

# Governors and Partisan Polarization in the Federal Arena

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Governors have always had to balance state interests with political party interests. However, governors' role in the federal arena, which historically has had a significant bipartisan element, has shifted somewhat, today placing a greater emphasis on party interests. This change is one of the degree; it is less a sea change than a change in the salinity of the sea. I provide evidence of this move to more partisan behavior and explore two sets of interrelated factors that have influenced this change: party polarization in Congress and state legislatures and among voters, and the structure, activities and influence of the National Governors Association, Democratic Governors Association, and Republican Governors Association. This article represents an initial effort to tease out some of the varied causal effects and establish a framework for scholars to further explore the dual gubernatorial responsibilities of advancing state interests and party interests.

Since the American founding, governors have lobbied Washington through individual meetings, statements in the press, congressional testimony, and other means. Gubernatorial lobbying in the federal arena has shifted in recent years, however, as governors have begun to function in a more partisan manner. In doing this, they are mirroring an increasingly polarized landscape around them, as seen in party polarization in Congress, state legislatures, and the electorate. Partisanship is a matter of degree, and governors have not moved from nonpartisan to partisan actors. Instead, as they conduct their gubernatorial activities in Washington, they are functioning as more-partisan actors, compared to less-partisan actors. This is not a sea change so much as a change in the salinity of the sea. Yet, this shift is important, since traditionally governors have kept their state interests at center stage as they argued their case in Washington and have had a moderating, centrist voice in national policy debates. This change has implications both for state interests and for federalism.

This article proceeds as follows. First, I lay out how governors represent partisan interests and state interests, particularly in the federal arena. After defining these terms and demonstrating how governors pursue them, I discuss how the two sets of interests can come into conflict with one another. Second, I examine patterns in

governors' pursuit of state interests and partisan goals over time, seeking to demonstrate, in part through a consideration of recent policy debates, a shift to a more-partisan orientation among governors. I draw heavily on interviews conducted mostly in two waves during 1998–1999 and 2010–2011 but sometimes outside those periods. I also draw heavily on primary sources such as newspaper reports. Next, I explore how broader contextual changes have both influenced and been influenced by governors as they have shifted from less-partisan to more-partisan actors. These changes include shifts in partisan polarization in Congress and state legislatures and among voters, as well as changes in institutional structures in Washington—specifically, the National Governors Association (NGA), the Democratic Governors Association (DGA), and the Republican Governors Association (RGA). Finally, I examine the implications for states, for Congress and national politics, and for federalism.

The forces at the center of this discussion commingle in ways that can make it difficult to assign a clear order to the causal arrows in play. This article makes a preliminary effort to tease out these interrelationships. More centrally, this article documents the decline in governors' bipartisan representation of states in Washington and the resulting decrease in effective governance at both the state and federal level. It is my hope that this investigation establishes a framework for scholars to further explore the dual gubernatorial responsibilities of state interests and partisanship.

## **Governors and the Protection and Balancing of State and Partisan Interests**

Governors have many roles as they lead their states: head of the executive branch, chief legislator, unofficial head of the state political party, and head of the state militia (National Guard) in times of crisis. The intergovernmental relations role tends to be near the bottom of the list. Yet, it encompasses managing interactions with the federal government, with its localities, and with other states. In these dealings, it falls to a governor to articulate and defend state interests.

What exactly are state interests? V.O. Key (1956, 19) writes, “Federal theory must presuppose a political capacity congruent with the constitutional competence of each federated unit.” A state must defend its existence and autonomy, remaining a distinct and independent government within the larger federal system, carrying out its significant functions as a voice of the people, protector of citizens, provider of services, and collector of funds for the public good—all the while acting as a necessary condition of the larger federation's existence.

Each of the fifty states operates in a larger arena with other states and with the federal government—not to mention its own localities—and each of these governments also has its own collective interests. This sets in motion a system in

which each government, as it interacts with and often depends on the other units for its functioning, must act both to protect and advance its own interests. [John Nugent \(2009\)](#) explains that the scope of some state interests is universal (sought by all states); some are categorical (perceived by some subset, or category, of states); and some are particularistic (perceived by one or a very few states). As they seek their interests, state officials may be self-serving. [Bednar \(2009, 78\)](#) details how states can manipulate the federal government for their own interests: “Opportunism is inherent to federalism.” In their opportunism, states can act offensively or defensively ([Bednar 2009; Nugent 2009](#)), and they may engage in “slippage” ([Bednar 2009, 77](#)), avoiding full compliance with federal expectations.

The federal and state governments have been negotiating issues such as taxation, budget allocation, property rights, interstate commerce, and civil rights since the United States was founded ([Graves 1964](#)). State interests in the federal arena have focused for decades on two overarching issues: seeking funds for state purposes, and seeking freedom from federal regulation—as [Haider \(1974, 21\)](#) put it, “the return to the states of certain ongoing federal-state programs.” These two concerns have maintained their centrality through the present day ([Jensen 2016](#)). [Nugent \(2009, 23\)](#) further reminds us that there is a third interest, “legally decisive decision-making authority that can’t easily be trumped by Washington.”

One area where intergovernmental interests can collide is budgets. Each government has an interest in accruing funds. States prefer to do this without raising taxes, instead depending on the federal government to provide funds, ideally without strings attached. For its part, the federal government has an interest in using federal resources for its own uses, and if it provides them to states, it nearly always prefers to attach some strings.

As chief executives, governors have traditionally led efforts to represent state interests in Washington. Seeking to maximize these interests, governors have lobbied the federal government directly and indirectly. They have been represented by a membership association since 1908 ([Brooks 1961](#)), and this group, the National Governors Association, has had a presence in Washington since 1967 ([Haider 1974](#)). In World War II, individual states began to establish lobbying offices in the nation’s capital ([Jensen and Emery 2011](#)), and in the 1950s, at least several states had offices in Washington to lobby ([Ransone 1956](#)). Today, approximately half the states have such offices ([Jensen 2016](#)), which help manage myriad intergovernmental policy issues.

As they represent their states, governors must also manage concerns of partisanship. After all, they operate within the political party structure of their state. All but a few independent governors are their party’s de facto leaders, either nominated for their office by their parties or elected in a party primary ([Morehouse 1998](#)). Ties to the party are tight. As party leader, they cannot be seen to break publicly with the state party too often (and some might say not at all).

The party got them on the ballot; the party raised funds for their election; and the party structures the legislature with which they must work.

As state executives seeking benefits of some sort from Washington, it is in governors' interests to strengthen coalitions with their party elites at the federal level. The White House and the Congress are partisan bodies. Though the layers of government are different, the two are inextricably linked. [V.O. Key \(1956, 18\)](#) points out that this can have significant implications: "[P]olitical divisions cannot occur freely on state questions alone: national issues, national campaigns, and national parties project themselves into the affairs of state. Political parties within the states become at times but the shadow of their national counterparts, and always the states' position in the federal system profoundly affects the form and character of their politics."

As fundraising has taken such a large role in political campaigns, precinct-level relationships have become less important. More important is the money that the politician—say, the governor—can raise. The governor depends on getting along with the party if she wants party committees, political action committees, 527 groups and other sources to commit funds to the gubernatorial campaign and the campaigns of others—or, in the case of unaffiliated sources of funds such as 527 groups, to spend the funds directly to support the party and its candidates. Stepping away from the party platform, and the party soapbox, comes at a price.

Furthermore, governors are a lynchpin between state parties and national parties. True, the governor is not the state party chair; but how widely known is the state party chair? Governors must protect state officials in their party from damage that might come from political indiscretions, and they must help connect state-level party members to more visible—and better financed—national politicians. Finally, they must remember their political party if they have ambitions beyond the (often term-limited) governorship. This is particularly true following the federal election reforms of the 1970s that led, in part, to the rebuilding of the national party fundraising apparatus ([Bibby 1979, 1986](#)).

There is a natural tension between these two roles of protecting state interests and partisan interests. Federalism scholars have pointed out the structural benefits of federalism to political parties. Expanding an electoral coalition through political parties helps produce a stable federal system, dependent on party linkages across the federal structure ([Filippov, Ordeshook, and Shvetsova 2004](#)). In practice, we have a system that ties a governor to both party and state—and balancing those two interests might not be straightforward. On any particular issue, a governor might have to choose between pursuing an agenda that is most beneficial to the state versus an agenda that is most beneficial to the party. Sometimes these interests may be in alignment, but other times they may be on opposite sides. A governor must strike a balance.

To examine a pragmatic illustration of how governors might have to balance state interests and party interests, consider the case of health care. In what sorts of situations might governors balance partisanship and state interests? The Affordable Care Act of 2010 (ACA) is a good example. States play a significant role in implementing the ACA—so much so that the ACA does not provide one uniform health policy for the country, but rather as many as fifty variations on a common theme. For example, states decide whether to expand Medicaid, as well as whether to create their own health insurance exchange or to rely on the federally managed exchange or some variation of the latter.

Governors have choices to make. They must balance the needs and concerns of their parties—and their own as party leaders—as well as the needs and concerns of the state government and state citizenry. A governor's Medicaid expansion decision demonstrates how both state interests and party interests come into play with regard to intergovernmental policy. When deciding whether to expand Medicaid, a governor would likely consider the number of people in the state who do not have insurance. He or she would also be likely to consider partisanship. Indeed, all Democratic governors expanded Medicaid, while fewer than half of Republican governors did so (Barrilleaux and Rainey 2014). The Republican governors' hesitancy may stem from varying orientations to the constraints of the ACA rather than partisanship for its own sake. Republicans may be less comfortable with the long-term financial obligation to fund 10 percent of the expansion cost and more wary of financial implications should the federal cost share be reduced at some point in the future. Democrats may place more weight on the benefits of expansion by believing that better health care now (e.g., preventative care) will reduce other expenses down the road.

## **A Shift to More-Partisan Governors in the Federal Arena**

Documenting shifts in the level of partisanship of governors in the federal arena is a task fraught with difficulty. This is true for several reasons.

First, party polarization in this setting is not necessarily easy to measure. When we study governors' interactions with legislatures, we can look at their budget proposals, bill signings, and vetoes. When governors are acting in the federal arena, however, they do not have the opportunity to demonstrate their positions in these ways. They are partners in government, yet bystanders in the federal legislative process itself.

Second, it is not always easy to identify whether gubernatorial positions are rooted in party interests or state interests. For example, if a Republican expresses willingness to accept less funding in exchange for increased flexibility in using these funds, is that governor swallowing a cut in federal funds for the sake of the

party—or engaging in political posturing for the sake of that party, if such a cut is not truly likely—or is that governor acting upon his or her political principles?

Third, we are limited by the evidence. Interviews, newspaper accounts, and meeting reports buried in archives are useful but in the end are incomplete in their ability to demonstrate the full picture. Certainly more interviews, newspaper accounts, and reports are likely to offer better perspective than fewer ones, but—particularly since partisanship can be either overemphasized or underemphasized by governors when they are in a public forum—none is likely to offer a complete picture. An article with a broader purpose than a single case study is not the format to adequately present multiple case studies, particularly when such cases have been the subject of books' worth of evidence and analysis. Presenting only a few pages on any given case can smack of cherry picking, and can beg questions about other cases that cannot be given full treatment.

Despite these limitations, I hope to demonstrate that governors are favoring party interests in the federal arena more today than they have in the past. I do so knowing that this discussion will not be the last word on this subject. Moreover, there are many causal arrows between the clusters of evidence presented, and I do not pretend to have identified the size and in some cases the directionality of those arrows. What is clear, in the totality, is that governors today are operating as partisans in a partisan setting to a far greater degree than in earlier decades.

### **The Governors' Early Years in Washington: A (More) Bipartisan Voice**

With the 1977 establishment of the Hall of the States building—a physical home for the newly renamed National Governors Association—the governors maximized their presence. Every Monday the governors' "Washington reps" who ran the governors' state lobbying offices met with key staff members from the NGA to discuss policy and strategy. Liaisons who were present in the early years of these Washington Reps meetings spoke to me about the frank discussions that took place. Attendance was high; governors' lobbyists on both sides of the aisle participated. While these lobbyists were pursuing categorical and particularistic issues for their states, they also worked collectively on sweeping policy proposals.

One state office director who served in the 1970s downplayed the partisanship of that era. This director named governors on both sides of the aisle and described working with their office directors. When asked if partisanship had been a problem, she said, "No, I don't really think so at that point. I mean, I think they [probably] do now . . . It wasn't as bad then. I still think people were trying to do the right thing." Certainly the working relationships—between staff and between governors—did not gloss over significant policy differences, yet in many areas, those representing governors in Washington were likely to see themselves as also working very broadly for state interests. This was the feeling communicated by

several interview subjects who worked in state offices in Washington in the 1970s and into the early 1980s. Though partisan fights could still be strong, communication lines between governors' offices remained open as staff members exchanged information and worked together where policy positions allowed.

Two major policy proposals are illustrative of how governors pursued state interests with a more even—and thus less-partisan—balance with party interests. The first is President Ronald Reagan's major proposal in 1982 for a "swap" in which the states would take control for Aid to Families with Dependent Children and food stamps, and the federal government would take full control of Medicaid. Though governors had been lukewarm to the president's earlier 1981 proposal to transfer welfare programs to the states in block grants, they were heartened that the president sought a "sorting out," as it was often labeled, of federal and state responsibilities. Yet, Republican governors were willing to advocate to a president from their own party that he should protect their states' budgets. Four Republican governors from the Midwest met with President Reagan to argue that the budget could not be balanced on the backs of the states, and that the president should consider cuts to the military instead (Clymer 1981). As it became clear that the president sought to cut funding for welfare, support from governors of both parties started to fade. The *New York Times* reported, "The nation's governors, who ordinarily avoid party lines on issues of state power, divided in unusually partisan ranks today in assessing President Reagan's proposals for shifting programs between the state and Federal governments. Democratic criticism was somewhat more solid than Republican support" (Clymer 1982). Implicit in this statement is that neither the twenty-seven Democratic governors nor the twenty-three Republican governors were united by party in their positions. There was still a range of opinions within each gubernatorial caucus.

It soon became clear that the White House was considering requiring states and localities to continue funding food stamp and welfare benefits at existing levels, even as the federal government cut its support (Pear 1982a). At the National Governors Association winter meeting a few weeks later in February 1982, Governor Richard Snelling (R-VT), the new chair of the NGA, stated at a press conference that it was unlikely that the governors would support cuts as a key component of a "restored federalism . . . We can say that a federalism that is approached on the heels of devastating 1983 budget cuts is not likely to succeed" (Clymer 1982). The governors had moved to a consensus that protected state interests at the expense of (in this case, Republican) party interests. Less than seventy-five days after he made his State of the Union pronouncement that the Congress would reshape welfare and Medicaid, President Reagan withdrew his proposal (Pear 1982b). He never succeeded in his agenda to alter health or welfare benefits (Olson 2010).

Like the welfare-Medicaid swap proposal of 1982, President Bill Clinton's welfare reform proposal in the mid-1990s was a major restructuring of the status quo. It ended Aid to Families with Dependent Children, a cash entitlement for the poor established in the Social Security Act of 1935, and offered block grants to states to provide short-term cash benefits. Early discussions occurred between the Republican congressional leadership and key Republican governors such as John Engler (R-MI) and Tommy Thompson (R-WI) (Nugent 2009, 146–150). Yet, welfare reform could not be enacted without Democratic votes; a bipartisan effort was necessary. Three Democratic and three Republican governors crafted a welfare reform proposal to discuss at President Clinton's White House conference in January 1995. Commenting in the press about the summit, Governor Howard Dean (D-VT) stated, "A lot of governors are concerned about what a block grant with a cap will do to state budgets and to the poorest, most vulnerable people, who are children," and referred to "our bipartisan proposal," framing the welfare block grant proposal as an issue pitting the governors against the federal government, rather than Democrats against Republicans (Pear 1995b). The day after the conference concluded, Republican governor Arne Carlson said, "What we as governors have in mind may not be in sync with what Congress has in mind" (Pear 1995c).

At the NGA's winter meeting that followed on the heels of the White House conference, governors could not reach the three-quarters vote needed to endorse either block grants or entitlements as the core of welfare reform (Pear 1995a). Republican governors and members of Congress took the lead on welfare reform for the next several months, leaving Democrats out of the discussion (Weaver 2000; Nugent 2009, 148–151). (It is fair to point out that Democratic governors had a better option in communicating with President Clinton.) Governors split along party lines in their support for a Republican welfare reform bill in the House of Representatives (Pear 1995a). It became clear, though, that Republicans needed Democrats on board, and it became apparent to governors that they needed internal cohesion to be effective in the congressional arena. Continuing in this vein, Governor Thompson called for renewed bipartisanship in the organization when he resumed the chairmanship of the NGA at the organization's February 1996 meeting (Nugent 2009, 151). At the same meeting, the governors unanimously endorsed policy proposals on both welfare reform and Medicaid. Following this endorsement, news coverage presented the conflict as one between a united set of governors and Congress and the White House, rather than a conflict between parties (e.g., Pear 1996). As the welfare reform bill worked its way through the legislative process, subsets of governors varied in their support of the iterative changes common in lawmaking. Nonetheless, communication between governors remained fluid. Conflict reported in the press was more likely to be framed as



state–federal conflict than partisan conflict, even if there were some mixed feelings and resistance among governors behind the scenes.

In my interviews with governors' Washington representatives about welfare reform efforts of 1995 and 1996, both Democrats and Republicans noted the bipartisanship that allowed the governors to have a significant voice in the legislation. "We've been successful with welfare reform in '96 because we were all working together," said one Washington chief of staff who worked for a Democratic governor in the late 1990s and was involved in these efforts. A chief of staff to a Republican governor who was involved in the negotiations noted that governors aren't always unified, but identified welfare reform as a case demonstrating a strong coalition: "And then there are some issues like welfare reform where there seems to be a great deal of unanimity and then the governors were very effective working together."

Partisan divides were certainly challenging for governors' representatives—who had the best lobbying options when they could work across the aisles in Congress—even in the late 1990s. One experienced chief of staff interviewed during this period commented, "On governors' partisanship—it is very partisan in this building [the Hall of the States, which housed the NGA and most state offices] and anybody who tells you it is not is lying." When asked about the level of partisanship compared to Congress, though, this chief of staff replied, "I think it is less partisan than Congress, certainly the governors are less partisan. And inside [the Hall of the States], I would say we are probably the same as the Senate and staff, [but not as partisan as the House of Representatives]."

The governors' lobbyists I interviewed in the late 1990s talked about having to manage partisanship, but the large majority found governors less partisan than those in Congress, and viewed governors as sharing a bond as chief executives. Many acknowledged the beneficial role that the NGA could play as a bipartisan organization. Office directors of both parties spoke of their ability to work with staff members who worked for governors from the other party, and several specifically mentioned governors from across the aisle with whom they felt their party could work. For example, at least three Republican office directors not only referred to Governor Howard Dean as liberal, but also spoke of him as someone who would work across the aisle to move things forward. Likewise, Democratic office directors spoke of Republican governors such as Tommy Thompson and John Engler as conservative (and certainly they were conservative for the time) but open to negotiation.

### **A More Partisan Contemporary Era**

Today's more-partisan landscape among governors advocating federal policy issues is evidenced in news stories with titles such as "Capitol's Partisanship is Taking

Hold in Governors' Ranks" (Martin 2014), "More Politics Than Usual at the Governors Meeting" (Cooper 2012), and "National Governors Association showing deep Republican, Democratic divisions" (Balz 2014).

The debates on the ACA present more-partisan gubernatorial behavior than the policy debates just discussed. An examination of governors' actions demonstrates how partisanship influenced the behavior of Democratic governors as the policy debate continued and as Democrats shifted to support their party even in the face of considerable state interests.

When governors met with Secretary of Health and Human Services (and former Kansas governor) Kathleen Sebelius at their annual meeting in July 2009, they were unified in their concerns about the health care reform effort. The *New York Times* assessed that "the sentiment . . . could not have been more consistent, regardless of political party" (Pear and Herszenhorn 2009). The NGA subsequently sent a letter to Senate Finance Committee chair Max Baucus (D-MT) and ranking member Charles Grassley (R-IA), expressing opposition to "unfunded federal mandates" in the health care bill that would "simply shift costs to states," adding, "Any unfunded expansions would be particularly troubling given that states face budget shortfalls of over \$200 billion over the next three years" (National Governors Association 2009). It is clear that the concern about costs was shared by governors of both parties (Pear and Herszenhorn 2009). Governors objected to Congress picking up the cost of Medicaid expansion for only a few years (Murray 2009). This is underlined by the NGA letter to the Senate Finance Committee leadership in 2009. As negotiations continued, however, Democratic governors began to withhold criticism of the bill.

As I learned in interviews with governors' aides, there had been much discussion amongst the Democratic governors about the need to press the Obama administration for a bill that would fully cover Medicaid expansion with federal dollars. Democratic governors met to discuss the bill. Some at the table argued that the governors needed to hold fast to this position—and that if they did so, they would wrest full reimbursement for Medicaid expansion from federal sources. This was the perspective of many Republican governors and some Democratic governors.

The White House was implementing a full court press to gain support from every avenue possible. Its efforts led some Democratic governors to shy away from negative statements about the bill and others to make statements of support. Perhaps the most visible sign of the cross-cutting pressures felt by Democratic governors on the health care bill is a letter from the Democratic Governors Association on October 1, 2009 urging passage of a health care bill (Murray 2009). That six Democratic governors did not sign the letter reflected "a sense of how tough the health care battle is that Democrats could only get 22 of the 28 governors from their own party to sign a letter to Congressional leaders urging

they pass a bill this year” (Bellantoni 2009). The other six were holdouts who objected to supporting the bill due to the Medicaid expansion costs that would be incurred by states. Interview subjects told me that they also objected to signing a letter that did not even mention the concern about costs to states. Rather, it was a more general letter in support of health care reform, stating, “The status quo is no longer an option and we support getting health reform done this year” (Bellantoni 2009).

Governors were successful in lobbying for a bill that would provide permanent funding for the Medicaid expansion, compared with earlier proposals that would have cut this funding after a period of time. Governors were also able to move a proposal on Medicaid expansion that initially provided for a 50–50 cost share with the federal government—which governors saw as a financial disaster—to a 90–10 cost share, with the federal government assuming 90 percent of the costs down the road (Thompson 2012). Here, though, some governors were concerned that the federal government would not maintain its share of the cost-share bargain (Rose 2015). Some have argued that this was a win for governors (e.g., Dinan 2011; Thompson 2012). Others could argue that the new burden of the Medicaid cost share was significant enough that the final 90–10 division of funding was still not a win. Regardless of the degree of governors’ success in influencing the content of the legislation, the key point for present purposes is that governors were pressured to join the national partisan debate—with Republican governors working with their national party to block any health care initiative, and Democratic governors being strong-armed by the White House to accept a deal. There was a notable increase in the level of attention to party paid by governors as they negotiated. Moreover, governors’ partisan divisions over the ACA were more visible and prominent than was typical in previous eras.

There is also substantial empirical evidence that partisanship has played a large role in governors’ actions regarding implementation of the ACA. Rigby (2012) found that partisanship was the strongest predictor of resistance to the ACA. Following the U.S. Supreme Court decision in *National Federation of Independent Business (NFIB) v. Sebelius*, 567 U.S. \_\_\_\_ (2012), which held that the federal government could not withhold the entirety of a state’s Medicaid funding for failing to join the ACA’s Medicaid expansion, governors had a choice as to whether to expand Medicaid. Democratic governors have been much more willing than Republican governors to expand Medicaid. Meanwhile, states always had a choice under the ACA about whether to operate their own state exchanges (marketplaces) in which low-income persons could shop for and receive subsidized insurance coverage or rather to rely on the federal government to operate an exchange for the state. In studying the decisions made by states about whether to operate their own exchanges, Rigby and Haselswerdt (2013) found that political factors such as party affiliation of the governor, legislature, and the insurance commissioner, if elected,

along with the public's support for the ACA, had more weight in implementing state exchanges than fiscal factors such as median income or percent of persons eligible for the exchange (for additional discussion of state decision-making about whether to operate exchanges, see [Dinan 2014](#)).

The federal debt-ceiling debate in 2011 offers another example of a case where at least some governors appeared to pursue partisan interests over state interests. As the date neared when the size of the federal debt would reach its legislative limit, Congress began heated negotiations on a political deal to achieve what most expected would be the inevitable increase in the debt limit. In particular, House Republicans sought to reduce future spending as a condition for supporting an increase in the debt ceiling.

As negotiations in Congress deadlocked in summer 2011, some began to consider the possibility that the debt ceiling would not be raised. In that case, if the federal government wished to avoid default, it would need to cut over 40 percent of all discretionary spending ([Kessler 2011](#)). Such a cut would have been devastating to states and localities, and clearly the states shared an interest in seeing the debt ceiling raised. As the date approached when the United States would hit its debt ceiling, nearly all Democratic governors and a few Republican governors argued that the only feasible option was to raise the debt ceiling ([Cooper 2011](#)). At the same time, five of the twenty-nine Republican governors—Rick Perry (R-TX), Nikki Haley (R-SC), Gary Herbert (R-UT), Sean Parnell (R-AK), and Rick Scott (R-FL)—signed a pledge stating their opposition to raising the debt ceiling without a “cut-cap-balance” requirement mandating significant budget cuts, a cap on federal spending and a balanced budget amendment to the Constitution. Such a requirement, which was endorsed by more than one hundred House Republicans, would have led to dramatic cuts in both federal domestic programs and payments to states. The “normally outspoken” Governor Chris Christie (R-NJ), then considered by many to be a presidential candidate, refused to take a position on the debt ceiling ([Cooper 2011](#)). The Democratic Governors Association charged that moderate Republicans were “failing to speak up to avert catastrophe” ([Cooper 2011](#)).

The point is not that governors signing the cap-cut-balance pledge were acting in a way that would prevent a debt ceiling compromise. The governors' pledge probably had little influence on the outcome of the debate; and it is easy to see their actions as costless. The point is that nearly one-fifth of one party's governors took a public position in these debt-ceiling negotiations that aligned with their party's representatives in the House and was out of step with what typically would be considered a gubernatorial responsibility to maintain state fiscal solvency. They did not do so on a state-specific issue, where there are often differences among governors' positions, but rather on an issue universal to states.

These Republican governors also may have felt sincerely motivated to prioritize the national budget deficit over state concerns when Democratic governors did not. Yet, regardless of motivation, the debate illustrates a broader shift in the way governors represent their states' interests in Washington. I conducted several interviews with state office directors in Washington around the time of the debt ceiling debate. One Democratic state office director reflected on these negotiations and compared them with those over the ACA, drawing large implications:

So a significant issue right now, between and among the states, around the question of federalism is, 'What do we stick up for?' And what really does bring us together, and why are we here as a group? And neither side has clean hands. The Dems sat on theirs for health care and the Rs are sitting on theirs for this CR [continuing resolution]. They can't hear it. They'd rather talk about the president moving around the deck chairs in 2012 then talk about the deck chairs on the bonfire in 2011.

Explaining what he would like to communicate to the other directors, he added:

I do know one thing. It doesn't matter who is in power across the street (in Congress); they are not on our side. And if we're not on our side, we either hang together or hang separately. And none of our hands are clean. None of our hands are clean. We (Democrats) sat on our hands last year, and you (Republicans) are sitting on yours now. And they are screwing us, last year and now.

## Gubernatorial Party Polarization in the Larger Context

As we contextualize the shifts in rhetoric and the interaction between and among governors over time, and as we contextualize the waning of bipartisanship, there are two significant forces to consider. One is the wave of increasing party polarization that has become evident at the national and state levels. The second is the institutional strengthening of the Democratic Governors Association and Republican Governors Association, and—simultaneously, and perhaps not coincidentally—the political weakening of the National Governors Association.

### Party Polarization across Political Spheres

As gubernatorial lobbying in the federal arena is, well, in the federal arena, the increase in party polarization in Congress is particularly relevant. The polarization in Congress is well documented (e.g., [Sinclair 2006](#); [Theriault 2008](#); [Abramowitz 2010](#)).

Increased congressional party polarization has changed the access points for governors as they advocate for state (and party) interests. In 1981, according to

Poole and Rosenthal's party polarization measure, over one-third of Democrats and just over one-half of Republicans in the House of Representatives were moderates; over one-third of Democrats and nearly one-third of Republicans in the Senate were moderates (Poole and Rosenthal 2014a, 2014b). By the 104th Congress (1995–1996), however, only one-quarter of Democrats and one-tenth of Republican representatives were moderates, and by the 111th Congress (2009–2010), the number of moderate Democrats in the House was about the same as in 1995, but moderate Republicans represented only one percent of their party (Poole and Rosenthal 2014a). Moderate Democrats and Republicans in the Senate had declined to 14 and 16 percent of their parties, respectively (Poole and Rosenthal 2014b).

Mann and Ornstein (2013) argue that party polarization in Congress results in large part from the permanent national campaign-mode that they argue has become part of congressional party operations in the 1990s. Theriault (2008) documents the role of partisan redistricting. Others (e.g., Gimpel and Schuknecht 2002; McCarty, Poole, and Rosenthal 2009) identify the role of geographic mobility. Thomsen (2014) finds that moderate state legislators are less likely to want to run for Congress, which would lead to an over-selection of more-partisan candidates and by extension officeholders. Regardless of the causes—and there are no doubt many—party polarization effects in Congress have been gradual but clear. In the 1980s, governors had considerable room to pursue the interests of their state governments in the very large political preference area between President Reagan and liberal Speaker of the House Tip O'Neill (D-MA). Some Republican members of Congress were more liberal than some Democrats, and a large proportion of the membership of both the House and the Senate were considered moderates. Today there is little to no overlap in ideology and far fewer moderates. This makes the policy debates in Congress more extreme, and it makes the governors' political choices that much starker as they are asked by members of Congress or the White House to mute their federalism concerns in order to support the national party agenda.

Governors represent states that have seen similar party polarization in their legislatures. At the start of 2017, thirty-one states had unified party control of the legislature and governorship. Even Nebraska, with its traditionally nonpartisan, unicameral legislature, is witnessing partisan polarization (Masket and Shor 2014). Although Republicans held only 57 percent of the legislative seats in the fifty states, they held sixty-eight of ninety-nine legislative chambers (Beran 2017). In fact, in many state legislatures, one party not only controls both houses but also commands majorities capable of overriding a gubernatorial veto. Again, the causes behind the polarization are varied, and generally the findings of polarization in Congress are accepted as applying to state legislatures as well. Given the diversity of state political cultures and interests (Elazar 1984), it is quite possible that we see a

level of party polarization across the fifty state legislatures that is greater than that in Congress, and Coffey (2011) reminds us that research on state-level polarization at the state level needs to take ideological policy diversity into account. And not least is increased polarization at the individual level. Abramowitz and Saunders (2008) demonstrate that this trend extends beyond the structures of districts and legislatures; voters themselves are becoming more partisan, an effect that stimulates voter participation.

The growing party polarization in state legislatures and among voters has multiple consequences for governors in the federal arena. First, states are becoming more partisan, and the same underlying forces that have made voters and state legislatures more partisan are likely to make governors more partisan. Governors should be expected to behave in ways that benefit themselves, or at least not harm themselves, and so it should be expected that they will become more partisan as they try to work within a more partisan structure. Second, we see cumulative effects of the party polarization across fifty states. Conservative states are becoming more conservative, and liberal states are becoming more liberal. Governors as a group must then try to find consensus among a much wider range of state political interests. Consensus among the governors can be harder and harder to achieve, and that makes it more challenging to act collectively to convince Congress to support state interests.

The effects of polarization at so many points in the political process are significant. Pickerill and Bowling (2014, 370) argue that we have a fragmented federalism, “fueled by intense partisanship and ideological polarization of decision-makers.” Conlan and Posner (2016, 282) articulate the difficulties of attempting to “navigate the treacherous shoals of deepening partisan polarization, not only in Washington, where legislative gridlock has become the norm, but also in intergovernmental relations.” Bulman-Pozen (2014) notes that federalism provides more avenues than the separation of powers for parties to “affirmatively advance” their interests, and there is a challenge to states in this, as arguably governors have advanced their parties as they advanced more-partisan interests over state interests. If anything, the complex interactions of the present day have the potential to become more polarized: Read (2016) points out that the polarized negotiations during the Obama administration have raised the stakes, as actors raised their arguments about particular policies to the constitutional level. Is it any wonder, amidst all of this, that governors themselves are more partisan today (Goodman 2010), and that we see governors pursuing more-partisan interests in Washington?

### **The Governors Associations**

Governors use multiple mouthpieces to communicate their interests to the federal government. Their primary instruments are their own voices, of course. The others



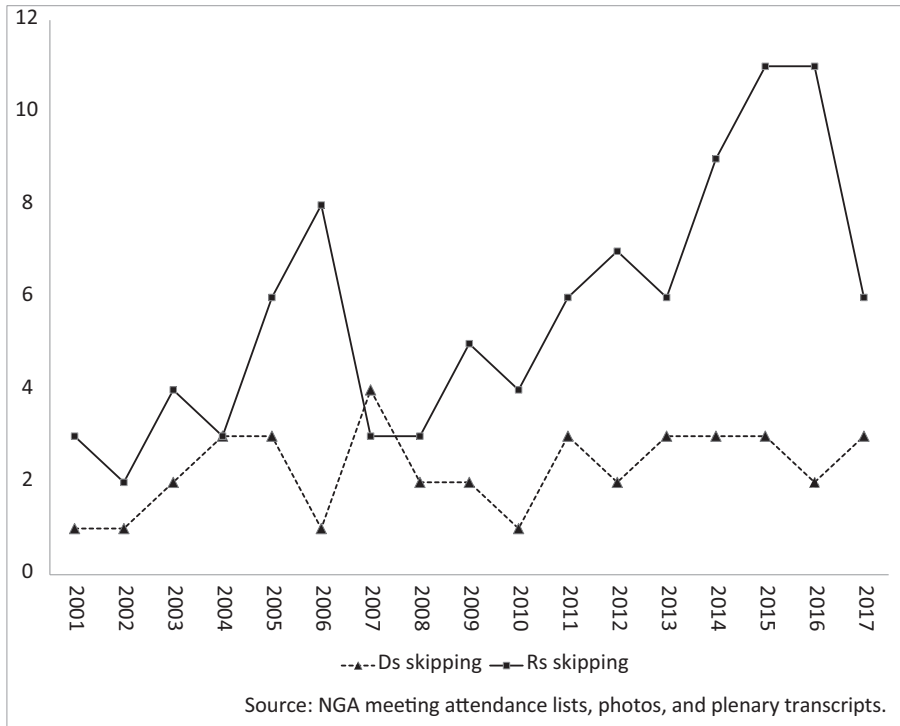
are their lobbying arms in Washington. These offices and associations serve as organizers and facilitators that provide governors a platform from which to speak. For the roughly two dozen states that have them at any given time, state lobbying offices in Washington serve as an extension of individual governors' voices (Jensen 2016). Governors associations serve as an extension of the governors' collective voices. Historically, the most visible voice for governors has been the National Governors Association. In the last fifteen years, though, the Democratic Governors Association and the Republican Governors Association have at a minimum shared the spotlight, and increasingly have supplanted the NGA in communicating for governors. The shift in focus from the NGA to the DGA and RGA has led to structural changes, such as changes in rules about when press conferences can occur. The new groups have also altered the NGA's position of prominence in the news media – something that that both acts as a symbol of diminished unity and becomes a cause of it as partisan groups become more visible.

In the late 1990s, the NGA was ranked as one of the most powerful interest groups in Washington (Birnbaum 1997, 1998, 1999).<sup>1</sup> Yet during this period, fissures began to appear in the NGA's foundation. The first instance of a governor publicly declining to pay dues to the NGA occurred in 1997 (Associated Press 1997). While other governors threatened to withhold their states' dues (Lambro 1997), there was more talk than actual exiting. Since then, however, at least a handful of other states have withheld dues. These fissures have grown, and in the last twenty years, the NGA has become less influential in Washington while the DGA and RGA have become more powerful. The growing visibility and recognition of the two partisan associations is, in effect, an added constraint on governors collectively representing their states' interests if it deviates from the position of the party.

NGA meetings have often been immediately preceded or followed by DGA or RGA meetings or events. Tensions can exist between the messages presented by the different groups. This was apparent at the NGA's annual meeting in State College, Pennsylvania in 2000. The *New York Times* reported on the Republican governors' pleasure at the belief that "one of their own"—George W. Bush (R-TX) was a "shoo-in" to win the presidency; for their part, the Democrats celebrated the chances of Vice President Al Gore. This sort of talk has been occurring at governors' meetings for decades. What was new in this case was that after the governors caucused in their parties; as the *New York Times* described, "both Republicans and Democrats scheduled news conferences, events that were so politically partisan that they submerged what was meant to be the main business of the meeting" (Ayres 2000).

As tensions have increased, governors' attendance at NGA meetings has declined, a trend that is evident in both parties (figure 1). The decline in attendance is more significant among Republican governors, but when taken as a



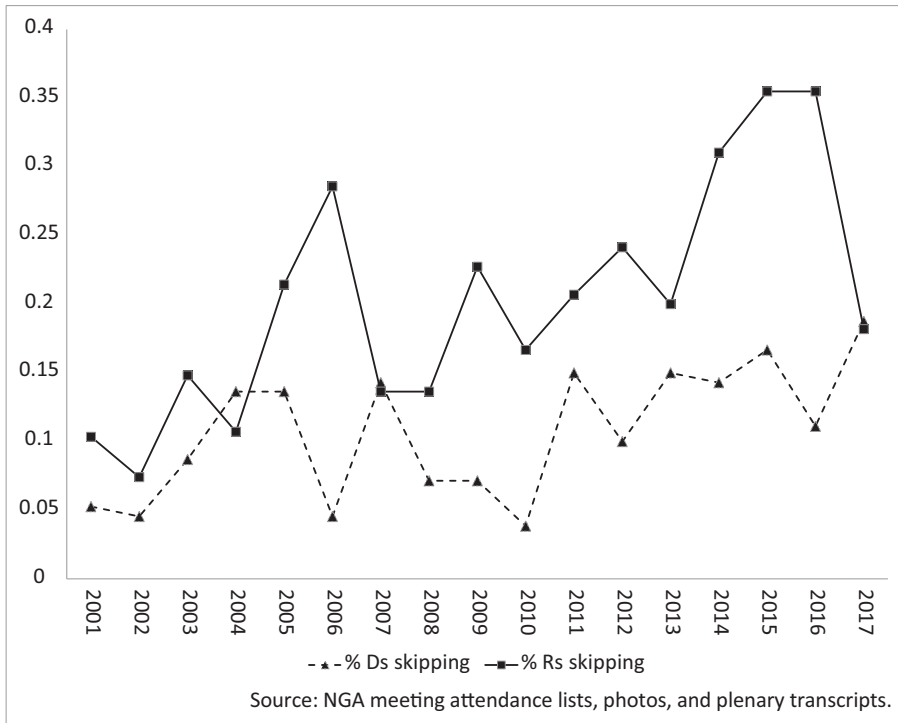


**Figure 1** Number of each party’s governors not attending the NGA Winter Meeting, 2001–2017.

proportion of the governorships they hold, the decline in attendance among Democratic governors has also increased somewhat (figure 2). While in some particularly tight budget years governors might need to reduce travel as a symbol of austerity, it is difficult to believe that this factor could lead to such significant declines in attendance over time.

In recent years, DGA and RGA prominence at the NGA meetings has increased, and the partisan groups have held meetings and press conferences that run concurrently with the NGA activities. One person I interviewed around 2010, who was involved with these negotiations, commented that up until approximately 2002 or 2004, the partisan associations accepted the expectation that press conferences would not run concurrently, saying “The last six or eight years, I think that they’ve pushed and eroded a lot of those rules and regulations really, and it’s caused some problems.”

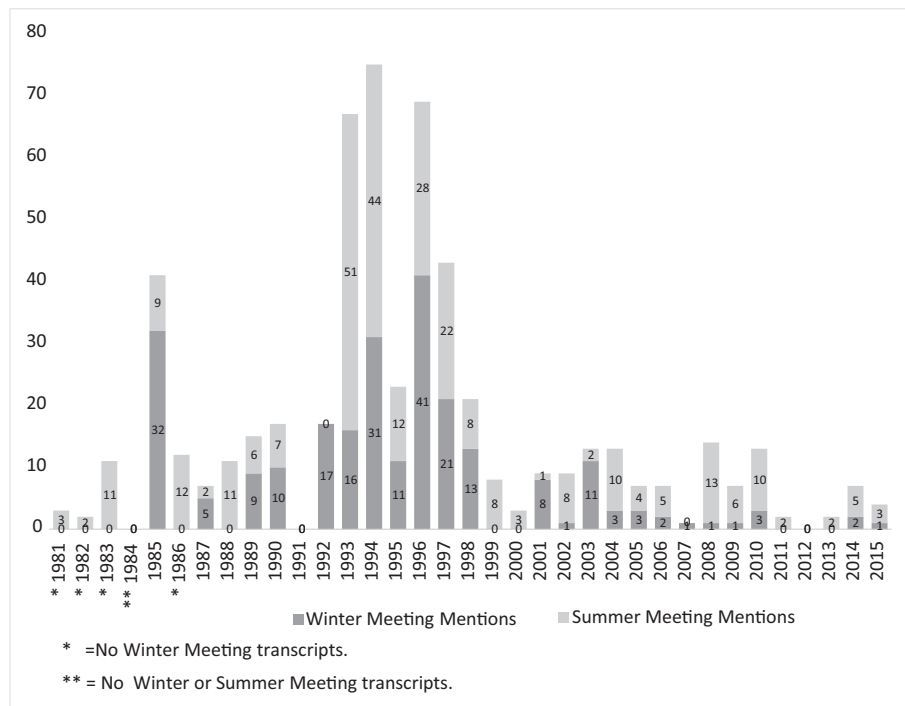
The 2012 annual NGA meeting in Williamsburg, Virginia was one example. As the *New York Times* described, “the partisanship that is usually held at arm’s length never seemed to be much more than a finger’s length away. Republican and Democratic governors spent much of the morning politely but pointedly trading political attacks.” At least some of the content of these attacks might be seen as



**Figure 2** Proportion of each party's governors not attending the NGA Winter Meeting, 2001–2017.

somewhat petty. The RGA held a morning news conference in which RGA chair Bob McDonnell (R-VA) criticized both the president and the tax policies of the neighboring state of Maryland, home to DGA Chair and sitting Governor Martin O'Malley. O'Malley returned fire, criticizing McDonnell's state of Virginia, and a few hours later DGA Chair Dannel Malloy (D-CT) criticized Republican governors (Cooper 2012).

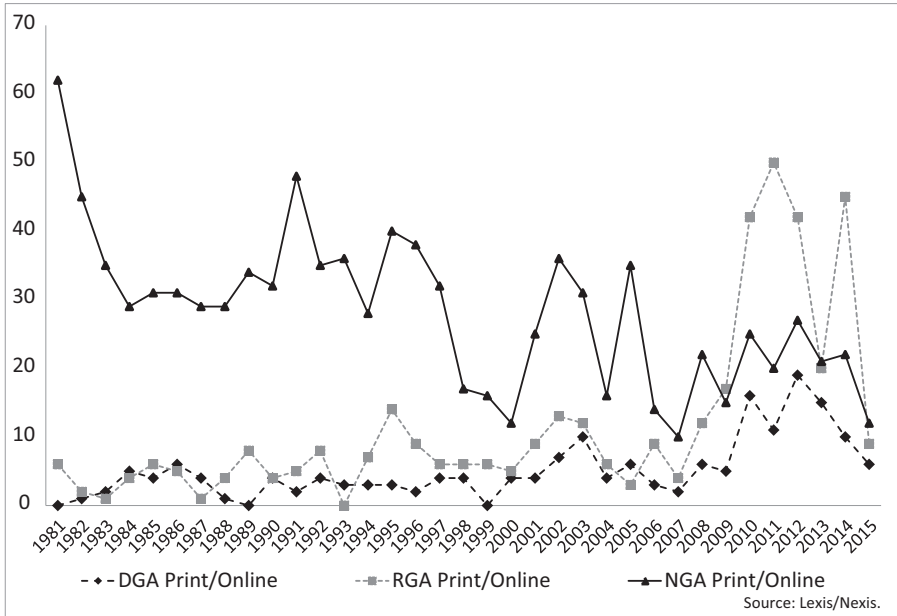
The more-partisan orientation of the governors is matched by the more-partisan perspectives of those state lobbyists working in Washington. From the 1970s through the 1990s, nearly all state office directors regularly attended the weekly Washington Reps meetings. When I conducted interviews in 2010 and 2011, several office directors—more Republicans than Democrats—told me they did not attend these NGA-organized meetings, although they reliably did attend the DGA-led or RGA-led directors meeting that followed. One told me that another director, a Republican, would not attend the Washington Reps meetings in person, but rather joined the meetings by conference call—a convenience designed to allow those states without Washington representatives to be included—even though the meeting was in the same building as his office.



**Figure 3** Number of times “Bipartisan” and “Bipartisanship” appear in NGA Meeting Plenary Session Transcripts, 1981–2015 (where transcripts are available).

NGA meeting transcripts provide some additional indications of a shift over time. Using text analysis software, I searched for uses of the words “bipartisan” and “bipartisanship” across all available meeting transcripts since 1981, President Reagan’s first year in office. Figure 3 presents these results. Although the specific context for the use of these two words varies over their 553 occurrences, they most commonly capture discussion about the need for bipartisan efforts, or praising bipartisan efforts that had taken place. One typical example is a remark by Governor Charles Robb (D-VA) at the NGA annual (summer) meeting in 1985: “I happen to be one who has worked very hard with my colleagues on both sides of the political aisle here to maintain what most of us believe is an important bipartisan approach to some of the things that we have been doing, as the nation’s Governors convene each year . . .”

These two words are almost always used positively; it is rare to see a remark that captures a sentiment of, “Oh, that bipartisanship was awful!” So tracking this language over time gives us a useful measure of the prominence and value of bipartisanship conceptually in NGA discussions. We see the large spike in mentions of “bipartisan” and “bipartisanship” during the 1990s, when the NGA



**Figure 4** NGA, DGA, and RGA print articles and blog posts in the *New York Times*, 1981–2015.

was praised as being both bipartisan and effective. In addition, and more generally, we see these words being used far less frequently from 2012 to 2015 than in any other four year period. There were sixteen mentions of these words in the transcripts for meetings from 1981 to 1984, compared to thirteen mentions from 2012 to 2015—more mentions during that first Reagan term *even though* we have no winter meeting transcripts from those earlier years.

For their part, the growing significance of the DGA and the RGA can be identified in the growth of news stories mentioning them. [Figure 4](#) shows the number times each year that the NGA, DGA and RGA have been mentioned in the *New York Times*. To be sure, media coverage reflects a variety of influences, including whether issues central to state interests are on the national agenda, and also whether certain governors are in the news as candidates, or potential candidates. For example, when Arkansas governor Bill Clinton was running for the presidency, his position as NGA chair was mentioned in many news articles. Much of the coverage of the DGA and RGA is focused on election-related activities, often fundraising, rather than policy-related issues. Not surprisingly, since the NGA does not raise funds for candidates, most coverage of the NGA concerns policy-related. All of this only underlines a shift from state interests to party interests. Nonetheless, the change in coverage is clear: It reflects the shifts in power among

the associations, and mirrors and likely reinforces the governors' shift from state-focused attentions toward party-focused attentions.

## Discussion

Partisanship shifts over time. It is no surprise that we have seen partisanship increase among governors as it has increased in other political domains.

Vigorous parties have many benefits, and they do not have to undermine state representation in Washington. In fact, states' strengthening two-party systems in the 1970s and 1980s were a significant factor in what [Bowman and Kearney \(1986\)](#) labeled the "resurgence of the states." They remind us that strong party competition is linked to higher voter participation, better issue alternatives for citizens, and more state policy innovation (1986, 18), and they further point out that stronger party competition in states allowed states to free themselves from national election forces. Given that governors appear to be standing in partisan unity rather than gubernatorial unity, what we see is a tightening of the relationship between governors and the national parties.

I have not presented an analysis of partisan changes that identifies a firm tipping point at which governors shifted the weight of their interests from state-over-party to party-over-state. I do not believe that there is a single tipping point. Certain policy debates may bring this tension to the fore, but again, the weight given to political party interests is not a sea change but a change in the sea's salinity.

It was clear in interviews with governors' lobbyists that Republican governors in particular have become dissatisfied with the NGA. This issue was raised again and again. Some of this was a partisan response to what was perceived as a Democrat-leaning, or at least big government-leaning, institution. Some Republicans chafed against NGA executive director Ray Scheppach's leadership in the later years of his service, which spanned from 1983 to 2011. Yet, the NGA is constrained by unusually high demands for consensus in order to move forward on an issue; policies and resolutions must be approved by a three-quarters majority.<sup>2</sup> [Smith \(1998\)](#) calls this standard "quasi-unanimity." Although I would not use that term, as it is much easier for thirty-eight governors than for fifty governors to find agreement, Smith makes a good point about the difficulty in reaching agreement among three-quarters of the governors. I would further note that this standard has little precedent in U.S. politics aside from the requirement that three-quarters of the states ratify a federal constitutional amendment. The rigor of this standard seems fundamental to some of the NGA's measured approach to advocacy. It has ensured that at no time in the NGA's existence have the governors from one party been able to pass a policy without at least some support from those of the other party. In short, the three-quarters majority requirement builds bipartisanship into

the NGA structure, as no political party has ever controlled 38 governorships. That said, it is a strict constraint on the organization.

Martha Derthick (2001, 50) has astutely described the challenges:

State governments continue to find it difficult to concert their interests beyond a relatively narrow range of issues. Threats to financial prerogatives unite them. When revenue sources are jeopardized, as in issues over national taxation of the interest income from state and municipal bonds, they find it easy to collaborate. Clearly, governmental prerogatives are crucially at stake also in regard to abortion, yet the states are unable to come together in opposition to *Roe v. Wade* in order to retain their prerogative to legislate on the subject. As in the past, the differences within and among them as political societies override what unites them as governments with prerogatives to defend in a federal system.

When one combines the governors' challenges to "concert their interests beyond a relatively narrow range of issues," and the NGA's three-quarters majority requirement, one begins to understand why the NGA is limited to revenue issues and the occasional bland and broad plea to Congress to give states flexibility and remember the Tenth Amendment.

Yet, it is too simplistic to say that this shift to more-partisan interests is result of changes in one party. The Democratic Governors Association has matched the changes and activities of the Republican Governors Association. It is also too simplistic to say that this is about conservative ideology. Many of the governors who were a force behind the NGA in the 1990s were conservative—at least, conservative for that time—and they did not interfere with the overall bipartisan effectiveness of the NGA. Indeed, this was when the NGA had a reputation as a powerful lobby in Washington.

What matters here is that even if we cannot identify a tipping point, and even if we cannot identify with certainty the direction of causality between the increasing party polarization of several sets of political actors, the increase in partisanship among governors in the federal arena is important in and of itself. It is important because of its significance to our federal system and to its concomitant parts of states and nation. Put plainly, governors can help with the compromises necessary to make deals happen, and in so doing can help more stakeholders to be satisfied.

Governors' institutional and political strengths play to this role. Governors are pragmatic—they can limit the baser senses of Washington when Congress might put something into effect that would be too liberal, or too conservative. A column in *The Economist* (2006) explained, "Most governors come in shades of purple . . . Governors also like to mix red and blue ideas." The late journalist and observer of governors David Broder (2008) wrote, "I like listening to governors because they live in the real world. They are close to their constituents and, unlike members of Congress, they have to balance their budgets and make hard choices. They have

less time or tolerance for political games.” Governors need to manage budgets in a far more concrete way than members of Congress. In part, this is because of the role they play as chief executive in initiating a budget proposal, in managing a balanced budget requirement, and overseeing the administration that must implement that budget. Budgets are tangible to governors in a way impossible for most members of Congress. In part, this is because governors must advance an agenda that must be broadly acceptable with their constituents. If they steer too far from the wishes of voters in their states, they will hear about it—in poll numbers, in political capital, in reelection prospects (as governor or some other elective office).

If governors are able to agree on a policy platform with broad enough gubernatorial support that they can speak collectively, they are endorsing something that likely will pass muster with a large number of the national citizenry. Governors are likely to speak with the voice of moderation, and that can be good for Washington’s partisan politics. If the governors themselves become too partisan, losing their perspective as the voice of state interests, they lose their strongest advantage as brokers of compromise and facilitators of governance.

Not surprisingly, these gubernatorial contributions can benefit states. Governors need funding from Washington, and they need flexibility, and presumably the deals they help broker—assuming that partisanship does not overtake state interests—will benefit the states more than the deals from which they have been excluded.

There are two additional benefits to governors maintaining their balance between states and parties. In addition to benefiting states, it can benefit national politics. If part of the goal of political negotiation is to reach an agreement, governors can serve as a bridge between parties to get there. Governors are used to working across the aisle as they shepherd legislation through their state legislatures. They are used to statewide constituencies, not gerrymandered congressional districts. Of course, this last point also applies to U.S. senators; [Smith \(2009\)](#) writes that state officials often prefer to work with U.S. senators than U.S. representatives, in part for this reason. This orientation can serve them well as they work to find compromises. Governors can also bring an added, and valuable, perspective from their experience as chief executives. Often governors’ input is needed most on issues of implementation. When Congress passes Medicaid legislation, it is the states that have to implement it. Governors (and their aides in Washington) can bring a perspective that members of Congress are unlikely to have.

Finally, there are benefits to our federal system as a whole. Identifying the “loyal opposition” as “one of democracy’s grandest terms,” [Heather Gerken \(2014, 1626\)](#) argues that federalism is an institutionalized form of loyal opposition. Though she focuses in particular in the decentralization of the bureaucracy, her characterization can also be applied to governors in the federal arena. Governors can act as the loyal opposition, not as one party across the chamber from the other, but as the

voices of states providing constructive feedback to their national counterpart. Gerken (2016) explains, “[f]ederalism doesn’t have a political valence. These days it’s an extraordinarily powerful weapon in politics for the left and the right. . . It can be a source of progressive resistance . . . and, far more importantly, a source for compromise and change between the left and the right.” This lesson is particularly timely with the advent of a new presidential administration in 2017, as scholars watch to see if rapid changes in the political environment will lead governors to tip their balance between party interests and state interests once again.

## Notes

1. Certainly, reputational rankings have their drawbacks; they are only one way to assess impact, which is one of the most difficult things to measure with respect to interest groups (Baumgartner and Leech 1998). Nonetheless, the rankings reflect a broader recognition that the governors carried weight in the nation’s capital.
2. NGA committees also send a fairly large number of letters to Congress as bipartisan statements. Some letters to Congress are signed by the NGA executive director as the representative of the governors. These are considered “consensus letters” because they would not be written if their contents did not reflect a broad consensus among governors, and though they are good measures of policy and advocacy, they differ from NGA policies and resolutions. For more on NGA policy statements and letters as a measure of NGA success, see Herian (2011).

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