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(S)HE WHO ACTS FIRST:
GENDERED GUBERNATORIAL RESPONSE TO PANDEMIC
IN DIVIDED GOVERNMENT

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Abstract:

Does a governor's gender alter their behavior in policy-making, particularly in times of crisis? Despite having the most female governors in U.S. history, there has been very little scholarly attention to female governors. We study the COVID-19 policy responses of Democratic U.S. governors operating under challenging institutional constraints, namely divided government, but differ in constraints brought about by gender. We find that in the setting of the COVID-19 responses, female governors tend to act faster and more aggressively than their male counterparts, namely in social policies. However, male governors tend to move faster in closing nonessential businesses. Our findings may inform policy-makers in response to future crises, including the high likelihood of an impending subsequent wave of the COVID-19 pandemic.

(S)he Who Acts First: Gendered Gubernatorial Response to Pandemic in Divided Government

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The COVID-19 pandemic has demanded local, state, and national government policy responses across the globe. In the United States, state governors acted prior to and to a greater degree than the national government. Many governors felt empowered to act swiftly to contain the spread of the pandemic and avert a larger public health crisis; however, some states waited for the federal government to provide policy guidance. In part, state political circumstances dictate the government's ability to act. In particular we look to divided government, which increases instances of policy gridlock and inter-branch conflict (Bowling and Ferguson 2001). This sets the stage for increased conflict in decision-making, even in the midst of crisis, between governors and legislatures.

Though polarization and divided government have made policy-making incredibly difficult, what has not been explored is the role gender plays in constraining policy-making, particularly in crises. We draw on four states (Kansas, Michigan, Minnesota, and Wisconsin) with Democratic governors and divided government that split on gender of the governor. We argue that when circumstances demand swift response, female leaders will act even faster than their male counterparts. In the particular circumstance of divided government, this propensity is further enhanced by the what we postulate is the greater threat of policy obstruction from the legislative branch dominated by the opponent party. First we theorize that female leaders move swifter than male counterparts because they are held stronger accountable for the potential loss of life.

Second, we also conjecture that female leaders need to safeguard their policies to a greater degree from attacks and possible obstruction. We examine whether female governors were more likely to act quicker in response to the COVID-19 pandemic within their state by providing a case study comparison of male versus female governors facing divided government.

Gendered Executive Responses and Divided Government

How does divided government effect relations between the executive and legislative branches? Cox and Kernell (1991) find that divided government leads to institutional conflict over policy-making. They argue that executives and legislatures act in their own interest. State legislatures and executives are in competition and that a zero-sum game is played between the two institutions for power (Bernick and Bernick 2008). This institutional challenge can lead to political gridlock, affecting government response to crisis and public opinion.

The COVID-19 pandemic, like most crises, demand a rapid response from decision-makers to minimize negative outcomes. Responding to crises involves policymaking.. Female leaders who adopt masculine (aka authoritative) leadership styles may be evaluated more harshly than men by voters (Rudman 1998). If the opposition-controlled legislature believes they represent the true will of the state voters, we can expect they would also react harshly towards female leaders. At the same time, female governors tend to be more focused on social policy¹ than male governors (Heidbreder and Scheurer 2013). In this instance, female governors should be more prepared to take decisive action quickly, because most steps regarding COVID-19 should be focused on social policies.

Democratic governors expected response	divided	unified
Female	Swift++	Swift+

¹ Such as social welfare, education, and healthcare.

male	Swift+	Swift
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There has been very little scholarly attention to female governors (Bernick 2016) and even less on the interaction between a female governor in divided government. Divided government poses an institutional obstacle to policymaking. The combination of gender and divided government makes policy-making more challenging for female executives, who must work with other political actors at some point in the crisis. Anticipating these additional challenges due to gendered responses to female executive behavior, female governors will act swifter and more aggressively than male governors when making policy in divided government settings.

The Cases

Of the nine current female governors in the United States, six are Democrats - Brown (Oregon), Raimondo (Rhode Island), Kelly (Kansas), Grisham (New Mexico), Mills (Maine), and Whitmer (Michigan) - and three are Republicans - Ivey (Alabama), Reynolds (Iowa), and Noem (South Dakota).² Because of a lack of available cases of Republican female governors in states with divided government, cases are selected from only Democratic governors. We select Michigan, Kansas, Minnesota, and Wisconsin for comparison for a number of reasons. They all have divided government with Democratic governors and Republican-held legislatures. The four states share a Moralistic political culture, as classified by Elazar (1966). We begin our analysis with our two female governors and then proceed to our two male governors. We analyze data

² CAWP 2020

from The Public Health Protective Policy Index (PPI) Data Set (Shvetsova et al, 2020) collected during the early stages of COVID-19 spread in the United States.

[Table 1 is here]

In our case studies, we find that in divided government women act sooner than men (see Table 1). Female governors declared state of emergencies before males based on fewer confirmed cases. The decision to act on fewer cases also signals that female governors were willing to take more authoritative action, thus shirking the existing stereotypes of female executives.³

Female governors were also first movers in regard to school closures. In Kansas and Michigan, Governors Laura Kelly and Gretchen Whitmer (respectively) acted more swiftly than their male counterparts in declaring the initial school closure and closing schools for the rest of the academic year. The faster timing of school closures by female governors than male governors

³ We built a like-wise comparison of four states in the Rocky Mountain-Pacific West (Colorado, Nevada, New Mexico, and Oregon), which have Democratic Governors in unified governments. Colorado and Nevada have male governors while New Mexico and Oregon have female governors. Similar to our divided government case studies, female governors acted faster in closing schools initially, closing schools for the year, and declared a state of emergency with less COVID-19 cases than male governors. Additionally, male governors again closed non-essential businesses prior to female governors. While the unified government states declared their state of emergency within a five day time period, female governors issued stay-at-home orders prior to male governors. In general, female governors tended to act faster and more aggressive in unified governments compared to their male counterparts.

supports the idea that females feel empowered to act bolder on policies that are “female dominated”(Heidbreder and Scheurer 2013, Karpowitz and Mendelberg 2014).

Female governors did not however act before males when it comes to non-social policy agendas. In particular, our male Democratic governors closed nonessential businesses prior to the female governors. Female governors likely act slower because they know business closures will have a substantial negative impact on personal and state economies. The public tend to punish policymakers who they perceive having harmed their economic situation; given that closing businesses (and other crisis policy responses) are authoritative, theory would point to an even harsher public response. This supports our theory that female governors must be concerned with the threat that the legislature will issue challenges in divided government that that would not issue against their male counterparts.

Interestingly, we see no split along gender lines for stay-at-home orders. This follows the findings from Shay (2020), which finds gender does not influence the timing of a stay at home order. However, the gender of the state health administrator is important, with females being the first actors (Shay 2020). Shay does not however look at instances of divided government. We argue that divided government creates an important additional institutional hurdle that women must overcome.

Lawsuits illuminate the different degrees of difficulty experienced by governors of different genders. A lawsuit filed by the Michigan Republican Party highlights challenges faced by female executives. The GOP claims Governor Whitmer cannot extend the state of emergency order beyond 28 days without approval from the Legislature. While Governor Walz of Minnesota faces a lawsuit over his stay at home order, the key difference is that the suit filed against Governor Whitmer focuses on the state of emergency declaration- not the stay at home

order. This becomes a question of the magnitude of authority that Whitmer has, rather than Walz challenge claiming he is discriminating against small businesses and churches.

Conclusion

COVID 19 presents a challenge for all levels of government. As responses have been state rather than federally led, governors have borne the brunt of these challenges. We examine differences between male and female executives governing in divided government. In these instances, female governors have generally been the first to act, with more aggressive policies, in response to the COVID-19 pandemic. They must take more authoritative actions because they face a greater probability of challenges.

Prior studies find gender does not appear to have a relationship with the timing of stay at home orders being implemented (Shay 2020), but when considering the institutional barriers of divided government we see women moving before men when faced with the same challenges as female governors were willing to act based on fewer cases. Faced with institutional challenges (the threat of challenges from divided government), the most effective leaders will move quickly. Women face an extra barrier due to gender stereotypes, but speed is critical for pandemic response. With future outbreaks likely, which will demand government action, understanding how gender affects executive behavior and the ability to govern in divided government is gravely essential to the implementation of public health policy.

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Table 1: COVID-19 Policy Responses by State Governors

State	Kansas (F)	Michigan (F)	Minnesota (M)	Wisconsin (M)
<i>State of Emergency (SOE)</i>	March 12	March 10	March 13	March 12
<i>COVID-19 Cases @ SoE</i>	6 Persons	2 Persons	14 Persons	8 Persons
<i>Initial School Closure</i>	March 17	March 13	March 18	March 17
<i>Close School for Year</i>	March 17	April 2	April 23	April 24
<i>10 Person Gathering Limit</i>	March 17	March 24*	No Record	March 17
<i>Close Businesses</i>	March 30	March 22	March 18	March 17
<i>Mandate Work from Home</i>	March 30	March 24	April 8	March 24
<i>First Quarantine Policy</i>	March 15	No Record	No Record	No Record
<i>Stay at Home Order</i>	March 30	March 24	March 27	March 25

This tables shows the dates that state executive-enacted policy responses to COVID-19 went into effect. Shaded boxes indicate that both governors of the same gender acted as at least as aggressive as the first moving governor of the opposite gender.

*Michigan’s social gathering limit policy moved from 50 persons set on March 16 to no more than 1 person on March 24. It was the most stringent social gathering ban of the four states.