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Ground to a Halt: A Mixed Methods Approach to Understanding U.S. Government Shutdowns

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Ground to a Halt: A Mixed Methods Approach to Understanding U.S. Government Shutdowns

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Senior Honors Thesis

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Abstract

Government shutdowns are a relatively frequent, yet understudied, phenomenon in American politics. To better understand these shutdowns, I present them as competitions between parties in two areas: First, the policy space, in which each party tries to end a shutdown with a policy that coincides with that party's ideology and; second, the public opinion space, in which each party attempts to win support from the public. I use both qualitative (case studies), and quantitative (formal and statistical models) methods to evaluate shutdowns using this lens. Through my case studies, I found that parties which propose shutdown-ending policies that are close (in ideology) to the status quo fare better—in both policy and public opinion—than parties which propose a major policy change. Additionally, I show through formal and statistical models that the public opinion and policy spaces do not adequately capture the utility maximization of parties during government shutdowns. Rather, parties that instigate shutdowns view them as base mobilization opportunities and show limited regard for aggregate public opinion or the ideological position of the shutdown-ending policy. Still, my results show that shutting down the government is not an effective workaround for parties attempting to circumvent the separation of powers outlined in the U.S. Constitution.

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Part 1: Introduction

Chapter 1: Introduction

On January 20, 2018, the United States government ground to a halt after the President, the House, and the Senate were unable to agree on a funding bill. This stalemate might seem like a part of typical partisan fighting in Washington, but in an important way it was not—the Presidency, House, and Senate were all controlled by Republicans. Even after securing a governing mandate in 2016 through the victory of Donald Trump, the Republican-controlled government could not perform the basic function of passing a funding package, just one calendar year after this government was sworn in. The Democrats, at the least powerful they have been since 2000 (the last time the Republicans controlled Congress and the presidency), joined with a handful of Republicans to impose their priorities on DACA (Deferred Action for childhood arrivals) and other issues, causing a three-day government shutdown in which national parks and monuments were closed and federal employees were either furloughed or forced to work without pay (Matthews 2019).

One might think that such dramatic and public confrontations should have momentous impacts on policy, but whether that happens is unclear. In an article for the *Washington Post* titled “Winners and losers of the government shutdown,” Amber Philips writes, “ While no one really truly ‘wins’ when the government shuts down — especially in the real world, where people's lives are tangibly affected — this two-day shutdown...did have some clear political winners and losers” (Phillips 2018). Essentially, we have an article given a title to suggest that it will explain the winners and losers of the government shutdown that begins with a sentence

saying that nobody truly wins government shutdowns; yet Phillips continues on to list the winners and losers of the government shutdown on which she is reporting.

The point of that example is not to denigrate Phillips or the *Washington Post*, but to show the deeper issues with the public understanding of a phenomenon which is becoming increasingly common. It is difficult to determine who wins and who loses in government shutdowns. Government shutdowns are not like an election in which anyone can look at the number of votes for each candidate and clearly determine who won. The outcomes are determined by a variety of moving parts; the battles are frequently fought through exploiting obscure Congressional rules that are unknown to those outside of academic and policy circles and the results are evaluated through polling which can fail to capture the full picture. Negotiations happen behind closed doors where the public and the media can only speculate about what is going on. Sometimes, government shutdowns are resolved by punting disputes over important issues to a later date when the issues can be resolved with much less public show. Additionally, many government shutdowns occur several months or longer before the next federal election, so it is unclear to what degree voters consider the shutdown during an election or whether issues occurring closer to the election have more salience. Thus, shutdowns sometimes leave the American public running in circles politically. As Anthony Zurcher of the BBC wrote about the 2018 shutdown, “The government shutdown is officially over. Everyone involved is declaring victory. And everybody’s right. And wrong” (Zurcher 2018).

We need a framework through which we can understand government shutdowns. The framework should show who wins these shutdowns, who loses, and why. It should show what outcomes constitute wins and losses in a way that can establish accountability of party leaders for shutdown results. It should show what strategies are most successful in getting to a win. Most

broadly, it should understand shutdowns in a way that builds on the current understanding of Congress and executive-legislative relations but recognize the uniqueness of the case of government shutdowns. The goal of my thesis is to build a framework that fulfills these criteria.

Background and History

Most Western democracies do not have government shutdowns—which I will define as stoppages of work for large portions of the government due to lack of a federal budget (Noack 2018). These countries either have provisions that keep government funding at status quo levels during a budget impasse, norms or rules that require the executive to step down or the government to be dissolved, or both (Noack 2018; Keating 2011).¹ Keating (2011) writes that, “a government so deadlocked it simply ceases to function seems to be an exclusively American phenomenon.” Other countries have escaped much larger political crises than a failure to agree on a spending bill without shutting down the government. For example, Belgium did not have a government for 589 days in 2010 and 2011, but civil services and government projects went on with minimal interruption (Noack 2018). Germany faced a funding impasse in 2004, but German law kept civil servants in their jobs (Noack 2018). In 2011, Portuguese Prime Minister Jose Socrates resigned after his budget was rejected and new elections shortly followed (Keating 2011). That these countries are parliamentary systems (or close to them) rather than presidential systems makes it difficult to apply these examples to the United States. However, does the relative newness of US-style shutdowns suggest that they may not be endemic to the American constitutional system?

¹ I use the word “dissolved” in a parliamentary sense, where the government is forced to allow new elections. The government bureaucracy and civil service usually remain intact during this period.

Legal and Procedural Foundation

The legal foundation for US government shutdowns comes from the Congressional Budget and Impoundment Control Act of 1974 (colloquially known as the Budget Act of 1974) and then Attorney General Benjamin Civiletti's interpretation of the 1884 Antideficiency Act (Cass 2013; Berger, Hanlon, and Hendricks 2018; Matthews 2019). The Budget Act of 1974 created the modern budgeting process. Before 1974, the budgeting process was quite disorganized; there were several different committees that had authority over spending and taxation, and these committees were not well coordinated in their work (Berger, Hanlon, and Hendricks 2018). Because of this lack of coordination, the budgeting process was one of loose norms rather than strict rules (Cass 2013). The Anti-deficiency Act banned federal employees from spending money that Congress had not appropriated, but federal agencies were not expected to stop work when their agency was not funded. While their operations may have been slowed, they remained open with the knowledge that Congress would likely retroactively fund the agency once the funding dispute was solved (Cass 2013). The Budget Act of 1974 did not explicitly ban this practice, but tightening rules made it more difficult to use non-traditional measures.

While the Budget Act created the larger budget system, Attorney General Civiletti's opinion on the Anti-deficiency Act legally mandated government shutdowns for agencies that lack funding from Congress. When President Jimmy Carter asked Civiletti for legal advice regarding, "whether an agency can lawfully permit its employees to continue work after the expiration of the agency's appropriation for the prior fiscal year and prior to any appropriation for the current fiscal year," the Attorney General decided that "the Anti-deficiency Act prohibits an agency from incurring pay obligations once its authority to expend appropriations lapses"

(Civiletti 1980). While the Anti-deficiency Act had been law for decades, Civiletti argued that it had been ignored when the government was retroactively funded. Essential government functions such as law enforcement and the military would continue during government shutdowns in his interpretation, as well as non-discretionary programs such as Social Security (Civiletti 1980). All other functions, however, would be shut down until a funding deal is reached.

History of US Government Shutdowns

The first federal funding gap in US history occurred in the fall of 1976 under Gerald Ford, though it only affected two government agencies, the Department of Labor and the Department of Health, Education, and Welfare (Matthews 2019). Health, Education, and Welfare (HEW) disputes involving federal funding for abortion plagued the Carter Administration, even while Democrats controlled the House and the Senate. Reproductive rights played a role in five of the six funding gaps that occurred during President Carter's term, though none of the first five resulted in government-wide furloughs (Matthews 2019). The sixth—a dispute over Federal Trade Commission regulations—was the first funding gap after the Civiletti opinion and thus the first funding gap to result in furloughs, though only within the FTC (Barringer 1981; Brown 1980).

The first full shutdown which furloughed workers across the federal government occurred from November 20-23, 1981, when 241,000 federal workers were furloughed because President Ronald Reagan and House Speaker Tip O'Neill could not agree on a compromise regarding Reagan's proposed budget cuts. Reagan, who faced a Democratic House for his entire presidency, saw seven more funding gaps during his two terms, though some were too short for

furloughs to occur (Matthews 2019). President George H.W. Bush faced one shutdown over deficit reduction (Matthews 2019; *The Guardian* 2013).

Under President Bill Clinton, Republicans used their newfound power after capturing the House for the first time in decades to challenge Clinton on the budget, shutting down the government twice in the fall and winter of 1995-1996 (Matthews 2019; *The Guardian* 2013). President George W. Bush was the only president after Ford not to face a funding gap or shutdown. President Barack Obama saw one, and President Trump has seen three so far, though one only lasted a few hours (Matthews 2019). Currently, the longest shut down in history is the most recent one, the winter 2018-2019 shutdown, which lasted 35 days (Pramuk 2019). While not all funding gaps resulted in shutdowns (the distinction being that government workers are furloughed during shutdowns), there has not been a funding gap without a shutdown since 1990.

Table 1- Federal Funding Gaps (those that resulted in furloughs [shutdowns] are highlighted)

Dates	President	House	Senate	Duration (days)	Issues	Furlough?
Sept. 30- Oct. 11, 1976	Ford	D	D	10	HEW funding	No
Sept. 30- Oct. 13, 1977	Carter	D	D	12	Abortion	No
Oct. 31-Nov. 9, 1977	Carter	D	D	8	Abortion	No
Nov. 30- Dec. 9 1977	Carter	D	D	8	Abortion	No
Sept. 30- Oct. 18, 1978	Carter	D	D	18	Defense, abortion	No
Sept. 30- October 12, 1979	Carter	D	D	11	Federal pay, abortion	No
May 1, 1980	Carter	D	D	1	Only FTC effected	Yes
Nov. 20-23, 1981	Reagan	D	R	2	Budget cuts	Yes
Sept 30- Oct. 2, 1982	Reagan	D	R	1	Negligent delay	No
Dec. 17-21, 1982	Reagan	D	R	3	Defense, foreign aid, legal services	No
Nov. 10-14, 1982	Reagan	D	R	3	MX Missile program	No
Sept 30- Oct 3, 1984	Reagan	D	R	2	Water projects, crime bill	No
Oct. 3-5, 1984	Reagan	D	R	2	Water	Yes
Oct. 16-18, 1986	Reagan	D	R	3	Welfare	Yes
Dec. 18-20, 1987	Reagan	D	R	3	Fairness Doctrine	No
Oct. 5-9, 1990	HW Bush	D	R	5	Deficit Reduction	Yes
Nov 13-19, 1995	Clinton	R	R	7	Deficit Reduction	Yes
Dec. 15, 1995- Jan 6, 1996	Clinton	R	R	2	Deficit Reduction	Yes
Oct. 1-17, 2013	Obama	R	D	17	Affordable Care Act	Yes
Jan 20-22, 2018	Trump	R	R	1	DACA	Yes
Feb 9, 2018	Trump	R	R	1	Deficit Reduction	No
Dec 22, 2018- Jan 25, 2019	Trump	R then D	R	35	DACA	Yes

Source: Matthews (2013); *The Guardian* (2013)

The important takeaway from Table 1 is that shutdowns have occurred under both Democratic and Republican administrations and under both unified and divided government. While there have been more shutdowns under divided government (14 funding gaps versus 7 under unified government), the data show that no context of how control of the branches of government is divided is completely immune from the possibility of a funding gap. When analyzing the number of funding gaps in unified versus divided government, it is important to consider that the US has seen divided government in 30 of the 44 years since 1976. So, the percentage of funding gaps under divided government (67%) is not that far off from the

percentage of years since 1976 under divided government (68%). Thus, we should not see funding gaps or shutdowns as purely a function of divided government; the cause of the phenomenon clearly involves more factors than simply examining partisan control of the government.

Literature Review

To understand US government shutdowns, it is first necessary to survey scholarly literature for understanding the relationships between actors both within Congress and between Congress and the President. My goal is to evaluate parties' performances during US government shutdowns in two dimensions: policy and politics. In the policy dimension, I will examine literature that formally models legislative outcomes in ideological space. This review examines how changes in legislator or presidential preferences and changes in legislative rules can affect what laws can be passed. In the political dimension, I will discuss leading theories about the formation of public opinion of both Congress and the president. When put together, this literature can help build the framework through which I will evaluate the policy and political outcomes of government shutdowns.

Many scholars have formally modeled legislative-executive relations, but I am going to focus most on the theories that emphasize gridlock, as these theories would be most helpful in understanding the gridlocked situation of a government shutdown. For example, Black's (1958) classic median voter theory predicts almost no gridlock. It is known, however, that US political parties, both in the public and in Congress, have polarized a great deal since Black's era, which puts some doubt upon the continued relevance of his and other similar theories (Schaffner 2011; Pew Research Center 2014). As this trend emerged in the late 20th century, the theoretical discussion of Congress began to center more on gridlock. Krehbiel (1998) proposed that gridlock

occurs often because successful lawmaking requires large, bipartisan coalitions that can survive both a Senate filibuster and a veto override attempt. This condition hollows out possibilities of making policy from the center, as coalitions need all of one party and some of the other party to function (Krehbiel 1998).

Chiou and Rothenberg (2009) elaborate on Krehbiel's theory by showing the effects of party discipline. While Krehbiel assumes that parties are relatively weak at whipping votes from their members, Chiou and Rothenberg show how party discipline can expand the gridlock interval under divided government. As party discipline becomes stronger, the likelihood of members forming coalitions to override veto points decreases (Chiou and Rothenberg 2009). Under unified government, the gridlock interval shrinks but becomes more extreme (Chiou and Rothenberg 2009).

Dziuda and Loeper (2018) also build on Krehbiel (1998), postulating a dynamic pivotal politics model. In this model, the pivotal politics game is played repeatedly, and legislators are forward-looking. This causes strategic polarization, an equilibrium in which legislators disagree more frequently than they would if they voted sincerely to offset the votes of other legislators (Dziuda and Loeper 2018; Kalai and Kalai 2001). Because they know that agreements made today will change tomorrow's status quo, legislators vote for policies that they do not support to prevent the status quo from shifting away from them. As the degree of consensus required by an institution increases, this strategic polarization effect also increases because legislators vote more defensively on current policies knowing that compromising on a current policy will harm their ability to win on future policies. This effect can help explain key elements of government shutdowns, including why legislators would obstruct adoption of a budget that would be helpful for their district. Furthermore, Brunell et al. (2016) found that partisan polarization (or

ideological homogeneity) increases volatility of the pivot points, creating uncertainty that makes passing laws more difficult. This volatility exacerbates the uncertainty that can lead to—and extend the length of—government shutdowns by making solutions harder to reach. Overall, the models presented in Dziuda and Loeper (2018), Brunell et al. (2016), Chou and Rothenberg (2009), and Krehbiel (1998) will all be helpful in understanding the incentive structures behind inter-branch negotiations and creating a framework through which I can analyze government shutdown negotiations.

In addition to macro-level models, understanding executive-legislative relations on an individual level can also inform our understanding of government shutdowns. One important area in this individual level is the presidential veto. Cameron (2010) notes several theories that have been used to understand presidential vetoes. The take-it-or-leave-it approach (TILI) formulates veto politics as a one-shot game, where the legislature must try to make a bill that the president will not veto. The distributive politics of McCarty (2000) approach builds on the Baron-Ferejohn model (1989) in which the president and Congress struggle non-cooperatively to build coalitions and win finite resources. In this model, the president, like members of Congress, has constituencies which are interested in getting “pork” out of the negotiations. This model is different from others because it assumes that members primarily care about bringing resources back to their districts, rather than about ideological values (Cameron 2010). Other models see veto bargaining as a repeated game, in which Congress (in this model viewed as one unified body) has multiple rounds of negotiations to learn the preferences of the president (Cameron 2010). These models capture the idea of incomplete information, that Congress may not know what the preferences of the president are and vice-versa. This idea also persists in blame-game models, in which voters are uncertain about the preferences of Congress and the president, who

pass legislation to send signals about their preferences (Groseclose and McCarty 2001; Cameron 2010). The blame-game model is particularly useful since it combines policy wins and public opinion. All these models provide different ways of thinking about presidential strategy, which will be important in understanding government shutdowns.

Deadlines can change the contours of the bargaining process, both in Congress and game theoretic contexts. Binder and Lee (2015) show that “penalty defaults,” or built in punishments for failing to reach a deal, have a mixed record of effectiveness in Congress since members can shirk accountability by blaming the other side for the punishment (frequently budget cuts to a part of the government or across the board) being enacted. Deadlines can hamper decision making abilities without making the timing of decisions more predictable, since deadlines in legislative settings are frequently missed or extended (Carpenter 2011). Bargaining can also occur without a strict deadline, but with a penalty that both sides face that is correlated with the length of the dispute. This concept is modeled by Rubinstein (1982), who finds a well-known solution which shows that patience is advantageous in infinitely repeated bargaining games. While Rubenstein’s model shows that a high degree of patience leads to a more equal outcome in infinitely repeated bargaining games, Baron and Ferejohn (1989) suggest the opposite, that impatience leads to a more equal outcome in legislative bargaining games.²

Models that incorporate obstruction are particularly useful in understanding government shutdowns. Patty (2016) shows how legislators can use obstruction to send political signals to voters. His model finds that individual legislators are most likely to engage in obstruction when they are highly motivated to seek reelection and their opponent is of moderate to high

² Patience in this sense is the valuing of future rewards at the same level as present rewards. Colloquially, it means one values a dollar tomorrow as much as a dollar today.

competence. This situation presents a moral hazard situation in which what politically benefits a legislator decreases voter welfare (Patty 2016). Referring to the 2013 shutdown, Patty argues that even though Tea Party Republicans knew they could not repeal Obamacare, they took on the significant costs of obstruction to show voters that they would be tough in the future (Patty 2016). Patty's framework shows why legislators would obstruct even when failure to change the legislative proposal is certain or near certain.

Furthermore, in her book *Insecure Majorities: Congress and the Perpetual Campaign*, Frances Lee (2016) argues that the increase in the competitiveness of the elections for majorities in Congress caused an increase in adversarial behavior in Congress. She supports her finding by analyzing both the procedural and rhetorical strategies of Democrats and Republicans in Congress (Lee 2016). These confrontational tactics may make shutdowns more likely or more severe.

Legislative leaders play an important role in shutdown negotiations, so literature on legislative leadership is relevant to the topic of government shutdowns. According to Strahan (2011), the base model for the interaction between legislative leadership and rank-and-file members is the principle-agent model, in which principles (the leadership) delegate tasks to agents (members), while principles "seek to control the agent through incentives tied to institutional arrangements such as periodic elections." Brady and Cooper (1981) suggest that personality factors play a role as well, and that party strength is correlated with leader strength. Additionally, much more is known about the House's leadership than the Senate's, which is considered to be more idiosyncratic (Strahan 2011). One cannot necessarily seamlessly transfer insights between houses. Even though scholarship on legislative leadership focuses more on leadership-member relations than legislative-executive relations, it shows the methods by which

party leadership institutes party discipline can affect the legislative process. Furthermore, it can complicate simplifying assumptions made about the bargaining process between the president and legislative leaders.

Public opinion is the primary metric I will use for assessing the political performance of parties during the government shutdown. Therefore, it is important to develop an understanding of scholarship regarding how the president and Congress drive and are driven by public opinion. For the president, the primary tool he has to influence public opinion is rhetoric (Druckman and Jacobs 2010). Cohen (1995) found that State of the Union speeches are a powerful in leading public opinion; issues that the president emphasizes most in the SOTU are deemed the most important by the public in subsequent opinion polls. While the president can influence which issues the public prioritizes, it is less clear if he can change their ideological stances (Druckman and Jacobs 2010).

Meanwhile, presidents certainly do try to follow public opinion, but there is debate as to the completeness and coherence of public preferences. President John F. Kennedy was the first president to have private polling, and its use has increased in frequency and sophistication ever since (Druckman and Jacobs 2010). While private polling from recent administrations has remained closely held by these administrations, it is believed that polling plays a significant role in presidential decision making (Druckman and Jacobs 2010). Still, others such as Bartels (2003), argue that many citizens do not have strongly formed preferences on most political issues, making a polling-based approach unreliable. Soroka and Wlezien (2010) have argued that the correlation between policy and public opinion is a spurious one, as both are independently driven by the same macro-political factors. Others have argued that citizens have general ideologies though not specific issue preferences, that citizens use heuristics to form preferences,

and that citizens have preferences on some issues but not others (Druckman and Jacobs 2010; Achen and Bartels 2016). Overall, there is a significant body of literature doubting the rationality and completeness of citizen preferences.

Many factors affect the formation of public opinion regarding the President. The most important factors emphasized in the literature are party identification, economic conditions, major events, and war (Gronke and Newman 2010). As US politics continues to polarize along party lines, similar effects can be seen in presidential approval. Donovan et al. (2019) show that presidential approval has become increasingly polarized on partisan grounds. Relatedly, those who share the President's party are likely to give the President credit for positive news and less likely to assign blame for negative news, while those who do not share the President's party are likely to react in the opposite ways (Bartels 2002). Economic conditions also play an important role in presidential approval, but perceptions of these conditions carry more weight than objective indicators, showing that presidential rhetoric around the economy can shape approval (Gronke and Newman 2010). Rallies and major speeches can bump presidential approval among independents but are unlikely to make an impact among out-partisans, while wars tend to be viewed through a partisan lens (Gronke and Newman 2010). Lastly, views on presidential character do have a causal effect on public opinion, but not much is known about how these views are formed (Gronke and Newman 2010).

In shaping public approval, these factors also shape the scope of presidential power. Ponder (2018) quantifies the relationship between presidential approval and presidential power by calculating the index of presidential leverage (IPL) as the ratio between presidential approval and overall trust in government. He finds that this index has significant effects on the passage of president-backed policies. Relatedly, presidential power has become more driven by media

presence than institutional bargaining since Reagan's presidency, as presidential access to the people through media has increased (Kernell 2007). Thus, presidents both shape and are shaped by public opinion, and favorability awards them with greater policy power.

Congress, having less of a bully pulpit, has less of an ability to lead public opinion than does the president (Brady 2011). Time series analysis has shown that shifts in citizen preferences drive government responses to those preferences, not the other way around (Stimson, MacKuen, and Erikson 1995). Even so, Brady (2011) demonstrated how gerrymandering can distort the relationship between public opinion and Congressional representation by creating unequal representation across districts. Interest groups, voter turnout, and issue salience can also distort Stimson, MacKuen, and Erikson's findings (Brady 2011). There are also disputes in the literature as to whether the relationship between public opinion and Congressional action has become tighter or looser over time. Hansen (1991) and Clemens (1997) have argued that the former has occurred due to improvements in communication, while Jacobs (2000) has argued for the latter as politicians have learned to evade accountability (Brady 2011). These differing theories of Congress's relationship to public opinion should be considered when studying congressional responses to government shutdowns. While the literature studying public opinion strategies around government shutdowns is limited, Casas and Wilkerson (2017) found that Republican leaders during the 2013 shutdown focused their public statements on their efforts to resolve the shutdown rather than the issues that led to it. Much of my research will focus on the effect of legislative leaders' rhetorical strategies on shutdown blame.

Formal modelling of federal politics in the ideological space combined with empirical studies of public opinion both provide key insights that will be important in studying government shutdowns. The former shows how actors form and execute strategies to accomplish their

political goals, while the latter shows how they can brand policy wins into political victories.

These set the stage for the two-dimensional (policy and politics) analysis that I will perform on US government shutdowns.

Hypotheses

The following hypotheses about government shutdowns, derived in part from the professional literature, structure my analysis of these shutdowns.

H₁: The American public does not like government shutdowns and a party being convincingly blamed for a shutdown will have a negative effect on the public opinion of that party that harms that party electorally. Therefore, parties seek to strategically blame the other party for the shutdown.

Few in the American public are in favor of more gridlock and less productivity in Congress. Congressional approval has been below 20% for most of the last decade, which has coincided with one of the most gridlocked periods in its history (Gallup Historical Trends 2019). A *New York Times* article from just after the 2018 shutdown titled “As Gridlock Deepens in Congress, Only Gloom Is Bipartisan” epitomizes a genre of articles decrying the decline of cooperation and congeniality in Congress (Stolberg and Fandos 2018). Stolberg and Fandos quote two senators lamenting the state of their institution:

“The Senate has literally forgotten how to function,” said Senator Angus King, independent of Maine. “We’re like a high school football team that hasn’t won a game in five years. We’ve forgotten how to win.”

Senator Ben Sasse, Republican of Nebraska, is no more sanguine. “Congress is weaker than it has been in decades, the Senate isn’t tackling our great national problems, and this has little to do with who sits in the Oval Office,” he said. “Both parties — Republicans and Democrats — are obsessed with political survival and incumbency.”

A 2013 Gallup poll found that gridlock, indecisiveness, and partisanship were the top reasons that Americans disapproved of Congress (Gallup Historical Trends 2019). While Gallup has not asked that question since, most Americans disapprove of both parties' job performance in Congress, and Congress has durably been among the least approved-of American institutions in recent years (Gallup Historical Trends 2019). Gridlock is likely to be one of many factors contributing to this unpopularity.

The counterargument to the hypothesis that being perceived as pro-gridlock and anti-compromise would make one politically unpopular comes from the line of thinking presented in Patty (2016), who suggests that obstructing can be used a signal to one's loyalty to a political cause. However, my hypothesis can coexist with Patty's. Patty states that the principal in a signaling model may be interpreted as not only a voter but also as a donor, party leader, or other political elite (Patty 2016). As Achen and Bartels (2016) and others have found, elites have stronger, more ideologically sound preferences than average voters. Thus, legislators may politically benefit from signaling to elites that they are true believers in an ideological cause, or, to use game theoretic language, that they have the 'type' of being a true liberal or true conservative.

So, the effect on political popularity of being perceived as an obstructer could be positive or negative. The potential positive effect comes from elites, very-involved voters, and donors who want to see legislators or presidents prove their ideological devotion. That these voters are likely to be the most involved and the most well-resourced steepens this effect (Brady, Verba, and Scholzman 1995). The potential negative effects come from the many Americans, as demonstrated by polling, who dislike gridlock and argument and want the government to "get things done." My research will focus on finding the relative sizes of these effects. While both

effects are important, I hypothesize that from the perspective of the party, the negative effect outweighs the positive. While individual legislators, especially from ideologically extreme constituencies, may benefit from obstructing to signal their ideological devotion, I hypothesize that party leadership will try to avoid taking blame for shutting down the government, consistent with Casas and Wilkerson's (2017) observations of the 2013 shutdown. This analysis is more applicable than that presented in Patty (2016) since I am using parties rather than individuals as my unit of analysis. I will use both case studies and polling analysis to evaluate this hypothesis.

H₂: The party that proposes a shutdown-ending policy that is closer to the status quo is more likely to be successful in both the policy and public opinion spaces than the party that proposes a shutdown-ending policy that is a departure from the status quo.

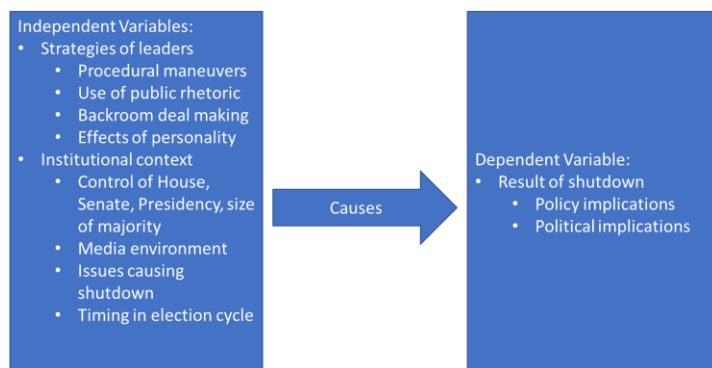
Recall from Krehbiel (1998) that successful legislating takes large, bipartisan coalitions that can override both the filibuster and veto override pivots. In a shutdown, there are essentially two outcomes: either a bipartisan coalition can be formed to make a policy change or both sides can agree to enact the status quo through a continuing resolution (CR). The key difference between funding bills and other types of legislation is that for funding bills, continuing the status quo takes a legislative action (passing a CR) as opposed to inaction. Building on *H₁*, I hypothesize that as time passes, the pre-shutdown status quo becomes the easiest escape route from the shutdown—and the party that proposes this escape route gets public credit for doing so. Therefore, as the distance between a party's proposed shutdown-ending policy and the status quo increases, the party's likelihood of implementing that policy decreases and the party's likelihood of getting blamed for the shutdown increases.

Research Design, Methods, and Roadmap

The goal of this thesis is to create a unified theory of US government shutdowns. Such a theory would mean not only predicting results of shutdowns, but also creating a framework through which those results are achieved. By doing so, I create a base on which future research of US government shutdowns can expand.

I show my causal framework in Figure 1 below. The independent variables are the strategies of leaders and the institutional contexts in which they operate, and the dependent variable is the result of the shutdown, evaluated in both the political and policy dimensions.

Figure 1- Causal Framework



The dependent variable is who, if anyone, won a government shutdown. In most cases, this winner would be either the Republican or Democratic Party, but during unified-government shutdowns it could be the President, the House, or the Senate.

The main independent variables are the institutional contexts and the strategies of the leaders. The institutional contexts include but are not limited to partisan control of different branches of government, timing in the election cycle, the issues which caused the shutdown, congressional rules, economic conditions, and the media environment. The strategies of leaders could be

measured on variables that include but are not limited to how hostile or conciliatory they are, their issue framing in the media, and their mindsets and beliefs about the political landscape and their adversaries.

For the dependent variable, one can measure wins in both political and policy terms. Policy wins are easier to measure than political ones, especially since policy wins can be measured immediately following the end of the shutdown by examining how far each side's priorities got in the budget deal. Both media at the time of the shutdown and scholarship can provide insights as to which side got more of what it wanted.

Political wins are hard to measure, though opinion polling could be helpful. Media coverage at the time, even from ideologically neutral sources, could be biased or unreliable in their takes on who "folded" or "blinked first" in the shutdown. Even so, much of which side won is determined by who is perceived to have won. Essentially, media coverage saying a side has won constitutes a large part of the win itself, rather than simply coverage of the win. This idea would not be true of, for example, an election, where coverage after the election happens does not affect the result.

For the independent variables, the strategies will be the most difficult to measure. One could measure strategies on axes such as conciliatory vs. hostile, public shaming vs. backroom dealing, or civil vs. uncivil. It is also important to track the narratives of the leaders; do they blame the other side for shutting down the government or take pride in standing strong in their beliefs? In cases of shutdowns that are enabled by Senate filibusters, do leaders support a lone filibustering senator, or do they feel pressure to repudiate the senator? These questions and more will be useful in providing a framework to evaluate shutdowns against each other.

I will use a number of approaches, ranging from case studies to formal modelling, to understand shutdowns. In Chapters 2-5, I will assign winners and losers to all US government shutdowns that resulted in furloughs, conducting in-depth case studies on the most recent four—the shutdowns under President Clinton in 1995-1996, President Obama in 2013, and two under President Trump in 2018. I will use historical documents, scholarly sources, and polling data in formulating these decisions. In Chapter 6, I will model and analyze both the public opinion and policy dimensions of government shutdowns, formulating a relationship between the leaders' strategies, institutional factors, and shutdown results. In Chapter 7, I will reflect on my findings and provide direction for future research.

Part 2: Case Studies

Introduction

My case studies serve three purposes. The first is to gather and organize the facts of each shutdown. Shutdowns are very chaotic, multifaceted, and sometimes long events with differing institutional contexts—my goal is to find the events most important to understanding each shutdown. The second purpose is to understand the strategies of the leading politicians during shutdowns. It is important to know what their goals were and how politicians were trying to accomplish these goals, both through public facing rhetoric and backroom negotiations. The third purpose is to find the results of each shutdown, in terms of changes in both policy and public opinion. I will then use the data from these case studies to evaluate my hypotheses.

Chapter 2: The 1995-1996 Government Shutdowns

Institutional Context

The 1995-1996 government shutdowns are two government shutdowns that I will treat as one dispute since they were close in proximity and fought over the same issues. The first shutdown occurred from November 13-19, 1995, and the second occurred from December 16, 1995 to January 6, 1996. The second shutdown lasted 21 days, making it at the time the longest government shutdown in history (Matthews 2019).

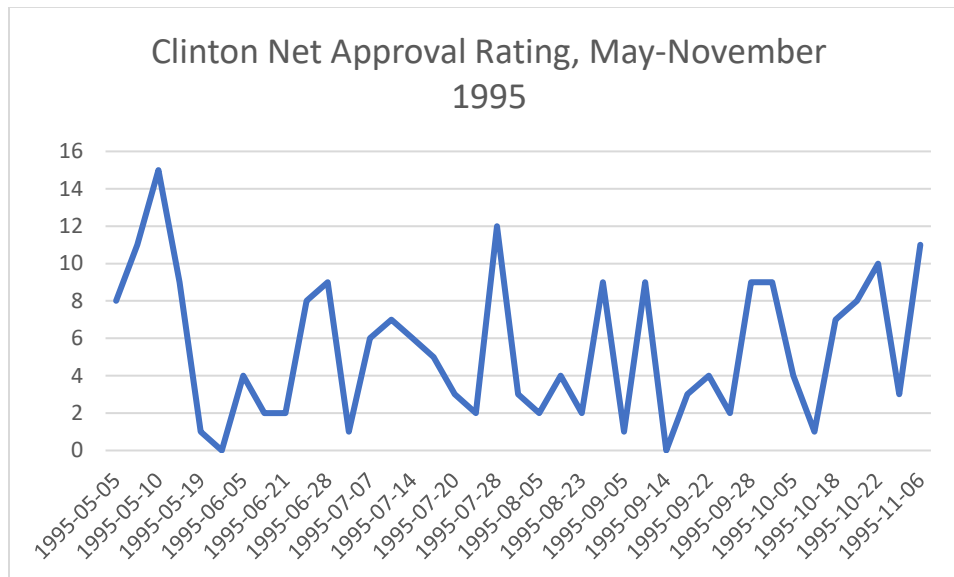
In the second two years of President Bill Clinton's first term, Republicans were coming off enormous gains in Congress in the 1994 midterm election. In a win dubbed "the Republican revolution," Republicans flipped 8 Senate seats and 54 House seats to take control of both houses of Congress for the first time in over 40 years (Glass 2007; Federal Election Commission 1995).

House Speaker Newt Gingrich (R-GA) was seen as the architect of this revolution, while Senate Majority Leader Bob Dole (R-KS) was part of an older, more moderate generation of Republicans. When Gingrich and the Republicans took power, their top priority was their Contract with America program, which was a wide range of proposals designed to reduce federal spending and diminish the role of the federal government. However, these proposals hit a wall with President Clinton's veto pen. More conservative members of Congress wanted to use the budget as an avenue for confronting the President on their legislative priorities. While initially reluctant, Gingrich would pursue this strategy (Drew 1996, 311).

President Clinton was relatively popular heading into the shutdown, having an average 5% net approval rating in opinion polls in the 6 months leading to the shutdown, with an upward trend in the three months before the shutdown (Roper Center 2019)³. Clinton's popularity had rebounded significantly from its lows around the 1994 midterm elections, when he was consistently far below 0 net approval (Roper Center 2019).

³ Net approval= approval-disapproval. Approval is a "yes" answer to the question, "Do you approve or disapprove of the way [Clinton, Obama, Trump] is handling his job as president?" or a similar question. Because it factors in approval and disapproval, net approval is a more comprehensive measure of public opinion of the President than either approval or disapproval alone.

Figure 2- Clinton Net Approval Rating, May-November 1995



Source: Roper Center for Public Opinion Research. 2019.

The emergence of increased partisan competition was an important part of the institutional context at the time of the shutdown since Republicans found themselves with long-coveted congressional power. As Frances Lee argues, when parties in Congress see a future majority status as attainable, members will be “more likely to participate in partisan collective action” (Lee 2016, 7). Under Lee’s theory, competitiveness of the race for the majority brings about partisan, adversarial legislating. In 1995-1996, competitiveness, and therefore adversarial behavior, would be higher than it had been in decades as Republicans would try to capitalize on their newfound power and Democrats would try to make sure the Republican victory was a one-off. A major conflict in the 1995-1996 shutdowns was Speaker Gingrich’s desire to capitalize on Republicans’ momentum to implement conservative policy and create a long-term power base and President Clinton’s desire to implement his own agenda.

Summary of key events

The primary antagonists in the 1995-1996 shutdowns would be President Clinton and Speaker Gingrich. The two biggest issues in budget negotiations in the fall of 1995 were a balanced budget and Medicare spending. The Republicans wanted to eliminate the federal deficit (balance the budget) within seven years, according to Congressional Budget Office (CBO) scoring. The CBO piece of this distinction was important since it put economic forecasting, and hence the power to determine if the budget balances, in the hands of the Republican-controlled Congress. On Medicare, both Republicans and Democrats wanted to slow the rate of the spending growth in order to save the program, but Republicans wanted to slow the growth rate more. Furthermore, Republicans wanted to integrate Medicare more deeply with the private sector, turning it into a voucher system (Drew 1996, 317). Other issues, such as tax cuts, the earned income tax credit, and overall discretionary spending levels were also important, reflecting the two parties' conflicting priorities.

After the Congress and the White House failed to come to an agreement on November 13, the government shut down. Shortly after, a major gaffe by Gingrich severely undermined the Republicans' position. On the plane to and from the funeral of Israeli Prime Minister Yitzhak Rabin, Gingrich complained that the Clinton administration would not talk with him about the budget. He bemoaned having to leave the plane off the back ramp, saying "Where is their sense of courtesy?" (Gillon 2008, 160). This comment severely backfired, as the Speaker was portrayed as a crying baby in a widely circulated political cartoon (Purdum 2018). Gingrich caved in the short term, agreeing to a four-week continuing resolution with an understanding that the seven-year-balanced / CBO-scored framework would be adopted.

After more failed negotiations, the government shut down again on December 16. This time, the dispute was over what economic assumptions should be taken in order to balance the budget and what the policy structure around Medicare should be. By the first week in January, negotiations stalled, but Republicans were seeing their poll numbers dip much more than Democrats'. On January 6, the parties agreed to a budget in which the Democrats accepted a balanced in seven years by CBO scoring and modest spending cuts, while Republicans dropped their proposed structural changes to Medicare.

Strategies of Actors

House Republicans

The House Republicans believed strongly in their own mandate fundamentally to change American government. At a historic height of their power, Speaker Newt Gingrich was the architect of the Republican Revolution, an ambitious conservative agenda that would be a radical departure from what some saw as the essentially broken politics of Washington DC. According to Elizabeth Drew, "Gingrich had large goals. He was out to destroy the entire force behind the idea of an activist federal government" (1996, 26). Freshman and sophomores, who made up the majority of the House Republican Conference, were enthusiastic supporters of these goals (Drew 1996, 311). Gingrich would face difficulty balancing pressures from these younger members with pressures to pursue a more moderate strategy coming from Dole's Senate.

While Gingrich had some reluctance to shut down the government, he was motivated by the idea that "the public always blames the President, not Congress, for shutdowns" (Gillon 2008, 148). Between this idea and his belief in his mandate, Gingrich sought to achieve his policy goal of the seven-years / CBO framework by attacking the President both in private and in

public. Gingrich also was balancing the desires of the large group of very conservative freshman Republicans, who he believed would jeopardize his speakership if he did not stand strong, and those of moderates in the Senate whose support he would need to pass any bill (Gillon 2008, 167).

The procedural task for the Republicans was passing Medicare and budget cuts that would hold both the conservative and moderate wings of the party together. Gingrich took a piecemeal approach, passing each of the twelve appropriations bills, a Medicare bill, and a reconciliation bill separately, to carve out unique coalitions on each bill (Drew 1996, 318). Since their effort to balance the budget included reductions to the child tax credit and the earned income tax credit, both popular policies, Gingrich spent a great deal of political capital whipping members to pass his agenda before the November 19 deadline. The House passed a Medicare bill on October 19 and a reconciliation bill a week later, mostly along party lines (Drew 1996, 319). The Senate would pass similar versions of each bill shortly after. All of these legislative actions came after President Clinton vowed to veto these Republican plans (Drew 1996, 319). However, both Clinton and Gingrich saw the veto more as an opportunity for ideological signaling than a genuine procedural stopgap, as Gingrich said to Clinton, "It may be in your interest and our interest that there be a veto" (Drew 1996, 306).

As the November 19 deadline approached, Gingrich strengthened his stance, hoping the President would blink, threatening Clinton, "I've got a gun to your head and I'm going to use it. I'm going to shut the government down" (Gillon 2008, 158). However, Gingrich paused his hardline posturing after his Air Force One gaffe, and Dole and Clinton negotiated a short-term continuing resolution to give both sides more time to negotiate, a ceasefire to which Gingrich conceded. In conjunction with this short-term CR, both sides agreed to a seven-year balanced

budget by CBO scoring as a framework for future negotiations (Drew 1996, 340). On November 19, they would agree to reopen the government until December 16.

During the next round of negotiations (after the December 16 shutdown), Gingrich's key failure was an inability to keep to a consistent strategy. He would weaken his position by contradicting his party's plan for negotiating with the President. Senate and House Republican leadership would meet before meeting with the Clinton administration and agree on what they would concede. Gingrich would then concede more than what they agreed to and other Republican leaders would become angry with him (Gillon 2008, 166). Republicans could not keep a unified front in their negotiations with the President. Gingrich's actions caused internal strife among Republican leadership, further fatiguing them, and causing them to come closer to folding.

When the Clinton Administration put forth the a budget developed by the staff of Minority Leader Tom Daschle (D-SD) that funded the President's priorities but achieved the seven-year/CBO mandate), Gingrich and Dole were boxed into a corner (Drew 1996, 368). The Republican argument had rested on the seven-year / CBO framework, and Republicans were fatigued and out of options when Clinton presented a budget that met their framework but kept his priorities. Republican leaders believed that adhering to the seven-year / CBO framework would force the President to accept major entitlement reforms—this belief was wrong. Ultimately, Gingrich realized that this budget was the only proposal that met his framework that the President would sign, and it passed by a 401-17 vote in the House (Gillon 2008, 169).

Gingrich's rhetorical strategy rested on two prongs. The first was to attack the President as unreasonable and unwilling to compromise, and the second was to emphasize that Gingrich's plans had the most fiscal sustainability. An important part of this strategy was talking not about

Medicare cuts but about reductions in spending (Drew 1996, 204). In a press conference after the first shutdown, Gingrich said, “But because he can’t win the argument between spending more [on Medicare/Medicaid] and spending a whole lot more, he has to try to create a phony argument about fantasy cuts that do not exist in order to frighten people about problems that aren’t real” (C-SPAN 1995). He branded deficits as stealing from future generations. In claiming that Clinton’s budget ran a \$200 billion deficit, he stated that “it borrows \$200 billion dollars from our children every year” (C-SPAN 1995). This rhetoric shows an effort to maintain conservative talking points, while also winning over moderates.

The Executive Branch

President Clinton’s strategy was to use his veto threat to extract concessions from Republicans while publicly emphasizing the benefits of entitlement programs in public. Clinton capitalized on Gingrich’s errors in negotiating, while presidential advisers restrained him from making similar errors. Clinton strategically focused his fight on Medicare and Medicaid while making concessions on other issues, allowing him to achieve his goal of reducing cuts to Medicare and Medicaid.

Clinton’s aides, particularly White House Chief of Staff Leon Panetta, Senior Adviser George Stephanopoulos, and Deputy Chief of Staff Harold Ickes, undertook great efforts to separate Clinton and Gingrich to prevent Clinton from conceding too much. They even went as far as deceiving the President. Most notably, the lack of negotiations aboard Air Force One to and from the Rabin funeral was planned by Clinton aides, who “intentionally loaded the President with work to keep him distracted” (Gillon 2008, 160). By constraining Clinton’s agreeable nature, aides made sure he held the line on fighting entitlement cuts.

After Clinton negotiated a temporary CR on November 19 (and buoyed by Gingrich's Air Force One gaffe), Clinton's strategy was to concede on the balanced budget issue and fight on Medicare and Medicaid. Panetta made this plan explicit, stating "We have to win on Medicare and Medicaid" (Drew 1996, 359). When Republicans were pushing for a budget with Medicare cuts, Clinton used his presidential campaign funds to buy ads that "depicted Gingrich and Republicans as heartless zealots robbing old ladies to give tax cuts to the rich" (Gillon 2008, 154). These ads got under Gingrich's skin and may have contributed to Clinton's increasing popularity (Gillon 2008, 155).

As polling showed that Clinton's popularity was growing, the Administration became more emboldened. As negotiations continued, Clinton secretly worked with Leader Daschle to come up with a budget that met the seven-year/CBO framework without steep cuts to Democratic priorities such as Medicare, Medicaid (Drew 1996, 362). This plan would be the Democrats' secret weapon. Democrats would wear down Republicans by allowing the Republicans' popularity to continue to drop, then propose the Daschle budget, which deprived Republicans of their large-scale reforms. The Republicans "were caught a little flat" in the words of a senior Republican aide, as they were unprepared for Clinton to offer a seven-year/CBO scored budget (Drew 1996, 372). Republicans could not say no to the Daschle budget in their unpopular and crisis-fatigued state. Meanwhile, Democrats took this momentum into departmental appropriation bill negotiations, eventually passing all twelve necessary appropriation bills without taking significant damage (Drew 1996, 364).

Clinton's rhetorical strategy was consistent with his procedural strategy: to accept a balanced budget but to fight on Medicare. In a memorable line in his November 11, 1995 weekly radio address, Clinton compared Republicans to greedy bankers, "The banker says to the family,

‘I’ll give you the loan, but only if you’ll throw the grandparents and the kids out of the house first.’ Well, speaking on behalf of the family, I say, ‘No thanks’” (Drew 1996, 159). Clinton’s rhetorical and procedural strategy positioned him as supporting popular government programs while also being a pragmatic compromiser, which turned out to be the right position in federal budget negotiations.

Evaluating Shutdown Outcomes

The polling was conflicted but suggested a Democratic win. In head-to-head polls concerning blame for the shutdown, Republicans were blamed more than Democrats by a wide margin, as shown in Table 2. This poll shows that President Clinton was viewed as more principled than the Republicans. While there is not available data from a public poll on shutdown blame taken after the second shutdown, according Republican internal polling in January 1996, “The public was blaming the shutdown on Republicans by margins of two to one” (Drew 1996, 365). Polling was an important reason why the Republicans ultimately gave in. When assessing approval polling of individuals, the picture is less clear. While both Gingrich and Clinton’s approval took a dip during the shutdown, Clinton’s surged at the end of the second shutdown (Mendes 2013). Both returned to their pre-shutdown popularity levels within four months (Mendes 2013).

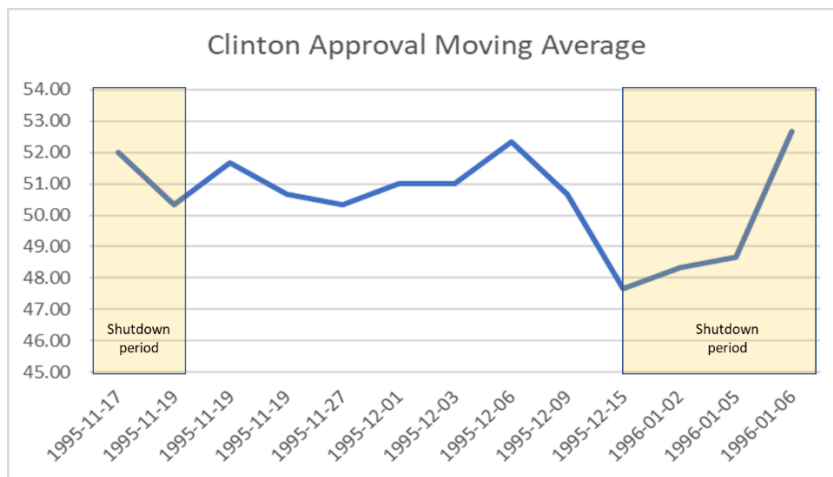
Table 2- Shutdown Blame Polling

Shutdown blame, Pew Research Center	
November 28—December 4, 1995	
<i>In government shutdown resulting from budget disagreement between Clinton and Republicans, which comes closer to your view...</i>	
	%
Clinton was...	
Trying to gain political advantage through crisis	36
Standing up for what he believes are important priorities	57
Neither/Don't Know	7
Republicans in Congress were...	
Trying to gain political advantage through crisis	52
Standing up for what he believes are important priorities	38
Neither/Don't Know	10

Source: Tyson 2013

This trend is consistent with Gingrich's admission at the end of the second shutdown. "We expected that there would be a slump in our poll numbers, but we didn't calculate that a surge in Clinton's numbers would cause him to dig in even more" (Drew 1996, 360). Using a 3-poll moving average of Clinton's approval rating, Gingrich's narrative is consistent with the data.

Figure 3- Clinton Approval Moving Average



Source: Roper Center. "Presidential Approval." 2019.

The moving average (shown in Figure 3) which smooths some noise in the polling data, shows a Clinton surge at the end of the shutdown. Unfortunately, there is not as comprehensive of a data set for Speaker of the House approval rating, so a comparable analysis cannot be performed with polling about Gingrich. Thus, using the available data, Democrats won regarding shutdown blame, but the ramifications for individual polling are less clear. Even so, Gingrich and other Republicans viewed these polling numbers as indications that they had lost.

In the policy space, Democrats narrowly won by preventing Republicans from achieving their signature initiatives. Consider the dichotomy between "numbers" and "policy" as proposed by Drew (1996). Dole said at the end of the second shutdown "It's not about numbers, it's about policy.... It's not a narrow difference, it's a wide difference" (Drew 1996, 374). Regarding numbers, the difference was relatively narrow. Under their most preferred plans given in the early fall, the two sides were not far apart on Medicare spending; the Republicans would spend \$289 billion on Medicare in 2002 (at the end of the seven-year window) while the Democrats would spend \$295 billion (Drew 1996, 316). In policy, the two sides were far apart, as

Republicans wanted to shift a great deal of power over the Medicare process to the private sector while Democrats wanted to keep it a centralized federal program. While Republicans got a balanced budget, they did so while losing the battle on the structural landscape of US entitlement programs (Drew 1996, 374). By maintaining the status quo structure of Medicare, the Democrats won in the policy space.

Chapter 3: The 2013 Government Shutdown

The 2013 shutdown occurred from October 1 to October 17 of that year. The Democratic Senate majority, led by Majority Leader Harry Reid of Nevada, controlled 54 seats. The Republican House Majority, led by Speaker John Boehner of Ohio, controlled 232 seats. President Barack Obama was 10 months into his second term. His net approval in the 6 months leading up to the shutdown had been relatively even, averaging -0.07% across major polls in that span (Roper Center 2019).

Obama's presidency coincided with accelerating political polarization in both Congress and the voting public, with the Tea Party pushing Republican leaders in Congress to the right (Zelizer 2018, 22). The rightward movement of the Republican party contributed to a Republican advantage in the media environment, in which right-wing media channels such as Fox News and Breitbart, vastly increased in size and influence while their liberal counterparts did not expand to nearly the same degree (Zelizer 2018, 22). Some, such as Norman Ornstein (2014) and Thomas Mann (2014) argue that this polarization is asymmetric in that the Republican party had become more conservative than the Democrats were liberal, while others such as Morris Fiorina (2016) argued that this effect was more symmetric. Either way, increasing political polarization was a defining institutional factor during this period.

Republicans had shown a propensity for financial brinksmanship earlier in the Obama presidency. In the summer of 2011, House Republicans united in challenging President Obama on raising the debt ceiling. A failure to raise the debt ceiling would have caused the US to default on its debt, which would have been catastrophic for the global economy. Congress and the President did ultimately agree to raise the debt ceiling, but Democrats were forced to accept significant spending cuts (Zelizer 2018, 19). In 2013, the US government faced two deadlines: a

government funding deadline on October 1 and a debt ceiling deadline of October 17.

Eventually, these two problems would become intertwined and be resolved in one deal on the same day. So, both macro political factors and recent tactical success encouraged obstructionism and brinksmanship on budget issues.

The issue that led to the shutdown was the GOP's desire to repeal the Affordable Care Act (commonly known as Obamacare). Conservative activist groups believed the best way to stop Obamacare before it fully took effect was to defund it through the appropriations process. The Democrats refused to accept the legitimacy of using budget disputes to advance other policy objectives and would not give in. Unlike the 1996 shutdown, the 2013 shutdown would primarily be fought around non-budget policy issues.⁴

The pivotal actors in this shutdown would ultimately be the Republican House leadership. Since the House was the Republicans' primary stronghold of political power, it would get an outsized say in determining the solution. While Boehner and Majority Leader Eric Cantor (VA) did not want a shutdown, they went along with the strategy to keep their leadership roles safe. When they saw no path forward for the shutdown strategy, they joined Democrats in passing the mostly clean CR. In the long run, however, Boehner and Cantor both lost their leadership titles due to right-wing pressure: Cantor was primaried by a far-right challenger in 2014, and Boehner was forced to resign his speakership in 2015 because he could not hold his caucus together. The 2013 shutdown may have been a turning point in both of their careers.

⁴ All federal policy issues are affected by the budget in some way. For the purpose of this thesis, I will think of budget policy issues as those specifically related to spending or taxation and non-budget policy issues as other domestic or foreign policy issues.

Timeline of Key Events (Oleszek 2017)

Conservative and Tea Party affiliated organizations had long planned to challenge Obamacare by shutting down the government. A high-profile 21-hour floor speech by Senator Ted Cruz gave national media attention to the Republicans' strategy. The Tea Party-aligned Senators and Representatives refused to agree to a budget unless it included language to defund Obamacare. After trying to pass clean continuing resolutions (resolutions that provides appropriations to part or all of the federal government) to no avail, the House Republican leadership ultimately settled on a one-year delay and medical device tax repeal as their demands. Even so, Democrats refused to give in, and the government shut down on October 1. Simultaneously, the Treasury Department released a letter saying that the US would default on October 17 if the debt ceiling was not raised.

After days of procedural back-and-forth between the Democratic Senate and the Republican House, a bipartisan group of Senators struck a deal to form a compromise plan that kept Obamacare intact. Enough Republicans had become fatigued of the shutdown that leadership, which never wanted a shutdown, was able to persuade rank-and-file members to concede defeat and support a clean continuing resolution. On October 17, the shutdown ended, and the debt ceiling was raised.

Strategies of Actors

Congressional Democrats and the Executive Branch

The primary goal of the Democratic leadership's strategy was to escalate the stakes of the shutdown and pin the blame on Republicans. The Senate Democrats supported a clean continuing resolution and refused to negotiate about the Republicans' piecemeal solutions or

proposals to defund Obamacare (Oleszek 2017). Reid's maximalist strategy was forward-looking; he intended to confront the Tea Party in the present to dissuade them from attempting budget obstructionism in the future (Bolton 2013).

With the 2011 debt ceiling crisis still fresh in the minds of many Democrats, some were thankful that Reid, rather than Obama (who was seen as too accommodating to Republicans), took primary leadership of the negotiations (Bolton 2013). Reid convinced Obama to halt a plan to set up a bipartisan meeting of congressional leaders to solve the shutdown early and was able to effectively unify the Democratic caucus around his hardline approach (Bolton 2013).

Obama provided Reid with rhetorical support; while giving a major speech at a construction site where work was halted because of the shutdown, Obama chastised Republicans for holding up the budget (Obama 2013). Obama's veto threat was key; he would not accept a budget that destroyed his signature initiative. However, he left the primary negotiator role to Reid (Everett 2013).

Reid had no problem gaining six Republican votes to clear the 60-vote filibuster threshold, as moderate Republicans opposed the shutdown (Oleszek 2017). Even so, Reid used obstructionist tactics to hold the line against the GOP and raise the stakes of the dispute. Reid used a measure called filling the amendment tree to maintain control of the amendment process, ensuring his amendments to strip defund language from the funding bill went through (Oleszek 2017). A Senate Majority Leader, who receives priority recognition for amendments, can fill the amendment tree by proposing amendments at every possible opportunity, thus preventing any other senator from proposing amendments (Oleszek 2017). Other than stripping the defund language, most of the amendments were meaningless placeholders. This strategy was effective; Reid was able to keep the Senate in line and pass clean CRs without defund language with

minimal successful parliamentary resistance by Republicans. Reid used that tactic in the days leading up to the shutdown to affirm his position that he would not negotiate regarding the presence of language to defund Obamacare in the CR.

Additionally, Reid refused to hold a Sunday session on September 29 to give the Senate and House more time to come to a compromise (Oleszek 2017).⁵ This refusal came right after the House sent a CR with a medical device tax repeal and one year implementation delay to the Senate. The goal was to create maximum pressure for the GOP to enact a clean CR and blame the GOP for causing the shutdown (Oleszek 2017). Later, Reid would lead Senate Democrats in voting against the House's request for a conference committee to resolve inter-chamber differences, cementing his hardline stance (Oleszek 2017). It was this action that directly led to the shutdown, ending the previous legislative day and beginning the process of suspending the activities of federal agencies.

During the shutdown, Senate Democrats continued their strategy of raising the stakes by voting against single-agency funding proposals. Republicans proposed single-agency packages for FEMA and the National Parks Service among others, but Democrats rejected those on the grounds that arbitrariness of the agencies that the Republicans proposed reopening (Oleszek 2017).

After the Gang of 14 (a bipartisan group of moderate senators) gave a proposal to Reid and Minority Leader Mitch McConnell (KY), the two leaders agreed to a compromise that included the Democrats' main desire—a CR that funded the government and Obamacare while raising the debt ceiling. The primary concession to Republicans was tightening the income

⁵ For context, October 1, 2013 was a Tuesday, and the Senate received the latest version of the CR with defund language on Saturday.

verification requirements for Obamacare subsidies (Espo 2013; Weisman and Parker 2013).

Speaker Boehner's final counterproposal was ignored, and he was forced to allow an unpressured vote on the Reid-McConnell plan, which was passed with Democratic support in the House and ultimately signed into law (Oleszek 2017).

Regarding rhetoric, Reid tried to paint the Republicans as extremists and delegitimize the tactic of using budget agreements as avenues to negotiate other policies. He described the Republican tactics as extorting and unreasonable. In a Senate floor speech, he said:

Republicans ask, "Can I burn down your house?" We say no. Republicans ask, "Just the second floor?" We say no. Republicans ask, "[Just the] garage?" We say no. Republicans say, "Let's talk about what I can burn down." We say no. Then Republicans say, "YOU'RE NOT COMPROMISING." (Reid 2013).

Reid insisted that the Democrats were being reasonable in asserting that reopening the government should be a precondition to negotiations on any other issue. Reid branded the government shutdown the "Republican Government Shutdown" and the "Tea Party Government Shutdown" to create association between the Republican brand and the shutdown (Reid 2013). Reid's rhetorical approach called for commonsense and reasonableness, even as he was contributing to the length of the shutdown.

Congressional Republicans

In both the Senate and the House, leaders of the Tea Party movement shut down the government as part of a final, all-out effort to prevent Obamacare from taking effect on October 1. Early on, Tea Party activists deliberately sought to cause a government shutdown, encouraged by groups such as Heritage Action for America, Club for Growth, and Freedom Works. A coalition of leaders of prominent conservative interest groups, led by former Attorney General Edwin Meese, began planning to shut down the government in early 2013 (Oleszek 2017;

Stolberg and McIntire 2013). Their goal was to pass a funding package that funded the entire government except for Obamacare and pressure Republicans to take a hard line in defending that package (Stolberg and McIntire 2013). The group of activists suggested including appropriations riders that undermined all the major parts of Obamacare; including exchanges, Medicaid expansion, and bureaucratic implementation (Kibbe 2013). Working in close coordination with these activists, House and Senate Tea Party members would implement this plan.

In the Senate, the Tea Party faction drew their power more from media and rhetoric than procedure. Since the Tea Party was a minority within a minority in the Senate and the Senate Republicans did not even have enough votes to hold a filibuster, the Senate Republicans sought to gain power through publicity. It is impossible to give an account of the 2013 government shutdown without mention of Texas Senator Ted Cruz's (in)famous 21-hour speech, in which he protested Obamacare by, among other things, reading Dr. Seuss's *Green Eggs and Ham* from the Senate floor. But even this speech lacked procedural teeth—it was not technically a filibuster, just a long floor speech—meaning it did not play a substantial role in delaying legislation (Everett 2013).

Cruz and his allies did have a procedural theory of change, but even he admitted it was a long shot. His plan was to get the House to pass a CR with defund language and pass the same CR through the Senate by publicly pressuring red-state Democrats (Cruz 2015). However, Cruz admitted that President Obama's veto power made it likely that the GOP would have to settle for a half-measure even if their Cruz's strategy went well. He hoped to pressure red-state Democrats into backing a compromise measure (Cruz 2015). Thus, while Cruz and his allies held a maximalist front in public, they privately realized the limits of their procedural power.

In the House, the Tea Party's primary task was pressuring leadership to take their side. Freshman Rep. Mark Meadows gathered 80 Republicans to sign a letter to Speaker Boehner asking him to pursue the defund strategy (Stolberg and McIntire 2013). Convinced that the public was against Obamacare, House and Senate Tea Party members worked with conservative interest groups in grassroots mobilization, flooding key Congressional districts with ads and launching a "Defund Obamacare Town Hall Tour" (Oleszek 2017). Like Senate Republicans, House conservatives considered a robust media effort essential to their strategies.

This conservative group was successful in blocking moderate proposals from Leader Cantor, which were not voted on in the House due to lack of Republican support (Oleszek 2017). The Hastert Rule, though not technically an official House rule, prevented Speaker Boehner from bringing clean CRs to the floor (Oleszek 2017). Tea Party Republicans attacked these plans as weak half-measures and held their ground that nothing less than fully defunding Obamacare would be acceptable (Oleszek 2017)⁶. Boehner and Cantor, fearing challenges to their leadership, knew they had to give ground to the Tea Party. However, the effort to fully defund Obamacare did not make it even to the start of the shutdown. On September 28, the House Republican caucus settled on two amendments to add to the CR, one to repeal the medical device tax and one to delay implementation of Obamacare for a year—as the Tea Party knew that it would be difficult to pressure Obama to sign even this moderated package (Oleszek 2017). During the shutdown, Republicans backed the single-agency funding packages, using them as a rhetorical tool to blame Democrats for not compromising (Oleszek 2017).

⁶ The Hastert Rule, a Republican Conference rule promulgated by then Speaker of the House Dennis Hastert (R-IL), prevented a bill from being brought to the floor by a Republican leader if it does not have the support of a majority of the Republican Conference.

At the end of the shutdown, the Tea Party was left out of the negotiation process. When Speaker Boehner made a last ditch effort to form a GOP counterproposal to compete with the Reid-McConnell plan; conservative House Republicans opposed Boehner's proposal because it did not adequately undermine Obamacare (Oleszek 2017). Seeing no other way out of a political jam, Boehner supported the clean CR, as 87 Republicans joined all 198 Democrats in voting for the clean CR, while 144 Republicans voted against it (Oleszek 2017). Speaker Boehner did not mince words in conceding defeat, stating, "We fought the good fight. We just didn't win" (Oleszek 2017).

Evaluating Shutdown Outcomes

Polling showed that the public blamed Republicans more than Democrat for the shutdown. A *Washington Post*/ABC News poll found that 53% of those surveyed blamed Republicans for the shutdown, while 29% blamed Obama and 15% blamed both equally (Balz and Clement 2013). Both Republicans and Democrats saw their unfavorability increase though it was worse for Republicans; 63% of those surveyed viewed Republicans unfavorably after the shutdown while 49% viewed Democrats unfavorably (Balz and Clement 2013). The unfavorable ratings of Senator Cruz, Speaker Boehner, and Leader McConnell all rose (36% to 42%, 48% to 55%, and 39% to 42% respectively) with net favorability ratings well below even (Steinhauser 2013). President Obama's approval rating did not see a major shock after the shutdown, staying within one percentage point of his pre shutdown approval rating (Balz and Clement 2013). Commentators from a variety of news sources interpreted these results as unambiguously bad for the GOP (Kopan 2013; Page 2013; Balz and Clement 2013; Steinhauser 2013).

In placing the budget in ideological space, Speaker Boehner's public concession would suggest that the budget was more friendly to Democrats' interests. While Democrats emphasized

that the budget called for a lower level of discretionary spending than they would have liked, the Republicans received minimal concessions to undermine Obamacare, which was their key metric of success.

In final analysis, the 2013 government shutdown can be safely categorized as a win for Democrats. The Democrats received most of what they wanted in policy while the public blamed the Republicans for the shutdown. Even so, Republicans would go on to secure a strong election victory in 2014, when they retook the Senate. Former House Speaker Newt Gingrich compared this result to the 1995-1996 shutdown: “We closed the government twice in 1995 and 1996 and became the first re-elected House Republican majority since 1928.... The Republicans closed the government in 2013 and won a big election in 2014” (Oleszek 2017). Thus, even though the Democrats won the 2013 shutdown, their political gains may have been transient.

Chapter 4: The January 2018 Government Shutdown

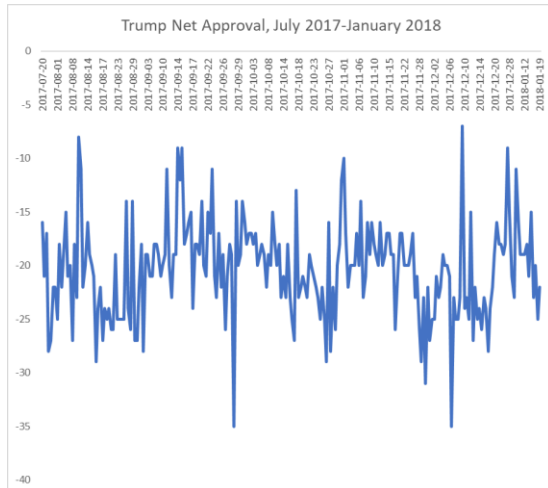
Institutional Context

The January 2018 government shutdown took place from January 20-22, 2018. It is the first shutdown since the Carter administration to have taken place under unified government (Matthews 2019). In the first two years of Donald Trump's presidency, the Republicans had control of government with 239 House seats and 51 Senate seats. Crucially, these 51 seats were not enough to pass the 60-vote filibuster. Senator Mitch McConnell (KY) was now Senate Majority Leader and Senate Minority Leader Chuck Schumer (NY) replaced Harry Reid to lead the Democratic Conference. Rep. Paul Ryan (WI) replaced Boehner as House Speaker, and Nancy Pelosi (CA) was House Minority Leader.

After his upset victory in 2016, Donald Trump was eager to enact tougher restrictions on immigration, which was one of his key campaign promises. In September of 2017, the Trump administration announced that it would rescind the DACA program, asking Congress to pursue a legislative solution (Alcindor and Stolberg 2017). DACA allowed those brought to the United States illegally as children to avoid deportation, contingent on being in work, school, or the military, and keeping good legal standing. The repeal of DACA put the legal status of the hundreds of thousands of people on the program in jeopardy (Jordan 2017). In January 2018, Democrats and some moderate Republicans were passionate about passing a DREAM (Development, Relief, and Education for Alien Minors) Act which would protect DACA recipients (also known as Dreamers). However, they were far from achieving a coalition large enough for a legislative solution (Alcindor and Stolberg 2017). Immigration issues would become the central dispute of the January 2018 shutdown.

Donald Trump was unpopular, perhaps historically so, at the beginning of the January 2018 government shutdown. He averaged a net approval rating of -20.36% in the six months prior to the shutdown as part of a relatively poor first year of his presidency in terms of approval (Roper Center 2019).

Figure 4- Trump Net Approval, July 2017-January 2018



Source: The Roper Center for Public Opinion. 2019.

There is a great deal of debate around the broader significance of Trump's low approval ratings. Some argue that Trump's loyal base will assure his reelection regardless of the views of the general public, while others believe that Trump's reluctance to do the work of governing keeps him unpopular (McLarty 2018; Wang 2019). It may be impossible truly to know if Trump has changed the meaning of presidential approval rating until after the 2020 election. Nevertheless, Trump's Twitter suggests that he cares about his approval rating. For example, about six weeks before the shutdown, he tweeted an infographic boasting about his approval rating.

Figure 5- Trump Tweet About Approval Ratings



Source: Twitter.com, @realDonaldTrump.

Overall, we will start with the assumption that Trump cares about his approval rating as other presidents have, while there is uncertainty around how this rating affects him politically.

Summary of Key Events

Coming off the success of passing the Tax Cuts and Jobs Act at the end of 2017, Republicans looked to keep their momentum going into the 2018 budget negotiations. After several continuing resolutions kept the government funded through the fall and early winter of 2017-2018, a CR from December 22 was set to expire on January 19 (DeBonis and Werner 2017). On January 19, Republicans sought another CR to keep the government open while they negotiated with Democrats on the budget. The Democrats, who had mostly gone along with previous CRs, were becoming increasingly concerned about the upcoming expiration of DACA and decided to use the budget as an avenue to fight for it (Snell 2017). Also, in the balance was the Children's Health Insurance Program (CHIP), which had been without long-term funding since October 2017. The Republicans were trying to use CHIP as leverage to get Democrats to accept a CR without protections for Dreamers (Scott 2018). Initially, this tactic failed, as the

cloture vote on a clean CR failed 50-49.⁷ Five Democrats, most of whom faced tough reelection campaigns in 2018, voted yes while five Republicans (including Mitch McConnell) voted no. The government shut down at midnight on January 20.

On January 21, a bipartisan group of 23 Senators came together to negotiate an agreement to end the shutdown (Bouchard and Boardman 2018). These Senators mostly consisted of moderates or those who faced difficult reelection campaigns in 2018 (Bouchard and Boardman 2018). This plan opened the government in exchange for a commitment from McConnell to hold debate on a bill to help Dreamers. This deal passed the Senate 81-18. The House quickly approved the measure and the President signed it (Stolberg and Kaplan 2018).

Strategies of Actors

Senate Republicans

As January 20 approached, Leader McConnell had two options regarding how to approach the 60-vote threshold Republicans would need to pass in order to pass the budget. The first option was to bend the rules to circumvent the filibuster.⁸ The Republican caucus, however, was not unified, which made this option moot. The five Republican Senators (Jeff Flake of Arizona, Mike Lee of Utah, Lindsey Graham of South Carolina, Rand Paul of Kentucky, and Mitch McConnell), who voted against their party in the January 19 cloture vote did so for varying reasons, some of which did not have to do with immigration (Hatch 2018; Hains 2018). McConnell, who supported the cloture motion, voted against it so he could make a motion to

⁷ Cloture needs 60 votes to pass. Fifty Senators supported it.

⁸ Binder (2018) details McConnell's bending of procedural norms during the first two years of the Trump Presidency.

reconsider, which can only come from the prevailing side (Roberts Rules Online 2020). McConnell could not unite his caucus by appealing the dissidents on immigration alone.

After the government shut down, McConnell's negotiating position was only a commitment to a vote on immigration—and a shaky commitment at that (*The New York Times* 2018). McConnell was likely reluctant to hold a vote on immigration that could both put pressure on his party's moderates and undermine the President's hardline position on immigration. Simultaneously, he blamed Chuck Schumer for the shutdown: "Here's the difference between the Democratic Leader and the rest of us tonight: he wants to keep the government shut down for hundreds of millions of Americans until we finish negotiating on illegal immigration" (McConnell 2018). The goal of this strategy was to pressure Democrats who were facing 2018 reelection contests in state Trump carried, while protecting vulnerable Republicans (Everett, Bade, and Kim 2018).

Ultimately, the solution would come not from leadership, but from the bipartisan group of 23 Senators. Each of the nine Republicans in this group was out of step with the McConnell orthodoxy in different ways; some were fiscal conservatives, some were moderates, and some were immigration doves (Bouchard and Boardman 2018). This group supported a plan that committed to a vote on immigration within the next several weeks and extended CHIP. Moreover, McConnell's commitment to a vote was strong enough for most Democrats, and the deal passed 81-18.

Senate Democrats

Minority Leader Schumer was reluctant to attach the immigration fight to the budget, but left-wing activists compelled them to do so. In September of 2017, when both government

funding and US borrowing authority were due to expire, Trump and congressional Democrats came to a deal that was widely seen as favorable to Democrats (Berman 2017; Stein 2017).

Trump gave the Democrats their key demands: a clean CR, a debt ceiling increase, and Hurricane Harvey relief funding. Crucially, this CR was only three months long, which gave Democrats more leverage in future negotiations (Stein 2017). McConnell did not want such a short CR, since it would mean that his members would again be put on the spot for politically difficult votes, particularly around immigration. Trump's comments at the time suggested he would be supportive of including an immigration bill in future negotiations (Berman 2017). However, this win was not enough for immigration activists, who accused congressional Democrats of failing to do enough to protect Dreamers (Stein 2017). After months of pressure, Schumer agreed to do what activists wanted—make government funding contingent on immigration reform.

Bowing to activist pressure, 42 of 47 Democrats voted against the Republican cloture motion on the clean CR on January 19. Democratic leadership was less strict in its demands than activists called for, calling for a 10-day CR, which would give Democrats immigration leverage by imposing a tight deadline (DeBonis et al. 2017). Still, some progressives were pushing to not fund the government unless the DREAM Act was passed.

Early polling looked favorable for Democrats regarding shutdown blame. In a poll taken just before the shutdown, 48% of voters blamed Trump and Republicans for a potential government shutdown, while 28% blamed Democrats (Clement 2018). Even so, the Democrats were worn down by the erratic and untrustworthy nature of Republican negotiators on both the executive and Senate sides. On a *Meet the Press* appearance, Senate Minority Whip Dick Durbin

(D-IL) criticized the President for rejecting bipartisan compromises that he had previously accepted:

This last Friday, when Chuck Schumer was invited to the White House, he sat down with the president over lunch.... They hammered out an agreement where Chuck Schumer made major concessions on one of the major issues, the president's wall. Within two hours the White House called and said, "That deal is off" (NBC News 2018).

Democratic Senators echoed similar sentiments of distrust regarding Leader McConnell. When asked how much the roadblocks in negotiations were stemming from distrust, Senator Joe Manchin, a moderate Democrat from West Virginia, responded, "Uh, most of it" (*The New York Times* 2018). The still unfulfilled promises from McConnell to Senators Flake (AZ) and Collins (ME) for votes on healthcare and immigration bills in exchange for their support of the Tax Cuts and Jobs Act were also fresh in the minds of Democrats (*The New York Times* 2018). The Democrats widely felt the Republicans were not trustworthy enough to negotiate with. In addition to television, the Democrats took to social media, attempting to get "#Trumpshutdown" trending, with some success (*The New York Times* 2018). The Democrats believed that since Republicans controlled all branches of government, voters would blame Republicans for the shutdown.

However, Democrats folded after only three days, as leadership on both sides accepted the deal negotiated by the group of 23. Schumer and McConnell allowed this group to lead the negotiations since they knew the pivotal (filibuster-breaking) Senator would be in this moderate group. The group's 13 Democrats (in addition to Maine's Independent Senator Angus King) consisted of senators from the party's moderate wing, including the five who voted with Republicans in the original cloture bill (Bouchard and Boardman 2018). After this group's plan was advanced, both Senate leaders and the President agreed to it without much resistance, wanting above all to end the shutdown (*The New York Times* 2018). With the group of 23's plan

on the floor, most Democratic Senators trusted McConnell's commitment to hold debate on an immigration bill and supported the cloture motion to end the shutdown. The 81-18 vote put most Democrats and Republicans against Mike Lee and Rand Paul (who still likely had fiscal conservatism concerns) and 16 of the most liberal Senators.

The Executive Branch

During the shutdown, President Trump served more as a media spokesman than a substantive negotiator, as aides heavily influenced the President and made his positions a moving target. He did not have an active procedural strategy. There was tension between Trump's desire to come to a compromise on DACA and the hardline position of some White House advisors.

There were some incidents when Trump seemed to share the views of his most hardline advisors. Trump was just over a month removed from his widely circulated "shithole countries" comment, in which he questioned, "Why are we having all these people from shithole countries come here?" (Woodward 2018, 320). In late December, Trump tweeted about "horrible Chain Migration" and stated, "We must protect our Country at all Cost" (Woodward 2018, 317). These comments suggested Trump shared the views of advisers such as Stephen Miller, who wanted Republicans to hold the line on immigration.

Other times, Trump was inconsistent. Trump and Schumer, who had known each other for years, had their own channel of turbulent negotiations. A few days before the shutdown, Trump and Schumer agreed to fund some of Trump's defense and boarder security priorities in exchange for Trump's backing of legal status for DACA recipients (Shear and Haberman 2018). White House Chief of Staff John Kelly got in the way of this deal, and Trump later delegated the negotiations of the details of the deal to McConnell (Shear and Haberman 2018). Overall, Trump

did not have a consistent procedural strategy, making inconsistent promises to other leaders that were ultimately derailed by aides.

However, Trump had a consistent rhetorical strategy of attacking Democrats on Twitter. During the shutdown he accused Democrats of being “far more concerned with Illegal Immigrants than they are with our great Military or Safety at our dangerous Southern Border” (Trump 2018). While he did claim victory at the end of the shutdown, he added that he wanted a “big win for everyone,” including Republicans, Democrats, DACA, military, and border security (Trump 2018). Trump’s rhetorical strategy intended to activate the Republican social media base during the shutdown and shape the narrative as a Republican victory after it ended.

Evaluating Shutdown Outcomes

McConnell fulfilled his promise to Democrats though the Democrats gained little from it. In mid-February, the Senate voted on four immigration bills, sponsored by Democrats and Republicans, and failed to pass any of them (Scott and Golshan 2018). Border security and legal immigration restrictions proved impossible hurdles. It is possible that Democrats may not have even gotten this vote if they did not shut down the government, but they lost on the broader immigration issue.

More voters blamed Republicans than Democrats for the shutdown. In an average of four major national opinion polls taken after the shutdown which gave voters the option of blaming Trump, Democrats, or Republicans, 34% blamed Trump, 16% blamed Republicans, and 35.8% blamed Democrats (Shepard 2018; Frankovic 2018; Shabad 2018; Perry and Lapinski 2018). Democrats consistently took the biggest plurality of the blame, but less than Republicans and Trump combined. In a survey that gave only Trump and Democrats as options, 52% blamed

Trump and 43% blamed Democrats (Public Policy Polling 2018). By these measures, Democrats won in the public opinion space.

Chapter 5: The 2018-2019 Government Shutdown

Institutional Context

The primary difference in institutional context between the 2018 and 2018-2019 shutdowns was the shift in power in the House of Representatives. The Democrats flipped 40 house seats to bring their total to 235, comfortably above the 218-member threshold necessary for a majority. Speaker Paul Ryan retired from Congress at the end of 2018, and Kevin McCarthy from California became the new leader of the Republican conference (as Minority Leader). Nancy Pelosi, the previous Minority Leader, became Speaker. In the Senate, the Republicans gained two seats in a map widely seen as favorable for them, bringing their Senate seat total to 53. The government shutdown started under unified government and ended under divided government. It is the only shut down in history which happened during a change in government control. Many observers were unsure about how Trump would react to increased institutional resistance against his agenda (Wolff 2019, 290).⁹

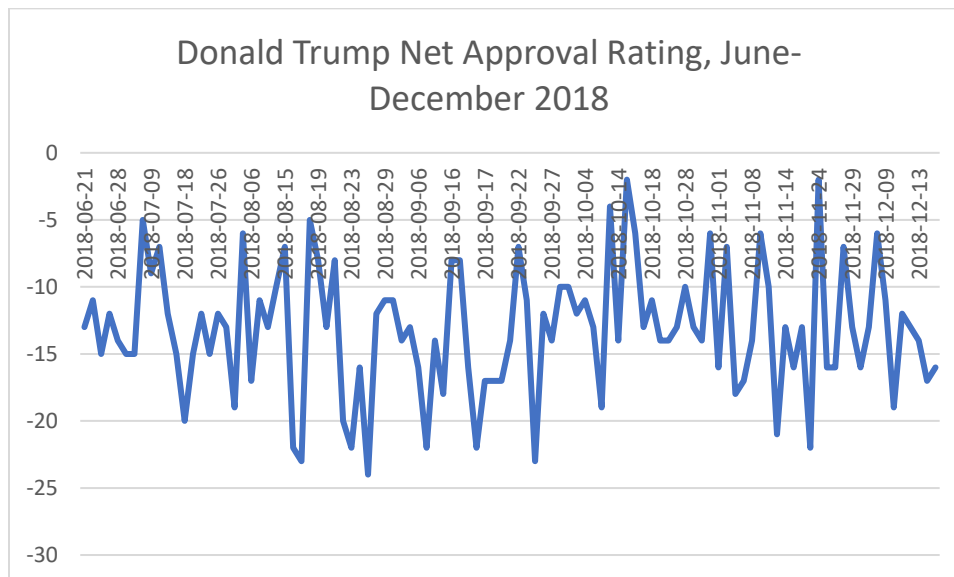
As in 1995-1996, the timing in the year likely elongated the shutdown, with only minimal negotiations occurring during the Christmas recess. The 2018-2019 shutdown was unprecedented in length—it was two weeks longer than the previous shutdown length record holder of 1995-1996. The length of the shutdown put unique stress on the functioning of the federal government through the lack of funds to pay TSA employees, which would begin in late January (*Al Jazeera* 2019b). While federal employees and contractors and their families have always felt the pressure

⁹ Though Wolff's work has been doubted by some critics, it is the most comprehensive public source available regarding the internal deliberations of the Trump Administration, understanding that it is not an academic source.

of government shutdowns, Americans who were not government employees would feel pressure at an unprecedented level.

Trump was still unpopular by the second shutdown, with an average net approval rating of -13.24% in the 6 months leading up to the shutdown. However, there is some doubt that a low approval rating hurts Trump as much as it would hurt other presidents, especially since he was able to be elected while deeply unpopular (McLarty 2018, Wang 2019).

Figure 6- Donald Trump Net Approval Rating, June-December 2018



Source: The Roper Center for Public Opinion Research

Summary of Key Events

The 2018-2019 shutdown occurred from December 22, 2018 to January 25, 2019. The main conflict of the shutdown was a battle of Schumer and Pelosi against Trump over funding for a wall on the southern border and immigration reform. On December 11 2018, a widely viewed-meeting between Trump, Pelosi, and Schumer, a meeting whose breakup has been viewed nearly 10 million times on YouTube, went sour—Trump claimed he would be “proud” to shut down the government for border security (Al Jazeera 2019b). On December 19, the Senate

unanimously passed a continuing resolution that would keep the government open through February 8 (Cochrane 2018). Some Republicans thought this tactic was beneficial, since it punted the dispute into the divided Congress where Democrats would take a larger share of the blame (Cochrane 2018; Johnson, Everett, and Bade 2018). Trump was initially in favor of this plan, until right-wing media figures and House Freedom Caucus members pressured him to fight for a border wall with Mexico (Cochrane 2018). In a mostly partisan vote of 217 to 185, the Republican House, as one of its last acts during its lame duck period, passed the Senate measure with an added \$5 billion in border wall funding on December 20 (Ferris and Bresnahan 2018). The House bill could not get the 60 votes required to pass in the Senate, so the government shut down on December 22 (*BBC News* 2018).

There were minimal negotiations during the Christmas recess (Restuccia and Johnson 2018). When the Democratic House took over, they passed a bill that included \$1.3 billion for border security, but no money for a wall (*Al Jazeera* 2019b). Trump threatened to declare a national emergency and gave a primetime address from the Oval Office on January 8 (Bryan 2019). After more unsuccessful meetings, Pelosi sent Trump a letter suggesting that the State of the Union speech be postponed, and Trump fired back by defunding a previously planned congressional diplomatic trip to Brussels and Afghanistan (Bryan 2019). On January 24, both Democratic and Republican bills to reopen the government failed in the Senate, and leaders began to call for a stopgap CR to continue negotiations (*Al Jazeera* 2019b). This agreement came to fruition on January 25, in which Trump and congressional leaders agreed to a deal that would reopen the government without wall funding through February 15 (*Al Jazeera* 2019b).

Strategies of Actors

Senate and House Democrats

Pelosi and Schumer had a relatively simple strategy that they were persistent in sticking with. They held the line on their proposal of \$1.3 billion for border security and no wall funding, rhetorically positioned themselves as the measured, compromising adults in the room, and let Trump make brash statements that irritated a public that became increasingly desperate for a solution as the shutdown dragged on. This strategy would ultimately prove effective.

In the December 11 White House meeting, Trump took Pelosi and Schumer's bait. Schumer explicitly defended a status-quo funding package, stating "We want to do the same thing that we did last year, this year. That's our proposal." He further added that "experts say you can do border security without a wall, which is wasteful and doesn't solve the problem" (*The Washington Post* 2018). This statement represents the proposal which the Senate would unanimously support on December 19. Similarly, Pelosi stressed her efforts to collaborate with Republicans during the December 11 meeting, claiming that there were enough House votes between Democrats and moderate Republicans to pass a CR with border security but no wall funding, which would give more time for both parties to negotiate (*The Washington Post* 2018). She called the shutdown the "Trump shutdown," working with Schumer to bait Trump into publicly owning the shutdown. This strategy worked, as Trump said he would "take the mantle" of shutting down the government, positioning himself as an extremist and Democrats as pragmatists. By playing Trump into taking ownership of the shutdown, Democrats hoped to turn public opinion against the President.

This meeting set the tone for the rest of the shutdown. For example, Pelosi and Schumer's rebuttal to Trump's Oval Office address portrayed Trump's negotiation tactics as extreme. Pelosi stated that, "We all agree that we need to secure our borders, while honoring our values," and accused Trump of "[holding] hostage critical services for the health safety, and wellbeing of the American people" in order to fund a wall that he had previously claimed Mexico would pay for (Hains 2019). After Pelosi spoke, Schumer lambasted Trump for attempting to "govern by temper tantrum." Schumer claimed that the "obvious solution" is to separate government funding from the debate on border security (Hains 2019). By holding a moderate position, Democrats were able to capture public support, as polls taken during the shutdown blamed Trump and Republicans (Quinnipiac University 2019; Harwood 2019).

The Democrats' procedural strategy was to stick with their initial \$1.3 billion dollar proposal. Their proposal did not change when the House changed control, the only difference was their ability to pass their proposal through the House, as they did on January 3 (Davis and Tackett 2019). This proposal was designed to provide more time to negotiate while the government reopened, even though Trump promised to veto the proposals (Gambino, Jacobs, and Smith 2019). The Democrats also claimed symbolic high ground by making a solution to the shutdown among the first actions of their majority. When Trump tried to win over Democrats with a compromise measure which involved a DACA extension, Schumer and Pelosi held strong to their initial proposal, thus refusing to legitimize Trump's negotiation tactics. Schumer and Pelosi's plan worked, and the Democrats got a clean CR which provided more time to negotiate (Al Jazeera 2019a).

The Executive Branch and Congressional Republicans

Trump's rhetorical strategy was the opposite of what a standard shutdown rhetorical strategy would look like—he owned the shutdown and took responsibility for it, arguing that border security was worth it. Even in comparison to Trump during the previous year's shutdown, no president, and hardly any member of Congress, had ever been so actively in favor of a shutdown. This rhetoric would later prove detrimental to Trump. Trump's veto threat was his primary procedural tool, he made it clear that he would not support an agreement that did not have wall funding. Trump coordinated with McConnell to ensure that there were no votes taken on measures unfavorable to Republicans. Even so, Trump would relent when public opinion turned against him, and he had no exit strategy from the shutdown other than acquiescing to the Democrats.

While initially not in favor of the shutdown strategy, Trump adopted it to cater to his right-wing base. The appeals of Sean Hannity, Rush Limbaugh, and Anne Coulter to shut down the government to secure border wall funding was an important factor in Trump's decision making (Wolff 2019, 292). House Freedom Caucus members such as Reps. Jim Jordan (OH) and Mark Meadows (NC) also played a role in convincing Trump to abide by the shutdown strategy, presumably to increase their standing among the conservative media and activist base (Johnson and Everett 2018). To appeal to this base, Trump took an approach opposite of most shutdown rhetoric we have seen so far, saying “So, I will take the mantle. I will be the one to shut it down. I’m not going to blame you [Chuck Schumer] for it” (Market Watch 2019). Trump would hold this approach for the entire shutdown.

Trump's procedural strategy was to use his veto threat to extract concessions from Democrats, but he had few other procedural tools to use when Democrats were not conceding. Trump's decision to shut down the government was not well coordinated with his advisors and

they had different ideas about how to navigate out of it. Jared Kushner and Ivanka Trump believed that a grand bargain could be formed by trading wall funding for a DACA solution and some amnesty (Wolff 2019, 295). Chief Strategist Steve Bannon, in tune with the far-right wing of the Republican Party, insisted that the President not give any amnesty and instead suggested using national emergency powers to build the wall (Wolff 2019, 295). Trump, who feared the far-right more than he did Democrats took Bannon's strategy. In the January 2 meeting with Democrats, Trump said that he would "look foolish" if he allowed for a clean, short-term CR while negotiations continued (Davis and Tackett 2019). Trump also cited his mandate, saying the wall was why he was elected (Davis and Tackett 2019).

Trump's second procedural tool was his coordination with Majority Leader McConnell, who prevented any proposals which the President opposed from coming to the Senate floor (Stolberg and Fandos 2019; Fandos, Tackett, and Davis 2019). This tactic was mutually beneficial—it supported Trump's agenda while protecting Republican Senators facing reelection in 2020 from taking difficult votes (Stolberg and Fandos 2019). However, McConnell was not willing to go all-in for Trump, strategically distancing himself from negotiations to protect himself from political fallout (Stolberg and Fandos 2019). McConnell's reticence could be a window into his true thoughts about the political feasibility of the shutdown. Even so, McConnell provided at least some support to Trump's procedural strategy.

Ultimately, McConnell would play an important role in pressuring Trump to end the shutdown. After a meeting with Senate Republicans, McConnell knew that the shutdown was putting pressure on his vulnerable members and sought an exit strategy (Fandos, Stolberg, and Baker 2018). Trump, assessing his high negative polling numbers and his lack of allies, gave in

after McConnell confronted him (Wolff 2019, 301). Republicans acquiesced when both public and elite pressure to do so became unsustainable.

Evaluating Shutdown Outcomes

Polling during and after the shutdown mostly favored the Democrats. In late December, YouGov, Reuters/Ipsos and the *Morning Consult* conducted polls that found more Americans blamed Trump than Democrats for the shutdown (Rakich 2019). On January 14, CNN released a poll in which respondents blamed the President for the shutdown more than congressional Democrats by a margin of 55% to 32%, while a Quinnipiac University poll found that showed 63% of Americans supported the Democrats proposal to reopen the government with no wall funding and 56% blamed Trump and Republicans for the shutdown (Quinnipiac University 2019). These negative polls could have dissuaded Trump from keeping the government shut down, but if that were true, it is unclear why he did not end the shutdown earlier. Partisan loyalty could be a key reason for Trump not ending the shutdown earlier—in the Quinnipiac University poll, 67% of Republicans supported shutting down the government to secure wall funding, while 95% of Democrats opposed it (Quinnipiac University 2019). These numbers and Trump's reaction to them support the idea that Trump's strategy centered appealing to his Republican base rather than the general public. However, the shutdown strategy's unpopularity with the general public shows that the Democrats' strategy of forcing Trump to continually defend the wall was effective. After the shutdown, an NBC-*Wall Street Journal* poll found that the public blamed Trump more than Democrats for the shutdown by a 50% to 37% margin (Harwood 2019). Meanwhile, Americans opposed the construction of a border wall by a margin of 52% to 45% (Harwood 2019). Polls unanimously show that respondents place blame for the shutdown on Trump and Republicans.

In the policy space, Democrats received what they wanted in the short-term and much of what they wanted in the long term. To resolve the shutdown, the Democrats got a clean CR without wall funding, consistent with their starting demand (Fandos, Stolberg, and Baker 2018). Trump got more of what he wanted in later negotiations. On February 11, four days before the CR was set to expire, Democrats and Republicans reached an agreement which gave Trump \$1.375 billion for border barriers that were not concrete walls, amounting to about 55 miles of barriers (Shabad et al. 2019). These funding levels were roughly in line with 2018's funding levels. It would also provide \$1.7 billion in funding for border security technology and staff, and increased funding for immigrant detention centers (Shabad et al. 2019). Trump received an incremental increase of spending on immigration enforcement but not as much as he would have liked. In the long run, Trump would win a battle in the judiciary that he lost in the legislative branch—in *Trump v. Sierra Club* (588 U.S. ____ 2019), the Supreme Court ruled that Trump could use \$2.5 billion in military funding to help build the wall (Barnes 2019). Even so, Trump did not receive as much funding for the wall as he requested from Congress.

Conclusion

My case studies show how government shutdowns are usually resolved with a short-term CR that allows negotiations to continue with an open government. Shutdowns tend not to result in major policy changes, but in incremental changes (at most). The public tends to, but does not always, blame the shutdown on the party that tried to instigate the major policy change. I will explore the reasons behind these trends in Part 3.

Part 3: Analysis and Conclusion

Chapter 6: Analysis

After examining the four most recent US federal government shutdowns, I have synthesized my findings of who won and lost each shutdown into the table below.

Table 3- Summary of Shutdowns

Shutdown	House	Senate	President	Policy Result	Public Opinion Result
1995-1996	R	R	D	Democratic win	Democratic win
2013	R	D	D	Democratic win	Democratic win
2018	R	R	R	Republican win	Democratic win
2018-2019	R then D	R	R	Democratic win	Democratic win

I examined shutdowns that occurred under both Republican and Democratic presidents, during Republican and Democratic control of Congress, and during unified and divided governments. One concern about the generalizability of my results is that not all of the variables show variation. In polls asking if one blamed Democrats or Republicans for the shutdown, the public blamed Republicans in the vast majority of polls for each shutdown I studied, although my case studies do not provide a clear mechanism of how voters assign blame for shutdowns. Even so, in this chapter I will turn back to my hypotheses from Chapter 1 and evaluate them against my data from the case studies.

H₁: The American public does not like government shutdowns and a party being convincingly blamed for a shutdown will have a negative effect on the public opinion of that party that harms

that party electorally. Therefore, parties seek to strategically blame the other party for the shutdown.

To this point, I have evaluated the public opinion dimension of shutdown outcomes through the lens of blame polls; in which voters are asked if they blame Democrats or Republicans for a shutdown (or some specific leaders in either of those parties). A question that I have not discussed is what significance these blame polls hold. In other words, does being blamed for a shutdown increase negative public sentiment around a party, and does that sentiment persist long enough for it to have an electoral impact? I will answer these questions by running two tests. First, I will test how long government shutdowns have a significant impact on presidential approval polls, using it as a proxy for how long the public “remembers” government shutdowns, and compare this length of memory to the length of time that recent shutdowns have been from elections. This test will determine if the American public generally dislikes government shutdowns. Second, I will test how being convincingly blamed for a shutdown (as defined by a public opinion loss) affects presidential approval. Afterward, I will use my qualitative data to assess whether and how parties blame other parties for shutdowns.

One way to capture some of the long-term political consequences of shutdowns is to find their impact on presidential approval ratings. While small sample size of shutdowns makes it impossible to know how election results would change if shutdown blame was assigned differently, presidential approval ratings provide a rich dataset with which I can test the effects of government shutdowns on public opinion. I used an OLS model to find the length of time for which government shutdowns have a significant effect on presidential approval with hopes that this length of time can be a proxy for how long the public “remembers” government shutdowns. Thus, I constructed equation 1:

$$Y_{pt} = \alpha + \beta_0 T_t + \beta_1 DAYS.O_t + \delta_t + \gamma_p + \varepsilon \quad (1)$$

I use the individual poll as the unit of analysis to achieve an adequate sample size. Y is a public opinion dependent variable with president p in time t ; either net approval (approval-disapproval), approval, or disapproval. T is a vector representing indicator variables which correspond to the amount of time (in 30-day increments) between the end of a government shutdown and a poll being started.¹⁰ I tested the first 180 days after a government shutdown, so T is six 30-day indicator variables. $DAYS.O$ is the number of days a president was in office when the poll was taken, δ_t represents year fixed effects, while γ_t represents presidential fixed effects.¹¹ My data are 3,698 presidential approval polls by reputable polling organizations taken during the Trump, Obama, and Clinton presidencies compiled by the Roper Center for Public Opinion Research. The results of this model are below:

¹⁰ Consistent with my treatment of the 1995-1996 shutdowns as a single event, I used January 6, 1996—the end of the second shutdown—as my starting date for measuring time after this shutdown. I did not count the period between the two shutdowns as being after the end of a shutdown.

¹¹ Year fixed effects control issues such as the economy, foreign policy issues, scandals, and any other factor in the political landscape that can change from year to year. Presidential fixed effects control for long-term public perceptions of a president.

Table 4- OLS Results for Equation 1

	(1) Net Approval	(2) Approval	(3) Disapproval
0-30 days	-9.176*** (.810)	-4.258*** (.417)	4.917*** (.458)
31-60 days	-5.417*** (.690)	-2.640*** (.345)	2.777*** (.428)
61-90 days	-4.704*** (.750)	-2.497*** (.405)	2.207*** (.467)
91-120 days	-2.538*** (.717)	-1.481*** (.365)	1.057** (.411)
121-150 days	-1.322* (.678)	-.470 (.366)	.852** (.390)
151-180 days	-.816 (.669)	.034 (.347)	.850** (.373)
Days in Office	-.021*** (.001)	-.008*** (.0006)	.012*** (.0007)

Source: Roper Center for Public Opinion Research. Robust standard errors are in parentheses. Significance levels are indicated as follows: ***= $p < 0.01$, **= $p < 0.05$, *= $p < 0.10$. N=3,698

Government shutdowns have a significant negative effect on a president's net approval and this effect takes about five months to phase out. When disaggregating net approval into approval and disapproval, one can see that the effects on disapproval linger longer than the effects on approval. While the dataset on Congressional or party approval is not rich enough to run this test, the presidential approval model should give a good rough estimate of the duration of time during which the memory of a government shutdown is an important factor in the political decision making of the general public.

This finding contradicts some parts of my qualitative research but supports others. I have established that leaders care a great deal about their polling in the moment. Presidents invest deeply in private polling (Druckman and Jacobs 2010). In the 1995-1996 shutdown, positive poll results emboldened President Clinton and disheartened Gingrich and Dole. During the 2018-2019 shutdown, poor polling for the Republican party was a factor in Republican leaders' decision to pressure Trump to end the shutdown. Leaders care about their short-term polling, likely because of their personal pride and their need for short-term political capital. However, my

model shows that that the government shutdowns I studied, of which none were closer than 10 months to the next election, likely did not have large electoral implications as they were overshadowed by more recent and salient issues. Nevertheless, it seems that the American public does not like government shutdowns, so the first part of my hypothesis is supported.

So far, I have not factored blame into the model. Thus, I constructed equation 2:

$$Y_{pst} = \alpha + \beta_0 T + \beta_1 BLAME_s + \beta_2 BLAME_s \times T_t + \beta_3 DAYS.O + \delta_t + \gamma_p + \varepsilon \quad (2)$$

This model adds *BLAME* for shutdown *s*, which equals 1 if the President was blamed for a shutdown within the last 180 days based on my Table 3 results. *BLAME* \times *T* is a vector representing 6 interaction terms: each of the six indicator variables in *T* multiplied by *BLAME*. This interaction shows how long being blamed for a shutdown affects a President's net approval, which I will use for *Y* for the sake of simplicity.

The results from Equation 2 (presented in Table 5) provide a counterintuitive finding—while the public generally dislikes government shutdowns as measured by Presidential approval, a President being blamed for a shutdown does not seem to affect the public opinion of that president. A major caveat in this data is that the only President blamed for a shutdown in my dataset is Trump, so it may not affect other presidents in the same way. This finding suggests that there is no significant difference (or even a positive difference) between a post-shutdown approval dip of a President who was blamed for the shutdown versus a President who was not.

Table 5- OLS Results for Equation 2

	(1) Without interactions	(2) With interactions
0-30 days	-11.120*** (.829)	-11.780*** (1.098)
31-60 days	-7.633*** (.685)	-8.377*** (.787)
61-90 days	-7.080*** (.764)	-8.007*** (1.066)
91-120 days	-4.358*** (.780)	-2.743*** (1.000)
121-150 days	-3.453*** (.698)	-3.484*** (.887)
151-180 days	-2.792*** (.689)	-2.343*** (.842)
Days in Office	-.020*** (.001)	-.020*** (.001)
Blame	4.684*** (.763)	3.961*** (1.303)
Interactions with Blame		
0-30 days		1.989 (1.955)
31-60 days		1.925 (1.713)
61-90 days		2.195 (1.770)
91-120 days		-2.507 (1.726)
121-150 days		.930 (1.626)
151-180 days		Omitted due to collinearity

Source: Roper Center for Public Opinion Research. Robust standard errors are in parentheses. Significance levels are indicated as follows: ***= $p < 0.01$, **= $p < 0.05$, *= $p < 0.10$. N=3,698

Thus, while the mechanism through which the public assigns shutdown blame is still unclear (because the Republicans were blamed for all four I studied, and this lack of variation prevents me from reaching a conclusion on the matter), being blamed for a shutdown is not that damaging to a party in the long-term. The Republican Party “lost” all four government shutdowns in the public opinion space but losing something is not particularly meaningful if the consequences for losing are light. As Gingrich said after the 2013 shutdown “We closed the government twice in 1995 and ’96 and became the first re-elected House Republican majority since 1928...the Republicans closed the government in 2013 and won a big election in 2014”

(Oleszek 2017). Of course, the election after the 2018 shutdown went to the Democrats, but it is likely that political business cycle factors (meaning that midterm elections went against the President's party, which is to be expected) mattered more than the most recent shutdown in all of these elections. Gingrich's quote, along with my data, explain the attitude of many hardliners either party—if there are no long-term consequences to shutting down the government, it is less costly to shut down the government and an opportunity to send a signal to extreme members of one's base (which I will elaborate on later). Therefore, the second part of my hypothesis, that being convincingly blamed for a shutdown will harm the public opinion of a party, is not supported.

Given what we now know about blame for shutdowns, it may seem like casting blame is not worth the effort of parties. However, the overwhelming majority of politicians in shutdown situations use rhetorical and procedural tactics to blame the shutdown on politicians of the opposing party. Nearly every politician built their rhetorical strategy around their reasonableness and willingness to compromise, contrasting themselves with the other side's unreasonableness and unwillingness to compromise. The notable exception to this rule is Donald Trump, who loudly took credit for the 2018-2019 shutdown. Parties also used procedural maneuvers to cast blame on the opposing party. For example, House Republicans passed piecemeal CRs in 2013 in an attempt to blame the Democrats for not opening parts of the government. Although my quantitative data show that blame for shutdowns is not durable, blaming the other side is a prominent strategy for leaders during a shutdown. Blame may be effective at shifting short-term public opinion, which I have shown is influential in leaders' decisions of when to cave during a shutdown, especially regarding Gingrich in 1996 and Boehner in 2013. So, the third part of my hypothesis, that parties seek to strategically blame the other party for shutdowns, is supported.

Overall, my quantitative and qualitative data show that while the American public does not like government shutdowns in a general sense (as expressed by the Equation 1 results), the size of the approval dip that Presidents experience after a shutdown is likely unrelated to whether they were blamed for it (as shown by the Equation 2 results). Even so, casting blame is an important tactic for parties during a shutdown. So H_1 stands partially true; the American public appears to dislike government shutdowns, but there does not seem to be a political punishment for being blamed for one, even as politicians aggressively blame each other for shutdowns.

H₂: The party that proposes a shutdown-ending policy that is closer to the status quo is more likely to be successful in both the policy and public opinion spaces than the party that proposes a shutdown-ending policy that is a departure from the status quo.

This hypothesis tests whether there is a relationship between a party's proposed shutdown-ending policy in ideological space and the result end of the shutdown in both the policy and public opinion spaces. My variable of interest is the distance of shutdown-ending proposals from the status quo, not where the proposal is in left-right ideological space.

Through my qualitative research, I have found that government shutdowns tend to have two competing proposals: 1) a short term continuing resolution that keeps funding levels mostly the same and gives leaders more time to negotiate or a minor policy change and 2) a major policy change that a party cannot achieve through normal legislating, resorting instead to shutting down the government to gain leverage. Parties tend to take the opposite side in this continuum, meaning they do not both pursue major policy changes in the same shutdown. In Table 6, I present the four most recent shutdowns analyzed through this framework.

Table 6- Shutdown Results with Proposal Categorizations

Shutdown	Party	Proposal	Categorization	Public opinion result	Policy result
1995-1996	Democrat	Minor Medicaid cuts	Status quo	Win	Win
	Republican	Large Medicaid cuts and restructuring	Major policy change	Loss	Loss
2013	Democrat	Short-term CR	Status quo	Win	Win
	Republican	Major policy change on Obamacare	Major policy change	Loss	Loss
2018	Democrat	Extending DACA	Major policy change	Win	Loss
	Republican	Short-term CR, future DACA vote	Status quo	Loss	Win
2018-2019	Democrat	Short-term CR	Status quo	Win	Win
	Republican	Border wall funding	Major policy change	Loss	Loss

Source: Author's original research

The fourth and fifth columns are repeated from Table 1. Here, we see the status-quo/major policy changes dynamic play out. The status-quo/major policy change distinction is least clear in the 1995-1996 shutdown, when there was a broad consensus that Medicare needed to be reformed but Republicans wanted a much more drastic change than Democrats did. Ultimately, the final agreement was a much smaller change in Medicare than Republicans wanted. However, the status quo/major policy change distinction is clear in the other shutdowns. In 2013, Republicans shut down the government to force concessions on Obamacare. In 2018, Democrats took a stand on DACA, while Republicans wanted a CR that avoided the issue. In

2018-2019, Democrats sought a short-term CR while Trump made an all-out attempt to secure funding for the border wall.

I want to start by clarifying some definitional issues. First, I assert that a CR is essentially a continuation of the status quo budget policy. This idea is true by the definition of a CR, it “continues” current levels of funding for a short, defined period of time until a budget deal can be reached. So, a CR can be thought of as an affirmation of the status quo. The case which deviates most from this definition is 1995-1996, where the Democrats and Republicans proposed changes in the same political direction (cutting Medicare), but in vastly different proportions. To make the definition of a status quo policy robust to the 1995-1996 case, I will define a status quo policy as either a CR or a policy much closer to the status quo than the other party’s policy.

Second, I define a major policy change as a policy change on an issue of great national importance that a party had been unable to achieve through legislative means besides budget negotiations. The Republican proposals in 1995-1996, 2013, and 2018-2019 and the Democratic proposal in 2018 all meet these conditions. Healthcare in 1995-1996 and 2013 and immigration in 2018 and 2018-2019 were important national issues, and the parties proposing major policy changes (restructuring Medicare, defunding or delaying Obamacare, extending DACA, or building a wall) were unable to achieve their goals through other legislative means. Overall, these definitions create a framework I will use through the rest of my analysis—that we should think of government shutdowns as being fought not along the axis of party or of branch of government, but of distance from the status quo.

Thus, there is a clear trend in the data—parties that propose the status quo policy receive a policy solution much closer to their proposal than do parties which propose a major policy change. In other words, all four government shutdowns I studied resolved relatively close to the

status quo in the policy space. Parties that take aggressive policy stances fall under pressure as moderates' dissent and leadership ultimately caves. All the shutdowns I studied are, at least in the policy space, defined by their failure to accomplish a major change. The public tends to blame the shutdown on the party that advocated for a major policy change, but my quantitative research shows that the blame may not be politically durable.

However, my research until this point does not provide a clear causal mechanism; it gives the relationship but not a reason for the relationship. I will establish a possible causal mechanism for the relationship between proposing a status quo policy and shutdown success by applying intuition from my research to existing formal models.

In the pivotal politics model outlined by Krehbiel (1998), policy changes require that the status quo must lie outside the gridlock interval, defined in ideological space as the distance between the President, filibuster, and veto pivots (Krehbiel 1998, 47).¹² The central insight of this model is that it predicts that coalitions need to be supermajority size in order to change policy, and that gridlock happens often though not always. This intuition is crucial to our understanding of why government shutdowns tend to resolve to the status quo—it is difficult to get a supermajority sized coalition to agree on a major policy change.

How we get to this intuition, however, differs from Krehbiel's baseline model. The key difference between shut down situations and normal legislation in the pivotal politics model is the presence of the CR in shutdown situations. While the status quo in Krehbiel's model represents the absence of policy, or what happens when all attempts at policy change fails, in a

¹²Thus, government shutdowns must happen when and only when the status quo lies inside the gridlock interval. I do not try to determine why shutdowns happen, rather I start with a shutdown situation and model its resolution.

shutdown situation the status quo must be reaffirmed by a continuing resolution. In other words, the government must vote to reaffirm the status quo—inaction does not affirm it. Furthermore, the status quo stays at the same location in ideological space throughout the shutdown negotiations, a CR represents essentially the same thing at every step. So, it is necessary to have a model that shows actors moving in ideological space around the status quo, where the status quo first fails but is ultimately reaffirmed in such a way that makes a major policy change difficult to pass.

In Table 7, I outline the nomenclature for the model, borrowing from Krehbiel.

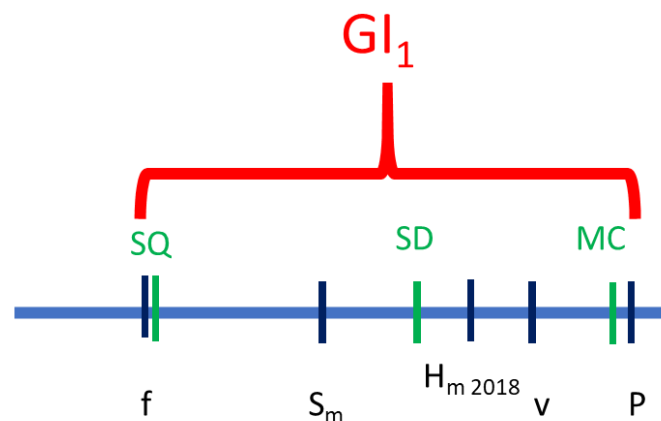
Table 7- Model Nomenclature

Abbreviation	Meaning
p	President's ideal point
f	Filibuster pivot
v	Veto override pivot
H_m	House median's ideal point
S_m	Senate median's ideal point
SQ	Status quo
SD	Shutdown
MC	Major policy change

These points represent locations on left-right ideological space. For the last three points, SQ represents the pre-shutdown status quo (or the CR). For a shutdown to happen, the government must fail to reaffirm SQ , causing the status quo during the shutdown to shift to SD . MC is the proposed major policy change. Normally, feasible policies are defined by the relationship between p , f , H_m and v . A policy must either have the support of the President, a simple majority of the House, and sixty senators or two thirds of both Houses of Congress to pass. This holds true during a shutdown as well.

In illustrating how this model works, I will use the most recent shutdown. However, I will argue that the findings of this model are applicable to all governing regimes because the most important variable is who proposes a major policy change. Consider the political landscape of December 2018.

Figure 7- December 2018 Political Landscape

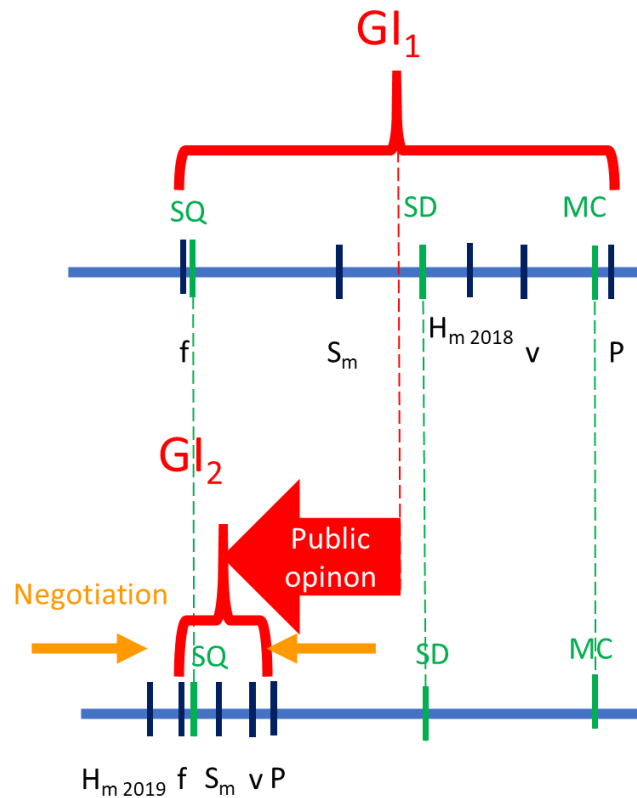


At this point, the Democrats' only political foothold is the filibuster pivot, which is why the gridlock interval is between the filibuster pivot and the President. The filibuster pivot is the 60th Senator away from the President, a moderate Democrat in this case. The status quo cannot be reaffirmed since it is inside the gridlock interval, so when it fails, the current policy shifts to the shutdown point. The shutdown point is preferable over the status quo point to the actor proposing the major policy change (in this case the President), so shutting down the government benefits the President. The filibuster pivot prefers the status quo but cannot move the president on the issue.

After the government shuts down, there are two actors that are endogenous but not visible in the model: the public and the legislative leadership, which create the public opinion effect and negotiation effect respectively. The public opinion effect moves the gridlock interval away from

the major policy change while the negotiation effect shrinks the gridlock interval as the leadership brings the two sides closer together. The resulting changes in the political landscape are shown below.

Figure 8- January 2019 Political Landscape



The status quo, shutdown, and major policy change points remain unchanged. Public opinion moves the ideal points of all actors to the left, while negotiation moves them closer together. Ultimately, the public opinion and negotiation effects will push the gridlock interval away from the major policy change to include the pre-shutdown status quo but not the shutdown point.¹³

¹³ Again, we do not know exactly why public opinion moves in the opposite direction of the major policy change, just that it does.

The shutdown point is now extreme relative to the ideal points of all the actors, causing the government to reaffirm the status quo.

The counterintuitive result of this model is that in a shutdown situation, the proposer of a major policy change always fails to achieve that policy change. Public opinion moves the gridlock interval toward the status quo, and negotiation ultimately brings the shutdown point outside the gridlock interval. There are three possible explanations as to why actors propose major policy changes that fail in shutdown after shutdown. The first explanation is that the final outcome of this model is not known to leaders, that through either their ego or bad information believe that a fight for a major policy change via a shutdown is winnable when it really is not. The second explanation is that leaders derive utility from something other than the position of the shutdown-resolving policy in ideological space. The third explanation is that shutdowns are desperate, last ditch efforts to change policy. This was especially true in 2013, where the Obamacare opening was fast approaching, and in 2018, when DACA had already expired. Even if it has a low chance of success, parties shut down the government because they have no other political tools left. All three explanations likely have some truth but the first one is difficult to prove.

With so many leaders across four different shutdowns, there were likely many different mindsets. Trump, during the 2019 shutdown, held out for so long because he was influenced by right-wing media to believe that he could attain his wall by shutting down the government and forcing Democrats to give in (Wolff 2018). Ted Cruz, an architect of the 2013 shutdown, was more modest in his hopes, understanding the shutdown as a public facing negotiation strategy to gain an incremental demand on the way to defunding Obamacare (Cruz 2015). The variety of

leaders during shutdowns means that they probably understood shutdowns in many different ways.

The second explanation questions what politicians may prioritize other than achieving their preferred policy in ideological space. Politicians may see their reelection hopes as hinging not on the policies they achieve but on the signals they give to the public. In other words, politicians seeking to maximize voters' utility may realize that voters derive utility from gestures rather than policies enacted. Furthermore, politicians may not be appealing to the aggregate public, but to a subset of the public they see as more important to their reelection.

Patty (2016) considers both of these possibilities. In his model in which politicians send ideological signals to voters through obstruction of certain-to-pass proposals, he suggests three possible priorities for voters other than the enacted policy: awareness of the urgency of an issue, strength of ideological preferences, and forcing an issue onto the agenda. He also proposes two subsets of the public that politicians may prioritize over the aggregate public: donors and lobbyists as well as elites and policy demanders. In my case studies, these subsets of the public were indeed prioritized, and their priorities were aligned with those suggested by Patty. Since the most involved policy elites and activist voters may have especially high negative partisanship, it makes sense that these voters may favor politicians who have strong ideological preferences and fight the opposition at every turn (Iyengar and Krupenkin 2018).

Thus, while the data suggest that the party that proposes a policy closer to the status quo is more likely to achieve its goals in the policy and public opinion spaces than the party that proposes a major policy change, it is likely that the policy and public opinion spaces as I have defined them do not adequately capture politicians' utility maximization during shutdowns.

Shutdowns are more likely to be fueled by base mobilization and elites' policy demands than by a genuine desire to change policy. Thus, H_2 is supported by my data.

Chapter 7: Conclusion

In my thesis, I sought to find the factors that caused parties to win or lose government shutdowns. I defined what wins and losses look like in both the public opinion and policy spaces. By conducting four case studies, I found that government shutdowns tend to exhibit one party advocating for a status quo policy and the other party advocating for a major policy change—and the party that advocates for the status quo performs better in both the public opinion and policy spaces. Upon deeper analysis, however, I used statistical and formal models to argue that the policy and public opinion spaces as I defined them do not completely capture the utility maximization of actors in shutdown situations. Since the public does not remember shutdowns for a very long time and it is unclear if being blamed for a shutdown has a negative effect on the approval of the blamed politician over the long-term, I argued that avoiding blame for a shutdown may not be the top priority of politicians who instigate shutdowns. Instead, I asserted that shutting down the government may be an appeal to the most engaged segments of the public such as party elites, donors, lobbyists, and activists. Thus, government shutdowns should be understood not as an earnest attempt to move policy, but as base mobilization.

In this brief conclusion, I will provide limitations of my research, suggestions for future research, and my concluding thoughts.

Limitations and Suggestions for Future Research

My primary limitation was inconsistency in available data. The richness in my qualitative data for a shutdown was inversely related to the recentness of the shutdown. For the 1995-1996 shutdown, Elizabeth Drew and Steven Gillon provided exhaustively researched accounts of the shutdown from in-depth interviews with the most important leaders. For the 2013 shutdown,

Walter Oleszek's academic account provided key insights into the strategies and mindsets of the actors. There are not yet similarly detailed accounts of the 2018 and 2018-2019 shutdowns, due to their recentness. While I was able to get a great deal of information from news articles, in-depth interviews would give better insights and a higher degree of certainty in the validity of my findings by painting a clearer picture of the thought processes of the leaders involved.

Ultimately, it would be best if someone performed deep research of Elizabeth Drew-level quality for all four shutdowns. However, this is an inherent part of doing research on contemporary events and does not significantly impact my confidence in my findings.

Another limitation of my findings—and an important area for future research—is determining why voters tend to blame shutdowns on the party that proposes a major policy change. Short-term blame polling plays a crucial role in leaders' decisions to end government shutdowns. There is still a great deal to learn about how voters assign blame for shutdowns—including why voters blamed Republicans for the 2018 shutdown, even though Democrats proposed a major policy change and the Republicans received the status quo policy which the Republicans sought.

Partisanship is obviously an important factor and the partisan breakdowns I showed of the 2018-2019 blame polls supports the importance of partisanship. Another important factor I was not able to analyze, but future research should, is where the public stands on the issues that caused the shutdown. Is the public more likely to blame a party for a government shutdown if the party takes a popular stance on an issue central to the shutdown? In the most recent shutdown, most Americans opposed a border wall and Trump took the blame for the shutdown (Quinnipiac University 2019). However, a plurality of Americans opposed Obamacare in October 2013—yet Republicans still took the blame (The Henry J. Kaiser Family Foundation 2020). Clearly, there is

still more to learn. For future shutdowns, I suggest holding focus groups and deeper, more detailed polling to learn more about how voters assign blame for shutdowns.

Overall, I picked this topic for my thesis because I believe that government shutdowns—a somewhat frequent and potentially highly disruptive phenomenon of American government—are understudied. I still believe they are understudied, though I hope my research provide a good starting point for others. Deeper analysis on the public opinion space is necessary to further understand how shutdowns work.

Concluding Thoughts

In some ways, my findings on government shutdowns reaffirm a basic, School House Rock understanding of American government. A bill needs to be supported by the House, the Senate, and the President in order to become a law. For immigration reform, healthcare reform, or any other issue, a major policy change requires this level of support. If a party that does not control both houses of Congress (with 60 votes in the Senate) and the Presidency tries to force through a major policy change by twisting the arm of the other party, the arm-twisting party will find only disappointment.¹⁴ Essentially, shutting down the government cannot be used as a sort of cheat code to circumvent the separation of powers outlined in the Constitution. If a party seeks to make a policy change, shutting down the government is, in my view, an ineffective strategy. Given the current state of partisan polarization, a party needs a unified government with sixty Senate votes to make a major policy change. No amount of brinksmanship or theatrics will change this truth.

¹⁴ Or, a party could have a simple majority in the Senate and abolish the filibuster.

I want to end by reflecting on a point I mentioned at the very beginning. Government shutdowns as we know them are uniquely American—hardly any other developed nation experiences this sort of phenomenon. The United States government will, in the coming decade and beyond, face enormous challenges, perhaps beyond anything it has ever faced before. Yet, this government is frequently failing at the basic task of keeping itself funded. Legislation has been proposed to end government shutdowns by enacting automatic CRs which would fund the government at status quo levels until a budget agreement is reached, but it has not gained much traction (US Congress 2020). Given the stark challenges ahead, it is my belief that this legislation should become law and that the era of government shutdowns should end immediately. The best outcome for political science research on US government shutdowns would be the obsolescence of this area of research.

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