

# Gov 1539: Section 2

---

Tyler Simko

February 19th, 2021

# The goals for today

- Clarify / review **utility functions** in models.
- Substantive discussions:
  1. **Veto**
    - 1.1 Hamilton's Federalist #73 argument in favor of them.
    - 1.2 Veto power vs. vetoes in practice
  2. (Preview of) **Unilateral action** (i.e. when president acts alone)
    - 2.1 What is it? When can we expect president to act alone?
    - 2.2 Strengths, limitations, and trade-offs.
    - 2.3 Relationship with other models of presidential power we've discussed.

## Warm-up: Remember this?

- (1) How might you improve this model (what would you add or remove)?
- (2) How might that improvement change the model (at a high-level, don't worry about technical details)?

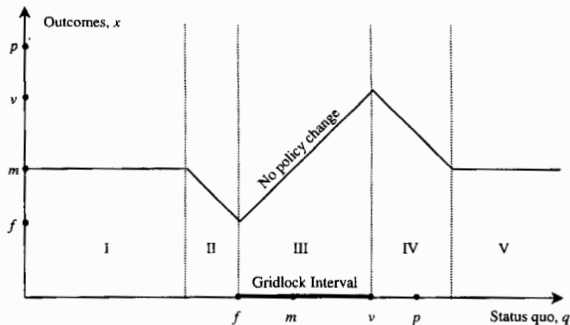


Figure 2.7  
Equilibrium policies in the pivotal politics theory

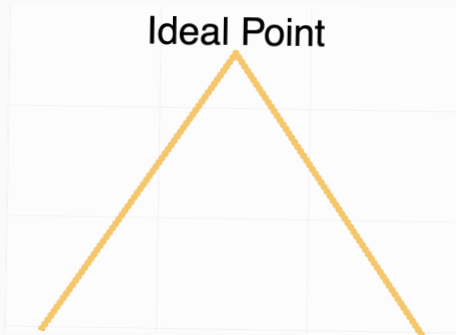
## Brief detour: utility functions

- Readings discussed ‘utility’ and ‘utility functions.’ What are they?
  1. **utility**: general measure of happiness / satisfaction.
  2. **utility functions** assign how ‘happy’ a player is with a particular outcome.
- We normally assume players will choose whatever option maximizes this function (i.e. makes them as happy as possible).
  - For example: my dog loves going outside, but she doesn’t like the snow.
  - For a particular walk, assume she gets utility  $w$  from being outside, but loses  $s$  if it is snow.
  - Her utility could be written as:
    1.  $u = w$  if there is no snow.
    2.  $u = w - s$  if there is snow.

## Brief detour: utility functions

Remember this graph? It shows a utility function!

(in this case: higher = more utility, happier. Max at their ideal point.)



- For this graph: legislator  $L$  with ideal point  $x$  voting on a proposal  $b$ , we can find their utility (how much they like the outcome) with  $u_L = -|x - b|$ .

## Example: How might we use utility functions?

By modifying the utility function, we can change the model.

- Parties are nowhere in Pivotal Politics.
- If parties (and not just ideology) have some impact on votes, then this could lead the model to make incorrect predictions.
- But assume Democratic and Republican leadership each take a stance on the median member's ( $m$ )'s proposed bill.
  - Assume legislators face a punishment of  $g$  (some number) by voting against their party leadership.
  - This changes the utility function. What is one way we might incorporate it?
  - One way to write it:
    - $u_L = -|x - b|$  if legislator  $L$  votes with their party leadership.
    - $u_L = -|x - b| - g$  if legislator  $L$  votes against party leadership.
- This could push some legislators on the margin to voting differently than what distance alone might suggest. **If distance isn't the only pressure facing players, they may behave in ways the model didn't anticipate.**

# Utility functions: the big picture

- Don't worry **too** much about utility functions and all of the math (this isn't a formal modeling class!).
- But the key takeaways are:
  1. Every model in this class will have **assumptions** (i.e. Krehbiel assumes no parties).
  2. A lot of the time, assumptions will matter by excluding things (party pressure, media, Supreme Court, etc.) from player **utility functions**.
  3. When analyzing a model, think about how the assumptions change the utility function. Is it realistic? What are they missing? What could incorporating these outside forces change?
- But at the same time, social science is about understanding general patterns in the world.
- So our answer can't always be to just make our models more complicated. We need to balance model complexity with usefulness.

- What are the most important qualities of the presidential veto?
  1. One of the few explicit presidential powers granted by Constitution.
  2. Not absolute! Can be overridden with 2/3 of both chambers.
  3. Highly visible and often dramatic.



## Federalist #73 and “the qualified negative”

What does Hamilton see as the primary benefits of the executive veto?

1. **Veto as Shield:** Protecting executive against legislative overreach.
2. **Veto as Check:** Prevents legislature from implementing “bad” laws (factional special interest laws, “hasty” laws, etc.)

# Federalist #73 and “the qualified negative”

What does Hamilton see as the primary benefits of the executive veto?

1. **Veto as Shield:** Protecting executive against legislative overreach.
2. **Veto as Check:** Prevents legislature from implementing “bad” laws (factional special interest laws, “hasty” laws, etc.)

Do you think each benefit has proven true? What could go wrong?

# Two faces of the veto

How does the veto help presidents get policy concessions from Congress?

- If Congress can't override veto, they may make concessions toward president to avoid one (i.e. Cameron's veto bargaining model).
- Existence of veto means presidents can get concessions on bills **without ever using it** (remember Krehbiel model?).
- Cameron (2009) reading distinguishes between:
  - **Veto power**: the constitutional veto power.
  - **Vetoes in practice**: the actual use of vetoes in practice.
- What are some other uses of the veto we've seen in the readings?
  - **Blame game vetoes** - offering president high-profile "veto bait" that opposition party can highlight to voters.
    - More common when: (1) high inter-party ideological polarization, and (2) divided party govt.
  - Presidents can **bluff** veto on a bill they would actually be willing to accept, in order to extract concessions in the successor bill. Why is this risky? (this is in Cameron model too)

# Preview of unilateral powers (Howell 2003, 2005)

- What are unilateral powers?
  - Ways in which presidents can make laws without consulting Congress (executive orders, memoranda, national security directives, etc.).
- What might presidents be more likely to act unilaterally (rather than work with Congress)?
  1. When presidents think Congress will enact sweeping policy changes that President's oppose.
  2. When Congress is gridlocked on a policy area.

# Unilateral powers in context

How should we think about unilateral powers in the context of other theories of presidential power we've read so far?

- Neustadt (1960) is a natural point of comparison here. Why?
- Remember Neustadt frames presidential power as the power to **persuade**.
- When acting unilaterally, presidents don't need to bargain.
- Can be helpful to frame unilateral powers and bargaining as part of larger toolkit. When will presidents use each?

# How do institutions influence unilateral powers?

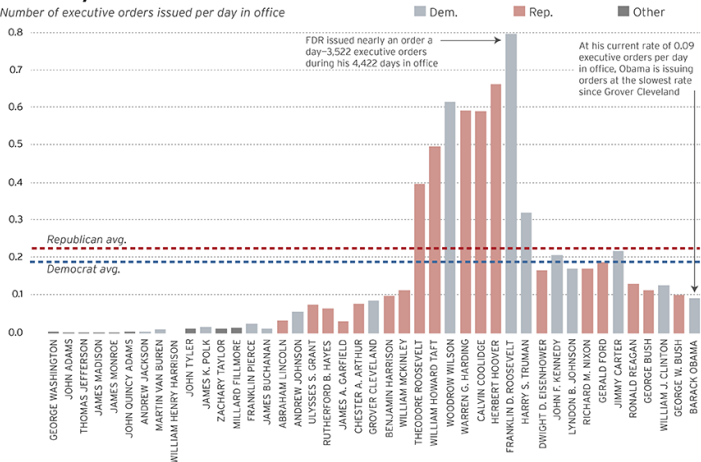
- We'll see how government institutions (i.e. governmental structure) influence (both increase and decrease) power of unilateral actions.
- What factors might make unilateral action more / less effective?
  - More likely / effective when president has informational advantages (particularly in foreign policy).
  - Powerful because president can set the **agenda** of the day by acting unilaterally - other actors (like Congress) are then forced to respond on president's terms.
  - Less effective when needs \$\$\$: Congress controls funding for created agencies and programs.

# Executive Orders over time

Howell warns against using raw number of unilateral actions (like executive orders, even though unilateral action is increasing over time) taken for analyses. Why?

## A History of Executive Orders

Number of executive orders issued per day in office



# Executive Orders over time

## Executive Order 12112

President Carter: January 1979

Establishes the Seal for the Executive Office of the President



*"On a blue seal, the Arms of the United States proper above the inscription "OFFICE OF ADMINISTRATION," in gold raised letters, all within a white border edged gold ....."*

## Executive Order 12127

President Carter: March 1979

Creates the Federal Emergency Management Agency (FEMA).





# Methodological issues in the study of presidency

Cameron mentions a few methodological problems in studying the presidency that will return again and again this semester. What makes studying the presidency difficult?

1. Measuring **policy content** / **significance** is difficult.
  - Common proxies: newspaper mentions, manual classification into "significance" categories.
2. **Small-N problem**: low sample size, have only been 46 presidents!
  - Common workarounds: change unit of analysis - maybe we study impact of presidential speeches rather than impact of individual's rhetorical power.
3. No institutional **variation**
  - Typical way to estimate effects (think medicine) is to compare people with treatment (i.e. took the medicine) to those who did not (i.e. control group). But all presidents have unilateral powers!