Assessing the Republican Congress: Problems of Governing

The Republican party has controlled Congress now for four years, three months and a few days. I want to assess their governing performance during that period. And I want to focus on the Republicans in the House of Representatives because they have been the engine driving their party’s performance for most of that time. And whatever I leave out, we can talk about afterwards.

For those of us who are Congress-watchers, the congressional elections of November 1994 gave us our first chance ever to observe a Republican Congress in action. For 40 straight years—from 1955 to 1995, the longest stretch in American history—the
House of Representatives had been controlled by one party—the Democrats. The Republicans had held majorities in the Senate for six of those 40 years, but never had they controlled the House.

I want to tell a story about their governing performance that begins with this one simple fact—that they had been the minority party in the House and, hence, out of power there for 40 years. Put differently, the historic Republican majority that took over the House in January 1995 was the least experienced governing majority in 150 years. Not one of the 230 Republicans who took the oath of office then had ever served in the majority party in the House. And they had an awful lot to learn. So the good news of the 1994 election was that the Republican party had been given a once in a lifetime opportunity. But the bad news of 1994 was that the Republican party had been given a once in a lifetime
opportunity. And it showed.

I shall argue that their unprecedented level of inexperience was a precondition for everything that followed--certainly in the 104th Congress and arguably in the 105th Congress and in the early days of the present 106th Congress as well. The story of the House Republicans and their adventures in governing has been, to a large degree, the story of their early misadventures and their very modest learning curve in the months and years that followed.

Let me start, then, at the beginning. The first important decision facing every victorious party the day after an election is to interpret the results. How they are going to govern will depend heavily on how and why they think they won. And they cannot wait to make that decision.
At this earliest point, the Republicans made their first mistake. They chose to interpret their 1994 victory as a mandate to undertake sweeping changes in moving toward a more responsive and a smaller government—a Republican revolution, they called it. Said Newt Gingrich, "This is a genuine revolution. We're going to rethink every element of the federal government. We're going to close down several federal departments." More specifically, he and his colleagues interpreted their victory as a mandate to pass—and to pass within 100 days in the House—the ten policy proposals set forth in their campaign document, The Contract With America. Both of these election interpretations, the general mandate one and the specific contract one, I believe, were faulty; and both got them started on the wrong foot in governing.

On the mandate interpretation, all the available evidence indicated

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that the 1994 election was much more a repudiation of the Democrats than it was a positive endorsement of the Republicans. The voters had thrown out the Democrats and given the Republicans the opportunity to govern. But they had put the Republicans on a short leash and very much on trial. Given the voters' total lack of experience with Republican House majorities, the voters could hardly have delivered any other message—-and certainly not a strong, positive mandate for “rethinking every element of the federal government and shutting down several departments.” And so, the hard electoral facts alone should have cautioned the Republicans to interpret their victory in more modest and more provisional terms than they did. It was the first time, but not the last time, that the party would be hampered by a marked inability to interpret public opinion and to utilize public opinion to help them govern.

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But even more importantly, the party had a particular long-term interest that demanded a cautious electoral interpretation and, hence, a modest governing strategy.

For years, the Republicans had held an intellectual advantage in the national policy debate over the performance of big government. That’s what Ronald Reagan’s presidency was all about. But they had not been able to capitalize on their intellectual advantage to take control of all three branches at once. The election had been a great gift for the Republicans because it brought them within reach of their most cherished goal--a unified Republican government, of House, Senate and President. Their long-run goal in 1995 had to be to keep the House and Senate and, most of all, to capture the Presidency. For them to even think about--much less proclaim--a Republican Revolution without yet having captured the Presidency

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was total fantasy. And to win the Presidency, the House Republicans would, by their example, have to convince a broad public--one that had never seen them perform before--that this untested group could be trusted to run the country wisely and effectively. So, they had a lot to learn; and they had a lot to prove.

In sum, I believe that the test before them required a patient, step-by-step, flexible, selective, trust-building legislative program--and a go slow electoral interpretation to match. And all the more so because of the very new and unfamiliar post-cold war context in which they would be governing--a context in which the party had lost the advantage of their popular, hard-line, anti-Soviet foreign policy.

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The plan they adopted, however, was anything but "selective" or "go slow." It was a plan to "get it all" and "get it now." They took the document they had drafted for electioneering purposes--The Contract With America--and adopted it wholesale as their legislative agenda. This decision had the virtue of giving them instant focus; but the underlying conception of the governing process on which it was based pointed toward disaster. It assumed that passing the Contract in 100 days would be a valid test of their ability to govern the country when, in fact, there was a huge difference.

First, because the Contract had been packaged for electoral purposes, it was a mixed-bag, laundry list of ten vote-getting proposals, each of which was placed on an equal footing with every other one, by the promise that all would be brought to a vote in

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the House within 100 days. This inflexible plan with ten equal parts deprived them of any chance to structure their legislative agenda realistically—that is, in terms of their priorities—in terms of legislation they might like to get and legislation they had to get.

Worse still, the Contract conveyed no sense of a long-run strategy for actually enacting any of its proposals into law. It focused only on action inside the House. It took no account of the broader legislative context which lay beyond, a context of separated institutions, sharing power and responsibility. It took no cognizance of the Senate with its distinctive procedures and its different ideological make-up, nor did it comprehend the President with his veto power and his bully pulpit.

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This neglect of the larger context helped blind them to certain severe structural limitations on their power—for example, their very slim working majority of 14 votes—a majority that would easily become vulnerable to external pressures and was not even close to being veto-proof. Thus, the inexperienced Republicans tied themselves to a governing document that was oblivious to the basic problems of governing. For a party on trial before the public after 40 years out of power, it was a very unpromising start.

These shortcomings are perfectly understandable, however, if we ask ourselves one question: “What was it like to have been in the minority for 40 years?” Well, for one thing, they had never before faced the problem of interpreting an election victory. Why? They hadn’t had any victories to interpret! For another thing, the

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effects of 20 repeated defeats had brought enormous frustration.

All of our research tells us that the Democrats ran the House completely to their liking—dominating its procedures, its committees and its floor action. And the longer they ran it, the more they treated the Republican minority with an arrogance born of the belief that they would be in the majority forever.

And so, after 40 years of relative impotence, the Republicans had built up a massive backlog of frustration and energy; and by 1995, they were on a very short fuse. They had waited long enough. So, it is hardly surprising that they were impatient and in no mood to go slow. Members of the large 73 member freshmen class were in a particular hurry because so many of them had term limited themselves and, therefore, had very short-term career horizons. They saw themselves as missionaries for immediate change.

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Understandably then, the Republicans wanted to seize the day—to get it all and get it all right now. On the other hand, frustration and impatience were no remedy for inexperience. And forty years in the minority had not provided much experience in governing.

The governing expertise the Republicans lacked was precisely the kind which can only be acquired—over time and in trial and error fashion—by those who have held power. I don’t mean subject matter expertise—which minority members can acquire in their committees. I mean expertise about the business of legislating. That business involves a practical grasp of lawmaking as a lengthy, incremental, multi-institutional, coalition-building process. It involves a seasoned strategic sense in matters such as the establishment of priorities, the negotiation of outcomes across the separated

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institutions of government and the calculations that must be made concerning feasibilities, trade-offs and timing at every decision-making juncture.) And it involves a capacity for understanding and working with public opinion. In short, successful governing takes a lot of practice and the Republicans hadn't had any.

So, what had the Republican minority been doing for 40 years? They had been adapting, as the minority party must, to the realities of governing by the majority party. The rule is simple: the majority party governs; the minority party adapts. And throughout that period, the Republicans had argued among themselves as to how best to adapt to the House Democrats. On one side were the institutional partisans who advocated accommodation and cooperation with the majority party, who worked within the existing rules of the House to get whatever they could by way of bipartisan or cross

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partisan policy adjustment. On the other side were the confrontational partisans who advocated an aggressive, in-your-face approach to the majority party, who cared little about legislative responsibility and whose only goal was to drive the Democrats from power. Over the 40 year period, the trend in this adaptation debate moved gradually--with each influx of Republican newcomers--away from the strategy of institutional partisanship and toward a strategy of confrontational partisanship.

This shift from one basic strategy to the other was completed in 1994, when the leader of the confrontational partisans was elected leader of the House Republicans. And that leader, of course, was Newt Gingrich.

Newt Gingrich, as leader, was the predictable result of 40 years in
the minority. That is, he was a confrontational partisan—and the most confrontational of all. He had spent his 16 year House career in an attack mode—first attacking and driving from office his own party’s leaders in the House, John Rhodes, and Bob Michel, second attacking the Democrats and driving their Speaker Jim Wright from the House, and finally, attacking the House of Representatives itself as “a corrupt institution.” When, at last, he achieved his goal of a Republican majority, he and the majority of House Republicans came to power with an attitude—a confrontational attitude, an attitude of skepticism toward traditional governing routines and even toward the House itself.

Their confrontational attitude toward established governing patterns meant—at the very least—that their own governing enterprise, from day one, would be an experimental, trial-and-

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error, make-it-up-as-you-go-along adventure. And it was.

Inside the majority party, Gingrich launched an experiment to centralize decision-making power in the party leadership, and to diminish the power of committee chairmen and their committees—-to a degree not yet approached by the Democrats. Indeed, he tried to create an American version of a prime minister in a system of party government. And he chalked up an early success by bringing all ten Contract items to a vote in the House in 100 days and passing nine of them there. It was a triumph of party diligence and party discipline.

When it was over, however, the Republicans talked and acted as if they had mastered the legislative process. They took the view that they had passed their key performance test and were now ready for

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favorable public judgment. They saw themselves as no longer on trial. "We did what we said we would do," they said. And they tirelessly repeated their slogan, "promises made, promises kept." It conveyed a far broader sense of accomplishment than was warranted. Not only had they not understood the difference between passing the Contract in the House and governing the country, but what was worse, they had mistaken one for the other! At best, however, passage of the Contract in the House was a very preliminary test of their governing ability—at the beginning of a vastly more serious, more complicated and more lengthy legislative effort. They acted as if they had won the big game, whereas they had only been limbering up along the sidelines.

For them, the "big game" had to be the passage of the budget—an activity which was the legislative equivalent of governing the

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country. It was the activity which had been the centerpiece and the chief bone of contention in Washington politics for 20 years. For the new majority, the budget was their first opportunity to demonstrate their capacity to govern wisely and effectively. It was their crucial test. And they blew it--by demonstrating how very little they knew about the business of governing.

First, they did not understand that budget politics is always incremental, give-and-take, compromise politics. It is not all-or-nothing politics. You cannot run a revolution through the budgetary process. What you can do is make modest, piecemeal reductions in the direction of a smaller government, use whatever concessions you get to declare victory and thus keep control of the public dialogue. Republican senators, who had been in the majority and managed budget legislation for six years knew all this. As

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their leader, Bob Dole, advised, "you get some this year and you get more next year." House Republicans, however, continued to "want it all and want it right now."

Second, they did not understand the powerful presence of the Senate and the President in the decision-making world that lay beyond the House--did not understand that they could not go it alone. Nonetheless, they produced their own smaller government balanced budget and, in effect, challenged the President to take it all or else. In which case, "or else" meant "we will shut down the government." Buoyed by their mandate interpretation of the election, by their confrontational legislative posture, and by their smashing success with the Contract, they were confident of public support and victory. "The public," said Gingrich "(is) counting on us keeping our word because they actually believe we

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are different." It was simply axiomatic that the President would have to "cave in" to their all-or-nothing demand.

As we all know, he didn't. He vetoed a Republican continuing appropriations resolution that contained several extraneous partisan matters called "riders;" the Republicans didn't budge; for lack of money, the government shut down; the public overwhelmingly backed the President and blamed the Republicans; the Senate Republicans deserted their House colleagues, and Newt Gingrich capitulated. Said he to Presidential negotiator, Leon Panetta, "Our strategy has not worked. We thought we could break you. We've got a failed strategy on our hands." Said Panetta, "(Gingrich) came to the table not to negotiate, but to dictate the terms of surrender." Gingrich had failed to give any thought to what, in the end, he might settle for, or could deliver in his

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dealings with the White House. Compromise was simply not in his repertoire. And partly because the Republicans had, once again, misread public opinion and underestimated its relevance to governing. Wise and effective governing--especially with small majorities--requires a healthy regard for the other party inside Congress and a healthy regard for public opinion outside Congress. Their budget strategy met neither requirement.

Their confrontational budget strategy produced a world-class catastrophe for the new, untested Republican majority. Not only did they not win their top priority short-run goal--a balanced budget--but far worse than that, they had pushed the party’s top priority long-run goal--of a unified Republican government--much farther away than it had been when they took power. That is, they had elected Bill Clinton to a second term as President.

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When the budget process got underway, President Clinton was adrift in the post-election doldrums—personally dispirited, politically down in the polls, on the losing side of the public debate, leader of a disorganized party, and widely thought to be a lame duck. By the time his budget confrontation with the Republicans had run its course, however, Clinton had been recharged with energy, he had reached his highest ever level in the opinion polls, he had pinned the label of extremism on the Republicans, had taken command of the political center, reshaped the public dialogue, revived the hopes of his party and had become a heavy favorite for reelection. The scope of that political transformation is mind boggling and virtually impossible to pull off. But the Republicans had done it.

"The budget fight was a turning point," said the President after the election. And Bob Dole’s communications director acknowledged
that "except for a few days of euphoria following the Republican
convention, nothing ever changed from the day the Republicans
closed down the government."

Speaker Gingrich's own postmortem confession illuminates the
Republican's inexperience nicely. "I feel like a good Triple A
player," he said, "who can't hit major league pitching." His
confrontational strategy was admirably suited to running an
insurgency and leading the Republicans out of their 40-year walk in
the wilderness. But in the 104th Congress, it gave neither him nor
his fellow partisans a good grasp of what to do next--that is, how
to interpret their victory or how to govern the country.

I believe that the budget confrontation of 1994-1995 was the
watershed event of the Republican years. When it was over, the
Republicans had lost control of the nation's policy agenda and the
President had gained control of the nation’s policy agenda. To this day, he has not given it back. And while he has had it, he has been, in David Broder’s words, “The Great Preemptor.” He has preempted many Republican issues by moving in their direction—on welfare, crime, budget and defense. Politically and psychologically, the budget catastrophe left the Republicans in a less self-confident and less aggressive posture in all their subsequent policy dealings with the President. Their bargaining weakness was made worse by their inability to agree among themselves on how best to regain the initiative, thus opening up internal party divisions which had been subsumed in their times of early triumph. Indeed, so long lasting has been this post-1995 set of problems, that we can usefully divide the years of Republican House control into two governing seasons—a first season before the budget confrontation, and a second season after the budget

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confrontation.

So, we might ask, did the inexperienced Republicans learn from the events of the first season, and did they apply these lessons in the second season? The answer is: “yes” and “no.” The evidence for “yes” is this, that under the pressure of the upcoming 1996 elections, the House Republicans entered into a series of post-budget legislative compromises with the President on welfare reform and with the Senate on minimum wage and health care. They campaigned on those governing accomplishments. And election analysts attributed their electoral success substantially to those accomplishments.

[On the campaign trail in ’96, I asked a freshmen class leader what he had learned in his first term. “I learned,” he said, “the
limits of what the House could do by itself... what with the Senate able to disagree with our ideas and with the President able to knock them down." It was basic high school civics. Congressman meets separation of powers and divided government. But it was progress."

The Republicans kept control of the House in 1996, but only barely, with their working majority for the 105th Congress reduced from 14 to nine--the smallest majority in 40 years. This time, in the face of the reelection of the President and their own narrow escape, they did interpret the election results modestly--as confirming the status quo, and as calling for the branches to work together. Newt Gingrich abandoned his experiment with centralized leadership in favor of increased decentralization--both to committees and to the rank and file in the party conference.

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In the early days of the new Congress, the lessons of the 1996 election stuck. Cooperation continued. Working together and working in the favorable context of a healthy economy and a prospective budget surplus—the House, Senate and President produced, in May 1997, the first balanced budget agreement in a quarter of a century. In terms of their learning curve, the House Republicans had learned—something about interpreting elections and something about governing the country.

On the other hand, no sooner had Gingrich taken credit for this "historic" budget agreement than he proceeded, incredibly as it may seem, to lead his party in a reenactment, step-by-step of their disastrous confrontational strategy of the government shutdown. This time, they attached two highly unrelated, partisan "riders" to an emergency flood relief bill, and when the President threatened

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to veto the bill because of the "riders," Gingrich told him it would be all or nothing. The Republicans defiantly passed the bill; and Clinton vetoed it. Public opinion, primed by stories of flood devastation in the upper midwest, sided overwhelmingly with the President. But, public opinion had been misread or disregarded by the House Republicans. They had overreached. And they were forced, one more time, to capitulate totally—to remove the partisan "riders" and pass the relief bill. It was deja vu all over again—stark evidence for a different updated judgment on the Republican majority—that "no," they had not learned. Their budget experience had taught them nothing.

This second humiliating defeat precipitated a leadership crisis. During the budget confrontation, there had been plenty of grumbling in the ranks. But the unchallenged preeminence of Gingrich, plus

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the unifying effects of the Contract, the centralization of party organization, plus the newness of it all, had promoted a high degree of party cohesion. With the flood bill disaster, however, internal dissent broke out all over. Party moderates criticized the strategy of confrontation. Party conservatives, who had insisted on the extraneous “riders,” criticized the capitulation strategy. And the party’s leaders split among themselves.

The freshmen missionaries focused their unhappiness on Gingrich. They plotted to replace him. And they were quickly joined by Majority Leader Dick Armey and Majority Whip Tom DeLay. But the plot failed largely because neither the plotters nor anyone else had given any thought whatever to the succession problem—that is—who they might put in Gingrich’s place.

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The conservative revolt against the Speaker—and the participation of the other top party leaders in that revolt—was one more product, I would argue, of the party’s 40 years in the minority. For this reason—that during those years, they had never had to contemplate, develop and legitimize any routines for the orderly transfer of party leadership. For 20 consecutive elections, they only had to interpret defeat—in which case they often blamed their leaders and then cannibalized them. Joe Martin, Charles Halleck, John Rhodes and Bob Michel were voted out or pushed out of the top leadership spot. Killing off their leaders was the only succession process they knew. And they were good at it.

By contrast, the majority party Democrats had established a regular leadership succession pattern according to which people moved up the ladder from appointed whip to elected majority leader to

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elected Speaker. John McCormack, Carl Albert, Tip O'Neill and Tom Foley all followed that same path to power and stayed until retirement. They worked as teams and they rarely challenged one another. An orderly succession process and a stable, united leadership can help to manage internal factions; and the Democrats helped manage their party's own deep divisions in that way.

The Republicans, on the other hand, could not. The three top Republicans—Gingrich, Dick Armey and Tom DeLay—came together in 1994 as independent guerilla warriors who had had little or nothing to do with one another during their years in the minority. They did not take power as a team. And they never established a stable leadership regime. My point is this, that Republican leadership instability is another residue of their 40 years in the minority. Their efforts to solve their leadership problems have been every
bit as experimental, as free of tradition and as much of a learning
adventure as all the other aspects of the Republican odyssey.

Outside observers saw Republican coup attempts and leadership
disarray as evidence that the party was wholly lacking in
sufficient internal cohesion or discipline to govern the
country—that they were acting as if they were still the minority
party. Gingrich himself complained that “some of our conservative
critics are so used to being on defense that they automatically
yell ‘sack the quarterback’ even when it’s their quarterback on the
field.” “We have never learned to govern as a party,” he said.

“It is time we learned to govern.” Amen! I could not have said it
better.

The balanced budget agreement of 1997 proved to be the high water
mark of the 105th Congress. After it passed, one Republican said, “We’re like the dog that caught the bus. What do we do with the balanced budget now that we have it?” The answer turned out to be “nothing.” With no new overriding goal and with leadership weakened, the various factions within the party became increasingly active and organized; and efforts at policy making foundered on deep disagreements over how to manage the surplus and how much to press social conservatism. With a working majority of only 9-11 votes, any small, determined group of hold outs could cause a stalemate inside the party--and that stalemate became the name of the game.

Because the divided party failed to process most of its appropriations bills, the end game of the 105th Congress was a huge, $500 billion omnibus bundle of spending bills that had to be

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negotiated out with the President and Senate. Gingrich, in a
reversion to his old style, elbowed the Chairman of the
Appropriations Committee aside and took control of the negotiation
on the part of the House. Fearful of a repeat of the earlier
budget confrontation—he proceeded to give the President just about
all he wanted—and thereby even "blowing a hole" in the balanced
budget agreement he had so proudly announced the year before.
Half the party members were pleased that there was no shutdown, the
other half was outraged by another Clinton victory. As the
Washington Post described the result,

President Clinton continues to be blessed in his
adversaries. He easily outmaneuvered the congressional
Republicans in the budget negotiations of two weeks ago,
as even many of them conceded. The victory was a vivid

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reminder of his formidable political skills, but an equally vivid reminder of their ineptness. On major issues, the Republicans are deeply divided, poorly led and hobbled more than helped by shopworn doctrine. He beat them with a feather.

While there was some improvement over the catastrophic shutdown, the Democrats were still profiting from Republican mistakes. The 1997 budget was no governing triumph.

One rationale for Gingrich’s cooperative strategy on the budget was this: that he had a broader strategy. The Lewinsky scandal had broken; the impeachment process was beginning; and he had decided that the anti-Clinton impeachment furor was all he needed to carry his party to victory in the 1998 November elections. So he had

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made a virtue out of a necessity. The party couldn't govern, so it would lay low, make no waves, wait to harvest an increased majority in the House and then make the 107th Congress the acid test of the party's ability to govern. So, the Republicans fought the 1998 election without a policy agenda. Party strategy became "all anti-

Clinton, all the time." As we now know, it was a miscalculation of historic proportions. The Republican's working majority in the House dropped from 10 to six—the second consecutive negative Republican report card. And the party's leader, Newt Gingrich, resigned as a result. They were still the governing party, but they were without a leader or a message. And they had less margin for error. On top of which, they were about to face a wholly new governing challenge. They were going to have to run a presidential impeachment inquiry.

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[An analysis of the impeachment business obviously requires a lot more time than we have now. But that analysis, I believe, would have many similarities to the story I have been tracing here. To be sure, impeachment is a rarely used constitutional process and, in that sense, cannot be compared with any normal aspect of congressional/presidential relations--on budgets or other legislative matters. On the other hand, as every analyst has repeatedly reminded us, impeachment is a political process. And, in that sense, it can be treated within the same framework that I have worked with to this point.]

To go back to the very beginning of my comments, the Republicans came to impeachment facing the same challenges they faced when they first took office--to prove to a public which had never before put them in charge, that they could help govern the country effectively.

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and wisely. After four years, it could not be said that they had yet convinced the country. They had kept their majority, but it had been steadily declining, not growing. And they had not established a stable governing pattern or a stable leadership regime. They still had a lot to learn; and they were still on trial. And, now, they, as the majority party, would have to make the crucial impeachment decisions. Impeachment, therefore, can be treated as another major test of their governing ability.

I would argue that their performance on this governing test bore a strong family resemblance to their earlier failures. Very much like their earliest days of 1994—when they decided on their electoral interpretation and their legislative agenda—the key decisions the Republicans made on impeachment were also their earliest ones. Once again, their first decisions dictated their
later performance. Afterward, when observers tried to summarize what had happened, they used metaphors that captured a process which once it was started ran to the end with unstoppable momentum. One favorite was “the runaway train” metaphor. The Washington Post’s summary was titled, “The Train That Wouldn’t Stop.” Newsweek preferred the cave metaphor. “The way people die in caves is by going forward too fast into wedges that trap them, rivers that drown them and mazes that defeat them... a headlong descent, a process no one can control...” The common idea here is that very early choices set in motion a process that ran its inevitable, unstoppable course.

What, then, were the party’s earliest choices? The earliest and most basic choice was a very familiar one—one they had often had to make in their dealings with the President. It was the choice

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between confrontation and compromise. Or, in another language, it was the choice between partisanship and bipartisanship. In my story thus far, whenever the Republicans have chosen confrontation with the President, the results have been counted as failures: the 1995 budget, the flood aid bill, and the 1996 presidential election. By contrast, when the Republicans have chosen to compromise with the President, the results have been counted as successes: the legislation prior to the congressional election of 1996, the balanced budget of 1997 and, less clearly, the 1998 omnibus budget. And relatedly in my story, the Republican failures have come when their actions ran contrary to majority public opinion in the country, contrary, that is, to the people before whom they were on trial.

The House Republicans chose confrontation on impeachment. Indeed,
they chose the mother of all confrontations between Congress and President—a direct, head-to-head, one-on-one, branch-against-branch, power-against-power, legislative effort to remove him from office. The decision was made in the spirit of confrontational partisanship that had guided them in their later days as the minority party and in their early days as the majority party—with the Contract With America and in the shutdown fight. It put them immediately and, once again, at odds with the majority opinion in the country—as registered in the polls and in two presidential elections. And, reminiscent, too, of the budget fight, their decision once again put them immediately at odds with people whose support they would eventually need in the Senate. There was never a moment from beginning to end, that anyone honestly believed that two-thirds of the U.S. Senate would vote for removal.

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I would argue that at the time the Republicans made their earliest and crucial decisions, a bipartisan compromise was possible and a bipartisan solution was available. A majority of the public supported it. So did many Democrats in the House and Senate. Party elders on both sides supported it—Republicans like Gerald Ford, Bob Dole and Howard Baker, and Democrats like Jimmy Carter and George Mitchell. The lessons of Watergate and the Nixon impeachment—that credibility and closure depended on a bipartisan outcome—that lesson, too, pointed toward censure. Censure was, I would argue, the only course of action that ever had any chance of winning bipartisan support. It was, admittedly, a long shot. But politics is the art of the possible.

The earliest decisions would have to be made within the most partisan and the most polarized committee in the Congress—the
Judiciary Committee. And, I might add, in a Congress that was as polarized as any in recent years.

Very early, there were pledges of bipartisanship on all sides. "We all agree," said Committee Chairman Henry Hyde, "any impeachment cannot succeed unless it is done in a bipartisan or non-partisan way." They were the right words. And they got repeated for a long time. But they never got translated into action. By the time the Judiciary Committee’s impeachment inquiry was formally approved by the House, the words being applied to its decision-making activity were: "acrimonious," "bitter," "nihilistic," "poisonous," "brutal," "rancorous." Not exactly words of persuasion or compromise or bipartisanship.

Of course, the partisan bitterness was equally divided between the
two sides. But it was up to the controlling majority to set the tone, fix the procedures and map the course. That's what governing means! And there were several early opportunities, I believe, where Republicans could have consulted and negotiated with the Democrats. But at each juncture where bipartisan negotiation was possible, the Republicans acted unilaterally—on the scope of the inquiry, on the timetable of the inquiry, on the release and treatment of Independent Counsel Starr’s materials, on the release of Clinton’s grand jury video, and on the length of time for floor debate. Many observers believed that Chairman Henry Hyde would be a strong force for bipartisanship. He claimed to the end that he was. But I believe he was not. If there was a single bipartisan vote in the Committee—whether behind closed doors or in the open—there is no record of it.

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If there was going to be any Republican sentiment for compromise, it would have to come from outside the committee--from the party leadership. But the party's leadership was divided in disarray and unstable. Gingrich--the most likely compromiser--resigned; Speaker-elect Bob Livingston never got control of the job; he lasted six weeks, then he resigned; Dennis Hastert--an inexperienced unknown--finally became Speaker. Majority Leader Dick Armey was out of the picture fighting for his job. Into this extended vacuum stepped the third ranking party leader, Tom DeLay. He was, from his days in the minority, a deep-dyed confrontational partisan. He had joined the young conservatives in the plot to overthrow Gingrich. As Whip, he could count votes. He made himself the king-maker in Livingston's selection and, then, he controlled Hastert's selection. By assertion, he became the de facto leader of the party during impeachment.

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On the climactic partisan decision—to deny the Democrats their request for a floor vote on censure—DeLay became the pivotal figure in favor of continued partisan confrontation. His crucial move was to convince Speaker-elect Livingston—who initially declared in favor of allowing a vote on the censure alternative—to change his mind and to help insure a solid party vote against the Democratic motion.

DeLay spoke for those conservatives in and out of Congress, whose main object was to get rid of Bill Clinton by any method possible. They had their hard-core base at home and they had their hard-nosed leader in the House and they seemed to be driving the impeachment process from the day that they slammed the door shut on the censure alternative. It was their last chance for bipartisanship and it freed the Democrats to escalate their charges of unfairness—"lynch
mob, "witch hunt," "partisan vendetta,"—that is, their old charge of "extremism" in a new context. Whereupon the partisan impeachment process rolled forward on its constitutional course into the Senate, for a trial whose outcome everyone knew from the beginning.

The Senate eventually voted to acquit the President. The vast majority of people in the country—whose main sentiment had long been "get it over with," breathed a sigh of relief. Early judgments have been mixed; and the historians are left with plenty of grist for later judgments.

My concerns are not with judgments or justifications. I happily credit both parties with doing what they thought was the right thing to do--Republicans upholding the rule of law, Democrats

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upholding a high bar for impeachment, and both acting in support of the Constitution. My interest is not in the merits of impeachment, but in the politics of impeachment. And the high degree of partisan voting makes it clear that politics dominated. My concern is with the performance of the House Republicans as a test of their ability to govern the country. And, as I indicated earlier, I believe their performance, on balance, did not meet the test. The results they produced met neither of the Watergate tests--not credibility and not closure.

Nothing the Republicans did during the impeachment proceedings affected the record-high job performance ratings of the President or weakened his control over the policy agenda of the nation. On the other hand, public feelings toward the Republican party declined markedly. In September when the process began, opinion

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was 42% positive and 29% negative. But by January, these feelings had reversed themselves to 42% negative and 34% positive. And that ratio has remained steady to this day. On the other hand, majority public support for censure as an alternative to removal held steady at around 57% throughout the entire time--and even after the Senate trial ended. Again, these were hardly signs of public support for the Republicans, their preferences or their performance. To a damaging degree for any governing party, they once again misread or ignored public sentiment. A Republican governor put the governing problem as I would. "We're in the majority, "but we still have a minority mind-set, "he said. "We do such a great job of appealing to our base constituency that we forget about the other 85% of America."

I am well aware that there are other stories that might be told

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about the 6-1/2 years of Republican rule in Congress. And another story may be written in 2000. For now, however, the House Republicans remain in their post-impeachment condition. And it is hardly an inspiring, confidence-building condition. Republican strategists agree that the party has suffered from its confrontational impeachment strategy. Says one, "The Republican party, as an institution, is imploding."

And a second Republican strategist agrees. "Clearly, the impeachment process has built a negative image for this party that goes beyond this trial and the impeachment itself. There is a sense that our guys have overreached and have continued to do so since 1994. They got elected and they're like a kid in a candy store, going too far and too fast."

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Republican pollsters acknowledged that favorable opinions of their party have "fallen dramatically." Says one, "the trend numbers on the Republican and Democratic parties are really disconcerting. We were about even. Now the Democrats have a 2-1 favorable advantage... that is as big as I've seen since I've been around."

"The true nightmare," he adds, "is when you look at what the public thinks of the party on issue after issue, [we are] running 20 points behind (the Democrats) on every issue." "We're getting boxed into a very narrow box," he says, "which is an anti-Clinton box." What to do about it? "What is going to pull us out of the malaise," he said, "is achieving something and achieving it in bipartisan fashion." These summaries are consistent with my story of Republican governance—both the long-run 40 year story and the short-run 4-1/2 year story. We can summarize the summary by saying simply that the House Republicans are still on trial and still have
a lot to learn about governing the country. And their biggest test is the same on they faced in 1994—winning the Presidency. So they still face their old challenges, I would argue, out of their experience. And that's where I had best leave my story. You're much.

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