

Revisiting the Administrative Presidency: Policy, Patronage, and Agency Competence

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This paper argues that we should revisit the common assumptions in the administrative presidency literature about political appointments. Specifically, it contests the notions that presidential politicization of the executive branch is intended only to enhance political control of the bureaucracy and is successful at doing so. Instead, the author argues that politicization choices are driven by patronage concerns, and politicization of the bureaucracy ultimately can make it harder for presidents to control the bureaucracy. The paper illustrates how one might theorize more generally about patronage politics in the White House and the impact of appointments on performance.

Recent episodes of presidential politicization of the executive branch present a quandary for administrative presidency scholars.¹ While existing work on the politics of appointments assumes that appointed positions are intended to enhance presidential control of the bureaucracy and are generally successful at doing so, at least some of these cases suggest otherwise. For example, the Federal Emergency Management Agency (FEMA) was heavily politicized, employing two to three times the number of political

1. Some portions of this article were previously published in Lewis (2008). For details on FEMA, see Lewis (2008). For details on the Office of Special Counsel, see Christopher Lee, "Head of Worker Protection Office is Accused of Retaliatory Transfers," *Washington Post*, January 11, 2005, p. A13; Christopher Lee, "Dispute and Whistleblower Office," *Washington Post*, February 24, 2005, p. A19; and Stephen Barr, "Agency's Reorganization Results in Accusations, Employees Leaving," *Washington Post*, March 18, 2005, p. B2. For details on the Central Intelligence Agency, see Walter Pincus and Dana Priest, "Goss Brings 4 Staffers From Hill to CIA," *Washington Post*, October 1, 2004, p. A4; Dana Priest and Walter Pincus, "Deputy Chief Resigns from CIA," *Washington Post*, November 13, 2004, p. A1; Dana Priest, "Shake Up at CIA Headquarters Continues," *Washington Post*, November 15, 2004; and Walter Pincus, "Changing of the Guard at the CIA," *Washington Post*, January 6, 2005, p. A3. For details on political intervention into personnel processes in the Department of Justice, see Dan Eggen, "Justice Department Fires 8th U.S. Attorney," *Washington Post*, February 24, 2007, p. A2. The politicization of the Department of Education received the most scrutiny in the Clinton administration. See Judy Pasternak, "White House Appoints Loyalists to Education Department Posts," *Los Angeles Times*, October 3, 1999, p. B10; and Robert L. Jackson, "Education Secretary Vows to Rid Agency of 'Mismanagement, Fraud,'" *Los Angeles Times*, April 21, 2001, p. A15.

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appointees compared to other agencies its size (Lewis 2008). According to recent agency evaluations by academics, Congress, and the press, FEMA's appointee-heavy management structure was driven partly by patronage concerns and created numerous administrative problems that made the agency less competent, unresponsive, and, ultimately, harder to control (Lewis 2008; Roberts 2006; U.S. Senate 2006).

In this paper, I argue that we should revisit the common assumptions that presidential politicization of the executive branch is intended only to enhance political control of the bureaucracy and is successful at doing so. Instead, politicization choices are driven by patronage concerns, and politicization of the bureaucracy ultimately can make it harder for presidents to control the bureaucracy. I use material from my recent book on presidential appointments to illustrate how we can theorize more generally about patronage politics in the White House and the impact of appointments on performance.

The argument proceeds deliberately. In the first section, I review the literature on politicization of the executive branch and explain how it focuses largely on control. In the second section, I describe the patronage pressures on the White House personnel operation and describe how they work in parallel with appointment politics centered around policy concerns. In the third section, I explain how politicization influences performance and why presidents politicize even when it appears harmful for performance. In the final section, I conclude and suggest that more research needs to be done on the patronage side of presidential personnel politics.

Politicization and Political Control

The most prominent academic work on the administrative presidency was written in response to actions taken by presidents Richard M. Nixon and Ronald Reagan. President Nixon's administrative strategy is well documented in a number of sources (Hecl 1975, 1977; Nathan 1975, 1983; Rudalevige 2005). According to these accounts, Nixon's approach to the administrative state began unremarkably when he publicly gave cabinet secretaries authority to make their own subcabinet appointments and tried to integrate appointees into the operations of the White House through interagency working groups. When this strategy failed to produce the type of responsiveness Nixon desired, he adopted a strategy of centralization and politicization, first by building a White House counter-bureaucracy and then by shifting his personnel strategy. After the 1972 elections, Nixon replaced existing appointees with loyalists, inserted loyal political appointees deep into the bureaucracy, and layered appointees on top of existing structures.

Taking its cue from the Nixon administration, the Reagan administration used similar strategies to gain control of environmental and social welfare agencies. Reagan used the enhanced appointment power granted by the Civil Service Reform Act of 1978, natural vacancies occurring through attrition, reorganization, program cuts, and increases in political appointees in key agencies to get control (Goldenberg 1984; Rosen 1983).²

2. See also Mike Causey, "Reagan's Plum Book Plumper than Carter's," *Washington Post*, May 11, 1984, p. C2.

Extant evidence suggests that Reagan's efforts to get control of agencies were at least partially successful at changing the ideological composition of the top executive ranks (Aberbach and Rockman 1990, 2000).³

Moe (1985b), building on the work about Nixon and Reagan, argues that all modern presidents, both Republicans and Democrats, have incentives to get control of the bureaucracy. Presidents, he reasons, are held accountable for the performance of the whole government and respond by centralizing decision-making authority in the White House and politicizing the bureaucracy.⁴ He is dubious of the responsiveness of career employees to presidential direction. Moe claims that the president is primarily a politician and therefore less concerned with effectiveness than with a staff structure that is responsive to his political needs. He cites the White House Office (all employees serve at the pleasure of the president) as an example of a structure that better meets the needs of the president than the Bureau of the Budget (later the Office of Management and Budget). Moe also claims that while presidents largely inherit the basic institutional framework of the presidency, they try to make it more responsive by "manipulating civil service rules, proposing minor reorganizations, and pressing for modifying legislation . . . to increase the number and location of administrative positions that can be occupied by appointees" (1985b, 245).

The empirical evidence produced during and after this period largely validates the importance of appointees in changing agency policies to be more in line with those of the president (Moe 1982, 1985a; Randall 1979; Stewart and Cromartie 1982; Wood 1990; Wood and Anderson 1993; Wood and Waterman 1991, 1994). Within agencies, political appointees provide an important means by which presidents control the bureaucracy and influence policy. Appointees interpret the vague and sometimes conflicting laws enacted by Congress and translate them into policy. Because agencies have multiple responsibilities, appointee decisions about budget requests to Congress, rulemaking, personnel, and the allocation of resources inside the agency can significantly influence policy. More generally, appointees monitor bureaucratic activity and communicate the president's vision to the press and agency employees, clients, and stakeholders.

Importantly, a number of works, particularly on presidential transitions, continue to point out the immense patronage pressures on presidents (Burke 2000, 2004; Henry 1960; Patterson and Pfiffner 2001, 2003; Pfiffner 1996; Weko 1995). These works, however, have gotten less attention than has been deserved because the focus of recent political science research in this area has been largely on congressional delegation and control and whether the president or Congress controls the bureaucracy (see, e.g., Epstein and O'Halloran 1999; Ferejohn and Shipan 1990; McCubbins, Noll, and Weingast 1987,

3. Aberbach and Rockman (1990) show that top managers in the upper reaches of government, both civil servants and appointees, were both more Republican and more conservative in 1986-87 than in 1970. The trends described in the piece appear to have continued into the Bush administration. Surveys from 1991-92 confirm the trend described in their earlier work (Aberbach and Rockman 2000).

4. For further research on centralization and politicization, see Lewis (2005, 2008), Rudalevige (2002), and Rudalevige and Lewis (2005).

1989; McCubbins and Schwartz 1984; Moe 1985a, 1990; Snyder and Weingast 2000; Weingast and Moran 1983). The focus on control, who has it, and whether it is possible leads scholars to focus on the aspects of personnel politics that are associated with control rather than patronage.

Does Politicization Enhance Control?

At the same time that the administrative presidency literature has been emphasizing the role of appointees for enhancing political control, other research has pointed out that centralization and politicization hurt bureaucratic performance (see, e.g., Cohen 1998; Dunn 1997; Gailmard and Patty 2007; Heclo 1975, 1977; Kaufman 1965; National Commission on the Public Service 1989, 2003; Suleiman 2003). These works argue that appointees often are poorly prepared for the jobs to which they are being appointed. They also stay for short tenures, impeding efforts to plan and making intra- and interagency teamwork difficult. Appointed managers have a hard time committing to long-term plans or policy reforms, and career professionals are slow to respond and grow cynical after multiple experiences with these “birds of passage.”⁵ For many scholars, increases in appointees have predictable consequences. Heclo (1977) decries the adverse consequences of “a government of strangers” created by the increase in appointees. More recently, Suleiman (2003) has argued that increasing numbers of appointees delegitimize the bureaucracy and impair its ability to deliver important goods and services.

If political appointments lower agency capacity too much, the net effect of increasing appointments may be zero or negative because low-capacity agencies are hard to control (Huber and McCarty 2004). Recent attempts to model institutional variation in the degree of executive control show that limiting the amount of executive control or finding the right balance between appointees and careerists can improve not only bureaucratic performance (Krause, Lewis, and Douglas 2006), but also outcomes for the president and the legislature (Dunn 1997; Golden 2000; Heclo 1977; McCarty 2004).

By and large, however, the literatures on presidential appointments, political control, transitions, and bureaucratic performance rarely coalesce. A widely held view continues to be that politicization occurs primarily to enhance political control and this strategy is usually successful.

Presidential Patronage

Both policy and patronage concerns shape modern personnel politics.⁶ On the policy side, presidents are confronted with a need to fill hundreds of Senate-confirmed

5. On the existence of short appointee tenures and their impacts, see Boylan (2004), Brauer (1987), Chang, Lewis, and McCarty (2003), Heclo (1977), Mackenzie (1987), Mann (1965), National Commission on the Public Service (1989), and Stanley, Mann, and Doig (1967).

6. For a good overview, see Patterson and Pfiffner (2001).

policy positions across the government. These positions require specific skills, experience, and expertise and include positions such as secretary of defense or assistant secretary of labor for occupational safety and health or undersecretary of commerce for intellectual property. Starting with President Nixon, many presidents have employed professional recruiters to help identify qualified persons for top executive posts. The most important personnel task at the start of each administration is identifying candidates to fill these positions. Each administration has produced lists of positions to be filled first. These include positions important for public safety but also positions that need to be filled early to advance the president's policy agenda. When presidents think about using appointments to control the bureaucracy, they think about this effort to find the right people to be in the right places. In some cases, the existing number of positions is sufficient to gain control and advance the president's agenda. In others, it is not.

Presidents also face immense pressures to satisfy patronage demands, however. Presidents importantly serve as the head of their political party. The president's choices about personnel can influence his and his party's fortunes nationwide, as control over personnel provides the president with a means of holding party factions together, inspiring campaign work, and lubricating the process of political deal making.

Politicization for patronage follows a different pattern than politicization for policy, and different people and processes are involved at the White House. Modern personnel operations have responded to the two sides of presidential personnel organizationally through increasingly formal division between patronage and policy efforts. For example, one group of aides for President John F. Kennedy headed by his brother was responsible for priority placement and patronage management. Another set, headed by Sargent Shriver, was charged with tapping "New Frontier Types" from their "egghead constituency" to direct the executive branch in a way responsive to Kennedy (Weko 1995). By the Bill Clinton administration, the demand-supply division was institutionalized in an office called the Office of Priority Placement. In the George W. Bush administration, this job was handled by the Office of Political Affairs (Lewis 2008, forthcoming).

This organizational division illustrates the different demands and tensions between the two operations. There is a disjuncture between the needs of those recruiting for executive positions and those handling requests from office seekers. What is demanded for the top executive slots often is not supplied through the priority placement operation. The two streams in the personnel operation can run side by side and only intersect haphazardly because different people are involved in the two processes day to day, and the types of people the recruitment operation is searching for look different from the population who worked on the campaign or in the state party political apparatus. The number of people who want a job in the administration exceeds the number available, but this does not imply that applicants are qualified for the specific jobs they are seeking. Presidential personnel officials play the role of traffic cop, there to ensure that the people recommended for jobs have the competencies the positions require. The priority placement operation often will recommend names of politically active people (e.g., state directors, contributors, etc.) for open executive slots, but these names are thrown into the mix with those uncovered in the recruitment process.

The distinction between patronage and policy activities in presidential personnel is not to suggest that efforts to reward campaign supporters cannot influence policy or that policy-driven personnel practices have no patronage component. On the contrary, appointees of all types can influence policy outputs and patronage concerns invariably influence high-level executive appointments. Rather, the point is that the patronage process revolves primarily around placing *people*, and the policy process revolves around filling *positions*. These two fundamentally different goals are managed differently and have different effects on the number and penetration of political appointments in the bureaucracy.

Theorizing About Patronage Patterns

The two different appointment patterns suggest distinct predictions about politicization for patronage versus policy. While presidential politicization driven by policy concerns should be targeted at agencies with policy views that diverge the most from the sitting president (subject to whether the agency and issues are on the president's agenda), politicization for patronage reasons should follow a distinctly different pattern (Lewis 2008; Parsneau 2007). This should be regular and predictable because presidents of both parties confront similar pools of potential patronage appointees. A sizeable proportion of this group is young, politically ambitious, and limited in experience—and what experience they do have is for the party or one of the party's core constituencies. They have worked on the campaign, for a state party, for a member of Congress, or for interest group. They want a job that will give them a rewarding work experience and advance their career prospects, particularly within the party or its constellation of related groups. It was the promise of such a job that probably motivated them to work for the campaign.

The pool of patronage appointees does differ by competencies, however. Because the core constituencies of the two parties are different, Democratic and Republican patronage appointees have different types of background experience and find different jobs in the administration attractive. Presidential personnel officials try to match the experience and qualifications of potential appointees to appropriate jobs. The less background experience, the harder it is to find them jobs. If potential appointees have experience working for organized labor or the U.S. Chamber of Commerce or the Federal Farm Bureau, this signals competence for work in specific agencies. Presidential Personnel Office (PPO) officials use this information to recommend these persons for jobs in these agencies.

The pool of potential appointees also differs by the types of jobs they prefer. Young, ambitious, and politically active job seekers want jobs that will enhance their résumé and future prospects, particularly within the party or its constellation of related groups and businesses. While some jobs in the administration will enhance the career of personnel from either party, other positions will be less useful in helping the candidate develop the background and connections necessary to satisfy their ambitions within the party. The parties differ as to which agencies are attractive, given that some agencies have missions closer to the policy commitments of one party than the other. Patronage appointees are better qualified for and have more desire to work in agencies whose policy views are similar to those of the president. While almost all personnel officials note that there

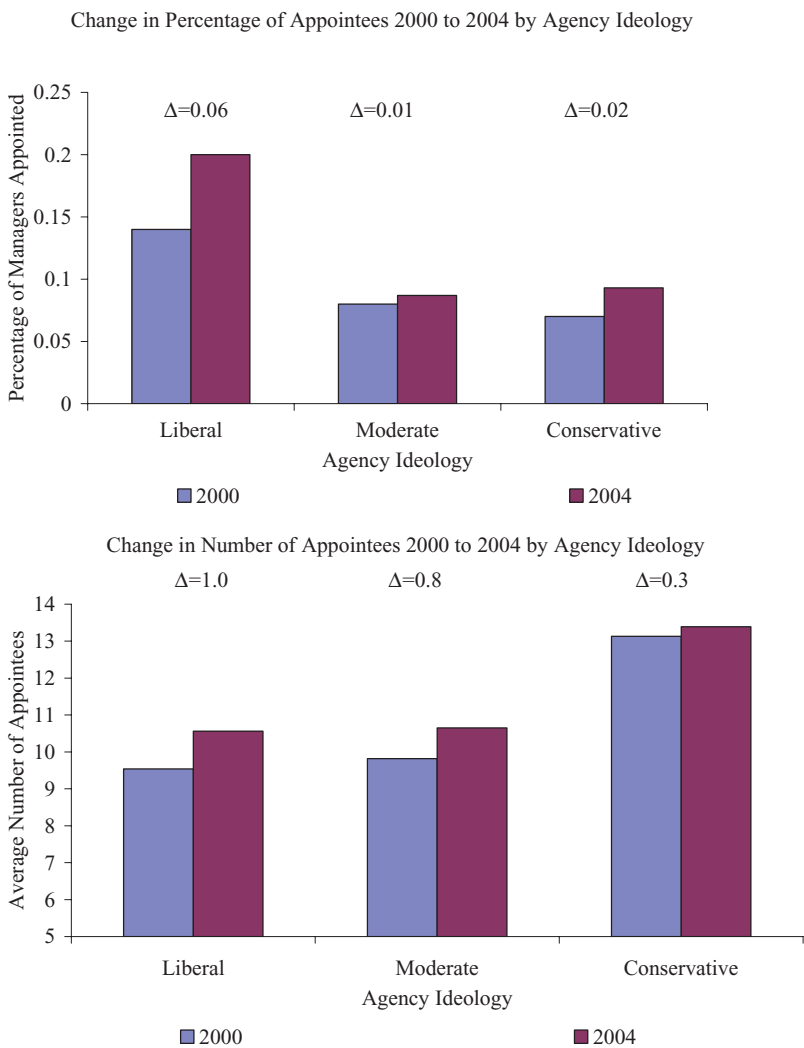


FIGURE 1. Change in Presidential Appointees by Agency Ideology, 2000-2004.

Source: Lewis (forthcoming).

are more applicants than jobs, differences in competencies and views between the parties suggest that PPO officials will have an easier time placing patronage appointees into agencies with views or policy commitments closer to those of the president or the president's party.

An Illustration: George W. Bush's Appointments

Figure 1 graphs the change in the percentage of managers who were presidential appointees in all government agencies between 2000, the last year of the Clinton

administration, and 2004, the last year of George W. Bush's first term. The agencies were disaggregated by the liberalism or conservatism of government agencies (estimates of agency ideology were determined in a 2005 expert survey).⁷ While the number and percentage of appointees increased for all types of agencies, the increases were largest for liberal agencies. The data appear to confirm on their face that President Bush politicized liberal agencies such as the Department of Education, the Department of Labor, and the Environmental Protection Agency more than moderate or conservative agencies.⁸ This is consistent with our expectations, given that Bush would have been more concerned about controlling liberal agencies because their views are most likely to diverge from his own.

Somewhat surprising, and more important for the purposes of this paper, however, are the data suggesting that the percentages increased more in conservative agencies than in moderate agencies. When appointees were disaggregated by type, the number of Senate-confirmed appointees increased the most in liberal agencies and actually declined in conservative agencies. This suggests that the Bush administration kept a fuller team of the most policy-relevant appointees in liberal agencies than in conservative agencies. For Schedule C appointees, both liberal and conservative agencies received about the same increases (Lewis, forthcoming). Schedule C appointees are the easiest to use to satisfy patronage demands because they are not confirmed, receive lower pay, and tend not to have managerial responsibilities. This provides initial evidence that it may have been easier for the Bush administration to satisfy patronage demands in conservative agencies because the pool of potential patronage appointees was most likely to have skills and ambitions qualifying them more easily for posts in traditionally conservative agencies such as the Defense, Treasury, and Commerce departments.

Appointees, Performance, and Political Control

With concerns for both patronage and policy driving politicization decisions, it is not surprising that the number of appointees exceeds the number optimal for agency performance. This is not to say that appointees are always bad for agency management. On the contrary, appointees are an important leavening agent in bureaucratic operations. Appointees can improve agency performance by counteracting inertia, bringing energy

7. Rather than attempt to identify agencies that tend to be consistently liberal, consistently conservative, or neither, I relied on the expertise of academics and Washington observers. With the help of a colleague, I identified a set of 37 experts in American bureaucratic politics among academics, journalists, and Washington think tanks. We sent them a list of 82 departments and agencies with the following directions: "Please see below a list of United States government agencies that were in existence between 1988 and 2005. I am interested to know which of these agencies have policy views due to law, practice, culture, or tradition that can be characterized as liberal or conservative. Please place a check mark (✓) in one of the boxes next to each agency—slant Liberal, Neither Consistently, slant Conservative, Don't Know." We received 23 responses to the request (a response rate of 62%) and used these expert survey responses—adjusting for the degree of expertness (discrimination) and different thresholds for what constitutes a liberal or conservative agency—to get estimates of which agencies are consistently liberal or conservative. For details, see Clinton and Lewis (2008).

8. Some caution should be taken in interpreting this figure, however, because the number of cases is small and the difference among groups of agencies is not statistically distinguishable from zero.

and vision, and introducing new and useful information into a stale and insular decision-making environment (Bilmes and Neal 2003; Bok 2003; Krause, Lewis, and Douglas 2006). In many agencies, the existing number of appointed positions provides exactly this type of performance-enhancing influence. Most agencies have already passed the point where adding appointees will have a leavening influence, however. The history of civil service expansion, the antistatist political culture of the United States, and presidential incentives for patronage have created a deeper penetration of appointees into the administrative state than is found in any other developed country, by a large margin. Whereas the United States employs more than 3,500 presidential appointees, other developed countries have between 100 and 200 politically appointed officials (Raadschelders and Lee 2005).

Politicization of the bureaucracy by maintaining a high number of appointees or adding appointees influences performance in two ways. It systematically influences the types of people who are selected to run government agencies, and it generates hidden effects on the morale, tenure, and incentives of career managers. While appointees bring new perspectives to an agency, a broader vision, and private management experience, they are less likely to have agency experience, policy area expertise, and public management skills than their careerist counterparts. Even if appointees and careerists were identical in background and ability, the transitory nature of political appointments hurts an agency's overall performance. Appointees stay for shorter tenures than their careerist counterparts (Chang, Lewis, McCarty 2003). This disrupts policy implementation and executive monitoring, breaks up interagency teams, and leaves important programs without representation in the political and budget process. Appointees are routinely given the highest-paying jobs and those with the most policy influence. When the most rewarding jobs are no longer accessible to careerists, they are less likely to stay, to invest in site-specific training and expertise, or to even choose to work for an agency in the first place (Gailmard and Patty 2007; Lewis 2008).

If centralization and politicization hurt bureaucratic competence, as these works suggest, this can create problems for control. Huber and McCarty (2004), for example, argue that politicians have a more difficult time controlling low-capacity bureaucracies, both because these bureaucracies are more likely to make errors and because their lack of capacity makes it more likely that they will be punished regardless of what they do.

Why Do Presidents Politicize if It Hurts Performance?

The question that emerges, then, is why would presidents politicize if maintaining high numbers of appointees is harmful? There are several answers. First, presidents are willing to trade some competence in order to get agencies to do what they want them to do. The case of Porter Goss's appointment to run the Central Intelligence Agency in 2004 is a good example. In the summer of the 2004, President Bush appointed Goss to succeed George Tenet as director of the Central Intelligence Agency (CIA). Goss brought with

him a number of political appointees from Capitol Hill to help him run the agency.⁹ Conflicts quickly arose between Goss's new team and career staff at the CIA.¹⁰ Goss froze top careerists out of high-level decision making and sought to put his stamp on the agency. Goss's actions created significant attrition among top career managers at the CIA. The director of central intelligence, the executive director (third in command), and the head of the Analysis Branch all left. In total, about 20 top career managers within the agency left after Goss's arrival.¹¹ The "Gossification" of the CIA, while praised by some, was widely decried on Capitol Hill and the press as bad management that could have dangerous consequences for national security.¹² Members of Congress were divided as to whether politicization of the CIA was a necessary tactic for reining in an unresponsive government agency or whether it was a dangerous example of bad management with potentially disastrous consequences for national security. Senator John McCain (R-AZ) called the CIA a "dysfunctional" and "rogue" agency and argued that Goss should do "whatever is necessary" to reform the agency.¹³ Generally, those members of Congress who shared the administration's views on policy took McCain's view. Those who opposed the administration took the opposite view. Representative Jane Harman (D-CA) warned of an implosion at the CIA, and Senator Evan Bayh (D-IN) said, "Anytime you've got top people dropping like flies when we're facing serious risks, you have to be concerned."¹⁴ For Bush, Goss, and Republicans in Congress, however, the loss of key top-level managers was a price they were willing to pay to get control of the agency.

Second, it is possible that centralization or politicization can improve performance in the short run. For example, it can be the case that a very competent appointee can come in and improve performance as long as he or she serves in that position. The deleterious consequences of politicization on performance may not show up until later, when a second or third appointee has assumed office and the ripple effects of the politicization have played themselves out. While some programs are fortunate enough to be administered by very competent appointees, it is much less common that programs are administered by a string of effective appointees. Even agencies and programs that are able to attract top-quality appointees on a regular basis still suffer in the process. Politicization means more managerial turnover, new appointed positions often engender additional appointed positions, and the deeper penetration of appointees means that fewer high-level policy and well-paying jobs are available to career employees. Eventually, this leads top-quality people to leave for jobs in which they can have more of an influence or earn higher pay,

9. See Pincus and Priest, "Goss Brings 4 Staffers From Hill to CIA"; and Douglas Jehl, "New C.I.A. Chief Chooses 4 Top Aides From House," *New York Times*, October 1, 2004.

10. See Priest and Pincus, "Deputy Chief Resigns from CIA"; Priest, "Shake Up at CIA Headquarters Continues"; and Pincus, "Changing of the Guard at the CIA."

11. Pincus, "Changing of the Guard at the CIA."

12. See, for example, Walter Pincus, "McCain Backs CIA Shake-Up," *Washington Post*, November 15, 2004, p. A2; and Dana Priest and Walter Pincus, "CIA Chief Seeks to Reassure Employees," *Washington Post*, November 16, 2004, p. A1.

13. See Douglas Jehl, "C.I.A. Churning Continues as 2 Top Officials Resign," *New York Times*, November 16, 2004.

14. See Michael Duffy and Mitch Frank, "In Your Face at the CIA," *Time* (Canadian edition), November 29, 2004.

as discussed earlier. In short, politicization can be a short-term strategy for improving performance, but its long-term consequences are pernicious.

Third, politicians often conflate loyalty and competence or partisanship and competence, so that a very competent person who is engaging in what political actors perceive to be the wrong policy often is viewed as being incompetent. Similarly, an unqualified person who is doggedly pursuing what political actors perceive as the right policy can be viewed as the only competent person working in an agency. Former Reagan aide, Lyn Nofziger said, "As far as I'm concerned, anyone who supported Reagan is competent."¹⁵ Therefore, when political actors talk about making appointments to improve managerial effectiveness, we should be cognizant that this idea of improvement likely includes having the "right" policy views.

Conclusion

This paper has tried to make two points. First, presidency scholars have focused too much on politicization as a strategy for presidential control and not enough on politicization as a response to intense patronage demands on the presidency. Second, it has sought to show that politicization driven by concerns both for policy and patronage can have deleterious consequences on agency performance that ultimately make it harder for presidents to control the bureaucracy.

The case of FEMA illustrates these two important points well. Hurricane Katrina was one of the most visible aspects of President George W. Bush's administrative presidency. Without an understanding of how presidential control strategies can hurt performance or how patronage politics influence presidential decision making, we will be ill equipped to explain it or predict future political disasters like it.

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15. As quoted in Pfiffner (1996, 65).

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