Divided Government and Congressional Investigations

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Abstract

Mayhew's (1991) attempts to grasp how divided government affects the ability of legislators to pass laws. In his study, he uses frequencies to decipher the effects of divided government on the probability of congressional investigations. This study takes a different look at the same data, by using a duration model. The suggest that presidential approval is only helpful in preventing congressional investigations when government is unified.

A major question within the literature on congress is what effect does divided government have on congress. The research thus far is inconclusive. Mayhew (1992) attempt to gain some perspective on this question. He looks at the effects of divided government on both congressional investigations and law making and his basic conclusion is that divided government does not really have an effect. In his analysis of congressional investigations, he simply uses a frequency of the number of congressional investigations during divided government and unified government and finds that divided government does not affect the number of congressional investigations. This paper will will take a more indepth look at the effect of divided government on congressional investigations. Specifically, the question addressed in this paper is what effect does divided government have on congressional investigations. Just because there are the same number of congressional investigations during divided government as there are during unified government does not mean that the length of those investigations is the same.

Previous research has mostly been concerned with how divided government affects gridlock, forgetting that congress also has the responsibility of investigating the executive branch. While congressional investigations do not have as immediate of an impact on the daily lives of citizens as laws, it will has the ability to influence elections. High-publicity investigations could easily swing the public to vote out the ruling party.

This paper will use a duration model to explore the length of congressional investigations from July 1947 to December 1990, the same dates that Mayhew (1991) explores. The results offer some interesting conclusions and refute Mayhew's conclusion

that times of divided government is not that much different that times of unified government.

Theory

Congress has several functions including lawmaking and congressional oversight. Mayhew (1991) notes that a common notion "is that Congress acting as an investigative body will give more trouble to the executive branch when a president of the opposite party holds power" (p. 3). Mayhew argues that "unified as opposed to divided control has not made an important difference...in the incidence of [high-publicity investigations]" (p. 4).

Most research that has examined congressional oversight has only looked into the process of how it works, rather than its effects. Likewise, studies of divided government are mostly concerned with lawmaking and not oversight. Therefore expectations of how divided government affects are drawn from research on divided government and lawmaking. This evidence, however, is not too helpful.

Binder (1999) finds that in that the probability of legislative gridlock is greater in times of divided government as opposed to unified government. Coleman (1999) finds the opposite, that unified government is more likely to produce significant enactments. Additionally, Coleman finds that in times of unified government, Congress is more likely to be responsive to public mood. Both of Coleman's findings are consistent with Mayhew (1991). Mayhew (1991) examines how divided government affects both congressional oversight and lawmaking. In his investigation of oversight, Mayhew (1991) finds that there are just as many congressional investigations in times of divided government as in times of unified government. He also considers how divided

government, part of the president's term, public mood, and the budgetary situation affects lawmaking. He only finds that the public mood and whether the president is in the first half or second half of his term affects lawmaking and that divided government is not a significant predictor of the number of important laws that congress will enact. Based on previous research, it is difficult to decipher what the relationship is between divided government and congressional oversight. Thus there are two hypotheses: In times of dived government congressional investigations will last longer and the alternative hypothesis that congressional investigations last about the same length of time in time of unified and divided government.

Presidential approval is another important factor that may affect congressional oversight. Interestingly, Bond, Fleisher, and Wood (2003) find that the president has more difficulties getting his legislation passed in times of divided government. Also, a significant relationship that is found by Bond, Fleisher and Wood is that public approval is important to presidential success in congress, but to a much smaller magnitude than unified government. Based on this study then a the hypothesis for presidential approval is that as presidential approval increases, the length of congressional investigations decrease.

Methods

Building on Mayhew's (1992) research, this paper will examine how divided government affects the length of congressional investigations using a duration model. The dependent variable is the same set of investigations used by Mayhew (1992), coded month from July 1947 to December 1990 with a small caveat. Mayhew has updated his data set to include congressional investigations up to 1990. In the process of transcribing

his original handwritten data, while updating his data set, he discovered that he had miscounted the number of investigations for some year. However, he notes that this did not have any effect on his conclusions.

For the depended variable, congressional investigations, each month was coded 1 if there was a congressional investigation that month and 0 if there was no congressional investigation. The independent variables are divided government, presidential approval, and which half of the president's term. Divided government is coded 1 when the presidency, the Senate, and the House of Representatives are all controlled by the same political party or unified and 0 for otherwise. Presidential approval data was taken from the Gallup Polls and is coded as the percent of respondent's who approve of the job that the president is doing. If there was more than one poll for a month, then the polls were averaged. The president's term is coded 0 for the first half and 1 for the second half.

A Cox proportional hazard model is used to test the relationship between the number of months that congress investigates the executive branch and Divided Government, President's Term, Presidential Approval. A hazard model tests the amount of time that it takes an event to occur, in this case no congressional investigation. A second model is also run that includes the multiplicative term for Divided Government and Presidential Approval. Failure was coded as zero, meaning that there were no articles in the *New York Times* about major congressional investigations for a given month. If Mayhew (1991), is correct, then one would expect Divided Government to be statistically insignificant.

Results

Mayhew's (1991) original table is presented in Table I. His basic finding is that the number of congressional investigations is the same for times of divided government and unified government. His results are based on a simple frequency of the total number of high-publicity investigations. In total, there were 15 congressional investigations during unified government. During unified government there were also 15 congressional investigations. Based on these numbers, one would most likely conclude, like Mayhew, that divided government does not have an affect on congressional investigations. However, it still remains possible that in times of divided government congressional investigations last longer or even shorter. This is where this paper comes in.

Table II offers some interesting results. Both Presidential Approval and Divided Government are significant. Based on the coefficients, unified government lengthens the hazard rate, meaning the number of months that congress spends investigating the

Table I: Numbers of High-publicity Investigations during Times of Unifies and Divided					
Party Control*					
	During unified party control (18 yrs)	During divided control: pres vs Congress (20 yrs)	During divided control: pres & Senate vs. House (6yrs)		
Total ^a	15	14	1		
About corruption	8	7	1		
About other matters	7	8			
By House committees ^b	3	7	1		
By Senate committees ^b	13	9			

*This table was taken directly from Mayhew (1991) on page 32.

^aThis leaves out the Jenner committee's 1953 spy hunt.

^bThe probes about commodity speculation in 1947-48, Billy Sol Estes in 1962, and Iran-Contra in 1987 count for both House and Senate.

Table II: Duration Model for Congressional Investigations without Interaction Terms				
Variable	Coefficient	Standard Error		
Dived Government	0.74**	0.17		
Term	-0.02	0.91		
Presidential Approval	-0.02*	0.01		
N=464 ** significant at the 0.001 level * significant at the 0.01 level				

executive branch increases in time of unified government. Or anther way of thinking about this is that in times of divided government, the length of investigations decreases. While at first sight this may appear weird, it actually makes sense. When congress is divided, then congress may be willing to move through the investigation more quickly and place blame on the president. However, when government is unified, there is no incentive to move through the investigation quickly, because the majority party has nothing to gain from it.

Presidential approval shortens the hazard rate, meaning that as the president's approval rating increase, the few months that congress will spend investigating the executive. These results appear to refute Mayhew's (1991) analysis in which he finds almost the same number of congressional investigations in times of unified and divided government. However, to gain a better understanding of what is going on a second duration model was run that includes the interaction terms for Divided Government and Presidential Approval.

Table III shows the results for the duration model with interaction terms. Unlike Table II, Divide Government is no longer significant. However, the multiplicative terms for Divided Government and Presidential Approval are significant and positive. The multiplicative term is the effect of Presidential Approval when Divided Government equals 1 or under unified government. In times of unified government, an increase in presidential approval increases the hazard rate, meaning the number of months that congress investigates the executive branch. Conversely, in divided government, an increase in Presidential Approval decreases the hazard rate. At first, this may appear odd, that Presidential Approval has an opposite effect in times of unified and divided government. However, when government is unified under one party, it is possible that the president's approval rating is less of a threat for congressional investigation because if the majority party did not investigate, then the minority party could use it against them in election campaigns. Likewise, in times of divided government, the president's approval rating is an indicator of how much support the public has for his policies and practices. The party opposite the president has something to loose and thus it is in their

Table III: Duration Model for Congressional Investigations with Interaction Terms				
Variable	Coefficient	Standard Error		
Dived Government	-0.97	0.66		
Term	-0.10	0.17		
Presidential Approval	-0.037**	0.01		
Divided Government * Presidential Approval	0.034*	0.01		
N=464 ** significant at the 0.001 level * significant at the 0.01 level				

best interest to conclude investigations while the incident is still salient with the public.

Conclusion

The results offer mixed conclusions. According to Mayhew, there are just as many congressional investigations in time of unified government as there are in times of divided government. In Table II, divided government is highly significant, while in Table III it is not. These results may indicate that presidential approval is only helpful in preventing congressional investigations when government is unified, based on the interaction term. This indicates that there is something about divided versus unified government that affects the length of congressional investigations. Thinking about the broad picture, these results may also offer implications for gridlock. Divided government may help to explain gridlock, although based on these results this may also depend on presidential approval.

Future research should not focus solely on congress' lawmaking function. There are important implications for divided government and congressional oversight. The results above indicate that there is something different about the two, since divided government is only significant under certain conditions. No matter which scholars choose to study, they should try to focus in on the process a little more and try to understand exactly how unified government matters.

References

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