

Consequences of Legislative Stalemate

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Abstract

Numerous scholars in recent years have investigated the causes of legislative gridlock. But few have considered the consequences of legislative performance. In this paper, I explore potential electoral and institutional effects of legislative stalemate, focusing on the ways in which legislative performance might affect collective electoral outcomes, individual electoral ambitions, and public perceptions of Congress and the president. I test my conjectures with data on the frequency of legislative deadlock between 1946 and 2000. Although legislative performance has only marginal electoral consequence, it has marked institutional effects. Policy performance colors public approval of Congress and sometimes the president, but fails to move voters to punish them at the polls. The results suggest a dilemma of gridlock: Legislative inaction may affect institutional reputations, but legislators have little electoral incentive to do much about it.

A standoff between President Bill Clinton and the Republican Congress late in 1999 revealed an interesting twist in the annals of legislative gridlock. Both sides had essentially fought to a draw in a debate over what to do with the new government budget surpluses: Should they be saved, spent, or devoted to tax cuts? Unable to reach consensus, the result was essentially gridlock. No definitive action was taken to resolve the fate of the budget surplus. But due to federal budgeting rules, excess revenues flowed automatically into reducing the nation's debt which stood at the time at \$3.6 trillion. "Neither party had debt reduction as its priority," one analyst observed at the time, "but it ended up being the common denominator they could agree on through gridlock" (as cited in Stevenson 1999). Given the salutary economic benefits of reducing the debt-- including lowering interest rates and boosting savings-- legislative deadlock was almost uniformly seen as a beneficial outcome.

Although many recent studies have probed the causes of gridlock (see among others Mayhew 1991, Krehbiel 1998, Brady and Volden 1998, Binder 1999), the consequences of legislative stalemate remain unexplored.¹ As suggested by the standoff over the fate of the budget surplus, there may be measurable consequences when Congress fails to act on pressing matters of public dispute. In this paper, I introduce the possibility that gridlock affects legislators' electoral fortunes and ambitions, and re-evaluate recent claims that stronger legislative performance is penalized by the public. I find mixed evidence of gridlock's electoral effects, but strong evidence of institutional consequences over the second half of the twentieth century. I conclude by considering the implications of gridlock's unintended consequences.

The Electoral Impact of Gridlock

Anchoring the call for responsible political parties in the 1940s and 1950s was an enduring belief that voters would use elections to hold the majority party responsible for what it achieved or failed to

¹ I use the term "gridlock" to capture the frequency with which Congress and the president fail to address issues on the national agenda each Congress. I define and operationalize the term in greater detail in Binder N.d.

achieve as the governing party (Schattschneider 1942). Parties could be responsible and held accountable only if they presented alternative programs to voters at election time and if voters used elections to cast retrospective and prospective judgments about the two parties' achievements and promises. Implicit in this view of party government is the idea that voters pay attention to what parties achieve in power, make judgements about their policy performance, and vote accordingly on policy and ideological grounds.

A long trajectory of research on voting behavior and congressional elections casts doubt on voters' capacity for such informed judgement (Campbell et. al. 1960). Still another trajectory of work, however, has shown how retrospective evaluations of politicians' performance-- in particular judgements about the president and his party-- may be sufficient to help shape voting decisions in a seemingly rational way (Downs 1957, Fiorina 1981, Lewis-Beck and Rice 1992, Tufte 1978). At least in theory then, citizens should take account of legislative performance when deciding how to cast their votes. In evaluating incumbents, and majority party incumbents in particular, we might think that Congress's record in addressing major public problems would help shape constituents' voting decisions.

There are a number of ways in which we might explore the impact of legislative performance on legislators' electoral fortunes. First, we might consider whether the majority party's vote or seat share are affected by the frequency of deadlock in a Congress, under the hypothesis that voters are more likely to hold the majority party accountable for legislative outcomes than the minority party. Second, we might ask whether the frequency of stalemate affects incumbent margins more generally, under the hypothesis that voters are unlikely to blame only the majority party for legislative inaction.

Alternatively, we might explore electoral consequences at the individual level, asking whether legislative performance affects legislators' calculations about whether or not to run for re-election. If the

pursuit of good public policy motivates many members of Congress (Fenno 1973), we might expect that more frequent bouts with gridlock will reduce the appeal of serving in Congress.

Impact of Stalemate on Collective Electoral Fortunes

There is good reason to be skeptical of claims about the impact of gridlock on legislators' collective electoral fortunes. In general, explanations of congressional elections place causal weight on candidates and dynamics of the race, as well as on economic considerations. The activities of Congress are rarely, if ever, fingered as potential factors affecting voters' electoral choices (but see Jones and McDermott 2001). Instead, prominent students of congressional elections have highlighted the strong influence of challenger quality in shaping electoral outcomes (e.g. Jacobson 1997). It is not surprising that scholars have typically left unexplored the impact of legislative performance on congressional elections, given the well-known “Fenno’s paradox”: Constituents can hate Congress, yet love their own member (Fenno 1975). Poor legislative performance by Congress, in other words, is unlikely to affect candidates' collective electoral fortunes. Voters might be turned off by legislative inaction, but unlikely to hold incumbents’ performance against them in the voting booth.

A cursory analysis casts strong doubt on the hypothesis that legislative gridlock has a direct impact on legislators' electoral fortunes. In Table 6.1, I show pairwise correlation coefficients between the frequency of gridlock in each congress and a number of different indicators of House members' collective electoral fortunes.² None of the relationships is significant at standard levels of statistical significance: there seems to be no connection between legislative performance and standard measures of electoral outcomes. The strongest correlation detected—which suggests that as the frequency of gridlock increases, fewer House members win with over 60 percent of the vote—is still not significant in

² The frequency of gridlock is calculated as the percentage of salient issues on the legislative agenda that fail to be enacted into law each Congress. Methods for selecting issues and determining their salience are discussed in detail in Binder 1999. The results do not change appreciably if issues of higher or lower salience are included in calculating the gridlock scores.

a statistical sense. The results provide few grounds for arguing that gridlock has discernible consequences for House incumbents' collective electoral fortunes.

[Table 6.1 about here]

We can assess the impact of legislative performance on electoral outcomes by conducting a more robust analysis of variation in House incumbents' share of votes each election. Guided by the national elections model proposed in Jacobson (1997), I assess the extent to which legislative performance affects incumbent vote shares between 1948 and 1990, controlling for the effects of economic conditions and the presence of quality challengers (Table 6.2, column 1). Consistent with previous work on congressional elections, incumbent vote shares increase as the economy improves and decrease as more incumbents face quality challengers.³ As anticipated, legislative performance does not affect the electoral fortunes of incumbent House members. The frequency of stalemate also appears to have little effect on majority party vote or seat shares, nor on winning incumbents' average electoral margin (Table 6.2, column 2). Regardless of whether Congress does a better or worse job addressing salient issues, legislators' collective electoral fortunes are unchanged. Voters at election time hold neither the majority party nor incumbents accountable for the collective policy performance of Congress.

[Table 6.2 about here.]

Why do members not pay an electoral price for gridlock? This is probably attributable to Fenno's paradox. As Fenno explains, "we apply different standards of judgment, those that we apply to the individual being less demanding than those we apply to the institution" (Fenno 1975, 278). Incumbents learn quite well and quickly the tricks of the trade for securing re-election, focusing on meeting

³ Following Jacobson (1997) and Tuft (1978), the state of the economy is measured as the percentage change in real disposable income per capita over the year ending in the second quarter of the election year. For per capita income data, see U.S. Department of Commerce, Bureau of Economic Analysis, National Income and Product Accounts Tables, Table 8.7 (<http://www.bea.doc.gov/bea/dn/nipaweb/TableViewFixed.asp#Mid>, Accessed August 24, 2001). Challenger quality is measured as the percentage of incumbents facing challengers who have previously held elective office (challenger quality data available in the replication dataset for Cox and Katz 1996).

constituents' service demands and maintaining as much contact with as broad a swath of constituents as possible. Moreover, as they perfect the art of incumbency advantage, they insulate themselves from voters' policy judgments. Even if voters were prone to judge their members on policy grounds, members work to develop what Fenno refers to as "leeway" and "trust." So long as members are able to explain themselves and their votes to constituents, Fenno argues, voters are likely to give their members sufficient leeway in the conduct of their Washington lives (Fenno 1978). In the end, incumbents develop immunity from poor legislative performance, as voters divorce their judgments about Congress's record from their judgments about their own member.

Impact of Stalemate on Electoral Ambitions

Gridlock may have little direct effect on aggregate electoral outcomes. But the recurrence of legislative stalemate may take a toll on individual members' electoral calculations. True, if members are solely "single-minded seekers of re-election" (Mayhew 1974), then concerns about Congress's legislative capacity are unlikely to affect legislators' electoral ambitions. Knowing that there is little electoral cost for a poor legislative showing, members solely interested in being re-elected would have little reason to care about Congress's legislative record. Only if legislative gridlock curtailed members' ability to take credit, advertise themselves, and take positions-- the activities suggested by Mayhew as the staples of re-election minded-legislators-- would we expect legislators to take legislative performance into account when considering their electoral options.

But legislators sometimes care about re-election for more than just the sake of re-election. It may be that re-election for some is simply a *proximate* goal-- it is necessary for anything else a legislator might want to achieve in office. Many years ago, Fenno suggested the related possibility that legislators have multiple goals: While some may be primarily motivated by

gaining re-election, others are motivated by the pursuit of good policy or by the pursuit of power and prestige within the chamber (Fenno 1973). In Fenno's study, for example, variation in goals across members was critical to explaining differing patterns of committee politics and member behavior on committees.

The pursuit of good policy is prevalent in other treatments of Congress as well. Krehbiel's informational model posits that Congress is organized to give its members the incentive to develop and share policy expertise that redounds to the collective interests of the members, namely the formulation of public policy (Krehbiel 1991). If members cared only about their own re-election (or even about the provision of distributive goods to their constituencies), there would be little reason for them to invest in the costs of developing the expertise necessary to solve public problems. Even in more party-centric treatments of legislative organization, theoretical concerns about the production of good policy prevail. In Cox and McCubbins' (1993) party-cartel model, for example, the majority party organizes the chamber and its committees with an eye to building the party's electoral reputation, as they seek policy outcomes that serve the party's electoral agenda. In the policy-focused party model of Aldrich and Rohde (2000), policy goals are again dominant, as strong majority parties seek legislative outcomes that match the party's policy agenda. Policy pursuits are also said to be critical to members seeking to climb leadership ladders in the House, as more active legislative "entrepreneurs" are more likely to advance to prestigious positions within the chamber (Wawro 2000).

The production of public policy is thus central, albeit in varying degrees, to the individual and collective interests of legislators, parties, and chamber coalitions. Whether it serves legislators' policy goals or leadership aspirations, or parties' policy agendas or electoral reputations, Congress's policy performance can be critical to legislators even if its impact on

incumbent electoral fortunes is tough to detect. One way in which Congress's collective performance might affect individual legislators is through members' electoral calculations. A simple conjecture is that episodes of stalemate directly affect the incentive to run for re-election. When Congress heads towards a dismal policy record, legislators' incentives to remain in office should decline. When Congress improves its legislative performance, incentives to run for re-election should rise.

Explanations of voluntary departures often explore what has been termed the "no-fun" factor, a rising sense of job dissatisfaction.⁴ Such dissatisfaction has been conceptualized in a number of different ways, primarily viewing the no-fun factor at the individual level. "They [members] find practicing the basic politician's art of compromise more difficult....The satisfactions members receive from realizing policy goals have declined as the difficulties of building majorities behind coherent and meaningful programs have increased," observed Cooper and West two decades ago (1981, 289-90). If anything, claims about job dissatisfaction have only increased since Cooper and West conducted their study. Former U.S. Senator Warren Rudman's reflections on life in the Senate in the 1980s and early 1990s merit quoting at length:

Why are outstanding people leaving who could serve in the Senate another decade or two?...Most [of the ones I've talked to] are leaving because the Senate has become so partisan, so frustrating, and so little fun. The number of votes that senators cast each year doubled between the 1960s and 1980s, and many of the extra votes are politically inspired and meaningless. Members serve on more committees...and cast more votes there. And it's not that more work means more results. More often it leads to posturing and partisan gridlock...There's less time than ever for a social life or a family life, and the ever-increasing cost of running for election means that most senators must spend huge amounts of their time going with tin cup in hand to special interests for money (Rudman 1996, 254-5).

⁴ For support of the no-fun thesis, see Frantzich (1978), Cooper and West (1981), and Theriault (1998). The no-fun thesis is rejected by Moore and Hibbing (1992) and Hall and VanHouweling (1995).

Such arguments implicitly assume that at least a sizable cohort of legislators are likely to care intensely about making public policy, and thus may be driven to retire after recurrent episodes of legislative stalemate.

Analysis of the impact of the no-fun factor on electoral calculations is typically conducted at the individual level. Unfortunately it is quite difficult to capture the impact of legislative stalemate at the individual level. One study measures the impact of burnout by asking whether party mavericks are more likely to retire or whether stalled careers lead disproportionately to retirement. Another infers from patterns in retirees' partisanship and leadership status that job disaffection is likely a prime cause of the "broad and pervasive character" of the detected trends in retirements.⁵ The advantage of looking at the individual level of course is that it comports with our sense that institutional experiences should matter in varying degrees across members of Congress. The disadvantages are essentially methodological: It is all but impossible to measure the impact of stalemate on a personal level in any satisfying way.

As an alternative approach, I move to the aggregate level to explore whether episodes of stalemate reduce the appeal of serving in Congress. If so, as the frequency of deadlock in a congress climbs, so should the number of voluntary departures. An initial glance at the evidence suggests such a relationship, at least for the House: as stalemate becomes more frequent, more House members retire.⁶ The relationship holds when we examine both the total numbers of retirees each Congress and the number of retirees who do not seek other public office. In contrast, legislative stalemate does not seem to drive up Senate retirements, suggesting that senators may derive job satisfaction from sources beyond Congress's collective legislative

⁵ The two studies are, respectively, Theriault (1998) and Cooper and West (1981).

⁶ For the 80th-104th Congresses, Pearson's $r = .419$, statistically significant at $p < .05$.

performance. Because Senate rules impart much broader parliamentary rights to individual senators, it may be that senators can achieve valuable policy and political goals even without enacting major policy packages into law.

Does the relationship between gridlock and electoral calculation hold up once we apply multivariate controls? Drawing from the literature on congressional departures, we also need to consider whether the age of House members, the frequency of pay raises, and electoral vulnerability affect the number of retirements.⁷ As shown in Table 6.3, the frequency of stalemate shapes retirement decisions, even after controlling for the host of usual suspects indicted for driving up the number of retirements.⁸ In column 1, the impact of gridlock is seen on the total number of retirees each Congress from the House. In column 2, I limit the analysis to explaining the number of members leaving public service all together, dropping members who announce for other elective office. In both specifications, more frequent gridlock leads to higher numbers of retirees, as does an aging House membership and the decennial redrawing of electoral districts.⁹ In the aggregate at least, members appear to respond to episodes of legislative stalemate by choosing to retire at higher rates than usual, suggesting some truth to the

⁷ Age of the membership is measured as the mean age of serving members; the data are drawn from ICPSR and Carroll McKibbin, *Roster of United States Congressional Officeholders and Biographical Characteristics of Members of the United States Congress, 1789-1996*, 10th ICPSR ed. (Ann Arbor, MI: ICPSR, 1997). A dummy variable is used to denote whether or not House members received a pay raise during the Congress, and I tap electoral vulnerability with a dummy variable indicating whether or not decennial redistricting took place during the Congress. This measurement strategy follows Hibbing (1982).

⁸ Because the number of retirees can only be a non-negative integer, I model the count of retirees as a poisson distribution.

⁹ Calculation of the gridlock scores is discussed in detail in Binder 1999. Here, I calculate the percentage of salient issues ending in deadlock in each Congress. Salient issues are those receiving four or more New York Times editorials in a single congress. When I recalculate the gridlock scores to include issues of varying salience, the results for both columns hold for three additional levels of issue salience (issues receiving two or more editorials, three or more editorials, and five or more editorials). The results do not hold when *all* legislative issues mentioned by the *Times* are included when calculating the gridlock score.

old wisdom that as Congress becomes increasingly less "fun," members are especially prone to retire.

[Table 6.3 about here.]

Accounting for the impact of legislative performance helps shed some light on the puzzle in retirement trends across recent decades. Writing in the early 1980s, political scientists observed a near doubling of retirement rates in the 1970s, after a decade of fairly few retirees in the 1960s (Cooper and West 1981, Hibbing 1982). Hibbing attributes the increase in retirees to the lack of pay raises for members and the crumbling of the seniority system that would otherwise have given members an incentive to hang on till a committee or subcommittee chair was due to them. Job dissatisfaction, in contrast, was "overrated" as a cause of retirements (Moore and Hibbing 1992). But tracking the course of gridlock and retirement rates together helps to explain rising numbers of retirees in the 1970s. After several productive Congresses in the 1960s (with Congress and the president deadlocking on just a third of the agenda), stalemate began to rise in the 1970s (as gridlock rose to over 40 percent of the agenda). The evidence, having controlled for monetary and electoral motivations, suggests that failure to resolve public problems may have increased members' incentives to call it quits in the early 1970s. Not surprisingly then, an abrupt drop in retirement rates in the 1980s was matched by a marked decline in deadlock at the same time (falling 20 points between its high in the 97th Congress and its low in the 101st). The surge in retirements in the early 1990s then follows naturally from the spike in stalemate at that time.

Legislative performance thus affects the electoral lives of members in a limited, but consequential, way. Although I detect no collective electoral ramifications for members, legislative stalemate certainly helps to shape pivotal electoral choices made by legislators. Career decisions are indelibly shaped by legislators' experiences on the Hill, not surprising given how central the pursuit of

good policy is to members' ambitions and goals in office. When Congress leaves a host of public problems unresolved (often year after year), we shouldn't be surprised to find that such experiences lead more members to contemplate leaving Congress. Deadlock has a strong electoral impact on the appeal of public service.

Institutional Impact

If gridlock's only consequence was to drive more members to retire, one might counter that there is always a supply of candidates for congressional seats. None of the 435 seats of Congress are after all empty. Even if legislative inaction were to lead the best members to retire out of frustration with their experiences on the Hill, newcomers would always be available to populate and rejuvenate the halls of Congress. Viewed in this light, a causal connection between deadlock and retirement rates would be of limited concern.

Such a conclusion would be premature, however, if legislative stalemate has ramifications beyond the electoral realm. In particular, we should be attentive to the possibility that legislative performance helps to shape public views of Congress. There may be enduring institutional, as well as electoral, consequences of gridlock. If policy stalemate does affect Congress's public standing and reputation, the legitimacy of the institution as a forum for resolving matters of public dispute may periodically be called into question. And if gridlock affects Congress's institutional standing, we might also expect legislative stalemate to affect public perceptions of the president.

Impact of Stalemate on Congressional Approval

One recent study of public approval of Congress ends with a provocative conclusion: Enactment of important and consequential legislation actually drives down public approval of the institution (Durr, Gilmour, and Wolbrecht 1997). As the authors conclude, "When Congress acts as it was constitutionally designed to act-- passing major legislation and debating the issues of the day-- it is

rewarded by the public with lower levels of approval" (1997, 199). After controlling for economic expectations and public views of the president, climbing levels of successful legislative activity (as well as rising levels of conflict in the chambers) drive down Congress's public standing. The conclusion is deemed ironic, and, as I argue below, appropriately so. Others have argued that the public distrusts Congress because people dislike bargaining and conflict endemic in legislative politics (Hibbing and Theiss-Morse 1995). But even proponents of that thesis argue that successful legislative agreement between Congress and the president can drive public approval back up. Hibbing (1999), for example, anecdotally attributes the upturn in congressional approval in mid-1997 to the successful enactment that summer of a balanced budget agreement.

That legislative performance would drive public views about Congress seems quite rational. An early Harris poll, conducted in December 1963, detected such a link when it asked a nationwide sample to rate the job performance of Congress. Thirty-five percent of respondents rated Congress's performance as "Excellent" or "Pretty Good," while 65 percent considered it "Only fair" or "Poor."¹⁰ Of those slapping Congress with the lower rating, fully two-thirds attributed their views to legislative inaction. Thirty-two percent said that Congress had "not done much"; twelve percent complained Congress had "avoided major bills," eleven percent felt that "everything stalled in committee," and eleven percent argued that Congress had simply been "too slow." Of those rating Congress more positively, a third praised Congress for its progress in passing legislation.¹¹

Classic studies of the determinants of congressional approval, however, tend not to evaluate the impact of legislative performance on public views of the institution. Parker's (1977) work, for example,

¹⁰ These results and the ones that follow are from Louis Harris and Associates, *Harris Survey*, December 1963. Poll results available through Roper Center at University of Connecticut, *Public Opinion Online*.

¹¹ More specifically, 17 percent of respondents noted that Congress had "passed some good bills," and 17 percent credited Congress with "making some progress." If we add in the 49 percent who were satisfied that Congress was "trying hard," over 80 percent based their evaluation on Congress's legislative performance.

focused on the impact of the economy and presidency-centered factors in explaining early trends in congressional approval. A later study by Patterson and Caldeira (1990) also primarily examined forces external to Congress.¹² The Durr, Gilmour, Wolbrecht (1997) study is thus notable in part for its empirical effort to assess whether and to what degree congressional performance helps to shape public attitudes towards Congress. Given their ironic finding that higher levels of congressional activity actually drive down public approval, it pays to revisit the relationship between legislative performance and policy gridlock.

I start with the proposition that what Congress accomplishes-- or fails to accomplish-- strongly affects public evaluations of Congress. As deadlock becomes more frequent, we should expect congressional approval rates to decline. Unfortunately, there is no consistent time series of survey questions reaching back to the 1940s that asks respondents to evaluate Congress's job performance. Instead, I construct a series of survey responses for the period 1963 through 1996 based on surveys conducted by Gallup and by Louis Harris and Associates over that period.¹³ Because I have a single measure of gridlock for each Congress, I use the survey results closest to the November elections in each Congress to measure congressional approval.¹⁴ I then assess the

¹² The analysis examines legislative activity in a very limited way. Congressional action is measured by a dummy variable for the first session of each Congress (on the assumption that partisan activity is higher in that session than the second) and by a count of *New York Times* mentions of Congress as an institution, of members of Congress, and of ethics reports and investigations.

¹³ The data are compiled in Cooper (1999), Table A.20. The question asked by Harris for 1963-1970 and 1973 is "How would you rate the job Congress has been doing so far this year-- excellent, pretty good, only fair, or poor?" Excellent and good responses are considered as approval of Congress; only fair and poor responses are coded as disapproval. Gallup began asking a similar question in 1974, continuing to the present: "Do you approve or disapprove of the way the U.S. Congress is handling its job?" Neither organization appears to have asked the question in the 92nd Congress (1971-2), forcing me to drop this observation in the analysis below (as well as the observation for the 88th and 93rd Congresses since I lack lagged approval ratings for both congresses).

¹⁴ Durr, Gilmour, and Wolbrecht in contrast use a quarterly measure of congressional approval. Moving to that unit of analysis is impractical for this analysis, however, as my theoretical interest is in whether the sum of each Congress's legislative record affects the public's near final evaluation of each Congress.

impact of legislative gridlock, presidential approval levels, and economic conditions on the level of public approval of Congress.¹⁵

In Table 6.4, I show the results of a model that explores the impact of legislative performance on public views of Congress.¹⁶ Despite the small sample size, I detect a statistically meaningful relationship between legislative stalemate and congressional approval, as more frequent deadlock lowers the public's evaluation of Congress.¹⁷ Substantively, a one percent increase in gridlock lowers public approval by half a percentage point—perhaps not a huge effect, but certainly a noticeable one when stalemate fluctuates markedly over a short period of time. The nearly thirty point jump in gridlock during the 102nd Congress after a relatively productive 101st thus helped to provoke a marked decline in public approval by the time the 102nd Congress concluded before the 1992 presidential election. In contrast, the connection between macroeconomic conditions and congressional approval is much weaker, though it heads in the expected direction: rising levels of inflation tend to lower Congress's standing in the public eye. Contrary to previous studies, however, congressional approval does not move in tandem presidential popularity-- perhaps a reflection of the predominance of divided government

¹⁵Presidential approval is based on the president's average approval rating in each even-numbered election year (see Ragsdale 1996, Chapter 5). Macroeconomic conditions are measured by the average unemployment and inflation rates for each Congress. Annual unemployment rates available at U.S. Department of Labor, Bureau of Labor Statistics, <ftp://ftp.bls.gov/pub/special.requests/lf/aat1.txt> (accessed August 24, 2001). Inflation rates available at U.S. Department of Labor, Bureau of Labor Statistics, <ftp://ftp.bls.gov/pub/special.requests/cpi/cpiiai.txt> (accessed August 24, 2001). Following Durr, Gilmour, and Wolbrecht, I also control for the lagged level of congressional approval (from the previous congress).

¹⁶ We can safely reject the presence of a unit root in the congressional approval time series with a Dickey-Fuller test ($p=.05$). Running the analysis with OLS regression yields a Durbin-Watson statistic of 1.1. Thus, in Table 6.4 I estimate the model using a Prais-Winstone estimator to correct for possible first-order serially correlated residuals. Doing so, however, does not improve the Durbin-Watson statistic and produces substantively similar results. The Prais estimator does improve the overall fit of the model, so I present these results in lieu of the OLS estimates.

¹⁷ I calculate the frequency of gridlock over all salient legislative issues (those issues receiving four or more *Times* editorials). The results hold when I calculate gridlock scores based on either three or more, or five or more *Times* editorials per issue.

over the 14 congresses studied here. Weakening political parties and the recurrence of divided government have likely combined to de-couple citizens' evaluations of the president and Congress, links that were clearly visible several decades ago.¹⁸

[Table 6.4 about here.]

The results are striking on several fronts. First, although there may be limited electoral consequence to legislative stalemate, institutional ramifications are clearly visible in the public's wavering esteem for Congress. Most importantly, the results put into perspective the ironic finding of recent research that the more Congress performs its constitutional duties, the worse its approval ratings. By taking direct account of Congress's achievements as well as its failures, the analysis here produces more palatable and intuitive results. It is safe to say that the public takes reasonable stock of Congress's overall legislative record and keeps that record at least partially in mind in evaluating its job performance. Legislative accomplishments are rewarded by the attentive public; legislative failures are not. Although this finding runs counter to the conclusions reached by Durr et. al., it does comport with individual-level studies conducted many years ago that concluded that public evaluations of Congress were based largely on perceptions of Congress's job performance (Parker and Davidson 1979).

Second, accounting directly for what Congress achieves or fails to achieve markedly improves our ability to explain fluctuations in congressional approval. Rather than attributing changes in public views to events and conditions external to Congress, the analysis here suggests that Congress can have a direct and discernible impact on its public reputation—essentially eclipsing the impact of the economy on congressional popularity. This finding helps to put into

¹⁸ On the link between congressional and presidential assessments, see Davidson, Kovenock, and O'Leary (1966, Chapter 2). The effects of weakening parties on public evaluations of candidates, presidents, and parties are discussed in detail in Wattenberg (1998).

perspective a recent argument that the inherent messiness of political debate, bargaining and compromise inevitably lowers the public's view of Congress, and thus puts real improvement in Congress's public standing out of reach of its members (Hibbing 1999). Although the inherent messiness of democratic government may severely handicap Congress in the public's eye relative to other national institutions and players, the link between legislative performance and public approval suggests that Congress retains some ability to shape its popularity.¹⁹

Impact of Stalemate on Presidential Approval

Congress of course does not act alone in addressing the major issues of the day. Final tallies of legislative performance reflect as well the preferences and strategies of the president. Given the intricate involvement of both the president and legislators in the fashioning of major policy change, it is reasonable to ask whether the public holds the president accountable for policy performance in Washington. Given the link between stalemate and congressional approval, we might expect to find a similar impact of stalemate on presidential popularity.

Studies of presidential popularity have in the past addressed the role of the president's policy performance in shaping his public standing.²⁰ Most often, however, policy performance is measured indirectly-- for example as a count of certain legislative roll call votes or by media coverage of salient policy issues.²¹ In such studies, legislative performance is more often conceptualized as the president's legislative effectiveness, as scholars have primarily been interested in whether the public holds the president accountable for achieving his own policy agenda. Thus, studies of presidential approval have tended not to incorporate broader measures

¹⁹ Whether the public holds the majority party especially accountable for Congress's legislative performance remains an unanswered question, due to the lack of a coherent Gallup time series that asks respondents their views about the congressional majority party.

²⁰ For a summary of the literature as of 1991, see Edwards (1991).

²¹ See, for example, Ostrom and Simon (1985), Brody (1991), and Edwards, Mitchell, and Welch (1995).

of legislative outcomes that measure overall performance on the public agenda. Even so, scholars have shown through various indirect proxies for the president's policy performance that his legislative activities help to shape public perceptions of his presidency.

How and why might legislative outcomes affect the president's public standing? The simplest possibility is a direct effect. Just as congressional approval seems to run in tandem with Congress's overall legislative record, we might expect the public's perception of the president every two years to hinge in part on the overall policy record of each Congress. For the two to be tightly entwined, however, the public would have to associate Congress's legislative record with the president's own agenda. If the two are seen as pursuing different sets of policy goals, we might not expect the public to hold the president accountable for Congress's legislative work. We can easily evaluate whether gridlock directly affects presidential popularity by examining the degree to which legislative performance drives changes in biennial approval ratings of the president.

There is good reason to be skeptical of finding a direct link between stalemate and presidential popularity. Most importantly, presidents tend to be focused on a much narrower agenda than the fifteen to twenty salient issues that end up on the legislative agenda each Congress. President Clinton's first term agenda, for example, might easily be boiled down to health care and welfare reform, reducing the budget deficit, and securing a North American free trade agreement. President George W. Bush's first term agenda before September 11th might similarly be condensed to a thin slate: tax cuts, missile defense, social security and education reform (and thereafter to an even smaller slate: war on terrorism and economic recovery). If the president, and thus the media, focus on a much narrower set of policy goals, public impressions

of the president might not be colored by Congress's broader policy accomplishments or failures. Thus, legislative performance might not register much of an effect on the president's popularity.

Presidential and congressional agendas are most likely to differ when the two parties divide control of the branches. Thus, an alternative possibility is that presidential credit or blame for Congress's overall record hinges on whether or not his party controls Congress. During periods of divided control, a president might wisely distance himself from Congress's policy record, especially in times of considerable gridlock. Given his command of a bully pulpit and his ease of "going public," a president could easily blame Congress for its inability to act on matters of national importance. Given the division of party control of the White House and Congress, even an attentive public might have little means of deciding whether or not the president should be blamed for legislative inaction. Periods of split party government might blunt the public's ability to reward or punish the president for legislative gridlock, insulating the president from being blamed for stalemate. In periods of unified control, in contrast, presidential and congressional fortunes should be tied more closely, as it is much tougher for the president to distance himself from the majority party's legislative record. We might expect then that during unified government, presidential approval would run closely in tandem with frequency of deadlock, as the president would be unable to escape blame for legislative inaction by his own party.

To evaluate whether and how stalemate might shape presidential approval, I build a simple model of presidential popularity. Such models typically suggest that economic conditions and dramatic international events or crises together shape public perceptions of the president (see among others MacKuen 1983). Presidents are said to pay dearly for poor economic times and to be rewarded by the public in times of international crises, the so-called rally-around-the-flag

phenomenon (Brody 1991). I model changes in the aggregate level of presidential approval as a function of prevailing economic conditions, political crises and the overall frequency of legislative stalemate each Congress.²² I probe first for a direct effect of stalemate on popularity, and then assess whether party control conditions the impact of gridlock on approval levels.

The results in Table 6.5, column 1, largely confirm existing literature on presidential popularity.²³ Presidents are penalized as inflation rises, although in this specification they are unaffected by crises abroad. Missing, however, is any direct effect of legislative gridlock on the president's approval ratings.²⁴ The public does not hold the president accountable for Congress's general policy performance, even though successful enactment of major legislation depends on the involvement (and usually the signature) of the president.

[Table 6.5 about here]

The results in columns 2-6 suggest a more nuanced portrait of how legislative performance affects the president's standing. The direct impact of legislative stalemate on the president's standing is again muted. More important, the public appears to hold the president

²² My dependent variable is the president's average approval rating in every even-number (election) year. I measure economic conditions with two variables: the rate of inflation and unemployment. To account for the impact of international crises, I create a dummy variable denoting whether or not a noted crisis occurred in the election year during which presidential popularity is measured. For the period 1948-1952, I use the list of rallying events in Brody (1991), Table 3.1; for 1952-1980, I use the list of crises that provoked or were created by U.S. involvement compiled by Ostrom and Simon, (1995), Table 2; for the period 1981-6, I use Brody's list; and for the year 1988-1996, I code as international crises the Persian Gulf War in 1990 and the Haiti uprising in 1994. To test for the conditional effect of gridlock, I interact the measure of stalemate with a dummy variable indicating whether or not unified party control was in place during the congress.

²³The models are estimated as ordinary least squares. The Durbin-Watson statistic for column 1 is 1.63; column 2, 1.66; column 3, 1.72; column 4, 1.71, column 5, 1.64, and column 6, 1.73. All are sufficiently close to 2.0 to eliminate the need to control for first order auto correlation of the residuals. A Dickey-Fuller test rejects the null hypothesis that a unit root exists in the presidential popularity data. I estimate the models with the *regress* routine in Stata 7.0.

²⁴The column header (e.g. "Gridlock-1") refers to the salience range of the legislative issues included in the calculation of the gridlock score for each congress. Lower scores (e.g. gridlock-1) include issues of all salience levels. Higher scores (e.g. gridlock-5) include only more salient issues. Salience is determined by the number of *New York Times* editorials published each Congress on the issue (Binder 1999). "Gridlock-5" for example includes only those issues receiving 5 or more *Times* editorials in a single Congress.

accountable for his party's legislative performance when his party controls both chambers of Congress. Increases in the frequency of deadlock during periods of unified control drive down the president's approval rating, even after controlling for changing economic conditions and dramatic political events. To be sure, the substantive impact of gridlock on presidential popularity is slight relative to economic factors. But presidents clearly cannot escape blame for feeble legislative accomplishments, just as they are rewarded when their party is more successful on Capitol Hill. The president's public standing is marked by his party's legislative performance. Most striking, Congress's policy performance affects presidential approval at all levels of issue salience (as shown by the statistically significant coefficient for the interaction variable in each of columns 2-6).

How important are these connections between gridlock and the public standing of Congress and the president? From one perspective, institutional effects of stalemate merit little additional thought. Given the limited electoral fallout of gridlock, politicians have little incentive to alter their ways of doing business, and citizens seem to have little interest in holding legislators accountable for their broader policy records. But from another perspective, institutional consequences matter a lot. If the public standing of Congress and the president are driven down by legislative inaction, it follows that the legitimacy of the two as national policy-making institutions is inherently linked to their job performance. In other words, members of Congress and the president have some degree of control over how the public views them and how highly they regard them. Some have argued that because the public is turned off by the messiness of legislative politics, institutional reforms alone are unlikely to improve Congress's public image (Hibbing and Theiss-Morse 1995). But the results here suggest the opposite.

Because productive legislative periods are rewarded by the public, improvements in legislative mechanics may help to raise the public standing of Congress and the president.

The Dilemma of Gridlock

As noted at the outset, considerable stalemate over budget priorities reined in 1999 as Democrats and Republicans proved unable to decide what to do with a newly emerging budget surplus. Rather than decide affirmatively what to do with the surplus, the two sides essentially opted to do nothing. Excess revenues would go automatically into the general treasury, thereby reducing the nation's staggering national debt. Gridlock was hailed for its salutary economic effects: Why push hard for policy agreement when stalemate was producing such positive results?

Despite the apparent economic benefits of gridlock during periods of budget surplus, neither party today likely sees gridlock as a long-term strategy for governing. First, the federal surplus has all but disappeared for now, with the war and recovery efforts after the attacks of September 11th (as well as deteriorating economic conditions and tax cuts) eating into the surplus resting outside of Social Security accounts. Second, regardless of the health of the budget, both parties remain sufficiently committed to legislative agendas (whether conservative or liberal in design) that neither side will likely pursue gridlock simply for its economic effects. The costs of bolstering the nation's defenses against terrorism are at the top of both parties' agendas. Beyond that, Republicans keep tax cuts, education, and social security reform high on their agendas-- all of which require considerable legislative action and prowess to achieve. Democrats have their own slate of additional issues and are equally unlikely to settle for legislative inaction. And third, given the institutional consequences that accompany more frequent gridlock, such a strategy would be folly by the political parties. Members of Congress and the president might

reap short-term gains from reducing the national debt through gridlock, but such gains would likely be washed out as their approval ratings sank with more frequent deadlock. The argument that gridlock has important and worthwhile economic effects is a two-edged sword: Gridlock may help to reduce the national debt during periods of fiscal well-being, but legislative inaction simultaneously drives down the public standing of Congress and the president.

Before leaping to the conclusion that presidents and Congress have important incentives to resolve pressing problems of public policy and thus to reduce gridlock, a critical caveat remains. Although we can discern some institutional consequences of gridlock, there is only limited evidence that Congress pays an electoral cost for legislative stalemate. True, members' personal electoral ambitions seem to be tempered by periods of legislative gridlock, but there is little evidence that either Congress or the majority party pays a collective electoral cost for its failures. Although gridlock may reduce Congress's standing in the public's eyes, voters seem not to let legislative performance systematically shape their choices at election time. So is there really an incentive for legislators to find ways of circumventing or resolving legislative stalemate?

This question raises what we might call the dilemma of gridlock. Despite the harm frequency stalemate does to institutional reputations, there is little electoral incentive for legislators to address it. Granted, legislators have other motivations that may impel them to work hard to resolve gridlock, be it the goal of making good policy, an electoral inducement or reward from interested outside groups, or some other motivation. But there is probably limited incentive for legislators to invest the time in institutional reforms that might help to alleviate the excesses of gridlock. Legislative scholars have repeatedly found that congressional reforms are more likely to be undertaken when sufficient numbers determine that their own interests would

be best served by altering the institution (e.g. Davidson and Oleszek 1977, Smith 1989, Sinclair 1989). Absent such immediate benefits of reform, legislators will be unlikely to invest the time in devising reforms nor succeed in securing them.

This then is the dilemma: Gridlock has harmful effects on institutional reputations, but there is little electoral incentive for legislators to do anything about it. In a sense, the dilemma is a corollary to Fenno's paradox, that the public loves their member while hating Congress. Because incumbents work so hard to secure their re-election by keeping constituents content, they immunize themselves from electoral defeat, as well as from broader assessments of Congress as an institution. Congress-bashing by members helps to reinforce the distinction between Congress as an institution and its individual members. The dilemma of gridlock thus follows naturally from Fenno's paradox. Gridlock does not affect collective electoral fortunes because voters' electoral judgments are rarely colored by their institutional assessments of Congress. They can love their member while hating the institution (and all it succeeds or fails to do). Still, the results here suggest that stalemate has a discernible impact on congressional and presidential approval: Institutional reputations ride on the ups and downs of legislative performance. How successful Congress and the president are in making law thus has deep and broad ramifications not only for the state of public policy, but for the character and legitimacy of the two branches as well.

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Table 6.1
Relationship of Gridlock to Collective Electoral Fortunes,
House of Representatives 1948-1998

Electoral Variable	Relationship to level of gridlock ^a
Majority party's share of all House votes ^b	-.03
Change in majority party's share of all House votes ^b	.0356
Change in majority party's share of House seats won ^b	.0308
Mean winning House incumbent electoral margin ^c	.0465
Incumbents' share of the major party vote ^d	.2261
Percent of incumbents re-elected with over 60% of the major party vote ^b	-.2332
Percent of incumbents re-elected (of those seeking re-election) ^b	.0665

^aCell entries are pairwise correlations between the frequency of legislative gridlock and each electoral outcome variable. No entries are significant at $p < .05$.

^bSource: Ornstein, Mann, and Malbin 2000. Variable measuring percentage of incumbents re-elected with over 60% of the major party vote limited to 1958-1998.

^cData from King (1994).

^dData from replication dataset for Cox and Katz (1996).

Table 6.2
Impact of Legislative Performance on
House Members' Collective Electoral Fortunes, 1948-1990

Variable	(1) Incumbents' average vote share Coefficient (s.e.)	(2) Mean electoral margin of winning incumbents Coefficient (s.e.)
Frequency of gridlock	.091 (.066)	.003 (.002)
State of economy	28.651* (14.802)	1.156** (.444)
Challenger quality	-17.627* (10.462)	.698 (.314)
Constant	61.930*** (3.515)	-.047 (.105)
N	22	22
F	2.60	4.43
Prob F	.084	.017
Adjusted R-squared	.186	.329

Note: * p < .05, ** p < .01, *** P < .001 (one-tailed t-tests). Parameter estimates generated with *regress* routine in Stata 7.0.

Table 6.3
Impact of Legislative Performance
on House Retirement Rates, 1948-1994

	(1) All House Retirees	(2) House retirees not seeking other office
Variable	Coefficient (s.e.)	Coefficient (s.e.)
Frequency of gridlock	.009* (.004)	.013* (.006)
Mean age of members	.021 (.030)	.08* (.039)
Redistricting year	.222* (.096)	.329** (.119)
Pay raise year	.125 (.095)	.077 (.121)
Constant	1.905 (1.633)	-1.965 (2.114)
N	24	24
Log likelihood	-93.712	-90.563
LR Chi2	22.01	31.65
Prob. Chi2	.0002**	.0002**

Notes: * $p < .05$, ** $p < .01$ (all one-tailed t-tests). Parameter estimates (standard errors in parentheses) generated with Stata 7.0's poisson routine.

Table 6.4
Impact of Legislative Performance on Congressional Approval, 1966-1996

Variable	Coefficient (s.e.)
Frequency of gridlock	-.528* (.250)
Presidential approval	-.550 (.273)
Inflation rate	-1.501 ^a (.865)
Unemployment rate	-.618 (1.964)
Lagged congressional approval	.160 (.185)
Constant	86.676** 21.799
rho	.626
N	14
F	5.51
Prob F	.017*
Adjusted R-square	.634

Note: ^a p < .1, * p < .05, ** p < .01 (one-tailed t-tests). Parameter estimates are corrected for first-order serially-correlated residuals using the Prais-Winston estimator and are generated with the *prais* routine in Stata 7.0.

Table 6.5
Impact of Legislative Performance on Presidential Approval, 1948-1998

Variable	(Gridlock-1) Coefficient (s.e.)	(Gridlock-1) Coefficient (s.e.)	(Gridlock-2) Coefficient (s.e.)	(Gridlock-3) Coefficient (s.e.)	(Gridlock-4) Coefficient (s.e.)	(Gridlock 5) Coefficient (s.e.)
Frequency of gridlock	-.064 (.307)	-.206 (.299)	-.001 (.273)	-.082 (.226)	-.119 (.213)	-.069 (.189)
Legislative gridlock during unified govt.	--	-.179* (.097)	-.158 ^a (.111)	-.172 ^a (.110)	-.195* (.114)	-.207* (.115)
Inflation	-2.369** (.765)	-2.306** (.722)	-2.345** (.754)	-2.253** (.737)	-2.224** (.727)	-2.271** (.722)
Unemployment	1.317 (1.711)	.242 (1.717)	.263 (1.814)	.437 (1.762)	.392 (1.720)	.271 (1.658)
International crisis	1.900 (4.230)	5.240 (4.386)	4.467 (4.471)	4.405 (4.517)	4.582 (4.392)	4.523 (4.266)
Lagged approval	.227 (.179)	.108 (.181)	.153 (.181)	.170 (.175)	.146 (.175)	.146 (.174)
Constant	45.803* (19.641)	67.130** (21.871)	53.759** (18.740)	55.182** (15.778)	58.124*** (15.871)	56.942*** (15.317)
N	25	25	25	25	25	25
F	3.12*	3.48*	3.10*	3.22*	3.40*	3.46**
Adjusted R-squared	.306	.383	.344	.357	.375	.381

Notes: * p < .05, ** p < .01, *** p < .001, ^a p < .1 (all one-tailed t-tests). Parameter estimates (standard errors in parentheses) generated with Stata 7.0's *regress* routine.