

THE FAILING AGENDA

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ABSTRACT

Neil Weinberg: The Failing Agenda
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Scholars of the presidency have focused their attention on the factors that correlate with legislative success while also assuming that presidents want to avoid legislative failures at all costs. However, researchers have yet to advance an explanation for why presidential policy proposals succeed at such a low rate when presidents should be able to avoid these types of failures if they wished based on their knowledge of those correlates of success. This paper examines previous work on presidential success in Congress and hypothesizes about factors that could lead presidents to intentionally pursue items that are likely to fail. Those hypotheses are then used to develop a theory of presidential motivation – that presidents seek the maximum possible effect on public policy outcomes – by which we can better evaluate American presidents. I conclude by discussing the implications of this theory for future study of the presidency.

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Congressmen are “single-minded seekers of reelection.” That is the way David Mayhew (1974) put it forty years ago when positing a motivating assumption by which we could understand members of Congress. Plenty have followed and improved upon Mayhew’s ideas and methodology in the four decades since he wrote *The Electoral Connection*, but he framed nearly all future discussion of Congress with that simple phrase. The presidency has no such phrase. Perhaps Richard Neustadt’s “presidential power is the power to persuade” comes close, but Neustadt’s words do not provide a motivating assumption. Most work that studies presidential success or efficiency imposes a set of goals upon presidents rather than seeking to discover what it is that motivates them. We know a great deal about what presidents do, but much less about why they do it.

Scholars have done a tremendous amount of research in the field of presidential policymaking in Congress, but at best, that work only hints at the factors that motivate presidents in the domestic policy arena. The factors presented in the literature center around the desire to win votes on which the president takes a position. Jeffrey Cohen (2012, 5) illustrates this view quite well:

This congressional anticipations theory thus begins with a simple assumption: that presidents do not want Congress to defeat their legislative proposals because of the cost of such defeats.

The current theme of motivation throughout the literature should lead us to predict that presidents will never willingly take positions on items on which they expect to fail. The factors that determine congressional voting behavior should allow presidents to predict the outcome of votes at a reasonably high rate, but we observe presidential success rates that are significantly lower than those predictions, meaning that presidents are either unable to correctly make these predictions or that they are motivated by something other than a simple desire to win votes.

This paper presents a theory of presidential motivation and proposes ways to build our measures of effectiveness around that motivation. If our goal is to measure presidential influence, then doing so properly requires that we calibrate our metrics to align with what presidents are actually trying to achieve. To generate that theory of presidential motivation, I will hypothesize about the causes of one of the most startling disconnects in the literature; the high degree of presidential failure despite theories of the presidency that seem to predict very little.

I propose five explanations for this level of failure: ignorance, electoral, uncertainty, agenda setting, and strategic. Those hypotheses center around a single theory that not only explains the prevalence of presidential failure in Congress, but other presidential behavior as well. The motivation I present here is simple - *Presidents seek the maximum possible effect on public policy outcomes* - but carries with it a number of important consequences and future avenues for research that I will discuss in the conclusion of the paper, specifically that our measures of presidential success need to focus on policy outcomes rather than legislative procedure and that current theories of presidential leadership are too reliant on theories of legislatures.

A THEORY OF THE FAILING AGENDA

Despite a substantial amount of research on presidential success in Congress, the literature lacks a true theory of presidential motivation. Existing theories of the presidency tend to focus on how presidents do things, rather than what they are trying to achieve when they pursue a given strategy. Studies of presidential-congressional relations often assume a motivating theme, the desire to win important votes on which the president has taken a position, but that theme regularly conflicts with the reality the authors go on to present. That particular assumption shows up across the standard literature on presidential success in Congress. Anthony King (1983,

247) delivers a clear articulation saying “all [the president] really need from Congress is votes, but you need those votes very badly.” George Edwards (1989, 4) agreed that “Presidential leadership of Congress typically revolves around obtaining or maintaining support for the chief executive’s legislative stances” (see also Edwards 1980, Bond and Fleisher 1990; Bond, Fleisher, and Krutz 1996; Covington, Wrighton, and Kinney 1995; Fleisher and Bond 2000).

Most of these studies conclude that the partisan, ideological, and leadership makeup of the chamber largely determine success (Bond and Fleisher 1990, Edwards 1980, Rivers and Rose 1985). Additional work follows along with this line of reasoning and suggests that presidents “strategically” pursue only those agenda items which will pass in Congress (Edwards 2009, Cohen 2012). Together, past work on the matter predicts that presidents will very rarely take a position on a vote in Congress that they expect to lose and some of that work predicts that they will almost never take such a position. Cohen (2012, 4-5) offers a recent articulation of this view. He writes:

I offer a theory, congressional anticipations, that resolves both of these puzzles. The core tenet of this theory is that presidents take into account the congressional environment when deciding which proposals to submit to Congress. That is, they calculate the likelihood that Congress will enact the proposal. For reasons noted earlier,¹ presidents want to avoid being defeated by Congress. If presidents expect a proposal to be defeated, they have several ways to minimize being defeated. First, a president can decide not to submit a proposal to Congress. Second, presidents can modify their proposals to increase the likelihood that Congress will enact them. Third, presidents can collect resources to improve their bargaining situation with Congress, using those resources to increase the likelihood that Congress will approve and not defeat their proposals. Presidents engage in these strategic behaviors to minimize being defeated because presidents view congressional defeat of their legislative proposals as costly.

This congressional anticipations theory thus begins with a simple assumption: that presidents do not want Congress to defeat their legislative proposals because of the cost of such defeats.

¹Cohen (2012, 3) is referring to this line: “Being defeated can be costly to a president. Defeat can harm a president’s leadership image and undermine his public support.”

The empirical reality contrasts with a key tenet of the congressional anticipations theory (CAT). Presidents routinely take positions on bills in Congress that are “dead on arrival,” when in fact the absence of “dead on arrival” legislation is a logical requirement of CAT. CAT and related work imply that presidents should devote a great deal of effort into predicting how Congress will receive a given proposal, that presidents should make reasonably accurate predictions about that reception, and that presidents will never propose something that has no chance of passing because their primary goal is to avoid costly defeats.

In addition, presidents simply lose congressional votes at a reasonably high rate, which CAT would not expect because CAT argues that presidents would gauge the congressional response before making the proposal and then alter the proposal such that Congress would accept it. A “loss” in this context is when a president supports a bill that doesn’t make it to a vote, supports a bill that makes it to a final vote and fails, or opposes a bill that passes. This literature argues that presidents have the ability and desire to make accurate predictions about a bill’s prospects and that presidents want to avoid defeat at all costs, but then fails to speak to the vast amount of failure we observe in the data. Collectively, their analyses speak to what factors are correlated with success but they do not address how successful presidents *should* be given their predictive power and assumed motivation.

While we should not expect all theories of politics to work perfectly in all settings, the vast amount of this type of “presidential failure” should lead us to reconsider the motivations we attach to presidents. Existing work suggests that presidents know which bills are likely to pass and that they will devote their limited time and resources toward the passage of those bills, yet time and time again, presidents spend time on issues that have very little future in Congress. Explaining why they do that, and specifically why they often make a conscious choice to fail (or

to care very little about the costs of failure), will help us understand their goals and aspirations while in office, which will lead us to make better predictions about presidential behavior and strategy in the future.

MEASURING PRESIDENTIAL SUCCESS

Domestic policy failure in Congress varies across time, president, partisan alignment and a set of other factors, but the important thing to note at first is that failure is ever-present. Even the most “successful” presidents fail more often than we would predict based on existing work and some presidents fail a shockingly high amount of the time. To measure success Bond and Fleisher (1990) make use of Roll Call votes, Edwards (1980) uses presidential support scores which track how often a given member supports the president when the president takes a position, Cohen (2012) uses how often presidential proposals are adopted, and Beckmann (2010) looks at how often something the president supports becomes law and how often something they oppose fails. No matter how you look at it, presidents never achieve the level of success we would anticipate if they were simply trying to maximize their success rate.

Discovering the reasons why presidents fail when our current understanding suggests that they have the ability and desire to avoid it should help us derive a theory of presidential motivation by which we can evaluate future presidents.

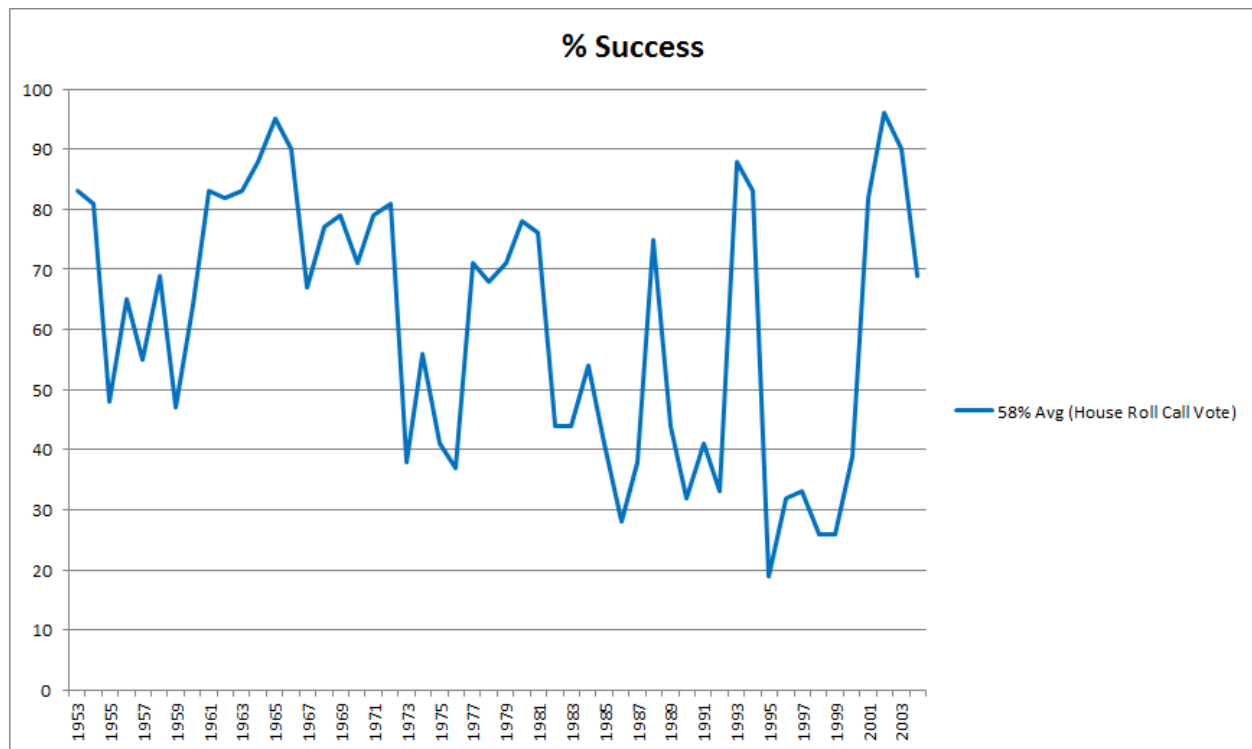


Figure 1: Percentage of House Roll Call Votes in which the president's side "won," 1953-2004 (n=3,044). Source: Policy Agendas Project.

If you simply look at House Roll Call Votes on which the president took a position and at least 15 percent of the chamber voted on each side (Figure 1), you find that the average success rate (the number of wins divided by the total number of positions) for presidents between 1953 and 2004 is only 58 percent. As we would expect, there is variation from year to year based on partisanship, ideology, and other factors we associate with success in Congress, but if presidents were actively trying to only take positions on bills on which they expected to win, they should be able to do much better.

Estimates vary across the literature, but predicting Roll Call voting with party, ideology, leadership, and other simple factors should allow the president to guess the outcome of the vote somewhere around 75 to 80 percent of the time (Poole and Rosenthal 1985). In other words, we would expect presidential success to look more like the dashed line in Figure 2, which is simply

the data from Figure 1 transformed to center on a 78 percent success rate.

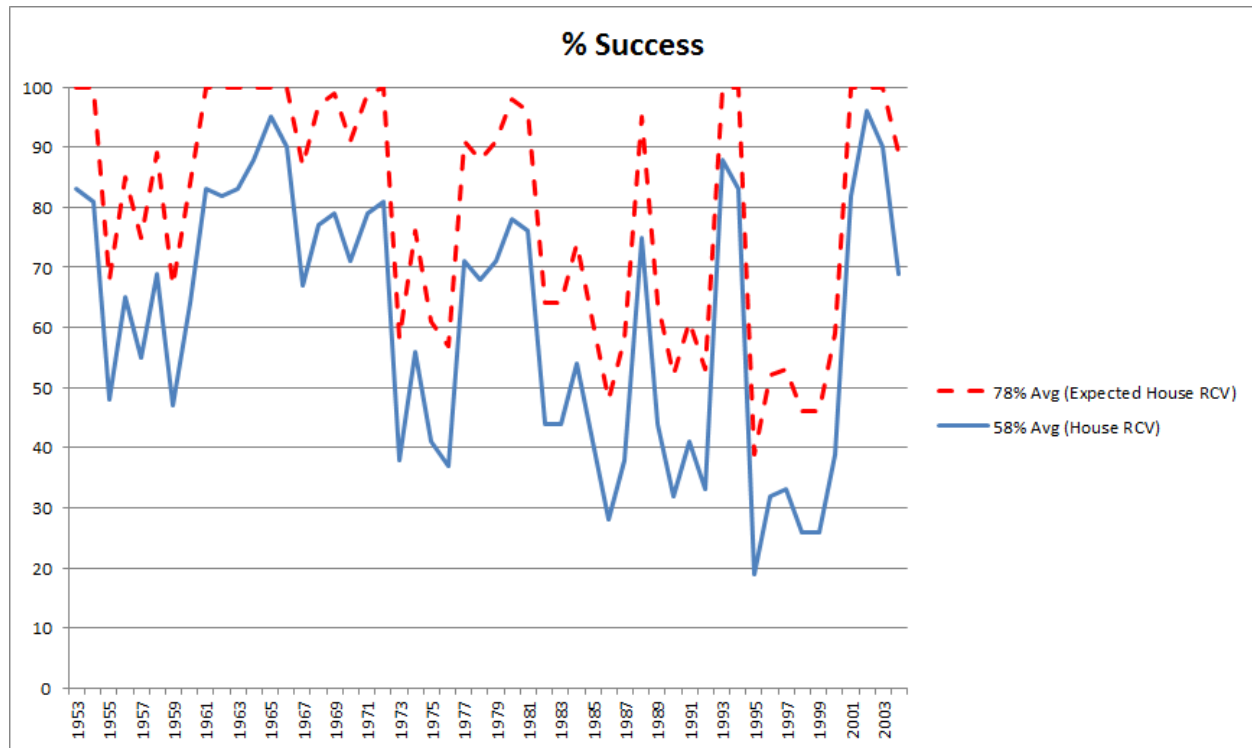


Figure 2: Percentage of House Roll Call Votes in which the president's side "won," 1953-2004 (n=3,044) with expected winning percentage. Source: Policy Agendas Project.

If presidents really only wanted to select into battles that they expected to win in Congress, their success rate should match the level with which they would be able to predict the outcome of votes. Poole and Rosenthal correctly predicted more than three quarters of Roll Call votes using very simple predictors, meaning that presidents should do no worse on average considering that they also have access to information about what members have said about the particular issue as well as their voting history and partisan leanings. It does not appear that presidents are only selecting into battles they expect to win when looking at Roll Call Votes, but using Roll Call data actually belies the discrepancy.

If we bring in data that includes both houses and includes those issues on which no vote is ever held, presidential success is even lower. Considering the population of important

domestic issues that were proposed in Congress from 1953 to 2004 on which the president took a position (Beckmann 2010), the presidential success rate is actually closer to 48 percent. The dotted line in Figure 3 represents important domestic policy issues proposed in Congress and how often a law passed when the president supported it and how often no new law passed when the president opposed it.

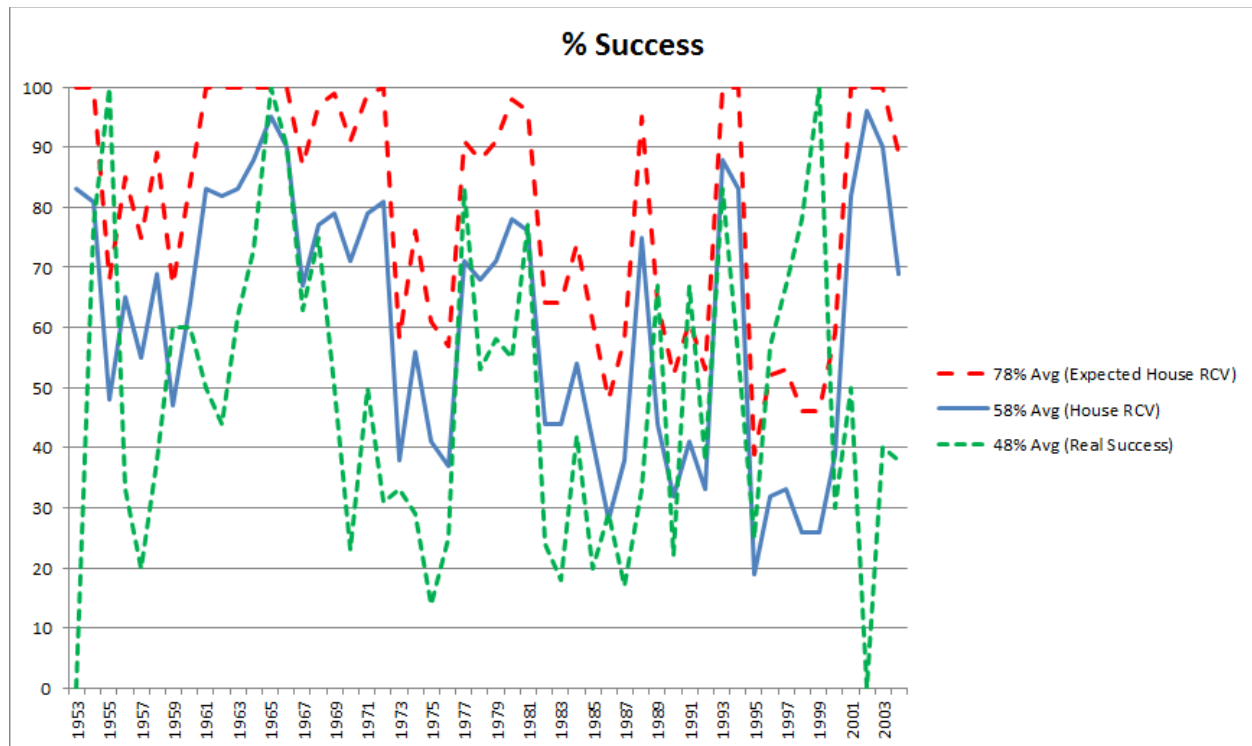


Figure 3: Percentage of House Roll Call Votes in which the president's side "won," 1953-2004 (n=3,044) with expected winning percentage. Sources: Policy Agendas Project, Beckmann (2010).

Figure 4 shows the simple regression line for each of the lines in Figure 3 and provides a better visualization of the difference. Over time, presidents should be successful about 75 to 80 percent of the time if they are catering their positions and proposals to Congress with the goal of maximizing their winning percentage. When only accounting for a single chamber, the House, they do far worse. When accounting for both chambers and allowing for situations in which a

final vote is never held, they do worse still.



Figure 4: Basic regression lines using data from Figure 3.

It is important to note that the sample size for the dotted line is much smaller ($n = 534$), but the point holds regardless. Presidents are much less successful on average than we would expect them to be given their ability to predict the outcome of votes in Congress. Cohen (2012, 237) reports aggregate presidential success from the first through one hundredth Congress and this proves to be anything but a modern phenomenon. His definition of agenda differs slightly from Beckmann's, so a one to one comparison is not perfect, but presidents tend to be successful on about 20 percent of their overall proposals during that time period with a maximum success rate of 64.5 percent. Cohen is making an argument that presidents anticipate the reaction of Congress when making proposals and then shows presidents tend to succeed infrequently.

No matter how you approach the question, presidents never arrive at anything close to a

75 to 80 percent success rate on average. Most measures place presidential success in the 45 to 55 percent range, but some measures mark it lower. What is driving the difference between the success rate presidents should be able to achieve and the one they are actually obtaining?

AN EXPLANATION OF PRESIDENTIAL FAILURE

Presidents lose more often than we would expect them to if they were simply trying to submit only those proposals that Congress is willing to adopt and the difference between what existing theory predicts and the amount of failure we observe is interesting and worthy of explanation. Understanding what drives this gap will help us theorize about what motivates presidents and that will, in turn, help us better explain and predict their behavior.

We can dismiss two simple responses to the difference between the predicted amount of failure and the reality up front as incomplete. First, this is not simply an electoral phenomenon. While presidents likely take all sorts of positions that serve the interest of their reelection, they continue to engage in this behavior during their second term. Perhaps they are attempting to build the party brand for future elections, but we would certainly expect to observe much more failure in the first term than the second if the *Electoral Explanation* was responsible for most of the disconnect, but that is not the case.

Figure 5 divides the House Roll Call data by term showing that, on average, presidents win a lower percentage of Roll Call votes in their second terms. Figure 6 shows the same division broken down by president, showing that every president during this period who won a second term won a lower percentage of votes after they were reelected. Figure 7 divides the same data by term and by majority status, showing minority presidents did worse collectively in their second terms. Majority presidents did better, but that is a function of Johnson's high overall success rate, as he is the only second term majority president in the data.

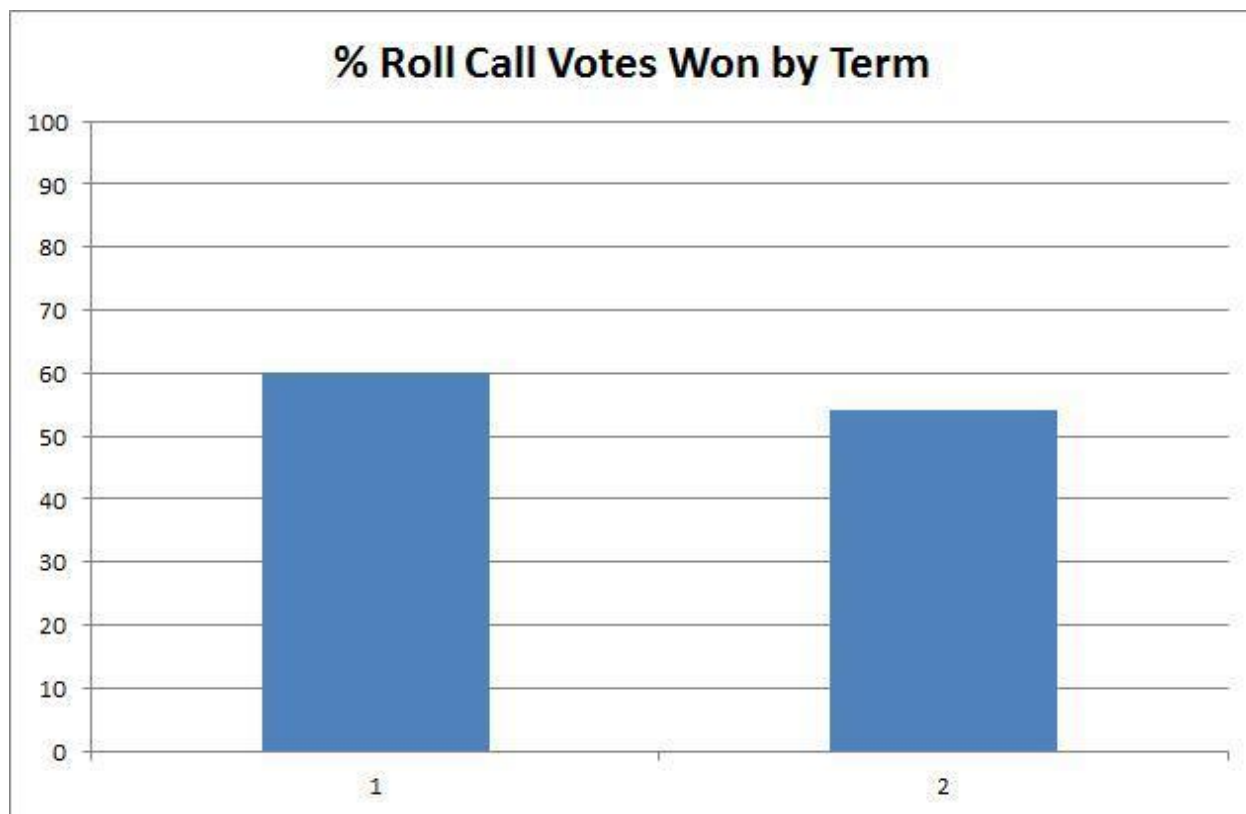


Figure 5: Percentage of House Roll Call Votes in which the president's side "won" when the president took a position by term, 1953-2004 (n=3,044). Source: Policy Agendas Project.

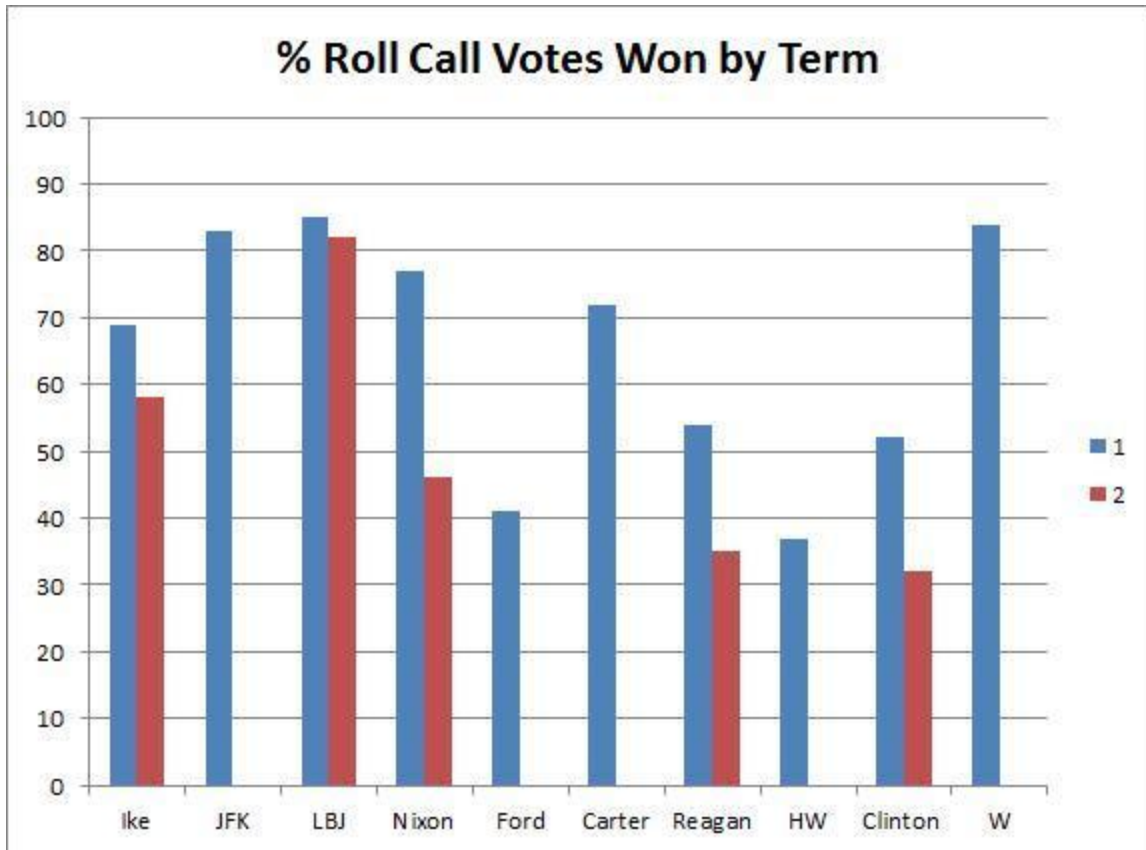
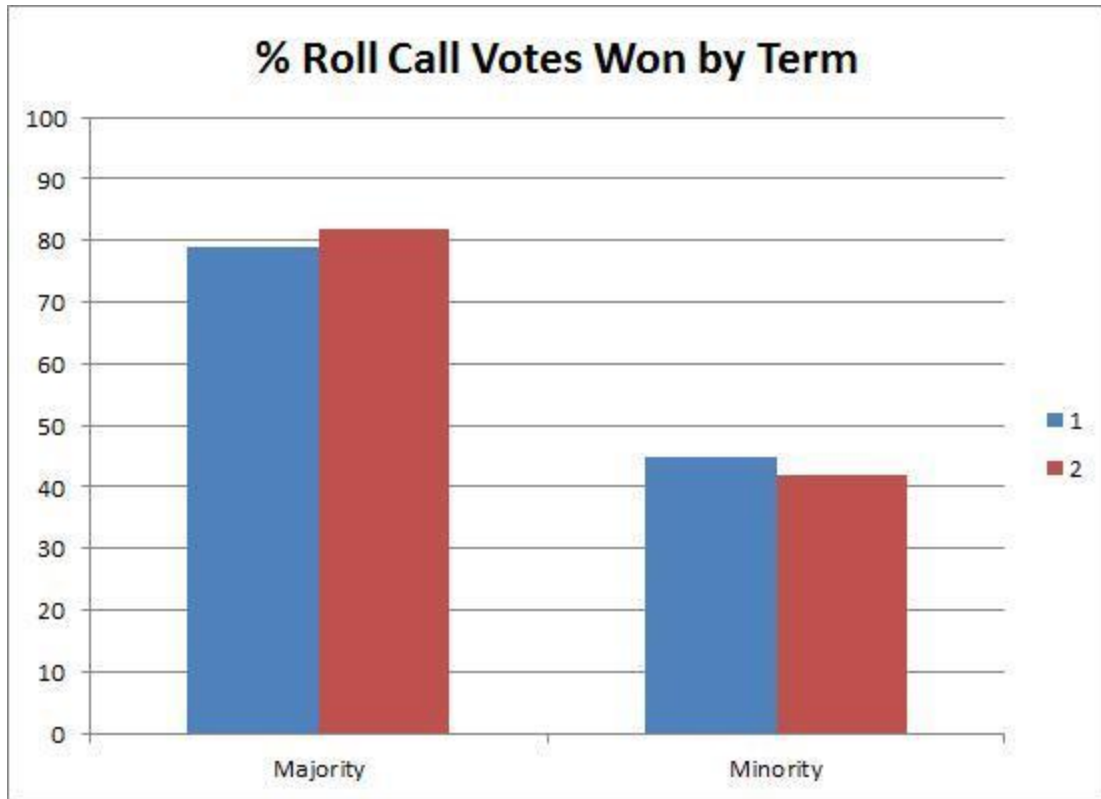


Figure 6: Percentage of House Roll Call Votes in which the president's side "won" when the president took a position by individual term, 1953-2004 (n=3,044). Source: Policy Agendas Project.



*Figure 7: Percentage of House Roll Call Votes in which the president's side "won" when the president took a position by term and partisan control, 1953-2004 (n=3,044). *NOTE: The only majority second term president in the data set is Lyndon Johnson.* Source: Policy Agendas Project.*

Additionally, it is very unlikely that we can explain the entirety of the remaining gap with ignorance on the part of the president. The people crafting legislative strategy in the White House are frequently long-time Washington insiders who have both the expertise and connections to assess the a bill's viability before devoting resources to its passage. Beyond that, the first and second term trends above dampen this explanation as well. Presidents should get better at avoiding these doomed positions as they spend more and more time in office, but that simply is not the case. This is not to say that presidents never mistakenly pursue an item they should not have, but rather that the *Ignorance Explanation* is incomplete.

Both the *Electoral* and *Ignorance* explanations are important pieces of the puzzle, but

they are both easily understood and uncontroversial. In fact, they are essentially default themes of motivation that scholars recognize and take for granted. Sometimes presidents will pursue a bill for symbolic electoral reasons and they will occasionally misread the political situation in Congress and pursue a bill they would not otherwise have pursued if they had more information, but those two explanations do not account for all of the failure that we observe. In order to do that, we must consider three additional reasons that presidents might fail in the domestic policy arena.

UNCERTAINTY

The first of those reasons is uncertainty. The *Uncertainty Explanation* suggests that presidents are fully aware that a given bill's prospects are low, but they make the decision that the payoff is high enough that they should pursue it anyway. This explanation runs against the belief that presidents will choose to avoid any bills that are unlikely to pass regardless of the possible payoff. Current theory suggests that presidents will only pursue bills on which they are likely to win, but the *Uncertainty Explanation* proposes that they will pursue any agenda item that has a positive expected payoff. In other words, they are willing to go after big ticket items that are likely doomed because the reward for success is so high. More importantly, while the president knows that the five important bills in front of him or her each have a 20 percent likelihood of success, the president does not know which one of the bills will be the one to pass so he or she must pursue them all if they are hunting to impact public policy at all. This is a very difficult proposition to test empirically, but it is important to consider theoretically.

Current Theory: Presidents will only pursue items that are likely to pass in Congress, (i.e. pursuit will be a function of the odds of winning).

Hypothesis 1: Presidents will pursue items that have a positive expected payoff, (i.e. pursuit will be a function of the odds of winning and the payoff of winning).

The common view is that presidents will only pursue items that are very likely to pass and given the ease with which presidents should be able to predict outcomes on the floor, they should fail infrequently. However, if presidents instead pursue items that return a positive expected payoff, then you would expect to see failure quite often because the odds of success on any one bill are low. This would not be a matter of ignorance, as mentioned above, but rather an indication that presidents care more about winning big than they do about winning in general. They are willing to bet on long odds because the bills with long odds are the bills about which they care the most and because they have no way of knowing which proposal will lead to the big payoff. Cohen (2012) proposes that losing is costly, but the potential payoff offsets those potential costs in many cases.

One could almost think of the *Uncertainty Explanation* in the language of Granovetter's (1978) threshold model. In this case, presidents have very low thresholds for pursuing an agenda item, but cannot observe the thresholds of members of Congress which leads presidents to attempt action on multiple low percentage propositions with the hope of finding the one that will generate a policy change. Granovetter uses riots as an example, so the equivalent here is that presidents are running around Washington smashing windows hoping that Congress will riot with the idea that at some point, the president will find the storefront that Congress is willing to loot. We could also expand this into a broader cue-taking model in which the president is giving the strongest signals to other members and their involvement on an issue will lead others to act some percentage of the time. This would lead to all sorts of failure because the president does not know when the time is right to pursue a given issue, but sees it as his or her job to ignite debates that lead to legislative action. In other words, presidents see it as their role to go after issues that have low odds of success with the understanding that eventually one of those pursuits will lead to

a major policy change.

Nailing down the *Uncertainty Explanation* empirically is challenging because obtaining a set systematic predictions from presidents on the probability of success that occurred prior to the president making a proposal or taking a position would not be feasible. There are many instances in which we could gather individual data points, but not in a way that would be possible without substantial fears of selection bias. We can, however, take two approaches in future empirical research on the *Uncertainty Explanation*. First, we could formally model the process in a way that would help us understand the conditions under which this might occur. That would be useful, but few would likely challenge the premise that presidents could behave this way even before seeing a formal proof. The second strategy, which would provide a more serious empirical defense of the theory, would be to categorize presidential proposals based on their potential impact on public policy. From there, you could measure the success rate and would expect to observe a negative relationship when controlling for other explanations of success. This approach would require a very large data collection process and coding regiment that extends beyond the scope of this paper, but presidents should lose more often when the potential payoff is larger because the payoff rather than the probability of success would drive the expected value. In other words, presidents would want to win at a higher rate on low impact bills than on high impact bills. If one were to control for the specific president and their tenure, this would be suggestive of uncertainty as a driver of presidential failure.

AGENDA SETTING

Presidents also might choose to pursue a doomed initiative for agenda setting purposes. The *Agenda Setting Explanation* proposes that the act of lobbying on behalf of an agenda item improves the probability that policy will change even if the policy does not change within the

president's area of influence.

Current Theory: Presidents do not attempt to use proposals in Congress as a means to influence outside political actors.

Hypothesis 2: Presidents lead outside political actors to take up important issues on which the president was unable to win in Congress.

This pursuit can have multiple targets, but the most concrete are other political actors working at the same time (states, municipalities, courts) or other actors working in the future (presidents, Congress, etc). This explanation suggests that presidents care about policy outcomes over who gets credit for those outcomes. If the president wants to improve access to health care, he or she should not care about which level of government enacts the policy, but instead about the actual tangible outcome. If presidents can influence state and judicial actors through their pursuit of an issue in Congress, then presidents would not have to actually “win” the vote in order to be successful.

When thinking about future actors, presidents are essentially doing the same thing but with an additional eye on their own legacy. A president in the 1830s would have had zero chance of passing a Constitutional amendment to protect the rights of blacks, but by making an attempt at passing such a measure, the president may have been laying the groundwork for an amendment that would come later. Not only would the president be signaling that an issue was important and worthy of attention, but they would also be cementing their own legacy as a leader on the issue. The time horizon does not have to be nearly so long, but the idea holds up even over a period of a few years. The act of pursuing an issue now has an effect on its passage in the future and reflects well on the president, both of which are important to the president.

What matters here is the idea that presidents view pushing the boulder up the hill as an achievement in and of itself. They know that the given policy is unlikely to pass in Congress but

pursuing it there is a necessary step along the road to actual policy change. This feeling is evident in a 2014 speech by Barack Obama (Baker 2014, A13), who when speaking about the fiftieth anniversary of the Civil Rights Act and his own agenda said:

You're reminded daily that in this great democracy, you are but a relay swimmer in the currents of history, bound by decisions made by those who came before, reliant on the efforts of those who will follow to fully vindicate your vision. But the presidency also affords a unique opportunity to bend those currents by shaping our laws and by shaping our debates, by working within the confines of the world as it is but also by reimagining the world as it should be.

Regardless of the target, presidents recognize that there are other ways to impact policy aside from passing laws in Congress and they are doing their part to influence policy change elsewhere through their efforts in Congress. Presidents can serve as a cheerleader for important policies and impact public policy even when it looks like they “lost” on that issue. *The Agenda Setting Explanation* also predicts a great deal of failure because presidents will be pursuing all sorts of bills with the express goal of winning on the issue outside of the present debate with Congress. If the bill should happen to pass, they would be thrilled, but they would still consider it a victory if it laid the groundwork for other political action.

Like the *Uncertainty Explanation*, we cannot determine what a president intended on any one bill, but one thing this explanation posits is that the president can function as a policy innovator and leader in the diffusion process. Plenty of work shows that states lead other states (Walker 1969; Gray 1973; Downs 1976; Mintrom 1997; Baybeck, Berry and Siegel 2011) and that interest groups can be innovators in this process, so demonstrating that the president serves as an agenda setter for other political actors would just be a matter of future research placing the president’s policy proposals into the context of policy diffusion. All this would require is gathering and merging data on presidential proposals and positions in Congress with policy adoptions in the states, courts, or in future Congresses.

STRATEGIC

Finally, presidents choose to pursue doomed initiatives for strategic purposes. The *Strategic Explanation* proposes that presidents use bills as tools to influence members of Congress, particularly the leadership. This explanation suggests that presidents do not come to Congress hoping to win on the highest number of issues possible, but rather that they care about how much they move public policy. If this is the case, presidents will target agenda items that matter most to them and will attempt to move policy as close to their ideal point as possible on those issues. Previous work suggests that presidents are usually very effective at getting the issue they care about onto the congressional agenda (Edwards and Barrett 2000), but that it is more difficult to make sure Congress actually considers the specific policy they want to see enacted. Beyond that, most studies show presidents have a very limited effect when attempting to persuade members to change their minds on final floor votes. In other words, presidents need to make sure that the congressional leadership allows the presidential proposal to make it through the vetting process without drifting much from its original form, which means that presidents need to be able to exercise influence over congressional leaders on a certain set of bills most important to them.

One of the ways in which presidents can influence congressional leaders is by leveraging and trading away other bills about which they care less. As a result, presidents will end up failing on a whole host of bills that they used to win negotiations over an entirely different bill. Again, presidents pursue this strategy consciously, but when evaluating their performance based on Roll Call Votes or Presidential Success Scores, it looks like they are failing, when in reality they are doing exactly what they intended to do.

Current Theory: Presidents take positions on bills only because they want to see that policy enacted.

Hypothesis 3: Presidents attempt to influence Members' of Congress actions on certain bills through presidential action on separate bills.

The next section contains a more comprehensive model of *Strategic Failure*, but the basic logic is that if a president can use a bill to influence the leadership on a second, more important bill then we would expect to see a higher rate of failure because presidents would intentionally take positions on issues with the intent to trade them away. If they end up winning on the secondary issue as well they would be pleased, but the primary goal is winning on the core agenda item. While we again cannot observe the direct calculations of the White House across every major bill, there are a number of artifacts of this process that we can observe in order to find support for this theory.

A MODEL OF STRATEGIC FAILURE

The aim of this paper is not to categorize how often each explanation of failure occurs, but rather to argue that failure can often be a conscious and rational strategy in the pursuit of presidential goals. We know that presidents fail with regularity, so understanding why that is the case will help lead us toward an understanding of those goals. To that end, the *Electoral*, *Ignorance*, *Uncertainty*, and *Agenda Setting* explanations need little further explanation. Future work can and should focus on the frequency of these explanations and how effective they tend to be, but their logical foundations should be reasonably uncontroversial. *Strategic Failure*, on the other hand, is a more novel concept that requires further exploration.

The idea is grounded in the work of Beckmann (2010), who shows that presidents target their lobbying efforts at congressional leadership rather than individual members of Congress. This stands to reason, given that previous work has generally shown limited presidential ability

to influence members on final votes. Beckmann argues that presidents have the biggest opportunity to influence policy by shaping the reactions of both the supportive and opposition leaders in Congress. If the president can convince their party's leader to not significantly alter the president's preferred proposal and convince the opposition leader not to propose a serious alternative then the president has a much higher chance of seeing their ideal policy move through the chamber. Beckmann demonstrates that presidents engage in this type of lobbying, but does not expressly state how they are able to convince leaders to go along with them when they do. *Strategic Failure* offers an explanation of that process.

The process can work in two directions. First, a president can agree to pursue a bill that they know to have a low probability of success in exchange for the support of a key player. If an important leader or caucus member is on the fence about the president's agenda item, the president may choose to support a separate policy proposal championed by that member in order to win their support in the early game lobbying of the issue most important to the president. This would lead us to expect a great deal of presidential failure because presidents would be choosing to pursue something not because they support it and think it has a good chance of success, but because supporting it was a necessary condition for success on something that they valued very highly.

Second, presidents can agree to abandon the pursuit of a bill in order to accommodate a key player in much the same way. If the critical member is on the fence about the president's core agenda item but is very much opposed to a separate item on the president's agenda, the president could agree to abandon the effort or allow the opposition to pursue their version of the bill in order to win over the support of the critical member on the primary issue. This would manifest itself in presidential proposals dying in Congress or the president losing on a final vote

because they would still take a position in opposition to the other side's bill on the secondary issue, they just would not stand in the way of its movement through the process.

Built into this model is the idea that presidents have rank order preferences about their agenda (Light 1999), meaning that the same degree of movement on one policy is more valuable to the president than another. This allows the president to make these kinds of trades because giving a little on a couple of policies of secondary importance is outweighed by gaining a great deal on policies that are central to the president's agenda.

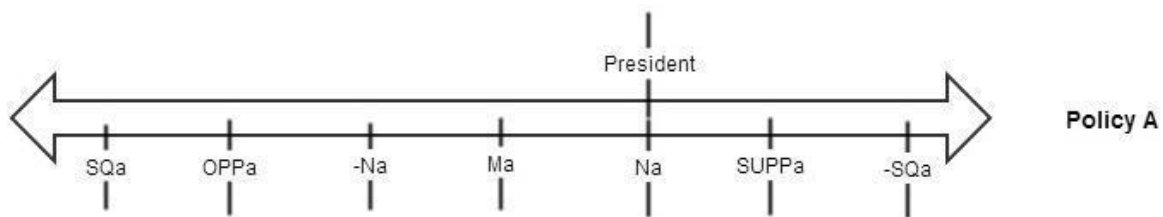


Figure 8: A policy space in which the status quo (SQ), opposition leader (OPP), median member (M), president (N), and supportive leader (SUPP) are arranged. The distance between two lines is one unit.

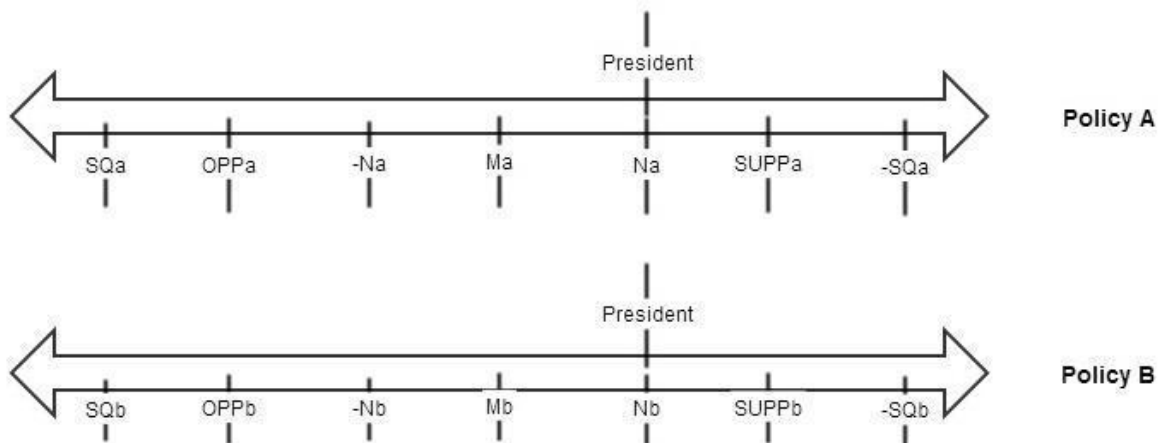


Figure 9: Two policy spaces in which the status quo (SQ), opposition leader (OPP), median member (M), president (N), and supportive leader (SUPP) are arranged and the president cares twice as much about Policy A as he does Policy B. The distance between two lines is one unit.

This idea of *Strategic Failure* is based simply on the idea that the president is thinking about multiple agenda items at one time and considers the interaction between and among them. Action on one issue can influence a separate issue. This is evident in Figures 8 and 9, which demonstrate that the president is capable of returning a higher net payoff in certain situations if they are willing to give in on a lesser issue.

If the two party leaders have the option of accepting the president's proposal and agreeing to let that bill reach the floor (N) or lobbying the median member (M), the choice they will make depends on the presence of other issues on the agenda. If the key players come to no prior agreement, they will end up with M_a , M_b . This gives the opposition leader a payoff of -4,² the president a payoff of 9, and the supportive leader a payoff of 6. If they agree to N_a , N_b , then the opposition leader gets a payoff of -3, the president gets a payoff of 10, and the supportive leader gets a payoff of 6. In the arrangement above, the president gets a higher payoff if he or she trades away the secondary issue in order to get a better outcome on the primary issue while the opposite leader is better off and the supportive leader is no worse. This can only work some of the time, but when it does work it makes failure a rational and helpful strategy.

If presidents engage in this type of behavior, we would expect to see their core agenda items make it further through the legislative process than the items on which they simply take a position and we would expect to see those bills be more successful in final votes.

Covington, Wrighton, and Kinney (1995) compared Bond and Fleisher (1990) style results to results that included a variable defining whether or not the issue was on the president's agenda and found agenda to positively and significantly related to success when controlling for variables such as party, ideology, and leadership preference. Unfortunately, Covington,

²Payoffs in each Policy Space (A or B) are measured as the distance from the player to the status quo minus the distance from the player to the outcome.

Wrighton, and Kinney examine votes from the 1950s to 1970s, which features a very different level of partisanship than the present day. Fortunately, my analysis³ of Roll Call Votes using data from 1993 to 2004 confirms that whether or not the issue is on the president's agenda is positively and statistically significantly related to success on the issue.

Table 1 is the output of two logistic regression models that predict whether or not the president won a Roll Call vote on which they took a position and at least 15 percent of the chamber voted on each side from 1993 to 2004. Model 1 includes congressional centered variables, such as whether or not the president was in the majority, the percentage of the chamber that was of the president's party, whether or not the opposing party leader supported the president, and whether or not the supportive party leader supported the president. Model 2 includes all of those variables and a variable that measures the degree to which the issue at hand was on the president's agenda (off agenda, broad agenda, or core agenda) as defined by their most recent major address to Congress. All of the variables are significant in the expected direction, with the exception of the share of the chamber controlled by the president's party. Majority status, support from each leader, and the centrality of the issue on the president's agenda were all positive and significant predictors of presidential success during this time period, which supports Covington, Wrighton, and Kinney's findings.

³Detailed description of the data and coding can be found in Section 2 of the Appendix along with predicted probabilities of success based on a certain variable profile.

	Model 1	Model 2
(Intercept)	-1.85 (2.25)	-2.01 (2.26)
Majority	2.58*** (0.43)	2.60*** (0.43)
Percent Pres Party	0.00 (0.01)	0.00 (0.01)
Opp Leader Support	2.06*** (0.33)	2.07*** (0.33)
Supp Leader Support	1.04** (0.38)	0.98** (0.38)
Agenda		0.28* (0.14)
AIC	587.24	585.24
BIC	609.16	611.54
Log Likelihood	-288.62	-286.62
Deviance	577.24	573.24
Num. obs.	592	592

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Table 1: Presidential Success on House Roll Call Votes 1993-2004

While this is an important finding, it also follows the previous work in that it analyzes only the outcomes of votes on which the president takes a position. If we expanded the analysis to include bills that never make it to a vote, the president's success rate decreases further and additional artifacts of the *Strategic Explanation* emerge. Taking Beckmann's sample of 769 major domestic policy initiatives from 1953 to 2004 will allow us to look deeper.⁴

Here we find presidents are less successful in general (38% success rate) when taking into account bills that never make it to a final vote, but we can also see that success rate varies

⁴Detailed description of the data and coding can be found in Section 3 of the Appendix, along with accompanying regression outputs.

accordingly based on whether or not the president make a specific proposal and how engaged the White House was in the legislative debate. Beckmann's data also includes both chambers in the process. Data on the Senate is largely consistent with the patterns presented here, but the available data is less complete, and so therefore, not presented with respect to Roll Call Vote and Success Scores.⁵

Figure 10 shows that presidents were much more successful (almost 30 percent) in passing a new law or stopping one they did not agree with when the White House made a proposal compared to when it simply got involved in a congressional proposal. Figure 11 shows that presidential success also increases as the president moves from no lobbying activity to taking a position to actively lobbying for support in Congress.

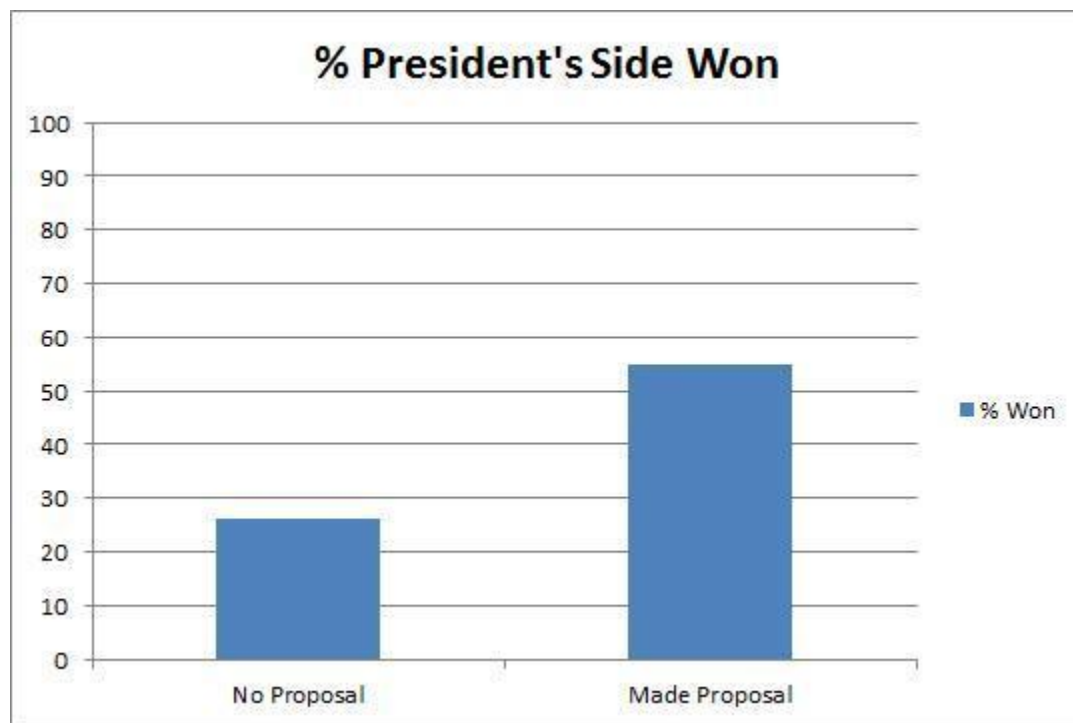


Figure 10: Percentage of the time in which the president's desired outcome resulted depending on whether or not the White House made a specific proposal on the issue, 1953 to 2004 (n = 450 and 319). Source: Beckmann (2010).

⁵More detail is provided in Section 4 of the Appendix.

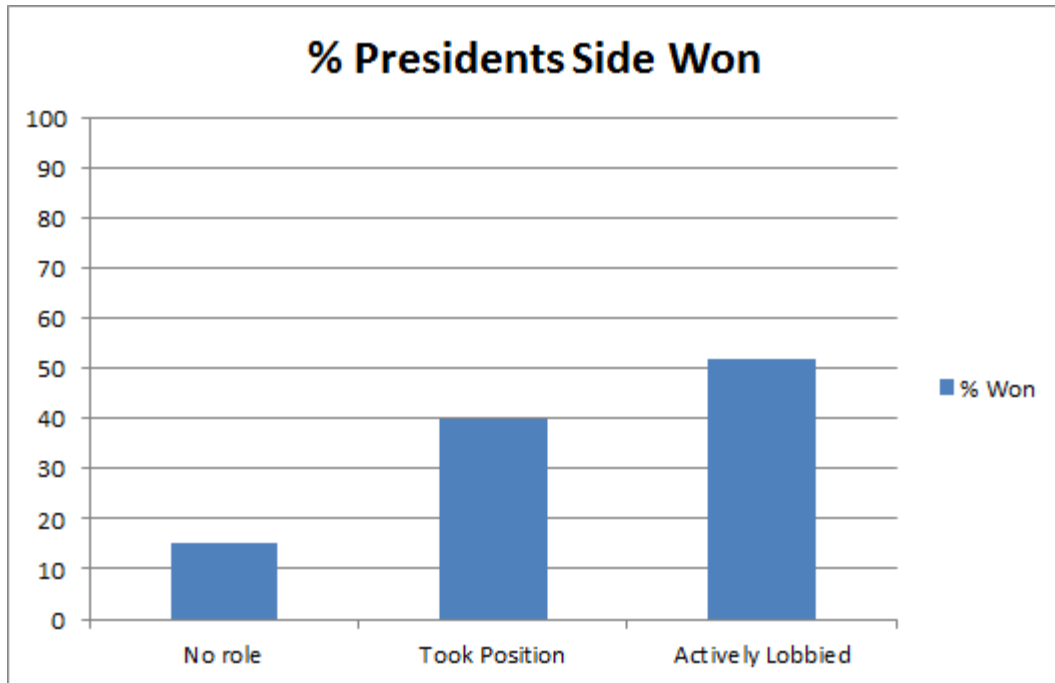


Figure 11: Percentage of the time in which the president's desired outcome resulted depending on the degree to which the president was involved in the lobbying process, 1953 to 2004 (n = 235, 168, and 366). Source: Beckmann (2010).

While the regression results in the Appendix (Tables 2 and 3) show that partisan control has a positive and statistically significant effect on success rate in addition to the effect of lobbying and proposal status, Beckmann's data makes the picture of presidential success look even worse. When accounting for the bills that fail to reach a final vote, the success rate of presidents who have majorities in both chambers falls to 59% (n=272). Presidents who face opposition in one chamber have a 23% success rate (n=163) and presidents who have face opposition control in both houses have a 29% success rate (n=334).

This failure and the impact of presidential effort in Congress is not merely a partisan artifact. Instead, we see that presidents do much better than average when the issue appears to be central to their own agenda (when they make a specific proposal). Also, the data indicate that presidents are more likely to take a position when the issue is more likely to go their way, but

they are also much more likely to devote resources (lobby) to issues that have better odds still. It is impossible to know what would have happened if they had not lobbied on the issue, but this finding fits with the concept of strategic failure. Existing theories would not predict a distinction between the success rates when the president takes a position and when the president lobbies, but strategic failure would make that prediction because many of the times that the president takes a position, he has simply done so for strategic reasons. However, the president is much less willing to waste precious lobbying resources on issues he just intended to use strategically and has little expectation will succeed.

Like the other explanations of failure, we cannot say with one hundred percent certainty what a president's specific rationale was for each individual agenda item, but we can observe evidence that points to a set of common rationales and those rationales can help inform us about presidential motivation in general. Further work in this area should attempt to make use of archival materials including communications between the president and congressional leaders and among the president's legislative team. It is likely not possible to develop a comprehensive sample that covers every important bill, but finding detailed communication that indicates this is a consideration would support the broader theory.

TOWARD A THEORY OF PRESIDENTIAL MOTIVATION

The key to these explanations of failure is that they are not really failure at all. So much of the past work on the presidency has defined success and failure based on winning and losing votes or passing versus not passing legislation, but there are rational reasons why presidents might intentionally pursue something that they expect to lose.

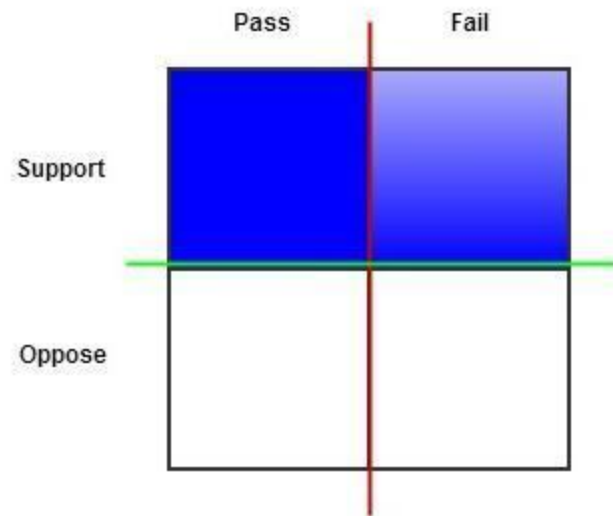


Figure 12: A visual representation of the types of bills on which presidents must decide.

There are essentially two types of bills; ones that are likely to pass and ones that are likely to fail. We can then divide those two groups up into bills the president supports and bills the president opposes. Existing work suggests the president will pursue only bills that they support and are likely to pass (solid), which in turn, predicts very little failure. Instead, I propose that presidents will pursue bills that they support and are likely to pass (solid) and a set of bills with low odds of success that they support when those bills can be useful to them in other ways (gradient). Certainly Edwards (2009) and Cohen (2012) are right that presidents make decisions based on anticipated the congressional response, but presidents do not need to anticipate a legislative victory in all cases in order to decide to pursue something. We know that presidents take positions on all sorts of bills that die in Congress or on which they lose when the bill reaches a final vote. Existing theory provides no account for why that occurs, so the reader is left to assume ignorance on the part of the president, or perhaps to infer electoral incentives.

Instead, I suggest that there are a variety of reasons why presidents might decide to pursue a bill or issue that has little chance of success in Congress. They understand the odds, but

they choose to pursue it anyway. Presidents might do this for electoral reasons, agenda setting purposes, strategic reasons, or because the risk is worth the expected reward. All of these explanations predict significant failure, which tracks well with reality, but they also point to a single theory of presidential motivation.

What the explanations (except for ignorance) have in common is that president is forward looking and considers the long-term impact of his or her current decisions. In the *Electoral Explanation*, the president is pursuing an issue because it will help him or her return to office in order to continue to exert influence over public policy. In the *Uncertainty Explanation*, the president is thinking about the expected payoff of a set of actions rather than odds of success during their current action. In the *Agenda Setting Explanation*, the president is thinking about public policy changes that could occur across the country or in the future if they take a given course of action today. Finally, in the *Strategic Explanation*, the president is thinking about their final payoff in the legislative process rather than their payoff at any one moment in time.

$$Pursue = P(Success)*Payoff + Electoral + Agenda Setting + Strategic$$

The equation above represents a simple decision model in which each president has a specific threshold for when they will choose to pursue an issue. When the value of *Pursue* crosses that threshold, they will take a position, engage in debate, etc. They first estimate the probability of success and then multiply that by the payoff of success on the issue. After that, they add in any electoral incentives for pursuing the measure, the agenda setting value, and any sort of strategic leverage the bill could provide. If the the sum of the right hand side crosses the president's pursuit threshold, they will pursue the issue. Previously implied models have focused exclusively on the probability of success and have failed to elaborate on the other variables at

play in the decision making process. You will notice that neither model predicts zero failure, but that the new model predicts more failure because it will be easier to cross the pursuit threshold given equal predictions about the likelihood of success.

These explanations fit together quite nicely into a seemingly obvious, but critical theory of presidential motivation. *Presidents seek the maximum possible effect on public policy outcomes.* While this conclusion seems simple, it actually brings with it some rather serious implications.

First, it gives us a more accurate criteria by which to judge presidents, even if that criteria makes the mechanics of that process incredibly difficult. Part of the attraction of the Roll Call Vote or Support Score based method of evaluating presidents is that those metrics are easy to calculate and quantify. The problem, however, is that if presidents are not trying to maximize those numbers then any sort of judgment based on them will lead us to faulty predictions and explanations of presidential behavior.

The framework proposed in this paper essentially suggests that measuring presidential success is not possible without a painfully complicated matrix of policy outcomes and status quos. Additionally, this theory also includes the assumption that one should be careful when evaluating presidential success because we do not know what random chance would look like and need to develop a model that predicts how successful presidents *could* be if they were simply trying to follow Congress and how that prediction would change as the president gained experience.

This does not mean that quantitative analysis of presidential behavior is misguided, but rather that the scope of inquiry must be broadened and that the focus should be on policy content instead of legislative procedure. The question we should be asking is how successful are

presidents at shaping public policy? This requires that we consider the policy the president wants, the status quo at the time of the proposal, and policy changes over time and across a wide variety of venues. The most concrete first step to testing this empirically would be to place the president's failed proposals in Congress into the literature on policy diffusion in the states.

Second, this theory of motivation has serious implications for our theories of political leadership. Most work on executive leadership, specifically the presidency, is grounded in legislative models of leadership. The connection between the idea that presidents want to win votes on which they take positions and Cox and McCubbins's (2005) cartel theory are quite clear. Cox and McCubbins theorize that majority parties in the U.S. House of Representatives will *never* want to lose a vote that the majority of their party opposes, which fits in line with the existing models of presidential motivation; When the president takes a position he or she does not want to lose. However, I argue that there are times in which losing is not costly and times in which it is actually a smart strategic choice. There is no reason to think that this vote-chasing goal motivates presidents other than that is how we have typically defined the goals of legislative leaders. Yet the American presidency is different than most chief executives and their goals are, therefore, likely different from other leaders.

The presence of so much failure suggests that presidents do not only seek to win votes on issues on which they take a position because they should be able to predict and avoid those situations if they chose to do so, meaning that they are selecting into failure. Failure is often costly for legislative leaders, but for American presidents, failure is part of the job description. They see it as their job to pursue items no one else wants to pursue and to shoulder the risk of those pursuits. They want to have the greatest possible impact on public policy and are comfortable with losing a number of battles along the way to ultimately win the war.

Returning to Granovetter's threshold model and an extended metaphor can better illustrate this. If the goal of the president in our metaphor is to overthrow the established regime then he or she does not care much about how that overthrow takes place. What he or she cares about is that it happens at all. As a result, the president will do everything in his or her power to start a riot. He or she will break windows, flip over trash cans, and set fire to multiple cars with the hope that others will join in. The president cannot overthrow the regime on his or her own and there is no guarantee their actions will lead to a riot or that the riot will lead to a coup. What is critical here is that no one else is willing to be the first person to break a window, or at the very least, no one else has the ability to break a window so publicly. The president does not distinguish between a riot that failed because it did not grow large enough and a riot that failed because it never got started. A legislative leader would make that distinction. Losing because you could not persuade enough people and losing because you did not try are the same to the president, but different to the Speaker of the House. For too long, we have thought about the president through the lens of the legislature and this paper seems to suggest that is not an appropriate prism.

This also is not simply a story about why the president proposes what he or she does in Congress. The executive-legislative dynamic discussed in this paper is just one of many consequences we would expect to see if the proposed motivating assumption is accurate. Most obviously, you could imagine this playing a significant role in the way a president conducts diplomatic interactions with foreign leaders. Rather than trying to gain a short term advantage, presidents focus on long run payoffs. This would also show up in the kinds of people the president chooses to appoint as federal judges, agency heads, and cabinet secretaries. We would also expect the president's rhetorical strategy to be contingent on this premise. When they

choose their words, they choose them based on how they will impact politics over a long time period rather than how they will play during that particular news cycle. When presidents make decisions, they consider how those decisions will impact the thousands of other decisions they are going to make in the not-too-distant future.

Finally, it is important to consider that even if the theory of presidential motivation provided here is incorrect, the need for a motivational theory of the presidency is critical. If we seek to understand elite level political behavior, or political behavior more broadly, we have to understand the goals of the subject. We need to know the resources available and the responsibilities with which they are tasked, but if we do not know what an actor hopes to accomplish then we have little chance of making useful predictions about their behavior or developing worthwhile explanations about their actions.

APPENDIX: DESCRIPTION OF DATA

1. Presidential Support Scores

Edwards uses presidential support scores to measure legislative success as opposed to the Bond and Fleisher Roll Call approach which I utilize in the main text of the paper. As you can see below, this data supports the conclusion that 1) predicting support should be relatively easy 2) that second term presidents get worse rather than better.

The solid line in Figure 13 reflects the average yearly support from all members of the House while the dashed line reflects the average yearly support from members of the president's party. The dotted line reflects average yearly support from the members of the opposition party. On average, the president has 50% support from the chamber, 71% support from his party, and 30% support from the opposition on these votes. Figure 14 takes that same data and breaks it down by term, showing that presidents lose support from both their own members and the opposition members in their second term.

Support Scores data can be found at <http://presdata.tamu.edu/>.

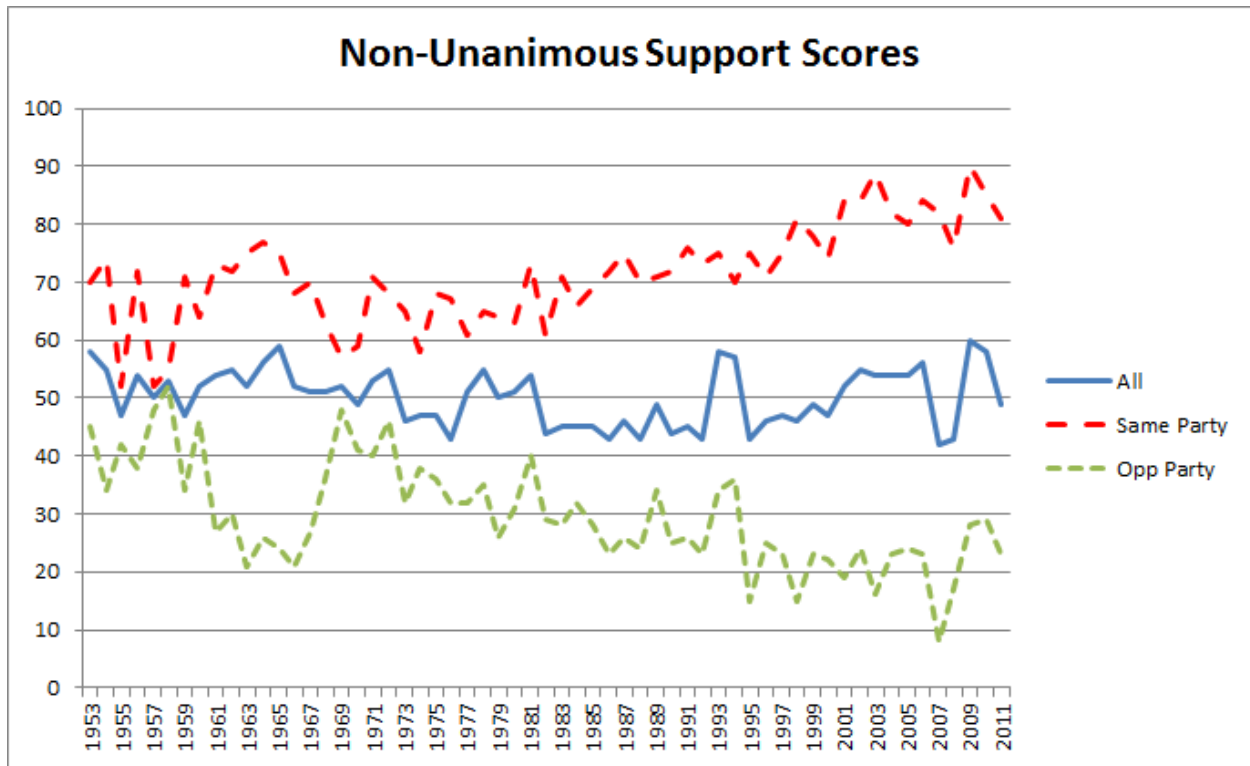


Figure 13: Presidential Support Scores (Edwards) on non-unanimous votes in the House on which the president took a stand and at least 20% of the chamber voted on each side of the issue.

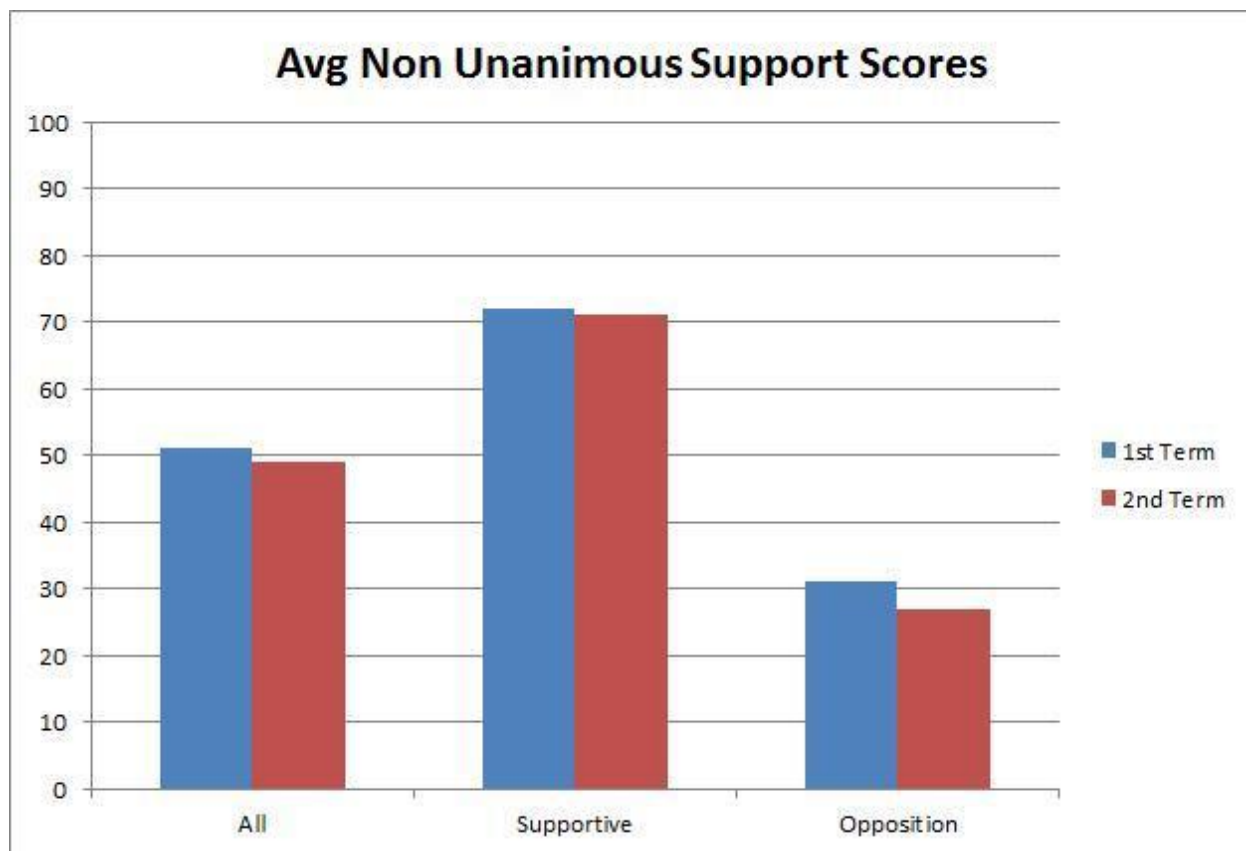


Figure 14: Presidential Support Scores (Edwards) on non-unanimous votes in the House on which the president took a stand and at least 20% of the chamber voted on each side of the issue by term.

2. Roll Call Voting Data

The data used here were originally collected by Frank R. Baumgartner and Bryan D. Jones, with the support of National Science Foundation grant numbers SBR 9320922 and 0111611, and were distributed through the Department of Government at the University of Texas at Austin. Neither NSF nor the original collectors of the data bear any responsibility for the analysis reported here.

In all analyses in this paper that make use of Roll Call data, votes are only included if 15 percent of the chamber voted on each side of the issue so as not to include non-controversial votes such as those in support of Little League Baseball and other symbolic matters. This

practice is common in the literature, although some use 20 percent as a cutoff instead of 15. The choice is arbitrary, but in tests of the threshold, none of the findings presented are substantially altered. The only change is that in the 1993-2004 regression output (Table 1), the agenda variable is significant at .07 instead of .05 when using a slightly different cutoff point. This is likely just a matter of sample size as the Covington, Wright, Kinney (1995) paper finds agenda to be significant, as do the other analyses in this paper using the Beckmann data.

The definition of “winning” in the context of Roll Call voting is always whether or not the president’s side won the vote. Positions and voting results come from the Policy Agendas Project, so their coding is utilized.

In the Roll Call analysis of 1993-2004, other variables were coded into the PAP data. These variables include the partisan control of the chamber, the number of seats held by each party, the position of the two party leaders, and where that issue fell on the president’s agenda. The position of the party leaders was taken from DW-Nominate. Agenda, in this one analysis (Table 1), was measured based on the president’s most recent major address to Congress (i.e SOTU, joint-addresses). If the president made no mention of the issue, it was off agenda. If the president mentioned the issue in passing or mentioned a related issue, it was coded as broad agenda. If the president made a specific policy proposal or set a specific policy goal, it was coded as core agenda. The difference between the last two categories would be as follows:

- “We need to put people back to work.” *Broad Agenda.*
- “We need to help people transition from welfare to work by offering them (specific proposal).” *Core Agenda*

All coding was done by the author and has not been tested for intercoder reliability. However, the process by which the State of the Unions were coded and matched to votes was done with no

knowledge of the final vote's success or failure. Use of bootstrapped standard errors and robust clustered standard errors did nothing to shift the overall findings. In some cases, the statistical significance level of certain control variables shifted from .05 to .06.

Figures 15 and 16 are predicted probabilities of success based on the logistic regression Model 2 in Table 1. Figure 15 shows predicted probabilities of success based on the item's agenda status conditional on majority status, supportive leader support, opposing leader opposition, and a 51-49 percent partisan divide. Figure 16 shows the same thing with minority status and a 49-51 percent partisan divide.

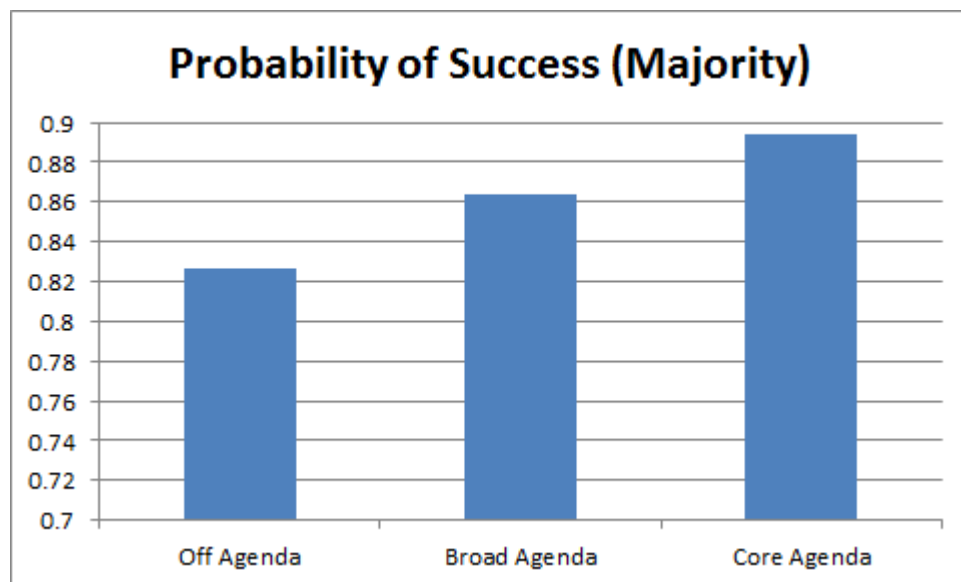


Figure 15: Predicted probability of success for majority presidents in the House given a 51-49 majority, opposition from the minority leader, and support from the majority leader from 1993-2004 on votes on which the president took a position and at least 15% of the chamber voted on each side (n=240).

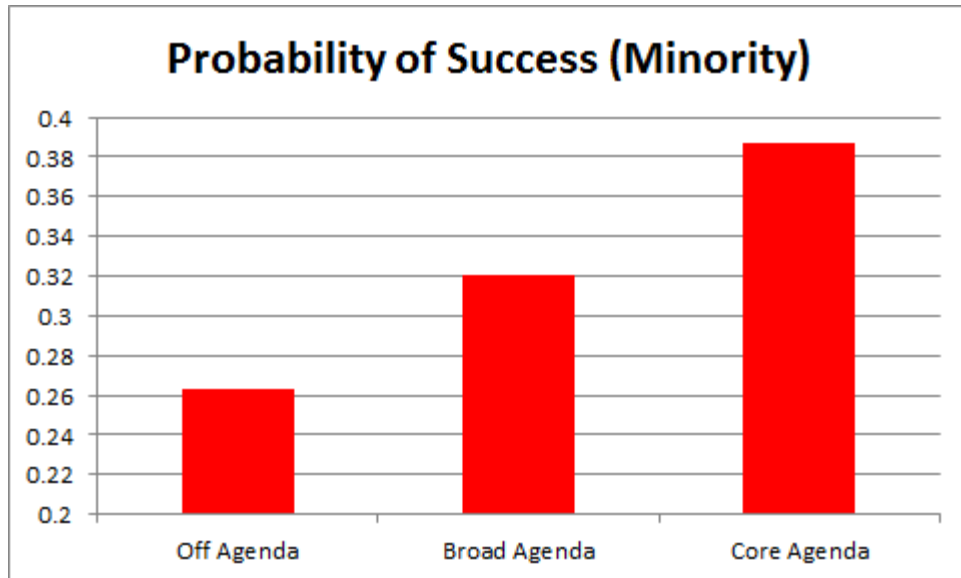


Figure 16: Predicted probability of success for minority presidents in the House given a 49-51 minority, opposition from the majority leader, and support from the minority leader from 1993-2004 on votes on which the president took a position and at least 15% of the chamber voted on each side (n=352).

3. Beckmann (2010) Data

A full description of the data, which was provided generously by Matt Beckmann, can be found in the original author's appendix, but a basic description of the data used in this paper is available here. Much of his data is drawn from *Congressional Quarterly* and what follows represents how the data was coded for use in this paper.

- White House Proposal (Yes = 1, No = 0)
- Did the president take a position? (Yes = 1, No = 0)
- Did the president lobby Congress? (Yes = 1, No = 0)
- The president was a different party than the House, Senate (Yes = 1, No = 0)
- The president won (A new law was passed when the president wanted one or no law was passed when the president did not = 1, the opposite = 0)

Below is a regression output that shows the effect of position taking and lobbying on success with partisanship as a control variable. Figures 10 and 11 show the difference in success rate based on proposal status and lobbying approach. Tables 2 and 3 below show that these factors are still significant predictors when controlling for majority status in both chambers.

Table 2: Success Rate in Congress 1953-2004

Variable	Coefficient	(Std. Err.)
WH Proposal	0.483*	(0.192)
Lobby	0.950*	(0.190)
House Minority	-1.223*	(0.223)
Senate Minority	0.074	(0.217)
Intercept	-0.493*	(0.164)

Table 3: Success Rate in Congress 1953-2004

Variable	Coefficient	(Std. Err.)
House Minority	-1.293*	(0.208)
Senate Minority	0.029	(0.208)
Intercept	0.268*	(0.120)

* p less than .05

4. The Senate

The role of the Senate is clear in the Beckmann data and the data cited from Cohen (2012). I did not make use of Senate data in the Roll Call section because the PAP does not include the president's position in their Senate voting database. That said, the pattern or failure is clear if you observe the data presented in Bond and Fleisher (1990) or explore Edwards' support scores.

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