ABSTRACT

Title of Dissertation: SOVEREIGNS OR SERVANTS – PRESIDENTIAL RELATIONS WITH CONGRESS ON DOMESTIC AND FOREIGN POLICY

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This study analyzes how job approval of the presidency impacts presidents' legislative success in Congress. This dissertation examines the role of approval in presidential legislative success in both domestic and foreign policy areas. The first part of the research focuses on all the presidents from 1971-2004. They are compared using several different regression models that show the relationship between job approval and legislative success. Included are models for overall success as well as foreign and domestic policy success. Also important to these models is the use of both general and policy-specific job approval ratings in the analysis.

The second part of the dissertation focuses on the first term of the George W. Bush presidency. It looks at his legislative successes and failures from 2001-2004 as well as his public approval during that time period. The impact of 9/11 and the war in Iraq are two key components of this section. Included here is both a discussion of the

key points during Bush's first term as well as a quantitative analysis of legislative success.

The research underscores two main ideas: that public approval can play a role in legislative success and that foreign and domestic policy success should be examined both individually and together for a complete understanding of presidential-congressional relations in both domestic and foreign policy. Analyzing presidential success in Congress reveals that at times approval does matter but that there are other key factors in determining success. This research also shows that while presidents may be more successful in one policy area than another, the factors which impact their success in foreign and domestic policy are different. The analysis of the Bush administration shows that the type of policy makes a difference in how successful the president is on this policy. Legislation dealing with terrorism was more successful for President Bush compared to legislation focusing on non-terrorism issues. Additionally, this study provides a framework for future analysis of presidential success in varying policy areas, including terrorism as well as domestic and foreign policy.

SOVEREIGNS OR SERVANTS – PRESIDENTIAL RELATIONS WITH CONGRESS ON DOMESTIC AND FOREIGN POLICY

By

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Chapter 1: Introduction

"A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps both. Knowledge will forever govern ignorance: And a people who mean to be their own Governors, must arm themselves with the power which knowledge gives." – James Madison[1]

When James Madison wrote those words to William Barry in 1822, he had already retired from the presidency. As one of the authors of the *Federalist Papers*, Madison is best known for his views on the importance of checks and balances in the constitutional system. These ideas dealing with the separation of powers among the branches of government are as relevant to the study and understanding of the American political system in the 21st century as they were in 1787. In the above quotation, Madison includes the role that the people should -- and must -- play in government. Over the past two hundred years the role of the president in the constitutional system has changed, as has the power of the presidency.

There have been presidents who have been considered to be powerful, and those who have not. Some have been thought to be even more powerful than Congress. One of the clearest examples of a president who expanded the power of the office would be Abraham Lincoln. Lincoln expanded the power of the presidency, which is ironic considering during Andrew Jackson's presidency he denounced Jackson's vigorous use of presidential power, saying, "I should desire the legislation of the country to rest with Congress, uninfluenced by the executive" (Pffifner and Davidson 2004, pg 25). His position on executive authority changed once he entered into the White House. In response to the crisis posed by the Civil War, Lincoln blockaded southern ports and

[1] James Madison to William T Barry. 4 August 1822 Quoted in *James Madison: Writings* (1999).

increased the size of the army and navy without any congressional authority (Brinkley and Dyer 2004). Another precedent-setting expansion of executive power under Lincoln was the suspension of the writ of habeas corpus in areas along the railroad line from Washington to Philadelphia. These actions were justified by Lincoln under his constitutional designation as Commander in Chief. In addition, he argued the peril to the Union made such action necessary. This peril is best described by Lincoln himself in a letter to A. G. Hodges in April of 1964: "I felt that measures otherwise unconstitutional might become lawful by becoming indispensable to preservation of the Constitution through the preservation of the nation" (Pffifner and Davidson 2004, pg 35).

There have been presidents who were seen as weak and served more as a clerk to Congress than as President. Presidents like Franklin Pierce and James Buchanan are described as being not only weak executives but as little more than clerks and "national caretakers who either approved or disapproved legislation developed from Congress's agenda" (Brinkley and Dyer 2004, pg 175). But as Richard Neustadt (1990) points out, power for modern presidents cannot be "acquired or employed" as it was for those in the previous centuries. The modern presidency continues to give executives the opportunity be leaders and powerful presidents. Within the modern presidency there are examples of both powerful and weak presidents. President Carter is viewed as being unsuccessful president particularly due to his dealings with Congress (Milkis and Nelson 1999). There are also those modern presidents who are seen to be expanding the power of the presidency. President George W. Bush is seen by many as expanding presidential power and bringing about the return of the imperial presidency (Schlesinger 2004; Brinkley and Dyer 2004; Perret 2007). This balance of power between the president and Congress is

one that continues to be of interest -- not only to political scientists, but to the American public, journalists, authors, and politicians alike. Not only are all of these parties concerned to some degree about who has the most power in Washington, but a few of them can also play a role in potentially shifting the balance of power from the Congress to the president.

Much has changed in the relationship between the president and Congress since the end of the Cold War. During the Cold War the president spoke for the country on foreign policy portraying a strong, unified front. The president was also privy to greater information and intelligence than was Congress, thus allowing for the president to be viewed as the decision maker when it came to national security issues. Hamilton (2006) argues that some twentieth-century presidents, like Truman, Eisenhower, Kennedy and Johnson, enjoyed the greatest control over foreign policy. However, Congress has created an expanding role in foreign policy, an area once seen as a stronghold of presidential power. After the Cold War ended, presidential relations with Congress on foreign policy matters were at times rocky. Even President Reagan, who was seen as a strong leader, faced congressional opposition over funding for the Nicaraguan Contras and over his opposition to economic sanctions against South Africa which at the time was controlled by the apartheid government. Since the end of the Vietnam War, Congress has gained greater expertise on foreign policy matters, not to mention the increasing influence of domestic policy concerns on foreign policy (Hamilton 2006). While the president is still viewed as the most important player in the foreign policy making process, Congress is now seen as more of a partner in the process rather than just an observer.

Meanwhile, presidents face technological changes and increasing media coverage on a daily basis. The White House and the media now regularly test the waters to see how much the American public approves (or disapproves) of the job the president is doing. Executive-congressional relations are shaped by a variety of issues, but what is of interest here is how that relationship varies across policy types, and how the public's approval of the president may shape his relationship with Congress. Edwards (2006, 2002, 1989) argues that presidents continue to try to garner public support, not only for themselves but also for their policies. This, according to Edwards, has created a permanent campaign in the White House. While presidents may speak out for purposes other than just to influence public opinion on their policies and job performance, they do attempt to use the bully pulpit in order to gain continuing favor with the American public. Presidents often assess the opinions of the public as well as the costs in public support before going forward with a policy course (Kernell 1997).

Presidential success -- or more simply, how often the president gets his/her way with Congress -- is influenced by more than just which party controls the White House and which controls the Hill. Presidents are often tempted to go around Congress in order to get their way. This is usually done by using the American public, or "going public," as Kernell (1997) describes it. A president "goes public" when s/he appeals directly to the American public on an issue. The public then gives the president the leverage s/he needs in order to persuade members of Congress toward his/her position. The president does not have to bargain directly with Congress when individual members are susceptible to public pressures (Kernell 1997). The partisan composition of Congress and the role of the public may influence when a president is successful, but the issue the president is

dealing with may also make a difference in presidential success. Presidents are often measured by how successful they are in domestic versus foreign policy.

Much can be learned by comparing the varying rates of presidential success over time and in examining particular presidencies and the individual circumstances of each administration. Studies which compare presidential success over time allow scholars to look at the impact of time-related factors, like congressional reform (Marshall 2003) or the impact of key time periods like the Cold War or Vietnam (Auerswald 2006). One benefit of having multi-year models is that when only a few cases are examined, there is a possibility that the results are based on change; including more cases decreases this possibility (King Keohane and Verba 1994). The results from this type of comparison allow for the systematic comparison of many cases at once. This helps to ensure that the results are not limited to just one or two presidential administrations. In contrast, a case study of one administration allows more specific legislative and approval details to be discussed. Also, a case study can allow for greater understanding of how even within one administration unique factors may have a dramatic impact on the president's relationship with Congress. Focusing narrowly on one president or one specific issue can provide results which fit into broader research questions and can help to rethink how a theory of presidential success relates to any one president.

This dissertation will examine two important issues that affect executive-congressional relations. The first is the effect of public opinion on presidential success in domestic policy. A president's legislative success is influenced by a variety of congressional and executive factors, some of which the president can control (like the type of policy he/she takes a position on) and others, like partisan control of Congress, in

which he/she may have little say. The role of popularity and its impact on the executive-legislative relationship has long been a question that political scientists have grappled with (Bond and Fleisher 1990; Edwards 1989, 2002; Neustadt 1990) when trying to determine why some presidents are more successful with Congress than others. This is by no means a new question: Many different researchers have examined this issue from a variety of positions and theories. Richard Neustadt (1990) asked, "What can this man accomplish to improve the prospect that he will have influence when he wants it?" (16). Since Neustadt's *Presidential Power* was initially published in 1966, it has served as a jumping-off point for those studying the presidency and presidential power. Mueller (1973) took the first serious look at presidential approval ratings, and Edwards (1989) furthered the field with *At the Margins: Presidential Leadership of Congress*. Presidential-congressional relations have been examined from the points of view of both institutions (Thurber 2006; Fleisher and Bond 1996; Binder 1996; Jones 1994; Sundquist 1992), and the relationship between the president, the press, and the public has likewise been examined (Edwards 2006; Canes-Wrone 2004).

Secondly, my research sheds additional light on the question of whether the type of policy impacts the president's ability to be successful with Congress. One question at the center of this study is whether we can expect to see the impact of popularity and other factors, like divided government, impact presidential success differently when it comes to domestic policy versus foreign policy. In looking to answer these questions, this dissertation moves beyond the existing literature by adding a new dimension to the research. This new dimension is based on using policy-specific success models and including approval ratings into these models. The current literature looks at either

domestic or foreign policy, or combines the two. I argue that looking at legislative success in each policy area at the same time allows for the comparison of what tools and factors affect presidential success in domestic policy and if these factors behave similarly in foreign policy. I contend that not only will using policy-specific job approval data increase the understanding of approval on presidential success, but also that we will see that approval affects foreign policy differently than domestic policy. To accomplish this, I examine presidential success over time in both domestic and foreign policy. This provides a broad understanding of how success in each policy area has operated over time, and how public approval in each of these areas operated from 1971-2004. I also include a case study of the first term of George W. Bush. This case study will help to highlight how within one presidency, public approval can change due to outside circumstances, and can impact the president's relationship with Congress.

The overall objective of this study is to expand the understanding of the role that job approval plays in presidential success in a policy framework. The reasoning and motivation behind this research is two-fold. First, it seems unusual that in the current setting presidents would spend so much time and energy courting public opinion if it did not have an impact on their ability to do their jobs. The inherent question and challenge then is how to operationalize this relationship in a manner that gives the best potential to see how this relationship works. Secondly, the dichotomy between how the president behaves in domestic policy compared to foreign policy is continually of interest. Domestic policy allows the president to more easily create long term plans and ideas, while so much of foreign policy is reactionary. Much can be learned about the presidency as a whole, and about individual presidents, by examining the way the

president approaches each of these policy areas. It is the desire to better understand these two areas that drives this study.

Organization of this Study

Following this introduction, **c**hapter two provides a theoretical background to executive-legislative relations and the role of policy type and public approval. The theoretical argument contends that the factors that influence legislative success in domestic policy are different from those that affect foreign policy. The chapter emphasizes how the relationship between the executive and the legislature changes from domestic to foreign policy, and why looking at success in these two policy areas is important to understanding the process. The chapter also reviews developments in the understanding of how and when public approval impacts presidential success.

Chapter three explores presidential success over time in the domestic policy arena. Beginning with the end of Nixon's administration through the first term of George W. Bush, the chapter provides an analysis of what factors have influenced success in this area since 1971. This chapter introduces the research design and variables that will be used in chapters three and four. Included in the discussion and analysis in this chapter is a measure of job approval data focusing specifically on approval of the president in the domestic arena.

Chapter four expands the discussion and model used in chapter three to include foreign policy in the analysis. As with the third chapter, regressions are set up to test foreign policy success and foreign policy approval in several different models. Here we see not only the results for foreign policy, but we also begin to see how foreign policy operates differently than domestic policy. One key result is that foreign policy job

approval, or approval of any measure, has no effect on foreign policy success. The results also reveal that foreign policy approval does affect domestic policy success.

Chapters five and six provide an in-depth case study of President George W. Bush's first term in office. In these chapters, I take a more detailed look at the types of legislation on which President Bush took a position. In chapter five I also discuss Bush's public approval ratings from 2001-2004, initially in an overview of his first term, and later in more detailed analysis. This analysis includes a discussion of how successful Bush was in foreign and domestic policy votes, as well the impact of terror policy on his legislative success. Chapter six also includes a statistical analysis focusing on what factors affected the likelihood of legislative success for President Bush. I also consider what legislative variables influenced both in- and out-of-party support of the President. Finally, I am able to assess the impact of terror policy on legislative success.

Chapter seven reviews the argument and findings presented in the dissertation. It details the contributions of the study and the implications it has for future research. I conclude that public approval, even in a policy-specific approach, does impact domestic policy success, but only marginally so. Even in those models where approval is significant, approval makes far less of an impact on success than other factors like unified government, policy type, or tenure in office. That said, the significance of approval in the overall and domestic policy models does add to the existing literature that approval does, at times, serve as an additional tool in helping the president to get his/her way with Congress. I also conclude that within the first four years of the Bush presidency, legislation focusing on terrorism met with greater support from Congress than other types of legislation. In fact, in two of the models the President was less successful in all

foreign policy matters compared to domestic and economic policy matters. Lastly, I argue that the role and impact of terror policy on the Bush administration warrants further research.

Chapter 2: Executive-Legislative Relations and Public Approval

"Presidential popularity is a major source of strength in gaining cooperation from Congress." – Lyndon Johnson[2]

Americans expect their presidents to be all things on all issues – economic policy, domestic policy, and at the same time be a world leader. We want him/her to be able to lead in both domestic and foreign arenas, all the while keeping and improving the economy. In order to accomplish these lofty goals, the president is forced to work with Congress in order to pass legislation and make key policy decisions. Some presidents are more successful at this endeavor than others. Political scientists like Neustadt (1990); Mueller (1973); Wildavsky (1966); Canes-Wrone (2006); and Bond, Fleisher and Wood (2003) are just a few who have investigated what makes presidents legislatively successful. These works set the foundation for this research which focuses on how both type of policy (domestic versus foreign) and public approval can influence presidential success. Each approaches the task of examining presidential success in a different manner, from looking at crises faced by individual presidents (Neustadt 1990) to attempting to flush out the role public approval plays in the president's ability to do his/her job (Bond et al 2003; Canes-Wrone 2006).

As a foundation for advancing the understanding of how policy type and public approval influence presidential success, this chapter summarizes the current understanding of executive-legislative relations across policy types and the specific role of public approval in each policy arena. The current literature on presidential-

[2] Lyndon B. Johnson, *The Vantage Point: Perspectives of the Presidency, 1963-1969* New York: Popular Library, 1971, p 443. Quoted in Edwards *On Deaf Ears* (2004)

congressional relations identifies three key issue areas which are important to this research. To say that presidential success varies from president to president would be stating the obvious: some presidents have simply been more successful than others at getting their agenda passed (Neustadt 1990; Bond and Fleisher 1990, 1995, 2001; Fleisher et al 2000; Canes-Wrone et al 2006). But success or failure is not determined by the president alone: they are forced to deal with Congress in order to get legislation passed. The founders created a rivalry when they gave lawmaking power to the Congress and approval power to the president.

The continuous thread running between all of these issue areas is that they deal with the give-and-take between the president and Congress. The first of these areas is presidential performance with regard to foreign versus domestic policy. Here we see the research focusing on congressional support of the president in both foreign and domestic policy. The evolution of the "two presidencies" theory is central to this discussion, seeing how presidential support in foreign policy has changed over time and how it compares to support in domestic policy (Prins and Marshall 2001; Fleisher et al 2000; McCormick and Wittkopf 1990; Wildavsky 1966).

The second group of existing research focuses on the overall role of public approval in presidential performance. This body of research has the broadest array of existing literature of the three groups. One aspect of this research focuses on what factors impact presidents' public approval and the influence approval has on generating policy (Canes-Wrone and de Marchi 2002). Another focuses on the effect of public approval on presidential success (Bond et al 2003; Edwards 1983), and it is this portion of the literature that is of the most interest for this research. From here the existing information

on the relationship between public approval and presidential success can be used to set a strong framework for this research. Additionally, examining this body of research can assist in seeing where the gaps in the current research exist.

Lastly, there is literature on the role that foreign or domestic policy approval plays in determining presidential success (Ponder and Moon 2005; Bond et al 2003; Canes-Wrone 2004; Edwards 1989, 2002; Meernik 1993; Kernell 1997). This area of research is the least developed of the three and has the potential to fill the gap in the previous two categories by unifying the approval and policy research. In this grouping we see the two other categories joined together to examine presidential-congressional relations, including both public approval and the role of policy type. The gap in the existing literature caused by not fully exploring the potential relationship between policy and job approval is where this research will fit.

Foreign and Domestic Policy Differences

There are a variety of questions at hand when examining presidential policy success. While many of these questions, like the role of divided/unified government, will be dealt with later on in this and later chapters, what is initially interesting is what the existing literature tells us (or does not tell us) about how domestic and foreign policy operate. Do the existing theories suggest that we should examine these two policy areas in the aggregate as well as individually? The easy response to that question is yes; there is in fact evidence to support the theory that presidential success in the foreign policy arena operates differently than domestic policy. Do the tools the president uses to be successful in domestic policy work as effectively in foreign policy? The literature addresses how the president has historically been more successful with Congress in the

foreign policy arena – but it is lacking on why this occurs outside of a constitutional framework (Thurber 2006; Hamilton 2006; Marshall 2003; Prins and Marshal 2001). The role the Cold War played in presidential success in foreign policy has been addressed, but the continually changing world makes foreign policy issues continue to impact the relationship between the president and Congress. If the two presidencies is indeed dead (and what impact has 9/11 had on it?), is it revivable? The literature has yet to deal with the post-9/11 relationship between the executive and legislative branches in foreign and domestic policy. The existing research does support the view that while an examination of success in the average can provide varied information; individual analyses are also beneficial in the study of executive-legislative relations.

One area of research where political scientists (Prins and Marshall 2001; Schraufnagel and Shellman 2001; Fleisher et al 2000; Conley 1997; McCormick and Wittkopf 1990; Wildavsky 1966) highlight the differences between legislative success in foreign and domestic policy is the "two presidencies" research. In 1966, when Aaron Wildavsky published his article "Two Presidencies," he argued that in the United States there are two presidencies, one for foreign and one for domestic policy. Since its publication, political scientists have debated whether this thesis is correct and more specifically if presidents actually receive greater support from Congress in the foreign policy arena. Wildavsky's original contention is that the United States has one presidency for domestic policy and a second for foreign policy. In the original thesis, Wildavsky finds that the foreign policy president is the more powerful of the two. He backs this finding with the claim that between 1948 and 1964 there was not a single major foreign policy issue where presidents, when determined, failed (Wildavsky 1966).

Wildavsky characterizes the president's problem with domestic policy as needing to obtain congressional support for his/her programs, while for foreign policy the president can "almost always get support for polices that he believes will protect the nation" (pg 7). The power the president has in foreign policy does not "reside in the greater constitutional power" but instead comes from the changes that have taken place in the world since 1945. One key change would be the potential use of nuclear weapons. Because of these changes, foreign policy is a higher priority for presidents and the speed needed to make foreign policy decisions places the president in a position of control that does not exist in domestic policy. While Wildavsky acknowledges that Congress does exercise power in foreign affairs, he does not view them as competition for the precedent. Another difference that Wildavsky points out is that in foreign and defense policy, the president is less likely to "play politics," while in domestic policy there is more politics and greater influence of political parties. In foreign policy, Wildavsky argues that the president is often the sole decision maker and needs to develop and enact solutions in a much shorter time span, often outside of the prevue of the Congress.

From Wildavsky's initial hypothesis, a slew of studies came forth to assess the validity of the theory. One group of criticisms focuses on the time-bound nature of the two presidencies finding, that it no longer holds true when additional years are added to the analysis (Schraufnagel and Shellman 2001; Edwards 1986; LeLoup and Shull 1979). Other research found that the two presidencies effect only occurred under certain circumstances, specifically only when the president is a Republican (Fleisher and Bond 1988). The continuing discussion of the two presidencies not only includes the problems associated with its time-bound nature, but also the question of whether the continued

testing of the hypothesis is worthwhile (Fleisher et al 2000; Canes-Wrone et al 2006). Canes-Wrone, Howell and Lewis (2006) argue that there is clear cause to believe that presidents continue to exercise greater influence over foreign affairs compared to domestic. Their study moves beyond the traditional testing of the two presidencies thesis -- which uses roll-call voting as the basis of measurement -- and instead focuses on agency creation and budgetary issues. For these purposes, the discussion is not whether or not the two presidencies thesis is still accurate, but the validity in framework that it provides for why the two policies types can be viewed and studied as distinct (Canes-Wrone et al 2006; Prins and Marshall 2001; Edwards 1986).

The difference in domestic and foreign policy making goes far beyond the two presidencies debate. While the president and Congress share power in both these areas, the manner in which they share power is different, in both constitutional and power-brokering aspects. From a constitutional perspective, Congress has the central legislative powers, while the president has the authority to recommend and veto legislation. The president is the Commander in Chief and has the authority to negotiate treaties and receive ambassadors, though he/she does need the "advice and consent" of the Senate on treaties and ambassadors. While the Constitution places the power to declare war solely with the Congress, the interpretation of this power continues to be a source of conflict between the executive and legislative (Thurber 2006; Yoo 2005; Schlesinger 2004; Adler 1988). This shared power has become an even greater sticking point with regard to foreign policy since the end of the Cold War (Jentleson 1997; McCormick and Wittkopf 1990).

While the role the president takes in foreign policy is different from domestic policy, the view that national security and foreign affairs are solely under the executive office is certainly shifting. The president has the power through executive orders, executive agreements and national security directives to operate without congressional approval. This gives power to the president in all policy making, but especially so in foreign affairs where the effects of these powers is of note because of the impact on national security as well as the secretive nature of the orders (Canes-Wrone et al 2006; Howell 2003). Presidential power in foreign affairs is also different from that of domestic policy because the president has the power to quickly mobilize the military in times of war and crisis. But even with the traditional view, presidential dominance in foreign affairs has come into question. Prins and Marshall (2001) find that bipartisan support in foreign affairs has declined since the end of the Vietnam War. These findings are consistent with similar research by Fleisher et al (2000). There has also been an increase in overlap in issues that were once clearly foreign and domestic policies. Congress deals with a rising number of high profile policy issues seen as having both domestic and international implications. These dual policy issues, like immigration and trade, become increasingly important when they have direct electoral implications for members of Congress (Prins and Marshall 2001; Conley 1997; Lindsay 1994). Even with this growing overlap in congressional attitudes, there is a need to differentiate between overall support for the president and support in foreign and defense policy versus domestic policy.

Foreign and Domestic Policy Approval

The body of research on public approval and the presidency falls into two main sets. The first looks at the president's ability to lead and manipulate public opinion

(Edwards 2006; Cohen 1997; Brace and Hinkley 1992; Edwards 1983; Ragsdale 1984). Here the discussion focuses on when -- and on what issues -- the president can garner public support. This support can be either for his/her administration or a specific policy on which she/he is focusing. The goal of this research is to understand the president's ability to affect and influence public opinion (Bailey et al 2003).

The second set looks at the role that public approval has in presidential policy making and relations with Congress (Canes-Wrone 2004; Edwards 2002; Canes-Wrone 2001; Kernell 1997; Bond and Fleisher 1990). In this set the research examines how popularity can affect presidential policy making. Another key area in this discussion is how and if public approval influences the president's ability to achieve policy success. Here the literature attempts to link public approval to executive-congressional relations.

A third set is additionally relevant to understanding the presidency, though this set is not typically linked to presidential power. This large set examines the formation of public opinion and policy preferences (Page and Shapiro 1992; Maggiotto and Wittkopf 1981; Carmines and Stimson 1980; Key 1961). It is within this group that a broader understanding of how the American public views domestic and foreign policy is found. The public opinion literature provides the groundwork for knowing what issues the public tends to form opinions on and what issues it does not. Key here is the discussion of what factors influence opinion formation and how these opinions influence policy beliefs as well as partisan behavior.

Within the public opinion realm, researchers continue to investigate how the public forms policy preferences. Much of the work goes back to V.O Key's (1961) theory that public opinion does not directly set policy but provides the range or limits of

policy and serves as a guide or constraint on policy making. Another key work that sets the foundation for the understanding of public opinion is the examination by Page and Shapiro (1992) that analyzes public opinion over fifty years, finding that preferences among the public tend to be consistent over time. One key finding is that overall public opinion is relatively stable and reasonable. Also important is the view that the electorate is able to distinguish between different types of policies (Page and Shapiro 1992).

While opinions on domestic policy tend to be relatively stable, opinions on foreign policy are often more volatile (Wittkopf and McCormick 1993; Page and Shapiro 1992; Corrigan 2001). Early studies on the role of public opinion in foreign policy found that the American public was not capable of holding stable attitudes in foreign policy. "The mass public is generally uninformed about either the specific foreign policy issues or foreign affairs in general" (Rosenau, 1961, p. 35). During times of foreign policy crisis the public's attitude may shift away from indifference but is still considered to be superficial (Jacobs and Page 2005; Erikson, Mackuen and Stimson 2002; Sobel 2001; Wittkopf and McCormick 1993; McCormick and Wittkopf 1990; Maggiotto and Wittkopf 1981). This literature forms the basic understanding that foreign policy attitudes are different from domestic policy attitudes (Maggiotto and Wittkopf 1981). This understanding is central for my research because it helps to support the view that public attitudes and approval behave differently in these two policy areas. It therefore lends credence to this examination that includes different measures of opinion operating in two policy areas.

There is a school of thought (Carsey and Layman 2006; Kim, Scheufele and Shanahan 2005; Carmines and Stimson 1980; Page and Shaprio 1992; Converse 1964;

Downs 1957) that focuses on how and why Americans form the opinions they do, and domestic policy issues have often been a strong part of this research. One view of public opinion that provides a distinction between foreign and domestic policy opinion is the comparison of "easy" and "hard" issues. Those issue areas viewed as "easy" tend to be more symbolic than technical and cue into core values. These are often domestic policy issues like abortion and race (Carmines and Stimson 1980). In contrast, "hard" issue areas tend to be more technical and include how goals are achieved rather than the goals themselves. Issue areas like foreign policy and regulatory policies tend to be considered "hard" issues (Bailey et al 2003; Maggiotto and Wittkopf 1981). While there are domestic policies in both categories, the "easy" versus "hard" issue areas is just one example of how foreign policy opinion is considered at times to be different from domestic policy opinion -- not just in how it is expressed but also how it is formed.

When it comes to foreign policy, the complexity of the issues at hand and the impact that complexity has on opinion formation tends to be the focus of the previous literature. Foreign policy is considered to be a classic complex issue and the understanding has been that the public is more supportive of a foreign policy when they believe a president favors it (Bailey, Sigelman and Wilcox 2003; Conover and Sigelman 1982). For a time it was thought that the American public was generally incapable of holding any consistent views on foreign policy (Almond, 1950). While foreign policy crises may have forced some Americans out of indifference, the general attitude was still seen to be superficial and fluctuating (Wittkopf and McCormick, 1990; Sobel 2001). This early perception of how Americans formed public opinion on foreign policy has changed over time, shifting to a view that the collective opinion of the public does tend to be

rather stable, and when opinion regarding foreign policy does shift it occurs for reasons that are both predictable and rational (Dempsey 2006; Page and Shapiro 1992). Much of the recent literature has focused on the causal relationships between foreign policy events, the media, elite opinions and public perceptions (Dempsey 2006; Jentleson and Britton 1998; O'Neal et al 1996; Page and Shapiro 1992).

Despite the differences in how the public reacts to foreign and domestic policy, the role that approval plays in presidential performance tends to focus on a broad overall understanding of how presidential approval works. Widely accepted is the view that the public can be influenced by symbolic cues *a la* rally around the flag (MacKuen 1983; Mueller, 1973). In times of international crisis, the American public rallies behind their leaders – rallies which reflect a patriotic support of the executive (Erikson, Mackuen and Stimson 2002; Mueller 1973; Parker 1995). International events that trigger a use of force by U.S. troops are typically followed by an increase in presidential approval (Mueller 1973; Kernell 1978; Marra, Ostrom, and Simon 1990; Baum 2002).

Additionally, the general view is that changes in public approval tend to be incremental and that there will be variation in popularity over a president's term (Mueller 1973; Kernell 1978). Generally, in any one administration popularity will decrease over time (Bond and Fleisher 1990; Light 1991). This decrease over time is linked to the honeymoon period where Congress and the press appear to be more accommodating to the president -- an accommodation that quickly dissolves (Neustadt 2001). Light (1991) finds that presidential capital tends to decrease throughout a president's term in office. Capital plays an important role in setting a presidential agenda and as a president's capital contracts, it directly affects the likelihood of passing his domestic agenda (Light

1999). Tied to capital is what Light refers to as the "cycle of decreasing influence." Presidential capital, time, and energy are the basis of this cycle. "As the term winds down the President simply does not have enough time to pursue major initiative" and "…In the first term, Presidents are forced to allocate their time between the domestic agenda and the campaign" (Light, 1991, pg. 37).

While approval and formation of opinions on the president are not the central focus of *Presidential Power*, Neustadt makes key observations about the role of approval that are relevant to the current discussion. One of the best and most interesting observations Neustadt makes is with regard to what issues the public cares about and pays attention to versus the issues that they do not. He begins with the idea, "One never should underestimate the public's power to ignore, to acquiesce, and to forget, especially when the proceedings seem incalculable or remote from private life." He then goes on to observe that "paychecks, grocery bills, children's school, sons at war are quite distinctly matters of real life." (p.72). From these observations, first made in 1960, one can continue to draw examples like the Clinton campaign's "it's the economy, stupid" to the role of the Iraq war in seeing how the public's opinion can directly impact electoral outcomes.

Public Approval and Presidential Success

Another key issue in the study of presidential success with Congress is the role that public approval does or does not play. It is in this body of literature (Bond and Fleisher 1990; Edwards 1989, 2002; Meernik 1993; Canes-Wrone 2004) where much of the work combining presidential success and public approval is found. The existing literature not only provides a strong framework for how to create models to test theories

on the role of success, but also for how to see what areas have yet to be flushed out, allowing for future research opportunities. What we can see broadly from the existing literature on approval and success is two-fold. First, there is no clear consensus on if approval matters to presidential success. Secondly, when success is even included in the discussion of presidential-legislative relations it is typically included as overall job approval ratings and averaged by year.

Much like the debate over the "two presidencies" theory, there has been significant back-and-forth in the literature over whether or not approval matters, to what extent, and what the best measure of approval is. Currently, there are two main branches of the research on presidential approval (Edwards 2006, 2004, 1989; Canes-Wrone 2006; Kernell 1997; Wittkopf and McCormick; Rivers and Rose 1985; Ragsdale 1984). One examines how presidents can impact their approval and the other focuses on how approval impacts legislative relations. What does seem to be universally accepted in the literature is the view that approval matters to the president and Congress. Despite the fact that the relationship between approval and presidential power may be difficult to prove empirically, those inside Washington perceive that approval provides a tool for the president (Edwards 1997, 2003; Ponder and Moon 2005). Many refer back to Neustadt for the theoretical justification of why approval is significant and any description of the state of the literature that did not refer to this research would be lax. In *Presidential Power* (1990), Neustadt provides many insights into how presidents yield power. One asset or tool the president has in getting what he or she wants (especially with Congress) is his standing "with the public outside of Washington" (Neustadt, 1990). That being said, the basic understanding is that while approval may play a role in helping the

president, it is certainly a secondary role when compared to other factors. In speaking of prestige Neustadt observes, "A president's prestige is thus a factor in his influence of roughly the same sort as his professional reputation: a factor that may not decide the outcome in a given case but can affect the likelihoods in every case and therefore is strategically important to his power" (p. 69). Richard Neustadt's description of the role prestige plays in the balance of power has been the jumping off point for much of the literature dealing with approval in the executive-legislative context.

The literature on approval and legislative success marries the two previously discussed perspectives on the presidency. This group of research not only looks at the president's ability to persuade or mobilize the public; but also if he can exploit that mobilization or the "bully pulpit" into some form of legislative success. In discussing presidential leadership of the public, Edwards (2004) quotes David Gergen, a White House communications adviser, in describing how Ronald Reagan was able to turn television "into a powerful weapon to achieve his legislative goals."

The research dealing with the potential impact of approval on executive-legislative relations is where I will spend a significant amount of time reviewing the existing literature and examining the different findings. The current state of the literature sets the continuing tone for the debate over whether or not approval matters. One cause for the debate over the current findings -- as well as the variance in the empirical findings -- is due to the manner in which approval and legislative success are measured. This issue will also be covered in the following section, as will a discussion of the issues and the literature associated with the use of public support and other factors that are (or in some cases are not) critical resources for the president. The cultivation of public support

for use as a policy resource for the president is what Kernell (1997) refers to as "going public". This presidential action occurs when "a president promotes himself and his policies in Washington by appealing to the American public for support" (Kernell 1997 pg. 2). A president then enlists the public as a third party in order to force Congress to accept his preferences. Going public deals directly with the relationship between the executive and legislative branches and how the public plays into that relationship. It is the relationship between the Congress and the president that drives the research between these two branches.

I find it necessary to return to the basic concept of constitutional structure. The basic design of the system, with its checks and balances, forces the executive and legislative branches to "share power" as Neustadt so famously describes it. Not only must the president contend with the legislative branch, but s/he also has to deal with each chamber's unique set of rules and members (Edwards 2004; Marshall 2003; Binder 1999). So while the checks and balances were designed to produce, as Edwards puts it, "sound, moderate legislation through a process of negotiation and compromise," they also make it more difficult for the president to build coalitions and gain legislative support. Commenting on Neustadt's observation that the constitution created "separated institutions sharing power," Thurber observes that this makes it "difficult for presidents to bridge the constitutional gap even in the best of political circumstances" (Thurber 2006, pg 7). The constitutional structure leads us again to what we do know about the relationship between the executive and legislative branches: that public support may just be one factor influencing voting in Congress. Others include ideology, party, individual policy goals and responsiveness to constituencies (Edwards 2004). This understanding of

the role approval plays is an underlying theme in the literature examining the relationship between approval and success, and is never forgotten in this research. Because while some have raised concern with the idea that Congress is at all responsive to the president's public support, even those who do believe there is a relationship understand that it is generally "modest" (Edwards 2004, 2002, 1989; Canes-Wrone 2004, and de Marchi 2002; Brace and Hinkley 1992; Bond and Fleisher 2003). The partisan nature of Congress, in action with the constitutional framework, make it so no matter where the president stands in the polls there will always be those who oppose his (or potentially her) policies.

There are certainly expectations that drive the notion that popularity should matter in a legislative context in the first place. The president wants to get his agenda passed and the majority party in Congress, of course, wants to get its agenda passed. The president, in wanting to get what he wants done, will use the tools he has to help give him an advantage over Congress. Here we see public support and public approval become a presidential resource (Kernell 1997). The need for this resource is what motivates the White House to garner support, and the belief that this is in fact a resource is what makes Congress take notice of the president's approval. George Edwards (2004) cites a quotes Newt Gingrich from a 1990 *New York Times* article: "If the president's popularity is at 80 percent, I think the president can do whatever he wants" (Edwards pg 15).

This leads us again to the question of why – why should public support for the president influence how Congress behaves? Neustadt (1990) deals directly with this question in his analysis of presidential power. In his view, presidential persuasion is key to presidential power and that power includes influencing the Congress. "The essence of

a president's persuasive task is to convince such men that what the White House wants of them is what they ought to do for their sake and on their authority" (Neustadt 1990, pg 43).

This theory of power has been operationalized into empirical models to further the understanding of presidential legislative success. Two main views are taken when examining presidential legislative success. One view (Bond and Fleisher 1990, Bond et al 2003; Conley 1997; Ponder and Moon 2005) focuses on roll-call votes as the measure of legislative success. The other focuses more on legislative outcomes and bills as the measure of success (Edwards 1989, 2002; Canes-Wrone 2006). The key difference between using roll-call votes and bills is in the outcome portion. Several roll-call votes can occur on for one bill. The advantage of using roll-call votes allows for increased cases in the discussion as well as the availability of the information from *Congressional Quarterly*. The literature that focuses on bills looks at end products. The advantage here is the information from the actual bill and the final vote on legislation but also the decrease in likelihood of one bill being included in the analysis several different times through different roll-call votes.

Beyond this, the research then divides into what additional factors are included in determining success. Bond, Fleisher and Wood (2003) and Canes-Wrone (2004) both include legislative and executive factors into their models, but to understand the reasoning of why public support should matter, a more congressional perspective is useful. When a president has high approval ratings, congressional members may be more able to vote with the president even when this means voting against the views of their constituents back home. Conversely a president with low approval ratings may find it

hard to get members of Congress to support him (Edwards 2004). From a congressional perspective, recognizing that a key (if not main) interest for a member of Congress is that all-important need for reelection keeps Congress' attention on the public's view of the president (Arnold 1980, 1990). Depending on the president's public standing, members may choose to either be close to him or distance themselves from him in order to better their chances. There is a whole body of research that has looked at relationship between support for the president and congressional elections (Jacobson et al 2004; Abramowitz and Segal 1992; Edwards 1979). One need only quickly look at the 2006 congressional election to see how both Democratic and Republican candidates used the president and the War in Iraq in the campaign. For Democratic candidates, the key was linking their opponents to President Bush, whose overall popularity hovered around 37 percent (Gallup 2006).

So what does the existing literature tell us about approval and success? Ostrom and Simon (1985) examined the presidential approval focusing on the president's ability to influence citizen opinions. This research focuses not on the role of public support as political research, but on how a president can influence public support. This research, and the pieces similar to it, are important because they help to re-establish the idea that public support has value as a resource, making it something worthwhile for the president to try to influence and garner (Ostrom & Simon 1985; Light 1982; Kernell 2005). Mueller (1970) contributed one of the early pieces of research on factors that influence approval. Mueller's research was important not only in its study of overall approval, but more specifically on foreign policy approval. What this and other works have found is that some issues are more salient than others in the public's evaluation of the president

(Mueller 1973; Edwards 1990; Ostrom & Simon 1985; Brody 1991; Edwards et al 1995). Most of this research is grounded in the view that individuals typically only have a few issues which are important to them and that they pay attention to (Converse 1964). The existing research in this area has also shown that presidents may use certain tools, like press conferences and speeches, to influence their approval ratings.

This first stream of research is important for this because it helps to establish the importance of presidential approval in the political game as well as in the study of the presidency. Again, if approval did not have some role as a tool for presidential power then there would be less need for understanding how a president can go about cultivating approval. While the later group of research does not typically apply time-series models, this dissertation will. The previous use of time-series models has been useful in the study of explaining presidential approval and can potentially be useful in the study of explaining how approval impacts presidential success.

This research topic is most often examined by looking at presidential support over time. Edwards (1989, 1997, 2005) has set the standard for not only theoretically justifying why approval matters but also for how to go about researching approval and success. In Edwards (1980, 1991) we see the marriage between the two styles of research on presidential approval. Edwards focuses not only on how presidents can influence their approval but on why approval is important in the politics of policy making. He establishes and adds to the theory behind the relationship between presidential popularity and presidential success by explaining the underlying principle behind the relationship: that the popularity or unpopularity of a president will cause members of congress to adjust (Edwards 1980; Borrelli and Simmons 1993).

One approach in the study of legislative success is in a series of pieces by Bond and Fleisher (Bond, Fleisher and Wood 1999; Bond and Fleisher 1990; Fleisher and Bond 1984). Their research has focused mainly on the importance of the measure of success and has looked at roll-call votes over a significant period of time. The main contribution their research has made to the literature has been in the debate over choosing which votes to include in the modeling of success. Bond and Fleisher have continually stressed the fact that the *Congressional Quarterly* data is not thorough enough and may exclude certain votes, especially when using the key vote index. To support their claims they have tested their measure of success in a variety of ways. The models used by Bond and Fleisher (1999; 1990) have included individual member voting records on the presidential position votes, as well as overall presidential success rates for both branches. While they have had much success in their examination of presidential success, their findings have focused mainly around a "Congress-centered" approach. This approach focuses on congressional factors, like the partisan and ideological composition of the House and Senate as the key explanatory variables in determining presidential success (Bond and Fleisher 1990; Covington et al 1995). The effects of presidential popularity have been found to be "marginal at best" (Bond and Fleisher 1990: 25). Several studies have further supported this view, arguing that there is little or no statistical relationship between presidential success and popularity (Bond, Fleisher & Wood 2003; Bond and Fleisher 1984, 1990; Collier and Sullivan 1995).

One attempt to settle the controversy surrounding the relationship between approval and support has been to take a more state-level approach. In these models, the data focus more on state-level approval ratings and how they directly relate to

congressional votes (Cohen et al 2000; Ponder and Moon 2005). One examination of this type of model has lent support to those who argue that there is no empirical relationship between public approval and legislative success (Cohen et al 2000). The Cohen et al examination focuses on just one point in time – September 1996 -- making it difficult to create any generalizable results from their research, and it does not push the approval debate clearly one direction or another. Their research does look at a variety of hypotheses, including the role of party support and electoral vulnerability, and creates potential models for later research. Ponder and Moon (2005) do a nice job of reminding readers that the measure of presidential approval affects if and how it impacts presidential support in Congress. Expanding beyond Borrelli and Simmons' (1993) use of electoral contexts and individual member support of the president based on average Gallup data, they examine approval by congressional members' constituencies. While this is a very useful step in the understanding of how approval influences support, in the examination of the roles of foreign and domestic policy approval this form of data is not available. Like much of the existing literature on approval and success, this research will begin with an average measure of support. But unlike the existing literature, the average scores used are not for overall approval, but instead policy-specific approval. This research also includes approval, by policy area, in a bi-annual manner.

Other researchers have focused on one policy arena, like foreign policy, in their examinations of executive-legislative relations. McCormick and Wittkopf (1990) examine the validity of two key views on foreign policy making, the bipartisan and political perspectives, to see which of these best describes executive-legislative relations in a post-Vietnam era. These two perspectives are grounded in the literature, with the

political perspective viewing partisanship as the key factor in determining how members will vote (McCormick and Wittkopf 1990, Bond and Fleisher 1990). In bipartisan view, congressional support in foreign policy is different from that of domestic policy because members of Congress are less constrained in their voting behavior in foreign than domestic policy (McCormick and Wittkopf 1990, Edwards 1989). The overall finding from these perspectives is that both are appropriate to use in the study of executive-legislative relations in foreign policy. The McCormick and Wittkopf (1990) piece is relevant here, not only because it helps to frame the importance of looking at domestic and foreign policy individually, but also in how it uses, or more so does *not* use public approval in the analysis. The focus of the piece is less on congressional behavior and more a study of the role of bipartisanship and ideology in policy support. In the later empirical chapters, the importance of partisanship and in- and out-of-party support factors in the analysis and is grounded back to this study. A later study by these same authors further expands literature on executive-legislative relations in foreign policy. Again hoping to gain greater understanding of the relationship between these two branches they look at the impact of the end of the Cold War on support in the House for the president's foreign policy agenda.

Their overall finding is that the end of the Cold War may have changed the agenda, but the process is still very much the same. In fact, ideological preferences remain the important explanation of presidential support (McCormick and Wittkopf 1998). Here they include presidential popularity as a contextual factor in determining support, as well as the Cold War, partisanship and ideology. The models here focus mainly on member support of the president with popularity as a secondary issue. The

measure of popularity used here is the president's average annual popularity across each Congress and is combined with inflation levels to make a single measure of the domestic political environment. When measured this way, it is found that popularity has a significant (although signed the wrong direction) effect. One concern with measuring approval in this way is not only the lack of variation within each year of the measure, but also in taking an overall measure of approval and applying it to the analysis of foreign policy.

What the divergent findings on the role of approval and presidential success suggest is not so much that any one methodology is correct but that a variety of methods are available to research this issue. Analyses that look at overall success over time tend to use larger models with a variety of independent variables and use correlations and multivariate regressions in their analysis (Bond and Fleisher 1990). Others examining success in one area may use methods specific to the research question at hand and may use specific types of regressions depending on their unit of measurement (Marshall 2003; Ponder and Moon 2005). The findings also suggest that there are other factors that influence presidential success (Borrelli and Simmons 1993; Bond and Fleisher 1990). If anything, the state of the literature limits the role that we expect approval to have in any model attempting to explain executive-legislative relations. We know that other key factors, mainly partisanship, are better at explaining voting behavior than approval. The relationship between approval and success may only exist during certain time periods or on certain issues. That being said, we have seen falls and rises in partisan behavior in Congress, implying that partisanship may not always be the only explanation of presidential support. This adds to the issues surrounding the shift from congressional

acquiescence on foreign policy to an involved Congress in this area, and makes the examination of the role approval has played over time even more important. The literature has shown that not only can we expect foreign and domestic approval of the president to behave in different manners, but that the executive-legislative relationship in these two areas is different. The two somewhat obvious observations help to frame the basic framework of this research, that in order to better understand if and when approval influences the relationship it is beneficial to examine the relationship in a separated manner as well as in the average. This way, we can see if Congress is more responsive to public approval in a policy context. While the existing literature has helped to flesh out some of the issues surrounding the contextual nature of approval, mainly by focusing on the time period or individual member support, there is still plenty of room for additional study.

The goal of this dissertation is not to end the debate. Instead, it hopes to add some clarity and additional information to the discussion. By looking at approval in a different context, my hope is to shed some additional light on how certain issues may influence this relationship. What we know is that public approval of domestic policy has the potential to behave differently than that of foreign policy. We also know that executive-legislative relations in foreign and domestic policy often differ. While approval has been used in models of presidential success and while presidential success has been viewed in the two disparate policy areas, this research takes the next step and combines these two views. Presidential success in foreign policy should operate with approval in foreign policy better than overall approval. The same should be said for domestic policy. What

the next few chapters do then is take what we know and what we hope to know and test this view.

Chapter Three: Presidential Domestic Policy Success

"Public sentiment is everything. With public sentiment nothing can fail; without it nothing can succeed." – Abraham Lincoln[3]

For good or for bad, presidents care about what the American public thinks. The idea that there is a relationship between public approval and the presidency is certainly not new to either political scientists or politicians. As Chapter Two discusses, political scientists have spent much time and effort to determine if and when public approval influences a president's ability to lead. The existing literature not only examines the relationship between public appeals and job approval, but also the impact of this approval on legislative success (Canes-Wrone 2004; Edwards 2006; Kernell 1997; Cohen et al 2000). In this context, I measure the effect of presidential leadership by looking at presidents' support in Congress. To build upon the existing literature, this chapter will focus on presidents' legislative success in the domestic policy arena and the role public approval plays in this success.

This chapter explores the relationship between presidential job approval and the president's success with Congress. The first section describes the methodology and models used in this chapter and in the following chapter. The second section provides a brief overview of traditional definitions (and my definition) of presidential success and presidential approval and the relationship between the two. In the third section, I discuss the possible variation in the relationship between public approval and the president's legislative success across distinct substantive policy domains, focusing specifically on

[3] From Lincoln's first debate with Stephen Douglas on August 21, 1858. Bartleby: Great Books Online. (n.d.) Retreived June 1 2007, from http://www.bartleby.com/268/9/23.html

trends in domestic policy success and public approval in this area. I present the results of this analysis to test the overarching theory that public approval in specific policy areas has a significant relationship with presidential success in those areas.

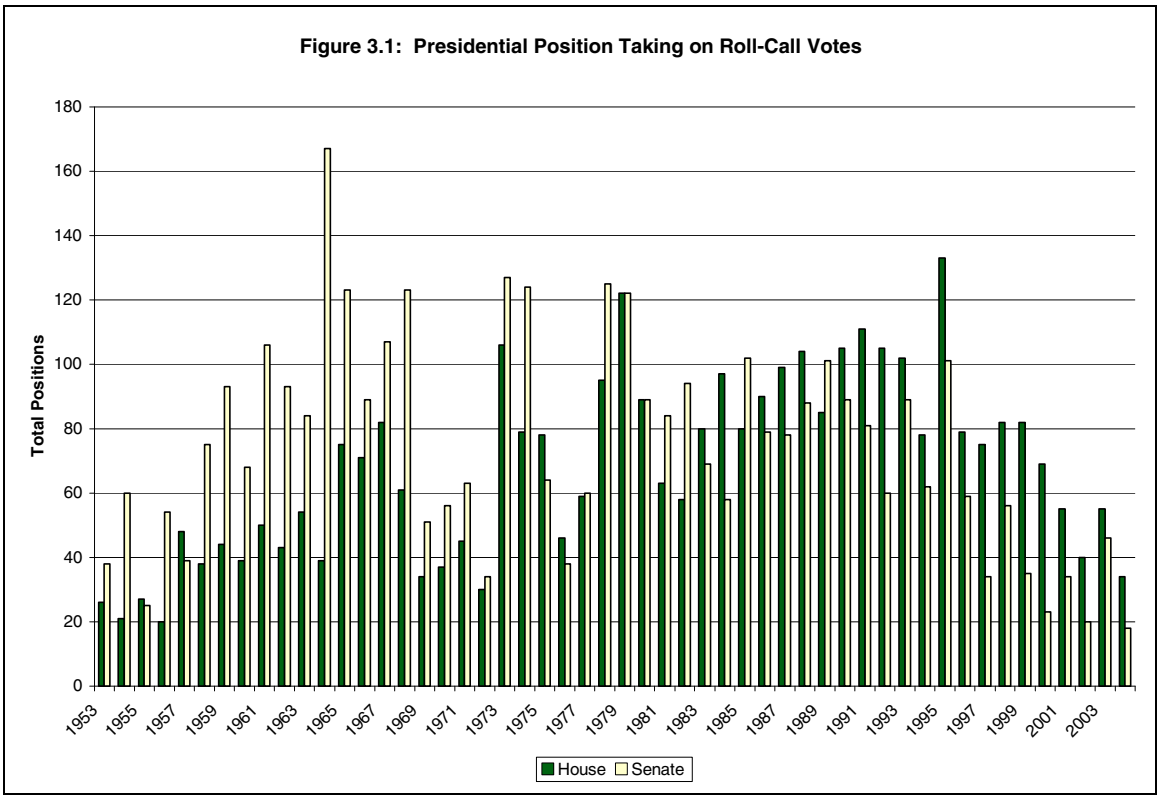
Methodology and Presidential Success

Since legislative success is a focal point of my analysis, an empirical understanding of what success is not only useful, but will also help to connect this research back to the some of the existing literature. I say some of the literature because there is no universally-accepted notion or measure of presidential success. Depending on which stage of the process one chooses to focus -- agenda setting, legislative action or implementation -- one finds distinct measures of how or when a president is successful in his dealings with Congress.

For my research, the framework being used is based on presidential legislative performance. This allows for the examination of how public approval influences his/her ability to deal with Congress directly. The use of roll-call votes in one form or another is one significant way to examine executive-legislative relations (Bond and Fleisher 1990). The president's position on roll-call votes alone shows the "sharing" of power between the two branches. While Congress is constitutionally the writer of laws, the president's performance is often judged on the basis of ability to achieve the desired outcome, be that passage or failure, on those proposals in which he takes an interest (Ponder & Moon 2005; Conley 1997; Bond and Fleisher 1990). The issues surrounding Congress and the presidency "sharing powers" are only exacerbated by the fact that the president is in many ways dependent on Congress in order to achieve their policy objectives, since the government cannot be run on executive orders alone (Conley 1998).

One advantage to basing my measure of presidential success on the roll-calls that the president has taken a position on is that all presidents take a position on votes -- some more than others, but all do. Figure 3.1 shows the total number of roll-call votes on which presidents have taken positions. This data was collected from *Congressional Quarterly* reports on presidential position-taking and the Bond and Fleisher presidential-congressional data set (Bond and Fleisher 2007). On average, presidents took 67 positions in the House and 14 in the Senate. Of all the years included, Carter has the highest in 1979 with 244 and George W. Bush has the lowest in 2004 with 52. Carter, Reagan and the elder Bush were consistently above average, while both Clinton and the current President Bush were below average with some high points; 1995 for Clinton and 2003 for Bush.

Figure 3.1: Presidential Position Taking on Roll-Call Votes



One problem in this type of research, and the disagreement that continues to exist between political scientists, is the question of how one chooses which votes to include and which to exclude from this data-set of roll-call votes. The one consistency throughout the research is that the main set of votes is obtained by those presidential position roll-call votes identified by *Congressional Quarterly*. This score is calculated by the percentage of roll-call votes on which congressional members voted in agreement with the president. Several analyses of presidential success base their measures of presidential support on a subset of roll-call votes on using either non-unanimous votes or key votes in the House and Senate (Bond and Fleisher 1990; Edwards 1980, 1989). Bond and Fleisher (1990; 2002) have based their research on non-unanimous votes arguing that by excluding votes with over 80 percent helps to limit the analysis to relatively important issues on which there was some controversy (Bond, Fleisher and Wood 2003; Bond and Fleisher 1990).

Another concern is that some of the votes are on the same issue or bill. The example given by Bond and Fleisher (1990) is an omnibus program that *CQ* divides into several different votes. In this chapter, both overall success and success in domestic policy are discussed. To do this, I include all roll-call position votes, not just those with less than 80 percent support. From the Bond and Fleisher perspective, this somewhat limits my results since some issues are potentially less conflictual. However some of these votes with near unanimous support have substantive relevance to the research (like the Patriot Act in 2002) and therefore are important to include in the analysis. Rather than cherry pick roll-calls with over 80 percent support are substantively worthy, all are

included. As for the second concern on how votes are counted, one reason for including all of the *CQ*-identified votes is that while there may be several votes on one particular bill listed, often times this includes votes on amendments (some of which may be germane to the bill itself). The *CQ*-identified positions on roll-calls have also been consistently used in the literature (Edwards 1980, 1989) and they provide a broad picture of a president's legislative success. Using this measure throughout the research also allows for the consistent comparison of presidents over time.

One of the issues within the existing literature on the role that public approval plays in executive-legislative relations is the concern that this measure examines approval as well as success in the average. Success scores are often viewed in terms of overall success combining domestic, economic and foreign policy votes into one large category. This is of course a useful endeavor, but there is also the potential to view success within policy areas. Several authors examining presidential success have already evaluated variation across different policy domains (Ponder and Moon 2005; Sobel 2001; Prins and Marshall 2001, Wittkopf and McCormick 1998). As for public opinion, the most often-used measure of presidential approval is average national approval of the president. This version of presidential approval provides a stable and consistent measure but includes only overall job approval at the national level, without including any measure of constituency approval or policy-specific approval. One potential solution is to include and assess state-level data to see how the relationship works from this perspective. This examination can test to see if members of Congress are concerned with their electoral constituencies' approval of the president rather than a broader, more national measure of approval. This has been done by Ponder and Moon (2003). Another option, and the one

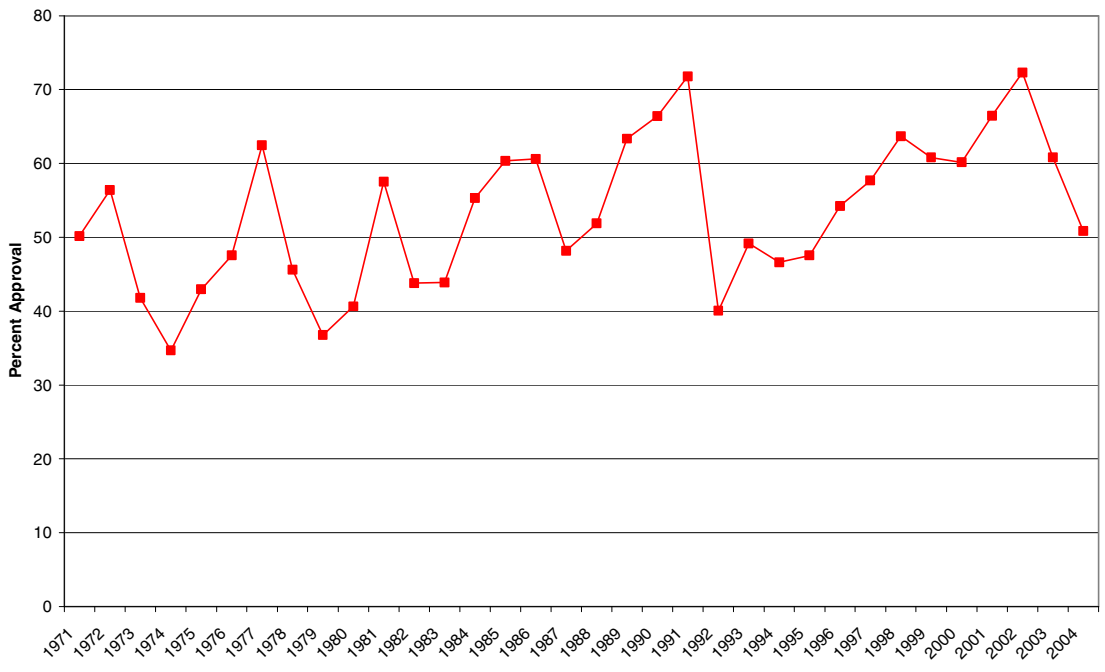
which is explored here, is to examine the approval-success relationship at the policy level. One implication of this examination is that while approval may have some marginal effect on overall success, it may have a more substantial impact on specific policy types or by specific policy approval.

Methodology and Public Approval

Important not only to the subject matter at hand, but also the discussion of what influences presidential success, is the role of public approval. The Gallup organization has polled the American public on their level of approval (or disapproval) of the president since 1938. Since then select groups of Americans have been asked, "Do you approve or disapprove of the way [president's first and last name] is handing his job as president?"[4] Figure 3.2 shows the average responses to this question by year, since 1953. This figure illustrates some largely held beliefs or opinions on how popularity changes over time. Obviously, for each president there is variation in popularity over time (Mueller 1973; Bond and Fleisher 1990): popularity tends to be high early on in an administration but then drops over time (Bond and Fleisher 1990; Brace and Hinkley 1992; Ragsdale 1998).

[4] The question until 1981 was "Do you approve or disapprove of the way [president's last name] is handling his job as President?" it was then changed to include the first and last name of the president.

Figure 3.2: Average Annual Presidential Job Approval Rating



Source: Gallup poll (various years)

In this chapter, I am interested in the role that domestic policy approval plays in overall success but also upon success within the domestic policy arena. A justification of the measure of approval in domestic policy is essential to the discussion. In these models, the public approval measure comes not from questions directly on domestic policy but instead on economic policy. This variable is based on the CBS/New York Times survey which asked, "Do you approve or disapprove of the way [the President] is handing [economic] policy?" This survey question was asked multiple times each year between 1971 and 2004.[5] Until 1981, a direct question on domestic policy was not consistently asked. The role of economic approval as it relates to overall approval ratings

[5] In order to obtain additional cases to capture at least one term of the Nixon presidency, the foreign policy public opinion variable was based on Nixon's average scores on approval ratings on foreign policy issue areas including Vietnam, World Peace and relations with China and Russia. This was done because the standard public opinion question was not asked during that time period. However, the standard economic survey question was asked during the Nixon years and that variable is based on those results.

is also firmly grounded in the literature (Mueller 1973; MacKuen, Erikson and Stimson 1992; Wood 2000; Edwards 2003). As Wood (2004, p. 574) simply states, "[P]residents wanting to maintain public approval need to appear to be leading the economy."

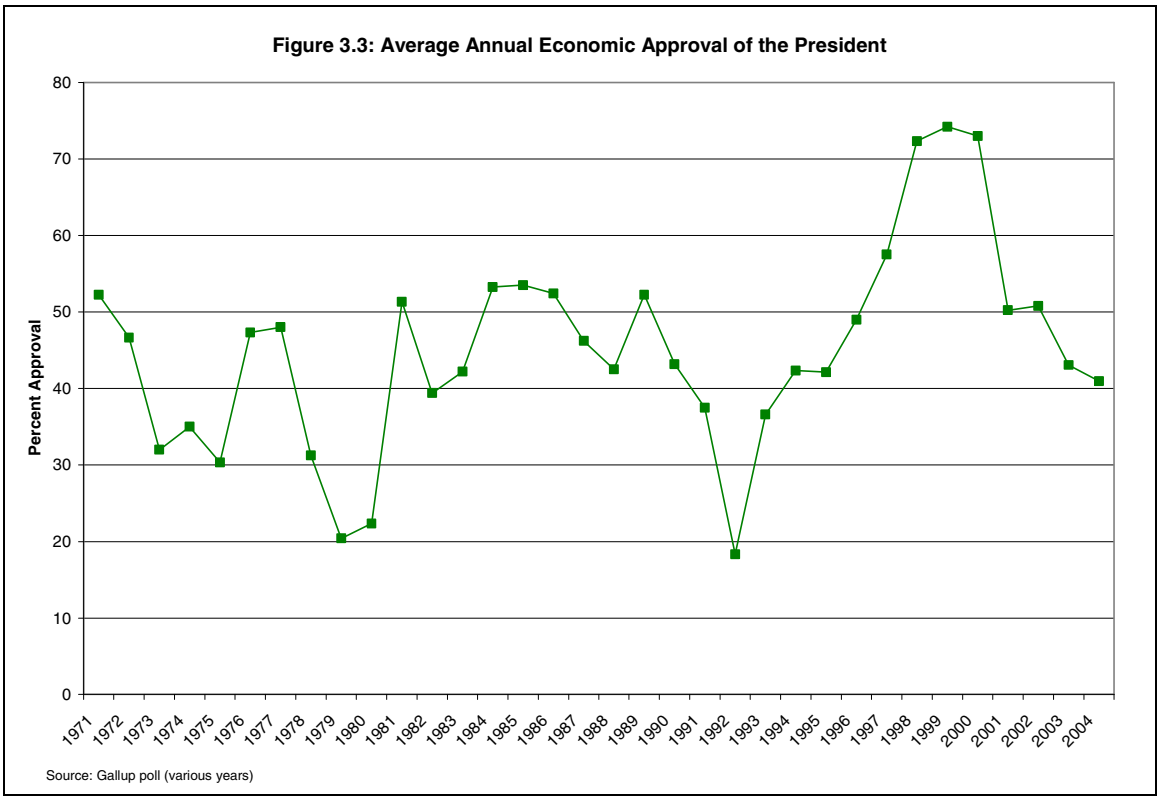


Figure 3.3 shows the trend in economic approval from 1971 through 2004. Of interest is that President George H. W. Bush had the lowest average economic approval (18.45%) in 1992. Bush's highest economic approval rating during 1992 was in January with 23 percent approval. This low approval rating is somewhat surprising when compared to the expected lows of Presidents Ford and Carter, who both presided during economic recessions. Carter does have the second lowest rating, at 20.4 percent, in 1979. The higher ratings, found during the end of President Clinton's second term, are not surprising. Considering the economic success in the late 1990s, this high approval rating

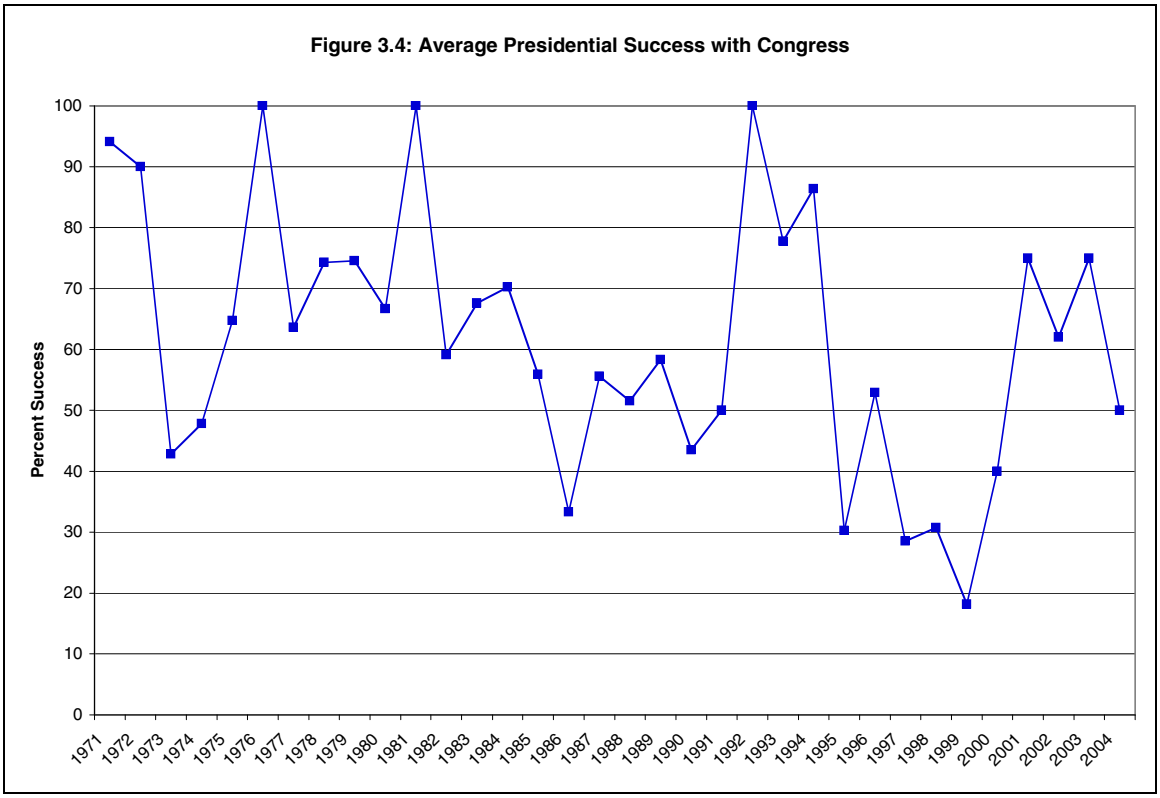
is to be expected. As the figure highlights, there is a steady increase from 1993 through 2000. One possible explanation for the decline in after 2000 would be the economic impact 9/11 had on the country. What we do see is that, much like general job approval, there is a great deal of variance over time and between administrations. Unlike general approval, economic approval is most often under 55 percent approval rating and only peaks above that for four years during this time period. Overall job approval is above 55 percent nearly half the time. These approval ratings are consistent with the findings of Wood (2004) where he finds that the American public holds the president accountable for U.S. economic performance and notes that presidents have increasingly discussed the economy publicly.

Domestic Policy Models

This analysis includes an overall measure of presidential success, as well as domestic and foreign policy success, for every president from 1971-2004. While success rates are available for the years prior to 1971, policy-specific polling data is not, therefore the sample size is somewhat limited. However, the 1974-2004 time period is interesting for several reasons. It includes several shifts in power from Republican to Democratic presidents, periods of both divided and unified government, and encompasses the last portion of the Vietnam War, the end of the Cold War and the first Gulf War. While the Cold War is not included in this chapter, it is considered to be important and is discussed in the next chapter when we examine foreign policy and executive-legislative relations.

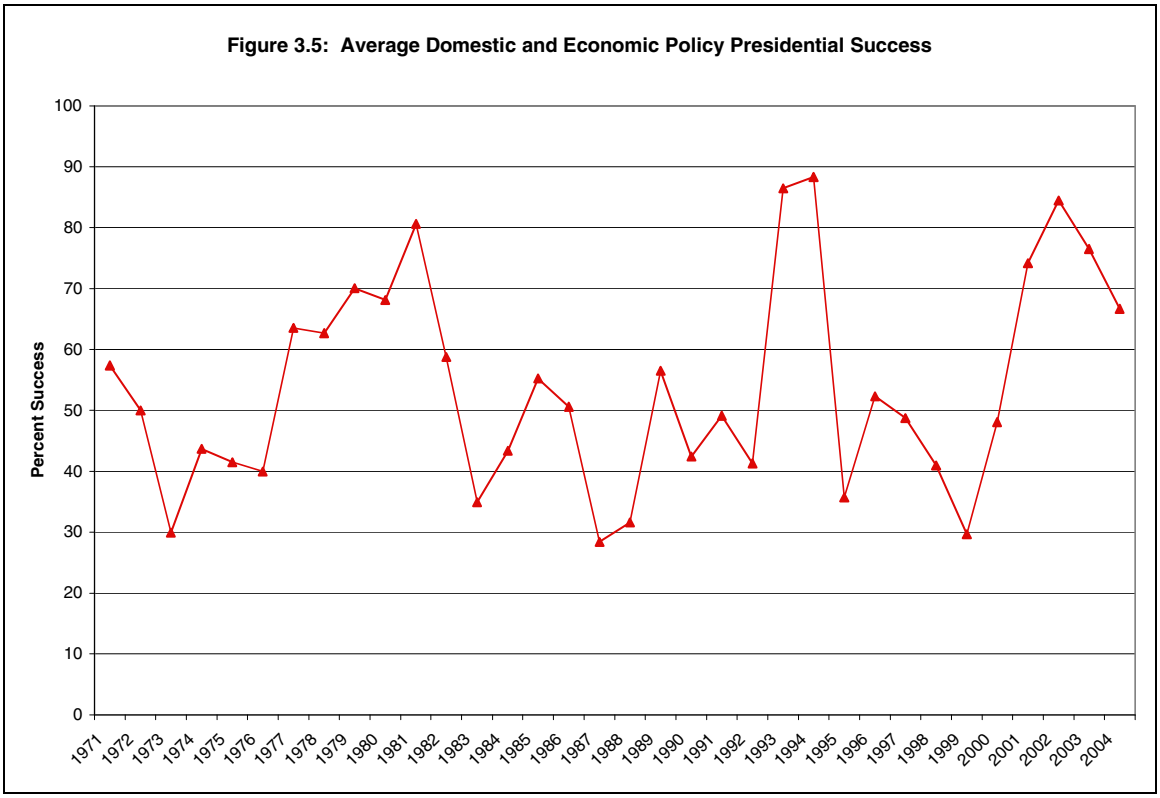
Figure 3.4 shows the overall support for the presidents used in this analysis. Success is measured by the annual number of House and Senate roll-call votes from 1971-2004 in which the president's position won. As previously stated, presidential

positions on roll-call votes are identified in annual reports by *Congressional Quarterly.* As one can see, there is a great deal of variance in overall success over time. One high point was in 2002 just after the 9/11 attacks, when President George W. Bush had an overall average score of 87.8 percent. This is in sharp contrast to the low point in 1999 for President Bill Clinton during the height of the Monica Lewinsky scandal or during the 1995-1996 budget fight between President Clinton and the Republican-controlled House.



The question I will pose first is what factors, including approval, influence overall success? Next, we will shift focus towards an examination of success strictly in domestic and economic policy. The domestic policy success score was calculated by taking the percentage of victories on domestic policy roll-calls on which the president took a clear

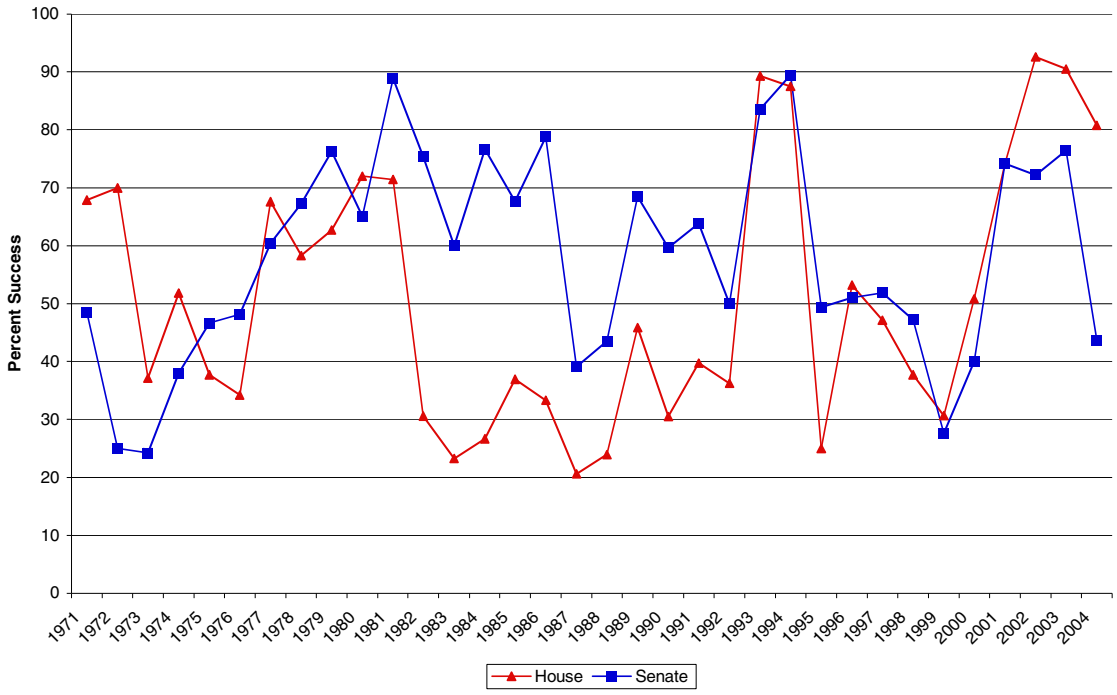
position (as identified by *Congressional Quarterly*). *Congressional Quarterly* publishes overall support scores annually and historic overall success rates (including nominations in the total calculation), historic domestic and foreign policy scores are not available through *CQ*. These were calculated using the Bond and Fleisher dataset of congressional votes for the years 1971-1994. One difference between these two data sets is that the *Congressional Quarterly* scores include nomination votes in the Senate while the Bond and Fleisher data set does not. When nomination votes are included, the overall success rate of a President tends to be higher, given the bipartisan support usually found for nominees. The omission of nomination votes was continued in the calculation of the data from 1995-2004. Post-1994 data was calculated by the author in the same manner used by *CQ*, by taking the total proportion of presidential victories compared to the total number of positions taken by the president. The data was then divided between foreign/defense policy and domestic policy and presented separately as overall success and success within both chambers of Congress. Figure 3.5 shows the range of success rates in domestic and economic policy during this period. This graphic highlights that presidents often start out fairly successful with Congress and then decline over time. This is by no means a new idea; the concept of a strong first year is grounded in the perception of the "Hundred Days" when Congress is more likely to defer to the positions proposed by a new president.



Much like overall success, domestic policy success varies greatly over time both within and between administrations. It also varies greatly between the two chambers of Congress. Figure 3.6 shows the support of the president in domestic policy in both chambers. The House is shown to be less supportive of the president over time, reflecting the role that divided government played in the mid-1980s when the Democrats controlled the House and the Republicans controlled the White House. This can also be seen with the Republican-controlled House in 2000 and 2001, which was more supportive than the Senate in those years, reflecting the shift in power in the Senate from split to Democratic control. The existence of divided government was incorporated into

the multivariate regression model in order to further measure the effect of this factor on presidential success. In this case, it was considered to be divided government if either of the two chambers were controlled by a party different from the party of the president.

Figure 3.6: Average Domestic and Economic Policy Presidential Success by Chamber



As previously mentioned, there are other factors that are influential in understanding presidential success with Congress. Several of these, like tenure in office, are also included in the quantitative models. These additional variables are by no means theoretical stretches, and are, in fact, just a few of the potential explanatory variables that one could use when examining presidential-congressional relations. It is important to remember that public approval competes with other factors, such as ideology, party, and personal views (Edwards 1989). In fact, approval is thought to be far less important a

factor when examining congressional voting behavior than these other factors (Edwards 1989). That being said, I find approval to be theoretically significant and where applicable, it will be used throughout the models in this and the following chapter.

One area of interest is the impact of time in office on a president's ability to pass his/her agenda. This follows Light (1991), who argues that presidential capital decreases throughout a president's tenure in office. Tied to capital is what Light refers to as the "cycle of decreasing influence." Presidential capital, time and energy are the basis of this cycle. The underlying argument behind the "cycle of decreasing influence" is that as capital and other influential factors decline, a president has a more difficult time in passing his/her agenda. This concept is measured by a simple year in tenure count ranging from 1-4 for the first term and 5-8 for the second term.

Just by a cursory look at Figures 3.2 and 3.3, one can see there is significance to the idea that time in office matters to approval rating levels. Within each administration, presidents tend to start off with higher approval ratings. These ratings tend to decline over time, unless of course there is some type of event that causes approval to move in the opposite direction. While these events tend to be of a foreign policy nature, which will be discussed in greater detail in chapter four, an easy example would be the first Gulf War in 1991. Here President George H. W. Bush's approval ratings increased annually, from 66 percent in 1990 to 72 percent in 1991.

The second concept incorporated into the research design is the idea of unified versus divided government. There has been much discussion, by Mayhew (1991) and those responding to him, of the impact of unified government on legislative output. This research does not intend to reopen the divided/unified government debate. The intent of

the unified government variable is in the vein of V.O. Key (1964) and Sundquist (1980). Their understanding is that the president has an easier job getting Congress on his/her side when his/her party is in the majority in one or both chambers of Congress. Sundquist (1980) argues that the president and Congress are bound to disagree, and even "quarrel," over issues. During periods of divided government, we would expect a president to have a more difficult time with his/her legislative agenda. The current literature also shows us that there has been a rise of partisan politics in both Congress and the White House since the 1980s (Fleisher and Bond 2000; Aldrich 1995; Fleisher and Bond 1996; Rhode 1991). For our purposes, divided government is viewed simply as the president being of one party and either chamber of Congress being of the opposite. It is coded simply as a dichotomous variable (0 divided; 1 unified).

The size of a party's majority in Congress can also play a role in presidential success. We expect that not only the president's party control the House or Senate to matter but also the size of the president's party in either chamber to also contribute to legislative success. The larger the majority of the president's party in either chamber, the greater the expectation that the president will achieve legislative success (Krehbiel 1998; Canes-Wrone and de Marchi 2002).

The models used in the next two chapters also examine not only overall presidential success but success in both chambers of Congress. To get a broader view of executive-legislative relations and the role of approval in those relations, it is important to examine the relationship from several different angles. While the president's success rate may not differ greatly between the two chambers, the institutional dynamics -- especially when looking at foreign and domestic policy -- may potentially lead to different

outcomes. Not only does the Constitution give the Senate more direct foreign policy power through approval of treaties and ambassadors, but the Senate is seen typically as being more assertive in foreign policy than the House (Lindsay 2003).

The first model used will be similar to those found in the existing literature. The dependent variable will be the *Congressional Quarterly* overall presidential success score for each year from 1971-2004. This model will also include the president's average Gallup score of overall approval. The regression model is as follows:

Presidential Overall Support Score = a +
ß1 (president's yearly public approval) +
ß2 (unified or divided government) +
ß3 (tenure in office) +
ß4 (party %)

The second model will examine the impact of economic/domestic approval on a president's overall success. The dependent variable in the regression model, again, is the *Congressional Quarterly* measure of overall presidential success, or the percentage of times Congress voted with the president on a specific piece of legislation. The regression model, estimated separately for overall success within the House and the Senate, is as follows:

Presidential Overall Support Score = a +
ß1 (president's economic policy approval) +
ß2 (unified or divided government) +
ß3 (tenure in office) +
ß4 (party %)

The third model, while similar to the first two, will examine the impact of economic/domestic policy approval on a president's success in the domestic policy arena.

Here the dependent variable in the model will be the measure of success for only domestic policy matters.

The regression model, estimated separately for overall success within the House and the Senate, is as follows:

Presidential Domestic Policy Support Score = a +
ß1 (president's economic policy approval) +
ß2 (unified or divided government) +
ß3 (tenure in office) +
ß4 (party %)

As discussed earlier, there is a basis in the literature to expect a relationship between presidential success and public approval. There has been research on both sides of this issue, some showing direct effects of public approval and some finding marginal impact (Edwards 1980; Rivers and Rose 1985; Bond and Fleisher 1990). Unlike previous studies of executive-legislative relations that have used basic correlations or standard OLS regressions to test for a potential relationship (Ponder & Moon 2005; Conley 1997; Bond and Fleisher 1990, Wittkopf and McCormick 1989), our first test of the theory that public approval does have an effect on success uses a Prais-Winsten regression. This allows the data to be analyzed in a time-series manner while correcting for autocorrelation. Previous studies that focused on determining factors that influence presidential approval have used a Prais-Winsten test, allowing for the examination of the impact of variables over time (Atkeson 1998; Jackman 2000). It is also expected that the models in this chapter will have serial correlation due to the time-series nature of the analysis. The Prais-Winsten test is the preferred correction for this problem (Durbin & Watson 1950; Wooldrige 2003; Gold & Robinson 2005).

Impact of Public Approval on Overall Success

Table 3.1 shows the results from the initial examination of presidential success with Congress. Here the measure of approval is the average Gallup annual approval rating for the president. The first column shows the results for overall Congressional support of the president, in both domestic and foreign policy matters. The second column shows support for the president in just domestic policy matters. The measure of tenure in office is significant in both models. Gallup approval is significant in the domestic policy models as is the size of the president's party in the Senate.

Table 3.1: Regression Analysis of Presidential Success including Overall Job Approval

	Overall Success	Domestic Success
Gallup	0.216	0.309+
	(0.211)	(0.233)
Tenure in Office	-2.652**	-2.990**
	(0.940)	(1.030)
Unified Government	8.366	7.992
	(8.391)	(9.279)
Cold War	4.106	-4.285
	(5.383)	(5.172)
Party % House	-0.043	0.210
	(0.478)	(0.492)
Party % Senate	1.112+	0.976+
	(0.658)	(0.644)
Constant	4.635	-9.453
	(24.995)	(26.655)
Observations	34	34
R-squared	0.67	0.66
Standard errors in parentheses		

+ significant at 10%; * significant at 5%; ** significant at 1%
The reported results are from a one-tailed test.
A Prais-Winsten regression was used to calculate these results

As per the literature, (Light 1999) the "cycle of declining influence" variable was significant and negative, suggesting that the later in a president's term, the less successful

he will be with Congress. This also supports the established notion of a presidential "honeymoon" period. The honeymoon period refers to the early part of a president's term when typically the press, Congress and the American public give the president a certain amount of latitude and the benefit of the doubt. This allows for a president to potentially use the honeymoon to be more legislatively successful.

So what does this first look at approval show us? If anything, it shows there is a subtle relationship between presidential approval and domestic legislative success. It also shows that when including approval in a model using the standard measure of average yearly Gallup ratings, approval is significant. However, it is significant at the lowest possible level and the effect approval has on the success rate is much less than tenure in office. The impact of approval seems to influence success minimally. Considering that approval is measured this way even in those studies where it is found to be statistically significant, it does beg the question of whether or not this is the best method to measure approval. One potential solution to combat this question is not to have yearly, but rather bi-annual or quarterly measures of approval. This solution would allow for the examination of how the changes in the public's approval of the president may more directly impact success, rather than looking at an annual approval that evens out the highs and lows that may occur within the year. Unfortunately for the time period covered in this chapter this data is not readily available. However, an alternative potential solution is possible. This solution includes the second and third models of success, to include a measure of domestic policy (or in this case, economic policy) approval rather than simply a measure of overall approval.

Impact of Economic Approval on Overall Success

The focus of the following sections will be the role economic policy approval plays on how successful the president is with Congress. In order to compare the effectiveness of this measure with the Gallup measure, a model similar to that in the previous section was run. Again, the dependent variable was the president's overall success with Congress in both domestic and foreign policy. The difference included in this model is the president's average annual approval rating on economic policy.

Table 3.2: Regression Analysis of Presidential Success including Economic Approval

	Overall Success
Economic Approval	0.215+
	(0.163)
Tenure in Office	-3.038**
	(0.914)
Unified Government	9.146
	(8.270)
Cold War	3.456
	(5.100)
Party % House	-0.059
	(0.475)
Party % Senate	1.134*
	(0.647)
Constant	7.655
	(24.199)
Observations	34
R-squared	0.68
Standard errors in parentheses	
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a one-tailed test. A Prais-Winsten regression was used to calculate these results	

The results of the regression are shown in Table 3.2. As in the previous model, both tenure in office and president's party size in the Senate are statistically significant.

Again, it seems that presidents are more successful with Congress earlier in their tenure in office. The results also support the view that the stronger the size of the president's party in the Senate, the more legislatively success the president will be. Kreihbel (1998) makes a case for the impact of party size in the Senate on legislative success and the significance of the party size variable in the Senate supports this view that the greater the size of the majority the greater the potential for legislative success.

This initial regression has found support for the theory that over time public approval has been a factor in success. While it is by no means the strongest factor, it does have an influence. Here we see that economic approval is significant in predicting presidential success. The impact economic approval has on overall success (.215) is actually less than the impact the Gallup variable had on overall success (.309), though the difference is slight. In fact, this may be due to the high correlation (r = .64) between these two variables. Despite these two variables being correlated, the remainder of the chapter will use the use the economic approval measure. The use of this measure, rather than the Gallup measure, will help to further explore the potential role of economic approval. The next section will examine how it impacts success in domestic policy. Additionally, the unified government variable was not significant in any of the models, which is a surprising result. This lack of significance may be do to a high correlation with the party size variables. Unified government was significant in models which did not include the party size variable.

Impact of Public Approval on Domestic Policy Success

The analysis thus far has looked at overall policy approval and overall policy success. In this section I analyze this relationship using a subset of domestic policy votes

to determine if approval has a relationship in each policy area. To further my theoretical view that public approval matters not only in legislative policy areas but also in different policy areas, the models include a measure of domestic policy approval in the analysis.

The dependent variable in these models is the rate of presidential success in domestic policy for the House, Senate and both chambers. Roll-call votes coded as domestic would include roll-call votes dealing with abortion, education, health care, economic affairs like appropriations for domestic agencies, and gun control. Also included in the model are measures of unified or divided government and time in office. Here we see the use of the different types of divided government, with an overall measure of divided government used in the overall success model and then by-chamber divided government used for each chamber's model. The area of most interest in this analysis is the measure of domestic policy approval that is also included in the model.

Table 3.3: Regression Analysis of Presidential Success in Domestic Policy			
	Overall Success	House Success	Senate Success
Economic Approval	0.296+	0.483+	0.117
	(0.182)	(0.247)	(0.193)
Tenure in Office	-3.544**	-3.113*	-3.596**
	(1.051)	(1.271)	(1.109)
Unified Government	9.097	20.532+	-6.901
	(9.588)	(12.478)	(7.976)
Party % House	0.273	0.645	
	(0.511)	(0.569)	
Party % Senate	0.853		1.923**
	(0.665)		(0.585)
Constant	-3.719	6.376	-27.942
	(27.339)	(25.956)	(28.755)
Observations	34	34	34
R-squared	0.63	0.56	0.56
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a one-tailed test. A Prais-Winsten regression was used to calculate these results			

Table 3.3 shows the results for each of the three models. On domestic policy votes, we find that approval is positive and significant, though the levels of significance differ from chamber to chamber. While approval is statistically significant for overall success and success in the House, it loses its significance in the Senate. One possible explanation for this is that the House, being the "peoples' chamber," is more mindful of the whims of the American public. Another explanation may be that given the electoral term differences between the House and Senate, the House members may to be more in-tune with public approval and the possible electoral rewards in aligning with or against the president. Interestingly, the size of the president's party in the House is not significant in either the overall or the House models. One certainty is that the two

chambers do not always behave in the same manner with regard to public approval. This adds validity to the models examining overall success while also separating out the two chambers.

The results of our model also find the existence of unified government not significant. However, the size of the president's party in the Senate is significant. The models also support the view that where a president is in his/her term can impact his/her success. The negative relationship in the overall, House and Senate models shows that the earlier a President is in his/her term, the higher his/her percent of legislative success.

While the approval coefficient is certainly the smallest and is less statistically significant than the other two variables, it does support the view that approval, more precisely policy-specific approval, does have a relationship with presidential success in that policy area.

The literature to date gives us the overall view that while we expect public approval to matter, it is difficult to support that empirically and it often only matters "at the margins." This chapter has taken a first look at what we already know about the overall relationship between approval and presidential success and has begun to examine success and approval in a less general sense, within specific policy areas.

Although I find a small relationship between domestic approval and domestic success, a positive relationship does exist and tends to support the view that in domestic policy, members of Congress would be influenced by how the public views the president when determining their votes. Because the public tends to be more attentive to domestic (and economic) policy matters, I certainly expect this type of approval to matter more in these policy areas. The differences between the chambers are minimal in this area,

showing that the House and Senate are both influenced by public approval of the president's positions. Of course, in this model approval is certainly less important than unified government or the term in office. This seems to ring true with what we already know about approval. It is not viewed as the key determining factor in whether or not a president is successful. Instead, it works best when framed in a way that presents approval as an additional tool for the president to use in accord with the other tools he may already have at hand. For those presidents late in their terms or facing divided governments, public approval may become a more important tool in forming coalitions in order to get their agendas passed.

Chapter Four: Presidential Foreign Policy Success

"You are, I am sure, aware that genuine popular support in the United States is required to carry out any Government policy, foreign or domestic. The American people make up their own minds and no governmental action can change it." – Franklin D. Roosevelt (1882–1945), U.S. president. Letter, March 29, 1945, to Joseph Stalin.

When American troops were sent to Somalia during the George H.W. Bush administration, most Americans supported the humanitarian mission that included delivering food to starving people (Jost 1994). Then, on October 4 ,1993, the initially humanitarian mission turned deadly and the American public viewed the image of a dead American soldier being dragged through the streets of Mogadishu. The consequent firefight between U.S. troops and Somali rebels left 19 Americans dead and nearly 80 wounded. The public backlash was immediate. Within days of the firefight, the American public was demanding a withdrawal of American troops from the region (Jost 1994). The Senate began discussing legislation calling for an immediate withdrawal. By October 7, President Clinton announced that while enforcements were being sent initially a firm deadline for withdrawing combat troops would be set.

This anecdote highlights the intertwined and often complex relationship between public approval and the president's ability to make foreign policy. The relationship between the executive and legislative branches is often complicated and at times difficult when it comes to policy making of any sort, let alone foreign policy. The goal of this chapter is to extend the discussion in chapter three by further examining of how public approval of the president, with regard to foreign policy, influences his/her ability to achieve legislative policy objectives. As always, it is important to frame the issue from both legislative success and job approval viewpoints. This chapter, like the previous one

on domestic policy, begins with a review of both of these issues with a central focus of the role the foreign policy plays in each.

Presidential Success and Foreign Policy

Before getting into the heart of the discussion public approval plays in policy success, it is important to reiterate the differences in foreign and domestic policy. There is a general understanding that has been established in the literature that we can, and should, think of foreign policy making as different from that of domestic policy (Canes-Wrone et al 2006; Sobel 2001; Prins and Marshall 2001; Meernik 1993; McCormick and Wittkopf 1990, 1998; Wood and Peake 1998). The role the president plays in these two areas is significant in general, but as one can see from the theme of this dissertation, it is also significant and important to view each of these two areas in a stand-alone fashion.

One of the key views useful in framing how the behavior of the president in foreign policy is different from that in domestic policy is Aaron Wildavsky's "two presidencies" theory. Wildavsky's (1966) original view is that the president has greater success when dealing with Congress on foreign and defense policy issues compared to domestic policy issues. The heart of the two presidencies thesis deals with the institutional role that Congress plays in the domestic policy decision-making process. While there are constitutional limitations on what the president can do domestically, foreign policy is traditionally the main arena of independent presidential power. For Wildavsky, the president is better equipped than Congress to direct and control foreign policy. On the flip side, Congress takes a more active part in the domestic policy process.

Over time, scholars have begun to question the validity of this hypothesis (Schraufnagel and Shellman 2001; Fleisher et al 2000; Edwards 1986). This theory has

been the center of much debate among political scientists with discussion ranging from how to best measure success (Fleisher et al 2000) to the time-bound nature of the theory. One key criticism is that while the "two presidencies" may have captured the dichotomy in foreign and domestic policy during the Cold War, its applicability in a post-Cold War era remains to be seen (Fleisher and Bond 1991).

One valid observation by critics of the "two presidencies" is that the foreign policy making process has changed since 1966 and the constraints the president faces now are different from those in the past. Even if presidents are no more successful in the domestic arena than in the foreign, the general view is that the issues the president faces in foreign policy are substantively different from those he faces domestically. While a president may be no more or less successful in one policy area versus another, moving past the "two presidencies" debates means taking the domestic/foreign dichotomy to the next step. It is from this perspective that we move forward to see if the factors that impact success in foreign policy are different from the factors that impact success in domestic policy. For this research, we are primarily concerned with the role of job approval ratings.

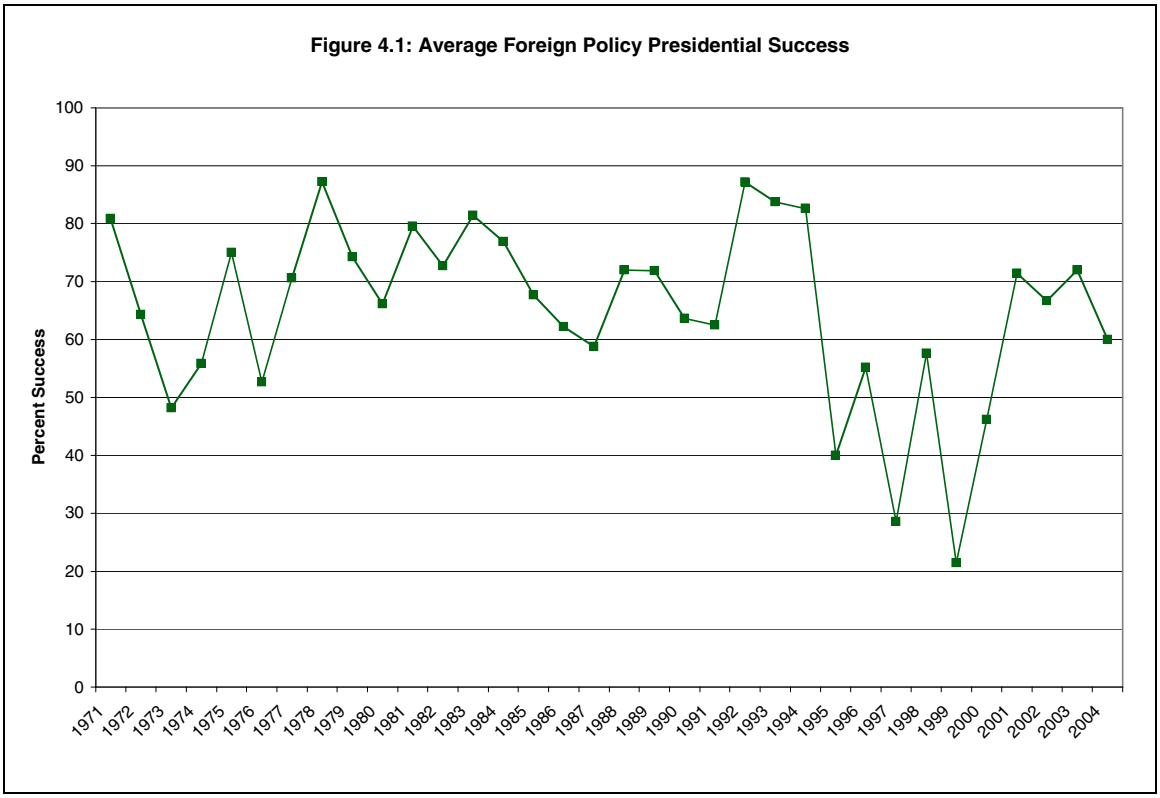
Methodology and Foreign Policy Success

Regardless of the point of view one takes on the continuing validity of the "two presidencies," the assumption we are working with is that foreign and domestic policy making are different. This assumption does not bias the results in one direction or another. If the two policy areas are not distinctive, then the lack of distinction should be apparent in the results of the foreign and domestic models. However, if the two policy arenas are distinctive, there should be notable differences in the results of the models.

The difference between presidential power and legislative success in foreign and domestic policy is highlighted not only in the two presidencies literature but also in the research on policy formation (McCormick and Wittkopf 1990, 1998) and foreign policy making (Sobel 2001; Prins and Marshall 2001). In both foreign and domestic dealings, the president has always depended on public approval as a source of strength in dealing with Congress (Sobel 2001; Prins and Marshall 2001; Wood and Peake 1998; Neustadt 1960). While the Constitution may put limits on the president's authority and power with regard to foreign policy, the advice and consent of the Senate is needed to make treaties and Congress holds the power to make war. There is little question the president is viewed by the public -- and those inside the Beltway -- as primarily responsible for foreign policy (Sobel 2001; Marra et al 1990). Many foreign policy issues and concerns do not function in the same gradual manner as domestic policy issues (Wood and Peak 1998). If anything, foreign policy issues tend to be responses to dramatic occurrences or the results of crises.

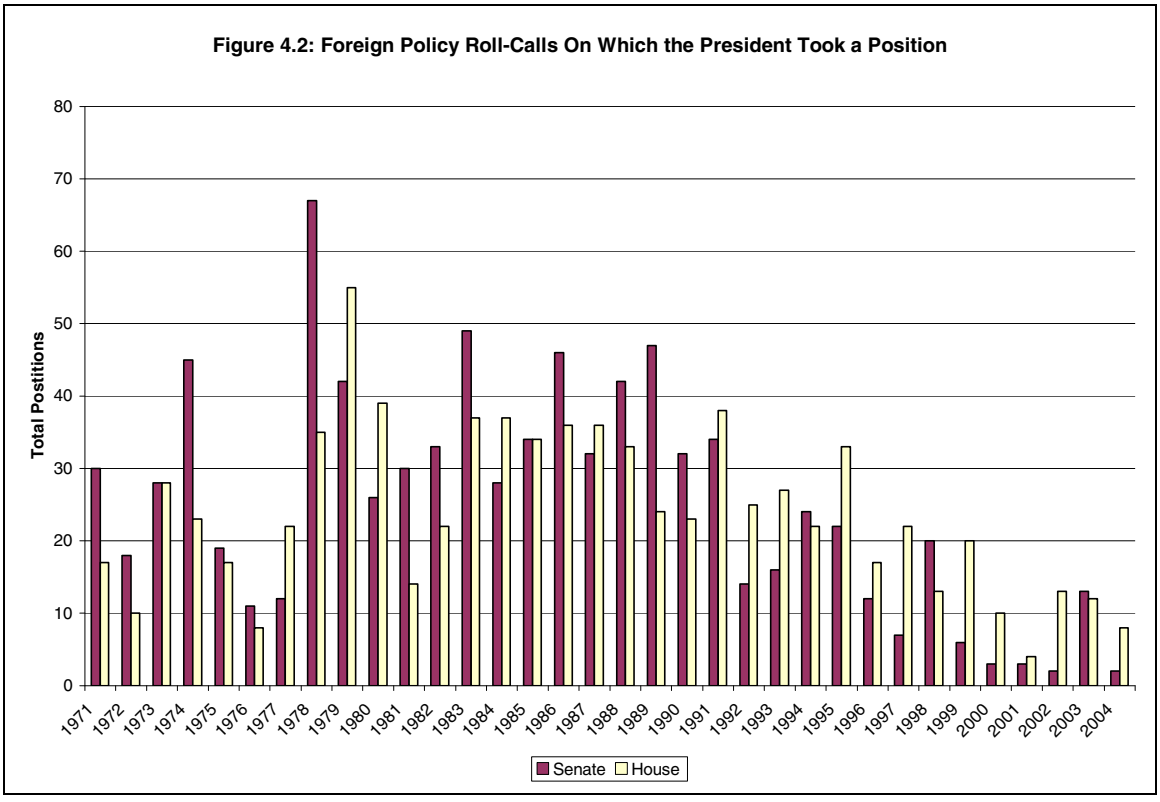
As in the previous chapter, presidential success is measured by the portion of roll-call votes in which the president got his/her way, compared to all of the roll-call votes identified as being ones the president took a position on. This is accomplished by using Bond and Fleisher's voting data for 1971-1994 and *Congressional Quarterly*'s reports on presidential position-taking from 1995-2004. For this chapter I begin by looking at those roll-calls identified as being either foreign or defense policy. Foreign policy votes include votes dealing with defense, military, foreign aid and trade issues that did not have domestic policy implications. The figures present are the percent of "wins" compared to the total number of roll-calls the president took a clear position on. As can be observed

in Figure 4.1 presidential success in foreign policy with Congress has a broad range, from the high eighties for Carter and H.W. Bush to the low twenties for Clinton in 1999. Throughout the 1980s, presidential success in foreign policy averaged 70 percent -- higher than the overall average for the time period of 65 percent. As one would expect, there is typically a high point at the beginning of a president's first term. Additional, high points can be seen during periods of perceived foreign policy success or "rally around the flag" events like post-9/11.



Of course the role that Congress plays in foreign policy success for the president cannot be denied, if for no other reason than because Congress approves or disapproves foreign policy legislation. While it is generally assumed that Congress will defer to the president when it comes to foreign policy making, Congress does have significant

Constitutional foreign policy making powers, including those powers to declare war and "raise and support armies." This is in addition to their advice and consent powers with regard to treaties and ambassadors. So again, as in domestic policy, when it comes to foreign policy both the president and Congress can claim significant authority (Lindsay 2003). Here again, we can bring in Richard Neustadt's (1990) view of the two branches being "separated institutions *sharing* power." This adds to the case that the president may need additional resources beyond just being president in order to get what he wants from the legislature.



Just how active is the president in foreign policy? As Figure 4.2 shows, some presidents are far more legislatively active than others. This figure represents the total number of foreign policy roll-call votes each year on which the president took a clear position. This total is calculated using annual reports from *CQ Weekly* and the Bond and

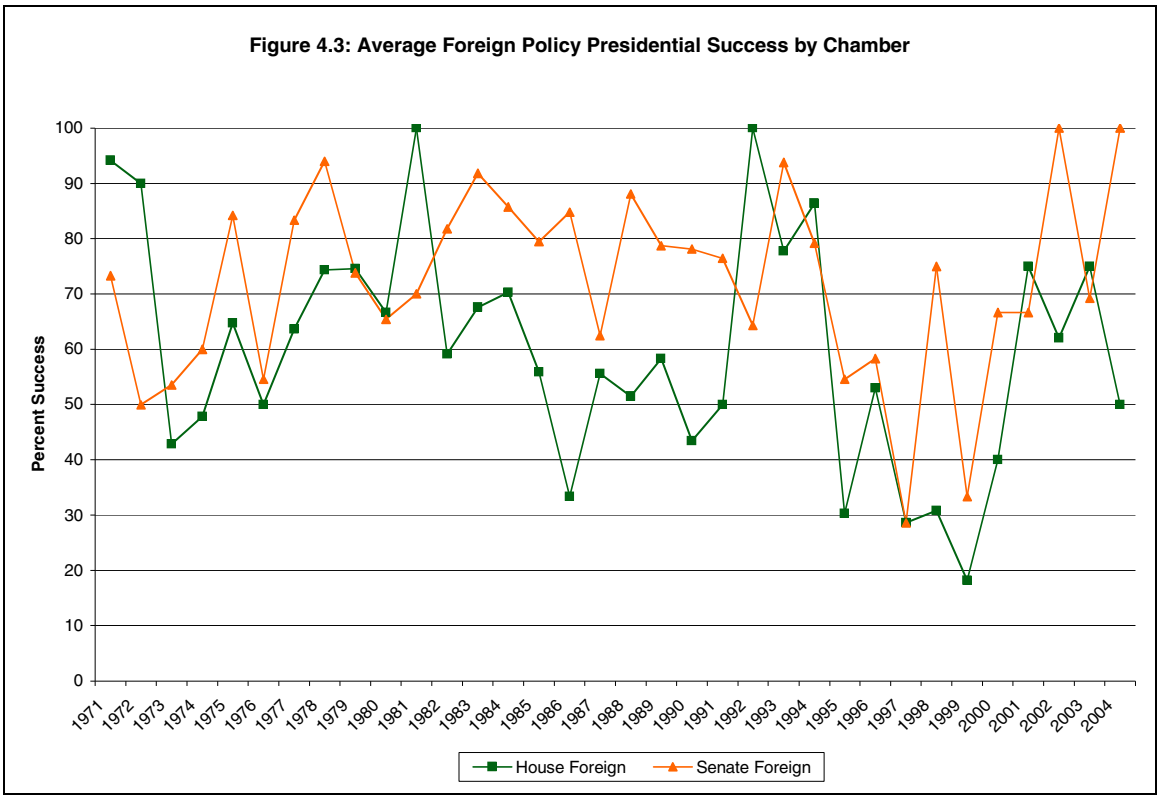
Fleisher data set of presidential roll-calls. What we can see from this figure is that the eighties were certainly a time period when presidents took a significant number of positions. One possible explanation for this is that this time period includes the end of the Cold War. This figure also highlights how each president is different, because while there was a shift upward in the number of roll-calls in the eighties, it was also during Reagan's eight year of his term. Reagan, who many believe ended the Cold War, took a strong role in not only presidential-congressional relations but also in foreign policy. Another may also be that Congress was taking a more adversarial stance by bringing up bills which would limit the president's discretion, like arms control in Latin America. What is also interesting about this data is the shift downward seen after 1995. Possible explanations for this include the position Clinton was in during his second term (at the height of his impeachment) and the relationship between both Clinton and Bush and the Congresses they faced during their tenure.

This leads to the next relevant issue in the discussion of presidential-congressional relations and foreign policy. The president does not just deal with an overall legislature; s/he deals with two separate and distinct chambers. The role of Congress in the process is further convoluted by the view and general assumption that one branch (the Senate) is more foreign-policy-oriented and savvy than the other (the House). The internal differences between the House and Senate are further highlighted by the fact that the Senate exercises the advice and consent power with regard to foreign policy matters (like treaties and ambassadors) while the House has no special foreign policy powers. This helps to substantiate the empirical views used later for analyzing success in Congress as a whole and in each chamber. That said, it is difficult to see that

either branch is more acquiescent to the president's position in foreign policy than the other (see Figure 4.3). Again, just looking at the levels of foreign policy success in the House and Senate gives a somewhat cloudy picture of the relationship each branch has with the president. While it does appear that presidents tend to enjoy more success in the Senate than the house, the difference is not dramatic. In fact, it is difficult to find any consistent trend in either the House or the Senate. Of course, individual highs and lows can be explained, like the drop in House and Senate approval in 1999, when Clinton was facing as Republican House and was in the middle of his impeachment trial. Additional factors, like periods of divided government, are also explanations for the variance in success rates. The potential for the president having different relationships with the House and Senate (and the role of divided government) will be further fleshed out later in this chapter (Auerswald 2006; Marshall 2003; Binder 2001).

Methodology and Foreign Policy Approval

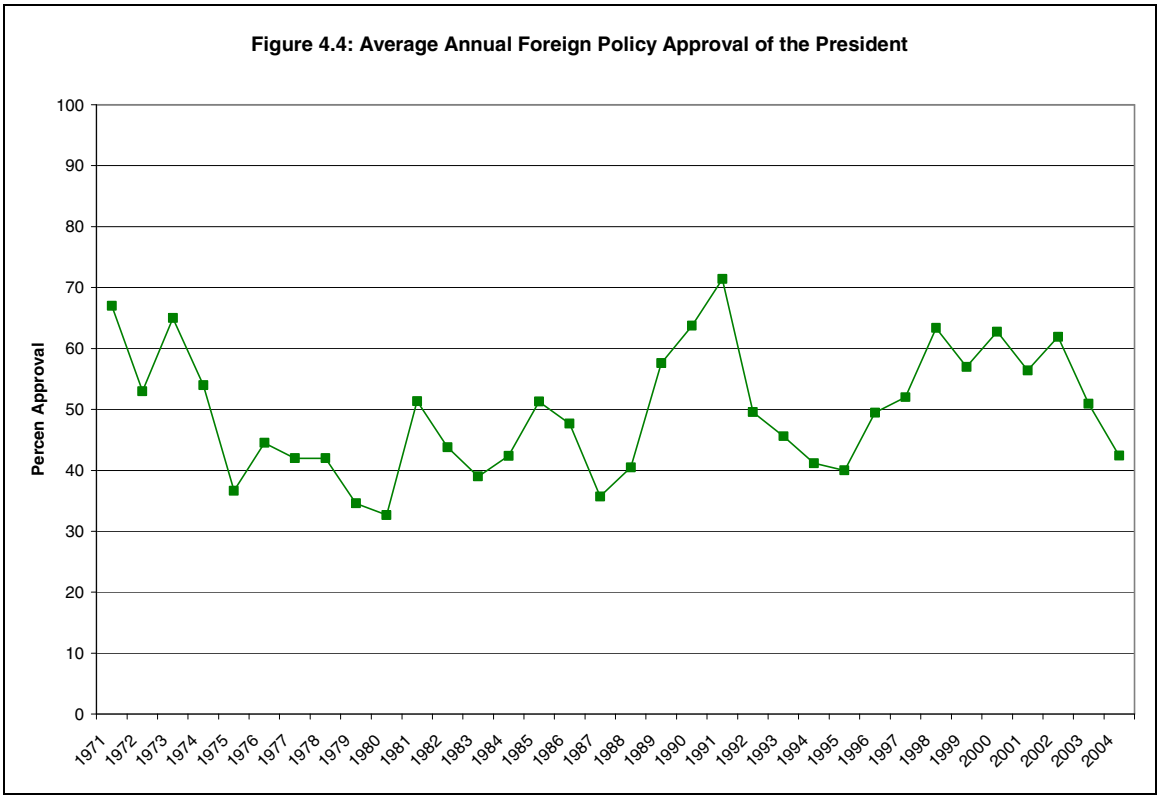
Presidential approval is viewed as a "background" factor in influencing legislators (Neustadt 1990; Ponder and Moon 2003). In both domestic and foreign policy, presidents tend to care about their popularity with the American public, mainly for the impact it potentially has on their ability to work with Congress and the administration (Wittkopf and McCormick 1993; Sobel 2001). Public opinion on foreign policy is considered both essentially informed and important to the political system (Meernik and Ault 2001).



One general assumption is that key foreign policy events can influence overall and foreign policy approval in a positive or negative way. An example of this would be incidents that include a significant use of force (Strom and Simon, 1985; Brody, 1991; Russett, 1990). Major foreign policy events, such as the Vietnam War, may produce both short- and long-term effects on presidential approval (Mueller 1973; Edwards, 1981; Sobel 2001). The Vietnam War is somewhat of a starting point for the literature on the relationship between foreign policy action taken by the president and how those actions may impact the public's view of the president (Mueller 1973). The view of how the American public responds to foreign policy was highlighted in the previous chapter -- that being that it is not seen as being dominant in setting policy, despite the fact that it is now considered stable, as well as multifaceted and multidimensional (Sobel 2001; Page and Shapiro 1983; Hurwitz and Peffley 1987).

The measure of public opinion used in subsequent analyses in this chapter is the president's average yearly public opinion scores in foreign policy. As with the domestic policy approval measure in chapter three, the foreign policy measure is based on CBS/New York Times survey which asked "Do you approve or disapprove of the way [the president] is handing [foreign] policy." This survey question was asked multiple times each year between 1965 and 2004.[6] Figure 4.4 shows the average annual approval responses to this question. This figure highlights several well-known facts. Much like domestic policy, the trend tends to be for presidents to be more successful at the beginning of their administrations. This notion will be empirically tested. Also, those "rally around the flag" events can usually be seen in approval ratings, like the spike George H.W. Bush received during the first Gulf War in 1991 and the post-9/11 jump for George W. Bush.

[6] In order to obtain additional cases to capture at least one term of the Nixon presidency, the foreign policy public opinion variable was based on Nixon's average scores on approval ratings on foreign policy issue areas including Vietnam, World Peace and relations with China and Russia. This was done because the standard public opinion question was not asked during that time period. However, the standard economic survey question was asked during the Nixon years and that variable is based on those results.



Foreign Policy Models

As in the previous chapter, the empirical analysis in this chapter begins with an examination of the role foreign policy approval plays on overall legislative success. The foreign policy success score was calculated in the same manner previously used to calculate the domestic foreign policy success score. The score was created by taking the percentage of victories on foreign policy roll-calls on which the president took a clear position (as identified by *Congressional Quarterly*). The number of cases available for this research was limited by the lack of historic policy-specific polling.

Obtaining support scores can be difficult. Though *Congressional Quarterly* publishes overall support scores annually going back to the Eisenhower Administration, they do not have the historic domestic and foreign policy scores available. Previous

researchers have compiled a listing of historic presidential position roll-calls. One such source, the Bond and Fleisher dataset (available via the Internet) was used to create the historic data for this research (Fleisher n.d.). The success scores for the years 1971-1994 were calculated using the Bond and Fleisher dataset of congressional votes. Much like the current data provided by *Congressional Quarterly* the Bond and Fleisher data set includes all of the roll-calls that have been identified as having a clear presidential position. The data also includes a variable indicating whether or not the vote is on domestic or foreign policy. One difference between these two data sets is that the *Congressional Quarterly* scores include nomination votes in the Senate while the Bond and Fleisher data set does not. Substantively, the omission of nominations has the potential to present a lower success rate for the Senate than if they were included in the calculation. The conventional thought is that the Senate typically serves as a "rubber stamp" on presidential nominations with over 97 percent of all presidential nominees being confirmed since 1931 (Bell 2002; Common Cause 1977).

I collected and compiled that data for the years 1995-2004. The post-1994 scores were calculated in the same manner used by *CQ* by taking the total proportion of presidential victories compared to the total number of positions taken by the president. To remain consistent with the Bond and Fleisher data, the omission of nomination votes was continued in the calculation of the data from 1995-2004.

I include unified government and tenure in office variables in this analysis. Included in the foreign policy models is an additional variable that was not included in the domestic policy models: this variable represents the Cold War era. As with any time of war" one would expect a certain relevance to foreign policy approval and foreign

policy success. This is mainly due to the potential "rally around the flag" effect that would cause members of Congress to be more supportive of the president's foreign policy agenda. The "rally around the flag" effect is seen as a reflection of Americans coming together during times of crisis to support the president (Mueller 1973). During this rallying time, the public hears typically positive messages about the president's policies because opinion leaders are less likely to be critical (Brody and Shapiro 1991; Parker 1995). Originally, the foreign policy models included a category for any period of active war (i.e. Vietnam and the first Gulf War). This variable was not significant in any of the models and only included several cases. Instead a measure to capture the Cold War was included.

The perception is that the end of the Cold War changed both foreign policy answers and the nature of the questions being asked (Kegley 1993; Prins and Marshall 2001). The post-Cold War threats to the United States are less traditional and in reaction there has been upheaval in foreign policy making (Nitze 1999). As Prins and Marshall (2001) contend, "there appears to be no clear agreement among policy makers and foreign policy elites regarding U.S. Foreign policy priorities" (p. 661). This shift in foreign policy making allowed for Congress to take a much more active role in national security and foreign affairs. Bill Clinton is quoted as saying, "Gosh, I miss the Cold War" (Devroy and Smith 1993), and this single phrase captured the President's reaction to congressional assertiveness in foreign affairs. It is because of this shift at the end of the Cold War that I include a dummy variable to represent those years which were considered to be a part of the Cold War (1971-1989) as a "1" and the post-Cold War

years as a "0." I expect that Cold War-era presidents will be more successful with Congress than post-Cold War presidents.

For this chapter, the first model used will examine the impact of foreign policy approval on the president's overall success. The dependent variable in the regression model, again, is the *Congressional Quarterly* measure of overall presidential success, or the percentage of times a majority of Congress voted with the president on a specific piece of legislation. The regression model, estimated separately for overall success within the House and the Senate, is as follows:

Presidential Overall Success Score = a +
ß1 (president's foreign policy approval) +
ß2 (unified or divided government) +
ß3 (tenure in office) +
ß4 (Cold War) +
ß5 (party %)

The second model, similar to those presented in the previous chapter, examines the impact of foreign policy approval on presidential success in the foreign policy arena. Here the dependent variable is based only on those foreign and defense roll-calls on which the president took a clear position. As was done in Chapter 3, separate models will be used for overall foreign policy success and for the House and Senate separately. Other models were tested for this section using a different measure of unified government. In the chosen model, as was previously stated, unified government is coded as being "0" during periods of unification and "1" if there is any form of divided government. The modification of this was tried in the separate House and Senate models. In this attempt, unification was measured between the president and the branch rather than any form of

divided government. This measure was not statistically significant in any of the models, so I continue to use the overall measure of divided government.

The regression model, estimated separately for overall success within the House and the Senate, is as follows:

Presidential Foreign Policy Success Score = a +
ß1 (president's foreign policy approval) +
ß2 (unified or divided government) +
ß3 (tenure in office) +
ß4 (Cold War) +
ß5 (party %)

What I expect to find is that when foreign policy success is modeled to include a measure of foreign policy approval, rather than overall approval, the significance of approval should be more apparent. This approach, comparing foreign policy success to foreign policy approval, is one of the key new concepts that take this research beyond what has been done in the past.

Impact of Foreign Policy Approval on Overall Success

Table 4.1 shows the results from the initial examination of the influence of foreign policy approval on presidents' legislative success. The results find that foreign policy approval is significant in determining overall presidential success. These results are similar to those in the previous chapter that also found economic approval to be significant. Unified government and year in office are both significant in the expected direction. Also, the size of the president's party in the Senate is again significant in how successful the president is in both domestic and foreign policy combined.

Table 4.1: Regression Analysis of Presidential Success including Foreign Approval	
	Congressional Success
Foreign Approval	0.409+
	(0.202)
Tenure in Office	-2.618**
	(0.878)
Unified Government	12.845+
	(8.311)
Cold War	4.554
	(5.016)
Party % House	-0.293
	(0.474)
Party % Senate	1.439*
	(0.622)
Constant	-10.126
	(25.292)
Observations	34
R-squared	0.70
Standard errors in parentheses	
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a one-tailed test. A Prais-Winsten regression was used to calculate these results	

Impact of Foreign Policy Approval on Foreign Policy Success

From here, it is important to take a more focused look to see if foreign policy approval has a role within the foreign policy arena, specifically when the president takes a position on a foreign policy bill. What we see in Table 4.2 is dramatically different from the previous results found for overall success. When looking at presidential success in foreign policy, it seems that foreign policy approval has no significant impact. Not only is the variable not statistically significant in any of the cases, but in the case of the Senate the direction of the variable is in fact wrong. Unified government is significant in the models for the entire Congress as well as the House model. Tenure in office is

significant (and signed correctly) for overall congressional success and success in the House. The level of success in overall foreign policy was higher during the Cold War. While this variable was not significant for either of the "branch" models, the results for the congressional model do fit with the literature. The Cold War era translates into greater success for the president in all policy matters during this period. The Cold War dichotomy also supports the view that assuming presidential power during both periods (à la the two presidencies) may be a flawed perspective and that the nature of the relationship between the president and Congress has changed. The size of the president's party is significant in the overall congressional model for both the House and Senate, though the direction for the House not in the expected direction. The party size measure is the only factor that is significant for the Senate, indicating that success in foreign policy in the Senate operates differently than it does in the House.

Table 4.2: Regression Analysis of Presidential Success in Foreign Policy			
	Overall Congress	House	Senate
Foreign Approval	0.177	0.099	0.099
	(0.226)	(0.375)	(0.334)
Tenure in Office	-2.896**	-5.150**	-1.552
	(0.925)	(1.523)	(1.393)
Unified Government	22.844*	25.415+	-0.409
	(8.630)	(15.046)	(9.798)
Cold War	6.718+	10.818+	3.633
	(3.726)	(6.511)	(6.053)
Party % House	-1.392**	-0.980	
	(0.424)	(0.628)	
Party % Senate	1.277*		1.266+
	(0.508)		(0.696)
Constant	60.725*	109.327**	8.303
	(26.025)	(32.260)	(41.014)
Observations	34	34	34
R-squared	0.67	0.46	0.29
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a one-tailed test. A Prais-Winsten regression was used to calculate these results			

Before completely discounting the proposed theory that foreign policy approval will provide a better measure when examining foreign policy success, I thought it might be useful to run the same models but use instead the more traditional Gallup measure of average annual job approval. This additional model will assess the impact of the foreign policy approval measure and the impact of overall job approval on how successful the president is in foreign policy legislation. The results shown in Table 4.3 show again that approval, be it an overall job approval rating or a foreign policy approval rating, has no significant effect on how successful the president will be with Congress when it comes to foreign policy. Table 4.3 is included not just to highlight the fact that neither measure

works, but to add to the discussion the idea that maybe when it comes to foreign policy matters job approval and the public's perception of the president just do not matter, even at the margins.

Table 4.3: Regression Analysis of Presidential Success in Foreign Policy include Gallup Approval

	Overall Congress	House	Senate
Gallup	-0.085	-0.341	0.346
	(0.211)	(0.353)	(0.312)
Tenure in Office	-3.039**	-5.404**	-1.579
	(0.929)	(1.527)	(1.325)
Unified Government	18.760*	19.483	3.117
	(8.417)	(14.131)	(9.543)
Cold War	4.860	7.271	6.498
	(4.093)	(6.522)	(5.869)
Party % House	-1.288**	-0.867	
	(0.413)	(0.622)	
Party % Senate	1.202*		1.007
	(0.506)		(0.665)
Constant	75.347**	131.439**	5.235
	(23.149)	(32.564)	(33.531)
Observations	34	34	34
R-squared	0.66	0.47	0.34
Standard errors in parentheses			

+ significant at 10%; * significant at 5%; ** significant at 1%
The reported results are from a one-tailed test.
A Prais-Winsten regression was used to calculate these results

The inverse relationship found between approval and success in both the foreign policy approval model and the Gallup model contrasts with what I expected, though similar relationships between approval and legislative success have been found in previous models (Shull and Shaw 2004; Prins and Marshall 2001). While none of the inverse coefficients are statistically significant, a possible explanation for the direction may be that in some cases (like foreign policy) presidential approval may actually work

against a president getting his/her way with Congress. Prins and Marshall (2001) come to a similar conclusion, and I must agree that additional research is needed to really discover what is going on in this particular situation. Additionally, the results may also reflect a problem with a small number of cases. In some years there may not be many foreign policy votes, leading to a great deal of variance in the averages. This "small N" problem may an additional explanation for lack of results in the foreign policy models.

One interesting observation is that foreign policy approval, while having no significant relationship to foreign policy success, does have a positive relationship with overall legislative success. Potentially, foreign policy approval may have an impact on how well the president does with Congress in all matters, not just foreign policy. This leads to the question of whether foreign policy approval would have an impact on domestic policy success. As Table 4.4 shows, foreign policy approval does have a significant positive relationship with domestic policy success. Not only is it significant for the entire Congress, but foreign policy approval is significant for the House. Unlike the foreign approval and foreign policy model for the Senate, tenure in office is now significant though approval is still insignificant. This helps to explain why foreign policy approval mattered in the overall model, since it included both domestic and foreign policy success. However, this leads us to the more difficult question of why foreign policy approval would matter in domestic policy success and not in foreign policy.

Table 4.4: Regression Analysis of Presidential Success in Domestic Policy including Foreign Approval			
	Overall	House	Senate
Foreign Approval	0.460+	0.658*	0.106
	(0.235)	(0.321)	(0.256)
Tenure in Office	-2.911**	-2.811*	-3.386**
	(1.003)	(1.299)	(1.089)
Unified Government	11.768	25.470+	-9.339
	(9.432)	(13.215)	(8.046)
Cold War	-4.382	-2.365	-3.571
	(4.922)	(7.314)	(5.406)
Party % House	-0.056	0.528	
	(0.508)	(0.574)	
Party % Senate	1.410*		2.152**
	(0.643)		(0.579)
Constant	-25.969	-0.559	-37.413
	(28.518)	(28.362)	(32.276)
Observations	34	34	34
R-squared	0.67	0.58	0.58
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a one-tailed test.			

As can be seen in Table 4.4, tenure in office continues to be significant in predicting success in all three regressions. Though foreign policy approval is significant in two of the models, it is so at the lowest level. This does not exclude the fact that public opinion does have an effect on domestic policy success. The significance supports the view that when a president has high approval in foreign policy, he/she can transfer the political capital gained in the foreign policy arena to legislative success in domestic policy. Presidents who have the public's support in foreign affairs are rewarded with an extra tool in working with the legislative branch. While this reward may be short-term

(Marra et al 1990; Mueller 1973) we see that in domestic policy public approval does have a positive relationship. In contrast, in foreign policy there is no relationship between public approval and legislative success.

While the results for foreign policy approval on foreign policy success were somewhat disappointing, there is certain logic to them – especially when taken in context with what was found in the previous chapter. When it comes to domestic policy, an issue which we understand the American public have greater interest in, Congress pays attention to not only what the public thinks but also what the public thinks of the president in this area. When the public believes the president is doing a good job in domestic policy, Congress pays attention and is more apt to agree with the president. Domestic job approval is by no means the deciding in factor for congressional success – but taken with other ideas like unified government and where the president is in his term, domestic approval is significant. On the flip side, foreign policy, how the American public views the job the president is doing has little to do with his/her congressional success in this policy area. In fact, those factors that were highly significant for domestic policy were less so for foreign policy. What this difference helps to highlight is the idea that domestic policy (and presidential success therein) is different from foreign policy. Though separating the two policy areas is found in the literature, this is typically done in order to focus on just one policy area. I believe this research just goes to highlight the need to view these two very different policy areas in a disaggregate manner. The tools the president has at his/her command in domestic policy -- including public approval -- are different from those s/he has (or in this case does not have) in foreign policy. While this research does not delve into what -- if any -- additional tools the president does have

for “getting his way” in the foreign policy arena, some do come to mind like the president’s ability to write executive orders and agreements that bypass the role of Congress (Howell 2003; Mayer 2001; Sobel 2001. Foreign affairs is one of the main three categories where executive orders are used and previous research has found a link between an increase in the number of executive orders and lower job approval ratings (Howell 2003; Mayer 2001). If nothing else, these findings help to highlight the need for additional research in the future -- research which will focus on what tools the president uses in foreign policy and how these are substantively different from those used in domestic policy.

Chapter 5: George W. Bush – Legislation and Job Approval

"…In many ways the easy course for a President, for the administration, is to adopt a truculent, publicly bold, almost insulting attitude. A President experiences exactly the same resentments, the same anger, the same kind of sense of frustration almost, when things like this occur to other Americans, and his impulse is to lash out."
– Dwight D. Eisenhower (December 2, 1954)

Less than three months after the launch of Operation Iraqi Freedom, President Bush arrived on the *USS Abraham Lincoln* off the coast of San Diego to announce to the American public, "Major combat operations in Iraq have ended. In the battle of Iraq, the United States and our allies have prevailed" (Bush 2003). This highly staged press event was well planned and coordinated. Bush arrived in full flight regalia to meet and greet the sailors who were returning from a stint in the Middle East. The location made a strong background for the nationally televised speech on the wars in Iraq and Afghanistan. The President was seen on the deck of the Lincoln in from of a large sign reading "Mission Accomplished." Shortly after making this speech, the President's overall public approval rating was 58 percent. The same poll found 56 percent of the public approving of the way he was handling "the situation with Iraq."[7] Of course, combat operations in Iraq have extended well past March 2003 and we have seen the subsequent shift in public support away from the President and his handling of the situation with Iraq.

This event epitomizes the unique relationship of President George W Bush with the American public during his first term. Unique because of the events of Bush's first four years in office. President Bush began his stay in the White House after the

[7] The survey results reported here were obtained from searches of the iPOLL Databank and other resources provided by the Roper Center for Public Opinion Research, University of Connecticut. Survey by Gallup, CNN, USA Today March 14-15, 2003 and based on telephone interviews with a national adult sample of 1,007.

contentious election of 2000. Despite a somewhat inauspicious beginning, his first term will forever be associated with the attacks of 9/11 and the subsequent wars in Afghanistan and Iraq. In the next two chapters, I examine the role that public approval played in the legislative-executive balance during the first term of George W. Bush's presidency. As in the previous chapter, I focus on the president's success with the legislative branch. While looking at the president's legislative agenda will be central to this examination, other anecdotal examples (like the back and forth between the president and Congress on the creation of the Department of Homeland Security) will be used to highlight the perceived relationship between President Bush and the American public.

Legislatively-based measures are inherently useful in the study of the presidency; because these allow for cross-administration comparisons and more in-depth empirical research. But, there is also significance to looking at not only the outcomes but also the details often found inside the relationship between a president and Congress. Outcome-based measures are statistics based on the end result, such as percentage of in-party support for the president, or if a bill he supported ended in victory or defeat. This chapter takes a more detailed legislative approach to the President Bush's first term as well as continuing to include outcome based measures. This approach allows us to highlight the highs and lows of President Bush's first term and also to examine the impact of 9/11 on his presidency.

I do not intend to provide a comprehensive examination of the post September 11th decision-making by the Bush presidency. The goal here is to focus on the role 9/11 and the war in Iraq played on the relationship between President Bush, the public, and the 107th and 108th Congress. The examination of this relationship fits into the bigger picture

of my research by illustrating how the relationship between approval and legislative success actually plays out during a president's term.

One could argue that the first four years of Bush's presidency were much like a roller-coaster ride – starting out slowly and then quickly gaining speed and momentum. There have been both highs and lows along the way, as well as a few tight turns. Before diving into an empirical examination of executive-legislative relation during his first term, I must frame some of the highs and lows of the first four years of the Bush presidency. Because this discussion is fairly narrow in focus, looking at just one term of one specific President, it is important to understand that these descriptions and results are based on four years worth of information. With that understanding, this is a useful endeavor because it sheds light on issues that can serve as lessons for future presidents as well as increase our understanding of the complex relationship that all presidents have with Congress.

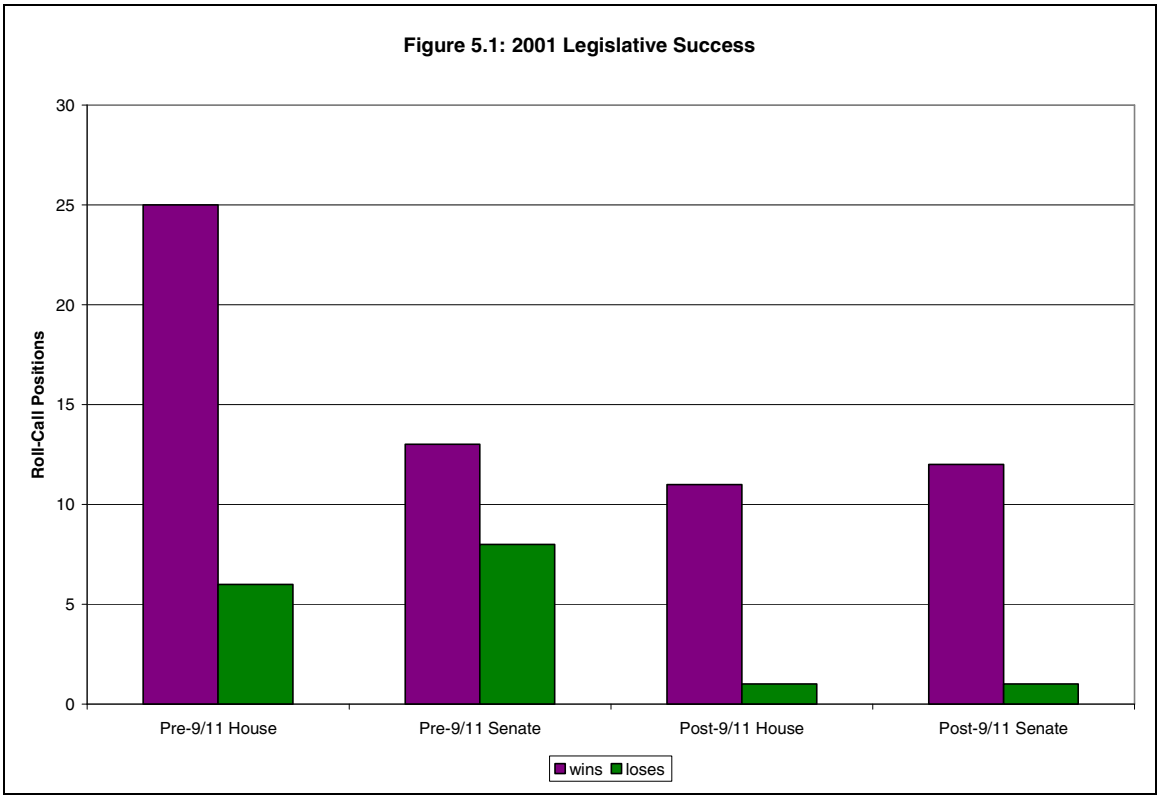
George W. Bush began his presidency under what some would say was a dark cloud. His victory over Al Gore had been disputed and arguably he had no mandate going in. Initially, the Republicans held a small margin in Congress which changed in May 2001, when they would lose the majority in the Senate as Senator James Jeffords of Vermont left the Republican Party. A defeat in this case is when President Bush took a clear position on a roll-call and Congress voted the opposite of his position. For all of 2001, forty percent of the roll-calls he took a position on were in fact a call for a "no" vote. This begins to show that a majority of the legislation coming out of Congress was on those issues that the President was supporting. In the first eight months of his administration, Bush had fourteen defeats in Congress, winning 73 percent of his

legislative battles. Overall he was more successful in the House, losing only six of the 31 votes he took a position on in the House (*CQ Weekly* 2002 January 12).

This is not to say that all of these were trivial loses. One key loss for the president was part of the Transportation Appropriations bill. The House voted 285-143 to prohibit the Transportation Department from processing applications from Mexican motor carriers that wanted to operate in the United States (Benton 2002). The House also voted in July 2001 to lift curbs on travel to Cuba. An amendment to a Treasury-Postal spending bill (H.R. 2590) by Jeff Flake (R-AZ) passed by 240-186. The bill, which would in essence lift restrictions on travel by U.S. citizens to Cuba, was opposed by the White House which opposed relaxing both travel and trade restrictions (White House 2001). President Bush did have key early victories on education policy — an administration priority — in 2001, in both the House and Senate. The President did, however, sustain a loss in the Senate on a more controversial element of his education agenda, school vouchers. School vouchers were his only education policy loss in the Senate and one of eight total losses in the Senate before 9/11. Overall, these losses were mostly in domestic policy — in this time period Bush had only one foreign policy loss and one economic policy loss. However, President Bush took fewer positions on Senate roll-calls (21 total pre-9/11) so his percent win record is lower (61 percent) than in the House.

Presidents' first years in office tend to be held to the impossible standard set by Franklin Roosevelt in 1933. Since then, all new Presidents have been held to the "Hundred Days" standard. Some, like Reagan in 1981, have a very strong legislative showing in their honeymoon, while others go through the "First Hundred Days" and their

first year in office without having any major wins (or losses) (Cohen 2004; Brace and Hinkley 1992; Edwards 1989; Bond and Fleisher 1990). Potentially, Bush's legislative success in his first year in office could have been without historical precedent. That being said, the relationship between the President and legislative branch was transformed after 9/11. Of his seven defeats in the House in 2001, only one came after 9/11. He held a similar record in the Senate with only one post-9/11 loss. As figure 5.1 shows, not only did President Bush have fewer losses after 9/11 in 2001, but he took a position on far fewer roll-calls.



Overall, President Bush took a clear position on 77 votes during his first year in office. Excluding nominations, there were 34 roll-call votes in the Senate and 43 in the House. His success rate in the Senate was 74 percent, compared to 84 percent in the House. Three broad policy categories are used by *Congressional Quarterly* to describe

legislation: domestic policy, defense and foreign policy, and economic affairs and trade. In both the House and Senate, Bush was most prolific in the domestic policy arena, taking a position on a total of 55 roll-call votes. Economic affairs and trade roll-calls had a total of 25 roll-call votes, while the President only took a position on 7 roll-calls in defense and foreign policy for both the House and Senate combined. To help to put this in perspective, President Clinton took a position on 181 roll-call votes (79 in the Senate and 102 in the House) his first year in office (*CQ Weekly* 1993). Excluding Senate nominations, Clinton's success rate was 83.3 percent in the Senate and 87.3 percent in the House.

Unlike Clinton, who had a lengthy agenda his first year in office, Bush focused on only a small set of priorities, like education reforms and tax cuts (Edwards 2006; Cohen 2004, 2006; Jost 2006; Wayne 2006). Bush's initial domestic agenda concentrated on these two areas that had been major campaign issues. When the President arrived in he found a much more partisan environment than he had previously experienced (CQ Congress 2006). In some ways, this partisan environment impacted his choice to focus on a few key initiatives, like No Child Left Behind, early on in his administration. After 9/11, the administration's priorities shifted to combating terrorism and the "Global War on Terror." One possible explanation for the decrease in presidential position-taking after 9/11 is this shift in priorities.

Overall, President Bush took fewer positions in his first year in office than his counterparts in the eighties and nineties. Of course, it is a difficult comparison to make when just looking at the total number of positions – even more so when one takes into account the events of 9/11. What is generally accepted is that before September 2001,

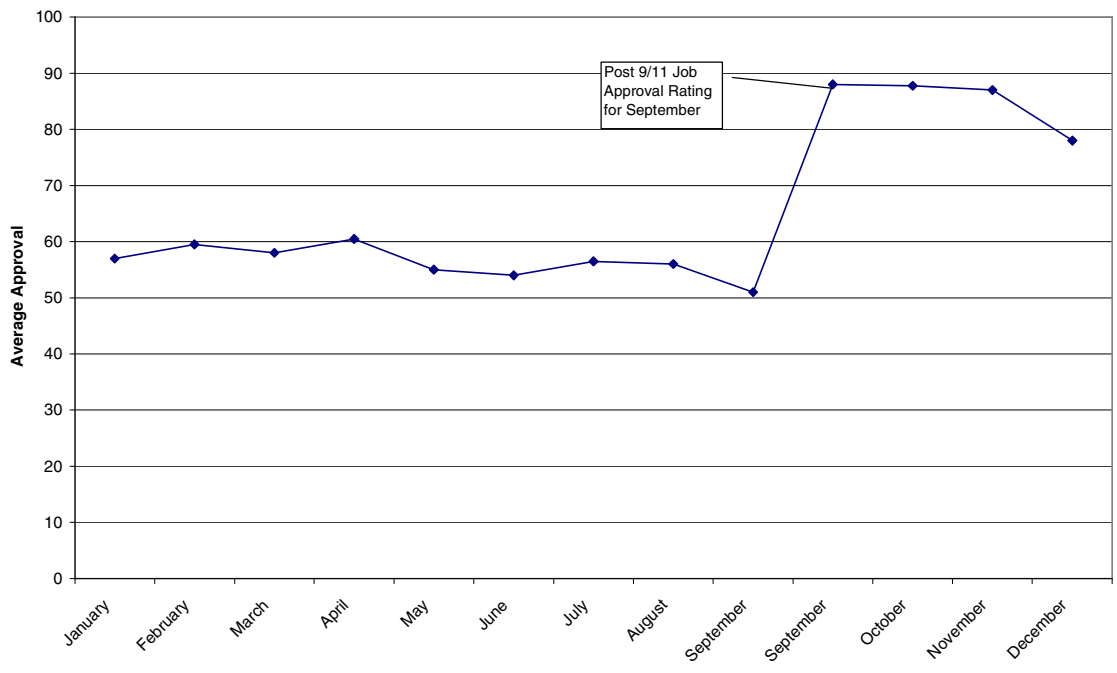
President Bush had met with moderate success in Congress (Thurber 2006; Jost 2006; Wayne 2006). The legislation that immediately followed 9/11 was presented to a Congress that was, for the time being, more politically unified. In the first few months after the terrorist attacks, the executive branch certainly became the central focus of power with many historians and political scientists viewing the Bush administration as a return to the "imperial presidency" (Schlesinger 2003; Bettelheim 2002). The White House took a strong arm to Congress, insisting on blanket authority to pursue its policies and making a variety of unilateral decisions, like those regarding the prosecution of terror suspects.

The pre-post 9/11 dichotomy is also evident in Bush's approval ratings from his first year in office. The election issues that complicated his initial legislative agenda affected his early job approval ratings. When he took office in January 2001, President Bush had an average 57 percent approval rating (Gallup 2001). His overall approval would stay above 50 percent throughout the spring and summer of his first year. A Gallup Poll from the beginning of September 2001 found his job approval to be at 51 percent, his lowest rating to that point, but after the terrorist attacks there was a 35 point jump to 86 percent approval in a poll conducted September 14-16, 2001. As Figure 5.2 shows, the president's approval ratings took a dramatic increase after the terrorist attacks and remained above 79 percent for the remainder of 2001.

The count of legislation pre and post-9/11 does not tell the whole story of how 9/11 influenced Bush's first term. In the aftermath of the terrorist attacks, there was an obvious "rally around the flag" effect that influenced how Congress dealt with the President (Erikson, Mackuen and Stimson 2002; Baum 2002; Meernik 1993; Mueller

1973). This effect is best described as when Congress and a large portion of the American public flock to the president's side after a highly visible international event (Meernik 1993). Previously identified "rally around the flag" events include the Cuban Missile Crisis and the first Persian Gulf War. The rally effect for President Bush also occurred in his relationship with the American public as seen in his very quick jump in job approval. Between September 11, 2001 and December 31, 2002 more than half of the presidential statements and press releases, photo ops and radio addresses dealt with terrorism at home or abroad (Wayne 2006).

Figure 5.2: Average Monthly Job Approval Rating 2001



Source: CNN/Gallup Poll average responses to "Do you approve or disapprove of the way George W. Bush is handling his job as President?" from 1/1/2001 - 12/31/2001

One telling example of the impact of 9/11 on the Bush administration's relationship with Congress is in the type of legislation that was passed in the end of the 107th session. Of the votes which President Bush took a position on after 9/11, over 50 percent have some substantive relation to the "War on Terror" or terrorism recovery.

Several of these roll-calls included pieces of key "terrorism" legislation like H.R. 3162, more commonly known as the Patriot Act. The creation of the Transportation Security Administration (H.R. 3150 and later PL 107-71) was another piece of legislation that the President took a position on and in turn was a "win" for the President, with a 286-139 vote in support of his "yea" position. Both the TSA and Patriot Act bills were domestic victories for Bush. This categorization is key in seeing the shift in substance after 9/11. Previously in the House, the President took a position on domestic bills dealing with education (No Child Left Behind), faith-based initiatives, and the patients' bills of rights. Afterwards, only two of the domestic roll-calls in the House (H.R. 4626 on Farm Security and H.R. 1 on No Child Left Behind) had no link to either 9/11 recovery or the "War on Terror."

Of course, legislation of this nature is to be expected, given the pertinent issues at the time. No one would be shocked that the issue of homeland security suddenly came to the top of the congressional agenda. The Congress gave the president more latitude than would have been expected in a more typical first year in office (Wayne 2006). In his first and second years of office, Congress enacted most of the president's items dealing with homeland security and terrorism. Legislation passed in the remainder of the 107th Congress also included the creation of the Department of Homeland Security, significant appropriations for 9/11 recovery, and a Use of Force Resolution. This early acceptance of the president's agenda is obvious in the overall passage rate of foreign policy and defense legislation in the last part of 2001 and 2002.

While I include the creation of the Department of Homeland Security as a win for the President, the circumstances behind its creation are an interesting example of how by

2002 the "rally around the flag" effect had begun to fade in Congress. Here we see Congress for the first time since 9/11 really began to return to acting in a more partisan (and dare I say typical) manner rather than just following the lead of the president in matters of national security. President Bush initially opposed the creation of the Department of Homeland Security. He had initially set up the Office of Homeland Security within the White House right after 9/11. This office, Bush argued, was able to provide the needed security for the nation. The creation of a new cabinet department was not in the administration's plan. In a March 2002 press briefing, Ari Fleisher said "creating a Cabinet department doesn't solve anything" (White House 2002). By June 2002, the White House reversed its position and offered a proposal to create a formal department. While the bill easily passed the House, it stagnated in the Senate where Democrats pushed for the new department's employees to have the right to union representation. Bush threatened to veto any legislation that did not have flexibility in hiring, pay and personnel management. The bill (PL 107-295) eventually passed in the Senate, after the midterm elections of 2002 where Bush and the Republicans won Senate control. The final version allowed the new department to write its own personnel rules.

The Bush Administration's eventual victory in the creation of the Department of Homeland Security highlights an increasing back-and-forth between the president and Congress on even those issues dealing with terrorism. Another example of a "loss/win" for Bush in the foreign policy area was in the 9-11 Commission. In July, the President initially opposed the Roemer Amendment (H.AMDT.566) which proposed the creation of an independent commission. Despite his opposition, the amendment passed. This was one of five foreign policy defeats for Bush in 2002. By September 2002, with growing

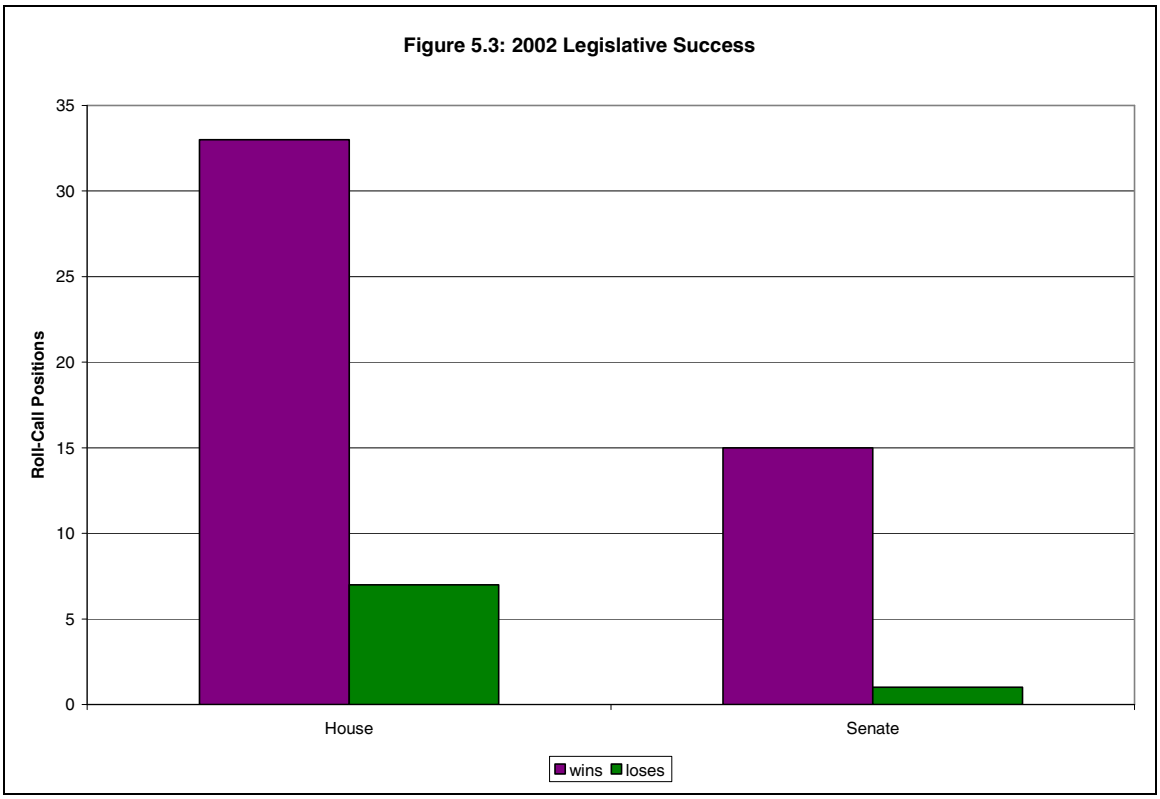
political pressure for an investigation and strong public outcries by the families of 9/11 victims, Bush dropped his opposition to the commission. By November, the bill had passed the House and Senate and was signed into law by President Bush (PL107-306).

In 2002, President Bush took a position on 61 roll-call votes. This is a twenty percent decline from the 77 roll-call positions he took in 2001. Bush was twice as active in the House, taking a position on 40 votes, compared to only 21 in the Senate (see Figure 5.3). One potential cause for the difference between the two chambers is that in 2002 the House was controlled by Republicans and created more legislation of which the President was in favor. In the Senate, President Bush only took one domestic policy position – which resulted in a loss for the President. H.R. 2646 (Senate roll-call vote 30) was a farming bill (Farm Security and Rural Investment Act) that the President took a "no" vote position on. The bill passed the Senate with a 58-40 vote and was later signed into law. The President enjoyed more success with the Senate in foreign policy; the two roll-calls on which he took a positive position were both passed. Included in this two bill victory is the Joint Resolution approving the use of force in Iraq. This bill, and the lasting implications of the war in Iraq on the Bush administration, will be discussed further in this and the subsequent chapter. Compared to domestic and foreign policy, President Bush was most active in the Senate with regards to economic policy. Here the President took a position on 17 votes and had 13 victories.

On the other side of the Capital, the President was more active in all three policy areas. Of the 40 roll-call votes he took a position on, 11 were in domestic policy, 13 in foreign policy, and 16 in economic affairs. The President had few defeats in economic and domestic policy (one in each area), but had five defeats in foreign policy, dropping

his percent victory in this area to 61 percent in the House (compared to 100 percent in the Senate.) The previously mentioned Department of Homeland Security is considered to be on of the "wins" for Bush in the House and Senate in foreign policy. Also included in his House foreign policy wins are the Iraq use of force resolution and the September 11th commission. The domestic policy agenda still existed, but terrorism and the "War on Terror" were in the front and center of the president's agenda. As Stephen Wayne (2006) so clearly states: "For Bush, the issue was terrorism, pure and simple" (78).

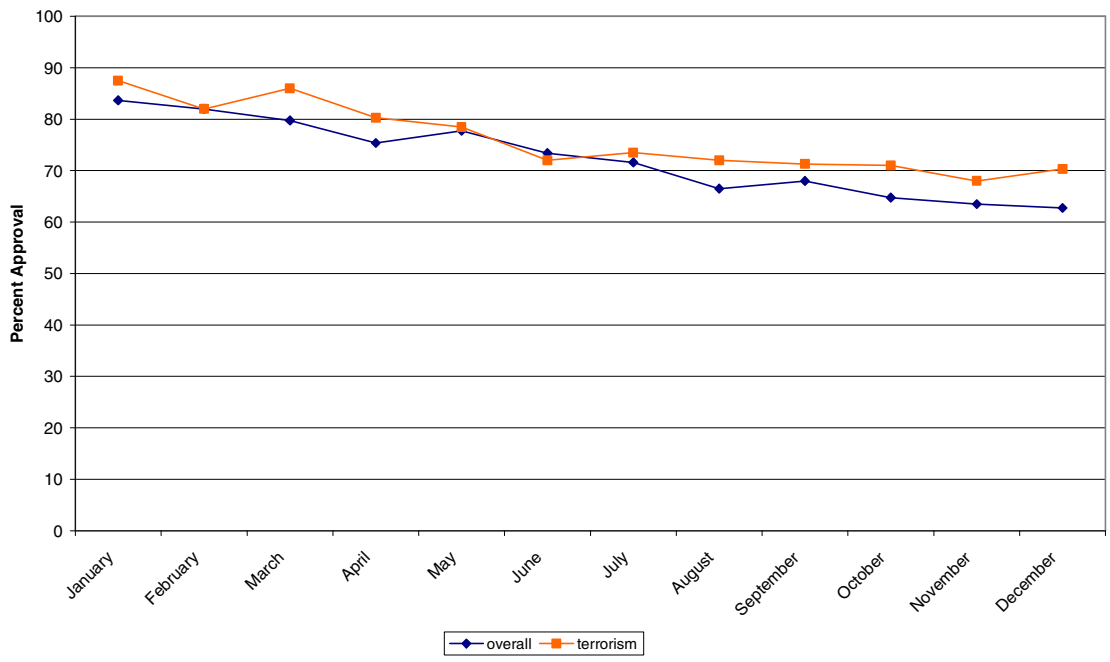
While a good portion of the House foreign policy roll-calls related to the "War on Terror", the substance of the House domestic roll-calls was focused on non-terror issues. One great example of this is H.R. 4965 – the ban on partial birth abortions. Bush took a "yea" vote position on this bill that passed the House 274-151. This bill is an interesting case because it, like the roll-calls surrounding the 9/11 Commission, shows the president losing unified support from Congress. On domestic policy issues, we see the classic partisan divide occurring in Congress. On H.R. 4695, the president received strong in-party support – with 96 percent of Republicans voting in favor of the bill. On the opposite side, the partisan divide is clearly seen, with 68 percent of Democrats voting against the bill. In 2002, we begin to see a return to non-terror related roll-calls (and subsequent votes). This is unlike the last three months of 2001 when a large portion of the votes in the House and Senate, including domestic policy votes, were related to terrorism and were wins for the president. The partisan divisions that the president faced when he came to power began to show again in 2002. The strong job approval ratings for the President in the post-9/11 days were also beginning to fade.



When 2002 began, 84 percent of the country approved of the job the president was doing. By the end of the year this number would drop to 63 percent. The president also declined in his job approval ratings with regard to the "War on Terror." Figure 5.4 shows the President's average monthly general job approval rating and his rating for the "War on Terror". Because terrorism-related questions were not asked by Gallup on a monthly basis, these figures were calculated using the average Gallup and CBS News approval rating. Interestingly, regular questions on terrorism were asked only in 2002 and were replaced by more regular polling on Iraq in 2003 and 2004. The Gallup figures are based on the question: "Do you approve or disapprove of the way George W. Bush is handling...U.S. (United States) military action abroad to fight terrorism?" The CBS News data is based on the question: "Do you approve or disapprove of the way George W. Bush is handling the campaign against terrorism?" The figure shows a slow decline

in the President's approval ratings in both job approval and terrorism. Even his lowest overall average in December 2002 (62.5 percent) was still higher than his pre-9/11 average, which never peaked above 60 percent. What we do see here is the possibility that the "rally around the flag" bump the president received in those days following the terrorist attack began to fade in 2002. We will see this gradual decline in job approval continue throughout his first term – we will also see the president become more active in his position-taking in his last two years in office.

Figure 5.4: Average Monthly Approval Rating 2002



Source: General Approval - CNN/Gallup ; Terrorism Approval CNN/Gallup and CBS News

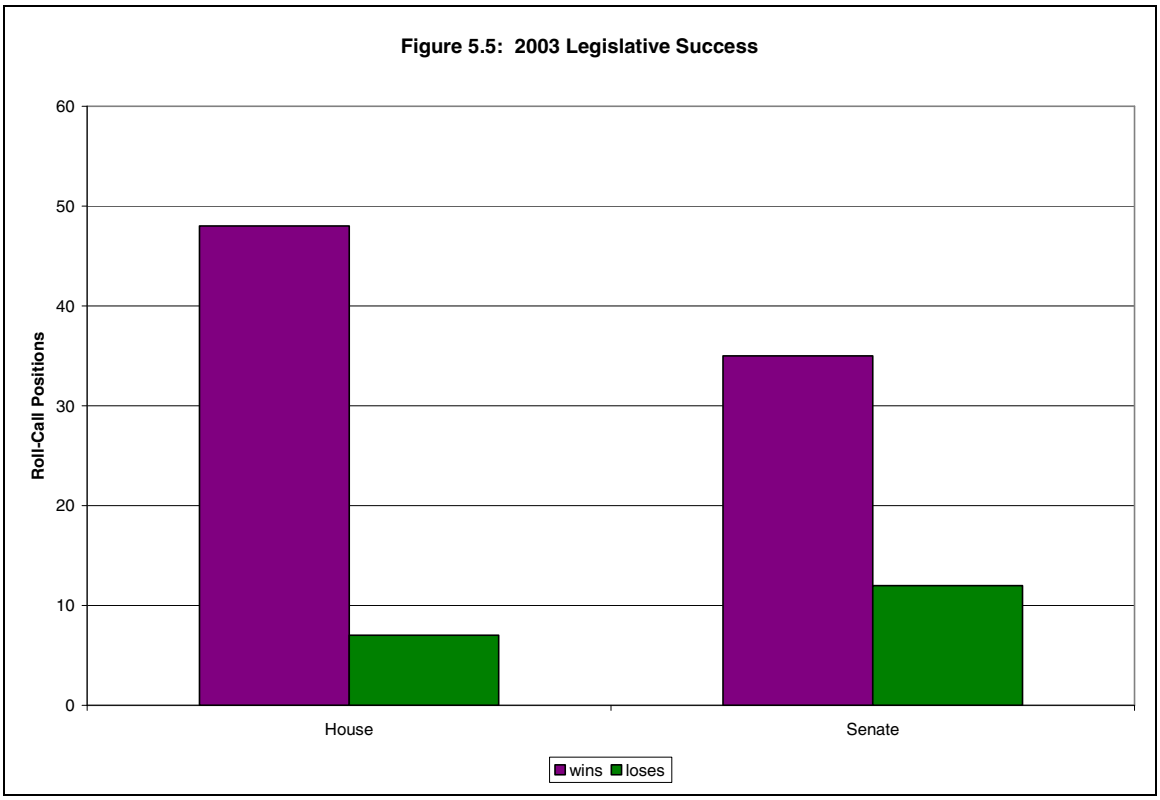
The war in Iraq was another turning point during Bush's first four years. If it were possible to split Bush's first term into two different portions, like 2001, it would be into the pre / post Iraq phases. By the end of 2002, the focus on terrorism and national security began to shift to include Iraq. The administration's Iraq policy would continue

to be the focus until the end of Bush's first term (and potentially longer, but this is the time constraint for this research). Again, this dissertation's aim is not to chronicle our Iraq policy. Instead, it is to highlight some of the significant events in the first term of President Bush and discuss his overall relationship with Congress and the American public, discussing how the war in Iraq impacted his relationship with Congress and the American public.

In the summer of 2002, the vice president and other administration officials began voicing the need for military action with Iraq. By mid-September, President Bush began articulating and speaking out on Iraq, Saddam Hussein, and the new "National Security Strategy." This strategy made the case for taking preemptive action against threats to U.S. national security (Baker 2006). The new "Bush Doctrine" clearly stated that the United States would act "preemptively" when necessary in order to "prevent or forestall hostile acts by our adversaries" (Jost 2007). Throughout the remainder of 2002, the Bush administration took several steps toward what seemed like an inevitable war with Iraq. Bush, through then Secretary of State Powell, worked with the UN Security Council to re-allow weapons inspectors in Iraq. Also, there was the previously mentioned use of force resolution (PL 107-243), which Congress approved in October.

Foreign policy, mainly the War on Terror and Iraq, continued to dominate the Bush agenda in 2003. Legislatively, the president was active in both foreign and domestic policy. Figure 5.5 shows the number of positions taken by President Bush in 2003. President Bush took a position on 47 Senate roll-calls and 55 in the House. Comparing just the number of positions in 2003 to 2002, the president increased his position-taking by 70 percent. He had an 87 percent success rate in the House and a 75

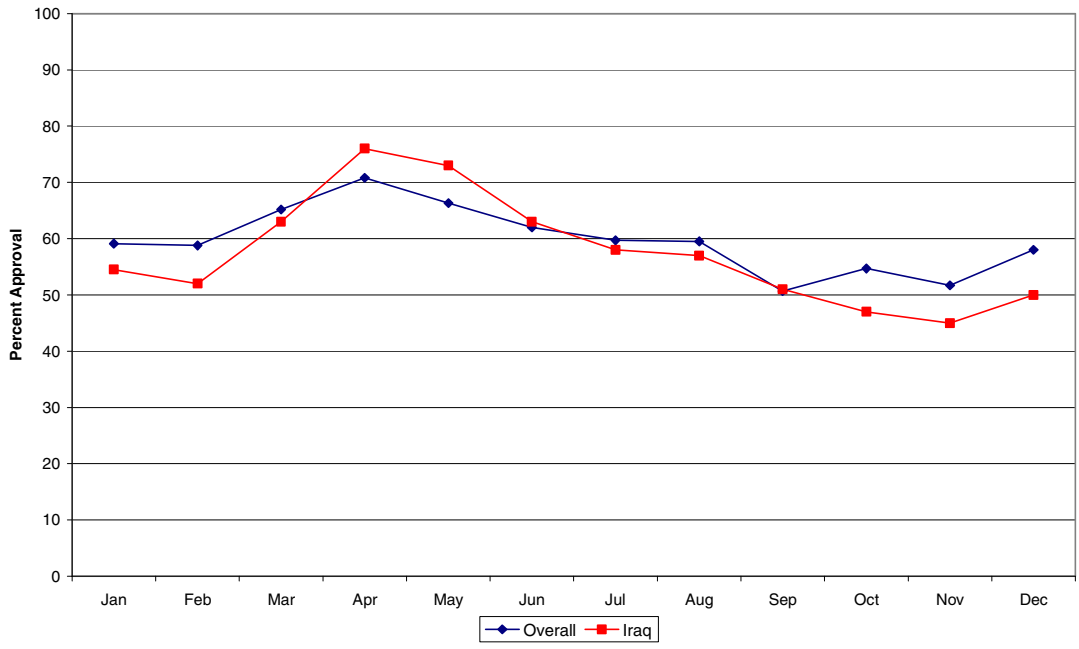
percent in the Senate. While foreign policy may have dominated the president's agenda, the area he was most active in position- taking was domestic policy. Here he took 60 positions (House and Senate combined) on a variety of issues including "partial birth abortion" and cloning. The cloning bill was a win for Bush with the House passing legislation prohibiting human cloning with a 241-155 vote. In the final vote (roll-call 39), Bush received strong support from Republicans with only 16 of 214 Republicans voting against the bill. This bill also received some support from Democrats with 23 percent voting with the president. Another big win domestically for the president was the ban on partial birth abortions. The final votes in the House (Roll no. 242) and Senate (Roll no. 42) were both in support of the president's position. The bill, which became Public Law 108-105, received strong support from Republicans in both the House and Senate. In fact, only two Republican senators voted against the Senate version of the bill. His success in foreign policy was a bit more mixed, losing three votes in the House including two amendments to a transportation bill dealing with Cuba that the president opposed. The president also had four foreign policy defeats in the Senate, including two roll-calls dealing with Iraq funding. These two losses are significant as none of the other foreign policy losses had to deal with Iraq or the War on Terror. The first was a motion to table an amendment dealing with small businesses that was attached to a larger Iraq appropriations bill. The vote to table passed the Senate 69-29, despite the President supporting the amendment. The second Iraq loss was on the Bayh Amendment (No. 1871), which required that funds for reconstruction in Iraq be used for certain purposes. The president opposed the amendment and, despite strong in-party support, the amendment passed 51-47 with eight Republicans voting in favor of the amendment.



Iraq would dominate much of the president's foreign policy and his public agenda in both 2003 and 2004. In the spring of 2003, Iraq seemed to be a high point for the administration, with several key successes early on. The official war itself only lasted a total of three weeks. Originally, the Pentagon plan had been to withdraw most of the U.S. troops from Iraq by the end of 2003 – however this plan was quickly changed when an upsurge of violence occurred at the end of the year (CQ Weekly 2006). The potential impact of this initial success and then increase in violence (and American causalities) can be seen in Bush's approval ratings for 2003. Early on in the year, and shortly after the president declared an end to combat operations, his overall job approval rating and his approval rating for the way he was handing the "situation in Iraq" were in the high 50 percent range. In fact, both April ratings reached the average high for the year: 70.8 percent overall job approval and 76 percent Iraq approval. April was also the month that

featured the "symbolic" collapse of Saddam Hussein, with the U.S. Marines helping Iraqi citizens pull down his statue in central Baghdad. The short upturn at the end of the year for both approval areas corresponds with the capture of Saddam Hussein by U.S. forces on December 14, 2006 (CNN 2003). While his overall job approval for 2003 never dipped below the 50 percent mark, it certainly was a downward trend from the end of 2004. This decline would continue throughout the end of his first term.

Figure 5.6: Average Monthly Approval Rating 2003

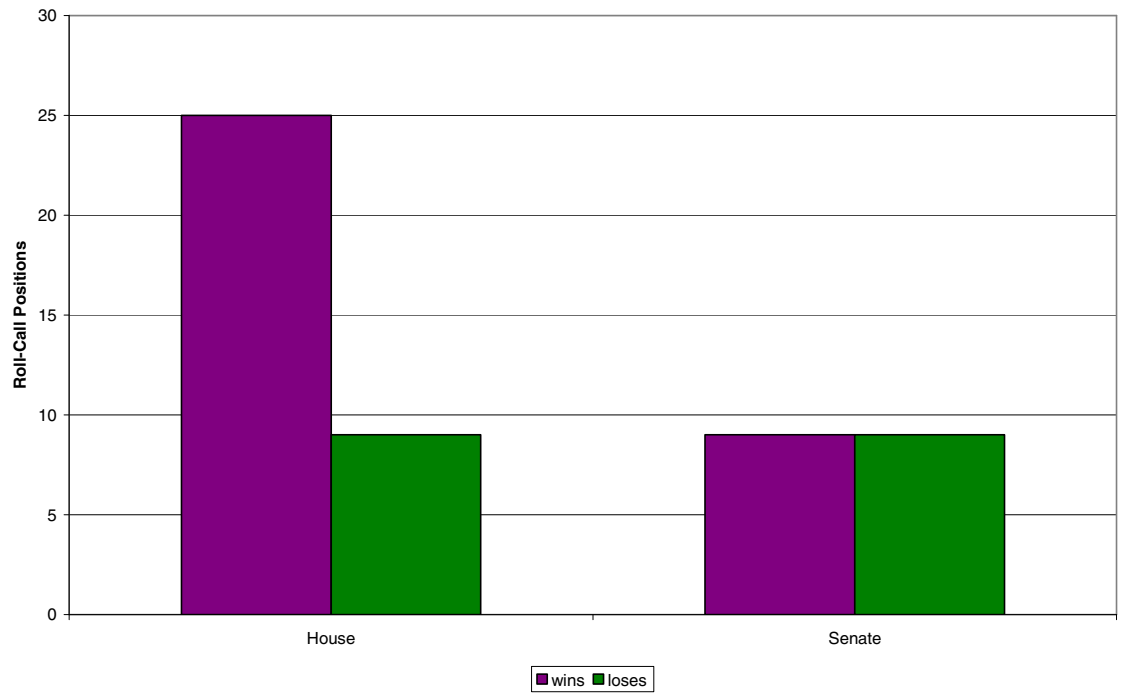


Source: General Approval - CNN/Gallup ; Terrorism Approval CNN/Gallup and CBS News

In the last year in his first term, President Bush faced not only his lowest public approval ratings to date but he was also beginning to lose ground with Congress. By 2004, the president was not only less productive with legislation but was also less successful. President Bush took a position on only 18 Senate roll-call votes, only two of which were in foreign policy, and only three of which were in economic policy. All of

the economic and foreign policy votes were victories for the president, but he suffered defeats on nine of the 13 domestic policy votes. In the Senate, Bush's overall success rate was a 50 percent, which is significantly lower than his success rate for the three previous years. President Bush faired somewhat better in the House. Not only did he take more positions on House roll-calls (see figure 5.7) but he was more successful overall – a 74 percent success rate. In foreign policy, Bush was successful on 50 percent of the 8 votes he took a position on, losing those dealing with base closures, Cuban travel, and U.S. aid to Saudi Arabia.

Figure 5.7: 2004 Legislative Success



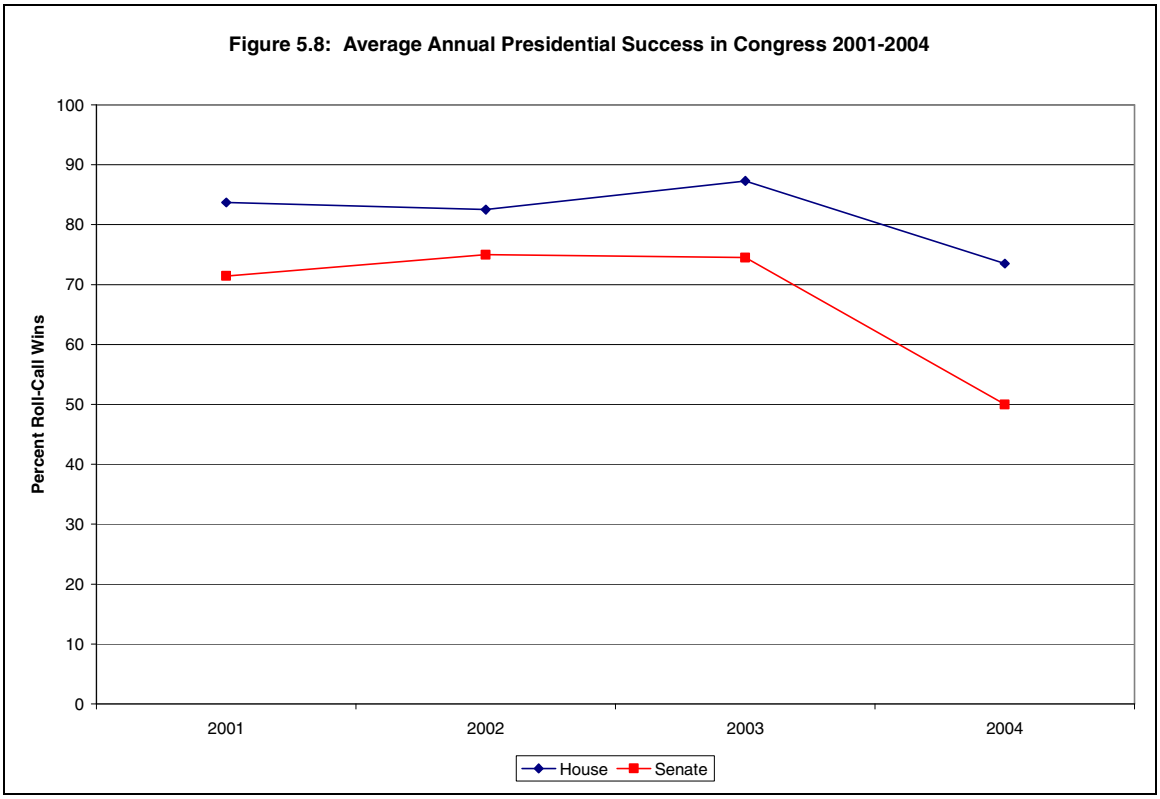
A domestic loss for the President, in both the House and Senate, was the Gay Marriage Constitutional Amendment. The bill was seen by many as part of a broader Republican campaign strategy. In the Senate, proponents of the measure failed to get the

necessary 60 votes needed to invoke cloture and bring the measure to a vote. The cloture vote, which was supported by President Bush, received 45 Republican votes and 3 Democratic. A majority of Democrats (43) and six Republicans voted against the cloture. The bill was not expected to win; despite this it was pushed by Republicans hoping the issue would continue to garner national attention in the election year (CNN 2004).

Overall, 2004 was less successful for President Bush than the previous three years. As Figure 5.8 shows, President Bush was most successful in "getting his way" with Congress in 2003 which was followed by marked decline down in 2004. While he was continually more successful with the House than the Senate, the decline from 2003 to 2004 occurred in both chambers. While the Republicans controlled the House throughout his entire first term, the balance of the Senate was somewhat more tenuous. The 107th Senate began was split 50-50 with the Democrats in control until January 20, 2001 when Richard Cheney was sworn in as vice president, thereby becoming president of the Senate. This shifted control of the Senate to the Republicans. The Republicans controlled the Senate until May 24, 2001 when Sen. Jeffords (VT) announced he would switch from Republican to Independent status and that he would caucus with the Democrats. This change caused a switch in the control of the Senate back into Democratic hands. The November 2002 election replaced appointed Sen. Jean Carnahan (D-MO) with Sen. James Talent (R-MO), shifting the balance again back to the Republicans, but since the Senate was out of session there was no need for reorganization. The Republicans remained in control of the Senate through out the 108th session with a 51-48 (1 independent) majority. While we will further explore the role of

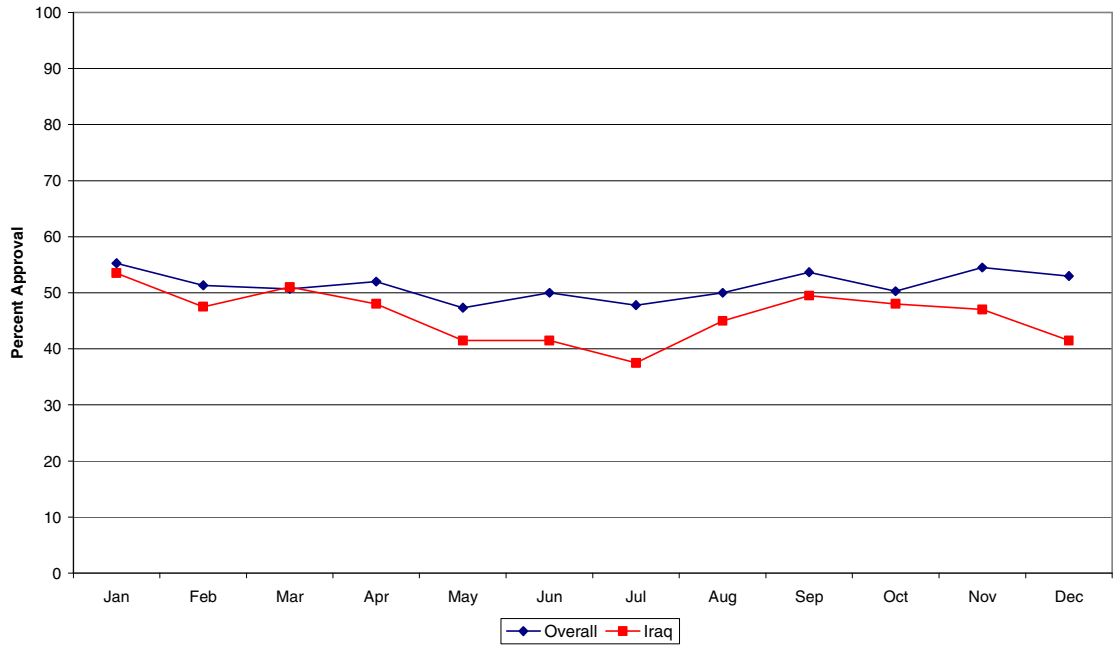
party control on Bush's success in the next chapter, what this balance of power in the Senate does begin to show us is that even when the Republicans held a majority – it was a small majority and much less so than the majority held in the House. While President Bush's success rate dropped for the Senate between 2003 and 2004, it is important to note (as Figure 5.8 shows) that he also declined in the House during this same time period. For both chambers, 2003 was the peak of his legislative success during his first term. Comparatively, George W. Bush's first term was one of the most successful presidencies in the past thirty years. His overall success rate (for the House and Senate combined) for the 2001 and 2002 is the highest ranked among all Presidents since 1971. Even 2004, which was the low point in Bush's first term, was in the upper half of Presidential success rates.

Figure 5.8: Average Annual Presidential Success in Congress 2001-2004



President Bush endured declining public approval ratings in 2004. For the first time since the beginning of his presidency, President Bush's job approval rating fell below 55 percent and stayed under that mark for the rest of his first term. In the summer of 2004, Bush's approval ratings hit a first term low for him, averaging between 47 and 50 percent. As Figure 5.9 shows, his lows in both overall job approval and approval for Iraq were lowest in July and climbed slightly higher as the fall progressed. In fact in October, just one month before the 2004 Presidential election, Bush's average job approval rating was at 50.28 percent. A month later he went on to be elected to a second term with 51 percent of the popular vote and 53 percent of the Electoral College.

Figure 5.9: Average Monthly Job Approval Rating 2004

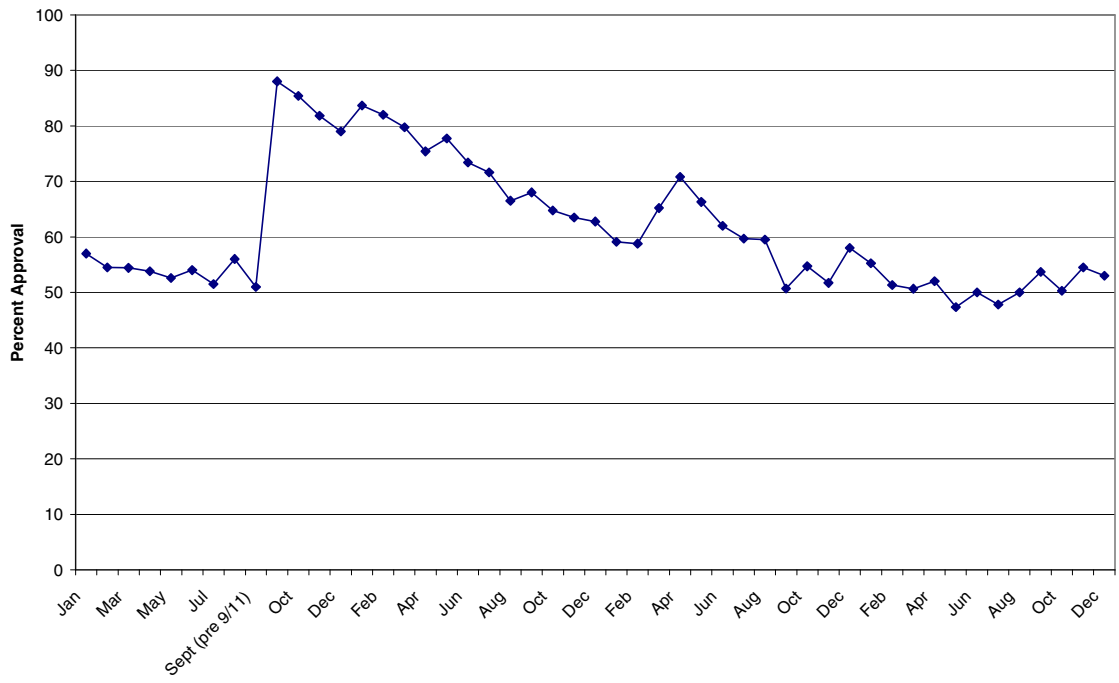


Source: General Approval - CNN/Gallup ; Terrorism Approval CNN/Gallup and CBS News

When President Bush's job approval rating for his entire first term is examined, there are several observable high points. First, there is the post-9/11 increase in job approval in 2001. After this jump up in approval, which was the high point of his entire

first term, there is a decline until April of 2003, when there is another spike in his job approval. As previously mentioned, this was around the same time as the announcement of the end of combat operations in Iraq. His approval ratings around the end of 2004 mirror those from the beginning of his administration in 2001. During both time periods, Bush's job approval ratings were around the 53 percent mark. However, the beginning of his administration is different because his ratings never dipped below 50 percent job approval, while we see this occur twice (in monthly averages) in 2004. President Bush is by no means the first President to have job approval ratings in the 50 percent range. In fact several Presidents, including Carter and George H.W. Bush, had average annual approval ratings below 50 percent in the fourth year in office. Presidents Reagan and Clinton had job approval ratings in the 54-55 percent range in their fourth year in office, and both were reelected to a second term.

Figure 5.10: Average Job Approval 2001-2004



Source: CNN/Gallup Poll

So what generalization can be made from looking at the legislative successes and approval ratings from George W. Bush's first term in office? First and in my view most important is the impact of 9/11 and the war in Iraq on his presidency and quite possibly his historical legacy. Not only did Bush frame most of his first four years in office in terms of the broad War on Terrorism, but the impact these events had on his job approval and legislative success are key. We see a strong "rally around the flag" effect in job approval occur in the months following 9/11. In Congress, we see an initially strong bi-partisan support for the President, both domestically and in foreign policy. This support, both in job approval and in legislative success, begins to decline in his first term. The information provided here gives a nice first look at the President's first term. The shift in focus from domestic legislation to foreign and terrorism legislation is to be expected in 2002. Legislation dealing with traditionally Republican issues, like abortion and gay marriage, showed how the support for the President on some issues was still dependent on party lines. The "rally" effect may have only occurred on those issues that related directly to terrorism, leaving behind across-the-aisle support for issues which would be considered to be Republican.

Captured here are some of the high and low public approval points of the first four years of his administration. Obvious is the impact that the events of 9/11 had on Bush's job approval rating. From his high point at the end of 2001, there is a steady decline in job approval with jumps up occurring near foreign policy events like the beginning of the war in Iraq. The next step is to take a closer look his legislative successes and to fit these results into the broader discussion of the relationship between success with Congress and approval by the American public.

Chapter 6: The Two Bush Presidencies

"I'm the decider, and I decide what is best."
– George W. Bush 43rd President of the United States[8]

The framers of the Constitution neither expected nor wanted the president to be a legislative draftsman (Wayne 2006). Yet throughout U.S. history we have seen presidents who take a strong legislative role. Wilson and the League of Nations (though a failure in the Senate), Roosevelt and the New Deal, and Johnson's civil rights and Great Society programs are all times when the White House pushed a legislative agenda. The events of 9/11 saw a shift of power back to the president, or as James Lindsay (2003) says, ". . . the pendulum of power swung sharply back toward the White House" (pg 537). As discussed in the previous chapter, President Bush did not enjoy high marks from the American public during the beginning of his administration. In fact, the only "modern" president to face lower job approval ratings in his first eight months of office was Gerald Ford (Smith 2002; Gallup 2001). In the aftermath of 9/11, however, Bush's approval ratings soared. In this chapter two issues are examined. First, I examine the extent to which this increase in public support affected his legislative success. More specifically, is there are relationship between presidential victories in Congress and presidential approval ratings during the Bush administration?

The second issue this chapter examines is the relative success of President Bush in foreign versus domestic policy. The Bush administration is an interesting case in point. We see an initial shift in power (and support per se) to the president after the

[8] The White House (2006). President Bush Nominates Rob Portman as OMB Director and Susan Schwab for USTR. April 18, 2006. Retrieved 26, 2007, from http://www.whitehouse.gov/news/releases/2006/04/20060418-1.html

events of 9/11. This shift is marked by high approval ratings and bi-partisan support in Congress. Over time, President Bush's approval ratings and bipartisan support began to deteriorate. The previous chapter discussed in broad terms President Bush's successes and losses in Congress during his first term. I begin this chapter by returning to one of the traditional perspectives on presidential relations with Congress in the foreign and domestic policy arenas, the two presidencies theory. While this theory established by Wildvasky (1966) has faced increasing criticism, it does accurately reflect the policy making dynamics in certain political contexts, so it is useful to look to see how President Bush would (or would not) fit into this view. In the remainder of the chapter, I test the previous conjecture that job approval and policy type are statistically linked to success by empirically looking at legislation from President Bush's first term. Two main models will be used in this examination – the first looking at the influence of approval, policy type and other factors on a presidential "victory" and the second looking to see if approval or policy type influences both in- and out-of-party support for the president.

George W. Bush and the Two Presidencies

Though President Bush did not necessarily enter office with plans to be a foreign policy president (Hamilton 2006), foreign policy not only dominated his first term but also set the framework for how his entire administration is and will be defined. Wildavsky's original contention is that there are in fact "two presidencies" in the United States, one for foreign policy and one for domestic policy (Wildavsky 1966). The basic understanding here is that the president should, and in Wildavsky's view does, receive greater support from Congress with regards to foreign policy. In chapters two and four, I discussed some of the criticisms of this theory and how it is relevant to this research –

mainly in providing a framework to think of foreign policy differently from domestic policy. I think it is a useful endeavor to look at the first four years of the President Bush's presidency in this framework. Given his strong focus on foreign policy (and the atmosphere of the War on Terror), Bush's presidency may fit the description of a "two presidencies" president. The current literature provides a framework for how to go about this examination.

The current methodology when examining the "two presidencies" begins with those roll-call votes where the president took a clear position (Conley 1997; Schraufnagel & Shellman 2001) and the same will be done here using *Congressional Weekly Reports* from 2001 to 2004 to obtain the list of votes that President Bush took a clear position on. Roll-call votes will be classified as being either domestic policy, foreign/defense policy, or as an intermestic issue (see Conley 1997). Conley (1997) defines intermestic issues as those with possible consequences for both domestic and foreign policy, like trade policy or immigration. I will use these categories but add an additional one– terror issues.

Terror issues are defined as those linked to either the "War on Terror" or Iraq. There is the broad terror issues category – and then within those issues which are "foreign terror" – those having clear foreign policy implications – and "domestic terror" – those having clear domestic policy implications. An obvious example of a "terror issue" would be H.J. Resolution 64 that was the use of force resolution that passed the House on September 14, 2001. This resolution was an authorization for the president to "use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent

any future acts of international terrorism against the United States by such nations, organizations, or persons" (Congressional Record Online 2001). This roll-call vote is coded in the data set as being in the "foreign terror" category. Roll-calls previously coded by *Congressional Quarterly* as being economic were folded into either one of the four set categories depending on the nature of the legislation. For example, a domestic spending bill whose purpose was to aid in the economic recovery after 9/11 (H.R. 3090) would be coded as "domestic terror." Roll-calls dealing with the war in Iraq were also coded as terror votes. This is because military intervention in Iraq was framed as part of the broader War on Terror (Jost 2006; CNN 2005; CNN 2003) .

The inclusion of "terror issues" makes this take on the "two presidencies" different from previous research. Another difference is that for these purposes I will not be using a conflict threshold. The conflict threshold is done by excluding roll-calls from the analysis that receive over 90 percent support in the total vote (Conley 1997; Fleisher et al 2000; Schraufnagel & Shellman 2001). These roll-calls are included because many of the post-9/11 roll-calls, like the Patriot Act, were passed with an overwhelming majority of both chambers. The substance of these roll-calls and their focus on terror is more important to the discussion than concern that those roll-calls with strong bipartisan support may skew the findings.

President George W. Bush took a position on 289 roll-call votes during his first term. Of those votes, 179 were domestic policy; 29 foreign policy; 35 were intermestic issues and 46 were terror issues. Votes were only counted in one of the four categories. Within the terror category, 24 dealt with domestic terrorism and 22 were of a more foreign policy terror nature. As Table 6.1 shows, the president was more successful in

domestic policy than in foreign policy. These simple findings would argue that President Bush does not fit the "two presidencies" mold. When including the intermestic issues, the president was nearly equally successful in domestic policy and in mixed domestic and foreign. What is most interesting however, is how successful the president was in the terror area. His overall success rate was a 91.3 percent – much higher than any other policy area. President Bush did not have a single loss in those terror issues focusing on domestic policy. His success rate in foreign terror issues (83 percent) was still considerably higher than either domestic, foreign or intermestic issues. These results begin to show us a potentially new type of "two presidencies" – one for issues dealing with terrorism and one for all other issues. In fact, the combined success rate for all non-terror issues was 75 percent for all four years, compared to the 91.3 percent success rate for terror issues. One can begin see that, at least from 2001-2004, President Bush was more successful with Congress on those issues linked to the War on Terror.

Table 6.1: Presidential Success by Policy Area			
	Total Victories	Total Losses	Success Rate
Domestic – non terror	138	41	77.09
Foreign– non terror	19	10	65.52
Intermestic– non terror	27	8	77.14
Terror – overall	42	44	91.30
Terror – Domestic	22	0	100.00
Terror – Foreign	20	4	83.33

Table 6.2 shows the average partisan support the president received by policy area. As one would expect, the support for President Bush was much greater for Republicans than for Democrats. Here we see that the two presidencies does occur among Democrats based on the average support given for foreign versus domestic policy. The Democrats gave greater support to President Bush in both foreign and intermestic policy issues. This fits the previous findings by Fleisher and Bond (1988) that Republican presidents tend to receive greater support on foreign policy issues from Democrats. Republicans gave the highest level of support for domestic policy issues, which is predictable, given the clear partisan divide on issues like partial birth abortion. While a strong majority of Republicans supported the president in foreign and intermestic issues, the support was less than that seen in domestic policy. Republicans were less likely to vote along strict party lines on issues like trade and base closures. In all three of the "traditional" policy areas, there was never a majority of Democratic support and always a strong majority of Republican support.

Table 6.2: Average Presidential Support by Policy Area		
	Democratic Support	Republican Support
Domestic– non terror	27.68	88.03
Foreign– non terror	32.61	78.94
Intermestic– non terror	38.43	81.56
Terror	53.58	87.43
Terror – Domestic	64.08	85.12
Terror – Foreign	43.95	89.53

The results in Table 6.2 also support the view that instead of a traditional "two presidencies", President Bush has two presidencies in terror versus non-terror issues. One of Wildavsky's rationales behind the original two presidencies thesis was that during the Cold War and subsequent threat of nuclear attack the president had a distinct advantage over Congress because the need for secrecy in international information (Wildvasky 1966; Fleisher et al 2000). Another perception was that the country needed to speak with a singular voice because doing otherwise might undermine the country's position in the world and be a threat to national security (Fleisher et al 2000). These same rationales behind the original two presidencies can again be seen in terrorism two presidencies. As for the uniform voice for the country, historically during times of crisis the president is the one whom the public turns too to speak for the nation as a whole. The threat of another terrorist attack and the U.S. needing a response to 9/11 gave President Bush an initial advantage over Congress. This is supported by the fact that the president received greater bi-partisan support in terrorism issues than in other issues. When looking at all terror issues combined, a majority of Democrats and Republicans support the President. In domestic policy terror issues, an average of 64 percent of Democrats

supported Bush and 85 percent of Republicans. Again, we see that much like foreign policy in the Cold War where Presidents were able to garner support from both sides of the aisle, in Bush's first term terror policy operated in a similar fashion. Those votes linked to terrorism found support from both sides of the aisle. The next closest area would be those intermestic issues that combine domestic and foreign policy. The findings in this area support those previously found by Conley (1997).

Previous research typically focuses on either the House or the Senate to examine the two presidencies thesis. The tables above are based on combined data from both chambers. Table 6.3 shows the overall success rate by chamber. Here we see some variance between the House and Senate. The president was more successful in the Senate on foreign and intermestic issues; in contrast, he had greater success in domestic policy in on the House side. The House was controlled by the Republicans throughout the entire time period, while the balance of the Senate was back and forth between the Democrats and Republicans. The size of the Republican majority in the House was greater compared to the majority in the Senate. In partisan terms this makes sense, with a majority of Republicans in the House supporting the president's domestic agenda, controlling a majority would produce greater success rates. Intermestic issues, which can split Republicans over issues like trade policy, had less success in the House than in the Senate, where the president could receive some support from Democrats across the aisle. Even looking at the non-terrorism roll-calls, the president was more successful in the House (80.69 percent compared to 68 percent) highlighting the impact of having greater Republican support in one chamber compared to the other.

Table 6.3: Presidential Success by Policy Area – by Chamber		
	Senate Success Rate	House Success Rate
Domestic	63.01	86.79
Foreign	70	63.16
Intermestic	92.86	65
Terror	89.47	92.6
Terror – Domestic	100	100
Terror - Foreign	80	84.62

The results of Table 6.3 also support the split between terror and non-terror policy areas. Again, the president has greater success on those roll-call votes related to terrorism. Both chambers gave President Bush strong support on terrorism issues, especially those relating to homeland security issues. From this analysis we begin to see a picture of the Bush administration being divided two parts: the first is more of what we have come to recognize in presidential-congressional relations where partisanship and party control of the Congress and White House impact the end outcome; the second, however, is unique to President Bush.

In the Senate, Bush's overall success rate for non-terror issues was 68 percent compared to 89 percent for terrorism. Similarly, in the House his terror success rate was greater than his non-terror success rate (80.69 percent). We can make the case that Bush's first term represents a terror presidency – where we see both Republicans and Democrats supporting the President on issues which are framed in a national security / War on Terror context. While the two presidencies may be "dead," what we see in Bush's first term is a new manner of "two presidencies" not so much in the domestic versus foreign but in those issues relating to terrorism and all other issues. These findings on the role of terror issues support the need for further analysis – to see not only what additional factors

influence success for President Bush, but also examine the impact of terror issues on Bush's success.

V is for Victory

What constitutes a victory of the President? Victory here is identified when President Bush took a clear position on a roll-call vote (as identified by *Congressional Quarterly*) and a majority of the House or Senate voted in agreement with his position. When President Bush took a "no" position on a specific roll-call vote, and a majority of the chamber voted "no" then that would constitute a clear victory for the President. Each vote is calculated for the chamber it took place in. To put this in context, in his first term President Bush took a clear position on 291 roll-call votes. Of these 291 votes, 226 were "victories". Another way to look at this is that President Bush had an overall 77.7 percent success rate with Congress. This success rate changes by year, with 2003 actually being the most successful for his first four years (81.4% success) and 2004 being the least successful (65.4% success). The success rate is also important because it helps to highlight the difference between the two chambers of Congress. In terms of straight wins and losses, President Bush was more successful in the House than in Senate. This is not unexpected, given the partisan composition of both chambers.

These models not only look at which chamber was more likely to produce a victory for the president but also the impact of job approval and policy type on the likelihood of victory. The dependent variable for each model will be if the roll-call vote was a victory or not. As with the previous discussion of the Bush's two presidencies, these models include all of those roll-call votes that President Bush took a position on in his first term.

What factors may make victory more likely? First, as discussed above, is the idea that the chamber can make a difference. Percentage-wise, President Bush was more successful in the House than in the Senate (over all four years). The first regression in each model will include an indicator of where the vote took place – 1 for "House" and 0 for "Senate". The expected relationship here is positive, reflecting greater success in the House than Senate. The second and third part will split the votes into either House or Senate votes, allowing for greater examination of the effect of each chamber. Two policy types are of interest here and this variable drives two of the models. The first model includes the idea that the President was more success in domestic and economic policy than in foreign policy. This idea is measure by a 0 for "domestic / economic" policy and a 1 for "foreign policy." The third model includes a measure for terror policy. These policies were discussed in the previous section and are measured for these regressions by a 0 for "non-terror" and a 1 for "terror policy". Here we see issues that may previously have been considered to be intermestic coded as being either foreign or domestic policy as identified by *CQ*. This was done to ensure there be enough variables in each category since the president took so few positions in some years. Given what has been previously discussed about the overall support for the president on terror policy the expected result is that terror policies are more likely to obtain a victory for the president than non-terror policies. Every model also includes three variables to control for each individual year in Bush's first term.

Lastly, I include a measure of job approval of the president. For these models, the measure is based on quarterly averages in one of three categories: overall job approval, foreign policy approval and terror policy approval. These figures are based on the same

data as the opinion figures from Chapter Five. This data was drawn using Gallup and CBS news public opinion polls from January 2001 through December 2004. The polling question asked was "Do you approve or disapprove of the way George W. Bush is handling his job as President?" or "Do you approve or disapprove of the way George W. Bush is handling his [foreign policy or U.S. military action abroad to fight terrorism]?" The quarterly approval rating is matched with the quarter in which the roll-call vote took place.

The first model includes the foreign policy indicator and general job approval ratings to test the impact they have on presidential victories. The results shown in Table 6.4 indicate that policy type, job approval and chamber all affect the chance of a presidential victory for both chambers combined. From here, predicted probabilities were based on the results from the logistical regression. With all other variables held constant at their mean, the probability of victory in domestic or economic policy was .83 compared to .69 for foreign policy. In the House, the probability for victory was .85 compared to .72 to the Senate. This supports the idea that the President was more successful in the House than in the Senate. Of the two chamber models, none of the indicators were significant for the Senate and only foreign policy was significant for the House. Much like the overall regression, in the House regression the president was more likely to have a victory in economic or domestic policy compared to foreign policy. Overall job approval was only significant (and at the lowest level) in the model including both chambers. This result fits with the findings from the previous chapters that even when approval is significant its impact is only marginal. That being said, when all other variables are held at the mean, when President Bush had a job approval rating of 82.9

percent he had a .93 probability of a victory. Combine this probability with how often his approval rating was at or above 82 percent and one can begin to see the impact that his high approval rating had on his success rate.

Table 6.4: Model 1- Logit Predicting Presidential Victory			
	Overall	House	Senate
Foreign Policy	-0.739*	-1.264**	0.097
	(0.352)	(0.462)	(0.592)
Job Approval	0.060*	0.061	0.053
	(0.026)	(0.044)	(0.033)
2004	0.047	0.345	-0.330
	(0.510)	(0.752)	(0.723)
2003	0.543	0.700	0.310
	(0.407)	(0.613)	(0.547)
2002	-0.324	-0.224	-0.144
	(0.528)	(0.769)	(0.767)
House	0.779*		
	(0.304)		
Constant	-2.795+	-2.056	-2.379
	(1.667)	(2.717)	(2.096)
Observations	289	172	117
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a two-tailed test.			

Model Two substitutes the average overall job approval variable with foreign policy approval. This is also a quarterly measure and while the two approval variables are correlated (r=.94), the use of the foreign policy variable does produce somewhat different results, as shown in Table 6.5. As with Model One, the measure of policy type is

again significant for the overall Congress and in the House. Again, domestic and economic policies were more likely to mean a presidential victory than foreign policy. The vote taking place in the House was also significant. Holding all other factors at their mean, the House has a .84 probability of a presidential victory. What makes Model Two interesting is that not only is foreign policy approval significant for the entire Congress but it is also significant for the Senate. In the Senate, the higher the president's foreign policy approval rating is the greater the probability of a presidential victory in all policy areas (holding all other variables to their means). Like the foreign policy models in Chapter Four which found a relationship between foreign policy approval and overall legislative success, here there is a positive relationship between foreign policy approval and all of the roll-call votes from 2001-2004. This relationship could again be showing the positive relationship between foreign policy approval and domestic policy, since the measure of victory here includes both foreign and domestic policy. Additionally, this relationship may be reflecting the impact of Bush's high approval rating on his entire legislative agenda.

Table 6.5: Model 2- Logit Predicting Presidential Victory			
	Overall	House	Senate
Foreign Policy	-0.732*	-1.346**	0.200
	(0.352)	(0.459)	(0.598)
Foreign Policy Approval	0.042+	0.020	0.058+
	(0.023)	(0.034)	(0.032)
2004	-0.151	-0.153	-0.183
	(0.501)	(0.707)	(0.739)
2003	0.507	0.574	0.411
	(0.406)	(0.606)	(0.555)
2002	-0.037	0.181	0.085
	(0.477)	(0.677)	(0.714)
House	0.780*		
	(0.303)		
Constant	-1.534	0.603	-2.589
	(1.404)	(2.052)	(1.956)
Observations	289	172	117
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a two-tailed test.			

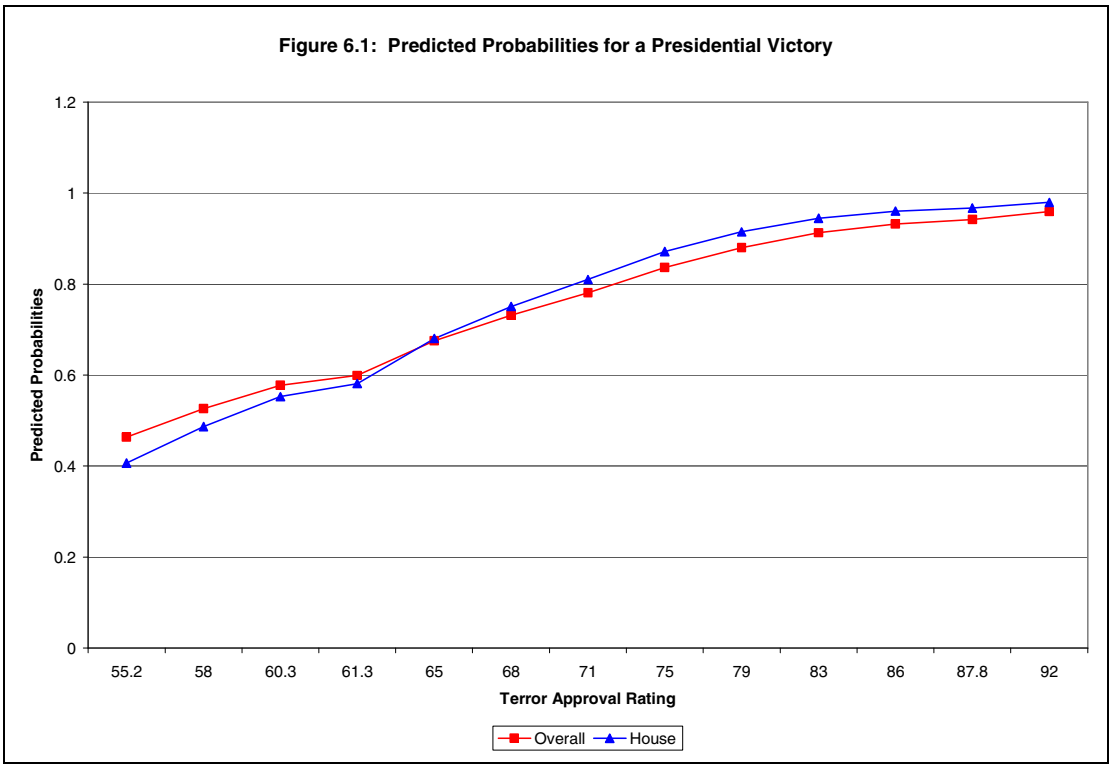
Finally, Model Three looks at the how successful the president was on terror policies. From what we saw earlier in this chapter, the president was more successful in terror-related policies compared to non-terror policies. This dichotomy between terror and non-terror policies created for President Bush a new type of two presidencies – one for terrorism and one for other issues. In this model job approval is measured by the average quarterly approval rating of the president on the War on Terror and terrorism.

Since this polling question was not asked before 9/11 (nor were there any terror votes) the sample size does decrease to 255 votes overall, 156 in the House and 99 in the Senate.

Table 6.6: Model 3- Logit Predicting Presidential Victory			
	Overall	House	Senate
Terror Policy	1.583**	1.596+	1.610+
	(0.585)	(0.826)	(0.822)
Terror Approval	0.090*	0.116*	0.064
	(0.037)	(0.053)	(0.052)
2004	1.979	3.195+	0.687
	(1.274)	(1.868)	(1.805)
2003	1.969*	2.871*	1.130
	(0.921)	(1.399)	(1.253)
2002	0.826	1.195	0.602
	(0.682)	(0.974)	(0.991)
House	0.736*		
	(0.327)		
Constant	-7.216*	-9.054+	-4.688
	(3.346)	(4.869)	(4.732)
Observations	255	156	99
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a two-tailed test.			

In Model Three we see the terror policy measure is significant in all three regressions. These policies had a .94 probability of a victory for the entire Congress, .95 for the House and .92 in the Senate – holding all other variables to their means. Again, approval matters in this model for the entire Congress and in the House. Figure 6.1 shows how when all other factors are held to their means, in both the House and Congress as the President's approval increases so does the probability of a victory. Unlike the previous models, here we see two of the year variables, 2003 and 2004, significant in the House. Holding all other variables at their means, the probability of a victory in the House in 2004 was .98 followed by .97 in 2003. These findings show how

much support President Bush had from the House – though not entirely surprising given the size of the Republican majority in the House those two years.[9]



In and Out of Party Support for the President

To gain a more complete understanding of the determinants of legislative success for the president, congressional support and public approval were incorporated into a regression model. This analysis will allow for a more complete understanding of how approval and policy type impacted President Bush's first term and the general notion of presidential success as well as the specific role of bipartisan congressional support. These models will also test to see if our understanding of foreign policy and terror policy is right and that the president receives support beyond party, perhaps due to deference to

[9] The probabilities were calculated using the prtab command in Stata after running a logistical regression.

the institution. The dependent variable is the overall in- and out-of-party support. The support scores were calculated by either the percentage of Democrats supporting the president's position on the vote for out-of-party support, or the percentage of Republicans supporting the president's position on the vote for in-party support. Independent variables include dummy variables for three of the four years and an indicator if the roll-call vote dealt with any form of foreign policy. Included in this broad foreign policy category are those terror votes that have a foreign policy focus as well as more traditional foreign policy votes. Job approval is also included in the models. This helps to link the regressions in this chapter to those in chapters three and four where public opinion was the key variable of interest. Here I use just average quarterly job approval ratings rather than policy specific ratings. The expected result is that approval will have a positive relationship with both Republican and Democratic support.

Tables 6.7 and 6.8 examine Democratic and Republican support of the president. The most interesting finding of these two regressions is the difference between the Republican and Democratic results. For Democrats, the only factor that influenced support was a positive relationship between roll-calls which dealt with foreign policy and overall congressional support. Republicans (Table 6.8) seemed to be influenced by the type of policy, with the foreign policy indicator being statistically significant. Foreign policy votes were less likely to have high Republican support, compared to domestic or economic policy votes, and the predicted support score for Republicans would be 7 points lower overall and 11 points lower in the House for votes on foreign policy issues. These results are also interesting in the context of the two presidencies, where Republican presidents received greater support from Democrats on foreign policy compared to

domestic policy. Here we do not see Democrats significantly supporting President Bush on foreign policy, but we do see the president receiving greater support from Republicans on non foreign policy issues.

Table 6.7: Regression Analysis of Democratic Support Scores			
	Overall Support	House	Senate
Job Approval	0.414	0.461	0.322
	(0.301)	(0.410)	(0.461)
2004	3.166	5.447	0.699
	(7.665)	(9.734)	(12.833)
2003	-8.648	-6.673	-11.884
	(5.481)	(7.073)	(8.919)
2002	-4.325	-1.528	-7.362
	(6.447)	(8.177)	(11.078)
Foreign Policy	9.113+	6.836	13.360
	(5.239)	(6.468)	(9.393)
Constant	9.249	4.174	17.771
	(20.138)	(27.286)	(30.978)
Observations	289	172	117
R-squared	0.03	0.03	0.04
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a two-tailed test.			

Table 6.8: Regression Analysis of Republican Support Scores			
	Overall Support	House	Senate
Job Approval	-0.142	0.029	-0.370
	(0.175)	(0.232)	(0.271)
2004	-4.481	1.684	-13.872+
	(4.464)	(5.509)	(7.539)
2003	5.486+	7.950*	1.366
	(3.192)	(4.003)	(5.240)
2002	2.192	1.824	3.793
	(3.754)	(4.628)	(6.508)
Foreign Policy	-7.999**	-11.954**	-0.506
	(3.051)	(3.660)	(5.518)
Constant	95.115**	84.297**	109.573**
	(11.728)	(15.442)	(18.198)
Observations	289	172	117
R-squared	0.05	0.09	0.05
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a two-tailed test.			

These results support the idea that Republicans were more unified on "traditional" Republican issues in the domestic policy arena. One interesting point is that the foreign policy variable in the Democratic model was not significant, which is somewhat unexpected. Despite the interesting results from these models, they are fairly weak given that r-squared figure is low. Given the support figures discussed earlier in this chapter, one would have expected there to be a positive relationship between policy type and Democratic support – especially in the House. When a similar regression is run, which substitutes the foreign policy variable for the terror policy variable, we see somewhat different results. Terror policy is any vote linked to either terrorism or the war in Iraq. In these polices, there is a shift in Democratic support from foreign policy to terror policy; while the foreign policy variable was not significant in the previous model, in the terror

policy model it is significant. Policies dealing with terrorism had a 19.68 percent higher support score in the House than non-terror policies and a 27.6 percent higher score in the Senate. As with the last model, what is significant for Democrats is not so for Republicans – in this case it is the terror policy variable. Foreign policy has a significant negative relationship for Republican support, while terror policy is not significant. Additionally, the year 2004 has a negative relationship with Republican support showing a significant decline in overall support that year compared to the other three. Republican support in the Senate was 14 points lower in 2004 compared to the other three years. In the House, Republican support in 2003 was significantly larger compared to the other years.

Table 6.9: Regression Analysis of Democratic Support Scores in Terror Policy

	Overall Support	House	Senate
Job Approval	0.238	0.233	0.245
	(0.294)	(0.400)	(0.446)
2004	2.565	4.423	0.125
	(7.476)	(9.556)	(12.415)
2003	-6.111	-4.173	-9.010
	(5.313)	(6.960)	(8.440)
2002	-3.700	-0.583	-7.559
	(6.207)	(7.788)	(10.717)
Terror Policy	23.282**	19.865**	27.665**
	(5.513)	(7.222)	(8.851)
Constant	17.395	15.967	19.132
	(19.517)	(26.355)	(29.965)
Observations	289	172	117
R-squared	0.08	0.06	0.10
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a two-tailed test.			

Table 6.10: Regression Analysis of Republican Support Scores in Terror Policy			
	Overall Support	House	Senate
Job Approval	-0.110	0.169	-0.392
	(0.177)	(0.238)	(0.269)
2004	-4.702	1.987	-14.141+
	(4.514)	(5.685)	(7.483)
2003	4.585	6.951+	1.325
	(3.208)	(4.141)	(5.087)
2002	0.446	-1.861	3.694
	(3.748)	(4.633)	(6.459)
Terror Policy	2.460	-0.721	6.943
	(3.329)	(4.296)	(5.334)
Constant	91.855**	74.230**	109.733**
	(11.786)	(15.680)	(18.060)
Observations	289	172	117
R-squared	0.02	0.03	0.06
Standard errors in parentheses			
+ significant at 10%; * significant at 5%; ** significant at 1% The reported results are from a two-tailed test.			

This decline in Republican support in 2004 would seemingly be linked to the president's declining approval ratings that year. This link does not hold up statistically. In fact, the public approval data is not significant in any of these models. This is an unexpected finding considering the high approval ratings the president received after 9/11. Again, these results are not altogether unusual, as much of the public approval research has shown that it is often not significant, and when it is the impact is minimal. In this case, the policy topic and other party support seem to be the main contributing factors in determining either party's support of the president.

This chapter has helped to highlight several key observations about President Bush's first term. First is the idea that he had two presidencies and is the first (though

possibly not the last) to fit this new concept of the two presidencies. Much like Wildavsky's original view where we had one president for foreign policy and one for domestic, we now see one president for terror policy and one for all other policies. Whether or not this will hold throughout his second term is yet to be seen, but at least for his first term, terrorism policy certainly had an impact. This impact is echoed in not only the regression models predicting victory but also in looking at where he received in- and out-of-party support.

Chapter 7: Conclusions

"I must study politics and war that my sons may have liberty to study mathematics and philosophy" – John Adams

This dissertation has argued that presidents can use public approval as a tool to help get their way with Congress. The relationship between public approval and legislative success is seen best when examining domestic policy. Presidents have and continue to court the public's assistance to help persuade Congress (Cohen 2004; Edwards 2002; Kernell 1997). Although other factors such as unified government and tenure in office are important in determining how successful a president is with Congress, this research has found that public approval does, in some instances, play a role. Empirically, the effect of public approval on presidential success has been difficult to prove, and this study contributes additional empirical evidence to help show the relationship between approval and success. Though approval is not a factor in determining presidential success in foreign policy, it does play a role in domestic policy success with Congress.

I have also argued that the type of policy also matters when examining presidential success. Where they once were seen as being the sole policy makers, in the post-Cold War era presidents now face a changing relationship with Congress in foreign policy matters. Even with the changes in presidential-congressional relations, we still see that different factors influence this relationship in domestic policy compared to foreign policy (Ponder and Moon 2005; Prins and Marshall 2001). Additionally, we see in the first four years of President George W. Bush's term a new type of policy arise: terror

policy. These policies, in a post-9/11 climate, met with greater legislative success compared to other policies on more traditional domestic and foreign policy issues.

Quantitative Analysis

In chapters three and four, I used statistical analyses to examine the impact of congressional and presidential factors on presidential success from 1974-2004. This quantitative analysis indicated that public approval is significant in domestic policy success with Congress but has no relationship to foreign policy success. In fact, both domestic policy approval and foreign policy approval had a positive relationship with domestic policy success as well as overall legislative success. I attribute this relationship between domestic policy success and public approval to the fact that the president must work more directly with Congress on domestic policy than foreign policy. Members of Congress and their constituents tend to be more aware of domestic policy matters. This, then, forces the president to use all available tools to gain leverage when dealing with Congress on domestic policy. The results also reveal that while some of these same factors and tools, like unified government, may have some influence over foreign policy, approval does not.

Case Studies

Chapters three and four provided a comparison of all the presidents since 1971 and how several variables, especially public approval, were related to presidential success in both domestic and foreign policy. This initial analysis did not provide a detailed look at the different types of legislation a president takes a position on throughout an

administration or how a president's approval changes within any one year. Also missing was an in-depth look at what factors influenced the likelihood of a presidential victory on different types of legislation. Consequently, chapters five and six included a more detailed analysis of the first four years of President George W. Bush. These chapters illustrate the changes that occur in public approval within an administration but they also help to show the variety of the types of legislation on which presidents take positions. Here we also see the difference in congressional support on roll-calls dealing with terrorism compared to other types of legislation – both domestic and foreign. The case study method also allows for a quantitative look at not only what factors influenced the likelihood of a victory for the president but also what influenced both in- and out-of-party support on each vote. In both models the results find that the type of policy makes a difference. Also, there is a difference between the two chambers, with the House more supportive of President Bush. This may reflect the partisan differences between the House and Senate and the size of the majority in each. In the models examining the likelihood of a presidential victory, we also see the approval variables matter, indicating that there was a positive relationship between the President Bush's quarterly approval rating and the likelihood of a victory.

Contributions and Implications

This dissertation contributes to our understanding of the linkage between domestic and foreign policy success and job approval by looking at the impact of policy-specific approval ratings on legislative success. To that end, I made two key contributions in the first portion of this dissertation. First, I used policy-specific approval ratings in the analysis, which had not been done previously. To accomplish this I created

a data set of policy-specific approval ratings going back to 1971 (which was as far back as possible given the nature of polling questions used prior to that date). Though the findings from the policy specific approval data were not substantively different from previous research using Gallup polling data, the analysis showing the support from foreign policy approval to domestic policy success in enlightening. Potentially, we are seeing the cross-over effect for a president who is judged as doing well in foreign policy to have some additional political capital in the domestic policy arena. As if the American public is saying, you have done this well in foreign policy so we will give you some leeway in domestic policy.

Secondly, I examined presidential success in domestic policy separately from foreign policy. While this separation had been done previously, it has not been done in a side-by-side manner to see how the variables behave differently in each of the models. Other prominent studies have looked overall policy success and the role approval plays (Ponder and Moon 2005; Cohen et al 2000). Only Prins and Marshall (2001) really looked at the different policy issues in a side-by-side manner, and here they focused mostly on the impact of the end of the Cold War on congressional support. This analysis is different because, not only does it examine both foreign and domestic policy, but it also utilizes policy-specific approval data in addition to general approval data. This policy-specific data is a new addition in the study of presidential legislative success.

What we see from the first portion of this dissertation is support for the previous view that public approval matters only in certain instances and, when it does matter it does so only at the margins (Edwards 1989, 2002; Bond and Fleisher 1990). But the ideas presented here speak to the notion that how we examine foreign policy relations

between the president and Congress should be different from our approach in domestic policy (Ponder and Moon 2005; Prins and Marshall 2001). Yes, some of the same institutional factors – like unified government and tenure in office – impact legislative success in both areas. However, the nature of the substantive differences in these two policy types does change how the models operate. The domestic policy model discussed here lends to our understanding of how approval matters. One interesting finding was that domestic policy approval matters in domestic policy success but foreign policy approval also affects domestic policy success. When the president has high support from the American public in foreign policy, he/she can use that to an advantage in getting congressional support on domestic issues. However, the models used for foreign policy success tell us very little other than the fact that what matters in domestic policy does not matter in foreign policy. This lack of quantitative support does highlight is that the two policy areas operate differently. It also shows that there must be additional factors that influence foreign policy and that this certainly warrants additional study.

Secondly, this dissertation begins to look at not only the George W. Bush administration in a quantitative manner. This approach takes the two previously discussed ideas, policy specific differences on votes and public approval and incorporates them into an analysis of how both public approval and policy type impacted Bush's success in his first term. This was accomplished by creating a new dataset based on the first four years of the Bush presidency. This dataset includes not only substantive information on every roll-call President Bush took a position on from 2001-2004 but also all of the Gallup polling data from those years. The job approval dataset includes approval ratings in overall job approval, domestic policy, economic policy, foreign

policy, terrorism, and the war in Iraq. This contributes to the accumulation of knowledge and allows for the opportunity to expand this data to include additional years in his administration. This data set also provides the materials needed for an analysis of Bush's first term – this also contributes to the existing literature. The analysis allowed for an expanded understanding of how President Bush's approval ratings changed over his first four years – and how world events impacted his approval ratings in a variety of policy areas.

The overall finding from the Bush analysis is that Congress was more likely to support policies that dealt with terrorism in some form compared to any other policy type. This support for the President Bush in terrorism policy may be a single case instance. That being said, there is the potential for continuing support for the argument presidents will continue to have what may be a new form of the two presidencies where they receive greater support in terrorism policy compared to other policy types. This idea speaks to the continuing debate over the existence of the two presidencies (Canes-Wrone et al. 2006; Fleisher et al. 2000). While in the first four years of Bush's presidency we do not see a traditional two presidencies we do see something new developing – a terrorism two presidencies. In this form we see the president being more successful in terrorism policy than in other policy types. The implications of this are yet to be seen, but the potential for a new type of two presidencies does exist and this new idea is a contribution to the body of research on the two presidencies (Wildavsky 1966; Conley 1997; Fleisher et al 2000; Schraufnagel & Shellman 2001). I find quantitative support for the concept that terror policy has greater support in Congress compared to other types of policy. While terror policy is so far unique to the Bush administration,

analogies can be made to national security and defense policies during the Cold War, which were framed as protecting the country from potential dangers. The strong support for terror policy is fleshed out in both the model examining presidential victories and the model looking at in- and out-of-party support. There is also additional support for the role that public approval plays in presidential success. In the victory models we see both foreign policy and terrorism policy approval have a positive relationship with presidential victory. Though the results from the case study are limited to just the first part of the Bush administration, they are useful in not only expanding our understanding of how job approval impacts victory, but also in how the type of policy makes a difference to success. Here we see the impact of terrorism policy on Bush's relationship with Congress. While the lasting implications of this relationship are still being played out, this first look lends a great deal of information to what is already known.

A wealth of research questions concerning policy differences and public approval remains to be addressed using a possible expansion of the Bush data set. One interesting question would be to see the impact of the 2006 congressional election on the models used in this dissertation. Additionally, as the war in Iraq has continued and President Bush's approval ratings have declined there may be greater potential for empirically testing the relationship between approval and presidential success. Also, there may be changing support for the president in terrorism policy, since this policy was measured initially to include legislation dealing with Iraq. Certainly, this research would imply that in the post-9/11 era, presidents will receive greater support in policy areas which are seen as protecting the country from terrorism. However, the nature of these policies and the manner in which they engage U.S. forces may influence the amount of support they

receive. For post-Bush presidents the issue is whether or not terror policy will continue to be an area of bipartisan congressional support, or if the war in Iraq and the Bush administration's handling of it have made any terrorism-related policy a partisan issue.

Overall, this dissertation offers a view that public approval does at times play a role in presidential success. More so, it supports the view that in executive-legislative relations there is still much to be learned about how and why domestic policy is different from foreign policy. The empirical analysis and case study indicated that when approval matters, it makes only a small impact. Policy type, be it domestic, foreign or terror, also influences the president's relationship with Congress. This research is a starting point for understanding how these policies will continue to influence the relationship between the executive and legislative and where future research should continue.

Appendix A

House and Senate Roll-Call Data Set: 2001-2004

Year	Roll-Call	Title	Category	CQ Vote Number
2001	45	Economic Growth and Tax Relief Act of 200	DOM	HR 3
2001	70	Congressional Budget for Fiscal Year 2002	DOM	H Con Res 83
2001	75	Marriage Penalty and Family Tax Relief Act	DOM	HR 6
2001	84	Death Tax Elimination Act of 2001	DOM	HR 8
2001	88	Unborn Victims Act	DOM	HR 503
2001	104	Congressional Budget for Fiscal Year 2002	DOM	H Con Res 83
2001	118	Economic Growth and Tax Relief Reconciliation Act	DOM	HR1836
2001	130	No Child Left Behind	DOM	HR1
2001	135	No Child Left Behind	DOM	HR1
2001	144	No Child Left Behind	DOM	HR1
2001	145	No Child Left Behind	DOM	HR1
2001	149	Economic Growth and Tax Relief Reconciliation Act	DOM	HR1836
2001	176	2001 Supplemental Appropriations Act	DOM	HR2216
2001	254	The Community Solutions Act	DOM	HR7
2001	256	2001 Supplemental Appropriations Act	DOM	HR2217
2001	288	Fiscal 2002 VA	DOM	HR 2620
2001	302	Human Cloning	DOM	HR2505
2001	304	Human Cloning	DOM	HR2506
2001	317	Securing Americas Future Energy Act	DOM	HR 4
2001	320	Securing Americas Future Energy Act	DOM	HR 5
2001	329	Bipartisan Patient Protection Act	DOM	HR 2563
2001	332	Bipartisan Patient Protection Act	DOM	HR 2564
2001	371	Farm Security Act	DOM	HR2646
2001	404	To provide tax incentives for economic recovery.	DOM	HR3090
2001	497	No Child Left Behind Act	DOM	HR1
2001	30	Bankruptcy	DOM	S420
2001	43	Campaign Finance	DOM	S27
2001	69	No child left behind	DOM	HCONRES83
2001	87	Brownfields Revitalization and Environmental Restoration Act of 2001	DOM	S350
2001	98	Fiscal 2002	DOM	HCONRES83
2001	103	Education	DOM	S1
2001	108	Education	DOM	S1
2001	165	Economic Growth and Tax Relief Reconciliation Act of 2001	DOM	HR1836
2001	170	Economic Growth and Tax Relief Reconciliation Act of 2002	DOM	HR1837
2001	174	Education	DOM	S1
2001	176	Education	DOM	S1
2001	179	Education	DOM	S1
2001	180	Education	DOM	S1
2001	183	Education	DOM	S1
2001	184	Education	DOM	S1
2001	192	Education	DOM	S1
2001	219	Bipartisan Patient Protection Act	DOM	S1052
2001	220	Bipartisan Patient Protection Act	DOM	S1052

2001	228	Supplemental Appropriations Act, 2001	DOM	HR2216
2001	261	Emergency Agricultural Assistance Act of 2001.	DOM	S1246
2001	336	A joint resolution suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985.	DOM	S.J. Res. 28;
2001	368	Agriculture, Conservation, and Rural Enhancement Act of 2001	DOM	S1731
2001	371	No Child Left Behind Act of 2001	DOM	S1
2001	372	No Child Left Behind Act of 2001	DOM	S1
2001	374	No Child Left Behind Act of 2001	DOM	S1
2001	377	No Child Left Behind Act of 2001	DOM	S1
2002	62	Class Action Fairness Act	DOM	HR2341
2002	79	Congressional Budget Resolution	DOM	HCONRES353
2002	92	Pension Security Act	DOM	HR3762
2002	97	Child Custody Protection Act	DOM	HR476
2002	103	Fairness for Foster Care Families Act	DOM	HR586
2002	130	Providing for the disposition of the joint resolution (H.J. Res. 84) disapproving the action taken by the President under section 203 of the Trade Act of 1974	DOM	H.RES.414
2002	133	Yucca Mountain Repository Site Approval Act	DOM	HJRES87
2002	170	Personal Responsibility, Work, and Family Promotion Act	DOM	HR4737
2002	207	Taxes	DOM	HR4823
2002	208	Taxes	DOM	HR4800
2002	217	Permanent Death Tax Repeal Act	DOM	HR2143
2002	219	Permanent Death Tax Repeal Act	DOM	HR2143
2002	256	Child Obscenity and Pornography Prevention Act of 2002	DOM	HR4623
2002	279	To amend title 31 of the United States Code to increase the public debt limit.	DOM	S2578
2002	343	Partial-Birth Abortion Ban Act	DOM	HR4965
2002	371	Education Savings and School Excellence Permanence Act of 2002	DOM	HR5203
2002	412	Abortion Non-Discrimination Act	DOM	HR4691
2002	421	Help Efficient, Accessible, Low Cost, Timely Healthcare Act of 2002	DOM	HR4600
2002	143	Motion to Table Nickles Amdt. No. 3588; To restore the discretion of the President to agree with Congressionally-designated emergency spending.	DOM	HR4775
2002	148	A bill to amend title 31 of the United States Code to increase the public debt limit.	DOM	S2578
2002	151	To permanently repeal the death tax.	DOM	HR8
2002	159	Budget	DOM	S2514
2002	212	To provide emergency disaster assistance to agricultural producers.	DOM	HR5093
2003	7	Temporary Extended Unemployment Compensation Act of 2002	DOM	S23
2003	30	Personal Responsibility, Work, and Family Promotion Act	DOM	HR4
2003	37	Human Cloning Prohibition Act	DOM	HR534
2003	39	Human Cloning Prohibition Act	DOM	HR534
2003	64	Help Efficient, Accessible, Low Cost, Timely Healthcare (HEALTH) Act	DOM	HR5
2003	89	Child Abduction Prevention Act	DOM	HR1004
2003	92	To provide benefits for certain individuals with injuries resulting from administration of a smallpox vaccine, and for other purposes	DOM	HR1463
2003	124	Protection of Lawful Commerce in Arms Act	DOM	HR1036
2003	127	PROTECT Act	DOM	S151
2003	135	Energy Conservation, Research, and Development	DOM	HR6
2003	154	To Reauthorize the Individuals with Disabilities Education Act	DOM	HR1350
2003	175	Workforce Reinvestment and Adult Education Act	DOM	HR1261
2003	182	Jobs and Growth Reconciliation Tax Act	DOM	HR2
2003	189	Pension Security Act	DOM	HR1000
2003	200	Healthy Forests Restoration Act	DOM	HR1904
2003	220	National Defense Authorization Act for Fiscal Year 2004	DOM	HR1588
2003	225	Jobs and Growth Reconciliation Tax Act	DOM	HR2
2003	240	Partial-Birth Abortion Ban Act	DOM	HR760

2003	241	Partial-Birth Abortion Ban Act	DOM	HR760
2003	242	Partial-Birth Abortion Ban Act	DOM	HR760
2003	272	Class Action Fairness Act	DOM	HR1115
2003	288	Death Tax Repeal Permanency Act	DOM	HR8
2003	296	Small Business Health Fairness Act of 2003	DOM	HR660
2003	332	Medicare Prescription Drug and Modernization Act	DOM	HR1
2003	351	Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004	DOM	HR2660
2003	386	Department of the Interior Appropriations and related agencies for fiscal year ending September 30, 2004	DOM	HR2691
2003	407	Commerce, Justice, State, the Judiciary Appropriations FY 2004	DOM	HR2799
2003	441	School Readiness Act	DOM	HR2210
2003	442	School Readiness Act	DOM	HR2210
2003	444	School Readiness Act	DOM	HR2210
2003	445	Pharmaceutical Market Access Act	DOM	HR2427
2003	485	Making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes.	DOM	HR2989
2003	486	Making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes.	DOM	HR2989
2003	487	Making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes.	DOM	HR2989
2003	499	Fair and Accurate Credit Transactions Act	DOM	HR2622
2003	530	Partial-Birth Abortion Ban Act	DOM	S3
2003	630	Energy Conservation, Research, and Development	DOM	HR6
2003	656	Healthy Forests Restoration Act	DOM	HR1904
2003	667	Fair and Accurate Credit Transactions Act	DOM	HR2622
2003	669	Medicare Prescription Drug, Improvement, and Modernization Act	DOM	HR1
2003	12	Joint Resolution making consolidated appropriations for the fiscal year ending September 30, 2003	DOM	HJRES2
2003	16	Joint Resolution making consolidated appropriations for the fiscal year ending September 30, 2003	DOM	HJRES2
2003	35	PROTECT Act	DOM	S151
2003	46	Partial-Birth Abortion Ban Act	DOM	S3
2003	49	Partial-Birth Abortion Ban Act	DOM	S3
2003	51	Partial-Birth Abortion Ban Act	DOM	S3
2003	59	To prevent consideration of drilling in the Arctic National Wildlife Refuge in a fast-track budget reconciliation bill.	DOM	SCONRES23
2003	76	Reduce tax cut	DOM	SCONRES23
2003	132	PROTECT Act	DOM	S151
2003	171	An original bill to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004.	DOM	S1054
2003	173	Tax Cuts	DOM	S1054
2003	174	Hope and Lifetime Learning Scholarship Credits	DOM	S1054
2003	179	Jobs and Growth Tax Relief Reconciliation Act of 2003	DOM	HR2
2003	209	To eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence.	DOM	S14
2003	222	To prohibit the Secretary of Transportation from transferring certain air traffic control functions to nongovernmental entities.	DOM	S824
2003	256	To express the sense of the Senate that the Committee on Finance should hold hearing regarding permitting States to provide health benefits to legal immigrants under Medicaid and SCHIP as part of the reauthorization of the temporary assistance for needy families program.	DOM	S1
2003	264	Patients First Act of 2003	DOM	S11
2003	309	To amend title 49, United States Code, to improve the system for enhancing automobile fuel efficiency.	DOM	S14
2003	334	To protect the rights of employees to receive overtime compensation.	DOM	HR2660
2003	348	A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.	DOM	SJRES17
2003	361	Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004	DOM	HR2691

2003	402	Partial-Birth Abortion Ban Act of 2003	DOM	S3
2003	408	To prohibit the use of funds for implementing the 2003 revision of Office of Management and Budget Circular	DOM	HR2989
2003	420	Greenhouse Gases	DOM	S139
2003	428	Healthy Forests Restoration Act of 2003	DOM	HR1904
2003	437	As Amended; Fair and Accurate Credit Transactions Act of 2003	DOM	HR2622
2003	456	Conference Report; Energy Policy Act of 2003	DOM	HR6
2003	459	Prescription Drug and Medicare Improvement Act of 2003	DOM	HR1
2004	15	Faith Based Initiatives	DOM	HR3030
2004	17	Faith Based Initiatives	DOM	HR3030
2004	31	Fetal Protection	DOM	HR1997
2004	54	Tort Reform	DOM	HR339
2004	55	Broadcast Indencency	DOM	HR3717
2004	114	Highway Spending	DOM	HR3550
2004	138	To amend the Internal Revenue Code of 1986 to permanently extend the marriage penalty relief	DOM	HR 4181
2004	144	Middle-Class Alternative Minimum Tax Relief Act	DOM	HR 4227
2004	166	Medical Malpractice	DOM	HR4280
2004	170	o amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket	DOM	HR 4275
2004	197	Abortion	DOM	HR4200
2004	225	Job Training	DOM	HR444
2004	254	Environment	DOM	HR4568
2004	263	Environment	DOM	HR4568
2004	318	Spending Control Act	DOM	HR 4663
2004	329	Fiscal 2005 - DOJ	DOM	HR 4754
2004	339	Fiscal 2005 - Law Enforcement	DOM	HR 4754
2004	410	Gay Marriage	DOM	HR 3313
2004	434	Labor	DOM	HR 5006
2004	457	Federal Employees	DOM	HR 5025
2004	472	IRS Code	DOM	HR 1308
2004	484	Gay Marriage Amendment	DOM	H J Res 106
2004	13	Amendment to Fiscal Highway Funds	DOM	S1072
2004	14	A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.	DOM	S1072
2004	15	Medical Malpractice	DOM	S2061
2004	61	Unborn Victims of Violence Act of 2004	DOM	S.AMDT.2858
2004	63	Unborn Victims of Violence Act of 2004	DOM	HR 1997
2004	64	Child Care Funding	DOM	S.AMDT.2937
2004	66	Pregnancy and Trauma Care Access Protection Act of 2004	DOM	S2207
2004	79	Harkin Amdt. No. 3107; To amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay.	DOM	S1637
2004	93	Education	DOM	S1248
2004	154	Class Action suits	DOM	S062
2004	155	Marriage Protection Act	DOM	SJRES40
2004	168	Federal Employees	DOM	HR 4567
2004	188	Working Families Tax Relief Act of 2004	DOM	HR 1308
2002	229	Marriage Penalty Relief Provisions Made Permanent	DOM	HR4019
2002	248	Retirement Savings Security Act	DOM	HR4931
2001	115	Fiscal 2002 State Department	FOR	HR1646
2001	270	Cuba Embargo	FOR	HR2590
2001	271	Cuba Embargo	FOR	HR2590
2001	276	To provide protection to American Servicemen who were used in World War II as slave labor.	FOR	HR2500

2002	145	Department of Defense Authorization Act for FY 2003	FOR	HR4546
2002	176	Embassy Employee Compensation Act	FOR	HR3375
2002	331	Amendment prohibits the use of any funding to administer or enforce part 515 of D807 title 31, Code of Federal Regulations (the Cuban Assets Control regulations) with respect to travel to Cuba.	FOR	HR5120
2002	333	Amendment sought to prohibit use of funds in the bill to implement, administer, or enforce the economic embargo of Cuba.	FOR	HR5120
2002	463	Department of Defense Authorization Act for FY 2003	FOR	HR4546
2003	158	United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act	FOR	HR1298
2003	216	Amendment sought to transfer Robust Nuclear Earth Penetrator program funding of $15 million and advanced concepts initiative activities funding of $6 million to conventional programs to defeat hardened and deeply buried targets	FOR	HR1588
2003	334	Department of Defense Appropriations for Fiscal Year 2004	FOR	HR2658
2003	362	Foreign Relations Authorization Act, Fiscal Years 2004 and 2005	FOR	HR1950
2003	368	Foreign Relations Authorization Act, Fiscal Years 2004 and 2005	FOR	HR1950
2003	425	Foreign Operations Appropriations, FY 2004	FOR	HR2800
2003	483	Amendment prohibits any funds in the bill from being used to enforce regulations that restrict United States citizens from traveling to Cuba.	FOR	HR2989
2003	484	Amendment prohibits any funds in the bill from being used to enforce restrictions on remittances made to Cuban nationals or Cuban households.	FOR	HR2989
2003	43	US-SOVIET TREATY	FOR	Treaty Doc. 107-8
2003	142	NATO Treaty	FOR	Treaty Doc. 108-4
2003	177	To provide alternate terms for the United States participation in the Global Fund to Fight AIDS, Tuberculosis and Malaria.	FOR	HR1298
2003	186	To strike the repeal of the prohibition on research and development of low-yield nuclear weapons.	FOR	S1050
2003	189	To prohibit the use of funds for a nuclear earth penetration weapon.	FOR	S1050
2003	192	To restore a previous policy regarding restrictions on use of Department of Defense medical facilities.	FOR	S1050
2003	205	To repeal the authorities and requirements for a base closure round in 2005.	FOR	HR1588
2003	267	Department of State and international broadcasting activities for fiscal year 2004 and for the Peace Corps for fiscal years 2004 through 2007, and for other purposes.	FOR	S925
2003	405	To prohibit the enforcement of the ban on travel to Cuba.	FOR	HR2989
2004	200	Fiscal 2005 - DOD: Base Closures	FOR	HR4200
2004	461	Cuba Embargo	FOR	HR 5025
2004	98	Base Closures	FOR	S2400
2001	181	An amendment to prevent use of funds to execute a final lease agreement for oil or gas development in the area of the Gulf of Mexico	INT	HR2217
2001	193	Mexican Trucks Amendment	INT	HR2299
2001	216	Amendment sought to prohibit the FDA from enforcing laws that ban the re-importation of drugs originally manufactured in the United States by anyone other than the manufacturer.	INT	HR2330
2001	217	Amendment allows individuals to import a prescription drug that appears to be FDA approved and manufactured pursuant to the Federal Food, Drug, and Cosmetic Act and does not appear to be a narcotic.	INT	HR2330
2001	255	Disapproving Normal Trade Relations for China	INT	H J RES 50
2001	275	Disapproving the Extension of the Waiver Authority Contained in Section 402(c) of the Trade Act of 1974 with Respect to Vietnam	INT	HJRes 55
2001	481	Bipartisan Trade Promotion Authority Act	INT	HR3005
2001	291	A joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam.	INT	HJRES51
2002	329	Disapproving the Extension of the Waiver Authority Contained in Section 402(c) of the Trade Act of 1974 with Respect to Vietnam	INT	HJRES101
2002	336	Amendment prohibits the use of any funding to implement sanctions imposed by the United States on private commercial sales of agricultural commodities, medicine, or medical supplies to Cuba.	INT	HR5120
2002	370	Andean Trade Preference Act	INT	HR3009
2002	110	Andean Trade Preference Act	INT	S.AMDT.3408
2002	112	Andean Trade Preference Act	INT	S.AMDT.3419
2002	113	Andean Trade Preference Act	INT	S.AMDT.3422

2002	115	Andean Trade Preference Act	INT	S.AMDT.3428
2002	121	Motion to Table Kerry Amdt. No. 3430; To ensure that any artificial trade distorting barrier relating to foreign investment is eliminated in any trade agreement entered into under the Bipartisan Trade Promotion Authority Act of 2002.	INT	S.AMDT.3430
2002	123	Motion to Table Nelson (FL) Amdt. No. 3454; To limit tariff reduction authority on certain products.	INT	S.AMDT.3454
2002	127	Motion to Table Corzine Amdt. No. 3461; To help ensure that trade agreements protect national security, social security, and other significant public services.	INT	S.AMDT.3461
2002	128	Motion to Waive CBA re: Landrieu Amdt. No. 3470; To provide trade adjustment assistance benefits to certain maritime workers.	INT	S.AMDT.3470
2002	130	Trade Act of 2002	INT	HR3009
2002	207	Trade Act of 2002	INT	HR3009
2003	215	Amendment sought to allow military personnel and their dependents overseas to use their own funds to obtain abortion services in military hospitals	INT	HR1588
2003	219	Amendment sought to repeal the Million Theoretical Operations Per Second (MTOPS) based method for controlling computer exports.	INT	HR1588
2003	432	United States-Singapore Free Trade Agreement Implementation Act	INT	HR2739
2003	436	United States-Chile Free Trade Agreement Implementation Act	INT	HR2738
2003	318	United States-Singapore Free Trade Agreement Implementation Act	INT	HR2739
2003	319	United States-Chile Free Trade Agreement Implementation Act	INT	HR2738
2004	375	United States-Australia Free Trade Agreement Implementation Act	INT	HR 4759
2004	381	US Aid Egypt	INT	HR 4818
2004	389	US Aid Saudi Arabia	INT	HR 4818
2004	413	United States-Morocco Free Trade Agreement Implementation Act	INT	HR 4842
2004	460	Amendment prohibits funds in the bill from being used to enforce certain regulations restricting family travel to Cuba	INT	HR 5025
2004	462	Amendment on Mexican Trucks	INT	HR 5025
2004	156	US-Australia Free Trade	INT	HR 4759
2004	159	US - Morocco Free Trade	INT	S2672
2001	341	2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States	TERRD	HR2888
2001	386	To Combat Terrorism	TERRD	HR2975
2001	398	Deter Terrorism	TERRD	HR3162
2001	423	Secure Transportation for America Act	TERRD	HR3150
2001	425	Secure Transportation for America Act	TERRD	HR3151
2001	501	Terrorist Bombings Convention Implementation Act	TERRD	HR3275
2001	509	Economic Security and Worker Assistance Act	TERRD	HR3529
2001	280	Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States	TERRD	S1426
2001	302	USA Act of 2001	TERRD	S1510
2001	313	Patriot Act	TERRD	HR3162
2001	338	To provide tax incentives for economic recovery.	TERRD	H.R.3090
2002	53	U.S. border security and visa entry reform	TERRD	HRES365
2002	206	2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States	TERRD	hr4775
2002	328	2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States	TERRD	HR4775
2002	357	Amendment sought to preserve the union rights of existing employees transferred to the new Department of Homeland Security who have the same duties.	TERRD	HR5005
2002	359	Amendment sought to authorize the Secretary of Homeland Security to provide indemnification to the manufacturers of anti-terrorism products.	TERRD	HR5005
2002	188	Supplemental Appropriations Act for Further Recovery From and Response to Terrorist Attacks on the United States	TERRD	HR4775
2002	252	Terrorism Risk Insurance Act of 2002	TERRD	HR3210
2003	2	To provide additional funds for certain homeland security measures.	TERRD	HJRES2
2003	3	To provide additional funds for certain homeland security measures.	TERRD	HJRES2
2004	376	Homeland Security	TERRD	S15
2004	452	Homeland Security	TERRD	HR 5025

2001	342	USE OF FORCE	TERRF	HJRES 64
2001	281	Authorization for Use of Military Force	TERRF	SJRES 23
2001	357	Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002	TERRF	H.R.3338
2002	292	Arming Pilots Against Terrorism Act	TERRF	HR4635
2002	347	Amendment provides for the establishment of the National Commission on Terrorist Attacks Upon the United States.	TERRF	HR4628
2002	365	Amendment sought to transfer the Visa Office of the Bureau of Consular Affairs of the Department of State to the Department of Homeland Security.	TERRF	HR5005
2002	367	Homeland Security Act	TERRF	HR5005
2002	455	To Authorize the Use of United States Armed Forces Against Iraq	TERRF	HJRES114
2002	476	Homeland Security Act	TERRF	HR5710
2002	477	Homeland Security Act	TERRF	HR5710
2002	237	Authorization for Use of Military Force Against Iraq Resolution of 2002	TERRF	HJRES114
2002	249	Homeland Security Act of 2002	TERRF	HR5005
2003	546	Making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes.	TERRF	HR3289
2003	561	Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan for FY 2004	TERRF	HR3289
2003	601	Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan for FY 2004	TERRF	HR3289
2003	196	To require the Department of Defense to fully comply with the Competition in Contracting Act for any contract awarded for reconstruction activities in Iraq.	TERRF	S1050
2003	67	To set aside a reserve fund for possible military action and reconstruction in Iraq.	TERRF	SCONRES23
2003	380	Iraqi oil revenues be used to pay for reconstruction in Iraq.	TERRF	HR1689
2003	389	To require that funds for reconstruction in Iraq be used for certain purposes.	TERRF	HR1689
2003	392	To promote the establishment of an Iraq Reconstruction Finance Authority and the use of Iraqi oil revenues to pay for reconstruction in Iraq.	TERRF	HR1689
2004	64	Iraq Resolution	TERRF	H Res 557
2004	544	Intelligence Reform and Terrorism Prevention Act	TERRF	S2845
2004	99	BioShield	TERRF	S15
2004	216	Intelligence Reform and Terrorism Prevention Act of 2004	TERRF	S2845

DOM = Domestic Policy, FOR = Foreign Policy, INT = Intermestic Issues, TERRD = Domestic Terror Issues, TERRF = Foreign Terror Issues

Appendix B

Variable Definitions

Presidential Success: The variable is presidential success on the floor of Congress, measured as the annual percentage of House and Senate roll-call votes from 1971 through 2004 on which the president's position won.

Gallup Approval: Gallup approval is based on answers to the Gallup poll question "Do you approve or disapprove of the way [president's first and last name] is handing his job as president?" The Gallup poll asked this question between ten and 30 times in each of the years of the study, providing nearly monthly indicators of presidential popularity. Annual figures are calculated based on monthly averages.

Economic Approval: This variable is based on the CBS/New York Times survey which asked, "Do you approve or disapprove of the way [the President] is handing [economic] policy?" CBS/ NY Times asked this question between 4 and 10 times in each of the years of the study, providing for an annual average.

Foreign Policy Approval: In order to obtain additional cases to capture at least one term of the Nixon presidency, the foreign policy public opinion variable was based on Nixon's average scores on approval ratings on foreign policy issue areas including Vietnam, World Peace and relations with China and Russia. This was done because the standard public opinion question was not asked during that time period. However, the standard economic survey question was asked during the Nixon years and that variable is based on those results.

Terrorism Approval: This variable is based on both Gallup and CBS/ NEW Times polling on terrorism. This was done in order to have at least one poll per month for 2001-2004. The average monthly figures were then used to calculate annual and bi-annual approval data. The Gallup figures are based on the question: "Do you approve or disapprove of the way George W. Bush is handling...U.S. (United States) military action abroad to fight terrorism?" The CBS News data is based on the question: "Do you approve or disapprove of the way George W. Bush is handling the campaign against terrorism?"

Unified Government: Unified government is coded as 1 if the government is unified and 0 otherwise.

Party Percent: The percent of House or Senate members in the president's party.

Tenure in Office: This is measured by a simple year in tenure count ranging from 1-4 for the first term and 5-8 for the second term.

Foreign Policy: Roll-call votes dealing with defense, treaties, military action, aid and assistance to foreign nations and NGOs.

Domestic Policy Roll-call votes dealing with budget issues, social welfare, and economic issues.

Terror Policy: Roll-call votes which had possible consequences in either foreign or domestic policy but dealt with the issue of Terrorism or the War in Iraq.

Intermestic policy: Roll-call votes which had possible implications in both domestic and foreign policy. Examples include foreign trade policy and immigration.

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