

The Congressional Elections 2010 and Turkish Interests in the Congress

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ABSTRACT

Republicans, in a classic midterm “wave election,” supplanted the Democratic majority in the House of Representatives with a large majority of their own and substantially reduced the Democratic majority in the Senate. Yet, despite their electoral success, this victory should not suggest to Republicans that the electorate has granted them any sort of broad policy mandate. Such mandates are illusory in the American political system. As such, President Obama’s impressive string of legislative victories in the past few years will most likely remain in place, though his relationship with Congress will undoubtedly become more complicated. Moreover, the Turkish-American relationship should be largely unaffected. In fact, the new majority in the House may be more sympathetic to Turkish interests than the previous Congress.

The 2010 election was by any measure a stinging loss for the Democratic Party in the United States Congress, and perhaps a blow to President Barack Obama. The electorate swept aside the Democratic majority with Republicans gaining 63 seats in the US House of Representatives bringing the new partisan balance to 242 to 193 in the Republicans’ favor, and reduced the Democrats’ majority in the United States Senate by seven seats to a Democratic advantage of 53 to 47. The heavy swing of seats in the House and lighter swings in the Senate tend to obfuscate the actual percentage of each parties’ vote share due to the single member district plurality system. The Republicans polled at 51.6 percent and the Democrats 44.8 percent in House races, and in the Senate races the Republicans’ vote share was 49.3 percent to the Democrats’ 45.1.¹ Put simply, the Republicans had a very good night indeed and President Obama’s relationship with Congress will get much more complicated and contentious.

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Deciphering the Message of the Electorate

The idea of an electoral mandate is seemingly ingrained in the American understanding of democratic governance. Though the presidency is most often the focus of scholarly work concerning electoral mandates (and presidents elect are generally quickest to claim them), there is no doubt that congressional delegates search for and act upon perceived mandates as well; with winners pursuing aggressive agendas and the losers generally moving in that ideological direction.² The attractiveness of the electoral mandate theory is clear: it allows policymakers and commentators to make easy sense out of the complexities of public opinion. Rather than trying to parse through the layers of nuance and vagaries in the public will, an elected official can simply default to their own ideological agenda, which they presume was the vehicle by which they were elected. However, the murkiness of public opinion and the marginal importance of policy preferences in the voting calculus, have led scholars to reject the claim of policy mandates with near unanimity.³ Couple these factors with the weak American party system, the lack of a cohesive party platform, and the fact that candidates are almost entirely responsible for their own elections,⁴ claiming any kind of policy mandate is a patently ridiculous proposition.

The aftermath of the 2010 election has proven to fall into this historical pattern. The newly empowered and emboldened Republican leadership of the House has predictably made this dubious claim. Hours after the Republican victory was secured, incoming Speaker of the House John Boehner of Ohio claimed the American people delivered a clear message to repeal the “monstrosity” of Obama’s health care reform. This is despite the fact that election-day polling showed voters were evenly divided on the issue. Even the minority leader of the Senate, Mitch McConnell of Kentucky, claimed a part of this mandate despite his *failure* to deliver a Republican majority in his chamber. What is most remarkable about this claim of a policy mandate is the fact that many conservatives readily acknowledge that Republicans failed to run on a cohesive policy agenda during the election and merely defaulted to criticisms of President Obama appealing to latent anger and frustration in the electorate.⁵

Perhaps the best clues for divining the meaning of American congressional elections are the models that forecast their results. These models do a rather nice job of describing the underlying dynamics that drive American voting behavior. They typically include several structural factors that influence the vote, and a variety of indicators of the general political mood of the electorate.⁶

Structurally speaking, it is an axiom that the presidential party almost always loses seats during midterm elections. In 2010, it was never a question of *if* the Dem-

ocrats would lose seats, but of *how many* seats they would lose. While the presidential party typically gains congressional seats when their president is elected or reelected, an inevitable combination of a decline in presidential popularity from the “honeymoon” following his election, an inability to forward all promised points of the legislative agenda, and perceived shortcomings of legislation passed conspire against the president’s party. Additionally, the very fact that Republicans had done so poorly in the 2006 midterm and 2008 general elections put them in a position where substantial congressional gains were likely, as the Democrats simply had more seats at risk than did the Republicans. All told, these structural factors put the Democrats in a rather precarious position regardless of how other political factors would eventually play out.⁷

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What proved to be the tipping point for the Republicans in this election was the general mood of the electorate—principally comprised of attitudes towards President Obama and the economy. Despite the impressive number of legislative victories for President Obama during his first two years,⁸ the electorate was in a very sour mood. Obama’s public approval ratings started off rather high, but as he engaged a rather hostile Congress in securing his policy victories,⁹ the public began to turn against him. Presidents often face the conundrum of the public’s demand for pursuing a policy agenda, but have rather strong distaste for the messy policy process that comes with the negotiating and partisan conflict that is endemic in Washington. Obama, bloodied from these protracted legislative fights, simply lost a great deal of standing with the public who perceived him during the election as someone who could rise above the partisanship of Washington and fulfill his agenda without the messiness of partisan bickering and pettiness. During the 2008 election, Obama cast himself as a “post-partisan” candidate and helped fuel these paradoxical expectations. In many regards, he was a victim of his own electoral rhetoric.

Republican opposition in the US Senate during Obama’s first two years was also noteworthy. Typically the majority party is able to negotiate with enough members of the minority to reach the 60 percent threshold necessary to pass legislation through the Senate. Not so in this Congress. From the beginning of the session in January 2009, the Republican leadership mounted a very effective, disciplined, and simple tactic of opposing virtually all of the president’s legislative agenda with near unanimity. Additionally, the Democrats had trouble with a few of the more moderate members who were hesitant to venture too far from center.

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The health care package was perhaps the most visible in this regard.

The second, and most important factor in souring the mood of the electorate was the electorate’s assessment on the health of the economy. Though the financial crisis that triggered the “great recession”

predated the Obama administration, the felt effects of the recession bore down on the American public with a vengeance shortly after he assumed office. The unemployment rate at the time of the 2008 election was about 6.5 percent. This figure was higher than normal, and was an ominous sign that things would get far worse. Unfortunately for President Obama and millions of Americans, the unemployment rate would swell to 10 percent by November 2009, and stood at about 9.6 percent at the time of the election. Though the economy had been growing for nearly a year, corporate profits had returned to strong levels, and the stock markets were on the rebound. The most tangible indication of the economic health of the nation from the electorate’s perspective, unemployment, remained at unacceptable and truly painful levels.

When these painful realities were coupled with the flowery rhetoric and lofty expectations that brought Obama to the White House in the first place, it is small wonder that the electorate would turn on him to the degree that they did. Displeasure with Congress was also rather high. Typically, Americans hold Congress with the lowest regard when compared to the presidency, Supreme Court, and military, but in 2010 that confidence in the Congress fell to record low levels. Democrats also faced the grim reality that the electorate was turning on them specifically. By November 2010, Americans preferred Republicans to Democrats by 50.7 to 41.3 percent in what pollsters call the “generic Congressional ballot.”

For proper perspective though we must keep in mind the scope of the President’s 2008 victory and the Republican showing in 2010. In 2008, Obama netted 52.9 percent of the popular vote, House Democrats brought in 44.8 percent of the vote in 2010. These are moderate shifts. But even small shifts in presidential popularity and the generic congressional ballot can spell victory or doom in midterm elections.¹⁰ Also, the forces driving the vote are rather vague and in no way represent specific policy preferences. Though policy certainly matters in the voting calculus of a few voters, it is not driving the vote for most. Paradoxically, the public is largely in support of most of the legislation that the president and previous Congress passed when they are asked in public opinion polls, but *impres-*



Photo: ABACA Press

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sions of Congress, the president and the way in which they conduct business are more important than the actual policies passed. In sum, we can best characterize this election as the electorate seriously questioning the first two years of the president's term, with disappointment and frustration that tangible improvements in the economy were slow in coming. In no way can it be seen as a full rebuke of the Congress and the President as many may try to infer, and it is certainly not a policy mandate against their legislative agenda.

The Tea Party

Perhaps the most intriguing aspect of the 2010 election cycle was the emergence of a new political force known collectively as the Tea Party. "Party" is something of a misnomer as the movement itself does not fall under the strict definition of a political party, but is an historical reference to the Boston Tea Party of 1773; an act of civil disobedience where colonists protested the levy of tea taxes upon the colonies by the British parliament. With an unprecedented vigor, the tea partiers truly became a force to be reckoned with and are without doubt the most significant mass movement since the 1960s.

Trying to define the nature, scope, and impact of the Tea Party is nearly an impossible task since the movement is about as diffuse of a mass movement as seen in the modern era. It is impossible to even get a proper estimate as to how many individuals are involved with the movement since we are dealing with hundreds, perhaps thousands, of individual groups with membership ranging from a dozen in size to thousands. The only constant between all these groups are the labels of “Tea Party” and that they express a conservative political agenda that has a distinct libertarian bent on economic issues accompanied with a strict interpretation of the federalism of the Constitution (read: *weak* national government). They are especially wary of public spending, deficits, and high taxes. They also uniformly resent President Obama, consider his health care reform law as socialist (if not a fascistic) intrusion into the private sector, and harbor a great deal of anger over the GM and Chrysler bailouts and the financial bailout (signed into law by President Bush). The latter three give rise to their populist claims of government coming to the aid of the business interests of Wall Street at common citizens’ expense.

Throughout the nation Tea Party organizations have sprouted up, often facilitated by social networking websites. They first received mass attention during the health care debate during the summer of 2009. Tea party activists would regularly attend town hall meetings to verbally assail members of Congress with vociferous accusations (often patently false)¹¹ regarding the contents of the proposed law. There can be no doubt that the tea party was partly responsible for the precipitous decline in the popularity of the health care reform package and they certainly hurt several members of Congress, who were publicly harangued during its passage.

The power and influence of the Tea Party lies both with its identifiers and the politicians that have associated themselves with the movement. The Tea Party proved to be especially powerful in Republican primary elections. As the movement gathered momentum in 2009, they systematically began to challenge the Republican establishment. From a tea partier’s perspective, “establishment” Republicans had largely betrayed the conservative principles that defined their party in the post-Goldwater era; after all, it was under a Republican president and congress that spending and debt came to record levels. Several incumbents and established Republicans were defeated in their primary fights, most notably Mike Castle of Delaware, Linda Murkowski of Alaska, and Bob Bennett of Utah. With the aggregation of Republican primaries, the tea party had exercised a great deal of power, which made them a powerful new voice within the party.

Come the general election, Tea Partiers throughout the nation began pouring money into several House and Senate campaigns. Their effects were most potent

in the Senate elections, though not in the way that Republicans had hoped. It can be said with near certitude that the tea party erased hopes of the Republicans taking control of the United States Senate.¹² Several of the Tea Party favorites proved to be too inexperienced, too ideologically extreme,¹³ or just too weird¹⁴ for the electorate. Yet, Tea Party activists would gladly sacrifice short-term political gains in exchange for having a more enduring effect on the party by tugging it in a more libertarian and rightward direction. Given the mixed results they had in 2010, their legacy may be in doubt.

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Turkish Interests in Congress

Like most congressional elections, especially in economic hard times, foreign policy plays little to no role in shaping the American voting calculus. Additionally, since the most critical foreign policy decisions are under the purview of the Presidency, there will be far more continuity in Turkish-American relations than there is changes. However, Turkish interests will probably be affected in a few ways, some symbolic and some substantive.

What has dominated the headlines in the Turkish press is the non-binding House resolution requesting that the President refer to the plight of Armenians during World War One as genocide, which has repeatedly failed to reach the floor of the House over the past couple decades. Though it carries no force of law and has no substantive effect on public policy, it has attracted a great deal of attention from all interested parties due to its symbolic importance. Though the partisan divide on the issue is far from absolute, Republicans tend to be less inclined to support it. Most people believe the issue won't be tabled for the next two years and there will be no vote by the Foreign Affairs committee or on the House floor.

Needless to say, there are far more important Turkish interests at stake in the US Congress, particularly in regards to military cooperation, aid, and commerce between the two nations. Though it is impossible to examine all these points, suffice it to say that hundreds of millions of dollars are at stake on a yearly basis in the budgetary process. To make a precise assessment of whether the interests of the Turkish government and people are best served by a Democratic or Republican controlled House would be difficult, again because these issues are never

decided upon by strict party-line votes. However, we can get a sense of which party is more hospitable to Turkish interests by following the money of Turkish American interest groups and the organizational resources these groups have within Congress.

The grass roots Turkish lobby in America is relatively new. Though its influence is growing on a yearly basis,¹⁵ it is still dwarfed by other groups such as the plethora of Armenian-American interest groups and the spending of the Turkish government in direct lobbying.¹⁶ That said, the activities of the Turkish lobby are worth observing as a good proxy for where Turkish-Americans see their interests best served. The preeminent Turkish lobbying organization is the Turkish Coalition of America (TCA), established in 2007. Despite its recent formation, it has quickly organized a political action committee (Turkish Coalition USA) that strategically dispenses campaign contributions to Congressional candidates under the strict limitations and reporting requirements of federal campaign finance law. In the two most recent election cycles, TC-USA donated approximately \$278,000 to various House candidates.

The partisan division of this money is skewed towards Republicans, but not terribly so, with a ratio favoring Republicans three to two. The giving also goes well beyond the Armenian genocide resolution, with only a handful of recipients (19 of the 82) sitting on the Foreign Affairs committee. Though the opposition to the resolution is important, it would seem to be a secondary issue. Those receiving the higher contributions are clearly targeted for their influence on some of the most policy-relevant and powerful committees in the House. Several were from the Financial Services (of importance to Turkish business interests), Transportation (a powerful appropriator), Rules (procedurally *critical* to the operation of the House), Armed Services, Energy and Commerce, and the Defense Appropriation subcommittee. Though money does not buy policy, it certainly makes key policy makers accessible to donating interest groups.

Conclusion

All told, the results in the midterm election of 2010 were hardly surprising given the current political and economic climate of the United States. Any incumbent party presiding over a 10 percent unemployment rate can expect to lose a significant number of seats, particularly if they are of the presidential party. Though Republicans may have gained a few more seats in the House than many expected, this is hardly an unprecedented loss. It will unquestionably make it rather difficult for President Obama to pursue as aggressive of a legislative agenda as he did in

his first two years of office, but the elections haven't rendered him powerless vis-à-vis the Congress. The month of December may offer a rather nice preview of what we might expect to see in the next two years. In a rare "lame duck" session of Congress,¹⁷ the President had an impressive string of political victories including a major tax law, ending the ban on homosexuals serving openly in the military, and the ratification of the New Start nuclear arms treaty with Russia. If this is how President Obama responds in the wake of an electoral defeat with a rather hostile Congress, we can certainly expect a degree of cooperation and productivity similar to President Clinton.

Moreover, no one should assume that this loss is a signal of a sure Republican victory in 2012. Following the midterm elections of 2006 and the general elections of 2008 many Democrats in their own moments of hubris spoke of partisan realignments with Democratic majorities lasting decades. Just as those prognosticators were proven wrong in 2010, anyone assuming that President Obama or the Congressional Democrats are doomed in 2012 could be similarly disappointed. If there is any word that aptly describes the American electorate at the moment it is "volatility," something Turkish readers are no strangers to. The American voter is impatient and expects to see tangible results from their elected officials quickly, sometimes unfairly so. Typically, the party that controls the Presidency bears the brunt of that anger. Should the people's economic confidence begin to recover by 2012, President Obama will be well positioned for reelection; should it not, Republicans may well be competitive. But as many a failed presidential candidate can tell you, two years is an eternity.

Endnotes

1. Again, the SMD system coupled with the staggering of elections in the Senate allowed the Democrats to maintain their power in the Senate despite losing the overall share of the vote. This was largely due to several Republican incumbents winning rather lopsided elections while most Democratic incumbents won narrower races, and that only one third of the seats were at stake.

2. Lawrence J. Grossback, David A. M. Peterson and James A. Stimson, "Comparing Competing Theories on the Causes of Mandate Perceptions," *American Journal of Political Science*, Vol. 49, No. 2 (2005), pp. 406-419.

3. Robert Dahl, "Myth of the Presidential Mandate," *Political Science Quarterly*, Vol. 105, No. 3 (1990), pp. 355-72.

4. David Broder, a well respected "elder statesman" of the press and political columnist for the *Washington Post*, once noted that Washington is run by 536 political entrepreneurs: the president, 100 senators, and 435 house members. Each gets there essentially on their own: choosing the office to run for, raising their own money, funding their own campaigns, and staffing their campaigns with their own staff and volunteers. They are also willing to do anything retain office, up to and including running *against their own political party and president* if it fulfills their electoral ambitions (Broder 1989).

5. Ross Douthat, "The Unready Republicans," *The New York Times*, November 10, 2010, retrieved from http://www.nytimes.com/2010/11/08/opinion/08douthat.html?_r=1&scp=8&sq=boehner%20mandate%20nov%203&st=cse.

6. For a survey of several models, refer to the symposium on the 2010 election in the summer issue of *PS: Political Science and Politics*, Vol. 43, Issue 4.

7. Alan I. Abramowitz, "How Large a Wave? Using the Generic Ballot to Forecast the 2010 Mid-term Elections," *PS: Political Science and Politics*, Vol. 43, No. 4 (2010), pp. 631–32.

8. Again, consider the myth of the electoral mandate. President Obama had an enormously successful two years in Congress with impressive wins in health care, the economic stimulus package, funding renewable energy, financial regulations, GM and Chrysler bailouts, and public infrastructure. Nearly all of these were promises made in the campaign, yet upon delivery of these promises the electorate delivered a blow to his presidency by handing the house to Republicans.

9. None of these victories were easily won. In the US Congress, party discipline in roll call votes is far lower than parliamentary systems simply because the power of nomination is not in the hands of the party, but in the electorate at large through the primary process. Couple this with the 60% margin necessary to close debate in the US Senate, a degree of bipartisan support is generally necessary. In practical terms, this meant President Obama had to secure every Democratic senator's vote or peel away a few Republican senators for each roll call.

10. Abramowitz, "How Large a Wave? Using the Generic Ballot to Forecast the 2010 Midterm Elections," pp. 631–32.

11. Sarah Palin popularized the notion of "death panels" where bureaucrats would decide if patients would receive treatment.

12. In Florida, Kentucky, and Utah, Tea Party favorites won Senate seats. Though these were seats previously held by Republicans and they were a net wash for the balance in the Senate, it showed that some tea party candidates were viable in certain states.

13. Tea Party favorite Sharron Angle was the Republican nominee for Senate in Nevada taking on the majority leader Harry Reid. Angle made some rather strong statements with clear subtext that violence directed at politicians was justified should the elections not go their way, in what she dubbed "Second Amendment solutions." Had virtually any other Republican run for this seat, Reid would have most likely been defeated.

14. Another Tea Party candidate Christine O'Donnell, running for the Senate in Delaware, had appeared on television in the 1990s claiming to have "dabbled in witchcraft." Eventually she had to run political ads explaining that she wasn't a witch, not an especially effective campaign tactic. In the primary she defeated a Republican that would have surely won the general election. On the night of her primary victory, many political observers made note that her victory made a Republican takeover of the Senate very unlikely.

15. In June of 2010 I appeared on a panel with Lincoln McCurdy, president of the TCA, and he generally agreed with this characterization I made of the current state of the Turkish lobby in America.

16. The spending of the Turkish government can be tracked through the reports filed in compliance with the Foreign Agents Registration Act of 1983 (FARA). According to FARA disclosures, the Turkish government spent \$10,371,628.99 in direct lobbying through US firms from 2007 to 2009. This total does not include any additional cost encumbered by the diplomatic efforts of Turkish officials themselves, which is presumably quite high.

17. A lame duck session is a continuation of the previous Congress that takes place between the election and the formal creation of the new Congress in early January. Representatives and Senators typically resent being called in the interim, making presidential deal-making that much harder.