

PICKING WINNERS AND LOSERS:
THE GOVERNORSHIP OF MARK SANFORD

by

DANIEL KANSO

(Under the Direction of Charles S. Bullock III)

ABSTRACT

Focused from 2003 to 2011, I argue that the flawed execution of executive leadership under Governor Mark Sanford directly contributed to his administration's failure to accomplish his central goal of reforming South Carolina's fiscal policies. By evaluating Sanford's two terms in office, I demonstrate that he contributed to a legislative dynamic that divided Republican leaders and ultimately weakened the authority held by the governor's office. This thesis relies on an analysis of media coverage, and most directly, draws upon independently conducted interviews with: Mark Sanford, his chiefs of staff Fred Carter, Tom Davis, and Scott English, legislative liaison Chip Campsen, and more than thirty individuals, ranging from legislators to party chairmen.

INDEX WORDS: South Carolina; Republican Party; Governor; Executive power

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TABLE OF CONTENTS

	Page
LIST OF TABLES	vi
LIST OF FIGURES	vii
CHAPTER	
1 INTRODUCTION – MARK SANFORD’S SOUTH CAROLINA	1
2 ELECTING GOVERNOR SANFORD: DETAILS, PROMISES, AND PERSONALITIES	6
DEFINING SUCCESS	10
3 THE FRONT ROW SEAT	15
THE SOUTH CAROLINA GOP: RINOS VERSUS PIGS	18
THE BUDGET AND CONTROL BOARD	21
4 SANFORD’S WINS AND LOSSES	23
TRUE BELIEVER: SANFORD’S POLICY PRIORITIES	30
5 “HE’S NOT A REPUBLICAN!” – STATE OF THE NEW GOP	40
LEADING BY EXAMPLE	43
POWER AND POLITICS IN THE SOUTH CAROLINA SENATE	46
6 CONCLUSION – THE RISE AND FALL: WHERE DID GOVERNOR SANFORD GO?.....	51
LITTLE BITS AND PIECES	55
MR. SANFORD GOES BACK TO WASHINGTON.....	59

REFERENCES62

LIST OF TABLES

	Page
Table 4.1: Sanford’s Budget Vetoes	24
Table 6.2: Timeline of Republican Officeholders Elected in SC	61

LIST OF FIGURES

	Page
Figure 4.2: Principled or Grandstanding?.....	29
Figure 5.1: Conservative Ideology in South Carolina’s General Assembly: 1995-2011	41
Figure 5.2: Conservative Ideology in South Carolina’s Congressional Delegation: 1995-2013.....	45
Figure 6.1: Sanford’s Legacy.....	54

CHAPTER 1

INTRODUCTION – MARK SANFORD’S SOUTH CAROLINA

*Measured has never been a particularly strong suit with me... In retrospect, what happens is, you realize how short time is, how recalcitrant the political system is that we have in South Carolina, and how much you want to make the most of the time you've got.*¹ – Mark Sanford

Discussions of South Carolina’s political history often center around individuals. John C. Calhoun, “Pitchfork Ben” Tillman, James Byrnes, Strom Thurmond, Lee Atwater, Mark Sanford, and Tim Scott – all are names in a timeline that stretches far beyond the Palmetto State. Over the past five decades, the South Carolina Republican Party has developed from one of the weakest political organizations in the nation to maintain a substantial incumbency advantage at every level of representation. In January of 2003 – for the first time in modern history – Republicans in South Carolina assumed control of the governorship with majorities in both the state House and Senate. However, from 2003 to 2011, public political division between the Sanford Administration and Republican legislators was the dominant ideological battle that consumed South Carolina’s politics. The consequences of this evolving dynamic of governance can be evaluated in terms of how larger electoral forces responded to growing intraparty factionalization.

In 1994, Mark Sanford was elected to serve in the U.S. House of Representatives, rising on his image as a conservative outsider with no political experience. While in Congress, Sanford did not build a significant political infrastructure and pledged to serve three terms. A pledge he honored. He was unchallenged for reelection in 1996 and 1998, despite often voting against Republican leadership. After defeating six candidates to win the GOP nomination for governor

of South Carolina in 2002, Sanford led a ballot that for the first time in 48-years did not feature Strom Thurmond, Olin Johnston, or Fritz Hollings. The electoral significance of the candidacy and political success of Mark Sanford – endorsed by the conservative Club for Growth in his 2002 primary runoff and for reelection by the liberal Sierra Club in 2006 – is most important in the context of how the changing ideological makeup of the Republican Party has affected institutional governance in South Carolina.² Within a Republican Party that since Reconstruction has collectively elected twenty-three individuals to the offices of U.S. Senate, U.S. House of Representatives and the governorship, Mark Sanford’s administration transcends one of the most fundamentally fluid periods of ideological development in modern South Carolina history.

Mark Sanford campaigned as a new kind of Republican. Before the Tea Party or the rise of conservative advocacy groups like the Club for Growth and FreedomWorks, Mark Sanford was warning South Carolinians that – unless their leaders made drastic changes – America was in danger of becoming a failed state. Sanford made his rallying cry to conservative voters by highlighting growing deficits and the national debt, which he characterized as totally unsustainable. His argument for saving South Carolina from financial ruin was dominated by an appeal to reform how government operates by cutting state spending and eliminating taxes on individual income.

Part of what made Mark Sanford a different kind of conservative was his attachment to the ideas of fiscal restraint and individual liberty. Sanford made it a point to demonstrate the virtues of the principles he espoused by frequently sharing examples of his own frugality, making his commitment to cutting spending part of his public persona. For example, when discussing his service in the U.S. Congress – he would note that he slept on a futon in his office rather than renting a D.C. apartment – or that he could sometimes get by wearing the same dress

shirt for several days without sending it back to the drycleaner.³ In Sanford's view, almost everything that government does could be traced back to the budget in each fiscal year. Therefore, his administration's main policy objective was minimizing the burden placed on taxpayers by reshaping South Carolina's annual budget.⁴ In large part, all other issues were akin to details that could be reflected as part of the state's greater appropriations process.⁵

In fact, Sanford did govern differently than any other executive in South Carolina's history. Personally, he was popular among conservative voters and registered positive approval ratings for the vast majority of his governorship. Each year, from 2003 to 2011, Sanford went to great lengths in his attempts to influence the appropriations process. Efforts to wield executive power were greatly limited by the state's 1895 Constitution, which stripped away most gubernatorial authority and moved it under the jurisdiction of the General Assembly, nine statewide elected officials, the powerful Budget and Control Board, and to a network of boards and agencies whose members are largely appointed by legislators. Sharing a frequently espoused explanation for the impetus behind the state's Constitution, an exasperated Sanford described that: "Traditional functions of the executive branch were diffused . . . to mean that if a black man was elected governor, it wouldn't matter anyway because he wouldn't have any responsibility."⁶ For the most part, Sanford was unsuccessful in his attempts to exert influence over the appropriations process. As a result, toward the middle of his first term, he shifted his legislative strategy away from attempting to work with members of the General Assembly, and instead appealed directly to their constituents.

While gearing-up to launch his reelection campaign in June of 2006, Sanford vetoed the entire state budget and demanded that legislators cut a minimum of \$400 million from the \$6.6 billion budget to receive his approval. Sanford's expression of frustration was almost

immediately overridden – with more than 80% of legislators voting against his veto.⁷ When Sanford campaigned for reelection, he often cited Thomas Friedman’s *The World is Flat* to explain his view that South Carolina should operate as though it were an independent country. He argued that, for the state to have any hope of growing its economy, it would have to become globally competitive. Although Sanford had few major accomplishments to point to, he made the case to voters that it wasn’t for a lack of trying. And in November of 2006, more than 55% of South Carolinians cast their ballots in favor of reelecting the governor.

In other policy areas, however, Sanford was far less consistent. His chief of staff Scott English, remarked “Sanford loves the sensational, he always wanted to have these sort of out of the box ideas that were so big people couldn't comprehend them... Sometimes his big splashes were never really big splashes.”⁸ Rather, “he'd have these ‘brilliant ideas’ from time to time and he'd get really attached to them personally.”⁹ Despite rarely translating into public policy, Sanford’s proposals nevertheless became part of his political persona, helping him to bridge his heavy focus on the state budget with ideas to reform other areas of government.

Because of his role as an early messenger for the danger of America’s national debt and as an advocate of fiscal responsibility, Sanford gained national notoriety while serving as Chairman of the Republican Governors Association. Fortunately for the governor, his time on the national stage coincided with the rise of the Tea Party movement – named with the acronym “Taxed Enough Already.” With Sanford’s rise to prominence, he started to attract conservative support as a potential presidential candidate who could challenge President Barack Obama in his 2012 reelection campaign.

But all that ended in 2009, after a reporter inquired to learn of the governor’s location and was told he was hiking the Appalachian Trail. On June 24, 2009, Sanford held an infamous press

conference to apologize to South Carolinians and his family for a 6-day absence, admitting that he had been in Argentina visiting a woman named Belén Chapur with whom he was having an extramarital affair. In the years since, coverage and analyses of Sanford's administration have overwhelmingly focused on his affair. At least partially, his tendency to discuss his personal life publically has helped to fuel this coverage. Unfortunately, disproportionate attention cast on the former governor's affair over every other aspect of his administration has diminished much of the recognition that is due to Sanford as a forerunner in pioneering a new – and now commonly held – form of ideological conservatism, in which political philosophy often takes precedence over all else.

Outside of public fallout from his 2009 affair, Mark Sanford's governorship can be defined in three substantive areas of focus: attempts to reform South Carolina's annual budget – his principal policy objective – efforts to rebuff the will of South Carolina's General Assembly, and his administration's influence over conservative voters and their priorities. In this thesis, Mark Sanford's effectiveness as governor will be evaluated in the context of two main components. First, Sanford's unwillingness to compromise with Republican leaders in the General Assembly will be weighed in the context of his failure to achieve many of his administration's strategic goals – on fiscal policy and as expressed in his annual State of the State addresses. Second, Sanford's influence on GOP development in South Carolina will be measured to demonstrate the degree to which his governorship advanced the state's observable trend toward electing more ideologically conservative officeholders.

CHAPTER 2

ELECTING GOVERNOR SANFORD: DETAILS, PROMISES AND PERSONALITIES

We are approaching a tipping point, which I think is around 20 to 25 [years from now] and the wheels [will] come off at that point – or sooner. This isn't our grandkids – or our kids' problem – this is our problem... When the former Chairman of the Joint Chiefs of Staff [Admiral Michael Mullen] ... [is] asked, what's the most – the biggest threat to America? And the answer is the American debt. He's right. It's been the driver of my time in politics. If you believe in liberty, I think it was Milton Freeman that said: 'The ultimate measure of government is what it spends.' It's not the only measure but it's a pretty important one because it drives how you finance that spending, whether it is through taxes or deficits or borrowing.¹⁰ – Mark Sanford

While Lindsey Graham was unchallenged in his primary to succeed Strom Thurmond as the 2002 GOP Senate nominee, Mark Sanford launched his campaign for governor against six declared primary opponents, including three Republicans who were previously elected statewide: Lieutenant Governor Bob Peeler, Attorney General Charlie Condon, and Secretary of State Jim Miles. Sanford planned to go back to his real estate business after serving a self-imposed three term limit in Congress. Then he took a meeting, which he credits with convincing him to run for governor. “John Rainey... called. I knew of him, but I did not know him. And he said, ‘Can we have lunch?’ Yes... He said, ‘Look, you need to run for governor...’ He told the story of The Parable of the Talents... And that while many people could run, few had a realistic shot.”¹¹

Before asking Sanford to run for governor in 2002, John Rainey had been involved in South Carolina's politics for more than two decades. He was widely regarded for his extensive fundraising efforts on behalf of Republican and philanthropic campaigns. After making an unsuccessful attempt to recruit Carroll Campbell to run for a third non-consecutive gubernatorial term, Rainey says he discovered Mark Sanford in a newspaper article profiling his return to

Charleston.¹² Following a similar description of the decisive meeting that corresponds with Sanford's, Rainey said he received his answer "in about 10 days. Mark called me and said let's go... He said I'm ready. So I took him to Spartanburg... and then we went to Greenville and Jim DeMint and I held a luncheon for him. Then I took him to Anderson and I did the same thing. Because nobody had ever heard of the guy... And it was a great run."¹³ As the Republican Party solidified a majority in the Palmetto State's legislature, the relatively unknown congressman from Charleston became uniquely positioned to capture voters in GOP strongholds. As Whit Ayres described, "with economic development came a number of migrants into the state that were less locked into the old southern Democrat mindset."¹⁴ These new GOP voters built on to an existing "interstate Republicanism that tended to run up and down I-26 and along I-85 in the northwestern part of the state and I-95 in the eastern part of the state.... [bringing] a whole bunch of new people in, particularly along the coast down in Hilton Head, Beaufort, and Charleston... Myrtle Beach as well."¹⁵ In an upset, Sanford led with approximately 38% of the vote in the 2002 GOP primary, advancing to defeat Lieutenant Governor Bob Peeler in the runoff.¹⁶

A September 2002 article written by Fred Barnes, executive editor of *The Weekly Standard*, exemplifies the contrast Sanford immediately presented with establishment Republicans after his runoff victory. Headlined with, "The Un-Candidate: South Carolina's Mark Sanford succeeds by breaking all the rules," Barnes calls him "far and away the most interesting conservative running anywhere this year." Barnes was impressed by Sanford's willingness to go against political norms – his inclination to give either unscripted speeches or to guide his audience with a slide show, his aversion to preparing for televised debates, and even his preference for dressing casually and without a tie. But what was perhaps most interesting to Barnes and other conservatives was the cornerstone of Sanford's platform, a plan to eliminate the

state's income tax, of which he notes that no other state "has ever repealed its income tax."¹⁷ Outside of his plans to reduce taxes, Barnes praised Sanford for his ability to incorporate other issues – such as education – into a larger vision for restructuring state government. Without formulating detailed proposals of his own, the former congressman from Charleston gained credibility on education, which was his Democratic opponent's signature issue. Sanford faulted the state's growing bureaucracy for poorly performing schools, while advocating in favor of policies similar to those established by successful Republican governors like Jeb Bush of Florida.

Much like his governorship, Sanford's candidacy differed from that of every Republican who preceded him. Whereas the three post-Reconstruction GOP governors elected prior to Sanford – Jim Edwards, Carroll Campbell, and David Beasley – all had roots in the General Assembly, he took pride in his lack of experience. In fact, Sanford became the first governor elected in 50-years without serving as a member of the state's legislature.¹⁸ Focused on projecting his image as an unscripted outsider – Sanford hired his wife, Jenny, as his campaign manager. She held the same role in all three of his congressional races, all the while raising their four boys. Former Sanford chief of staff and now-state senator, Tom Davis, described the governor's ideology by pointing to the consistency with which he voted alongside Ron Paul in Congress.¹⁹ Mark Sanford has repeatedly made the same comparison, and describes that the driving force behind his public policy proposals has always been individual liberty and is very much in line with many of the views articulated by Congressman Paul.²⁰

Building his campaign around the slogan: "Mark Sanford, a leader not a politician," the former congressman from Charleston advocated gradually eliminating the state's income tax over 18-years and comprehensively reforming government. To pay for his proposed income tax cut, Sanford outlined a plan to apply the state's five percent sales tax to gasoline over 18-years

and to cap annual budget increases to the rate of inflation.²¹ Under his revenue structure, Sanford claimed that economic growth would close any budgetary shortfalls.²² Scott English said that before he joined the campaign in August of 2002, “Outside of the income tax, there were really no other policies that they had developed.”²³

The general election campaign had two dimensions. The first was the positive Sanford message, which English said “was real easy... He was going to save South Carolina... for everybody’s kids and grandkids. That whole bullshit.” The second was to pivot back to his primary focus of reducing government spending and taxation. “Sanford wanted to go after [incumbent Governor Jim Hodges] on policy... The bad government stuff.” English oversaw opposition research, and “wanted to be able to hammer [Hodges] every day – on the budget, on the decision-making process, [and on] the fact that he burned all of his bridges with Democrats in Columbia.”²⁴ With respect to Hodges’ relationship with members of his own party, former DNC Chairman Don Fowler agreed: “Jim Hodges... lost... because he was a piss poor governor and didn't do anything for the Democratic Party.”²⁵

In recent decades, a combination of working-class, middle-class, and upper-class voters, rural and suburban whites, and the religious right, provided a winning template for Republicans across the South.²⁶ With a populist message centered around reducing taxes, cutting government spending, and creating stability for South Carolina’s future, Sanford defeated incumbent Democratic Governor Jim Hodges. Notwithstanding his embrace of the GOP’s economic wing, the Episcopalian-raised governor did not possess the same natural appeal to evangelical voters. When asked to speak on his faith publically, Sanford said, “it was outside my comfort zone... And that was before 2009. Then post-2009, I haven’t really felt comfortable talking about it... So, I felt vulnerable on that front.”²⁷ With respect to his attitude toward campaigning on social

issues, Sanford dismissed the concept out of hand, simply saying, “It’s never been my thing.”²⁸ Rather than leaning on his oratory to give testimonies of faith, Sanford campaigned with his family to demonstrate his values.

Immediately after the 2002 election, then-governor-elect Sanford met with lawmakers and promised: “I will never surprise you.”²⁹ Cyndi Campsen Mosteller, former First Vice-Chair of the state Republican Party, a past president of South Carolina Citizens for Life, and a Sanford appointee to the South Carolina Commission on Higher Education, would later lament: “The best thing about Mark Sanford is who we thought he was.”³⁰ As time went on, many of his former allies would grow to share Mosteller’s view that his promise of no surprises was far from kept. As Republican Representative Shirley Hinson would articulate after the governor’s first legislative session: “He told us no surprises on Day 1, and we’ve been surprised every day [since].”³¹

DEFINING SUCCESS

Larry Sabato writes that governors “are directors but also the products of state government.”³² Evaluating the success of an individual governor is very much dependent on setting clear parameters for analysis, and accounting for larger political trends occurring across the nation. In addition to recognizing that unique elements in each state influence the viability of achieving policy priorities, Sally Morehouse finds that the variable with the greatest impact on an executive’s ability to wield influence is whether he can form “winning coalitions both within and outside the legislature.”³³ In the cases of South Carolina’s former GOP governors, Jim Edwards, Carroll Campbell, and David Beasley, both criteria were met with at least moderate success. Each executive focused on developing the Republican Party, but achieved most of his

legislative accomplishments with bipartisan support from a significant number of conservative Democrats. Although Mark Sanford built strong support among the electorate, he was demonstrably unsuccessful in securing winning coalitions within the General Assembly.

During Campbell's administration, when Republicans won 42-seats in the South Carolina House of Representatives – the 1/3 threshold required to sustain a veto – GOP House members united to uphold Governor Campbell's vetoes under Republican Minority Leader Howell Clyborne. Representative Clyborne, who led the GOP caucus from 1988 to 1994, said that before issuing vetoes, the governor would ask: "Howell, can you hold these votes?"³⁴ Clyborne recalls, "I don't think we ever lost a veto [that Campbell wanted sustained.] It's phenomenal. If we did, it was one of those times when he said... 'Y'all do what you want to do...' We were very, very disciplined around the veto."³⁵ Clyborne believes that when Republicans gained 42-votes in the state House, it "changed history," giving Republican leaders leverage to advance their legislative priorities.³⁶

While Mark Sanford shared many of the same overarching goals as Carroll Campbell, such as restructuring state government, cutting spending, and providing leadership to eliminate duplication by submitting an executive budget to the General Assembly – he did not share Campbell's approach to working with legislators or his ability to maintain party unity. Governor Sanford characterized his philosophy by declaring, "The only way I know how to do politics is to say here is what I believe and let me throw it at you. And you can do whatever you've got to do."³⁷ Sanford, despite having GOP majorities throughout his tenure, was more focused on sticking to his ideological principles and inclined to reject legislative compromises. Sanford frequently vetoed legislation and made greater use of budget vetoes than any former governor in

the state's history. Most of his line-item vetos were overridden by large majorities in the General Assembly, without individual debate.

Although he views Campbell as a very effective chief executive, Sanford said, "In fairness to Carroll... he wasn't getting anywhere. And [then] what changed the political balance of power was Lost Trust, where you've got all kinds of indictments going down... and he got that stuff through."³⁸ Lost Trust began after Ron Cobb, a lobbyist and former Greenville legislator, was arrested during an attempt to purchase cocaine from an undercover FBI agent. Cobb agreed to serve as a wired operative and offered cash bribes to members of the General Assembly in exchange for support on an FBI-monitored pari-mutuel gambling bill.³⁹ In 1990, ten members of the General Assembly were criminally convicted in the Lost Trust scandal.

In an editorial published 20-years after Lost Trust, Campbell's former communications director and chief of staff Bob McAllister expresses a similar sentiment to Sanford's. McAllister said the scandal gave "life to Mr. Campbell's plan to take on a system in which unaccountable, unelected bureaucrats were running state government." According to McAllister, it "gave him more than a philosophical argument. It gave him exhibit A, because if you'll remember, state government was frozen in its tracks during the Lost Trust investigation."⁴⁰ In the last two sessions of his governorship – after the House GOP caucus reached 42-members – Campbell worked with the General Assembly to pass legislation consolidating the state's 189 agencies into 69 departments, over which the governor was granted cabinet authority to appoint directors for 13 agencies. Furthermore, in 1993, Campbell was successful in revising the state's budgetary statutes, granting authority to the governor's office to solicit agency funding requests and to issue an executive budget.⁴⁰ Second to cutting taxes and government spending, Sanford's highest

priority was to continue Campbell's restructuring efforts to modernize state government and streamline the many core functions split between overlapping programs and agencies.⁴¹

But as Sanford became openly combative with GOP leaders in the General Assembly, rather than achieving a mandate from voters, his administration's ability to influence public policy sharply diminished. Judging Sanford's efforts to expand upon Campbell's legacy, then-associate editor of *The State*, Cindi Scoppe, followed up McAllister's account with an analysis that is generally in line with other mainstream assessments of progress made over the past two decades to reform the Palmetto State's government. According to Scoppe: "[After Governors] David Beasley and Jim Hodges did little with their new executive authority and less to win more, Gov. Mark Sanford so infuriated lawmakers with his eight year attack on the Legislature that he will leave the office arguably weaker than he found it."⁴² Scoppe's judgment that Sanford actually damaged executive governing authority reflects a criticism that is often presented in evaluations of his governorship.

Even though Carroll Campbell worked with a legislature dominated by Democrats, and David Beasley governed alongside a General Assembly split between a GOP majority in the state House and a Democratic Senate, both governors were far more successful than Sanford in achieving their priorities. One longtime observer of the state's executive branch criticized Sanford for inflicting irreparable damage to the governorship, calling him the worst executive in South Carolina's history. Drawing from his experience as a former state House leader, he claimed that David Beasley accomplished more in the first six-months of his single term than Sanford accomplished in 8-years. If comparing their first years in office alone, Beasley's record is clearly superior to Sanford's. In 1995, Beasley secured passage of proposals to lower property

taxes, reform welfare, and strengthen the state's sentencing laws.⁴³ Whereas Sanford largely emerged empty handed after his first legislative session.⁴⁴

It is undeniable that Mark Sanford wanted to restructure South Carolina's government, especially with respect to the budget-writing process. But because of his failure to work with the General Assembly, and his decision to antagonize Senate Majority Leader Harvey Peeler, Finance Chairman Hugh Leatherman, House Speaker David Wilkins and his successor Bobby Harrell, among other members of leadership – he lost the trust of many legislators. Consequently, Sanford's administration was essentially shut out of major public policy debates – especially if GOP leaders were confident in their ability to secure a bipartisan two-thirds majority vote to override any of his potential vetoes.

CHAPTER 3

THE FRONT ROW SEAT

The front row seat of what happens in any political body in any political year is how much you spend within this year on that. And everything else is bleachers... We came in, that had certainly been the tradition, and I'll never forget a conversation [with Republican Senator Verne Smith.] He said, 'Mark... if you will just do what we tell you to do, we will make you the best governor South Carolina has ever seen.' I said, 'Well, problem is maybe what you want me to do isn't in line with what I promised folks I was going to try and do.' 'Nah, those are details...' For a long time the governorship in South Carolina consisted of, don't mess with the budget and... we will give you a couple of legislative wins.⁴⁵ – Mark Sanford

Each year, Sanford's administration used the executive budget as a vehicle to outline his legislative priorities. Scott English and Tom Davis were the governor's closest policy advisors, and developed his budgets by applying a detailed process of performance-based evaluation to the state's large network of agencies. In his executive budgets, Sanford constructed a path to reform by directing his staff to frame government spending in terms of activities, rather than itemizing agency spending. Each executive budget started with an introduction, summarizing the administration's overarching conservative philosophy and the policies Governor Sanford would propose. From his vantage point, English said that the governor's objective was to send legislators a comprehensive budget to make "cuts that were very detail oriented and would take risks and get the discussions started."⁴⁶ According to English, in 2004 the budget contained "about 1,100 [functions of government] and the last year we did it, it was about 3,000."⁴⁷

As a newly elected governor without previous executive experience, Mark Sanford hired Dr. Fred Carter to serve as chief of staff during his first year in office, hoping to "get inside the beast" of South Carolina's politics.⁴⁸ After serving as Carroll Campbell's senior executive

assistant, Carter was appointed executive director of the Budget and Control Board from 1991 to 1999. Before he was asked to serve as chief of staff, Carter did not know the governor-elect personally.⁴⁹ Describing himself as a moderate, Carter recalls that after Sanford offered him the position as chief of staff, he raised the issue of ideological differences that put distance between the two men. To which Sanford responded, “I don't want somebody like me as my chief of staff.” Carter then took a one year sabbatical from his position as President of Francis Marion University to “get the governor oriented,” and most critically “acclimated to the actors, to the processes, to Speaker Wilkins, to [Senate Finance Chairman] Leatherman, to [Senate President Pro Tem] McConnell,” as well as to other key state government officials.⁵⁰

Under Carter’s guidance, Sanford managed to preside over a relatively cooperative political balance through the 2003 legislative session, echoing the message he delivered during his first visit to the Senate floor after he was sworn in: “For anything to happen here in Columbia [it] will take a collaborative working relationship between the House, the Senate and the governor's office.”⁵¹ However, after Carter’s departure, and under the leadership of co-chiefs of staff Tom Davis and Scott English, the administration’s relationship with the General Assembly began to sour.

The first major dispute between the governor’s office and legislative leaders came after Sanford vetoed the Life Sciences Act of 2004, an economic development bill, which morphed into an omnibus legislative package with dozens of amendments.⁵² Despite a large majority of legislators who voted in favor of overriding his veto, the governor dug in and took his argument to the public. The single title section of South Carolina’s Constitution “stipulates that every act or resolution that carries the weight of law must relate to only one subject.”⁵³ Sanford interpreted this provision to mean that the omnibus bill may have been unconstitutional. In turn, he

suggested going before the state's Supreme Court to ask for a declaratory judgment that would determine what legislation could be enacted under a single subject. At final passage, the Life Sciences Act included: incentives to attract investment from pharmaceutical and biomedical corporations, \$50 million appropriated for a state-operated venture capital fund – which Sanford vocally supported – approximately \$220 million in bonded funding for South Carolina's research universities, and a number of outlays directed towards the university system.⁵⁴ In response to Sanford's threatened lawsuit, Republican legislators accused the governor of grandstanding for political gain.

To bridge their differences, more than 40 members of the Republican House conference met with Sanford privately. A recording of their conversation was later leaked to The Associated Press. Summarizing a view articulated by numerous colleagues, Representative Bill Sandifer confronted the governor, saying: "I believe it is wrong for any person to climb to the top by stepping on the backs of his friends, and that's what we see you doing."⁵⁵ When Speaker Wilkins accused the governor of searching for "a good P.R. battle" to gain public support at the expense of the General Assembly, he retorted: "If you look at my numbers, and I can give you polls... I don't need help on that front."⁵⁶ In fact, just days before their meeting, *The State* reported that in addition to, "recent polls that show [Sanford's] approval ratings to be nearly 70 percent," the governor "had commissioned a poll that reportedly found he was much more popular than the General Assembly."⁵⁷ Although the meeting ended without a clear resolution, the administration ultimately decided against pressing a lawsuit. However, as Speaker Wilkins warned Sanford, by encouraging the intraparty dispute: "You'll continue to worsen the relationship you now have with the General Assembly... you have a tenuous one, at best right now. I think you have a better one in the House than in the Senate. I think this is going to worsen both of them."⁵⁸ Fourteen

months into Sanford's first term, his relationship with Republican legislators was already approaching a breaking point.

THE SOUTH CAROLINA GOP: RINOS VERSUS PIGS

*In 2004, you saw a slight uptick in the economy and so the issue for us is that we had a deficit. And this is the beauty of what we did... it was a [\$155] million unconstitutional deficit. Now was it unconstitutional? I don't know. It had not been recognized from the year before, which was not allowed under the Constitution, but that's splitting hairs. But that is the phrase that became attached to it because that's what we defined it as. And we repeated that line so many times that everyone just accepted it was unconstitutional.*⁵⁹ – Scott English

In 2003, Sanford reached an agreement with legislative leaders to reduce the state's debt. Help in this endeavor came from unexpectedly high revenue returns and economic growth, which facilitated rapid progress in paying down a \$155 million deficit carried over from 2002. The balance was reduced to approximately \$22 million by 2004, well in advance of a 3-year debt payment plan previously negotiated by Fred Carter. Mark Sanford recalls that after having “umpteen different meetings, they came up... a number of million dollars apart” on proposed budget cuts. “I remember meeting with [Speaker] David Wilkins. He says ‘look, just declare victory and move on’... [I said ‘No,] I think we have to close this off.’” Finally, Sanford said they reached a compromise for Speaker Wilkins to provide the votes necessary to sustain just enough vetoes to eliminate the debt in return for the governor issuing a larger number “of vetoes... and that way I can be the bad guy.”⁶⁰

Scott English and Chad Walldorf, Sanford's former deputy chief of staff for policy, worked intensively over a five-day period to deliver 106 budget vetoes, encapsulated in a 43-page veto message, to allow the General Assembly to override most of the governor's spending cuts – while sustaining the agreed upon amount necessary to pay off the debt. However, Sanford

said he “learned that morning [from Speaker Wilkins] that they [were] going to override and block... I said David, I mean come on, in fairness to my staff – they put all kinds of time into this... At least individually debate them. ‘No...’ I said all right – if you’ve got to do what you’ve got to do, then... I got to look for some more colorful way of raising what I think is fundamentally a constitutional issue.”⁶¹

As the 2004 legislative session came to an end, within 90-minutes, the South Carolina House moved to override all 106 of the governor’s line-item vetoes – with the exception of a minor proviso to shift the State Accident Fund to the Department of Insurance.⁶² Hours later, *The Post and Courier* reported that Sanford’s top legislative priority, a proposal to reduce the state’s income tax, “basically died in the Senate.”⁶³ From that point forward, Sanford’s political strategy initiated a permanent shift – from an effort to compromise with Republican legislative leaders on scaled-back budget measures – to waging a constant campaign to win public support for the administration’s philosophical view of fiscal conservatism. For the legislature’s part, Speaker David Wilkins remarked, “I’m sure he’s proud of his vetoes. Likewise, we’re proud of what we’ve done.”⁶⁴ Ways and Means Chairman, Bobby Harrell, noted that “106 vetoes, [are] the most we’ve seen in about 20-years. So, he should respect our right to override.”⁶⁵ Within a few days, the governor asked Scott English to have two pigs brought to the Capitol for the afternoon.

On May 27, 2004 – Mark Sanford brought two pigs onto the steps of the South Carolina General Assembly to hold a press conference in which he attacked legislators, who he characterized as threatening South Carolina’s financial stability. This PR stunt forever altered Sanford’s interactions with legislative leaders and proved fatal to some of his GOP opponents. Approaching the first of two press conferences that would transform his political career, Sanford picked up the “pigs and [carried] them upstairs on the House side [of the General Assembly.] He

gets about seven steps from the top when both of them shit, it gets on his pant leg, on his shoes – it's on the floor. He has to have a press conference with these pigs, and that was it. At that point, you've got grassroots people out in the state who get what he's going after.”⁶⁶ As Sanford's outreach to Republican activists improved, allied outside groups like the Club for Growth increased their support for non-establishment candidates in GOP primaries across South Carolina.

Echoing an assessment by Tom Davis, John Rainey and others, English acknowledged, “The pigs... just drove a stake into the heart of our relationship with the General Assembly. But it will forever be the defining moment... The [Republican House Majority Leader Rick Quinn] lost his primary... I will never forget him telling me his numbers flipped over the weekend after Sanford brought those pigs.”⁶⁷ Consequently, Tom Davis said: “Working with the General Assembly, it kind of from that point on became an impossibility.”⁶⁸ Leading up to Sanford's press conference were more than “nine-months” of budget negotiations, which both Mark Sanford and Scott English said collapsed after Speaker Wilkins abandoned an agreement that GOP legislative leaders reached with the administration.⁶⁹ In addition to House Majority Leader Rick Quinn – a 16-year incumbent – Senator John Kuhn of Charleston lost his Senate primary to Sanford's former legislative liaison Chip Campsen.⁷⁰ In another close race, Senator John Hawkins of Spartanburg secured a narrow win over his conservative challenger, Lee Bright, claiming victory by just 31 votes.⁷¹ Four years later, in the 2008 primary, Bright defeated Hawkins' ally, Scott Talley, and was elected to represent the 12th District in the Senate.

Following a reference to South Carolina's “unconstitutional deficit” from Moody's in downgrading the state's AAA bond rating to a negative outlook, Sanford had the ammunition he needed to take his argument directly to Comptroller General Richard Eckstrom, who possessed

unilateral authority under the state's Constitution to use surplus funds to make debt payments.⁷²

Eckstrom, who took office in 2003 and served through both of the governor's terms, often joined Sanford in voting against an opposing 3-member majority on the Budget and Control Board. Notwithstanding the damage sustained to his already-weak relationships with Republican leadership in the General Assembly, Mark Sanford was successful in advancing his initial goal of paying off the state's debt. After consulting with the governor, Eckstrom transferred surplus revenue collections out of the state's general fund to zero-out the deficit held over from 2002.

THE BUDGET AND CONTROL BOARD

*If you put me in charge, then I want to be in control. But that fundamentally ain't the job... South Carolina is the only state in the union with a Budget and Control Board that handles the executive branch functions handled by the other 49 governors in the United States of America. And either you would be a good boy and just pretend that you are in charge of certain things that you are really not, or you chafe and you push against them.*⁷³ – Mark Sanford

The South Carolina Budget and Control Board is responsible for the administration of state government, and consists of five voting members, including the governor, comptroller general, state treasurer, Senate Finance chairman, and House Ways and Means chairman. Inherent disagreement over public policy and governing authority with the Budget and Control Board, led to repeated and unsuccessful appeals by Sanford to amend the structure of South Carolina's Constitution. Sanford's former legislative liaison and now-state Senator Chip Campsen, characterized it by saying "We still suffer under the 1895 Constitution, which was really about eviscerating the governorship systemically of any real power."⁷⁴ Ultimately, Sanford says that he rejected Columbia's transactional political environment, of which he was warned: "It's always personal in South Carolina politics."⁷⁵

Mark Sanford remembers Budget and Control Board meetings as the most frustrating limitation on his authority, describing that, “Leatherman would have the votes and so you're supposedly the head of the Budget and Control Board but it's in name only... They don't want to debate because it's not about ideas, it's about raw power.”⁷⁶ For six months in 2007, Sanford gained a working 3-member majority, which included Comptroller General Richard Eckstrom and Thomas Ravenel, who defeated 9-term incumbent treasurer Grady Patterson in 2006. Furthering Sanford's grasp on power, in January of 2007, Executive Director of the Budget and Control Board Frank Fusco resigned after having served in that capacity since 2001. The governor then successfully appointed his chief of staff, Henry White, to assume the position with confirmation from the board.⁷⁷ However, shortly thereafter, when Thomas Ravenel was indicted on federal cocaine distribution charges in June of 2007, he resigned as state treasurer.⁷⁸

After Ravenel's departure, Sanford endorsed then-Charleston County Councilman Tim Scott to be appointed as the state's treasurer. The governor's endorsement of Scott went unrecognized, and not even a single lawmaker nominated him for consideration.⁷⁹ Ultimately, Representative Converse Chellis was elected by the General Assembly to serve-out Ravenel's term through 2011. Sanford said that a lack of debate before electing Chellis, who would join a voting-bloc with House Ways and Means Chairman Dan Cooper and Senate Finance Chairman Hugh Leatherman to form a majority, made South Carolina look like “a Banana Republic.”⁸⁰ Following Chellis' appointment, Henry White resigned from his short-lived tenure as executive director. Sanford attempted to nominate his former Deputy Chief of Staff Chad Walldorf to the position, but he was overruled, and by a 3-2 vote – Frank Fusco was reinstated as the board's executive director.⁸¹ From that point forward, turning public opinion against the Budget and Control Board became a central part of the administration's campaign-based negotiating strategy.

CHAPTER 4

SANFORD'S WINS AND LOSSES

*I bled during those eight years and... really tried to push rocks uphill... And it was just brain damaging. I remember just the absolute loneliness at times. I remember going over to do a reception for the members of the General Assembly and... feeling... [my] heart was just falling through [my] stomach. And they had just gotten through... overriding every veto you'd laid out in essence. And you have to go walk into the room, and you're like ughhhh, just trying to hold your chin up.*⁸² – Mark Sanford

When Sanford was unsuccessful in influencing the budget process, he frequently resorted to issuing line-item vetoes. South Carolina's legislative leaders have long employed a budget-writing tactic, referred to as "rolling it up," which complicated past administrations' efforts to slash spending. Large sections of annual appropriations are "rolled up" into single items, such as "operating expenses" or included in one year funding provisions called provisos.⁸³ In a 1998 case brought against then-governor David Beasley, the state Supreme Court ruled that governors only have the authority to veto entire items or sections of the budget, and cannot strike individual sentences from paragraphs or cut items included within larger provisos.⁸⁴ Because of the constraints imposed under this decision, Sanford would later attempt to justify his propensity to issue historically large numbers of line-item vetoes.⁸⁵

Table 4.1: Sanford's Budget Vetoes					
Year	Issued	Total Spending Vetoed /Budget	Number Sustained by SC House	Number Sustained by SC Senate	Number Overridden /Total Issued
2003 ⁸⁶	22	\$2 million /\$5.3 billion	16	18	4/22
2004 ⁸⁷	106	\$36 million /\$5.5 billion	1	7	99/106
2005 ⁸⁸	163	\$96 million /\$5.8 billion	9	10	153/163
2006 ⁸⁹	Entire budget vetoed	\$6.6 billion /6.6 billion	Vote to override: 99-13	Vote to override: 34-7	1/1
2007 ⁹⁰	243	\$167 million /\$7.4 billion	15	0	228/243
2008 ⁹¹	69	\$72 million /\$7 billion	13	1	56/69
2009 ⁹²	49	\$5.7 billion /\$5.7 billion	17	4	32/49
2010 ⁹³	107	\$414 million /\$5.1 billion	51	4	56/107
Total	760	\$13.087 billion/ \$48.4 billion	122	44	629/760

In 2003, upon issuing his first set of 22 line-item vetoes, the newly-installed Governor made clear that he wanted to see changes in the appropriations process. While issuing a limited number of budget vetoes under Fred Carter's guidance, Sanford warned: "An unfortunate consequence of continuing to budget like this will inevitably be the veto of large items or sections that include meritorious provisions, just to address objectionable matters. I do not suspect any of us desire that outcome."⁹⁴ Perhaps unsurprisingly, Sanford's repeated demands for change were not fulfilled by legislators. Although the governor did telegraph his anticipation that the budget debate would grow more contentious, it is unlikely he could have predicted that his first year – in which 18 of 22 budget vetoes were sustained – would be his most productive attempt to influence the annual appropriations process until 2010, the last year of his

administration, and at the tail-end of South Carolina's deepest economic crisis since the Great Depression.

As governor, Sanford failed to generate legislative support for the majority of his proposals to alter the budget. After he issued 163 budget vetoes in 2005, which would have reduced the state's \$5.8 billion in appropriations by \$95.9 million, then-chairman of the House Ways and Means Committee, Bobby Harrell, responded by saying: "These vetoes make absolutely no sense."⁹⁵ Harrell was alluding to an analysis from *The Post and Courier*, which found at least 15 of the items vetoed were present in Sanford's own executive budget.⁹⁶ The administration's spokesman, Will Folks, credited the appearance of mixed-messaging to problems in "how the budget gets rolled up." Nevertheless, legislative leaders moved to rebuke Sanford, overriding all but 10 of his vetoes.⁹⁷

At the close of the 2006 session, Sanford vetoed the entire \$6.6 billion state budget and publically declared his frustration with Republican leaders.⁹⁸ Explaining his decision, the governor conceded that his prior attempts to veto hundreds of items at a time were fruitless. Referring to his veto attempts in previous sessions, Sanford admitted: "We do know that strategy doesn't work."⁹⁹ But as they did to most of Sanford's line-item budget vetoes, more than 80% of legislators quickly moved to override his veto of the annual budget – without debate. Sanford's intention was to move spending more in line with the \$5.9 billion executive budget his office presented to the General Assembly, pushing lawmakers to cut approximately \$400 million to gain his approval. Still, senior legislators responded in consternation. Senate Finance Chairman Hugh Leatherman characterized the governor's decision as "the most unusual thing I've seen in my 26-years."¹⁰⁰ Veteran state Senator John Drummond noted that, during his 40-years of service, he had never seen another governor veto an entire budget.¹⁰¹ In fact, historians at the

state's Department of Archives and History determined that before Mark Sanford, no other executive had issued such a veto – or as the governor put it, “We’re trying to go the road less traveled.”¹⁰²

In 2007, Sanford issued 243 budget vetoes, the most put forward by any administration since Carroll Campbell sent 277 line-item vetoes to legislators in 1987.¹⁰³ But unlike Campbell, who saw all his vetoes unanimously upheld in the state House, Sanford was forced to settle with just 15 vetoes sustained, cutting a paltry \$1.8 million from the state's \$7.4 billion budget.¹⁰⁴ The Senate was less favorable to the administration, overriding all 243 vetoes. In response to Sanford's charge that, in bypassing debate over the measures, the body demonstrated “a downright dereliction of duty,” Senate President Glenn McConnell observed: “There appeared to be a complete reticence to take up the banner on any of those vetoes because [members] had at risk other good projects.”¹⁰⁵ Speaker Harrell echoed his colleague, saying: “I told the governor repeatedly, when you send over that many vetoes, you create alliances of people all over the [House] floor to protect their items.”¹⁰⁶ As a result, while at least 33 vetoes were sustained in the House at one point, as lawmakers negotiated with one another, they were revisited – and ultimately, only 15 were upheld.¹⁰⁷

By 2008, the Palmetto State was experiencing downward revenue returns because of economic decline, offering an opportunity for Sanford to lead. The governor's executive budget, which he proposed in January, would have eliminated \$326 million in spending – about \$200 million more than what was eventually approved by legislators.¹⁰⁸ Though the governor criticized the General Assembly's decision to borrow more than \$150 million from reserve accounts, he decided to pursue a more measured approach and issued 69 vetoes, the fewest since his first year in office. Unfortunately for Sanford, his attempted compromise was not met with

appreciation on the part of legislators. After the Senate unanimously voted to reject most of his vetoes, sustaining just 1, the House eliminated all but 13 of his spending cuts to reduce the \$7 billion budget by approximately \$2 million.¹⁰⁹

In his judgment, the governor claimed that by approving a budget, which projected a combined deficit of \$28 million for the departments of corrections and education, legislators demonstrated a “disdain” for taxpayers and failed to meet their constitutional obligation to enact a balanced budget.¹¹⁰ But as flat revenue returns dipped and turned negative, the General Assembly was forced to make additional cuts, passed in an addendum during a special session in October of 2008. When legislators agreed upon a plan for \$488 million in spending cuts to staunch the state’s bleeding reserves, Sanford allowed the measure to become law without his signature.¹¹¹ He also declined to make any additional line-item vetoes. Still, as his previous warnings were being validated, the governor remarked that his administration would be “open and willing to work with the legislature on the idea of targeted cuts, as opposed to the massive increases in spending we’ve seen in previous years.”¹¹² He also added, “Rest assured that if things swing back in the other direction we’ll be just as ready to use our veto pen.”¹¹³ Notwithstanding the brief stretch of cooperation exhibited between the administration and General Assembly during the latter months of 2008, as the recession deepened, battle lines between the warring factions of the South Carolina GOP only hardened.

Despite only issuing 49 vetoes in 2009, Sanford’s directives would have effectively prevented any funds from being spent from the state’s \$5.7 billion budget – had he not been overridden. Two of the governor’s vetoes attracted particularly notable attention. The first was an effort to strike Part I A of the bill, the mechanism by which funding is distributed to all state agencies.¹¹⁴ In addition to 47 line-item vetoes to Part II of the state budget, including a proviso to

request all available federal stimulus dollars, Sanford vetoed Part III, appropriations for \$700 million of federal stimulus aid. Unless the money could be used to pay down South Carolina's debt – an idea twice refused by the White House – Sanford said he would decline to request the \$700 million federal supplement available to his state.¹¹⁵ After legislators moved to override the governor's veto, Sanford shifted to defend his administration's refusal to accept the funding before the state's Supreme Court in a case "filed by two students and a school administrators' association that sought to force the state to accept the stimulus money, some of which [would] go for education needs."¹¹⁶

On June 4, 2009, by a decision of 5-0, the Court ordered the governor to apply for the stimulus money, finding: "Under the Constitution and laws of this State, the General Assembly is the sole entity with the power to appropriate funds... Therefore, the General Assembly has the authority to mandate that the Governor apply for federal funds which it has appropriated."¹¹⁷ After a months-long fight between the administration and the legislature, referred to by Sanford as their "most significant divide... to date" – and which allowed the Palmetto State's chief executive to raise his national profile by making dozens of appearances on "television news and cable talk shows to defend his stimulus opposition" – he relented and accepted the Court's decision.¹¹⁸

Because of the significant decline in South Carolina's revenue collections after the recession of 2007 – 2009, Mark Sanford technically achieved the highest priority of his governorship in the short-term – reducing the size of state government. South Carolina experienced nearly \$2 billion in budget cuts, dropping annual appropriations by more than 25 percent. After the Great Recession forced the state to cut its budget to approximately \$5.1 billion in 2010, most savings were generated from across the board cuts.¹¹⁹ In John Rainey's assessment

of Sanford's governorship, "The most he got done, the most effective time in office was his last six months." [...] "Mark mellowed and that's why... that was his most productive time in the legislature. You don't get anywhere by antagonizing people."¹²⁰ In fact, it was during Sanford's last session as governor that he achieved his greatest impact on South Carolina's budget, whereby 51 of 107 line-item vetoes he issued were sustained by the House.¹²¹

By 2011, after Sanford left office, such cuts caused appropriations to fall "to mid-1990s levels" of approximately \$4.8 billion, as the federal stimulus money supplementing the state's budget ran dry.¹²² Ultimately, Sanford does not regret placing an almost singular focus on the state's annual budget. "What I would say is we got into the executive budget because it was the front row seat... the ultimate measure of political duplication and legislative dominance in our state and that if you wanted to check that, if you wanted to change that, you'd better get into its byproduct which is the budget."¹²³ But as Sanford anticipated, when the economy recovered in subsequent fiscal years – the cuts were largely restored by the General Assembly.



Figure 4.2: Principled or Grandstanding?¹²⁴

TRUE BELIEVER: SANFORD'S POLICY PRIORITIES

*I must have given a thousand talks on Thomas Friedman and the flat world... It was part of that larger push toward competitiveness... Legal climate, regulatory climate... employment security, tax system, all of that was part of – how do you pretend that we're in our own country and competing... against a bunch of other places for capital?*¹²⁵ – Mark Sanford

Over Governor Mark Sanford's two terms in office, he signed several major legislative compromises into law. Such notable conservative achievements included: tort reform and a reduction to the state's income tax for small businesses, property tax reform, workers' compensation reform, and immigration reform. However, Sanford considers many of these efforts to be missed opportunities.¹²⁶ Despite claiming credit for advancing these measures, Sanford's administration failed to achieve support for many of his highest policy priorities. Among other objectives, the governor fell far short of his initial goals to cut taxes, restructure government, and reform South Carolina's workers' compensation system. To evaluate Sanford's legacy of legislative achievements, this section will measure the proposals described in the governor's State of the State addresses against the bills he signed into law.

In his inaugural State of the State address, Mark Sanford cast a vision to amend the state's constitution to allow candidates for governor and lieutenant governor to run on a single ticket, and to give the governor authority to appoint cabinet officers as secretary of state, state treasurer, adjutant general, superintendent of education, comptroller general, and agricultural commissioner – pending confirmation by the Senate. He also wanted to restructure South Carolina's government to give his administration power to appoint the heads of each department and agency. In addition to his plan to do away with the state's individual income tax over 18-years, Sanford wanted to implement zero-based budgeting for all government spending. Finally, he proposed requiring districts to empower students with public school choice within their

systems, recommended an expansion of charter schools, and called for a voucher program that would offer parents up to \$3,500 annually to pay for private school tuition if their students attended a failing school.¹²⁷ Unfortunately for Sanford, once in office, his lack of personal ties with members of the legislature became more of a liability than an asset. Typically, newly elected governors are thought to have a mandate to implement at least part of their agenda, but for the Palmetto State's governor, no such momentum materialized. Significant portions of Sanford's agenda were not even introduced until midway into the 2003 session – and his first year as governor ended “without any of his major initiatives clearing the House and Senate.”¹²⁸ Nevertheless, a survey taken for the Democratic Senatorial Campaign Committee in June of 2003 showed that 62% of South Carolinians approved of the governor's performance, whereas only 14% disapproved.¹²⁹

In 2004, Sanford articulated his legislative agenda with his administration's first executive budget, 328-pages of proposals that added up to a \$5.1 billion plan to restructure government, eliminate multiple agencies and programs, and sell state owned assets.¹³⁰ During his second State of the State address, Sanford appealed to lawmakers to join him in cutting fat from the budget, pledging to bicycle 300 miles across South Carolina with his family to demonstrate the virtues of making healthy decisions. In the first installment of a recurring cut that would eliminate the state's income tax over 18-years, Sanford proposed lowering South Carolina's top rate from 7 percent to 5.9 percent for individuals earning more than \$12,000 per year. After Sanford reintroduced his proposals to reform public education, Democratic Superintendent Inez Tenenbaum criticized him as painting “the most negative picture of education.”¹³¹ In addition to his previously proposed measures to restructure government, Sanford called for eliminating 15 state agencies, closing two USC campuses, and creating a board of regents to oversee the state's

system of public colleges and universities. Finally, Sanford advocated making the state more business friendly to create new jobs, particularly by reducing the regulatory burden placed on small businesses.

Following a turbulent legislative session, in which divisions between the administration and legislators grew significantly, Sanford failed to pass most of his agenda. In an op-ed published in June of 2004, Sanford admitted: “We fell short of where we’d like to be [on the legislative] front, and my two biggest disappointments were not seeing passage of our income tax relief proposal and government restructuring.”¹³² The only true victory won by Sanford in 2004 was the enactment of legislation establishing “a permanent 11-person committee” to evaluate the effects of regulations on businesses across South Carolina.¹³³

In his third State of the State address, Sanford implored legislators to change their ways so that South Carolinians could “thrive economically and academically.”¹³⁴ Reiterating his proposal to eliminate the individual income tax, he asked lawmakers to reduce the top rate to 4.75 percent from 7 percent. The governor drew upon themes from Thomas Friedman’s *The World is Flat*, warning of challenges “from the dangers of inflation to the emerging strength of markets and low-cost work forces in China and India.”¹³⁵ Sanford also articulated a more complete vision for the education policies he had campaigned on, advocating for what he called the “Put Parents in Charge Act.” Overall, he focused on five core areas: eliminating the income tax, promoting school choice and vouchers, restructuring government, tort reform, and increasing the quality of life for South Carolinians.¹³⁶

During the 2005 legislative session, Sanford’s proposal for tort reform was met with approval by members of the General Assembly, and he signed a measure into law that capped non-economic damage awards at \$350,000 for individuals injured by medical malpractice.¹³⁷

Although the governor's pared down proposal to reduce the income tax from 7 percent to 4.75 percent over 10-years passed in the state House, it did not garner support in the Senate. However, Sanford was successful in passing a smaller package to reduce the income tax for small business owners from 7 percent to 5 percent. This resulted in what would arguably become the most significant policy achievement of his entire governorship.¹³⁸

When lawmakers rejected Sanford's plan to restructure state government, he retaliated by staging another stunt in front of the General Assembly. To protest against legislators' reluctance to change the antiquated structure of South Carolina's government, the governor arrived at the State House to hold a press conference with a horse-drawn carriage as his backdrop.¹³⁹ Commenting on the fact that three years into his first term, Sanford had few accomplishments to point to, Cole Graham of the University of South Carolina remarked: "He can't run on empty and expect to be elected to a second term."¹⁴⁰ Neil Thigpen, a Republican activist and political scientist at Francis Marion University was more pointed, saying of Sanford: "His record is virtually devoid of any major accomplishments, and that could be deadly."¹⁴¹

In late June of 2005, Speaker David Wilkins was nominated by President Bush to serve as U.S. ambassador to Canada. Shortly thereafter, GOP members elected Bobby Harrell to take his place as Speaker of the House. While Sanford hoped to do better in negotiations with Bobby Harrell, his problems with the legislature only worsened. After taking notice of Sanford's attempts to advantage his reelection campaign by publically positioning himself against the General Assembly, Speaker Harrell became even more critical of the governor's performance than his predecessor.

In preparation for his reelection campaign, Sanford's 2006 State of the State address championed broad reforms to grow the Palmetto State's economy. After alluding to Thomas

Friedman and *The World is Flat* at least five times, Governor Sanford criticized the state Senate for failing to move his agenda forward. Though he did not mention his signature education initiative, the Put Parents in Charge Act which failed to gain traction during the 2005 session, Sanford declared: “We’re meeting some artificial resistance in the Senate on [the education] front. I ask that that loggerhead be broken.”¹⁴² Senator Leatherman responded to this criticism by telling *The State* newspaper that he thought “the speech was short on details on job creation in a state with the third-worst unemployment rate in the nation.”¹⁴³

The governor also introduced several new policy priorities. Sanford called for a measure to lower the property tax burden on homeowners, advocated reforming the state’s workers’ compensation policies, and put forward a plan to change the way the state administered its Medicaid program. Furthermore, he called on lawmakers to “increase the number of African Americans appointed to the bench” to better reflect the diversity of South Carolina’s population.¹⁴⁴ One year earlier, African American “lawmakers staged a walkout to protest the lack of diversity on the judicial bench,” pointing out that while approximately 30 percent of citizens in the Palmetto State are African American, just 7 of the 112 judges elected by the General Assembly to serve on the “Supreme, Appeals, circuit, and family courts,” are black.¹⁴⁵ Following Sanford’s call to action, his spokesman admitted that despite the governor’s support for adding diversity to the bench, the responsibility to do so was with legislators.¹⁴⁶

When Sanford’s workers’ compensation reform package was stripped by the House Labor, Commerce and Industry Committee, he issued a veto of the state’s entire budget, sending the governor’s fourth legislative session into a frenzy. Five months before the election of 2006, upon receiving notice of Sanford’s veto of the state budget, Speaker Bobby Harrell responded by authoring an op-ed in which he questioned the governor’s ability to lead his state. Harrell wrote,

“It is sad to see a member of my own party base his reelection campaign on running against a Legislature that is controlled by his political party... The problem is Gov. Sanford needs the same people he is attacking to support his proposals.”¹⁴⁷ After negatively comparing Sanford to his GOP predecessors David Beasley and Carroll Campbell, Speaker Harrell concludes: “What we need today is less rhetoric and more leadership.”¹⁴⁸ Sanford was successful in securing passage of one of his policy priorities – property tax reform. However, the governor would later characterize his involvement as “defensive in nature,” saying by that point he was willing to accept any tax cut being offered.

Following his reelection, in which he won support from 55% of voters, Sanford announced that his second term priorities would be to restructure state government, eliminate the income tax, and reform workers’ compensation laws.¹⁴⁹ In his 2007 State of the State address, Sanford struck a conciliatory tone in an appeal for legislative support of a broader agenda. The governor called for strengthening DUI laws, addressing increasing costs of property insurance for coastal homes, consolidating school districts to one per county, and passing his major proposals for fiscal reform, which he introduced during previous legislative sessions. A 2006 investigation by *The State* newspaper revealed that “40 percent of repeat-offense DUI convictions” were pleaded down to lesser charges, and approximately 42 percent of people killed in traffic accidents in South Carolina died in crashes where alcohol was a factor.¹⁵⁰ After becoming aware of the issue, Sanford became a passionate advocate for toughening the Palmetto State’s DUI laws. While the state House passed a bill to do just that, the Senate failed to consider it. The governor achieved his only victory during the 2007 session upon receiving approval from lawmakers to enact his proposal to stabilize the cost and availability of homeowner’s insurance for coastal South Carolinians.

In Sanford's sixth annual State of the State, he reiterated his support for proposals to toughen DUI laws, called on legislators to approve vouchers to offer parents and students access to school choice, and reaffirmed his desire to eliminate the income tax and to offset revenue losses by increasing the state's cigarette tax and keeping government spending at inflation and population growth rates. Sanford also proposed a few new ideas. He called on the General Assembly to pass a bill to stop illegal immigration, following the model set by states like Georgia, suggested restructuring government by eliminating the Budget and Control Board, and offered a plan to limit access to single-year funding provisos for programs that are annually appropriated in the budget.¹⁵¹

Responding to widespread media coverage that pointed to tensions between Sanford's administration and much of the Republican Caucus in the General Assembly, Scott English countered that: "On spending issues that was true [but] on other issues not so much."¹⁵² However, English did cite immigration reform in 2008 as a particularly contentious legislative fight, saying that conflict originated out of "a personal vendetta against a senator."¹⁵³ Joining with then-Spartanburg Solicitor Trey Gowdy and other local officials from across the state, Sanford launched an extensive public campaign in support of his proposed immigration reforms.¹⁵⁴ Ultimately, the debate over immigration emerged as one of the few contests won by the administration. The final bill authorized the South Carolina Law Enforcement Division (SLED) to negotiate with federal agencies over the enforcement of immigration laws, "required people to prove their lawful presence in the US to receive public benefits," mandated that all businesses validate the legal status of employees using a state driver's license or E-Verify, and imposed fines between \$100 and \$1000 for employers who failed to verify the legal status of an

employee or hired an undocumented immigrant.¹⁵⁵ Additionally, the bill outlawed “sanctuary cities,” and added a number of provisions to enhance penalties against immigration violations.

Outside of immigration reform, Sanford joined with legislative leaders to pass “half a billion dollars in tax breaks on homes, business and groceries,” an enhanced DUI law, and a measure to reform the Palmetto State’s workers’ compensation and medical malpractice laws.¹⁵⁶ Despite his general support for cutting taxes, Sanford was skeptical of providing incentives to businesses. The governor vetoed legislation offering tax breaks in exchange for installing fire sprinkler systems, in addition to an incentive package that was aimed at luring the film industry to South Carolina. Both vetoes were subsequently overridden.¹⁵⁷

Six years into his governorship, Sanford could finally claim a legislative session in which more of his policy proposals passed than languished. However, he was not nearly as successful in impacting the state’s budget. In fact, the governor accused legislators of passing an appropriations bill that carried an unconstitutional deficit of at least \$20 million. To retaliate, Sanford tapped into his campaign account to air “ads in the [2008] primary’s closing days saying legislators are spending too much money.”¹⁵⁸

Before the kickoff of the 2009 legislative session, Sanford paralleled what would be his seventh year in office to the highly successful experiences of “two of South Carolina’s most influential recent governors – Dick Riley and Carroll Campbell – [who both] cemented their legacies during their seventh year in office.”¹⁵⁹ Supporting this mindset, Sanford recalled: “When I was a freshman in Congress, I remember [Speaker of the House] Newt [Gingrich] saying, ‘You’ve got to plow the field before you plant it’ ... We’ll see if this pays off here over the next two years or not, but boy, we’ve done a lot of plowing.”¹⁶⁰

In his 2009 State of the State address, Sanford returned to familiar themes. The governor outlined five main priorities: eliminating loopholes for businesses and zeroing-out the state's corporate income tax, capping spending to the state's budget growth rate, approving school choice vouchers, restructuring government, and increasing transparency by putting more votes on record using a roll call system.¹⁶¹ Representative Gary Simrill described the governor's address as "The 'I'm not going to tell you I told you so, but I told you so' speech."¹⁶²

Unfortunately for Governor Sanford, just as his administration was gaining traction and leverage to negotiate with legislative leaders, his momentum was squandered once it became apparent that he was traveling to Argentina to carry on an extramarital affair. Prior to the exposure of his affair, Sanford's most significant legislative battles of the 2009 session were fought over his budget vetoes and refusal to accept federal stimulus dollars. Despite surviving calls for his resignation, none of the remaining items on Sanford's legislative agenda were enacted after details of his affair became public.

Sanford used his final State of the State address in 2010 to apologize to the citizens of South Carolina and his family. The governor recalled during his speech that at his inauguration he was urged to "follow the advice of Micah 6:8, which asks to 'love mercy, do justice and walk humbly.'"¹⁶³ Evaluating his own tenure, he remarked, "I never got that charge quite right in the following four years... I don't know that I ever will."¹⁶⁴

Under Sanford's administration, few of his signature policy proposals were enacted. He failed to secure approval for the clear majority of his plans to restructure South Carolina's government – outside of reshaping the Department of Employment and Workforce. Almost annually, on school choice and in pursuit of his education agenda, the governor tried, but was unsuccessful in persuading legislators to approve "any tax credit or voucher plan that would send

taxpayer money to private schools.”¹⁶⁵ In terms of reforming the Palmetto State’s tax code, Sanford realized only limited success. Despite making his plan to eliminate the individual income tax the cornerstone of his platform in both of his gubernatorial campaigns, he was only able to achieve a marginal reduction in the income tax paid by small business owners, lowering their rate from 7 percent to 5 percent.¹⁶⁶

In Sanford’s view, for any lasting changes in how government was operating to be implemented – South Carolina’s annual budget would also have to be altered. The Palmetto State’s fiscal policies, which the governor largely opposed and the General Assembly enacted – proved to Sanford that at least in the case of Senate Finance Chairman Hugh Leatherman: “I wasn’t really fighting against the Republicans, I was fighting against someone that was in fact a Democrat who consistently worked against the agenda that we had laid out and tried to deliver on.”¹⁶⁷ With respect to Sanford’s efforts to reform spending and taxation policies, the administration recorded few victories. And that was what mattered most to the governor.¹⁶⁸

CHAPTER 5

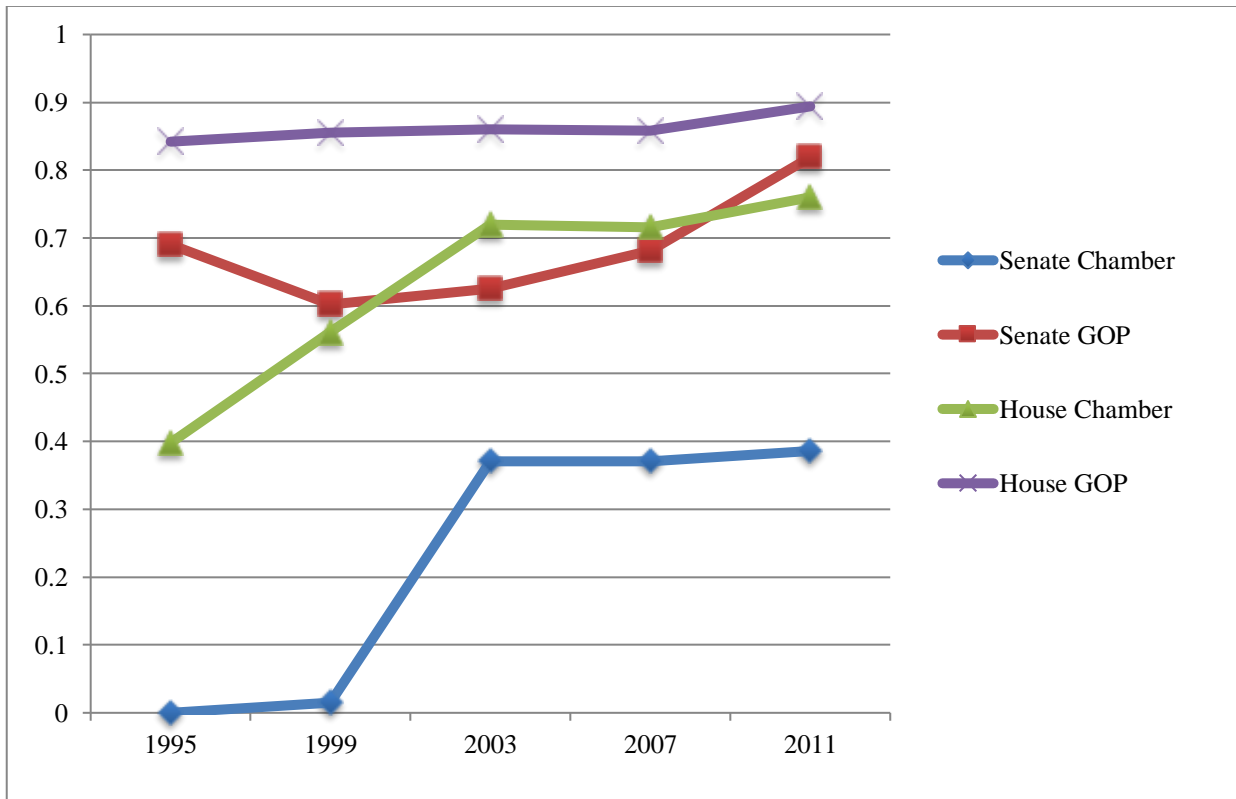
“HE’S NOT A REPUBLICAN!” – STATE OF THE NEW GOP

Hugh Leatherman had to run as a Republican because he'd lose. But did he change his belief system? Not one iota... Fundamentally, what we went against was trying to change that system... Hugh Leatherman – going back to the emperor... he stopped us. I think we could have gotten more. But again, you had a Democrat in sheep's clothing, and people would say 'Well, you wake up just wanting to fight with your own kind, with your own Republicans.' I said, 'No! He's not a Republican...' And you always ended up in some fray in the media. I think it is incredibly important because ultimately I am a, for lack of a better term, there is a reason Ron Paul and I voted as consistently together as we did over the years we overlapped, and that is, fundamentally, I believe... in human liberty and that is the driving element of my political belief system.¹⁶⁹ – Mark Sanford

In 2006, Mark Sanford won reelection with 55% of the vote – succeeding Carroll Campbell as the second two term Republican governor in the Palmetto State's history.¹⁷⁰ In his own view of his legacy, Sanford estimates he has been: “maybe ten years ahead of my time in terms of some of the things that I've proposed in South Carolina politics.”¹⁷¹ In fact, Sanford was in front of many Republicans in characterizing America's debt as one of the greatest threats to our national security in 2002. Many candidates have since been elected on similar platforms in connection with the Tea Party movement. However, though he hoped for a more conservative Republican party and broadly advocated to gain voters' support for his vision, Sanford did little to contribute to individual campaigns in pursuit of electing likeminded representatives to the General Assembly.

Because of a strong increase in support for Republican candidates among South Carolina's wider electorate over the past decade, rank-and-file GOP legislators have become increasingly conservative. In view of the transition that occurred over recent decades between the

Republican and Democratic parties, it would be impossible to explain the political dynamics that exist in South Carolina by simply measuring the partisan affiliation of state legislators. Using aggregate data from the American Legislatures Project, the graph below demonstrates the increase in ideological conservatism that occurred within the South Carolina General Assembly from 1995 – when Republicans assumed control of the state House – through the end of Sanford’s second term in 2011. Since 1995, the GOP House majority has advanced an overwhelmingly conservative agenda. Moreover, for most of Sanford’s governorship, the entire 124-member House chamber maintained a more conservative ideological voting pattern than the Senate Republican caucus.



**FIGURE 5.1: CONSERVATIVE IDEOLOGY
IN THE SOUTH CAROLINA GENERAL ASSEMBLY: 1995-2011¹⁷²**

In terms of ideological development from 2003 to 2011, the GOP Senate caucus also reflected a sharp increase in conservative voting scores – especially in the final years of Sanford’s governorship. Upon shifting to Republican control in 2001, the 46-member Senate chamber’s conservative rating ascended sharply, rising from a neutral ideological score of 0, which reflected a consistently moderate voting record under the former Democratic majority. In contrast, the ideological makeup of the Senate Republican caucus became slightly less conservative during the mid-2000s, and did not reach a level comparable to its status in 1995 – when several former Democrats such as Harvey Peeler and Hugh Leatherman became Republicans – until after the 2008 election cycle. Notably, these ideological measurements do not reflect the historically large 7-member 2012 Republican Senate class, which uniformly campaigned on a platform of advancing fiscally conservative policies.

Sanford’s biggest legislative conflicts were not fought with Democrats or far right-conservatives, but rather waged against Republican leadership. As Scott English and Mark Sanford have done, Tom Davis harshly criticizes many of the former Democrats who now caucus as Republicans. Now-Senator Davis questions the mindset that these policymakers apply to the role of government: “*Do you see the state as a problem solver that you give money to? Or is the state something that creates an ordered society through individual excellence?* That’s the dichotomy here. But we have Republicans that aren’t acting like that... whether it’s in morals or whether it’s in the economy.”¹⁷³ Sanford surmised that in his view of politics, “There are a lot of good Democrats, I think there are a lot of good independents – I think there are some good Republicans. But I don’t think you can be so simplistic as to say we got it all right and they got it all wrong... I just always tried to focus on the ideas.”¹⁷⁴ Nevertheless, Governor Sanford’s policy

disputes with Republicans in the General Assembly often resulted in a campaign focused on exchanging rhetoric over conservative ideological purity.

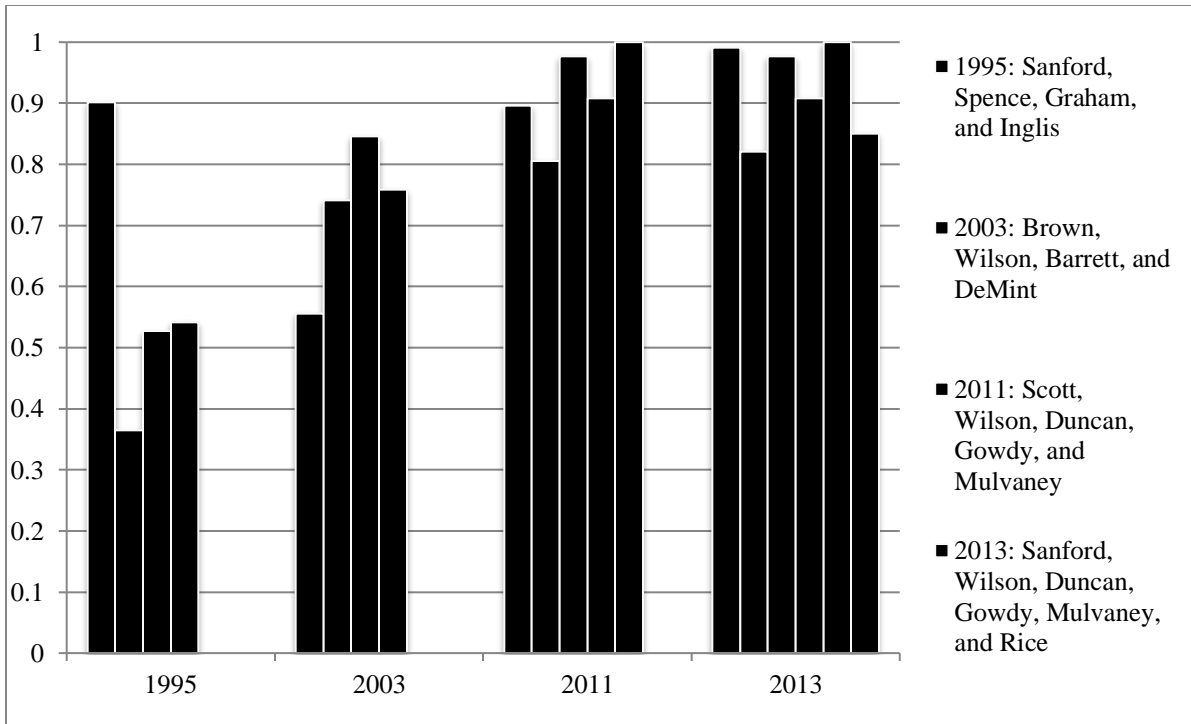
LEADING BY EXAMPLE

Before the Tea Party emerged, conservative news outlets like *The Weekly Standard* were describing Mark Sanford as “Not given to the normal give and take of governing.” The Palmetto State’s chief executive was characterized as “Idealistic and principled and visionary.” It was noted that “He loathes easy compromise and special interest handouts.” He was lauded because of his commitment “to overhauling the structure of the state government and slashing spending... to reform and modernize the state’s political culture... [and] his breathtakingly ambitious plan to drive his opponents in the legislature out of office... by beating them in primary elections.”¹⁷⁵ For all of Sanford’s faults – his lack of legislative accomplishments, his adversarial relationship with members of his own party, and his near single-minded focus on fiscal issues – he could always lay blame to South Carolina’s antiquated government, and favorably compare his own shortcomings with those of the “Good Old Boy Party” he railed against. The distrust of political institutions and government spending that would later become a hallmark of the Tea Party movement was definitional to Sanford’s governorship from the point of his inauguration. As he was gearing up to exit the governor’s mansion, a number of conservatives with similar platforms were nominated by the GOP and elected from districts across the Palmetto State. Had Sanford been elected alongside individuals with similar ideologies, he may have been more successful in advancing his priorities.

Four out of six members of South Carolina’s congressional delegation to the U.S. House of Representatives were elected for the first time in 2010: Tim Scott, Trey Gowdy, Jeff Duncan,

and Mick Mulvaney. Each representative is significant in the context of his individual district and policy objectives, but all share a common and firmly conservative ideology. On issues scored by Heritage Action after the 112th Congress of 2011-2013, each member's respective voting pattern was rated (in the same order listed above): 88%, 94%, 97%, and 95%. Kevin McCarthy, the Majority Whip in the 112th Congress and current GOP Majority Leader, scored 57%.¹⁷⁶ More significant than geographic victories for conservatives throughout South Carolina is the fact that all the officeholders elected in the 2010 cycle went on to win reelection in 2012, 2014 and 2016 – representing a state that has historically favored incumbency.

Using DW-NOMINATE scores, the chart below illustrates South Carolina's statewide shift toward nominating and electing increasingly conservative Republican candidates. Almost two decades after Sanford's first upset-election victory, in which he was elected to represent South Carolina's 1st District, Governor Nikki Haley named Tim Scott to fill Jim DeMint's unexpired Senate term. Subsequently, Sanford won a 2013 special election to once again represent Charleston in Congress. As demonstrated by Sanford's consistently high rating in both his first congressional term and after his two terms as governor, over the past 20-years Sanford has gone from being the most conservative member of the delegation to serving alongside several of the most conservative members of the entire U.S. House GOP caucus.



**FIGURE 5.2: CONSERVATIVE IDEOLOGY IN
SOUTH CAROLINA'S CONGRESSIONAL DELEGATION: 1995-2013¹⁷⁷**
(Each representative's score appears in the same order as his name.)

POWER AND POLITICS IN THE SOUTH CAROLINA SENATE

Right now... there's five or six [very conservative Republicans] out of the 28 [in the state Senate] that... call themselves the William Wallace Caucus. Then you've got a group that I consider very... conservative fiscally and conservative socially to a degree... probably about the next 15 – and then you have about 8 that could go either way because of the districts they represent. But when you look at most votes, most real conservative votes... you could say it was divided into two. Because most votes that were right on the edge are 15, 16 to 18. There's about 18 people that aren't too far off [from] each other. But there's always 2 or 3 in that [who] may go one way or the other on an issue. But I would say we have 17 very conservative and probably 11 that could go either way.¹⁷⁸ – Senator Ross Turner

After the second year of his first term as governor, Mark Sanford moved to adopt a campaign-based legislative strategy, in which he worked to propose the most aggressive reforms possible. Sanford was unsuccessful in achieving his principal objective of reforming South Carolina's appropriations process, despite repeatedly attempting to influence the budget during his eight legislative sessions as the state's chief executive. Although he was unable to win passage of legislation by appealing directly to Republican voters, Sanford was successful in his campaign to generally encourage voters to elect more conservative candidates in GOP primaries.

From 2002 to 2012, a total of 28 new members – 17 of whom were Republicans – won election to serve in the 46-seat South Carolina Senate. Out of 28 members in the Senate Republican Caucus in 2012, 11 had served with at least one governor preceding Sanford. Several of the legislature's most senior members continued to hold leadership positions in the Republican Caucus from the point that the GOP gained a Senate majority in 2001 through the end of Sanford's governorship. These members included: Majority Leader Harvey Peeler (1980), Finance Chairman Hugh Leatherman (1980), President Pro Tem and Lieutenant Governor Glenn McConnell (1980), Education Chairman and President Pro Tem John Courson (1984), Judiciary Chairman Larry Martin (1992) – and the member of leadership most recently elected, Majority

Whip Danny Verdin (2000).¹⁷⁹ Of these Senate leaders, Harvey Peeler, Hugh Leatherman, and Larry Martin all began their political careers as Democrats.

Mark Sanford considers the state Senate to be the biggest obstacle, which prevented him from advancing the legislative priorities he campaigned on. Mainly, he cites Senate rules that promote committee chairmen by seniority, leaders trading earmarks for votes, and procedural powers that allow any single senator to delay, and potentially prevent, the passage of legislation – as major impediments to getting anything substantive done.¹⁸⁰ Oran Smith, president of the influential Palmetto Family Council, agreed that: “The problem for any conservative organization has always been the Senate... Pretty much anything that’s at least well written and well thought out, the House will generally pass – if it’s conservative. But then you get to the Senate and it becomes just an issue of power and gamesmanship and deal-making... Without some clout, you can just see your stuff languish.”¹⁸¹ Former Chairman of the South Carolina Republican Party Chad Connelly, who moved on to serve as Director of Faith Engagement for the RNC, said pointedly: “The South Carolina Senate is known as a place that good conservative legislation goes to die. And there are five [Republicans] that are party switchers, so I didn’t welcome them into the party. Some other chairmen did when they were building the party, [but] they did it clearly to keep their positions of prominence and seniority.”¹⁸²

While the divide among Republican state senators extends beyond seniority, it remains the best indicator of a member’s view of the role that ideology should maintain in the legislative process. Senators with a greater level of experience, such as Wes Hayes or former Senator John Bourne – who was among the first modern Republicans elected to the Senate in 1967 – explain that the defining quality of South Carolina’s Senate is in the thorough process of consideration,

which makes it difficult to pass any piece of legislation without significant support.¹⁸³ Fred Carter, Sanford's first chief of staff, agreed with this characterization.

In 2001, South Carolina's Senate adopted rules that require 28 Senators to break a filibuster after four hours of debate. With Senator Leatherman's support, in 2005, the Senate changed its rules to lower the threshold for ending a filibuster to 26 votes, or if fewer than 46 members are present, to three-fifths of those in the chamber. Carter insists: "The Hugh Leatherman's... all of those guys [have] felt an enormous responsibility to protect the institution of the Senate... If you are Senate Finance or Judiciary Chairman, there is a point beyond which you can't afford to be partisan and you have got to essentially mobilize enough of a coalition to get legislation through." Carter also observed that because of the requirement of support to break a filibuster, "the rules of the Senate are such that the Democrats can stop almost anything, if they are working together, in its tracks... It is a lot easier to keep things from being done than to get them done. And in the House, it's just the opposite."¹⁸⁴ Despite holding directly opposing views of the Senate, neither Sanford nor Carter is alone in their opinion of what motivates some senators to serve.

Scott English described the administration's political strategy as being almost entirely separate from that of the state's established Republican Party infrastructure. Under Sanford's strategy, the administration "went after the legislators... And second to that, Sanford started building infrastructure outside of the party. So, we had... Reform SC... [a group] that sprung up with Sanford supporters at the helm raising money and using that for issue advocacy, for somewhat-political activity, you name it... We just basically said screw the party, we are just going to go this way." Senate President Pro Tem Glenn McConnell described Sanford's efforts as "creating a wall between the two houses, stirring the fight."¹⁸⁵ In this respect – outside of

staging stunts like bringing pigs to the state House – the governor did little to actively campaign against its individual members, who were often likely to approve conservative legislation.

On the other hand, Sanford regularly railed against members of the Senate. In 2006, “After four years of seeing his legislative agenda’s top items fail – including government restructuring, lowering the state’s top income tax rate and tax breaks for private school parents... He lent his name and fundraising prowess to Reform SC, a group run by... [the governor’s former aide] Chad Walldorf.”¹⁸⁶ Sanford presented Reform SC as the best way to reaffirm the ideas he campaigned for during his successful reelection bid in 2006.¹⁸⁷ However, his endorsements had little practical impact in influencing the outcome of many races in which he intervened. Instead, “The endorsements stirred up no small amount of controversy within the party and illustrated the deteriorating relationship between Sanford and the state legislature.”¹⁸⁸ The governor would later articulate that his desire to intervene in primaries was overstated by members of the media, and if given the opportunity to do things over again, he would likely have engaged in more legislative races.¹⁸⁹

Although Sanford did little to advocate on behalf of individual candidates, he did defend his brand of Tea Party conservatism – which indirectly helped other candidates to run as conservative outsiders. Evidencing this pattern of campaigning, Sanford said in 2008 that his efforts were not “targeting anyone for defeat... [and] Whatever happens in an election happens.”¹⁹⁰ Many of the Republicans with the governor’s endorsement did not win their primaries, but most legislators elected during his tenure were publically supportive of his agenda. Following his repeated demands for change to South Carolina’s antiquated structure of government, which roused the state’s conservative electorate, Governor Sanford saw his message adopted by many of the 17 Republican senators elected after he took office. Unfortunately for the

governor, these members provided far fewer than the 26 votes needed to break a filibuster and control the direction of the Senate.

After news of Sanford's affair became public, the politically handicapped governor decided to use the remaining funds held within Reform SC's coffers to influence the GOP primary to select his successor. One month before the 2010 gubernatorial primary, Reform SC purchased \$400,000 in television ads to support Representative Nikki Haley's campaign. At the time, Haley's three main primary rivals, Lieutenant Governor Andre Bauer, Attorney General Henry McMaster, and Congressman Gresham Barrett each had more than \$1.3 million on hand, while Sanford's preferred candidate only had about \$532,000.¹⁹¹ Between May and June, "Haley's support jumped 20 percentage points," bolstered by Reform SC and "former Alaska Gov. Sarah Palin – moving her to first place from fourth."¹⁹² Although, "A judge ordered the ads off the air about two weeks later because they illegally promoted Haley's campaign... by then she had received the needed bump."¹⁹³ Haley's campaign manager Tim Pearson would later credit Sanford for making her "a legitimate contender."¹⁹⁴ After Nikki Haley's victory, Sanford commented: "It says a whole lot for our administration, a whole lot about the ideas that our administration believes in."¹⁹⁵ With Sanford's endorsement and the help of his 501(c)(4) nonprofit, Reform SC, the outgoing governor was successful in helping to choose the Palmetto State's next chief executive.

CHAPTER 6

CONCLUSION – THE RISE AND FALL: WHERE DID GOVERNOR SANFORD GO?

2008 was an up year and then we got into the stimulus. I mean we had built a political capital reserve in 2008... It was so stupid. I never really did understand why we had to go in that direction. But he was obsessed about reducing the debt. I know what it was about. It was about him running for President of the United States and that was when he was campaigning and focused on when he ran for president. So, he was test-driving it in South Carolina, but it fell flat. It really fell flat bad, and on top of that, he destroys his own career at that point.¹⁹⁶

– Scott English

Today, Mark Sanford's governorship is widely considered to have been a failure. But he has always been an astute politician. Before Sanford's political future imploded when his extramarital affair became public, he was seriously preparing to run for the nation's highest office. After a 7-year term as Chairman of the South Carolina Republican Party, Henry McMaster – who was introduced to Republican politics on Strom Thurmond's 1972 reelection campaign and most recently elected lieutenant governor in 2014 – took office as attorney general in January 2003. McMaster said he immediately knew, "Sanford was different. He had his eye on the possibility of the presidency from the beginning and... I might be partly to blame." McMaster explained that at the end of his term as GOP chairman in 2001, Sanford called to ask for advice before declaring his candidacy for governor. "I said: 'You ought to do it. You have a good chance of winning on the economic stuff. And who knows? After a term or two as a successful southern governor... [You] might have a shot at the presidency.' And he did. Until he went off to Argentina."¹⁹⁷ In 2008, Mark Sanford was selected to succeed Rick Perry as the Chairman of the Republican Governors Association, extending his platform nationally.

Sanford's presidential aspirations began to surface in 2008, when he became the subject of speculation as a potential vice presidential candidate for John McCain – who Sanford first endorsed for president eight years earlier in 2000. An article in *The State* newspaper perfectly encapsulated the dichotomy of positives and negatives reflected in the record of the Palmetto State's governor, titled: "Mark Sanford – Vice President? Do his southern roots and youth offer McCain enough to overlook what critics call scant accomplishments, questionable judgment?"¹⁹⁸ Written by Wayne Washington, the article points to Sanford's credibility among conservatives and what were to become Tea Party voters as one of his greatest strengths, reflecting that South Carolina's governor was "Beloved by conservative groups like the anti-tax Club for Growth, [which] could shore up support among conservatives who question McCain's commitment to their issues."¹⁹⁹

In 1995, Mark Sanford hired Scott English to work in his 1st District congressional office. He went on to serve as the governor's policy director and chief of staff. In 2015, he reassumed his role as Sanford's chief of staff in the U.S. House of Representatives. Reflecting on Sanford's presidential ambitions, English said: "the week after he had to announce he was resigning as the Chairman of the RGA, they posted... [that] we were 10 million dollars out ahead of the Democrats. The work that he did... fueled Chris Christie and Bob McDonnell... he would have been spiking the ball, thumbing... President [Obama] in the face" by electing Republican governors in traditionally Democratic states. "Election night 2009 would have been the kick off for Mark Sanford for President 2012."²⁰⁰

Almost a decade before the national debt became a fixture of Republican politics, Mark Sanford was warning South Carolinians that the country was on an unsustainable path – asking voters to elect him governor so that he could cut spending and taxes. Considering Republican

successes in the 2010 election cycle – and the fact that Mark Sanford offered an earlier populist approach to conservatism that preceded the development of the Tea Party – perhaps a scandal-free Governor Sanford could have challenged Mitt Romney from his right to win the GOP presidential nomination in 2012. English confirmed Sanford’s interest in seeking the nomination, continuing: “The Sanford for President team that I was not a part of... 2008, 2009 – that time frame... they were traveling with him to these sort-of-RGA events, to the Republican Party of California, to the policy forum down in Texas. They were raising money, and making network connections... And I was just back here running the state.”²⁰¹

But as John Rainey surmised, a run for national office “was not to be.” On June 24, 2009, Mark Sanford held a press conference to announce that he had not been hiking the Appalachian Trail, as his press secretary told reporters when they inquired to ask about the governor’s 6-day absence from public events. Rather, Sanford was returning from a trip to Argentina where he had been having an affair.

Since Sanford’s affair became public, coverage of his governorship has overwhelmingly focused on details of the scandal. Representative Todd Atwater, who served as Governor David Beasley’s legislative liaison, described media coverage surrounding South Carolina’s former governor by relating, “What I don’t like is the hypocrisy of it. Governor Sanford introduces legislation to declare the sky is red. In the article, it’s... ‘Governor Sanford, the man who had an affair and is engaged with the woman from Argentina...’ They always have to remind you of the downfall... It feels to me almost as if, therefore, everything else is not legitimate.”²⁰² Similarly, John Rainey remembers: “He was more consequential than he's given credit for being. And a lot of that is because of what happened on the 24th of June 2009, when we were all witness to the spectacle on world-wide television.”²⁰³

In a CNN article that demonstrates the impact of Sanford's combative relationship with legislators, the Republican majority leader declared: "I'm deeply disturbed that no one knew where Gov. Sanford was over the last five days" state Sen. Harvey Peeler said in a statement, "We cannot let the governor's personal life overshadow his public responsibility, or in this case, his negligence of gubernatorial authority."²⁰⁴ Broader historical reflections of Sanford's record and administration, Rainey determined, "will always be clouded, and I use that word advisably rather than say the word marred, which I don't think is appropriate. Mark will always be clouded... by the Argentina affair. Because that just threw everything off track."²⁰⁵ Over the span of two years, Mark Sanford went from being a prospective top-tier 2012 presidential candidate to become the subject of unrelenting national media coverage questioning if he would resign his governorship – or risk impeachment. However, he was not impeached and served out the remaining eighteen-months of his second term.



FIGURE 6.1: SANFORD'S LEGACY²⁰⁶

LITTLE BITS AND PIECES

In the analysis that will follow, the legacy of Sanford's administration will be framed by exploring direct commentary from Governor Sanford and three people who were closest to him: John Rainey, Tom Davis, and Scott English.

As South Carolina's first Republican governor elected with a GOP majority in the General Assembly since Reconstruction, many people had high hopes for what Mark Sanford might accomplish. Perhaps no one invested more in Sanford's candidacy for governor, or at an earlier stage, than John Rainey. In late 2014, several years removed from the end of Sanford's second term, Rainey framed the question of Sanford's political significance generally by asking, "Did Mark advance the fortunes of the Republican Party in South Carolina? ... That has to be the question, doesn't it? Or was he neutral? Or did he retard the advance?"²⁰⁷ Conceding that in comparison to Sanford, Carroll Campbell "brought to the party a vigor and a stature that we never had," Rainey concluded, "I think Mark's record would be viewed very favorably by history... Mark will always be clouded, not obscured, but clouded by the Argentina affair." But nonetheless, "Mark is one of the best politicians of our time."²⁰⁸ After the fallout from Sanford's affair, Rainey remained supportive of the governor. "I had dinner with him right after that at the mansion. I told him it was his duty not to resign. I asked him if he knew what Nixon said after he got beat for governor in California. He said, 'No...' [Nixon] said, 'You're not through when you're beaten, you're through when you quit.' And that struck a chord with Mark."²⁰⁹

Senator Tom Davis went further to describe his view of effectiveness as, "a governor that will articulate a clear vision and is popular and [can make] a legislator believe that they might not get reelected. That's going to motivate them and they won't [need to] scratch their back... But we haven't had that. And you know what? Mark was getting that, but he squandered it. He

lost it with the affair... He was getting to a point where he had that kind of clout, he had that kind of ability to go into people's districts. He had that sort of charisma and connection... I was in the General Assembly at the time when it happened. I could see it. And I can tell you, being in the General Assembly, there were people that looked at Mark Sanford and said, 'We've got a guy here that may be president or on the national stage...' Then all of a sudden, it just went back to business as usual" after the affair.²¹⁰

Scott English, who Mark Sanford called his "left-brain for 20-years," characterized the governor's lasting impact as transforming Republican identification and conservative ideology in South Carolina. "What Sanford's governorship was all about was taking a party that was built on a bunch of party-switchers at the state level... [and] dragging it by force from being a party that was not-the-Democratic-Party to actually being a Republican Party. Because that's not the party we had in power in the Senate... and to some degree in the House... Guys who had been Democrats, who had switched parties, who never changed the way they thought, but simply just changed the party affiliation they had gone with – because the demographics of their district had changed." English's point is directed towards long-term incumbents like Senate Finance Chairman Hugh Leatherman – who left the Democratic Party in 1995 and was elected to his current post atop the GOP Senate leadership in 2003.

Leatherman received an extraordinary amount of criticism from Sanford while in office – and was even described by the former governor as a "Democrat in sheep's clothing."²¹¹ During his service in the Senate as a Democrat from 1981 to 1995, Senator Leatherman recorded an average ideological score of 0.002 on the DW-NOMINATE scale.²¹² As a Republican from 1995 to 2015 – through Sanford's governorship – Leatherman received a score of 0.371. In his career in the South Carolina Senate, Leatherman shifted from voting as a centrist when he was a

member of the Democratic Party – and has since reflected a moderate Republican ideology as a member of the GOP Caucus. As figure 5.1 shows, Hugh Leatherman has consistently remained among the least conservative Republicans serving in the Senate.

One former chairman of the South Carolina Democratic party remarked that before the Senator from Florence switched parties in 1995, he called him and said: “I have all the white Democrats and half of the Republicans behind me. Why wouldn’t I want to switch?” He also described that Leatherman had dual motivations for switching parties – saying that the senator did not want to become part of a powerless minority, but that he also did not want to see more conservative Republicans assume leadership roles within the majority. “Hugh Leatherman would be no different today if he were still a Democrat. He follows the exact same ideology today as when he was first elected.”

Scott English drew his criticism of Republican leaders in the legislature even deeper than Sanford’s. “Rather than continue to lay-down on the sword, they decided to switch parties. And that’s where we’d have to fight. I think the subtext of what his administration was all about, is dragging these guys kicking and screaming from that old school Republican Party that was just a bunch of disaffected Democrats, who for whatever reason didn't like civil rights, who did not like the gun control wing of the Democratic Party at the national level.”²¹³ English stressed that, for example, Harvey Peeler “the Republican Majority Leader in the South Carolina Senate... [who] was so in our time, had been a Dukakis delegate in 1988.” In terms of the administration’s overall impact on the makeup of the legislature, English asserted that it was “an evolutionary process, [and] you are never going to get it right the first time out... [But] the look of the Senate is decidedly different and that works to the benefit of the governor now. So, our Republican majority is philosophically aligned with the Republican Party, not just in name only.”²¹⁴

In his own estimation, Mark Sanford admits: “We got... little bits and pieces [of what we wanted], which is all you can get in the world of politics – is on the margin... Incremental change is the nature of political change... [And] our systems are always designed against revolutionary change, but [such is true] particularly in a legislatively dominated state, where things move that much more slowly.” Sanford describes how translating public support into legislative action was extraordinarily challenging. And in part, was so because of “The age old game of politics, of saying one thing but doing another. And so people talk quite conservatively in their district... [Some legislators will] put your face up beside them on their pamphlets and everything, and meanwhile in Columbia... they’re voting the opposite way... and they do it without authorization... trying to identify [as a political ally] because prior to 2009 – I mean in the pigs and everything else – people got where I was coming from. And you know, if you look at my numbers at that time – they were unbelievably strong.”²¹⁵ In fact, before the events of 2009 – Sanford consistently maintained a positive approval rating.

Sanford’s approach to working against Republican legislative leaders received broad based support from several GOP officials, such as party chairman Chad Connelly and countless grassroots activists across the state. In the years following his governorship, many of Sanford’s strongest supporters have joined similarly focused conservative advocacy efforts, seeking to advance their principles by enlisting with the Tea Party movement or supporting independent conservative groups. While many reflections of Mark Sanford’s governorship center on his 2009 affair or a failure to enact much of his agenda, which was cannibalized by intraparty disagreement – the legacy of Sanford’s administration will likely be defined by the significant impact that he had on shaping a new direction for the South Carolina Republican Party. Like Barry Goldwater who carried just 6 states in his bid for the presidency in 1964 – but in doing so

influenced a new direction for the GOP – Sanford failed to achieve most of his policy objectives, however, he was an early leader in helping to evangelize a new brand of politics that would grow to consume the conservative wing of the Republican Party.

MR. SANFORD GOES BACK TO WASHINGTON

*When I first started [back] in Congress, the only thing that two-thirds of the body knew about me was I was the guy who had blown himself up in 2009... and so you had to go from that to people getting to know you... Because I'd known Speaker Boehner, we had served together, he ultimately had to force two committee chairmen to take me on their committees. Because they were like, 'the guy's a media lightning rod...' People are risk averse in politics... And so, Boehner came to me in December at the end of the first term, and said: 'I don't know what you've been doing. But man, they're drinking your Kool-Aid.'*²¹⁶ – Mark Sanford

In 2013, after spending just two years outside of the political spotlight, Mark Sanford attempted to rebuild his political career with a run to recapture his former seat in Congress. Entering a special election to fill the open seat vacated by Tim Scott after he was appointed to replace Jim DeMint as U.S. Senator, Sanford competed against 15 candidates in a crowded primary race to once again represent Charleston in the U.S. House. After defeating state Senator Larry Grooms, Teddy Turner – son of billionaire Ted Turner – Representative Chip Limehouse, and several other credible candidates, Sanford advanced to defeat Charleston City Council member Curt Bostic in a runoff. Following his general election victory over Elizabeth Colbert Busch, Sanford returned to Congress to represent the 1st District. The following cycle, in 2014, Mark Sanford was the only member of South Carolina's congressional delegation without opposition in either the GOP primary or general election. Approximately 4-years after an extramarital affair in Argentina threatened his governorship, Sanford's advocacy for uncompromising conservative leadership was again validated by voters.

Public assessments of Sanford's political career present one of the most defining contrasts between his legacy and that of other former governors. For example, Tommy Hartnett who was elected in 1980 as the first Republican to represent South Carolina's 1st District since Reconstruction, remarked: "Mark Sanford... is the nuttiest guy I've ever met in my life and how he ever got elected to anything I don't know. He caused me to vote Democrat for the first time in my life maybe, certainly for the first time since 1964... [When he ran for Congress in 2013,] I voted for [Elizabeth] Colbert."²¹⁷

The wounds inflicted by the former governor's vetoes have also endured. While campaigning for reelection to Congress in 2016, Sanford was confronted by a guest attending an event at a Lowcountry Harley Davidson dealership. Fuming over one of the governor's vetoes, the man vocally confronted Sanford – forcing him to leave the event early.²¹⁸ Sanford would later lament: "If you go the other way, which nobody ever does... there's a consequence. And the expression on that guy's face when he first walked out – and I thought he might swing at me... That just reminds me of thousands of conversations I've had in that vein over the years."²¹⁹

Despite his problematic tenure as governor – and the personal failings which still define him in the minds of many – the voters of South Carolina's 1st District continue to reward Mark Sanford for going the road less traveled.

Table 6.2: Timeline of Republican Officeholders Elected in SC²²⁰

Governor:	U.S. Senator:	U.S. Representatives:
James Edwards (1975 – 1979)	Strom Thurmond (1954 – 2003)	Albert Watson (2 nd : 1965 – 1971)
Carroll Campbell*	Lindsey Graham*	Floyd Spence (2 nd : 1971 – 2001)
David Beasley (1995 – 1999)	Jim DeMint*	Edward Young (6 th : 1973 – 1975)
Mark Sanford*	Tim Scott*	Carroll Campbell* (4 th : 1979 – 1987)
Nikki Haley (2011 – Present)		John Napier (6 th : 1981 – 1983)
		Tommy Hartnett (1 st : 1981 – 1987)
		Arthur Ravenel (1 st : 1987 – 1995)
		Lindsey Graham* (3 rd : 1995 – 2003)
		Jim DeMint* (4 th : 1999 – 2005)
		Henry Brown, JR (1 st : 2001 – 2011)
		Joe Wilson (2 nd : 2001 – Present)
		Gresham Barrett (3 rd : 2003 – 2011)
		Bob Inglis (4 th : 1993-1999; 2005 – 2011)
		Tim Scott* (1 st : 2011 – 2013)
		Trey Gowdy (4 th : 2011 – Present)
		Jeff Duncan (3 rd : 2011 – Present)
		Mick Mulvaney (5 th : 2011 – Present)
		Tom Rice (7 th : 2013 – Present)
		Mark Sanford* (1 st : 1995 – 2001; 2013 – Present)
<p>5 Candidates elected to the U.S. House of Representatives also served as Governor or U.S. Senator, for a total of 23 individuals elected to hold all three offices. (*Denotes election to more than one office reflected above.)</p>		

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