

# Extension of Remarks



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# Party Polarization in the 111<sup>th</sup> Congress

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The 2008 elections were historic. In capturing the White House, Barack Obama gained the highest percentage of votes for any Democratic candidate since Lyndon Johnson in 1964. It was also an impressive election for Democrats at the other end of Pennsylvania Avenue. In picking up 7 seats in the Senate (bringing their total to 58 seats) and 22 seats in the House (255 total seats), the Democrats had the biggest back-to-back election nights for the Democratic party since the Great Depression.<sup>1</sup> With their victories in 2008, Democrats are in about the same numeric position as they were in 1993 when Bill Clinton moved into the White House with 258 Democrats in the House and 57 Democrats in the Senate.

The new overwhelming Democratic majorities in Congress and a new Democratic president may significantly alter how politics is practiced in Washington, D.C. Obama has promised to move beyond one of the most prominent trends in politics over the last 30 years – the growing divergence between the political parties in the U.S. Capitol. In this article, I assess party polarization in light of the 2008 elections. First, I take a brief look back at the 110<sup>th</sup> Congress. Second, I discuss which members from the 110<sup>th</sup> Congress remains on Capitol Hill. Next, I discuss the departing members and speculate about their replacements. Fourth, I evaluate the key changes in party leadership that have been made between the 2008 elections and the beginning of the 111<sup>th</sup> Congress. I conclude by outlining a strategy that Obama could follow to “change the tone in Washington.”

## The 110<sup>th</sup> Congress

The fallout from the 2006 elections was quick and severe. The day after the Democrats won majority control in both the House and the Senate, President Bush canned Secretary of Defense Don Rumsfeld. Even though the Democrats rode the anti-Iraqi War sentiments to office, they proved ineffective in significantly altering the course of American involvement in Iraq because they did not want to be in the untenable position of cutting funding while the troops were in harms' way. Congress's inability to force a change in military policy in Iraq brought about early posturing for the 2008 presidential election. When forcing Bush to pullout the troops failed in Congress, liberal pundits and bloggers sought standard bearers to take up their cause. John Edwards quickly apologized for his vote to authorize the use of force. Barack Obama declared that he had been against the war from the beginning. Although she would not apologize for her vote, Hillary Clinton regretted the way that Bush used his authority. And the Democratic candidates were off to the races, leaving a frustrated anti-war public majority to twiddle its thumbs for the last two years of the Bush Administration.

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<sup>1</sup> In the interest of timeliness, this article assumes that Norm Coleman will maintain his seat in the Senate and that Representative Virgil Goode will lose to Tom Perriello in Virginia's Fifth District. Neither race was called by cnn.com at the time this article was written.

Back on Capitol Hill, the Democrats proved that they had learned from the 12 years of Republican majorities. Although they ridiculed the Republicans' abuse of power when they were in the minority from the 104<sup>th</sup> to the 109<sup>th</sup> Congresses, the Democrats used the Republican's playbook in the 110<sup>th</sup> Congress. The increasingly procedural contentiousness in the House and Senate continued with reckless abandon. Closed rules, complaints from the minority party, cloture motions, and one-party walkouts were as frequent in the 110<sup>th</sup> Congress as they had been in any of its predecessors.<sup>2</sup>

Given that the Democratic majorities' standard operating procedures in the 110<sup>th</sup> Congress were essentially a continuation of the Republicans' practices, the polarization between the parties in the House and Senate was quite similar to what it was in previous congresses. Through the first session of the 110<sup>th</sup> Congress, the House was a bit less polarized than it was in the 109<sup>th</sup> Congress (40.8 percent polarized as opposed to 41.4 percent) while the Senate was a bit more polarized (36.8 percent polarized as opposed to 36.7 percent polarized).<sup>3</sup> These two congresses are the most polarized of any two congresses since the early 1900s. Furthermore, in the first session of the 110<sup>th</sup> Congress, the Democrats were as unified as they had ever been according to *Congressional Quarterly*. Although a new party called the shots in both chambers, the polarization between the parties was decidedly the same.

### **Who Left and Who's Left?**

Sixty-four members who completed the 110<sup>th</sup> Congress will not be returning for the 111<sup>th</sup> Congress.<sup>4</sup> For the Democrats in both the House and the Senate and the Senate Republicans, the members continuing their service in the 111<sup>th</sup> Congress are not, by and large, that ideologically different from those who departing. On the other hand, those Republicans leaving the House are more moderate than the Republicans who will continue to serve in the 111<sup>th</sup> Congress.

The only Senate Democrats who will not return are those who are expected to serve in the new presidential administration (Obama, Biden, Clinton, and Salazar). The remaining 47 members who caucused with the Democrats, including Joe Lieberman, will again be serving in the 111<sup>th</sup> Congress. The four Democrats who are leaving were, on average, 1 percent more liberal than the 47 Democrats who are staying ( $p > |t| = 0.87$ ). Except for Biden at Foreign Relations, all of the full committee chairs will be returning to the Senate in the 111<sup>th</sup> Congress, though some of the chairs will change hands.

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<sup>2</sup> At the time this article was written (early December, 2008), senators, according to figures reported by the Senate Library, had filed 138 cloture motions in the 110<sup>th</sup> Congress. Through the first quarter of the 110<sup>th</sup> Congress (through July 23, 2007), the House, according to data gathered by Don Wolfensberger, had adopted a higher percentage of closed rules than it ever had when the Republicans were in control.

<sup>3</sup> The percent polarized statistic is the weighted absolute value of the party averages of the DW-NOMINATE ideology scores, which exist on a continuum from -1 (liberal) to +1 (conservative). Throughout this article, I use DW-NOMINATE as a proxy for members' ideologies.

<sup>4</sup> This figure does not include the 14 members who did not finish the 110<sup>th</sup> Congress (7 died in office, 1 resigned after being defeated in the primary, and 5 others resigned).

Likewise, most of the House Democrats are also returning. The five Democrats who were defeated in the 2008 general election (-0.237 average ideology score) were more moderate than the seven retiring Democrats (-0.330) who were more moderate than the 218 Democrats who will be returning for the 111<sup>th</sup> Congress (-0.371).<sup>5</sup> None of the 12 departing Democrats was a full committee chair.

Nine of the 49 Republicans serving in the Senate at the conclusion of the 110<sup>th</sup> Congress will be leaving the chamber in 2007. As with the Democrats in the House, the four defeated Republican senators were more moderate (0.333) than the five retiring Republican senators (0.400) who were more moderate than the 40 Republican senators who will continue their service in the 111<sup>th</sup> Congress (0.401).<sup>6</sup> Only one of the nine was the ranking member of a full committee (Domenici at Energy and Natural Resources).

Twenty-two percent of the House Republicans from the 110<sup>th</sup> Congress will not be back for the 111<sup>th</sup> Congress. As opposed to the Senate Republicans and the House Democrats, the fourteen general election losers were not more moderate than the 26 retirees (0.443 compared to 0.371). Neither group, though, was as conservative as the primary election losers (0.461) and those Republicans returning to the 111<sup>th</sup> Congress (0.469), who are statistically significantly more conservative than the departing Republicans ( $p > |t| = 0.01$ ). Six of the 14 most moderate Republicans in the House during the 110<sup>th</sup> Congress will not be returning to the House. Nearly two-thirds of those not returning were more moderate than the average House Republican. The non-returning members include four ranking members (Duncan Hunter at Armed Services, Tom Davis at Oversight and Government Reform, Steve Chabot at Small Business, and Jim McCrery at Ways and Means).

The 2006 and 2008 elections were devastating for moderate Republicans. Of the 25 most moderate Republicans in the 109<sup>th</sup> Congress, only 10 will remain in the 111<sup>th</sup> Congress. The 94 Republicans who completed their congressional service in the 109<sup>th</sup> or the 110<sup>th</sup> Congress were significantly more moderate (0.393) than the 141 Republicans who will continue to serve in the 111<sup>th</sup> Congress (0.464).<sup>7</sup> If the freshmen Republican class of the 110<sup>th</sup> Congress is any indication, the new Republicans are not nearly as moderate as those who are leaving.<sup>8</sup>

## Who Replaced Them?

It is hard to characterize the 64 new members of the 111<sup>th</sup> Congress. They represent a diversity of backgrounds and a great range of previous political experience. Their behavior in Congress will be highly contingent upon many factors. Nonetheless, we can make some speculations. The smallest freshman class will be the Senate

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<sup>5</sup> Those Democrats who will continue their service in the House are not statistically significantly different than the Democrats who will not continue their service in the House ( $p > |t| = 0.228$ ).

<sup>6</sup> Those Republicans who will continue their service in the Senate are not statistically significantly different than the Democrats who will not continue their service in the House ( $p > |t| = 0.565$ ).

<sup>7</sup> The t-test statistic is  $p > |t| = 0.0003$ .

<sup>8</sup> The 15 newly elected Republicans had an average DW-NOMINATE of 0.538, whereas the 187 veterans averaged 0.445 ( $p > |t| = 0.022$ ).

Republicans, who have two new members. The current lieutenant governor of Idaho, Jim Risch, will take over Larry's Craig's seat and the former Nebraska governor, Mike Johanns, will replace Chuck Hagel. Of the two, the Johanns replacement will have a bigger effect on the Senate because his predecessor was a frequent Democratic ally. Johanns, who was the Secretary of Agriculture for Bush before running for the Senate, will be a much more reliable Republican vote than Hagel. Although Risch's past is less colorful than Craig's, the switch will not have any meaningful policy or polarization consequence on the Republican conference in the Senate.

The Democratic Conference will have 7 new senators (not including the eventual replacements for those now in the Administration). Each of the seven replaces a Republican who either retired or lost. The election of the reliably Democratic Udall cousins in Colorado and New Mexico will not have a great effect on polarization in the Senate because they will be replacing Allard, who was a good bit more conservative than Mark is liberal, and Domenici, who is more moderate than Tom.<sup>9</sup> The Warner trade (Mark for John) in Virginia is also not likely to have much of an effect on polarization. Mark Warner was every bit the moderate pragmatist as governor that John Warner was as a senator. Another incoming former governor, Jeanne Shaheen of New Hampshire, will probably be a bit more partisan than Governor Warner, though her predecessor, John Sununu, was also a bit more partisan than Senator Warner. Furthermore, the Alaska switch of Mark Begich for Ted Stevens is also likely to have a minimal effect. Begich will have to vote as moderately as Stevens if he hopes to have a second term.

The two remaining Democrats, Kay Hagan in North Carolina and Jeff Merkley in Oregon, will strike a different path than their predecessors. Like Begich, Hagan will have to vote moderately if she has any hopes at a second term. The person she is replacing, Elizabeth Dole, was a much more reliable Republican vote than Hagan can be for the Democrats. Merkley is replacing Gordon Smith (another Udall cousin), who was the most moderate member of either party not returning to the Senate in the 111<sup>th</sup> Congress. It is unlikely that Merkley will be the fifth most moderate Democratic senator as Smith was for the Republicans. The additional moderation of the North Carolina senator is likely to be balanced with the more polarized voting record of the new Oregon senator. In summary, the senator-to-senator changes coming in the 111<sup>th</sup> Congress are not likely to yield a different polarizing dynamic between the parties.

Although the 55 changes in the House are harder to analyze, tea leaf reading reveals a couple of insights. Twenty-four newly elected members – 17 Republicans and 7 Democrats – will be replacing their fellow partisans. We would not expect significant partisan differences from any of these members. Twenty-six newly elected Democrats will replace 12 Republican retirees and 14 of their general election opponents. Of these 26 newly elected members, only three come from districts where John Kerry received more votes for president than George Bush in 2004. In those three districts, Kerry got 52 percent of the 2-party vote. George Bush carried the other 23 districts by an average of more than 10 percentage points. Although the Democratic caucus in the House grew, it grew almost entirely among members representing electorally difficult districts. These

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<sup>9</sup> Mark and Tom Udall were around the Democratic average in the House (-0.400 and -0.464), while Domenici (0.265) and Allard (0.576) were each about as far away from the Republican average in the Senate.

new members will have to develop very moderate-to-conservative voting records if they hope to win reelection in 2010.

The five Republicans who defeated Democrats are not from reliably Democratic districts, as witnessed by the fact that the Democratic incumbents lost in a year when most pundits argued that the Democratic Party had a strong wind at its back. Only one of them, Joseph Cao, who defeated William Jefferson in Louisiana starts out electorally vulnerable. Holding on to his seat will be next to impossible even if he switched parties. In 2004, Bush only got 24.2 percent of the vote in his district, which is 64 percent African American. Jefferson lost because he was a severely flawed incumbent and he was running in a runoff. Cao's tenure in the House is likely to be as short as Michael Flanagan, who defeated Dan Rostenkowski in 1994, or Nick Lampson's second tenure in the House, where he barely won against a write-in candidate. The other four Republicans represent solidly Republican districts. If they vote as similarly as their fellow home state partisans in Kansas, Florida, Texas, and Louisiana, the Republican caucus in the House is likely to be moved in an even more conservative direction.

### **Key Changes Made After the Election**

Again, three of the four party caucuses in the Congress did not make significant changes to their leadership teams. In fact, none of the three top leaders in the House Democratic Caucus, the Senate Democratic Conference, and the Senate Republican Conference changed. The only perturbation in these relationships might be between Senate Minority Leader Mitch McConnell and Senate Majority Leader Harry Reid. Although McConnell and President-elect Obama exchanged congratulatory words within two days of the election, it took McConnell an additional week and two unrequited messages before he returned Reid's phone call. It appeared as though McConnell was still smarting over Reid's maxed out contribution to Bruce Lunsford, McConnell's opponent.

The only other major change in these three groups is the replacement of Henry Waxman for John Dingell as Chairman of the House Energy and Commerce Committee. While Waxman's DW-NOMINATE (-0.505) is just a bit more liberal than Dingell's (-0.432), the new chairman will vigorously pursue new environmental regulations, which might increase the rift between Democrats and Republicans in the House. Dingell, a long-time ally of the automotive industry, reliably kept the divisive pro-environment policies of the Democrats bottled up in committee.

The House Republican Conference, unlike its Democratic counterpart in the House or its Republican counterpart in the Senate, experienced significant leadership changes. Although John Boehner will still serve as Minority Leader in the House, his chief lieutenant, Minority Whip Roy Blunt, stepped down in lieu of running against Eric Cantor, in what might have been a divisive election. The Republicans also chose a new conference chairman, conference vice chairman, policy chairman, and NRCC chairman; the only leadership position besides Boehner's that did not change was conference secretary. It should be noted that none of the new members of the leadership served in any elected leadership positions in the 110<sup>th</sup> Congress.

The new House Republican leadership is not only more conservative with an average DW-NOMINATE of 0.520 (instead of the 109<sup>th</sup> Congress average of 0.472), but it is also likely to be more confrontational. Although Blunt and Steny Hoyer, the House Majority Leader, were both solid partisans, they had a good working relationship that included regular meetings. Eric Cantor, in contrast, came to the national spotlight during the financial crisis bailout when, as a leader of the conservative Republican Study Group, he announced conservative opposition to the original bailout bill. His dramatic announcement ruined President Bush's White House photo op with Senators McCain and Obama. After the House defeated the bill, he declared in a press conference that it was Nancy Pelosi's harsh rhetoric just prior to the House vote that enticed many Republicans to oppose the bill. Although few observers accepted the veracity of Cantor's claims, the incident demonstrated Cantor's growing power in the conference even before he held a formal position in it.

## **Looking Ahead**

As the 111<sup>th</sup> Congress convenes, the Democrats will have more members and a new legislative partner in the White House. Furthermore, they must develop policies not only to protect our soldiers fighting in two wars but also to stabilize the panicked financial markets. At no time in the last 40 years has it been more important for Congress and the president to do the nation's business. If Obama hopes to change the tone in Washington, he'll have to do most of the heavy lifting himself. While the parties' numbers have changed in the Senate, the polarization of the parties is not likely to be significantly different than it has been in the recent past. In the House, however, the parties will most likely be significantly more polarized as the number of Republican moderates continues to shrink and as the new Republican leadership in the House will be a constant source of frustration and angst for Speaker Pelosi and the Democrats. Furthermore, she will be charged with protecting a burgeoning number of moderates from Republican-leaning districts hoping to win reelection in the 2010 midterms.

Obama, like Bush, is presented with an opportunity to change the partisan dynamic in Washington, D.C. After the September 11<sup>th</sup> attacks, Bush played to his base – a strategy that had short-term successes in the 2002-midterm election and his own reelection in 2004, but has cost the Republicans severely ever since. With an economy that continues to teeter on the edge of collapse, Obama can use the crisis to bring both parties together. To do so, Obama should continue to cultivate his personal relationships with his former Senate colleagues. The moderate Republicans in the Senate have not suffered the same decimation as their House counterparts. A few Republican votes on his major initiatives will provide the new president with both a governing majority and a bit of political cover. With so many former Clinton officials taking seats in the new Obama Administration, the lessons learned from the Clinton health care debacle should be prominent. It is unlikely that calmer or even pragmatic heads will prevail in the House, but fortunately for the Democrats, Speaker Pelosi's powers are real and significant. To see where policy and polarization is heading in the next two years, I suggest serious observers keep an eye on the Senate – watching the legislative process in the House will likely be significantly worse than watching sausage being made.