FROM "POLICE" TO "EXECUTIONER": ELECTION OUTCOMES AS A

CATALYST FOR POLICY CHANGES DURING EXECUTIVE WARS

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Thesis directed by Assistant Professor Michael Berry.

ABSTRACT

In his "Letters of Helvidius," James Madison boasted, "In no part of the constitution is more wisdom to be found, than in the clause which confides the question of war or peace to the legislature, and not to the executive department" ("James Madison…" 2000). Yet after World War II, American presidents have frequently carried out wars made possible by congressional authorizations acting more like blank checks than declarations of national solidarity coupled with guarantees of legislative oversight. But in the current political climate where Congressional deference is typically given to presidents on issues of foreign policy, more responsibility in limiting the presidency must be assumed by the American electorate. In order for the Constitutional system of checks and balances to survive, it must be made to act as a check upon the American presidency which has transcended all but the rarest instances of Congressional opposition to its policies overseas. Though such a check has become more necessary, we do not see sufficient cases after World War II where we can conclude the voters have accepted, let alone wielded, such power adequately during unpopular wars. Nor do we find enough instances where congressional resolve to counter presidents' war policies has culminated in dramatic changes to them.

The form and content of this abstract are approved. I recommend its publication.

Approved: Michael Berry

DEDICATION

I dedicate this work to my wife Sara, whose political indifference has only been matched by her constant and invaluable support throughout this process. Her sacrifices made my Master's degree possible. I would also like to dedicate this to my son Riley, whose birth coincided with this project's inception. As a result of the research I have conducted, I aim to impart to him the wisdom that "the martyrs of history were not fools."

Next, I dedicate this work to my parents, Deb and G.K. Self. You were both my inspiration for wanting to challenge myself to be better, without trying to make myself better than others. Mom, you showed me how to have grit and how to "not be a sheep." Dad, you showed me there's always a new idea to explore, a new chapter in life to move towards, and a million ways to tell the pompous to go to hell.

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INTRODUCTION

Although much ink has been spent describing how executive power is expanded during wars, there has not been much attention paid to whether or not elections play a role in returning those powers to their pre-war levels. In the United States, the abandonment of this type of executive accountability during war has led to a trend which, over time, is showing itself to be destabilizing to the Madisonian system of checks and balances. This trend has taken the form of ever-increasing assets in the hands of the executive branch while the legislative and judicial branches take years to catch up in asserting their authority to oversee, limit, or declare unconstitutional the actions taken by the president. And during the post-World War II era, Congress and the Supreme Court have yet to step in and successfully end any undeclared wars; repeatedly deferring to the president's authority to conduct them whether the wars are popular or not. As such, my research will focus on the efficacy of elections as a check upon the president when Congress and the courts have shown themselves unwilling to render judgments to the effect of stopping unpopular wars.

The issue of the president's powers to act unilaterally during wartime being checked is fundamental to the protection of individual liberties, representative government, and resistance to dictatorship dressed in democracy's clothing. It is not a partisan or ideological issue as both extremes of the political spectrum tend to not only descend into tyranny, but feel they are right to do so (Publius Nov. 22, 1787). And lest anyone forget how real the threat unchecked presidential war powers can be to our federal system, let me remind them that it was only 37 years ago when David Frost sat

down with former-President Nixon who confidently asserted his belief that when looking at matters of national security, when the president does it that means that it is not illegal (Schachter 2012). Such consolidation of power, especially when it is made to look like it is in keeping with constitutional principles, represents a new era in the history of the federal balance of power at the national level.

This is not to say consolidation of power is a new tactic for presidents. It is just that modern presidents appear to be unwilling to give those powers back once the crisis has abated. Presidents Lincoln and Franklin Roosevelt appropriated powers to themselves when the country faced existential threats from both internal and external sources, but they also acknowledged such actions were temporary and that there would be time for review once the situations were over (Boylan 1999). But later presidents such as Johnson, and especially Nixon, not only usurped war powers on a permanent basis in wartime, but even during eras of peace (*Ibid*). Indeed, an air of executive unaccountability has persisted through recent administrations as can be seen by the Bush administration's policies of rendition and indefinite holding of captives at Guantanamo Bay (Welch 2007) which seems to be the fulfillment of President Wilson's claim that a president should be, in law and conscience, a big a man as he can (Lowery 2007). In the wake of the Bush administration's indefinite detentions at Gitmo and the Obama administration's expansion of the use of targeted drone strikes rather than capturing enemy combatants, Schlesinger and others may be correct in concluding executive war powers have exceeded their constitutional boundaries (*Ibid*).

In *Democracy and America*, Alexis de Tocqueville observed there are two things which will always be difficult for democracy: to start a war and to end it (de Tocqueville

1969). And as radios and fireside chats faded from our living rooms, we turned to our

televisions to behold the solemn faces of presidents declaring their intentions to carry out

military action against other nations. Often during these broadcasts there were moments

where presidents offered assurances about how these military actions would be

deliberately limited. Phrases such as "no boots on the ground" and "no ambition but to

remove a threat" were used with the intention of reassuring domestic and international

audiences about the engagement's purpose. They invoked the bravery of American

troops and described how the operations would be robust, but limited; seeking to remind

the viewers that even presidents remembered their powers were supposed to be limited as

a bulwark against tyranny. Such concessions are reassuring because they mean

presidents are aware that military authority has been entrusted to them for safekeeping.

But the presence of never-ending military operations, over time, may lead to such

concessions becoming a moot point.

Research Question

The presidency is at its most powerful when it is engaged in wars, so in an effort to

understand whether national elections are an effective check upon it, my research will be

answering the following question: do election outcomes act as a catalyst for policy

changes in executive wars?

Methodology

My hypothesis will be tested by demonstrating through existing literature that

unpopular wars are not the primary driver of election outcomes and by comparing troop

levels, DOD spending, and negotiation policies prior to and after elections. Through the

cases I will examine, my hypothesis will demonstrate that while elections *can* act as a check upon the president during times of war, there is not much evidence of them being utilized as one in during the post-war era.

In the past, elections have led to changes in administrations, but if the public believed the election results were going to end the wars quickly and American troops would just get out, that belief was misplaced. President Eisenhower threatened China after Truman was out of office. Nixon expanded military operations across Indochina in ways Johnson did not. Reagan expanded Carter's plan for covert support in Afghanistan around the world and called the Soviet Union an evil empire. Clinton welcomed congressional approval of his military actions in the Caribbean and Mediterranean Seas, but he did not feel he was required to acquire it. Obama expanded the use of drone strikes, denied the WPR was application to military action in Libya, and simultaneously continued the Bush-era policies of troop withdrawals in Iraq coupled with troop increases in Afghanistan.

Utilizing data available on federal websites as well as ANES survey results and peer-reviewed literature, I will perform a qualitative analysis of eight elections as case studies. The independent variable will be the election results while the dependent variable will be changes in war policies which will be compared by changes in troop deployment levels, Department of Defense (DOD) funding expenditures, and the existence of, or progress during, negotiations for the cessation of hostilities between the U.S. and hostile forces. Troop deployments include those American forces deployed into a warzone or, should the administration have used local forces instead, what U.S. forces were utilized to achieve the administration's policy goals. DOD funding will compare

funds allocated to the DOD and will be measured according to FY 2015 dollar amounts per *WhiteHouse.gov*. Finally, negotiations will analyze progress leading to the cessation of conflict between the U.S. and both state and non-governmental organizations during the Korean War, Vietnam War, Cold War, and the War on Terror; specifically focusing on the existence of negotiations and if the administration upheld the terms which had been negotiated prior to the election or if it changed them. In order to examine whether the elections served as catalysts for a change in executive war policies, trends for all three of these variables will be compared as they stood prior to either a presidential or midterm election.

These data will provide variables critical to understanding the level of responsiveness at the highest levels of the American republic. But in addition to this, each will touch upon both different aspects of the war and features of the theory behind the representative government as a system. Troop levels touch upon how committed the administration is to winning the war and, as casualties are the clearest indicator of success to the electorate, they create electoral tipping points in the polls. They directly affect the relationship the public has with the president and are a measureable factor from which we can draw conclusions about the president's willingness to risk committing Americans in the region (Gartner and Segura 2008, Norpoth and Sidman 2007). If the president's rhetoric doesn't match what voters are seeing on the ground, this is a non sequitur based solely upon the trends in troop deployments. In this area of federal government, the responsiveness the president demonstrates as an elected official towards the voters after an election is a key function of republicanism. DOD spending is based upon congressional appropriations passed in consultation with the administration, so it

speaks to the interaction between the executive and legislative branches vis-à-vis the separation of powers. Since Congress holds the purse, it maintains a structural check upon the presidency under the constitution. So once an executive war has become unpopular with the American public, principles of republican government would lead us to believe pressure upon representatives, senators, and the president would build towards diminished funding for the war. Peace negotiations fall under the purview of the president as the leader of American foreign policy. Presidents Truman and Johnson started negotiation efforts in earnest with opposing forces while Presidents Carter, Reagan, and George W. Bush withheld talks with the Soviets and Taliban respectively in accordance with their policy goals. As such, peace negotiations represent the fastest and clearest efforts the administration is making to end the conflict. So while the nation is engaged in an undeclared war, members of the administration are the ones doing the fighting at the negotiating table on behalf of the American head of state.

In short, these three factors touch upon core values within liberal government as they represent the points in which major themes of republican political theory interact with each other. The interaction between the citizens and their president in the face of the human costs of war (republicanism), the balance of power between Congress and the White House (separation of powers), and how the president is personally engaging efforts to end undeclared wars (head of state).

In conclusion, a qualitative analysis provides the best method of gauging true changes in war policies across administrations. It doesn't focus upon parties or ideologies, but upon the levels of resources the nation has committed to the execution of executive wars in measurable ways which can be objectively compared to each other.

Troop levels can only increase, decrease or remain the same; likewise with DOD funding. Peace negotiations are either under way or they're not and in cases where they have transitioned from one administration to another, the terms which were under discussion can either be accepted or remain under deliberation.

CHAPTER II

LITERATURE REVIEW

What is being analyzed here is the public's electoral role in checking slow, legal drift away from a Madisonian construction of the presidency being an office dependent upon Congress for its direction to a more active one. Arthur Schlesinger's theory of the imperial presidency and Louis Fisher's analysis of its evolution, with support from other scholars, demonstrate the American republic's progression from resting on a system of divided powers to one where powers are being united in the hands of one overseer to keep the nation secure. Schlesinger identified the threat of the imperial presidency in which presidents have usurped authority to conduct military engagements overseas to the detriment of federal checks and balances. He pointed to the feeling among the Founders of being victims of British royal prerogatives and, as such, their desire to create a presidency that was "strong but limited" (2004, pg 2). He affirmed this claim by citing Thomas Paine's contention that it was the interest of America for Europe to view it as a "free port" and President Washington's Farewell warning to extend commercial relations while having as little political connection with them as possible (*Ibid*). Finally, he identified the desire of presidents like Richard Nixon to not only procure institutional strength, but supremacy within the American government through the use of presidential wars to the detriment of Congressional oversight (Rudalevige 2006).

Similar to Schlesinger's conclusions, Louis Fisher asserts a dire threat to the American system exists through a combination of efforts carried out by the White House and those who enable it. He contends the Framers deliberately placed the decision to go to war in the hands of the legislative branch to determine whether hostilities were in the

national interest, but what they tried to avoid by doing so – i.e. unilateral presidential war-making – is occurring (Fisher 2000).

In distinguishing the modern presidency from its early days, Fisher cites incidents whereby Presidents Washington and Adams believed it was appropriate to use military force against the Creek Nation and the French Empire respectively and yet they both referred the matters to Congress (Fisher 2006). During the Jefferson administration, Fisher points out that the president took limited military actions against the Barbary Pirates in 1801, but four years later when conflict arose between the U.S. and the Spanish Empire, President Jefferson confirmed his belief that only Congress is constitutionally invested with the power to take the nation from a condition of peace to war (*Ibid*). Fisher does allow that small fluctuations have occurred whereby the balance of power between Congress and the president changed, but he also found that Congress was consistent in neither delegating or abdicating its war power in the past (Fisher 2000). But that balance changed with the Truman administration's efforts in Korea.

He points to the Korean War as the most important precedent for executive use of military force without Congressional authority and the war whose results led to presidents becoming more inclined to assert their authority without requiring formal, legislative consent (Fisher 1995). In the wake of *U.S. v. Curtiss-Wright* whereby in 1936 the Supreme Court asserted the president is the sole organ of foreign policy and "Congress itself is powerless to invade it" (Fisher 1989), presidents have had the legal precedent to affirm their contention of executive power during war.

He also identifies a similar case to Truman's Korean action in the steps taken by President Clinton in Kosovo. At a news conference on October 8, 1998, President Clinton told the nation that he was going to vote to give NATO the authority to carry out military strikes against Serbia as a result of President Milosevic's defiance of the international community (Fisher 2006). In Fisher's analysis of the press conference:

> First: "[President Clinton] decided." There would be no deliberation in Congress, no vote by lawmakers to grant authority. Clinton alone would decide America's policy. The decision to go to war against another country rested in the hands of one person, exactly what the Framers thought they had rejected. Second, Clinton would be giving *NATO* authority, instead of Congress giving *the President* authority. Clinton's argument is possibly even more far-fetched than Truman's reliance on a Security Council resolution. Clinton said he did not need the support of Congress but he did need the support of Italy, Belgium, and other NATO members (*Ibid*).

As these examples represent a violation of *constitutionalis bello* – or war in keeping with the Constitution – he identifies five actors he believes enable constitutional violations to continue: Congress, political party leaders, federal courts, academics, and the media. He believes Congress has failed to protect its powers as effectively as the executive and judicial branches have; criticizing its members for failing to fight off executive encroachments or for finding ways to voluntarily surrender their powers to the other branches (*Ibid*). Second, he believes legislative party leaders have regularly subordinated their interests to those of the president; such as when Senate Democrat leader Lucas was asked if President Truman should have notified Congress of his goals in Korea and he signaled his willingness to leave what had been done in the hands of the president (*Ibid*). Third, he faults federal judges he claims asserted their powers of review over ongoing wars until the Vietnam era. As he describes it, it was only with Vietnam that courts began to avoid the merits of war power cases by invoking a variety of

threshold tests such as standing, ripeness, the political question doctrine, and prudential

considerations (*Ibid*). Fourth, he blames members of the academic community such as

Commager, Arthur Schlesinger, Jr., and Neustadt for criticizing those in Congress as

violating constitutional law and history when they opposed executive overreach for

reasons firmly founded in the constitution (*Ibid*). Finally, Fisher accuses the national

media for focusing more on battles, victories, and setbacks at the cost of educating the

public regarding where the president's authority comes from and how its expansion

endangers the system of checks and balances the nation depends on (*Ibid*).

Succinctly, Fisher's claims identify a trend whereby have been enabled while they

have sought to expand their powers; highlighting the steps necessary for our government

to be transformed from being guided by republican divisions in power to consolidated

ones. Presidents have actively pursued opportunities to take aggressive military actions

in ways their predecessors did not, they have held UN and NATO authorizations

sufficient to circumvent the constitutional process, and presidents have been given cover

to do so by a combination of political acquiescence, academic sophistry, and a media

unconcerned with contextualizing wars.

This is not to say that the accumulation of power within the executive branch or a

breakdown in the separation of powers is a new phenomenon. Following the Supreme

Court's decision in *Worcester v. Georgia*, President Jackson's response to the idea of

enforcing it was to let Chief Justice Marshall enforce it himself (Miles 1973). At the

beginning of the Civil War, President Lincoln reacted to the existential threat southern

secession and potential sabotage in Maryland presented by suspending civil rights in such

ways he knew the courts would most likely strike down (Calabresi and Yoo

2008). Almost fifty years later, President T. Roosevelt sent the Great White Fleet around

the world as a demonstration of America's naval power, thus creating a crisis with the

Senate's funding of the military (Karsten 1971). And though these examples must be

viewed in the contexts of their respective eras, they are still indicative of the tensions that

exist between the federal branches when military authority is in use.

 In order to gauge the efficacy of election outcomes changing ongoing war

policies during executive wars (i.e. wars which have Congressional authorization, but not

a formal declaration of war) such as Iraq and Afghanistan, existing research has

examined how war, as an election issue, affects the actions of the president's party,

members of the opposing party, and the voters themselves (Cotton 1986, Crotty 2009,

Norpoth and Sidman 2007, Weisberg 2007). If an ongoing war consistently strengthened

the reelection chances of the in-party (members of the same political party as the

president), then we would see an increase in the use of foreign policy issues being used as

the flagship issue during campaigns. Likewise, we would see evidence of organized

resistance to foreign affairs becoming a central campaign issue for the out-party, or other

in-party candidates running to succeed or replace the president. What my review of

existing literature shows instead is a level of issue variance which casts new light on the

presumption that war leads to election victories for the president's party.

 Concerning in-party incumbents, the presence of an ongoing war can just as easily

help as it can hurt them since the public remembers very well who was advocating for its

initiation. For out-party candidates, it can aid them by allowing them to cast their

opposition in a more attractive light rather than just appearing obstructionist. As Kramer

noted, individuals often vote according to their satisfaction with the performance of the

current government (Cotton 1986), but this is not the case all the time. Fiorina's research found little support for the claim midterm elections act as a referendum on the in-party's handling of the economy (Fiorina 1978). This means elections are the in-party's to lose every two years while out-party members have the easier task of appearing as a viable and capable alternative. But this can be both a blessing and a curse for incumbents.

Being a member of the in-party when war is initiated allows incumbents to take advantage of an electoral momentum built up when decisions were made. On the other hand, there are also benefits to having not been a member when prior decisions later became unpopular. One example of this in action was Barack Obama's frequent criticisms of the war in Iraq as being wrong while Hillary Clinton, who had voted for the authorization to invade, attempted to make the same case in 2008.

This study seeks to test whether any electoral momentum is enjoyed by the in-party when it supported the initiation of military action. And though the issue of ongoing war has been demonstrated to have short-term boosts in popularity like the Republicans enjoyed in 2002, it also has been demonstrated to erode public support for in-party members as was the case for Republicans in 2006. If the stigma of supporting a war is indeed something which can erode their public support, this would increase the chances of a positive electoral result for out-party members and make them a more popular alternative on Election Day.

This chapter will present two major threads in the existing literature. The first shall pertain to how war affects the campaigns of both in-party and out-party members. The second major thread demonstrates how the economy is the greater motivator in

elections during peacetime and war. A recent example of this can be found in the 2008 election where after more than four years of the increasingly unpopular war in Iraq, the major point of debate in the pre-primary days of the race and the issue that initially brought Obama to seek the Democratic Party's nomination was of significantly lesser concern in comparison to the economy (Crotty 2009).

Should research showing the superiority of the economy as an election issue over war prove to be correct, can it then be said that elections act as a significant check on presidential war powers? Improbable as it is, that would mean any president could learn to assume there would be no retribution from voters for his or her war policies as long as the economy appears positive to a plurality of them. This, along with a compliant Congress and Supreme Court, would prove a mortal blow to the vision the Founders had vis-à-vis checks and balances set up to avoid the institutional corruption and costs of constant warfare. Instead what the literature I will provide indicates is that war, as an election issue, is indeed potent as a rallying issue for the in-party and can provide just enough of an increase in popular support to carry the in-party through an election. More consistently it is not shown to influence election outcomes the way the economy as an election issue does.

War and the economy are in fact linked together as two of the giants in a field of potential election issues; some of which are known and some of which arrive unexpectedly. Either way, as has been pointed out, the presence of war in an election cycle does not preclude victory for in-party or out (Norpoth and Sidman 2007).

Both Truman and Johnson assumed office upon the deaths of their predecessors and chose retirement over running again during the climaxes of the Korean and Vietnam wars. Presidents Bush 41 and Bush 43 reached the highest popularity levels recorded, and yet they both left office with very low approval ratings as well. But on the other hand, there is a level of patience the voters have for those who inherited wars as Eisenhower did and they are willing to suspend harsh levels of disapproval they would otherwise have voiced towards the Truman administration (*Ibid*). Some existing literature demonstrates in-party members are strengthened by the effects of an ongoing war and the resulting "rally around the flag" it creates. Other studies, however, show the opposite; that it weakens the in-party in the end more than it boosts their chances for election victories.

As a starting point, it could be presumed as more likely that committing troops into combat would generate a groundswell of support, lending the president great power and some amount of larger-than-life status. But this presumption does have its detractors. Upon concluding his review of wartime presidents and their rankings in terms of "presidential greatness," Adler's results suggested there is no correlation between the deployment of troops and a president's legacy (Adler 2003). This is not to say the deployment of troops fails to provide a strong legacy, but the results of Adler's study failed to suggest a predictable success rate. In fact, he concluded only Lincoln, Wilson and Roosevelt *perhaps* could be said to have fit the formula of deployment leading to greatness, but he provides the caveat that the occasions of war allowed those presidents the opportunity to find greatness (*Ibid*). This would coincide with Barone and Ujifusa's conclusion that war, historically, leaves the strongest imprint on voters' minds (Regens,

Gaddie and Lockerbie 1995), as well as Petrocik's conclusion that candidates argue for their strengths and sidestep the values of their opponents (Cotton 1986).

So if we were to accept the premise that war dominates the national dialogue during an election season, what greater issue asset does a president and their party have than that of an ongoing military deployment? It affords the president the opportunity to assert the presidency's strongest constitutionally-directed position as commander-in-chief. It also empowers members of the president's party to associate themselves with the bully pulpit the president has at the ready. And in addition to allowing the in-party to flex their issue-set muscles, war can also provide an opportunity for the electorate to demonstrate some amount political dexterity in how they view administrations that inherit wars verses those who start them.

According to Ostrom and Simon's research, Eisenhower and Nixon were not held anywhere near as much to blame for the manner in which they ended the wars they inherited as were the presidents who oversaw their initiations (*Ibid*). What this means is that at the very least, the voting public is capable of attaching accountability to the initiating administration while reserving it for the next administration. And while this appears a simple idea, it is, at its base, a statement of the public's issue dexterity. This may be attributable to what Weisberg referred to as aspects of the war which are activated in the minds of the public, associating it with the president, and building an image of the president that is consistent with that portrayal of the war (Weisberg 2007).

In short, voters do not appear to treat war as a monolithic issue which falls at the feet of whoever is in the Oval Office. Nor do they appear to view it either as all good or

all bad. This notion of voter dexterity pertains to whether the public can look at an

ongoing war and decide to use its voting power to remove both presidential and

congressional in-party members as a deliberate, Constitutional check against the in-

party's policies.

The next section will explore how campaigns are affected by the presence of war

as an election issue. It will demonstrate how war is used by presidential incumbents and

challengers, how in-party members coordinate their messages with the administration,

and how the in-party members distinguish their message from the administration. In

addition to influences upon in-party campaigns, it will also show out-party members have

framed their arguments in the past and how war on the minds of voters has strengthened

out-party campaigns will all be addressed. After examining existing literature on

campaign factors, it will explore the issue of casualty potency and how it affects the

administration's argument in going to war, how it affects other in-party races and how it

has changed over time. Finally, I will provide research which indicates biennial

elections, even during times of war, are referenda not on the war but on the state of the

economy at that time.

There is no question that war affects the economy through loss of workers sent

overseas and the reallocation of funds from domestic projects to international missions.

Should it prove true that the economy affects the war by sapping voter support, this may

prove a strong predictor of in-party or out-party success regardless of the support a war is

experiencing. This literature also suggests how an unpredictable force such as the

economy may serve as a greater check upon the presidency than an electorate, fearful of

executive excess, does.

In-Party Strengths and Liabilities

When war is present during an election season, it positively affects the campaign of the in-party by rallying public opinion behind the president. This applies not only to the president, but the in-party itself in local elections and thus, applies incentives for in-party candidates for Senate and Congressional offices to move their campaign strategies closer to the administration's goals. The first benefit the in-party receives has been traditionally referred to as the "rally around the flag" effect. Sigelman and Conover's definition for the duration of this section:

> The rally around the flag effect occurs as follows: a president facing a foreign policy crisis is able to invoke national interest in support of his policy during the crisis…capitalizing on "threats from outside a system [that] promote cohesion inside the system." Through appeals to national unity, the president can expect a substantial increase in public support, as voters coalesce around him in the role of national leader (Regens, Gaddie, and Lockerbie 1995)."

As executive wars have become common since World War II, research has been able to track this phenomenon over time, but the connection between war and up-ticks in presidential popularity exist in both times of declared and undeclared wars. Norporth concluded Roosevelt's support for the British prior to America's entry into World War II and his adept handling of it provided such advantages that, if missing, would have imperiled his reelection due to lingering domestic issues such as unemployment (Norpoth 2012). Even as recently as the 2004 presidential election, Norpoth and Sidman found the effects of the Iraq War served as a factor which extended the waning rally effect associated with the September 11th attacks in Washington, New York and Pennsylvania (Weisberg 2007).

In his classic examination, "The Revised Theory of Surge and Decline,"
Campbell asserted the thrust behind presidential surges in popularity depends on the level
of information available to voters during the election cycle and who is perceived to have
the advantage that year (1987). Some election outcomes are attributable to increased
turnout from in-party supporters and some are attributable to attracting those who can
still be convinced. Campbell also found local issues may be the cause for the diminished
increases in congress versus the president. He found that while congressional candidates
may be helped less by a surge of turnout than presidential candidates because of the many
confounding district-level factors that diminish the effect, but they are helped
nevertheless (Campbell 1987). This means national-level surges for the in-party during
presidential election years, though they are vulnerable to diminution by local issues, may
be real events. One example of this would be the presidential election in 2012 wherein
Barack Obama beat Mitt Romney by just under 5 million votes, yet congressional
Democrats only increased their numbers by eight in the House and two in the Senate.

Based upon the in-party seat changes found in Table 1, the president's party has
gained or lost seats since 1950; when executive wars became the norm with the onset of
the Korean War. In it, we can see the average outcome of each election cycle from 1950
– 2012 has resulted in a loss of 11.75 in-party seats in the House of Representatives and
2.34 in-party seat in the Senate.

Table 1: In-Party Congressional Seat Changes by Election Year Since 1950

Year	Party	House	Senate	Year	Party	House	Senate	Year	Party	House	Senate
1950	D	-28	-5	1972	R	13	-2	1994	D	-52	-9
1952	D	-22	-2	1974	R	-49	-5	1996	D	1	-3
1954	R	-18	0	1976	R	0	1	1998	D	4	0
1956	R	0	0	1978	D	-13	-3	2000	D	2	5
1958	R	-52	-12	1980	D	-36	-12	2002	R	9	1
1960	R	22	1	1982	R	-27	2	2004	R	4	4
1962	D	-4	2	1984	R	15	-2	2006	R	-30	-6
1964	D	35	2	1986	R	-4	-8	2008	R	-25	-8
1966	D	-47	-4	1988	R	-3	0	2010	D	-64	-6
1968	D	-5	-7	1990	R	-6	-1	2012	D	8	2
1970	R	-13	1	1992	R	9	-1	Total	All	-376	-75
								Total	Avg	-11.8	-2.34

When we separate these results into presidential election years and midterm election years, the results show a clear pattern of outcomes favoring the president when their name is on the ballot how elections have tended to result in losing seats when their name isn't.

For example, the Democrats were the in-party at the beginning of 1952. However I display the Republicans as the in-party in this table since Eisenhower won the plurality of votes that November and thus switched the in-party from Democrats to Republicans. Democrats held the White House and majorities in the House and Senate for the whole year while Republicans didn't become the in-party until Eisenhower was sworn in the next year. But the November elections each year represent real change and they occurred while previous administrations and congresses were still in power. The 1st table shows changes in congressional in-party representation resulting from the November elections

in each presidential year while 2nd table features changes in congressional in-party

representation resulting from midterm election outcomes.

Table 2: In-Party Congressional Seat Changes In Presidential Election Years

Year	Party	House	Senate	Year	Party	House	Senate	Year	Party	House	Senate
1952	D	-22	-2	1976	R	0	1	2000	D	2	5
1956	R	0	0	1980	D	-36	-12	2004	R	4	4
1960	R	22	1	1984	R	15	-2	2008	R	-25	-8
1964	D	35	2	1988	R	-3	0	2012	D	8	2
1968	D	-5	-7	1992	R	9	-1	Total	All	18	-22
1972	R	13	-2	1996	D	1	-3		Avg	1.125	-1.375

Table 3: In Party Congressional Seat Changes In Midterm Election Years

Year	Party	House	Senate	Year	Party	House	Senate	Year	Party	House	Senate
1950	D	-28	-5	1974	R	-49	-5	1998	D	4	0
1954	R	-18	0	1978	D	-13	-3	2002	R	9	1
1958	R	-52	-12	1982	R	-27	2	2006	R	-30	-6
1962	D	-4	2	1986	R	-4	-8	2010	D	-64	-6
1966	D	-47	-4	1990	R	-6	-1	Total	All	-394	-53
1970	R	-13	1	1994	D	-52	-9		Avg	-24.6	-3.31

What these tables show are the differing election outcomes when the president's name is on the ballot versus election years when it is not. The House reverts from an average in-party seat loss of 24.6 seats during midterm elections to an average increase of 1.13. In the Senate, the average midterm loss of three seats decreases to an average in-party loss of just over one.

According to Weisberg, the 2004 presidential election is an example of how an on-going war can structure an election through its contextualization of core events

(Weisberg 2007). It encourages in-party loyalty, allows the president's image as commander-in-chief become more identifiable and sets the table for some peripheral issues to be emphasized and some to be discarded. This also sets the table for congressional candidates; whose party faithfulness will allow them to be characterized as loyal Democrats or Republicans while those who reach across the aisle are called "moderate" or "mavericks." And it is the encouragement of party loyalty that the benefits the president most as leader of the party and the person who enjoys the position as nationally-elected representative of the nation.

Should there not be a party-unifying issue present during an election season such as war or the economy, the ability of congressmen to pivot towards local issues and decrease the level of cooperation between the legislative and executive branches become more likely. This cooperation comes about specifically because there is the presence of an external threat that acts as a galvanizing force for the in-party in a way that the president's personal qualities cannot. "With no external threat to induce members of Congress and the president to play these cooperative roles, they will have to rely on more elusive catalysts: character and leadership" (Smith 1998). So if Smith's conclusion is correct that international affairs incite in-party loyalty, it would follow, then, that the fidelity of in-party congressmen would be somewhat predictable; and there is such support.

According to a study by Wittkopf and McCormick, party loyalty and ideology are the two strongest determinants of an individual congressman's foreign policy support (Prins and Marshall 2001). It is party loyalty that buys the president time for things to get better in a war where things don't seem to be trending that way. Hess and Orphanides

assumed leaders' characteristics are unknown before he takes office but are learned and remain fixed once he takes office and once he enters a war (Hess and Orphanides 1995), meaning presidents don't tend to reinvent themselves once they've already become engulfed in a war.

This will be demonstrated more fully in the case study section, but here I will posit the idea that if there will be any major changes in war policies they will most likely not come from the president unless facing immense pressure from his or her own party. This pressure doesn't typically come from those party members who are loyal to the death, but rather those who have become dissuaded from their own cost-benefit analysis of the situation and the voices of their constituents. As David Gray Adler's research found, even a surge in support following the onset of a war is just a passing trend in a decades-long pattern of political upheavals. The in-party may gain something, but the gains are only transitory (Adler 2003).

As this transitory surge in public opinion wanes, the news is not all good for the in-party when war has begun as it opens the door for them to begin to be called the war party; an identification which hangs upon them the good the war has done as well as the harm. It hangs upon them the accountability for the inevitable losses the war incurs such as loss of lives, national productivity, international prestige and economic soundness. These losses apply pressure to the in-party as they were seen to be the main supporters of the president and assistants to pitching the cause. Cotton found the detrimental effect war has had over the past century upon the war party has depended on the level of national resources committed to the war effort and, should the war disrupt

domestic affairs, in-party candidates were likely to receive lower levels of public support (Cotton 1986).

This effect can even be magnified by the absence of a presidential incumbent as was the case in 1952, 1968, and 2008. As Norpoth noted, aggregate findings show that the presidential party suffered unexpected vote losses in some wartime elections (Norpoth 2012). It is worth noting that in three of those four instances, the president in charge of the war did not run for reelection in 1952, 1968, and 2008. As the war runs its course, the assessments and assumptions of the in-party are held up to the light and are weighed against the nation's experiences. Unfortunately for the in-party who supported the war, the promises made before it started tend to be forgotten as reasons mount for the war having not been worth it.

But there is some debate as to whether or not midterm losses represent a natural rejection of the in-party or whether they are issue-centered occurrences. Abramowitz, Cover and Norpoth found a grace period exists for all presidents for the first two years of their administrations (1986). Their findings suggest that after an initial honeymoon period where voters appear to give the newly elected president's policies some time to work, voters will become impatient and conclude that a change in congress is in order (Abramowitz, Cover, and Norpoth 1986).

Norpoth and Sidman's research also found that a change of in-party leadership led to a consistent ownership of the White House in nearly all cases for eight years rather than just four (2007). What this suggests is the strength the in-party has through the ownership of the White House for at least the first four years or his or her

administration. For this reason, the longer the in-party has held onto the White House, the more likely they are to become the out-party. Returning to Campbell's research on in-party electoral gains being the result of information surges, he found that in-party losses may reflect more of a return to normalcy rather than the wholesale rejection of the in-party. According to Campbell, it's the loss of the presidential tide that leads to the ascension of out-party members from that of the minority to a powerful alternative for the voters (Campbell 1987). His opinion was that midterm elections represent an opportunity for a return to normalcy from the electoral aberration a presidential election year with its information surge represents (*Ibid*).

This view is echoed by Tufte's research wherein he also concluded midterms losses by the in-party are simply a return to normal for the electorate after the more hectic presidential contest two years earlier (1975). These losses however tend to be more extreme when midterms coincide with unpopular costs of war. For an examination of the effects of coinciding midterm elections and war costs, the research is rather consistent. Cotton examined presidential elections from 1896 to 1984 and found the aggregate vote share for incumbent congressional and presidential parties decreased with war costs (Regens, Gaddie, and Lockerbie 1995).

The Out-Party as an Alternative

In his recent studies of wartime elections, Norpoth posited the presence of war allows out-party members to appeal to a feeling for a change whereas the in-party is limited by their record over the previous years. When put succinctly, Norpoth explained when the public has lost faith in a war, "It's Time for a Change" sounds a lot more

appealing than "Don't Change Horses in Midstream (Norpoth 2012). This frees the out-party candidates to avail themselves of a number of issues and, more importantly, a number of ways of emphasizing issues, which the in-party cannot since their hands are all over the issue out-party candidates are criticizing. This works because the party in power is blamed for the bad condition while the opposition party campaigns on the theme, "It's time for a change" among the presidential contenders of the other party (Norpoth 2011). Norpoth found evidence for this conclusion in the presidential elections where there was no incumbent: again, 1952, 1968 and 2008. Citing these election years, Norpoth points to the feeling of "change" as the factor which moved the Republicans to in-party status in 1952 and 1968, and the Democrats in 2008:

> "Opposition to the ongoing wars in Korea and Vietnam, respectively, diminished the popularity of those presidents and their electoral prospects. By early 1952, the Gallup poll showed only 37% in support of U.S. intervention in Korea, and by early 1968, only 41% did so for the Vietnam War" (Norpoth 2012).

> "What filters down to the voters is not so much a candidate's position, but simply the fact that a candidate stresses a certain issue and appeals to popular demand for "change" - areas in which Obama was more credible" (Norpoth 2011).

These results would also support Abramowitz's conclusions stemming from his "Time-for-Change" model (Abramowitz 2008). He cited an incumbent president's popularity in opinion polls, the state of the economy, and how long the same party has controlled the White House as the factors that drive the efficacy of calls for change during presidential election years and successfully predicted that the election results in 2008 would almost certainly lead to a Democratic victory (*Ibid*).

So taken as real election drivers, Norpoth posited the conclusion that calls for change make out-party candidates appear to be more attractive options for voters. Candidates who call for a change must have a message that resonates with voters in order

for their campaigns to be successful. Plus they have the chore of lifting their names as either an attractive alternative to in-party candidates or as a direct rejection of them. But how does the out-party's position become more appealing to voters when the "rally around the flag" effect for the in-party is underway?

Two factors appear to be at play in that situation. The first appears to be the effectiveness of wartime casualties as a political issue. The second pertains to instances where a public opinion tipping point occurs during an ongoing war. These tipping points appear to identify the moment the in-party loses its advantage, the out-party becomes an alternative worth exploring, and voters who cast their ballots for one party in the previous election cast their votes for a different party.

<div align="center">Casualty Potency and Tipping Points</div>

For a definition, casual potency refers to the number of troops killed in military engagement and the result it has upon levels of presidential support in opinion polls. Considering military deaths as the independent variable and a reduction of presidential approval ratings in national polls as the dependent variable, there has been a clear correlation between the two but it has diminished with the wars the United States has fought from Korea through Iraq. Norpoth and Sidman's research on the matter concluded two points: 1) the level of casualty potency has increased 100-to-1 since the Korean War and 2) with that factor in mind, President Bush 43, narrowly avoided the same electoral outcomes as both Presidents Truman and Johnson (Norpoth and Sidman 2007). Had the relative numbers been reached, George W. Bush may not have won a 2nd term and he

may have exercised the same choice as both Truman and Johnson to decline his party's nomination:

> "Hence from Korea to Iraq, the dissatisfaction-weighted casualty effect on presidential approval has multiplied about 100-fold. It would seem that George W. Bush could not have survived in office with a war that amassed casualties of the scale of the wars in Korea or Vietnam along with the degree of public dissatisfaction those wars engendered. He would have joined Truman and Johnson on the list of presidents who were driven from office by casualties in an unpopular war" (*Ibid*).

According to Gartner and Segura in the case of the Iraq War under President George W. Bush, the connection between casualties and presidential approval ratings is a natural one to make (Gartner and Segura 2008). It is both the clearest way to gauge the costs versus pre-war assurances by the in-party and a way to demonstrate how politics, even in a superpower, still remains local. Casualties represented the most important measure of Iraq War costs and the most objective indicator of success given the lack of other indicators (*Ibid*). So this connection between casualties and support for the war has immediate implications for both the popularity of the president as well as the reelection chances for in-party members. And since congressmen and congresswomen tend to go back to their home states much more often than the president visits them, this makes them initially more attenuated to local shifts than national ones.

Gartner and Segura cited Vermont as one example of casual potency leading to local politics stemming from national policies. When Vermont's distinction of having the highest per-capita deaths of any state during the Iraq war remained unchanged for years, they did not find it a coincidence that Vermont became the first to pass a resolution calling on Congress and the president to immediately withdraw U.S. forces from Iraq

(*Ibid*). But as Berinsky put it, it is not simply a direct reaction to casualties or victories on the battlefield that causes support for war to wax or wane (Berinsky 2007).

Vermont may be an exceptional case as George W. Bush lost it by around 20 points to John Kerry in 2004 ("US President, US Senator…" 2004), but the fact remains that the state with the highest per-capita deaths was the first to act against the war. And while the state wasn't solidly in Bush's camp in 2004, there was some kind of tipping point where the war changed in 2005 from being simply unpopular to being something which must be officially dealt with via a resolution calling on Congress and the president to withdraw American troops from Iraq. This is an example of what Norpoth and Sidman identified as a "threshold of war dissatisfaction" (Norpoth and Sidman 2007) but for brevity's sake I will simply refer to them as "tipping points," meaning dissatisfaction changes into a majority-held political reaction to an unpopular war.

According to Norpoth and Sidman's research, tipping points occur when wartime deaths begin to have a determinable effect on the president's popularity. This is in part due to the public's belief that the costs of the war (i.e. casualties) have been worth it up to that point in time. But those costs are only tolerated so long. Summarizing the public's appraisals of Korea, Vietnam and Iraq, Norpoth and Sidman concluded as long as the public approves of the decision to enter war, it supports a wartime president even with casualties until a threshold of dissatisfaction is crossed, after which casualties begin to take a toll on presidential support (*Ibid*). This occurs because of a combination of the out-party and the public itself asking the question the war being worth the costs (*Ibid*).

Issues such as pre-war assurances left unfulfilled, unanticipated costs and the perception of incompetency which can create a loss of trust which exacerbates an already declining in-party's chances of remaining the majority. Gartner and Segura pointed to the failure to find WMD's in Iraq as such a factor which conflicted with the administration's argument of the war's necessity. They contended the failure to find mass quantities of chemical or biological weapons had eroded the public's view of the war as necessary (Gartner and Segura 2008). Similarly, when the public begins to see unfavorable results in a war, the changes can come quickly. Crabtree found this present in polls regarding the Korean War:

> "When Americans were first asked, in August 1950, if deciding to defend South Korea was a mistake, only 20% thought it was, while 65% said it was not a mistake. But by the following January, opinion had shifted dramatically, and 49% thought the decision was a mistake, while 38% said it was not, and 13% had no opinion" (Crabtree 2003).

A roughly 30-point change in a war's popularity in such a short period of time speaks volumes about how the public regards the administration's handling of the war and, as was the case for President Truman, was something the administration couldn't recover from. Cotton wrote this loss of support is attributable to either resentment to the cost of fighting or the perceived incompetency of the policymakers (Cotton 1986) while Mueller concluded that once perceived worth is lost, popular support for a war does not return (Jacobson 2010). Either way, when a tipping point has been reached, the slow loss of support turned into a terminal one which precluded both Presidents Truman and Johnson from seeking second terms they were constitutionally eligible to seek. Tipping points also appear to have evolved along similar measurements as casualty potency in

that it takes more casualties to hurt the administration and it took a higher dissatisfaction

level in Vietnam to cripple the administration than it did in the Korean War.

Just as casualty potency has changed 10-fold from Korea to Vietnam and again

from Vietnam to Iraq, the public opinion tipping point has increased with it. Returning

again to Norpoth and Sidman's research, the necessary dissatisfaction rate needed to

represent a tipping point was ten points lower during the Korean War than it was during

the Vietnam War:

> "We estimate that, for the Korean War, casualties do not have a negative effect on approval until dissatisfaction is over 32%. It is at this level roughly from June 1951 until the end of Truman's presidency, leaving Eisenhower unaffected by casualties during his first nine months as President. For Vietnam, the dissatisfaction level needed is 42%, which roughly covers all of 1967 and 1968, as well as the last half of 1971. Thus both Johnson and Nixon are hurt by casualties—though Johnson more so" (Norpoth and Sidman 2007).

Were it possible to compare the Iraq War with Korea and Vietnam along similar

lines, it might be possible to find the relative tipping point during that war. But there

were three major differences distinguishing the election preceding policy changes which

ended the Iraq War from those preceding the ends of Korea and Vietnam. The first was

the troop surge and Sunni Awakening in Iraq's Anbar Province leading to dramatically

reduced American casualties prior to a change in administrations. Second, the Great

Recession of 2008 erased any chance that the sharp drop in U.S. casualties in Iraq [post-

surge] might revive the fortunes of the president and his party (Jacobson 2010). Third,

the difference between Senator Obama's position as opposed to Senator McCain's verses

those held by the major candidates in 1952 and 1968. While candidates Eisenhower and

Nixon advocated changes in national policy towards Korea and Vietnam respectively, as

I will show in my case studies, their opponents were calling for very similar plans.

However in 2008, the policy statements made by Senators Obama and McCain were very plainly different and represented a stark difference in executing the war in such a way that the 1952 and 1968 elections did not.

In summary, many scholars have concluded that during wartime there are both institutional benefits and dangers to being a member of the in-party while the out-party is able to avail itself of the benefit of calling for change and highlighting the true costs of the war up to that point. The in-party receives a transitory bump in approval ratings once an external threat has been realized and this "rally around the flag", in turn, gives the president some electoral coattails which can increase his or her party membership in Congress. As a result, in-party loyalty is incentivized but this can also create issues for in-party members as well. They run the risk of becoming the party associated with the war's costs and it's very difficult for them to avoid voter rejection. This can also mean in-party members who were elected thanks to the president's coattails are able to be beaten when an unpopular war trims the president's support and the electorate returns Congressional membership back to a level of normalcy.

While this is happening, the out-party is more free to move where it wants to since it was not the party leading the war and is not the party whose face is inextricably linked to it. The out-party can call for a change with more nuance than the in-party can since it is the in-party's record the public is typically most familiar with, having experienced it as the prevailing argument over the previous years. The public also receives periodic updates of wartime causalities which it can then use to gauge its opinion of the war's worthiness. And should enough voters turn against the in-party, a tipping point will be reached after which in-party defeat becomes much more likely to occur

during the next election. These tipping points have occurred in the past and have led to two presidents refusing to run for reelection, which preceded changes in party leadership of the White House for the following eight years in each instance. And though these tipping points can create groundswell-like changes in popular opinion polls, there is a greater constant that can be tracked. Even with the losses seen in previous wars, the state of the economy appears to be a greater driver of great electoral changes whether the president decides to run for reelection or not.

The Misery Index and Presidential Popularity

The literature points to a different explanation for great electoral changes than disapproval over war policies supply. Economic pain appears to be the factor that truly invites the voters to render an up or down vote for in-party members. As A.D. Lindsay analogized, "…the voters know if the shoes pinch and if they didn't have the power to remove those who make bad shoes, the incumbent shoemakers could stay in power forever with the claim that the shoes pinch not because the shoes were badly made but because the voters have crooked feet (Caraly 2005)."

Even during the Vietnam War when statistics of the dead and wounded were being displayed on the news every night and protests were going on in American streets, Page and Brody found the opinion variance existing at the time was not directly correlated with opinions on the war. Instead they found voting patterns didn't come close to overwhelmingly coinciding with opinions on the Vietnam War during one of the most anti-war eras in the 20th century (Page and Brody 1972).

The Misery Index can even overtake an in-party victory earned through a very successful war. The 1992 election confirmed again the transitory nature of "rally around the flag" when the Republican Party expected to run a presidential campaign highlighting the victory Operation Desert Storm gave the U.S., however, the length of time between a victory in Iraq in February 1991 and the November 1992 election allowed an intervening event such as the economy to gain preeminence within the electoral agenda (Regens, Gaddie, and Lockerbie 1995). In 2008 with the troop surge decreasing American casualties, Iraqi security increasing, and the war appearing to be winnable, support for the war in Iraq had deteriorated by a large degree, but the onset of the Great Recession became the biggest detriment to the Republicans as the in-party. After reviewing pre-election polls, Crotty found the poll results pointed more to the state of the economy leading to the Republican downfall than war opinions did:

> "The most pronouncedly negative views related to the economy (with over 90 percent believing that economic conditions either failed to improve or deteriorated markedly), a key to the outcome of the presidential election… approval for the war in Iraq continued to fall…to disapproval ratings of approximately 60 percent…" (Crotty 2009).

In addition to the Misery Index, presidential popularity is found to be the other main factor determining election outcomes over a number of presidential and off-year elections through Tufte's model. This can be tested by cross-referencing presidential election years with off-year elections and what Tufte found was very telling. First, his model found that economic well-being and presidential popularity together accounted for over 90 percent of the variance in the vote for the president's party in midterm elections (Abramowitz, Cover, and Norpoth 1986). From there, the results demonstrate Abramowitz et al.'s conclusion based on Tufte's model that midterm elections can be

understood as referenda on the president's performance and, with greater weight, the performance of the economy (*Ibid*).

This is shown to be correct again in Tufte's study wherein he was able to quantify the election outcomes in off-year elections. By comparing changes in presidential popularity with changes in real-world, disposable income, Tufte found changes in disposable income led to higher changes in congressional voting than changes in presidential popularity. Specifically, a change of ten percentage points in the President's approval rating in the Gallup poll is related to a change of 1.3 percentage points in the national midterm congressional vote for the in-party; and a change of $50 in real disposable personal income per capita in the year of the election is related to a change of 1.8 percentage points in the vote (Tufte 1975).

Literature Review Summary

According to existing literature, there are two large bodies of research pertaining to voting patterns during elections and how they explain the actions of both major parties during executive wars. The first collection pertains to the opportunities each party takes advantage of during war-time presidential and off-year elections. This collection contains three major factors which must be understood: how war helps during in-party campaigns, how war makes the in-party vulnerable, and how war benefits out-party members running for office. The issue of war aids the in-party through a variety of means such as the "rally around the flag" effect and the way in which presidential coattails bring more votes for in-party members around the country, leading to more support for the president's foreign policy. Though the "rally" effect is widely cited as an incentive for presidents to go to war, research I have found has concluded it is merely

transitory and averages an increase in the president's popularity which is typically within the margin of error for most polls. And rather than strengthening the in-party's hand across the spectrum of potentialities, being a member of the in-party during an ongoing war creates losing opportunities due to the time and political capital which could be better used elsewhere being spent on maintaining support for the war. It also paints the in-party as the "war party" and issue ownership falls directly upon them as costs of the war, both economically and in terms of loss of life, continue to mount while the out-party's advantages add up.

Out-party members benefit because they are not the party whose face is attached to it and they are able to ask voters to consider other, extra-presidential alternatives. Voting for an unpopular war can lead to challenges later as it did for Hillary Clinton in 2008. Having voted for the authorization to invade Iraq, she later lost the Democratic nomination to Barack Obama in large part due to his steadfast opposition to the war.

Out-party members are able to take advantage of their role as those who weren't the final decision makers while being able to legitimize their position through defending it as a legitimate, constitutional check on executive power. They can diversify their party's positions in a way the in-party cannot as they don't have a war policy to defend the way the in-party does. Out-party members can assume the policies the public likes and they can reject the ones the public doesn't as a means of establishing their own political platform. Finally, out-party gains appear to be inevitable during off-year elections as the lack of the president's name on the ballot leads to the elimination of presidential information surges which typically benefit in-party members through in-party voter turnout. These results present a mixed bag for the in-party overall because

their centralized position within the government becomes stronger, but it also leaves them more precariously placed as what got them there (i.e. partisan voter surges) won't always be there for them and their opponents can always represent them as something which must be peacefully rebelled against.

The second collection of literature indicates war may have an effect on the election, but the salient issues that really drive the outcome of elections are the economy and the president's popularity. Granted war will affect both as the out-party can allege the president misled the country about the costs of the war and things of that nature, but the election outcomes have to match up and an opinion poll tipping point must be met for the president's popularity to begin to decline. And even though the president's popularity is an important factor, research suggests it is not as salient as the issue of diminished economic prosperity is in getting support out for the in-party during off-year elections where the greatest number of high-change elections has occurred.

The presence of the president's name on the ballot appears to skew the results in the in-party's favor, but this is not the case all of the time. In presidential election years, there have been five high-change elections where over five percent of either chamber of Congress has changed party hands. As noted before, three of these instances (1952, 1968, and 2008) featured elections where there was no incumbent as Truman and Johnson declined to run despite being eligible to do so. This could be construed as a check on executive wars through dissuading potential incumbents from running again, but the wars they oversaw and supposedly drove them from office continued to escalate after they were gone rather than ending quickly by their successors. The other two instances of high-change presidential election years were 1964 where Kennedy's memory

loomed large over the country and the election of 1980 with all of its economic challenges.

Off-year elections with high-change outcomes, however, have been much more plentiful. There has been twice the number of high-change elections during midterms than there have been in presidential election years (1950, 1958, 1960, 1966, 1974, 1982, 1986, 1994, 2006, and 2010). While these elections intermittently coincide with increases in anti-war responses in ANES results which I will address in the analysis section, they do not do so consistently. Nor do they do so in numbers which account for the election outcomes being high-change or not. Instead, most of the off-year elections where the in-party lost seats coincide with times of economic recession.

There has been the consistent assertion that war does affect the president and the economy and it would appear obvious to assume as such. It affects how both parties campaign, which candidates choose to run for reelection, the language and tactics used during the campaigns and the overall level of allegiance between the president and other in-party members running for office. But war, according to the literature available, appears to be a coinciding event with high-change elections rather than their primary cause. At the very most the literature posits war as the third-most salient issue behind presidential popularity the economic reality of the voters.

CHAPTER III

ANALYSIS: ANES SURVEY RESULTS

In adding my research to the existing body of research, I have chosen to analyze both the outcomes of elections and American National Elections Studies (ANES). I will be studying election results to determine whether elections have resulted in changes in ongoing war policies and ANES results to determine if the voters were thinking of the elections as referendums on unpopular wars or other issues.

Upon completing my analysis I have concluded that there is not sufficient evidence to determine elections lead to changes in ongoing war policies that can be interpreted as the voters quickly ending the war. As such, I believe there is good reason skeptical that elections lead to significant levels of change in war policies and another solution must present itself if the imperial presidency is going to be sufficiently checked.

Based upon the results of ANES surveys regarding salient issues in election years and case studies investigating troop levels, military spending, and peace negotiations before and after specific presidential and midterm elections, I cannot find any indication that the unpopularity of a war was an election outcome's determining factor. Further, there is little evidence of. Further, there is very little evidence that an ongoing war's direction(?) have changed in contravention to those the administration sought prior to the election.

I have identified 16 elections since the end of World War II which I qualify as high-change, meaning in-party seats lost in either chamber of Congress have been twice the average amount lost in the post-WWII era. Of these 16, I have examined eight as

they fit the following qualifications: they are high-change elections, they provide differing contexts in which the elections occurred, and the elections happened during periods of ongoing military engagements via American forces or proxy forces.

During post-World War II period, the three greatest occurrences of an in-party changing from one party to the other during unpopular fazes of their contemporary wars were 1952, 1968 and 2008. And in line with these changes, ANES survey results during each of these elections show the drivers of the outcome to be much more complex than simple opposition to the wars. President Truman may have declined running for reelection because of the public's distrust in his handling of foreign affairs, but the voters were more driven by Eisenhower's attractiveness as a leader than a rejection of Stevenson as Truman's heir (Campbell, Gurin and Miller 1953). A survey of voters in 1968 found issues such as LBJ's performance (1st), urban unrest (2nd) and the power of government (3rd) to be more salient to their decision in the ballot box than was escalation or de-escalation of the Vietnam war (4th); or an immediate withdrawal/military victory (9th) in the war (Boyd 1972). Finally, a Gallup survey conducted the week before the 2008 election showed the economy as the number one issue in the minds of Republicans, Independents and Democrats while terrorism tied for 2nd with Republicans (51%), 3rd for Independents (37%), and terrorism, Iraq, or Afghanistan failed to register in the top-five responses for Democrats (Saad 2008). So if discontent over the Korean, Vietnam, and Afghan-Iraq wars, as unpopular as they became over time, was not considered by voters to be their primary motivation for voting patterns, how can we conclude elections can be something as deliberate as a check on executive war powers? In order to find any levels

of correlation between election outcomes and attitudes upon salient issues, we'll have to look at economic questions to find it.

Understanding voters' motivations at the ballot box as being primarily concerned with their economic situations is nothing new. There has been an extensive amount of research showing a closer correlation between the combination of real earnings of voters and presidential popularity and in-party losses in Congress than any other factor (Tufte 1978, Lewis-Beck and Rice 1984, Nadeau and Lewis-Beck 2001, Campbell 2008). These results point to the possibility that there is an obstacle in the way of finding support finding support for the hypothesis that elections act as a check on executive war powers or change war policies. This obstacle is made manifest when the greatest outcome-determining factors can be found in real earnings and presidential popularity over all other potential factors. This creates the opportunity for unpopular war policies to continue beyond an election if the economic and presidential popularity hurdles can be overcome, as was the case in 1972 and 2004.

Many of the major studies on the interplay between national economics and levels of incumbent reelection have utilized similar methods yielded similar findings. Tufte explained midterm congressional elections as referenda on the presidency over the previous two years and changes in real disposable income (Tufte 1978). A few years later, Hibbs concluded that midterm election outcomes were specifically driven by changes in personal income based on quarter-on-quarter growth rates (Hibbs 1982). Lewis-Beck and Rice's study found the greatest correlation between the economic growth rate in real GNP per capita from nine to six months prior to the election and the president's job approval percentage in the May Gallup Poll six months prior to the

election offered the best basis for forecasting presidential election results (Lewis-Beck and Rice 1984). According to Chressanthis and Shaffer's conclusions, there exists a significant relationship between election year real per capita income growth and the vote share of candidates in the in-party, although the relationship tends to punish Senators for below average growth much more than it rewards them for above average income growth (Chressanthis and Shaffer 1993). Fair's findings also suggested when voters are deciding who to vote for they tend to look back between about six and nine months regarding the real growth rate and about two years regarding the inflation rate (Fair 1998). Finally, Campbell's research concluded that his equation combining the Labor Day poll standing of in-party candidate and 2nd quarter growth rate in the economy produces most accurate forecast of national two-party popular vote (Campbell 2008).

Focusing more on the president's role in election cycles, existing research has had mixed results when studying the office's efficacy. Nadeau and Lewis-Beck's research found voters considering the presidential office as the command post of the economy, irrespective of whether the president actually has sufficient control of Congress to implement his or her economic plan (Nadeau and Lewis-Beck 2001). Abramowitz's model produced findings showing outcomes of presidential elections can be predicted with a high degree of accuracy based on three variables: incumbent president's approval rating, change in real GNP during election year, and timing of the election (Abramowitz 1988). Lastly, Erikson's model demonstrated that the state of the economy and the electorate's evaluations of the sum of the candidates independently drive presidential election outcomes, with strong results showing the economy matching candidate evaluations in importance (Erikson 1989). This result was augmented by Erikson's

supplemental finding that the state of the economy is an even-better predictor or an election outcome than is the electorate's relative liking of the two major-party candidates (*Ibid*).

Though voters tend to approach elections first as referenda on the economy, presidents are still able to define them after the fact as mandates for their foreign policies. As Kelly theorized, by emphasizing the belief that elections carry message about problems, policies, and programs, election outcomes can then become specific enough to be a directive to the nation's leadership (Dahl 1990). Suspiciously though, presidents desire clear mandates while they are rarely achieved. President Nixon secured only 43% of the popular vote in 1968, Carter 50.1% in 1976, and Reagan just under 51% in 1980 and yet all three claimed a mandate (*Ibid*).

Presidents have tended to interpret election outcomes in opposition their immediate or near-predecessors have. President Johnson, using the language of war, proclaimed his intention to eliminate poverty following his victory in 1964 (Johnson 1965) while President Nixon, three years before the fall of Saigon and the end of Vietnam war, rhetorically asked the nation how it would use the hard-won peaceful era it was just entering (Nixon 1973). President Reagan claimed in his 1st Inaugural Address his intention to curb the growth of government while dramatically increasing the nation's military stance around the globe (Reagan 1981). President Clinton defined the preeminent mission of the same government to guarantee a real opportunity to build better lives for all citizens (Clinton 1997), but such opportunities were also being sent abroad through economic globalization. Finally, because of his aggressive stance in the war on terror, President Bush proclaimed hope had returned to the nation when he was

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reelected in 2004 (Bush 2004) while President Obama, whose campaign had been almost diametrically opposed to Bush's unilateral foreign policy preferences, claimed real change had come to America (Obama 2008).

<div align="center">ANES Results: War</div>

Using ANES data from 1952 to 2010, we can view responses regarding executive wars as they were ongoing and examine respondents' attitudes regarding war sentiments and high-change elections. Once these have been provided, I will include summaries of the voters' views of their own financial situations as well as their views of the national economy to see which answers, war or economy, adhere closer to election results. These results are valuable because they provide a snapshot of the voters' minds and are the best answer we can find regarding whether the voters themselves considered the elections as referenda supporting or opposing executive wars or if they were focusing on alternative issues.

Starting with the ANES survey in 1952 and voters' opinions on the Korean War, respondents were asked if the U.S. had gone too far in concerning itself with problems around the world while a subsequent question asked, "Do you think we did the right thing in getting into the fighting in Korea two years ago or should we have stayed out" and received an equal division of answers.

Table 4: Responses Regarding America's Global Role and Entering the Korean Conflict

Agree/Agree, with Qualifications	52% (999)		Yes, Did the Right Thing	40.6% (705)
Pro-Con, It Depends	2% (41)		Pro-Con	5.5% (96)
Disagree/Disagree, with Qualifications	30% (572)		No, Should Have Stayed Out	42.5% (739)
Don't Know	7% (139)		Don't Know	11% (198)
NA or No Pre-Election Interview	8% (148)		NA or No Pre-Election Interview	8% (148)
In-Party After Election	R		In-Party After Election	R
Winning Presidential %	54.9		Winning Presidential %	54.9
Losing Presidential %	44.4		Losing Presidential %	44.4

Finally, another question asked, "Which of the following things do you think it would be best for us to do now in Korea," whose answers leaned more for escalation than evacuation:

Table 5: Responses Regarding Future Korean War Policies

Pull out of Korea Entirely	9.5% (167)
Keep on Trying to Get a Peaceful Settlement	46% (810)
Take a Stronger Stand and Bomb Manchuria/China	38.5% (374)
Either 1 or 3 (But refuses to or Does Not Choose)	1% (18)
Don't Know	4.6% (81)
NA or No Pre-Election Interview	8% (148)
/	/
In-Party After Election	R
Winning Presidential %	54.9
Losing Presidential %	44.4

These three questions demonstrate the public's evaluation of the American posture in the abstract, the choice to get involved in the conflict, and what to do after its commencement in very telling ways. Essentially, the answers to an abstract question like the first are more isolationist, the answers to the moral second question are almost evenly split and the recommendation-seeking third question feature answers where a plurality

are in favor of seeking a peace settlement while four times as many support escalating the war than favor withdrawing. Regardless, it is difficult to find a correlation between the responses and the outcome of the election in November 1952.

For responses pertaining to the Vietnam War, the ability to observe long-term responses to the same questions shows us how public opinion evolved over its duration. From 1964 to 1972, the question "Do you think we did the right thing in getting into the fighting in Vietnam or should we have stayed out" was asked.

Table 6: Responses Regarding America's Entry Into Vietnam Conflict

Voter Response	1964	1966	1968	1970	1972
Yes, Did Right Thing	38% (551)	42% (535)	30% (472)	30% (455)	29% (777)
Yes, Depends	0.1% (14)	0.7% (9)	1% (19)	0.9% (14)	5.6% (152)
Should Have Stayed Out	24% (353)	29% (370)	51% (804)	49% (744)	57% (1539)
Don't Know	17% (242)	19% (244)	16% (253)	19% (283)	8.5% (231)
NA/Refused	0.05% (7)	1% (13)	0.5% (8)	0.7% (11)	0.15% (4)
No Interest	19.5% (283)	7% (90)	/	/	/
/	/	/	/	/	/
In-Party	D	D	D	R	R
Winning Presidential %	61.1	/	43.4	/	60.7
Losing Presidential %	38.5	/	42.7	/	37.5

The other question within ANES results which allows us to follow the trends in public opinion was "Which of the following do you think we should do now in Vietnam?" This question was featured in the surveys from 1964 to 1970 but was removed from the 1972 ANES questionnaire.

Table 7: Responses Regarding Future Vietnam War Policies

Response	1964	1966	1968	1970
Pull out of Vietnam entirely	10.7% (125)	9.7% (117)	19.5% (303)	32.4% (489)
Keep soldiers in but try to end	30.3% (352)	38.5% (460)	36.7% (571)	32% (483)
Take stronger stand, even invade North	38.8% (450)	38.8% (464)	33.5% (522)	24% (362)
Don't Know	19.2% (223)	10.3% (123)	6.6% (103)	5.7% (86)
N/A	0.7% (9)	0.3% (4)	0.3% (6)	0.6% (9)
/	/	/	/	/
In-Party	D	D	D	R
Winning Presidential %	61.1	/	43.4	/
Losing Presidential %	38.5	/	42.7	/

Unlike the results in the prior question which resulted in a clear majority of those who viewed our entry into Vietnam as something that should have been avoided, there was still a somewhat-even split among respondents regarding what the policy should be in 1970. The Republicans did lose 13 House seats in 1970, but they also gained one seat in the Senate; suggesting the electorate was more patient with President Nixon two years into his administration than they were with the Johnson-led Democrats in 1966.

The Iranian Hostage Crisis of 1979–1981 was a front-page event which was interpreted widely as one where the U.S. was caught flat-footed when the American embassy in Tehran was overrun. The Russian invasion of Afghanistan in 1979 also brought a focus on the region as America's strategic interests in the region began to be threatened. A question in the 1980 ANES survey asked respondents to indicate their level views of President Carter's handling of the Iranian situation; numbers which indicate a stronger level of support than not. When they were asked, "Do you approve or

disapprove of Carter's handling of the crisis brought about by the taking of American

hostages," respondents answered:

Table 8: Responses Regarding President Carter's Handling of American Hostages in Iran

Strongly Approve	35.3% (356)
Not Strongly Approve	19.3% (193)
Both Approve and Disapprove	0
Not Strongly Disapprove	8.3% (83)
Strongly Disapprove	30% (301)
Don't Know	6% (60)
N/A	0.9% (9)
In-Party	D
Winning Presidential %	50.7
Losing Presidential %	41

Given the actions we now know President Carter took, when respondents were

asked about the invasion of Afghanistan the numbers, paradoxically, came in more

critical to the administration. Another question requested respondents consider President

Carter's cutting back on American trade and ties with the Soviet Union and asked them,

"…would you say that Carter has reacted too strongly to the Soviet Union, not strongly

enough, or has the response been just about right?" In this section the answers show a

desire by a significant minority for President Carter to have done more as a response

although he had suspended talks with the Soviet Union, boycotted the Moscow Olympics,

and authorized covert aid to the mujahedeen.

Table 9: Responses Regarding President Carter's Handling of Soviet Invasion of Afghanistan

Reacted too strongly	3.4% (34)
Response has been about right	56.75% (566)
Reacted not strongly enough	34.6% (345)
Don't Know	5.3% (53)
In-Party	D
Winning Presidential %	50.7
Losing Presidential %	41

Interestingly, President Carter received higher marks for the Iranian crisis which was marked more by failure than the one in Afghanistan which was not as widely known by the majority of Americans. By the time this ANES study had been completed, President Carter had unsuccessfully attempted to free the hostages in Iran; an action which led to the crash of the rescue helicopter and the deaths of eight servicemen. Unbeknownst to much of the public, Carter had also initiated Operation Cyclone which would eventually grow to become the largest covert undertaking the CIA had ever attempted and would lead to billions of dollars of aid being sent to the Afghanistan during the Reagan administration.

Turning to the most recent examples of executive wars in Afghanistan and Iraq during the war on terror, ANES results have indicated deteriorating public support over the past decade. It is difficult however to use the questions pertaining to President Bush's handling of the War on Terror and both the Afghan and Iraqi fronts due to the inconsistencies in survey questions. Respondents were only asked four times over the past six surveys whether they felt the war in Afghanistan had been worth the cost. In 2006 and 2008, questions about Iraq and Afghanistan's worth were removed from the

ANES questionnaire, but his handling of the war on terror was tracked in 2006 and his

handling of the Afghanistan war was tracked in 2008.

Table 10: Responses Regarding Worthiness of Invading Afghanistan

Afghanistan	2002	2004	2006	2008	2010	2012
Worth It	79.8% (948)	68.9% (835)	/	/	36.8% (578)	26.4% (1562)
Not Worth It	17% (202)	29% (352)	/	/	62.8% (985)	70.5% (4170)
Don't Know	2% (25)	1.9% (23)	/	/	/	1.9% (115)
Refused	0.25% (3)	0.16% (2)	/	/	/	1.1% (67)
N/A	0.75% (9)	0	/	/	0.3% (5)	0
In-Party	R	R	R	R	D	D
Winning Presidential %	/	50.70%	/	52.90%	/	51.10%
Losing Presidential %	/	48.30%	/	45.70%	/	47.20%

Table 11: Responses Regarding President Bush's Handling of the War on Terror and War in Afghanistan

Bush's Handling of War on Terror	2006
Approve	49.20% (332)
Disapprove	43.50% (293)
Neither	6.66% (44)
Refused	0.60% (4)

Bush's Handling of War in Afghanistan	2008
Approve	17.4% (404)
Disapprove	56.8% (1320)
Neither	15.9% (369)
In-Party	R
Winning Presidential %	52.90%
Losing Presidential %	45.70%

The responses for Bush's handling of the war on terror in 2006 were surprising in

light of the heavy losses in-party Republicans experienced in both chambers of Congress.

Losing 30 House seats and 6 Senate seats that year to the Democrats while recording an

almost 6-point advantage in support of President Bush's war policies suggests voters

were motivated by more salient factors than national security.

Finally, when asked over a series of surveys if respondents felt the war in Iraq had been worth the costs, again the overall trend is clear but the high-change election year of 2006 didn't feature this question.

Table 12: Responses Regarding Worthiness of Invading Iraq

Iraq	2004	2006	2008	2010
Worth It	38.36% (465)	/	20.4% (475)	27.1% (426)
Not Worth It	58.9% (714)	/	76.5% (1776)	75.6% (1138)
Don't Know	2.48% (30)	/	2.6% (61)	/
Refused	0.25% (3)	/	0.4% (10)	0.25% (4)
In-Party	R	R	R	D
Winning Presidential %	50.70%	/	52.90%	/
Losing Presidential %	48.30%	/	45.70%	/

During the surveys conducted since 2004, Iraq was consistently the war viewed with higher skepticism, though the levels for Afghanistan didn't reach the same levels of regret Iraq had until American troops had been pulled out of Iraq and Afghanistan had become again the central theater of the War on Terror. But from the ANES results spanning the executive wars from Korea to the present, the ANES data provided fail to correlate war attitudes with their corresponding elections.

For example, the election of 1972 presents a problem for the idea that elections do act as a check on unpopular war policies. Although Vietnam was an incredibly unpopular issue at the time and third-party candidate George McGovern was an outspoken advocate for its end, President Nixon won with an overwhelming majority of the popular vote while Congressional Republicans had mixed results; having gained thirteen seats in the House and while two seats in the Senate were lost.

ANES Results: Personal and National Economics

Though we don't see significant consistency between responses about contemporary war policies (aside from eventual declines in each war's perceived worth) and election outcomes, changing the focus to respondents' economic concerns reveals a more consistent trend in the data. ANES surveys have consistently included questions regarding respondents' assessments about both their personal financial situations and the national financial situation, both retrospectively and prospectively. These data give us the most complete election-year representation of how the respondents have felt over generations over a long-term perspective. Below are the total results for how respondents related their personal economic situations; first during the previous year and then how they expect their personal financial situations to be in the following year.

To focus on cases where large changes occurred, I have identified high-change elections where the in-party gained five percent or more of seats in either chamber of congress. The reason for this is that such elections represent statistically significant outcomes; doubling the average levels of seat changes. The average biennial election results in a loss of 2.7 percent of House seats and 2.3 percent of Senate seats by the in-party. As such, a five percent change in either chamber approximately represents twice the amount of change typical election outcomes create. This will let us test the hypothesis unpopular wars may be shaped by the public's desire to end them.

Using averages based upon ANES results and comparing results taken from high-change election years, the correlation between economic attitudes and elections becomes clearer than do the correlation between voters' attitudes towards wars and their

corresponding elections. What we see when we look at ANES responses pertaining to wars has been a mixed bag of the in-party's election results. Cases such as Nixon's victory in 1972, some four years after he was elected by vaguely promising to end the Vietnam War, or the Republican losses in the 2006 midterm elections when President Bush had a five point advantage in ANES responses regarding his handling of the war on terror fail to convince that the voters' views on military policies are bellwether ones. What the following results demonstrate is that optimistic responses about the following year's personal economic situations are less positive than average during high-change election years adding to the in-party; a trend absent from ANES survey questions pertaining to war policies in the same years.

Table 13: Historical Tables of ANES Responses for Personal Economic Situations

Personal, Last Year	1962	1966	1968	1970	1972	1974	1976	1978	1980	1982	1984	1986	1988	1990	1992	1994	1996	1998	2000	2002	2004	2008	Avg
Better	34	35	34	32	36	28	34	34	32	30	43	40	42	39	30	39	46	52	33	24	43	32	36
Same	47	39	47	34	42	31	35	29	25	32	29	33	33	29	35	33	29	27	55	50	25	18	34.4
Worse	19	26	20	34	23	41	31	36	42	38	28	27	25	32	35	28	25	21	12	26	32	50	29.6
In-Party	D	D	D	R	R	R	R	D	D	R	R	R	R	R	R	D	D	D	D	R	R	R	
Winning Pres %	/	/	43.4	/	60.7	/	50.1	/	20.7	/	58.8	/	53.4	/	43	/	49.2	/	47.9	/	50.7	52.9	
Losing Pres %	/	/	42.7	/	37.5	/	48	/	41	/	45.6	/	45.6	/	37.4	/	40.7	/	48.4	/	48.3	45.7	

Personal, Next Year	1956	1958	1960	1962	1964	1966	1968	1970	1972	1974	1976	1978	1980	1982	1984	1986	1988	1990	1992	1994	1996	1998	2000	2004	2008	Avg
Better	44	43	40	38	46	35	34	31	37	22	34	24	30	27	38	40	38	28	34	33	38	41	39	39	37	35.6
Same	46	44	50	56	45	53	56	51	53	45	53	47	49	55	53	49	53	54	56	59	55	52	55	52	49	51.6
Worse	10	13	10	6	9	12	10	18	10	33	13	28	22	18	9	12	9	17	10	7	8	6	6	8	15	12.76
In-Party	R	R	R	D	D	D	D	R	R	R	R	D	D	R	R	R	R	R	R	D	D	D	D	R	R	
Winning Pres %	57.4	/	49.7	/	61.1	/	43.4	/	60.7	/	50.1	/	50.7	/	58.8	/	53.4	/	43	/	49.2	/	47.9	50.7	52.9	
Losing Pres %	42	/	49.5	/	38.5	/	42.7	/	37.5	/	48	/	41	/	40.6	/	45.6	/	37.4	/	40.7	/	48.4	48.3	45.7	

Table 14: Personal Economic Situations During In-Party High-Change Gain Elections,
ANES

High-Change	Gains				High-Change	Gains		
Personal, Last Year	Better	Same	Worse		Personal, Next Year	Better	Same	Worse
1960	/	/			1960	40	50	10
1964	34	47	19		1964	46	45	9
2000	33	55	12		2000	39	55	6
Avg	33.5	51	15.5		Avg	41.6	50	8.33
ANES Avg	36	34.4	29.6		ANES Avg	35.6	51.6	12.76
Change	-2.5	16.6	-14.1		Change	6	-1.6	-4.43

Two of these elections are anomalies as 1960 saw in-party Republicans gain seats while losing the presidency and 2000 saw the Democrats gain seats in Congress while Republican George W. Bush secured a majority in the Electoral College while losing the popular vote.

Table 15: Personal Economic Situations During In-Party High-Change Loss Elections,
ANES

High-Change	Losses				High-Change	Losses		
Personal, Last Year	Better	Same	Worse		Personal, Next Year	Better	Same	Worse
1958	/	/	/		1958	43	44	13
1966	35	39	26		1966	35	53	12
1968	34	47	20		1968	34	56	10
1974	28	31	41		1974	22	45	33
1980	32	25	42		1980	30	49	22
1982	30	32	38		1982	27	55	18
1986	40	33	27		1986	40	49	12
1994	39	33	28		1994	33	59	7
2006	/	/	/		2006	/	/	/
2008	32	18	50		2008	37	49	15
Avg	33.75	32.25	34		Avg	33.44	51	15.77
ANES Avg	36	34.4	29.6		ANES Avg	35.6	51.6	12.76
Change	-2.25	-2.15	4.4		Change	-2.16	-0.6	3.01

Despite the overall similarity in the average "Worse" responses for following year predictions, higher than average pessimism does persist. What is missing though is a consistent correlation between how pessimistic respondents felt and the level of losses for the in-party that November. For example, 1958's "Worse" prediction was slightly *higher* than the ANES average when the in-party Republicans lost 52 House and 12 Senate seats that year. "Worse" responses from 1966 registered slightly *lower* than the ANES average when the in-party Democrats lost 47 House and seven Senate seats. Finally, "Worse" predictions in 1974 were the highest registered to date when the in-party Republicans lost 49 House and five Senate seats. So while heavy losses occurred in election years where responses were slightly higher than average (1958), lower than average (1966), or at a record high (1974), when high-change losses are all taken together, higher than average economic pessimism has consistently been recorded during election cycles when high change elections have occurred.

Starting in the 1980 ANES survey, respondents have been asked to provide their reflections regarding the condition of the nation's economy over the previous year and their predictions for the national economy for the following year. By examining the average of these results, the data show again that responses during high-change elections since 1980 appear to be more consistent during years where the in-party lost seats than years where they gained them, noting again the anomaly of 2000 where the in-party gained seats but lost the presidency. During high-change elections where in-party membership decreased, we can note both very similar levels of optimism and the only collection of average responses which are more optimistic than the overall average.

Table 16: Historical Tables of ANES Responses for Voters' National Economic Assessments

National, Last Year	1980	1982	1984	1986	1988	1990	1992	1994	1996	1998	2000	2002	2004	2008	Avg
Better	4	12	43	24	19	4	5	35	38	47	39	5	24	2	21.5
Same	13	18	33	42	50	22	23	38	45	38	44	23	31	7	30.5
Worse	83	70	24	35	31	74	72	28	17	15	17	72	45	90	48
In-Party	D	R	R	R	R	R	R	D	D	D	D	R	R	R	
Winning Pres %	50.7	/	58.8	/	53.4	/	43	/	49.2	/	47.9	/	50.7	52.9	
Losing Pres %	41	/	40.6	/	45.6	/	37.4	/	40.7	/	48.4	/	48.3	45.7	

National, Next Year	1980	1982	1984	1986	1988	1990	1992	1994	1996	1998	2000	2002	2004	2008	Avg
Better	30	39	29	21	23	11	32	29	25	24	23	/	37	28	27
Same	40	40	51	56	55	31	49	55	62	57	58	/	46	41	49.3
Worse	31	21	20	23	22	58	19	16	13	19	18	/	17	31	23.7
In-Party	D	R	R	R	R	R	R	D	D	D	D	R	R	R	
Winning Pres %	50.7	/	58.8	/	53.4	/	43	/	49.2	/	47.9	/	50.7	52.9	
Losing Pres %	41	/	40.6	/	45.6	/	37.4	/	40.7	/	48.4	/	48.3	45.7	

Table 17: National Economic Situations During In-Party High-Change Loss Elections, ANES

High-Change	Losses		
Nation, Last Year	Better	Same	Worse
1980	4	13	83
1982	12	18	70
1986	24	42	35
1994	35	38	28
2006	/	/	/
2008	2	7	90
Avg	15.4	23.6	61.2
ANES Avg	21.5	30.5	48.1
Change	-6.1	-6.9	13.1

High-Change	Losses		
Nation, Next Year	Better	Same	Worse
1980	30	40	31
1982	39	40	21
1986	21	56	23
1994	29	55	16
2006	/	/	/
2008	28	41	31
Avg	29.4	46.4	24.4
ANES Avg	27	49.3	23.69
Change	2.4	-2.9	0.71

The differences between average responses for personal financial situations versus those for perceived national ones may confirm Fisher's belief that actors at the national level play a major role in shaping the public's perception of the national economic situation (Fisher 2006). If individuals are doing well financially, we would expect the average responses about the national economic situation to correlate to a

certain extent so overall trends go up and down together. But according to the ANES averages since 1980 where questions about personal and national situations have been asked, "Worse" responses about the previous year were higher for national appraisals than personal. Responses about the following year's financial situation yielded responses which were even higher for national appraisals than for personal. These results point to existence of a mass perception that the nation's economic situation is typically doing worse than the individuals themselves.

ANES data fails to demonstrate that anti-war sentiment is a dominant factor motivating voting behavior, and therefore, election outcomes. After the election of President Eisenhower in 1952, ANES responses showed an almost even split between whether the U.S. should have gotten involved in the war or not and only 9.5% favored pulling out of the conflict immediately. During the early years of the Vietnam conflict when Democrats were the in-party, 1964 was a high-change election for them while 1966 resulted in greater losses than they'd gained two years before. Not surprisingly given the status of the war at that time, the ANES results did not register much change in respondents' attitudes about the war. Those who responded that the U.S. should not have become involved in the war did not become the majority in ANES results until 1968. But in 1968 and in 1970 respondents who answered "keep the soldiers in but try to end" and "take a stronger stand" retained an overwhelming majority in the surveys.

Once national optimism began to be tracked with the 1980 ANES survey, respondents were asked about President Carter's handling of the Iranian Hostage Crisis and his response to the Soviet invasion of Afghanistan, the results offered overall support for his actions in excess of 50% on both issues, but he still lost the election that year.

During the War on Terror, a majority of respondents supported taking action against Iraq before the invasion and when that majority changed in 2004, President Bush was not only easily reelected over Senator John Kerry, but the Republican in-party gained four seats in the Senate, almost qualifying it as a high-change election in the Republicans' favor. Responses about Afghanistan grew increasingly negative, but due to the absence of questions about Iraq or Afghanistan for 2006 when the Democrats regained the majorities in both chambers of Congress and 2008 when in-party status changed hands means we cannot find answers to the question of voters rejecting the in-party or not from the ANES data.

Due to the weak correlation of responses to foreign affairs questions vis-à-vis election outcomes, ANES results demonstrate answers which are more consistent when questions regarding economic situations are asked when those answers are compared the corresponding election outcomes; thus corresponding with the research of Tufte, Campbell, and others. Responses about personal and national financial situations have tended to increase against the in-party during high-change elections with the only exception being the level of future pessimism leading to in-party losses during mid-term elections since 1980.

Studies that have previously occurred during wartime have shown an increase in the amount of anti-war sentiment over time, but those increases fail to reach levels that match the high-change outcomes the elections yield. As a result it is difficult to conclude from these results that even unpopular wars, though they are a part of the issue matrix voters bring with them to the polls, appear to be the galvanizing issue that leads to high-change elections against the in-party.

In order for this to be the case, voters would first need to have a full grasp of the issue as it relates to their own priorities and those presented by the candidates. As *The American Voter* put it, the process for this conclusion to be true would have to involve a majority of the voters caring about the issue with some passion, taking a position on the issue, being familiar with the positions of the competing candidates, and seeing some differences among those positions (Norpoth 2011) and we just don't see that process playing out in the ANES responses regarding war policies. In terms of economic factors, the clearest way the nation's economic situation comes to their attention is through the so-called Misery Index.

The Misery Index, defined as the sum of unemployment and inflation multiplied by the percentage identifying the economy as the most important problem facing the country in polls (James and Oneal 1991) appears to be an accurate metric by which election outcomes, and possibly the onset of executive wars, can be predicted. According to Hess and Orphanides, the probability of conflict initiation or escalation exceeds 60 percent in years in which a president is up for reelection and the economy is doing poorly. By contrast, the probability is only about 30 percent in years in which either the economy is healthy or a president is not up for reelection (Hess and Orphanides 1995). And while results like these may create a "chicken or the egg" cycle where the elusive answer to the question of economics shaping wars or wars shaping economics remains unanswered, there is a consensus within existing literature that points to the Misery Index being a fundamental motivator for voters at the polls; even greater than the unpopularity of ongoing wars.

These results present two problems to the question of elections acting as a check on executive war powers: one being the responses held against the corresponding election outcomes and the other being the relatively short period of time they inquired about respondents' views of the national economic situation. Though the results do include answers regarding respondents' opinions of and suggestions for war policies, even the worst showings for the in-party do not correlate with their election outcomes. This was the case in 2010 when the out-party Republicans gained 64 seats from the Democrats in the House, the largest gain in House seats in the post-war era, while the nation was winding down the unpopular wars in Iraq and Afghanistan; wars the Republicans had been held accountable for during the previous two election cycles and which contributed to George W. Bush's near-historic low job approval numbers when he left office in January, 2009.

CHAPTER IV

CASE STUDIES: ELECTIONS AND RECORDED CHANGES IN WAR POLICIES

The case studies discussed in this section focus on eight elections which have occurred within four political contexts while comparing pre and post-election levels of defense spending, troop deployments, and peace negotiations with opposing parties in the region The four contexts examined are instances of Abandoned Incumbency (1952, 1968), Ideological Shift (1980, 2008), Midterm Shift (1994, 2006), and Congressional Blocks (1974, 1982). Abandoned Incumbency refers to elections where incumbent presidents were eligible to run for reelection, but they declined to do so. Ideological Shift refers to elections where the incumbent president was an adherent to one ideological position and his successor was an adherent to an opposing (i.e. conservative to progressive, or multilateralist to unilateralist). Midterm Shift cases focus on elections where the majority in Congress changes. Finally, Congressional Blocks refers to cases where Congress has been falsely accused of de-funding a military operation (Jespersen 2002) or in fact did so yet funding was still found for it despite the law ("Public Law…" 1984).

What these cases show is that despite ideological changes in the White House, unified or divided government, and Congressional prohibitions on executive discretion, the overall trend reveals events in each situation outside of the elections have determined policy changes. There have been cases where troop levels were decreased as was the case in Vietnam post-1968 and Iraq post-2008. But the decreases in Vietnam took four

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years while the decreases in Iraq had already been arranged prior to the 2008 election by the Iraqi-American Status of Forces Agreement. There have also been decreases in spending in the past such as the post-Cold War 1990's and with the implementation of 2011's "sequestration," but decreases in the past have not been long-lasting. Nor have they withstood unforeseen events such as the onset of the Korean War or the attacks of September 11, 2001.

Finally, the cases selected feature different military conflicts that this study defines or characterizes as wars, but which may not fall into the classic definition of wars. Though the legal definition may differ slightly and the wars included in this study represent different examples, the case studies qualify as they are all periods featuring the use of military assets to achieve foreign policy objectives in hostile nations. Legally speaking, there is a difference between authorized wars (Vietnam, Iraq 2003, and Afghanistan 2001), funded wars (Korea, Serbia, and Kosovo), and clandestine wars (Afghanistan 1979 and Nicaragua 1984) as they reflect upon cooperation between the president and Congress. Not all of these examples are wars as Congress didn't officially declare the president empowered to carry them out in unquestionable terms. But for the purpose of securing diverse examples and demonstrate how the executive branch has used the powers it has been bequeathed, the conflicts of Korea, Vietnam, Nicaragua, Haiti, Serbia, Kosovo, Iraq and Afghanistan are referred to as executive wars because they did not follow in the model of the declared wars against Britain (1812), Mexico (1846), Spain (1898), the Central Powers (1917), and the Axis Powers (1941).

Soon after the decreases seen at the conclusion of WWII, the overall trend in DOD funding has been one of alternating periods of flat lining followed by periods of

exponential growth, with levels never returning to what they were before the alternate changes. Eras of similar funding form the appearance of steps with each one representing a new plateau below which the next step does not fall. Step 1 (1951-1966) was superseded by increases in funding that led to Step 2 (1967-1978). Step 3 (1986-1999) preceded the massive increases during the George W. Bush administration and it remains to be seen how deep DOD cuts will be and how long they will remain now that the global war on terror which was so much of a driver of military spending has been declared over by President Obama (Shrinkman 2013). And while the greatest eras of increased spending occurred during the terms of Presidents Nixon, Reagan, and George W. Bush, their successors appear to have been either unable or unwilling to push through changes which would have returned spending levels to what they had been before the increases.
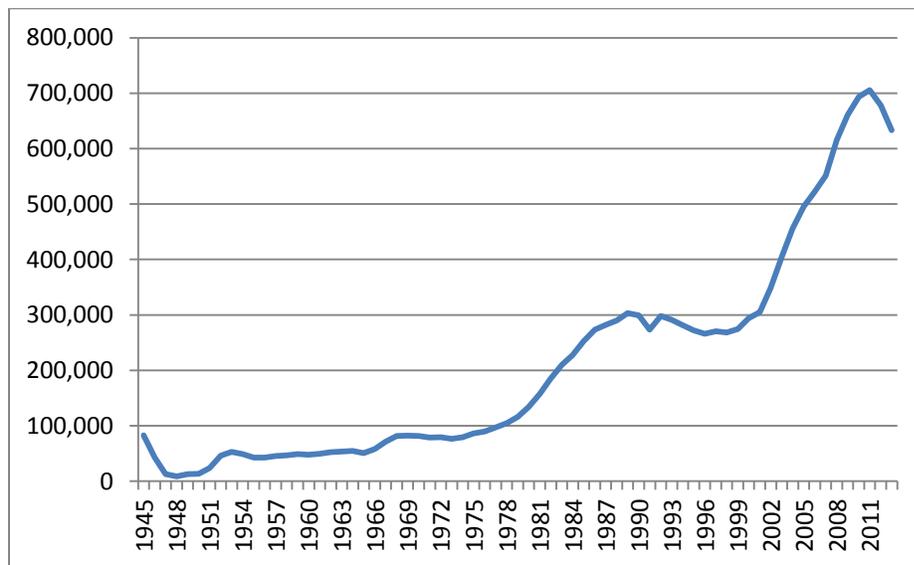
Figure 1 – DOD Spending by Year: 1945 to 2013 (In Millions, 2013)

("Historical Tables…" n.d.)

1952: From Truman's "Police Action" to Eisenhower's "New Look"

In the post-World War II environment, President Truman's foreign policy served as a means of balancing his commitment to America's partnership being of inestimable value in time of adversity (Medhurst 2000) while coping with the reality that the U.S. and its partners did not have the forces ready and available to reverse Soviet moves at the local level ("NSC 68" 1950). The Truman Doctrine's core aim was to contain Soviet power, expose its power as being false, induce a retraction of the Kremlin's global influence, and force it to conform to accepted international standards (*Ibid*). What followed, after the North Korean invasion of South Korea in June 1950, was the first real test of this policy during a "hot war" featuring client states of the United States, Soviet Union, and Communist China.

President Truman sent troops to support the South on June 30, 1950, as part of a "police action" by following the UN authorization for the invasion rather than seeking a formal declaration of war or any other authorization or any other authorization from Congress (Crabtree 2003). This move created a fulcrum in the history of *constitutionalis bello*, or constitutional war, between the president and Congress, meaning Congressional authorization for the prolonged deployment of troops into an active war zone with the legislative sanction of Congress had been circumvented by citing the authorization of an international body (Gallagher 2011).

Within months of the war's inception, the Department of Defense's assets grew exponentially. The American military presence on the Korean Peninsula increased from

under 500 to over 48,000, on its way to a highpoint during the Truman administration of around 238,000 in June 1952 ("Statistical Data on Strength…" 1965). In addition to this, the decline in spending the Department of Defense (DOD) had endured since the end of World War II was reversed to almost three times pre-Korean levels by the time President Truman left office.
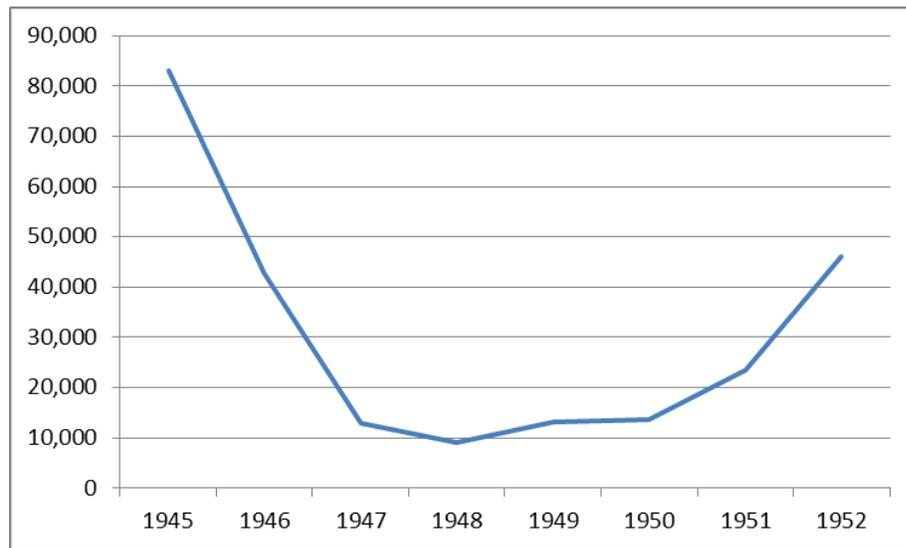

Figure 2 - Truman DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d.)

Although troop levels and military spending quickly increased, negotiations for a peaceful settlement of the Korean War took almost a year to formally begin. Negotiations began at Kaesong in July 1951 and were expected to be soon-concluded (Matray 2012). These hopes soon faded as the Communists adopted an uncompromising posture in reaction to the first proposal submitted by the U.S. delegation (*Ibid*). The talks remained essentially stalled for the duration of the Truman administration as the president remained firm in his conviction that the forced repatriation of prisoners of war against

their will would not be allowed (Boose 2000). In the coming years, support for the administration's policies diminished from a high of 78% (Crabtree 2003), culminating in Truman declining to run for reelection in 1952 and the public's rejection of Adlai Stevenson as the continuation of Roosevelt's "New Deal" and Truman's "Fair Deal" policies ("Adlai Stevenson (1960-1965)" n.d.).

In the wake of his famous "I Shall Go to Korea" speech, Dwight Eisenhower proclaimed during his acceptance speech and the Republican National Convention he was the man to lead a "crusade" against communism as he had against fascism a decade before (Cannon 2004). Eisenhower sought to end the war in Korea quickly and had no compunctions with threatening to utilize nuclear weapons to meet any perceived threat to the West ("NSC 162/2" 1953). His New Look policy centered on four dimensions aimed directly at shoring up nations sided with the U.S. while making aggression its allies appear to be a grave mistake. These included threatening nuclear attacks to minimize strategic risk and control spending [Military], upholding America's economic health to avoid the regional instability socialist movements thrived within [Economy], committing to defense, advancement, and de-colonization of free world allies [Political], and demonstrating freedom as the appeal of the American system of government [Psychology], all of which prioritized the U.S. being the blue line between Soviet global domination (Metz 1993).

Given Eisenhower's obstinate language and priorities, it is not a surprise that the transition from Truman to Eisenhower did not lead to a diminution of willingness to employ war powers. As unpopular as the Korean War had become by 1953, Eisenhower continued the core of Truman's policies while upping the stakes of nuclear war in Asia,

even deploying over 56,000 more troops by the time the armistice had been signed in July
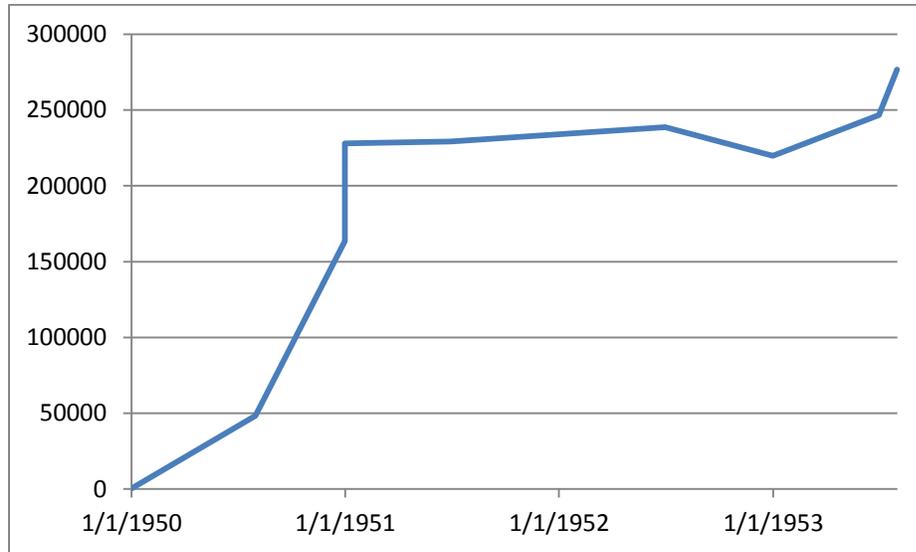
1953 than Truman had previously.

Figure 3 – U.S. Troop Levels, Korean War

("Statistical Data on Strength and Casualties for Korean War and Vietnam." n.d.)

In addition to increasing American troops in Korea, Army appropriations nearly

tripled from $6 billion before Korea to $17 billion by the end of the war (Fautua 1997).

And though there was a slight decrease in DOD spending in Eisenhower's two terms,

these levels would remain almost unchanged throughout his administration and almost

three times higher than pre-Korean War levels.
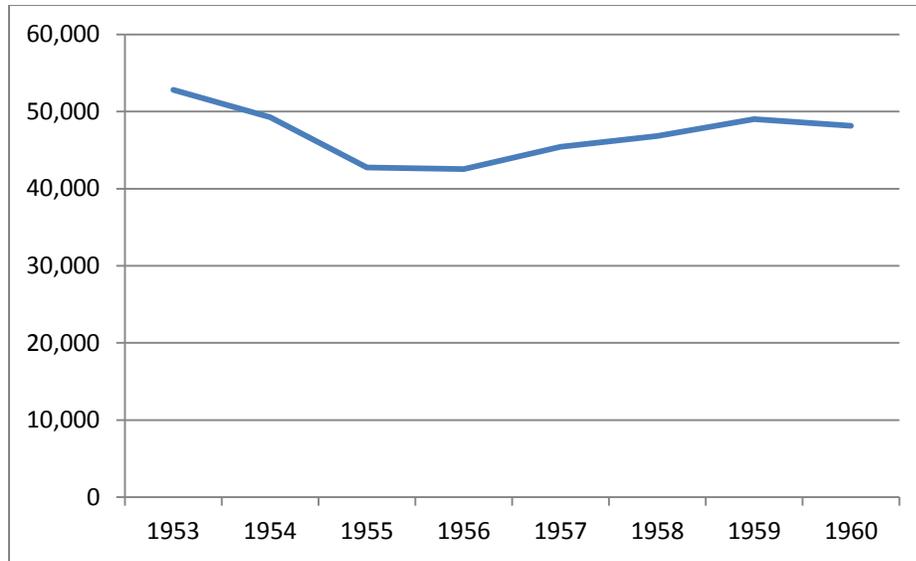
Figure 4 - Eisenhower DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d.)

The greatest impact of the change from Truman to Eisenhower took place in the stalled peace negotiations in Kaesong. Having languished since 1951 on questions such as forced repatriation of POW's, Eisenhower signaled his willingness to accept the terms negotiated up to that point while upholding Truman's stance on forced repatriations (Boose 2000). Four months after Eisenhower was sworn in, the decision was made that if no progress was found, the allied forces would initiate a military offensive that might include attacks on China and the use of nuclear weapons (*Ibid*); a move which then Secretary of State Allen Dulles later credited with bringing about the swift end to the war ("A Short History…" n.d.). There are, however, documents which were released after the fall of the Soviet Union that dispute the effectiveness of these threats compared to the uncertainty Stalin's successors felt inside the Kremlin prior to the rise of Nikita Khrushchev (Weathersby 1999).

In short, the transition from Truman's "police action" to Eisenhower's New Look did not lead to the de-escalation of the Korean War, but to the globalization of it via the threat of nuclear weapons being used against the North Koreans and Chinese. At the same time, American troop levels increased in Korea, spending levels never returned to their pre-war levels and the peace negotiations ended roughly as they had been brokered under Truman, save the instances of nuclear threats and the death of Joseph Stalin. In the end, the Eisenhower administration did not significantly change Truman-era policies. It only prosecuted what previously had been treated as a local war as a hemispheric one until the armistice was signed.

1968: From Johnson's "Honolulu Approach" to Nixon's "Vietnamization" and "Madman Diplomacy"

The presidential election of 1968 resulted in similar outcomes to those seen after the election of 1952 in that an isolated war became internationalized. But rather than simply threatening to expand the operation into a neighboring country such as China, Richard Nixon's ascension to the White House led to the actual deployment of American troops and munitions into Cambodia and Laos This expansion would not have been possible though had it not been for the Gulf of Tonkin Resolution in 1964; a resolution whose equal did not exist in the Korean conflict and in whose wake Congress took steps to correct in the form of the War Powers Act of 1973 (Anderson, et al. 2011). Though American aid and troops acting in an advisory capacity had initially been sent to Vietnam by Eisenhower in 1954, their numbers grew considerably under President Kennedy's watch; increasing them from 700 in January 1961 to 16,000 by the end of 1963 (*Ibid*).

During the Johnson administration, troop levels and spending were dramatically expanded under the president's "Honolulu Approach" wherein the United States would "nail the coonskins to the wall," meaning a combination of both no changes in strategy and only escalation to higher levels of troop deployment was preferred by the president (*Ibid*). Throughout 1965 the number of American forces in Vietnam again rose dramatically by reaching 47,000 in May, with 50,000 more deployed in July and another 50,000 scheduled for deployment by the end of the year (Logevall 2004). By the end of 1968, there were over a half-million U.S. troops in Vietnam ("Vietnam War Allied…" 2008). At the same time, DOD spending levels had increased 30% from the levels seen when Johnson assumed the White House.
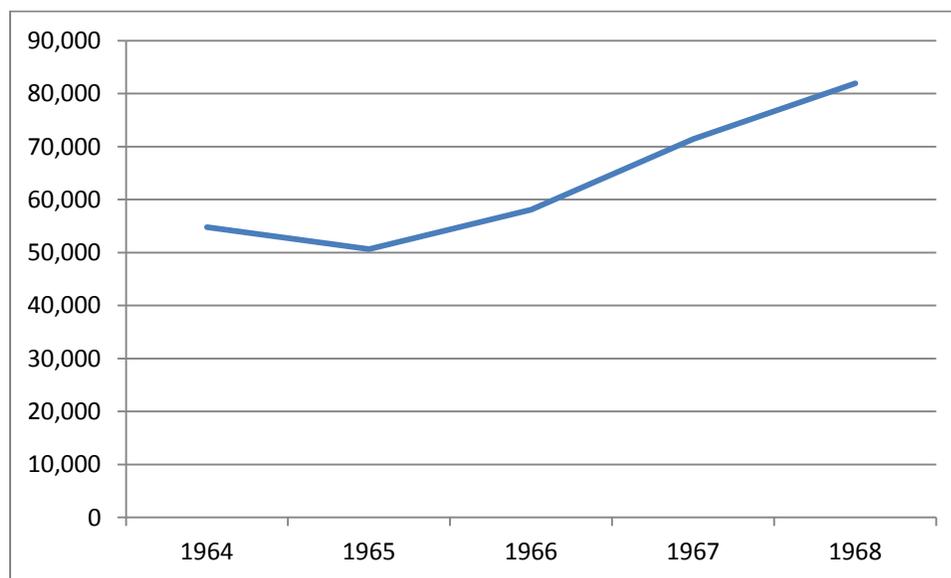
Figure 5 – Johnson DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d.)

By the end of 1967, it became apparent the "Honolulu Approach" was not working and Johnson began to pressure South Vietnamese President Thieu to consider

opening talks with the National Liberation Front (NLF) representatives of North Vietnam (Anderson, et al. 2011). Though Thieu refused, Johnson took the step in March 1968 to unilaterally order a limited bombing halt for most of North Vietnam while remaining ready to dispatch an American delegation to any peace conferences the resulted (Sieg 1996). These negotiations began in Paris in May 1968, without President Thieu's support, and while the Johnson administration pushed feverishly for an end to hostilities before the November election, few regarded any victory in Vietnam as a meaningful possibility (Milne 2011). When the election of 1968 came, despite negotiations having been under way for six months, President Johnson's had announcement in March 1968 that he would refuse to seek or accept the Democratic Party's nomination for president, and the unilateral implementation of a halt to all U.S. bombing operations against North Vietnam, Richard Nixon still defeated Vice President Humphrey.

Though Nixon's victory was a turning point in the American commitment to Vietnam, Nixon's plan to handle the war remained deliberately unclear. Nixon's plan, coupled with Boyd's research showing the strongest issues of 1968 were Johnson's performance as president, reaction to the Vietnam War's escalation, and attitudes towards race and urban unrest (Boyd 1972) led Republicans to gain five House seats, seven Senate seats, and the White House (Sieg 1996).

After 1968, Nixon's plan aimed to balance the existing demands of the war while it laid out some vague features. These included negotiating with the Soviets and China, emphasizing pacification in Vietnam, the "de-Americanization" of the war, and the use of what was deemed the "Madman Theory;" essentially a method of threatening excessive force and the utilization of irrational behavior to jar opposing leaders' confidence

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(Anderson et al. 2011). And though there were multiple occasions when President Nixon

indicated he was in no hurry for withdrawal, American forces in Vietnam did see

consistent reductions in numbers from 1969 until the end of the war (Page and Brody

1972). These decreases continued through 1970 when the withdrawal of 150,000 U.S.

troops was announced despite increased activity by the North and a lack of progress was

being seen in the Paris negotiations (Katz 1997). Thus, the speed with which the "de-

Americanization" of the war transpired was almost identical to the war's Americanization

under President Johnson.
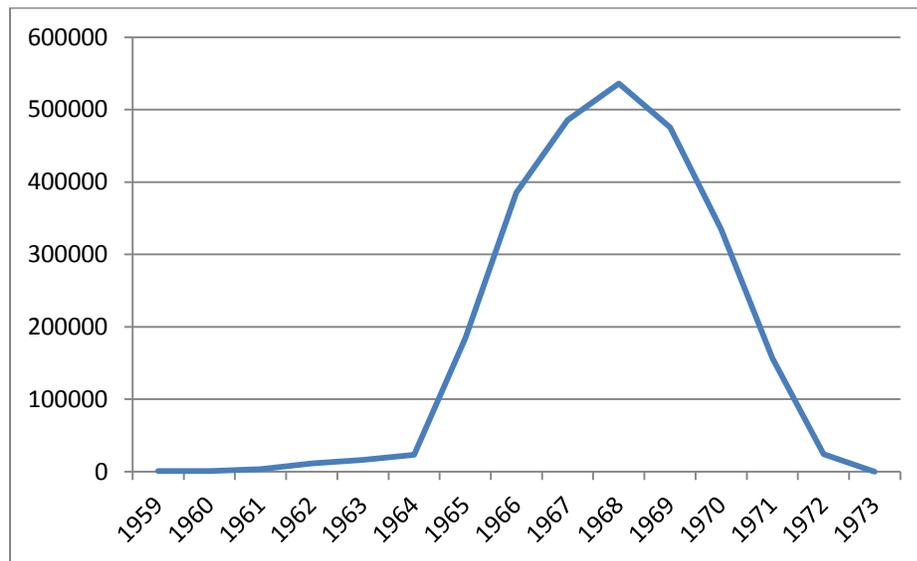
Figure 6 – U.S. Troop Levels, Vietnam War

("Vietnam War Allied Troop Levels 1960 – 1973," n.d.)

Though President Nixon did change policies by decreasing American troop levels

in Vietnam, he also unilaterally introduced them into Cambodia and Laos. Only two

months into his first term, Nixon approved the Menu bombing campaign as a means to

destroy North Vietnamese supply lines running through Cambodia. This step was taken

without Congressional approval and it expanded the theater of combat a neighboring country, led to the destabilization and fall of the Cambodian monarchy, and created an alliance of convenience among Cambodian, Vietnamese and Chinese communists (Morocco 1985, Anderson, et al. 2011). Under pressure by the public, Congress, and internal dissention in his own administration, Nixon pulled U.S. forces out of Cambodia in June of 1970 (Anderson, et al. 2011). Although five months earlier he began a bombing campaign in Laos which would drop over 58,000 tons of bombs to stop North Vietnamese soldiers from taking the country (Leary 1995).

In terms of DOD spending, 1968 did mark the highpoint during the Vietnam era, having grown substantially under President Johnson. Starting in 1969, spending levels on national defense began a downward trend that continued through the end of the war, though they began to rise sharply again near the end of Nixon's presidency.
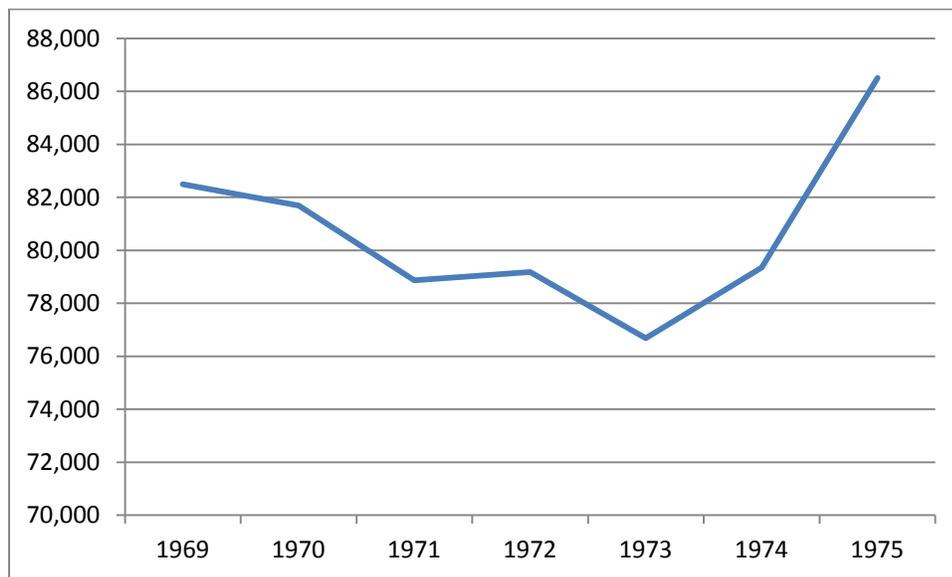

Figure 7 – Nixon DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d.)

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While peace negotiations with the North Vietnamese were ultimately successful during Nixon's administration, his and the North's influence upon them were alternately destabilizing. During the fall of 1968, representatives from the Nixon campaign had been sending signals to the Thieu regime that the South may obtain a better deal once Johnson was out of the White House. And though President Johnson viewed these actions as treasonous, he was unable to act upon this information as he'd obtained it illegally and negotiations failed to conclude hostilities by the end of Johnson's term (Anderson, et al. 2011).

Beginning in July of 1969, the Nixon administration embarked on a two-tracked approach to negotiating with the North. The first track involved the further Vietnamization of the war as American troops were slowly withdrawn. The second track, the "Madman Theory," started with increased threat-making followed by increased violence in Northern territories (*Ibid*). By October 1972, negotiations had arrived at an agreement which called for all U.S. forces to leave Indochina, gave Northern communists legal authority over the territory they controlled, and, finally, achieved an agreement between both sides that Vietnam was in fact one country; avoiding the partition which divided both Germany and Korea at the time (*Ibid*). Finally, in January 1973, the Paris Peace Accords were signed, securing "peace with honor" through Nixon's gradual abandonment of all negotiating planks save retaining the South Vietnamese government for Nguyen Van Thieu (Katz 1997).

Just like in Korea, this in-party change during a war in East Asia led to the escalation of the war before it led to a truce. While Eisenhower only threatened to expand the conflict into neighboring China, Nixon actually did it in Cambodia and Laos.

Though the cause of the war's expansion was a reaction to North Vietnamese troop movements, the decision to secretly move troops and drop bombs into Cambodia without Congressional approval and the decision to bomb areas in Laos, a nation who was officially neutral, represent the problems that elections have in dramatically changing existing policies during an ongoing war when the opposing forces are determined to continue fighting. Troops were ultimately withdrawn from Vietnam, military spending did gradually decrease through the war's end, and peace negotiations were successfully concluded within five years of Johnson's departure. But the election of 1968 brought about an administration whose "peace with honor" priorities, combined with Nixon's "madman" approach, allowed the war to continue for five more years.

1974: Vietnam and Ending a War for $700 million

Once the Vietnam War had ended and its main proponents had time to reflect upon congress' role in its demise, the legend of congress losing a winnable war began to spread. In describing the mood in Washington, D.C. during the final days of the war, Lewy wrote "…a war-weary Congress, in the face of a badly weakened executive, became increasingly anxious to liquidate any further American involvement in Southeast Asia" while President Nixon later placed the blame on Congress' "tragic and irresponsible" actions which undermined the South (Jespersen 2002). Henry Kissinger framed the actions taken by Congress after 1974 as the ultimate betrayal of America's Vietnamese partners: "the United States, in the throes of physical and psychological abdication, cut off military and economic assistance to people whom we had given every encouragement to count on our protection (*Ibid*). But when the facts are examined

regarding what actions congress and President Ford took leading up to the fall of Saigon in 1975, the narrative of congress losing a winnable war falls short of being objective.

When President Nixon resigned in August 1974, Vice President Gerald Ford assumed the office in the midst of a plethora of policies which prevented him from significantly changing the direction of the war. The signing of the Paris Peace Accords had removed U.S. troops from Vietnam in 1973 and the Nixon-Kissinger team had moved on to prioritize détente with the Soviets and the U.S.'s new relationship with China (Jespersen 2002).

Military spending, which had declined under Nixon's watch until 1973, began to increase again in 1974 while Vice-Chief of Staff General DePuy's orders to reduce the size of the Army from 1.6 million to 800,000, passage of the War Powers Act of 1973 and the elimination of the draft represented a more assertive Congress attempting to wrest power back from the presidency. During President Nixon's first term, Secretary of Defense Melvin Laird had simultaneously engineered the withdrawal of American troops from Vietnam while maintaining South Vietnam's ability to defend itself (Laird 2005) while President Nixon, followed by President Ford continued to request emergency aid continue to be sent in support of the South Vietnamese government (Mieczkowski 2005).

In January 1975, North Vietnamese forces advanced into Southern territory, marking the first time Northern forces had occupied Southern territory (*Ibid*). Yet while Congress had appropriated $700 million of the $1.45 billion former-President Nixon had requested for that fiscal year (Moise 2005), then-President Ford requested an additional $522 million in emergency aid for both South Vietnam and Cambodia which was

threatened by a communist insurgency (Mieczkowski 2005). Congress denied all

requests in excess of what had already been allocated for that fiscal year. Over the next

two years, President Ford intended on continuing funding the South Vietnamese up to $1

billion for the 1975/1976 fiscal year and $1.3 billion for the 1976-1977 fiscal year

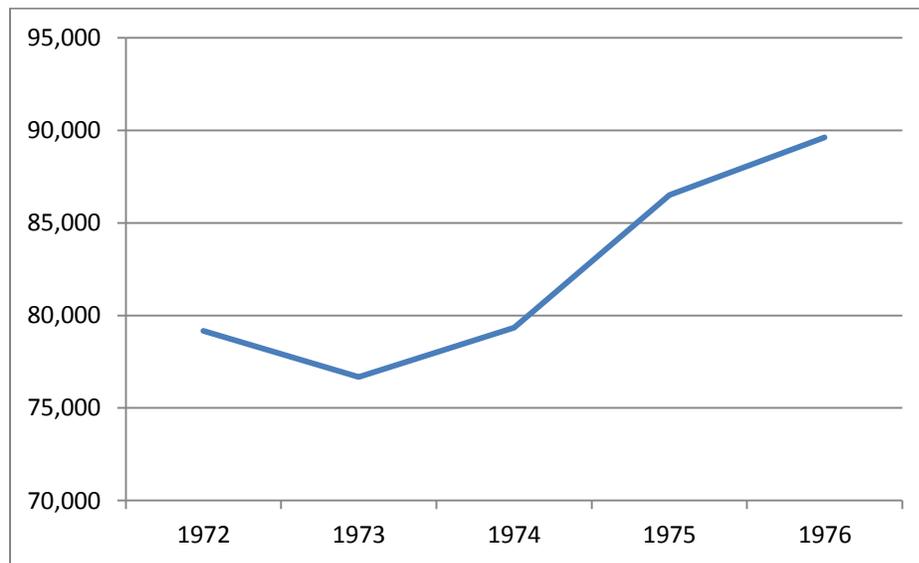(Jespersen 2002) while military spending continued its post-1973 increases.

Figure 8 – Nixon/Ford DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d)

But with the fall of Saigon in April 1975, no more budget negotiations between

the White House and Congress were necessary as there was no South Vietnam remaining

to support. An unnamed South Vietnamese official accused the U.S. of setting up the

South's fall; complaining the United States had taught the South to avoid stockpiling

materials and "…you had the logistics capability. But now your Congress won't let us

have the material we need and we do not have the vast arsenal or anywhere near the kind

of supplies that the Communists have" (Goodman 1975). That may have been correct, but

the $700 million the U.S. was providing to the South Vietnamese government in 1974/1975 was, when adjusted for inflation, greater than the amount it later covertly provided to the mujahedeen some ten years later in their struggle against the Soviet Union (Tyler and Ottoway 1986).

With the Vietnam War over, the policy goals of the Ford administration shifted from a war footing to that of détente. In what was symbolically the final battle of the Vietnam War, the SS Mayaguez, an American container ship, was seized in international waters by Cambodian soldiers and the crew was taken hostage. But rather than internationalizing the incident by pressuring the Soviets or Chinese who held sway over Cambodia, President Ford approved a covert mission resulting in the crew's rescue and the swift recall of all military personnel involved in Cambodia (Gawthorpe 2009). Negotiations between the U.S. and Soviets also continued with the signing of the Helsinki Final Act which recognized the USSR's annexation of Estonia, Latvia, and Lithuania and acquiesced to Soviet domination of Eastern Europe (Snyder 2010). Years later, Ford himself credited the agreement with bringing about the human rights revolutions in Poland, Czechoslovakia and Hungary while perpetuating an easing of Soviet-American tensions in the post-Vietnam era (Snyder 2010).

So what changes in troop, spending, and peace negotiations can be found in a post-1974 Ford administration? U.S. forces in Vietnam had already been withdrawn by the time President Ford took office as part of the Paris Peace negotiations, though he declined to use more force than he could have during the Mayaguez incident and avoided pinning responsibility for Cambodian actions on fellow communists in Moscow or Beijing. Spending levels at the DOD began to rise in 1973 and continued undiminished

through Ford's two full years in office. Peace negotiations with the Vietnamese had already been concluded while the détente between the Soviet Union and U.S. and the establishment of close ties with China all began under Nixon and Kissinger's watch (Jespersen 2002). With these steps already in place, it allowed President Ford to focus on his own Pacific Doctrine stressing the importance of the Japanese and American alliance, normalize relations with China, and structure economic cooperation with nations in Southeast Asia (Ford 1975) as communist domination of the region had already become a settled issue.

1980: From a "Crisis of Confidence" to "Expanding Freedom"

When Jimmy Carter was elected president in 1976, the post-Vietnam status of international affairs was a strained one which he aimed to fix. As Brinkley put it, Jimmy Carter became the first president since Woodrow Wilson to try actively to reform repressive regimes in other nations (Berggren and Rae 2006). After entering the White House full of optimism, he hoped he would be able to reduce international tensions through communicating with Soviet leaders and by agreeing to major arms reductions (Aronoff 2006). But the Soviet invasion of Afghanistan in December 1979 shook his optimism and his actions became more forceful.

In reaction to the Soviet invasion, Carter initiated clandestine support for resistance groups in Soviet-occupied Afghanistan with the objective of minimizing Soviet power in southwest Asia (Prados 2002, Sidky 2007). The *mujahedeen*, fighters from all over the Muslim world who flocked to Afghanistan, who were seen by the West as being just as "odious, brutal, and undemocratic" as the Soviet Union were to receive arms to

draw the Soviets into their own Vietnam-style trap (Sidky 2007). Dubbed Operation

Cyclone, was unconventional and covert in nature. It was led by the U.S., but it left no

real smoking gun. The soldiers on the ground were not American and their weapons were

provided by the CIA through third-party producers and nations (Bearden 2001). Soviet-

made weapons were made in Egypt while cash subsidies and assistance with smuggling

them in were provided by international partners (Sidky 2007).

Military spending during the Carter administration also became more aggressive.

DOD funding levels continued the increases it had seen during the waning years of the

Nixon administration and the CIA's funding of covert operations enjoyed a return to

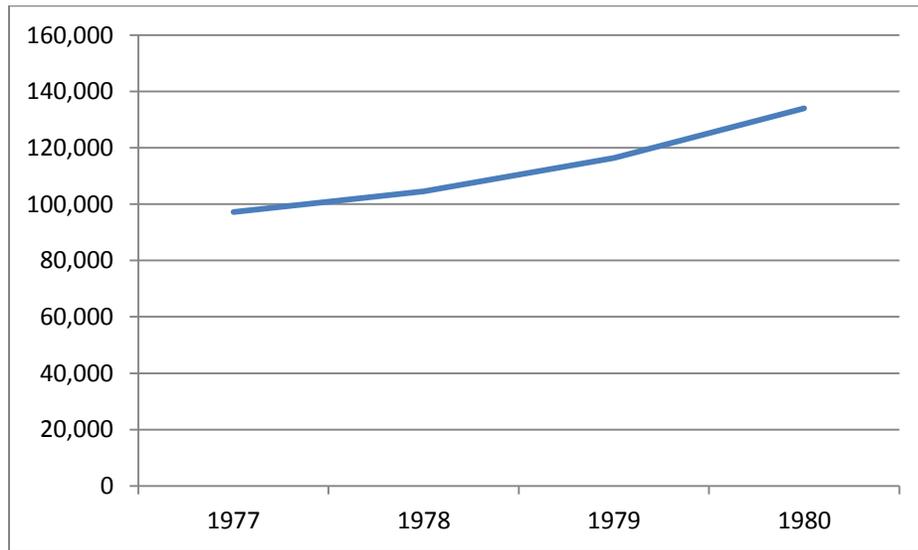increases for the first time since the Johnson administration (Johnson 1989).

Figure 9 – Carter DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d)

On the negotiations front, President Carter announced a boycott of the Moscow

Olympics in 1980, suspended the Strategic Arms Limitation Treaty (SALT II)

negotiations, an embargo was imposed on the sale of grain and modern technology to the Soviet Union, Soviet fishing in American waters was curtailed, and diplomatic relations were indefinitely postponed as Ambassador Watson was called back from Moscow (Jabeen, Mazhar and Goraya 2010). To put it succinctly, President Carter essentially shut down high-level communication between Washington, D.C. and Moscow in a way the whole world could see it.

This tough stance against the Soviets wasn't enough to earn Carter a second term. High inflation, high unemployment, foreign embarrassments, and a wide feeling of discontent had taken over the mood of the country and the lengthy public debate about who was responsible for America's "misery index" during the summer of 1980 pulled former supporters of President Carter's in the direction of the Reagan campaign (Petrocik 1996). During the campaign, Reagan had claimed that the Soviets had conducted the "greatest military buildup in the history of mankind," while President Jimmy Carter had let U.S. forces atrophy (Pach 2006), thus chipping away at the foreign affairs advantage an incumbent president typically relies upon. And with recent setbacks in Southeast Asia, Africa, Central America, the hostage situation in Iran and Afghanistan still under Soviet control, both the domestic-economic and international environments were conducive to the argument that the U.S. was in a weak position (Newmann 2004).

So when the Ronald Reagan was elected he continued Carter's policy of directly supporting the mujahedeen via the Pakistani Inter-Services Intelligence (ISI) rather than introducing CIA officers into the theater (Prados 2002). When the Soviets introduced MI-24D attack helicopters a few years later, the administration approved supplying anti-Soviet fighters with Stinger missiles; known as the most effective anti-aircraft weapon at

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the time (Sidky 2007). Using minimal assets aside from funding and covert officers, the

United States began inflicting serious losses upon Soviet forces which, in the end, did

give the Soviets their own Vietnam without the loss of American lives.

Overall DOD spending during the Reagan administration expanded as well.

Funding for Afghanistan rose from $30-40 million in 1981 to almost $700 million

annually by the war's end while the total financial assistance of nations around the world

provided between $6-9 billion in weapons (Pach 2006, Tyler and Ottoway 1986, Sidky

2007). Meanwhile, DOD funding increased in much the same way as President Reagan's
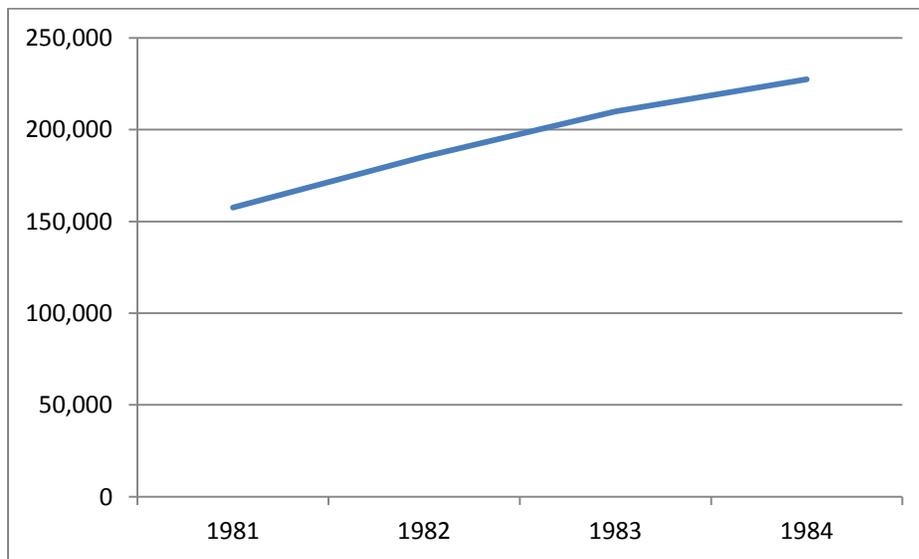
posture against the Soviet Union:

Figure 10 – Reagan DOD Spending, First Term (In Millions, 2013)

("Historical Tables…" n.d).

Finally, high-level negotiations didn't take place between the U.S. and Soviet

Union on the subject of Afghanistan until 1982. Expecting Reagan to be complicit with

the Soviet Union's position of détente, the Soviet leadership worked towards an

acceptance of mutual equality with the hopes that such overtures would be returned. Unfortunately, President Reagan's tough stance against them, especially his reference to the USSR as an "evil empire," made any hopes for a quick settlement on the Afghan issue essentially dead until Gorbachev's ascension to the position of General Secretary in 1985 (Jabeen, Mazhar and Goraya 2010).

In this situation where there was a change from a more liberal administration to a more conservative one, there wasn't much discernable change in American troop, DOD spending, and negotiation policies. The Carter administration was marked domestically by the consolidation of more federal bureaucracy in the form of the Department of Energy and Department to Education ("Jimmy Carter," n.d.) and emphasized multilateral foreign policies while Ronald Reagan asserted in his first inaugural speech that government was the problem in the country and advocated a strong American military presence around the world.

1982: Iran-Contra and Turning the Tables of Vietnam

The case of the midterm elections of 1982 is unique for two reasons. First, the military conflict the administration was engaged in was covertly supporting proxy groups the administration believed would increase the costs of Soviet expansion (Pach 2006). Deemed the Reagan Doctrine, this tactic focused upon low intensity warfare as a means of projecting American power while providing efforts to help democratic movements and forces effect political change in Moscow-aligned nations (Kornbluh 1987/1988, Pach 2006). The second reason this case is unique is because of the deliberate and illegal steps the administration took to go around legislation passed by Congress which prohibited the

use of funds for the purpose of overthrowing the Sandinista government in Nicaragua"
("Bill Summary…" 1982). Knowing these actions were illegal, the Reagan
administration allowed arms to be sold to Iran and the profits to be routed to the Contras
in Nicaragua ("National Security…" n.d.).

Prior to the 1982 midterms, the Reagan administration had been firmly committed
to supporting freedom fighters around the world like the mujahedeen in Afghanistan as
part of its effort to support anti-communist groups (Pach 2006). Likewise, groups in
Angola, Mozambique, El Salvador, Nicaragua, and Cambodia also received financial and
logistical support in order to throw off "Soviet Colonialism" (Pach 2006, Tyler and
Ottaway 1986). So when Congress passed legislation prohibiting military funds for the
Nicaraguan Contras, the administration had a choice to make: do they abide by the law or
do they proceed with their strategy of supporting anti-communist groups? The answer
the administration came up with was to get creative with the source of the funds and to
support the Contras anyway.

In 1981, the administration sent word to the Nicaraguan government that arms
shipments to neighboring El Salvadorian guerrillas would not be permitted to continue.
And though the Nicaraguan government complied, the U.S. cancelled a $15 billion
disbursement in economic aid and suspended Nicaraguan credit lines used to purchase
wheat (Roberts 1990). Over the next year, negotiations over Nicaraguan troops and
weapons acquisitions became strained as it became clear that the only settlement the U.S.
government would accept was the demise of the Sandinista government itself (*Ibid*).

When the election returns came in for the 1982 midterms, it became evident the catalyst for Republican losses was the poor economic recovery over the previous two years. With the onset of the 1981 recession, the national unemployment rate reached a post-World War II high of 10.8 percent (Urquhart and Hewson 1983), causing respondents in the 1982 ANES survey to list unemployment, domestic issues having precedence over foreign issues, and government spending/balanced budget as the most important issues. As a result, the Republicans lost 26 House seats but gained two seats in the Senate while in the final days of 1982, the president signed the defense appropriation act featuring the Boland Amendments which prohibited funds to support the overthrow of the Sandinista government in Nicaragua ("Bill Summary…" 1982).

Over a year later, a meeting was held by the National Security Planning Group in June of 1984 that contained the highest-level members of the Reagan administration and resulted in the initiation of an act which was at most an impeachable offense and at least a case of brazen sophistry. During the meeting, the heart of the Iran-Contra Scandal was discussed wherein weapons would be illegally sold to Iran hoping they would pressure their Shi'ite allies in Lebanon to release American hostages while the profits of these arms sales would be routed to the Contras in Nicaragua.

In attendance were President Reagan, Secretary of Weinberger, Secretary of State Shultz, UN Ambassador Kirkpatrick, and others; all of whom were discussing ways to maintain pressure upon Nicaragua. Secretary of State Shultz is quoted in the transcript as warning, "I would like to get money for the Contras, but another lawyer...said that if we go out and try to get money from third countries, it is an impeachable offense" ("Reagan Administration… n.d.). Ambassador Kirkpatrick then warned if the U.S. failed to fund

the Contras, the world would view the situation as the U.S. abandoning the Contras and the resulting humanitarian crisis would lead to a communist takeover of El Salvador. Finally, President Reagan affirmed his belief that pressure must be kept on the Sandinista government in order to force an agreement; tacitly agreeing the goal of funding the Contras. In response, Secretary of Defense Weinberger clarified, "…the United States would not be spending the money for the anti-Sandinista program; it is merely helping the anti-Sandinistas obtain the money from other sources. Therefore, the United States is not, as a government, spending money obtained from other sources" ("National Security…" n.d.). The results of this discussion however ran contrary to the defense authorizations which congress had previously implemented and ones it would implement in succeeding years.

Though the initial congressional prohibitions upon funding the Contras had begun in 1982, the administration's support evolved with subsequent international events. Throughout 1984 and 1985, seven Americans were taken hostage in Beirut and while the administration maintained that the inducements to Iran were not solely intended to secure their release, it would have been a welcome side effect (Hemmer 1999). And even though there were dissenting voices within the administration who argued selling arms to hostile nations such as Iran and accommodating Lebanese terrorism by paying for the hostages' ransoms would lead to international and domestic disasters, President Reagan agreed with their arguments, claiming he was willing to suffer such costs to free the hostages (Hemmer 1999).

During fiscal year 1985, a joint resolution echoing the 1982 appropriation prohibited funds available to the Central Intelligence Agency, the Department of

Defense, or any other agency or entity of the United States involved in intelligence activities from being obligated or expended in like manner. Specifically, it prohibited funds from being allocated "…for the purpose or which would have the effect of supporting, directly or indirectly, military or paramilitary operations in Nicaragua by any nation, group, organization, movement, or individual" ("Public Law…" 1984), thus halting legal military funding for the guerrillas (Sobel 1995).

Estimations regarding how much funding the Contras received have varied according to which body performed the accounting, but what transpired was contrary to what congress had authorized. Attorney General Edwin Meese estimated the amount to be around $10-30 million while President Reagan's Tower Commission estimated $19.8 million (*Ibid*). In late 1987, the congressional Iran-Contra committee estimated the arms sales to have netted $16.1 million in profits, of which $3.8 million was received by the Contras from November 1985 to November 1986 (*Ibid*). These figures however do not include $2.7 million in private funds and $34 million in third-country funding whose request or implementation on the part of U.S. personnel violated the Boland restrictions included in the defense bills (*Ibid*) and because of America's open support for revolutionary forces in Nicaragua, the Sandinista government withheld the prospect of negotiations to end the conflict until 1988 (Barlow 1993). This means examining troop levels and negotiation policies are moot points.

Though the Reagan Doctrine focused on the use of proxy forces rather than American troops on the ground, DOD spending continued to rise prior to and after the midterms of 1982
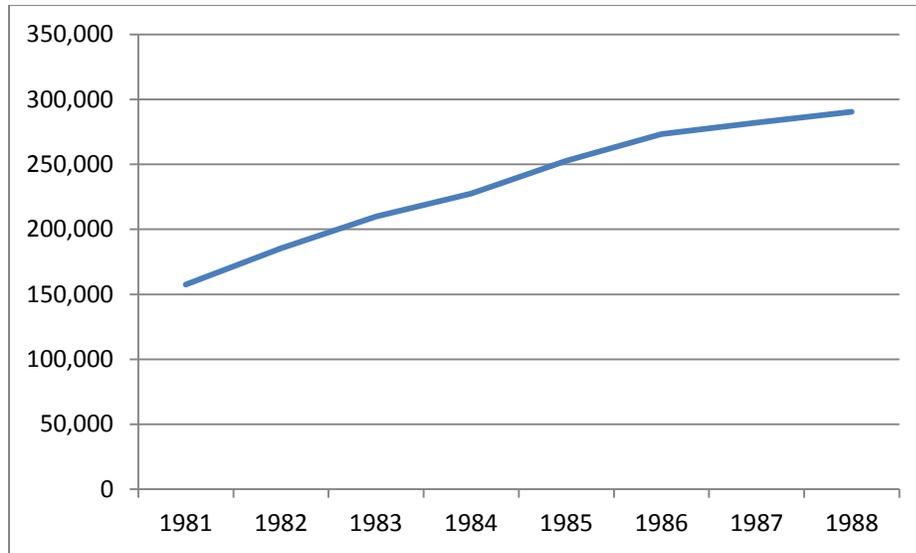
Figure 11 – Reagan DOD Spending, First and Second Terms (In Millions, 2013)

("Historical Tables…" n.d)

In conclusion, the case of the 1982 midterms presents us with an administration that knowingly carried out an illegal foreign policy which risked inciting an international and domestic crisis, though it held a minority in Congress before the election and an even smaller one after it (Hemmer 1999). There were no changes in troop levels after the election as the administration utilized local forces rather than American troops and negotiations between the U.S. and Sandinista governments did not change because the Americans had consistently made clear they were hostile to them (Barlow 1993). The changes seen in military spending were increases in overall DOD funding while the administration continued to fund the Contras despite multiple, clear prohibitions passed by Congress and signed by the president himself.

1994: Republican Economics and Clinton's "Democratic Enlargement"

Although the primary concern of the 1992 Clinton campaign was to focus on domestic issues such as the economy, the Clinton administration's effort towards

"assertive multilateralism" for international relations was also wide-ranging (Bolton 1994). This set of policies, deemed "Democratic Enlargement," envisioned a more multilateral world than had existed until a few years prior which would act as the reverse of the old "domino theory" (Brinkley 1997). President Clinton forcefully sought the expansion of NATO, encouraged the sale of U.S. weaponry abroad, and envisioned a world where free markets would revive the economies Soviet socialism's fall had left collapsed in its wake (Schlesinger 1998/1999). But for all of the changes the Clinton administration sought in the post-Cold War world, the pattern of U.S. military deployments absent congressional declarations of war present since the Korean War would remain essentially unchanged.

Prior to the midterm elections of 1994, President Clinton took over the humanitarian mission in Somalia which had begun under George H.W. Bush and sent American troops into Haiti. Though the Bush administration's mission in Somalia was originally envisioned as a short deployment followed by a complete withdrawal, the Clinton administration pushed the UN passage of Resolution 814 which extended the international commitment to help Somalia during its civil war. Once UN authorization was secured, the administration initiated plans for the deployment of 8,000 American logistical troops as well as 1,000-man quick-reaction force to fulfill its mandate (Bolton 1994).

In 1994, the Clinton administration secured another UN resolution it believed gave sufficient authorization to deploy troops for the removal of the military junta which had taken over the island nation of Haiti. When pressed about the administration's authority to deploy troops without a congressional declaration of war, Assistant Attorney

General Walter Dellinger submitted a memorandum concluding, "…our office recently took the position that the President had the inherent authority to deploy up to 20,000 troops into Haiti on the invitation of that country's legitimate government" (Dellinger 1995). This statement, taken as a matter of executive policy, meant the president and his counsel did not feel they were compelled to seek congressional authorization for a military operation involving tens of thousands of American troops. Their position was confirmed again during an August 1994 speech in which the president stated he "welcomed" the support of congress for an invasion of Haiti and strikes against Bosnia, but added, "Like my predecessors of both parties, I have not agreed that I was constitutionally mandated to get it"" (Fisher 1994).

As credible negotiating partners were lacking in Somalia, Haiti, and Iraq prior to the 1994 midterms, negotiation policies tended to take the form of military actions rather than formal negotiations. Somalia descended further into anarchy after the hurried American withdrawal following the infamous "Blackhawk Down" incident and there no government to negotiate with. The Hussein regime in Iraq had been an international pariah for years and the international community had isolated its ability to project power via UN resolutions, the Oil-for-Food program, and by implementing the northern and southern No-Fly Zones (Mitchell 1996). Meanwhile the administration attempted to promote an internal solution to the situation in Haiti by authorizing a $12 million CIA covert operation to topple the junta leaders by offering funds, communication equipment and weapons to "friendly elements" in the Haitian military (Marly and McGillion 1997).

When the midterm elections were held, the Republicans gained control of both chambers of Congress for the first time in decades. Many Americans lived with stagnant

wages, downsizing companies, and the beginnings of globalization while the unpopularity of President Clinton's healthcare plan reinforced the idea that the federal government was unable to effectively deal with national problems (Abramowitz 1995). So Democrat majorities gave way to Republican ones and fiscal discipline became the mantra of the day.

Though military spending did decrease during President Clinton's first term, it rose again to levels higher than when he'd initially taken office. The Republicans in 1994 cut funding for the State Department, overseas missions, foreign aid and consolidated agencies into others to save money (Schlesinger 1998/1999). With the passage of the Contract with America, the House of Representatives passed legislation that reined in U.N. peacekeeping funding, limited U.S. participation within them, and imposed controls on U.S. contributions to the U.N.'s general funding (Lichenstein 1995). Finally, during the balance budget negotiations of 1997, the assumption going forward was that DOD spending would remain relatively unchanged through 2002, but the combination of Republican majorities, a president being impeached, and advocates in the Joint Chiefs of Staff led to a swift reinstatement of all of the cuts the president had advocated for. As such, the administration that oversaw the onset of decreased military spending in its early years ended with levels higher than when it had begun
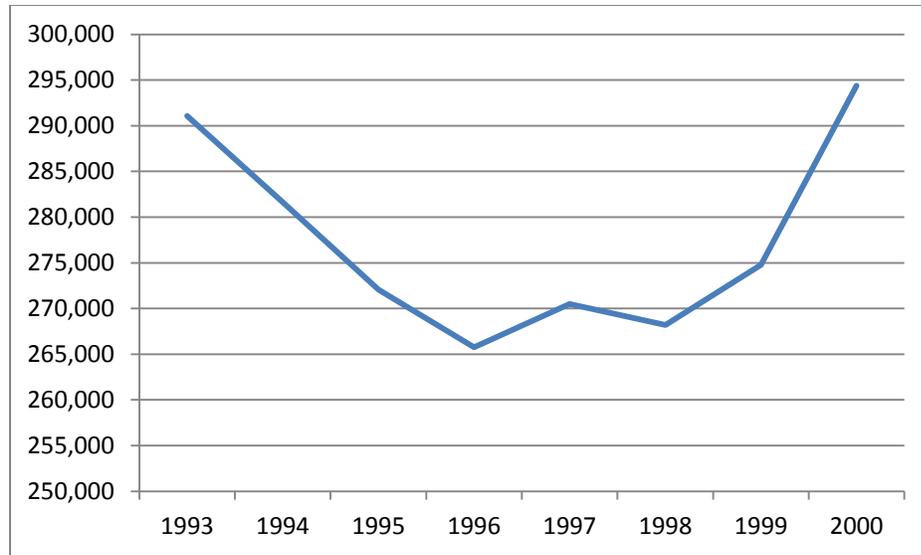
300,000
295,000
290,000
285,000
280,000
275,000
270,000
265,000
260,000
255,000
250,000

1993 1994 1995 1996 1997 1998 1999 2000

Figure 12 – Clinton DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d)

For troop level policies, there are two subjects that are essential for an

understanding of how President Clinton's policies changed after the 1994 midterm

elections: President Clinton became the first president to cite a NATO authorization as

sufficient for him to deploy military force and he declared his intention to overlook limits

placed upon his foreign policy options. Congress had passed a defense appropriation in

1993 instructing defense appropriations should not be expended for a deployment in

support of a peace settlement in Bosnia-Herzegovina unless previously authorized by

Congress (Banks and Straussman 1995). Two years later when the administration wanted

to deploy troops to enforce the Bosnian treaty, the administration produced the Dellinger

memorandum. This memorandum put forward the administration's position *"The*

President, acting without specific statutory authorization, may lawfully introduce United

States ground troops into Bosnia in order to assist North Atlantic Treaty Organization to

ensure compliance with a peace agreement," and concluded he retained "the power to dispose of troops and equipment in such manner and on such duties as best to promote the safety of the country" (Dellinger 1995). Based on this presumption of authority President Clinton ordered the deployment of 22,000 U.S. ground troops to Bosnia (Banks and Straussman 1995).

The Clinton administration then resisted, and even promised to ignore, the clear intention of the sense of Congress in the 1993 defense appropriation. When the intergovernmental negotiations were taking place between members of the congressional delegation and the president's team, President Clinton advised them he would fight or ignore any attempts to interfere with his foreign policy prerogatives (*Ibid*). With this assumed authority, anything short of a direct injunction by congress, impeachment, or the complete withholding of defense appropriations would leave congress with less decision-making capabilities in a European crisis than that of any majority of NATO members. In effect what the administration was saying was that Congress' voice in the Bosnian matter took a back seat to the president's and to European nations'. As noted, the president deployed 22,000 troops to Bosnia in 1994 to enforce the peace agreement which had been reached. He deployed thousands more into Kosovo without fully consulting with or receiving authorization from Congress (Olson 2004) in 1998 with an addition 7,000 more deployed the following year for any peacekeeping mission NATO would maintain after the conflict was over ("Clinton Increases…" 1999). In addition to this, President Clinton launched airstrikes in Iraq in 1996 for sending its troops into the Kurdish areas of northern Iraq (Mitchell 1996), again in 1998 when Iraq declared it would no longer work with UNSCOM inspectors ("Transcript: President Clinton…" 1998), used force in Iraq

over 100 times from 1999-2000 when enforcing the northern and southern no-fly zones (Samples 2011), and fired cruise missiles into Afghanistan and Sudan in response to the attacks on American embassies in Africa ("U.S. Missiles…" 1998).

In conclusion, the behavior of the Clinton administration prior to and in the aftermath of the 1994 midterm elections reflected a belief in the president's authority to handle international affairs without congressional encroachment. President Clinton was just as willing to deploy troops in Somalia and Haiti prior to 1994 as he was to send them to Bosnia and Kosovo after 1994. Spending levels decreased until 1996, but they escalated again based on the policy goals of Republican lawmakers taking advantage of an impeachment-weakened president. Finally, the absence of honest brokers in Somalia, Haiti, the Balkans, and Iraq abetted both the need for American use of force and the lack of substantive peace negotiations with the nations the administration was in conflict with.

2006: Pelosi's "Highest priority as Speaker" and Bush's Double-Down

When the Democrats retook the House and Senate after the 2006 midterm elections, support for the Bush administration's handling of domestic and international issues was in a steep decline. Poll results showed 64% of the public viewed the war in Iraq as the wrong decision (Weisberg 2007) while charges of a Republican "culture of corruption" had wounded them in both the White House and Congress (Best, Ladewig, and Wong 2013). A sluggish response to Hurricane Katrina, high gasoline prices, a struggling economy, the indictment of Republican Majority Leader Tom Delay, and declining job approval ratings for President Bush set the table for the American electorate to treat the 2006 midterm congressional elections as a referendum on the Republican

Party (Shogan 2006, Jacobson 2007). Yet with a divided government consisting of a Democrat congress and a Republican president, we don't see any resulting changes in the war policies of the Bush administration.

We do not see any changes in military spending, troop level, or negotiation policies which the administration did not already want. Prior to the 2006 midterms, Department of Defense spending had almost doubled from 2001 – 2006– ("Historical Tables…" n.d) while, as mentioned in the case of the 2008 election, troop deployments reached over 20,000 in Afghanistan and over 140,000 in Iraq (Belasco 2009). Peace negotiations between the Taliban were a non-starter for both the Bush administration and Afghan President Karzai as well (Dreazen, Gorman and Soloman 2008) while the annual renewal of the UN authorization keeping multinational forces in Iraq precluded any negotiations until the fledgling Iraqi government requested it be renewed one final time in 2007 (Bruno 2008).

Despite the loss of both chambers of Congress and newly-elected Speaker of the House Nancy Pelosi's stated commitment to bringing the Iraq war to an end (Pelosi 2006), there were no drastic changes in the administration's war policies. In January 2007, President Bush announced a surge of 7,000 additional U.S. forces in Iraq in 2007 and another 9,500 in 2008. Troops reached a peak of 157,800 by the time he left office (Belasco 2009) which afforded him the opportunity to credit the surge policy with decreasing violence in Iraq to post-invasion levels (Sky 2011). U.S. troop levels in Afghanistan also increased between 2006 and 2008 by another 10,000 (Belasco 2009) while DOD spending continued to rise throughout his administration, growing at a higher rate of increase following the Republican loss of Congress.
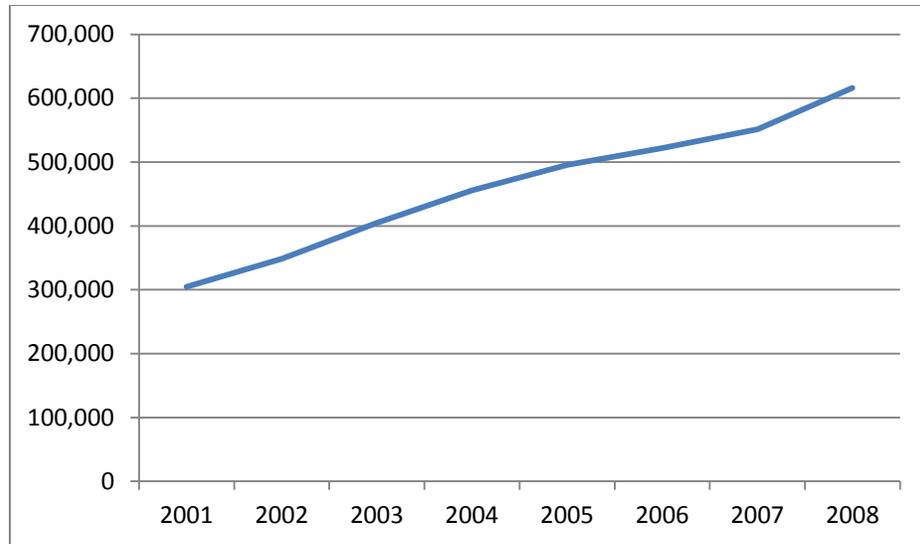
Figure 13 – George W. Bush DOD Spending By Year (In Millions, 2013)

("Historical Tables…" n.d)

As President Obama later said, elections have consequences (Thiessen 2010). So what were the consequences war policy changes in the wake of the 2006 midterm elections? Troop increases continued in Iraq and Afghanistan, military spending increased at a higher rate over President Bush's final two years, and progress in negotiations between the United States and both Iraq and Afghanistan continued along the same course they had since the wars began.

2008: From "Zero Tolerance" to "Hope and Change"

George W. Bush was part of the Bush family dynasty, a staunch social conservative, and was exceedingly than willing to act unilaterally in foreign affairs when he believed the nation's security depended on it. Barack Obama was the son of a Kenyan economics student studying in Hawaii, an openly progressive advocate of social and economic policies, and promised to both realign troop commitments in the war on terror

while reopening dialogue with those countries the Bush administration would not such as Russia and Iran (Lindsay 2011).

After the attacks of September 11, 2001, the Bush administration implemented foreign policy assumptions that advocated a much more aggressive posture on the part of the United States. These assumptions included the need for military dominance to take the fight overseas, reversing the reluctance of previous administrations to respond militarily to terrorist attacks, the need for a new doctrine than that of Cold War deterrence, the destruction of state-supported terrorism, and the occasional, but not essential, assistance of alliances and multilateral organizations (*Ibid*). And with these assumptions in mind, it would become the position of President Bush that Afghanistan was the type of war American had to fight while Iraq was the type of war America *should* fight.

The initial invasions of Iraq and Afghanistan were smaller than many expected, but differing reasons led to these situations. In Afghanistan, the choice was to insert 5,200 troops on the ground and work with existing anti-Taliban groups in the northern part of the country while in Iraq, the initial number of troops quickly reached 130,600 within the first year (Belasco 2009). And though it was much higher, the level of troop commitment in Iraq was lower than the 200,000 U.S. troops which were dispatched during Operation Desert Storm under George Bush, Sr. (Crabb and Mulcahy 1995). This was partially due to resistance from allies such as Turkey in 2003 and partially because hawks like Secretary of Defense Donald Rumsfeld believed Iraqis would be quickly trained to fight alongside coalition forces (Rhem 2003). Under President Bush, troop

levels in Afghanistan and Iraq would ultimately grow enormously to 30,100 and 157,800 respectively (Belasco 2009).

Following the increases during the final years of the Clinton administration, President Bush also continued the growth of DOD spending as American power was projected globally to dissuade aggression by those the administration deemed threats. And contrary to the growth in troops and DOD spending, peace negations in Afghanistan and Iraq they simply didn't occur for years after the wars began. The administration refused to have official dealings with any Taliban representatives; even going so far as responding to an approach to work together by the former Taliban Foreign Minister by simply arresting him (Dreazen, Gorman and Solomon 2008). In Iraq, the UN Security Council passed Resolution 1211 which officially recognized the Coalition Provisional Authority and authorized a multinational force to bring stability to the country until 2007 when Prime Minister Maliki asked the Security Council to extend the mandate for a final time (Bruno 2008).

As the election of 2008 approached, the voters were given the choice between Republican John McCain and Democrat Barack Obama. McCain's candidacy reminded voters of Bush's, even having voted with President Bush about 90% of the time (Baker and Abramowitz 2008). On the other side, there was Senator Obama vowed to remove American forces from Iraq, which he viewed as a distraction from the real war of terrorism which was the Afghan front, and assured the American public that he would respect and restore the federal system of checks and balances (Devins 2009, Jacobsen 2010). When the Status of Forces Agreement (SOFA) between the U.S. and Iraqi governments was signed in 2008, the McCain campaign could no longer utilize "don't cut

and run" as a strategy while the onset of the Great Recession rendered the economy the number one election issue for Republicans, Independents, and Democrats (Jacobsen 2010, Saad 2008).

With the transition from Bush to Obama, there was a shift in policy fundamentals, but not much of a change in the policies themselves. The Bush Doctrine promised, "We will make no distinction between the terrorists who committed these acts and those who harbor them," (Lindsay 2011) while the only-recently defined Obama Doctrine is much less definitive. In a recent press conference in the Philippines, President Obama said his approach, "…avoids errors. You hit singles, you hit doubles; every once in a while we may be able to hit a home run. But we steadily advance the interest of the American people and our partnerships with folks around the world" ("Full Transcript…" 2014). Yet this change in tone from that of "with us or against us" philosophy to one of a more incremental and calculated process belies a change in President Obama's approach to executive war powers that goes beyond Truman's "police action" in Korea, and George W. Bush's self-designation as "the decider," with a more troubling identity as "Executioner-in-Chief" (Friedersdorf 2011).

When Barack Obama assumed the presidency, he did so after a campaign whose context had been set by the Bush administration and within a global struggle whose priorities remained unresolved (Crotty 2009, McCrisken 2011). In December of 2008, there were some 198,000 American troops in Afghanistan and Iraq and President Obama's initial plan called for sending an additional 17,000 troops to Afghanistan; though these numbers were later augmented at the behest of his military commander by another 30,000 troops (Belasco 2009, Jacobson, 2010). The troop levels in Iraq were

allowed to decrease in accordance with the SOFA which had been signed during the Bush administration.

Despite the overall drawdown of U.S. forces from the Middle East, President Obama initiated other military policies which went beyond what had been implemented during the Bush years. The use of drones under President Obama has increased dramatically from 52 strikes under President Bush to 326 in Pakistan alone during Obama's first three years in office (Kelley 2013). "Kill lists" of targets have been personally reviewed by President Obama at his insistence; leading officials to believe President Obama prefers a kill-not-capture method of eliminating terrorist threats (McCrisken 2011). This method has even included the targeting of American citizen Anwar al-Awlaki, a decision President Obama later called, "an easy one" (Becker and Shane 2012). And when his use of targeted strikes became the focus of discussions within the White House, President Obama has even jokingly confessed to aides that he's really good at killing people (Kelley 2013).

The American role in the Libyan civil war to oust Qaddafi also introduced a policy preference which had been absent during the Bush years; again challenging the existing understanding of *constitutionalis bello* as the administration defined conflict for itself in a way that made the War Powers Act non-applicable. As there has been a strong tradition dating back to the Korean War of presidents citing UN resolutions as sufficient to initiate military action, the Obama administration continued the trend in the case of Libya. UN Resolution1973 had been passed by the Security Council and it authorized the U.S. to enforce a no-fly zone over much of Libya to protect civilians ("Security Council Approves…" 2011). When this action was challenged by members of Congress,

a new claim of supplying only "kinetic support" led the administration to deny Congress'

requirement that he seek their authorization to keep American forces in the operation's

support (Savage and Landler 2011). When questioned how the president could continue

a military operation in conflict with the language of the War Powers Act, the

administration contended the military's role only involved "kinetic support" in support of

a UN resolution and that it did not rise to the full definition of "hostilities" the War

Power Act addresses (Wolf 2011). Such a precedent, in light of President Truman's

actions in Korea and President Clinton's in Bosnia, is not only likely to stick, but

according to Fisher it is going to only broaden future presidential actions even more

(Fisher 2012).

Despite his intention to end the wars in Iraq and Afghanistan, DOD spending

levels continued to increase above Bush-era levels for another two years after President

Obama had been sworn in. It was only due to the drastic spending cuts due within

Budget Control Act, or sequestration, cuts viewed to be so draconian that no one would

allow them to happen, that military spending began to decrease for the first time since
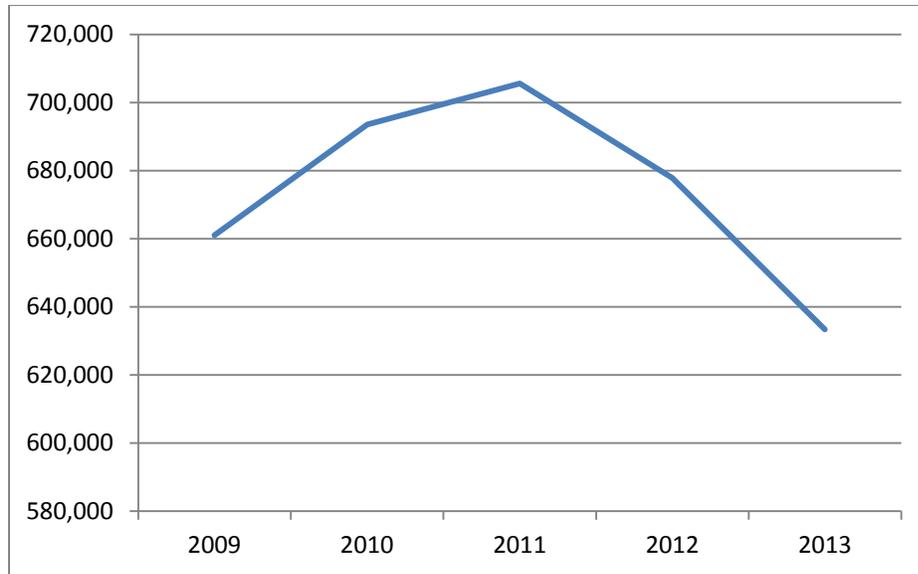
1998.

720,000
700,000
680,000
660,000
640,000
620,000
600,000
580,000

2009 2010 2011 2012 2013

Figure 14 – Obama DOD Spending by Year (In Millions, 2013)

("Historical Tables…" n.d)

Finally, Afghan and Iraqi peace negotiations under the Obama administration continued with poor levels of diplomatic success. Shortly after President Obama's inauguration, the administration quietly joined with NATO allies to begin talks with disparate elements of the insurgent groups within the Afghanistan-Pakistan border region, a step the Bush administration deemed unthinkable (McCrisken 2011). Unfortunately, this step towards reconciliation preceded what has been a meltdown in relations between the U.S. and Afghanistan President Karzai. While work continued on a bilateral security agreement between the U.S. and Afghanistan, drone strikes, nighttime patrols, and innocent casualties of the anti-insurgency campaigns drove President Karzai to publicly excoriate the U.S. and NATO as demanding the freedom to attack the Afghan people at will; motivating him to refuse to sign any bilateral agreements which would allow coalition troops to remain in his country and leaving that responsibility to whomever the

Afghan people elect as their new president (Reichmann and Quinn 2013). In Iraq, President Obama kept his campaign promise to remove American troops from the country in accordance with the SOFA which had been signed during the Bush administration, but a last-minute failure to successfully negotiate a continued U.S. presence led to the abrupt withdrawal of all U.S. forces by the end of 2011 (Kessler 2013).

We do not find fundamental changes in the wake of the transition from the Bush administration to the Obama administration. President Bush left office with American forces heavily involved in Iraq and Afghanistan, but his administration had also negotiated the SOFA with Iraqi President Maliki which set the terms for American withdrawal. Under Bush, military spending was increasing while there were no ongoing talks with members of the Afghan insurgency. President Obama fulfilled his promise to abide by the SOFA and his administration began talks with Afghan insurgents while continuing to hunt them, much to President Karzai's consternation. Military spending reached its highest levels in 2011 and, depending on the outcome of the Afghan presidential elections, American and NATO troops may or may not remain beyond 2014 to assist with training Afghan forces and supporting the government in Kabul.

CHAPTER V

CONCLUSION

Study's Strengths and Weaknesses

As my research employed a qualitative methodology with empirical data as its source, the presence of benefits and shortcomings affecting its efficacy must be highlighted. In choosing to do a qualitative analysis, it enabled me to identify the "whys" of the issues pertaining to elections and wars and allowed for a more diverse discourse through the utilization of a broader collection of cases. The opportunity this provided also created potentially different cases to be compared; such as wars like Korea, Vietnam, Iraq, and Afghanistan where Congress provided formal authorizations being compared to wars like Operation Cyclone which was run through the CIA.

In choosing my cases I utilized election outcomes featuring a definition of high-change that allowed for more cases to be studied at the potential cost of focusing on elections leading to much greater in-party seat changes. I used the measurement of twice the normal level of seat changes (22 House or 5 Senate seats) as high-change elections, whereas using a definition of triple average change or quintuple average change would have focused on much stronger seat changes. Had I used triple the average change (35 House or 7 Senate seats), my cases would have consisted of ten elections (1958, 1964, 1966, 1968, 1974, 1980, 1986, 1994, 2008, 2010) but would have eliminated the Korean War election of 1952 which was the first case of an executive war. Using a definition of high-change meaning five times the average change (59 House or 12 Senate seats), the number of cases available would have consisted of only two elections (1958, 1980) and

would have been of no worth to focus upon. By using twice the average level of election outcome change as a measurement, I was able to focus on sixteen elections across the breadth of the post-WWII period; eight of which featured contemporary wars which could be examined in light of their differing electoral contexts (Abandoned Incumbency, Ideological change, Midterm Shift, and Congressional Blocks).

Suggestion For Future Research

In light of the apparent sabotage the Nixon campaign carried out during the peace negotiations in the fall of 1968 (Anderson 2011), my suggestion for future research would focus on how upcoming national elections in the U.S. or in nations where conflict is ongoing affect the pace of ongoing peace negotiations. As recently as this year, we've seen how former Afghan President Karzai refused to sign the Status of Forces Agreement, preferring to delay the decision for his successor, Ashraf Ghani ("Ghani Seen Moving Quickly…" 2014). Even President Reagan appeared to be willing to drag his feet on negotiations with the Soviet Union about withdrawing their troops until the election of Premier Mikhail Gorbachev in March 1985 (Kuperman 1999).

Conclusion

My research question did not seek to answer *can* wartime elections act as a check upon the president, but *do* they. Declarations of war are effective because they do in fact change the nation from a state of peace to a state of war. But if a nation were to declare war on another one and nothing changes, it would be fitting to question whether such declarations mean anything at all. Similarly, although elections have the capacity to act as a check upon the presidency, the public doesn't appear to use it as one. Opinion polls

do track respondents' attitudes towards ongoing wars, but the public doesn't appear to take those answers into the voting booth with them in order to check the administration's power.

This is not to discount wars as a factor in elections. Its persistence as a featured question in the ANES surveys, the influence it wields upon the campaigns for both in-party and out-party candidates, and existence of casualty tipping points shows that war as an issue has an effect upon election cycles. But though wars are "the true nurse of executive aggrandizement" ("James Madison: Letters of Helvidius…" 1793), voters appear to attenuate their feelings about even unpopular wars in favor of the economy as an issue. Even in cases of wartime elections where the in-party either lost the presidency or significant seats in Congress, subsequent war policies have not reflected those election outcomes. In short, election outcomes such as 1952, 1968, 2006, and 2008, which have been interpreted as demands for the swift end to wars, appear to have been demands that went unfulfilled. When a war-induced "vote the bums out" sentiment has been a prevailing election-year attitude and it preceded significant in-party losses, the aftershocks generated haven't proven themselves to be enough to lead to the dramatic changes on the battlefield a voter might have expected in the wake of significant in-party losses.

Two exceptions to this trend may be 1968 and 2008, but I don't believe they fit into a mold which can be described as an effective check on the presidency due to the changes the followed. Yes, President Nixon did withdraw troops from Vietnam following the election of 1968. But America's preeminent role in the war still carried on until the last American troops left in 1973 and Congress was still funding the South

Vietnamese forces to the tune of $700 million in 1975; some seven years after Lyndon

Johnson left office. 2008 represents a potential exception because President Obama did

follow through with his campaign promise to remove all U.S. troops from Iraq, but this

was in keeping with the Status of Forces Agreement signed during the Bush

administration. In addition, President Obama has continued in the tradition of Presidents

Truman and Clinton in welcoming Congress' approval for military options in Libya,

Yemen, Somalia, Iraq, and Syria, but not believing it is required prior to the utilization of

his already-existing authority ("Transcript: President Obama's Speech…" 2014).

As a result, this research concludes that elections have not been an effective

means of checking the presidency during an unpopular war. For some examples of how

this can be demonstrated, I posit the following responses to such claims. If one were to

contend an unpopular war would end if an incumbent president declined to run for

reelection, the elections of 1952 and 1968 serve as contradicting examples as the wars in

Korea and Vietnam saw their theaters expand; threatening to entangle the regions in what

were previously civil wars executed as proxy wars for the Soviets, Chinese, and

American governments. If one were to contend Congress' power of the purse is

sufficient to stop a wartime president, the election of 1982 demonstrated a president's

willingness to disregard legal prohibitions placed upon him by Congress and the election

of 1974 demonstrated that even an era where Congress' powers are ascending they will

still fund an unpopular war under a presidency is crisis. If one were to contend ideology

was at fault and that a war started under a conservative president would be ended by a

progressive one or vice-versa, the elections of 1980 and 2008 demonstrate that

ideologically opposed successors have not only continued the policies of their

predecessor, but have, in fact, taken them to new levels. Finally, if one were to contend divided government was a means of limiting a president's actions during wartime, the election of 1994 resulted in President Clinton's citing a NATO authorization's sufficiency to deploy military assets while the election of 2006 preceded President Bush's surge policy in Iraq; a policy later emulated by President Obama in Afghanistan. Over the past 62 years, elections have had a poor record of leading to changes in war policies; a reality which doesn't bode well for our republic's balance of powers.

The presidency's emergence as the dominant power within the federal government has not been caused by a single moment of inter-branch encroachment, but rather the presidency's position has shaped the national conversation before it even occurs. Legislative or judicial deference on issues of war have not single-handedly created this situation, but their voluntary submission to the presidency as the tone-setter and the people's expectation that he lead the response to such events as September 11th, Hurricane Katrina, the civil wars in Libya and Syria, and the Great Recession of 2008 have bequeathed to the presidency the position of primary voice of the nation rather than its intended role; that of one who faithfully executes the law and defends the Constitution.

So if elections are not acting as a check upon the presidency and, as demonstrated through previous examples of Congressional and judicial reluctance to impose their authority upon the matter, what, if anything, has led to the abandonment of a seemingly-certain use of executive military action? The case of an impending attack on the Assad regime in Syria may present the answer to that question. During the Obama administration there have been two incidents where American military power has been

deployed into theaters seemingly untouched by the Bush administration: Libya and Syria. Despite Congressional protests, President Obama asserted he was not bound by the War Powers Act to seek their approval for the action as he was simply enacting a no-fly zone. Buffering the president's assertions were public opinion polls confirming at least a majority of Americans supported the administration's efforts to provide some type of assistance to Libyan rebels and civilians in their civil war. Polling by the Washington Post found 56% of respondents favored the U.S. enforcing a no-fly zone over parts of Libya (Cohen 2011) while a CNN poll placed the number closer to 70% (Memoli 2011).

With the use of chemical weapons in Syria, President Obama faced similar protests from Congressional leaders and appeared to be heading in the same direction he had in Libya. But at the last moment, he seems to have relented. Polling could explain why. According to separate opinion polls performed by NBC and Reuters, respondents only supported military intervention, including a no-fly zone, at 42% and 28% respectively (Good 2013). Congress was not only as divided in 2011 as it was in 2013, but in-party Democrats had more seats during the Syrian debate than during the Libyan one following House and Senate gains in 2012. Could it be that the farther the federal government gets from divided powers to consolidated ones, the more democratic the checks upon the president as national representative become? Could it be that institutional checks such as War Powers Resolution are less threatening to an administration than starting a war already under water in the polls?

In recent testimony before the House Judiciary Committee, George Washington University professor and self-professed supporter of many of President Obama's policies Jonathon Turley articulated his case regarding the dangers posed by an inflated

presidency. He warned that reluctance from Congress and the Supreme Court to protect

their constitutionally-granted powers are enabling a presidency routinely violating their

roles. The Supreme Court's reluctance to involve itself in cases addressing the separation

of powers between Congress and the president in cases like *Raines v. Byrd*…for the sake

of separation of powers; likening the situation to reinforcing lines of separation by

refusing to enforce them (Turley 2014). The courts' positions to not take on cases

seeking to decide if non-declared wars nullified Congress' authority has even been

repeatedly confirmed in the cases of *Campbell v. Clinton* and *Kucinich v. Obama* (*Ibid*).

Turley also faulted Congress for its partial abandonment of its power of the purse. In

cases of health care and the Libyan conflict wherein both secured funding by the

president's shifting of billions of dollars and equipment around without needing to ask

Congress for anything (*Ibid*).

 In an environment where presidents feel empowered to go it alone rather than

working with or relying upon the other branches, instances have occurred where a

president has appeared disrespectful towards the other branches. In a February 2002

memorandum, the Bush administration redefined whom the Geneva Convention could be

applied to in the wake of the new paradigm created by the war on terror. This memo

provided the reasoning for the indefinite detentions of enemy combatants at Guantanamo

Bay on the basis of the president's legal counsellors rather than by deliberating with

Congress or seeking judicial review. During his January 2004 State of the Union address,

President Bush said, "America will never seek a permission slip to defend the security of

our country" (Bush July 2004), some ten months after the country had invaded Iraq;

apparently forgetting or ignoring the UN Charter the United States had signed which

declared nations *did* need permission from the UN to attack other UN members such as Iraq ("Charter of the United Nations" 1945).

More recently, President Obama demonstrated executive antipathy towards the legislative and judicial branches in their very presence. In his 2010 State of the Union Address, President Obama voiced solid disagreement with the recent Supreme Court decision in *Citizens United v. FEC* and implored Democrats and Republican in Congress to pass legislation that corrected the situation (Obama 2010). Not only was this an unprecedented move for a president in the television age (Barnes 2010), but it occurred during an occasion where there justices, by tradition, are expected to essentially sit with their hands in their laps and smile; though Justice Alito did mouth the words, "not true" (*Ibid*). During the 2014 State of the Union, President Obama promised the chamber that America doesn't stand still and he won't either (Obama 2014). Standing before the combined members of the House and Senate, the president assured them that "wherever and whenever I can take steps without legislation to expand opportunity for more American families, that's what I'm going to do" (*Ibid*).

Though such statements are hardly new as presidents have a long history of using executive orders to shape domestic policies, the instances of 2010 and 2014 are troubling for three reasons: a sitting president looked the members of co-equal branches in the eyes and implied they were failing their commissions before the whole world, he implied his plan was to go around them to get what he wanted accomplished, and, stunningly, roughly half of the members of Congress in attendance reacted with uproarious applause on both occasions.

In *Federalist 48*, Madison, writing under the name Publius, warned that mere demarcations written on constitutional parchment would not be a sufficient guard against the encroachments leading to the concentration of the powers of government in the same hands (Publius 1 Feb. 1788). In order for such a concentration of power to arise, the powers of the other branches, formerly entrenched behind the "mere demarcations" that created them, would have to be taken or surrendered. Legislative and judicial limitations upon the president's actions are now viewed through the prism of ideology; whereby a victory for one ideology is spun by national ideologues as the right move and a loss is spun as a corruption of the nation. Likewise, as war policies have continued despite the people's power to check the presidency through elections, it may be the case that the people's commission within the constitutional system has been abdicated as well.

As it is the legislature's role to represent the people and pass laws, the judiciary's to interpret laws, and the executive's to enforce laws, I contend it is the people role to be worthy of representation by remaining jealous of their liberties. But our system, having been built upon the desire to see a government "of the people, by the people, and for the people" (Lincoln 2014) is being hamstrung. This is not occurring at the hands of a dictator, but through the *majestification* of a presidency designed to be dependent upon others for things to do; be it Congress giving it laws to carry out or external aggressors providing it the opportunity to carry out its mission to defend the country. This majestic presidency, through its bureaucratic expansion, has assumed the role of a national guarantor of harmony with many looking to it as the source of law, fairness, vision, jobs, healthcare, bailouts, security, identity, and relief in the wake of acts of God. But this latitude, so far, has chiefly been granted as long as the economy is doing well. The

people's commission of being worthy of representation appears to be suffering the same fate Madison described as occurring when a group's powers are given away. As the people and both the legislative and judicial branches have seemingly lost their ambition to resist encroachment upon their powers, "…ambition must be made to counteract ambition" (Publius 6 Feb. 1788).

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