

**HE SAID, THEY DID: USING EXECUTIVE-LEVEL
RHETORIC TO EXAMINE
INTERBRANCH RELATIONSHIPS**

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He Said, They Did: Using Executive-Level Rhetoric to Examine Interbranch Relationships in the Modern Era

Dissertation Prospectus
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The relationship President Obama shares with Congress is contentious, to say the least. While much of the contention has been attributed to polarization, there are a wealth of additional factors that may be influencing his legislative successes. Unfortunately, much of the literature on interbranch relationships has focused on the role of partisanship and divided government. This is not surprising as 1) polarization and partisanship have only grown in Washington and 2) it is difficult to gain suitable leverage over this question as so few people have served as president, particularly in the Modern Era. If we turn to the states – our “laboratories of democracy” – we can then begin to develop broader theories that explain executive-legislative relationships. State politics scholars have concluded that, similar to the president, “governors are the most central and visible individual actors influencing state policy.” Like presidents, governors’ power to recommend legislation allows them to shape the larger policy agenda of their time in office. Governors and their legislatures, then, are a perfect avenue for testing some of the central questions surrounding interbranch relationships that a study at the federal level simply cannot answer. Using an original dataset of gubernatorial agendas and legislative successes spanning two decades, I consider political skill, institutional structure, and socio-demographic factors as potential contributors to a governor’s success.

In early 2015, *Vox*'s Ezra Klein wrote an article about why Paul Ryan was not running for President of the United States.¹ Klein argued that by choosing not to run for president, "Ryan showed he understands something most ambitious politicians do not. The real power in American politics resides in Congress, not in the presidency." He went on to say:

It's Congress that writes bills and Congress that passes them. It's Congress that can spend money and declare war. Congress, with a sufficient majority, could govern aggressively without the president's cooperation — they simply need to overturn his vetoes. The media tends to obscure this fact. We cover American politics like an episode of the *West Wing* — the main character is the president and everyone else is, at best, a supporting player.

Contemporary political scientists, however, may disagree with this characterization. After all, while it is true that the Founders intended for the president to have limited powers over Congress, the past two centuries have seen a tremendous expansion of presidential power, especially as far as the legislative process is concerned. Not only can the president veto legislation that he deems unconstitutional, but he can also veto legislation he disagrees with ideologically (Spitzer 1988), something Congress must consider in advance (Krehbiel 1998). Beyond veto power, laws like the Budget and Accounting Act of 1921, the Employment Act of 1946, the War Powers Resolution 1973, as well as the creation of the Executive Office of the President, all bolster his legislative presence (Hoffman and Howard 2006). As Congress has become "more open to leadership from the executive" (Hoffman and Howard 2006, 94), the president has become the "chief legislator."

Increased involvement in the legislative process can take many forms, but scholars tend to argue that the most effective presidential strategy is "one of proposal, not opposition" (Hoffman and Howard 2006, 92; Light 1999). Almost every year, the president informs Congress on the state of the union and recommends measures he considers "necessary and expedient." The State of the

¹ <http://www.vox.com/2015/1/14/7537371/paul-ryan-presidential-run>

Union address, then, is a critical component for an executive to shape policy and influence the legislature. According to Hoffman and Howard (2006, 93), “the State of the Union is not the only tool chief legislators utilize, but it is a very important power. The State of the Union is part and parcel of the development of the chief legislator; it is both integral to and reflective of the chief legislator role.” Indeed, because the State of the Union address provides a perfect avenue for the president to attempt to garner congressional support for his (or her) agenda, scholars consider the speech “the most powerful and prominent and potentially influential weapon in the President’s arsenal” (Schaefer 1997, 97). If presidential power is, at least in part, the power to persuade (Neustadt 1980), then the success of the legislative agenda put forth in the State of the Union address can be used to gauge the strength of any particular president.

So, which presidents succeed? That is, which presidents see their legislative agenda items become laws? How often? Any why? Edwards and Barrett (2000) find that presidents succeed around half the time under unified government, but only a quarter of the time under divided government. Under divided government, presidents also propose fewer agenda items (Cohen 2012). These numbers, of course, vary by what we consider a part of the president’s policy agenda and what is considered significant legislation. When considering only proposals put forth in the State of the Union, for example, success increases, but only marginally (Hoffman and Howard 2006). Much of this research, however, clearly focuses on divided government as the main variable of interest. But we know that there are many other factors that plausibly contribute to executive success such as, public approval, previous experience, background, time in the term, strength of the legislature, or alternative avenues for executive action (signing statements, executive orders, etc.).

Additionally, divided or unified governments are not all created equally. President Johnson saw some of the highest levels of legislative success as he faced a Democratic Congress (Hoffman and Howard 2006). President Carter, on the other hand, also faced a Democratic Congress, but put forth very few agenda items, only half of which succeeded. Success rates across presidents under divided government also vary. George W. Bush claimed a rate of 49%, but Gerald Ford lagged behind with 29% (Hoffman and Howard 2006). We must then look beyond this simply dichotomous measure and begin to try to unpack alternative explanations for variations in success. We must consider alternatives for how executives achieve success and what institutional, personal, or political characteristics may aid in their success.

This question has sustained researchers' attention for decades (Wayne 1978, Bond and Fleisher 1990, Edwards and Barrett 2000, Beckmann and Kumar 2010, Cohen 2012). Yet it is very difficult to gain leverage over it because so few people have served as president. If we turn to the states – our “laboratories of democracy” – though, then we can begin to develop broader theories that explain executive-legislative relationships. We can then begin to truly explore who holds the power in these relationships, whether the power is shared, or whether the power bends toward the legislature as history seems to suggest (Jones 1990).

Similar to the president, state politics scholars have concluded that “governors are the most central and visible individual actors influencing state policy” (Rosenthal 1991, 27). Like presidents, their power to recommend legislation allows them to shape the larger policy agenda of their time in office. Governors and their state legislatures, then, allow a perfect avenue for testing some of the central questions surrounding inter-branch relationships that a study at the federal level just can't answer. More specifically, there are three critical reasons to focus on governors and states.

First, we can rely on longitudinal and cross-sectional variation that are not available at the federal level. If we are interested in understanding the role that previous legislative experience has on executive success, for instance, it is of greater value to address such a question with cross-sectional data where other potential factors vary than with a simple case study. After all, it is impossible to separate LBJ from the JFK assassination, GWB from 9/11, and perhaps even Ford from Watergate. With governors, however, we can distinguish between the potential effects of crisis, as sometimes multiple governors with varying experiences or qualifications experience the same event (such as Hurricane Katrina, Superstorm Sandy, or the 2008 economic collapse). Furthermore, state data allow us to assess conditions not yet seen at the federal level. No woman has served as president, but dozens have served as governor. With state data, we can examine whether gender affects interbranch relationships. Finally, the different institutional conditions across the states allow us to determine how factors like legislative session length, staff, or salary affects outcomes. These measures are all constant the federal level.

Second, beyond simply operating as a test for federal trends, governors are increasingly important to study as a topic themselves. As gridlock and polarization grow at the federal level (Abramowitz and Saunders 2005; Levendusky 2009; Fiorina et al. 2011), more power is delegated to state governments (Gamkhar and Pickerill 2012; Bowling and Pickernill 2013; Pickerill and Bowling 2014; Rose and Bowing 2015). With congressional productivity on the decline,² states can pursue their own agendas without much intrusion.³ This lack of federal efficiency requires

² <http://www.huffingtonpost.com/2013/12/17/congress-productivity- n 4461097.html>
<http://www.usnews.com/news/articles/2014/09/08/the-do-nothing-congress>

³ Pickerill and Bowling (2014) argue that bottom-up activism is more likely to occur when there is high levels of polarization and gridlock at the federal level, when there is polarization and unified governments at the state level, and there are strong safeguards of federalism for state and local governments. They conclude that the federal government “seems to be increasingly sitting on the sidelines as states pursue their own agendas” (394).

state governments to do more of the heavy lifting, and governors become increasingly relevant as important decisions – including those pertaining to immigration, education, and health care – wind up in the hands of the states (Rose and Bowling 2015).

Third, governors are important to study more broadly, as their leadership styles and the way that they interact with other branches would likely translate to their leadership styles at the federal level. In fact, scholars have commented that “being a governor is like being a president in miniature” (Harris, 1959). The literature has long acknowledged the likelihood of governors eventually transitioning to the White House (Schlesinger 1966, Black 1972, Burden 2002) and with four of the past five presidents have previously served as governor, such a circumstance seems more inevitable than simply probable.⁴ How do governors interact with their legislatures, and how to they achieve policy success? With nine of the seventeen 2016 Republican presidential candidates having served as governor, these questions become tantamount.

I will ultimately argue that while the Founders intended for the branches to have equal powers, and executives have made substantial gains over the past two centuries, the fact of the matter is that it is the legislature that creates opportunities for executive success. The system currently supports a theory of legislative primacy. In simpler terms, Paul Ryan is correct in his intuition regarding interbranch relationships. Congress rules. Governors and state legislatures are the highest level of government where we can perform meaningful analyses to test this theory. As such, I test the theory of legislative primacy with three distinct variables. I consider political skill, institutional structure, and personal factors all as potential contributors to gubernatorial success.

⁴ Burden (2002) finds that half of the governors who run for president will receive the nomination, while only three out of every twenty senators will. “Governors’ nomination rate is nearly three times that of senators” (84). Seventeen of the 43 presidents had previously served as governor (40%).

First, I consider the role that political skill and experience play in interbranch relationships. In this regard, direct experience in the relevant legislative chamber should greatly aid a governor in obtaining his policy goals. Next, I will focus on the structural level, considering the role that institutional design has in interbranch relationships. Focusing on state governments, this largely implies that variations in legislative professionalism (both the professionalism movement of the 1960s and 70s and the term limit movement of the early 1990s) will have a tremendous impact on gubernatorial success. Lastly, I will examine how intrinsic personal characteristics may alter interbranch relationships by considering the role of gender. Of all the socio-demographic traits that we consider salient and politically relevant, gender is the only variable where there is enough variation, even at the state level, to perform analyses. A wealth of literature argues that female politicians' leadership style is different from their male colleagues'. Do the dynamics between an executive and their legislature then change when a woman is in office?

I will test the theory of legislative primacy by using the rich data provided by the State of the State addresses given in each state; these mimic State of the Union addresses both in style and importance. The State of the State address is considered to be "the springboard for the chief executive to enter into the legislative policymaking process" (Herzik and Brown 1991). Other scholars also conclude that the State of the State speeches "constitute valid and reliable indicators of executive policy goals" (Ferguson 2003). But unlike previous analyses of empirical questions that have focused on only certain states or certain years (Kousser and Phillips 2012, Ferguson 2003), I hand-coded 25 years' worth of State of the State speeches from all 50 states (1990 – 2014).⁵ This results in approximately 1,100 speeches. I read and noted the key policy initiatives of

⁵ Ferguson's study could be considered the "kitchen sink" model of components of executive success. She considers all institutional, personal, and state characteristics that may impact success. She does this, however, for only one year, which she readily admits may be highly problematic due to the low level of variation in certain variables. Kousser and Phillips use this measure in a similar way but limit the study to

the governor and then compared them to the bills that passed in the state legislature the same year. Unlike previous studies of gubernatorial influence, I rely on an objective measure of gubernatorial success, as opposed to rankings, approval ratings, or other polling data as their measure of success.

Normatively, this dissertation speaks to many pressing questions that plague not only the literature, but also contemporary politics. The public is seemingly fed up with the lack of productivity and efficiency in Washington. They want something, anything, to get done. Is there a way to do that even in situations of divided government? Gaining a deeper understanding of interbranch relationships will help us begin to understand if this is possible. Does success depend upon who is in office, or does how the institution is structured matter? Do we need to rewrite the constitution and restructure the legislature or can elections solve our problems of gridlock through the election of women or those with relevant political experience? These questions are essential as they will highlight where change can come from: the people through electoral change or from elites through institutional change. We will learn whether there is an advantage to the election of outsiders, whether women are the great saviors of our democracy, or whether the legislature must look inward to inspire change.

The Dataset

In order to shed light on these questions, I hand-coded State of the State speeches from all 50 states from 1990 to 2014. This time period allows me to examine the impact of state legislative

only 26 states over two years. These studies provide snapshots, but not the in depth analyses that are truly needed to understand these relationships.

term limits, which were enacted in the early 1990s, and include in the data set the greatest number of female governors.⁶ This results in approximately 1,100 speeches.⁷

I collected the speeches from *Pew Charitable Trust* and governors' personal websites.⁸ Because computer software cannot parse a speech into legislative proposals, and given that the syntax and style of every governor is distinct, I hand-coded the speeches.⁹ I read each speech and tracked the key policy initiatives. I then compared those initiatives to the bills that the state legislature passed that year. I used Lexis Nexis State Capital, as well as state legislative websites, and local newspapers, to uncover what proposals ultimately became law. This creates what is ultimately an "executive batting average." For my purposes, "success" is defined by a bill passing in the same legislative session as the governor proposed the policy. This, I would argue, and I am sure governors would agree, is a hard measure of success. Although a policy may have become law three legislative sessions later, this is not an immediate success and the issue is likely raised in subsequent State of the State addresses. Additionally, the use of the State of the State speeches actually presents the most difficult test of legislative power. The issues that are presented are those that are deemed most likely to succeed by the executive.

Beyond an overall rate of gubernatorial success, I also examine the substantive focus of the policies proposed. Given that each state faces its own challenges, some issues are prioritized in some states and not in others. I identified more than 100 specific issues raised, and then I coded, following the issue areas most popular in the literature, each issue into the seven substantive areas:

⁶ Prior to 1990 there were ten female governors throughout all of the 20th century. Since 1990 there have been 26.

⁷ Governors only give speeches when the legislature is in session; therefore, in states where the legislature meets biannually, a speech is only given every other year. Additionally, governors can choose not to give a speech, although this has occurred (thus far) only twice in the data.

⁸ Missing speeches were provided by Jason Windett, St. Louis University.

⁹ Personal conversation with Gary King, January 2015.

social welfare, economy, taxes and spending, defense and security, civil and social order, race and social groups, and government functioning (see Hayes and Lawless 2015; Hayes 2010; Petrocik 1996).

Paper 1: This Used to Be My Playground: The Effect of Previous Legislative Experience on Gubernatorial Success

I begin by considering the role of political experience in interbranch relationships. A theory of legislative primacy suggests that executives who have a deep knowledge and understanding of the legislative process will be more successful. Previous legislative experience provides an executive with insider knowledge of how the legislative process works, as well as insight into the personalities and quirks of those serving in the legislature. Such knowledge should greatly aid an executive in achieving his or her policy goals. Governors themselves have also supported these claims. Former Maine Governor Madeleine Kunin once argued that her time in the legislature allowed her to appreciate the work of the legislature much more, and “the knowledge that all political action is to some degree a consensus process, a collegial process was gained in my years in the legislature” (Rosenthal 1991, 21).¹⁰ Others have cited this legislative know-how as a large reason for Lyndon Johnson’s early policy successes. Additionally, although with no empirical support other than the number of governors who had come from the legislature, Rosenthal states that “experience can only be helpful for them” (1990, 20).

Beyond what historical anecdotes may tell us, little research has examined the influence of previous legislative experience on executive success. Literature has, however, examined the impact of various types of experience on gubernatorial “success.” Relying on approval ratings as his measure of gubernatorial success, Hamman (2004) found that having held previous local office

¹⁰ Rosenthal (2013) reiterates these points in his most recent work, *The Best Job in Politics*.

has a positive and statistically significant impact on a governor's success, but previous legislative experience did not. Using Sabato's rankings of outstanding governors as the dependent variable, Sigelman and Smith (1981, 170) found that local office has a small negative effect, but previous legislative experience has a positive one. Different measures, in other words, seem to produce disparate results.

Little research on gubernatorial success pertains directly to state level legislative experience. It has been used as a control in a one-year analysis of gubernatorial success in relation to governor approval, institutional power, legislative factors, interest group density in a given state, etc. (Ferguson 2003). Otherwise, the closest linked scholarship on the impact of state legislative service is work by King et al. (2005), which sought to analyze the relationship between previous legislative experience and gubernatorial popularity. They find that state legislative experience correlates positively with a governor's popularity, whereas previous congressional experience is negatively correlated.

Beyond the literature on gubernatorial-legislative relationships, the literature on friendships among legislators is valuable in our understanding of how previous legislative experience may affect executive success. This body of work argues that interpersonal relationships lead to similar voting patterns, a shared body of information, and "provid[es] the connections through which bargaining, exchanges of cues, and decision making transpire" (Calderia and Patterson 1987). These relationships also foster a sense of mutual respect, political loyalty, and esteem (Arnold et al. 2000). It is conceivable then, that a governor who had such relationships as a member of the legislature would be able to carry those over to the governor's mansion and predict who will vote with whom, know the right people to consult, and know the right things to say. His

old colleagues, in turn, will likely already respect and trust him creating a much more congenial working environment.

I hypothesize that previous state legislative experience will result in greater levels of gubernatorial success. The independent variable of interest is the previous legislative experience of the governor. Rather than use a simple dichotomous variable for all legislative experience (Ferguson 2003), I created a number of experience variables, with each chamber receiving its own dichotomous variable.¹¹ I choose to test initially each chamber separately to account for the potential variation in effect across the larger lower chamber and the smaller, perhaps more prestigious, upper chamber. I theorize that those with legislative experience in the higher chamber, where there is the possibility for more direct interaction with the executive branch, could see larger gains in executive success. Furthermore, having data available of each individual office also allows us to test whether experience across two chambers is different than experience in one or the other.

The model also accounts for the wide range of backgrounds including whether the governor was ever lieutenant governor, ever elected to any local or statewide office, or served in the United States Congress. I expect that any type of previous experience will be a benefit to success, as each office provides additional information about the political system an outsider would not have. Whether it be a city councilman learning how to compromise or a lieutenant governor who has experienced the executive office already, both experiences may be valuable in different ways. The strength of these experiences, however, should vary. Previous state legislative experience should have the most substantial impact of all the experience variables due to both the interpersonal knowledge and the institutional knowledge that such experience provides.

¹¹ See Index for list of all variables, their coding, and the anticipated direction of their effect.

Of course, previous experience alone is unlikely to explain all variations in success. Additional variables pertaining to the governor that may be relevant include: gubernatorial power, approval ratings, whether it is an election year, whether the governor is term limited, or whether he/she is a lame duck. Also, there are many factors that may contribute to a governor or any executive's success, but the large majority of these factors revolve around the composition and the strength of the legislature. To this end it would be pertinent to include variables such as: legislative term limits, polarization, divided government, and professionalism. State economic factors may also impact a governor's success. All will be included in the analyses.

This work is the first study to address the relationship between gubernatorial success and legislative service directly. As such, the conclusions found here will greatly aid in the ongoing debate regarding the advantages of outsiders. This paper will also form the foundation of our understanding of the potential role that legislative primacy can play in interbranch relationships.

Paper 2: Structure and Legislatures

In order to fully test the theory of legislative primacy, we must consider the impact of legislative institutional or structural variation on gubernatorial success. The states provide the perfect avenue to study such theories, as there are high levels of structural variation among the 50 states. We can capture a large amount of this structural variation by studying the effects of legislative professionalism and legislative term limits. Legislative professionalization is a "concept that assesses the capacity of both legislators and legislatures to generate and digest information in the policymaking process" (Squire 2010, 75). Often characterized as how closely a state legislature resembles Congress, traditional measures of legislative professionalism include legislator salary, session length, and staff size. These three components, along with legislative term limits, give us four structural components that may impact gubernatorial success in disparate ways.

This paper proceeds in three parts. First, I examine the impact of the legislative reforms of the 1960s and 70s, which increased legislative professionalism. I consider the impact of each component (salary, session length, and staff size) individually, as well as the impact of the more traditional aggregate measure. Next, I examine what effect the introduction of legislative term limits have on gubernatorial success. The somewhat recent introduction of these term limits allows us to leverage the data in a way we cannot do for the reforms of the 60s and 70s. Here we can test to see if these trends emerged prior to the term limits or only after. I conclude the chapter by considering that the effect of both increased and decreased levels of professionalism are not only felt in the executive office, but in the legislature with altered levels of efficiency, understanding that these reforms likely have ramifications beyond those intended by the reformers.

As has been mentioned the variation in state legislature structure is, in large part, due to two distinct but powerful reform movements in the last 50 years. The first is the move toward more professional legislatures, which began in the late 1960s and 70s. Scholars and practitioners alike did not believe that legislatures across the country were able to do the heavy lifting required as more and more issues fell under the purview of the government. It appeared, and was the case in many states, that the governor was receiving a rubber stamp on much of his legislation during this time. Thus, the movement toward more professionalized legislatures began. Legislatures across the country began to increase legislator salaries, provided legislators with larger staffs, and many, still, transformed from part-time to full-time legislatures. There is limited data on the overall “success” of the legislative reforms of the late 20th century. That is to say, if the goal was to provide legislatures with greater power to adequately perform their duties as a check on the executive branch (Miller 1965, Squire and Hamm 2005), then we have yet to determine if more professionalized legislatures have greater control over outcomes when up against the governor.

This paper attempts to fill some of this void. Here we consider the role of each component of professionalism on gubernatorial success.

This paper is not the first to consider the role of structural variation in gubernatorial effectiveness. The scholarship most closely associated with the relationship being tested within this paper is that of Dilger et al. (1995), who study the relationship between professionalism and gubernatorial effectiveness. Contrary to their hypotheses, they conclude that professionalism has a positive impact on effectiveness (Dilger et al. 1995). Although this is theoretically identical to the question posed here, their measure of gubernatorial effectiveness is limited. Specifically, they rely on a dichotomous measure of whether the governor was considered effective by Sabato. In addition to being subjective, this is likely a noisy measure of governors' performance in the legislative arena given that it is possible that governor only appears popular or successful in comparison to his cohort and that these outside perceptions would influence governors' rankings. I extend this work by using a more objective measure of success, which was discussed in the introduction.

Scholars have long argued that increased levels of professionalism should increase the legislature's ability to control the legislative arena and provide greater power to the legislature when dealing with the governor. Kousser's conclusions indicate that this is likely the case. Other research substantiates these claims (e.g. Thompson 1986). Accordingly, I hypothesize that the more professionalized a legislature, the lower governor success will be. This, however, only accounts for professionalism as a whole. Yet disaggregation of the index is crucial to furthering our understanding of state legislative politics (Bowen and Green 2014).

I collect the data from each component variable (staff, salary, and session length) from the *Book of the States* and the National Council for State Legislatures. During the 20th century, two

competing theories regarding the length of legislative sessions emerged. Some argued that shorter legislative sessions would result in legislators taking up the important issues but ignoring pet projects (Reinsch 1907), while others argued that “limiting sessions intensifies all evils associated with legislative halls...Certainly it would be impossible to say that legislation or the quality of legislators would be improved by limiting sessions” (Zeller 1954, 93). Kousser (2005) presents empirical results that substantiate these arguments. This may appear to be a strong endorsement of session length driving the potential effect; however, arguments in the same vein have been made for the benefits of staff and salary.

As Unruh (1970, 23) articulated, “If legislators are not equipped with staff to scrutinize the material provided by the executive, it is extremely unlikely that they can determine what is fact and what is fancy.” Increased salaries were thought to decrease legislator turnover, which, in turn, would increase the knowledge of the legislature, aiding in fights against the governor. It would also provide legislators with greater incentive to focus on legislating rather than their alternative careers. These comments suggest that each component has a valid justification for altering the relationship between the executive and the legislature; therefore, the theoretical arguments for all are quite compelling and there appears to be no distinct “leader” among the three variables, although all are anticipated to decrease gubernatorial success.

Term limits offer a counter-weight against increased levels of professionalism. If we hypothesize that the three structural components of legislative professionalism will decrease gubernatorial success, then, subsequently, when we limit the legislature through term limits we should see increased levels of gubernatorial success. The term limit reform movement of the 1990s is the second of the large reform movements that greatly altered legislative structures. Beginning in many states as citizen initiatives, legislative term limits were introduced in 20 states. It was not

until federal courts ruled congressional term limits unconstitutional did the movement begin to stall. Although they ultimately only succeeded in 15 states, the introduction of term limits is considered to be one of the greatest political reforms in recent history. The original goal of legislative term limits was to introduce citizen legislators, members of the community who would be more representative of the constituencies they serve than the career politicians currently found in office. Further, reformers hoped that term limits would quell partisan conflict and increase cooperation (Carey et al. 2000).

Others, however, contended that legislative term limits would increase the role of the governor, the role of political parties, and the role of interest groups (Carey et al. 2000). Many feared that the legislature's role would be diminished as life-long legislators were slowly replaced with amateurs. The early research on term limits was mostly speculative. While there were early results that indicated changes in the quality of candidates, few outputs could be measured so early on.

Legislators weighed in on what they believed would happen, as did other scholars (Carey et al. 2000). Subsequent empirical work, however, has found that term limits have not lived up to the hype. Term limits did not increase the diversity of the legislature (Carey et al. 2000) and they have, in fact, increased the influence of lobbyists in the legislature (Sarbaugh-Thompson et al. 2010). Term-limited legislators also appear to act more independently (Carey et al. 2000), which is counter to the intention of term limits to increase cooperation. Additionally, term limits have only had modest effects on the competitiveness of elections in California (Masket and Lewis 2007). This supports earlier fears that term limits would only hamper legislative power, while providing greater power to the other branches of government, lobbyists, and political parties.

As has just been illustrated, the study of legislative term limits has been extensive and quite broad; many considering both the behavioral and institutional changes these reforms may have brought about. This paper adds to this body of research as it explores the previously untested claim that the introduction of term limits would increase gubernatorial power, which was initially speculated by politicians, pundits, and political scientists alike (Carey et al. 2000). Additionally, further research into the effect of term limits must be done as simple dichotomous measures of term limits in models are quite possibly studying the wrong thing. That is to say, a simple binary variable may only be capturing what makes these states different enough to adopt term limits to start. These separate analyses will allow us more room to test whether types or lengths of term limits matter in substantially different ways as well.

To test the effects of term limits, I plan to borrow from the current working paper of Rogowski and Lash, where they examine the relationship between term limits and polarization. I will first use a difference-in-difference approach to study the effects of the implementation of term limits on gubernatorial success. Preliminary work by other scholars suggests that term limits may have disparate effects in different states (Erler 2007). To address this possible limitation, I will then utilize synthetic control modeling to determine these potential differences. Synthetic control modeling will allow me to create a world in which the counterfactual (non-adoption of term limits) occurred.

Such extensive analyses should shed light on the impact of term limits in a variety of ways and allow us to address whether these states are fundamentally different than their non-term limited counterparts. I hypothesize that term limits, broadly, will increase gubernatorial success, as the legislature loses its institutional memory and its experience in dealing with the governor. This effect will largely be driven by states with the strictest of limits, but all states should see an affect.

As with the previous article, there are other compounding factors outside and apart from structural variation that may influence success. The same control variables will be used here, in each step, to account for these outside influences. Overall, these analyses will shed tremendous light on the power dynamics between the legislature and the executive. Positive results for legislative professionalism and negative results for legislative term limits will strongly support the theory of legislative primacy.

Lastly, as scholars are well aware, reform movements often have ramifications beyond those that the reformers originally intend. It is possible the effects that we see pertaining to gubernatorial success are evidence of larger trends regarding legislative efficiency. I anticipate that the negative effects of professionalism and its components, as well as the positive effects of term limits, will be marginalized when examining the aggregate levels of legislative efficiency. There is little incentive for legislators to not act on legislation that is introduced. Squire (1998), however, found that increased levels of professionalism resulted in lower levels of legislative efficiency. Kousser (2005) uncovered no effect of the factors relate to professionalism on legislature ‘batting averages,’ when he was examining the effect of term limits, although his research predates the implementation of term limits in many states. Given these disparate previous conclusions, the effect is theoretically ambiguous and remains an empirical question.

For this last analysis, I will use the traditional measure of legislative efficiency (the total number of bills passed over the total number of bills introduced) as my dependent variable. I collect these data over the same time period as the measure of gubernatorial success, relying on the *Book of the States* for each year for this information. Furthermore, there are alternative factors that may influence legislative efficiency, but not gubernatorial success. In this analysis, I consider the role

that introduction limits, the size of the majority, and the number of bills introduced per legislator have on legislative efficiency in tandem with the previously established variables of importance.

This paper has the potential to shed the greatest light on the theory of legislative primacy. Here we test the impact of two distinct institutional reform movements that have led to some of the greatest changes in legislatures to date. Using four components of structural variation (salary, session length, staff size, and term limits), we are able to address the larger role institutional design may play in interbranch dynamics, an issue that cannot be addressed at the federal level.

Paper 3: He Said, But Not How She Said: Examining Gender Differences in Gubernatorial Policy Formation and Success

Thus far we have tested the theory of legislative primacy by examining how the institutional design of the legislature, as well as direct experience with the legislature, may affect gubernatorial success. Beyond political skill and institutional variation, personal characteristics still have the potential to influence these relationships. Of all the socio-demographic traits that we consider salient and politically relevant, gender remains the only variable with enough variation to test the theory empirically. The role of gender in interbranch relationships has the potential to be quite large. Much of the literature argues that women lead differently than men (Dolan, Deckman, and Swers 2010). If this is the case, altering these dynamics could have larger effects on the way an executive works with her legislature.

First, I will leverage the issue area data to examine whether there is any truth to the claim that female governors emphasize different, more traditionally female, issues while in office. Other scholars such as Shafer and Herrera (2010) and Ferrara (2012) have taken up this topic previously, and have used State of the State addresses as well. But they could not test traditional “women’s issues” – ostensibly the place where gender differences will emerge – due to the sensitivity of their computer coding software. My data set also expands the number of cases we have to examine and

allows us to test whether female governors introduce women's issues at different periods during their gubernatorial careers.

Previous scholars have found that female governors are more likely to sign executive orders related to women's issues (Dolan, Deckman, and Swers 2007) and female legislators have given higher priority to women's issues than their male counterparts (Burrell 1994, Carroll 2001b; Swers 2002; Thomas 1191, 1994; Wolbrecht 2002). The findings of previous studies regarding policy agendas, however, do not support such a gendered argument. This behavior is constrained, largely, by their party affiliations and state demographics (Carroll 2003; Evans 2005; Riccucci and Saidel 2001; Swers 2002; Thomas and Welch 2001). This is not particularly surprising given the strong role that partisanship plays in politics. I anticipate, however, that with a larger sample size including entire gubernatorial careers, as well as the ability to study traditionally female issues, gender differences will emerge. Although their first year governors may appear to address similar issues, as they continue in their careers they have the opportunity to pursue more "pet projects" or more personal issues. Female governors, then, may seek to pursue more gendered policies.

The second part of the paper examines whether women see greater levels of success. Previous scholars have concluded that female legislators exhibit more consensus based leadership traits (Jewell and Whicker 1993). While male leaders tend to command or coordinate, women often assume different roles as necessary to avoid conflict (Jewell and Whicker 1993). The more women present in a legislature, the greater the level of consensus based leadership (Jewell and Whicker 1993). Qualitative interviews with seven female governors also revealed that they largely were motivated to enter politics "to lead differently than men" (Havens 2012, 217). Additionally, these governors all described their leadership styles as being more inclusive and more team-oriented than their male colleagues. Thus, I hypothesize that female governors will see greater

levels of success on their agendas due to their desire to build consensus. Female governors are likely to choose less contentious agenda items and work closely with their legislature. Rather than use their executive powers to pass their agenda, they will rely upon relationships with the legislature to achieve their goals.

Like the previous two papers, there are a number of remaining factors that may contribute to gubernatorial success. The variables controlled for in the previous models will also be included in this research. The data for this particular paper will span the full 25 years of data collected in order to capture the largest number of female governors.

Finally, I test to see whether there are any differences in the language or tone used by male and female governors. That is, men and women may use distinctly different tones and words to communicate their messages, even when the substantive content of those messages may be the same. Tone, as characterized by Hart, Childers, and Lind (2013, 9), is “a tool people use (sometimes unwittingly) to create distinct social impressions via word choice.” Linguists have long argued that men and women speak and interact in different ways. The most prolific scholar on gender and language calls these two distinct styles “rapport” and “report” talk (Tannen 1990). Women discuss commonalities and people, while men will talk more about “business” or facts and objects. It is not only linguists who have uncovered these patterns, though. Similar findings have emerged in studies of congressional floor speeches.

I plan to use the ‘Linguist Inquiry and Word Count’ (LIWC) (Pennebaker et al. 2001), which has been employed by scholars to consider gender differences across a variety of speech-types. The creators of LIWC describe its process this way:

LIWC analyzes text samples on a word-by-word basis and compares each to a dictionary of over 2,000 words divided into 74 linguistic categories. Output is expressed as a

percentage of the total words in the text sample. Some of the categories are defined purely grammatically. For example, the “articles” category searches for instances of a, an, and the. Other categories, such as positive emotion words, were formed initially by having independent judges decide which words should go into each category (Newman et al. 2008).

I then plan to analyze each State of the State address and then aggregate all speeches into one dataset. To test for potential gender differences, I perform a difference of means test for all of the speech dimensions of interest. I intend to find that women will use more affective language than their male peers.

Ultimately, these data are limited, however, in that it cannot test certain alternative hypotheses. For instance, the results of these analyses are likely affected by Oxley and Fox’s (2004) findings regarding the election of female executives. If their theory is correct, underlying institutional factors may be affecting these outcomes. That is to say, the characteristics that cause more women to run and win in certain states may also affect their success in office. Female governors, however, have also expressed concerns that they did not have the respect of their male colleagues in the legislature and were not granted the same authority as their male counterparts and predecessors. If this is the case then it is possible that female governors will actually see decreased levels of success. This finding would be normatively unappealing, but it would agree with much of the qualitative evidence gathered by Havens (2012). While I can speculate that this is the case if the preliminary results indicate male governors are more successful, we cannot properly test the hypothesis that this is due to a lack of respect. Despite the limitations of the data, the results will demonstrate great steps forward in beginning to understand female executive leadership.

By testing the role of gender in interbranch relationships, we gather important evidence of the role of legislative primacy. Is it the legislative institution that makes the difference or the people that hold elected office? Beyond the theory of legislative primacy, this chapter will be able to address several pressing concerns regarding female executives and their influence on policies and policy outcomes. This is not the first time these questions have been studied, but it is the most extensive investigation to date. These findings are not only important for understanding what has happened, but for understanding the potential impact of a female president.

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Table 2. Variables, their coding, sources, and hypothesized direction.

Variable	Description	Coding	Hypothesized Direction – Governor Success	Hypothesized Direction – Legislative Efficiency
Dependent Variable				
Gubernatorial Success	% of Governor's proposed legislation passed.	0-1		
Legislative Efficiency	% of proposed legislation passed, provided by <i>Book of the States</i>	0-1		
Independent Variables				
<i>Professionalism Variables</i>				
Professionalism – Squire	Squire Index	.027-.626	-	?
Professionalism – Guthrie	(Session Length + Salary + Staff Per Legislator)/3	.002-1.108	-	?
Session Length	Number of days in session, provided by <i>Book of the States</i>	0-365	-	+
Salary	Legislator salary, provided by Book of the States	\$200-\$200,000	+	+
Staff Size	The size of the legislative staff provided, provided by <i>National Council for State Legislatures</i>	0-Upward	+	+
Legislative Term Limits	Whether the state has legislative term limits. (Previously collected.)	0,1	+	?
<i>Remaining Legislative Factors</i>				
Divided Government	Whether the legislature and the executive are of the same party. (Previously collected.)	0,1	-	-
Split Legislative Control	Whether both chambers of the legislature are of the same party. (Previously collected.)	0,1	-	-
Majority Size	The percentage of seats which favor the majority, provided by <i>Book of the States</i> .	0-100%	N/A	+

Introductions per Legislator	Number of bills introduced over Number of Legislators	0-94	N/A	–
Introduction Limits	Whether the state has a limit on the number of bills a legislator may introduce.	0,1	N/A	–
State Polarization	Shor and McCarty Party Polarization Scores	.284-1.701	-	+
<i>Gubernatorial Factors</i>				
Previous Political Experience	A scale of the number of previous political offices held. (Previously collected.)	0-5	+	N/A
Governor's Power Score	An institutional power rating, provided by Thad Beyle.	15-29	+	N/A
Governor's Approval Ratings	% Approve of the governors performance, data provided by Thad Beyle, Survey USA, local newspapers, and similar sources.	0-100	+	N/A
Years in Office	The actual number of years the governor has held office. (Previously collected.)	Beginning at 0 if first year.	?	N/A
Election Year	Dummy for whether or not it is an Election Year, provided by Carl Klarner.	0, 1	+	N/A
Lame Duck	Dummy for whether or not the governor is a "lame duck." (Previously collected.)	0, 1	-	N/A
Term Limited	Dummy for whether or not the governor is term-limited, provided by Carl Klarner.	0, 1	?	N/A
Incumbent	Dummy for whether or not the governor is the incumbent. (Previously collected.)	0, 1	+	N/A
Female	Dummy for whether or not the governor is a woman.	0,1	+	N/A
<i>State Level Variables</i>				
Unemployment Rate	State unemployment rate.	2.5-13.8	-	-
Proposed	Number of issues proposed by a given governor.	1-41	-	N/A