GRIDLOCK, STOCK AND TWO SMOKING BARRELS:

PRESIDENTIAL VETO DYNAMICS UNDER DIVIDED LEGISLATIVE

INSTITUTIONS

by

JASON M. SEITZ

(Under the direction of Scott Ainsworth)

ABSTRACT

The presence of divided government has become increasingly prominent in the American political context. Though much has been said regarding the impact of divided government on the legislative process, no real consensus has been reached. This stems primarily from an overly simplistic conceptualization of divided partisan control of government. I seek to demonstrate that a more robust notion of divided government, taking into account the degree to which the legislative and executive branches are ideologically divergent, allows us to gain a clearer view of the influence of divided government, specifically on the frequency of executive vetoes. I hypothesize that as the degree of ideological division between the majority party in Congress and the executive increases, the number of presidential vetoes will also increase. Statistical analysis reveals that the degree of divided government does, indeed, have a significant positive impact on the number of executive vetoes.

INDEX WORDS: Divided government, Unified government, Executive vetoes,
                  Legislative gridlock

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TABLE OF CONTENTS

SECTION 1

INTRODUCTION

The United States Congress may be the single most important legislative body in the world. The constitutionally mandated powers to create national legislation are given explicitly to this body of elected officials. However, the lawmaking process in the United States is one characterized by the crucial interaction between this branch and the Executive. For a bill to be transformed into law, both of these institutions must reach an agreement on the content of the particular legislation. Because of this mutually dependent relationship, the legislative process can become an intensely laborious enterprise. To become a law, a bill must proceed through several institutional steps. Simplified greatly, the process requires that both the majority of the members in the House and the Senate vote in the affirmative on identical pieces of legislation. In this process, committees, subcommittees, and, importantly for my argument, the Rules Committee all play significant parts in the formation of the individual bills. The executive, as the final actor, also plays a very important role because he must ultimately sign the bill into law. Within this constitutionally required process, highlighted by this interaction and mutual dependence among all of these legislative actors, the impact of divided government arises as an important issue.

Divided government is typically characterized as those periods during which the executive and either or both legislative chambers are controlled by opposite parties. Compared to the first half of the twentieth century, the presence of divided

Table 1.1 Occurrence of Divided Government (1961-1996)

Start Year	Congressional Session	Divided Government	Congressional Party	Executive (Party)
1961	87	UNIFIED	Congress=Democrat	Kennedy (D)
1963	88	UNIFIED	Congress=Democrat	Kenn/Johnson (D)
1965	89	UNIFIED	Congress=Democrat	Johnson (D)
1967	90	UNIFIED	Congress=Democrat	Johnson (D)
1969	91	DIVIDED	Congress=Democrat	Nixon (R)
1971	92	DIVIDED	Congress=Democrat	Nixon (R)
1973	93	DIVIDED	Congress=Democrat	Nixon/Ford (R)
1975	94	DIVIDED	Congress=Democrat	Ford (R)
1977	95	UNIFIED	Congress=Democrat	Carter (D)
1979	96	UNIFIED	Congress=Democrat	Carter (D)
1981	97	DIVIDED*	House=Democrat Senate=Republican	Reagan (R)
1983	98	DIVIDED*	House=Democrat Senate=Republican	Reagan (R)
1985	99	DIVIDED*	House=Democrat Senate=Republican	Reagan (R)
1987	100	DIVIDED	Congress=Democrat	Reagan (R)
1989	101	DIVIDED	Congress=Democrat	Bush (R)
1991	102	DIVIDED	Congress=Democrat	Bush (R)
1993	103	UNIFIED	Congress=Democrat	Clinton (D)
1995	104	DIVIDED	Congress=Republican	Clinton (D)

*For our purposes here, the Reagan Years of Divided House and Unified Senate are considered as Divided Government.

government has become commonplace in recent years as Table 1.1 below suggests.
Since the 87th Congress, which began its session in 1961,until the 104th Congress
beginning in 1995, divided party control of the two elected branches of our government
has been present 11 out of 18 congressional terms, which is sixty-one percent of the time.

Certainly, one cannot debate the prevalence of this phenomenon. Table 1.1 displays the nature of party in control of Congress as well as the Executive for this period.

It is puzzling that, even with widespread agreement among scholars about the importance of divided government, the exact impact of the phenomenon on the political process has been highly contested. I argue that this is largely due to an oversimplification of the nature of divided government. Simply put, most scholars have conceived of divided government as an either/or notion. That is, either the executive is of the same party as the majority party in Congress or he is not. While in a passing manner this is the case, it is too simplistic to assume that two periods of divided government (or two periods of unified government for that matter) can be thought of in the same manner. The central goal of this paper is to show that the degree (and not simply the mere fact) to which there is ideological divergence between the majority party in Congress and the Executive will affect the policymaking process in a tangible way because of the inability of Congress and the President to come to some sort of compromise on a given policy. Understanding this comprehensive explanation of divided government suggests that previous research does not provide a sufficient measure of the actual dynamics of divided party control.

The central question for this paper is: How might partisan differences across these two legislative branches affect the legislative process if at all? Or differently: In what ways does the extent to which government is divided in its partisan control affect legislative outcomes? Gridlock is most often the embattled subject of this debate. Gridlock, though it is variously defined by each individual researcher, can generally be thought of as "the absence of policy change in equilibrium in spite of the existence of a legislative majority that favors change" (Krehbiel, 1998; p. 26). Presidential vetoes

3

provide a tangible example of gridlock because a veto illustrates the dissolution of the

policy-making process despite a Congress that has provided a policy choice to the

executive. For this reason, I have chosen to look specifically at the impact that divided

government has on the frequency that the executive vetoes legislation. Figure 1.1

presents the variation in the number of executive vetoes from 1961 until 1996. We can

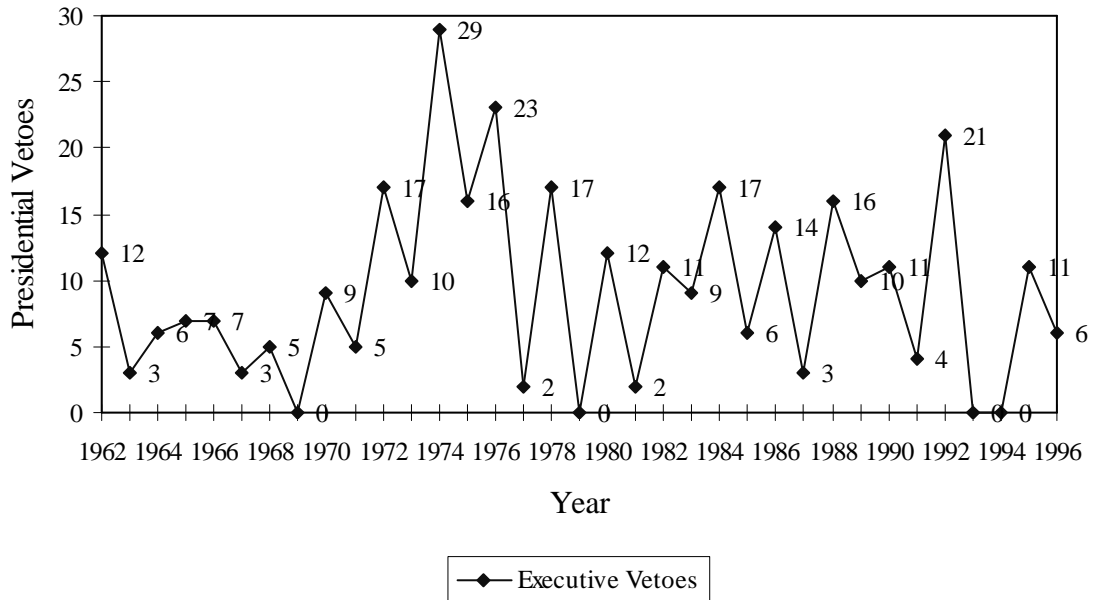see that there has been substantial variation in the number of vetoes from 1961 until

Figure 1.1 Occurrences of Executive Vetoes (1962-1996)

1996, ranging from zero vetoes in 1993 and 1994 under Clinton's instance of unified

government to 29 vetoes in 1974 under Ford's period of divided government.

The goal of this paper is to address the notion of divided government and provide

a more robust picture of the dynamics involved in the formation of public policy. I argue

4

that the partisan manipulation of legislative outcomes, ensuing from committee power and agenda control to the key position that the Rules Committee maintains in the process, creates incongruence between the legislative and executive branches to a much greater extent during periods of divided government than during periods of unified party control. Therefore, I hypothesize that as the degree of division between the majority legislative party in Congress and the Executive increases, the number of presidential vetoes will also increase, controlling for other factors. The statistical analyses suggest that divided government does have a significantly positive impact on the frequency of executive vetoes.

In the next section, I review the relevant literature on divided government highlighting the apparent inconsistencies and overly simplistic manner in which the phenomenon of divided government has been treated. I discuss the theoretical structure of this work, which demonstrates how partisan manipulation of legislative outcomes combined with the presence of divided government should influence the legislative process, specifically the frequency of executive vetoes. In the next section, I present my measure of divided government as well as the operationalization of the control variables. My analysis consists of a Poisson regression model, which provides modest empirical evidence that suggests divided partisan control of the legislative process does, indeed, significantly affect the level of gridlock, specifically, the frequency of presidential vetoes.

SECTION 2

REVIEW OF LITERATURE

While much research has attempted to discern the mechanisms associated with this visible increase in divided government (Fiorina, 1992 and 1994; Sigelman et al, 1992), others simply take its incidence as exogenous to understanding the exact implications of divided control of government and attempt to understand the specific legislative consequences of this political phenomenon (Mayhew, 1991; Lohmann and O'Halloran, 1994; Epstein and O'Halloran, 1996 and 1999; Krehbiel, 1996 and 1998; Edwards et al., 1997; Binder, 1999 are a few pertinent examples). This paper will address the latter concern. Let me now turn to the pertinent literature regarding the possible effects of divided partisan control of government on the productivity of the legislative process. I present both those who have maintained that there are real effects as well as those who would hold that there are no specific ramifications for the formation of public policy when divided government is present.

The increasing prominence of the phenomenon of divided government has led to corresponding attention devoted to understanding how it might affect the legislative process by various scholars. James L. Sundquist's work (1988, 1992) has largely brought the academic program into the foreground. In his article "Needed: A Political Theory for the New Era of Coalition Government in the United States," he strongly asserts that divided government is a serious cause of tribulation in the process of legislative outcomes. He declares, "In divided government, it is not merely the separated

institutions of government that must overcome their built in rivalries but the opposing

parties themselves. And that is bound to be a difficult, arduous process, characterized by

conflict, delay, and indecision, and leading frequently to deadlock, inadequate and

ineffective policies, or no policies at all" (1988, 629). His connection between divided

government and ineffective policymaking processes has spawned an industry of work in

the area. While there are those who assert, much like Sundquist, that divided government

does have real implications for the policymaking process, others have sought to provide

evidence indicating that the partisan makeup of the legislative branches does not make a

difference and this phenomenon of divided government does not have any real

significance in the act of forming public policy. As yet, it seems that the debate is largely

unsettled.

Several important works have addressed the problem of gridlock in the legislative

process, and have concluded that it was not specifically a problem related to divided

control of the government. These prominently include the work of Mayhew (1991),

Jones (1994), and Krehbiel (1996, 1998). David R. Mayhew's (1991) work, *Divided We*

Govern, is the preeminent work suggesting this unfettered view of divided government,

and it too has caused much debate in the scholarly literature. In the work, Mayhew

designs a test that measures the legislative output of Congress during divided and unified

periods. After selecting important bills for the years of 1947 until 1990, he measures the

effect that divided government has. His findings support his hypothesis that divided

government does not have a significant impact on legislative outputs. He says, "What

does not emerge…however, is any relation worth crediting between the incidence of

important laws and whether party control was unified or divided. If all 267 laws are

counted equally, the nine 'unified' two-year segments average 12.8 acts, and the thirteen 'divided' segments average 11.7" (1991, 76). Charles O. Jones (1994) has further supported Mayhew's analysis suggesting in his book that "Presidents continue to make proposals and Congress continues to legislate, even when voters return divided government to Washington. In fact, studies of the volume of lawmaking show very little differences between the two arrangements." (1994,196). Keith Krehbiel (1996, 1998), another prominent contemporary scholar designs a formal model focusing on the super-majoritarian pivot points within the legislative institutions that supersede the role of divided control in creating gridlock. These constitutionally mandated sources of gridlock are the executive veto, the super-majoritarian veto override, and the super-majoritarian cloture invocation. He asserts that, "gridlock is the rule rather than the exception under divided and unified government" (1996, 37). Additionally, Morris Fiorina (1992, 1996) addresses the major causes and consequences related to divided government. While maintaining that there is a lack of empirical evidence refuting the assertions of Mayhew he suggests that, "While neither party can accomplish everything it wants to in divided government periods, it seems that the struggle for political credit sometimes makes them as likely to compromise behind some legislation, as to allow stalemate" (1992, 406). Certainly, these scholars would suggest that divided partisan control of the separate legislative institutions has no real relevance for the process of forming public laws.

There are, however, many scholars who have contested this view of divided government, and have sought to demonstrate that divided control does, indeed, have a real impact on legislative productivity. George C. Edwards, Andrew Barrett, and Jeffery Peake (1997) and Sarah A. Binder (1999) revisit Mayhew's findings specifically and

attempt to revise his results. Edwards, Barrett, and Peake, in their article, address several

issues that may undermine Mayhew's conclusions. They propose looking at legislation

that was proposed but did not pass as a better measure of legislative gridlock. Their

research focuses on the interaction between the president and Congress, and they find that

there is a "strong positive relationship between the number of bills that the administration

opposes that fail to pass and the context of divided government" (1998, 557). They also

assert that the presence of divided government increases the odds of potentially

significant legislation failing by a substantial forty-five percent.

Binder (1999) uses a very robust measure of the causes of gridlock in general to

look at several different possible reasons that affect legislative output. She looked at the

electoral, institutional, and policy contexts of the legislative process in order to conceive

eight different causal indicators of gridlock associated with this process. She then used a

new measure of gridlock that attempts to improve on the Mayhew model. In order to

capture more fully the concept of gridlock, Binder develops an agenda for each Congress

as represented in newspaper editorials and then looks at the proportion of the agenda that

fails to make it into law. Her gridlock measure consists of this ratio. Her findings

suggested that her selection of indicators accounted for 54% of the variation of the level

of failure of the agenda. She also found that several of these indicators had statistically

significant impact on the gridlock levels of Congress. Some of these led to higher levels

of gridlock including the presence of divided government, the level of ideological

diversity between houses, and the ideological distance between the two houses. Several

other indicators contributed to a decline in the level of gridlock including the percentage

of moderates in Congress, the length of time the majority party had been out of the

majority as well as the activist nature of the public mood. She found that neither her measure of budgetary situation nor the severity of filibuster threat had a statistically significant effect on gridlock levels.

Several other works indirectly attempt to refute to some extent Mayhew's assertion that divided government does not have an impact on the legislative process by providing evidence to suggest that there are important areas where divided partisan control of the government does influence the formation of public policy. Mathew D. McCubbins (1991) and Gary W. Cox and Mathew D. McCubbins (1991) both look at the impact of divided government on fiscal policy. McCubbins asserts that the rapid spending growth in the 1980s was a result of the divided control of Congress because the compromise required overcoming each house's check on the other's spending program led to greatly increased spending. Furthermore, Cox and McCubbins look at the affect that divided government has on taxation. They find that if Democratic control of government is interrupted by Republican control of either the presidency alone or of both the presidency and the Senate, and to an even greater extent when Democratic control is interrupted by Republican control of Congress, there will be a decline in the level of tax receipts relative to the Democratic baseline. Samuel Kernell (1991) asserts that divided government leads to institutional conflict resulting in legislation, characterized by a process of bargaining, which can ultimately lead to delayed and weakened policy. Susanne Lohmann and Sharyn O'Halloran (1994) use a historical overview and econometric analysis of a formal model to show that the presence of divided government does affect how trade policy is made. They assert that institutional constraints placed on the President's trade policymaking authority are stronger under divided government and

that trade policy becomes more protectionist during times of divided government. Gregory R. Thorson (1998) looks at party unity votes and finds that the presence of divided government significantly decreases the likelihood of the formation of partisan coalitions, which favor the dominant party.

David Epstein and Sharyn O'Halloran (1996) construct a formal model predicting the effects of divided government on trade policy. Through empirical tests, they find that Congress gives less authority to the president during times of divided government, and that these tighter constraints on the president are associated with a higher level of protectionism. Additionally, their 1999 work further implies that divided government plays a significant role in the level of delegated authority to the President. Here they argue that while the quantity of legislation might not be affected by divided government as Mayhew suggests, the quality of the legislation most certainly does. They state, "Our findings indicate that, in fact, Congress delegates less and constrains more under divided government. Thus split partisan control of our national policymaking institutions, even if it does not lead to legislative gridlock, may result in procedural gridlock – that is, producing executive branch agencies with less authority to make well-reasoned policy and increasingly hamstrung by oversight from congressional committees, interest groups, and the courts" (11). From close attention to the scholars in this latter group, we see that there is much evidence to suggest that divided government does have real effects on the policy process and the notion of gridlock.

While this question of the effects of divided party control of government has been widely considered it still has not been adequately answered, and a real consensus has yet to be reached. This ambiguity largely results from the imperfections that arise in the

11

designs of many of these models. For example, the Mayhew study selects on the

dependent variable, which is problematic. He attempts to show variation in the number

of bills passed per congressional session. However, the number of bills chosen from each

period represents an artificial number of bills selected from the entire population of bills.

In a sense, he is manufacturing the variation found in the dependent variable, and this

could lead to serious problems with the internal validity of his study.

Another significant problem in most of these studies is their measure of divided

government. While most researchers simply use a dichotomous variable to capture the

presence or absence of divided government, this does not capture the full notion of the

phenomenon. Binder (1999) and Edwards, Barrett and Peake (1997) attempted to

improve upon the dependent variable in Mayhew's study, but they were satisfied with the

common conceptualization of the independent variable: divided government. That is,

they felt that they were justified in simply depicting divided government as an either/or

phenomenon. However, as suggested earlier, the important notion to remember is that

when talking about divided party control, the makeup of parties that control each of the

legislative branches is important. Much of this body of work does not formally look at

how partisan differences in policy preferences, which are inherent to the legislative

process, may explicitly cause differences in the ability of these institutions to proceed

effectively through the constitutionally mandated procedure of forming public policy. A

more robust measure of divided government, one that captures the extent to which the

legislative and executive differ on policy, will allow us to understand this phenomenon

more fully. Next, I explain how the extent to which the congressional and executive

parties differ ideologically might influence the legislative process and introduce a more

robust measure of divided government.

SECTION 3

THEORETICAL STRUCTURE

The crux of my argument is that the partisan coloration of the two legislative

branches does, in fact, have real consequences for the legislative process. Furthermore,

the central goal of this paper is to show that the degree (and not simply the mere fact) to

which there is ideological divergence between the majority party in Congress and the

Executive will affect the policymaking process in a tangible way, namely by increasing

the number of presidential vetoes that occur because of the inability of Congress and the

President to come to some sort of compromise on a given policy. For this assertion to

hold any validity, there are several theoretical tenets that must be established. Figure 3.1

provides a simple graphic example of the basic theoretical processes at work in this

relationship. For the ideological difference between the executive and legislative

majority to be meaningful, we must first establish that the role of the political party in the

process is also a meaningful one. Note that my argument centers on ideological

preferences to the extent that they make up a "partisan" preference in both of these

bodies.   I hold that it is the ideological divergence of the majority legislative party and

the executive that is the important dynamic rather than the ideological divergence of

Congress as a whole and the executive. Thus, I am concerned with ideology only to the

extent to which it is aggregated into a partisan preference.

As Tenet 1 in Figure 3.1 suggests, there are two significant ways which parties are

able to affect the ultimate policy that is passed by Congress: through the role of

14

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┌──────────────┐       ┌──────────────┐
│   Partisan   │       │    Party     │
│  Assignment  ├───────┤  Control of  │
│   of Rules   │       │  Committees  │
└──────────────┘       └──────────────┘
                │
                ▼
        ┌──────────────┐         ┌──────────────┐
        │   Partisan   │         │   Divided    │
        │ Legislative  │         │ Government   │
        │  Outcomes    │         │              │
        └──────────────┘         └──────────────┘
                │                        │
                ▼                        ▼
┌──────────────┐         ┌──────────────┐
│ Legislative- │         │    Larger    │
│  Executive   │◄────────┤ Interbranch  │
│ Incongruence │         │  Ideological │
└──────────────┘         │   Distance   │
        │                └──────────────┘
        │         ┌──────────────┐
        ▼◄────────┤ Presidential │
                  │  Veto Power  │
                  └──────────────┘
┌──────────────┐
│   Higher     │
│ Occurrence of│
│ Presidential │
│    Vetoes    │
└──────────────┘
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Theoretical Tenets

1. Partisan Committee Power + Rules Committee Power = **Partisan Legislative Outcomes**

2. Divided Government + Partisan Legislative Outcomes = **Legislative-Executive Incongruence**

3. Presidential Veto Power + Legislative-Executive Incongruence = **Higher Occurrence of Presidential Vetoes**
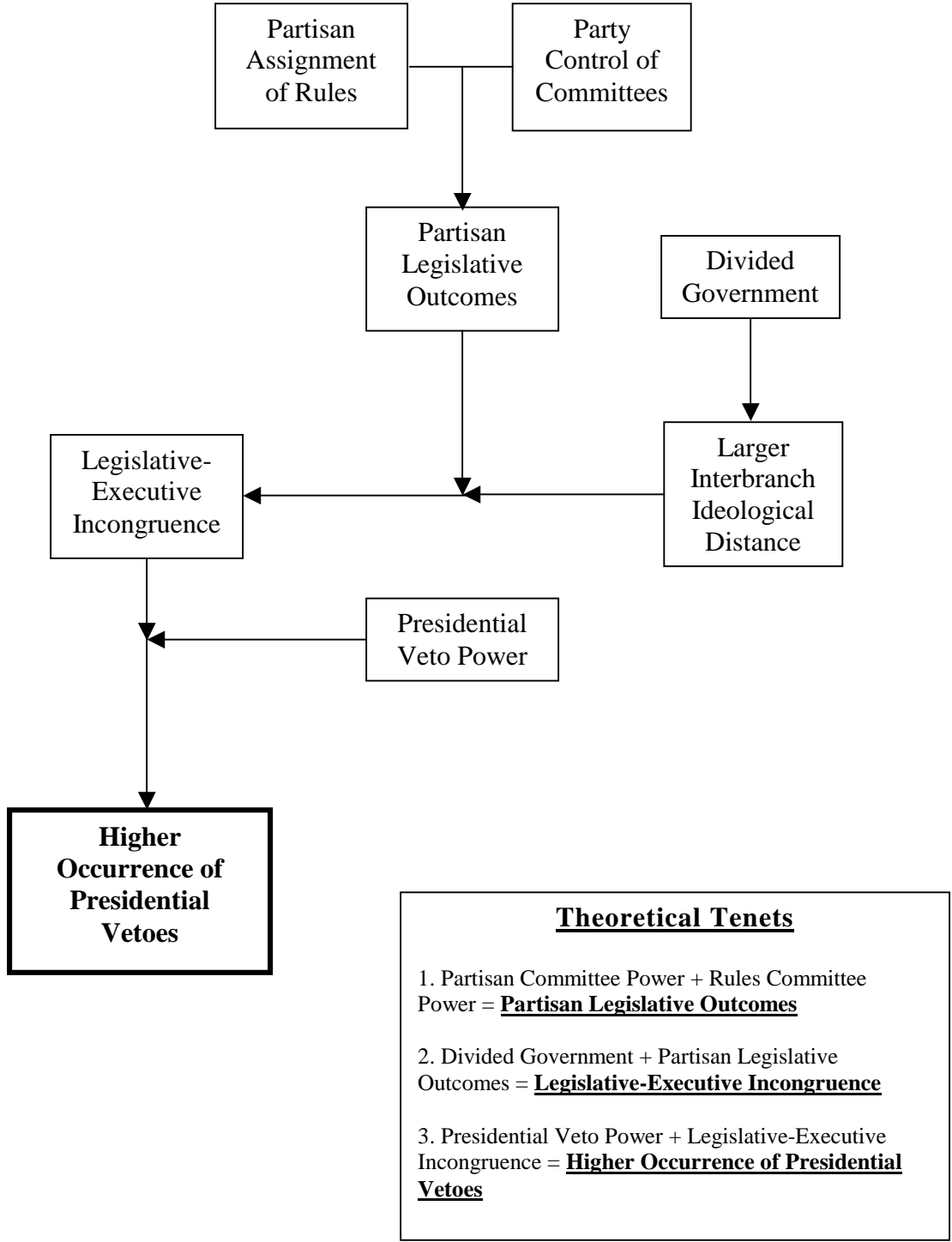
Figure 3.1 Theoretical Structure

committees in the introduction and final shape of pieces of legislation and through the role of the Rules Committee in the assignment of procedural rules that dictate how bills are handled on the floor. This leads to partisan legislative outcomes: bills that suggest some partisan preference rather than reflecting some middle ground preference representative of the entire floor. My central argument, that the partisan makeup of Congress and Executive influences the legislative process, requires that this assumption be made in order to provide a necessary foundation upon which my further reasoning rests. A review of the literature regarding committee control and the Rules Committee will demonstrate that this is a reasonable assumption to make.

Next it is important to establish our second theoretical tenet. I empirically demonstrate that the presence of divided government creates a larger interbranch ideological distance between the executive and the legislative majority. This larger ideological divergence coupled with partisan legislative outcomes will ultimately result in a greater likelihood for "Legislative-Executive Incongruence." Thus, I also assert that Tenet 2, in Figure 3.1 is a reasonable contention to make.

Finally, I establish that the President has the ability to oppose legislation given to him by Congress through the use of the Executive veto. Through a review of the literature, we shall see that the veto is one of the most tangible powers the Executive has. Because the propensity to disagree is more likely the greater these two actors differ ideologically, when Congress produces legislation that the Executive is unsatisfied with, he will use his veto power to stop the process. This is our third and final theoretical tenet presented in Figure 3.1.

Thus, we can conclude that there will be a higher occurrence of presidential vetoes as the ideological distance between the Executive and legislative majority increases. I examine this assertion empirically in the analysis that follows. Now it is important to explain more fully the theoretical tenets outlined here. Let us first turn to the ways in which the majority party in Congress is able to achieve partisan legislative outcomes.

A. PARTISAN POLICY OUTCOMES

The role that the political party plays in the legislative process lies at the core of the concept of divided government. Any notion of divided government inherently assumes that the label and information the political party provides are central to the legislative process. That is, the legislative power of the electoral party must be real rather than perceived. This requirement has, indeed, been demonstrated in the literature[1]. Kiewiet and McCubbins (1991) state most succinctly the basis behind this notion. They hold, "the key rationale congressional members have for organizing as parties is the common investment they have made in the informational content (and thus electoral value) of the party label" (39). That is, the party label acts as a 'brand name' that represents a subset of the spectrum of policy positions on national and local issues. Aldrich (1995) provides us with a significant study of how political parties are useful in the legislative process. He uses a social choice approach to explain how the political party is an important institution for solving collective action problems within government as well as for solving collective action problems dealing with electoral mobilization. He maintains "a series of problems that necessarily rise in elections and in governance make

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[1] A few recent examples include Aldrich, 1995; Cox and McCubbins, 1993; Dion and Huber, 1996; Kiewiet and McCubbins, 1991; Rhode, 1991; and Sinclair, 1983.

17

it possible for politicians to win more of what they seek to win, more often, and over a longer period by creating political parties" (28). That is, political parties are effective tools in helping legislators achieve their policy goals.

How are political parties able to provide legislators with this kind of capability? In other words, where does this partisan power come from? Aldrich argues that the level of certainty about the political process that is provided by the political party is the major incentive for individual legislators to coordinate their activities with those of the party in government. He says, "Parties-in-government are also institutions with rules and procedures for selecting leaders, providing them with power and resources, and structuring Congress and government more generally" (29). Certainly, political parties play an important role in the legislative process. They also are able to achieve partisan legislative results.

As I demonstrate through the review of the pertinent literature below, many scholars have also reasoned that party agenda setting, which resulted from the partisan manipulation of committees, allowed parties to maintain specific powers in the formulation of legislative outcomes. The Rules Committee is also often referred to in the literature when discussing partisan power and the manipulation of legislative outcomes. Let us now look at how these two influential structures might afford policy outputs that are based on majority partisan ideals.

1. COMMITTEE POWER

First, consider the relationship of Committees in the legislative process. While the exact nature of the power can be somewhat elusive, it seems that the notion that committees have power in the legislative process is an unavoidable conclusion is the

literature. Common in this literature about Congressional Committees are three competing views of how Congress is organized into committees. Epstein and O'Halloran (1999) provide very succinct descriptions of these main fields. The three theoretical streams are distributive theories, informational theories, and partisan theories.

Epstein and O'Halloran summarize how committees work under the distributive theory of organization: "The distributive theory of legislative organization predicts that committees are unrepresentative of the floor, that committee bills are considered under privileged parliamentary procedures and are rarely amended, and that final policy is composed of universalistic logrolls. Congressional committees are the glue that binds legislative logrolls together, and as such power in Congress resides in committees" (164). So, in this theoretical approach, we would expect high demanders on committees to procure as much "pork" for their constituents as they can get away with. Notice that there is no mention of party in this theory, individual legislators are simply responsible the members of their electoral districts. This view has been largely argued by, among others, Shepsle and Weingast (1987a, 1987b). It is important to note that this theory predicts that committees will be stacked with preference outliers or high-demanders in their given substantive policy area.

The next theoretical approach, the informational theory of organization is on largely advocated by Keith Krehbiel with occasional guest scholars (These include Krehbiel 1987,1990, 1991; Krehbiel and Rivers, 1988; Krehbiel and Gilligan and Krehbiel, 1990). As Epstein and O'Halloran (1999) relate, under the informational perspective, "Power in Congress resides with the median floor voter, and on average committees will be representative of the parent chamber; restrictive rules will be rare; and

final policy will be majoritarian, reflecting the median floor voter's preferences" (165). Again, there is no mention of partisan organizations or what they might be used for in the legislative process. It is simply the ideological preference of the median voter on the floor that decides the shape of public policy. Note that the composition of committees in this theory suggests that committees will be made up of an array of ideological preferences that on average reflect that of the floor.

A third, party-oriented argument has also been made. "According to this [partisan] view, majority-party committee delegations are representative of the party caucus, restrictive rules are common, and final policy is partisan, reflecting the median majority-party members preferences and built around intraparty logrolls" (Epstein and O'Halloran, 165). Some prominent proponents of this view include Rohde (1991), Cox and McCubbins (1993), Aldrich (1995), and Sinclair (1995). Again, note that with respect to composition of committees, this theory suggests that committees will be stacked to represent the interests of the majority party.

While it seems overly simplistic to think of any one of these theories as offering the entire picture of legislative organization, each does have an important place in explaining how Congress is structured. Epstein and O'Halloran also address this notion. They provide evidence to suggest that depending on the type of committee, one of these theories can usefully explain how the organization is arranged. They divide committees up, as is commonly done, into four main groupings: Prestige Committees, Policy Committees, and Constituency Committees, and Other. Using an analysis of outliers in committees, they find that the Prestige Committees are largely representative of the floor suggesting that they are consistent with the informational approach. Interestingly, for the

discussion below, they find that the Rules Committee has a liberal skew and a "majority-party contingent [which is]…broadly representative of the party as a whole" thus they conclude that the Rules Committee is, "tilted toward the preferences of the majority-party caucus" (176). They then look at the Policy Committees, which "tend to deal with more narrowly tailored issues, which nonetheless generate intense interest from all sides of the political spectrum" (176). Analyzing the composition of these committees they find that, "the Democrats, the majority party throughout most of our study, stacked these committees with partisans willing to pursue the party line in these policy battles" (176). Significantly, this suggests that in these significant legislative producers, the Policy Committees, political parties do hold influence and are able to ensure partisan outcomes in their policy areas. This provides evidence that political parties do, indeed, mold the legislative process in order to better achieve their goals. Coupled with the partisan nature of the Rules Committee and its prevalent role in the structuring of how bills are handled on the floor, we would expect that committees organized in this manner would secure partisan legislative outcomes. Now let us take a closer look at how the Rules Committee might also promote partisan legislative goals.

2. RULES COMMITTEE

Another significant partisan actor is the Rules Committee. The ability of the Rules Committee to run the floor effectively has been well documented in the scholarly literature. As Dion and Huber suggest, "Special rules crafted by the Rules committee do more than ensure consideration of a bill…these rules can also limit debate, waive points of order, restrict admissible amendments, and even rule out amendments altogether" (25, 1996). Other scholars have recognized the ability of the Rules Committee to promote a

partisan agenda effectively. Ripley (1969) concludes that, "the majority party leaders can

control the floor proceedings [because they can among other things] provide for overall

control of time and amendments through rules from the House Rules Committee" (180).

Oppenheimer (1977) considered how changes in the Rules Committee have led to the

committee being more responsive to party leadership through two related functions:

"traffic cop" and "field commander." He maintains, that by "gaining full control over

the recruitment of Democratic members to the committee and by filling vacancies

carefully, the Speaker has turned the committee into an arm of the leadership" (114-15).

Sinclair (1983, 1994) also argues "restrictive rules [as fashioned by the Rules Committee]

are devices the majority party leadership uses to advance the goals of its membership"

(1994, 483). Additionally, she presents evidence that shows how restrictive rules are

becoming more prevalent in recent congressional sessions, accounting for 85% of the

major measures that were considered under rules. Kiewiet and McCubbins (1991) look at

the Rules Committee's actions during the budgeting process and conclude, "When Rules

deems that the Appropriations Committee or other committees have acted in good faith

vis-à-vis the Democratic caucus, they grant their bills waivers of spending ceilings, bans

on authorization language, and any other requirements that they may fail to satisfy" (90).

Rhode (1991) also maintains that the Rules Committee, through the increasing use of

restrictive rules and the development of other innovations like the "king of the mountain"

rule and the "self-executing" rule, is able to work for partisan legislative goals. He

asserts, "Each of these tactics has the potential to be turned to partisan advantage for

specific legislative purposes, as well as to facilitate the Democratic leadership's

management of the agenda" (103). Cox and McCubbins (1993) also maintain that the

Rules Committee is an extension of the majority party through its dominance by the Speaker of the House. They assert that, "In the usual case…where the Speaker exerts considerable influence over the Rules Committee, it is his preferences that are dominant and must be correctly anticipated" (247). Clearly, on the subject of the role of the Rules Committee, we can see that various scholars consider the committee as a powerful institution that provides the leaders of the majority political party in the legislative body with the ability to influence the policy agenda in order to create beneficially partisan outcomes.

Notably, Dion and Huber (1996) formalize the process of committee proposals and rule assignment by the Rules Committee and find some significant results. They model this process as a two-stage game. The process that they model encompasses a committee's proposal of a piece of legislation, followed by the Rules Committee's assignment of a procedural rule. They argue that restrictive rules[2] are used by the Rules Committee to secure noncentrist outcomes, that is, policy proposals that are less responsive to the floor median than they would be in a majority-rule situation without these institutions. These outcomes are accordingly more responsive to the majority party median.

I presented here much of the scholarly evidence that supports the notions that partisan-oriented committees and the Rules Committee make the majority legislative party a powerful actor in the legislative process. Because the literature suggests that political parties have the ability to shape policy outcomes, I maintain, as Tenet 1 in Figure 3.1 suggests, that political parties present the president with partisan policy alternatives. It is important to understand how these particular policies might play out

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[2] This notion of the restrictive rule includes both fully closed and modified rules.

23

during periods characterized by greater ideological divergence between the legislative

majority party and the executive. Having established my first theoretical tenet, I can

move on to the second.

B. LEGISLATIVE-EXECUTIVE INCONGRUENCE

Turning now to the second theoretical tenet, I must establish that during periods

of divided government there exists a significantly more expansive ideological divergence

between the majority party in Congress and the executive. Figure 3.2 presents the plotted
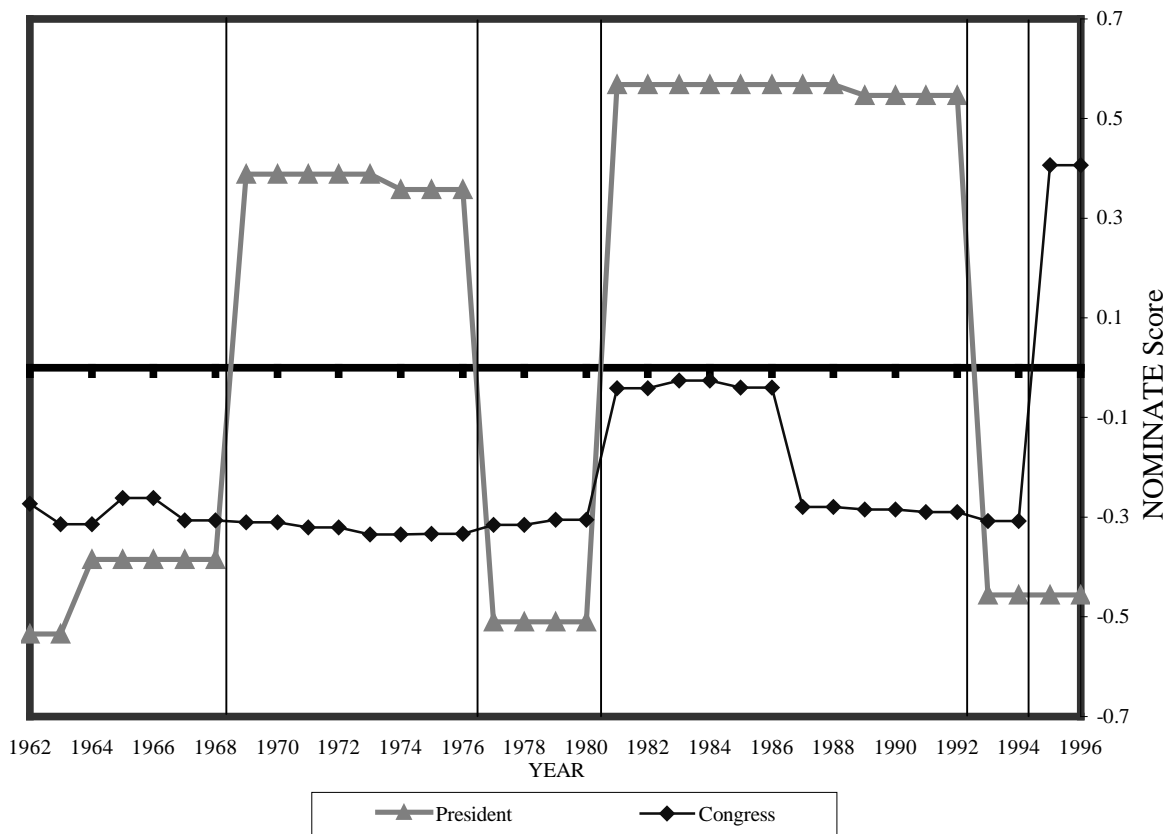

Figure 3.2 Divided Government (1962-1996)

Table 3.1 Independent Samples t-test of Divided and Unified Government
(Degree Divided)

Divided Government?	N	Mean	Standard Deviation
UNIFIED	13	0.158	0.0610
DIVIDED	22	0.727	0.0997
t-statistic	-18.543		
df	33		
Significance	.000		

Congressional NOMINATE score and the corresponding Presidential NOMINATE score

(An explanation of the calculations for these will follow). On the Y-axis, the most

positive scores represent the most conservative scores, while the most negative scores

represent the most liberal scores. The vertical lines represent the periods of transition

from unified to divided and vice versa. The periods of unified government are 1962-67,

1977-80, and 1993-94. Periods of divided government are 1968-76, 1981-92, and 1995-

96. Clearly, periods of divided government tend to exhibit a much larger level of

ideological division than those periods of unified government.

An independent samples t-test of the ideological distances found in Figure 3.2

would provide us with a more rigorous account of this difference. Table 3.1 provides the

summary of this test. We see that periods of unified control of government have a mean

of 0.158 while divided government has an ideological distance of 0.727 on average. The

t-statistic of -18.543 suggests that there is a statistically significant difference between the

extent to which the executive and majority congressional party differ ideologically during

times of divided and unified government. Thus, we can assume that periods of divided

government exhibit a greater ideological disagreement between the executive and

Congress. As my second theoretical tenet suggests, taking this assertion along with my

contention that political parties use committee power and the Rules Committee to achieve

partisan legislative outcomes, we would expect there to be a greater "Legislative-

Executive Incongruence" during periods of divided government.

C. EXECUTIVE VETO POWER

Now that we have established the first and second tenets of our theory, it should

be rather simple to show that the executive maintains the veto power and that divided

government creates a greater division between Congress and the President. First, let us

look at the veto power. As Woodrow Wilson relates, "In the exercise of the veto power,

which is of course, beyond all comparison, his most formidable prerogative, the President

acts not as the executive, but as the third branch of the legislature" (1885). Several

scholars have attempted to understand the dynamics of the veto.[3] For the sake of brevity,

this literature will not be extensively reviewed. Lewis and Strine (1996) suggest, "One of

the enumerated powers of the president, the veto, is one of the only enduring measurable

means by which all presidents have exercised power" (683). Furthermore, they say,

"Presidents historically have vetoed for one reason: they cannot get their way in

Congress…presidents only veto bills from Congress which do not represent their

viewpoint or agenda" (683).

Charles M. Cameron, in his book *Veto Bargaining* (2000) looks at the veto

bargaining process and argues that the executive veto, though rare, is strategically used

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[3] Prominently these include Lee (1975), Copeland (1983), Rhode and Simon (1985), McKay (1989), Ingberman and Yao (1991), Woolley (1991) Lewis and Strine (1996), Shields and Huang (1997) and Krause and Cohen (1997).

by the president in order to gain policy concessions based on the threat of the veto. Looking at divided government and the executive veto, he finds that during periods of divided partisan control, as the significance of a particular bill increases, the probability that it will be vetoed also increases (129). While he looks at the influence of divided government on the types of bills that are vetoed, he does not, however, look at how divided government specifically affects the number of executive vetoes

These points are important for the argument at hand. As I suggest, majority political parties in Congress through various resources pull legislation away from the median towards some party ideal. Thus, we would expect that the further apart the majority party and the executive are ideologically, the less likely it will be that the policy outputs of Congress will reflect what the president wants, and this is why we suspect that there will be more vetoes in periods characterized by greater ideological distance. This is the third theoretical tenet outlined in Figure 3.1.

In summary, we have established that political parties have power in Congress and are able to attain partisan policy outcomes that reflect the preferences of the majority party. We have established that divided government creates Legislative-Executive Incongruence because of the greater degree of ideological divergence during divided party control. Furthermore, we have established that the executive uses his veto power to stop legislation that does not correspond to his desires. All these factors should point to the conclusion that as the ideological division between executive and Congress increases, the number of presidential vetoes in a give congressional session will also increase. This hypothesis is the main thrust of this work as well as the subject of the empirical test discussed below.

SECTION 4

EMPIRICAL TEST

A parsimonious empirical analysis can lend some weight to my assertion that divided government plays an important role in the legislative process. I hypothesized that as the degree of division between the majority legislative party in Congress and the Executive increases, the number of presidential vetoes will also increase, controlling for other factors. The years selected for this analysis are 1962 until 1996. This period was chosen because it represents the extent of continuous data for all of the measures included in this analysis. I analyzed the hypothesized relationship at the Congressional level as opposed to addressing each chamber individually for two main reasons. First, it allows us to provide a more parsimonious model while appropriately capturing the dynamic at hand. For a bill to be presented to the executive, it must pass both chambers of Congress in identical form. Accordingly, bills that reach the president are a synthesis of the preferences exhibited in both chambers. Secondly, it fits the logic of this paper more closely because I am interested in the interaction of Congress and the executive in the process of forming public policy, and therefore, I am not particularly concerned with the intricacies found between chambers.

The dependent variable in this study is the number of presidential vetoes in a given year. Some might argue that causal direction issues might arise because the bills included in the dependent variable might also be present in the independent variable since NOMINATE scores are based on roll-call voting (Poole and Rosenthal, 1998). This

problem can be averted by considering the extent of the make up of Common Space

NOMINATE scores. These scores represent all roll-call votes for each member of

Congress and the executive for the entire period of their career through 1996. The scores

are resistant to fluctuations by decisions on individual bills because of the sheer number

of bills included in the formation of each score. While the individual scores of legislators

and the executive might contain the vetoed bills found in the dependent variable, using

Common Space NOMINATE scores allows us to sufficiently separate the ideological

positions from individual bills found in the study. These scores more closely represent

true ideological positions because they take into account the entire recorded careers of

individual legislators as well as executives. As I previously mentioned, the executive veto

represents a tangible example of gridlock because a veto illustrates the dissolution of the

policy-making process despite a Congress that has provided a policy choice to the

executive. Therefore, the number of executive vetoes in a given year provides us with a

good measure of the extent to which divided government might affect legislative

productivity. An independent samples t-test of executive vetoes and divided government

is presented in Table 4.1.

Table 4.1 Independent Samples t-test of Divided Government and Executive Vetoes

Divided Government?	N	Vetoes (Mean)	Standard Deviation
Unified	13	5.69	5.30
Divided	22	11.36	7.26
t-statistic	-2.45		
df	33		
Significance	.01		

This test shows that we should certainly expect there to be a statistically significant difference in the number of executive vetoes for periods of unified and divided government. The average number of vetoes for periods of unified government is 5.69 corresponding to 11.36 during periods of divided government. The t-statistic of –2.45 is significant beyond the 0.01 level. Therefore, it seems reasonable to suggest that the number of executive vetoes will increase during periods of divided government.

Typically it is the case that when looking at divided government, researchers simply use a dichotomous variable when operationalizing this concept. That is to say, either the government is divided or it isn't. On first glance this seems quite reasonable, but when one actually ponders what divided government means, it seems to me to be quite an unreasonable measure of divided government. As I have argued, at the core of the notion of divided government is the idea that the partisan differences between the legislative branch and executive branch are in some way playing a part in the legislative process. Thus, one would expect to see variations among governments that are either under divided or unified control. I propose that an enhanced measure of divided government should be able to capture these variations in how divided a government actually is. To this end, it seems reasonable to think of the ideological distance between the executive and the majority party in Congress to be a better measure of the extent to which these bodies are divided. The ideological position of the majority party is used rather than the floor median ideological position (or Senate cloture position) because the notion of divided government centers on split party control of the government.

Therefore, to capture the concept of divided government, the majority party ideological position seems the most reasonable measure of the degree to which the

legislative and executive branch are ideologically divergent. My independent variable, then, is based on this logic. The construction of this variable was quite a laborious process. First, I used Poole and Rosenthal's DW-NOMINATE (1998) scores to find the median majority party member of each chamber. I then found each legislator's corresponding Common Space Score (1998). The Common Space scores have placed both chambers of Congress and all Executives from Eisenhower until 1996 on a single metric. This allows me to compare distances between Congress and the President for each year and across time. The two Congressional scores were then averaged, and the absolute distance between this median congressional majority party score and the executive is then calculated for each year. As suggested, it is hypothesized that as this distance increases, we will expect to see an increase in the number of executive vetoes. Certainly, to some extent the executive varies from the majority party in Congress (whether under unified or divided control), and this is captured with this measure. The scores for each congressional session and the executive score plus the resulting degree divided score are presented in Table 4.2. It is the case that from 1962 until 1996, the common notion of divided government shows a significantly greater distance between executive and majority party, but there is much variation within those periods that would all be typically classified as divided. The quasi-divided period in the Reagan years (the 97th, 98th, and 99th Congresses) where the Republican Party held the Senate and the Democrats controlled the House is also captured by this measure. Because each chamber's score is averaged together, we capture the partisan nature of both houses. These variations are not typically accounted for when measuring divided government, but this analysis will be able to look at their effects.

Table 4.2 Majority Party Median and Executive NOMINATE Scores by Congressional Session (1961-1996)

Year	Congressional Session	Congressional Median	Executive Score	Degree Divided
1961	87	-0.2725	-0.535	0.2625
1963	88	-0.3145	-0.46	0.1455
1965	89	-0.261	-0.385	0.124
1967	90	-0.3065	-0.385	0.0785
1969	91	-0.31	0.388	0.698
1971	92	-0.321	0.388	0.709
1973	93	-0.3345	0.373	0.7075
1975	94	-0.3335	0.358	0.6915
1977	95	-0.315	-0.51	0.195
1979	96	-0.3055	-0.51	0.2045
1981	97	-0.041	0.568	0.609
1983	98	-0.026	0.568	0.594
1985	99	-0.0395	0.568	0.6075
1987	100	-0.28	0.568	0.848
1989	101	-0.284	0.546	0.83
1991	102	-0.2895	0.546	0.8355
1993	103	-0.3075	-0.456	0.1485
1995	104	0.407	-0.456	0.863

There are several other variables that are used as controls for this analysis. One important variable that should be included in this analysis is the unity of the minority party in Congress. The logic behind this variable is as follows. The extent to which the majority party in Congress is able to achieve partisan political outcomes is limited by the

ability of the minority or opposition in Congress to oppose the majority. If, the minority were able to act in a unified manner against the majority party, we would expect that bills placed on the desk of the president to be more centrist (and less partisan) in nature. Therefore, it is hypothesized that as the minority party in Congress more cohesively opposes the majority, the number of executive vetoes would decrease. The data for this variable were compiled from *CQ Weekly* and presented in *Vital Statistics on Congress* (1999). This volume provides the percentage of members voting with a majority of their party on party unity votes. Party unity votes are defined as "those roll calls on which a majority of a party votes on one side of the issue and a majority of the other party votes on the other side" (203). This variable nicely fits our logic in that it captures the extent to which the opposition party opposes the majority in Congress.

Presidential popularity should also be controlled for because we would expect this to have an effect on the ability of the executive to veto legislation. The executive veto is a severe measure that is not typically used lightly and can be perceived by the public as an unconstructive action. The relative favor the president has in the public's eye should then weigh heavily on his decision to veto a bill that has come to him after having passed both chambers of Congress. Therefore, I hypothesize that as the popularity of the executive increases, the number of executive vetoes will also increase. This measure is constructed from Gallup polls of presidential approval. I calculated this measure by taking the presidential approval rating and subtracting the presidential disapproval rating. This measure captures the nature of the executive's approval because we would expect there to be a significant difference in those instances where a substantial proportion of the electorate disapproves of the executive rather than having no opinion. This measure

weighs the proportion of the public that supports the president as well as that share of the electorate that is dissatisfied with the executive's performance in office.

Another variable that I suggest will influence the number of presidential vetoes in a given year is Stimson's (1991) scores assessing the public activist mood. Derived from opinion surveys, the measure reflects that as the score increases, the public has stronger preferences for an activist government. Activism in this sense is synonymous with productive. This measure is included because I would suggest that it has a negative impact on the number of presidential vetoes. The more the public desires public policy to be passed, the less power the executive has to stop the process of forming law. As Binder (1999) does, I will lag the public mood scores by one year.

As Gilmour (2002) suggests, the national unemployment rate should also impact the frequency of executive vetoes. The logic behind the inclusion of this variable is similar to that of presidential popularity. As Gilmour states, "unemployment is an important contributor to the president's political standing, or lack of it" (208). This variable should be distinguished from mere presidential popularity. Both popularity and the unemployment rate can be seen as elements of the executive's power to act as he chooses. The extent to which the public approves of what the executive is doing can include the economic situation of the country, but certainly, this is only a portion of individual evaluations. The economic performance of the country, measured here as the unemployment rate, is a distinct facet of the power of the president. This is reflected in the correlation coefficient of the two measures, -.202, which is not significant. Consequently, we would expect that as the national unemployment rate increases, the number of presidential vetoes would decrease.

A dummy variable for presidential election years is also included in the analysis. The logic behind this variable suggests that, executives, desiring to present themselves as strong leaders will allow Congress to get away with less when the next election is at hand. That is, the executive has a lower tolerance for appearing to have Congress dictate the policy making process. Hence, during the year preceding presidential elections, we would expect the executive to veto more bills.

The dependent variable that I am modeling is the number of presidential vetoes for a given year, and therefore is count data, bounded by zero. As Allison (1999) suggests, using OLS Regression would create several problems. First, such dependent variables tend to have highly skewed, non-symmetric distributions, which make it hard for errors in an OLS model to approximate a normal distribution. Also, the standard errors are often profoundly incorrect and limit our ability to infer anything from them. Because this is the case, using Poisson Regression, which is appropriate for count data will be the method of my empirical analysis. The results are presented in Table 4.3[4].

The results suggest, as hypothesized, that most of the individual variables have statistically significant effects. Most importantly, our variable Degree Divided, with a z-score of 2.91 does indeed have a statistically significant, positive impact on the expected

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[4] OLS Regression was run in order to acquire goodness-of-fit measures as well as to run multicollinearity and autocorrelation diagnostics. The Adjusted R^2 was 0.461 and the Durbin-Watson was 2.14. Multicollinearity diagnostics suggest that there are no major problems of collinearity among the independent variables. . The highest correlation among any of my independent variables was –0.49 (between Public Mood and Unemployment). I also ran the R^2 test for multicollinearity suggested by Lewis-Beck (1980). Accordingly, the Tolerance and VIF for each of the variables were: Divided Government (0.830, 1.204), Minority Party Unity (0.520, 1.922), Presidential Popularity (0.775, 1.291), Public Mood (0.430, 2.326), Election Year (0.966, 1.042), Unemployment Rate (0.505, 1.982). These findings further suggest that multicollinearity among the independent variables in this model is within reasonable levels. Also note that for our main independent variable, Divided Government, the Tolerance of 0.830, suggests that there is very little collinearity between the main variable and the control variables. This implies that slope coefficients derived for this variable can be thought of as reasonable estimates of the population parameter.

number of presidential vetoes. Through an exponentiation process of the coefficients

([exp (b)-1] x 100), we can achieve a statistic that provides us with the percent change in

the expected number of the dependent variable (Allison, 1999). Here we see that for a 1-

unit increase in the degree divided variable, there is a 75.05% increase in the expected

number of presidential vetoes. While mathematically possible, a change of one unit for

the degree divided variable is an excessive degree of change since the variable only

ranges from -1.0 to positive 1.0. A more reasonable unit of change would be 0.01 units

change in our main independent variable.

Table 4.3 Poisson Regression Results

Variable	Estimate	Standard Error	z-score	[exp(b)-1] x 100
Degree Divided	0.560	0.193	2.91*	75.05%
Minority Unity	-0.043	0.014	-3.03*	-4.25%
Presidential Popularity	0.002	0.002	1.10	0.23%
Stimson Public Mood	-0.037	0.013	-2.98*	-3.65%
Election Year	0.355	0.104	3.42*	42.60%
Unemployment Rate	-0.114	0.032	-3.60*	-10.76%
Log Likelihood	754.49			
Deviance	273.81			
Deviance (Scaled)	273.81			
N	35			

*Denotes Significance beyond the .01 level.

When the coefficient is exponentiated at this rate of change, there is a 7.51% increase in the expected number of executive vetoes. The Minority Party Unity variable also exhibits the correct sign and is statistically significant. For each percent increase in the unity of the minority party in Congress, the expected number of executive vetoes decreases by 4.25%. The lagged public mood variable performed equally as well with a significant z-score of –2.98. For each unit increase in the public activist mood, there is a 3.65% decrease in the expected number of presidential vetoes. The unemployment rate also operates in the hypothesized manner. As the unemployment rate goes up by 1 percent, the expected number of executive vetoes decreases by 10.76%. Additionally, the dummy variable for election years also achieves statistical significance and carries the correct sign. This variable's z-score of 3.42 is highly significant and suggests that during years preceding presidential elections, the estimated number of vetoes increases by 42.60 percent. Unfortunately, presidential popularity does not have a significant impact on the expected number of presidential vetoes in a given year. While the sign is correct, it is not statistically significant. Clearly, we can see that overall, the model performs very well with all the hypothesized signs exhibited and five of the six variables proving to have statistically significant effects on the expected number of executive vetoes in a given year.

We can further explore the relationship between unified and divided government. Table 4.4 presents the differences in the means for divided and unified government. We can calculate the difference in the expected number of vetoes for periods of divided government on average, and we see that during periods classically defined as divided government, there is a 37.52% increase in the expected number of vetoes over periods of

Table 4.4 Exponentiation for Divided and Unified Government

Partisan Control	Mean	Expected Change in DV
UNIFIED	0.158	
DIVIDED	0.727	
Difference	0.569	37.52%

unified government. This lends additional evidence to our analysis. As is shown, the results suggest that periods of divided government, characterized by greater ideological divergence between executive and the majority party in Congress, inflate the expected number of executive vetoes.

Central to my theoretical structure and analysis is the notion that the extent to which government is ideologically divided improves our understanding of the phenomenon of divided government and can better explain variations in legislative productivity, specifically the number of executive vetoes. I ran an additional Poisson model in order to better capture this notion of degree. Table 4.5 presents the results of the Poisson regression substituting a trichotomous Divided Government[5] variable for my Degree Divided variable. As a whole, this model performs less well than my original model. While we see that five of the six variables achieve statistical significance, only three variables function in the hypothesized direction, and only two of those are statistically significant. Prominently, the main independent variable, the trichotomous divided government variable, does not achieve statistical significance despite exhibiting

[5] This variable is scored 0 for periods of Unified Government, 1 for those periods when one chamber of Congress is divided and 2 for those periods of two-chamber Divided Government. This is the most nuanced version of divided government found in the literature. It represents an improvement over the dichotomous version found in nearly all of the literature.

the proper sign. The Minority Party Unity and Election Year variables do have

statistically significant affect and perform in the hypothesized direction. However,

Presidential Popularity, Public Mood, and Unemployment, act in the opposite direction of

their hypothesized effects while having statistically significant influence on the expected

number of executive vetoes.

Table 4.5 Poisson Regression Results with Trichotomous Divided Government Variable

Variable	B	Standard Error	z-score	[exp(b)-1] x 100
Divided Government	0.15	0.078	1.95	16.37%
Minority Party Unity	-0.12	0.022	-5.43*	-11.17%
Presidential Popularity	-0.01	0.002	-3.11*	-0.81%
Stimson's Public Mood	0.08	0.023	3.32*	8.08%
Election Year	0.46	0.120	3.80*	57.82%
Unemployment Rate	0.23	0.053	4.33*	25.68%
Log Likelihood	446.06			
Deviance	103.95			
Deviance (Scaled)	103.95			
N	35			

*Denotes Significance beyond the 0.01 level.

Clearly, this model does not perform well. That divided government fails to

achieve statistical significance suggests that the simple trichotomous variable represents a

less nuanced characterization of divided government than my degree divided variable.

Consider that the t-test presented in Table 4.1 suggests that there is a statistically significant difference in the number of executive vetoes for periods of unified and divided government. While my measure of divided government further suggests that this is the case, this common measure of divided government fails to produce similar results. Furthermore, the exponentiation of the coefficient suggests that there is only a 16.37% change in the expected number of presidential vetoes when moving from unified to divided government. This is less than the previous model's statistically significant 37.52% in the expected number of executive vetoes when moving from the average unified government degree divided score to the mean degree divided score for periods of divided government (Figure 4.4).

SECTION 5

CONCLUSION

Broadly, the goal of this paper has been to assess the extent to which we can

explain various notions of legislative productivity with the phenomenon of divided

government. While the scholarly literature has come to no real agreement as to whether

periods of divided party control of government affects legislative productivity, I argued

that this is largely due to the inadequacies found in the conceptualization of divided

government. Certainly, it is important to remember that at the core of the notion of

divided government is the belief that partisan differences across the branches of

government might shape the way in which public policy is formed. To this end, any

defensible measure of divided government should take into account the partisan

ideological differences found during periods of divided government. The enhanced

measure that I have presented here does exactly that. It captures the notion that it is the

degree to which the branches of government are divided and not merely the fact that they

are divided that should influence the legislative process.

With regard to the empirical analysis, this study provides evidence that supports

the hypothesis that the ideological distance between the executive and Congress affects

the number of presidential vetoes. Thus, we can uphold our claim that it is not merely the

fact that divided government is present that makes a difference. Instead, the extent to

which the two legislative branches of government are ideologically opposed provides us

with a more realistic example of how the phenomenon might influence legislative

productivity. My analysis has shown that the degree of ideological division between the majority party in Congress and executive provides a statistically significant positive bearing on the number of executive vetoes in a given year holding other important factors constant. Furthermore, a comparison with the more simplistic trichotomous operationalization of divided government that is prevalent in the scholarly literature demonstrates that my measure performs in a superior manner having both a statistically significant effect and a greater influence on the expected number of executive vetoes for a given year.

Now that this improved measure has demonstrated its usefulness with regard to the frequency of executive vetoes, it will be important for future work to extend this program into other areas of the legislative process. Other questions that could be asked include, "How does the degree of division between the executive and the majority party in Congress affect the nature of rules assigned to bills?" Other measures of gridlock, such as Binder's (1999) legislative agenda measure would also enhance the project. In addition, the analysis can be extended to different levels of analysis including the individual bill level. Additional years added to the analysis would certainly lend to the generalizability of this analysis as well.

While far from perfect, this work does offer several important implications about the mechanisms at work in the legislative process. The results do seem to indicate that because of the partisan manipulation of legislative outcomes through the strategic use of rule assignments, divided government results in a higher likelihood of gridlock than does unified government (as captured by the number of executive vetoes in a year). Future

research will attempt to solidify the research presented here and gain a better understanding of the processes at work here.

SECTION 6

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