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# U.S. Domestic Vulnerability and the Supply of Third-Party Mediation

## Abstract

### Abstract

Most U.S. presidents will pursue third-party conflict mediation sometime during their administration. However, the approach and level of commitment to those endeavors vary greatly across time and results are often minimally successful. This study explains this variation in terms of domestic political considerations, suggesting that the potential risks and payoffs in the domestic sphere primarily drive the supply of mediation, rather than conflict characteristics, “ripeness” for resolution, or the national interest. Presidents are shown to engage in mediation when they are relatively secure domestically, enjoying legislative success in Congress. The results are consistent with the notion that presidents prefer political cover when engaging in foreign policy. Thus, the argument informs the literature on mediator behavior by linking it with theories of foreign policy decision making and suggests that the political context in which mediation is offered will influence its prospects for success, often explaining why mediation efforts fall short. Moreover, given the trend toward divided government in the United States, the results presented here suggest that mediation will become less prevalent in U.S. foreign policy.

**Keywords:** *Mediation, Congressional Support, Elections, Foreign Policy Decision Making*

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## **U.S. Domestic Vulnerability and the Supply of Third-Party Mediation**

**James P. Todhunter**

Mediation is a popular conflict management strategy that is thought to be appealing to disputing parties because it is flexible and non-binding in nature. Similarly, because of its powerful position in the international system, the United States of America is a popular mediator because of its broad political influence and considerable political, economic, and military resources to commit to any conflict resolution endeavor. However, despite its appeal and prevalence as a conflict management strategy, empirically, mediation efforts are often unsuccessful, even when success is measured by small incremental steps. Moreover, powerful states like the U.S., which can exercise more influence and introduce incentives to the belligerent parties, are no more successful in mediating conflicts than weaker states. This study seeks to contribute to the understanding of third-party mediation dynamics by examining the U.S. case and focusing on how domestic political vulnerability influences the decision to engage in mediation. To do so, the literature on third-party mediation is tied with the literature on foreign policy decision-making. Moreover, focus is given specifically to arguments suggesting that leaders make such decisions primarily with their domestic political impact in mind. Examining two sources of domestic vulnerability, (a) the executive's level of legislative support and (b) the proximity of elections, and considering theories of foreign policy decision-making, the empirical results suggest that U.S. presidents are more likely to engage in mediation at times when they enjoy broad political support in Congress. The influence of election cycles on mediation behavior yield no statistically significant relationship. Such findings suggest that presidents are constrained by their domestic political circumstances, and that the decision to focus on diplomacy is driven and constrained by the domestic political costs likely to be incurred, but also that presidents are not seeking to use mediation as a tool to rally the public for re-election.

Recent scholarship on conflict resolution processes has recognized the need for a greater understanding of the motivations of third-party mediators, especially state actors as mediators, as those motivations likely have implications for both how a mediation process might proceed and its prospects for success. To that end, significant attempts have been made to understand and explain states' motivations as mediators (Beardsley & Greig, 2009; Melin, 2014; Melin, Gartner, & Bercovitch, 2013; Greig, 2005; Greig & Regan, 2008, Maoz and Terris, 2006). In each of

these cases, however, the arguments have conceived mediator motivations in terms of state interests and relationships, such as economic ties, historical ties, alliances, and conflict characteristics. As such, mediator motivations are often seen as one-dimensional. Where motivations are cast as dynamic, the dynamics are driven by structure-level factors. Domestic political factors are not appropriately considered, and therefore are unable to provide a complete explanation of the variation in mediator motivations across time, especially regarding variations in approach to the same, ongoing conflict. For instance, most U.S. presidents have sought to mediate the Israeli-Palestinian conflict at some point during their administration, but there has been considerable variation in approach and level of commitment across administrations, even though Israel is considered an important U.S. ally, and that success in resolving the conflict would likely pay dividends for U.S. foreign policy in the region. As such, much of the mediation research cannot incorporate the emerging consensus in the literature that suggests that foreign policy decisions are made primarily with domestic ramifications in mind (Ostrom & Job, 1986; Putnam, 1989; Chiozza & Goemans, 2003; Bueno de Mesquita, Smith, Siverson, & Morrow, 2003). As such, domestic political conditions create both incentives for, and constraints on, the decision to offer and engage in mediation. This study addresses the questions of varying commitment and strategy in mediation by linking theories of mediator motivation to those of foreign policy as a two-level game—arguing that domestic political factors drive mediator behavior. Specifically, the offer of mediation is likely to be extended at times when there is sufficient legislative cover for the president to avoid criticism and to deliver upon any commitments offered in the negotiation process.

Scholars employing similar arguments have traditionally drawn from diversionary explanations of conflict, suggesting that presidents are more likely to use military force when deteriorating domestic conditions necessitate presidential action (Miller, 1995; Morgan & Bickers, 1992). The introduction of the electoral cycle as a factor in the choice of foreign policy options suggests, however, that the use of force should be less likely leading up to Election Day. Gaubatz (1991) finds that democratic leaders are most likely to use military force early in their tenures, with that likelihood decreasing as elections near. The explanation for such a finding is that democratic societies are likely to punish leaders at the polls for pursuing policies that put lives at risk, even when they are considered a victory (Chiozza & Goemans, 2003). Thus, impending elections likely cause U.S. presidents to shy away from military conflict, regardless of

the need for policy success. Substituting diplomacy, however, is likely to be lower-risk. Such a claim is expected to be limited to democratic governments, as autocrats have incentives to demonstrate strength—perhaps through a show of force, as procedural elections or other institutionally-mandated transitions near. In addition to further explaining how domestic political interests lead presidents to focus a variable amount of attention and resources toward mediation, these findings also inform the conflict resolution literature more generally, by calling into question the efficacy of democratic states as peace makers.

Leaders are also likely to consider their level of political support when choosing to offer mediation. The literature suggests that presidents become more aggressive in their use of foreign policy when they enjoy significant legislative cover—in the shape of a majority of co-partisans in the legislature (Howell & Pevehouse, 2007)—or when they are able to pass legislation efficiently (Foster & Palmer, 2006; Ragsdale, 1998). Thus, presidents with higher levels of support in Congress should be more confident in their ability to mediate overseas conflicts and should have greater access to resources to do so successfully.

Empirical results support the notion that U.S. presidents are more likely to engage in mediation when they enjoy significant political cover, suggesting that such an endeavor constitutes a net spending of political capital. However, there is minimal support for the argument that presidents' focus on mediation is influenced by the election cycle, or that the election cycle creates an inverse conditional relationship in the special case where an incumbent president is running for re-election and lacks Congressional support necessary to pass legislation. Such results, taken together, imply that presidents are constrained by domestic politics when considering mediation as a foreign policy option. Moreover, they comport with the notion of a “prudent public,” whereby presidents are unable to use foreign policy selectively to generate quick boosts in public approval or help win elections, due to voters' understanding of the national interest and the political motivations of such behavior (Jentleson, 1992). Finally, the results illustrate that the decision to offer mediation is likely made primarily as the result of domestic political calculations, while less attention is being paid to the conflict conditions and the “ripeness” for resolutions. Such a result also helps to explain why mediation attempts are often unsuccessful, despite the number of resources that the U.S. can bring to bear in the endeavor. Without sufficient legislative support, presidents are unlikely to be able to mobilize their full contingent of resources, as doing so would be politically costly. Moreover, such results

imply that because presidential administrations focus on diplomacy when domestic conditions will likely minimize costs, less attention is being paid to the conflict conditions and their ripeness for resolution, aligning with existing scholarship (Grieg, 2005).

While the results are limited to the United States in scope, they open the door for comparative inquiry and suggest that states' domestic institutional configuration, not power, may be the determining factor in the ability to credibly commit to a mediation effort that will yield a peaceful resolution of conflict. The next sections discuss the literature supporting the rationale for such a study, develop two potential theoretical models for testing, explain the methodology and tests employed, and finally interpret the results and expound on their implications.

### **States as Mediators**

Powerful states are the most common state mediators of international conflicts. The United States is the most common mediator, accounting for 31% of single-state mediation attempts from 1945-1999, while permanent members of the United Nations Security Council account for a total of 42.5% of single-state mediation efforts over that period (Bercovitch & Schneider, 2000). States appeal to belligerents as mediators, as opposed to intergovernmental organizations, private citizens, or other international bodies, because of the numerous resources that they can provide to manipulate the conflict landscape and their ability to overcome collective action problems. Additionally, a large number of mediation efforts are initiated by the mediator, rather than one or both of the belligerents (Bercovitch & Schneider, 2000; Bercovitch & Fretter, 2007). Such occurrences suggest that state leaders see mediation as an avenue through which they can benefit politically. Therefore, identifying the conditions under which leaders see conflict resolution as a politically useful endeavor is necessary toward understanding the likelihood that the conflict resolution attempt will lead to peace. It is also key to grasping the full dynamics of the mediation process.

This discussion suggests that state mediators' primary motivations are not necessarily resolution of the conflict, but rather some political benefit. As such, the motivations of the state and its political actors should be considered when assessing the likelihood that mediation will be offered, and if mediation attempts will be successful (Beardsley & Grieg, 2009; Touval & Zartman, 1985; Touval, 1992), as well as, whether the agreement reached will last (Werner and Yuen 2005). The question that stems from this broad analysis of state actors as mediators is:

what political dimension drives states to want to engage in mediation and what factors restrain states from doing so?

Given that powerful states are most adept at using manipulative mediation strategies, taken along with research suggesting that manipulative interventions most often lead to short-lived agreements (Beardsley, 2011), it can be argued that state actors engaging in mediation are primarily driven by the political benefits of such a short-term agreement. By manipulating the payoff structures for conflicting parties, states do little to mollify the underlying sources of conflict. Instead, they simply make the benefits of peace (as opposed to resolved conflict) worth the costs, which are somewhat reduced. Moreover, these findings suggest that leaders of democratic states deem the increased resources and effort needed to ensure a more durable peace agreement through mediation will yield little marginal political benefit at home. Because these leaders stay in power by appealing to a domestic audience, the primary goal of any mediation attempt is to impress that domestic audience, or at least key members and groups of it. Thus, an understanding of mediation within the dynamics of leader decision-making is necessary to fully explain its occurrence and process.

### **Mediation as a Foreign Policy Decision**

Those who have examined mediator motivations systematically have argued that the decision to mediate occurs within the context of the existing foreign policy landscape, and also have criticized the conflict resolution program for largely ignoring such a fact (Touval, 2003; Touval & Zartman, 1985). However, to the extent that mediator motivations have been tested, examinations have been limited to structural explanations of foreign policy, focusing on alliance, economic, and historical ties (Kleiboer, 2002; Greig & Regan, 2008; Touval & Zartman, 1985); more importantly, these studies have not focused on how domestic political factors affect leader decision-making. Such an approach fit well within the Cold War thinking that international relations trumped domestic politics. States conducted foreign policy as rational unitary actors constantly seeking to increase their security (Waltz, 1979). This rationale explained key Cold War cases, such as mediation of the Falklands Crisis, where the U.S. intervened to maintain stability among key allies. This approach has driven how scholars have explained mediator motivations. However, in doing so they overlook key dynamics in the conflict resolution process. Specifically, these explanations have difficulty explaining why there is variation in states'

willingness to engage in mediation across time (even within one conflict), and why there is variation in the mediation strategies that states employ.

Another important consideration is the non-use of mediation in U.S. foreign policy. Conflict mediation is most often thought to be a liberal foreign policy approach, using soft power and influence rather than coercion to peacefully resolve conflict. Thus, the conventional wisdom suggests that leaders whose ideological standpoint prefers dovish foreign policy approaches are more likely to favor mediation as a policy option. Thus, while the U.S. presidents, as leaders of a powerful democratic country, are more likely to engage in mediation than autocratic leaders, there is also likely to be variation in the extent of mediation behavior based on party identity, where Democratic presidents are more likely to engage in mediation than Republican presidents. Such an argument stems from not only the notion that ideology is likely to drive foreign policy behavior, but also because of arguments suggesting that the primary domestic audience that leaders are courting through their foreign policy decisions are their own political supporters (Morgan & Bickers, 1992). However, research also suggests that while dovish leaders are likely to default to cooperative foreign policy measures, such measures can lack credibility due to the lack of sunk political costs. Thus, while mediation is likely to be offered less often by hawkish leaders, those that do occur are more likely to be successful because hawkish political leaders are putting more at stake, reputationally, by engaging in peacemaking (Schultz, 2005).

Because there is considerable fluctuation in interest from states in resolving ongoing conflicts over time, a state-centric model of mediator motivation is not sufficient. For instance, the U.S. has at times committed large quantities of resources to resolving the ongoing conflict between Israelis, Palestinians, and the neighboring Arab states—including a great deal of the president's political capital—while at other times, the incumbent administration focuses its attention elsewhere. Moreover, U.S. involvement in the Arab-Israeli conflict is primarily driven by domestic political interests (Mearsheimer & Walt, 2007). Mediation is a less popular foreign policy option when the U.S. is involved in conflict as a belligerent, as can be seen by the lack of interest in the Arab-Israeli conflict after the onset of the Iraq War in 2003, when there had been considerable interest in the lead up to the war. Because resources and attention are being occupied by the conflict in which the U.S. is directly involved and democratically-elected leaders are likely pay electoral consequences for failures in war, it is less likely that U.S. presidents will divert effort and resources to third-party mediation under such circumstances (Chiozza &

Goemans, 2003; Bueno de Mesquita & Siverson, 1995). Therefore, seeking to explain mediation occurrence (and offers) requires a more nuanced approach to foreign policy decision making: one that recognizes that diplomacy is chosen as one policy option out of the many that state leaders have at their disposal. A calculated political decision process takes place in choosing to focus on mediation from this range of policy options, which includes domestic and international endeavors and their likely ramifications. Contemporary scholarship on foreign policy has focused on political leaders as the key players in decision-making. Because U.S. presidents act in both domestic and international politics, but are ultimately held accountable by a democratic voting audience, foreign policy endeavors are likely to be undertaken with their domestic political ramifications in mind. Similarly, leaders can attempt to use foreign policy as a tool to improve their domestic political standing. Thus, not only do international factors constrain domestic politics, as neorealism contends, but domestic motivations and constraints influence the way that leaders behave internationally.

#### **Mediation and Foreign Policy Substitution: A “Record of Success”**

Historical evidence suggests that the voting public can often be rallied in favor of pro-peace political candidates (Page & Shapiro, 1992; Brace & Hinckley, 1994). As such, incumbents may have incentives to use the tools of their office similarly, pursuing a peacemaking-focused foreign policy agenda. In 2008, Barack Obama ran for president on a peace-centered foreign policy platform, seeking to appeal to a war-weary public. Dwight Eisenhower sought the peacemaker perception toward the end of his tenure in office, as he engaged in talks with the Soviet Union in order to bolster the prospects of Republican candidates in the 1960 elections (Hughes, 1962). Similarly, Lyndon Johnson consciously sought to appear as a peacemaker in 1968, halting strategic bombings of Vietnam in the lead-up to elections, and even Richard Nixon used the power of his office to create the image of pro-peace foreign policy, and maintain public support, by timing troop withdrawals from Vietnam (Burbach, 2004). Research also suggests that political leaders can indeed boost domestic approval ratings by engaging in high-profile mediation efforts (Todhunter, 2013). Such occurrences are well explained by the concept of foreign policy substitutability (Most & Starr, 1984). However, a significant body of research suggests that the American public is sufficiently “prudent” in their responses to foreign policy endeavors, primarily the use and threat of military force, and thus can discern when such an effort is conducted in the national interest, and when it is simply a political

maneuver (Jentleson, 1992; Jentleson & Britton, 1998). Such a dichotomy implies that there may be incentives to actively use diplomacy to boost a president's domestic standing, while at the same time an argument can be made that presidents are likely to be punished for doing so.

The literature on leader survival suggests that democratically-elected leaders are likely to be punished for military failure, and as the probability that they will lose office increases, the likelihood that they will engage in the use of force decreases (Chiozza & Goemans, 2003). Unlike the use of force, mediation has less potential to be a politically expensive policy choice because it incurs few costs up front and does not ultimately bear many of the costs of failure. Mediating an overseas dispute not only lacks the potential for violent loss of life associated with military force, it also requires considerably less commitment of resources and political capital from the mediator at the outset, which in turn minimizes the risk that must be accepted in attempting to extract a political benefit. Mediation is also more ideologically congruent with democracy and thus likely to be well-received both domestically and internationally. However, it can also be argued that with the aim of consolidating a domestic payoff through mediation of a foreign conflict, some level of success is necessary, rather than just the attempt at doing so. Achieving such a success, especially over the long term, likely requires the commitment of resources and support from Congress.

Failure to succeed in mediation may be less likely to negatively impact a president's political fortunes than failure in other policy areas. Research suggests that democratic leaders may be punished electorally for the use of force, even if it is thought to be successful (Chiozza & Goemans, 2011). As a mediator, however, a president may have less to lose. Should a president deem that mediation of a particular conflict will not yield the previously expected political benefits, or if negotiations should break down, he can walk away having committed very few resources to the process. Ultimately, however, presidents are likely to seek out policy options that have a greater probability of success. Because presidential success in mediation is likely to depend on his ability to introduce resources to the negotiation process, support in Congress will likely be necessary. Moreover, support from Congress will likely diffuse the negative impact of failure and make the mediation effort more credible to the disputing parties.

### **Theories of Congressional Support, Elections, and Mediation**

The theoretical argument stemming from this discussion begins with the assumption that presidents attempt to establish a record of policy successes to better their political fortunes and

those of their co-partisans (Neustadt 1960; Bond & Fleisher, 1990; Richards, et al.,1993). To do so, presidential administrations are most likely to focus on domestic policies, with which domestic political audiences can closely identify, and foreign policies enabling mobilization of considerable resources with high likelihood of success. Thus, mediation is most likely to occur when the president enjoys broad Congressional support, to mobilize numerous resources and send a strong signal to belligerents about commitment to the endeavor. Such a proposition is consistent with the “party cover” conjecture, which contends that leaders are likely to make risky foreign policy commitments when enjoying considerable legislative support, to minimize criticism from opposition and to share blame for any failures that result (Howell & Pevehouse, 2005; Kriner, 2010). At the same time, given the argument that presidents’ primary motivation for engaging in mediation is to engineer a policy success that improves domestic political standing, the lack of legislative support can be a constraint on the offer of mediation. Such an argument supports the notion that the offer of mediation is most often made independently of the conflict conditions, and it explains why, despite the resources and power involved, mediation efforts are unsuccessful (Grieg, 2005).

An additional theoretical consideration in need of testing, in the U.S. case, is the level of independence and primacy afforded the president in the foreign policy arena. Because the president can act on foreign policy matters without the consent of Congress, it can be argued plausibly that diplomatic efforts such as diplomacy may be appealing at times when an opposition Congress makes the passage of legislation difficult. In fact, when the Congressional majority is comprised of the opposition party to the president’s, members of that party likely have incentives to limit cooperation with the administration and increase the fortunes of their own candidate in coming elections (Mayer, 2001; Howell & Pevehouse, 2005). Scholars have made the “policy availability” argument that vulnerable presidents seek to substitute foreign policy when domestic policy options are not available, and political conditions necessitate a policy victory (Brulé, 2006; 2008; Marshall & Prins, 2011). While it is unlikely that engaging in mediation would produce a rally similar to that of a use force, it could potentially be an appealing policy option when the administration wants to minimize risk.

Upcoming elections create political vulnerability for presidents. As elections approach, presidents should want to minimize risk while maximizing policy success. Such a perspective is supported by the literature that suggests leaders are less likely to use military force as the

chances that they will be removed from office increase (Chiozza & Goemans, 2003/2011; Gaubatz; 1991; Bueno de Mesquita, et al., 2003). Thus, when confronted with both an opposition Congress and a need to engineer policy successes due to nearing elections, presidents have incentives to focus on foreign policy for building this desired record of success. Because presidents who use force as elections near are likely to be punished by voters, they generally use military force early in their tenures (Gaubatz, 1991). Moreover, there is evidence in the literature that suggests audience costs are non-linear over a president's term, and that presidents engage in more hand-tying behavior closer to elections (Chiozza, 2017). Thus, in situations where domestic policy avenues are largely unavailable to the president, yet nearing elections create a need for high-profile policy successes, mediating overseas conflicts should be an attractive policy avenue for presidents. Because mediation is both high-profile and low-risk, relative to other available policy options, a high payoff for a presidential administration is likely. Therefore, the argument suggests, a greater number of mediations should be seen in these situations.

### **Hypotheses**

The proposed argument suggests several hypotheses about the role that domestic politics plays in influencing mediation. The first hypothesis concerns the expected volume of mediation, given the president's support in Congress. It is expected that presidents will engage in mediation at times when they enjoy broad support from Congress and have an established record of legislative success:

***Hypothesis 1:** Presidential administrations are more likely to engage in more mediations at times they experience higher levels of legislative support from Congress.*

The notion that presidents are likely to seek out policy options that have higher probabilities of success supports such a proposition. Moreover, guarantees and resources offered in the mediation process will need Congressional backing to be realized. Additionally, considerable Congressional support provides the president cover from criticism and can help to diffuse blame, should the effort fail. A credible signal is also sent to the disputants that the president is committed to the endeavor, making it a more appealing proposition for them.

Next, the influence of the election cycle on mediation is considered. Presidents need to build a record of policy successes so as to be re-elected and to further the political fortunes of their party. Foreign policy is a high-profile policy outlet in which the president has a great deal of autonomy. However, military options are less likely under these conditions—presidents are

less likely to use military force as elections approach because of increased chances of electoral punishment, even when such actions are deemed successful. Diplomatic endeavors, like mediation, may indeed be appealing policy substitutes, as they have the potential to be high-profile, but relatively lower risk:

***Hypothesis 2:** Presidential administrations are more likely to engage in more mediation efforts as elections near.*

A second argument, related to elections and mediation worthy of testing, focuses specifically on instances in which the incumbent president is running for re-election. While a president is likely to want to build a record of success to help co-partisans in addition to his own political fortunes, it can be argued the incentives to pursue high-profile policy intended to build a record of success should be magnified when the incumbent is standing for re-election, as lame duck presidents will not benefit over the long term from the domestic payoffs associated with mediation:

***Hypothesis 3:** Presidential administrations are more likely to engage in more mediation efforts as elections near, and the incumbent is running for re-election.*

In addition to more separation of the intent for individual and party benefit from the policy endeavor, situations in which the incumbent is running for re-election likely increases the appeal of a mediator to the disputants. Given that the incumbent needs the policy victory to help get re-elected, more resources and guarantees are likely to be made available, thus increasing the payoffs for standing down.

Finally, the policy availability argument suggests that Congressional support may have a conditioning effect on the impact of the election cycle on a presidential administration's mediation behavior. Because an opposition Congress has incentives to block domestic policy options leading up to an election, presidents have greater incentives to focus on foreign policy, as it is an area in which they enjoy greater autonomy. Further, diplomatic options should be more appealing, as research suggests that presidents are less likely to use military force with impending elections:

***Hypothesis 4:** Presidential administrations are more likely to engage in more mediations at times they experience lower levels of legislative success, as elections near.*

An argument can also be made that the focus on mediation should be most likely when the incumbent is running for re-election. Incumbents have distinct advantages over their challengers in building a record of success, as they have numerous political resources at their disposal. Therefore, in situations where Congress is unlikely to be cooperative, presidents running for re-election should seek out policy options where Congress has less influence.

*Hypothesis 5: Presidential administrations are more likely to engage in more mediations at times they experience lower levels of legislative success, as elections near and the incumbent is running for re-election.*

While Congressional support would still be necessary to implement many of the guarantees offered as the result of a mediation effort, it is plausible that given the limited options present, presidents would be inclined to use mediation with the goal of generating momentum for a policy that was publicly popular.

These hypotheses make explicit, testable statements about the influence Congressional support and impending elections on the president's propensity to initiate mediation efforts. Like other policy options, the president generally should be seen engaging in mediation when robust Congressional support provides the administration with considerable resources and political capital to engineer a peaceful resolution of conflict. Under such conditions the president has incentives to use foreign policy to generate a record of policy success. Additionally, disputing parties are likely to perceive mediation offers from a president as credible due to broad legislative support, increasing the likelihood that the offer is accepted and mediation is successful. Moreover, elections likely contribute to presidents' increased focus on mediation as presidents are prone to engage in more hand-tying behavior as they near, and are also likely to become more risk averse. A hostile Congress likely conditions the influence that elections have on mediation, as presidents need to generate a record of policy successes, but have limited policy avenues available to them. The next section describes the empirical research design for testing the hypotheses.

### **Research Design**

To test the hypotheses, I examined the influence of election cycles and executive-legislative relationships on U.S. mediation efforts since World War II, observing the data quarterly.

The dependent variable, *Mediation*, represents a count of mediation efforts initiated by the U.S. government in a given quarter. The source data for the measure of mediation was Bercovitch's (1999) *International Conflict Management* (ICM) dataset, which coded the identity of mediators who engage in mediations with disputing parties. Each mediation attempted, or offered, was verified to have been conducted on behalf of the U.S. government. Cases where U.S. citizens mediated privately, such as Jimmy Carter's involvement in Haiti, are excluded. The data was observed quarterly and *Mediation* reflects a count of new mediation efforts during the quarter. Because each individual meeting was coded as a mediation attempt, an increase in mediation volume represents an increased focus by the administration on mediation. *U.S. Mediations* is described in Table 1. It ranges in value from 0 to 8 new mediation attempts per quarter. The mean is 1.398 new mediation attempts per quarter, with a standard deviation of 1.429 and a variance of 2.041. No new mediations occurred in 60 quarters, or 29.85% of the time. A single new mediation attempt was undertaken in 62 quarters, or 30.85% of the time, while 2 new mediations occurred in 48 quarters, or 23.88% of the time, and 4 new mediation attempts occurred, or 8.46% of the time. There are 13 quarters in which 4 to 8 new mediation attempts occurred, comprising roughly 7% of the sample.

The primary explanatory variable is a measure of the president's legislative support in Congress. *Presidential success* corresponds to the percentage of Congressional roll call votes that concurred with the president's position (Ragsdale, 1998). This measure directly captures the president's ability to pursue remedial policy using legislation, and is a more direct indicator of the effects of divided government on policy outputs (see e.g., Foster, 2006). Given that both chambers of Congress must approve the president's proposal, a score is used that corresponds to the chamber in which the presidential success score is lower.

The frequency of mediation efforts is hypothesized to be a function of the election cycle. *Election*, measures the U.S. presidential election cycle. A "1" is coded for each election year and the second two quarters of the preceding year. Because opposition candidates begin to emerge in the latter half of the year prior to presidential elections, and the electoral landscape becomes the most salient topic of political discourse, such a time frame is likely to see the president attempting to shore up public support. Moreover, the role that domestic audience costs play in influencing foreign policy is thought to be greater during election cycles (Chiozza, 2017). *Re-*

*election* is coded according to the same scheme as *Election*, but only for quarters leading up to elections in which the incumbent is running for re-election.

Because hypotheses 4 and 5 are conditional, presidential support in Congress is interacted with the election cycle variable to assess the effect of elections on mediation efforts conditioned by Congress. The marginal effects for the interaction terms should indicate a relationship between impending elections and an increase in the propensity for mediation during periods in which Congressional opposition is sufficient to block presidential domestic policy reform (Kam & Franzese, 2005; Brambor, Clark, & Golder, 2006).

The frequency of mediation is hypothesized to be a function of Congressional support and the election cycle. However, because the president is trying to manipulate public opinion and engineer electoral success, his actions are likely to be driven by his popularity. Thus, a measure of presidential approval is included to capture the public's evaluation of the president's job performance. *Presidential approval* is measured as the quarterly average of all Gallup presidential job approval polls.

In addition, controls are used to account for quarterly *Uses of force*. Presidents making the decision to deploy military forces against targets abroad are likely to have less time or motivation to consider peacemaking efforts. Consequently, as the number of uses of force increases, presidents should initiate fewer mediation efforts. Uses of force are drawn from the Blechman-Kaplan/Fordham list of U.S. uses of force (Fordham, 1998; Fordham & Sarver, 2002). In a similar fashion, a variable indicating *War*, which taps U.S. war involvement, is included. The United States' involvement in wars is likely to reduce the pool of available resources with which presidents can address other crises. Thus, the analysis controls for the impact of wars by including a dummy variable that takes on the value of "1" for quarters in which the U.S. was involved in the Korean, Vietnam, and first Gulf War.

Negative binomial regression estimates are employed to test the hypotheses. Because the dependent variable, *U.S. Mediations*, is an over-dispersed event count variable Poisson regression models are not appropriate, as they assume that the mean is equal to the variance. Table 1 shows descriptive statistics for *U.S. Mediations*. The variance, 2.041, is considerably larger than the mean, 1.398. Such a conclusion is supported by the alpha statistic generated with each of the models (see Table 2). In each case, the alpha statistic is significantly different than zero, suggesting that the negative binomial estimator is more appropriate (Long & Freese, 2006).

However, because the Poisson regression model has smaller confidence intervals than the negative binomial estimator, Poisson models were also run as a robustness check. The results did not differ in significance or substance from the negative binomial estimates.

### **Results and Discussion**

Table 2 shows the negative binomial estimates for the relationships between the Congressional success of the president, which is thought to be a direct measure of the effects of divided government, the election cycle, and U.S. mediation efforts across quarters from 1949-1995. Robust standard errors are clustered around presidential administrations. Model 1.1 measures the effect of presidential success, independent of elections. Model 1.2 introduces the election variable and Model 1.3 introduces the re-election variable. Models 1.4 and 1.5 test the conditioning effect that presidential success exerts over the election cycle's influence on U.S. mediations.

The empirical results support the argument that presidents are likely to engage in a higher volume of mediation endeavors at times when they enjoy broad support in Congress. Model 1.1 shows a positive and statistically significant relationship between presidential success in Congress and the number of new mediation efforts initiated. Substantively, the model suggests that at the mean presidential success score, with all other variables held constant (continuous variables at their means and dichotomous variables at zero), presidents are likely to engage in 1.644 new mediation attempts per quarter. A one standard deviation increase from the mean in the presidential success score (17.715 percentage points), suggests that, on average, presidents will begin 1.900 new mediations per quarter. Thus, a one standard deviation increase in the presidential success score suggests roughly a 14% increase in mediation activity. The impact is similar for model 1.2, which controls for elections, suggests that a one standard deviation increase from the mean in presidential success is likely to yield approximately a 12% increase in mediation activity.

Additionally, the positive and significant relationship between presidential success is still observed when the election cycle variables are introduced. However, according to models 1.2 and 1.3, *Election* and *Re-election*, respectively, are negatively associated with the volume of new mediation efforts. However, no statistically significant relationship is observed. Such results suggest that the election cycle has no statistically significant impact on presidents' mediation activity. Thus, presidents are not increasing their mediation activity in order to improve their

electoral prospects or those of their party. Interestingly, however, these results differ from research on the use of force leading up to elections, where strong negative associations are found (Gaubatz, 1991; Williams, 2013). These studies argued that the use of military force decreases as elections near, due to the fact that leaders fear electoral punishment for subjecting voters to the costs of conflict. These results may imply that while leaders do not seek to increase mediation activity in order to get produce positive results at the ballot box, the fears of punishment that are present with the use of military force are absent. However, mediation, like many foreign policy endeavors, is most likely to occur at times when the president is politically secure. Such a result is consistent with the notion that despite relative autonomy in foreign policy, presidents prefer broad party cover to minimize criticism and share blame for shortcomings, while maximizing the number of political and economic resources that can be committed to the effort when mediating (Howell & Pevehouse, 2005).

Models 1.4 and 1.5 test conditional relationships between presidential success in Congress and election cycles. Thus, the hypotheses suggest that the influence that the election cycle has on mediation activity varies, depending on a president's level of Congressional success. Model 1.4 examines the extent to which presidential success conditions the influence of all presidential election cycles on the frequency of mediation, while model 1.5 examines the extent to which presidential success conditions those election cycles where the incumbent is running for re-election. Because the models involve interaction terms, testing the extent to which one independent variable's influence on the dependent variable is conditioned by the value of a second independent variable, a graphical depiction is most useful for interpretation of both association and levels of certainty (Kam & Franzese, 2005; Brambor, Clark & Golder, 2006). Thus, to properly assess statistical significance, the marginal effects of presidential success on the election and re-election cycles are plotted, in conjunction with upper and lower 95% confidence levels, across the range of the presidential success variable.

Models 1.4 and 1.5 behave as expected, in terms of direction, but fail to demonstrate statistical significance at the 95% confidence level. As expected, the slope of the marginal effects curve is negative for both models. However, the lack of statistical significance suggests that no systematic conclusions can be made about the hypothesized relationship. In sum, legislatively weak presidents are not seen using mediation differently than those who are more successful in Congress during the election cycle, regardless of re-election status. Therefore, support for the

“policy availability” argument cannot be confirmed. The lack of an observed relationship also implies that presidents view diplomacy differently than the use of military force, though both fall under the realm of foreign policy when it comes to engineering a policy success. While it has been argued that presidents seek to substitute foreign policy at times when domestic policy avenues are unavailable or are inefficient, these results suggest that those arguments are limited to the use of military force. The results are consistent with the notion of a prudent public regarding foreign policy, which contends that the public is likely able to discern between policy activity that serves national interests and activities that are engineered to provide leaders with the appearance of success.

Control variables used in the models behave largely as expected and yield some interesting insight. As expected, the dichotomous variable for war is negatively correlated with the frequency of U.S. mediations, and statistically significant across the models. Substantively, when the U.S. is engaged in war, the number of new mediations expected in a given quarter drops from 1.610 to 0.954, or 41% decrease in mediation activity. Thus, involvement in war makes it considerably less likely that presidents will engage in peacemaking endeavors, as doing so would likely divert resources, political and material, from the war effort. No relationship is observed between uses of force, short of war and mediation, however.

In all, the empirical results in these models provide support for the argument that presidents are likely to engage in mediation at times when they enjoy broad support in Congress. Thus, mediation is most likely undertaken under similar domestic political conditions as many other types of foreign policy. However, the results also suggest that presidents do not use mediation as a policy tool to help improve their electoral fortunes or engineer a policy success, as has been shown to be the case with saber-rattling and the use of military force. These conclusions are consistent with the notion that presidents are risk averse in foreign policy and thus seek to conduct international affairs when they are least likely to be criticized, and most likely to be successful. These results also suggest that presidents are constrained in their use of mediation by domestic political considerations, and that mediation efforts will become less appealing policy options for presidents in need of policy successes to help their domestic political fortunes.

## Implications of the Results

The results observed herein suggest several important implications for the study of conflict resolution, as well as that of foreign policy decision-making. Broadly speaking, the results suggest that research on the motivations of states as third-party mediators needs to look beyond the state interest to incorporate domestic politics and institutional rules. Doing so also creates several opportunities for future research. Initially, the results presented here may appear to be *sui generis* to the U.S. case. Indeed, these arguments hinge on the constitutional separation of powers and the executive's primacy in U.S. foreign policy. However, given that an overarching goal of the conflict resolution research program is to understand the factors that make peaceful conflict settlement more likely, it is important to consider the extent to which domestic factors drive and constrain mediation efforts. The United States is thought to be an appealing mediator due to its position as a superpower in the international system. It can bring numerous resources to bear in any mediation effort. However, given that the offer of mediation is likely driven and constrained by domestic political considerations, largely because of institutional configurations, many U.S. mediation efforts may lack sufficient credibility, leading to the observation that many of them are ultimately unsuccessful.

The observation that U.S. presidents are likely to be cautious in pursuing mediation, doing so at times when they enjoy broad Congressional success, is increasingly important to the understanding of conflict resolution processes as divided government becomes the norm in the United States and legislative production decreases. While the United States has traditionally been deemed an appealing mediator due to its broad international interests, its role as a global leader, and its ability to commit significant tangible resources to the negotiation process, it can manipulate the payoffs for otherwise obstinate belligerents. Given the observation that the commitment of such resources is likely to hinge upon a record of legislative success in Congress, the trend toward divided government suggests that mediation will become less common in U.S. foreign policy. As such, a more complete examination of the market for mediators will be necessary.

These results also suggest that comparative examination of domestic political influences on mediation efforts would likely bring to light institutional arrangements that lead to more credible mediation efforts by states. For, instance parliamentary democracies, in which the executive and legislative functions are linked, likely make more credible offers of mediation.

Because the government risks a vote of no confidence due to policy failure, mediation offers, as well as other risky foreign policy endeavors, are likely to be less common. However, those that are made are more likely to be credible, with significant political and economic resources committed by the government to ensure a policy success. Because parliamentary governments lack the level of separation between the executive and legislative branches, they are more likely to be legislatively productive. Thus, they will likely engage in foreign policy with greater credibility and will be able to signal a greater commitment to the effort. Greater commitment from a less powerful mediator may yield more durable conflict resolution results. Such a proposition has not yet been tested empirically.

Similarly, conflict resolution research would benefit from more systematic, cross-national analysis of the resources and skills that certain states can utilize in building peace. Several studies argue that individual states are better-suited to engage in mediation, regardless of international power considerations, because of national character, the nature of domestic civil society, and both the political and private social infrastructure that exist (see e.g., Moolakkattu, 2005). Systematic examinations of such factors would work to enrich theories of state motivations and conflict resolution.

There are also several opportunities for further inquiry in the research on foreign policy decision-making. While domestic political considerations and institutional relationships clearly impact the appeal of diplomacy as a vehicle to build a record of political success, the use of mediation as an isolated dependent variable may be inappropriate. Pooling all forms of diplomacy (see e.g., Melin, 2014), or studying diplomacy and the use of military force together, are likely to yield interesting and useful insights that might explain presidential behavior more completely. As it is well established that dovish leaders are more likely to offer mediation, but hawkish leaders are more likely to be successful mediators, a broader examination of mediation with more precise and leader-focused data is appropriate.

The results presented here are also consistent with the notion that the U.S. public is prudent when it comes to assessing the value of foreign policy efforts to the national interest (Jentleson, 1992). While the political use of military force has been shown to lead to short-lived spikes in presidential approval, commanding an extensive literature on diversionary conflict, this study suggests that the logic of diversionary efforts does not extend to the strategic use of third-party mediation.

## **Conclusion**

The notion that leaders seek to use foreign policy to improve their standing with the public, and thus their electoral fortunes, is relatively uncontroversial among scholars. This study set out to test the applicability theories explaining foreign policy actions as tools for domestic gain, to third-party mediation. The role that diplomacy plays in such a dynamic, and the role that domestic political conditions play in shaping presidential incentives, has not been considered. Given that there is considerable variation in the focus on mediation across presidential administrations, while the same opportunities are present in the form of ongoing conflicts, examining domestic politics as the source of such variation is appropriate. The results presented here suggest domestic political factors play a key role in determining when mediation is chosen as a policy option. However, these results suggest that rather than creating incentives for mediation, domestic politics serves as a constraint. Presidents are seen focusing on mediation at times when they enjoy broad support in Congress and thus are likely to experience minimal criticism of their endeavor, and can count on the availability of resources to manipulate the landscape of negotiations. Moreover, taken with contemporary trends in U.S. politics, the findings suggest that mediation will become less common in U.S. foreign policy. Because the U.S. has traditionally been an appealing mediator to belligerents, greater cross-national understanding of the supply-side factors that contribute to successful mediation is warranted. Including the dynamics of a mediator's domestic political situation in models of conflict resolution processes should contribute to a better understanding of the factors that lead to peaceful settlement of disputes and thus should become more common in mainstream conflict resolution studies.

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## Appendices

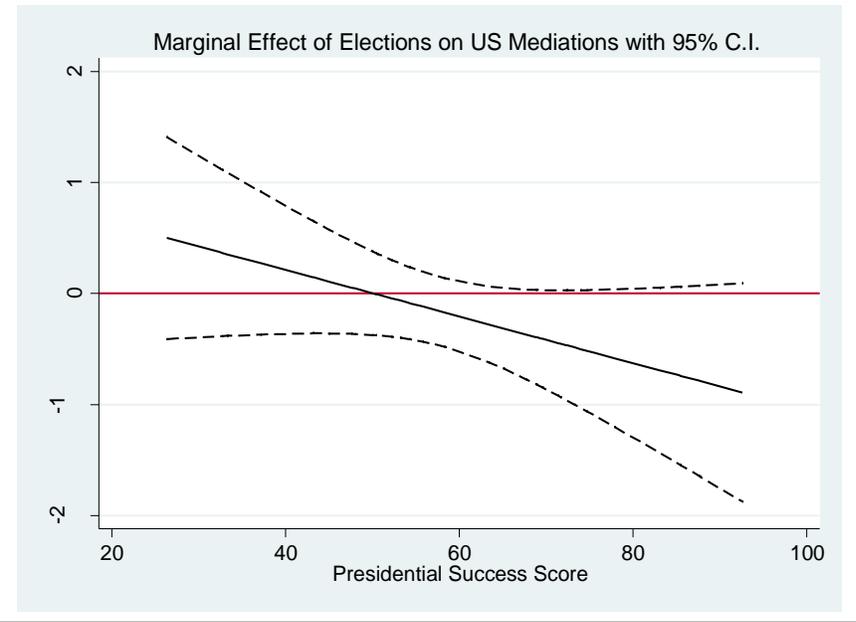
<b>Table 1: Descriptive Statistics for <i>U.S. Mediations</i></b>			
N = 201	Mean = 1.398	Standard Deviation = 1.429	Variance = 2.041
New US Mediations (per quarter)	Frequency	Percent	
0	60	29.85	
1	62	30.85	
2	48	23.88	
3	17	8.46	
4	6	2.99	
5	4	1.99	
6	1	0.50	
7	2	1.00	
8	1	0.50	
Total	201	100.00	

**Table 2: Effect of Legislative Support on U.S. Mediation (Quarterly Data, Negative Binomial Estimates with robust standard errors clustered on presidential administration)**

Independent Variables	Model 1.1	Model 1.2	Model 1.3	Model 1.4	Model 1.5
Presidential Success	0.008 (0.003)***	0.007 (0.003)**	0.008 (0.003)**	0.013 (0.006)**	0.012 (0.005)**
Election	—	-0.172 (0.152)	—	1.051 (0.814)	—
Re-election	—	—	-0.090 (0.129)	—	1.153 (1.030)
Election x Presidential success	—	—	—	-0.021 (0.014)	—
Re-election x Presidential success	—	—	—	—	-0.021 (0.017)
GDP Growth	-0.011 (0.012)	-0.009 (0.012)	-0.011 (0.012)	-0.015 (0.011)	-0.015 (0.011)
Approval	-0.011 (0.008)	-0.012 (0.008)	-0.011 (0.008)	-0.011 (0.007)	-0.010 (0.007)
War	-0.529 (0.167)***	-0.521 (0.162)***	-0.532 (0.160)***	-0.485 (0.150)***	-0.543 (0.167)***
Uses of Force	-0.025 (0.032)	-0.023 (0.035)	-0.023 (0.033)	-0.008 (0.034)	-0.011 (0.038)
Constant	0.694 (0.595)	0.827 (0.657)	0.741 (0.606)	0.409 (0.559)	0.392 (0.475)
Alpha	0.172 (0.102)**	0.166 (0.106)**	0.170 (0.104)**	0.132 (0.067)**	0.137 (0.060)**
N	172	172	172	172	172

Note: Dependent variable is quarterly US mediation attempts. Robust standard errors, clustered on presidential administration, in parentheses, \*\*\*p<.01, \*\*p<.05, \*.10, two-tailed tests.

**Figure 1: The Effect of Election Cycle, Conditioned by Presidential Success, on US Mediations (Quarterly Data)**



**Figure 2: The Effect of Re-election Cycle, Conditioned by Presidential Success, on US Mediations (Quarterly Data)**

