to get a majority on that basis. Also see cf. Havemann, pp. 153-56.

²⁶"Carter-Congress Relations Still Strained Despite Gains," Congressional Quarterly Weekly Reports, 38, No. 41 (October 11, 1980), pp. 3095-3102.

²⁷Timothy B. Clark, "Economic Events May Have Overtaken Reagan's 1981 Budget-Cutting Goals," National Journal, 12, No. 51-52 (December 20, 1980), p. 2153.

²⁸Ibid., pp. 2153-56.

²⁹Cf. Schick, "How the Budget," pp. 31-32.

³⁰Dick Kirschten, "Reagan: No More Business As Usual," National Journal, 13, No. 8 (February 21, 1981), p. 300.

³¹Ibid., pp. 300-02.

³²William Greider, "The Education of David Stockman," Atlantic, 248, No. 6 (December 1981), pp. 33-35.

³³Dick Kirschten, "Decision Making in the White House: How Well Does It Serve the President," National Journal, 14, No. 14 (April 3, 1982), pp. 584-89.

³⁴Cf. Kirschten, "Reagan: 'No More Business as Usual,'" p. 303.

³⁵Cf. Greider, p. 30.

³⁶Frances Fox Piven and Richard A. Cloward, The New Class War (New York: Pantheon Books, 1982), pp. 13-37.

³⁷"Coalitions and Associations Transform Strategy, Methods of Lobbying in Washington," Congressional Quarterly Weekly Report, 40, No. 4 (January 23, 1982), pp. 119-20.

³⁸*Ibid.*, pp. 121-23; also see "Business Tries to Cool Its Back-Street Romance with Federal Spending," Congressional Quarterly Weekly Report, 39, No. 10 (March 7, 1981), pp. 406-09.

³⁹Cf. Schick, "How the Budget," p. 10.

⁴⁰*Ibid.*, pp. 3-5.

⁴¹*Ibid.*, pp. 6-7.

⁴²"Congress Works a Minor Revolution--Making Cuts to Meet Its Budget Goals," National Journal, 13, No. 25 (June 20, 1981), pp. 1114-15.

⁴³Cf. Schick, "How the Budget," p. 8.

⁴⁴Congressional Quarterly Weekly Report, 39, No. 2 (January 10, 1981), p. 119.

⁴⁵Cf. Schick, "How the Budget," p. 10.

⁴⁶Richard E. Cohen, "The 'Revolution' on Capitol Hill: Is It Just a Temporary Coup," National Journal, 13, No. 35 (August 29, 1981), p. 1540.

⁴⁷"'Let Us Act Together,' Reagan Exhorts Congress," Congressional Quarterly Weekly Report, 39, No. 8 (February 21, 1981), p. 332.

⁴⁸"Crack 'Outreach' Programs No Longer Ensure Reelection," Congressional Quarterly Weekly Report, 39, No. 7 (February 14, 1981), pp. 316-18.

⁴⁹"Reconciliation Breeds Tumult As Committees Tackle Cuts," Congressional Quarterly Weekly Report, 39, No. 21 (May 23, 1981), p. 887.

⁵⁰"\$8.2 Billion Reconciliation Bill Cleared," Congressional Quarterly Weekly Report, 38, No. 49 (December 6, 1980), p. 3487.

⁵¹Robert W. Hartman, "Congress and Budget Making," Political Science Quarterly, 97, No. 3 (Fall 1982), pp. 388-89.

⁵²Richard E. Cohen, "For the Congressional Budget Process, 1981 Could Be the Make or Break Year," National Journal, 13, No. 2 (January 10, 1981), p. 62.

⁵³Ibid., pp. 61-63.

⁵⁴"Reagan Plan Clears 1st Hurdle as Senate Budget Backs Cuts," Congressional Quarterly Weekly Reports, 39, No. 12 (March 21, 1981), p. 499.

⁵⁵Ibid.

⁵⁶Richard E. Cohen, "The 'Fun and Games' Are Over--Now Congress Has to Enact the Cuts," National Journal, 13, No. 20 (May 16, 1981), p. 888.

⁵⁷Richard E. Cohen, "Democratic Dilemma--No Credit If They Work With Reagan, Blame If They Don't," National Journal, 13, No. 12 (March 21, 1981), p. 484.

⁵⁸Richard E. Cohen, "Budget Express Leaving the Station Without the Appropriations Committees," National Journal, 13, No. 27 (July 4, 1981), p. 1212.

⁵⁹Neil MacNeil, "The Struggle for the House of Representatives" in A Tide of Discontent, ed. Ellis Sandoz and Cecil V. Crabb Jr. (Washington: Congressional Quarterly Press, 1981), p. 72.

⁶⁰National Journal, 13, No. 15 (April 11, 1981), p. 623.

⁶¹Cf. Cohen, "Democratic Dilemma--No Credit," p. 483.

⁶²"Democrats Score on Budget In House and Senate Panels," Congressional Quarterly Weekly Report, 39, No. 15 (April 11, 1981), p. 622.

⁶³National Journal, 13, No. 19 (May 9, 1981), p. 846. Also see Bob Becker, "Now It's Reagan's Turn to Attempt to Curb Soaring Farm Disaster Loans," National Journal, 13, No. 21 (May 23, 1981), pp. 932-33.

⁶⁴"Reconciliation Breeds Tumult as Committees Tackle Cuts," Congressional Quarterly Weekly Report, 39, No. 21 (May 23, 1981), pp. 887-89. Rep. Pannetta's instructions included the following: (1) the use of CBO current services estimates as the baseline for budget alterations, (2) that reconciliation covers FY 82-84, but is only binding for FY 82, (3) that reconciliation instructions apply to "direct spending" as well as authorization levels, (4) that expiring authorizations must be included in the spending base (Congress did make a couple of exceptions to this provision--see same article, pp. 889-90), (5) that authorization committees could substitute savings in direct spending programs for authorization programs, but not vice versa, to meet targets, (6) that reconciliation proposals must include net savings, new programs could only be added if old ones were deleted, and (7) that revenue

increases, other than users fees, would not count toward meeting budget targets.

⁶⁵"Reagan's House Victory Lightens Burden for Budget Conferees," National Journal, 13, No. 27 (July 4, 1981), p. 1191.

⁶⁶"Republicans Press Reconciliation Alternative," Congressional Quarterly Weekly Report, 39, No. 25 (June 20, 1981), p. 1079.

⁶⁷"President Reagan's Budget Blueprint Wins Final Approval in House, Senate," Congressional Quarterly Weekly Report, 39, No. 21 (May 23, 1981), p. 892.

⁶⁸"Reconciliation Breeds Tumult as Committees Tackle Cuts," Congressional Quarterly Weekly Report, 39, No. 21 (May 23, 1981), p. 891.

⁶⁹"Reconciliation Changes Still Face Tough Hill Battles," Congressional Quarterly Weekly Report, 39, No. 24 (June 13, 1981), p. 1029.

⁷⁰"Many Invincible Programs Again Spared the Budget Ax In Spite of Reagan Campaign," Congressional Quarterly Weekly Report, 39, No. 29 (July 18, 1981), p. 1272.

⁷¹Cf. Greider, p. 51.

⁷²Randall B. Ripley and Grace A. Franklin, Congress, the Bureaucracy and Public Policy (Homewood, Ill.: Dorsey Press, 1980), pp. 121-42.

⁷³"Reconciliation Spending Cut Bill Sent to Reagan," Congressional Quarterly Weekly Report, 39, No. 31 (August 1, 1981), p. 1372.

⁷⁴"Many Invincible Programs Again Spared the Budget Ax in Spite of Reagan Campaign," Congressional Quarterly Weekly Report, 39, No. 29 (July 18, 1981), pp. 1271-72.

⁷⁵For a brief description of the change in the character of discourse between congressional committees and interest groups, especially non-business groups, see Linda E. Demkovich, "It's a Whole New Budget Ball Game, But Lobbyists Are Playing by Old Rules," National Journal, 13, No. 41 (October 10, 1981), pp. 1806-09. Also see "Special Treatment No Longer Given Advocates for the Poor," Congressional Quarterly Weekly Report, 39, No. 16 (April 18, 1981), pp. 659-64.

⁷⁶Cf. Ippolito, pp. 233-34.

⁷⁷Cf. Cohen, "Budget Express Leaving," pp. 1211-14.

⁷⁸"Senate Interior Bill Exceeds Reagan Budget," Congressional Quarterly Weekly Report, 39, No. 44 (October 31, 1981), p. 2137 and

Timothy B. Clark, "Reagan's Balanced Budget--One Step Closer, One Step Further Away," National Journal, 13, No. 39 (September 26, 1981), p. 1713.

⁷⁹Cf. Hartman, pp. 391-92.

⁸⁰Richard E. Cohen, "For Spending Cuts, Only the Beginning," National Journal, 13, No. 32 (August 8, 1981), p. 1411.

⁸¹National Journal, 14, No. 13 (March 27, 1982), p. 563.

⁸²Richard E. Cohen, "Budget Scapegoating," National Journal, 14, No. 24 (June 12, 1982), p. 1063.

⁸³Richard Corrigan, "Red Ink Blues--Episode 21," National Journal, 14, No. 30 (July 31, 1982), p. 1339.

⁸⁴See Timothy B. Clark, "A Divided Administration Wonders Whether It's Time For More Taxes," National Journal, 14, No. 3 (January 16, 1982), pp. 113-18.

⁸⁵Timothy B. Clark, "Reagan's Budget: Economic, Political Gambles," National Journal, 14, No. 7 (February 13, 1982), p. 277.

⁸⁶Richard E. Cohen, "For the Gypsy Moths, the Goal is to Change GOP Policy Not Bolt the Party," National Journal, 13, No. 44 (October 31, 1981), p. 1948.

⁸⁷Richard E. Cohen, "Congress and the White House Play a Waiting Game on the 1983 Budget," National Journal, 14, No. 12 (March 20, 1982), p. 489.

⁸⁸Richard E. Cohen, "Nearly Anonymous Insiders Play Key Roles as Aides to Congress's Leaders," National Journal, 14, No. 37 (September 11, 1982), p. 1545. This article notes the increasing power of the staff of party leaders. This is of course a result of the centralizing impact of the events of 1981 and in turn provides party leaders with additional resources in their efforts to coordinate legislative party actions.

⁸⁹National Journal, 14, No. 19 (May 8, 1982), p. 832.

⁹⁰Phil Gramm was ousted from his seat on the HBC by the Democratic Caucus at the start of the 98th Congress.

⁹¹Theodore J. Lowi, The End of Liberalism, 2nd ed. (New York: W.W. Norton, 1979), pp. 273-79.

⁹²Richard Corrigan, "Red Ink Blues--Episode 9," National Journal, 14, No. 19 (May 8, 1982), p. 811.

⁹³"Budget Rules Make Deficit Cuts Hard to Hit," Congressional Quarterly Weekly Reports, 40, No. 28 (July 10, 1982), p. 1645.

⁹⁴Cf. Corrigan, "Red Ink Blues--Episode 21," p. 1339.

⁹⁵Cf. Hartman, pp. 396-99.

Chapter VI

¹For a summary of the disaggregation argument and its implications for political change in the United States see Walter Dean Burnham, Critical Elections and the Mainsprings of American Politics (New York: W.W. Norton, 1970), pp. 175-93. For a reevaluation of this idea in the context of the 1980 presidential election see William Schneider, "Re-alignment: The Eternal Question," P.S., 15, No. 3 (Summer 1982), pp. 449-457.

²Schneider, p. 449.

³See E. E. Schattschneider, The Semisovereign People (Hinsdale, Ill.: Dryden Press, 1960), pp. 62-77 for a description of this process.

⁴Cf. Burnham, p. 137.

⁵Richard J. Trilling and Bruce A. Campbell, "Toward a Theory of Realignment," in Realignment in American Politics, ed. Bruce A. Campbell and Richard J. Trilling (Austin: University of Texas Press, 1980), p. 4.

⁶*Ibid.*, p. 8.

⁷My argument for the usefulness of this concept is more fully explained in Chapter VII.

⁸Alain Touraine, The Self-Production of Society, trans. Derek Coltman (Chicago: University of Chicago Press, 1977), pp. 72-75.

⁹William E. Leuchtenburg, Franklin D. Roosevelt and the New Deal (New York: Harper and Row, 1963), pp. 10-13.

¹⁰This point has not been made explicitly in the realignment literature. However, the issue of the transformation of political language before and during realigning periods has been implicitly discussed. In particular see Walter Dean Burnham, Jerome M. Clubb and William H. Flanigan, "Partisan Realignment: A Systemic Perspective," in The History of American Electoral Behavior, ed. Joel H. Silbey, Allan G. Bogue, and William H. Flanigan (Princeton, N.J.: Princeton University Press, 1978), pp. 70-72. The authors focus on the creation of symbolic

patterns which act as shorthand explanations of the crisis and suggest ameliorative policies. This idea seems to have its roots in Murray Edelman's notions of referential and condensation symbols. See Murray Edelman, The Symbolic Uses of Politics (Urbana, Ill.: University of Illinois Press, 1967), p. 6.

¹¹Stephen L. McDonald, "Economic Issues in the Campaign," in A Tide of Discontent, ed. Ellis Sandoz and Cecil V. Crabb Jr. (Washington: Congressional Quarterly Press, 1981), pp. 141-42.

¹²Gerald M. Pomper, "The 1980 Presidential Election and Its Meaning," in Rethinking the Presidency, ed. Thomas E. Cronin (Boston: Little Brown, 1982), p. 22.

¹³*Ibid.*, p. 23.

¹⁴*Ibid.*, pp. 6-9.

¹⁵*Ibid.*, p. 21.

¹⁶Ellis Sandoz, "Introduction: Revolution or Flash in the Pan," in A Tide of Discontent, ed. Ellis Sandoz and Cecil V. Crabb Jr. (Washington: Congressional Quarterly Press, 1981), p. 15.

¹⁷National Journal, 14, No. 2 (January 9, 1982), p. 66.

¹⁸Congressional Quarterly Weekly Report, 38, No. 46 (November 15, 1980), pp. 3370-71.

¹⁹National Journal, 13, No. 11 (March 14, 1981), p. 459.

²⁰"GOP Seeks Fruit of Victory as 97th Convenes," Congressional Quarterly Weekly Report 39, No. 2 (January 10, 1981), p. 63.

²¹Richard Corrigan, "Red Ink Blues--Episode 15," National Journal, 14, No. 25 (June 19, 1982), p. 1090.

²²"GOP Version of 1983 Budget Narrowly Approved by House," Congressional Quarterly Weekly Report, 40, No. 24 (June 12, 1982), p. 1388.

²³"\$8.2 Billion Reconciliation Bill Cleared," Congressional Quarterly Weekly Report, 38, No. 49 (December 6, 1980), p. 3487. Also see same issue, p. 3496.

²⁴Charles S. Maier, "The Politics of Inflation in the Twentieth Century," in The Political Economy of Inflation, ed. Fred Hirsch and John H. Goldthorpe (Cambridge, Mass.: Harvard University Press, 1978), pp. 39-41.

²⁵See Milton Friedman and Rose Friedman, "The Tide is Turning," in The United States in the 1980s, ed. Peter Duignan and Alvin Rabushka (Reading, Mass.: Addison-Wesley, 1980), pp. 1-28. Also see Alan Greenspan, "Economic Policy," in Duignan and Rabushka, pp. 29-46.

²⁶Theodore J. Lowi, The End of Liberalism, 2nd ed. (New York: W.W. Norton, 1979); Grant McConnell, Private Power and American Democracy (New York: Vintage Books, 1970), and Lester C. Thurow, The Zero Sum Society (New York: Penguin Books, 1981).

²⁷See James O'Connor, The Fiscal Crisis of the State (New York: St. Martins Press, 1973); Charles E. Lindblom, Politics and Markets (New York: Basic Books, 1977); and Ian Gough, "State Expenditure in Advanced Capitalism," New Left Review, 92, No. 1 (July-August, 1975), pp. 53-92.

²⁸Charles E. Lindblom, The Policy Making Process, 2nd ed. (Englewood Cliffs, N.J.: Prentice Hall, 1980), pp. 71-77; also see cf. Lindblom, "Politics," Ch. 12.

²⁹Cf. O'Connor, pp. 6-7.

³⁰*Ibid.*, p. 7.

³¹*Ibid.*, pp. 64-91; also see cf. Lindblom, "Policy Making," pp. 74-76.

³²See cf. Lowi, pp. 15-21.

³³For a full discussion of these issues see Louis Hartz, The Liberal Tradition in America (New York: Harcourt, Brace, and World, 1955).

³⁴See Kenneth M. Dolbeave, Political Change in the United States (New York: McGraw-Hill, 1974), pp. 91-112.

³⁵There is general agreement about the development of American capitalism among observers of varying ideological perspectives. For example see John Kenneth Galbraith, The New Industrial State (Bergenfield, N.J.: New American Library, 1967); Joseph A. Schumpeter, Capitalism, Socialism and Democracy, 3rd ed. (New York: Harper and Row, 1950); and Andrew Shonfield, Modern Capitalism (New York: Oxford University Press, 1969).

³⁶Cf. O'Connor, pp. 23-25.

³⁷Cf. Lowi, pp. 289-92.

³⁸Cf. O'Connor, pp. 72-79.

³⁹Walter Dean Burnham, "The Eclipse of the Democratic Party," Democracy, 2, No. 3 (July 1982), p. 8.

⁴⁰While I am following Lowi's terminology, Lowi himself believes that tripartite bargaining did not become the characteristic form of institutional action until the 1960s. However Lowi does concede that this development rests on choices made in the New Deal period. See cf. Lowi, pp. 273-88.

⁴¹The House Education and Labor Committee is a good example of this sort of committee. See Richard F. Fenno, Jr., Congressman in Committees (Boston: Little Brown, 1973), pp. 226-42.

⁴²For the purposes of simplification I am ignoring backdoor spending through the authorization process and the initial application of the 1974 Budget Act. I am also choosing to ignore the role of Appropriations committees, especially in the House as "guardians of the treasury" for the time being. While these factors mitigate the effect I am describing, they do not come near to eliminating it. Instead, while the Appropriations committees may look with suspicion on the work of authorization committees, they respected the autonomy of their own subcommittees. Members of these subcommittees often had strong ties to organized constituencies. See Aaron Wildavsky, The Politics of the Budgetary Process (Boston: Little Brown, 1964), pp. 47-56.

⁴³Some observers think the social programs of the 1960s resulted in the greater incorporation of relatively disadvantaged groups into the post-1932 system of governance, thereby providing these groups and their allies with some ability to protect their gains. See Frances Fox Piven and Richard A. Cloward, The New Class War (New York: Pantheon Books, 1982), pp. 118-24.

⁴⁴Cf. McConnell, pp. 51-90.

⁴⁵See Thomas E. Cronin, The State of the Presidency, 2nd ed. (Boston: Little Brown, 1980), pp. 148-150; and Alan Wolfe, "Presidential Power and the Crisis of Modernization in Rethinking the Presidency, ed. Thomas E. Cronin (Boston: Little Brown, 1982), pp. 139-52.

⁴⁶Of course the President, like Congress, is constrained by past budget decisions.

⁴⁷For an overview of different aspects of these changes see Stephen J. Wayne, The Legislative Presidency (New York: Harper and Row, 1978), pp. 45-51, 83-91, 114-19, and 184-87.

⁴⁸National Journal, 13, No. 19 (May 9, 1981), p. 846 and National Journal, 13, No. 47 (November 21, 1981), p. 2090.

⁴⁹I have argued this point earlier in this chapter, see notes #19 and #20.

⁵⁰This was particularly true in the Senate because of the rapid expansion of the Republican delegation and of the pronounced difference in the political views and allies of many of the new committee chairmen from those of their Democratic predecessors. The replacement of Kennedy by Thurmond as the chair of the Judiciary Committee represents an extreme case of this phenomenon.

⁵¹In two analyses of the Reagan 1981 budget victory that differ on a number of points, both authors agree that passage would have been impossible without the extraordinary solidarity of Republican members on budget and tax issues. See cf. Le Loup, and Allen Schick, How the Budget Was Won and Lost, for AEI Conference on Presidential-Congressional Relations (January 7, 1982). Differences between the authors' analyses focus on the relative importance of the "Boll Weevils" and the "Gypsy Moths."

Chapter VII

¹Most claims that policy change is strongly associated with realignments are based on historical judgement. Some efforts have been made to quantitatively establish this relationship, mainly by testing the significance of the correlations among the passage of varying types of legislation, party platforms, and election results. Examples of this approach include David Brady and Joseph Stewart Jr., "Congressional Party Realignment and the Transformation of Public Policy in Three Realignment Eras," American Journal of Political Science, 26, No. 2 (May 1982), pp. 333-60 and Benjamin Ginsberg, "Elections and Public Policy," American Political Science Review, 70, No. 1 (March 1976), pp. 41-49. A second, more indirect, approach to this problem is to check the association between election results and subsequent changes in inter-party and intra-party voting coalitions in Congress. For an example see Barbara Deckard Sinclair, "Party Realignment and the Transformation of the Political Agenda," American Political Science Review, 71, No. 3 (September 1977), pp. 940-53. Despite this approach's inability to directly correlate policy change to election results, it has the advantage of focusing on qualitative differences in issue importance--a failing of the Brady-Ginsberg approach which treats all congressional actions as equally significant.

²Robert A. Dahl, "On Removing Certain Impediments to Democracy in the United States," Dissent, 25, No. 3 (Summer 1978), pp. 310-12 and Theodore J. Lowi, The End of Liberalism, 2nd ed. (New York: W.W. Norton, 1979), pp. 271-72.

³Walter Dean Burnham, "The Eclipse of the Democratic Party," Democracy, 2, No. 3 (July 1982), pp. 7-10.

⁴Ibid., pp. 7-17; Samuel P. Hays, "Politics and Society: Beyond the Political Party," in The Evolution of American Electoral Systems, eds. Paul Kleppner et al. (Westport, Conn.: Greenwood Press, 1981), pp. 243-67; William Schneider, "Realignment: The Eternal Question," P.S., 15, No. 3 (Summer 1982), pp. 449-57.

⁵I am referring to the historical periods around 1800, 1828-32, 1860, 1896, and 1932-36. It may be possible to apply the concept of realignment in a lesser degree to other times, including the present (1980) period.

⁶Richard J. Trilling and Bruce A. Campbell, "Toward a Theory of Realignment," in Realignment in American Politics, eds. Bruce A. Campbell and Richard J. Trilling (Austin: University of Texas Press, 1980), p. 4.

⁷Cf. Brady and Stewart, pp. 335-36. Also see James L. Sundquist, Dynamics of the Party System (Washington: Brookings Institution, 1973), p. 37 for a possible explanation for this difficulty.

⁸Burnham seems to be an exception to this contention. He sometimes notes the constraining force of the dominance of liberal ideology upon the development of political movements/opposition in the United States. For example, cf. Burnham, "Eclipse," pp. 7-17. In this article he also talks about the constraint of policy change, in this case the policies of the Reagan administration, in creating a new political environment.

⁹C. Wright Mills, The Sociological Imagination (New York: Oxford University Press, 1967), pp. 8-9. For a discussion of the issue of the translation of personal troubles into public or political issues see pp. 3-13. For a related but distinct analysis see Richard F. Hamilton, Class and Politics in the United States (New York: John Wiley, 1972), pp. 83-85. Both authors agree that the translation process is difficult. However, Mills seems to think that individuals' abilities to perceive situations as troubles can be constrained by the language/concepts available to the individual. Hamilton seems to discount this possibility.

¹⁰Powerful documentation of this is found in John Gaventa, Power and Powerlessness (Urbana, Ill.: University of Illinois Press, 1980). In this particular case study, individuals are able to easily articulate their personal troubles.

¹¹This generalization may be less useful than in the past. The 1964 and 1980 elections do not appear to be realigning elections, yet both resulted in policy change comparable to that expected from

realignments. This suggests the decline of realignment as the most important agency of major political adjustment in the United States. See Walter Dean Burnham, Critical Elections and the Mainsprings of American Politics (New York: W.W. Norton, 1970), pp. 170-74.

¹²Arthur M. Schlesinger, Jr., The Crisis of the Old Order (Boston: Houghton Mifflin, 1957), pp. 413-39.

¹³Lawrence Goodwyn, The Populist Moment (New York: Oxford University Press, 1978), pp. 270-86.

¹⁴The 1896 election is an exception. But in this case the leading coalitional partners wanted to maintain the form of state it had helped create in the period following the Civil War.

¹⁵Walter Dean Burnham, Jerome M. Clubb, and William H. Flanigan, "Partisan Realignment: A Systemic Perspective," in The History of American Electoral Behavior, eds. Joel H. Silbey, Allan G. Bogue, and William H. Flanigan (Princeton, N.J.: Princeton University Press, 1978), p. 71.

¹⁶Burnham, Clubb, and Flanigan, pp. 70-72. In the case of the New Deal, the authors note that significant symbols of both cognitive and emotive importance formed around terms such as "Herbert Hoover," "Depression," "FDR," and "New Deal." These symbols informed voter choice in the following political era.

¹⁷E. E. Schattschneider, The Semisovereign People (Hinsdale, Ill.: Dryden Press, 1960), pp. 1-5.

¹⁸Alain Touraine, The Self-Production of Society, trans. Derek Coltman (Chicago: University of Chicago Press, 1977), pp. 72-75.

¹⁹Cf. Sundquist, pp. 275-81 and Gerald M. Pomper with Susan S. Lederman, Elections in America, 2nd ed. (New York: Longman Press, 1980), p. 105. Proponents of this approach generally recognize retrospective elements of realignments as well as anticipatory ones.

²⁰This has been the dominant view in the realignment literature. The classic statement of this view is found in V. O. Key with Milton C. Cummings, The Responsible Electorate (New York: Vintage Books, 1966).

²¹For an example see Nancy H. Zingale, "Third Party Alignments in a Two Party System: The Case of Minnesota," in The History of American Electoral Behavior, eds. Joel H. Silbey et al. (Princeton, N.J.: Princeton University Press, 1978), pp. 106-33.

²²Virtually all formal realignment theorists hold this view, although those who see major prospective elements to voting during

realignments seem to hold this view less strongly. See cf. Sundquist, pp. 285-98.

²³See Frances Fox Piven and Richard A. Cloward, Poor People's Movements (New York: Vintage Books, 1979), pp. 14-32.

²⁴See Piven and Cloward, pp. 32-36, and Karl E. Klare, "Judicial Deradicalization of the Wagner Act and the Origins of Modern Legal Consciousness, 1937-1941," Minnesota Law Review, 62, No. 3 (March 1978), pp. 265-339.

²⁵Of course this expansion is not absolute. The expansion of possibilities in terms of the interests of a new dominant political coalition always means the contraction of other possibilities. See, E. E. Schattschneider, The Semisovereign People (Hinsdale, Ill.: Dryden Press, 1960, pp. 70-71.

²⁶John Brigham, "The Supreme Court: An Institution as Conventional Practice," mimeographed (Amherst, Mass., 1981), p. 8.

²⁷Cf. Lowi, pp. 4-6, and Everett Carl Ladd Jr., American Political Parties, Social Change and Political Response (New York: W.W. Norton, 1970), p. 54.

SELECTED BIBLIOGRAPHY

- Abramson, Paul R. Generational Change in American Politics. Lexington, Mass.: Lexington Books, 1975.
- Adamany, David. "The Supreme Court's Role in Critical Elections." In Realignment in American Politics, eds. Bruce A. Campbell and Richard J. Trilling. Austin, Texas: University of Texas Press, 1980, pp. 229-59.
- Allswang, John M. The New Deal and American Politics. New York: John Wiley, 1978.
- Apter, David E. Political Change. London: Frank Cass, 1973.
- Baker, Ernest, ed. Social Contract. New York: Oxford University Press, 1960.
- Becker, Bob. "Now It's Reagan's Turn to Attempt to Curb Soaring Farm Disaster Loans." National Journal, 13 (1981), pp. 932-33.
- Benda, Charles G. "State Organization and Policy Formation: The 1970 Reorganization of the Post Office Department." Politics and Society, 9, No. 2 (1979), pp. 123-51.
- Berle, Beatrice Bishop, and Travis Beal Jacobs, eds. Navigating the Rapids 1918-1971: From the Papers of Adolf A. Berle. New York: Harcourt Brace Jovanovich, 1973.
- Berman, Larry. The OMB and the Presidency 1921-79. Princeton, N.J.: Princeton University Press, 1979.
- Bernstein, Irving. The New Deal Collective Bargaining Policy. Berkeley, Cal.: University of California press, 1950.
- Beth, Loren P. The Development of the American Constitution 1877-1917. New York: Harper and Row, 1971.
- Bottomore, Tom. "Structure and History." In Approaches to the Study of Social Structure, ed. Peter M. Blau. New York: Free Press, 1975.
- Brady, David W. "Elections, Congress, and Public Policy Changes: 1886-1960." In Realignments in American Politics, eds. Bruce A. Campbell and Richard J. Trilling. Austin, Texas: University of Texas Press, 1980, pp. 176-201.

- Brady, David W., and Joseph Stewart, Jr. "Congressional Party Realignment and the Transformation of Public Policy in Three Realignment Eras." American Journal of Political Science, 26, No. 2 (1982), pp. 333-60.
- Brigham, John. Constitutional Language. Westport, Conn.: Greenwood Press, 1978.
- _____. "The Supreme Court: An Institution as Conventional Practice." mimeograph, Amherst, Mass., 1981.
- Brooks, Thomas R. Toil and Trouble: A History of American Labor. New York: Dell, 1965.
- Brownlow, Louis. The President and the Presidency. Chicago: Public Administration Service, 1949.
- Burch, Phillip H., Jr. Elites in American History, Vol. III. New York: Holmes and Meier, 1980.
- Burnham, Walter Dean. Critical Elections and the Mainsprings of American Politics. New York: W.W. Norton, 1970.
- _____. "Party Systems and the Political Process." In The American Party Systems, 2nd Ed., eds. William Nisbet Chambers and Walter Dean Burnham. New York: Oxford University Press, 1975, pp. 277-307.
- _____. "The Eclipse of the Democratic Party." Democracy, 2, No. 3 (1982), pp. 7-17.
- Burnham, Walter Dean, Jerome M. Clubb, and William H. Flanigan. "Partisan Realignment: A Systemic Perspective." In The History of American Electoral Behavior, eds. Joel H. Silbey, Allan G. Bogue, and William H. Flanigan. Princeton, N.J.: Princeton University Press, 1978.
- Campbell, Angus et al. The American Voter: An Abridgement. New York: John Wiley, 1964.
- _____. Elections and the Political Order. New York: John Wiley, 1966.
- Campbell, Bruce A. and Richard J. Trilling, eds. Realignment in American Politics. Austin, Texas: University of Texas Press, 1980.
- Cannon, Lou. Reagan. New York: G.P. Putnam's Sons, 1982.

- Casper, Jonathan D. "The Supreme Court and National Policy Making." In American Court Systems: Readings in Judicial Process and Behavior, eds. Sheldon Goldman and Austin Sarat. San Francisco: W.H. Freeman, 1978, pp. 622-37.
- Cater, Douglass. Power in Washington. New York: Vintage Books, 1964.
- Chamberlain, Lawrence H. The President, Congress and Legislation. New York: Columbia University Press, 1946.
- Chambers, William Nisbet and Walter Dean Burnham, eds. The American Party Systems, 2nd ed. New York: Oxford University Press, 1975.
- Ceaser, James W. Presidential Selection. Princeton, N.J.: Princeton University Press, 1979.
- Clark, Timothy B. "Economic Events May Have Overtaken Reagan's 1981 Budget-Cutting Goals." National Journal, 12 (1980), pp. 2152-57.
- _____. "Reagan's Balanced Budget--One Step Closer, One Step Further Away." National Journal, 13 (1981), pp. 1712-16.
- _____. "A Divided Administration Wonders Whether It's Time for More Taxes." National Journal, 14 (1982), pp. 113-18.
- _____. "Reagan's Budget: Economic, Political Gambles." National Journal, 14 (1982), pp. 268-85.
- Cohen, Richard E. "For the Congressional Budget Process, 1981 Could be the Make or Break Year." National Journal, 13 (1981), pp. 59-63.
- _____. "Democratic Dilemma--No Credit if They Work with Reagan, Blame if They Don't." National Journal, 13 (1981), pp. 482-86.
- _____. "The 'Fun and Games' Are Over--New Congress Has to Enact the Cuts." National Journal, 13 (1981), pp. 888-90.
- _____. "Budget Express Leaving the Station Without the Appropriations Committees." National Journal, 13 (1981), pp. 1211-14.
- _____. "For Spending Cuts, Only the Beginning." National Journal, 13 (1981), pp. 1411-16.
- _____. "The 'Revolution' on Capitol Hill: Is It Just a Temporary Coup?" National Journal, 13 (1981), pp. 1537-41.
- _____. "For the Gypsy Moths, the Goal is to Change GOP Policy Not Bolt the Party." National Journal, 13 (1981), pp. 1946-49.

- _____. "Congress and the White House Play a Waiting Game on the 1983 Budget." National Journal, 14 (1982), pp. 488-90, 492-93.
- _____. "Budget Scapegoating." National Journal, 14 (1982), p. 1063.
- _____. "Nearly Anonymous Insiders Play Key Roles as Aides to Congress' Leaders." National Journal, 14 (1982), pp. 1545-49.
- _____. "Revising the Budget Act." National Journal, 14 (1982), p. 1684.
- Colm, Gerhard. "The Executive Office and Fiscal and Economic Policy." Law and Contemporary Problems, 21 (1956), pp. 710-23.
- Commons, John R. Legal Foundations of Capitalism. New York: MacMillan, 1924.
- Congressional Quarterly Weekly Report, 38-40 (1980-82).
- Connolly, William E. The Terms of Political Discourse. Lexington, Mass.: D.C. Heath, 1974.
- Corrigan, Richard. "Red Ink Blues--Episode 9." National Journal, 14 (1982), pp. 811-12.
- _____. "Red Ink Blues--Episode 15." National Journal, 14 (1982), p. 1090.
- _____. "Red Ink Blues--Episode 21." National Journal, 14 (1982), p. 1339.
- Corwin, Edward S. The President, Office and Powers 1787-1957, 4th revised ed. New York: New York University Press, 1957.
- Crenson, Matthew A. The Federal Machine. Baltimore: John Hopkins University Press, 1975.
- Cronin, Thomas E. The State of the Presidency, 2nd ed. Boston: Little Brown, 1980.
- Dahl, Robert A. "On Removing Certain Impediments to Democracy in the United States." Dissent, 25, No. 3 (1978), pp. 310-24.
- _____. "The Supreme Court's Role in National Policy Making." In American Court Systems: Readings in Judicial Process and Behavior. eds. Sheldon Goldman and Austin Sarat. San Francisco: W.H. Freeman, 1978, pp. 616-21.

- Dearing, Charles A. et al. The ABC of the NRA. Washington: Brookings, 1934.
- Demkovich, Linda E. "It's a Whole New Budget Ball Game, But Lobbyists are Playing by Old Rules." National Journal, 13 (1981), pp. 1806-09.
- Derber, Milton and Edwin Young, eds. Labor and the New Deal. Madison, Wis.: University of Wisconsin Press, 1961.
- Dolbeare, Kenneth M. Political Change in the United States. New York: McGraw-Hill, 1974.
- Dubofsky, Melvyn. "Legal Theory and Workers' Rights: A Historian's Critique." Industrial Relations Law Review, 4, No. 3 (1981), pp. 496-502.
- Duignan, Peter, and Alvin Rabushka, eds. The United States in the 1980s. Reading, Mass.: Addison Wesley, 1980.
- Easton, David. The Political System. New York: Alfred A. Knopf, 1965.
- Edelman, Murray. "New Deal Sensitivity to Labor Interests." In Labor and the New Deal, eds. Milton Derber and Edwin Young. Madison, Wis.: University of Wisconsin Press, 1961, pp. 157-91.
- _____. "The Symbolic Uses of Politics". Urbana, Ill.: University of Illinois Press, 1967.
- _____. Political Language. New York: Academic Press, 1977.
- Etzioni, Amitai. Modern Organizations. Englewood Cliffs, N.J.: Prentice-Hall, 1964.
- Fenno, Richard F., Jr. The President's Cabinet. New York: Vintage Books, 1959.
- _____. Congressmen in Committees. Boston: Little Brown, 1973.
- Finegold, Kenneth. "From Agrarianism to Adjustment: The Political Origins of New Deal Agricultural Policy." Politics and Society, 11, No. 1 (1982), pp. 1-27.
- Freeman, Jo (Joreen). "The Tyranny of Structurelessness." In Radical Feminism, eds. Anne Koedt, Ellen Levine, and Anita Rapone. New York: Quadrangle, 1973, pp. 285-89.
- Friedman, Milton and Rose Friedman. "The Tide is Turning." In The United States in the 1980s, eds. Peter Duignan and Alvin Rabushka. Reading, Mass.: Addison-Wesley, 1980, pp. 1-28.

- Frohock, Fred M. "The Structure of 'Politics.'" American Political Science Review, 72, No. 3 (1978), pp. 859-70.
- Fromm, Erich, ed. Marx's Concept of Man. New York: Frederick Ungar, 1966.
- Galbraith, John Kenneth. The New Industrial State. Bergenfield, N.J.: New American Library, 1967.
- Gaventa, John. Power and Powerlessness. Urbana, Ill.: University of Illinois Press, 1980.
- Gerth, H. H., and C. Wright Mills, eds. and trans. From Max Weber: Essays in Sociology. New York: Oxford University Press, 1946.
- Ginsberg, Benjamin. "Elections and Public Policy." American Political Science Review, 70, No. 1 (1976), pp. 41-49.
- _____. The Consequences of Consent. Reading, Mass.: Addison-Wesley, 1982.
- Goffman, Erving. Asylums. Chicago: Aldine, 1961.
- Goldman, Sheldon and Thomas P. Jahnige. The Federal Courts as a Political System. New York: Harper and Row, 1971.
- Goodwyn, Lawrence. The Populist Moment. New York: Oxford University Press, 1978.
- Gough, Ian. "State Expenditure in Advanced Capitalism." New Left Review, No. 92 (1975), pp. 53-92.
- Grafstein, Robert. "The Legitimacy of Political Institutions." Polity, 14, No. 1 (1981), pp. 51-69.
- Greenberg, Edward S. Understanding Modern Government, The Rise and Decline of the American Political Economy. New York: John Wiley, 1979.
- Greenspan, Alan. "Economic Policy." In The United States in the 1980s, eds. Peter Duignan and Alvin Rabushka. Reading, Mass.: Addison-Wesley, 1980, pp. 29-46.
- Greenstein, Fred I., and Nelson W. Polsby, eds. Handbook of Political Science: Governmental Institutions and Processes, Vol. 5. Reading, Mass.: Addison-Wesley, 1975.
- Greider, William. "The Education of David Stockman." Atlantic, 248, No. 6 (1981), pp. 27-54.

- Gross, James A. The Making of the National Labor Relations Board (1933-1937), Vol. I. Albany, N.Y.: State University of New York Press, 1974.
- Hall, Peter M. "A Symbolic Interactionist Analysis of Politics." Sociological Inquiry, 42, No. 3-4 (1972), pp. 35-75.
- Hamilton, Richard F. Class and Politics in the United States. New York: John Wiley, 1972.
- Hampshire, Stuart. Thought and Action. New York: Viking Press, 1959.
- Hartman, Robert W. "Congress and Budget-Making." Political Science Quarterly, 97, No. 3 (1982), pp. 381-402.
- Hartz, Louis. The Liberal Tradition in America. New York: Harcourt, Brace, and World, 1955.
- Havemann, Joel. Congress and the Budget. Bloomington, Ind.: Indiana University Press, 1978.
- Hays, Samuel P. "Politics and Society: Beyond the Political Party." In The Evolution of American Electoral Systems, eds. Paul Kleppner et al. Westport, Conn.: Greenwood Press, 1981, pp. 243-67.
- Hirsch, Fred and John H. Goldthorpe, eds. The Political Economy of Inflation. Cambridge, Mass.: Harvard University Press, 1978.
- Huber, Joan and William Form. Income and Ideology. New York: Free Press, 1973.
- Ippolito, Dennis S. Congressional Spending. Ithaca, N.Y.: Cornell University Press, 1981.
- Jahnige, Thomas P. "Critical Elections and Social Change, Towards a Dynamic Explanation of National Party Competition in the United States." Polity, 3, No. 4 (1971), pp. 465-500.
- Janowitz, Morris. The Last Half-Century. Chicago: University of Chicago Press, 1978.
- Katznelson, Ira, and Mark Kesselman. The Politics of Power. New York: Harcourt Brace Jovanovich, 1975.
- Kariel, Henry S. The Decline of American Pluralism. Stanford, Cal.: Stanford University Press, 1961.
- Karish, Bernard, and Phillip L. Garman. "The Impact of the Political Left." In Labor and the New Deal, eds. Milton Derber and Edwin Young. Madison, Wis.: University of Wisconsin Press, 1961, pp. 75-119.

- Karl, Barry Dean. Executive Reorganization and Reform in the New Deal. Cambridge, Mass.: Harvard University Press, 1963.
- Key, V. O., Jr. "A Theory of Critical Elections." Journal of Politics, 17, No. 1 (1955), pp. 3-18.
- Key, V. O., Jr., with Milton C. Cummings, Jr. The Responsible Electorate. New York: Vintage Books, 1966.
- Kirschten, Dick. "Reagan: 'No More Business as Usual.'" National Journal, 13 (1981), pp. 300, 302-03.
- _____. "Decision Making in the White House: How Well Does It Serve the President?" National Journal, 14 (1982), pp. 584-89.
- Klare, Karl E. "Judicial Deradicalization of the Wagner Act and the Origins of Modern Legal Consciousness, 1937-41." Minnesota Law Review, 62, No. 3 (1978), pp. 265-339.
- _____. "Labor Law as Ideology: Toward a New Historiography of Collective Bargaining Law." Industrial Relations Law Review, 4, No. 3 (1981), pp. 450-82.
- Ladd, Everett Carl Jr. American Political Parties: Social Change and Political Response. New York: W.W. Norton, 1970.
- Ladd, Everett Carl Jr., with Charles D. Hadley. Transformations of the American Party System, 2nd ed. New York: W.W. Norton, 1978.
- Laski, Harold J. Authority in the Modern State. New Haven, Conn.: Yale University Press, 1927.
- LeLoup, Lance T. "After the Blitz: Reagan and the U.S. Congressional Budget Process." Legislative Studies Quarterly, 7, No. 3 (1982), pp. 321-39.
- Leuchtenburg, William E. Franklin D. Roosevelt and the New Deal. New York: Harper and Row, 1963.
- Lindblom, Charles E. Politics and Markets. New York: Basic Books, 1977.
- _____. The Policy Making Process, 2nd ed. Englewood Cliffs, N.J.: Prentice-Hall, 1980.
- Lineberry, Robert L. Government in America. Boston: Little Brown, 1980.

- Lowi, Theodore J. The End of Liberalism: The Second Republic of the United States, 2nd ed. New York: W.W. Norton, 1979.
- Lubell, Samuel. The Future of American Politics, 3rd ed. rev. New York: Harper Colophon, 1965.
- Lyon, Leverett S. et al. The National Recovery Administration: An Analysis and Appraisal. New York: Da Capo Press, 1972.
- Macpherson, C. B. The Real World of Democracy. New York: Oxford University Press, 1972.
- MacNeil, Neil. "The Struggle for the House of Representatives." In A Tide of Discontent, eds. Sandoz Ellis and Cecil V. Crabb, Jr. Washington: Congressional Quarterly, 1981, pp. 65-86.
- Maier, Charles S. "The Politics of Inflation in the Twentieth Century." In The Political Economy of Inflation, eds. Fred Hirsch and John H. Goldthorpe. Cambridge, Mass.: Harvard University Press, 1978, pp. 37-72.
- Mansfield, Harvey C. "Reorganizing the Federal Executive Branch: The Limits of Institutionalization." Law and Contemporary Problems, 35, 3 (1970), pp. 461-95.
- McConnell, Grant. The Modern Presidency. New York: St. Martin's Press, 1967.
- _____. Private Power and American Democracy. New York: Vintage Books, 1970.
- McCulloch, Frank W. and Tim Bornstein. The National Labor Relations Board. New York: Praeger, 1974.
- McDonald, Stephen L. "Economic Issues in the Campaign." In A Tide of Discontent, eds. Sandoz Ellis and Cecil V. Crabb, Jr. Washington: Congressional Quarterly, 1981, pp. 139-56.
- Mead, George Herbert. Mind, Self and Society, ed. Charles W. Morris. Chicago: University of Chicago Press, 1962.
- Meltzer, Bernard N., John W. Petras, and Larry T. Reynolds. Symbolic Interactionism: Genesis, Variations, and Criticism. London: Routledge and Kegan Paul, 1975.
- Miliband, Ralph. The State in Capitalist Society. New York: Basic Books, 1969.

- Mills, C. Wright. The Sociological Imagination. New York: Oxford University Press, 1967.
- Mueller, Claus. The Politics of Communication. New York: Oxford University Press, 1973.
- National Journal, 12-14 (1980-82.).
- Neustadt, Richard E. "Presidency and Legislation: The Growth of Central Clearance." American Political Science Review, 48, No. 3 (1954), pp. 641-71.
- _____. "Presidency and Legislation: Planning the President's Program." American Political Science Review, 49, No. 4 (1955), 980-1021.
- Nie, Norman, Sidney Verba, and John R. Petrocik. The Changing American Voter. Cambridge, Mass.: Harvard University Press, 1976.
- O'Connor, James. The Fiscal Crisis of the State. New York: St. Martin's Press, 1973.
- Parenti, Michael. Power and the Powerless. New York: St. Martin's Press, 1978.
- Parsons, Talcott. Politics and Social Structure. New York: Free Press, 1969.
- Petrocik, John R. Party Coalitions: Realignment and the Decline of the New Deal Party System. Chicago: University of Chicago Press, 1981.
- Pfiffner, James P. The President, the Budget and Congress: Impoundment and the 1974 Budget Act. Boulder, Col.: Westview Press, 1979.
- Piven, Frances Fox and Richard A. Cloward. Regulating the Poor. New York: Vintage Books, 1972.
- _____. Poor People's Movements. New York: Vintage Books, 1979.
- _____. The New Class War. New York: Pantheon Books, 1982.
- Polenbourg, Richard. Reorganizing Roosevelt's Government 1936-1939. Cambridge, Mass.: Harvard University Press, 1966.
- Polsby, Nelson W. "The Institutionalization of the U.S. House of Representatives." American Political Science Review, 62, No. 1 (1968), pp. 144-68.

- Pomper, Gerald M. "The 1980 Presidential Election and Its Meaning." In Rethinking the Presidency, ed. Thomas E. Cronin. Boston: Little Brown, 1982, pp. 3-28.
- Pomper, Gerald M., with Susan S. Lederman. Elections in America, 2nd ed. New York: Longman, 1980.
- Poulantas, Nico. State, Power, Socialism, trans. Patrick Camiller. London: New Left Books, 1978.
- Price, Donald K. "Staffing the Presidency." American Political Science Review, 40, No. 6 (1946), pp. 1154-68.
- Rawls, John. A Theory of Justice. Cambridge, Mass.: Harvard University Press, 1971.
- Rein, Martin. Social Science and Public Policy. New York: Penguin, 1976.
- Riker, William H. "Federalism." In Handbook of Political Science: Governmental Institutions and Processes, Vol. 5, eds. Fred I. Greenstein and Nelson W. Polsby. Reading, Mass.: Addison-Wesley, 1975, pp. 93-172.
- _____. "Implications from the Disequilibrium of Majority Rule for the Study of Institutions." American Political Science Review, 74, No. 2 (1980), pp. 432-46.
- Ripley, Randall B. and Grace A. Franklin. Congress, the Bureaucracy and Public Policy. Homewood, Ill.: Dorsey Press, 1980.
- Rossiter, Clinton. The American Presidency, rev. ed. New York: Mentor, 1960.
- Sandoz, Ellis. "Introduction: Revolution or Flash in the Pan." In A Tide of Discontent, eds. Ellis Sandoz and Cecil V. Crabb, Jr. Washington: Congressional Quarterly, 1981, pp. 1-18.
- Sandoz, Ellis, and Cecil V. Crabb, Jr., eds. A Tide of Discontent. Washington: Congressional Quarterly, 1981.
- Schattschneider, E. E. The Semisovereign People. Hinsdale, Ill.: Dryden Press, 1960.
- Schick, Allen. "The Budget Bureau That Was: Thoughts on the Rise, Decline, and Future of a Presidential Agency." Law and Contemporary Problems, 35, No. 3 (1970), pp. 519-34.
- _____. Congress and Money. Washington: Urban Institute, 1980.

- _____. "How the Budget Was Won and Lost." A.E.I. Conference on Presidential-Congressional Relations: Assessing Reagan's First Year, Washington, 7 January 1982.
- Schlesinger, Arthur M., Jr. The Crisis of the Old Order (1919-1933). Boston: Houghton Mifflin, 1957.
- _____. The Coming of the New Deal. Boston: Houghton Mifflin, 1958.
- _____. The Politics of Upheaval. Boston: Houghton Mifflin, 1960.
- Schneider, William. "Realignment: The Eternal Question." P.S., 15, No. 3 (1982), pp. 449-57.
- Schumpeter, Joseph A. Capitalism, Socialism and Democracy, 3rd ed. New York: Harper and Row, 1950.
- Schwarz, Jordan A. The Interregnum of Despair. Urbana, Ill.: University of Illinois Press, 1970.
- Seidmann, Harold. Politics, Position and Power, 3rd ed. New York: Oxford University Press, 1980.
- Seligman, Lester G., and Elmer E. Cornwell Jr., eds. New Deal Mosaic: Roosevelt Confers with His National Emergency Council, 1933-1936. Eugene, Ore.: University of Oregon Books, 1965.
- Seligman, Lester G., and Michael R. King. "Political Realignments and Recruitment to the U.S. Congress 1870-1970." In Realignment in American Politics, eds. Bruce A. Campbell and Richard J. Trilling. Austin, Texas: University of Texas Press, 1980, pp. 157-75.
- Shonfield, Andrew. Modern Capitalism. New York: Oxford University Press, 1969.
- Silbey, Joel H., Allan G. Bogue, and William H. Flanigan, eds. The History of American Electoral Behavior. Princeton, N.J.: Princeton University Press, 1978.
- Sinclair, Barbara Deckard. "Party Realignment and the Transformation of the Political Agenda." American Political Science Review, 71, No. 3 (1977), pp. 940-953.
- Skocpol, Theda, and Kenneth Finegold. "State Capacity and Economic Intervention in the Early New Deal." Political Science Quarterly, 97, No. 2 (1982), pp. 255-78.
- Smith, Hedrick. "The President as Coalition Builder: Reagan's First Year." In Rethinking the Presidency, ed. Thomas E. Cronin. Boston: Little Brown, 1982.

- Sorauf, Frank J. Party Politics in America, 3rd ed. Boston: Little Brown, 1976.
- Starling, Grover. Understanding American Politics. Homewood, Ill.: Dorsey Press, 1982.
- Sundquist, James L. Dynamics of the Party System. Washington: Brookings, 1973.
- Sundquist, James L. and Richard M. Scammon. "The 1980 Election: Profile and Historical Perspective." In A Tide of Discontent, eds. Ellis Sandoz and Cecil V. Crabb Jr. Washington: Congressional Quarterly, 1981, pp. 19-43.
- Thurrow, Lester C. The Zero-Sum Society. New York: Penguin, 1981.
- Touraine, Alain. The Self-Production of Society, trans. Derek Coltman. Chicago: University of Chicago Press, 1977.
- Trilling, Richard J. and Bruce A. Campbell. "Toward a Theory of Realignment: An Introduction." In Realignment in American Politics, eds. Bruce A. Campbell and Richard J. Trilling. Austin, Texas: University of Texas Press, 1980, pp. 3-20.
- Wayne, Stephen J. The Legislative Presidency. New York: Harper and Row, 1978.
- Wildavsky, Aaron. The Politics of the Budgetary Process. Boston: Little Brown, 1964.
- Wilson, Woodrow. Congressional Government. Boston: Houghton Mifflin, 1925.
- Winch, Peter. The Idea of a Social Science and Its Relation to Philosophy. London: Routledge and Kegan Paul, 1958.
- Wolfe, Alan. "Presidential Power and the Crisis of Modernization." In Rethinking the Presidency, ed. Thomas E. Cronin. Boston: Little Brown, 1982, pp. 139-52.
- Zingale, Nancy H. "Third Party Alignments in a Two Party System: The Case of Minnesota." In The History of American Electoral Behavior, eds. Joel H. Silbey, Allan G. Bogue, and William H. Flanigan. Princeton, N.J.: Princeton University press, 1978, pp. 106-33.

