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INSTITUTIONAL VS. NON-INSTITUTIONAL SOURCES OF PRESIDENTIAL
INFLUENCE: EXPLAINING CONGRESSIONAL-PRESIDENTIAL RELATIONS IN
THE AGE OF POLARIZATION

by

DEREK CULP

B.A. University of Central Florida, 2010

A thesis submitted in partial fulfillment of the requirements
for the degree of Master of Arts
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ABSTRACT

This thesis examines the determinants of presidential success with Congress. Seven essential sources of presidential power in the current era of party polarization were derived from the extant literature, and these factors were delineated into the institutional (formal) and non-institutional (informal) policymaking tools of the presidency. Variables that explain presidential legislative success include: intraparty support in Congress, the use of veto bargaining, executive orders and signing statements (institutional factors); as well as public approval, ‘going public,’ and strategic lobbying of Congress (non-institutional factors).

Case studies of the presidencies of Bill Clinton and George W. Bush analyze the role of these policymaking tools in four key legislative battles of each presidency. Regression models were constructed to test the effect of these variables on presidential legislative success. The case studies elucidate the relationship between non-institutional factors and their subsequent impact on key presidential policy priorities, particularly the interaction between public approval and going public. Findings indicate a positive relationship between a president’s strategic bargaining ability with Congress and subsequent legislative success. Findings also show no significant relationship between intraparty support and presidential success when focusing on only key legislative battles between the executive and legislative branches, contrary to the findings of prior research. Future research might examine the various relationships between these policymaking tools and how they affect the nature of presidential power in the current era of heightened party polarization and ideological homogeneity.

To Mom and Dad

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CHAPTER 1: INTRODUCTION AND LITERATURE REVIEW

The question of how a president obtains legislative success is ubiquitous in congressional-presidential research. In the shadow of Neustadt (1960), presidency-centered approaches proved predominate within the field for at least a generation. However, with historical circumstances altering the nature of interactions between the presidency and Congress, these perspectives succumbed to Congress-centered and integrative approaches underscoring the importance of institutional conditions on presidential policymaking success (Bond and Fleisher 1990; Peterson 1990). Moreover, in the past decade traditional models focusing on the president's ability to implement his agenda through the legislative arena have been challenged by theories emphasizing unilateral presidential action (Howell 2003; Warber 2006). These developments allow for a delineation within the literature between a president's non-institutional and institutional tools in effecting policy change.

This study undertakes an effort to reconcile these approaches of explaining presidential success. First, by providing a thorough history of the research on congressional-presidential relations, the empirical foundation for incorporating non-institutional influences with institutional factors will be clarified. An articulation of this comprehensive theoretical approach will follow, presenting the essential independent variables explaining presidential success from both institutional and non-institutional sources of influence. While the overarching question of this study remains, in the tradition of congressional-presidential relations research, what factors affect a president's ability to enact his agenda; a more specific query emerges from this exercise.

Particularly, in the current age of congressional-presidential relations, do the non-

institutional factors first proposed by Neustadt (1960) retain saliency in impacting legislative success when accounting for the role of institutional factors in implementing the president's agenda?

This study operates under three key assumptions based on prior research and the historical evolution of the tools which presidents use to achieve policymaking success. First, since approximately the late 1980s, Congress has entered a new era of polarization and ideological homogeneity (Binder 1996; Fleisher and Bond 2004; Sinclair 2006). Second, the primary proposition of integrated approaches that explanatory factors emanate from both the presidency and Congress, as well as exogenous influences on a president's legislative success, will be tested (Lockerbie et al. 1998; Shull and Shaw 1999). Finally, the assertion of unitary actor theses that such unilateral tools have an increased impact on presidential policymaking during this age of congressional polarization (Moe and Howell 1999; Waterman 2009) will be integrated in order to produce a comprehensive model of presidential success in the current era.

Based on these assumptions, prior research in the literature calls for a synthesis of the non-institutional factors at a president's disposal, as articulated by Neustadt (1960), with the institutional factors presented by integrated approaches and the unitary actor thesis. A model organizing and examining the influences on presidential policymaking success in such a fashion has been underexplored in the extant literature. This study endeavors to construct such a model. Moreover, this study intends to test whether non-institutional variables are most effective during the crucial few legislative battles of a presidency, an aspect that cannot be captured by comprehensive quantitative models. First, however, there will be a focus on identifying the essential sources of influence at

the president's disposal in an effort to construct a comprehensive model of presidential power.

The institutional factors are defined as such because they are inherent powers of the presidency. Every president has the authority to issue executive orders, use his veto power and make signing statements because these are part and parcel of the power of the presidency as an institution. Similarly, every president will encounter a certain partisan composition of Congress and is understood as the unofficial leader of his party in Congress. Together these four factors mark the institutional variables on presidential success. The non-institutional variables describe the factors that often are unique for each president. They encapsulate Neustadt's (1960) 'power of persuasion' by using public approval, or in Neustadt's parlance 'public prestige,' along with 'going public' to pressure the legislature and strategic bargaining with Congress in order to exact a president's agenda. In contrast to the institutional tools of the presidency, these three factors rely on the personal characteristics of each president; as in his inclination and skill to bargain with Congress and take his case to the public. Similarly, while a president's popularity can certainly be subject to contextual factors, such as the economy, each president at least assumes his actions can impact his approval rating (Edwards 2009, 20).

The contemporary literature has focused on the dominant explanatory power seen in regression models of partisan makeup and intraparty support in Congress; as well as the emergence of unilateral tools that the presidency employs in playing a more central role in policymaking. Together these institutional aspects have been featured in recent models attempting to explain the nature of presidential leadership. A model commensurate with the trends of this research would not only feature such factors as

paramount, it would likely wholly disregard the non-institutional presidential tools formulated by Neustadt.

This study develops a contrarian perspective, inquiring if such non-institutional factors endure in effecting presidential policymaking success after accounting for the role of institutional factors. Although prior research has thoroughly demonstrated the explanatory value of intraparty support and unilateral action, these factors are insufficient to predicting presidential performance in achieving his agenda. Conceptually, the logic of such an approach does not provide an all-inclusive explanation for presidential success. If institutional influences were the sole elements contributing to each president's ability to implement his preferred policies, variation in policymaking success among presidents would be wholly reliant on the variation in the partisan and ideological makeup in Congress that each president encountered and his rate of using unilateral policymaking tools. In effect, it relegates the role of the president to solely operating under the institutional circumstances he inherits and ignores any impact the specific characteristics of certain presidents could possibly have on their subsequent legislative success.

If this conception accurately reflected reality, scholars could predict the policymaking performance of each incoming president with relative ease. Clearly, this is not the case. While institutional factors are fundamental in equipping the president with sources of influence in policymaking, a consideration of the traditional non-institutional aspects of presidential influence is necessary to capture fully the variation in legislative success both among presidents and within the lifespan of each administration. Moreover, since Reagan, each president has encountered some form of divided government

(Theriault 2008). Combined with an increasingly intractable opposition party, it is now essential for presidents to capitalize when opportunities arise to enact their agenda. With increased obstructionism by the opposition party, achieving intraparty unity will likely be insufficient for presidents to pass their agenda without enjoying a rare supermajority in the Senate in order to invoke cloture and avoid the filibuster.

Therefore, it is imperative for presidents to leverage their non-institutional capabilities in order to sway the legislature at the margins, recognizing the precious few opportunities that they enjoy in order to exploit conditions and effect change. As Edwards (1989) states, capitalizing on such opportunities is “the essential presidential skill in leading Congress” (221). In this vein, this study operates under the spirit of Edwards’ marginal thesis, under which presidents use their non-institutional tools of public approval, going public and legislative skills in a strategic capacity to facilitate, rather than dictate, the enactment of their agenda. In Chapters 4 and 5, there will be an emphasis on explicating the relationship between non-institutional variables and presidential success in this fashion; during precise periods the president identifies as ripe for policy change.

In the effort to estimate a comprehensive model explaining presidential leadership, this study attempts to fuse multiple, often competing, perspectives on presidential leadership. The seven independent variables identified and offered as elemental to effecting presidential success are informed by the contextual reality of heightened polarization in Congress and increased frequency of divided government that has characterized the current era of Washington politics in the last 25 years. This theoretical approach seeks to test how a combination of non-institutional and institutional

factors can affect a president's ability to implement his agenda; as well as to explore how these variables interact with each other in the policymaking process. A more expansive examination of the history of research on congressional-presidential relations will help demonstrate how I arrived at such an approach.

Literature Review: Presidency-Centered Approaches

Since Teddy Roosevelt coined the term 'the bully pulpit,' the presidency has been assumed to possess an amorphous power in exacting the president's agenda with the sheer force of leadership. Academically, Neustadt (1960) articulated this extraordinary influence in his seminal work, famously asserting, "a president's power is the power to persuade" (11). This, combined with Neustadt aptly correcting the commonly understood separation of powers to the United States as a "government of separated institutions sharing powers," lays the foundation for the study of congressional-presidential relations in the past half century (33).

Neustadt contends that the president wields the dominant power to persuade in relations with Congress, and this influence is paramount in the president's ability to exert policy leadership. This informs the 'presidency-centered' approach to congressional-presidential relations wherein a president's political and legislative skill is preeminent in determining his legislative success. Neustadt also emphasized the role of public prestige in enhancing the perception of a president's power, introducing public approval as an integral source of influence (87). In sum, Neustadt (1990) favors the use of a president's informal powers in affecting the enactment of his agenda through Congress as opposed to the "formal" powers endowed by the Constitution or tradition to the institution of the presidency (ix).

This presidency-centered approach enjoyed prominence within the field of congressional-presidential relations for a number of years. Scholars operating under this approach have an inherent tendency to use qualitative rather than quantitative methods in their works, as it is exceedingly difficult to analyze political skills and personality traits quantitatively and systematically. Perhaps the most emblematic work of this methodology is Barber's (1992) examination of the character and political style of particular presidents.

Relying primarily on biographical and psychological research, Barber contends that discerning a president's personality and character is vital to understanding how he will interact with Congress while in office. Barber identifies four categories of presidential character, divided by their attitudes towards the presidency (positive or negative) and their predispositions on enacting their agenda (active or passive), that classifies each president's personality and purports to be predictive of presidential performance. While conceptually compelling, this typology and consequent placement of past presidents undergoes minimal empirical scrutiny and appears preoccupied with explaining the failures of Presidents Lyndon Johnson and Nixon despite their apparent political skill (493).

Similarly, Greenstein (2001) studies presidential power by analyzing the personality traits and political skills of particular presidents and how this contributes to presidential job performance. He identifies six qualities that are essential to presidential success, including evaluating a president's communication, organizational and bargaining (or 'political') skills (5-6). While offering a comprehensive account of the facets necessary to exert successful presidential leadership on the legislature, Greenstein's

theory is based upon case studies that are limited in their ability to elicit variables that can be measured quantitatively and ultimately is dependent upon subjective appraisals. Indeed, Greenstein concludes by positing a president's emotional intelligence is the primary factor affecting job performance. It should be noted that both Barber and Greenstein have published multiple editions of their respective works, signifying the accessibility of the theories that they have developed explaining presidential power. While the methods may be susceptible to subjectivity, the practice of evaluating the conditions and personal capabilities unique to each president has intuitive explanatory value in discerning presidential success.

In contrast to Barber and Greenstein, Kellerman (1986) is particularly focused on how a president can harness the power of the office to achieve his policy goals through interactions with Congress. While her emphasis remains on the personality (extroverts over introverts) and political skills of presidents gleaned from case studies, her theory and analysis are comparatively more germane to the field of congressional-presidential relations than that of Barber or Greenstein. Kellerman asserts a strong link between a president's political acumen and his ability to lead Congress by qualitatively evaluating the presidencies from Kennedy to Reagan. For her, a president's use of his political skills in his relationship with Congress determines his legislative success. This analysis informs later literature that highlights the president's role as a strategic bargainer in setting his agenda and securing legislative success (Edwards 2009; Beckmann 2010).

Kellerman reiterates Neustadt's contention that the crucial factor in realizing policymaking success is the president's ability to persuade when bargaining in the legislative arena. Hager and Sullivan (1994) echo Neustadt's assertion that public

prestige is essential in exhibiting presidential power by quantitatively demonstrating public approval's role in affecting presidential decision-making. Moreover, Edwards (1989) develops a 'marginal' theory wherein public approval and legislative skill are presented as two of the three critical sources of influencing Congress at the president's disposal (7). The third, party leadership or intraparty support within Congress, reflects Edwards' acknowledgement of a shift in the literature to a more Congress-centered approach to congressional-presidential relations. This approach challenged the conventional wisdom of the president's prominence as the principal persuader in policymaking, first posited by Neustadt.

Congress-Centered Approaches

Many scholars observed that Congress as an institution became more assertive in the late 1960s into the 1970s (Rudalevige 2005; Shull and Shaw 1999, 4). This makes historical sense as it coincides with an era marked by a weakening of the presidency. The prestige of the presidency was perhaps irreparably damaged by public angst over the Vietnam War, leading to President Johnson's refusal to run for reelection in 1968, followed by the Watergate scandal and President Nixon's resignation in the early 1970s. Indeed, the subsequent era of Congressional resurgence is marked by the passing of a multitude of laws designed to curtail presidential power, including the War Powers Resolution of 1973, the Congressional Budget Act of 1974 and the Foreign Intelligence Surveillance Act (FISA) of 1978 (Rudalevige 2005). Temporally, this corresponds with the development of an antithesis, or at least counterargument, to the presidency-centered scholarship, with scholars theorizing that Congress has maintained greater influence than

presidents in policymaking despite the ‘modern presidency’ promoting a more activist executive in legislative affairs (Cohen 1982).

Cohen employed a study measuring presidential programmatic success, reviewing 20 presidencies dating back to Lincoln. Using a series of bivariate and multiple regression analyses, he found historical continuity in congressional-presidential relations that relies upon the institutional structure of the legislative branch. Despite incorporating presidential ‘activism’ into the models, an operationalization of a president’s legislative skill, the party composition in Congress endured as the key explanatory variable.

Cohen’s principal conclusion based on his findings was that, “presidential parties in Congress heavily condition the relationship between the two branches. For a president to be successful, he must command a party majority in Congress” (Cohen 1982, 528).

Congress-centered approaches became more prevalent as the study of congressional-presidential relations evolved in the 1990s. In perhaps the most thorough and compelling Congress-centered work to date, Bond and Fleisher (1990) rejected what they viewed as an overemphasis on presidential predominance in the research on congressional-presidential relations. The authors advance a theoretical construct maintaining that while prior research has produced scant or inconsistent evidence to support the presidential variables of skill and popularity as explanatory factors of congressional behavior, the partisan and ideological composition of Congress affects policy outcomes in both systematic and predictable ways (40). Therefore, presidential success in the legislative arena is contingent upon the systemic conditions seen in the legislative branch.

Using quantitative analyses of congressional roll call data from 1953 to 1984, Bond and Fleisher demonstrate both the tenuous link between presidential popularity and skill with legislative success (see Chs. 7 and 8), as well as the clear association between the party and ideological makeup of Congress and the president's legislative success rate. Indeed, the latter drops around 20 percent in both chambers when under opposition party control (74-5). Thus, the authors convincingly conclude party and ideology are the predominate explanatory factors in congressional-presidential relations. Consequently, the controlling influence in a president's legislative prospects, according to Bond and Fleisher, is the composition of the Congress that he encounters and his ability to unify his party in Congress (120). Yet, the importance of a president's legislative skill still emerges in the authors' Congress-centered approach. While their theory appears as a near-unconditional counterargument to presidency-centered variables, the ability of the president to unify his party in Congress underlies the theoretical framework.

This shift in emphasis among scholars of congressional-presidential relations precipitated a number of works embracing a resurgent Congressional perspective, particularly when examining foreign policy (Prins and Marshall 2001). Rohde (1994) argues that the institutional reforms of the House in the 1970s has curtailed presidential success rates in regards to foreign policy due to the decline in both committee dominance and inter-party policy consensus between the president and the party leadership within Congress. Additionally, Meernik (1993) finds that while bipartisan support on foreign policy has declined in general, congressional-based factors have far greater influence in achieving bipartisan agreement than presidential resources.

These works are largely concerned with the evolution, or more accurately devolution, of Wildavsky's (1966) two-presidencies thesis.¹ Although such an exercise is decidedly tangential to a focus on presidential success in the legislative arena, the theoretical basis for their arguments assume the institutional structure of Congress, namely its partisan and ideological configuration, is imperative to explaining presidential legislative success. While a clear schism arose among scholars of congressional-presidential relations between presidency and congress-centered approaches, during the 1990s some scholars began an endeavor to fuse the two schools of thought and construct a more integrative approach.

Integrated Approaches

Edwards (1989) attempted to quantitatively depict how congressional-presidential interactions is a perpetual negotiation, reminiscent of Neustadt's persuasive power, wherein the president operates "at the margins as facilitators rather than as directors of change" (221). For Edwards, neither Congress nor the president is the dominant actor in these relations. Accordingly, Peterson (1990) develops what he dubs a 'tandem institutions perspective,' which observes the limits of presidential influence but maintains neither branch is dominant in congressional-presidential relations. Peterson emphasizes

¹ Wildavsky's two-presidencies thesis, which contends the president enjoys significantly more support from Congress in foreign policy as opposed to domestic policy, has generated an entire subfield of congressional-presidential relations. Scholars have debated the merits of this thesis for decades (see Leloup and Shull 1979; Sigelman 1979), culminating in one scholar compiling an entire edition on the subject (Shull 1991). Yet in the past fifteen years the scholarship has reached an apparent consensus on the increasingly limited disparity between congressional support of a president's domestic and foreign policy agenda (see Prins and Marshall 2001; Shull and Shaw 1999, although see Lindsay 2003 for a proposed resurgence in congressional deference post-9/11), leading one scholarly article to proclaim the demise of the two-presidencies (Fleisher et al. 2000). While this is likely due to the increased ideological homogenization of Congress (see Binder 1996; Fleisher and Bond 2004) and politics no longer 'stopping at the water's edge' since Vietnam, the two presidencies thesis will not be examined in this paper due to its focus on congressional-presidential relations in the past two decades.

the symbiotic aspect of the relationship between the legislature and the executive, basing his theoretical approach on the plain, yet instructive observation that each branch must constitutionally engage in the legislative process with each other in order to produce policy (8).

Thus, dissatisfied with the scholarship in the field, Peterson endeavored to establish a model that was broader in scope and more comprehensive in explaining congressional-presidential relations than either of the Congress or presidency-centered approaches. Using both quantitative and qualitative analyses of the presidency from Eisenhower to Reagan, Peterson concludes that presidents can transcend many limits to legislative success “by the ways they choose, formulate and present their policy proposal” (222). This implies that while unmeasured, the political skill of a president in influencing Congress remains important. He also introduces exogenous factors, particularly the state of the economy, as an influence on congressional-presidential relations and subsequent policymaking.

This effort to generate a model that is comprehensive in explaining congressional-presidential relations led to a thrust in recent literature to consider an abundance of influencing factors on policymaking that range from institutional and systemic to exogenous and environmental. Building on Peterson’s work, Shull and Shaw (1999) attempt to include a plethora of potential explanatory variables on direct congressional-presidential interactions in what they term a ‘multiple perspectives approach.’ Emblematic of the scholarly undertaking in creating an all-encompassing model of congressional-presidential relations, Shull and Shaw identify three distinct influencing environments (executive, legislative and exogenous) that organize their nine independent

variables, measuring their affect on four dependent variables representing distinct forms of interaction between Congress and the president (Table 2.1, 38). Interestingly, their presidential speechmaking variable is based upon Kernell's (1997) assertion that presidential persuasion now relies heavily on the act of 'going public' (Shull and Shaw 1999, 51).

Shull and Shaw include the strength of the economy and size of the federal government as influencing exogenous factors, illustrating the complexity inherent in determining which conditions are essential to congressional-presidential cooperation. Their quantitative analysis is remarkably successful in explaining the variation in congressional-presidential interactions at the aggregate level. For example, the results of multiple regression analyses indicate their comprehensive model explains 84 percent of the variation in the legislative support measure that quantifies presidential legislative success (Table 5.2, 90).

Yet, Shull and Shaw's approach calls for more parsimony. Due to their abundance, keeping track of which of the nine independent variables (as well as two control variables) significantly and consistently impact the various dependent variables can become perplexing for an informed observer, let alone a layman. A neophyte may wonder, for instance, why the size of the congressional committee staff or the number of employees in the Executive Office of the President has an affect on policymaking? This is the proverbial 'correlation does not equal causation' problem, as the theoretical link between such variables and presidential legislative success is not clarified. More importantly, with so many factors included, it becomes unclear what the theoretical

contribution is to the literature beyond elucidating the inherent complexity of congressional-presidential relations and suggesting ‘all these factors play a role.’

Lockerbie et al. (1998) present another integrative model explaining presidential success in the legislative arena. Their theory identifies an important gap in the extant literature, introducing another potential influence to congressional-presidential relations, incorporating what they term ‘structural factors.’ By this, the authors mean the structural and procedural differences between the House and the Senate can conceivably result in the various executive, legislative and exogenous factors having a different effect on presidential success within each chamber of Congress (159). Essentially, Lockerbie et al. contend the conditions of Congress as an institution impact congressional-presidential relations. The subsequent multivariate analysis reveals intriguing results. Newly elected members of a president’s party have a strong statistical association with his legislative success in both chambers. While the House shows a significant honeymoon effect, the Senate does not. Finally, the election year variable does not reach statistical significance for either chamber, surprisingly suggesting presidents do not encounter greater difficulty passing their agenda during election season (167).

The crucial contribution of Lockerbie et al.’s work, however, remains illuminating the institutional differences of the two chambers of Congress and how those differences interact with traditional factors explaining presidential policymaking success. The advent of integrated approaches has enriched the field of congressional-presidential relations with a multitude of potential variables to examine and measure. Perhaps most importantly, the integrated approaches have shed light on the role of exogenous factors in explaining presidential success.

Contextual Factors and Exogenous Variables

The most intuitive exogenous factor influencing presidential policymaking success is the state of the economy. Indeed, this is reflected by both Peterson (1990) and Shull and Shaw (1999) incorporating an economic measure into their model. The potential role of a presidential honeymoon effect is another commonly perceived influence on presidential success that has received considerable scholarly attention. While Sullivan (1991) finds little support for a pronounced honeymoon effect, his analysis only covers four presidents from 1953 to 1974, suggesting both a small sample and outdated results.

Conversely, Beckmann and Godfrey (2007) evaluate the honeymoon effect for presidents ranging from Franklin Roosevelt to George W. Bush. Their findings indicate a president's policymaking opportunities uniformly improve during honeymoon periods, albeit the strength of the effect is dependent upon contextual factors (258-9).

Additionally, Marshall and Prins (2007) specify a strategic model that suggests a president's honeymoon effect is contingent upon his willingness to aggressively embrace policy positions during the period instead of adopting a risk-averse posture. Interestingly, the support or acquiescence of Congress is not a factor in the strength or even presence of a honeymoon effect, according to the authors (277).

Related to the honeymoon effect, the impact of 'political time,' reflecting electoral realignment and/or electoral mandates, on presidential success has also been addressed in the literature. Most notably, Skowronek (2007) advances this notion of political time; that the history of the presidency is shaped by distinct eras wherein particular mandate elections realign the polity into a specific status quo. Essentially,

Skowronek views the election of certain presidents (Lincoln, Franklin Roosevelt, and Reagan) as initiating a new political regime to which their successors respond until another regime is realized.

Incorporating realignments into a model explaining presidential success, however, is exceedingly difficult operationally. Although Edwards (1989) attempts to quantitatively measure the impact of electoral mandates, he finds misperceptions of electoral results, largely derived from media hyperbole, render the translation of legitimate electoral mandates to effecting policy change difficult to discern (156). Moreover, despite Reagan's generally understood role of ushering in a new era of conservatism, he still faced considerable obstinance and reticence to passing his agenda from the Democratic Congress (166).

While the testability issues of electoral mandates or realignment remain, deciphering their existence is informative from a comparative perspective, providing plausible explanations for why certain explanatory factors exert different levels of influence on presidential success over time. Other temporal factors identified in the literature have an analogous benefit in elucidating the evolution of congressional-presidential relations and how this can impact the efficacy of certain factors influencing presidential policymaking success. Perhaps the most important development of the past 25 years in affecting the interactions between Congress and the presidency is the ideological homogenization of each party in Congress.

When President Johnson signed the Civil Rights Act of 1964, he reportedly lamented, "I think we just delivered the South to the Republicans for a long time to come" (Moyers 2004, 167). Indeed, the following generation saw a gradual but persistent

ideological realignment within each party in Congress that extricated both conservative Democrats and liberal Republicans from their respective parties. By the 1990s, each party appeared to have achieved an ideological homogeneity in Congress that is unprecedented in the modern era. Binder (1996) finds the number of moderates in Congress decreased from around 30 percent in the 1970s to less than ten percent by the mid-1990s. Fleisher and Bond (2004) similarly identify the ‘shrinking middle’ that has been subject to a precipitous loss of moderates beginning in the 1980s and accelerated in the 1990s. In his comprehensive study of party polarization, Theriault (2008) finds polarization has persistently increased since 1973, and reached heights not seen since before Franklin Roosevelt by the 1990s (Figure 2.5, 31).

The implications of this development on congressional-presidential relations are manifest. The explanatory power of party composition and intraparty support in Congress on presidential legislative success are inherently enhanced when a president’s party enjoys ideological uniformity. The task of uniting one’s party in Congress to pass a presidential agenda is considerably eased when agreement on policy positions is widespread among fellow partisans within the party in Congress. Conversely, Neustadt’s conception of presidential leadership as the capacity to persuade becomes decidedly more difficult when facing a hardened opposition resolute due to ideological consistency. These relatively self-evident observations correspond to the aforementioned shift in emphasis to party composition in Congress and subsequent de-emphasis of legislative skill as key sources of influence seen in the literature (Bond and Fleisher 1999; Edwards 1989; Peterson 1990).

Technological innovations have also been cited as affecting the tools at the president's disposal in exacting policymaking success. Baum and Kernell (1999) empirically demonstrate how the advent of cable television diminished the president's ability to speak to a captive audience in presidential televised addresses. As this is one of the key facets in a president 'going public' to exert pressure on the legislature in the effort to pass key proposals, this influence could presumably completely lose its effect on pushing the presidential agenda with the proliferation of media outlets. Indeed, Edwards (2003) determines the effect of public appeals has faded with the saturation of the media, specifically the advent of cable and satellite television in the 1980s. While the implication is that 'going public' has a progressively diminishing effect on passing legislation, Baum and Kernell (1999) assert their findings merely reflect a new challenge in how the president can successfully appeal to the public in the social media era, with presidents already adapting their strategy of going public before the turn of the millennium.

In a similar fashion to the ideological homogenization of Congress, the waxing and waning of congressional power has influenced assessments of congressional-presidential interactions. Rudalevige (2005) chronicles how Congress reasserted itself in the post-Watergate era and diminished the 'imperial presidency' established by President Franklin Roosevelt. Beginning as early as Reagan, however, presidents resumed testing the limits of their power, culminating in what Rudalevige views as a 'new' imperial presidency being ushered in following the 9/11 attacks. This account not only coincides with the rise of Congress-centered approaches previously mentioned, but also the onset of unitary actor theses of presidential power.

Unitary Executive Action Theses

Moe and Howell (1999) developed a unilateral action theory of presidential power. They argue the president's capacity to enact his agenda through institutional means, effectively circumventing the legislative arena, has dramatically increased in recent years. These institutional tools include executive orders, agreements and national security directives, all formal powers granted to the presidency as an institution yet derived from tradition and precedent instead of Constitutionally-endowed (851). Moreover, the authors contend, Congress is ill-equipped to counteract this expansion of presidential power due to the "maze of obstacles" institutionally inherent in shepherding a bill through the legislative body (861). This theory also presupposes that the courts are debilitated in acting as a check on presidential power due to their constitutionally mandated dependence on the executive for enforcement of its rulings and presidential control over appointments to the federal judiciary (869).

Thus, unilateral executive action is advanced as an increasingly salient supplement to congressional-presidential relations in the president's ability to exhibit leadership and effect policy change. Howell (2003) then uses rational actor and game theory models to further articulate his theoretical approach and undertakes the task of empirically demonstrating its role in presidential policymaking. The quantitative analysis, however, focuses on how a lack of cohesion in Congress and unified government leaves the legislature susceptible to increased and more "significant" executive orders (85). Howell seems overly concerned with demonstrating how both Congress and the judiciary are either incapable or unwilling to counteract unitary executive action (see Chs. 5 and 6) rather than focusing on empirically evaluating how,

and to what extent, this unilateral action has allowed presidents to realize their policymaking agenda without interacting with the legislature.

Howell's theory triggered myriad studies on the facets of presidential unilateral action in the literature. Warber (2006) examines when presidents rationally decide that issuing unitary actions is worth the risk of alienating Congress in exacting their policy agenda and when the political cost of such measures is too steep (13). He also uses quantitative analysis to discern different strategic approaches to the use of executive orders. These findings include showing that Democratic presidents are more likely to use executive orders to advance social policy goals than Republicans (45), and a decrease in the rate of issuing executive orders during election season (71-6). Lewis (2005) evaluates how unilateral action in the form of appointing bureaucrats has increasingly impacted policy implementation.

Kelley and Marshall (2008) apply Howell's theory of unilateral action to the use and role of signing statements, hypothesizing that the employment of signing statements as a presidential policymaking tool has increased with more frequent divided government. Moreover, recent research has introduced veto bargaining as a key source of presidential power in the age of Congressional polarization and frequent divided government (Cameron 2000; Conley 2003; Sinclair 2006). These emergent subfields of presidential leadership emphasizing the institutional capabilities of the presidency in the current era demand such factors be incorporated into existing integrative models of congressional-presidential relations. However, such a comprehensive examination has received little attention in prior research. This study attempts to fill this gap in the literature.

Conclusion

The literature on congressional-presidential relations offers a veritable cornucopia of approaches, theories and models attempting to explain the phenomenon. A review of this literature reveals a host of potential explanatory factors for scholars to test in their own comprehensive models. While this study decidedly favors and espouses a form of the ‘integrative’ approach, it also contends the recent thrust in the literature to discount or even ignore traditional presidency-centered influencers, such as public approval and legislative skill, is misguided and premature (see Bond and Fleisher 1990; Oppenheimer 1993; Moe and Howell 1999).

Neustadt’s (1960) power of persuasion may appear to be a relic of a different era in the study of presidential leadership, but even Bond and Fleisher’s (1990) account of congressional factors dominating policymaking relies upon the assumption that presidents possess the requisite skills necessary to harness intraparty support within Congress (120). Although Shull and Shaw (1999) construct a quantitative leviathan in their attempt to comprehensively explain congressional-presidential interactions, they still maintain in their conclusion that the characteristics of individual presidents are essential to predicting his ability to implement his legislative goals (146). Perhaps most importantly, Beckmann (2010) not only updated the definition of ‘legislative skills’ to describe strategic bargaining in the form of position taking and lobbying Congress, his findings quantified these variables and demonstrated a positive effect on presidential success (119-121).

In addition, recent literature (Howell 2003; Warber 2006; Waterman 2009) promoting the role of unilateral executive action in a president achieving his policy goals

is intrinsically limited in explaining presidential policy making success. While these institutional tools may be increasing in usage by presidents, to date no president has even imagined accomplishing his full agenda solely through executive orders and signing statements. As long as separation of powers endures, this is extremely unlikely to change. Therefore, prior research provides both the basis and necessity for identifying the elemental aspects of each of these perspectives and evaluating their role in explaining presidential success.

CHAPTER 2: THEORY AND MODEL

A cursory glance at the current Obama administration can help elucidate the theoretical approach of this study. When appraising President Obama's first term, most observers both in academia and journalism may identify the 2009 economic stimulus bill and the 2010 Patient Protection and Affordable Care Act (PPACA) as his key legislative achievements. Obviously, each relied on congressional support and together represent the most successful and substantive examples of Obama in achieving his policy agenda (Kristof 2012; Lothian 2012). This illustrates the limits of unitary executive action, as while Obama has certainly used executive orders in a number of policy areas, the most significant accomplishments of a presidency are still likely to be subject to the arduous legislative process; PPACA is a particularly salient example of said process. Moreover, Obama's use of executive orders exemplifies how such unilateral action can work in tandem with traditional congressional-presidential relations in an attempt to articulate a president's policy agenda.

As Obama's second term begins, two issues seem to be clearly at the forefront of his legislative agenda: immigration reform and gun control measures (Lederman 2013). Interestingly, Obama has recently used executive orders addressing each policy area. In the case of immigration, Obama used his enforcement prerogative to ensure undocumented workers who arrived in the U.S. as children are not deported for two years (*CNN.com* 2012). Electoral considerations aside, this action suggested to Latino voters and Washington elites alike that immigration reform would highlight the second term agenda. Similarly, in the aftermath of the Newtown school shootings in December 2012, Obama held a press conference detailing executive orders that encourage stricter gun

control enforcement. While the substance of these orders largely entails memoranda directing the activity of various executive agencies, Obama held a press conference when signing the orders, indicating gun control legislation will also be a central agenda item in his second term (Epps 2013). Interestingly, these unilateral actions on immigration and gun control suggest a signaling aspect in regards to the use of executive orders, an emerging tendency for presidents to use unilateral tools in order to assert their legislative priorities.

In addition, the roll call votes for the aforementioned stimulus bill and PPACA demonstrate the ever-increasing importance of the ideological and partisan makeup of Congress in presidential legislative success. The stimulus bill was passed with no support from the Republican House and only two Republican senators. Even more extremely, PPACA did not receive a single Republican vote in either chamber (*Govtrack.us* 2013). While this displays how elemental party composition has become to a president's legislative prospects, particularly with the aforementioned increase in ideological homogeneity in Congress and the subsequent partisanship therein, it also counter-intuitively implies a role for non-institutional influences on policymaking in the current political landscape.

Obama's ability to bring along the two moderate Republican Senators from Maine in the passage of the stimulus bill in order to invoke cloture (which ends debate on a bill and avoids a filibuster as long as 60 Senators vote in favor) demonstrates that even in this era of apparent intractable party polarization, opportunities can arise to at least slightly crack a supposedly impregnable opposition. Thus, Obama acted as a facilitator, rather than director, in shepherding his first major agenda item through Congress by working at

the margins to garner the necessary two Republican votes instead of insisting on passing his own preferred stimulus bill. As Edwards (2009) puts it, this “facilitating skill” to exploit opportunities should not be undervalued, particularly in an era of heightened polarization (189).

Indeed, recent research has demonstrated that public approval (Canes-Wrone and Marchi 2002; Marshall and Prins 2007), going public (Kernell 1997; Canes-Wrone 2001; Barrett 2005) and legislative skills in the form of strategic agenda setting (Beckmann 2010; Edwards 2009) have an effect on presidential legislative success in the current era of congressional polarization. In accordance with Edwards (1989; 2009), this research highlights the importance of capitalizing on conditions optimal for implementing policy change. Thus, while the principal hypothesis of this study is that non-institutional factors sustain their marginal yet significant effect on presidential success when incorporated into a comprehensive model with institutional factors, recent research suggests a subsequent expectation. This study expects non-institutional variables to be more effective and used during periods of unified government because enjoying majorities in both chambers of Congress represents a distinct advantageous position for the president’s legislative prospects, particularly in a polarized era.

Conversely, Deering and Maltzman (1999) emphasized that presidents were more apt to use and issue more “significant” executive orders when facing a hostile Congress (85). In further research, Warber (2006) contends presidents use executive orders strategically, calculating the risk of alienating Congress and the potential that the legislative body will overturn their orders. In contrast to Howell (2003), this study agrees with the marginal role of unilateral action theorized by Warber in presidential

policymaking, as opposed to their increased usage representing a vast expansion of executive power that Congress is unable to check due to its lack of cohesion (134). Similarly, Kelley and Marshall (2008) find that divided government and legislative gridlock increase a president's inclination to use signing statements to advance his policy priorities.

Finally, the role of veto bargaining on presidential policymaking success advanced by Cameron (2000) is inherently more salient during divided government, as presidents are unlikely to threaten a veto on legislation produced by Congress when their party controls both chambers. Hence, the institutional tools of executive orders, signing statements and veto bargaining will be expected to be more effective and used during periods of divided government. To summarize, the three hypotheses derived from this theoretical approach are as follows:

H1: Non-institutional tools will have a significant and positive effect on presidential legislative success, even after accounting for institutional variables.

H2: Non-institutional tools will be used more and have a more significant impact on presidential legislative success under unified government as opposed to divided government.

H3: Institutional tools will be used more and have a more significant impact on presidential legislative success under divided government as opposed to unified government.

The next section will conceptualize these variables necessary to construct a comprehensive model of presidential policymaking success based on the most recent and

authoritative extant literature, beginning with the non-institutional factors mentioned above.

Non-Institutional Variables: Public Approval

The role of public approval on presidential success is perhaps the most contentious issue among congressional-presidential relations scholars, in large part due to the perennially inconsistent findings of empirical analyses. Edwards (1989) posits public approval serves as the crucial indicator to presidents that an opportunity to exact policymaking change exists. “Public approval makes other resources more efficacious” (125). Edwards contends presidents who enjoy high public approval are more likely to unify intraparty support in Congress, the public will be more responsive to his appeals and his legislative skills become more applicable. This suggests an interaction between public approval and the other non-institutional factors. High levels of popularity can enhance the salience of a president’s public appeals and bargaining posture, as well as unite his party in Congress behind him.

Indeed, Sullivan (1991) finds that presidential popularity can enhance his ability to persuade members of Congress. Canes-Wrone and Marchi (2002) hypothesize public approval affects presidential success, but only among legislation that is both salient and complex to the general public (492). Focusing on only these types of policy proposals, their regression model demonstrates a statistically strong relationship between public approval and presidential legislative success (Table 1, 500). These findings suggest presidents can strategically use approval on certain policy preferences, ideally his major initiatives that are likely to be both salient and complex to the public. Marshall and Prins (2007) similarly find a president’s popularity impacts success both by influencing

Congressional behavior and affecting the decision-making process of when it is strategically optimal to push one's agenda. Both these studies empirically support Edwards' (1989) claim that public approval acts as a sort of antecedent variable, making intraparty support, going public and legislative skills more effective.

Conversely, Bond et al. (2003) argue the relationship between public approval and presidential success is conditioned by the shift in partisanship and ideological homogeneity within each party in Congress over time. This informs their 'time-varying' thesis, maintaining that the effect of approval on success has declined as partisanship in Congress increases (93). While their findings largely conform to their expectations, the results still show public approval has a positive and significant, if marginal, effect on presidential success (106). Thus, while increased partisanship in Congress has diminished public approval's ability to affect congressional behavior, it still endures as an explanatory factor.

Considering the aforementioned description of non-institutional variables as decidedly marginal, Bond et al.'s study also conforms to the theoretical approach of this study. Indeed, in a later work focused on public approval's role in explaining presidential success, Edwards (1997) calls for a more modest description of approval's effect on a president's legislative prospects among the scholarly literature, echoing his previous determination of approval as a background variable that indirectly impacts success by affecting other resources at the president's disposal. In sum, the recent literature strongly supports the inclusion of public approval in a comprehensive model explaining presidential success, albeit in a nuanced fashion that perhaps calls for more dynamic operationalizing of the variable.

Going Public

‘Going public’ is a generalized term that encapsulates all forms of presidential appeals promoting themselves and their policy preferences to the general public. Examples include the president giving televised press conferences, presidential addresses and speeches given to specialized constituencies (Kernell 1997). Interestingly, the latter is presented as an emerging tactic by presidents in order to circumnavigate reporters and direct media attention to their particular policymaking agenda (96). Kernell demonstrates that presidents are increasingly adopting this approach to pushing their agenda, as opposed to legislative bargaining; he uses qualitative analyses to empirically analyze his thesis (134-5).

Kernell cites “centrifugal” forces, essentially increased partisanship both within Washington and in the general public, as the basis for this increased shift to going public. Therefore, he concludes, public appeals have emerged as an integral strategic component of a president’s efforts to achieve his agenda as Congress has become more ideologically homogenized (249). Although Kernell largely pits going public as foregoing and even potentially hindering the president’s ability to bargain with the legislature (5), other scholars view the two factors in a more symbiotic light. Canes-Wrone (2001) embraces the perspective that a president’s public appeals can actually enhance his legislative bargaining position if used in a strategic manner. Her approach presents a more marginal role of going public on presidential success.

Canes-Wrone theorizes that presidents will decide to go public on policy priorities that are popular with the electorate but unlikely to be put on the congressional agenda without the exertion of his political pressure (314). Thus, going public in these instances

enhances his strategic bargaining position in the legislative arena. Using quantitative analysis of three administrations, Barrett (2005) similarly demonstrates that presidents only make concerted public appeals on a handful of issues, usually their own policy initiatives, in large part due to the belief that the president can only focus the American public's attention on a handful of issues at a time (9).

Eshbaugh-Soha (2006) conceives of going public in an innovative fashion, incorporating signaling theory. Here, a president's public appeals, defined by number of speeches, on a specific policy area are used as signaling devices to inform and direct Congress and the bureaucracy to his preferences. This theory, while compelling, renders the general public as mere bystanders in the president's decision to go public and how it affects his policy agenda. Moreover, while conceptually informative in defining going public as a signaling mechanism, other research indicates a president's public appeals are meant to signal Congress and the public on his central policy agenda, rather than on comparatively esoteric policy areas (e.g., civil rights, environmental and agricultural policy) that Eshbaugh-Soha examines.

For instance, Barabas (2008) uses statistical analyses to show how media coverage of State of the Union addresses increases public knowledge of the president's policy initiatives and legislative agenda. Mouw and Mackuen (1992) also assert going public affects the agenda setting of presidents by signaling to congressional leadership and members his policy preferences and priorities. In more recent research, Edwards (2009) has proposed that going public is used in the president's effort to exploit existing public opinion in order to achieve legislative success. He theorizes presidents do so largely by framing their policy proposals in a fashion to underscore their consistency with

the public's existing attitudes and amplifying presidential initiatives that already enjoy popular support in order to intensify pressure on Congress (61-2).

The extant studies on going public and its effect on policymaking strongly suggest public appeals are an integral factor in achieving success, particularly among key agenda items that the president believes the public supports. Although most of the literature (Canes-Wrone 2001; Barrett 2005; Edwards 2009) implies this factor should be tested by identifying the precious few opportunities a president decides are worthwhile in designing a concerted public relations campaign and comparing this to the subsequent policymaking success therein, other works assert going public has an aggregate effect on presidential success in a multitude of policy areas (Kernell 1997; Eshbaugh-Soha 2006). However, to quantify going public as a single independent variable neglects to account for the complexities of a president's public relations strategy. For instance, one radio address or speech in a small town on a policy initiative should not possess the same value as a nationally televised primetime address to a joint session of Congress.

In addition, as Kernell (1997) himself observes, a president's inclination to go public in numerous ways is perpetually increasing. Kernell finds the annual rate of a president's public addresses, public appearances and overall time spent on "political travel" has consistently increased since Reagan (Figures 4.1-4.3, 113-122). This reflects the 'perpetual campaign' atmosphere endemic to a polarized Washington and suggests that, at the aggregate level, going public is an expectation, rather than a prerogative, of the president. The temporal impact on the quantity of going public also negates the value of its association with presidential success in a multiple regression model. Therefore, for the purposes of this study, going public will only be analyzed qualitatively, evaluating its

effect during major policy initiatives. Doing so allows for a closer examination of how a president makes public appeals during key legislative battles; whether he chooses to circumvent the press to rally the public on a certain policy or use the media as a conduit to persuade the public and Congress to his position.

Legislative Skills

Neustadt's (1960) power of persuasion, or the president's skill in shepherding his agenda through the legislative arena, remains perhaps the most difficult aspect of presidential leadership to define both conceptually and operationally. Recognizing this disconnect, Beckmann (2010) endeavors to articulate a theory that identifies the vital strategies and tactics the president employs in order to achieve legislative success (14). He argues presidential lobbying of the legislature can influence policymaking by shifting the distribution of preferences within Congress on roll-call votes and censoring the policy alternatives of proposals that make it to the floor (45-6).

The president does the former by expending his political capital, often in the form of going public, in order to minimize the distance between himself and the pivotal voter in Congress (49). To censor policy alternatives, the president coordinates with his party's leadership in Congress and targets opposing leadership in a traditional "horse-trading" gambit to deter them from challenging his proposal (53-7). Most importantly, Beckmann then uses statistical analyses of legislation ranging from 1953 to 2004 to operationalize quantitatively a type of legislative skill variable. Here he establishes how the tactics of setting the agenda (endorsing a position) and actively lobbying Congress substantially increase a president's probability of successful passage of key legislation that he supports (Figures 4.4-5, 120-1).

Beckmann's theoretical approach is analogous to Edwards' (2009) view of a president's legislative skill, wherein the president must recognize when the legislative environment is conducive to his policymaking preferences and then negotiate with lawmakers in earnest (150-1). Moreover, Edwards (2000) underscores the importance of agenda setting in his examination of the institutional difficulties of coalition building (59). Marshall and Prins (2007) contend strategic position-taking is essential in determining a president's legislative success. Their model is particularly convincing in displaying the statistical correlation between a president's strategic decision to take a position on a policy proposal and legislative success, indicating a president's legislative skill is integral in determining policymaking success (273).

The importance of a president's legislative capabilities has also been reported in the literature emphasizing the institutional constraints of effecting policy change in Congress and its subsequent endemic gridlock. In his seminal work, Krehbiel (1998) develops a theory explaining legislative gridlock based on moderate status quo policies and the necessity of attaining a supermajority in order to break gridlock. Brady and Volden (1998) expand upon this 'pivotal politics' model, maintaining that while the president plays a far less important role in the legislative process than he is given credit for, he still affects policy success by influencing legislators, compromising with 'pivotal' members of Congress, and successfully inserting agenda items onto the congressional docket (30).

Recent research has demonstrated the legislative skill of a president can be quantified in the form of strategic agenda setting and lobbying of Congress. While this should still be supplemented with qualitative appraisals of a particular president's

bargaining prowess, it allows for a type of lobby success rate to be incorporated into quantitative models measuring presidential legislative success. Moreover, the prior studies emphasizing the strategic nature of agenda setting suggests quantifying when a president chooses to lobby Congress has explanatory value for his policymaking success. How I operationalize such measures will be detailed in the following chapter.

The recent literature on the non-institutional factors of presidential success has moderated the perception of an imperial, dominating executive in the legislative arena. Yet recent studies have thoroughly demonstrated that public approval, going public and strategic legislative bargaining still play a role in effecting presidential policymaking success. Accordingly, these sources of influence should be integrated into any theory attempting to comprehensively explicate presidential leadership. Attention is now turned to identifying and conceptualizing these institutional factors.

Institutional Factors: Partisan Composition and Intraparty Support in Congress

Although the literature review thoroughly detailed the integral role of party and ideological composition of Congress plays in determining presidential success, a few aspects of their influence requires further explanation. First, it is important to reiterate that the recent ideological homogenization of each party in Congress has accentuated the explanatory value of partisan composition on presidential policymaking success. Furthermore, such homogenous parties have led to a convergence between the partisan composition that a president inherits and the level of intraparty support that he enjoys.

Thus, with each party aligned under comparatively monolithic ideologies and subsequent policy preferences, the president can more easily unify his party in Congress under his policy agenda. Accordingly, this study will measure the variable of

institutional support from a president's party in Congress as the percentage of intraparty support the president receives whenever he has expressed a preference on the legislation up for a vote. Doing so allows me to identify when, if ever, a president loses near-unanimous support from his party in this age of heightened polarization and evaluate why this may be the case.

Sinclair (2006) chronicles how increased party cohesion has led to this heightened polarization in Congress since 1987. As a result, the president enjoys unprecedented success in both the House and to a lesser extent the Senate under unified government due to a unified majority party and correspondingly record-low levels of support under divided government during this new period of polarization (Table 7.1, 236). Moreover, the prevalence of veto threats to major legislation has increased dramatically during this polarized period when there is divided government (Table 7.3, 247). Finally, Sinclair observes presidents have ramped up public relations campaigns (going public) during this period, in particular George W. Bush's administration, as they view it increasingly as the best avenue to influence Congress (251). Hence, polarization and party cohesion in Congress theoretically interact and enhance the effect of going public and veto bargaining on presidential policymaking success.

Conversely, such intransigence between parties conceivably diminishes the role of a president's legislative bargaining skills. Indeed, Andres (2005) decries the lack of congenial congressional-presidential interactions in the modern era. While this certainly limits the role of legislative skill on policymaking, this study posits a president's lobbying and interaction with opposition party leadership and the pivotal legislators

described by Brady and Volden (1998), often from opposing parties, remains integral to exacting his agenda based on Beckmann's (2010) analysis.

Although the partisan composition of Congress is self-evidently an institutional factor in explaining presidential success, and intraparty support increasingly is as well in the age of polarization, it is not a part of the aforementioned unitary actor thesis of presidential power. In fact, the perceived intractable nature of a polarized Congress is precisely the condition that initiated the development of such hypotheses. One facet of a president's unilateral capacity, however, has yet to be thoroughly examined. Ironically, the power of the veto is the only unilateral power the presidency wields in the legislative arena that is codified in the Constitution. The effect of the president's veto power and subsequent veto bargaining on policymaking success will now be considered.

Veto Bargaining

As previously noted, Sinclair (2006) found a marked increase in veto threats under divided government in the current era of a polarized Congress. Similarly, Cameron (2000) highlights the increasing role of veto politics in contemporary legislative policymaking as divided government becomes more common (68). Moreover, his theory details how veto threats often lead to a bargaining process between the legislature and executive during periods of divided government. Specifically, Congress will anticipate potential vetoes and alter the content of legislation in an effort to either avoid or override the actual veto in order to successfully pass preferred policies (9).

Conley (2003) expands upon Cameron's research of veto threats. He delineates between "private" and "public" veto threats, using George H. W. Bush's interaction with the 102nd Democratic Congress as his unit of analysis (730). His results show private

veto threats, meaning those issued outside the public eye, successfully halted myriad minor legislation that Bush opposed. Furthermore, private threats led to frequent concessions to the president on routine policy. Conversely, however, public threats on major legislation almost inevitably led to inter-branch confrontation and much more uncertainty of whether the measure would be passed, vetoed, or die in Congress (738). This finding is of particular interest to this study as its focus is on a president's major policy initiatives and subsequent key legislative battles. The results also suggest a president must use veto threats strategically; prioritizing which legislation is worth the subsequent protracted bargaining with Congress. Accordingly, the success of veto threats when pertaining to key legislation will be measured, as well as a president's rate of issuing such threats.

Cameron's theory is invaluable in clarifying how the power of the veto can enable the president to affect a multitude of legislation without technically using it. It often serves as the bulwark of presidential power under divided government, particularly when a president's non-institutional resources are weakened, and is the principal (along with intraparty support and the use of the filibuster) negative power at the president's disposal in preventing undesirable policy change. The apparent importance of a president's positive unilateral powers, as previously recounted, have also been enhanced with the increase of congressional partisanship and divided government.

Executive Orders

Similar to the party composition in Congress variable, the apparent emergence of executive orders as a key facet of presidential policymaking has already been thoroughly reviewed in order to juxtapose the crucial institutional factors with traditional non-

institutional sources of influence. It should be noted, however, that in addition to the theoretical work of Howell (2003) articulating this argument, Howell and Lewis (2002) find that unitary executive action has also resulted in the creation of numerous administrative agencies in the past half-century. Such agencies are far less insulated from presidential control than bureaucracies created by legislation, enabling the president to exert more unitary policymaking influence within the federal bureaucracy, as they are directly subject to more substantive executive orders.

Deering and Maltzman (1999) conduct a quantitative study of executive orders to illuminate their limited yet significant role in presidential policymaking. They assert that while executive orders are indeed used more frequently when a president is attempting to circumvent a hostile Congress, a strategic decision-making process once again conditions presidential usage of such orders. In essence, presidents still account for the possibility that Congress will overturn especially controversial executive orders by passing a bill that negates the order's impact on policy, preemptively checking their own expansion of unitary action based on the limits of the political environment (768). Using quantitative analysis measuring the annual rate of executive orders, Deering and Maltzman's findings indicate that an increase in the likelihood of executive orders being overturned by Congress corresponds with fewer issuances of such orders. Not only does such a calculation make intuitive sense, it conforms to the conceptual basis of Moe and Howell's (1998) original theory of unitary executive action wherein the president is a rational actor conducting cost-benefit analyses.

Additionally, the results suggest presidents issue executive orders more frequently when their public approval decreases, implying unitary executive action acts as a

policymaking supplement when non-institutional factors are weakened (Deering and Maltzman 1999, 777-8). Recent research on executive orders calls for its inclusion in comprehensive models of presidential policymaking, particularly considering the contemporary political landscape. Prior research has almost uniformly measured executive orders as an annual rate to evaluate their impact quantitatively. This study will do the same, using Warber's (2006) delineation of 'policy-oriented' executive orders rather than Howell's (2003) 'significant' executive orders, as the latter relies on a statistical estimation as opposed to actual orders issued. Another facet of unitary executive action receiving some attention in the scholarly literature, and the final variable conceptualized in this model, is the use of signing statements.

Signing Statements

Waterman (2009) introduces the use of signing statements as an aspect of increased unilateral executive action. Specifically, he describes the George W. Bush administration as promoting an "extravagant use" of this unique instrument of presidential policymaking (6). Kelley and Marshall (2008) empirically evaluate the Bush administration's use of signing statements, asserting they have become an important device of presidential power by signaling to the executive bureaucracy how legislation should be implemented. Their findings do indicate an increase in the percentage of bills passed with signing statements amongst the Bush and even Clinton presidencies (Table 1, 259). Mirroring the prior research on other institutional and unilateral presidential policymaking tools, Kelley and Marshall conclude that divided government and legislative gridlock increase a president's inclination to use signing statements to advance his policy priorities.

Furthermore, Kelley and Marshall interestingly find presidents are significantly more likely to use signing statements on major, as opposed to non-major, legislation (264). Finally, the authors delineate between “rhetorical” and “constitutional” signing statements, the latter defined as significantly altering the implementation of the law whereas the former has no substantive effect on the law’s practical implications (251). This distinction appears to be the most appropriate method to measure the variation in issuing signing statements that affect a president’s policy agenda.

In general, there is a lack of literature on the role of signing statements in affecting presidential policymaking success. This study’s focus on the essential factors of presidential leadership in the current era, however, supports their inclusion in a comprehensive model. Due to its nascent nature in the literature and as an observable instrument of presidential policymaking, the expectations of signing statements’ empirical explanatory value as an aspect of presidential power are distinctly modest when compared to the other factors enumerated in the model.

Conclusion

Prior research has identified seven factors that are essential to successful presidential leadership. The aforementioned interactions among the independent variables underscore the complexity in achieving policymaking success. The theoretical approach and subsequent research of this study can also help elucidate how these institutional and non-institutional variables interact with each other; when it is optimal for a president to press his non-institutional sources of influence or when resorting to unilateral executive action may be required. Indeed, a key assumption of the theory is that non-institutional variables will tend to be more effective and activated during periods

of unified government, while the president's institutional tools will be essential to implementing his policy agenda during periods when he is in the defensive position of divided government. Party composition in Congress and subsequent intraparty support are the only variables assumed to have a substantial impact on presidential success under both unified and divided government.

In sum, this study attempts to discern how the nature of presidential power has evolved in the current age of ideological homogeneity and partisanship. Any effort to comprehensively explain presidential-congressional relations in the current era of polarization must use both quantitative and qualitative analyses in order to determine each factor's impact on the president's ability to enact his agenda. The following chapter will detail a research design employing each type of analysis and operationalize the variables that will be examined.

CHAPTER 3: RESEARCH DESIGN

As has already been discussed (Binder 1996; Sinclair 2006; Theriault 2008), Congress entered a new period of ideological homogenization and polarization around the late 1980s that is statistically unprecedented in the era of the modern presidency. Due to many of the factors identified in this study (particularly a president's institutional tools) emerging as salient specifically within this era, it is paramount that the unit of analysis is limited to the current age of polarization. Thus, the presidencies that qualify for potential study are limited to those of George H.W. Bush to Obama.

Obama will not be evaluated because at least some time should be separated between a presidency and an empirical evaluation, as well as the subsequent relative dearth of scholarly literature on his presidency. George H.W. Bush will be excluded in the interest of empirical symmetry. Examining only the Clinton and George W. Bush presidencies allows for an evaluation of eight years each for both a Democratic and Republican president. Also, both presidents enjoyed periods of unified government as well as faced periods of divided government. This is important in discerning the aforementioned conflicting expectations regarding institutional and non-institutional factors under each type of government. The elder Bush only encountered divided government throughout his presidency. In determining how to test these factors' effects on presidential success, prior research suggests using both quantitative and qualitative analyses.

As previously stated, Edwards (1989) asserts public approval and legislative skills are only effective when harnessed during the few instances where conditions are ripe for a president to effect policy change. Regarding going public, Canes-Wrone (2001) and

Barrett (2005) similarly demonstrate that presidents only make concerted public appeals on a handful of issues, usually their own policy priorities. Consequently, case studies of both the Clinton and Bush presidencies will be conducted in order to identify these periods wherein the president resolves to push his agenda in a decidedly aggressive manner. The role and effect of the non-institutional variables in a president successfully implementing his policy agenda will be assessed, along with this study considering the partisan composition of Congress and intraparty support the president enjoys therein.

Measuring the role of the institutional tools at a president's disposal also requires qualitative analysis, albeit simply by comparing quantitative annual rates of these variables rather than solely incorporating the data into a statistical model. Prior research has established that a president's use of executive orders is a strategic decision wherein he balances the need to circumvent Congress in order to implement his policy priorities with the risk of Congress overturning said orders (Deering and Maltzman 1999; Warber 2006). The use of signing statements includes an analogous calculation (Kelly and Marshall 2008). Therefore, comparing how often a president utilizes these unilateral tools under unified as opposed to divided government is necessary in order to test the divided government hypothesis (H3) as articulated in the previous chapter (see pg. 26).

Veto bargaining will be used by the president much more frequently during periods of divided government, and even then asserted most significantly on major legislative battles (Conley 2003). Indeed, the veto bargaining between President Clinton and the Republican Congress on welfare reform will receive considerable attention in this study. Furthermore, presidential use of these institutional tools is relatively low when compared to overall Congressional roll call votes on presidential policy initiatives.

Consequently, identifying periods within a presidency when their usage and significance is pronounced is imperative in determining their role in presidential policymaking success.

The case studies will rely on scholarly appraisals of each presidency to determine the major policy initiatives and campaigns of the Clinton and Bush administrations. Specific attention will be given to the first year of each term of both presidents, as recent research has suggested presidents enjoy a significant ‘honeymoon effect’ that increases presidential success (see Sullivan 1991; Beckmann and Godfrey 2007; Marshall and Prins 2007). While this research only evaluates the effect in regards to a president’s first year in his first term, it will be interesting to examine if such an effect is discernible in the first year of the second term as well. Preliminary data analysis will also be included here, comparing annual rates of each independent variable and its correspondence to yearly presidential success rates. Bivariate regression analyses can also be used to examine each factor’s association with the success rates independent of the other variables. To do so, however, the dependent variable of presidential success and the independent variables’ quantitative measures must be operationalized.

As opposed to the traditional measure quantifying presidential success by their overall “box score” on all roll call votes, recent research has relied on the *Congressional Quarterly (CQ) Almanac*’s annual account of “key” votes and legislation to measure presidential success rates (Beckmann 2010). While *CQ*’s overall box score measures presidential success on all roll call votes in which the president has expressed a preference, their key votes recount the most important and/or contested votes each year. This study will adopt such an approach as its focus is on the president’s major policy

initiatives, which should presumably be included as key votes by *CQ* (obviously this is conditioned on key agenda items reaching a vote). Annual key vote presidential success rates will be calculated by identifying the key legislation in which a president has taken a position on and then researching if the subsequent vote in Congress aligned with the president's position.

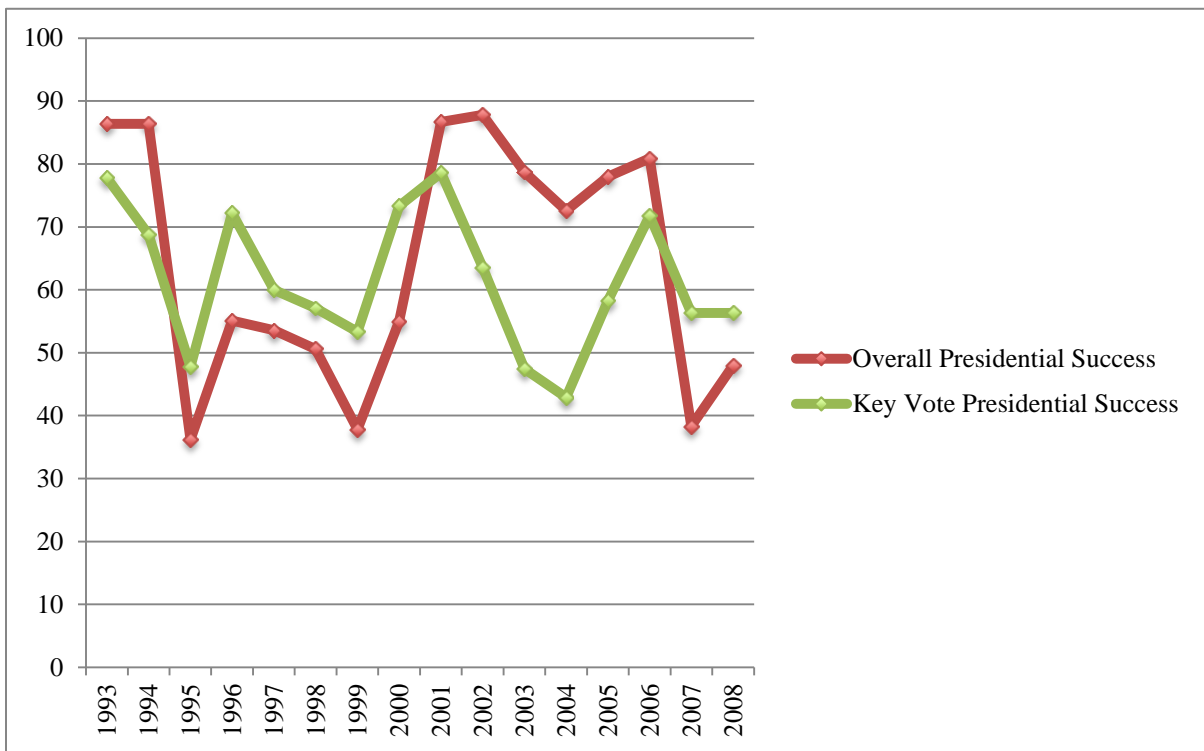


Figure 1: Comparing *CQ*'s Overall Presidential Success Box Score and Presidential Success Rates on Key Votes

As Figure 1 shows, there is a significant difference when using key votes instead of the overall box score. The most substantial difference is clearly early in Bush's presidency; from 2002 to 2005, Bush averaged a 79 percent box score success rate and a 53 percent key vote success rate. This difference should considerably alter the correlations between success rate and the independent variables. Interestingly, the key vote measure appears less volatile than the overall box score; each president's high and

low points are not as pronounced using only key votes. Indeed, while the two measures' respective means show only a three point difference (overall rate = 64.5 percent, key vote rate = 61.6 percent), the standard deviation for the overall success rate stands at 19.5 percent while the key vote rate is only 11.1 percent.

To operationalize legislative skill quantitatively, I will replicate the research conducted by Beckmann (2010). He and his research assistants examined *CQ*'s detailed summaries of the legislative bargaining (if any) that preceded each key vote and coded when the president actively lobbied in support of a particular position therein to quantify legislative skills (173). I will conduct the same content analysis, as well as determine when veto bargaining was a factor in key legislation to obtain a yearly rate for both independent variables. If the *CQ* summaries mentioned above state a veto threat impacted the fate and/or content of the legislation, that vote will be coded as including veto bargaining. These variables will be defined as 'lobby rate' and 'veto rate,' respectively. In addition, a 'success' rate for each of these variables can be calculated, indicating if a president's lobbying efforts or veto threats were fruitful. The lobby success rate will be calculated simply by determining if the president's position 'won' the key vote when he chose to lobby Congress. For a veto threat to be considered successful, one of two developments will have to happen to the legislation in question: either it dies in Congress or significant concessions are made to the president upon final passage. The latter will be determined by content analysis of *CQ*'s summaries.

To operationalize public approval, a yearly average of the percent of *Gallup*'s respondents approving of the president's job performance will be used in the statistical analyses of Chapter 6. However, Canes-Wrone and Marchi (2002) use three measures of

public approval, also examining when a president enjoys at least 50 percent approval and an approval-disapproval measure subtracting the latter from the former (496). While the latter appears to simply reflect the increased polarization in the current era, the 50 percent threshold is a useful indicator that a president is sufficiently popular, particularly in the polarized era. Indeed, George W. Bush's approach to not only elections, but also governing and appeals to the public regarding his policy agenda, has been characterized as a 50-percent-plus-one strategy (Edwards 2009, 1999). Thus, in the Clinton and Bush case studies a quarterly average of *Gallup's* annual approval ratings will be employed to approximate the president's popularity during his major legislative battles, with particular attention paid to this 50 percent threshold. The quarterly average will be calculated for every three months within a year; for example a president's average of all *Gallup* polls taken from January to March define his Quarter 1 public approval for that year.

In a similar fashion, intraparty support in Congress is relatively straightforward to quantify and enjoys several options in its operationalization. The first is a measure of the presidential party's overall support in Congress on his policy initiatives that reach a roll call vote, known as intraparty support. The second is simply the partisan composition of Congress in the form of the percent of members in each chamber from the president's party. With the presumed ideological homogenization and polarization in Congress during the period of study, the latter measure would in effect merely act as a control variable. Conversely, variation in intraparty support is naturally an indicator of a president's ability to unify his party in Congress. Moreover, any significant drop in intraparty support warrants considerable attention in an age of perceived ideological homogeneity.

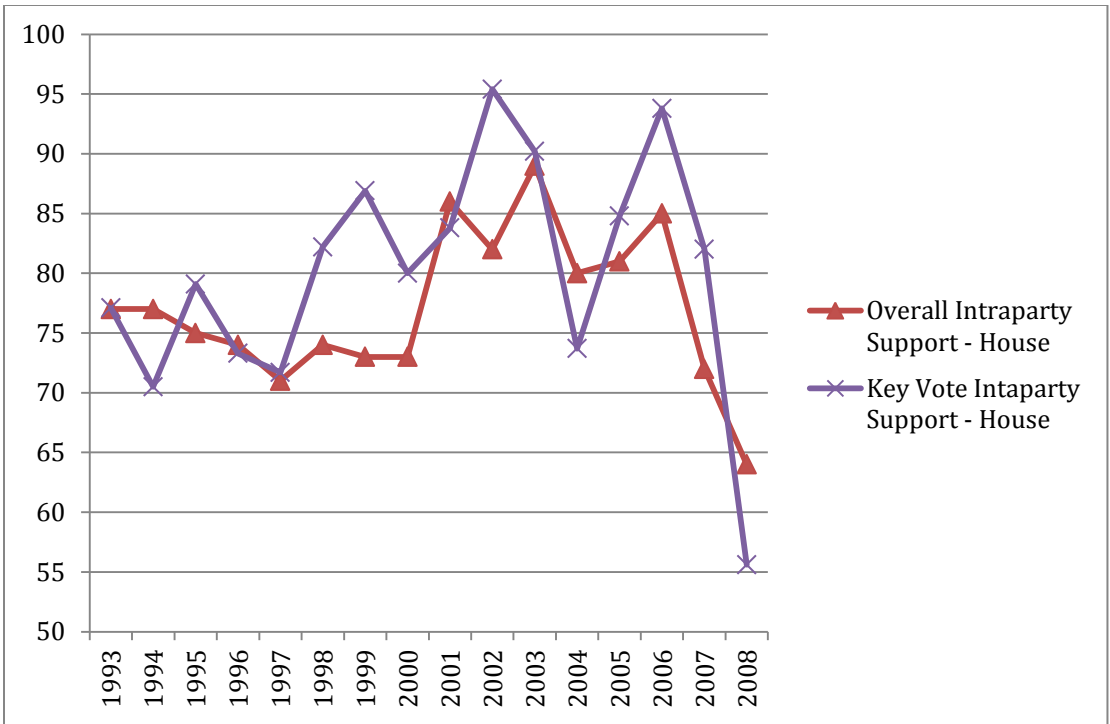


Figure 2: Comparing *CQ's* Overall Intraparty Support and Key Vote Intraparty Support - House

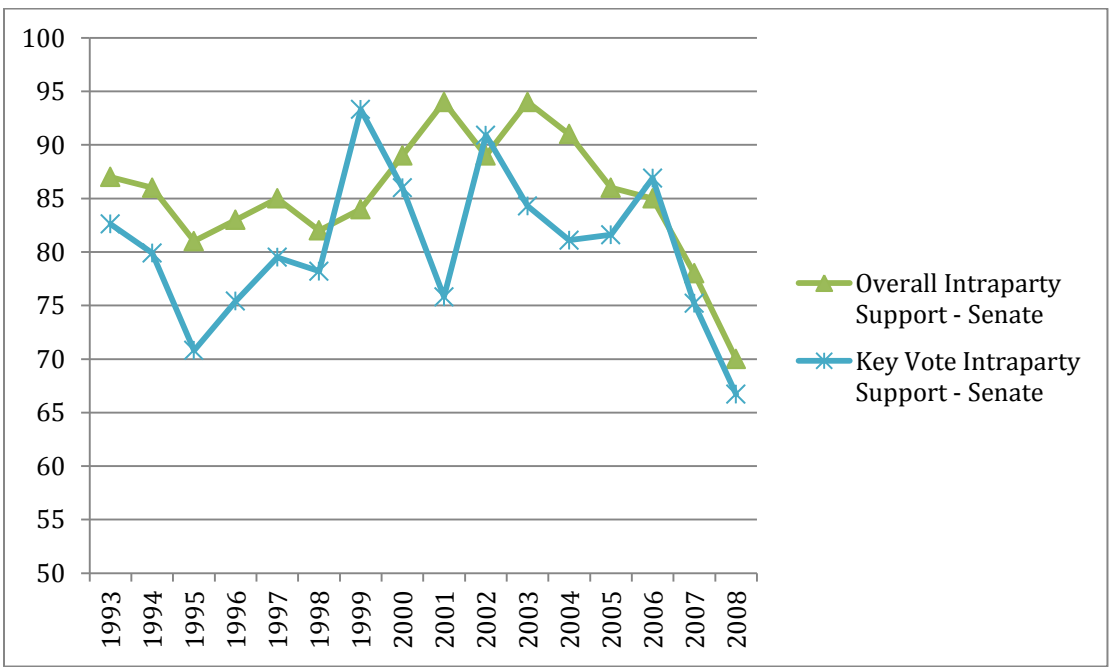


Figure 3: Comparing *CQ's* Overall Intraparty Support and Key Vote Intraparty Support - Senate

It should be noted here that my calculation of intraparty support is derived only from *CQ*'s key votes, rather than the aggregate intraparty support scores *CQ* reports on all legislation the president took a position on. In contrast to the dependent variable of presidential success, there is little difference between these two measures.

Figures 2 and 3 show little variation between the two measures in both the House and Senate, respectively. The Senate in particular has little variation between the two measures of intraparty support, as well as possessing little variation between or within each presidency until Bush's precipitous decline in his second term. Also, *CQ* does not calculate an overall intraparty support score. I have done so for key votes by adding each vote's intraparty support percentage in both the House and Senate and then dividing this by the total number of votes. In the quantitative section of this study, all three key vote intraparty support scores will be considered.

To operationalize "significant" executive orders, Howell (2003) relies on orders mentioned in both *The New York Times* and *The Congressional Record* or two separate federal court cases (82). These data can be replicated, although Howell's research ends in 1998. Also, for the period of 1985 to 1998, Howell uses bivariate regression between *New York Times* mentions and Congress/court mentions to estimate a predictive model of yearly rates of significant executive orders issued (83). This method could be replicated by researching the amount of *New York Times* mentions of executive orders from 1998 to 2008. Conversely, Warber (2006) conducted content analysis of each executive order formally published in *The Federal Register* to categorize certain executive orders as "policy initiatives." An order is defined as a "policy initiative" if its main function is presidential lawmaking (143). This appears to be the most accurate method in discerning

executive orders that impact a president's policy agenda and this study will rely on Warber's invaluable research.

Signing statements will be quantified by replicating Kelly and Marshall's (2008) aforementioned coding of "constitutional" signing statements. They define these as any statement wherein the president objects to certain provisions that encroach on executive prerogatives or violate federalism and/or individual rights. In addition, if the president asserts his authority to construe certain language in a bill that was vague, it also is considered "constitutional" (258). This study relies on the list of all signing statements made by Presidents Bush and Clinton based on *The American Presidency Project* website (Woolley 2013) to determine the annual number of constitutional signing statements issued.

Quantifying going public represents perhaps the greatest challenge to accurately depict the variable it intends to measure. Kernell (1997) focuses on the number of televised presidential addresses and press conferences as well as the corresponding time spent on air gathered from program logs at *CBS News* (114). He also chronicles the recent increase in public appearances by presidents, omitting data for presidential election years, based on the *Public Papers of the President* (118). These *Papers*, collected by the U.S. Government Printing Office, appear to be the indispensable source in collecting data on the president going public. As detailed in the previous chapter, going public will not be quantified for a number of reasons. However, to determine its impact on major legislative battles of the Clinton and Bush presidencies, the *Public Papers* will be relied upon to evaluate the nature of the president's public appeals campaign on key policy initiatives.

Finally, as with previous integrated approaches (Peterson 1990; Shull and Shaw 1999), an economic control will be instituted into the quantitative model. The findings of this research have indicated a positive statistical relationship between the state of the economy and presidential success. Therefore, including an economic variable into the statistical analyses accounts for the exogenous impact the economy may have on success rates. Shull and Shaw (1999) operationalize their economic measure as the annual budget surplus or deficit divided by federal expenditures (53). This study will do the same, as it appears to be an accurate depiction of the state of the economy.

One crucial limitation of this study on congressional-presidential relations emerges from articulating the research design. The time period of analysis is particularly limited to only examining the Clinton and Bush presidencies. Although this is unavoidable due to the underlying effort to evaluate factors affecting presidential success in the current era of Congressional polarization, the comparatively short period under study should be emphasized. Essentially every major work this theory is based upon (Edwards 1989; Bond and Fleisher 1990; Shull and Shaw 1999; Cameron 2000; Howell 2003; Beckmann 2010) analyzes congressional-presidential relations over at least a 40 to 50 year period. This length of study is important in demonstrating that such explanatory factors are salient over a significant period of time and are not subject to extenuating or extraordinary circumstances seen in a specific presidency.

The truncated timeframe of this study leaves it vulnerable to the impact of unique exogenous factors, skewing the statistical results. Specifically, the impeachment proceedings in Clinton's second term and the 9/11 attacks in Bush's first stand out as extraordinary circumstances potentially affecting congressional-presidential relations and

a president's ability to implement his agenda. Thus, this study calls for future research to evaluate the factors that explain presidential success in the polarized era within a larger time frame (of course, only if such polarization and ideological homogeneity continues).

Nevertheless, the model of this study will contribute to the field of congressional-presidential relations by providing a specific framework that attempts to reconcile the apparent contradictions seen in the seminal works of Neustadt (1960), Bond and Fleisher (1990) and Howell (2003). By integrating these competing perspectives and their respective key explanatory variables, we can clarify how each impacts presidential policymaking success and contributes to the evolving concept of presidential leadership in the polarized era. Another key contribution to the literature and focus of this study is emphasizing and evaluating the impact of non-institutional factors during the major legislative efforts and battles of each presidency. Attention will now be turned to a focus on qualitative research, as Chapters 4 and 5 are case studies of the Clinton and Bush presidencies, respectively.

CHAPTER 4: CLINTON CASE STUDY

The election of President Clinton in 1992 resulted in unified government for the first time since 1980. In the election's immediate aftermath, it appeared Clinton would enjoy a considerable honeymoon effect. In the first quarter of 1993, his overall legislative success rate exceeded 90 percent. This success was short-lived, however, as Clinton's success rate declined to average levels of presidential support in Congress by the end of the year. Ironically, despite maintaining high support from Democrats in Congress in his first year at the aggregate level, Clinton relied on Republicans to ensure one of his only major legislative victories in passing the North Atlantic Free Trade Agreement (NAFTA), which worked to eliminate trade barriers between the U.S., Canada and Mexico (Bond and Fleisher 1995). Drew (1994) characterizes this precipitous decline as emblematic of an overly ambitious president pursuing major policy initiatives, specifically Clinton's health care plan and efforts to allow homosexuals to openly serve in the military, despite the policies' unpopularity with the public and against the advice of congressional leaders in his own party. The subsequent 1994 mid-term elections saw the Republicans gain a majority in both the Senate and the House, capturing the lower chamber for the first time in forty years.

Both Edwards (1998) and Jones (1999) similarly argue that Clinton's legislative agenda was doomed from the start, also describing his initial efforts as overly ambitious and partisan. Due to the inherent vulnerability of entering office with the lowest margin of party support in Congress of any Democratic president in the twentieth century, Clinton needed to develop a bi-partisan approach to congressional relations despite enjoying a unified government. In the early years of his presidency, according to Jones

(1999), Clinton failed to recognize the need to recalibrate his legislative goals due to the limitations that the ideological makeup of Congress would have on his policy agenda.

In a study of Clinton's personality type, Lyons (1997) attributes Clinton's early policy failures to his difficulty in setting priorities (807). Edwards (1998) also identifies Clinton's multi-track mind to be a glaring weakness in his ability to interact with Congress, resulting in the failure of the administration to set a clear legislative agenda once taking office as well as impeding the necessary focus on a single major agenda item in order to get it passed. Edwards notes that Clinton's considerable efforts to appeal to the public on major initiatives were ineffective due to low public support for the policies and Clinton himself (757). Herrnson (1999) also finds going public to be Clinton's primary legislative strategy early in his presidency due to what Herrnson describes as an unfavorable ideological makeup of Congress for Clinton when he entered office (166).

Interestingly, assessments of Clinton following the 1994 elections almost completely change in tone. Jones (1999) observes that following the 1994 elections, House Republicans overplayed their hand in a similar fashion to Clinton in the previous years. Clinton then aptly filled the leadership void and cultivated a more centrist posture in his legislative agenda. Jones extols the virtues of Clinton's 'triangulation' strategy that co-opted popular Republican programs while still pushing key Democratic proposals. Edwards' (1998) evaluation of Clinton following the 1994 midterms is also more charitable to the president. The Republican overreach allowed Clinton to adopt a strategically defensive position that Edwards finds favorable. It allowed Clinton to cast the Republicans as advocating radical change and enabled him to successfully block the ambitious Republican agenda by unifying his party. Indeed, Hill (1999) asserts Clinton's

comeback was “aided significantly” by the government shutdown in the winter of 1995-6 when Clinton was able to portray the Republican Congress as extremists in order to regain public support (3).

Edwards, however, finds Clinton’s triangulation strategy to be less successful than Jones in exacting Clinton’s agenda. Instead of preserving core Democratic principles, Edwards argues the triangulation strategy allowed Republicans to pass welfare reform and negotiate the budget on their terms. He contends that co-opting Republican values and proposals simply resulted in Clinton continuously ceding ground to the opposition. The result is, as Clinton himself put it, albeit sarcastically, “We’re Eisenhower Republicans here, and we are fighting with Reagan Republicans” (Edwards 1998, 759). In a thorough analysis of divided government under Clinton, Conley (2000) finds that although the administration was able to impede the most ambitious Republican proposals, the key legislation during this period was almost completely initiated by the Republican Congress.

There is a notable dearth in the literature regarding the legislative activity in the final two years of Clinton’s presidency. Binder (2000) observes gridlock during this period that characterizes the 106th Congress as a “do-nothing” legislative body (16). This can be attributed to a rather extraordinary exogenous factor that serves as an example for why each president’s relations with Congress should include a qualitative assessment. A month before the 106th Congress was sworn in, the lame duck Senate voted on the impeachment charge against President Clinton. The Lewinsky scandal, with Clinton ultimately admitting to lying under oath, had an undeniably unique effect on Clinton’s relations with Congress.

A review of the literature assessing Clinton's presidency presents the key legislative battles throughout his administration, as well as providing insight into Clinton's use of a number of the presidential tools identified as key influencers on policy success. The major clashes with Congress cited in nearly all the appraisal literature include NAFTA, Clinton's health care plan, the government shutdown of 1995-6 and welfare reform. The focus of this chapter will now shift to chronicling these touchstone moments in Clinton's administration and evaluating the role of both non-institutional and institutional factors therein. It should be noted, however, that the unilateral tools of executive orders and signing statements cannot be analyzed here (unless, of course, Clinton made a constitutional signing statement to a resulting law). These factors will be evaluated in a subsequent examination of annual quantitative rates of the variables.

NAFTA: The Counter-Example

To classify the passage of NAFTA as an outlier in the traditional understanding of presidential-congressional relations would be an understatement. The final passage votes in both the House and the Senate saw the majority of Republicans in support of the bill while the majority of Democrats voted against it. Moreover, the agreement was a policy initiative of his predecessor of another party, yet Clinton invested a considerable amount of his political capital and resources of his office to obtain passage (Edwards 1998, 756). Such an investment was likely necessary due to minimal public support for the agreement; a poll in mid-September showed 38 percent of the public in favor with 41 percent opposed to NAFTA, as well as over half the country agreeing that the bill would lower wages and disagreeing that it would create jobs (Molyneux 1994).

Given his aforementioned predilection to go public early in his term, it should come as no surprise that Clinton embarked on a concerted campaign to persuade constituents. In September 1993, Clinton convened former Presidents Bush, Carter and Ford to demonstrate a united presidential front in support of the agreement. Beginning in mid-October, Clinton frequently made public remarks in support of NAFTA as well as consistent pleas in his weekly radio addresses. By the beginning of November, Clinton was making nearly daily speeches, often to strange bedfellows that normally were political enemies of the president (such as the U.S. Chamber of Commerce), urging passage of the measure (*Public Papers*). While the effect of such appeals are difficult to discern, support for NAFTA among Clinton supporters increased from 36 percent in September to 50 percent by November 16, a day before the House final passage vote (Molyneux 1994, Figure 1).

While Clinton often employed public appeals for major initiatives at the time, he also extensively lobbied Congress to secure passage of NAFTA. Boehmke (2006) finds evidence that presidential lobbying influenced the position taking of members of Congress on NAFTA, highlighting Clinton's bargaining that included promises to campaign for legislators and pork-barrel tradeoffs (423). Using quantitative analysis to predict the vote on NAFTA in the House, Uslaner's (1998) results indicate its passage depended heavily on the lobbying efforts of Clinton. Beginning in September, Clinton targeted members who were undecided or leaning against voting for NAFTA, as well as those from districts where he had strong support.

Table 1: Key Statistics on NAFTA

	Intraparty Support - House	Intraparty Support – Senate	Interparty Support - House	Interparty Support - Senate	Quarterly Public Approval*
Nov. 17-23, 1993	39.5 %	49.1 %	75.9 %	77.3 %	50 %
1993 Annual Rate	77.1 %	82.6 %	20.5 %	27.4 %	48.6 %

* - Source: Jones 1999, Figure 2, pg. 163.

As Table 1 shows, Clinton was forced to use these lobbying and public appeal efforts due to the comparatively abysmal intraparty support for NAFTA in the Democratic-controlled Congress. In contrast, the president enjoyed very high support from the opposition party, as about three out of four Republican members of Congress supported the measure, as shown in Table 1. The votes used for the examples in this chapter are taken from *Congressional Quarterly's* (CQ) “key votes,” as CQ’s standard is to highlight the critical votes for passage. While this can often focus on cloture or rules votes of a particular piece of legislation, all three votes examined in this chapter happen to be final passage votes.

Also shown in Table 1 is a measure of Clinton’s public approval rating by each quarter of a year. Instead of the annual averages, this shows Clinton’s approval from October to December 1993, or approximately the same timeframe as his efforts to pass NAFTA and its eventual vote. To compare these key statistics over time, annual rates of key vote intraparty and interparty, as well as public approval, are also given in Table 1. While Clinton’s annual approval score was a relatively anemic 48.6 percent for a president’s first year, his approval rose from 46 percent in the second and third quarters of 1993 to 50 percent in the final quarter. While this may seem to be a fairly miniscule

increase, temporally it coincides with Clinton's utilization of the bully pulpit on NAFTA and with the aforementioned increase in support of the agreement among Clinton supporters.

The passage of NAFTA presents a unique case in presidential leadership of Congress. With little institutional support from his party in Congress, Clinton employed his non-institutional tools to push through a major policy initiative that the public was initially decidedly against. The evidence strongly suggests going public and strategic bargaining with Congress were integral to securing the trade agreement's passage. The marginal increase in Clinton's approval during these efforts could also have aided in convincing fence-sitters in Congress to negotiate with a president eager to horse-trade in order to exact a major policy victory at a time when his policymaking agenda was flailing for a honeymoon president. Indeed, the passage of NAFTA provided Clinton with a welcome distraction from the floundering of his first-year agenda centerpiece, his health care reform plan.

Health Care Reform: The Importance of Agenda Setting

The theoretical approach to this study implies a president should utilize his non-institutional tools during the presidential honeymoon. After all, an incoming president is likely to enjoy high approval ratings and encounter an attentive public immediately following inauguration (Beckmann and Godfrey 2007). Naturally, an incoming president also benefits from a blank slate in regards to negotiating and lobbying Congress. Based on these intuitive assumptions, the decision to place the most ambitious initiative, health care reform, at the top of the policy agenda appears to be an apt maneuver by Clinton. Yet, despite arousing public interest on health care reform early by forming a task force

in January of 1993, Clinton did not make a national address on health care until eight months after taking office; and the actual introduction of the bill in Congress took another two months (Edwards 1998, 756).

This informs the aforementioned tendency of observers to characterize early-years Clinton as unfocused and unable to prioritize his agenda. Clinton's public address on health care reform before a joint session of Congress is generally characterized as one of his few early successes; indeed it is part of the Clinton mythos as he delivered the speech extemporaneously after his prepared remarks were put in the teleprompter upside down (Renshon 1994, 379). However, its impact clearly appears negligible, as it neither spurred Congress into action nor emboldened a supportive public.

Instead of an attempt to immediately capitalize on his honeymoon effect, Clinton allowed health care to languish while he made a series of missteps, including the Zoe Baird nomination and the push to allow homosexuals in the military, which eroded his political capital in the forms of both public and institutional support. Clinton's early aggressiveness on homosexuals in the military went against the advice of prominent Senate Democrats such Majority Leader George Mitchell and Senator Sam Nunn, and Senate Judiciary Chair Joe Biden warned against the nomination of Baird. Moreover, even powerful allies viewed Clinton's health care plan as too complicated, including Speaker Tom Foley and Rep. Dan Rostenkowski, the chair of the powerful House Ways and Means Committee (Lyons 1997, 807).

The desultory and drawn out nature of Clinton's pursuit of health care reform not only greatly diminished the president's ability to maintain a captive audience for public appeals, it allowed entrenched interest groups to go public themselves and launch an

expensive and concerted ad campaign against the health care reform plan, which opponents dubbed ‘Hillarycare’ in reference to the influence of the First Lady. Furthermore, Clinton signaled early an unwillingness to bargain with Congress on health care. The White House task force was characterized as secretive and insular, unwilling to negotiate even with Democrats on what the administration viewed as a personal endeavor and potential resounding victory for the president (Jones 1999, 3-5). As Jones (1999) put it, “no president in recent times had undertaken such an ambitious reform with so little political capital” (83).

To be sure, Clinton ‘went public’ on health care more than any other policy initiative in his first two years. From February of 1993 to August of 1994, Clinton made more public appearances in support of health care than for any other policy, including a combined category of the economy, budget and taxes (see Jones 1999, Table 12, 92). Yet the decision to devote all his efforts into the bully pulpit neglected the requisite supplement of lobbying Congress. Since health care reform never reached a vote, we cannot determine the level of intraparty support.

Considering Majority Leader Mitchell declared the measure dead in December of 1993, as well as Speaker Foley’s previously mentioned concerns falling on deaf ears with the White House, it seems safe to say that reforming major social policy requires extensive lobbying and bargaining simply to secure support from a president’s own party leadership. Indeed, George W. Bush was similarly unsuccessful in even securing a vote on the major policy initiative at the beginning of his second term (for Social Security reform). This indicates on such an extensive and complicated policy area, consultation

with, and lobbying of, even a president's own congressional party leadership is an essential presidential tool Clinton failed to employ.

Government Shutdown: 'Blame-Game' Politics

The government shutdown between 1995 and 1996 was the culmination of a budget dispute between the new Republican Congress and President Clinton that effectively started the moment the 104th Congress was sworn into office. Fenno (1997) describes the new Republican majority led by Speaker Newt Gingrich as naively intransigent in budget negotiations, adopting a strategic posture of "confrontational partisanship" that Fenno views as the result of inexperience on behalf of a party that had not been in the majority in the House in 40 years (39). Indeed, Gingrich reportedly told Clinton budget negotiator (and chief of staff) Leon Panetta, "Our strategy has not worked. We thought we could break you... We've got a failed strategy on our hands" (39). While Fenno's institutional view on the showdown illuminates the difficulty in converting from campaigning to governing for both the president and Congress, Gingrich's admission strongly suggests the Clinton administration was adept at lobbying and navigating Congress on a legislative battle with very high stakes.

Clinton's bargaining with Congress, however, was informed by repeated veto threats, as well as numerous actual vetoes on continuing resolutions in November and December by Clinton, that signaled Clinton was resolute in preventing the Republican Congress from instituting a budgetary framework that he perceived as unacceptably right-wing. This set the stage for the quintessential 'blame-game,' in which each side laid responsibility for the shutdown on the other's intractability in negotiations. In the end, Clinton successfully portrayed Republicans as immoderate and out of touch, as voters

blamed congressional Republicans over Clinton by a margin of 51 to 28 percent (Jones 1999, 130).

While strategic position taking and veto bargaining were crucial factors in Clinton emerging victorious from the dramatic showdown, his primary strategy in winning the blame game was ensuring his message and position were clearly articulated to the public by the use of the bully pulpit before the impasse reached the point of government shutdown. Clinton held two extended press conferences in a span of six days in October that focused almost solely on the budget negotiations. It is interesting that in the context of budget negotiations, which are an essential part of governing rather than a policy initiative, Clinton chose to transmit his message through the press rather than circumvent the media and appeal directly to the public in campaign-style speeches. When the government finally did shutdown initially on November 14, the president again issued remarks to the press corps or held a press conference on each of the first three days of the shutdown (*Public Papers*).

The logic of using the press during budget negotiations rather than direct public appeals is manifest. The majority of the electorate is not likely to be well informed on the details of the negotiations, so by engaging reporters at an unusually increased level, Clinton hoped his message would predominate in the media coverage. The notion of getting this message out early and often also appears to have solidified public attitudes, as the poll mentioned above was taken in early November. By the time of the lengthier second shutdown in December, the die was apparently already cast, and Clinton made few public appearances or statements regarding the shutdown until a deal appeared imminent around the New Year (*Public Papers*).

The government shutdown elucidates how a president can combat divided government by using a mix of tools to extract concessions and claim victory when facing an insurgent opposition.

Table 2: Key Statistics on Shutdown

Shutdown Vote	Intraparty Support - House	Interparty Support – House	Quarterly Approval
January 6, 1996	98.9 %	93.4 %	50 %
1995 Annual Rate	79.1 %	13.6 %	47.5 %

When in a defensive position, the president’s strategic veto bargaining and lobbying of Congress can be supplemented by taking the case to the public to ensure intraparty unity and attempt to win the blame-game. The president can exploit the inherent media advantages of the White House to win the public relations battle (Conley 2004, 151).

As Table 2 shows, Clinton enjoyed nearly unanimous support on the vote to end the shutdown; House Democrats approved it by a margin of 186 to 2. The vote itself was overwhelming, the 401 to 17 outcome suggesting the Republican Congress capitulated in the stalemate. The Senate passed the measure by voice vote. The annual rate statistics are given for 1995 because most of the legislative battle over the budget occurred during this year, despite the early 1996 vote given. Once again, the president’s quarterly approval ticked up from 46 to 50 percent from the third to fourth quarter in 1995 (the first quarter average for 1996 was also 50 percent), when the budget battle began in earnest. More importantly, the beginning of 1996 marked a steady increase in Clinton’s popularity throughout the rest of his presidency that only hit an inevitable snag with the Lewinsky scandal. This newfound success, and defensive strategic posture by the

president, would again be tested later in 1996 when the protracted battle on welfare reform reached its precipice.

Welfare Reform: Triangulation in Practice

Welfare reform had been on President Clinton’s and the Republican Congress’ agenda for quite some time by the summer of 1996. Indeed, welfare reform had ostensibly been on Clinton’s agenda since the beginning of his presidency (Jones 1999, 76). The president vetoed a reform bill that passed through the legislature without a single Democratic vote in January of 1996. With reelection on the horizon, both parties wished to pass a piece of major legislation to demonstrate productivity to the electorate. Clinton, typically, took to the public, decrying the Republicans’ reform bill as “tough on children” and unable “to move people from welfare to work” (Conley 2004, 152). With popularity Clinton’s primary goal so close to an election, any concessions that he could extract from Republicans in order to claim a bipartisan compromise was reached would be sufficient.

Table 3: Key Statistics on Welfare Reform

Welfare Vote	Intraparty Support - House	Intraparty Support - Senate	Interparty Support- House	Interparty Support- Senate	Quarterly Approval
July 31-Aug. 1, 1996	50 %	54.3 %	99.1 %	100 %	57 %
1996 Annual Rate	73.3 %	75.4 %	50 %	40.9 %	54.5 %

The resulting deal reached in July of 1996 enraged the liberal base of his party, but this was likely a welcome development to Clinton. By drawing the ire of the left, Clinton was able to portray himself as the centrist conciliator of common sense policy

(Foley 1999, 37). Moreover, the deal took away a campaign issue from his opponent, Bob Dole.

As Table 3 shows, Clinton used strategic interparty bargaining to weather considerable defections from his party in Congress. House Democrats voted an even 98-98 on the measure, while Senate Democrats provided little more support. With his approval at an all-time high and well over 50 percent, Clinton could afford to offend his base on this specific policy as members of Congress are not likely to abandon wholly or speak out against their party's president when he is popular and an election is on the horizon. This example implies an interaction between the various factors influencing presidential success. When a president is considerably popular, intraparty support is not as essential, particularly under divided government. Furthermore, the symbiotic relationship between veto bargaining and going public is again demonstrated in this divided government case, just as it was during the government shutdown. While the above four major legislative battles help clarify the relationship between non-institutional and institutional factors in affecting presidential success, an analysis of quantitative annual rates of the respective variables can aid in understanding how these factors impacted Clinton's policymaking success throughout his presidency.

Quantitative Data and Analyses

As a reminder, the dataset that I have composed has considerably fewer data points than the traditional analysis of presidential success rates, which usually focuses on a president's aggregate legislative box score on all, or all conflictual, roll call votes. Instead, I analyzed all "key votes" as defined by the annual *CQ Almanac*. These data collection only elicit around 15 to 20 key votes per year; hence the results are more

vulnerable to being skewed by outliers. For example, Clinton’s drastically low intraparty support scores for the NAFTA vote, a *CQ* key vote, will affect his annual intraparty support score for 1993 much more than if aggregate votes were analyzed. Moreover, while I have determined bivariate Pearson coefficients measuring the correlation between each independent variable and presidential success rates, these results should be viewed as only a precursor to Chapter 6 for two reasons.

Table 4: Annual Rates of Presidential Success and Non-Institutional Variables

Year	Presidential Success	Lobby Success	Lobby Rate	Public Approval
1993	77.8 % (14/18)	77.8 % (7/9)	50 % (9/18)	48.6 %
1994	68.8 % (11/16)	77.8 % (7/9)	56.3 % (9/16)	46.4 %
1995	47.8 % (11/23)	60 % (3/5)	21.7 % (5/23)	47.5 %
1996	72.2 % (13/18)	100 % (6/6)	33.3 % (6/18)	54.5 %
1997	60 % (9/15)	100 % (4/4)	26.7 % (4/15)	58.3 %
1998	57.1 % (8/14)	75 % (3/4)	28.6 % (4/14)	63.7 %
1999	53.3 % (8/15)	60 % (3/5)	33.3 % (5/15)	61.2 %
2000	73.3 % (11/15)	100 % (5/5)	33.3 % (5/15)	59.9 %
Pearson Coefficient (r) with Presidential Success		.629*	.667*	-.209

* $P < .10$

First, the ‘N’ is very small as I am only analyzing the eight years of Clinton’s presidency. Second, no control variables have been instituted to evaluate potential mitigating factors in the relationship. Table 4 shows the annual success rates compared

with the annual rates of the non-institutional variables of lobbying and public approval, as well as the Pearson correlation coefficient of each variables' relationship with success rates. Perhaps the first aspect of these data to emphasize is the presidential success rates themselves. To reiterate a point made in Chapter 3, compared to aggregate presidential box scores, these results show less variance than the overall success rates reported in the box scores. The high aggregate success rates Clinton enjoyed in his first two years in office are mollified here. Conversely, the very low overall box scores Clinton endured in the 104th Congress appear to have been mitigated, as his key vote success rate is considerably higher than the overall rates. Clinton's success rate in 2000 is also especially high under divided government.

Turning to the independent variables, Clinton's rate of lobbying during key votes is substantially higher under unified than divided government. This conforms to the unified government hypothesis (H2) and remains intuitive, as a president is more likely to pursue his own initiatives with his party in control of Congress. However, the lobby success rate (meaning how successful the president is on votes in which he chooses to lobby) is not dependent on the type of government. In fact, Clinton enjoyed a 100 percent lobby success rate in three of the six years under divided government. This finding suggests under divided government, the objective of the president should be to identify the few instances in which his efforts to become actively involved in the legislative process can yield the best results. The correlation coefficients for both lobbying variables are also statistically significant at $P < .10$ levels, indicating strategic agenda setting can be integral to policymaking success.

Public approval, on the other hand, does not approach statistical significance, as well as showing a negative relationship with success rates. This finding is not surprising when viewing the data. Clinton notoriously got off to a slow start with the public, and the first two years show some of his lowest (not counting 1995, *the* two lowest) annual approval rates of his presidency. Conversely, he enjoyed his highest levels of approval in 1998 and 1999, two of the three lowest success rate years. These findings make clear that approval has no statistically significant impact on success rates even when only examining presidential success on key legislation. Indeed, the results seem to imply Clinton's approval almost had a negative effect on success.

Table 5 compares success rates with the institutional variables. The most interesting finding here is that none of the intraparty support scores significantly correlate with presidential success. This result does not dispute the seminal work of Bond and Fleisher (1990). Again, the sample size is very small. The results do imply that Clinton's triangulation strategy often times put him at odds with significant blocs of his own party in order to ensure legislative success, at least on the key policy initiatives that reached a floor vote. The veto bargaining variables, veto success and rate, also fail to reach statistical significance but this should be expected. The presidential veto is a tool usually used under divided government (as was the case with Clinton), and success rates are inherently lower when facing an opposition party in Congress.

What is interesting to observe with the veto variables is 1997, when Clinton only made two veto threats and was unsuccessful in both (with one actual veto being overridden). Determining why 1997 does not conform to the general results of the other years under divided government is an intriguing endeavor. Perhaps it is due to 1997

being the year after his reelection, prompting Clinton to abandon his defensive posture and pursue policy initiatives more boldly despite the Republican Congress.

Table 5: Annual Rates of Presidential Success and Institutional Variables

Year	Presidential Success	Intra-party Support Overall	Intra-party Support House	Intra-party Support Senate	Veto Success	Veto Rate	Policy EOs	Cons. SSs
1993	77.8 % (14/18)	79.8 % (27)	77.1 % (14)	82.6 % (13)	-	-	42	6
1994	68.8 % (11/16)	74.3 % (20)	70.5 % (12)	79.9 % (8)	-	-	34	10
1995	47.8 % (11/23)	75.7 % (27)	79.1 % (16)	70.8 % (11)	62.5 % (5/8)	34.7 % (8/23)	28	7
1996	72.2 % (13/18)	74.3 % (23)	73.3 % (12)	75.4 % (11)	83.3 % (5/6)	33.3 % (6/18)	32	13
1997	60 % (9/15)	76 % (18)	71.7 % (8)	79.5 % (10)	0 % (0/2)	13.3 % (2/15)	30	11
1998	57.1 % (8/14)	79.9 % (16)	82.2 % (7)	78.2 % (9)	80 % (4/5)	35.7 % (5/14)	29	14
1999	53.3 % (8/15)	89.9 % (17)	86.9 % (9)	93.3 % (8)	66.7 % (2/3)	20 % (3/15)	27	12
2000	73.3 % (11/15)	82.8 % (15)	80 % (8)	86 % (7)	85.7 % (6/7)	46.7 % (7/15)	47	23
Pearson Coeff. w/Pres. Success	-	-.180	-.441	.148	.291	.411	.808 **	.227

** $P < .05$

Finally, the rate of issuing policy-oriented executive orders (Policy EOs in Tables 5) is statistically significant at the $P < .05$ level with a very high correlation coefficient.

This result may be an aberration; a classic example of correlation not equaling causality

because there is little theoretical basis to explain the link between more frequent use of policy EOs and increased legislative success rates. The focus of the executive orders statistics should be on the resulting different rates of issuance during unified as opposed to divided government. Contrary to the divided government hypothesis (H3), there does not appear to be an increased use of unilateral tools when encountering a hostile Congress. What deserves attention, however, is Clinton issuing his highest number of executive orders in his last year in office.

The year 2000 appeared to be a banner year for Clinton when examining this overall dataset. He achieved a 73 percent success rate under divided government (higher than his 1994 score under unified), had the highest rates of veto bargaining and subsequent success, had a perfect lobbying success rate, and enjoyed his second highest intraparty support scores. Based on these data, it appears President Clinton determined precisely how to exact his agenda just as he was leaving office. This could reflect a general indifference on the part of Congress towards a lame duck president, but it certainly calls into question Binder's (2000) description of the 106th Congress as "do-nothing" and "gridlocked" (16).

Conclusion

An examination of President Clinton's administration yields a few crucial conclusions about his presidency. The data appear to support the scholarly consensus that Clinton erred in his strategic agenda setting at the beginning of his presidency. The honeymoon period is the ideal time for a president to harness the non-institutional variables in order to affect significant policy change. Clinton's approval rating for his first two years, however, while hardly low enough to be debilitating, was insufficient to

combat the entrenched forces opposing his overly ambitious initiatives. In fact, his relatively low approval during this period could easily be perceived by opponents in Congress as reflecting public ambivalence regarding his policy agenda.

While this false start could very well have exacerbated the depth of the Republican takeover in 1994, it also appeared to convince the new Republican majority that Clinton was a particularly weak leader, leading congressional Republicans to pursue their agenda in an very aggressive manner while Clinton retreated to a defensive posture. Indeed, an evaluation of the government shutdown and welfare reform act indicate Clinton was particularly proficient at combining veto bargaining with a public relations battle in which he was inherently advantaged due to the institutional powers of the presidency and his own personal political skills. Thus, the decision by the Republican Congress to take the fight to the public effectively brought the legislative battle to favorable territory for Clinton. Future research should examine this relationship between going public and veto bargaining during divided government. Another avenue to consider based on these findings is how public approval interacts with going public on major legislative battles, as these variables appeared to coincide in three of the four cases examined.

CHAPTER 5: BUSH CASE STUDY

George W. Bush entered the presidency with a technical Republican unified government, when counting the Vice President's tie-breaking vote in the Senate, for the first time since Dwight Eisenhower. While this was short-lived due to Senator Jim Jeffords' leaving the Republican Party in June of 2001, Republican majorities in both chambers were solidified as a result of the 2002 mid-term elections. Bush enjoyed more time under unified government than any Republican president since World War II. Despite these advantages, Bush unquestionably entered office under difficult circumstances. Due to the contentious 2000 presidential election, the administration was only given 38 days of a transition period essential to preparing a president's legislative agenda before inauguration. Moreover, his loss in the popular vote to Al Gore undermined his legitimacy to many of his political opponents and the public alike (Edwards 2004, 17). As Pfiffner (2004) puts it, Bush entered office "with as little political capital as any president since Gerald Ford" (1).

Despite such difficulty, Pfiffner credits Bush's transition into office as one of the most efficient in recent memory. Edwards (2002) argues that Bush overcame these obstacles, recognized the limitations inherent in the political environment and developed an optimal strategic position in his relations with Congress. Despite the razor-thin majority in the Senate and a public still polarized by the election, Bush was able to get his signature legislation, a \$1.35 trillion tax cut, through Congress. In contrast to Clinton, Bush immediately set legislative priorities and moved quickly to enact them.

While Bush aptly capitalized on the opportunities that the environment presented to him (namely, uniting the Republicans behind tax cuts), Edwards argues Bush was

unable to galvanize his party in Congress on lower priority items on his legislative agenda. This forced him to make key compromises on his education and faith-based proposals in order to garner Democratic support. While there is a tendency to characterize Bush as steadfast to the point of uncompromising, even among scholars (Jones 2007), he displayed a clear willingness to compromise and bargain in the legislative arena early in his presidency. There was an inevitable shift, however, in Bush's relations with Congress following the September 11th attacks.

Lindsay (2003) observes a drastic shift in Bush's relations with Congress following 9/11. While perhaps intuitive, he highlights the overwhelmingly deferential nature of Congress to President Bush in the realm of foreign policy. A deferential posture by Congress in general is common following an event that clearly resulted in a rallying effect, demonstrated by Bush's record approval ratings following the attacks (Hetherington and Nelson 2003). In an analysis of Bush's legislative support during the 107th Congress, Rocca (2009) finds that Congress' unequivocal support did not linger very long. By 2002, Bush's congressional support had returned to pre-9/11 levels despite him still enjoying high approval ratings.

Scholarly appraisals of the post-9/11 Bush administration almost uniformly assert his relations with Congress devolved into intractable partisanship (see Edwards and King 2007; Jacobson 2008; Rockman 2004). Skinner (2009) characterizes the Bush administration as relying on nearly unprecedented levels of congressional partisanship in his efforts to enact his legislative agenda. This polarized posture appears ill-advised when considering Bush's legislative success drastically decreased. Indeed, Bush's reliance on his party in Congress backfired when congressional Democrats were able to

defeat Bush's proposed Social Security reforms, his first major legislative proposal following his 2004 reelection. Ross (2007) describes Bush's proposal as fatally flawed in large part due to the policy being shaped by polarizing conservative ideologues (422). Skinner (2009) contends the Bush administration continued to depend on congressional partisanship even after Republicans lost control of both chambers following the 2006 mid-term elections.

The polarization of the Bush presidency extended to the public as well. In a May 2004 *Gallup* poll, the difference between Bush's approval among Republicans and Democrats was 77 percent, an unprecedented level in the history of *Gallup* polling during a re-election year. It should come as no surprise, then, that the 2004 election saw the highest level of party-line voting in the 52-year history of the *National Election Studies* (Edwards and King 2007). Although the war in Iraq and many of Bush's domestic policy initiatives likely exacerbated this polarization, one must consider the context of his presidency. Considering ideological homogeneity seemed to be perpetually increasing both at the elite and mass levels (Theriault 2008), the question of how much responsibility for the polarized environment under his administration should be assigned to Bush must be considered. Thus, it is unclear whether Bush polarized his party, and subsequently the opposition, or if the direction of both parties necessitated his apparent polarizing stance.

Bush's efforts to reform immigration policy illustrate this conundrum. Bush supported a comprehensive immigration plan throughout his presidency. By 2007, a reform package had the support of Senate heavyweights on both sides of the aisle, including Harry Reid (D-NV), Ted Kennedy (D-MA), John McCain (R-AZ) and Jon Kyl

(R-AZ). Yet, in large part due to the efforts of the conservative base of Bush's own party, the legislation was ultimately defeated by June (Bash and Koppel 2007).

A review of the literature assessing Bush's presidency is almost a mirror image of the Clinton administration. While the latter faltered at the beginning only to once again earn his self-appointed nickname of 'the Comeback Kid,' Bush enjoyed considerable success early, even before 9/11, only to see both his popularity and legislative prospects precipitously decline later in his presidency. Scholarly appraisals highlight Bush's 2001 tax cuts, education reform and 2005 Social Security reform as crucial legislative battles in his presidency. While the 2007 immigration reform effort has received little scholarly attention, it will be examined here because it serves as an analogous case to Clinton's NAFTA battle, in which the president seized an initiative normally championed by the opposition.

The 2001 Bush Tax Cuts: Homogenizing Ideology

Despite his truncated transition, and undeterred by his lack of a popular mandate, Bush was determined to push his main agenda items immediately upon taking office. He officially transmitted his tax relief plan to Congress, the centerpiece of his honeymoon agenda, by February 8, only a few weeks after taking office (*Public Papers*). According to Jacobson (2008), the administration's strategy to shepherd a \$1.35 trillion tax cut through Congress was to remain steadfast and compromise as little as possible; only to pick-off the handful of moderate Democrats in vulnerable red states (meaning solidly Republican) in order to avoid a Senate filibuster (71-2).

Despite the common perception of Bush as a bumbling communicator compared to Clinton's renowned public relations prowess, the Bush White House resumed its

predecessor’s primary strategy of going public on key initiatives. His efforts, just as Clinton’s, have been referred to as “governing by campaigning,” and his travels stumping in support of his tax plan appeared to be aimed at demonstrating his popularity to constituencies of potential swing votes (Edwards 2004, 42). This type of targeting would exemplify the administration’s public relations campaigns throughout his presidency, emblematic of the “50-percent-plus-1” strategy (Edwards 2009, 199). In the case of the tax cuts, such a strategy made intuitive sense. Any political observer would be hard-pressed to identify an issue with more unanimous support among Republicans than cutting taxes, particularly during a period when the country was enjoying its fourth straight year of a budget surplus.

Table 6: Key Statistics on 2001 Bush Tax Cuts

Tax Cut Votes	Intraparty Support – House	Intraparty Support – Senate	Interparty Support - House	Interparty Support - Senate	Quarterly Public Approval *
March 8 (H), May 26 (S), 2001	100 %	95.8 %	4.8 %	27.9 %	58.3 % (Q1) 56.6 % (Q2)
2001 Annual Rate	83.8 %	75.8 %	37.3 %	48.8 %	66.4 %

* - Source: Gallup, calculated by author.

Indeed, as Table 6 shows, Bush enjoyed unanimous support among House Republicans, and near unanimous opposition among House Democrats, in an early March 2001 vote that *CQ* identifies as the key vote of the legislative process on Bush’s tax plan. Moreover, only two GOP Senators (Lincoln Chaffee and John McCain) voted against the conference report in late May that secured final passage (*CQ* did not define any of the numerous Senate votes on the tax cut plan as a key vote). This is especially impressive as

a handful of moderate GOP Senators, including Olympia Snowe of Maine and George Voinovich of Ohio, were considered to be on the fence in regards to the vote (Edwards 2004, 33). Bush could easily weather such minimal defections due to garnering twelve Senate Democratic votes, mainly from members residing in red states.

In addition, Bush maintained an approval rating above 55 percent in the first six months of his presidency, in contrast to Clinton. While Bush's popularity was actually historically below average for a post-war president's honeymoon period (Pfiffner 2004, 5), it is useful to juxtapose Bush's maintenance of a solid approval rating and subsequent success in his first half-year with Clinton's under-50 percent scores and subsequent bungling of legislative priorities. Although Bush exacted the cornerstone of his first year legislative agenda in securing tax cuts, the drastic party polarization seen in the House vote reflected polarization on the tax plan by the public at large. In a poll taken immediately after the March House vote, 85 percent of Republicans supported Bush's tax proposal. Conversely, over two-thirds of Democrats opposed his plan (Jacobson 2008, 70).

While this could indicate the aforementioned polarizing effect of the Bush administration preceded 9/11 and the Iraq War, a simpler explanation is that tax policy represents one of the few crucial and distinct cleavages between the two parties. On the other hand, Hacker and Pierson (2005) contend the Bush tax cuts represent a distinct shift to the right and abandonment of the political center on the part of the administration. Interestingly, the authors contend the Bush administration succeeded in enacting a plan at odds with public opinion by using sophisticated "message control" in their public relations campaign (33). Regardless, Bush acted as the prototypical 'facilitator'

(Edwards 1989) in passing his tax cut plan, recognizing a fleeting opportunity of tenuous unified government. By utilizing his non-institutional influences of high popularity and a targeted public relations campaign, Bush achieved the proverbial Holy Grail for modern Republican presidents: significant and long-term tax cuts.

Such a victory earned Bush substantial goodwill among his conservative base. This would prove useful to Bush, as his other major first-year agenda item (education reform) was not particularly popular with the party faithful, including many conservative Republicans in Congress (Jacobson 2008, 72). The Bush administration acted quickly, however, determined to capitalize on the political capital earned by their victory in their first legislative showdown.

No Child Left Behind: ‘The Decider’ Decides to Compromise

Further illustrating the Bush administration’s razor-sharp focus and exemplary strategic agenda-setting, Bush invited 20 members of Congress to Austin (the Texas headquarters for the President elect) mere days after the Supreme Court confirmed his electoral victory to discuss education policy. Only three days after his inauguration, Bush delivered a 30-page legislative blueprint to Congress dubbed the “No Child Left Behind Act” (*Public Papers*). Strategically, this was an excellent two-pronged attack. Bush famously campaigned as a ‘compassionate conservative.’ His rigid posture on tax cuts solidified his conservative credentials; but it was his education reform plan, along with his controversial faith-based initiatives, that articulated the compassionate aspect of his campaign.

Moreover, Bush’s hands-off approach to negotiating the details of the plan with congressional leaders was actually a prescient lobbying tactic. In contrast to Clinton’s

failed health care plan, Bush’s intraparty leadership in Congress did not insist the administration produce a complete bill. This allowed administration officials to have sufficient latitude in order to negotiate with Blue-Dog Democrats and even court the liberal lion Ted Kennedy. Reminiscent of Clinton’s ploy on welfare reform, Bush’s primary priority appeared to be claiming credit for a major bi-partisan agreement. Indeed, as one Democratic staffer observed, “This was great political strategy... The White House had orders: don’t get bogged down in details” (Rudalevige 2003, 66).

Table 7: Key Statistics on No Child Left Behind

NCLB Votes	Intraparty Support - House	Intraparty Support - Senate	Interparty Support - House	Interparty Support - Senate	Quarterly Public Approval
May 22 (H), June 14 (S), 2001	76.1 %	87.8 %	42.8 %	96 %	56.6 %
2001 Annual Rate	83.8 %	75.8 %	37.3 %	48.8 %	66.4 %

Of course, garnering at least some bi-partisan support was a mathematical necessity as well. An amendment introduced by Congressman Pete Hoekstra (R-MI) attempting to eliminate annual reading and math tests promised to derail the compromise. *CQ* presents the May 22 vote on the Hoekstra amendment as a bell-weather for the bill’s ultimate prospects. Table 7 shows enough Republicans (52) favored the measure to necessitate at least 50 Democratic votes in order to kill the amendment. Bush acquired more than enough Democratic support, over 40 percent (89 nay votes), and White House negotiators also defeated conservative efforts to add school vouchers to the legislation (Rudalevige 2003). By the time the Senate voted on a version of the bill in June, the reform plan enjoyed near-unanimous support, ultimately passing 91 to 8.

In contrast to his pursuit of tax cuts, Bush did not embark on a major public relations campaign to pressure Congress on No Child Left Behind. In fact, the only public remark made on the legislation by Bush from April through June was a brief statement of encouragement when it was voted out of committee on May 9 (*Public Papers*). Instead, Bush relied on subordinates to conduct an intense lobbying campaign to broker a deal with leading Democrats. Likely not a coincidence, the White House efforts were led by Sandy Kress, an education policy wonk, who happened to be a member of the Democratic Leadership Council. Despite the legislation being held up in conference until December, Bush wisely refrained from resorting to the bully pulpit, which would only garner the attention of interest groups opposing the bill. Rather than reigniting the battle by going public, the administration allowed the conference committee to quietly hammer out myriad details that are inherent in any comprehensive social policy (Rudalevige 2003, 68).

When taking into account the chaotic and extremely partisan environment that Bush encountered when taking office, his legislative accomplishments in the first six months are nothing short of extraordinary. His administration successfully navigated Congress to enact arguably the top two items on his policy agenda. The Bush White House achieved such success by harnessing the appropriate tools at the president's disposal dependent on the circumstances and legislative landscape. Furthermore, by electing to lead off his legislative agenda with tax cuts, he maximized the potential of razor-thin majorities in Congress to unify his party behind him with the exceptions of his chief political rival (McCain) and a man who recently ran for governor as an independent

(Chafee). Additionally, Bush utilized his unilateral powers to promptly enact another key aspect of his compassionate conservatism.

His first executive order as president enabled religious groups to receive federal funding for providing social services. His second established the White House Office of Faith-Based and Community Initiatives on the same day (EOs 13198-9, *Federal Register*). Of course, Bush's first year in office and the entirety of his presidency would be fundamentally altered by 9/11. Domestic policy initiatives took a decided backseat to the wars in Afghanistan and Iraq. Indeed, with the exception of the Medicare prescription drug benefit, Bush did not appear to have any major domestic priorities for the remainder of his first term. Yet after being re-elected, Bush resolved to embrace what is commonly referred to as the 'third rail' of American politics, Social Security reform.

Social Security Reform: When Going Public Goes Bad

Republican excitement following their victories in the 2004 elections was overwrought. In spite of Bush's clear focus on foreign and security policy since 9/11, the administration emerged from its 2004 victory with an ambitious domestic agenda that included revising the tax code, limiting litigation and reforming immigration policy (Edwards and King 2007, 21). At the top of the agenda was the most ambitious item of all, reforming Social Security to, in part, institute private accounts. Only ten years after Speaker Gingrich helped turn the Republican Revolution into a second term for Bill Clinton, the GOP was far too excited to observe the very recent historical lesson of political overreach. House Majority Leader Tom Delay spoke of a "permanent majority;" an aide for Karl Rove proclaimed private accounts could be "one of the most significant governing achievements ever" (Ross 2007, 422).

Ross (2007) thoroughly recounts the inherent difficulties of such an endeavor, plainly observing the administration had no mandate to reform Social Security, beyond the wishes of conservative think tanks, with the program remaining one of the most popular entitlements in the nation. Nevertheless, Bush unleashed one of the most expensive public relations offensives in history. In excess of \$50 million was spent on the president's going public effort, in large part funded by those same conservative think tanks (425). Bush reactivated his reelection campaign infrastructure of donors and activists, then assigned his top reelection strategists (Rove and Ken Mehlman) to spearhead the campaign. The main event, however, was the president's "60 Stops in 60 Days" tour promoting his proposal (Edwards 2009, 197).

The result of perhaps the largest going public campaign on a specific policy in American history was an equally momentous failure. Instead of persuading the public to his position in order to pressure Congress, at the end of Bush's 60 days more people thought private accounts were a bad idea (and less thought it was a good idea) than before the campaign started (Ross 2007, Figure 13.1, 424). Congress never seriously considered the plan. The theoretical approach of this study suggests after reelection, with fortified majorities in both chambers, an attentive public and presumably sufficient popularity; conditions are optimal to press the non-institutional tools of the presidency. So, why did going public seemingly have the opposite effect of its intended purpose?

First, it appears Bush's 50-plus-1 strategy finally caught up to him; despite securing a second term, his *Gallup* first quarter average in 2005 was comparatively low (51.3 percent). Second, and most importantly, as Kernell (1997) emphasizes going public is not reliant on quantity, particularly when entrenched interests (such as the AARP) can

mount a comparable counter-offensive and the public is firmly opposed to the president's policy preference. As Edwards (1989) would put it, Bush attempted to act as a 'director' rather than 'facilitator,' and the direction he wanted to go was opposite of the American public. In short, Bush replicated Clinton's mistakes in pursuing health care reform.

Thus began Bush's tale of two terms. After averaging over 60 percent approval in his first four years, Bush's poll numbers would never reach 50 percent following May of 2005 according to *Gallup*. Indeed, his popularity consistently and drastically declined with a protracted war in Iraq and economic turmoil at home. His presidency was largely relegated to a defensive posture, particularly following the Democratic takeover in the 2006 mid-term elections. Bush did have one major legislative battle left, however, in his struggle to pass comprehensive immigration reform.

Immigration Reform: Polarization's Effect at Work

The 2007 immigration reform plan had the support of the President, Senate Majority Leader, Speaker, the second and third ranking Republican Senators, the presumptive Republican nominee for the 2008 presidential election, and a majority of the American public (*ABC News/Washington Post*). One may wonder, then, how the measure failed to secure final passage. Generally, conservative talk radio is credited with its dismantling, by supporters and opponents alike (Weiner 2013). Opposition to the measure, however, came from the liberal base as well. The AFL-CIO opposed the plan based on objections to the guest-worker program (Weiner 2013). Accordingly, many liberal Senators voted against the deciding cloture vote on June 28, including Tom Harkin (D-IA), Sherrod Brown (D-OH) and socialist Bernie Sanders (I-VT).

Table 8: Key Statistics on Immigration Reform

Immigration Vote (Cloture)	Intraparty Support - Senate	Interparty Support - Senate	Quarterly Public Approval
June 28, 2007	32.4 %	68.8 %	34.2 %
2007 Annual Rate	75.2 %	32.5 %	33.6 %

The vote failed to even pass a bare majority, the final tally at 46 to 53. As Table 8 shows, the plan encountered more opposition from Republicans; 33 Democrats voted in favor compared to 12 GOP Senators. Bush made little effort to go public, but this was likely a good thing with his popularity very low at around 34 percent. The White House did actively lobby members of Bush's own party in Congress, but to no avail (*CQ Almanac* 2007). Bush's inability to rouse even a third of his party's support, in what is supposed to be the less radical chamber no less, elucidates how dismal approval ratings can be as debilitating to a president's policy agenda as the institutional constraint of facing large majorities of the opposition party.

The remainder of Bush's term largely entailed repeated vetoes of the reauthorization of funding for children's health insurance (SCHIP) and weathering the 2008 economic collapse. While Clinton managed to eventually navigate a hostile Republican Congress and enjoy high levels of popularity even following impeachment, Bush never recovered. The operative variable when comparing the two presidencies is manifest; one was in the midst of an economic boom while the other presided over the onset of the Great Recession.

Quantitative Data and Analysis

The annual data on the Bush presidency elicit very little statistically significant correlations with the dependent variable, his success rates. This is likely due in part to the comparatively low success rates that Bush endured on key votes from 2002 to 2005, as discussed in Chapter 3. Despite enjoying high levels of popularity, intraparty support and unified government during most of the period, Bush could not muster even 50 percent success on key vote legislation in Congress in 2003 and 2004. While some may be quick to conclude this is an anomaly and accuse *CQ* of selection bias, there is an alternative explanation. As has been previously intimated, Bush's preoccupation with the War on Terrorism resulted in a president distinctly disinterested in the affairs on the Hill. As *CQ* themselves concluded at the end of his first term, "Bush's formula of remaining disengaged from Congress on many issues and using his political capital sparingly – but aggressively – has proven advantageous, allowing him to minimize his defeats" (Edwards 2009, 172).

Although Bush clearly did not minimize defeats concerning his stated position on key votes, it is entirely plausible that Bush remained disengaged on many of these measures, with the White House nominally taking the Republican position without exerting any of the tools of influence at the president's disposal. Indeed, Bush not only frequently delegated negotiations to his staff and Cabinet officials; he also relied on the Republican leadership in Congress to enact his legislative priorities, even when it came to national security policy. For example, in an extended battle on the reauthorization of the Patriot Act in 2005, Senate Majority Leader Bill Frist was tasked with negotiating with Democrat Pat Leahy in order to reach an agreement (*CQ Almanac* 2005, C-11). Frist did

secure a six-month extension to continue negotiating in December 2005, yet it should be noted Bush lost a key cloture vote that month. While Bush’s tactics may be a good way to preserve political capital, the Patriot Act was not officially reauthorized until March 2006, when the White House entered negotiations and subsequently won the vote 89 to 10.

Table 9: Annual Rates of Presidential Success and Non-Institutional Variables

Year	Presidential Success	Lobby Success	Lobby Rate	Public Approval
2001	78.6 % (11/14)	87.5 (7/8)	57.1 (8/14)	66.4
2002	63.6 (7/11)	100 (4/4)	36.4 (4/11)	72.2
2003	47.4 (9/19)	75 (6/8)	42.1 (8/19)	60.5
2004	42.9 (6/14)	100 (3/3)	21.4 (3/14)	50.8
2005	58.3 (7/12)	75 (3/4)	33.3 (4/12)	44.7
2006	71.8 (10/14)	100 (4/4)	28.6 (4/14)	37.9
2007	56.3 (9/16)	75 (3/4)	25 (4/16)	33.6
2008	56.3 (9/16)	85.7 (6/7)	43.8 (7/16)	30.0
Pearson Coeff.	-	.218	.517*	.184

* = $P < .10$

As Table 9 shows, the only non-institutional variable to significantly correlate with presidential success under Bush was his tendency to lobby Congress, or at least have subordinates lobby Congress. Moreover, his lobby success rate remained at a very high level throughout his presidency. There are two competing interpretations to these findings. The first is Bush critically erred in not taking a more active role in bargaining with Congress, as the data clearly indicate he was successful when doing so. Contrarily,

Bush may appear so adept at wrangling the legislative branch precisely due to this minimal activity. After all, this is the essence of Edwards' (1989) marginal theory, to recognize the precious few opportunities to affect change and facilitate the enactment of main agenda items.

Although this may be the case, the limited unit of analysis in this study yields insufficient observations to reach a conclusion. Clinton did tend to lobby Congress more than Bush, but the difference is slight. Clinton was coded as lobbying Congress on key votes 48 times (out of 134 opportunities, 35.8 percent) throughout his presidency to Bush's 42 (out of 126, 33.3 percent). Turning to public approval, it once again fails to reach statistical significance, although at least the correlation coefficient is in the positive direction. This is somewhat surprising considering the low success rates early in Bush's tenure juxtaposed with very high popularity. Moreover, Bush managed a 71 percent success rate in 2006, his second highest score, despite his approval down in the thirties. Similar to Clinton, approval surprisingly appears to have a pronounced negative relationship with legislative success in certain years.

Table 10 shows no statistically significant relationship between any of the institutional variables and success rates under Bush. Intraparty support again fails to reach statistical significance in any of its three measures. In general, Bush maintained high levels of intraparty support until he reached his nadir in his final year. This suggests Republicans indeed are the disciplined party, and also provides further evidence for the perpetually increasing ideological homogeneity of parties in Congress. Bush enjoyed a 90 percent support score in 2006 despite enduring a 38 percent approval rating. While

intraparty support failed to reach statistical significance, it is safe to suggest party loyalty had an impact on Bush's high success rate in his last year of unified government.

Table 10: Annual Rates of Presidential Success and Institutional Variables

Year	Presidential Success	Intra-party Support OVR	Intra-party Support House	Intra-party Support Senate	Veto Success	Veto Rate	Policy EOs	Cons. SSs
2001	78.6 % (11/14)	80.7 (18)	83.8 (11)	75.8 (7)	-	-	34	26
2002	63.6 (7/11)	93.5 (14)	95.4 (8)	90.9 (6)	-	-	23	18
2003	47.4 (9/19)	86.8 (22)	90.2 (9)	84.3 (13)	71.4 (5/7)	36.8 (7/19)	26	28
2004	42.9 (6/14)	78 (17)	73.7 (7)	81.1 (10)	100 (1/1)	7.1 (1/14)	32	24
2005	58.3 (7/12)	83.1 (17)	84.8 (8)	81.6 (9)	100 (1/1)	8.3 (1/12)	18	22
2006	71.8 (10/14)	89.9 (16)	93.8 (7)	86.9 (9)	100 (1/1)	7.1 (1/14)	16	18
2007	56.3 (9/16)	79.1 (19)	82 (11)	75.2 (8)	80 (4/5)	31.3 (4/5)	21	20
2008	56.3 (9/16)	60.1 (22)	55.6 (13)	66.7 (9)	0 (0/4)	25 (4/16)	26	24
Pearson Coeff.	-	.245	.333	.056	.070	-.303	-.110	-.317

As expected, neither of the veto variables reached statistical significance. Bush strangely had three consecutive years issuing one successful veto threat on a key vote. Even omitting those data, the bivariate correlation remains statistically insignificant. Also of interest is Bush's seven veto threats issued in 2003, a year in which he conceivably would have enjoyed the fruits of the 2002 midterm elections and rally effect of the beginning of the Iraq war. These veto threats were largely on minor policies that likely received little attention from Bush, such as labor overtime pay, privatization of

federal employees and media ownership. Two of note, however, are a veto threat to maintain the travel ban to Cuba and an amendment by Evan Bayh (D-IN) on funding for Iraq reconstruction.

Bush's zero percent success rate on four veto threats in 2008 once again exemplifies the crippling effect of abysmal approval ratings, as at that point even his party had abandoned him. In 2008 he garnered only 55 percent intraparty support in the House, the lowest rate in all 16 years under study and only annual rate under 70 percent (along with his overall and Senate intraparty support scores for 2008). Contrary to popular belief, Bush did not issue more policy-based (or non-policy based, for that matter) executive orders than Clinton based on this study's dataset. Clinton issued 269 policy EOs while Bush issued 196. Moreover, Bush did not appear to increase his issuance of policy EOs in his last two years under divided government either, contradicting the divided government hypothesis (H3). The same finding emerges in regards to his tendency to make substantive signing statements, although he did make significantly more constitutional statements than Clinton, 182 total compared to only 96 for Clinton.

Bush's use of signing statements will receive more attention in the following chapter, but in his own research examining the relationship between institutional variables, Marshall (2012) found a statistically strong correlation between veto threats and constitutional signing statements in the Bush administration. Of the bills that eventually passed following veto bargaining, over 80 percent also included a constitutional signing statement from 2001 to 2006 (the rate declined to 19 percent in his last two years in office). The relationship was even more pronounced when focusing

solely on appropriations legislation; every appropriations measure that underwent a veto threat and was ultimately passed included a constitutional signing statement from 2003 to 2006 (194-5, Tables 10.1-2). While cross-referencing veto threats with substantive signing statements within key votes in this study yielded minimal results, Marshall's findings strongly suggest that presidents can combine institutional powers to achieve policy priorities.

Conclusion

President Bush's legacy is inexorably bound to the wars in Iraq and Afghanistan and the continued conflict with Muslim extremists. Although Bush's bargaining ability with Congress is frequently discounted in extant literature due to the common perception that his leadership style is anathema to the qualities necessary when participating in the legislative arena, the findings here suggest otherwise. The legislative success early in his presidency contradicts this assumption, but the effect of 9/11 on Bush's priorities and conception of his role as chief executive helps elucidate a shift in his attitude towards Congress. Indeed, when researching *CQ's* summaries of key votes, it is striking how often Bush's advisors are featured when describing the White House's lobbying efforts. While it may not be surprising that Vice President Cheney and Senior Advisor Karl Rove are frequently mentioned, lesser-known figures such as EPA chief Christine Todd Whitman and Deputy NSA Director Stephen Hadley are also cited as heading the administration's negotiations on major initiatives in their respective policy areas (*CQ Almanac* 2001-8).

In contrast, Clinton's aides were never mentioned in *CQ's* write-ups, with the exception of Vice President Gore. Clearly, Bush preferred to delegate when it came to

negotiating with Congress. This is not particularly surprising, Republican presidents are typically portrayed as detached and imperial by scholars and the media alike, with Reagan as the shining example. Moreover, foreign policy was plainly Bush's focus following 9/11. Perhaps the partisanship seen in Congress under his presidency was in part a result of not only a willing, but also a strategic, deference to his party in Congress on domestic policy. To put it simply, it is possible that Bush decided to disengage on many policy priorities because the intractability of a polarized opposition often rendered his presidential tools inert, as evidenced by the low success rates on key votes during a period (2002-2005) in which most presidents would presumably aggressively press their advantage and pursue their agenda.

While such a notion hardly conforms to the resoundingly resolute caricature of Bush propagated by opponents and supporters alike, his early efforts on education policy and tax cuts imply a discerning Washington insider rather than an unassuming, naive Texan. More importantly, if deference to one's party in Congress is part and parcel of the political calculations and stratagem of chief executives, then the scope and nature of presidential power and presidential-congressional relations has been dramatically altered by the polarized era.

CHAPTER 6: QUANTITATIVE RESULTS AND DISCUSSION

Due to the limited time frame under study, incorporating all six quantitative independent variables, along with an economic control, into an estimated regression model produces unreliable findings. With the ‘N’ being only 16 years, regressions with more than five independent variables yield astronomically high R-squared figures and standard error estimates. This can be mitigated, however, by omitting the unitary tools of executive orders and signing statements. After all, there is little theoretical basis for an increased usage of these tools affecting increased policymaking success for the president in Congress, although the divided government hypothesis (H3) implies a connection between increased issuance of unitary policymaking tools and overall policymaking success for the president during these periods. This will be explored later in the chapter.

First, as an extension of the results reported in the case studies, bivariate correlations of each independent variable and presidential success throughout all 16 years under study can give us a first glance at the initial effect of the variables. Table 11 shows that only lobby rates have a statistically significant relationship with presidential success. Lobby success approaches statistical significance, indicating both the strategic choice of lobbying for certain priorities and a president’s ability to persuade Congress remain integral to successfully achieving presidential policymaking priorities. Interestingly, executive orders also approach statistical significance with presidential legislative success. Such a finding suggests a contradiction with one of Howell’s (2003) major premises, that presidents use unilateral powers more frequently due to the gridlock endemic of Congress in the current polarized era.

Table 11: Bivariate Correlations of Overall Dataset

	Presidential Success
Intraparty Support (Overall)	.070 (.796)
Lobby Success	.378 (.149)
Lobby Rate	.571** (.021)
Public Approval	.114 (.675)
Veto Success	.113 (.727)
Veto Rate	.150 (.641)
Policy Executive Orders	.400 (.124)
Constitutional Signing Statements	-.169 (.533)
Unified Government	-.031 (.910)

** = $P < .05$, P levels in parentheses.

If increased rates of issuing executive orders correspond with increased success in the legislative arena, clearly congressional gridlock is not the cause of more frequent presidential unilateral action. Instead, these findings imply Warber (2006) is accurate in describing the use of unilateral tools as a strategic consideration by the president; the tendency to enact such tools should increase when the presidency enjoys favorable conditions with both Congress and the public. This makes intuitive sense, as Congress is less likely to challenge unilateral actions when the president is relatively strong and is also actively working with Congress, as indicated by an increase in legislative success. While such an interpretation of the data may be an overstatement, as executive orders do not quite reach the minimum level of significance with presidential success ($P < .10$), the

results indicate that further exploration of the relationship between the two variables is warranted.

Table 11 also shows that the presence of unified government had no impact on legislative success during the Clinton and Bush presidencies. When considering Clinton's impressive success rates later in his presidency despite a Republican Congress and the aforementioned low success scores for Bush early in his presidency despite enjoying unified government, this result corresponds with the data. Yet it is still somewhat surprising that the very intuitive expectation of increased legislative success when a president commands majorities in both chambers not only fails to reach statistical significance, but the direction of the relationship is slightly negative, contrary to the theoretical expectations of this study. Effectively, there is no discernible difference on the success rates of these two presidents when comparing unified with divided government.

In addition to bivariate correlations with the dependent variable, the theoretical framework and findings suggest interactions between the president's policymaking tools. Table 12 shows bivariate correlations between each independent variable, with five relationships reaching statistical significance. Intraparty support correlates with both public approval and veto success at high levels. Public approval's relationship with intraparty support lends credence to its description as a type of antecedent variable (Edwards 1989), in that high levels of popularity provide the president with the opportunity to intensify certain sources of influence, such as legislative bargaining, the bully pulpit and unifying his party in Congress. It also is intuitive; when the president is popular, his party is more inclined to support his initiatives.

Table 12: Bivariate Correlations Between Independent Variables

		IPSOVR#	LobSuccess	VetoSuccess	Approval	Econ	UnifiedGovt	PolicyEOs	Sign.State
Intraparty Support – Overall	Pearson Correlation	1	.013	.636**	.532**	.258	.176	-.227	.026
	Sig. (2-tailed)		.963	.026	.034	.334	.515	.398	.923
Lobby Success	Pearson Correlation	.013	1	-.003	.135	.054	-.002	.153	.295
	Sig. (2-tailed)	.963		.992	.617	.843	.995	.571	.267
Veto Success	Pearson Correlation	.636**	-.003	1	.116	.010	.506*	-.083	.134
	Sig. (2-tailed)	.026	.992		.720	.976	.093	.798	.679
Public Approval	Pearson Correlation	.532**	.135	.116	1	.501**	-.274	.323	-.024
	Sig. (2-tailed)	.034	.617	.720		.048	.304	.223	.930
Economic Control	Pearson Correlation	.258	.054	.010	.501**	1	-.667***	.290	.015
	Sig. (2-tailed)	.334	.843	.976	.048		.005	.277	.957
Unified Government	Pearson Correlation	.176	-.002	.506*	-.274	-.667***	1	-.105	.070
	Sig. (2-tailed)	.515	.995	.093	.304	.005		.698	.796
Policy Executive Orders	Pearson Correlation	-.227	.153	-.083	.323	.290	-.105	1	-.187
	Sig. (2-tailed)	.398	.571	.798	.223	.277	.698		.489
Constitutional Signing Statements	Pearson Correlation	.026	.295	.134	-.024	.015	.070	-.187	1
	Sig. (2-tailed)	.923	.267	.679	.930	.957	.796	.489	

* = Correlation is significant at the 0.10 level, ** = Correlation is significant at the 0.05 level.

*** = Correlation is significant at the 0.01 level, # - IPSOVR = Overall Intraparty Support, abbreviated for space considerations.

The relationship between intraparty support and veto success indicates veto bargaining is optimal when the president's party in Congress remains unified. Also intuitive, this finding elucidates the strategic choice to engage in veto bargaining with Congress; this institutional tool is best used in policy areas in which the president's party has high levels of ideological homogeneity.

Approval is also strongly correlated with the state of the economy; another intuitive finding that conforms to the common understanding of variance in approval ratings (see Burden and Mughan 2003). The economic variable's very strong, significant and negative relationship with unified government is more intriguing. While there is essentially no plausible theoretical basis for either measure impacting the other, this relationship demonstrates that during the Clinton and Bush presidencies, the economy happened to be in a poor state when each president enjoyed unified government. This is likely the key factor affecting the lack of a relationship between united government and presidential legislative success. A president encounters more difficulty enacting his agenda under poor economic conditions, especially considering the likelihood of subsequent low popularity.

Finally, veto success is significantly correlated with unified government as well. This is almost certainly a reflection of Bush's 100 percent success rates in three years under unified government. Of course, those scores are based on only one veto threat per year that successfully blocked the legislation in question. Thus, this relationship is heavily influenced by the unusual circumstance of *CQ* including one key vote with a successful veto threat during this period, and should not be interpreted as a valid relationship between veto bargaining and unified government.

With the initial bivariate relationships understood, attention is now turned to constructing multiple regression models that incorporate as many independent variables as possible without skewing the results. To construct a model with both non-institutional and institutional variables, certain data must be omitted. Both lobbying and veto rates will not be incorporated into the statistical analysis. There are two reasons for their omission. First, limiting each policy tool to only one variable in the model allows for more presidential tools to be included with the aforementioned limitations due to the low 'N'. Second, the theoretical expectations for each variable's rate of usage have already been met. The dataset of this study shows veto rates almost always increased under divided government; hence including them in a model with presidential success as the dependent variable has little merit. In terms of lobby rates, the data presented in both the Bush and Clinton case studies clearly demonstrate each president was more inclined to lobby Congress during unified government and particularly during their first year in office. Indeed, when correlating lobby rates with a honeymoon dummy coded one for 1993 and 2001 and zero for all other years, the two correlate at $P < .01$ level with a Pearson coefficient of .618.

Also of note, the overall intraparty support score will be used in the estimated regression analyses as it measures both chambers' presidential support from his party in Congress. Since all three intraparty support scores are very highly correlated with each other, the difference in the statistical findings when substituting House or Senate intraparty support scores for the overall measure is negligible. Indeed, the correlation coefficient (R) between overall intraparty support and intraparty support within the House is .956; and the overall score's correlation with the Senate intraparty support score

is .877. Moreover, the Senate and House scores correlate with each other at .704; all three of these correlation coefficients are significant at the .01 level.

Table 13 shows the results of four models incorporating the non-institutional variables of lobby success and public approval and the institutional variables of veto success and intraparty support in Congress. Model 1 includes intraparty support. Due to the potential of multicollinearity between intraparty support and both approval and veto success caused by their respective high correlations, Model 2 substitutes a unified government dummy variable for intraparty support.

Table 13: Multiple Regression Coefficient Estimates on Presidential Success

	Model 1	Model 2	Model 3	Model 4
Lobby Success	.352* (.154)	.348* (.158)	.489*** (.064)	.484*** (.071)
Public Approval	-.350 (.257)	-.322 (.256)	.032 (.088)	-.027 (.141)
Veto Success	.028 (.094)	.050 (.092)	.113** (.032)	.105* (.037)
Intraparty Support – Overall	.113 (.446)			
Unified Government		-.008 (.087)	2.380*** (.334)	2.291*** (.398)
Economic Control	.667* (.281)	.652 (.413)		.115 (.202)
Unified and Lobby Success Interaction			-.559** (.150)	-.549** (.166)
Unified and Approval Interaction			-2.272*** (.317)	-2.136** (.422)
Unified and Veto Success Interaction			-.969* (.219)	-.937** (.247)
R-Squared	.661	.658	.972	.975
Adjusted R-Squared	.379 (.079)	.373 (.079)	.923 (.028)	.908 (.030)

* $P < .10$, ** $P < .05$, *** $P < .01$. Coefficients are unstandardized, standard errors are in parentheses.

This substitution is based on the assumption that the president and his party in Congress should engage in more coordinated efforts under unified than under divided government in order to enact key provisions of their party's platform. Also, an economic variable is included to control for the potential of presidential success being dependent on the state of the economy.

To test the unified government hypothesis (H2), Models 3 and 4 include interactive variables multiplying the unified government dummy variable with lobby success, public approval, and veto success, respectively. By including these measures in the model, the results demonstrate how these variables impact presidential legislative success under unified government as opposed to divided government. The results of the first two models vary only slightly. Neither veto success nor intraparty support approach statistical significance. While the former conforms to the divided government hypothesis (H3), as presidential success rates tend to be lower when veto bargaining is used, once again truncating success rates to only key votes evaporates the strong relationship between intraparty support and success. Similarly, public approval once again fails to reach significance and is even in the negative direction in the first two models as was the case in the bivariate correlation under Clinton. This is the third reminder that public approval does not impact success at the aggregate level, at least in the current age of polarization.

Lobby success remains statistically significant for Models 1 and 2, indicating its impact on a president's policymaking success. This is the only quantitative evidence in the first two models of Table 13 supporting the primary hypothesis of this study (H1) that non-institutional variables maintain an effect on success when incorporating institutional

factors. These findings strongly support Beckmann's (2010) work on strategic agenda setting and lobbying of Congress. While the comprehensive models constructed by both Bond and Fleisher (1999) and Shull and Shaw (1999) emphasize the partisan makeup of Congress as the key factor on presidential policymaking success, when focusing on major legislative initiatives, a president's ability to successfully negotiate with congressional leaders remains essential to enacting his agenda. Finally, the economic variable has a strong and significant relationship with success in Model 1, and also approaches significance ($P = .165$) in Model 2. This indicates its inclusion as a control on success rates was justified.

As previously mentioned, Models 3 and 4 include interaction variables between three factors and unified government in order to demonstrate their effect on presidential success when encountering both unified and divided government. The three interactive terms show the correlations on presidential success under unified government for lobby success, approval and veto success, respectively. Conversely, the results of the three variables at the top of Table 13 show their respective correlation on success under divided government. This was done to test the unified government hypothesis (H2) for lobby success and approval; as well as the divided government hypothesis (H3) for veto success. Model 4 includes the economic control, which is omitted from Model 3. It is neither statistically significant nor substantively alters the findings of Model 3.

Interestingly, the findings of Models 3 and 4 contradict H2, as both lobby success and public approval show a statistically significant impact on presidential success under unified government (the interaction terms), yet the relationship is negative as opposed to an expected positive relationship (H2). Regarding approval's negative relationship, this

is likely due to its aforementioned correlation with the economy; and the economy's subsequent negative relationship with unified government. While this again demonstrates the limitations of the dataset, it also further supports the assertion that public approval does not impact presidential success at the aggregate level. The negative relationship of lobby success on presidential success under unified government is a much more intriguing finding. Models 3 and 4 show lobby success also has a strong, significant and positive relationship with presidential success under divided government.

Although such results suggest the unified government hypothesis (H2) should be rejected, they also demonstrate Edwards' (1989) marginal thesis quite eloquently. As detailed in Chapters 4 and 5, both Clinton and Bush were especially adept at only actively lobbying Congress on a handful of initiatives when in a defensive position. Particularly for Clinton, this happened frequently when facing divided government. Thus, these results articulate Edwards' central premise that non-institutional variables should only be activated sparingly, perhaps even when the president enjoys party majorities in both chambers in Congress. Finally, the results show veto success largely conforms to the divided government hypothesis (H3), as veto success has a statistically significant negative relationship with presidential success under unified government and a corresponding statistically significant positive relationship under divided government.

These findings support Cameron's (2000) theory on veto bargaining, indicating veto bargaining is indeed an essential aspect of a president achieving legislative success under divided government (10). Furthermore, the negative coefficient of the interactive veto variable in Models 3 and 4 suggest Bush's veto threats while enjoying unified government from 2003 to 2006 were counterproductive to his efforts to enact his agenda

(Clinton made no veto threats on key votes during his two years of unified government). This informs the theoretical framework of this study in regards to when certain policy tools should be used. In the case of using the veto power to negotiate with Congress, the findings clearly indicate this should be reserved for periods when facing a majority opposition party in Congress.

By disaggregating the data, regression models can be estimated focusing on the non-institutional variables independent of veto success. While intraparty support or unified government should remain as controls on the non-institutional variables, omitting the veto variable may further elucidate their impact on success independent of the president's institutional tools. Moreover, omitting veto success allows for an incorporation of a honeymoon dummy variable (since there is no veto data in 1993 or 2001, the two cannot be incorporated in the same model). Doing so tests the assumption that the honeymoon period is essential for a president to enact his policy agenda successfully; as well as acts as a control on the other independent variables, which is useful considering both Clinton and Bush's most successful years legislatively were indeed their first years in office.

Table 14 shows three regression models. The first two substitute unified government for intraparty support, as done in Table 13. Model 3 includes intraparty support and a honeymoon variable. The first model shows no statistical significance, and has a very low adjusted R-squared, an indicator of the overall model fit. Indeed, the corresponding standard error of Model 1 indicates it is not even significant as a model. This is likely due to the aforementioned correlations between approval and both intraparty support and the economic variable. Model 2 yields statistically significant

results for both lobby success and the economic variable, which is analogous to Model 2 of Table 13. Finally, Model 3 shows the honeymoon variable is statistically significant at the highest level ($P = .009$). Lobby success maintains its strong and significant relationship with success, and the economic variable nearly achieves statistical significance ($P = .125$).²

Table 14: Multiple Regression Coefficient Estimates on Presidential Success - Non-Institutional Variables

	Model 1	Model 2	Model 3
Lobby Success	.292 (.207)	.331** (.145)	.331* (.153)
Public Approval	-.122 (.327)	-.238 (.204)	-.291 (.247)
Intraparty Support (OVR)	.068 (.440)		.188 (.326)
Unified Government		.028 (.057)	
Economic Control	.376 (.341)	.603* (.309)	.421 (.251)
Honeymoon Effect			.208*** (.065)
Adjusted R-squared	.046 (.114)	.488 (.080)	.432 (.084)

* $P < .10$, *** $P < .01$. Coefficients are unstandardized, standard errors are in parentheses

² Multiple regressions were also estimated using the interactive terms shown in Table 13, with veto success omitted. The results essentially replicate the findings of Models 3 and 4 in Table 13, with the interactive terms of lobby success and public approval again showing a significant negative relationship with presidential success under unified government. Thus, in the interest of avoiding redundant discussion of statistical findings, these results were omitted here.

The adjusted R-squared for both Models 2 and 3 are substantial, indicating the overall models explain a significant portion of the variance of presidential success rates. To reiterate, the paramount finding of the statistical analyses is that lobbying success endures as having a strong and significant impact on legislative success rates throughout a series of regression models. The honeymoon literature (see Beckmann and Godfrey 2007) also is supported by these results, as they suggest a strong association between a president's first year in office and the ability to enact the president's key policy priorities. Attention will now be turned to statistical analyses of the unilateral tools of the presidency.

While Tables 11 and 12 show little, if any, relationship between unilateral tools and both presidential success and the other independent variables, the divided government hypothesis (H3) expects their use to increase when a president faces majority opposition in Congress. Under the period of study, ten years are coded as divided government. As previously mentioned, Republicans lost their majority in the Senate in June of 2001 when Jim Jeffords left the party. Since only two of the 14 *CQ* key votes collected for 2001 were made before Jeffords left the GOP, 2001 has been coded as a divided government year. This allows for a sufficient, although barely, 'N' of 10 under divided government. By limiting the data to only these years, we can observe the effect of unilateral tools on presidential success and other variables to further scrutinize the divided government hypothesis.

Table 15 shows both bivariate correlations between unilateral tools and presidential success only under divided government, as well as the results of a regression model with each unitary action as the two independent variables on presidential success.

Table 15: Bivariate Correlations and Multiple Regression Coefficient Estimates of Unilateral Tools on Presidential Success Under Divided Government

	Policy Executive Orders	Constitutional Signing Statements
Presidential Success – Pearson (r)	.624**	.547*
Presidential Success – B (Unstandardized coefficient)	.007*	.006
Adjusted R-squared of Regression Model (S.E.)	.437 (.074)	

**P < .10, **P < .05. Standard error of multiple regression estimate in parentheses.*

Interestingly, while the theoretical connection between these tools and legislative success is tenuous at best, the results show statistically strong correlations between each variable and success in divided government years. Moreover, the regression model shows a statistically significant unstandardized coefficient for executive orders, while signing statements almost reaches significance as well ($P = .141$). While these coefficients may seem small, their interpretation is that for every executive order issued, success rates should increase 0.7 percent, hardly insignificant when considering anywhere from about 20 to 40 orders are issued annually. Finally, the overall model fit indicates that the two unilateral tools explain a substantial portion of variance in success rates.

While the results of Table 15 may be an anomaly, their inclusion is warranted to emphasize the finding that the relationship between an increased use of unilateral tools and a president’s ability to enact his agenda is more complex than simply observing periods of divided as opposed to unified government. Indeed, the average number of policy-oriented executive orders issued under the ten years of divided government was 29.7 as opposed to 28 under the six years of unified government. For constitutional signing statements, an average of 17 were issued under divided government as opposed to 18 under unified. Clearly, in contradiction to Howell’s (2003) theory of unilateral action,

issuing significant unitary executive actions do not substantially increase based on the partisan makeup of Congress.

Additionally, the results of Table 15 demonstrate researchers should not necessarily conflate divided government with gridlock or hostility towards the president, even in the polarized era. Indeed, their increased use is likely an indicator that a president is in a strong bargaining position with Congress, as can be shown from their association with increased policymaking success in the legislative arena under divided government. This supports Warber's (2006) contention that the use of unilateral tools is a strategic process by presidents, as a consideration of both contextual and institutional factors is essential to presidential decision making to use unilateral action to enact their policy agenda. Furthermore, these results illuminate the necessity for conditions to be optimal in order to press the tools of the presidency, the primary premise of this study, particularly the unilateral tools that can be subject to scrutiny by Congress and the courts. To further support this assumption, under only divided government years, executive orders significantly correlate ($P = .036$) with the economic control variable with a substantial Pearson coefficient of .664. This further establishes that a healthy economy is one of the key conditions integral to optimize presidential leadership tools (see Lockerbie et al. 1998; Shull and Shaw 1999).

The statistical analyses of this theoretical model do not produce revelatory findings. In general, the independent variables rarely reach a statistically significant association with presidential legislative success when incorporated into a comprehensive model. The findings do, however, strongly support Beckmann's (2010) work stressing the crucial role of strategic agenda setting and bargaining with Congress in order to

achieve policymaking success in the legislative arena. When put into context of the dataset used in this study focusing only on *CQ*'s key votes, an attempt to focus on only the president's key policy initiatives and legislative battles, the statistical findings demonstrate a president's 'legislative skill' endures as integral to his ability to both enact his agenda and preserve the status quo against an aggressive majority opposition party, as was the case for Clinton in the last six years of his presidency.

The quantitative impact presidential lobbying of Congress has on his subsequent success rates in this study also provides credibility to further research attempting to quantify such an amorphous variable as legislative skill, perhaps using more dynamic methodology. Although *CQ* is an indispensable resource in identifying when a president actively lobbies Congress on a key vote, and corresponding this to the bill's ultimate legislative fate, how a president chooses to negotiate with Congress remains unmeasured in the quantitative analysis. As both Beckmann (2010) and this study rely on content analysis to collect these data, an ordinal level variable could be constructed in future studies to discern how much effort and political capital the president exerts in bargaining with Congress on a certain initiative or key vote. Regardless, the results of this study indicate presidential lobbying warrants considerably more attention from comprehensive studies of congressional-presidential relations than previously allocated (see Bond and Fleisher 1990; Peterson 1990; Shull and Shaw 1999).

In contrast, the findings on public approval support the widespread contention that presidential popularity is not an integral factor on legislative success, at least at the aggregate level (Bond and Fleisher 1990; Oppenheimer 1993). Indeed, approval's role appears to be largely in the background, as the statistical findings indicate increased

popularity heightens intraparty support. These results demonstrate Edwards' (1989; 1997) characterization of public approval as more of a contextual factor than having a direct impact on presidential legislative success. Indeed, the findings of Chapters 4 and 5 suggest a relationship between approval and going public; as well as the subsequent success of concerted public relations campaigns. Combined with the aforementioned lobbying findings, the statistical results do imply that Neustadt's (1960) 'informal' powers of persuasion and prestige endure as essential aspects of presidential power.

Finally, the statistical results on unilateral executive tools demonstrate Howell's (2003) theoretical link between an increased issuance of significant executive orders and unified government is not present in the polarized era of the Clinton and Bush presidencies. Moreover, Howell's theoretical premise that presidents increasingly use unilateral tools to circumvent a gridlocked Congress in the current era of polarization (64) contradict the findings of Table 15, which show an association between increased frequency of issuing unilateral actions and presidential legislative success under divided government. If increased usage of such unitary tools statistically corresponds to an increase in legislative success under divided government, it is logical to conclude presidents are not using unilateral actions to institute their policy agenda in an effort to circumvent gridlock on the Hill.

CHAPTER 7: CONCLUSION

Both the qualitative and quantitative analyses of this study demonstrate successful presidential leadership is dependent upon harnessing the appropriate tools when considering contextual factors in the polarized era. The primary hypothesis (H1), that non-institutional factors have a positive relationship on presidential success when including institutional variables, is supported in part by both case studies of the Bush and Clinton presidencies and the statistical analyses. For instance, despite enjoying strong institutional support with large majorities in each chamber upon entering office, the way in which Clinton used his non-institutional resources affected his ability to enact two major agenda items in his first year. Instead of capitalizing on his immediate honeymoon period to negotiate a health care reform package with a skeptical Congress in earnest, Clinton allowed his key agenda item to languish in legislative limbo until the second half of his first year in office. By that time his honeymoon popularity was significantly diminished, in large part due to Clinton's lack of focus on agenda priorities.

Bush's failed Social Security reform effort also demonstrates the efficacy of non-institutional factors can vary based on the strategic choice of how and when to activate these tools. While the Clinton case study implied a connection between popularity and going public on major policy battles, Bush's failed public relations campaign is a reminder that the power of the bully pulpit is limited when the president and/or his policy preference is decidedly unpopular. The statistical evidence on lobbying success and rates shown in Chapter 6 also supports H1, the results indicating lobby success in particular maintains a significant impact on presidential policymaking success throughout a series of multiple regression models.

The unified government hypothesis (H2), that non-institutional factors are more effective and utilized during these periods, received mixed support based on the findings. While unified government is clearly a favorable condition for the president to lobby Congress aggressively in order to achieve his policymaking agenda, both Bush and Clinton adeptly identified the precious few priorities to actively bargain with Congress when facing divided government. Indeed, the statistical results of both presidents display this success. Moreover, high levels of presidential popularity are clearly beneficial regardless of which party obtains majority control of Congress, and subsequently going public and public approval should be harnessed under each type of government. In fact, one of the most advantageous interactions between these policymaking tools found in the case studies was the link between Clinton's public relations efforts and veto bargaining with the Republican Congress in two major legislative battles.

The divided government hypothesis (H3) received support in terms of the statistical findings on veto bargaining; veto threats are used more often when facing a majority opposition party. In addition, veto success rates showed a significant and positive relationship with presidential success under divided government, and a corresponding negatively significant relationship under unified government, conforming to H3.

As previously mentioned, annual rates of unilateral tools suggest the presumption that the frequency of their usage is reliant on divided or unified government is inaccurate. This contradicts the expectations for unilateral tools in regards to the divided government hypothesis (H3). Moreover, the common depiction of Bush drastically increasing the scope of presidential power by issuing heightened numbers of policy-oriented unilateral

actions (Waterman 2009) is not supported by the statistical results. Bush did have higher rates than Clinton in regards to significant signing statements, but the opposite is true when examining executive orders. Future research could perhaps examine if this finding is reflective of their respective party identifications or based on certain aspects of both presidents' personalities.

Other Key Findings and Interpretations

One of the most intriguing results of this study is intraparty support's lack of impact on presidential legislative success. While this is at least in part due to the methodology of the study, focusing on key votes implies that the president cannot rely simply on his party in Congress during major and controversial legislative battles. Instead, coalition building appears to remain an interparty exercise even in the age of ideological homogeneity. Although Obama's health care plan was enacted essentially with only intraparty support, such an opportunity is an aberration, with a polarized opposition party inclined to use the Senate filibuster routinely and filibuster-proof majorities in the Senate unlikely to arise frequently in a polarized era. This informs the seeming contradiction between the statistical findings of intraparty support in this study and that of Bond and Fleisher (1990). At the aggregate level, measuring all or most roll call votes, the partisan makeup of Congress and subsequent intraparty support is likely still essential to a president's legislative success, particularly in the polarized era.

When examining only key votes, however, a president's ability to rely on his party in Congress is complicated by constituency concerns for members of Congress. In other words, while a rank-and-file member of the president's party may be happy to support his position on routine measures unlikely to affect her own reelection prospects,

most of *CQ*'s key votes inherently garner more public attention and consequently a more nuanced decision-making process by members of Congress. This supports both Mayhew's (1974) seminal work asserting reelection is a congressional member's predominate legislative goal; as well as Kingdon's (1977) detailed theory on legislative voting, in which members of Congress prioritize certain goals when deciding how to vote on a certain measure. Therefore, presidents must take their own party's policy preferences into consideration when constructing a legislative agenda, and it is imperative that presidents consult with their party leadership in Congress to devise an appropriate strategy to enact said agenda. Indeed, Chapter 4 shows President Clinton learned this lesson the hard way when pushing his health care plan.

The statistical findings on public approval indicate the president's party in Congress will be more inclined to support his major initiatives as long as he remains popular. Moreover, the findings suggest Canes-Wrone and Marchi's (2002) work operationalizing public approval in a more dynamic fashion should be replicated in future studies. The findings in Chapter 4 and 5 imply Clinton and Bush were much more successful on major legislative battles when their approval was over 50 percent. An ordinal level variable measuring how many quarters within each year (1 for none, 5 for all 4) a president enjoyed majority popularity could be instituted into statistical models of future research. Indeed, the findings of the case studies also suggest the success of a president's going public campaign is at least in part dependent on his popularity. Once again, this indicates Neustadt's (1960) emphasis on a president's public prestige retains salience on his legislative prospects in the current era of polarization.

When evaluating the Clinton and Bush presidencies, it becomes apparent that presidents frequently opt to focus on a bully pulpit strategy on their key policy priorities in the current polarized era, as posited by Kernell (1997). Yet the use of this resource requires a more strategic approximation than the public relations onslaughts Clinton and Bush put forth in their health care and Social Security plans, respectively. In fact, the findings of this study suggest contrary to Kernell's supposition that presidents increasingly go public in order to circumvent negotiating with Congress, using the bully pulpit in tandem with congressional lobbying is the most effective manner to enact major presidential priorities. Chapter 4 chronicles how Clinton combined the bully pulpit with veto bargaining to achieve apparent victories on the government shutdown and welfare reform of 1995-6; and Chapter 5 infers a similar interaction between the bully pulpit and congressional lobbying on Bush's education reform efforts.

These findings support Canes-Wrone (2001) and Barrett's (2005) portrayal of public appeals as most effective when focused on the president's precious few major policy priorities, preferably those in which the public is inclined to support but have been ignored by the legislature. This also further exhibits Edwards' (1989) marginal thesis, demonstrating both Clinton and Bush were most effective when using their resources strategically rather than the wanton spending on public relations campaigns exemplified by Bush's push for Social Security reform (Edwards 2009).

Furthermore, Clinton's going public strategy during the budget battle and subsequent government shutdowns of 1995-6 indicate future research must consider the ways in which presidents use the bully pulpit. Clinton's decision to use the White House press corps in this case, as opposed to the increased tendency of presidents to circumvent

the media and appeal directly to the public (Kernell 1997), shows that operationalizing a quantitative going public variable necessitates differentiating between the multitude of ways in which the president can reach the public in the current era.

Contribution to Extant Literature

The findings of this study interact with a number of previous studies on congressional-presidential relations. First and foremost, the statistical results of the presidential lobbying variable strongly indicate Beckmann's (2010) thesis and methodology on agenda setting should receive attention from any future researcher examining presidential legislative success in the polarized era. The approach taken by Beckmann and this study updates Edwards' (1989) marginal thesis by measuring legislative skills quantitatively and focusing on the major policy initiatives of a presidency. Moreover, the failure of intraparty support to have any statistically significant relationship with presidential success throughout a series of statistical models suggests Edwards' emphasis on the president's role as party leader is not an essential factor impacting legislative success when only evaluating key votes.

Indeed, the distinction between overall presidential box score success rates and key vote success rates is essential to understanding the difference in the results on intraparty support between this study and Bond and Fleisher (1990). Their findings continue to be relevant in the polarized era. For instance, in 2009 Obama entered office with large majorities in both chambers in Congress and a Democratic party that was more ideologically homogenous than any in recent memory. As a result, his *CQ* box score that year (96.7 percent) was the highest ever recorded in their history, dating back to 1953 (Marshall 2012, 183). Such success is a key indicator that intraparty support continues to

impact a president's legislative success. However, the findings of this study demonstrate presidents cannot rely solely on his party in Congress when attempting to pass his major agenda items.

In addition, the statistical evidence on veto bargaining and unilateral executive actions implies institutional tools are also most optimally used in a strategic, 'marginal' manner. The findings of Chapter 6 suggest veto bargaining can act as an indispensable tool when the president is in a defensive posture, reinforcing Cameron's (2000) central premise. Indeed, Chapter 4 shows how Clinton used veto threats to help him secure two major legislative victories that were likely essential to his reelection. While the results of this study support Cameron's work, future research could examine Conley's (2003) finding on private as opposed to public veto threats. He found private threats were very successful in preventing minor legislation the president wished to prevent, while public threats were usually reserved for highly salient legislation and resulted in inter-branch confrontation (730). Future research could test if this finding endures during the current era of polarization.

The statistical results on policy-oriented executive orders and signing statements contradicts prior research concluding the polarized era has precipitated a drastic increase in unitary executive policymaking (see Howell 2003; Waterman 2009). Moreover, the findings on unilateral tools detailed in Chapter 6 suggest any increase in the use of unilateral tools is not necessarily due to legislative gridlock, another main aspect of Howell's (2003) theory. Instead, these tools appear to be used in the same ways as the other essential policymaking tools: sparingly and in a strategic fashion. Such a characterization of unitary executive action has previously been posited by Warber

(2006) and Kelly and Marshall (2008), and the results of this study support their theories when focusing only on the current era of heightened polarization.

Lessons for the Future

The statistical analyses of this study conducted in Chapter 6 demonstrate that future research is required to comprehensively incorporate this theoretical model. To put it simply, more presidencies enduring such heightened ideological homogeneity are required in order to increase the unit of analysis to more satisfactory levels. Future research also should compare the findings of this theoretical model with presidencies that preceded party polarization. Doing so would more clearly show how polarization alters the use of presidential tools; unfortunately this was omitted from this study due to space considerations.

In sum, the theoretical approach and findings of this study provide myriad avenues for future researchers interested in probing the scope and nature of presidential power in the current era. When attempting to explain presidential success in Congress, future studies should consider whether overall *CQ* box scores accurately reflect how well the president enacted his policy-making agenda. In the current polarized era, opportunities to shepherd major policy initiatives through the legislative arena are fleeting; thus when operationalizing presidential legislative success future research should explore how to identify the legislative battles on the president's main agenda items. Indeed, the aforementioned difference in findings between the dataset of this study and Bond and Fleisher (1990) regarding intraparty support's impact on presidential success strongly suggests scholars should not simply rely on aggregate box score data when drawing conclusions on the nature of presidential legislative success.

While the theoretical model of this study identifies the essential policymaking tools at the president's disposal, each warrants more focused study. Additionally, further scrutiny of the apparent interactions between and among both institutional and non-institutional variables should be explored. As the Obama presidency ages into its second term, partisan bickering and public malaise with Washington does not appear to be waning; indeed just the opposite appears to be occurring. Thus, systematic studies of how presidents can navigate such murky terrain are vital in order to clarify and establish ways in which the presidency can still affect change through his policymaking tools in the current era of polarization and obstruction from the opposition party.

REFERENCES

- ABC News/Washington Post*. 2009. "Change and Continuity: Public Opinion on Immigration Reform."
<http://immigrationforum.org/images/uploads/PollingMemo09.pdf>
- Andres, Gary. 2005. "The Contemporary Presidency: Polarization and White House/Legislative Relations: Causes and Consequences of Elite- Level Conflict." *Presidential Studies Quarterly* 35: 761-770.
- Barabas, Jason. 2008. "Presidential Policy Initiatives: How the Public Learns About State of the Union Proposals from the Mass Media." *Presidential Studies Quarterly* 38: 195-222.
- Barber, James David. 1992. *The Presidential Character: Predicting Performance in the White House (4th Edition)*. Englewood Cliffs: Prentice Hall.
- Barrett, Andrew W. 2005. "Going Public as a Legislative Weapon: Measuring Presidential Appeals Regarding Specific Legislation." *Presidential Studies Quarterly* 35: 1-10.
- Bash, Dana and Andrea Koppel. 2007. "Senate Immigration Bill Suffers Crushing Defeat." *CNN.com*.
<http://www.cnn.com/2007/POLITICS/06/28/immigration.congress/index.html>
- Baum, Matthew A. and Samuel Kernell. "Has Cable Ended the Golden Age of Presidential Television?" *American Political Science Review* 93: 99-114.
- Beckmann, Matthew N. 2010. *Pushing the Agenda: Presidential Leadership in US Lawmaking, 1953-2004*. New York: Cambridge University Press.
- Beckmann, Matthew N. and Joseph Godfrey. 2007. "The Policy Opportunities in Presidential Honeymoons." *Political Research Quarterly* 60: 250-62.
- Binder, Sarah A. 1996. "The Disappearing Political Center: Congress and the Incredible Shrinking Middle." *The Brookings Review* 14: 36-39.
- Binder, Sarah A. 2000. "Going Nowhere? A Gridlocked Congress." *The Brookings Review* 18: 16-19.
- Boehmke, Frederick J. 2006. "The Influence of Unobserved Factors on Position Timing and Content in the NAFTA Vote." *Political Analysis* 14: 421-438.
- Bond, Jon R. and Richard Fleisher. 1990. *The President in the Legislative Arena*. Chicago: University of Chicago Press.

- Bond, Jon R. and Richard Fleisher. 1995. "Clinton and Congress: A First Year Assessment." *American Politics Research* 23: 355-372.
- Bond, Jon R., Richard Fleisher and B. Dan Wood. 2003. "The Marginal and Time-Varying Effect of Public Approval on Presidential Success in Congress." *Journal of Politics* 65: 92-110.
- Brady, David W. and Craig Volden. 1998. *Revolving Gridlock: Politics and Policy from Carter to Clinton*. Boulder: Westview Press.
- Burden, Barry C. and Anthony Mughan. 2003. "The International Economy and Presidential Approval." *Public Opinion Quarterly* 67: 555-578.
- Cameron, Charles M. 2000. *Veto Bargaining: Presidents and the Politics of Negative Power*. New York: Cambridge University Press.
- Canes-Wrone, Brandice. 2001. "The President's Legislative Influence from Public Appeals." *American Journal of Political Science* 45: 313-329.
- Canes-Wrone, Brandice and Scott de Marchi. 2002. "Presidential Approval and Legislative Success." *The Journal of Politics* 64: 491-509.
- Cohen, Jeffrey E., Jon R. Bond, Richard Fleisher and John A. Hamman. 2000. "State-level Presidential Approval and Senatorial Support." *Legislative Studies Quarterly* 25: 577-590.
- Cohen, Richard E. 1982. "The Impact of the Modern Presidency on Presidential Success in the U.S. Congress." *Legislative Studies Quarterly* 7: 515-532.
- Congressional Quarterly Almanac*. 1993-2008. Washington DC: CQ Press.
- Conley, Richard S. 2000. "Divided Government and Democratic Presidents: Clinton and Truman Compared." *Presidential Studies Quarterly* 30: 222-244.
- Conley, Richard S. 2003. "George Bush and the 102nd Congress: The Impact of Public and 'Private' Veto Threats on Policy Outcomes." *Presidential Studies Quarterly* 33: 730-750.
- Deering, Christopher J. and Forrest Maltzman. 1999. "The Politics of Executive Orders: Legislative Constraints on Presidential Power." *Political Research Quarterly* 52: 767-783.
- Edwards III, George C. 1989. *At the Margins: Presidential Leadership of Congress*. New Haven: Yale University Press.

- Edwards III, George C. 1997. "Aligning Tests with Theory: Presidential Approval as a Source of Influence in Congress." *Congress & the Presidency: A Journal of Capital Studies* 24. Taylor & Francis Group.
- Edwards III, George C. 1998. "Bill Clinton and His Crisis in Governance." *Presidential Studies Quarterly* 28: 754-760.
- Edwards III, George C. 2000. "Building Coalitions." *Presidential Studies Quarterly* 30: 47-78.
- Edwards III, George C. 2002. "Strategic Choices and the Early Bush Legislative Agenda." *PS: Political Science and Politics* 35: 41-45.
- Edwards III, George C. 2003. *On Deaf Ears: The Limits of the Bully Pulpit*. New Haven: Yale University Press.
- Edwards, III, George C. 2004. "Riding High in the Polls: George W. Bush and Public Opinion." In Colin Campbell and Bert A. Rockman (eds.). *The George W. Bush Presidency: Appraisals and Prospects*. Washington D.C.: CQ Press
- Edwards III, George C. 2009. *The Strategic President: Persuasion and Opportunity in Presidential Leadership*. Princeton: Princeton University Press.
- Edwards III, George C. and Desmond S. King. 2007. "Introduction." In George C. Edwards and Desmond S. King (eds.). *The Polarized Presidency of George W. Bush*. New York: Oxford University Press.
- Epps, Garrett. 18 January 2013. "Can We Talk Calmly About Obama's 'Executive Orders'?" *The Atlantic*.
<http://www.theatlantic.com/politics/archive/2013/01/can-we-talk-calmly-about-obamas-executive-orders/267319/>
- Eshbaugh-Soha, Matthew. 2006. *The President's Speeches: Beyond "Going Public."* Boulder: Lynne Rienner Publishers.
- Federal Register*. 2013. "Executive Orders Disposition Tables Index."
<http://www.archives.gov/federal-register/executive-orders/disposition.html>
- Fenno, Richard F. 1997. *Learning to Govern: An Institutional View of the 104th Congress*. Washington D.C.: The Brookings Institution.
- Fleisher, Richard and Jon R. Bond. 2004. "The Shrinking Middle in the U.S. Congress." *British Journal of Political Science* 34: 429-451.
- Fleisher, Richard, Jon R. Bond, Glen S. Krutz and Stephen Hanna. 2000. "The Demise of the Two Presidencies." *American Politics Research* 28: 3-25.

- Foley, Michael. 1999. "Clinton and Congress." In Paul S. Herrnson and Dilys M. Hill (eds.). *The Clinton Presidency*. New York: St. Martin's Press.
- Gallup. 2013. "Presidential Approval Ratings: Bill Clinton." <http://www.gallup.com/poll/116584/Presidential-Approval-Ratings-Bill-Clinton.aspx>
- Gallup. 2013. "Presidential Approval Ratings: George W. Bush." <http://www.gallup.com/poll/116500/Presidential-Approval-Ratings-George-Bush.aspx>
- Greenstein, Fred I. 2001. *The Presidential Difference: Leadership Style from FDR to Clinton*. New York: The Free Press.
- Hacker, Jacob S. and Paul Pierson. 2005. "Abandoning the Middle: The Bush Tax Cuts and the Limits of Democratic Control." *Perspectives on Politics 1*: 33-53.
- Hager, Gregory L. and Terry Sullivan. 1994. "President-Centered and Presidency-Centered Explanations of Presidential Public Activity." *American Journal of Political Science 38*: 1079-1103.
- Hetherington, Mark J. and Michael Nelson. 2003. "Anatomy of a Rally Effect: George W. Bush and the War on Terrorism." *Political Science and Politics 36*: 37-42.
- Herrnson, Paul S. 1999. "Reflections on Clinton's First Term." In Paul S. Herrnson and Dilys M. Hill (eds.). *The Clinton Presidency*. New York: St. Martin's Press.
- Hill, Dilys M. 1999. "The Clinton Presidency: The Man and his Times." In Paul S. Herrnson and Dilys M. Hill (eds.). *The Clinton Presidency*. New York: St. Martin's Press.
- Howell, William G. 2003. *Power Without Persuasion: The Politics of Direct Presidential Action*. Princeton: Princeton University Press.
- Howell, William G. and David E. Lewis. 2002. "Agencies by Presidential Design." *Journal of Politics 64*: 1095-1114.
- Jacobson, Gary C. 2008. *A Divider, Not a Uniter*. New York: Pearson Education.
- Jacobson, Gary C. 2009. "The Effects of the George W. Bush Presidency on Partisan Attitudes." *Presidential Studies Quarterly 39*: 172-209.
- Jones, Charles O. 1999. *Clinton and Congress, 1993-1996: Risk, Restoration, and Reelection*. Norman: University of Oklahoma Press.

- Jones, Charles O. 2007. "The U.S. Congress and Chief Executive George W. Bush." In George C. Edwards and Desmond S. King (eds.). *The Polarized Presidency of George W. Bush*. New York: Oxford University Press.
- Kellerman, Barbara. 1986. *The Political Presidency: Practice of Leadership from Kennedy to Reagan*. New York: Oxford University Press.
- Kelley, Christopher S. and Bryan W. Marshall. 2008. "The Last Word: Presidential Power and the Role of Signing Statements." *Presidential Studies Quarterly* 38: 248-267.
- Kernell, Samuel. 1997. *Going Public: New Strategies of Presidential Leadership Third Edition*. Washington DC: CQ Press.
- Kingdon, John W. 1977. "Models of Legislative Voting." *The Journal of Politics* 36: 563-595.
- Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of US Lawmaking*. Chicago: University of Chicago Press.
- Kristof, Nicholas D. 5 September 2012. "Obama's First-Term Report Card." *The New York Times*. http://www.nytimes.com/2012/09/06/opinion/kristof-obamas-first-term-report-card.html?_r=1&
- Lederman, Josh. 25 January 2013. "Turning Left: From Climate Change to Women in Combat, a Liberal Tilt for Obama in Second Term." *The Associated Press*. http://www.washingtonpost.com/politics/turning-left-from-climate-change-to-women-in-combat-a-liberal-tilt-for-obama-in-second-term/2013/01/25/907c4184-6728-11e2-889b-f23c246aa446_story.html
- LeLoup, Lance T. and Stephen A. Shull. 1979. "Congress Versus the Executive: The 'Two Presidencies' Reconsidered." *Social Science Quarterly* 59: 704-19.
- Lewis, David E. 2005. "Staffing Alone: Unilateral Action and the Politicization of the Executive Office of the President, 1988-2004." *Presidential Studies Quarterly* 35: 496-514.
- Lindsay, James M. 2003. "Deference and Defiance: The Shifting Rhythms of Executive-Legislative Relations in Foreign Policy." *Presidential Studies Quarterly* 33: 530-546.
- Lockerbie, Brad, Stephen Borelli and Scott Hedger. 1998. "An Integrative Approach to Modeling Presidential Success in Congress." *Political Research Quarterly* 51: 155-172.

- Lothian, Dan. 6 September 2012. "The Grades Are In: Obama's First-Term Report Card." *CNN.com*. <http://www.cnn.com/2012/09/06/politics/obama-report-card/index.html>
- Marshall, Bryan W. 2012. "Congress and the Executive: Unilateralism and Legislative Bargaining." In James L. Carson (ed.). *New Directions in Congressional Politics*. New York: Taylor & Francis.
- Marshall, Bryan W. and Brandon C. Prins. 2007. "Strategic Position Taking and Presidential Influence in Congress." *Legislative Studies Quarterly* 32: 257-284.
- Mayhew, David R. 1974. *Congress: The Electoral Connection (Second Edition)*. New Haven: Yale University Press.
- Meernik, James. 1993. "Presidential Support in Congress: Conflict and Consensus on Foreign and Defense Policy." *Journal of Politics* 55: 569-587.
- Moe, Terry M. and William G. Howell. 1999. "Unilateral Action and Presidential Power: A Theory." *Presidential Studies Quarterly* 29: 850-873.
- Mouw, Calvin J. and Michael B. Mackuen. 1992. "The Strategic Agenda in Legislative Politics." *The American Political Science Review* 86: 87-105.
- Molyneux, Guy. 1994. "Unified Opinion Leaders Best a Reluctant Public." *The Public Perspective* 5: 28-30.
- Moyers, Bill D. 2004. *Moyers on America: A Journalist and His Times*. New York: The Free Press.
- Neustadt, Richard E. 1960. *Presidential Power: The Politics of Leadership*. New York: John Wiley & Sons.
- Neustadt, Richard E. 1990. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*. New York: The Free Press.
- Oppenheimer, Bruce. 1993. "Declining Presidential Success with Congress." *The Presidency Reconsidered*: 75-92.
- Peterson, Mark A. 1990. *Legislating Together: The White House and Capitol Hill from Eisenhower to Reagan*. Cambridge: Harvard University Press.
- Pfiffner, James P. "Introduction: Assessing the Bush Presidency." In Gary L. Gregg II and Mark J. Rozell (eds.). *Considering the Bush Presidency*. New York: Oxford University Press.

- Prins, Brandon C. and Bryan W. Marshall. 2001. "Congressional Support of the President: A Comparison of Foreign, Defense, and Domestic Policy Decision Making During and After the Cold War." *Presidential Studies Quarterly* 31: 660-678.
- Renshon, Stanley A. 1994. "A Preliminary Assessment of the Clinton Presidency: Character, Leadership and Performance." *Political Psychology* 15: 375-394.
- Rocca, Michael S. 2009. "9/11 and Presidential Support in the 107th Congress." *Congress & the Presidency* 36: 272-295.
- Rockman, Bert A. 2004. "Presidential Leadership in an Era of Party Polarization – The George W. Bush Presidency." In Colin Campbell and Bert A. Rockman (eds.). *The George W. Bush Presidency: Appraisals and Prospects*. Washington D.C.: CQ Press
- Rohde, David W. 1994. "Presidential Support in the House of Representatives." *The President, the Congress, and the Making of Foreign Policy*. Norman: University of Oklahoma Press.
- Ross, Fiona. 2007. "Policy Histories and Partisan Leadership in Presidential Studies: The Case of Social Security." In George C. Edwards and Desmond S. King (eds.). *The Polarized Presidency of George W. Bush*. New York: Oxford University Press.
- Rudalevige, Andrew. 2003. "The Politics of No Child Left Behind." *Education Next* 3: 62-69.
- Rudalevige, Andrew. 2005. *The New Imperial Presidency: Renewing Presidential Power After Watergate*. University of Michigan Press.
- Shull, Steven A., ed. 1991. *The Two Presidencies: A Quarter Century Assessment*. Chicago: Nelson-Hall.
- Shull, Steven A. and Thomas C. Shaw. 1999. *Explaining Congressional-Presidential Relations: A Multiple Perspective Approach*. Albany: State University of New York Press.
- Sigelman, Lee. 1979. "A Reassessment of the Two Presidencies Thesis." *The Journal of Politics* 41: 1195-1205.
- Sinclair, Barbara. 2006. *Party Wars: Polarization and the Politics of National Policy Making*. Norman: University of Oklahoma Press.
- Skinner, Richard M. 2009. "George W. Bush and the Partisan Presidency." *Political Science Quarterly* 123: 605-622.

- Skowronek, Stephen. 2008. *Presidential Leadership in Political Time: Reprise and Reappraisal*. Lawrence: University of Press of Kansas.
- Sullivan, Terry. 1991. "The Bank Account Presidency: A New Measure and Evidence on the Temporal Path of Presidential Influence." *American Journal of Political Science* 35: 686-723.
- Theriault, Sean M. 2008. *Party Polarization in Congress*. New York: Cambridge University Press.
- "Undocumented Immigrants Line Up for Relief from Deportation." 17 August 2012. *CNN.com*. <http://www.cnn.com/2012/08/15/us/immigration-deferred-deportation/index.html>
- U.S. Government Printing Office. 2013. *Public Papers of the Presidents of the United States*.
<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PPP&browsePath=president-58%2F1993%2F02%3BA%3BAugust+1+to+December+31%2C+1993&isCollapsed=false&leafLevelBrowse=false&isDocumentResults=true&ycord=32483>
- Uslaner, Eric M. 1998. "Let the Chips Fall Where They May? Executive and Constituency Influences on Congressional Voting on NAFTA." *Legislative Studies Quarterly* 23: 347-371.
- "Voting Records." 2013. *GovTrack.us*. <http://www.govtrack.us/congress/votes>
- Warber, Adam L. 2006. *Executive Orders and the Modern Presidency: Legislating from the Oval Office*. Boulder: Lynne Rienner Publishers.
- Waterman, Richard W. 2009. "The Administrative Presidency, Unilateral Power, and the Unitary Executive Theory." *Presidential Studies Quarterly* 39: 5-9.
- Weiner, Rachel. 2013. "How Immigration Reform Failed, Over and Over." *The Washington Post*. <http://www.washingtonpost.com/blogs/the-fix/wp/2013/01/30/how-immigration-reform-failed-over-and-over/>
- Wildavsky, Aaron. 1966. "The Two Presidencies." *Trans-Action* 4: 7-14.
- Woolley, John T. 2013. "Presidential Signing Statements: Hoover to Obama." *The American Presidency Project*.
<http://www.presidency.ucsb.edu/signingstatements.php>