

*Institutional and Individual Influences  
on the President's Veto*

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This article evaluates and compares “president” and “presidency” centered explanations of presidential activity with respect to one important presidential power, the veto. Using individual bill data for nine congresses characterized by divided party government, I estimate a logistic regression model of presidential vetoes. This contrasts with previous research, which has used annual aggregate data. Using individual bill data allows controls for objectionable legislation passed by Congress and enables me to measure and compare the “propensity to veto” of different presidents. I conclude that presidential vetoes are in substantial measure caused by Congress passing objectionable bills, but that even controlling for congressional behavior, presidents exhibit strikingly different veto behavior. Ford was most prone to using the veto, and Reagan, the least. Although external factors exert great influence on the president’s veto decision, the individual choices and strategies of presidents also have an important influence.

A paradox of the American presidency is that this office, routinely called the most powerful on Earth, is also said by many observers to allow its incumbent relatively little autonomy. Neustadt (1960) asked whether the president was a “leader or clerk.” Similarly, recent work has focused on “president” versus “presidency” centered explanations of presidential activity (Hager and Sullivan 1994; Shields and Huang 1997). Presidency-centered explanations suppose that the president is a clerk and that presidential behavior is a function of the institutional setting of the president. From this perspective, the individual attributes and idiosyncratic strategic choices of presidents have little influence, and presidents make the choices they do because of externally imposed constraints over which they have little control. The essence of the presidency-centered approach is the view “that most presidents would behave similarly in similar contexts” (Hager and Sullivan 1994, 1081). President-centered explanations suppose that the president makes choices that are not determined by outside factors and that individual attributes of the president will make a difference. According to the president-centered view, the president will have the freedom of action to im-

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pose his own views of leadership on the office and “to be as big a man as he can.”<sup>1</sup>

Contemporary research on the president has tended more in the presidency-centered than the president-centered direction. Terry Moe contends that theoretical development in presidential studies will come primarily from a focus on the institutions of the presidency, not on “personal factors” (Moe 1993, 338). Similarly, Hager and Sullivan (1994) find presidency-centered explanations more useful in understanding presidential public activity, and Shields and Huang (1997) find the same for presidential vetoes.

This article evaluates and compares president and presidency-centered explanations for one important area of presidential power, the veto. The study is limited to periods of divided party control of Congress and the president. The research strategy is to use a data set of individual bills passed by Congress to ascertain the extent to which institutional variables account for vetoes and the extent to which variables for individual presidents account for variation in veto behavior. If, despite controls for appropriate institutional factors, variables for individual presidents can account for variation in veto behavior, one can, with due caution, interpret that as supporting the view that presidents are using the veto in distinctively different ways. Hager and Sullivan use this method to investigate the importance of president- and presidency-centered factors in explaining presidential public activity.

Some previous research has investigated the importance of individual behavior as an influence on veto behavior. Simonton (1987) has shown that presidents exhibiting “inflexibility” as a personality trait tend to veto more often than flexible presidents. Other work has investigated the specific veto strategies of individual presidents, especially President Ford, who relied heavily on the veto in his dealings with strongly Democratic congresses (Collier 1997, Light 1991, Reichley 1981). The puzzle for scholars is to untangle institutional and individual influences on presidential behavior in order to understand their relative contributions to the observed behavior of the presidents.

The evidence in this article suggests that institutional explanations are important, but so are individual ones.

### Aggregate Models of the Veto

Previous research on presidential vetoes has been limited by a reliance on aggregate data that has, in turn, all but precluded consideration of anything but presidency-centered explanations. The chief goal of most previous veto research has been to explain variation in the rate of presidential vetoes over time. There have been several important papers on the veto, but those by Rohde and Simon (1985) and Woolley (1991) stand out as particularly useful. Articles by Hoff (1991) and Shields and Huang (1995, 1997) elaborate on the work of

<sup>1</sup>This is Woodrow Wilson's phrase, quoted by Neustadt (1960, 6).

Rohde and Simon and Woolley, although they work within the same general framework.

Rohde and Simon propose what is in essence a two-step model of presidential vetoes. A key intervening variable in aggregate models is the frequency with which Congress passes "objectionable legislation," to use Woolley's term. Objectionable legislation greatly displeases the president and is likely to result in a veto.

In the first step of the model, Congress passes bills, some of which are "objectionable." Rohde and Simon imply that the rate at which Congress passes objectionable bills will depend on a variety of circumstances, mostly relating to the power position of the president. When the president is politically weak, lacking public approval and party support in Congress, Congress will pass more objectionable legislation. The stronger the president's position is, the less objectionable legislation Congress should pass.

In the second step of the model, objectionable legislation explains the number of vetoes. Rohde and Simon write that vetoes are a "function of the frequency with which the Congress produces legislation which is radically different from that which the president desires it to produce" (Rohde and Simon 1985, 401). In aggregate models of the veto, the more objectionable bills Congress passes, the more bills the president will veto.

The primary weakness in aggregate models of presidential vetoes is that the key intermediary variable, the amount of objectionable legislation passed by Congress, is both unobserved and unmeasured. Lacking a measure of objectionable legislation, Rohde and Simon and others estimate the model as if it were really a one-step model. That is, they use presidential resources and other political variables to account for the frequency of vetoes. They assume that the independent variables are having the hypothesized effect on passage of objectionable legislation and that the objectionable legislation is driving the rate of vetoes.

The Rohde and Simon model has the unfortunate consequence of casting the president as an automaton, or perhaps as Neustadt's "clerk," whose exercise of the veto is determined largely by congressional action. The veto is portrayed as a ministerial function, not as an important matter of presidential discretion and judgment. Clearly, objectionable legislation has a great influence on presidential veto behavior, but when the president casts a veto he is less like a clerk than at almost any other time. According to the Rohde and Simon model, Ford's veto binge would be due to Congress passing an unusually large amount of objectionable legislation. The binge could, however, be due to (1) Congress passing objectionable legislation, or (2) Ford being unusually veto-prone, or (3) some combination of both. Woolley (1991) takes this problem into account by incorporating a dummy variable for President Ford, who is widely acknowledged to have vetoed more than a normal amount of legislation. But his approach, which relies on aggregate data, cannot distinguish between Congress having passed an exceptional amount of objectionable legislation and Ford wielding a "hair trigger" veto pen.

Woolley distinguishes between “major” and “minor” vetoes, estimates separate models for each, and finds very different results. He concludes that “variation in the likelihood of a major bill veto is almost entirely a function of variation in the president’s power resources” (Woolley 1991, 297). He tests “president-centered” explanations by including a dummy variable for President Ford and finds that, as expected, Ford vetoed more than the other presidents. Vetoes of minor bills are not influenced by presidential resources, but they tend to increase in election years.

Shields and Huang (1995) modify the Rohde and Simon and Woolley analysis by updating the analysis and employing an “event count” estimator. Instead of distinguishing between “major” and “minor” vetoes, Shields and Huang exclude pocket vetoes, contending that decision making on pocket vetoes is different. With their event count estimator, they find that the Ford variable is not statistically significant. They find that unemployment, midterm elections, and the number of public bills increase vetoes, while international conflicts, presidential popularity, and party support in the Senate reduce vetoes.

Shields and Huang (1997) provide a useful improvement on previous aggregate studies by disaggregating to the month rather than the year. This gives them far greater analytic power, allowing them to test hypotheses untestable with annual data. They compare president- and presidency-centered models of the veto and do not find statistically significant differences. Thus they conclude that the presidency-centered model can be accepted as a more parsimonious model. Their results are limited by their inability to control for quantity of objectionable legislation passed.

### Congressional Provocation and Presidential Propensity to Veto

Studies of the veto need to accommodate variation in presidential behavior as well as in congressional behavior. Just as Congress can be more or less confrontational in the legislation it sends the president, the president can be more or less inclined to exercise the veto. We can see vetoes as a product of two factors, both of which are measurable, observable attributes of congressional and presidential. The first is the *tendency of Congress to provoke a veto*, and the second is the *president's propensity to veto*. Vetoes result from both of these factors.

In passing bills, Congress can be motivated by more than a desire to create a new law. Congress can, and routinely does, pass laws deliberately designed to provoke a presidential veto. The purpose of provoking a veto is symbolic—to show important constituencies in a very clear way that Congress favors something and that the president is against it (Gilmour 1995; Groseclose and McCarty 2001). The more provocative legislation Congress passes, the more vetoes there will be.

Presidents can in principle have a greater or lesser “propensity to veto.” Whether or not that propensity varies across presidents remains to be empirically dem-

onstrated. By propensity to veto, I mean a characteristic or strategic posture of a president defined by a greater or lesser willingness to use the veto. Let us assume that we can by some objective procedure determine for each bill, in advance of its being presented to the president, its "objectionableness." For all presidents the probability that they will veto a bill rises with its objectionableness. A president with a high propensity to veto will veto legislation that a president with a low propensity would sign. In discussing the concept of a propensity to veto, I do not mean to posit any cause for why presidents might exhibit different propensities.

### Measuring Congressional Provocation

The fundamental challenge in this study is to control for the shifting, partisan and strategic circumstances that confront presidents so that we can isolate behavior attributable to the presidents themselves. A variety of institutional factors will influence the president's veto decisions, but undoubtedly one of the most important, and possibly the most important, will be the nature and provocativeness of the legislation that Congress passes. We have no way of measuring directly the objectionableness of legislation. But by observing how the bill is passed by Congress and who votes for it and against it, we can learn a great deal about the bill. We can use votes in Congress by the president's party as proxies for the president position and votes by the other party as negative proxies.

When members of the congressional majority are facing a president of the other party and want to ensure that a bill will become law, they must normally compromise with the president and the minority in Congress. If they are more concerned about scoring points with constituencies and developing an issue to use in the next election, they need not compromise. To gain bipartisan support for a bill, the majority can modify a bill by eliminating features most objectionable to the minority. If the congressional minority opposes the bill in substantial numbers, there is good reason to believe that the president will find the bill troubling as well.

We will consider party voting on bills as a useful but imperfect measure of their objectionableness. The more support a bill receives from members of his party in Congress, all else being equal, the more the president will like it. Similarly, the more support a bill receives from members of the other party, the less likely the president is to approve of the bill.<sup>2</sup> I do not mean to imply that

<sup>2</sup>An alternative to relying on party support on final passage as a measure of the ideological suitability of legislation would be to use, as McCarty and Poole (1995) did, the NOMINATE scores of members supporting and opposing a bill to estimate the ideological positioning of the bill. Both approaches should yield similar results. Neither approach actually tells what the ideological positioning of the bill is, only the position of the people who voted for and against. A bill increasing the minimum wage might, because of popular sentiment at the time, draw some votes from conservative members. That would not make increasing the minimum wage a conservative bill: it would be a liberal policy for which conservatives grudgingly voted.

the president is taking the congressional vote as a cue, although that may be the case. More likely, the president and members of Congress from his party react similarly because of shared beliefs.

This approach assumes that if two similarly obnoxious bills were passed by the majority party in two different congresses, the president's party would vote against them in roughly similar proportions both years. This approach takes the reactions of members of Congress to legislation as a basis for comparisons across bills and across time. It assumes that the voting in one Congress is comparable to voting in another and that congressional voting is an equally good surrogate for presidential preference across time. This is not a completely accurate assumption, however, because congressional parties can vary in ideology over time, and the ideological distance between presidents and the congressional parties also varies. I will deal with these complications later.

### Bill-Specific Data

I have created a data set in which the case is the individual bill passed by Congress, and the dependent variable is whether the bill was vetoed or signed. The superiority of bill-level data has probably been apparent to previous veto researchers, but the difficulty of assembling the data was discouraging. Studies based on aggregate data have a partially offsetting advantage of allowing the researcher to incorporate a larger number of congresses in a study with ease. Most veto researchers use data from the entire postwar period (Rohde and Simon 1985, Shields and Huang 1995, 1997, Woolley 1991), and some use a century or even the entire span of United States history (Hoff 1991, Lee 1975).

I made a number of important decisions in the course of collecting data. First, I have collected data only from congresses in which one party controlled both chambers of Congress and the other party controlled the White House. This is the purest condition of divided party government. I focused on divided government because unified governments produce fewer, less conflictual vetoes. Woolley (1991) reports that, under unified government, major vetoes nearly disappear. Vetoes are of interest mostly insofar as they provide evidence of serious conflict between the executive and legislative branches. Vetoes of minor bills, which predominate under unified governments, are not of great interest. Conclusions from this study pertain only to divided government.

Second, in selecting cases for this analysis, I employed a screen to exclude the more trivial bills passed by Congress. The criterion was to select only bills that passed with at least 10% of either the House or Senate opposed to final passage. The vast majority of bills are not important (readers who doubt this assertion should read through a list of the public laws enacted in a Congress) and are passed by Congress without a recorded vote in either chamber. Important legislation tends to generate at least a modest level of controversy, and this brings about a recorded vote.

*In all cases, I selected only votes that were votes on final passage, reflecting the reaction of members to the bill actually presented to the president.*<sup>3</sup> Votes earlier in the legislative process can be misleading since bills change over the course of enactment. Provisions causing dissent during initial House passage might have been removed in conference. I identified votes for final passage by means of legislative summaries in the *Digest of General Public Bills*, a congressional Research Service publication, and in THOMAS, the congressional Web site (<http://thomas.loc.gov>).

I have used eight and a half congresses for this analysis: the 92nd, 93rd, 94th, 100th, 101st, 102nd, 104th, 105th, and the first session of the 106th. All of them are characterized by split party control of Congress and the presidency. Prior to the 104th, Republican presidents faced congresses in which both chambers were controlled by Democrats. This was reversed beginning in the 104th. The 92nd through 94th congresses consist of the years 1971–76, when first Nixon and then Ford were president. The 101st Congress (1987–1988) encompassed the final two years of Reagan’s presidency; this was the only time in Reagan’s presidency when Democrats controlled both chambers of Congress. During the 101st Congress, 1989–1990, and 102nd, 1991–1992, Bush was president. The 104th, 105th, and 106th congresses (1995–2001), with Clinton as president, were the first since 1946–1948 in which a Democratic president faced a Republican Congress.

Selecting only bills that passed with a modestly contested final vote results in a surprisingly small number of bills in the data set. The vast majority of bills that pass do so without a recorded vote, and many of those that do pass on a recorded vote pass with no votes opposed, or perhaps just a small handful opposed. Most bills pass with no conflict in evidence on the vote for final passage. As Table 1 shows, 541 out of the 4,867 bills passed in these congresses, about 11%, made it into the data set. Of the 191 vetoes in these seven congresses, 108—about 57%—made it into the data set. Leaving 43% of vetoes out of the data set may seem problematic. Cameron addresses this point well. He argues that “minor bills dominate summary counts of vetoes simply because Congress passes so many minor bills. We care little about such vetoes simply because the bills are so unimportant, whether vetoed or not.” Furthermore, he writes, “Any attempt to find patterns in vetoes will come to grief unless we sort the jewels from the gravel” (Cameron 2000, 37).

The great majority of vetoes screened out are unimportant bills, but there are instances of important bills passing Congress on a voice vote only to be met by a presidential veto. To ensure that case selection does not bias the results, I conducted a second “sweep” to pick up important vetoes that were excluded by the criterion of a contested vote on final passage. To do so, I checked to see which excluded vetoes were significant enough to have an article written about them in *Congressional Quarterly Almanac*. Twenty of the excluded vetoes were

<sup>3</sup> See Mayhew’s justification for using votes for final passage (Mayhew 1991, 119–120).



TABLE 1  
Comparison of All Bills and Vetoes to Those in Data Set

Congress	Bills Passing Congress		Vetoes	
	Total	In Data Set	Total	In Data Set
92	625	52	20	6
93	684	98	39	14
94	617	113	37	24
100	729	59	19	8
101	671	58	21	14
102	615	56	25	14
104	350	49	17	16
105	401	36	8	7
106	<u>175</u>	<u>20</u>	<u>5</u>	<u>5</u>
Total	4,867	541 (11%)	191	108 (57%)

written up in *CQ*. Including them in the analysis does not change any of the substantive results.

### Preliminary Results

A preliminary examination of the data yields some interesting observations. Some congresses pass more provocative legislation than others. Bills that pass over the strong opposition of the president's party in Congress are very likely to be vetoed. Table 2 records bills by the level of minority party opposition in

TABLE 2  
Level of Minority Opposition by Congress and Chamber

	House		Senate	
	0-49%	50%-100%	0-49%	50%-100%
92	42	10	50	2
93	82	16	91	7
94	79	34	100	13
100	34	25	49	10
101	40	18	52	6
102	33	23	49	7
104	22	27	27	22
105	27	9	31	5
106	<u>14</u>	<u>6</u>	<u>16</u>	<u>4</u>
TOTAL	373	168	465	76



the House and Senate on votes for final passage. Notice that there are more than twice as many instances in the House than in the Senate of a majority of the minority party opposing a bill. This does not mean that the House passes more partisan legislation—after all, the House and the Senate must approve identical bills. The table shows that the minority party in the House responds more negatively to identical legislation than the minority in the Senate. Also notice the sharp discrepancies among congresses in the passage of provocative legislation.

There is a strong relationship between the congressional voting variables and presidential vetoes. Table 3 shows the relationship between the level of opposition from the president's party to a bill on final passage and the president's action on receiving the bill. For both the House and the Senate, bills passed with two-thirds of the minority party opposed are vetoed at a high rate. The Senate minority votes against bills less often, but Senate votes appear to be a more reliable predictor of presidential action.

### A Logistic Regression Model of Presidential Vetoes

The purpose of the following logistic regression model is to simulate the presidential decision process, so the equation includes an array of factors that might plausibly provide useful information to the president or otherwise influence the president's decision. It estimates the second stage of the Rohde-Simon veto model, testing the relationship between the enactment of objectionable legislation and other factors and presidential vetoes. More broadly, the model permits a test of two partially competing hypotheses—one representing presidency-centered explanations and the other representing president-centered explanations.

*Hypothesis 1 (presidency-centered): Presidential veto behavior is determined by institutional factors beyond the control of the president.*

TABLE 3

#### Minority Opposition and Veto Probability

Pct. Opposed	House		Senate	
	Number	% Vetoed	Number	% Vetoed
67% and up	82	57%	40	90%
50%–66%	86	29%	36	47%
33%–49%	106	8%	37	30%
Below 33%	267	10%	28	10%

*Hypothesis 2 (president-centered): Presidential veto behavior is determined by factors unique to individual presidents.*

The model incorporates a variety of variables that can lend support to one hypothesis or the other. The presidency-centered variables are four variables measuring party voting in Congress, two variables related to the election cycle, presidential popularity, the unemployment rate, and veto-proof passage by Congress. The president-centered variables are dummy variables for individual presidents.

The dependent variable is whether or not a bill was vetoed—coded 1 for vetoed and 0 for not vetoed. No distinction is made between pocket vetoes and ordinary vetoes. The president typically reserves the pocket veto for minor legislation, and consequently few of the vetoes in the data set are of the pocket variety.

#### *Presidency-Centered (or Institutional) Variables*

- (1) Senate minority opposition. This should take a positive sign since the higher the president's party opposition, the more likely the president will also dislike the bill and veto it. This and the next three variables are all coded as the percentage of party members opposing the bill, with values ranging from 0 to 100%. If there was no vote in one chamber, or opposition was less than 10%, the level of party opposition is coded as zero. These variables measure congressional provocation or its absence and thus are good tests of the presidency-centered thesis. These are clearly institutional factors beyond the control of the president.
- (2) House minority opposition. This should also take a positive sign, with values ranging from 0 to 100%.
- (3) Senate majority opposition. This should take a negative sign since the higher the other party opposition, the less likely the president will be to veto. In other words, a bill that divides the other party cannot be all bad.
- (4) House majority opposition. This should also take a negative sign.
- (5) President's popularity. This is measured as percentage approving of presidential performance minus the percentage disapproving, aggregated on a quarterly basis. This should have a positive sign since the more popular a president is, the more confident he will be in standing up to Congress when it passes bills he does not like. This is also considered a test of Hypothesis 1 since a president's popularity is beyond his control (he cannot choose to be more popular). I include presidential approval as an institutional variable because it is largely, although not entirely, beyond the control of the president. Presidents have some ability to manipulate public opinion, as Brace and Hinckley (1993) argue, but they cannot choose to be popular. If they could, all presidents would be popular all the time.
- (6) Presidential and midterm election variables. The presidential election variable is coded 1 for bills signed or vetoed in a presidential election year.

The midterm election variable is coded 1 for bills signed or vetoed in a midterm election year. Previous studies have included these variables, with mixed results. Plausible arguments can be made that vetoes should be both more and less likely in these years. Perhaps presidents will be more inclined to stand up to Congress when there is an election. They may also be more inclined to sign marginally acceptable legislation in the election year, knowing that there may not be another chance to pass a bill in that particular Congress. Regardless, these are institutional influences on a president's decision making, and thus help to test Hypothesis 1.

- (7) Veto proof margin. It seems very likely that the probability that Congress would override a veto should influence the president's veto decision. If a bill passes with at least two-thirds voting in favor in both the House and Senate, it is "veto-proof." A president who wishes to avoid being overridden might well shy away from vetoing such bills, even when he dislikes them. Veto-proof bills are coded 1 and all others are coded 0. We can expect that this variable will have a negative sign, meaning that presidents are reluctant to use the veto when it is likely to be overridden. Again, this tests Hypothesis 1 since this is an influence on the president's decision that is outside his control.
- (8) Unemployment rate. It is likely that the president's political standing will influence use of the veto, and the state of the economy, especially unemployment, is an important contributor to the president's political standing, or lack of it. The national unemployment rate is correlated with presidential popularity at a surprisingly low  $-.123$ . This variable should take a negative coefficient since higher unemployment is likely to reduce the probability of a veto.
- (9) Subject to pocket veto. Presidents may be more likely to veto bills if they can use the pocket veto and thus avoid any possibility of a congressional override. This variable is scored 1 for bills passed in the last ten days of a congress and thus subject to a pocket veto. All others are scored zero.

#### *President-Centered (or Individual) Variables*

- (10) Presidential dummy variables. Dummy variables are included for Presidents Ford, Reagan, Bush, and Clinton. No variable is included for Nixon, who is the omitted class. The "Ford" variable is coded 1 for bills signed or vetoed by Ford, and 0 otherwise. The "Reagan" variable is coded 1 for bills signed or vetoed by Reagan, and 0 otherwise, and so on for Bush and Clinton. These variables are intended to capture each president's propensity to veto—in essence, their personal or idiosyncratic approach to exercising the veto. As such, they test the president-centered hypothesis. The logic of the analysis is that if these variables are statistically and substantively significant, then institutional factors are not by themselves accounting for presidential veto behavior and that the presidents exhibit distinctively

different patterns in their use of the veto. The difficulties of interpreting these variables will be discussed in a later section. In alternative specifications of the model, I substituted all the presidents in turn as the omitted category.

*Other*

- (11) President's position. Whether or not the president was in favor of a bill prior to its passage is obviously an extremely important factor in explaining vetoes, but it does not seem to bear on either hypothesis. Data on presidential positions were collected from *Congressional Quarterly*. If the president took a position in favor of a bill, the variable is coded 1. If the president opposed the bill, it is coded -1. If the president took no position, it is coded 0. This should take a negative sign since, obviously, when the president favors a bill he is less likely to veto. The president opposed 103 bills, favored 81, and took no position on the rest.

Descriptive statistics for the independent variables in the model are displayed in Table 4.

Results

I estimated three logistic regression models. The results are displayed in Table 5. Table 6 reports marginal effects on veto probability of changes in the values of

TABLE 4

Descriptive Statistics for Independent Variables

Continuous Variables	Mean	Min.	Max.	Std. Dev.
Senate Minority Opposition	16.4	0	100.0	26.0
House Minority Opposition	36.4	0	100.0	26.2
Senate Majority Opposition	6.4	0	80.0	12.7
House Majority Opposition	14.6	0	80.2	13.5
Presidential Approval	11.5	-41	65.4	21.3
Unemployment Rate	6.2	4.1	8.8	1.2
<i>Ordinal Variables</i>	n = 1		n = 0	n = -1
President's Position	81		357	103
Presidential Election	190		351	
Midterm Election	109		432	
Veto-Proof Majority	374		167	
Nixon	103		438	
Ford	160		381	
Reagan	59		482	
Bush	114		427	
Clinton	105		436	

TABLE 5  
Logistic Regression Estimates of Veto Models

Variable	Model 1		Model 2		Model 3	
	COEFF.	(T-STAT)	COEFF.	(T-STAT)	COEFF.	(T-STAT)
Constant	1.352	(0.91)	6.036	(1.56)	-4.623	(-4.13)
Senate Minority Opposition	0.038	(4.22)	0.037	(4.11)	0.031	(4.26)
House Minority Opposition	0.027	(3.38)	0.026	(3.25)	0.018	(2.44)
Senate Majority Opposition	-0.036	(-1.38)	-0.033	(-1.26)	-0.033	(-1.49)
House Majority Opposition	-0.077	(-3.35)	-0.084	(-3.50)	-0.052	(-2.74)
President's Position	-2.856	(-6.83)	-3.147	(-6.58)	-2.218	(-6.95)
Presidential Approval	0.011	(1.22)	0.007	(0.41)	0.004	(0.50)
Presidential Election	-0.048	(-0.11)	1.014	(1.28)	-0.315	(-0.81)
Midterm Election	-1.318	(-2.29)	-1.239	(-1.49)	-0.035	(-0.74)
Veto Proof Majority	-1.309	(-2.68)	-1.360	(-2.67)	-0.949	(-2.07)
Unemployment Rate	-0.597	(-2.37)	-1.331	(-2.05)	0.452	(2.97)
Subject to Pocket Veto	-0.420	(-0.89)	-0.417	(0.83)	-0.497	(1.10)
Ford	2.759	(3.39)	—	—	—	—
Reagan	-2.126	(-2.62)	—	—	—	—
Bush	0.598	(0.80)	—	—	—	—
Clinton	-1.890	(-2.36)	—	—	—	—
93rd Cong., 1st sess. (Nixon)	—	—	-3.175	(-1.76)	—	—
93rd Cong., 2nd sess. (Nixon)	—	—	-6.193	(-0.31)	—	—
93rd Cong., 2nd sess. (Ford)	—	—	2.854	(2.23)	—	—
94th Cong., 1st sess. (Ford)	—	—	4.773	(2.42)	—	—
94th Cong., 2nd sess. (Ford)	—	—	2.302	(1.55)	—	—
100th Cong., 1st sess. (Reagan)	—	—	-2.306	(-1.98)	—	—
100th Cong., 2nd sess. (Reagan)	—	—	-3.992	(-3.81)	—	—
101st Cong. (Bush)	—	—	0.070	(0.07)	—	—
102nd Cong. (Bush)	—	—	0.558	(0.41)	—	—
104th Cong. (Clinton)	—	—	-2.939	(-3.08)	—	—
105th Cong. (Clinton)	—	—	-3.219	(-2.03)	—	—
106th Cong., 1st sess. (Clinton)	—	—	-3.307	(-1.94)	—	—
Number of cases	541		541		541	
Chi Squared	298.440		311.453		256.046	
Cases categorized correctly	90.6%		91.1%		90.2%	
-2 log likelihood	242.440		229.428		284.835	

the independent variables, with the other variables held constant. It allows for a more meaningful comparison of the importance of different independent variables.

Model 1 includes institutional and individual variables and classifies 90.6% of cases correctly, assuming that the predicted probability of a veto for an individual bill above .5 is classed as a veto and lower probabilities are not vetoes. Model 2 is the same as Model 1 except that the variables for individual presidents are divided into multiple time periods. Model 3 presents a baseline institutional model that excludes the presidential variables. All three models classify at least 90.2% of cases correctly.

TABLE 6

Marginal Effects of Changes in Variables on Veto Probability

Senate Minority Opposition <sup>a</sup>	0.66
House Minority Opposition <sup>a</sup>	0.34
Senate Majority Opposition <sup>a</sup>	-0.14
House Majority Opposition <sup>a</sup>	-0.15
President's Position <sup>c</sup>	0.60
Presidential Approval <sup>a</sup>	0.08
Presidential Election <sup>b</sup>	-0.01
Midterm Election <sup>b</sup>	-0.10
Veto Proof Majority <sup>b</sup>	-0.10
Unemployment Rate <sup>a</sup>	-0.11
Pocket Vetoable	-0.05
Ford <sup>b</sup>	0.58
Reagan <sup>b</sup>	-0.13
Bush <sup>b</sup>	0.09
Clinton <sup>b</sup>	-0.12

(a) Change in veto probability is that due to a change in the independent variable from its mean to its maximum value.

(b) Change in veto probability is that due to a change in the independent variable from zero to one.

(c) Change in probability is that due from changing variable from zero (no position) to -1 (president opposed).

Entries are estimated change in probability of veto due to change in one independent variable, while all others are held constant at their mean (or at zero for dummy variables).

It appears that the president's position on legislation has a great influence on the decision to veto. Any other finding would be surprising. This variable does not pertain to either hypothesis, but it is important to control for this factor.

*Institutional Variables*

The variables associated with Hypothesis 1, the presidency-centered view, perform mostly as expected. The four variables measuring voting by the majority and minority parties in Congress, which are intended to serve as measures of the objectionableness of legislation, all have the anticipated sign and all except Senate majority opposition are statistically significant. Increasing Senate Minority Opposition from its mean to its maximum increases veto probability by 66%. House Minority Opposition has about half that effect.

Marginal effects of the majority opposition variables are much smaller. To a substantial degree, presidential vetoes are a direct and predictable consequence of congressional behavior and of the kind of legislation Congress passes. When Congress passes bills in spite of strong opposition by the president's party, they are frequently vetoed. This finding, suggesting that presidential behavior is determined by external forces, strongly supports "presidency-centered" explanations.

The results for the midterm election and unemployment variables shed light on the president's decision to use the veto in a way that aggregate studies cannot. Previous studies (Rohde and Simon 1985; Shields and Huang 1995, 1997) found that vetoes are more common in midterm election years. That is, the number of vetoes rises. According to Table 6, the probability that the president will veto a bill declines about 10% in midterm election years. This finding is somewhat counterintuitive, but nonetheless consistent with the idea that the number of vetoes rises in midterm years. Vetoes become more common because Congress is passing more objectionable legislation close to the election. But holding constant the objectionableness of the legislation, presidents are less likely to use the veto in a midterm election year. This makes sense given the expectation that the president's party will lose seats in Congress in the midterm election. The president will probably have a Congress that is harder to work with after the election, so he cannot expect to veto a marginally unsatisfactory bill and hope to do better with the new Congress.

Previous studies have found that higher levels of unemployment are associated with greater numbers of vetoes. My research shows that when the level of unemployment is higher, the president is less likely to use the veto. These findings are not contradictory. When the level of unemployment rises, Congress may feel emboldened to challenge the president and pass more objectionable legislation, which results in more vetoes. But the president, feeling his position weaker, may be reluctant to veto moderately offensive legislation and may save the veto for only the worst bills. The probability of the president vetoing any particular bill declines, but, given the quantity of offensive legislation being passed, the number of vetoes still rises.

The variable for veto-proof margin indicates that presidents are not inclined to veto legislation when an override is likely. A bill with a veto-proof majority is about 10% less likely to be vetoed than one without, all else being equal. This is consistent with presidency-centered explanations: presidents are united by an underlying institutional logic in not vetoing when an override is likely.

The variable for presidential popularity has the anticipated positive sign, suggesting that a more popular president may be more willing to exercise the veto. But with a t-statistic of 1.2 we cannot have much confidence in this finding.

In all, the model provides strong support for Hypothesis 1. These results are consistent with previous studies of the veto, such as Rohde and Simon (1985) and Woolley (1991), which have emphasized institutional factors and disregarded individual presidential choice and discretion.



### *Individual Presidential Variables*

Hypothesis 2 also finds strong support. Three out of the four presidential variables in Model 1 have statistically significant coefficients. Further, the chi-square test comparing Model 1 with Model 3 leaves no doubt that the president-centered variables enhance the model's ability to explain vetoes (chi-square = 42 with four degrees of freedom;  $p < .001$ ).

The individual presidential dummy variables have strikingly different coefficients, supporting the notion that presidents have differing propensities to veto. That is, controlling for the objectionableness of legislation and other institutional factors, these presidents exhibit distinctive veto behavior compared to Nixon, the omitted category. Ford has a very high propensity to veto. Having Ford as president increases the veto probability by a large amount—58%. Reagan and Clinton have low propensities to veto, reducing veto probability by 13% and 12%, respectively. Bush and Nixon are in between. The coefficients for Ford, Reagan, and Clinton are highly statistically significant ( $p < .01$ ), meaning that their propensities to veto are statistically distinguishable from Nixon's. Bush, with an intermediate propensity to veto, is not statistically distinguishable from Nixon.

I also estimated the model using each president in turn as the omitted class. As the model is reported in Table 5, Ford, Reagan, Bush, and Clinton can be compared to Nixon, but not directly with each other. The additional model specifications allow all possible comparisons among presidents to be made. For reasons of space, I do not report these models here, but the results can be easily summarized. Reagan and Clinton, with low veto propensities, are statistically distinguishable from all presidents except each other. Bush and Nixon, with intermediate veto propensities, are statistically distinguishable from all presidents except each other. Ford is statistically distinguishable from all the others.

Interpreting the individual president dummy variables requires some caution and explanation. My intention is to use them as measures of each president's unique "propensity to veto." The problem with such dummy variables is that in addition to the president's propensity to veto, they capture circumstances and events correlated with a particular administration that are not otherwise represented in the equation. To minimize the possibility that other unexplained variance is being conflated with propensity to veto, I estimated Model 2, in which each presidency is split into at least two time periods. A presidential propensity to veto, if it exists, is likely to be relatively stable over time, but other unexplained variance that might contribute to vetoes is less likely to be stable over time. Thus, if dummy variables for the 104th, 105th, and 106th congresses have similar coefficients, that would increase our confidence that the Clinton variable is actually measuring propensity to veto rather than some other unrelated factor.

The discrete time-period variables in Model 2 are consistent with the corresponding presidential dummy variables in Model 1. The three variables for the

Clinton congresses have similar coefficients ( $-2.939$ ,  $-3.219$ , and  $-3.307$ ). The two Bush variables, for the 101st and 102nd congresses, are likewise close ( $0.070$  and  $0.558$ ). The two Reagan variables, 100th Congress, 1st and 2nd sessions, vary somewhat ( $-2.306$  and  $-3.392$ ), but in both sessions there was a decided tendency against vetoing. The Ford variables, like Reagan's, vary somewhat, but all indicate a tendency to make active use of the veto. The comparability of the discrete time-period variables lends substantial support to the interpretation of the presidential dummy variables as indicators of presidential propensity to veto.

A possible alternative explanation for the strong observed importance of individual presidents is the ideological distance of presidents from Congress. A president who is especially conservative and ideologically distant from Congress might find the bills emerging from Congress more distasteful than a more moderate president and hence veto more. This increased rate of vetoes would be explained by the objectionableness of the legislation and not reflect a higher propensity to veto. On closer examination, ideological distance turns out to be of no use in explaining vetoes.<sup>4</sup>

To consider the possibility that the results are somehow determined by the manner of selecting cases, I reestimated the model using a slightly enlarged data set. The enhanced data set included all of the original 541 cases plus an additional 20 cases that consist of nontrivial vetoed bills that were not initially selected because they passed without a contested vote. The results from the enlarged data set are virtually identical to the results reported in Model 1 in Table 5.

### Comparing Presidential Veto Behavior

The coefficients on the presidential dummy variables in Table 5 and the probabilities in Table 6 give some idea of the differences among presidents in their

<sup>4</sup>For each of the presidents I created a measure of ideological distance using NOMINATE scores. NOMINATE estimates the position of the president based on the president's stated positions on legislation. The presidential scores tend to bounce around a lot from year to year since they are based on relatively few observations. Thus, I averaged the presidential scores for the entire period under study and calculated the distance between the president's average and the filibuster pivot of the Senate. The distances were: Nixon, .593; Ford, .523; Reagan, .892; Bush, .533; and Clinton, .313. In all cases, the Republican presidents are to the right of the filibuster pivot and the Democrat is to the left of the filibuster pivot. I defined filibuster pivot as the 40th closest senator to the president. NOMINATE scores are made available to the scholarly community by Keith Poole at his Web site, <http://voteview.uh.edu/>.

One would expect that all else equal, presidents who are more ideologically distant from Congress should veto more, and thus the variable should take a positive sign. Substituting the ideological distance variable for the presidential dummy variables, the distance variable had a strong negative coefficient that was statistically significant, the opposite of what one would expect. This is a spurious result, an artifact of Reagan being the president least likely to veto but also the most ideologically extreme and Ford being the president most likely to veto but also ideologically moderate.

propensity to use the veto, but they reduce complex presidential strategies to a single number. The following exercise is designed to make comparisons among the presidents more transparent.

Table 7 shows how the different presidents used their veto on bills that are similarly objectionable. Using the estimates from Model 3, that without presidential variables, I calculated the probability that each of the 541 bills would be vetoed. These estimated probabilities incorporate all factors in the complete model except those pertaining to individual presidents' propensity to veto. This allows us to see how much difference individual propensities to veto make in practice and compare how different presidents responded to bills that are similarly objectionable.

In Table 7, bills are grouped in rows according to estimated veto probability. The columns report the percentage of bills within each category that each president vetoed. President Nixon, for example, was presented 98 bills with an estimated veto probability of 25% or less. Of these, he vetoed four, or 4%. Nixon vetoed the only bill he was presented with an estimated veto probability greater than 75%. President Ford was presented eight bills with a veto probability greater than 75%, and he vetoed them all.

Striking patterns of veto use emerge. President Reagan was reluctant to veto bills at all levels of veto probability. Even though Reagan frequently spoke of using the veto ("Make my day!"), he vetoed only 60% of all bills with estimated veto probabilities of greater than 75%. Other presidents vetoed nearly all of these bills. Clinton, like Reagan, vetoed few bills with low estimated veto probabilities, reserving the veto for the very worst bills passed by Congress. Unlike Reagan, Clinton was tough on bills with a very high veto probability. Bush had a high propensity to veto, vetoing a large percentage of the bills with probabilities over 75% and also many bills with lower probabilities. President Ford was prone to veto across the board. Unlike the other presidents, Ford vetoed a substantial number of bills in the least probable category.

Further evidence to support the conclusion that different presidents, especially Ford, Reagan, and Clinton, made distinctive use of the veto can be drawn from other sources. Contemporary observers within their administrations agreed that Ford was especially veto prone and that Reagan was not.

TABLE 7

Vetoes Compared to Estimated Veto Probabilities

Estimated Veto Prob.	Nixon % vetoed (N)	Ford % vetoed (N)	Reagan % vetoed (N)	Bush % vetoed (N)	Clinton % vetoed (N)
0–25%	4% (98)	11% (130)	0% (37)	6% (79)	3% (60)
26%–50%	33% (3)	50% (10)	20 (10)	27 (11)	11 (9)
51%–75%	100 (1)	83 (12)	42 (7)	75 (6)	75 (4)
76%–100%	100 (1)	100 (8)	60 (10)	92 (12)	92 (24)

In his memoir, David Stockman expressed his disappointment that Reagan failed to back up his repeated insistence that he would use the veto to block overly expensive appropriations bills (Stockman 1986, 371–73). Kenneth E. Collier supports Stockman's understanding: "Ronald Reagan developed a reputation on the Hill for threatening vetoes but failing to follow through on his threats. Reagan would sometimes talk at length about his 'veto pen,' but members of Congress paid less attention to his very visible threats and considered them more for public consumption" (Collier 1997, 241). Many observers have noted that President Ford adopted a self-conscious "veto strategy" as a means of dealing with an overwhelmingly Democratic and aggressive Congress (Light 1991, Reichley 1981, Spitzer 1988). Spitzer contends that "Ford was the only twentieth century president to design and pursue a calculated veto strategy" (Spitzer 1988, 85).

Perhaps the most impressive supporting evidence of Clinton's approach to using the veto is the fact that in his first two years, working with a Democratic Congress, he did not veto even once. Not since the 32nd Congress in the 1850s, with Millard Fillmore in the White House, had a president failed to use the veto for an entire Congress.

### Conclusion

This article seeks to map out in an empirically rigorous manner important interactions between Congress and the president with respect to the veto. Both hypotheses are strongly supported. Institutional factors such as congressional provocation are the most important determinants of veto behavior. However, the strongest version of the presidency-centered thesis, that presidents behave similarly in similar contexts, is not correct. Different presidents in fact behave differently even in similar contexts because they have unique propensities to veto.

The logic of the scientific study of politics is to discover underlying, systematic causes of apparently random or chaotic behavior. From the standpoint of the scientific study of politics, we would normally prefer to develop explanations that rest on universal or institutional factors rather than individual ones. In this research, the individual and particular explanations refuse to yield to the general. This is an important finding, although possibly frustrating for scholars intent on discovering the hidden order of the political realm and avoiding reliance on ad hoc explanations. It is probably true that Moe (1993) is correct that the study of institutional factors holds more promise for propelling theoretical advances in our understanding of the presidency. But uncovering and identifying the individual peculiarities of presidents is vital in any effort to develop more powerful theoretical and institutional explanations of presidential behavior.

This article ventures no explanation of why presidents exercise the veto as they do, but this is clearly an interesting and important topic. This article also leaves aside the questions of what impact presidential veto practices might have

on Congress. Even in advance of additional research, it seems fair to conclude that with respect to the veto, presidents are not clerks. Institutions of the presidency and Congress influence presidential veto behavior, but they do not deprive presidents of the opportunity to make their unique mark and to mold the presidency in their own image.

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