Do Presidential Scandals Affect Executive Action?

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Abstract

The ramifications of political scandals involving the president or high level executive officials may have consequences beyond the effect on approval ratings or trust in government, yet little is known about extended impact of such scandals. Alleged or actual criminal actions of executive office officials may lead to either paralysis or promotion of executive policy or political action. In this article, we examine the number of national executive scandals from 1972 to 2009 and compare these to various individual and aggregated measures of executive productivity. The results suggest a positive relationship between the number of scandals involving the president and individual and summary measures of executive action. Scandals involving high level officials in the executive branch have a positive effect on political actions but a negative effect on policy production. These results suggest broad implications to the executive and the political system in the aftermath of a scandal.
Most presidents confront political scandals of some sort within their administrations—some in which they are involved and some in which their appointees or nominees are involved. In the short term, especially for presidents themselves, a scandal can sink personal and job approval ratings (Zaller 1998; Andolina and Wilcox 2000; Brown 2006; 2007; Doherty, Dowling and Miller 2011). In the long term, scandals play a central role in determining political legacies or undermining public trust in the institution (Miller 1999; Busby 2001; Woessner 2005) and have extensive and often far reaching ramifications for American politics (Farrar-Myers 2012; Genovese and Morgan 2012).

Scholars have also documented the legal and Constitutional consequences of presidents lying (Pfiffner 1999; Alterman 2004) and of presidents perpetuating secrecy (Graubard 2004). Likewise, several works have addressed presidents’ use of public opinion polling during scandals (Rottinghaus and Bereznikova 2006), rhetorical strategies for recovery after scandals (Quirk 1998; Blaney and Benoit 2001; Hacker, Giles and Guerrero 2003; Nyhan 2009) and the politics of scandal coverage (Puglisi and Snyder 2011). Each of these works articulates a prominent political impact to executive scandals, especially involving chief executives and high ranking government officials.

Yet, the ramifications of political scandals involving high level executive officials may have impacts beyond the popularity of the politicians involved, perceptions of the office or trust in government. Because scandals at the highest levels of executive governance can cause political actors to make strategic changes in their behavior, these events may disrupt the normal policy production or political process. Existing literature on presidential scandals on the subject, however, consists mainly of isolated case studies, including rich descriptions of events (Stewart 1996; Toobin 2000; Woodward and Bernstein 1974, 1994) and participants’ evaluations of the events (Walsh 1997; Davis 1999; Blumenthal 2003). These studies are informative, but fail to provide theoretical insight into presidents’ strategies or a systematic approach to testing the impact of scandal. In particular, in this article, we query whether scandals at the executive level (involving either the president himself
or upper level executive officials) have an impact on the amount of executive policy or political action engaged in by the president and the executive branch? Presidents may increase the amount of public executive activity (either political or policy) to counteract the effect of scandal or decrease the amount of public executive activity to minimize themselves as a political target. This approach can clarify and specify the ripple effect of scandal on the political system (Quirk 1998).

As Cameron (2002) notes, “The politics of scandal has not received the degree of serious scholarly attention it probably deserves. But if scandal seeking and scandal mongering are normal political tactics… then political scientists need to learn their logic” (655). To address this gap, using original data on executive branch scandals at the national level from 1972 to 2009, various individual measures of executive policy output and political action and a dyadic summary metric of executive action, we test whether or not the frequency of political scandals affecting the White House, executive officials or the president has an effect on the president’s policy activities or political actions. Conventional wisdom, based on largely anecdotal data, is mixed on the president’s best strategy following a scandal. Some suggest that presidents are incapacitated by scandal and unable or unwilling to act. Others suggest that presidents become more active as a way to forestall the negative effects of scandal. The results help to identify a broader impact of political scandal in government beyond trust in government or public approval ratings. These findings can also provide insight into additional factors that predict how active a president is with respect to public policy and political activities following a political crisis.

**Political Scandal and Executive Action**

How does the presidency react to scandal? In managing a crisis, presidents may maintain a vigorous public presence or they may shirk public duties, retreat to the White House and “hide” from the media. According to one veteran of scandal battles, there are “two different pathways of handling a scandal crisis once it breaks out, by getting the truth out yourself – ‘tell it all, tell it early’ –
versus ‘deny, deny, deny’” (Davis 2006, 17-18). In this context, “stonewalling” is the choice not to communicate with the public. This alternative is absent from existing scholarship on presidential communication, which emphasizes “offensive” communication strategies, aimed at achieving legislative and policy goals (Cohen 1995, 1999; Edwards and Wood 1999; Edwards 2003). Scholars have rigorously researched presidents’ public appeals on behalf of legislation (Rivers and Rose 1985; Barrett 2005), budget proposals (Kernell 2007; Canes-Wrone 2006), agency appropriations (Canes-Wrone 2001), funding for foreign policy initiatives (Canes-Wrone 2006) and veto threats (Cameron 2000). If presidents do not make themselves available, the theory goes, there will be less to directly criticize and the White House can let the storm pass.

Presidential policy also may be paralyzed by the effect of a scandal such that the executive has difficulty enacting policy or pursuing policy objectives. Indeed, Quirk (1998) notes that scandals “distract attention and disrupt government, potentially distorting public policy or undermining the ability to deal with crises.” Politicians are forced to spend time defending themselves or their associates, distracting them from the work of governing (Sabato 1993; Entman 2012). For example, President Reagan’s advisers were worried that the “administration was adrift” after allegations of the Iran-Contra scandal came out (Woodward 1991). Likewise, the aftermath of Watergate on the Nixon Administration was also perilous in terms of executive activity. Woodward and Burnstein (1994) argue that Watergate “crippled” the Nixon Administration. The President was distracted and preoccupied (Marion 2010, 107) and this left the government largely paralyzed for at least a year and a half (Kyvig 2008). Distraction from policy activity and displacement of policy goals resulting from scandals can therefore range from small to large, depending on the level of individual involved and the type of executive action.

Conventional wisdom (driven by media attention), however, suggests that presidents and executive branch officials are better off being active following a scandal. Kurtz (1991) explains that
executive officials who are forthright with the media and the public are often exonerated (depending on the level of wrongdoing) while those who “play defense” are often pilloried. Froomkin (2005) argues that (referencing the illegal leak of the identity of C.I.A. agent Valerie Plame), although some scandals come and go quickly, the “White House’s saying nothing strategy is only feeding the conflagration, rather than starving it.” This approach may actively prevent a scandal from consuming the president and his administration. During the height of the investigation by Independent Prosecutor Kenneth Starr, Clinton Administration officials’ strategy was to portray him as “preoccupied with the duties of his office” but refuse to engage in specifics about the scandal or accusations (Bennet and Nagourney 1998). Indeed, at some point, presidents or executive officials may be functionally forced to talk to the media as pressure mounts for some type of action from the White House (Frank 1991).

The executive branch is a large entity and presidents, allied with the Executive Office of the President and close White House staff, are able to maintain focus and executive production even during political crises. For instance, President Clinton was famous for continuing to pursue policies and speak publicly even during several scandals involving himself, his staff or his executive officials. Although besieged by accusations about his personal life throughout his term in office, President Clinton attempted to make several “comeback” speeches to try to put the scandal behind the Administration (Stewart 1996, 419). In fact, critics suggested that some executive action on foreign policy during the Clinton Administration was taken for the direct purpose of directing the public’s view away from scandal, colloquially referred to as “wagging the dog” (Lind 1998; Wilgoren 1998). The Reagan White House, in the aftermath of allegations stemming from Iran-Contra, worked to actively reestablish executive authority by undertaking policy initiatives “before the title of lame duck replaced that of President” (Busby 1999, 7). By this logic, presidents seek to amplify executive action as a means to continue governance and demonstrate competence.
In this article, we concern ourselves less with whether or not the president or executive branch officials directly address the accusations from a scandal but with whether or not presidents remain active agents in the political system on specific measures of executive action. We argue that presidents will increase the amount of policy production (that are in their control) and increase the number of political activities in the aftermath of a scandal. The logic underlying this expectation is that the executive, in order to maintain their position in the political system and retain their political power, engages in executive action to demonstrate consistency and competency. When the president is specifically involved in a scandal, the White House wants to demonstrate to the political system that the president is still active and “on the job” (Heith 1998; Rottinghaus and Bereznikova 2006). When executive officials are involved in scandals, the White House engages in executive activity to reassert that government is functioning properly and is not corroded by corruption. In both cases, the executive branch will respond to scandal by being more active publically (including explaining their positions), through executive policy making (to maintain agenda control) and executive function (to demonstrate competency).

Being active during a scandal allows presidents to stem the tide of declining political power associated with the aftermath of political scandal. Presidents pursue the idea that recovering from scandals “involve a reaffirmation and consolidation of the status quo” (Thompson 2000, 235). The more able to maintain a posture of success and action a White House is during and in the aftermath of a scandal, the more likely a president is to survive the crisis (Woodward 1991). Presidents can strategically use the “bully pulpit” to “over supply” the market with information. In a “market model” of news production, presidents can “stimulate demand for presidential news among consumers (citizens)” by engaging in public activities, often at the local level (Cohen 2010, 83). In effect, presidents can “oversupply” presidential news by staging more public appearances and speeches. This strategic action may allow for presidents to displace negative news with positive
news and fight against inertia in the policy process which would otherwise result from political
dustups surrounding scandal.

For political speeches, events and appearances, the president’s motivation is to demonstrate
that his administration can continue to function despite the crisis of a scandal. In each case, the
motivation for going public is “inciting” or “arousing” or “persuading” the public. A president
might be deterred from communicating if the president’s position represents a minority position
(Canes-Wrone 2001), when speaking may damage popularity (Brace and Hinckley 1993) or if
“staying private” would improve chances of winning legislative concessions (Covington 1987).
Presidents may use these opportunities to shift attention to other issues or events in order to
manipulate or regulate the content and timing of his public appearances (Althaus 2001). For
instance, President Reagan, in addressing the depth of the Iran Contra scandal for the second time
in a nationally televised address, also mentioned his top political priorities (judicial nominations and
foreign policy) in the same speech (Hoffman 1987). The Administration was looking for a way to
change the subject (Rottinghaus and Bereznikova 2006). Shifting public attention in this manner
helps a president to compartmentalize the crisis from their agenda (Davis 1999).

Presidents engaging in expanded unilateral policy-based actions in the aftermath of a scandal
do so for several reasons. First, presidents seek to maintain control over the political agenda of the
nation. A president’s ability to set the agenda is a competition with other political actors (Jones and
Baumgartner 2005) and the media (Light 1991). The executive can use policy activity as a way to
ensure that the issues of importance to the president’s policy agenda are part of the national political
agenda. Second, presidents desire to continue to maintain a strong relationship with Congress and
the bureaucracy and demonstrate to them that they do not plan to give up political ground as a result
of scandals (Abshire 2005). The White House’s posture in these circumstances is using offense to
play defense. Pursuing more policy requests, using the veto more frequently or issuing more
unilateral directives allows the White House to maintain policy control, preserve political posture and navigate a scandal without losing ground. In both instances, the presence of executive level scandal should increase the number of policy activities.

**Data and Methods**

In this section, we detail the operational definitions of each variable and describe the methodology used to test the assertion that presidential scandal should lead to an increase in presidential policy and political activity.

*Scandal.* Several definitions of political scandals exist. For instance, Marion (2010) requires that a public figure has been “accused of unethical or immoral behavior” defined as offending behavior or an event “that is disgraceful, shameful or discredits someone” or that transgresses “societal norms, moral codes or values” (11). Thompson (2000) offers a detailed definition which requires that actions “transgress or contravene certain values, norms or moral codes” and that the actions’ disclosure might damage responsible individuals’ reputations, so that they attempt to conceal the action. Our definition requires that a scandal must involve *allegations of illegal, unethical or immoral wrongdoing*. The definition includes adultery because of the unique place of inappropriate sexual relationships in the panacea of political scandals (Rosen 2009). Including sex scandals ensures that we include “transgressions” of conventional morality, but we wish to exclude gossip, innuendo and unsubstantiated rumors of private behavior.¹ For scandals of non-sexual nature, an alleged violation of law or a code of ethics is the threshold question. Our definition intentionally excludes executive branch incompetence, unpopular policy decisions or negative press. Prisoner abuses at Abu Ghraib, mistreatment of wounded veterans at Walter Reed Naval Hospital and an inadequate response to Hurricane Katrina in 2005 may be administrative failures, but these events belong to a

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¹ By using newspapers to determine when scandals broke (and hence whether or not they existed), this minimized the presence of false or malicious rumors from the data.
category that is distinct from political scandal. This also excludes instances of only negative publicity, such as Vice President Dick Cheney’s hunting accident where accidentally shot a hunting partner.

Our definition of executive scandal requires that the misbehavior identified above must involve the president, a senior administration official or a federal nominee. We include scandals involving the vice president, cabinet secretaries, officials with cabinet level rank (the White House Chief of Staff, or the Director of the Office of Management and Budget), agency heads at the federal level, high-level political appointees (down to the level of Deputy, Assistant or Under Secretary), ambassadors and envoys, the First Lady and senior campaign staff. We also include nominees for national executive or judicial branch positions during the period when a nomination is under Senate consideration. The scandal had to take place during the individual’s time in office (not, for instance, revelations after the principal or staff member left office). To summarize, we are only interested in scandals involving executive office elected officials, affiliated persons and nominees revealed before an administration ends.\(^2\)

Using the definition defended above, we identified 87 presidential level scandals (involving 126 individuals) that occurred between 1972 and 2009 (ending in January of 2009 with the end of the George W. Bush term).\(^3\) These data are summed at the yearly level. Using secondary texts

\(^2\) We opted not to code individuals below this level because our interest was on the relative relationship between an individual involved in the scandal and the president. “Scandal” is rarely applied to individuals who are longtime civil service employees who may engage in tomfoolery or financial corruption their cases are handled at lower levels and the implications for this wrongdoing are generally minimal and certainly not associated with the president. In short, we desired to collect information on political scandals that had implications for governance.

\(^3\) We generated the list of scandals using a several step process. As a first step, two research assistants generated lists of “events” that fit one or more elements of our definition of scandal. The list was drawn from books that claim to be “encyclopedias” and “almanacs” of scandals, supplemented by analytical books and other commentaries on White House or gubernatorial scandals. The main sources that our research assistants relied on were: Etzioni (1995), Garment (1992), Greenberg (2000), Grossman (2003), Long (2007), Marion (2010), Ross (1998), Sabato (1993), Schultz (2000), Woodward (1987, 1999) and Genovese and Farrar-Myers (2010). As a third step, the list of events plus all resources – newspaper articles, books, and articles – were given to a
follows the lead of other scholars who have searched for a universe of political scandals (Puglisi and Snyder 2011). If the principle focus of the scandal was the chief executive, we recorded this and modeled these separately to estimate any differences between the chief executive and executive officials. The online appendix uploaded to the JOP website has a full list of each scandal and the individuals associated with each scandal.

Several variables are employed in the models below to capture presidential action in specific ways involving the president’s administrative or public actions. These are all actions within the president’s control, making them appropriate for examining the executive’s endogenous preferences for action (or non-action).

Unilateral Orders. We coded every presidential proclamation and executive order issued from 1972 to 2009. Because there was no complete list of these unilateral orders, several sources had to be searched to generate this complete record of all proclamations: the *Codification of Presidential Proclamations Disposition Tables*, the *United States Statutes at Large*, the *United States Federal Code*, the CIS *Information to Presidential Executive Orders and Proclamations*, the *United States Federal Register*, the *Public Papers of the Presidents* and the White House website of President Bush (43). We also consulted the *American Presidency Project* and data from King and Ragsdale (1988) and Warber (2006).

Major and Minor Speeches. The total number of speeches in each category given publically by the president was summed for each year. These data are taken from Ragsdale (2007) which utilize the *Public Papers of the President*. The *Public Papers* data are a standard and traditional source of presidential statements and a favorite among political scientists seeking to catalogue presidential

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third research assistant, along with a rubric for deciding whether each event was a scandal. As a fourth and final step, one of the original two research assistants collected data on the individuals allegedly involved in each of the scandals.

4 These sources are all identified by government document librarians as the universe of sources for these data (see Bennett and Yannarella 1986). The most comprehensive is the Congressional Information Service guide which published a multivolume research guide.
rhetoric (Cohen 1995; Edwards and Wood 1999; Wood 2007, 2009). The Papers are reliable because each president since Harry Truman has systematically recorded every public statement, including speeches and press conferences.

*State of the Union Message Requests.* The number of requests the president made during his annual State of the Union Message to Congress, taken from Light (1991) and Ragsdale (2007).

*Vetoes.* The number of vetoes the president issued in a specific year. Data taken from Ragsdale (2007) and the U.S. Senate website.5

*Press Conferences.* The number of instances a president spoke to the press, or where presidents “respond to reporters need for information,” as defined and collected by Kumar (2003) and (2007).

*Public Appearances.* We include two measures of public appearances: “political” appearances and “number of public activities” in the United States. Political activities are defined “as an appearance before an expressly partisan political group for an expressly partisan purpose” (Ragsdale 2007, 206). “Public activities” are defined as including all domestic public appearances by a president, including major speeches, news conferences, minor speeches, Washington[D.C.] appearances and U.S. appearances but not political appearances” (Ragsdale 2007, 207).

*Determinations.* A presidential determination is an expressed policy position by the executive branch, involving a rule change or modification. These are specifically related to foreign assistance funds (including transfers, waivers and drawdowns). Determinations are functionally a unilateral order of a different nature than an executive order or a proclamation. These data are taken from Ragsdale (2007).

*Lower Court Nominees.* The number of presidential nominations submitted to the Senate for lower judicial courts. Data taken from Ragsdale (2007).6

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5 Taken from http://www.senate.gov/references/Legislation/Vetoes, accessed 9/1/2012.
We also include several control variables with the belief that these may have some effect on the executive’s capacity to act or the president’s incentives to act in a given year.

*Executive Office of the President.* Three variables were used to capture the president’s ability to engage in executive productivity. First, the number of units in the Executive Office of the President was recorded. Second, the number of staff in the Executive Office of the President was recorded. Third, the total expenditures in the U.S. budget for the Executive Office of the President was recorded. All data are taken from Ragsdale (2007), which were only collected through 2007, so to update the data to 2009, we consulted the sources she used and brought the figures up to date.  

*Election year.* Whether or not the year was a presidential election year is included as a dummy control variable (coded “1” if yes and “0” if no).

*Divided.* We include a dichotomous measure of divided government, where any divided government (in either or both chambers) is treated as divided government (coded “1” if yes and “0” if no).

*New President.* We include a dummy variable for moments where a president of a new party enters office, starting with the first Congress over which they govern (coded “1” if yes and “0” if no).

*War.* If the United States is involved in an armed conflict, we include a dichotomous indicator for war. The war variable was coded “1” for the following conflicts: Vietnam War (1964-1973), Persian Gulf War (1991-1992), Afghanistan War (2001-2009) and Iraq War (2003-2009).

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Second Half of Term. If the year is the second half of the president’s term, the variable was coded “1.”

Trust in Government. An index of the amount of trust citizens have in government from the American National Election Study. The question most frequently posed was “How much of the time do you think you can trust the government in Washington to do what is right? Just about always, most of the time, or only some of the time?” Answers to these survey questions since the 1950s are formed into an index. 8

Methods. To test our assertion about a link between scandal and executive action, we use several types of models as appropriate to the data in each case. First, for the individual executive action series variables, because these variables capture the frequency of an event, we employ several event count models. Count models take as the dependent variable the number of discrete times an event occurred (e.g., the number of times a president made a major speech) with the assumption that the process generating the event is independent of time (t). This is appropriate for all of our series since the counts take a non-negative integer value (Cameron and Trivedi 1998). For the count models described below, we aggregate these into year. However, when these events are not

8 From the ANES website (http://www.electionstudies.org/nesguide/toptable/tab5a_5.htm), accessed 9/6/2012: “The Trust in Government Index is constructed as follows: Variable 604 (Table 5A.1) is recoded: None of the Time=0, Some of the Time=33, Most of the Time=67, Just About Always=100. Variable V605 (Table 5A.2) is recoded: Few Big Interests=0, Benefit of All=100. Variable 606 (Table 5A.3) is recoded: A Lot=0, Some=50, Not Much=100. Variable 608 (Table 5A.4) is recoded: Quite a Lot=0, Not Many=50, Hardly Any=100. These new scores are then totaled (Don't Know is not scored) and the sum is divided by the number of valid responses. The result is then rounded to the nearest integer. "People have (1958, 1964: I'd like to talk about some of the) different ideas about the government in Washington. These ideas don't refer to democrats or republicans in particular, but just to government in general. We want to see how you feel about these ideas. V604: "How much of the time do you think you can trust the government in Washington to do what is right-- just about always, most of the time or only some of the time?" V605: "Would you say the government is pretty much run by a few big interests looking out for themselves or that it is run for the benefit of all the people?" V606: "Do you think that people in the government waste a lot of money we pay in taxes, waste some of it, or don't waste very much of it?" V608: "Do you think that quite a few of the people running the government are (1958-1972: a little) crooked, not very many are, or do you think hardly any of them are crooked (1958-1972: at all)?"
independent of one another, these count models are insufficient in that an event count model will be
biased if the events counted are characterized by a dynamic, temporal process. To correct for this,
we utilize Brandt and Williams’ (2001) techniques to allow for an autoregressive character to the data
(in this case, exponential increasing linear trends, or a random walk with drift) called the Poisson
Exponentially Weighted Moving Average (PEWMA) (see also Harvey and Fernandes 1989; Brandt,
Williams, Fordham and Pollins 2000). The formula is:

\[ Pr(y_t | \mu_t) = \mu_t^{y_t} e^{-\mu_t} / y_t! \]

where the observed counts at time \( t \) are drawn from the Poisson distribution and where \( \mu_t \) is the
“unobserved mean-arrival rate” for the count at time \( t \) (Brandt, Williams, Fordham and Pollins
2000). The raw data and ACF functions for the series are shown in the methodological Appendix
(each figure available in the Supplemental Information document uploaded to the JOP website).
The longer significant lag function makes the PEWMA appropriate for these series (as specified in
the Appendix). Likewise, using the information on the time dynamics, along with the lowest
Akaike’s information criteria (AIC), we can estimate the appropriate number of lags, where
applicable.

For our count data which do not demonstrate an autoregressive nature, we conduct a
standard count model (a Poisson or negative binomial) because, again, linear regression models may
result in inefficient and biased estimates for the count of events and it is “much safer to use models
specifically designed for count outcomes” (Long and Freese 2006, 349). For example, the
individual time-structured series for each ACF (Appendix Figures 2-11) reveal relatively low counts
and no internal time dynamics, making a Poisson or negative binomial model appropriate in these

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9 This also makes sense theoretically as presidents begin to gradually use proclamations more
frequently over time as a tool of unilateral action.
series. A Poisson model models the probability of observing any observed count using the Poisson distribution (such as the major speeches series). The Poisson model is specified:

$$u_i = E(y_i | x_i) = \exp(x_i\beta_1 + \ldots + x_n\beta_n)$$

where each observation has a value of $u$ and the observed count for observation $i$ is drawn from a Poisson distribution with mean $u_i$ (Long and Freese 2001) and $n$ is the total number of independent variables. A negative binomial model (which accounts for observed heterogeneity, or “overdispersion”) is modeled for any series where tests of the log likelihood ratio $= \alpha$ reveal positive and significant tests for overdispersion (such as the State of the Union policy requests, vetoes and public appearances series).\(^{11}\)

Second, for examining the summary measures of executive action, because of the nature and character of the data, we utilize time series models to determine the relationship between each type of executive action and presidential scandal. An ARIMA (autoregressive moving average) model, assuming stationary data, is a simple way to combine a moving average process with a linear difference equation with an AR(p) autoregressive component and an MA(q) moving average component (Box and Jenkins 1976; McDowall, McCleary, Meidinger, and Hay 1980). ARIMA models allow us to remove autocorrelation from the data. The character of the data were determined by a combination of autocorrelation and partial autocorrelation functions – depending on the character of each series, a combination of autoregressive models may be used (Enders

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\(^{10}\) Additional comparison of the goodness of fit for using the Poisson versus the Poisson Autoregressive model suggests that the Poisson is appropriate for these cases.\(^{11}\) Because “overdispersion” can artificially deflate standard errors, tests for such “overdispersion” are utilized to determine the appropriate model (tests use a log likelihood-ratio test that $\alpha=0$). The negative binomial: $u = \exp(\beta_0 + \beta_1 x_1 + \ldots + \beta_n x_n)$; where $n$ is the total number of independent variables. This captures the rate of overdispersion, where the variance is larger than the mean.
The ARIMA tests help us determine the directionality and size of the effects of each independent variable on each dependent variable.

Specifically, ARIMA tests help us determine the directionality and size of the effects the number of scandals in a given year on the production of policy or the amount of political activity engaged in by the president. To capture the unique effects of presidential scandal on the measures of executive action, given that there is expected to be positive statistical covariation between the series, the variables listed in the data and methods section above are included in the ARIMA models below. This model is specified:

\[ X_t = \delta + \vartheta_1 X_{t-1} + \vartheta_2 X_{t-2} + \ldots + \vartheta_p X_{t-p} + A_t \]

where \( X_t \) is the individual series, \( A_t \) is white noise and:

\[ \delta = (1 - \sum_{i=1}^{p} \phi_i) \mu \]

where \( \mu \) denotes the process mean. Another related approach for modeling univariate time series models is the moving average (MA(q)) model:

\[ X_t = \mu + A_t + \varphi_1 A_{t-1} + \varphi_2 A_{t-2} + \ldots + \varphi_q A_{t-q} \]

where \( X_t \) is the time series, \( \mu \) is the mean of the series, \( A_{t,i} \) is white noise, and \( \varphi_1, \ldots, \varphi_q \) are the parameters of the model. The value of \( q \) is the order of the MA model. The moving average model is a linear regression of the current value of the series against the white noise or random shocks of one or more prior values of the series (depending on the value of (q)). The Box-Jenkins ARMA model combines the AR(p) and MA (q) models identified above:

\[ 12 \] Diagnostics from the data generally suggest the need for an AR(1) or AR(2) specification to the model (Montgomery, et.al. 1990). In each of the models presented below, the autocorrelation functions show a substantial spike at the first or second lag, followed by a sharp decay. See supplemental information file uploaded to JOP website.
\[ X_t = \delta + \vartheta_1 X_{t-1} + \vartheta_2 X_{t-2} + \ldots + \vartheta_p X_{t-p} + A_t \vartheta_1 A_{t-1} + \vartheta_2 A_{t-2} + \ldots + \vartheta_p A_{t-q} \]

These models presume that the trends are stationary (Montgomery, et al. 1990; Box, Jenkins and Reinsel 1994), diagnostics which we examine below.

**Do Scandals Increase or Decrease Executive Action?**

Table 1 displays several models with individual measures of executive action as the dependent variable. These models utilize count models that are either standard (Poisson or negative binomial) or time based (Poisson Exponentially Weighted Moving Average), depending on the character of the series. Each model is fit well, minimizing the AIC and maximizing the log likelihood. To begin, most of the independent variables controlling for the president’s capacity to engage in policy activities are positive, as expected. In general, presidents are more likely to be active in both speeches and executive policy function when government is divided (minor speeches, State of the Union policy requests, vetoes and determinations). Presidents are also more likely to be active in the second half of their terms (minor speeches, public appearances and determinations), during election years (vetoes, public appearances, determinations and unilateral orders) or when they are new to the office (State of the Union policy requests and determinations). These results suggest that the control variables adequately capture the president’s ability to engage in executive action.

The key independent variable in Table 1 is the number of scandals involving the president himself. The expectations identified above are largely found accurate: of those measures of executive action that reach statistical significance for presidential scandals, three of the four are positive. Specifically, presidents give more minor speeches, attend more public political events and issue more determinations when they are involved in a scandal. In terms of the president’s rhetorical approach to a scandal, presidents appear to not engage in more frequent major speeches but instead prefer to use minor speeches to address local (often partisan) audiences (Kernell 2007).
Presidential political appearances are much in the same vein where presidents rely on partisan strength to weather a scandal. The capacity to stay in office is directly related to the amount of support a chief executive might have, where more partisan support in the legislature is likely to mean a greater chance of political survival. Put another way, more partisan support can create a “legislative” shield for the chief executive (Hinojosa and Perez-Linan 2006). This is especially critical since scandals (and impeachments in particular) tend to polarize elites (Rozell and Wilcox 1999; Woessner 2005).

However, interestingly, presidents use their veto power less frequently when involved in a political scandal. Because the veto power is to some degree connected to Congressional action and interbranch bargaining, presidents may be reluctant to issue more vetoes for fear of escalating institutional skirmishes or having their veto overturned. If presidents are politically weaker after scandals, they may find their bargaining position diminished (Zaller 1998; Andolina and Wilcox 2000). If chief executives are unable to govern in the aftermath of a scandal, in the form of blocked initiatives, delayed votes or lengthy and distracting investigatory hearings (Quirk 1998; Busby 1999), they may correctly worry that the health of their legislative agenda is connected to their relative political strength. Indeed, Meinke and Anderson (2001) found that scandals have significant negative effects on presidential legislative support on key legislation, suggesting a negative relationship between effective governing and scandal ridden presidents. With less power to politically or institutionally combat the override of a veto following scandal, presidents use the executive tool less frequently in these time periods.

For the number of scandals involving upper level executive officials, displayed in Table 2, the results are supportive of expectations but more mixed than the results from Table 1. Of those variables which reach statistical significance, only three of the six are positive. In particular, presidents are more likely to give major and minor addresses and press conferences when members
of their administration are embroiled in scandal. Presidents go on the offensive in these instances to counteract negative coverage and or explain their positions and reinforce their standing via the bully pulpit (Abshire 2005). Interestingly, compared to the findings from Table 1, presidents are more likely to “go public” when his staff or cabinet members are involved but not when he is personally involved. This is particularly astounding considering press conferences held in prime time have become rarer with the advent of television (Kumar 2005). The media typically interpret or filter the president’s message, so by limiting a more full reception or challenging the veracity of the president’s message, the media act as a constraining force (Lammers 1982) and presidents most often use them reactively instead of proactively (Eshbaugh-Soha 2003). Presidents appear to use these venues as a means to attempt to get control of the agenda by speaking directly to the media.

However, three specific variables representing executive action are less likely to be employed when there are one or more upper level executive scandals, contradicting expectations. First, presidents are less likely to make public political appearances if these officials are embroiled in scandal. Given the other positive results for making major speeches and minor speeches, presidents seem to prefer these methods as a means to communicate with the public rather than political appearances where they may say little other than perfunctory remarks. Second, presidents are less likely to use unilateral action (in the form of determinations or total unilateral orders) in the aftermath of scandals involving executive staff. This is the opposite of the findings from Table 1 where presidents issue more directives (but not necessarily unilateral orders) in the aftermath of a scandal in which they are involved. The use of unilateral orders is tied to the relative strength and position of Congress (Howell 2003), so weaker presidents use unilateral directives less frequently. This suggests that presidents minimize the amount of probable institutional antagonism after scandals for fear of losing a political battle with Congress. This may also reflect diminished capacity act since staff are engaging in other actions to control the damage of a scandal (Quirk 1998).
Summary Measures of Executive Action

Individual measures of presidential action from the previous section reveal telling trends of how presidents behave when embroiled in scandal. To amplify these findings and check on the robustness of the results, we employ Stimson's (1999) algorithm (as calculated by W-CALC) to create a macro index of “executive action.” This “summary” measure should show consistency with the results from Tables 1 and 2 if our expectations are accurate. Specifically, Stimson’s method estimates a single measure of a latent concept using multiple indicators and can overcome problems of “scaling and coverage” to generate an index of multiple time series (Grant and Kelly 2008). To start, we create an index for each series, expressing each point as a ratio of an arbitrary fixed reference point, so that the scale is common and there is a central tendency— that is, the number of vetoes a year is far less than the number of political appearances the president makes, necessitating the need for a common scale. In a simple calculation, we use:

\[ Activity_{i,t-k} = \left( \frac{Activity_{i,t}}{Activity_{i,t-k}} \right) \times 100 \]

so that every issue mentioned at \( t \) has the same arbitrary value of previous periods and are ratios of that one value (Stimson 1999, 133). This process can effectively create a relative measure of presidential action and control for missing data (although this is a minor problem as most of the series are complete). Then, using the equation below\(^{13}\), we use W-CALC to create a summary metric using the variables described above.

\[ P.Action_i = \frac{\sum_{i=1}^{n} \sum_{j=1}^{t} \frac{Indicator_{i,j}}{Indicator_{i}} \times Metric_{i}}{n} \]

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\(^{13}\) The software (and additional explanation of the data generating process) are available at: http://www.unc.edu/~jstimson/Software.html (accessed 9/1/2012).
Where \( i=1 \), \( n \) is all indicators for period \( t \), \( j=1 \), \( t \) is all available dyadic comparisons for indicator \( i \), \( b \) is the base period for the recursive metric generation and \( \text{Metric} \) is the value of the metric for period \( b \) (initially set to 100). This “backwards recursion” is repeated until “all issues have contributed to the estimation and information about all time points has been exhausted” followed by the same process moving from the beginning to the end (Stimson 1999).

After the summary index was created, through the process of eliminating those individual series that were negatively correlated with the final index, we refined the final measure to produce a dyadic algorithm that measured the underlying concept of executive action (for an application, see Stimson 2004). These variables and the correlations are listed in Table 3. The correlations range from low (minor speeches at .10) to high (determinations at .74). This is done to “avoid inclusion of completely irrelevant information” (Grant and Kelly 2008b). The remaining series both theoretically and empirically capture the latent dynamics of presidential activity and every variable for period \( t \) contributes to the ratio with all other available periods to the summary scale from 1972 to 2009. In effect, then, we have a summary measure of presidential activity using the measures from Table 3. Indeed, scholars have had considerable success in employing W-CALC as a tool to create a summary metric of related but distinct institutional (legislative and executive) output (Grant and Kelly 2008b).

[ TABLE 3 HERE ]

In order to model this scale, we use a series of time series models, as indicated above. Examination of diagnostic statistics suggests that each series are stable. Each of the series was tested with Augmented Dickey-Fuller tests. Dickey Fuller Test tests for a random walk, if \( z_t \) is a function of \( z_{t-1} + \varepsilon_t \). \( \varepsilon_t \) may have a mean of 0 and a variance of \( \sigma^2 \), implying that the best guess of \( z_{t-1} \) is \( z_t \) and that the forecast error associated with \( z_{t-1} \) is \( \sigma \). Instead of depending on \( z_{t-1} \), \( z_t \)
may simply be a function of a deterministic trend \( z_t \) is a function of \( \beta T \) and \( \varepsilon_t \). This is designated a trend stationary process. This equation is specified:

\[
z_t = \lambda z_{t-1} + \mu + \beta T + \varepsilon_t
\]

If \( \beta = 0 \) and \( \lambda - 1 \) is not zero, then the series is stationary (a constant mean and a tendency to revert back to the mean). Dickey Fuller tests reveal that each series is stationary (Pankratz 1983; Vandaele 1983).\(^{14}\) Ljung-Box portmanteau \( Q \) statistics revealed no additional problems with autocorrelations in the residuals (see table for details) (Hosking 1980).

The ARIMA estimates for each model (representing individual executive actions or activities) are reported in Table 4 and utilize the data described above.\(^{15}\) The residuals demonstrate no white noise in the residuals.\(^{16}\) Similar to the effect found in Table 1, the number of scandals involving the president has a positive effect on the summary metric of presidential action. There is, however, no concurrent effect for upper level executive officials. In addition to our constructed dyadic measure of presidential activity, we also use a summary index of “executive productivity” created using the same methodology as created by (and generously provided by) Grant and Kelly (2008b; 2012). This allows us a way to check the robustness of our executive action index. The

\(^{14}\)The test statistic and p-values for the Dickey Fuller tests for each are as follows: executive action macro (-5.08, \( p \)-value=0.00), Tobin and Grant PPI (-3.37, \( p \)-value=0.00). This makes each variables series appropriate for inclusion in ARIMA analysis (Enders 2004, 335). In testing for white noise in the residuals, the test statistic and p-values for the portmanteau Q (tested at 5 lags) are listed in Table 3. Each statistic is not statistically significant, accepting the null hypothesis of no white noise.

\(^{15}\)The models for the Tobin and Grant PPI have both autoregressive (AR) and moving average (MA) parameters in ARIMA models, a common specification (Kahn 1989). For each model, the Schwartz’s Bayesian criterion is minimized, making it an appropriate structure for the lags in the model.

\(^{16}\)Engle Granger tests for cointegration reveal that the null of non-stationary is rejected, suggesting the key series are cointegrated. For the executive action macro models, the statistic for president scandals is -4.20; statistic for executive official scandals is -2.28. For the Tobin and Grant PPI models, the statistic for president scandals is -1.10; statistic for executive official scandals is -1.17.
“executive productivity index” includes several items, including news conferences, requests of Congress, various types of routine and policy-based executive orders and proclamations and major presidential events. Again, using these data, the number of scandals involving the president has a small positive effect on the summary metric of presidential action. The fact that the summary metrics use very different (but relatable) measures to build the scale but still provide similar findings demonstrates the consistency of the findings.

Discussion and Conclusion

Scandals can do untold damage to chief executives (Bowler and Karp 2004; Genovese 2012), decrease trust in government (Chanley, Rudolph and Rahn 2000) and have extensive and often far reaching ramifications for American politics (Farrar-Myers 2012; Genovese and Morgan 2012). Yet, for a political environment obsessed with political “spin” resulting from scandal (Quirk 1998), there has been little scholarly work on how presidents “play defense” when confronted with allegations of scandal or how scandals affect executive function. This is important because the odious effects of scandal may be more extensive on the executive branch and the larger political system than is understood by the literature to date. A political scandal, whether large or small, has the potential to derail a presidential policy message, paralyze policy production in the executive, focus attention on governing mishaps, highlight an administration’s flaws or deprive the president of his cabinet-members, advisors, surrogates or nominees. In this paper we identify the precise effects of political scandal on the chief executive’s amount of policy and political action. These results help to amplify and explain the effect of scandal in modern presidential politics.

Presidents tend to increase the amount of policy and political activity in the aftermath of a scandal in which they are personally involved. This is especially true for political events and

17 The coefficient for the number of lower level executive officials is negative and just misses reaching statistical significance at p>.10. This appears to follow the findings from Table 2 that reveal the negative effects of executive action following scandal.
speeches, where presidents are more likely to give minor speeches and make public appearances when they are involved in a scandal and more likely to give major or minor speeches or accede to a press conference when upper level executive officials are involved in a scandal. However, proactive communication is not uniformly used in reaction to presidential scandal. Presidents do not engage in more major speeches when they are involved in a scandal (the effect is not statistically significant) and presidents make fewer public appearances when executive officials are involved in scandals. Presidents do not always attempt to talk their way out of a problem when an administration is confronted with allegations of wrongdoing. This finding is in line with others who discover that a president’s best strategy is not to always go public but to do so selectively when the conditions are tactically favorable (Canes-Wrone 2001). Although it seems counterintuitive for presidents involved in a public relations problem to say little, in some instances this is the president’s best strategy and one that is at odds with the dominant paradigm of presidential communication (Cohen 2010).

Presidential policy activity is less influenced by political scandals than public political activity, but, when there is an effect on policy activity from scandal, the effect is often negative. For instance, the number of unilateral directives is negatively related to the number of scandals involving executive officials (although positive for determinations when presidents are involved). The number of vetoes is negatively related to the number of scandals involving the president. Presidential requests in State of the Union messages are never statistically significant, suggesting no change in the volume of these requests due to scandal. Summary measures demonstrate positive effects of execution action in the aftermath of a scandal the president is involved in, although the effect for the summary measure that is more heavily constituted of policy action is smaller and less statistically robust than the other (and the effect is negative and nearly significant for upper level executive officials). Scandals, therefore, can have a deleterious effect on specific types of presidential policy
activity, although the effect is stronger for when upper level executive officials are involved than when the president is involved.

The findings from this article reveal that presidents generally work actively to combat the image of political paralysis resulting from political scandal, especially using the bully pulpit. Presidents do not remain silent, shirk institutional responsibilities or hide from the media; rather presidents amplify their public posture as a way to substantiate their political role in the American system. However, political scandals may in some instances hurt a presidential administration’s ability to negotiate with political adversaries. The results demonstrate that presidents are less likely to veto legislation in the aftermath of scandals and less likely to issue unilateral directives when executive officials are involved in scandals, both activities in their control but subject to a power balance of the interbranch relationship. With diminished ability to bargain and less support from Congress, presidents seek to minimize the amount of probable institutional antagonism after scandals for fear of losing a political battle with Congress. In the aftermath of scandals, presidents frequently turn to their role as public leader but tend to turn away from their role as policy leader.
References


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