

THE INFLUENCE OF MANDATES ON THE BATTLE FOR POLICY CONTROL
BETWEEN THE PRESIDENT AND CONGRESS

by

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(Under the direction of Jamie Carson)

ABSTRACT

This thesis examines how presidential mandates influence how the president and Congress interact to make policy. Do mandate elections make the president more likely to push his agenda through Congress, and do they make Congress more likely to respond to the president's agenda wishes? The study includes divided government, mandate claiming, mandate, honeymoon, and presidential approval ratings as variables, as well as fixed effects to count for differences among individual presidents. This thesis recognizes the varying nature of mandates throughout the president's term, and accounts for this with presidential approval ratings. The thesis finds that when the president has a mandate, Congress is more likely to respond to his agenda, and the president is more likely to assertively push his agenda through Congress. Also, the analysis finds that individual presidents do matter: presidents do have varying levels of assertiveness, and varying levels of success with Congress.

INDEX WORDS: Mandate, Policymaking, Honeymoon, Divided Government, Mandate Claiming, Presidential Approval

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B.A., The University of the South, 2004

A Thesis Submitted to the Graduate Faculty of the University of Georgia in Partial
Fulfillment of the Requirements for the Degree

MASTER OF ARTS

ATHENS, GEORGIA

2006

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ACKNOWLEDGEMENTS

Thank you to Dr. Jamie Carson for his guidance, encouragement, help with data collection, and his overall effort to help make this thesis the best it could be. Thank you to Dr. Audrey Haynes and Dr. Jeff Yates for their thoughtful help, ideas, and suggestions. Very special thanks go to my parents, Eugene and Laurie Schwarz, for their love and support that inspired me throughout my academic career and will continue to do so throughout my life.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS.....	iv
LIST OF TABLES.....	vi
CHAPTER	
1. INTRODUCTION.....	1
2. LITERATURE REVIEW.....	11
3. THEORY.....	37
4. PRESIDENTIAL ASSERTIVENESS WITH CONGRESS.....	48
5. CONGRESSIONAL RESPONSIVENESS TO THE PRESIDENT.....	60
6. DISCUSSION AND IMPLICATIONS.....	70
7. CONCLUSION.....	75
BIBLIOGRAPHY.....	78

LIST OF TABLES

	Page
Table 4.1: Logistic Regression Estimates for Presidential Assertiveness using Popular Vote Margin of Victory as a Measure of Mandate.....	55
Table 4.2: Logistic Regression Estimates for Presidential Assertiveness using Electoral College Percentage Won as a Measure of Mandate.....	55
Table 4.3: Logistic Regression Estimates for Presidential Assertiveness including Mandate Claiming.....	56
Table 4.4: Logistic Regression Estimates for Presidential Assertiveness including Fixed Effects and Margin of Popular Vote Victory as a Measure of Mandate.....	58
Table 4.5: Logistic Regression Estimates for Presidential Assertiveness including Fixed Effects and Electoral College Percentage Won as a Measure of Mandate.....	58
Table 4.6: Logistic Regression Estimates for Presidential Assertiveness including Fixed Effects and Mandate Claiming.....	59
Table 5.1: Arriving at the Dependent Variable.....	61
Table 5.2: Logistic Regression Estimates for Congressional Responsiveness using Popular Vote Margin of Victory as a Measure of Mandate.....	66
Table 5.3: Logistic Regression Estimates for Congressional Responsiveness using Electoral College Percentage Won as a Measure of Mandate.....	66
Table 5.4: Logistic Regression Estimates for Congressional Responsiveness Including Mandate Claiming.....	66
Table 5.5: Logistic Regression Estimates for Congressional Responsiveness including Fixed Effects and Margin of Popular Vote Victory as a Measure of Mandate.....	68

Table 5.6: Logistic Regression Estimates for Congressional Responsiveness including Fixed Effects and Electoral College Percentage Won as a Measure of Mandate.....	69
Table 5.7: Logistic Regression Estimates for Congressional Responsiveness including Fixed Effects and Mandate Claiming.....	69

CHAPTER 1

INTRODUCTION

Our government is structured so that separate institutions share powers. No branch is more powerful than another. Therefore, they must work together. The executive and legislative branches must be able to work together to an even greater extent because both are responsible for making policy. This is hardly an easy task. There are many reasons that the president would want to bypass Congress, and there are many reasons that Congress could make the president's job very difficult.

When studying the executive-congressional relationship, it is important to examine how the president and Congress interact to make policy. Specifically, when do they work together, and when are they in conflict? How does this affect the policymaking relationship? What factors are important to the president and to Congress? Do the branches share factors that are important?

This thesis seeks to examine the factors that influence the executive-legislative policymaking relationship. Congress often has to decide whether or not to respond to the president's policies. What factors does Congress consider when deciding how responsive to be to the president's policy agenda? Do divided government, the president's claim of a mandate, an actual mandate, the honeymoon period, and presidential approval matter to Congress? Which factor matters most?

We can ask a similar question about how the president interacts with Congress. The president often has to be assertive with Congress in order to push his policy agenda and (hopefully) get it passed. Therefore, it is important to identify the factors that drive the president's decision to be assertive. Which factor is most important in the president's

decision to be assertive: divided government, the president's claim of a mandate, an actual mandate, honeymoon, or presidential approval ratings?

Presidential Mandates

There is evidence that presidential mandates influence the executive-legislative policymaking relationship (Conley, 2001, Spitzer, 1993, Rivers and Rose, 1985, Cohen, 1982, Peterson, Grossback, Stimson, and Gangl, 2003). How do mandates drive the president and Congress' actions toward one another? Does a mandate election make the president more assertive with Congress, and, in turn, do they make Congress more responsive to the president's agenda? Do mandate elections matter at all, or is what actually happens during the president's administration most important, and not the electoral circumstances that brought him to office?

This study recognizes that we cannot simply look at mandates as the results from one presidential election. Election results are important, but only when we recognize that the effects of mandates do not remain the same throughout a president's administration. The health of a president's mandate during his administration is effectively measured by presidential approval ratings as, "continued public approval is a sign of success...declining public approval signals an ebbing mandate" (Spitzer, 1993, 65). Therefore, this study will use presidential approval ratings to better understand the changing nature of mandates and whether or not they affect executive-legislative policymaking. Also, initial electoral mandate can be operationalized in two different ways: the president's popular vote margin of victory, and the president's percentage of victory in the electoral college. Conley (2001) discusses the implications of both,

concluding that the electoral college percentage is the best measure of mandate. This study will take both measures into account.

The results of this study will provide relevant and useful information about how the public should continue to think about presidential elections. If we find that presidential mandates have a significant impact on policymaking, this has implications for the electoral process. Primarily, we would see that the public's influence does not end with a simple vote for a particular candidate. Presidents can be elected without winning mandates; in fact, most of them do not win mandates. However, when the public shows the new president that he won a mandate for his policies, this could change the story in two ways.

First, if the president gathers personal confidence in his actions with Congress because of his mandate (if he did win one), then we find that the public has more influence than simply electing the president. The public, then, not only elects a new president, but also decides how the president interacts with Congress, affecting the process of policymaking between the branches. If mandates spur a president to be more assertive with Congress in enacting policy, then when we elect a president by a large margin we are in effect choosing the type of president we want. We will not only be electing the president, but giving him the support to be strong with Congress in passing his policies.

Second, if Congress considers presidential mandates when deciding how responsive to be to the president's agenda, the public also has influence over how Congress interacts with the president. It is possible that a larger or smaller mandates affect Congress's willingness to implement the president's policy agenda. Should this be

the case, then when we choose a president and elect him by a certain margin, we are also choosing how much Congress will challenge the president on policy.

Should a presidential mandate turn out to be this influential in the policymaking relationship, we will be better able to predict the actions of both the president and Congress during the policymaking process. First, different types of mandates are discussed in order to put the study of mandates and other relevant factors into better perspective. As we will see, not all presidential victories are alike, and not all mandate elections are the same.

Mandates and Congress

Conley's (2001) work illustrates that the politics behind mandate claiming and how it affects the executive-legislative relationship is complicated and that it is a product of many different variables. We learn that mandate declaration does not simply depend on what the winning candidate did or said before and after the election, but also on the challenger and the political system he inherited. Conley asserts that there are three different types of mandates: popular mandates, bargained mandates, and victories but not mandates.

Popular mandates extend from a president being able to claim that his victory extended from high popular support. Bargained mandates occur when the new president received a majority of popular support, but a smaller margin of victory than the presidents who can claim a popular mandate. Victories but not mandates occur when the president cannot claim that he has overwhelming popular support for his policies due to a smaller margin of victory in the election. Each of these three types are also shaped by

how likely Congress is to support the president's policy initiatives once he is in office. In order to better illustrate how mandates affect the executive-legislative relationship, we can examine Reagan's 1980 election as an example of popular mandates, Clinton's 1992 election to represent bargained mandates, and Carter's election as an example of a victory but not a mandate.

Popular Mandates

Reagan's 1980 election exemplifies popular mandates in that he could legitimately claim that the public elected him because of his policy platform. He made issues an integral part of his campaign, attacking Carter's administration for poor performance on such issues as taxation, government spending, government regulation, and economic policy. Since Reagan successfully attached his policy platform to his campaign, after his election he was able to claim that he was elected because the people were calling for an "overhaul in economic policy" (Conley, 2001, 96). The Republicans also won control of the Senate in 1980, further supporting Reagan's claim that he won a popular mandate. Clearly, Reagan paid attention to the polls. Carter's approval rating was as low as 30% in late 1979. Experts attributed his decline to the American people's belief that the administration's policies had failed. Reagan took the public's desire for strong presidential leadership and made sure to structure his campaign in a way that the public could view him as "decisive and strong, someone who could get things done" (Conley, 2001, 97). Furthermore, Carter lost ground because his campaign contradicted the image he formed for himself. In his campaign, Carter indicated that he was the "decent and moral candidate" (Conley, 2001, 99). However, his campaign used so many

negative attack advertisements that the public no longer believed this. Ultimately, Reagan won 50.8% of the popular vote and 489 out of 538 electoral college votes. Carter only won 41% of the popular vote and 49 electoral college votes. The third-party candidate, Anderson, won 6.6% of the popular vote and no electoral college votes.

The outcome of the election in Congress helped solidify Reagan's support and furthered Reagan's claim that the people expressed their willingness for a complete government policy overhaul. The 1980 election resulted in the Republicans gaining 33 House seats. While the Democrats still controlled the House, many high-profile Democrats lost their bids for reelection, such as Warren Magnuson (D-WA) and Herman Talmadge (D-GA). In the Senate, the Republicans gained 12 new seats and succeeded in keeping their 10 seats that had been contested. State election results followed this trend. Republicans won four out of 13 gubernatorial seats and 200 seats in state legislatures, winning control of five of them. While many were surprised with the overwhelming Republican outcome of the election, there was no way to deny that the people were calling for major change. This claim was supported by exit poll data, which revealed that "the most frequently cited reasons for voting for Reagan were a desire for change and dissatisfaction with economic conditions, especially inflation" (Conley, 2001, 104).

Bargained Mandates

Bargained mandates also influence the nature of executive-legislative relations. A bargained mandate naturally puts the president in a less effective bargaining position with Congress than do those presidents who win a popular mandate. The 1992 election of Bill Clinton exemplifies a bargained mandate. The election environment consisted of an

incumbent president, Bush, who had undoubtedly lost his mandate, having had an 89% presidential approval rating. Clinton and Perot sought to challenge the fledgling president's campaign. Clinton finished second in the New Hampshire primaries, but he did considerably well for a candidate who was under attack because of his personal life. Perhaps Clinton's choice of his vice president, Al Gore, was an early indicator of the bargained mandate. Clinton's choice "did not bring geographical, generational, or ideological balance to the ticket" (Conley, 2001, 129), as both were from the South and about the same age. A vice president who did bring these three aspects to the campaign may have sealed the election for Clinton as a popular mandate, as a balanced ticket tends to draw a wider base of support. Despite this concern, Clinton solidified his campaign as one representing the struggles of the middle class, emphasizing an overhaul of the economy.

Clinton won 43% of the popular vote and 370 electoral college votes. Bush won 37.4% of the popular vote and 168 electoral college votes, while Perot won 19% of the popular vote and no electoral college votes. While Clinton clearly won the popular vote and significantly beat Bush by 200 electoral college votes, "when presidential and congressional elections take place at the same time, there is a tendency to use the congressional elections as evidence for or against the president's mandate" (Conley, 2001, 141). Here, the congressional elections reveal less support for Clinton and Democratic policies than does the presidential election. The Democrats did retain control of Congress, but lost 10 House seats and did not gain any seats in the Senate. Therefore Clinton's win begins to look less like a mandate based on his promises of policy change. Furthermore, while much of the press wrote that the election was a true call for change,

“there was controversy over whether the election was an indictment of George Bush and proof of the effectiveness of slick campaigning more than it was a call for Clinton’s specific policies” (Conley, 2001, 136). This is evidence suggesting that Congress was less likely to promote Clinton’s policies, since the election is not strongly linked to his calls for change.

Also making it tough for Clinton in Congress was that Clinton had less support from the Senate than in the House, some senior Democrats did not strongly support Clinton, and Bob Dole was committed to organizing formidable Republican opposition to Clinton. The new president only had mixed success in Congress (Conley, 2001). His budget only barely passed in 1993 and much of the rest of the plan was defeated. In order to get his economic policies through Congress, Clinton had to make considerable compromises. His presidential approval rating dropped to 41% by the 1994 midterm elections. At the same time, the Republicans were mounting their Contract with America campaign, and the Republicans gained 53 House seats and control of the House, as well as 8 Senate seats and control of the Senate. The 1994 midterm election was unusual because “in the post-Roosevelt era prior to 1994, the president’s party had always lost seats in the midterm election, but not control of the House. The 1994 outcome was therefore a dramatic departure” (Conley, 2001, 144). Although this was two years later, it is clear that even decisive popular vote margins of victory and sizable electoral college victories do not always translate into programmatic success with Congress. Whether or not the public considers the win a policy mandate, combined with the outcome of the congressional elections, can determine the nature of the executive-legislative policymaking relationship.

Victories, not Mandates

Some presidential victories are not significant enough to be declared a mandate even to the slightest degree. Carter's 1976 election exemplifies this third level in the mandate continuum. In the campaign, both Ford and Carter used their campaigns to emphasize government ethics in light of Nixon's resignation over the Watergate affair. Carter eventually won the Democratic nomination, but he was not initially welcomed by the party. Ford also had trouble with the Republican nomination because much of the party supported Reagan. In order for the new president to claim that his victory represented a mandate for his policies, the candidate had to emphasize his policies to the voters during the campaign. Neither candidate did this in 1976. Many considered it an empty campaign because they were not discussing real issues, just generalities. There was concern about "the apathy, pettiness, and lack of focus on the issues in the campaign" (Conley, 2001, 155). Carter's fall from 33% of support right after the Democratic convention to 10% right after Republican convention made the election too close to call in the days leading up to the election. Carter eventually won 50.1% of the popular vote and 297 electoral college votes, while Ford won 48% of the popular vote and 241 electoral college votes. Just as a considerable, decisive victory can signal a policy mandate for the new president, the opposite occurs when the new president has won by a miniscule margin. In fact, the press said, "the fact that so many voters had difficulty deciding has obvious bearing on the question of whether the victor can now claim a mandate" (Conley, 2001, 157).

Regarding Congress, the public's miniscule level of excitement was mirrored by Congress' reaction to Carter as the new president. No one thought that any member of

Congress could credit Carter's election for their victory because he was "elected by an eyelash" (Conley, 2001, 157). Many predicted a short honeymoon period, 100 days, with Congress. Even so, Congress supported Carter's legislative positions 75% of the time. It is clear, though, that a president cannot expect to be able to claim a mandate simply because he won the election. Victories do not automatically translate into mandates, nor do they translate into programmatic success with Congress. Other factors determine mandates, such as being able to attribute the victory to the public's desire for policy change, and the outcome of the congressional elections.

CHAPTER 2

LITERATURE REVIEW

Presidential Mandates

There is a healthy debate concerning whether or not presidential mandates actually exist. However, in order to determine their existence or nonexistence, one must first define what mandates are thought to be. Mandates speak to the nature of representative democracy in that they “imply that politicians receive direction from the voters who elected them” (Conley, 2001, xiv). Kelley (1983) presents a clear and concise definition of presidential mandates, consisting of three main points. First, mandates assume that elections include easily discernible ideas regarding what the president will do, with respect to policy and programs. Second, these ideas must be interpreted as commands that are attributable to the winning candidate, or to the winning candidate and the he represents. Third, the ideas have to reflect ongoing views of the voting public, and that more than a narrow majority of the whole electorate must have cast their vote based upon it (Kelley, 1983, 99).

The first challenge a new president encounters regarding mandate claiming is whether or not he can attribute his victory to the public’s support for his policy agenda. One way the president can accomplish this is by structuring his campaign around his policy initiatives. A campaign that mainly emphasizes the candidate’s policy platform will later support a president’s claim that the election represented a policy mandate (Conley, 2001). The incumbent candidate has the advantage here, because he has the ability to run on his record and hope for positive retrospective voting: “incumbents who declare mandates have an opportunity to complete or extend the policy agenda they

initiated in their first term. When an incumbent loses, the outcome is often treated as a rejection of his policies” (Conley, 2001, 43). Also, the new president’s ability to claim a mandate can be shaped by the type of campaign the challenger ran. If the challenger’s policy positions were drastically different from the winner’s, the president can more convincingly declare his victory as a policy mandate. This would imply that the public made a clear and confident choice between two different policies or agendas.

There are three main factors that help to determine whether or not a president will declare a mandate: magnitude of victory, his “place in the party system,” and legislative support. Conley’s discussion of magnitude of victory is especially relevant to this discussion. She writes that the percentage of victory in the electoral college is a better measure of magnitude of victory because “there is not much variation in the popular vote percentage over time; the winner-take-all nature of the electoral college...gives it a much higher variance” (Conley, 2001, 62). However, this measure does not vary during the president’s four-year term. Presidents are more likely to claim mandates when they garnered an especially high percentage of the electoral college vote in the general election. Regarding the new president’s place in the party system, minority party presidents are more likely to claim mandates because it “represents a rejection of an established record of policymaking...presidents declared mandates in 77% of the cases in which incumbents were defeated and in only 50% of the cases in which incumbents were not defeated” (Conley, 2001, 65). An incumbent who loses reelection, therefore, is evidence that the public is using retrospective voting to reject the incumbent’s previous policy agenda, supporting the new president’s claim of a policy mandate. The strength of the president’s support in Congress also indicates whether or not the president will

declare a mandate. Presidents with unified government declare mandates more often than those who preside over divided government, 59% to 50%, respectively.

Hershey (1994) writes that there are three types of mandates. First, a *policy mandate* exists when a clear majority of voters elect the president because they support his policy agenda. These usually occur after landslide elections, when the president is able to legitimately claim that the public elected him because of his policy ideas. A *personal mandate* follows when a majority elected the president because they support his abilities as a leader, and not simply his policy agenda. This occurs when the public sees the president as more of a trustee than a delegate. They elect him because they trust his judgment. Third, a *party mandate* exists when one party takes control of both houses of Congress and the presidency. Party mandates occur when each party clearly defines their policy positions, and the candidates strictly adhere to them during the campaign. The president and both houses of Congress must win from the same party in order to achieve a true party mandate (Hershey, 1994, 230). Weinbaum and Judd (1970) write that a true mandate requires “that the major candidates espouse programs that easily differentiate the parties, that voters be reasonably well informed of the contrasting policy positions, and that a substantial segment of the electorate rest their candidate choices on the alternative programs” (Weinbaum and Judd, 1970, 276). Clearly, this definition shows that mandates are quite difficult to achieve. We therefore have many plausible definitions of what mandates could be, and there are also different ways in which mandates are implemented.

Conley (2001) writes that executive-legislative policymaking can be exemplified by a series of steps. One way to illustrate the push-and-pull between Congress and the

president is to think of it as a battle: who would win the struggle for public support over policy, the president or Congress? If the president would win, Congress will support him (Conley, 2001, 16). Analyzing election returns is the most effective way for both the president and Congress to determine public support of the president's policy. However, presidents will not claim a mandate in the first place if he does not believe he can mobilize Congress to his side (Conley, 2001, xv).

The main question to consider when presidents claim policy mandates is whether or not Congress will fight the president once he claims a mandate. Congress will decide whether or not to support the president based on "beliefs about public support for the president's program, the proximity of the president's policy position to that of members of Congress and the relationship of both to the status quo" (Conley, 2001, 6). Congress is less likely to fight the president depending upon the size of his electoral victory. Therefore, the president must have a true reason to claim a mandate, because "both shared information about the electorate and party competition keep the president and other politicians within certain boundaries with respect to their policy agenda. A new president cannot create a mandate for himself simply by declaring one" (Conley, 2001, 10).

While the president determines whether or not to claim a mandate in the first place, Congress must decide whether to heed the president's claim. A congressman's interpretation of the mandate is based upon individual factors, such as his constituents' interests and his chances of winning reelection (Conley, 2001, 33). The magnitude of the president's election victory is one variable Congress considers. The larger the president's vote margin, the more likely it is that the public as a whole supports his policy agenda,

and Congress will be more likely to agree with the president. Personality characteristics of presidents can help solidify support from Congress if it looks like the president can use them to gain public support for his policies throughout his administration. However, personality cannot make up for a public that is indifferent or against the president's agenda (Conley, 2001, 17).

The agenda-setting process shared between the president and Congress illustrates the daily tug-of-war between the branches. Agenda-setting between the two branches proceeds in four main stages. First, the president will or will not declare a mandate. If he does, Congress will decide whether or not to implement the new president's policy, which is the second stage. Again, Congress makes this decision based on "the policy's proximity to Congress' ideal point" and "the state of public opinion toward the policy" (Conley, 2001, 19). The third stage occurs if Congress refuses to work with the president, and president has to decide whether to concede or fight with Congress. If the president decides to fight Congress, then the fourth stage occurs, as Congress must decide whether to concede or fight with the president.

There are three types of mandates that are based on a combination of two factors: margin of electoral victory and Congress' likelihood to fight the president. First, the president can claim a mandate because of strong popular support suggested in the election, or when the president can see that he can sway a majority of voters and Congress to his side. The president may also claim a mandate even though he anticipates a policy fight with Congress. Here, "the decision to place a major policy change on the agenda will be a tradeoff between the amount of electoral support and the ideological closeness between the president and Congress" (Conley, 2001, 21). Ultimately, there are

presidents who will not declare a mandate because the election did not produce convincing evidence of public support or of Congress' willingness to support an agenda shift.

A representative will also examine how the presidential nominees fared in his district, as well as how safe his own seat is, when making the decision (Weinbaum and Judd, 1970, 280). There are considerable consequences for a representative who incorrectly interprets the existence of a mandate. The representative who misinterprets the election leaves himself open to a potential challenger's criticism that he did not effectively represent his constituents' wishes (Conley, 2001, 36). Also, Congress does not owe any favors to the president, meaning that "congressmen...either of [the president's] own party or the opposition, do not owe their election to him" (Rivers and Rose, 1985, 186). Therefore, it is clear that for both the president and Congress, the interpretation of election results as possible mandates is a loaded decision.

Cohen (1982) specifically studies how the electoral margin of victory for the president (i.e. mandate) translates into the president's programmatic success with Congress. He writes that the presidency has changed over time: that the modern presidency includes the expectation that the president will be activist with Congress and frequently seen via the media. The modern presidency is also dictated by a decline in the party system. For example, campaigns are more candidate-centered than they were pre-WWII, and partisan voting cues are less predictable. He finds that electoral margin of victory for the president differs in its influence over Congress (regarding the president's programmatic success) for both the pre-modern and modern eras. In the modern era, Congress is more likely to support the president's agenda when he has a large electoral

margin because they perceive it as a mandate from the voters. Electoral margin of victory makes much less of a difference in the pre-modern era, however, because then Congress did not perceive it as a mandate from the people. (Cohen, 1982).

Dahl (1990) argues that presidential mandates are nothing more than myth, originally contrived by Andrew Jackson. He asserts that this myth is part of a “pseudodemocratization” of the American presidency. While presidents and those individuals who study them claim that presidential electoral victory translates into a mandate for his policy agenda, this does not mean that there actually is a mandate. Since the idea that a mandate stems from presidential electoral victory has so permeated the American political scheme, it would be almost impossible to reverse the damage. More specifically, he writes that the false idea of a presidential mandate is actually detrimental to the governing process because it “[portrays] the president as the only representative of the whole people and Congress as merely representing narrow, special, and parochial interests. The myth of the presidential mandate elevates the president to an exalted position in our constitutional system at the expense of Congress (Dahl, 1990, 365).

Hershey (1994) supports Dahl’s opinion that mandates are a myth. She examines the 1984 election, and determines that mandates are the administration’s creation in order to drum up support for their agenda, specifically when the president submits his budget proposal. She refers to mandates as “an aura of legitimacy” (Hershey, 1994, 238). Her argument is that we cannot definitively discern why voters elect politicians in the first place. Therefore, we cannot prove that they are elected because of their policy agendas. If we cannot prove that politicians are elected based on the issues, how can we say that certain elections produce policy mandates? Furthermore, she argues that considerable

evidence exists for retrospective voting, casting doubt on the claim that voters elect politicians based upon their hopes for policy change in the future (Hershey, 1994, 231).

Conley recognizes that many are inclined to discredit the study of mandates because they are often perceived to be merely a way for presidents to drum up support for their policies. Furthermore, it is difficult to prove that the public is knowledgeable enough to vote for a president based upon his policy agenda, because, “survey evidence suggests that a large proportion of voters are ignorant of the issues...voters are motivated more strongly by partisanship or the personal attributes of candidates than by their policy positions” (Conley, 2001, 4). However, she writes that it is important to study mandates despite this because they “convey information about public preferences to elected representatives so that these representatives know whether or not to adjust the policy agenda (Conley, 2001, 2). Therefore, while the literature is not lacking in criticism, there is no way of getting around the influence of mandates in our political system.

Peterson, Grossback, Stimson, and Gangl (2003) suggest that while there is debate regarding the existence of a presidential mandate, it is whether or not there is a perception of a mandate that matters. They specifically identify three electoral mandates: the election of 1964 (Johnson and his “Great Society”), the 1980 election (the “Reagan Revolution”), and the midterm election of 1994 (the Republicans’ “Contract with America”). They make the point that if legislators believe a presidential mandate has occurred, then a mandate essentially has occurred, because Congress’ perception influences policymaking. They show that this perception of a mandate is actually more important than observing changes in presidential public approval ratings, because it is “a powerful signal about the relevance of opinion change...the policy mandate message

stands apart from the norm because it is decisive, asserting both opinion change and electoral relevance in one capsule...[it shows that] a sizable portion of the electorate wants more or less government activity” (Peterson et. al, 2003, 412). They find that perceived mandates alert the legislator to the possibility that the voters’ ideological median may have shifted to the left or right of what existed before. Therefore, legislators not belonging to the president’s party face a pressure to moderate, while legislators belonging to the president’s party enjoy a perception of stronger electoral support for their policies and will act accordingly. They conclude that many legislators adjust their votes according to the ideological message of the presidential mandate for fear of losing their reelection contests, adhering to the idea that most legislators see themselves as delegates in relation to their constituents. The remaining members use the perceived mandate to continue to vote ideologically.

The Executive-Legislative Relationship

It is important to understand basic knowledge of the theory regarding how Congress and the president interact, as well as the influence of presidential public approval ratings, mandates, the president’s first year in office, divided government, and mandate claiming. There is an important difference between mandate and mandate claiming that must be understood. Mandate measures the public’s support for the president in the election. The larger the president’s margin of victory in the popular vote or the electoral college, the larger his mandate. Mandate claiming, however, measures the president’s desire to “go public” and tell the people that he believed he won a mandate from the election. It is noted that Congress must consider many different factors

when deciding whether or not to support the president's agenda. Those factors are "authority delegated by Congress [to the president]; the president's implied authority to issue regulations, proclamations, and executive orders; and the personal ability and institutional strength of a president to lobby for legislative proposals" (Fisher, 1993, 23). Presidents themselves have recognized the influence of public approval upon their agenda success, namely President Johnson, who told his congressional liaison officials that his electoral victory " 'might be more of a loophole than a mandate' and that since his popularity could decrease rapidly, they would have to use it to their advantage while it lasted" (Edwards, 1980, 87).

Theories regarding presidential-congressional interaction have changed and evolved over time, through studies of how much power the president has in relation to Congress and vice versa. The interaction between the branches encompasses several different relationships: "It may reveal a consensus between branches and swift, concerted action. It may reflect presidential leadership of a reluctant Congress...Congressional leadership of the policy process with or without the support of the president...or it may reveal a pervasive stalemate grinding the processes of governing to a halt" (LeLoup, 1999, 1).

There are three perspectives regarding presidential-congressional relations that permeate the existing literature. They are the Congressionalist perspective, the Presidentialist perspective, and the Separatist or Tandem Institutions Perspective (LeLoup, 1999). The Congressionalist perspective asserts that Congress should be the most important policy maker. A distrust of presidential power follows from this belief. John C. Calhoun says of this perspective, "Congress is responsible to the people

immediately, and the other branches of government are responsible to it” (LeLoup, 1999, 5). The Presidentialist perspective is, obviously, quite the opposite. This belief states that Congress should defer to the president, as he provides better policy leadership than Congress. It suggests that the branches cannot effectively share power, and that one branch can only take policy control when the other has no control. The Separatist or Tandem Institutions Perspective reflects the twentieth-century relationship between the president and Congress. It states that there is somewhat of a partnership between the two branches. It recognizes that policy can stem from either the president or Congress, and can be modified by either branch (LeLoup, 1999).

Furthermore, Edwards (1980) discusses two explanations regarding how Congress decides to support or not support the president. The two explanations are “Role Theory” and “Incentive for Reelection.” Role Theory maintains that many representatives see themselves as delegates, and, therefore, they act based on what they believe their constituents want. Here, we can see how important public approval of the president actually is. If it is high, representatives are more likely to support the president’s initiatives. Clearly, the president understands this, as he has been known to contact “supporters of members of Congress and contributors to their campaigns as well as state and local party leaders to have them influence the members” (Edwards, 1980, 167). More specifically, the “Incentive for Reelection” view asserts that members of Congress decide whether or not to support the president based upon their own chances for reelection. This, once again, comes back to public approval. Representatives will most likely support the president when their approval rating is high, because his constituents would support the action.

There is no single way in which Congress and the president always interact to make policy. Instead, the relationship between the two branches, “range[s] from consensus and close cooperation to open political warfare” (LeLoup, 1999, 12). There are cases in which the president decides the content of a specific policy, and cases in which Congress makes the final decision as to what is included in the policy. There are several factors that determine which branch will have the most influence in policymaking. The first is presidential leadership. Here, the president largely determines what is included in the policy and directs and leads while Congress simply follows the president or helps to shape the policy. The president can have such an influence “in a highly conflictual environment if they have sufficient power or resources; at the other extreme, presidential leadership can occur where there is relatively little interest opposition from Congress” (LeLoup, 1999, 15). An example of such presidential power can occur when the nation is in extreme crisis, such as the Great Depression. Roosevelt was able to force Congress to vote quickly on policy designed to save the economy. Conversely, Congress also takes over the policy process in certain cases, where the president has comparatively less control in shaping policy. One example of congressional control is when both houses are able to override the president’s veto, which is exactly what happened to Reagan in 1988 over the Civil Rights Restoration Act (LeLoup, 1999).

There are also periods of cooperation or consensus between Congress and the president. A consensus period is “when opposition in either branch is unorganized, co-opted by informal agreements, or with...issues where no real disagreement exists” (LeLoup, 1999, 16). A period of cooperation is similar but distinct from a consensus

period in that it is characterized by a compromise between the two branches that is “dramatic...with sides moving significantly from their original positions” (LeLoup, 1999, 16). There are also periods, however, that are not characterized by such goodwill. Two such periods are those of deadlock and those of extraordinary resolution. A deadlock period is “characterized by the inability to resolve a policy dispute, or the use of unusual means outside the normal legislative process to break an impasse...[it is] a breakdown of the normal policy process leading to inaction” (LeLoup, 1999,17). Clearly, the two branches fail to work together during this period. The period of extraordinary resolution is characterized by efforts to avoid or break policy deadlock. This happens most often when the country cannot afford a certain policy to be deadlocked; for example, deadlock over budget policy would be extremely bad for the country, as was the government shutdown in 1995 and 1996. In order to break the destructive deadlock, the president and congressional leaders must meet to draw a compromise (LeLoup, 1999,18).

How the president and Congress view each other also predicts the nature of the relationship between them at a particular point in time. Congress and the president will judge how legitimate the other branch is in order to form a strategy. If one has a negative opinion of the other, it can lead to deadlock and stalemate, as “if one branch sees the other as neither trustworthy nor dependable, it will see itself as called on to assume full responsibility” (Jones, 1995, 109). It seems that even if the branches do not perfectly agree, it is best to appear knowledgeable to the other branch in order to try to foster amicable relations.

Furthermore, there are six major factors that shape executive-legislative relations. They are congressional elections, the president’s ability to claim a mandate, presidential

popularity, public approval of Congress, the mass media, and public opinion.

Congressional elections are influential because they determine the party makeup of Congress, more specifically, the president has a better chance of success when he presides over unified government. Regarding whether or not the president can claim a mandate, the president's "leverage with Congress is greater [when he is] elected by a landslide" (LeLoup, 1999, 20). Increased presidential popularity correlates with increased voting support from congressmen (Edwards, 1980, Spitzer, 1993). However, presidents get more or less steadfast public support from different types of actions. For example, the boost to a president's popularity after a military action is "often short-lived and does not necessarily translate into increased domestic success. More enduring is the link between the state of the economy and public support of the president" (LeLoup, 1999, 21).

The public also judges Congress, and this influences the executive-legislative relationship. However, public approval of Congress has traditionally been low except for the period directly after Watergate. Regarding the mass media, the president can "go public" (Kernell, 1997) using the media in an effort to force Congress to support his agenda or bypass Congress almost entirely. Public opinion is important to the president in that Congress will consider it when deciding whether or not to support his agenda. However, presidential approval ratings are volatile in that "most presidents simply become less popular the longer they are in office" (LeLoup, 1999, 69). For example, George H. W. Bush's approval ratings dropped 40% between the end of the Gulf War and the period of the worst economic slump in the nation.

There are several ways to explain why the president and Congress are often in conflict when making policy. First, the president and members of Congress have very different perspectives on the process. The president clearly has a national perspective on policymaking, meaning that he “need[s] to address policy questions on the basis of what’s good for the country as a whole, not because they are wiser or more patriotic than legislators, but because, politically and practically, that is the only criterion that makes sense for them” (Mezey, 1989, 75). It would not be feasible nor practical for a president to consider the needs of all local constituencies when creating an agenda. This is left up to representatives, as they can better gauge the needs of their constituents. The question which congressmen consider when deciding whether or not to support the president is how “a proposed public policy will...affect their constituencies and therefore their reelection chances” (Mezey, 1989, 75). The president, then, must not only defend his policy plans on a national level, but must also convince members of Congress that the policy will positively affect their constituents on a local level, thereby improving their chances of reelection.

Presidents and congressmen also engage in different activities, further widening the possible policy divide. Congressmen often engage in representational activities, such as constituent service and district visits. The president, however, must concentrate on policy activities, because the “perceived state of the nation as a whole” (Mezey, 1989, 79) will influence the outcomes of the next presidential election. Therefore, the president must engage in activities that help him make policy that is positive for the entire nation. The different activities required of the president and congressmen contribute to the conflict that a president may have when trying to convince Congress to support him.

The President and Congress

Despite these differences, there are several techniques which a president can employ to reduce policymaking conflict with Congress. The first is “personal involvement.” The more accessible the president is to MCs and the more personally active the president has been in the process of convincing individual MCs to support him, the more likely it is that Congress will pass the president’s agenda (Mezey, 1989, 97). Another technique is bargaining: a president who bargains with Congress and is willing to compromise is more likely to be successful with Congress (Neustadt, 1990). However, presidents negotiate with Congress in different ways, “presidents engage in a wide range of negotiating strategies in addition to the classic bargain-for example, those designed to convince the members of Congress that cooperation is in their own best interest or those based on an interpretation of what is good for the nation at a particular time” (Jones, 1995, 129). Also, a president who practices “cordiality and consultation” with Congress is more likely to be successful. Through this process, the president submits his policy and takes the concerns of representatives into account on specific policy issues. Therefore, the final policy he submits also reflects Congress’ concerns, and he is more likely to get his agenda passed. President Johnson understood this and practiced it extensively throughout his presidency. He would inform certain members of Congress about his policy initiatives, ask for their advice on policy (even Republicans), and would often appoint them to task forces that would help shape his policies. Johnson said of this technique: “when Congress helps to shape projects, they are more likely to be successful than those simply handed down from the executive branch” (Mezey, 1989, 100). Clearly,

“cordiality and consultation” is a practice that can improve how the president and Congress interact to make policy.

The president can also flex his political muscle and force Congress to agree with him. He must be willing to play hardball with Congress if needed, but he must be careful not to overuse this technique, which could make Congress hostile towards him. One of the president’s hardball tactics is that he can offer to support a congressman’s personal projects for his district, or he can withdraw this service (Mezey, 1989, 102). The president can also simply veto, or even threaten to veto, what Congress proposes. Therefore, the president has a combination of accommodating and threatening techniques to employ with Congress. The president that is most successful getting his agenda through Congress is adroit in choosing which technique to employ and when.

Instead of the president’s use of a veto and playing hardball, the “Responsible-Party” or “Party-Government” model suggests that party should be the ultimate driving force behind Congress’ voting decisions. Here, “both the president and members of Congress should take their cues from their political parties, based on clear-cut, programmatic, specific, and ideologically coherent programs emanating from the parties” (Spitzer, 1993, 90). A sure benefit to the voting emphasis placed on party is that the electorate can then vote on officials based upon party performance. Regarding presidential leadership over policy, it would still be influential, but the policymaking emphasis would be on the party behind the president and each congressman.

Neustadt (1990) writes extensively on how Congress’ policy decisions are affected by a president’s overall credibility as a leader. How a president handles himself

has a direct bearing upon how Congress responds to him when making national policy.

Neustadt describes the sometimes contentious relationship perfectly, writing,

“when one man shares authority with another, but does not gain or lose his job upon the other’s whim, his willingness to act upon the urging of the other turns on whether he conceives the action right for him. The essence of a President’s persuasive task is to convince such men that what the White House wants of them is what they ought to do for their sake and on their authority”
(Neustadt, 1990, 30).

He argues that there are three aspects to the presidency as a whole that can persuade or dissuade Congress from supporting the president’s policies. First, Neustadt addresses the president’s “power to persuade.” This power relates to the president’s ability to convince Congress to support his agenda. One way to measure the president’s power to persuade is to examine his “professional reputation.” A president’s professional reputation is “made or altered by the man himself...everything he personally says and does (or forgets to say, omits to do), becomes significant in everyone’s appraisals regardless of the claims of his officialdom. For his words, his own actions, provide clues not only to his personal proclivities but to the forecasts and asserted influence of those around him” (Neustadt, 1990, 68). According to this assertion, the president must always be on guard as to his actions in order to keep his professional reputation inside the Beltway as favorable as possible. As Neustadt claims, a legislator’s opinion of the president, and willingness to support him, can be changed no matter what the circumstances were that brought the president into office, such as a mandate election.

Neustadt also addresses the president’s “popular prestige,” which refers to his public standing. He asserts that Congress will be more likely to support a president who is popular with the public. Essentially, legislators “have to think about [the president’s]

standing with the public outside of Washington. They have to gauge his popular prestige. Because they think about it, public standing...is another factor bearing on their willingness to give him what he wants” (Neustadt, 1990, 64). The president, then, clearly must consider his public approval ratings at all times in order to have the best chance at succeeding with Congress. A mandate election can be a great boost to the president in the beginning, but the president must ultimately maintain approval ratings throughout his term in order to persuade Congress to support his agenda.

Neustadt goes on to clearly describe why a president’s public prestige is so important: “Most members of the Washington community depend upon outsiders to support them or their interests. The dependence may be as direct as votes...Dependent men must take into account of popular reactions to their actions. What their publics may think of them becomes a factor, therefore, in deciding how to deal with the desires of a President” (Neustadt, 1990, 73). This is further evidence that representatives consider their constituencies when deciding whether or not to support the president. Just as the president must keep his public approval ratings in mind, so must Congress.

Since the president is not able to introduce legislation in Congress, how does he make his policy wishes known to Congress? He does so by taking positions on bills currently before Congress. Congress will know that the issues on which the president takes a position must be important to him, since the president takes a position on few votes, only about 10-15% of the legislation under consideration in Congress. The president should also take positions on issues when “the action could help attain their preferences” (Shull, 1997,47).

Presidential position-taking does more than show us the president's wishes. Through Congress' response to the president's position, we will see "Congress' own assertiveness, deference to presidential preferences, and executive-legislative policy congruence" (Shull, 1997,47). It is noted that presidential position-taking may vary by each specific type of policy, and that presidents most likely take more positions on domestic issues because there are more votes taken on domestic policy. Shull finds that presidential position-taking could differ by party, in that Democratic presidents take positions twice as often as Republican presidents. Furthermore, position-taking differs by the time in office that the president is currently experiencing. For example, he finds that "presidents in the last year (lame-duck) in office take the most positions and the fewest positions in reelection years...Presumably, their reelection effort makes them less attentive to Congress even on important legislation" (Shull, 1997, 50). Also, individual presidents have been found to emphasize combinations of different issues through their position-taking. For example, Eisenhower, Nixon, Reagan, and Clinton all emphasized domestic issues. Clinton especially concentrated on crime, late-term abortion policy, and telecommunications. Eisenhower also took positions on foreign issues. Shull also points out that presidents take positions two times more often on important legislation as compared to all other types of legislation (important legislation is that which often shows party differences). Presidents also take positions most often on redistributive policy and least on distributive policy.

Spitzer (1993) suggests that a combination of the president who is proposing the policy and the type of policy proposed is one way to determine or predict the president's influence in the legislative arena. The "administrative president" will propose constituent

policies, which are those that have to do with such issues as the budget, laws governing elections and government reorganization. The president will have the most success with Congress when proposing constituent policies, because he “is seen as having great authority over such administrative, overhead matters” (Spitzer, 1993, 129). However, the public pays the least attention to these issues, so the president will receive the least political mileage from them. The “public interest president” will propose redistributive policies, such as those pertaining to welfare, taxes, and social security. These issues are “nationwide in scope, mean[ing] that Congress looks for presidential leadership in this area, and presidents in turn are expected to take the lead in addressing these problems” (Spitzer, 1993, 129). Both Congress and the president take more of an interest in these policies than constituent policies, so it is not as easy for the president to succeed with Congress on these issues.

Another factor that could influence how Congress responds to the president’s agenda is whether or not the president is in the first year of his term, or in his honeymoon period with Congress. The politically aware president realizes this, and tries to pass the most important of his policies during this period. Regarding this, Ferguson writes, “public support of chief executives has been found to vary systematically over the course of their terms in office with a high point immediately after an election” (Ferguson, 2003, 160). Therefore, one must account for this period when studying presidential-congressional relations.

Presidents are not completely subject to Congress’ policy agenda, however. The president can employ certain strategies that increase the chance that Congress will support his agenda. These strategies apply at any point in his administration, but they are

especially telling when one studies how electoral mandates affect legislation. The president can effectively bypass Congress by appealing to the public for agenda support. Kernell calls this strategy “going public” (Kernell, 1997, 2). Congress, then, may be forced to implement the president’s agenda if they feel that their constituents’ support for the president truly did signal an agenda shift, simply because representatives must heed their constituents’ wishes in order to be reelected. “Going public” means different things to the voter and to Congress. To the voter, it merely means that the president is appealing to them for support. To Congress, however, it “usurps their prerogatives of office, denies their role as representatives, and questions their claim to reflect the interests of their constituents” (Kernell, 1997, 14).

How exactly does “going public” apply to mandate elections and Congress? The president can publicly claim that his election resulted in a policy mandate from the voters. If Congress was not planning on supporting the new president’s agenda, his claim could force their support because his claim supposedly reflects what the public wants. Should he succeed in convincing Congress of this, they will support him because they do not want to lose their constituents’ vote in their reelection campaigns. Even though it is likely that Congress would support the president who has a mandate, the president “going public” and declaring a mandate can solidify Congress’ support, because it is then more likely that their constituents recognize the president’s policy agenda. Furthermore, “going public” is important for those presidents with bargained mandates. Since these are presidents who did not win by an overwhelming margin in the election, they are less likely to command a true policy mandate from the voters. They can compensate for this by appealing to the public for support. Representatives must reflect their constituent’s

opinions in order to win reelection. While “going public” is a powerful tool for the president, it also inherently makes him more reliant on public opinion, in that he must have popular approval on his side to force Congress to pass his agenda, should he employ Kernell’s strategy.

Mayhew’s (1974) “electoral connection” also reflects another factor that influences Congress’ willingness to support the president’s agenda. Mayhew writes of Congressmen that “reelection underlines everything...it should if we are to expect that the relation between politicians and public will be one of accountability” (Mayhew, 1974, 17). More specifically, Mayhew writes that marginal congressmen are those who have to pay the most attention to their roll call votes. Whether or not a marginal Congressman supports the president’s position on roll call votes can be crucial to his own electoral success, in that “it is in the electoral interest of a marginal congressman to help insure that a presidential administration of his own party is a popular success or that one of the opposite party is a failure” (Mayhew, 1974, 29). The marginal congressman, he writes, can consistently support a president of his own party by concurring with the president’s legislative positions.

Congressmen, therefore, must thoroughly examine what ramifications their roll call votes could have upon their political careers. A roll call vote is one way a representative stays accountable to his constituents for the simple reason that the constituents can clearly see whether or not their representative is taking his or her role as delegate seriously. A representative may be able to get away with making an unpopular vote or two, but his overall voting pattern can cause “a ripple at home” (Mayhew, 1974, 66).

Presidential Approval

Spitzer (1993) writes that public approval for the president directly leads to presidential success in Congress. He also suggests that presidential mandate not only stems from electoral victory, but from high presidential approval ratings once the president is in office. Mandates, therefore, change throughout a president's administration. The success he had in the election does not always continue through his term. Therefore, how we account for this changing mandate throughout the term, according to Spitzer, is to use presidential approval ratings. They accurately gauge the public's feeling on how well the president is doing his job. He writes that it is important to study public approval as it exists in the minds of those in Congress, as they are the ones that ultimately determine the extent of the mandate. When the president enjoys high public approval ratings, "some members of Congress accept as a matter of principle that presidents with a popular mandate are entitled, by virtue of that mandate, to have their programs enacted. Continued public approval is a sign of success (or, to be more precise, perceived success); declining public approval signals an ebbing mandate" (Spitzer, 1993, 65).

Furthermore, Spitzer demonstrates the cycle extending from public approval ratings and roll call voting. Presidential approval ratings influence whether or not Congress will vote to support the president's agenda, and "presidential effectiveness in the legislative arena is an important component in maintaining public support" (Spitzer, 1993, 64). For example, he writes that "the cumulative rate of roll-call victories [for the president in Congress] will decline by three points for every ten point drop in [public] approval" (Spitzer, 1993, 64). Clearly then, the correlation between congressional

success for the president and the president's public approval ratings are undeniable, and the president should pay considerable attention to his standing with the public.

Adding to Spitzer's analysis of presidential approval and roll call votes are Borrelli and Simmons (1993), because they also examine how individual congressmen respond to presidential approval, and what factors trigger their responses to the president's agenda. They hypothesize that the following factors will determine whether or not a congressman supports the president's agenda based upon his approval ratings: the president's most recent electoral margin of victory in the district and the congressmen's most recent electoral margin in the district. They also hypothesize that the president's most recent approval ratings in the district, as well as the congressmen's most recent approval rating in his district, will determine also determine whether or not they support the president. They find that those congressmen whose districts produced a high level of electoral success for the president are most likely to pay attention to presidential popularity when making voting decisions. Also, they find that those members who had the lowest electoral success and the highest level of electoral success are most likely to consider presidential popularity levels when deciding whether or not to support the president. Clearly, then, congressmen take many factors into consideration, as well as presidential popularity, when deciding to support the president's agenda or not. However, presidential popularity seems to remain the deciding factor.

Therefore, the literature makes it clear that the executive-legislative policymaking relationship is a complicated and delicate balance. In fact, sometimes the relationship is not balanced at all, such as when one branch forces the other into compliance. There are several factors to consider when examining this question that stem from the literature:

presidential mandate, presidential approval ratings, mandate claiming, divided government, and the honeymoon period. This thesis seeks to show exactly what influence each of these factors has on the policymaking relationship between the branches.

CHAPTER 3

THEORY

What We Know

What do we now know about the executive-legislative relationship? Most importantly, we know that executive-legislative relations can be characterized as a battle for control over policymaking. The “Separatist or Tandem Institutions” (LeLoup, 1999) perspective makes this clear. It states that neither Congress nor the president is guaranteed to have policymaking control at a particular time. There is a partnership between the two branches that must be maintained in order for the policymaking process to continue. A particular policy can stem from and be modified by either branch. Since both branches share the responsibility, then, how does one branch or the other assume control over policymaking? Even though the branches are partners when it comes to policymaking responsibilities, the relationship often results in a true tug-of-war.

Conley (2001) refers to policymaking efforts between the president and Congress as a battle for control. In the first stage of the battle, the president will or will not claim a mandate, and Congress is left to decide whether or not that will influence their decision to implement the president’s policies. If Congress refuses, the president must decide whether or not to fight Congress regarding their decision. If he fights, then the ball is back in Congress’ court, and they must now decide whether to concede to or fight the president. Clearly, policymaking between the president and Congress is complicated and can turn on many different factors. Therefore, what variables should we theoretically expect to influence the events during the battle over policymaking between the branches, and also the final outcome of the battle?

Whether or not it is the president's honeymoon with Congress should influence the relationship. Presidents are often instructed to prioritize their policy initiatives and attempt to get the most important of their policies through Congress during the very beginning of their terms in office. Congress is more supportive of the president during this period because the public is more supportive of the president, as public support of the president has "a high point immediately after an election" (Ferguson, 2003, 160). During the president's honeymoon, Congress is generally more responsive to the president's legislative initiatives, and will be more willing to pass the president's agenda and support him on legislative positions. Therefore, one must account for the president's honeymoon with Congress when examining the executive-congressional policymaking relationship.

The political environment in place at the time the president takes office is another factor that has direct bearing on the executive-legislative relationship. Whether there is divided government or unified government is a strong predictor of how the branches will interact with each other. When the president's party does not have majority control in Congress, divided government ensues. Congress is less responsive to the president's policy initiatives during divided government than they are during unified government, when Congress is represented by the president's party. Divided government can lead to gridlock and stalemates over policy proposals. Therefore, the party makeup in Congress must be considered as a major factor in determining how the branches interact to make policy.

Presidential mandate elections also influence the policymaking relationship between the president and Congress. If the president can legitimately claim a mandate, it can be one of his greatest weapons in the battle with Congress over policy. The policy

battle often begins with whether or not the president can claim a mandate. The president will claim a mandate if he feels that it will help him dominate Congress. The president's confidence that he can dominate Congress is based upon the following factors: "his own policy preferences, the location of the status quo, the preferences of Congress, and his perception of public support on the issue at hand...He has a strong incentive to avoid claiming a mandate if it looks like he will fail to move the status quo toward his ideal point" (Conley, 2001, 16). Therefore, mandate claiming has the potential to sway Congress when it comes to policy, but only if the president creates an incentive for them to do so. If the president can legitimately claim that his election resulted in a mandate for change because of his proposed policies, then Congress is more likely to support the president's policy. The president can legitimately claim a policy mandate when his positions were pointedly different from the other candidate's in the campaign and when he won by a landslide in most cases.

Beyond a president's claim of a mandate, whether or not a mandate election actually occurred is another factor that must be considered in determining the nature of the executive-legislative policymaking relationship. The greater the president's margin of electoral victory, the greater his perceived mandate. His "leverage with Congress" increases as a function of the magnitude of electoral victory. Mandates influence the type of policy the president will introduce as "the decision to place a major policy change on the agenda will be a tradeoff between the amount of electoral support and the ideological closeness between the president and Congress" (Conley, 2001, 21). Clearly, a mandate election can give the president the confidence to introduce new legislation to Congress.

Further evidence that mandate elections reflect the complexity of the executive-legislative policymaking relationship is that it has not always been constant. Cohen (1982) asserts that the president's margin of victory did not begin to translate into a mandate from the voters in Congress until the modern era. Therefore, presidents should not take Congress' treatment of their win as mandates for granted, as it has not always been this way.

The most important aspect of mandates to remember is that they change. Public support of the president is the highest after the election, as exemplified by the honeymoon effect. Presidents who come to office with a policy mandate can expect to have more leverage with Congress when it comes to making policy. This does not last, however. The president should not take his mandate for granted, as it is easy to see that mandates will not endure indefinitely. One need only look at presidential approval ratings throughout a president's term to see that one cannot claim that mandates stay the same throughout an entire presidency.

Therefore, this thesis does not simply use margin of victory to account for the influence of mandate over executive-legislative policymaking relations. The analysis also employs presidential approval ratings in order to account for the changing nature of a presidential mandate. Presidential approval ratings are an efficient way to study how much influence the president has in Congress. At a given point in time, the initial electoral mandate indicates how much support the president has in Congress immediately following the election. Presidential approval ratings also indicate how much support the president has in Congress throughout his term. Both of these factors must be considered

in order to thoroughly account for the fact that the president's initial electoral mandate can "ebb" (Spitzer, 1993) throughout the president's term.

Presidential approval ratings allow legislators to gauge the president's standing with the public in order to guide their responsiveness to the president's policy agenda. The "Incentive for Reelection" hypothesis supports the use of presidential approval ratings, in that the congressmen will examine the president's public standing because they are concerned with their own chances of reelection. They act based on what they believe their constituents want, and one way they find this out is to examine public approval of the president. Furthermore, the president has a much better chance of convincing Congress that his policies will positively affect legislators' constituents when he has public approval on his side. One of the president's techniques to gather support for his agenda is to "go public" (Kernell, 1997, 2). However, going public will only translate into success with Congress if the public supports his policies, or can be convinced to support his policies. Most convincingly, the president's policy mandate does not stay the same because presidential approval continues to affect Congress' responsiveness. Spitzer (1993) shows that presidential victories on roll-call votes decrease when his public approval ratings decrease. One cannot claim, therefore, that initial electoral mandate is the only (or best) way to measure the complexity of the relationship between the branches.

Based on the preceding discussion, there are two ways to measure a presidential mandate. One is to use the president's victory regarding the popular vote, and the other is to use the percentage the president won in the electoral college. Conley (2001) speaks to the distinction between the two, writing that "there is not much variation in the popular

vote percentage over time; the winner-take-all nature of the electoral college...gives it a much higher variance” (Conley, 2001, 62). That being said, this thesis also seeks to find out which measure of initial electoral mandate is better. Therefore, both are used in the analysis, allowing for a direct comparison.

There is evidence in the literature that these questions would be better answered if individual presidents were added to the analysis. Presidents who employ certain techniques with Congress are believed to have more policy success. For example, a president who is adept at bargaining with Congress has more success, as do presidents who consult Congress when forming their policy (Jones, 1995).

Neustadt’s (1990) work also makes it imperative that any analysis of presidential mandates include individual presidents. The president who makes the most of his “power to persuade” will have the most policy success, as this is the president’s ability to convince Congress to support his agenda. The president’s “professional reputation” affects the executive-legislative relationship because the better his reputation inside Washington, the more leverage the president has in shaping policy. His “public prestige” also affects Congress’ responsiveness to his agenda in the same way as presidential approval ratings. The better the president’s “public prestige”, the more seriously Congress must take the president’s policies and the more likely they are to respond to them.

Further evidence to include individual presidents in the analysis is that different presidents propose different types of policies in general. Different types of policies have been shown to have varying degrees of success in Congress (Spitzer, 1993). For example, the administrative presidents have more policy success with Congress because

they propose constituent policies such as budget laws. Conversely, it is more difficult for public interest presidents, because they propose more redistributive policies that are less likely to get through Congress without a fight (Spitzer, 1993). Clearly, individual presidents matter because of the different types of policy they have been known to propose.

Individual presidents also matter because each president employs his own leadership style. Leadership style is not simply a way to distinguish among presidents, but it is also away to predict policy success with Congress. For example, the president who adroitly bargains with Congress increases his chances of success (Neustadt, 1990), as does the president who consults Congress when making policy (Jones, 1995). For these reasons, different presidents must be included in the analysis.

Conley (2001) writes, however, that individual personality characteristics of presidents affect the executive-legislative relationship only to a certain point. Personality characteristics can solidify congressional support as long as the president can use them to gain support for his policies throughout his administration. Conley makes clear that presidential personality is not a cure for a public that clearly does not support the president's agenda or a public that is indifferent to the president's agenda.

Scope of Analysis

This thesis examines how these variables: initial electoral mandate, presidential approval, divided government, honeymoon, and mandate claiming- affect the executive-legislative policymaking relationship. Do the variables produce the same effects that are proclaimed in the literature? In order to thoroughly examine this question, one cannot

simply look at just how the president interacts with Congress as a function of these factors, or at how Congress interacts with the president as a function of these variables.

This analysis looks at both sides of the debate, asking two questions in order to shed light on the intricacies of the relationship. First, what factors do presidents consider when determining how assertive to be with Congress? Presidential assertiveness is defined as how willing the president is to push his agenda through Congress. The president's legislative positions capture how assertive he is willing to be, as the president will take positions on policy that is most important to him. This signals to Congress that the president is willing to fight for the policy. Therefore, the analysis focuses on how much influence the president's mandate, mandate claiming, and presidential approval ratings have upon his likelihood to take a position on legislation (his assertiveness), and also whether or not the honeymoon period or divided government influence his decision as well.

Second, what factors do congressmen consider when deciding how responsive they should be to the president's agenda? Congressional responsiveness is defined as how willing Congress is to support the president's policy agenda, measured by whether or not Congress passed policy on which the president took a legislative position. The analysis seeks to explain how much influence the president's mandate, his mandate claiming, and his approval ratings have upon congressional responsiveness, and whether or not divided government and the president's honeymoon period also have a bearing on the decision to be responsive or not.

Third, do individual-level presidential characteristics matter?¹ Does an individual president's leadership style and approach to either fighting or compromising with Congress have a bearing on presidential assertiveness or congressional responsiveness? Has Congress been more willing to respond to certain presidents than others in the past? Are certain presidents more assertive with Congress than others? The literature suggests that individual characteristics do have a bearing on this question, and they are therefore included in the model.

The President and Congress

The theory for this part of the thesis extends from one simple premise: presidents strategically and systematically decide their governing style based upon the examination of their mandate, presidential approval ratings, the presence of divided government, whether or not it is the president's first year of his term, and whether or not he was able to legitimately claim a mandate. Presidents, then, do not simply act upon their intuition or the expectations that others project upon them. A president's objective is to implement the policy changes he outlined in his campaign. How does he go about this implementation, and what influence do mandates and presidential approval have upon his decision?

In an effort to work with Congress, the president may be assertive or more willing to compromise. A president who is assertive with Congress will take legislative positions on the policies that Congress proposes. Congress will then know what the president's

¹ In the spirit of robustness, the analysis included alternative specifications using the following issues: foreign policy, budget, civil rights, social welfare, environmental, poverty. The results were overwhelmingly insignificant, suggesting that different types of policy issues do not influence presidential assertiveness or congressional responsiveness. Therefore, the results were not included in the analysis.

policy intentions are. Congress is then able to respond to the president's wishes with agreement or disagreement.

This thesis seeks to explain how the president decides which tactic to employ with Congress. When is he assertive with Congress, and how does he decide to be so? The main hypothesis for this part of the analysis is that the president's level of assertiveness with Congress is a product of the political environment, and a function of the following factors: divided government, honeymoon, mandate, mandate claiming, and presidential approval ratings.

Congress and the President

The theory for this aspect of the analysis is that Congress' support or denial of the president's policy agenda is based upon several factors: the level of the president's electoral mandate, the presence of divided government, presidential approval ratings, whether or not it is the president's first year in office (honeymoon), and whether or not the president is able to legitimately claim a mandate. Congress, then, does not submit policy control to the president without being thoroughly convinced that they should do so. Congress collectively has its own agenda to consider, based upon the undeniable fact that each congressman has constituents to which he or she is responsible.

This thesis seeks to shed light on the policy battle that often ensues between Congress and the president. Neither branch operates in a vacuum; neither congressmen nor the president can act as such. More specifically, what factors contribute to congressional responsiveness to the president's agenda? The main hypothesis for this part of the analysis is that the likelihood that Congress will implement the president's

agenda is a function of the current political environment, shaped by the president's mandate, divided government, presidential approval ratings, honeymoon, and mandate claiming.

CHAPTER 4

PRESIDENTIAL ASSERTIVENESS WITH CONGRESS

This chapter examines the following question regarding how the president interacts with Congress: what factors contribute to the president's decision to either compromise or be assertive with Congress regarding his policy agenda? Which influences the president most in his interaction with Congress: his initial electoral mandate, or the variable measure of presidential approval? Are certain presidents more assertive with Congress than others? If so, what factors contribute to individual-level differences in assertiveness?

It is predicted in this thesis that the president's mandate, presidential approval, whether or not the president claimed a mandate, divided government, and honeymoon will each influence the executive-legislative relationship. Specifically, each of these factors should influence how assertive the president is with Congress. Is he assertive in pushing his agenda through Congress, or does he compromise?

Data

The data include five independent variables: presidential public approval ratings, the presence of an electoral mandate, the occurrence of divided government at the time, whether or not the president was in his first year in office, and whether or not the president actually claimed to have won a mandate. Again, the presence of a mandate and mandate claiming are different: mandate claiming measures the president's effort to "go public" (Kernell, 1997), while mandate measures how much public support the president commands from the election results.

The dependent variable is how assertive the president is with Congress. Again, presidential assertiveness is defined as how willing the president is to make his policy wishes known to Congress, in the effort to garner support for his policies. This is measured as whether or not the president takes a legislative position on a certain roll call vote, which he does about 10-15% of the time. Since this is a dichotomous dependent variable, the analysis uses logit to measure the effects of the independent variables. The data set extends from the 83rd through the 108th Congresses (1953-2004), which includes Eisenhower's first term through George W. Bush's first term. The unit of analysis is each roll call vote.

The paper employs two different measures of mandate: one is the president's margin of victory in the popular vote, while the other is the percentage the president won in the electoral college. Due to high correlation (at nearly .8) and high VIF scores among mandate claiming and both measures of mandate, and also because the signs were changing when fixed effects were added, each of the variables are dropped and included separately in three different models. The first model uses the president's margin of victory in the popular vote as mandate, and the second model uses the percentage the president won in the electoral college to measure mandate. The third model includes mandate claiming and neither measure of mandate. Again, running the analysis in this way compensates for the aforementioned correlation. Finally, this section examines individual presidents, and fixed effects are included in the three models. President Eisenhower is the excluded category for this part of the analysis.

As previously discussed, the analysis controls for divided government and honeymoon period for each president, both as dummy variables. When one or both

houses of Congress are different than the president's party, I code that congressional session as "1." When both houses are of the president's party (unified government), I code that congressional session as "0." Likewise, when the president is in his first year in office, I coded that congressional session as "1," and "0" for every other session of his term.

The presidential approval variable was recorded with a one-month lag in order to account for swings in the public's view of the president, and how these swings could influence Congress. In order to create the presidential approval variable, the presidential approval rating was recorded for one month before the roll call vote was taken.

Hypotheses

Hypothesis 1: The greater the presidential mandate, the more assertive the president will be with Congress.

Despite the considerable debate over whether or not mandates actually exist, for the purposes of this study, it is assumed that they do, adhering to Peterson et.al's explanation for doing so. The logic behind the hypothesis is that if a president feels that he received a mandate from the people regarding his campaign initiatives, he will be more likely to attempt to force his legislative agenda through Congress, should they disagree with him. Along the same lines, the president will be less likely to compromise with Congress when he feels the public is behind him and agrees with the policy agenda that he set forth in the campaign.

Needless to say, there are other factors that could influence how the president interacts with Congress in an effort to implement his policy agenda. The most pressing

of these factors is divided government. Spitzer (1993) writes that the president whose party controls both the House and the Senate enjoys an immediate and clear political advantage. However, this is not the case for when the opposing party controls either one of both houses of Congress. Therefore, hypothesis 2 follows:

Hypothesis 2: The president is more likely to be assertive with Congress when there is divided government.

The logic behind this assertion is fairly clear. Divided government undoubtedly produces more disagreement between the president and Congress than does unified government, in which the president and both houses of Congress are all of the same party. LeLoup writes that “much of the blame for government ‘deadlock,’ ‘stalemate,’ ‘gridlock,’ ‘paralyzing partisanship’ - and the often combative, ill-tempered atmosphere between Congress and the president- goes to divided government” (Spitzer, 9).

Another necessary control is for the president’s honeymoon period with Congress. Studies show that Congress is more receptive to the president’s policy agenda during his first year in office, when his recent electoral victory is fresh (Ferguson, 2003). Therefore, it is hypothesized that:

Hypothesis 3: The president is more likely to be assertive with Congress during his first year in office, or during the “honeymoon.”

This relationship is hypothesized because the president will take advantage of this period, when the legislature is at the height of its willingness to implement his policy agenda. He will prioritize his policy agenda and actively pursue implementing the most important of his policies during this period.

The possibility is also anticipated that presidential public approval ratings will influence how the president decides to interact with Congress. The president, increasingly a student of the public's feeling thermometer, can feel either bolstered or deflated by his public approval ratings. He knows that he has potentially more leverage with Congress when his approval ratings are high, since representatives are delegates and will heed their constituents' desire in order to win reelection (Edwards, 1980, Mayhew, 1974). Hypothesis 4 follows:

Hypothesis 4: The president is more likely to be assertive with Congress when his public approval ratings are high, or when they are increasing.

The president who has high public approval ratings feels that the public supports his agenda, and approves of his performance as president. He then has the ability to force his agenda through Congress should the need present itself. Conversely, the president with low or decreasing public approval ratings feels he has less leverage with Congress. He will have less of an ability to force Congress to support him, and may be more willing to compromise on his policy agenda because of this.

Hypothesis 5: The president who claims a mandate is more likely to be assertive with Congress.

When the president claims a mandate, he does so as an act of "going public." Here, he is sending a message to legislators that the public elected him on the basis of making policy changes. The president's goal is to cajole or force Congress to implement his policy agenda. Mandate claiming is not a passive act. Congressmen, not wanting to jeopardize their chances of reelection, may be more likely to implement the president's

agenda when he claims a mandate. Therefore, the president should make his policy wishes known after he claims a mandate in order for Congress to support him.

Streamlined Model Results (Fixed Effects not included)

First, this study analyzes the effect of mandate, mandate claiming, divided government, honeymoon period, and presidential approval ratings, without including fixed effects. Including this streamlined model first will show whether or not individual presidents are more or less assertive with Congress depending on the aforementioned variables. The results for the model using fixed effects are discussed later.

These results including each measure of mandate (margin of popular vote victory and percentage won in electoral college) reveal consistent, strong results, and often reflect the hypothesized relationships. **Table 4.1** includes the popular vote margin of victory as a measure of mandate. The results show that mandate is statistically significant and positive: the larger the president's mandate, the more likely he is to be assertive with Congress. Also, the more favorable the president's approval ratings, the more likely he is to be assertive with Congress. The divided government results state that when there is divided government, the president is more likely to be assertive with Congress. These each reflect the hypothesized relationships. Honeymoon, however, is not statistically significant.

Convincingly, the results using electoral college percentage won as a measure of mandate reveal the same results (**Table 4.2**). The larger the president's mandate and the higher his approval ratings are predict that he will be assertive with Congress. As before,

when there is divided government, the president is more likely to be assertive, and honeymoon is not statistically significant.

The results change only slightly for mandate claiming (**Table 4.3**). Here, both honeymoon and presidential approval ratings are statistically insignificant. However, when the president is able to legitimately claim a mandate, he is more likely to be assertive with Congress. Again, when there is divided government the president is more likely to be assertive.

Now, some conclusions can be drawn as to why we see the aforementioned relationships, especially since the results are consistent no matter which measure of mandate is used, and since we find the same results when mandate claiming is added. This model indicates that there are several factors contributing to a president's decision to be assertive with Congress. Divided government is a consistently strong predictor of presidential assertiveness. This supports LeLoup's (1999) claim that divided government produces times of severe conflict between the president and Congress. Clearly, a technique that presidents employ during this time, in order to push their policy agenda through a legislature that is most likely to disagree with him, is to be assertive with Congress.

Mandate is also an important presidential consideration: the larger his mandate, the more likely the president is to be assertive with Congress. It seems clear that a large mandate gives the president the leverage to actively pursue his policy in Congress, forcing it through if the need arises. High presidential approval ratings have the same effect. The higher his approval ratings, the more the president knows he has enough leverage to be assertive with Congress regarding his policy agenda. Therefore, when the

president knows the public is behind him, he has more power to force Congress to support his agenda. The president who can legitimately claim a mandate is also more likely to be assertive with Congress. Each of these results for mandate- presidential approval ratings, and mandate claiming- are most likely due to Mayhew's (1974) "electoral collection" and Edwards' (1980) "incentive for reelection." When the president can convince Congress that the public is behind his policy, whether through a large electoral mandate or through his consistently-taken approval ratings, he is more likely to be assertive. Representatives know that they will soon face another re-election campaign, and will heed their constituents' wishes in order to be reelected.

Table 4.1: Logistic Regression Estimates for Presidential Assertiveness using Popular Vote Margin of Victory as a measure of Mandate.

Independent Variables	Coefficient	Robust Standard Error
Mandate	.0393	.0038
Honeymoon	.0759	.0664
Presidential Approval	.0097	.0026
Divided Government	.5554	.0628
Constant	-2.31	.1688

n=8313

Table 4.2: Logistic Regression Estimates for Presidential Assertiveness using Electoral College Percentage Won as a measure of Mandate.

Independent Variables	Coefficient	Robust Standard Error
Mandate	.0256	.0020
Honeymoon	.0835	.0667
Presidential Approval	.0099	.0026
Divided Government	.3035	.0722
Constant	-3.72	.234

n=8313

Table 4.3: Logistic Regression Estimates for Presidential Assertiveness including Mandate Claiming

Independent Variables	Coefficient	Robust Standard Error
Mandate	.3211	.0578
Honeymoon	.1278	.0660
Presidential Approval	.0035	.0025
Divided Government	.7249	.0588
Constant	-1.88	.159

n=8313

Results Including Individual Presidents

Including individual presidents in the analysis also reveals significant information about presidential assertiveness. When the president's margin of victory in the popular vote is included as mandate and fixed effects are added (**Table 4.4**), divided government is significant and positive, as hypothesized. Again, when there is divided government the president is more likely to be assertive. It is also clear from the results that individual presidents do matter. Since President Eisenhower is the omitted category (baseline), the assertiveness of the presidents remaining in the analysis can be compared to his assertiveness. Here, Presidents Kennedy and Johnson were both more assertive with Congress than was Eisenhower. Presidents Nixon, Ford, Carter, Reagan, Bush, Clinton, and George W. Bush were each less assertive with Congress than was President Eisenhower. Clearly, different leadership styles of presidents do make a difference in presidential assertiveness.

When the president's percentage won in the electoral college is used to measure mandate and fixed effects are added (**Table 4.5**), the exact same results follow. When there is divided government, presidents are more likely to be assertive. Presidents Kennedy and Johnson are both more assertive with Congress than was President

Eisenhower, and all the other presidents are statistically significant, but less assertive than President Eisenhower. The results for mandate claiming and fixed effects are exactly the same, also (**Table 4.6**). Mandate claiming, honeymoon, and presidential approval ratings are each statistically insignificant, but the divided government results are as hypothesized. The same results for the assertiveness of individual presidents are presented.

Clearly, some conclusions can be drawn, again because of the consistent results attained. Divided government remains a consistently influential factor when fixed effects are added, for both measures of mandate and also mandate claiming. The relationship between the president and Congress can be very strained during these periods (LeLoup, 1999), and once again the results show that one way a president tries to ensure that his policy is passed is to be assertive.

However, the results when fixed effects are included are slightly different from the streamlined model, which does not include fixed effects. When individual presidents are included in the analysis, both measures of mandate and presidential approval ratings are no longer statistically significant, as they were in the streamlined model. This change shows that individual presidents must be included in an analysis such as this, in order to avoid omitted variable bias. It is also clear that individual presidents must be examined because the results show that certain presidents are more assertive with Congress than others. Presidents, therefore, do not all strategize to handle policy implementation in the same way. Some are more assertive with Congress than others, which is shown when other presidents are compared to President Eisenhower's assertiveness.

Table 4.4: Logistic Regression Estimates for Presidential Assertiveness including Fixed Effects and Margin of Popular Vote Victory as a measure of Mandate

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate</i>	-.0006	.0063
<i>Honeymoon</i>	.1014	.0780
<i>Presidential Approval</i>	-.0028	.0032
<i>Divided Government</i>	1.224	.1184
<i>Kennedy</i>	.8335	.2253
<i>Johnson</i>	.6476	.1822
<i>Nixon</i>	-1.756	.1599
<i>Ford</i>	-2.087	.1894
<i>Carter</i>	-.5862	.2191
<i>Reagan</i>	-1.296	.1506
<i>Bush</i>	-.7300	.1656
<i>Clinton</i>	-1.017	.1547
<i>Bush</i>	-2.053	.2056
<i>Constant</i>	-.5475	.3057

n=8313

Table 4.5: Logistic Regression Estimates for Presidential Assertiveness including Fixed Effects and Electoral College Percentage Won as a measure of Mandate

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate</i>	.0022	.0039
<i>Honeymoon</i>	.0880	.0786
<i>Presidential Approval</i>	-.0019	.0033
<i>Divided Government</i>	1.228	.1184
<i>Kennedy</i>	.9047	.2365
<i>Johnson</i>	.6531	.1829
<i>Nixon</i>	-1.714	.1695
<i>Ford</i>	-2.106	.1862
<i>Carter</i>	-.4928	.2446
<i>Reagan</i>	-1.307	.1510
<i>Bush</i>	-.7088	.1630
<i>Clinton</i>	-.9729	.1635
<i>Bush</i>	-1.962	.2332
<i>Constant</i>	-.8040	.5000

n=8313

Table 4.6: Logistic Regression Estimates for Presidential Assertiveness including Fixed Effects and Mandate Claiming

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate</i>	.2446	.1307
<i>Honeymoon</i>	.0670	.0777
<i>Presidential Approval</i>	-.0006	.0031
<i>Divided Government</i>	1.262	.1191
<i>Kennedy</i>	.9716	.2145
<i>Johnson</i>	.5889	.1819
<i>Nixon</i>	-1.724	.1535
<i>Ford</i>	-2.203	.1939
<i>Carter</i>	-.3995	.2094
<i>Reagan</i>	-1.414	.1627
<i>Bush</i>	-.6126	.1684
<i>Clinton</i>	-1.11	.1577
<i>Bush</i>	-1.900	.1914
<i>Constant</i>	-.8279	.2846

n=8313

CHAPTER 5

CONGRESSIONAL RESPONSIVENESS TO THE PRESIDENT

One idea that becomes apparent when examining the executive-legislative policymaking relationship is that several factors work together to influence Congress' policy agenda decisions. These factors lead to this section's main question: what factors contribute to congressional responsiveness to the president's policy agenda? Which factor most influences Congress in the decision-making process: the president's initial electoral mandate, the president's public approval ratings, the president's honeymoon, the presence of divided government, or whether or not the president claims a mandate?

Furthermore, does Congress consider individual presidents when making their decision? For example, does presidential leadership style influence Congress' decision? It is assumed that individual presidents will prove to be influential in Congress' decision, as there is evidence that presidential actions such as bargaining (Neustadt, 1990) will increase the likelihood that the president will be successful with Congress. Each of the aforementioned variables are tested in order to see how much, if any, influence they have on congressional responsiveness.

Data

The data include five independent variables: initial electoral mandate, presidential public approval ratings, whether or not there was divided government at the time, honeymoon period, and whether or not the president claimed a mandate. The dependent variable is how responsive Congress is to the president's policy agenda, which is determined by whether or not Congress agreed with the president's legislative position.

This section of the paper employs the same covariates as before, which are outlined in chapter 4. Also as before, the parameters extend from the 83rd through the 108th Congresses, or Eisenhower’s first term in office through George W. Bush’s first term in office. The unit of analysis is each roll call vote.

Creating a measure for congressional responsiveness was slightly complicated and should be explained. To do so, the percentage of those legislators who voted to support (and not to support) each roll call vote was recorded. Also recorded was whether or not the president took a position on the vote, coded as “1” if the president took a yea position and “2” if the president took a nay position. Excluded were roll calls on which the president took no position. When Congress and the president agreed, this relationship was coded as “1,” and as “0” when they disagreed. These two variables were merged in order to create the dichotomous dependent variable in the following four ways, as shown in **Table 5.1**. Again, the analysis employs logit because of the dichotomous dependent variable.

Table 5.1: Arriving at the Dependent Variable

Whether the Vote Passes or Fails in Congress	President’s Position	Outcome and value of the dependent variable
<i>Pass</i>	<i>Yea</i>	<i>Agree</i>
<i>Pass</i>	<i>Nay</i>	<i>Disagree</i>
<i>Fail</i>	<i>Yea</i>	<i>Disagree</i>
<i>Fail</i>	<i>Nay</i>	<i>Agree</i>

Hypotheses

Hypothesis 1: The magnitude of the president's initial electoral mandate is the most influential factor in Congress' responsiveness to the president's agenda. The higher his mandate, the more likely Congress will be to support his agenda.

Peterson et.al (2003) argue that it is the legislator's perception of a mandate that is critical. If legislators believe that a mandate has occurred, then it effectively has occurred. Because representatives often consider their own re-election chances when making policy (Mayhew, 1974, Edwards, 1980), they are likely to support the president's agenda if the public is behind it. The higher the president's mandate, the more evidence there is that the public is behind the president's agenda.

Another factor that is expected to influence congressional responsiveness is divided government. Spitzer (1993) writes that the president whose party controls both the House and the Senate enjoys an immediate and clear political advantage. However, this is not the case when the opposing party controls either one or both houses of Congress. Therefore, I hypothesize the following:

Hypothesis 2: Congress is less likely to be responsive to the president's agenda when divided government is present.

It is more likely for a contentious relationship to form between the branches when there is divided government. Therefore, one can expect a more combative Congress; one that is less responsive to the president's policy agenda.

Another necessary control is for the president's honeymoon period with Congress. Studies show that Congress is more receptive to the president's policy agenda during his first year in office, when his recent electoral victory is fresh. Therefore, the following is hypothesized:

Hypothesis 3: Congress is more likely to be responsive to the president's agenda during his first year in office, or during the "honeymoon."

It is anticipated that presidential approval ratings will influence whether or not Congress decides to implement the president's agenda. Favorable approval ratings signify that the public supports the job the president is doing. An aim of each representative is to reflect what his constituents believe, since reelection prospects are often an important consideration. One way a legislator can fully represent his constituents is to implement the president's policy agenda, if the public has given the president favorable approval ratings. As such, the following is hypothesized:

Hypothesis 4: Congress is more likely to implement the president's agenda if his public approval ratings are favorable.

Mandate claiming is different from the measure of mandate because it captures the president's effort to "go public" (Kernell, 1997). The president's claim of a mandate is one way to convince, or force, Congress to support his policy. Again, this relates to Edwards' (1980) and Mayhew's (1974) theories that representatives always have their own chances of re-election on their minds. Therefore, mandate claiming is designed to convince representatives that the public is behind the president's agenda, making it more likely that Congress will support the president because they will not want to risk their chances of re-election. The following is hypothesized:

Hypothesis 5: If the president claims a mandate, Congress will be more likely to implement the president's agenda.

Streamlined Model Results (Fixed Effects Not Included)

The results for congressional responsiveness, not including fixed effects, are also consistent, strong, and confirm the relationships hypothesized. The results are the same no matter which measure of mandate is employed: either margin of popular vote victory or percentage won in the electoral college. When margin of popular vote victory is the measure of mandate, mandate is significant and reflects the relationship hypothesized. Therefore, the higher the president's mandate, the more likely it is that Congress will be responsive and implement his agenda (agree with the president's legislative position). The results for honeymoon are also as expected. When it is the president's honeymoon period, Congress is more likely to respond to the president's policy agenda. The divided government results are also no surprise: when there is divided government, it is less likely that Congress will respond to the president's agenda. Presidential approval ratings are insignificant to Congress' decision regarding whether or not to respond to the president's agenda, according to this analysis. As previously stated, the exact same results are found when electoral college percentage won is used to measure mandate, further solidifying these results.

The results when mandate claiming is included reveal only a slight change, which is that divided government is not statistically significant. However, when the president claims a mandate, the results show that Congress is more likely to respond to the president's agenda. Representatives are also more likely to respond to the president when

it is the president's honeymoon. Presidential approval ratings are again insignificant to Congress' decision regarding whether or not to be responsive.

It can be concluded, therefore, that Congress considers several different factors when determining how to respond to the president's policy agenda. The results for mandate reflect Edwards' (1980) and Mayhew's (1974) theories that representatives act with their own re-election chances in mind. A representative's likelihood to be re-elected is greater when he reflects his constituents' wishes. When the president has a mandate, he effectively has the support of many of the representatives' constituents. Therefore, it is in the legislator's best interest to support the president's policy agenda. The results also confirm Ferguson's (2003) claim that Congress is more likely to respond to the president's agenda when it is his honeymoon period. Regarding the results for divided government, we can again conclude that the executive-legislative relationship is most likely to be contentious during this time, since it is when Congress is not likely to respond to the president. This occurs simply and logically because when the president and Congress are of different parties, they will undoubtedly have different policy agendas. However, why are presidential approval ratings insignificant? Perhaps Congress is too busy to take every change in presidential approval ratings into account when making policy, especially when these shifts are slight from month to month, as they often are. Also, the influence of presidential approval could simply be overshadowed by the factors that were found to be significant, such as mandate, honeymoon, and divided government.

Table 5.2: Logistic Regression Coefficients for Congressional Responsiveness using Popular Vote Margin of Victory as a measure of Mandate.

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate</i>	.0442	.0047
<i>Honeymoon</i>	.3871	.0741
<i>Divided Government</i>	-.3902	.0083
<i>Presidential Approval</i>	.0052	.0031
<i>Constant</i>	-2.37	.1965

n=8313

Table 5.3: Logistic Regression Coefficients for Congressional Responsiveness using Electoral College Percentage Won as a measure of Mandate.

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate</i>	.0255	.0026
<i>Honeymoon</i>	.4030	.0738
<i>Divided Government</i>	-.6146	.0987
<i>Presidential Approval</i>	.0040	.0030
<i>Constant</i>	-3.66	.2790

n=8313

Table 5.4: Logistic Regression Coefficients for Congressional Responsiveness Including Mandate Claiming.

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate Claiming</i>	.1659	.0694
<i>Honeymoon</i>	.4333	.0738
<i>Divided Government</i>	-.1427	.0752
<i>Presidential Approval</i>	-.0033	.0029
<i>Constant</i>	-1.70	.1809

n=8313

Results Including Individual Presidents

When fixed effects are added to the model, the results show that mandate is still significant and in the hypothesized relationship no matter which measure of mandate is used. Therefore, the higher the president's mandate, the more likely it is that Congress will respond to the president's agenda. Honeymoon is also statistically significant and positive using each measure of mandate. Congress is likely to be responsive to the president's agenda during the president's honeymoon period. The results also show that Congress also considers presidential approval ratings when deciding whether or not to

respond to the president's policy agenda: when presidential approval ratings are favorable, Congress is more likely to be responsive. When mandate claiming is included in the model, the results show that it has no bearing on Congress' decision to respond to the president or not. However, Congress once again is more likely to respond to the president's agenda when it is his honeymoon period. Divided government reveals the only surprise here, in that the results show that it also has no bearing on congressional responsiveness.

We also find that presidents have varying levels of success with Congress. Congress is responsive to some presidents and less responsive to others. When popular vote margin is used as mandate and President Eisenhower is the excluded category, the results show that Congress was more responsive to President Johnson than they were to President Eisenhower. Congress responded less to the policy agendas of Presidents Nixon, Ford, Carter, Reagan, Bush, Clinton, and George W. Bush, than they did to President Eisenhower. The variable representing President Kennedy is statistically insignificant. When percentage won in the electoral college is used as mandate and President Eisenhower is once again excluded, the results also show that individual presidents have varying degrees of success with Congress. The same is true when mandate claiming is included in the analysis.

What conclusions can be drawn from these results, which include individual presidents? Again, it is clear that Congress takes several factors into account when deciding how to respond to the president's agenda. Mandate remains significant, because, again, representatives have their own re-election campaigns to consider (Mayhew, 1974, Edwards, 1980). The results continue to confirm that the president does

indeed have a honeymoon period with Congress, in that Congress is more likely to respond to his agenda during his first year in office. Presidential approval ratings are significant here, suggesting that, in some cases, representatives do pay attention to how well the president is faring in the public's eye, because this could also have a bearing upon their re-election campaigns. The more a representative heeds the wishes of their constituents, the more likely they are to be re-elected. Again, it can be concluded that Congress does consider the leadership style of individual presidents when deciding whether or not to be responsive to their policy agendas. Each president is not necessarily like the one who came before, in their leadership style or in the policies they propose to Congress, and the results demonstrate that.

Table 5.5: Logistic Regression Coefficients for Congressional Responsiveness Including Fixed Effects and Popular Vote Margin of Victory as a Measure of Mandate.

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate</i>	-.0391	.0081
<i>Honeymoon</i>	.4722	.0919
<i>Divided Government</i>	.1185	.1555
<i>Presidential Approval</i>	-.0123	.0040
<i>Kennedy</i>	-.0058	.2420
<i>Johnson</i>	.4178	.1948
<i>Nixon</i>	-1.755	.1760
<i>Ford</i>	-2.131	.2435
<i>Carter</i>	-1.735	.2534
<i>Reagan</i>	-2.125	.1792
<i>Bush</i>	-1.775	.1974
<i>Clinton</i>	-2.151	.1731
<i>Bush</i>	-3.058	.2362
<i>Constant</i>	.7761	.3810

Table 5.6: Logistic Regression Coefficients for Congressional Responsiveness Including Fixed Effects and Electoral College Percentage Won as a Measure of Mandate.

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate</i>	-.0187	.0048
<i>Honeymoon</i>	.4534	.0934
<i>Divided Government</i>	.1098	.1581
<i>Presidential Approval</i>	-.0109	.0041
<i>Kennedy</i>	-.0892	.2602
<i>Johnson</i>	.1903	.1980
<i>Nixon</i>	-1.821	.1926
<i>Ford</i>	-2.267	.2398
<i>Carter</i>	-1.829	.2905
<i>Reagan</i>	-1.941	.1784
<i>Bush</i>	-1.654	.1927
<i>Clinton</i>	-2.208	.1871
<i>Bush</i>	-3.187	.2773
<i>Constant</i>	1.765	.6351

n=8313

Table 5.7: Logistic Regression Coefficients for Congressional Responsiveness Including Fixed Effects and Mandate Claiming

<i>Independent Variables</i>	<i>Coefficient</i>	<i>Robust Standard Error</i>
<i>Mandate Claiming</i>	-.1461	.1429
<i>Honeymoon</i>	.3627	.0914
<i>Divided Government</i>	.0903	.1675
<i>Presidential Approval</i>	-.0045	.0037
<i>Kennedy</i>	.3392	.2363
<i>Johnson</i>	.2836	.1983
<i>Nixon</i>	-1.469	.1616
<i>Ford</i>	-2.299	.2482
<i>Carter</i>	-1.234	.2457
<i>Reagan</i>	-1.944	.1917
<i>Bush</i>	-1.561	.1962
<i>Clinton</i>	-1.815	.1759
<i>Bush</i>	-2.596	.2233
<i>Constant</i>	-.1366	.3442

n=8313

CHAPTER 6

DISCUSSION AND IMPLICATIONS

Now that both sides of the question have been thoroughly examined, we can discuss which variables are significant to both presidential assertiveness and congressional responsiveness, and what this might imply about executive-legislative relations. Each of the following variables is significant in at least one point of the analysis: mandate, mandate claiming, presidential approval ratings, divided government, and honeymoon. This suggests that not only is the executive-legislative policymaking relationship complicated, but the nature of the relationship is indeed dependent upon the political environment (i.e. which combination of the aforementioned variables are present).

Mandate is significant to both presidential assertiveness and congressional responsiveness. The higher the president's mandate, the more likely he is to be assertive with Congress, or to actively pursue making sure that Congress implements his policies. Mandates, then, give the president an edge, or a large bargaining chip, in his policymaking relationship with Congress. When he has a mandate, the president is more likely to be able to convince Congress that the public supports his policies. Representatives will seek to reflect what the public wants in the hopes that they will have an easier time being re-elected. This is found when we examine the influence that mandate has upon congressional responsiveness. When the president has a mandate, Congress is more likely to respond to his agenda. Therefore, since the expected relationship is found regarding mandate in both sides of the executive-legislative

policymaking relationship, we find that mandate elections are very influential. When the president has a mandate, it is very likely that his agenda will be passed in Congress.

Divided government is also significant throughout the analysis and remains a strong predictor of the nature of the executive-legislative policymaking relationship. It is significant to both presidential assertiveness and congressional responsiveness. When the executive and legislative branches are controlled by different parties, we can expect the president to be more assertive with Congress, and we can expect Congress to be less responsive to the president's agenda. Here, we see that Conley's (2001) description of the executive-legislative policymaking relationship as a battle is indeed substantiated. These results for divided government, then, show that Congress and the president do indeed wrestle for control over policy. When there is divided government, the president becomes more assertive, while Congress becomes less willing to satisfy his assertions. This is clear evidence of the battle that ensues over policy implementation between the branches.

Presidential approval ratings are significant regarding how assertive the president will be in forcing his policy through Congress. The results show that the higher the president's approval ratings, the more likely it is that he will be assertive with Congress. Clearly then, when the president has high approval ratings, he feels that he has more leverage to force Congress to implement his policy agenda. In the same vein, when fixed effects are included in the analysis, presidential approval ratings are significant to congressional responsiveness. When the president's approval ratings are high, Congress is more likely to respond to the president's agenda. Here, the president and Congress are likely to work together to implement policy, since high presidential approval ratings

make the president more assertive and Congress more responsive. Conley's (2001) battle for control ebbs when presidential approval ratings are high, it seems.

Surprisingly, honeymoon does not have an effect on how assertive the president is in pushing his agenda through Congress. The honeymoon period does influence congressional responsiveness, however, when fixed effects are included and not included. This supports the literature, then, which states that Congress is more likely to pass the president's agenda during his first year in office. Perhaps presidents should pay more attention to their honeymoon periods, then. Instead of simply prioritizing and proposing their most important policies during their first year in office (which it is still assumed that they do), they should also take this time to assertively carry their agenda through the legislature.

Mandate claiming is also an influential factor in both presidential assertiveness and congressional responsiveness. When the president is able to claim a mandate, he is more likely to be assertive with Congress, and Congress is more likely to respond to his policy agenda. Here, then, the president's policy wishes and Congress' willingness to heed those wishes do meet. The battle for policy control ebbs here again, as it does with presidential approval ratings.

Furthermore, adding fixed effects to the analysis allows us to see the influence that individual presidents have upon the policymaking battle between the president and Congress. This paper finds that individual presidents do influence both presidential assertiveness and congressional responsiveness. Some presidents are more assertive with Congress than are others, just as Congress has been more responsive to certain presidents than others in the past. The policymaking relationship, then, can indeed be influenced by

the individuals taking part in the battle for policy control. They are players in the policymaking game. Using knowledge that is defined in this paper, presidents can plan their next moves and expect how Congress will react.

Implications

What does this information mean for the voter, specifically for those who participate in both presidential and congressional elections? How much influence does the voter truly have when they step into the voting booth on Election Day? What are the implications of these results? These results show that when the voter elects public officials (whether they are the president or representatives), the voter can directly influence the executive-legislative policymaking relationship. They can influence the relationship by more than just simply casting their vote. For example, consider the finding that when there is a presidential mandate, the president is more likely to be assertive and congress is more likely to be responsive. The voters not only influence the process by simply electing a president, but the margin with which they elect the president is also a predictor of the nature of the relationship between the branches. When the voters act collectively and give the president a mandate, they are effectively choosing a president that will assertively push his agenda through Congress. Clearly, voters should keep this in mind when expressing their collective zeal for a particular presidential candidate.

Divided government is another variable that holds significant implications on Election Day. When the voter elects a president from one party and a representative from the other party, they are also predicting the type of policymaking relationship that will

ensure between the president and Congress. They are in effect putting a check on presidential power, in that Congress is less likely to implement the president's agenda when there is divided government. Therefore, the voter can influence the policymaking relationship by choosing a president of one party and a representative from another.

Therefore, it is clear that the voter does more than simply choose a president or a representative on Election Day. The specific president or representative elected then goes on to influence the policymaking relationship between the branches. When the voters elect a president by a large margin, they signal the president to be assertive in getting his policy through Congress. When they choose a president and a representative of different parties, they are putting a check on presidential power. The voter, then, should consider all of the implications of their vote when they go to the polls.

CHAPTER 7

CONCLUSION

This paper confirms that the Separatist or Tandem Institutions perspective (LeLoup, 1999) regarding executive-legislative relations is indeed accurate. The president and Congress do effectively share power in order to make policy. For example, the president must convince Congress that they should implement his policy agenda; he is not simply granted their support because he is president. Divided government ensures that Congress holds many of the cards when it comes to policy implementation. There are ways, however, that the president can increase his chances of policy success with Congress. If he is elected by a large margin, he has a mandate, which makes Congress more likely to support his agenda. Certain presidents have more policy success with Congress, presumably because of their leadership style, such as whether they bargain effectively with Congress, or whether they consult Congress when making policy.

When we examine past administrations, we can see how mandates help predict the policymaking relationship that is to ensue between the president and Congress. Popular mandates help to ensure presidential policy success with Congress (Conley, 2001). For example, we can find implications of this fact when discussing Reagan's 1980 election. Reagan won a popular mandate because he commanded a considerable margin of victory in the election and successfully tied his campaign to the desire for policy change in Washington. Republicans also took control of the Senate and gained 33 House seats. Here, the public gave Reagan a mandate to change policy, and further solidified his mandate by choosing representatives who were more likely to implement the policies that Reagan advocated in the campaign. Clearly then, when the voters hand

the president a significant policy mandate and reiterates that by ensuring unified government, they are predicting the relationship that will follow between the president and Congress. In Reagan's case, they chose a reciprocal relationship between the branches, in that unified government results in a greater chance that the president's agenda will be supported in Congress.

An examination of bargained mandates also reveals how mandates can predict the nature of executive-congressional policymaking relations. The 1992 election resulted in a bargained mandate for President Clinton (Conley, 2001). Since Clinton did not successfully tie his candidacy to the public's call for policy change, and since the Democrats actually lost House seats, his election did not reflect a true policy mandate from the people. Here, the public's unwillingness to grant Clinton a policy mandate predicts the policymaking relationship between the branches, as the election also did not result in significant Democratic control in Congress. Furthermore, Clinton only had mixed success in pushing his policies through the legislature, and his budget in 1993 only barely passed, and then only when Clinton made considerable compromises. We can conclude, then, that a president receiving merely a bargained mandate from the public predicts that executive-congressional relations will be more contentious and strained when it comes to policymaking.

We can conclude that mandates can predict the nature of the executive-legislative policymaking relationship. The voters, then, have considerable power in the voting booth: they can not only determine who will be the next elected official, but what that official brings to the nature of policymaking during their terms. Mandates, then can

determine whether or not the president and Congress work together to make policy, or whether they are constantly in conflict.

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