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Modern Reconstructive Presidential Leadership: Reordering Institutions in a Constrained Environment

Abstract: Modern “reconstructive” presidents face an institutional environment that affords strong veto possibilities to defenders of the status quo, making today’s politics resistant to the “order shattering” and “order creating” style of change most frequently associated with the leadership type. This project responds to the possibility that the rise of these conditions suggests the end of such reconstructive politics. It applies fresh insights gleaned from historical-institutionalist scholarship to investigate the full range of options that are available to presidents inheriting the opportunity to reorder politics. Mathematical simulation, via Polya’s urn model, is used to demonstrate how institutional displacement, layering, conversion, and drift can be used – independently and together – to recalibrate the equilibrium of a “path-dependent” system and thus alter developmental pathways. This not only suggests that modern presidents can still reorder and rejuvenate politics in a constrained environment; it updates expectations and warns of potential dangers.

DOI 10.1515/for-2014-5004

Revitalizing Politics

Throughout American history, presidents have periodically played a critical role in rejuvenating the nation’s politics by reordering the political landscape. Indeed, many of the “great” presidents made their mark through such efforts (Landy and Milkis 2000; Nichols 2012). The significance of these revitalizing presidents, who lock in the dominance of new coalitional partisan majorities and recalibrate the parameters of governing possibility that persist for decades, cannot be overstated. Without the leadership that these presidents supply, the US may not be able to respond effectively to the bouts of enervation that party-system and regime-theory scholars argue to be recurrent – leaving the country’s politics

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permanently impaired (Burnham 1970; Skowronek 1997). It is the core claim of this study that presidents can continue to reinvigorate politics, especially if they take advantage of their environment and use a variety of strategies to accomplish the tasks necessary for success.

Yet some suggest that this is literally not possible – that presidents are losing the capacity to revitalize. More specifically, it is argued that it is becoming increasingly difficult in the modern context for “reconstructive” presidents to practice their traditional style of “order shattering/order creating” politics (Skowronek 1997, 2011). The growth of the welfare state has (it is argued) created an environment that affords the myriad defenders of the status quo strong “veto possibilities” – that is, the potential to block change. This development makes it especially hard for presidents to tear out old institutions and replace them with new ones. A case in point for many has been Barack Obama’s failure to seize what appeared to be a transformative moment in 2008 and “change the basic assumptions of national politics” (Eberly 2010; Balkin 2012, p. 1, 2014). Indeed, scholars have generally not chosen to recognize the president’s signature accomplishment, the expansion of publicly funded healthcare (the Affordable Health Care for America Act), as the achievement of a successful reconstructive president – one who in inheriting “a great opportunity for presidential action” is able to “remake the government wholesale” (Skowronek 1997, p. 37, 2014; Schier 2011; Crockett 2012).

Yet, as historical-institutionalist scholars James Mahoney and Kathleen Thelen persuasively argue, so-called “change agents” have more means available to them than just ripping out and replacing – or “displacing” – institutions in order to affect change (2010). As they note, it is also possible to “layer” institutions or allow them to “drift.” In fact, these two strategies can flourish within an institutional environment that affords strong veto possibilities to opponents defending the status quo. Furthermore, when discretion to exploit ambiguities in interpretation or enforcement of rules is high, another change strategy – institutional “conversion” – is possible. Thus, even under today’s constrained conditions, it should be possible for presidents to succeed in reordering political institutions via the application of various and multiple change modalities. This article provides evidence for this claim through mathematical simulation.

In doing so, the article updates expectations and brings to light new dangers. The “reconstructive” politics of presidents may need to be practiced somewhat differently in the modern context. Success may now require reliance on means other than those typically associated with the reconstructive archetype. In fact, it may require the resourceful application of “multiple modalities of change” to the task of reordering institutions. In which case, presidents may find greater scope for the practice of creative agency as context forces them to rely on their ingenuity to get things done. The development of new means has the potential to enable

presidents to continue to rejuvenate politics periodically, but it also threatens to undermine the norms that support democratic governance by depending on modalities that leverage deception and rule-bending to succeed. Accordingly, simulation results not only suggest a new rubric of analysis for guiding future evaluation of reconstructive presidential efforts, but also provide a warning against the worst tendencies of its evolving practice.

My investigation proceeds in four stages. First, I present the concept of the reconstructive president in greater detail. Here, I focus on these chief-executive's revitalizing efforts to alter the institutional order, while contemplating the additional difficulties that come from operating in a modern constrained environment. Second, I review historical-institutionalist insights and discuss four different change modalities. Third, I introduce mathematical simulation methods and run Polya's urn model under a variety of test conditions to calculate the effect that the change modalities have. Fourth, I conclude that results suggest it should still be possible for a modern reconstructive president to rejuvenate politics by exploiting the opportunities for change that exist in a constrained environment, even as this practice raises significant new concerns.

The Reconstructive Presidency and the Institutionalization of a New Political Regime

The concept of the reconstructive president comes from Stephen Skowronek's path-breaking study of presidential leadership in *The Politics that Presidents Make* (1997). His main insight is that presidential leadership is affected not only by the unique problems each president faces, but more fundamentally by the recurrent context of "political time" that each individual encounters while in office. This is to say that not only does context matter, but the context that matters the most is cyclical in character. Cyclically recurring political time affects multiple presidents similarly across different points in history.

While Skowronek is somewhat unclear about how political time's mechanism of recurrence works, he effectively describes the turning of the cycle in terms of the ebb and flow of "regime resilience." Early in the cycle, when the "political regime" – consisting of the governing philosophies, coalitional interests, and institutional arrangements that dominate public life in the US for long stretches of time – is vibrant and strong, it is resilient to displacement. Eventually, however, the political regime becomes enervated and vulnerable to displacement. Within this cycle, each president finds himself either affiliated with or opposed to the prevailing political regime. This results in the creation of a two-by-two typology,

within which a president winning office while in opposition to a vulnerable regime inherits the most fortuitous of four possible leadership contexts. At these times, when established commitments of ideology and interest have been called into question as “failed or irrelevant responses to the problems of the day,” the order-shattering and order-creating inclinations of the presidential office can be best harmonized and most fully exploited to reorder, or as Skowronek puts it, “reconstruct,” politics (1997, p. 36).

According to second-wave regime theory scholars,¹ reconstructive efforts center on the accomplishment of three tasks (Nichols and Myers 2010, p. 808; Laing 2012; McCaffrie 2013):

1. Shifting the main axis of partisan cleavage
2. Assembling a new majority partisan coalition
3. Institutionalizing a new political regime.

The first task – shifting the main axis of partisan cleavage – entails raising the salience of certain conflicts within the social structure over others by taking a stand on cross-cleaving issues and linking them to a “broader, more fundamental, but also more nebulous political worldview.” Disputes over this worldview become the main axis of partisan cleavage. This first task is closely related to the second – assembly of a new majority partisan coalition. However, the second is less ideational or what Polsky might call “discursive” in nature (2012). Instead of focusing on changing what politics is about, the second task concentrates on the myriad practical considerations necessary to bring together different groups to form a new governing majority. Finally, the third task – *institutionalizing* a new political regime – entails “reordering political structures in a way that enables a new partisan majority to promote the policy priorities and political advantage of the social coalition underpinning it” (Nichols and Myers 2010, p. 815, 816). In other words, this task entails taking the institutional steps necessary to lock in the dominance of the new majority and its axis of partisan cleavage.

The third task is the exclusive focus of this investigation. Its study, in isolation from the other tasks, can be justified on two grounds. First, accomplishment of this task is critical in altering developmental trajectories by reordering institutional foundations and generating what are referred to as self-reinforcing, “path-dependent,” processes (North 1990; Arthur 1994; Pierson 2004). This is to say that history can be redirected by reformulating the institutional environment, changing the rules and norms that structure political behavior, and creating

¹ For other examples of second-wave “regime theory” scholarship (see: Polsky 1997; Crockett 2002; Cook and Polsky 2005; Whittington 2007; Zinman 2011; McCaffrie 2012; Bridge 2014; Johansson 2014).

positive feedback effects. Therefore, institutionalization contributes to the revitalization of the path-dependent system that we call the political regime, and it helps lock in the long periods of stability that exist between reconstructive presidents. As such, it has allowed the reconstructive presidents of history – Jefferson, Jackson, Lincoln, F. Roosevelt, and Reagan – to rejuvenate politics, consolidate earlier gains, and to perpetuate their influence long after they have left office.²

Additionally, and perhaps most importantly today, this study focuses on the third task because Skowronek locates the problem of reconstruction for the modern era within the institutional domain. In fact, he suggests that political time may now be “waning” because the modern proliferation of institutions, organized interests, and independent authorities makes resistance to reconstructive efforts more formidable (1997, p. 31). This is to say that the growth and thickening of the welfare state has created an institutional environment that affords defenders of the status quo strong veto possibilities, making it hard to alter the political regime’s path-dependent course of development. Indeed, Skowronek argues that were it not for the fact that the scope of presidential power has also been expanding over time, increasing the formal and informal resources the chief executive possesses (e.g., signing statements and communication technologies), successful reconstructive leadership might have already become impossible (2011, p. 48, 161).

Ultimately, this study’s focus on institutional reordering is driven by the need to understand more fully the challenges of today and the desire to explore possible solutions. Both of these motivations compel a turn to the latest “historical-institutionalist” scholarship, which in wrestling with similar issues suggests that political actors have more options to seek change than just through the order shattering/order creating, “insurrectionary” style that Skowronek stresses.

Institutional Change

Historical-institutionalist scholarship is one of three variants of new institutional thought (Pierson and Skocpol 2002) that seeks to “elucidate the role that institutions play in the determination of social political outcomes” (Hall and Taylor 1996, p. 936). While the other two variants, rational choice-institutionalism (Weingast

² Nichols and Myers make the case that because McKinley and Theodore Roosevelt (together) also responded to enervated conditions and rejuvenated politics through the accomplishment of the three reconstructive tasks – “albeit with complex and attenuated results” – these presidents should be considered reconstructive as well (2010, p. 829).

2002) and sociological-institutionalism (March and Olsen 1984), tend to concentrate on how institutions contribute to stability and continuity, a growing body of work within the historical-institutional variant focuses on explaining institutional change (Schickler 2001; Skoronek and Glassman 2007; Galvin 2010; DiSalvo 2012; Sheingate 2014). James Mahoney and Kathleen Thelen have recently unified and extended leading thought on the topic (2010). It is important to engage their arguments and describe their categories in some detail so that the different change modalities can be accurately simulated via mathematical modeling.

Mahoney and Thelen suggest that institutional context not only provides openings for change agents to act, but also helps structure their behavior when they do. More specifically, they argue that different change modalities emerge, based on two dimensions of context: (1) the varying amount of discretion available to change agents in interpreting and/or implementing rules (“low” versus “high”); and (2) the varying ability of defenders to protect the status quo (“weak” versus “strong”). A two-by-two typology emerges, such that there are four particular contexts, each of which encourages application of a different modality of change: insurrectionary displacement, subversive layering, opportunistic conversion, and symbiotic drift. As factors can vary widely from one particular institutional micro-environment to another, a single political actor can encounter more than one context across an array of different domains and should be able to employ multiple modalities of change.

Insurrectionary Displacement

Insurrectionary displacement is practiced by change agents with *low* discretionary powers facing an environment that affords defenders of the status quo *weak* veto opportunities. In this context, institutionally structured rules are not ambiguous. As such, they do not provide change agents the opportunity to exploit discretionary powers in interpretation or implementation. Change agents facing institutions that do not afford them much room for agency will not seek to preserve these institutions. When these actors simultaneously find that the political context does not give “veto players” (Krehbiel 1998; Cameron 2001) the ability to prevent alteration of these institutions, they actively seek to “displace” institutions by eliminating those that exist and replacing them with new ones. Like the actions of the stereotypical order-shattering/order-creating reconstructive president, the rapid removal and replacement of institutions by the insurrectionary change agent should produce an abrupt kind of change that significantly shifts the status quo – as formally occurred with slavery in the aftermath of the 13th Amendment.

Subversive Layering

Subversive layering is practiced by change agents with *low* discretionary powers facing an environment that affords defenders of the status quo *strong* veto opportunities. Because this institutional context also provides rules that are not ambiguous and do not provide avenues for agency, subversive change agents will – like insurrectionaries – not want to maintain those rules. However, political context now favors defenders of the status quo, who can use their control of “veto points” (Tsebelis 2002) to prevent the removal of institutions, as conservatives and vested interests recently demonstrated in health-care reform. This encourages subversive change agents to content themselves by “layering” new institutions on top of or alongside those already in existence (Tulis 1987). While this modality should produce less significant change than displacement, its effect has been compared to that of “termites in the basement” (Horowitz 2009; Mahoney and Thelen 2010, p. 31),³ slowly eating away at foundations until some threshold of change is suddenly passed and a “deluge” occurs (Dietz and Myers 2007).⁴ Because of the way layering works to bring about change, subversive change agents will often seek to “fly under the radar ... disguis(ing) the extent of their preferences for institutional change” (Mahoney and Thelen 2010, p. 25).

Opportunistic Conversion

Opportunistic conversion is practiced by change agents with *high* discretionary powers facing an environment that affords defenders of the status quo *weak* veto opportunities. This institutional context provides opportunistic actors with rules that are ambiguous. It thus gives them ample room to exploit discretionary powers in interpretation or implementation. Therefore, unlike insurrectionaries and subversives, opportunists will want to maintain institutions. Simultaneously,

³ Mahoney and Thelen attribute the “termites in the basement” quote to Paul Pierson. Separately, in a polemic against President Obama, David Horowitz likens the action of “working within the system until you can accumulate enough power to destroy it” to that of “termites” setting about “to eat away at the foundations of the building in expectation that one day they could cause it to collapse” (2009, p. 29).

⁴ As Mahoney and Thelen note, this deluge is especially likely when the new layer alters the central logic of an institution or undermines the mechanisms by which its core purposes are maintained.

however, these actors find that opponents cannot prevent purposive redeployment – or “conversion” – of these institutions to uses unanticipated by their inventors. Opportunistic change agents are thus somewhat ambiguous in their approach to change, sometimes seeking to preserve and use institutions, as is, while sometimes seeking to alter institutions to be “redirected towards more favorable functions and effects” (Mahoney and Thelen 2010, p. 18). In the Budget Battle of 1981, Ronald Reagan was famous for converting the reconciliation procedure to ends previously unimagined (Nathan 1983).

Symbiotic Drift

Symbiotic drift is practiced by change agents with *high* discretionary powers facing an environment that affords defenders of the status quo *strong* veto opportunities. Symbiotic actors will seek to preserve institutions – like opportunists – because their institutional environment similarly provides them with the opportunity to exploit ambiguous rules. However, their political context favors defenders of the status quo, and the symbionts find that they must work within the structure of existent rules. To bring change, they use their discretionary powers to act like “parasites” (Mahoney and Thelen 2010, p. 24).⁵ This is to say, they go along with the form of the rules while simultaneously contradicting their spirit by exploiting gaps in the enforcement capacity of veto holders.

For example, one can act like a parasite by appointing members of a regulated industry to an agency charged with providing this industry with oversight, thereby following the form of regulation while simultaneously undermining its content. In doing so, parasitic-style symbiotic actors weaken institutional efficacy over the long haul. As this modality often works through intentional failure to adapt institutions to changing conditions or purposeful neglect of rules and norms, it causes “drift” (Hacker 2005). Although parasites might produce the least amount of change, they can eventually bring about substantial alteration of the status quo if inattention to their corruptions “compromise the stability of the system itself” and kill the host (Mahoney and Thelen 2010, p. 25).

⁵ As Mahoney and Thelen note, symbionts come in two varieties. Only “parasites” are considered in this study, but there is also a “mutualistic” sub-type. While mutualistic actors share the same context as parasites, they tend to “violate the letter of the law to support and sustain its spirit” (2010, p. 24). As such, mutualistic symbionts usually contribute to the robustness of institutions and are usually not considered change agents (Thelen 2004).

Meeting the Modern Reconstructive Challenge

When the preceding theories are considered together, fresh insights emerge and testable expectations can be specified. For example, historical-institutionalist thought posits that there are multiple ways to bring about change, with the institutional environment determining which particular modality is most likely to be employed. Concurrently, regime theory suggests that the third reconstructive task entails reordering institutions across a wide array of domains. At the micro level, reconstructive presidents are thus likely to encounter all four of Mahoney and Thelen's institutional environments as they attempt broadly to institutionalize a new political regime. As such, they must be expected to bring about institutional change in four different ways. However, this holds true only if each of the four modalities actually can be used to effect change in an established political regime, which (as has been postulated) can be conceived of as a self-reinforcing and self-perpetuating, path-dependent system.

Even if this expectation finds support via mathematical simulation, and reconstructive presidents prove to have four different ways of altering institutions, it still might be the case that modern institutional context is so densely constituted as to render uni-modal efforts to alter today's status quo irrelevant. This is to say, it should be expected that a modern president must use the four change modalities together to overcome a contemporary reconstructive environment – one that is crowded with institutions yet still enervated and susceptible to alteration by an empowered presidency acting within a developmental critical juncture.

If this assumption is not sustained, historical-institutionalist theory does not provide a credible response to the challenge that lies at the heart of Skowronek's problem of the waning of political time, and presidents may be losing their ability to revitalize politics periodically. However, if evidence supports this expectation, it should be possible for a modern reconstructive president to apply multiple modalities of change to the task of institutionalizing a new political regime. Several consequences may follow if reconstructive practice is altered. First, evolving practice may increase reliance upon creative and potentially troublesome political techniques. Second, such practice may modify the degree to which developmental pathways are redirected within political time. However, this may also – third – allow presidents to continue to succeed in their rejuvenating efforts. Scholars must be aware of these possibilities and revise their expectations accordingly.

Method: Testing Expectations with Polya's Urn

Mathematically, one of the ways in which path-dependent processes can be described is through Polya's urn model, named after Hungarian mathematician

George Polya. Picture a large urn containing two balls, one white and one red. The probability of picking either color is initially equal at 1:1. One ball is selected at random from the urn and then returned to it along with another ball of the same color. Now there are three balls in the urn, two of one color and one of the other. The chance of picking a ball of a particular color has changed, but the probability for the next draw in the trial (as well as that of any following) can be understood – statistically – to be dependent on what happened within the previous sequence of draws and the proportion of balls of any color it produced (Pierson 2004). If a white ball was taken with the first draw, there are now two white balls in the urn and the probability of picking another is now 2:1. The random draw sequence is repeated. The trial goes on, and the urn fills up with some proportion of each colored ball.

The model can be easily implemented using an Excel spreadsheet to simulate random draws and tally results as the trial goes on (Hand 2006). Using this method, the simulation can be run under a variety of assumptions and efficiently repeated many times. When this happens, two properties of path-dependent systems become apparent. First, the outcome of each run of the model is unpredictable; every possible proportion of white to red colored balls is equally likely to occur. Indeed, when a trial of one hundred draws was actually simulated by this method ten different times, there were ten different outcomes observed and between 3 and 91 white balls in the urn at the end (see Figure 1). Economic historians have often been interested in this aspect of path-dependency. It both demonstrates how little events early in a sequence can have big consequences and

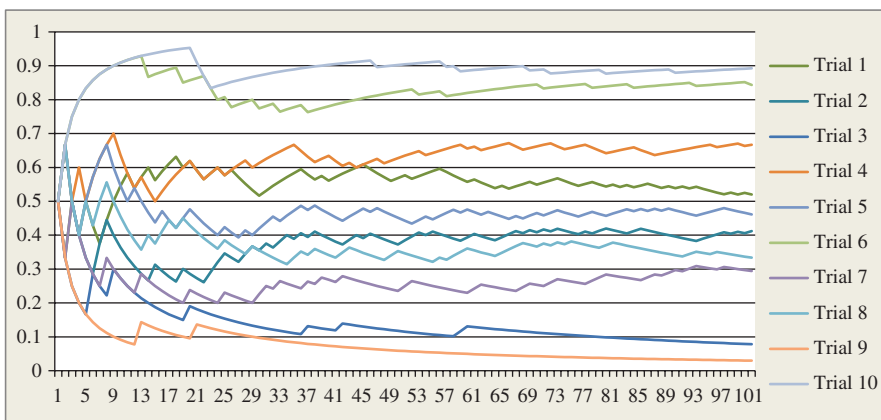


Figure 1 Unpredictability and Lock-In in Path Dependent Systems: Proportion of White Balls to Red Balls in Ten Polya's Urn Trials of One-Hundred Draws.

explains how sub-optimal solutions – like the QWERTY keyboard – often come to dominate in technologies and business (David 1985; Arthur 1994).

Second, it is observed that while the draw process is random and the final outcome is unpredictable, the proportion of white to red balls eventually settles at equilibrium. This “selection” of equilibrium demonstrates the power of “increasing return dynamics” to produce “path-dependent” outcomes (Pierson 2004). Put simply, once a self-reinforcing process is underway, it becomes very difficult to alter its course of progress. Indeed, the tendency of each trial depicted in Figure 1 is evident early in the sequence and the proportion of white to red balls is essentially locked-in for good soon after. Political scientists have long focused on this aspect of path-dependency. Equilibrium lock-in helps explain the persistence of historically constructed institutions and policy choices (Lipset and Rokkan 1968; Hacker 1998), and it suggests that change opportunities occur episodically, during brief windows of flux – or “critical junctures” – in which “structural influences on political action are significantly relaxed” (Collier and Collier 1991; Capoccia and Kelemen 2007, p. 341).

Since the political regime can be conceived of as a path-dependent system and reconstructive leadership has been explicitly described in terms of presidential action within a critical juncture (Nichols and Myers 2010), it is appropriate to use Polya’s urn to investigate Skowronek’s concerns about whether it is still possible to reorder politics under constrained conditions. However, to determine whether historical-intuitionalist thought provides potential solutions, the urn model must be slightly modified to allow for strategic action within the sequence of draws. This is to say that the decision rule used to select each ball randomly must be temporarily suspended to simulate allowing a president to apply a change modality within a critical juncture.

In this simulation, it should be noted, the reconstructive president’s goal is to increase the proportion of red balls in the urn. To accurately simulate presidential attempts to alter the institutional foundations of a mature political regime, this suspension of the draw rules can occur only after a path-dependent equilibrium has been established. Say, no less than after one hundred balls rest in the urn (i.e., after 98 draws). Furthermore, the suspension of the rules cannot last long – let us say, no more than ten draws – if it is to simulate a brief reconstructive opportunity to alter the system. Finally, for control, a middling ratio of white to red balls should be selected for the start equilibrium when the juncture occurs – let us stipulate a 3:2 ratio of white to red balls when the treatment happens.

These minor rule changes effectively establish the capacity to conduct controlled experiments with Polya’s urn, in which:

- a Polya’s urn model of N number of previous draws,
- resting at QS start equilibrium (some proportion of white balls),

- is treated with MX modality of change, and
- observed after S number of subsequent draws
- to determine the impact on QE, the end equilibrium.

By using Hand's spreadsheet method and running 200 trials of a particular treatment (M1, 2, 3, 4) on similar urn models ($N=98$; $Q=0.6$) an *average end equilibrium* (Ave QE) – reached a hundred draws later ($S=N+100$) – can be determined. When the average end equilibrium of a treated model is compared against the average end equilibrium of an untreated model (MU), the impact that each modality has on the system can be evaluated. This is to say, in very plain terms, we can see what happens when a change agent attempts to alter the path of history in different ways. If use of a particular modality can recalibrate a path-dependent system's equilibrium substantively and with regularity, then a reconstructive president should be able to use the modality as a tool in institutionalizing a new political regime.

Additionally, by running 200 trials of very long-running urn models ($N=498$ and 998 ; $Q=0.6$) and treating each with multiple modalities (MM), an *average end equilibrium* (Ave QE) – reached a hundred draws later ($S=N+100$) – can be found. By comparing this against the average end equilibrium of similar long-running, untreated models (MU), the impact of applying multiple modalities of change can be evaluated. This takes advantage of the fact that a modern, highly constrained environment can be depicted as a very full urn that is rendered especially resistant to change by the hundreds of institutions/ balls that reinforce the system's long standing equilibrium. If multiple modalities of change can be used to substantively and regularly recalibrate a path dependent system's long established end equilibrium, then a reconstructive president should be able to apply this strategy to institutionalizing a new political regime – even under constrained conditions.

To test for the effect of a particular treatment, we must operationalize how each of the four modalities can be independently deployed by the reconstructive president in their attempt to affect change (of the equilibrium). In doing this, it is important to adhere to Mahoney and Thelen's theory of how institutional environment will affect actions of the president. Accurately depicting how each modality works within a Polya's urn model is more important to this initial investigation than is precision in simulating its scope of impact.⁶

⁶ It can be argued that if an accurately modeled process of change works in the abstract, it is – theoretically – only a matter of applying it strenuously or often enough to make it work to the simulated degree of effect in reality.

To simulate the application of each particular modality, all action(s) are compared to that of an urn sequence allowed to proceed without treatment:

- MU-*untreated* = no action taken.

Four independent actions are taken with Polya's urn containing 60 white and 40 red balls (representing an opposition built, "white," political regime that the "red" affiliated reconstructive president desires to alter). They are:

- M1-*insurrectionary displacement* = ten white balls are removed from the urn and replaced by ten red balls.

This action most clearly represents the order-shattering/order-creating style of change emphasized by Skowronek's reconstructive president, as he encounters rules that are not easily exploited (*low* discretion) and institutions that are not well-defended by veto-holding interests. Under these circumstances, the president will ignore normal random-draw rules and simply tear out institutions [i.e., white balls] that support the starting equilibrium (QS), while replacing them with institutions [i.e., red balls] that he hopes will support and propagate a different end equilibrium (QE).

- M2-*subversive layering* = ten red balls are placed into the urn.

For a reconstructive president facing an environment wherein rules are not exploitable and institutions are well-defended from being torn out, the strategy will be to ignore drawing and just add institutions [red balls] in an attempt to reorder the equilibrium.

- M3-*opportunistic conversion* = in every odd numbered draw from N+1 through N+10 a red ball is added to the urn.

Presidents with *high* discretion – enabling them profitably to modify the draw rules – will exploit the rules whenever they can. In those off and on circumstances wherein veto holders cannot stop a red ball from being added to the urn – no matter what color was actually, randomly selected – the president will attempt to recalibrate the equilibrium by using the draw rules in ways not intended.

- M4-*symbiotic drift* = for draws N+1 through N+10 the probability of selecting a red ball is increased 20 percentage points (in this case, effectively increasing the odds of selecting a red ball from 40 to 60%).

In circumstances where discretion is *high* but veto holders are strong and can ensure that the ball added to the urn is the same color as was actually selected, the president will attempt to reset the equilibrium by altering the probability of selecting his preferred color [red] in the first place. This is akin to the reconstructive president sneaking a peek into the urn before selecting. It allows him to

outwardly conform to the rules – adding another ball of whatever color is drawn – while parasitically undermining the starting equilibrium (QS) at the same time.

To simulate the application of multiple modalities, the following actions are taken with two Polya's urns, one containing 300 white and 200 red balls, and another 600 white and 400 red balls.

- *MM*–*multiple modalities of change* = at $N+1$ displacement occurs (M1); at $N+2$ layering occurs (M2); at $N+3/5/7/9$ conversion occurs (M3); and at $N+4/6/8/10$ drift occurs (M4).

This sequence both assumes that all four institutional environments are encountered by the president in his attempt to accomplish the third reconstructive task and it gives him the ability to order his efforts to achieve maximum effect.

Simulation Results

The simulation not only indicates that all four modalities can be used independently to recalibrate a path-dependent system's equilibrium, but that application of multiple modalities of change can also reset a long-established equilibrium. Chart 1 both describes (Table 1) and visually approximates (Figure 2) the results of the models that were given individual treatments in comparison to an untreated model. In Table 1, each row depicts a different scenario. So, for example, row two shows that the proportion of white balls in an untreated Polya's urn model (MU) will not vary significantly, even after 100 additional draws. In fact, the average end equilibrium (Ave QE) remained at 0.604 over the course of two-hundred actual trials. This finding is approximated in Figure 2.

However, rows three through six demonstrate that application of each individual change modality has a significant and lasting effect on the average end equilibrium (Ave QE). As theoretically expected and operationalized, insurrectionary displacement (M1) has the greatest impact. Significantly, over the course of two hundred trials the average impact was to recalibrate the end equilibrium to 0.501. Furthermore, given that the standard deviation of the treatment was 0.036, it can be determined (using a standard distribution table) that the displacement modality has a 99.8% chance of resetting the urn's equilibrium at a lower level than would be averaged were no treatment applied to the model.⁷ Subversive layering (M2) also consistently brought about a good deal of change, improving

⁷ At $S=200$, the average end equilibrium (Ave QE) of an untreated model (i.e., 0.604) is 2.86 standard deviations away from the average end equilibrium (i.e., 0.501) of a model treated with insurrectionary displacement (M1).

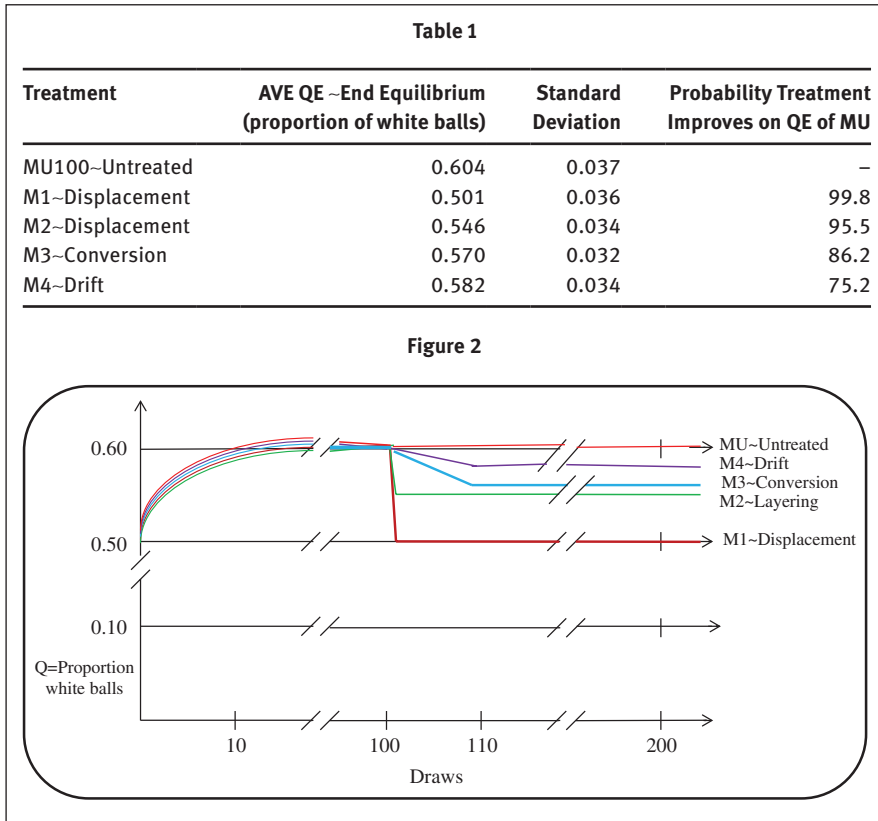


Chart 1 Results from Polya’s Urn Simulation. The Effect of each Change Modality on Average End Equilibrium.

upon the untreated model 95.5% of the time by resetting the average end equilibrium to 0.546 with a standard deviation of 0.034.

As operationalized, the two modalities relying on exploitation of draw rules were still impactful, although less substantively or less certainly so than the others. Opportunistic conversion (M3) brought the average equilibrium down to 0.570, while symbiotic drift (M4) cut it to 0.582. As the standard deviation for the conversion treatment was 0.032, it has an 86.2% chance of improving upon the average of the untreated model. Meanwhile, because the standard deviation for the drift modality is 0.034, it has a 75.1% chance of resetting the urn’s equilibrium at a lower level than it would be with no treatment applied.

Chart 2 both describes (Table 2) and visually approximates (Figure 3) the results of the application of multiple modalities (MM) in comparison with untreated models. In Table 2, each row depicts a different scenario. Here, row two shows that

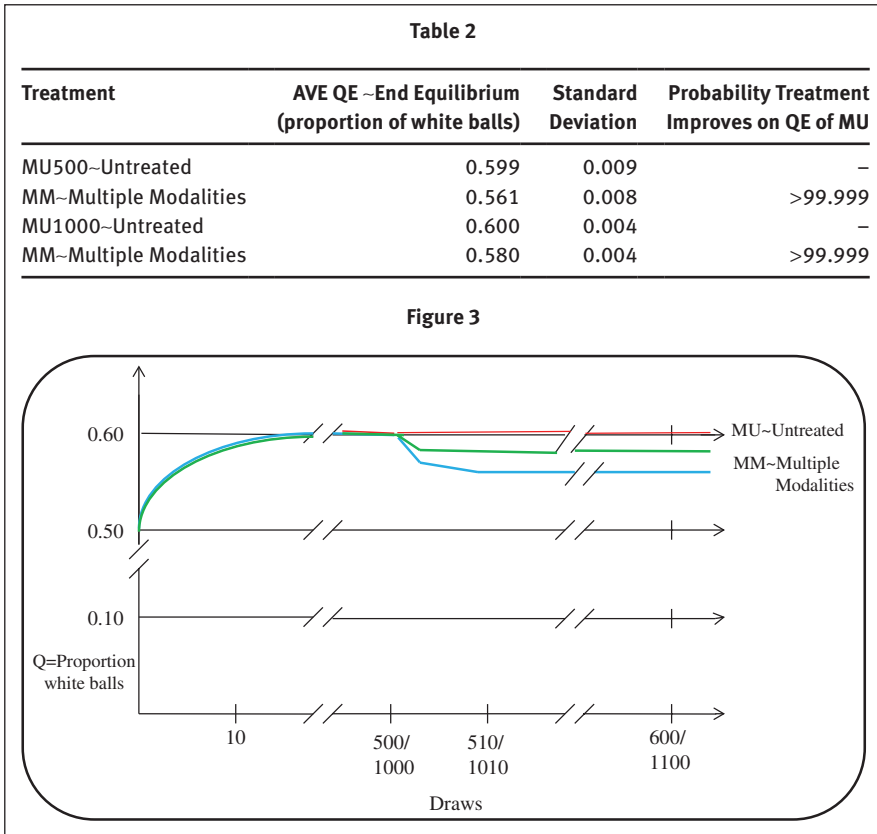


Chart 2 Results from Polya’s Urn Simulation. The Effect of Multiple Modalities on Average End Equilibrium

the proportion of white balls in a long-running, untreated, Polya’s urn model (MU) will not vary significantly after 100 additional draws. In fact, the average end equilibrium (Ave QE) was still 0.598 over the course of two-hundred untreated trials. Row three demonstrates that application of multiple modes of change recalibrated the average end equilibrium to 0.561 in a Polya’s urn model with five-hundred balls in it at the time of the treatment. Furthermore, given that the standard deviation of the treatment was 0.008, application of multiple modalities is shown to have a >99.999% chance of resetting the urn’s equilibrium at a lower level than would be averaged were no treatment applied to the model.⁸ Rows four and five repeat the

⁸ At S=600, the average end equilibrium (Ave QE) of an untreated model (i.e., 0.598) is 4.75 standard deviations from the average end equilibrium (i.e., 0.561) of a model treated with multiple modalities of change (MM).

exercise, however, with the untreated urn containing 1000 balls at the start (MU). Under these highly constrained conditions, application of multiple modalities (MM) also guaranteed change, improving upon the untreated model >99.999% of the time by resetting the average end equilibrium to 0.580.

Discussion

Since this study, simulating the reconstructive presidency and the various change modalities, prioritized accuracy over precision of effect, the results must be interpreted with care. However, two important takeaways are clear. First, it should still be possible for a modern president to reorder institutions – and by extension, revitalize politics – via exploitation of the opportunities provided within his institutional environment. Even when the results are interpreted with caution, there clearly appears to be multiple ways effectively to bring about change. Furthermore, there appears to be a multi-method approach to overcoming today's constrained conditions. Second, results recommend updating expectations for reconstructive leadership. Reconstructive politics will probably need to be practiced somewhat differently in a modern context, and observers should not only be open to this possibility. They should anticipate it and consider the pros and cons that come with greater reliance on the multiple modality approach.

The Possibility of Reconstructive Leadership Today

Rarely, if understandably, have scholars utilized anything but historical case studies to investigate claims about presidential leadership in political time. Indeed, while a few researchers have operationalized the concept of reconstructive president within regression analysis (Nichols 2012; Bridge 2014), this author is unaware of any attempt to model reconstructive leadership via mathematical simulation. Results from this first application of new method provide clear evidence that a path-dependent system's equilibrium can be recalibrated via a number of individually applied change modalities – institutional displacement, layering, conversion, and drift. Likewise, the mathematical simulation demonstrates that application of multiple modalities of change can reset a path-dependent system's long established equilibrium.

Most important is confirmation that there are many ways to affect institutional change. While it seems safe to assume that the insurrectionary strategy of tearing out and replacing institutions is, and will remain, the single most impactful change modality that can be deployed, simulation suggests that the end

equilibrium can still be recalibrated to a significant degree via alternate means, that is, via the application of multiple modalities. This strategy may, ironically – given its origins in constrained conditions for action – actually broaden the reconstructive president's horizons for creative agency. That is because even as it becomes harder and harder to displace within a thickening institutional environment, the increasing complexity of this context provides more and more openings for discretionary exploitation of the rules.

As such, modern contexts look to reward those with the vision to see beyond the order-shattering/order-creating stereotype, those able to use their imagination, ingenuity, and resourcefulness to get things done. Not only do constrained conditions create an institutional environment that favors application of the conversion and drift modalities, but they may also allow changes to be preserved more easily. As the simulation verified, the more balls that were in the urn before the critical juncture, the smaller the standard deviation for every modality afterwards. This is to say that the thicker the institutional environment, the more likely path-dependent processes are able to maintain any particular equilibrium. As such, part of what a modern reconstructive president may give up in his ability to affect reconstructive change he gains back in being better able to secure his legacy of change.

While it appears eminently possible for presidents to continue to reorder and revitalize institutions by practice of leadership that is attuned to the diverse opportunities of today, it may be the case that reliance on multiple modalities of change is also problematic. First, it is still not clear that the scope of reconstructive success achieved by application of multiple modalities of change will keep pace with the challenge of ending the regime enervation that opens the reconstructive critical juncture in the first place. Even when multiple modalities are employed together, they impact the end equilibrium with less and less force as conditions at the time of treatment become more constrained. However, it is always possible that today's reconstructive president could wield the full arsenal of the modern presidency with such acumen and force as to overcome this problem by multiplying his opportunities to affect change and intensifying the impact of the modalities he is able to employ.⁹ This continuing battle of escalating forces is something to keep an eye on.

⁹ Enervation is certainly more likely to be overcome by energetic application of multiple modalities than it is by presidents abandoning the reconstructive stance altogether. It should be remembered that the problem of political time is the problem of periodic regime enervation. Constrained conditions complicate presidential lead responses to this problem, but they probably do not transform the nature of the problem and may not mitigate against its periodic occurrence. In light of this, it seems wiser for presidents to broaden their reconstructive efforts via application of multiple modalities of change than it does for them to abandon the leadership stance altogether.

The second problem that comes with the greater use of multiple modalities is the fact that the strategy requires reconstructive presidents to rely more heavily on subterfuge or exploitation of loosely constrained discretionary authority – or both – in order to succeed. Indeed, if layering is correctly thought of as seeking to cause change by eating away at the foundations of institutions until they collapse, and if parasitic drift pursues change by feeding off the status quo while undermining it, these modalities rely more on deception than transparency for their implementation and success. Furthermore, conversion and drift both clearly rely on rule-bending to work. In fact, the terms already used to describe the “subversive,” “opportunistic,” and “parasitic” symbiotic modalities of change are pejorative descriptors, evoking images of the Machiavellian tradition. Ultimately, it is possible, and perhaps likely, that dependence on multiple modalities will foster a climate wherein deceptive, rule-bending leadership is seen as acceptable and even desirable.

These final two problems bring the double-edged nature of modern reconstructive politics into sharp relief. The American polity may well be harmed if reconstructive presidents cannot overcome constrained context and periodically revitalize the political regime via the practice of reconstructive politics. However, harm may come as well if reconstructive presidents succeed in their endeavors by relying on means that undermine the rule of law and/or are false-hearted and corruptive. Great care is thus needed, first, in selecting presidents creative enough to reconstruct in today’s environment and, second, in keeping a watchful eye on anyone cunning enough to succeed by the methods now required.

Updating Expectations

If presidents are successfully to practice reconstructive politics today and scholars are to understand them as they try, expectations must be updated. While it may still be too early to use this study’s theory and findings to reach conclusions about Barack Obama’s current presidency, it is not too soon to recommend that future evaluation of his and other possible modern reconstructive presidencies be guided by them. Indeed, President Obama’s governing efforts already suggest the possibility that multiple modalities of change are being employed. He has attempted to: (1) displace the conservative governing philosophy of Ronald Reagan and form a new Democratic majority coalition; and (2) layer an Affordable Health Care Act on top of a privatized system. Furthermore, he has exploited discretionary authority to: (3) convert multiple agencies and rules to new uses, while (4) drifting base-line spending and enforcement of several laws. The possibility that president Obama is attempting to reconstruct via multiple modalities

of change is certainly worthy of future examination under the aegis of the analysis presented in this study.

A number of things should be remembered when applying recalibrated expectations to future analyses. First, and most obviously, reconstructive presidents will not rely solely on use of insurrectionary means to institutionalize a new political regime (if, in fact, they ever did). Odds are that they will now rely more heavily on subversive, opportunistic, and symbiotic strategies. In areas where discretion is *low* and veto power is *high*, the modern reconstructive president can be expected to layer new programs and policy on top of or beside existing ones without removing much. The reconstructive president will also have greater recourse to deployment of the full panoply of “administrative” and “strategic” weapons at his disposal (Nathan 1983; Pfiffner 1996), whereby change is wrought through exploitation of discretion and institutional conversion and drift. In short, failing a truly existential crisis to exploit, reconstructive efforts should be no longer expected to look like Andrew Jackson’s or Franklin Roosevelt’s – regardless of the president’s partisan affiliation, political ideology, or personal preferences.

Second, because modern reconstructive efforts occur in a constrained environment, application of multiple modalities will not be as likely to affect as much punctuated change. This should not baffle, disappoint, or frustrate observers because successful institutionalization of a new political regime can still reverberate within the political time-cycle via redirection of the pathways of development. It should be remembered that reconstructive leadership works by establishing new foundations and resetting path-dependent processes to advance the reconstructive president’s preferences and the partisan advantage of his affiliates – over time. Things that may seem nigh impossible for a modern reconstructive president to accomplish, like fulfilling Harry Truman’s promise of extending universal healthcare, may eventually come to seem almost inevitable because of earlier reconstructive actions. It should be remembered that it was only in hindsight, and after the House of Representatives swung to the Republicans in 1994 – and stayed in their control – that Ronald Reagan’s efforts began to be viewed as transformative by many.¹⁰

Furthermore, because the impact of successful reconstructive leadership shows itself most prominently over time, it should still be expected that those elected to the presidency following a reconstructive president will continue to play the parts that are assigned to them by regime theory. Therefore, not only should a “favorite son” (or perhaps, someday, a “favorite daughter”) regime affiliate be

¹⁰ Ideologues – like OMB Director David Stockman – may have been even slower than realists, like House Speaker Tip O’Neill, to see this.

expected to follow the reconstructive president into office, but this president's tenure will probably face all the challenges that have historically plagued those cast in this role. Furthermore, it should be expected that future opposition presidents – those not affiliated with the dominant coalition – will, as theory predicts, either triangulate and attempt to co-opt the new status quo or suffer the wrath of resilient regime defenders. In short, with successful reconstructive leadership, politics may be revitalized and the political time cycle should turn again.

Conclusion: The End of Reconstructive Politics?

Today's constrained context renders order-shattering/order-creating, insurrectionary-style reconstructive leadership less probable and more difficult. This places the president's ability periodically to rejuvenate politics in jeopardy. It thus makes it both important to study the problem and to seek to understand if other change options exist through application of historical-institutionalist thought and mathematical simulation. Furthermore, given the literature's uncertainty about locating President Obama within political time (Schier 2011; Skowronek 2011; Crockett 2012), it may simply be an appropriate time to lay out a more rigorous framework for evaluating if the current president is best understood as trying to reconstruct.¹¹

Given the undeniable “thickening” of the institutional environment that modern presidents face, which generally strengthens the ability of veto holders to block change, it is significant to find that both theory and mathematical simulation suggest that reconstructive politics is still possible. In fact, despite the declining prospects for the practice of order-shattering/order-creating leadership, Polya's urn model suggests that a president can still successfully institutionalize a new political regime by employing multiple modalities of change. Ultimately then, today's constrained environment will push reconstructive presidents to rely more heavily on modalities other than insurrectionary displacement. Despite attendant dangers, which deserve greater attention, this promises to continue to allow the reconstructive president to reorder institutions and – the hope is – to reinvigorate politics.

11 In regards to the 44th president, Skowronek suggested four possibilities in 2011: 1) Obama is successfully reconstructing; 2) Obama is not successfully reconstructing because he is not trying to; 3) Other, “less pragmatic,” Democratic presidents may be able to reconstruct in the future; 4) Only Republican presidents can reconstruct anymore (chapter 6). Skowronek has, subsequently, returned to his earlier pessimism (e.g., 1997) and concludes that “what we face today is the exhaustion of and old remedy (i.e. reconstructive politics)” (2014, p. 807).

Acknowledgments: The author thanks Dave Bridge, Timothy Burns, Pat Flavin, Sergiy Kudelia, Steven Schier, Stephen Skowronek, Robert Spitzer, and the editors and anonymous reviewers at The Forum for helpful comments on earlier drafts of this article.

References

- Arthur, W. Brian. 1994. *Increasing Returns and Path Dependence in the Economy*. Ann Arbor, MI: University of Michigan Press.
- Balkin, Jack M. 2012. "What It Will Take for Barack Obama to Become the Next FDR." Accessed August 11, 2013. <http://www.theatlantic.com/politics/archive/2012/11/what-it-will-take-for-barack-obama-to-become-the-next-fdr/264195/>.
- Balkin, Jack M. 2014. "The Last Days of Disco: Why the American Political System is Dysfunctional." *Boston University Law Review* 94: 101–140.
- Bridge, Dave. 2014. "Presidential Power Denied: A New Model of Veto Overrides Using Political Time." *Congress & the Presidency* 41 (2): 149–166.
- Capoccia, Giovanni, and R. Daniel Kelemen. 2007. "The Study of Critical Junctures Theory, Narrative, and Counterfactuals in Historical Institutionalism." *World Politics* 59 (3): 341–69.
- Collier, Ruth B., and David Collier. 1991. *Shaping the Political Arena: Critical Junctures, the Labor Movement, and Regime Dynamics in Latin America*. Princeton, NJ: Princeton University Press.
- Cook, Daniel M., and Andrew J. Polsky. 2005. "Political Time Reconsidered: Unbuilding and Rebuilding the State Under the Reagan Administration." *American Politics Research* 33 (4): 577–605.
- Crockett, David A. 2002. *The Opposition Presidency: Leadership and the Constrains of History*. College Station, TX: Texas A&M University Press.
- Crockett, David A. 2012. "The Historical Presidency: The Perils of Restoration Politics: Nineteenth-Century Antecedents." *Presidential Studies Quarterly* 42 (4): 881–902.
- David, Paul. 1985. "Clio and the Economics of QWERTY." *American Economics Review* 75: 332–337.
- Dietz, Henry A., and David J. Myers. 2007. "From Thaw to Deluge: Party System Collapse in Venezuela and Peru." *Latin American Politics & Society* 49 (2): 59–86.
- DiSalvo, Daniel. 2012. *Engines of Change: Party Factions in American Politics—1868–2010*. Oxford: Oxford University Press.
- Eberly, Todd. 2010. "A Reconstructive President? Not in this Political Time." Accessed August 11, 2013. <http://freestaterblog.blogspot.com/2010/03/reconstructive-president-not-in-this.html>.
- Galvin, Daniel J. 2010. *Presidential Party Building: Dwight D. Eisenhower to George W. Bush*. Princeton, NJ: Princeton University Press.
- Hacker, Jacob S. 2005. "Policy Drift: The Hidden Politics of US Welfare State Retrenchment." In *Beyond Continuity: Institutional Change in Advanced Political Economies*, edited by Wolfgang Streeck, and Kathleen Thelen, 40–82. Oxford: Oxford University Press.
- Hall, Peter A., and Rosemary Taylor. 1996. "Political Science and the Three New Institutionalisms" *Political Studies* 44 (5): 936–957.

- Hand, Chris. 2006. "History Matters: Modelling Path Dependence on a Spreadsheet." (sic). *Computers in Higher Education Economics Review* 18 (1): 19–24.
- Horowitz, David. 2009. *Barack Obama's Rules for Revolution: The Alinsky Model*. Sherman Oaks, CA: The David Horowitz Freedom Center.
- Johansson, Jon. 2014. *U.S. Leadership in Political Time: Space: Pathfinders, Patriots & Existential Heroes*. New York: Palgrave Macmillan.
- Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking*. Chicago, IL: University of Chicago Press.
- Laing, Matthew. 2012. "Towards a Pragmatic Presidency: Exploring the Waning of Political Time." *Polity* 44 (2): 234–259.
- Landy, Mark K., and Sidney M. Milkis. 2000. *Presidential Greatness*. Lawrence, KS: University of Kansas Press.
- Lipset, Seymour Martin, and Stein Rokkan. 1968. "Cleavage Structures, Party Systems, and Voter Alignments" In *Party System and Voter Alignments: Cross-National Perspectives*, edited by S. M. Lipset and S. Rokkan, 1–64. New York: Free Press.
- Mahoney, James, and Kathleen Thelen. 2010. *Explaining Institutional Change: Ambiguity, Agency, and Power*. New York: Cambridge University Press.
- March, James, and Johan Olsen, 1984. "The New Institutionalism: Organizational Factors in Political Life." *American Political Science Review* 78 (3): 734–749.
- McCaffrie, Brandan. 2012. "Understanding the Success of Presidents and Prime Ministers: The Role of Opposition Parties." *Australian Journal of Political Science* 47 (2): 257–271.
- McCaffrie, Brandan. 2013. "A Contextual Framework for Assessing Reconstructive Prime Ministerial Success." *Policy Studies* 34 (5): 617–637.
- Nathan, Richard P. 1983. *The Administrative Presidency*. New York: Macmillan Publishing Co.
- Nichols, Curt. 2012. "The Presidential Rankings Game: Critical Review and Some New Discoveries." *Presidential Quarter Studies* 42 (2): 275–299.
- Nichols, Curt, and Adam S. Myers. 2010. Exploiting the Opportunity for Reconstructive Leadership: Presidential Responses to Everted Political Regimes." *American Politics Research* 38 (5): 806–841.
- North, Douglass C. 1990. *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press.
- Pfiffner, James P. 1996. *The Strategic Presidency: Hitting the Ground Running*. 2nd ed. Lawrence, KS: University Press of Kansas.
- Pierson, Paul. 2004. *Politics in Time: History, Institutions, and Social Analysis*. Princeton, NJ: Princeton University Press.
- Pierson, Paul, and Theda Skocpol. 2002. "Historical Institutionalism in Contemporary Political Science." In *Political Science: the State of the Discipline*, edited by Ira Katznelson and Helen V. Milner, 693–721. New York: W.W. Norton.
- Polsky, Andrew J. 1997. "The 1996 Elections and the Logic of Regime Politics." *Polity* 30 (1): 153–166.
- Polsky, Andrew J. 2012. "Partisan Regimes in American Politics." *Polity* 44 (1): 51–80.
- Schickler, Eric. 2001. *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress*. Princeton University Press.
- Schier, Steven E. ed. 2011. *Transforming America: Barack Obama in the White House*. Landham, MD: Rowman and Littlefield Publishers, Inc.
- Sheingate, Adam. 2014. "Institutional Dynamics and American Political Development." *Annual Review of Politics* 17 (1): 461–477.

- Skowronek, Stephen. 1997. *The Politics Presidents Make: Leadership from John Adams to George Bush*. Cambridge, MA: Harvard University Press.
- Skowronek, Stephen. 2011. *Presidential Leadership in Political Time: Reprise and Reappraisal*. 2nd ed. Lawrence, KS: University Press of Kansas.
- Skowronek, Stephen. 2014. "Twentieth-Century Remedies." *Boston University Law Review* 94: 797–807.
- Skowronek, Stephen, and Matthew Glassman. 2007. *Formative Acts: American Politics in the Making*. Philadelphia, PA: University of Pennsylvania Press.
- Streeck, Wolfgang, and Kathleen Thelen. 2005. *Beyond Continuity: Institutional Change in Advanced Political Economies*. Oxford: Oxford University Press.
- Thelen, Kathleen. 2004. *How Institutions Evolve: The Political Economy of Skills in Germany, Britain, the United States, and Japan*. New York: Cambridge University Press.
- Tsebelis, George. 2002. *Veto Players: How Political Institutions Work*. Princeton, NJ: Princeton University Press.
- Tulis, Jeffery K. 1987. *The Rhetorical Presidency*. Princeton, NJ: Princeton University Press.
- Weingast, Barry R. 2002. "Rational Choice Institutionalism." In *Political Science State of the Discipline*, edited by Ira Katznelson and Ira V. Milner, 660–692. New York: W.W. Norton and Company.
- Whittington, Keith. E. 2007. *Political Foundations of Judicial Supremacy: The Presidency, the Supreme Court, and Constitutional Leadership in U.S. History*. Princeton: Princeton University Press.
- Zinman, Donald A. 2011. "The Heir Apparent Presidency of James Madison." *Presidential Studies Quarterly* 41 (4): 712–726.

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