



The Fellows Review

2016 - 2017



CSPC

The Fellows Review

SELECTED PAPERS
OF THE
2016-2017 FELLOWS PROGRAM

CENTER FOR THE STUDY OF THE PRESIDENCY & CONGRESS

Editors

JEFF SHAFFER & ERICA NGOENHA

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The Fellows Review: 2016-2017

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Table of Contents

Foreword	i
Glenn C. Nye III, President & CEO	

Sponsored Fellows	ii
-------------------	----

Part One: Campaigns, Candidates, and Elections

"Practice or Procedure: An Analysis of the Impact of Georgia's Voter Registration Procedures on the Composition of the Electorate, 2013-2016"	2
Madeline Brown – <i>Emory University</i>	
"So the President Walks into a Bar"	24
Page Forrest – <i>Sewanee: The University of the South</i>	
"When Hostility Takes Over: Sexism in the 2016 Presidential Election"	38
April Gutmann – <i>University of Virginia</i>	
"Political Participation in the Arctic: How Differences in Alaskan and Canadian Arctic Governance Structures Influence Native Voter Turnout"	66
Frederick Scott – <i>United States Coast Guard Academy</i>	
"Patronage to Payoffs: Evaluating the Pendleton Act's Intent and Effect on the American Campaign Finance System, 1883-1896"	95
Emily Sharp-O'Connor – <i>University at Buffalo</i>	
"Trump Compared to the Other Candidates in the Fight for the 2016 Republican Nomination"	105
Jill Eder Steinman – <i>Harvard University</i>	
"Institutional Impacts on Voter Turnout: Analyzing the Effect of Nominating Contest Type on Voter Turnout in the United States"	128
Jacob Wirz – <i>United States Naval Academy</i>	

Part Two: Presidential & Congressional Politics

"The Effects Of Hyper-Polarization On Presidential Decision Making"	157
Timothy Becker – <i>United States Military Academy at West Point</i>	
"Shattered Consensus: The Evolution of Senate Advice and Consent for International Environmental Agreements"	171
Ken-Ben Chao – <i>Stanford University</i>	
"The Effects of Presidential Rhetoric on Stock Market Prices"	195
Christian Garcia – <i>Angelo State University</i>	

Part Three: Domestic Policy

- "Public Opinion, Interest Groups, and the Federal Minimum Wage" 222
Samantha Adams – *The University of Tennessee at Chattanooga*
- "Development of the Strategic Petroleum Reserve: Influences on American Energy Politics, 1971 - Present" 248
Ryan Cross – *Southern Methodist University*
- "Should the NEA be Abolished? Historical Analysis and Prediction of Art Policy in the United States from Reagan to Trump" 261
Tatsuhiko Shinagawa – *Waseda University*
- "Political Polarization and Healthcare for Children with Medical Complexity" 281
Hannah Todd – *Rice University*
- "The Effects of the Supplemental Nutrition Assistance Program on Obesity, Health, and the Economy" 311
Raeanna Wohlfarth – *Robert Morris University*

Part Four: Foreign Policy

- "Fighting a Hidden Battle for the South China Sea: Russia's Strategic Agenda for Participating in the South China Sea Disputes" 328
Justin M. Bader – *Massachusetts Institute Of Technology*
- "Counterterrorism in the 21st Century: An Analysis of Targeted Sanctions between 1994 and 2016" 345
Rachel Ball-Jones – *University Of Toronto*
- "Public Opinion and Government Perceptions of the United States within China" 367
Rebecca Cotton – *United States Coast Guard Academy*
- "President Obama's National Security Council: Does the National Security Advisor Make the Difference?" 392
Rachel Haskins – *Gettysburg College*
- "Increasing Congressional Drone Oversight: A Background Discussion and Policy Analysis" 410
Christopher J. McCann – *The George Washington University*
- "Policy-Making and the National Security Council: Does Kingdon's Policy Streams Model Fit?" 424
Timothy B. McLaughlin, Jr. – *United States Military Academy at West Point*

FOREWORD

I am consistently amazed by the intelligence, commitment, and creativity of the talented students who participate in our Fellows Program each academic year. Established in 1970, the Fellows Program attracts some of the nation's brightest minds and fosters their interest in public service. Students attend two leadership conferences in Washington, D.C. in the fall and spring where they engage with distinguished scholars, government officials, and policy experts. This program encourages Fellows to examine some of today's most pressing challenges and then explore innovative solutions. The research papers presented in the succeeding pages represent a year of dedication put forth by our fellows.

This review includes twenty case studies covering a range of topics from presidential elections to national security threats. The Center annually recognizes four fellows for their exceptional research. The 2016-2017 awardees were Ms. Jill Steinman (Harvard University), Mr. Timothy Becker (U.S. Military Academy at West Point), Ms. Rachel Haskins (Gettysburg College), and Ms. Rachel Ball-Jones (University of Toronto). In her paper titled, "Trump Compared to the Other Candidates in the Fight for the 2016 Republican Nomination," Ms. Steinman evaluated Trump's policy proposals against his competitors in the primary election. Mr. Becker examined how presidents utilize their power in periods of heightened political polarization in his paper, "The Effects of Hyper-Polarization on Presidential Decision Making." Ms. Haskins explored the legacies of Obama's three National Security Advisors in her paper entitled, "President Obama's National Security Council: Does the National Security Advisor Make the Difference?" Finally, Ms. Ball-Jones analyzed targeted sanctions against terrorist organizations throughout the Clinton, Bush, and Obama administrations in a paper entitled, "Counterterrorism in the 21st Century: An Analysis of Targeted Sanctions between 1994 and 2016."

In the pages that follow, these fellows exhibit their passion and expertise across a breadth of topics. Whether you deepen your knowledge on a certain issue, explore a unique perspective, or simply learn something new, I hope that you enjoy the 2016-2017 *Fellows Review* as much as I do.

Glenn C. Nye III
President & CEO
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Part 1

Campaigns,
Candidates,
& Elections

**PRACTICE OR PROCEDURE:
AN ANALYSIS OF THE IMPACT OF GEORGIA'S
VOTER REGISTRATION PROCEDURES ON THE
COMPOSITION OF THE ELECTORATE, 2013-2016**

MADELINE BROWN
Emory University

The 1965 Voting Rights Act prohibited practices and procedures that discriminated on the basis of race, color, or membership in one of the outlined language minority groups. The 2013 Shelby County v. Holder Supreme Court decision nullified Section 4 of the Voting Rights Act, eliminating federal preclearance in places that had a history of voter suppression. In 2016 the Georgia Secretary of State's office was sued for utilizing a registration process that rejected minority applicants at disproportionate levels. This study analyzes the entire cancelled voter data set from 2013-2016 that was produced by the Secretary of State's office during the litigation. I find that additional cancellation reasons in the data set, beyond the one at the center of the suit, "Not Verified," contain skewed racial distributions.

INTRODUCTION

The Voting Rights Act was passed by Congress and signed into law by President Johnson in 1965. Section 2 of the Act prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in one of the outlined language minority groups.¹ Despite this clear reference to practices rather than laws, the majority of political participation theory and electoral reform literature focuses on laws, while

¹ "Voting Rights Act of 1965" (PL 89-110, 6 August 1965), 79 *United States Statutes at Large*, pp. 437-446. Available from <http://www.gpo.gov/fdsys/pkg/STATUTE-79/pdf/STATUTE-79-Pg437.pdf>; Accessed 2/22/2017.

the impact of registration procedures has gone largely unstudied. I here define registration procedures as the steps that a voter registration application goes through between the point at which it gets submitted and when the voter becomes active on the rolls. Registration procedures are usually policies or protocols, rather than statutes, and can vary not only across states, but also across counties within states.

Many states, including Georgia, still employ practices that have the effect of disenfranchising voters. Georgia is one of 13 states where people of color make up more than 40 percent (44.1%) of the population, and has a growing New American Majority (NAM) population. The NAM is used to refer to people of color, youth between the ages of 18-29 years, and unmarried women. According to the New Georgia Project, a non-partisan non-profit, “The NAM makes up about 62% of the voting age population in Georgia, but they are only 53% of registered voters.”²

Further, the Secretary of State in Georgia, Brian Kemp, has been sued four times by different voting rights groups in 2016 on issues surrounding voter registration procedures. Recent data published as a result of one of those law suits show that of the 34,874 voter registrations that were rejected due to verification reasons in Georgia between 2013 and 2016, 63.6% of them were applications of black voters and only 13.6% were of white voters.³ This study focuses on the other 22 reasons for rejection or cancellation in the given data set and aims to answer the

²“Who We Are,” *The New Georgia Project*, accessed October 5, 2016, <http://newgeorgiaproject.org/about/>.

³“Voting Rights Advocates File Lawsuit Challenging Georgia’s Restrictive Exact-Match Voter Registration Verification Scheme,” *The Campaign Legal Center*, accessed November 2, 2016, <http://www.campaignlegalcenter.org/news/press-releases/voting-rights-advocates-file-lawsuit-challenging-georgia-s-restrictive-exact>.

question, what impact do the discretionary processes of voter registration have on the composition of the electorate in Georgia?

LITERATURE REVIEW

BALLOT CASTING VS. REGISTRATION FORMS

As articulated above, a large amount of attention has been paid to electoral laws in the literature. In general, findings suggest that variations in electoral laws influence turnout rates, but there is less agreement as to whether or not reforms can help equalize the electorate in terms of race, socioeconomic class, age, ability, and gender.⁴ Studying the impact of electoral reforms and policies across different demographics is important, however, because foundational theories of voting and participation such

⁴ Rosenstone, S.J. and Wolfinger, R.E. "The Effect of Registration Laws on Voter Turnout." *American Political Science Review* 72, no.1 (1978): 22–45.
 Rigby, Elizabeth and Melanie Springer. "Does Electoral Reform Increase (or Decrease) Political Equality?" *Political Research Quarterly* 64, no.2 (2011): 420-434.
 Vonnahme, Greg. "Registration Deadlines and Turnout in Context." *Political Behavior* 34, no.4 (2012): 765-779.
 Hajnal, Zoltan, Nazita Lajevardi and Lindsay Nielson. "Voter Identification Laws and the Suppression of Minority Votes." *Working Paper, UC San Diego*, 2016. <http://pages.ucsd.edu/~zhajnal/page5/documents/voterIDhajnaletal.pdf>.
 Washington, D.C.: Brookings Institution, 1999. 427-459. Print.
 Alvarez, R. Michael, Stephen Ansolabehere and Catherine H. Wilson. "Election Day Voter Registration in the United States: How One-Step Voting Can Change the Composition of the American Electorate." Working paper, *Caltech/MIT Voting Technology Project*, 2002: 8. <http://vote.caltech.edu/working-papers/5>.
 Ansolabehere, Stephen and David Konisky. "The Introduction of Voter Registration and its Effect on Turnout." *Political Analysis* 14, no.1 (2006): 83–100.
 Burden, Barry C., David T. Canon, Kenneth R. Mayer, and Donald P. Moynihan. "Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform." *American Journal of Political Science* 58, no.1 (2014): 95-109.
 Gronke, Paul, Eva Galanes-Rosenbaum, and Peter A. Miller. "Early Voting and Turnout." *PS: Political Science and Politics* 40, no. 4 (2007): 639-44. *American Political Science Association*, Oct. 2007.

as Downs' economic theory of democracy and the findings of Verba, Schlozman, and Brady suggest that demographic variables such as age, education, race, and income affect costs brought upon voters by the electoral system as well as the ability of a voter to absorb additional costs.⁵

Electoral laws can be divided into those having to do with actually casting a ballot and those having to do with registering to vote and staying on the rolls. Though this paper will focus on issues of registration, it is important to give a brief review of the literature on those laws that impact casting a vote because many of the empirical findings help inform our theory and hypothesis. The most commonly studied ballot-casting laws include vote-by-mail (VBM), precinct polling place changes, voter ID laws, and early voting. In general, scholars have found little evidence that ballot-casting reforms are able to help equalize either the registered electorate or the composition of those who actually turnout—namely the composition of the electorate that actively votes.

Early voting as a solitary reform has been found to decrease overall turnout, though these observations do not necessarily affect all demographics equally and same day and Election Day registration (EDR)

⁵ Downs, Anthony. *An Economic Theory of Democracy*. New York: Harper and Row, 1957.

Schlozman, Kay Lehman, Sidney Verba, and Henry E. Brady. "Civic Participation and the Equality Problem." *Civic Engagement in American Democracy*. Edited. Theda Skocpol and Morris P. Fiorina. Washington, D.C.: Brookings Institution, 1999. 427-459. Print.

Alvarez, R. Michael, Stephen Ansolabehere and Catherine H. Wilson. "Election Day Voter Registration in the United States: How One-Step Voting Can Change the Composition of the American Electorate." Working paper, *Caltech/MIT Voting Technology Project*, 2002: 8. <http://vote.caltech.edu/working-papers/5>.

have been found to reverse these effects.⁶ Scholars who find early voting has a negligible impact on turnout note that though there is a shift towards early voting, it represents a shift in when people are voting, not who is voting.⁷ Whatever the exact cause—it is different state to state—higher early voting rates correlate with lower overall turnout.⁸

Scholars have found that voter ID laws have little impact on overall turnout.⁹ As monitoring in Georgia and other southern states has increased following the Supreme Court decision of *Shelby County v. Holder* in 2013, which essentially nullified Section 5 of the Voting Rights Act, scholars have failed to demonstrate any sort of consistent negative impact of new voter ID laws on minority voters.¹⁰ Section 5

⁶ Burden, Barry C., David T. Canon, Kenneth R. Mayer, and Donald P. Moynihan. "Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform." *American Journal of Political Science* 58, no.1 (2014): 97, 107. Rigby, Elizabeth and Melanie Springer. "Does Electoral Reform Increase (or Decrease) Political Equality?" *Political Research Quarterly* 64, no.2 (2011): 432.

⁷ Badertscher, Nancy. "Early Voting Grows in Popularity." *Politifact. Atlanta Journal-Constitution*, June 2014. <http://www.politifact.com/georgia/statements/2014/jun/04/brian-kemp/early-voting-grows-popularity/> (November 2, 2016).

Burden, Barry C., David T. Canon, Kenneth R. Mayer, and Donald P. Moynihan. "Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform." *American Journal of Political Science* 58, no.1 (2014): 96.

⁸ *Ibid*, 99.

⁹ Cohn, Nate. "Why Voter ID Laws Don't Swing Many Elections." *The New York Times*, Nov. 19, 2014. <http://www.nytimes.com/2014/11/20/upshot/why-voter-id-laws-dont-swing-many-elections.html> (November 2, 2016).

Ansolabehere, Stephen. "Effects of Identification Requirements on Voting: Evidence from the Experiences of Voters on Election Day." *PS: Political Science & Politics* 42, no.1 (2009): 127–130.

Mycoff, J. D., Wagner, M. W., & Wilson, D. C. "The Empirical Effects of Voter-ID Laws: Present or Absent?" *PS: Political Science & Politics* 42, no.1 (2009): 121-126. Vercellotti, Timothy and David Andersen. "Voter-Identification Requirements and the Learning Curve." *PS: Political Science and Politics* 42, no.1 (2009): 117-120.

¹⁰ Rocha, Rene R. and Tetsuya Matsubayashi. "The Politics of Race and Voter ID Laws in the States: The Return of Jim Crow?" *Political Research Quarterly* 67, no.3 (2014): 666-679.

required places with a history of minority disenfranchisement to undergo preclearance from the Justice Department any time they wanted to change an electoral law. Following the 2013 decision, many southern states such as Texas and North Carolina implemented voter ID laws. The timing of these new voter ID laws all at once following the *Shelby* decision seemed suspect to many voting rights activists, and discriminatory intentions on behalf of North Carolina legislators have even been demonstrated.¹¹ The empirical data, however, remains inconclusive.

Voter ID laws, especially after their proliferation following *Shelby*, were the initial focus of many voting rights activists and scholars. But having not had the expected impact in turnout, it becomes necessary to turn to other parts of the process—namely registration. As is evident by this brief review, ballot-casting reforms do not always have the intended consequence of increasing turnout or diminishing disproportions amongst the electorate. Registration reforms on the other hand have created some more significant changes in the electorate.

In their important work, Wolfinger and Rosenstone found that voter registration practices and laws, including length of the pre-election closing period and extent to which election offices are open in evenings and during weekends to register, all had some effect on turnout.¹² They found that a registration deadline had the greatest impact on turnout and that the impact of the deadline was even greater for voters with less

Gillespie, Andra. “Voter Identification and Black Voter Turnout An Examination of Black Voter Turnout Patterns in Georgia, 2000-2014.” *Phylon* 52, no.2 (2014): 43-67.

¹¹ See [North Carolina State Conference of the NAACP v. McCrory](#), 11

¹² Wolfinger and Rosenstone. *Who votes?*. New Haven: Yale University Press, 1980. Print.

education attainment.¹³ Jackson, Brown and Wright also found that registration deadlines present a greater barrier to the poor than to the rich as well as to the less educated than to the highly educated.¹⁴

So why is it that differences in registration laws seem to have more of an effect on turnout (and especially underrepresented turnout) than ballot-casting laws? One possible answer comes from Rigby and Springer: that the extent to which any reform can be expected to equalize participation rates between the rich and poor depends on the level of preexisting bias in the state's registration rolls (2011). They argue that registration-based reforms can only have an equalizing effect on voting if there is something to equalize (if more wealthy than poor people are registered), and that reforms that make it easier for voters to vote (ballot-casting) will only benefit those who are *already* registered.¹⁵ In other words, it is not that registration reforms are increasing turnout directly, but they are expanding the electorate (number of registered voters), which is in turn increasing the number of people who actually go vote. They continue that if registration rolls are skewed by income, then registration reforms have a greater possibility to change the electorate, while voting-focused (or ballot-casting, in this context) reforms might either have a null effect or else actually exacerbate existing inequalities in the electorate by making it easier for those already engaged in the system to vote.¹⁶

¹³ Ibid.

¹⁴ Jackson, Robert A., Robert D. Brown, and Gerald C. Wright. "Registration, Turnout, and the Electoral Representativeness of U.S. State Electorates." *American Politics Quarterly* 26, no.3 (1998): 268.

¹⁵ Ibid, 421.

¹⁶ Ibid, 421.

Based on empirical findings and theory, I theorize that registration practices have the greatest potential to equalize the electorate (make it more representative of the population) because registration reforms have the capacity to bring new people into the rolls while ballot-casting reforms only affect those who are already registered. Due to the pivotal role registration plays in the composition of the electorate, registration laws and procedures also have the potential to further stratify the electorate; recall that Wolfinger and Rosenstone found that a registration deadline had the highest depressing impact on turnout and that that impact was even greater for voters with less educational attainment.¹⁷ As scholars have noted, in the United States, “registration is often more difficult than voting.”¹⁸

Scholars have studied registration’s potential to depress turnout. In 1989 Mark Quinlivan noted, “Registration laws in the United States historically have denied qualified voters equal access to the ballot.”¹⁹ Studies on registration deadlines have also found that they can have a negative direct and indirect effect on turnout.²⁰ Scholars focusing on the stratifying implications of education noted, “The less educated act much more like the better educated, once they have crossed the crucial barrier

¹⁷ Wolfinger and Rosenstone. *Who votes?*.

¹⁸ Quinlivan, Mark Thomas. “One Person, One Vote Revisited: The Impending Necessity of Judicial Intervention in the Realm of Voter Registration.” *University of Pennsylvania Law Review* 137, no.6 (1989): 2376.

¹⁹ *Ibid*, 2365.

²⁰ Vonnahme, Greg. “Registration Deadlines and Turnout in Context.” *Political Behavior* 34, no.4 (2012): 765-779.

Mitchell, G., & Wlezien, C. 1995. “The Impact of Legal Constraints on Voter Registration, Turnout, and the Composition of the American Electorate.” *Political Behavior* 17 (2): 179–202.

of registration.”²¹ Highton also found that in states with EDR, the gap in turnout between the most and least educated was 30 percentage points, while in states without EDR it was even more, 41 percentage points.²²

In the same study, however, Highton also noted that registration requirements “do not appear to be the main reason for the socioeconomic skew of American voters.”²³ And in general, there is not consensus, even with regards to registration, that more liberalized *laws* can actually equalize the electorate. Regarding the composition of the electorate, Rosenstone and Wolfinger in 1978 found that even the most liberal set of voter registration laws as measured by a range of laws including the allowance of deputy registrars, longer business hours of registration offices (including weekends), and absentee registration was unlikely to change the composition of the electorate in any meaningful way.²⁴ I here theorize that the issue might be greater than just the laws.

PROCEDURE AS A TOOL FOR MINORITY DISENFRANCHISEMENT

The literature has spent very little time focusing on the impact of the discretion of local registrars, but especially given the theoretical background of Rigby and Springer and the history of voter disenfranchisement in the United States, it seems this subtle aspect may

²¹ Squire, Peverill, Raymond E. Wolfinger and David P. Glass. “Residential Mobility and Voter Turnout.” *American Political Science Review* 81, no.1 (1987): 45-66.

²² Highton, Benjamin. Easy registration and voter turnout. *Journal of Politics*, 59, no.2 (1997), 569-70.

²³ *Ibid*, 573.

²⁴ Rosenstone, S.J. and Wolfinger, R.E. “The Effect of Registration Laws on Voter Turnout.” *American Political Science Review* 72, no.1 (1978): 22–45.

be crucial. Quinlivan, one of few scholars who even mentions the issue of registrar discretion, noted briefly that, “the discretionary power granted to local registrars often serves to impede registration rather than further it.”²⁵ He continues to argue that the key disenfranchising feature of many registration laws at the turn of the 20th century in the United States was not the law itself, but rather the discretionary power of the registrar to enforce the laws. This small side note represents a large pocket of the literature that needs further development.

America has a history of minority disenfranchisement through the use of poll taxes, literacy and American history tests, voter registration regulations, intimidation techniques, and at times direct denial of entrance to the polls.²⁶ Barriers such as these have been used to disenfranchise because they were administered in such a way that targeted minorities. For example, literacy tests were applied differently to black and white voters as a way of preventing blacks from gaining political power.²⁷

It is this history that prompted Congress to pass the Voting Rights Act (VRA) in 1965, aimed specifically to overcome the legal and institutional barriers at the state and local levels that prevented black Americans from exercising their right to vote. The criteria for Section 4 of the Act were originally that the location maintained a “test or device”

²⁵ Quinlivan, Mark Thomas. “One Person, One Vote Revisited: The Impending Necessity of Judicial Intervention in the Realm of Voter Registration.” *University of Pennsylvania Law Review* 137, no.6 (1989): 2365.

²⁶ Atkeson, Lonna Rae, Lisa Ann Bryant, Thad E. Hall, Kyle L. Saunders and R. Michael Alvarez. 2010. “A new barrier to participation: Heterogeneous application of voter identification policies.” *Electoral Studies* 29, no.1 (2010): 66.

²⁷ Keyssar, Alexander. *The Right to Vote: The Contested History of Democracy in the United States*. New York: Basic Books, 2009. Print.

that restricted the opportunity to register and vote and additionally that less than 50 percent of the voting age population had to have voted in the November 1964 election.²⁸ Many of these tests and devices were administered specifically to target black voters, and the VRA was an attempt to stop this behavior, at least in the law. The entire state of Georgia was put under preclearance.

Contemporarily, scholars have found that voter ID laws have been administered at the local level to target minorities, suggesting the high level of impact discretionary power can have. Studying the implementation of the new Voter ID law, Atkeson, Bryant, Hall, Saunders and Alvarez (2010) found that in New Mexico in 2006, Hispanic and male voters were more likely to be asked to show some form of identification than non-Hispanic and female voters.²⁹

Allowing discretion on the part of county registrars creates a situation that is vulnerable to the kinds of discriminatory abuses of power the United States has seen many times in its history. This could lead to a further stratified and unrepresentative electorate and a continuation of minority disenfranchisement. On a more long-term sense, continued exclusion from political systems can cause the excluded group to have less confidence in elections and the government generally, have a lower sense of efficacy and experience a perceived lack of power or role in

²⁸ “Section 4 of the Voting Rights Act.” *The United State Department of Justice*, August 8, 2015.

²⁹ Atkeson, Lonna Rae, Lisa Ann Bryant, Thad E. Hall, Kyle L. Saunders and R. Michael Alvarez. 2010. “A new barrier to participation: Heterogeneous application of voter identification policies.” *Electoral Studies* 29, no.1 (2010): 66.

society.³⁰ Registrars are, after all, agents of the state. They are “street level bureaucrats” and as such are uniquely positioned to have the greatest impact, along with poll workers, on voter confidence and supporting or undermining state policy.³¹

Electoral history of the United States also informs us that when given discretionary power, local elections officers have in many cases abused such power to disenfranchise minority voters. This has been attributed in part to racial bias and in part to concerns of maintaining power: there is a general belief that efforts to ease the costs of voting will advantage the Democratic Party.³² In their study of electoral reforms passed following the 2000 general election, Bali and Silver found that a higher percentage of blacks in a state related to a greater likelihood of adopting tighter registration laws, and that the effect is compounded when Republicans are in control of the state’s government.³³

It seems likely that the apparent lack of focus on administration and registration procedures within the empirical literature is due to the difficulty of measuring and tracking policy implementation. One can

³⁰ Atkeson, Lonna Rae, Lisa Ann Bryant, Thad E. Hall, Kyle L. Saunders and R. Michael Alvarez. 2010. “A new barrier to participation: Heterogeneous application of voter identification policies.” *Electoral Studies* 29, no.1 (2010): 68.

Gaventa, John. *Power and Powerlessness: quiescence and rebellion in an Appalachian valley*. Urbana: University of Illinois Press, 1980. Print.

³¹ Hall, Thad, J. Quin Monson and Kelly D. Patterson. “Poll workers and the vitality of democracy: an early assessment.” *PS: Political Science & Politics*, 40, no.4 (2007): 647–654; Brehm, John and Scott Gates. *Working, Shirking, and Sabotage: Bureaucratic Response to a Democratic Public*. Ann Arbor: University of Michigan Press, 1997. Print.

³² Berinsky, Adam, Nancy Burns and Michael W. Traugott. “Who Votes by Mail?: A Dynamic Model of Individual-Level Consequences of Voting-by-Mail Systems.” *Public Opinion Quarterly* 65, no.2 (2001): 185.

³³ Bali, Valentina A. and Brian D. Silver. “Politics, Race, and American State Electoral Reforms after Election 2000.” *State Politics & Policy Quarterly* 6, no.1 (2006): 32.

track fairly simply when a law was passed and subsequent changes in turnout across time and demographics. Much more difficult is the task of tracking and coding how laws are actually being applied. But the recent set of data published through the lawsuit offers a unique glimpse into Georgia's registration process.

REGISTRATION PROCESS IN GEORGIA

In order to make the most sense out of the data, it is helpful to first have a general understanding of the process of voter registration in Georgia. This information comes directly from a series of interviews with the elections personnel at the Secretary of State's (SOS) Offices, conducted in February of 2017. There are three main ways to register in Georgia: online with a GA driver's license or state-issued ID, with a paper form, or at driver services (DDS) when getting a license, or changing your name or address. The online process asks applicants to populate their own information and then sends it directly to DDS in an overnight verification process. With a paper form, each county has to manually type in the information on the form, but afterwards it goes through the same overnight DDS verification process.

If DDS cannot verify the information it will send the county an alert, which will prompt the county's system to contact the applicant, asking for whatever piece of information is missing. At this point, the application is pending, and if the voter does not respond within thirty days or the information they provide does not clear up the issue, the application is cancelled. If the applicant supplied a social security number

rather than a Georgia ID, DDS will forward that application to the social security administration to be verified.

If the application comes directly through DDS, the information has already been verified against their system and goes directly to the county so that they can send the voter a precinct card. It is each county's responsibility to send verification request forms and precinct cards to their voters, as well as maintain the online voter roll system. When asked more detailed questions, about the process of sending information request letters out to voters for example, the Secretary of State representative deferred to the counties and said "I would strongly go based on the information you receive from registrars." But if each registrar is able to conduct the process in a slightly different way—and her response indicates that they are—then that paves the way for ambiguities and discrepancies in how the registration process is administered.

HYPOTHESIS

I expect the data to show that there is a certain level of discretion in the registration rejections, demonstrated by the fact that minorities are more likely to be rejected for certain reasons and whites for others. The dataset I am using, which will be explained further in the data and methods section, tracks every individual who applied to register to vote in Georgia between July 2013 and July 2016, and was rejected. It includes both the reason for rejection and the status of the application—either rejected, canceled, or pending. As such I hypothesize that certain reason codes are used disproportionately for different races, supported by the history of facially neutral but discriminatory election laws in the

United States and specifically implemented by the Georgia SOS office. This is important because the reasons should otherwise have even or at least predictable racial distributions based on other factors (immigration, for example). The theory behind this hypothesis is that if the process is what is causing discrepancies in the electorate, then there should be irregularities in how forms get processed.

DATA AND METHODS

I will test my hypotheses using a combination of quantitative data and interviews, which I have already referenced. The data for the dependent variable comes from a lawsuit filed against the Secretary of State in September of 2016 by a coalition led by the Lawyers' Committee for Civil Rights Under Law (Lawyers' Committee) and includes information on each individual removed from the voter rolls or rejected between July 2013-July 2016. The suit claimed that the exact match system used to verify voter's identity against the Social Security Administration (SSN) and the Department of Drivers' Services (DDS) disproportionately affected black, Latino and Asian American applicants. My unit of analysis is each rejected individual for the entire 3-year span. In total there are 646,332 observations, each representing a specific individual. My independent variable is the race of the individual, and my dependent variable is the reason code for rejection. I will be using a combination of cross-tabulations and multinomial logit regressions to test for patterns and significance.

Table 1 shows the percentage of each race group made up by each reason—each column, in other words, adds up to 100%. Also, in Table 1

American Indian/Alaska Native, Unknown and Other all combined into one “Other” race group. This table clearly shows that the same nine reasons made up the vast majority of rejections for all races. It also demonstrates that there are some clear differences in the frequency of each rejection type for different races. For example, more than 1 in 10 of all blacks that were rejected were rejected due to being a Felon, whereas that falls to 1 out of 25 for whites.³⁴ Table 1 allowed me to select the reasons upon which I ran regressions, which are all highlighted in the table. These reasons were chosen for the large percentage of each race group for which they accumulatively account.

I ran a logit regression using each of these nine reasons separately as binary dependent variables. Race groups were the primary independent variables but I also included control variables for gender, age, and the urban/rural index of the county of origin. The values for age and gender came directly from the dataset, and the urban/rural codes were indexed on a 1-9 scale, with nine being the most rural. The index comes from the US Department of Agriculture’s Economic Research Service.

ANALYSIS

Using the nine previously identified reasons I ran logit regressions with gender, age, and the urban/rural code of the county as controls. I condensed the race groups into those of the CDC Wonder data for significance purposes, which left White not Hispanic, Asian/Pacific

³⁴ In 2016, 42.6% of inmates admitted into Georgia prisons were white, 54% were black, 2.4% were Hispanic, and 0.4% were Asian. Of the 50,542 total active inmates in 2016, 62% were black, 33% were white, 4% were Hispanic and 0.3% were Asian (GA DOC 2017 a; b).

Islander, Black not Hispanic, Hispanic and Other. The CDC Wonder data is population based data similar to what the Census Bureau produces, but it is bridged-race, meaning that only one race is given to each individual. This helps make the data more whole as it eliminates “other” and “unknown” categories. Each rejection reason was run separately as a dummy dependent variable. In the gender variable, a positive coefficient means that women were more likely than men to be rejected for that given reason. The age variable is broken into age groups, so the coefficient correlates with an increase of 1 age group. I split the age groups into the following categories, which are the same as those used by the Census Bureau: 0-17, 18-24, 25-34, 35-44, 45-54, 55-64, 65-74, 75-84, 85+.

Table 2 shows the results of the logit regression as well as the logit regression with the odds ratios. As indicated by the asterisks, many of these findings were significant at the .05-level and nearly all were significant at least at the .10-level. Given that this is essentially a one-tailed test with a direction, measuring if a group is more likely than whites to be given any reason, a finding significant at the .10-level does not need to be disregarded. That said, it is somewhat of a null issue given that only 4 coefficients in the whole table are not significant at the .05-level (Black-Deceased, A/PI-Duplicate, Other-Hearing, Female-DDS Verification), two of which are not significant at all.

Every race group but blacks was significantly less likely to be canceled due to being deceased than whites. Blacks were 1% more likely, but the value was not significant at the .10-level. As mentioned above, women were less likely and older people more likely to get canceled for being deceased, and as counties got more rural they were 10% more

likely to be canceled due to being deceased. Given that whites made up 70% of this category, and that 33% of all rejected whites were rejected due to this reason, these findings make sense.

Minorities were significantly more likely than whites to be canceled due to being a duplicate, and all were significant at the .05-level, except Asian/Pacific Islander, which was significant at the .10-level. Women were also 137% more likely than men to be canceled due to being a Duplicate. This is interesting as research has shown that particularly in the South men are more likely to be named after their fathers than are women after their mothers.³⁵ This category presents some of the most surprising findings, as there is no obvious explanation as to why someone's race or gender should have anything to do with whether or not they have a duplicate application. The "Other" race category was 250% more likely than whites to have a cancellation due to a duplication, Hispanics were 87% more likely and blacks were 53% more likely. Whether or not the Felon coefficients represent an issue with the registration process or a reflection of the magnitude of racial inequalities in incarceration rates is difficult to say, but the coefficients clearly represent a systematic problem. Blacks were 127% more likely than whites to be canceled due to being a Felon, and women 72% less likely. Compare that to Hispanics and Asians who were 57% and 77% less likely than whites, respectively, to be canceled for this reason.

³⁵ Pappas, Stephanie. 2013. "Just like dad: Why more 'juniors' hail from the South." NBC News, November 11. <http://www.nbcnews.com/health/just-dad-why-there-are-more-juniors-south-2D11577320> (March 30, 2017).

The number of those canceled due to No Activity for 2 General Election cycles is overwhelming, though there is no apparent racial bias against minorities based on the data. Further, whites were more likely than all other racial and ethnic minority groups to be rejected due to this reason. Nonetheless, the fact that 300,326 people in a span of just 3 years were removed from the rolls due to inactivity is significant, though as the Common Cause law suit demonstrates, there are those who believe this is a NVRA violation and those who believe it necessary to maintain state voter rolls. In either case, 300,326 people represent 5% of the entire 2014 Georgia electorate and more than the difference in most major recent races in the state. For example, in the 2016 presidential election, Donald Trump took the state of Georgia with a margin of 211,141 votes over Hillary Clinton (“Georgia Results” 2017).

By far the most staggering results are the coefficients in the Not Verified and SSN Verification sections. For a baseline, women were 8% more likely to be Not Verified, older people 41% less likely and more rural people 17% less likely. In contrast, Asians/ Pacific Islanders were 8.8 times more likely, Hispanics were 8.9 times more likely, and Blacks were 5 times more likely than whites to be canceled due to not being verified. These coefficients support everything the lawsuit was alleging, and at significant levels.

Social Security Verification was also used to reject racial and ethnic minorities at much higher rates than whites. Women were 23% less likely to be canceled for this reason, older people 49% less likely and those in rural counties 10% less likely. Again in contrast, Asians were twice as likely, Hispanics 5 times more likely and blacks 9.9 times more likely to be rejected because their Social Security number could not be

verified. It is interesting that Hispanics and Asian/Pacific Islanders were more likely to have an issue with not being verified while blacks were more likely to get trapped in SSN verification, especially as Hispanics and Latinos were more likely to get caught in DDS verification than blacks.

DISCUSSION

The findings support the hypothesis that race influences how an individual's voter registration application is processed and the particular code used to reject them. The data also make it apparent that an exceedingly large number of Georgians of all races are being purged off of the rolls due to general inactivity. Given that the data on rejections came directly from the Secretary of State's office, there is no reason to believe it contains many inaccuracies. This eliminates most clerical limitations or sources of error in this, making the findings more legitimate.

Further areas of research in Georgia would include investigation the reasoning behind the skewed proportions, and how exactly the registration process differs across counties. Across the country, further research could consider the process of registration, rather than focusing on laws directly. A cross-state analysis using states with different registration procedures could also be illustrative of systematic effects. For today's Congress, the issue of participation should be paramount and as registration barriers are uncovered, redrawing Section 4 districts of the VRA could be considered.

APPENDIX

TABLE 1: RACE GROUP COMPOSITIONS BY REASON, 2013-2016					
	Black	White	Hispanic	Other	Reason as a % of All Rejections
Citizenship Verification	0%	0%	1%	0%	0%
DDS Verification	1%	0%	2%	1%	0%
Deceased	20%	33%	5%	14%	26%
Duplicate	8%	4%	10%	13%	6%
Error	0%	0%	1%	0%	0%
Felon	11%	4%	3%	4%	6%
Hearing	1%	1%	1%	1%	1%
Incomplete Address	0%	0%	0%	0%	0%
Incomplete DOB	0%	0%	0%	0%	0%
Incomplete Name	0%	0%	0%	0%	0%
Mentally Incompetent	0%	0%	0%	0%	0%
Moved out of County	1%	1%	1%	1%	1%
Moved out of State	2%	5%	4%	6%	4%
No Activity for 2 General Election Cycles	42%	48%	51%	49%	46%
No Signature	0%	0%	0%	0%	0%
Non-Citizen	0%	0%	0%	0%	0%
Not Verified	11%	1%	19%	9%	5%
Pending Age	1%	0%	1%	0%	0%
Pending Hearing	0%	0%	0%	0%	0%
SSN Verification	2%	0%	1%	1%	1%
Under Age	0%	0%	0%	0%	0%
Verification	0%	0%	0%	0%	0%
Voter Requested	0%	1%	1%	1%	0%
Total	N=646,332	N=646,332	N=646,332	N=646,332	N=646,332

TABLE 2: REGRESSION RESULTS OF CANCELLATION AND PENDING REASONS, 2013-2016

Race (comp to whites)	Deceased		Duplicate		Felon		Hearing		Moved out of State		No Activity		Not Verified		SSN Verification		DDS Verification	
	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio	Co-eff. /SE	Odds Ratio
Asian/Pacific Islander	-1.39 (.045)	.25**	.08 (.045)	1.08*	-1.47 (.093)	.23**	-.68 (.120)	.51**	-.34 (.047)	.72**	.06 (.021)	1.06**	2.28 (.032)	9.77**	1.12 (.152)	3.06**	2.32 (.100)	10.13**
Black Not Hispanic	.01 (.000)	1.01	.43 (.012)	1.53**	.82 (.011)	2.27**	-.25 (.026)	.79**	-1.09 (.017)	.34**	-.57 (.006)	.57**	1.79 (.017)	5.98**	2.39 (.056)	10.86**	1.57 (.061)	4.79*
Hispanic	-1.34 (.044)	.26**	.62 (.029)	1.87**	-.84 (.052)	.43**	-.35 (.078)	.70**	-.62 (.044)	.54**	-.35 (.017)	.71**	2.29 (.027)	9.92**	1.78 (.094)	5.93**	2.20 (.087)	9.05*
Other	-.38 (.016)	.68**	1.25 (.015)	3.50**	-.06 (.024)	.94**	.08 (.040)	1.08*	-.10 (.021)	.91**	-.34 (.010)	.71**	1.15 (.024)	3.17**	1.52 (.076)	4.59**	.86 (.096)	2.35*
Controls																		
Gender (1=Female)	-.36 (.008)	.70**	.86 (.011)	2.37**	-1.27 (.012)	.28**	.23 (.022)	1.26**	.31 (.012)	1.36**	.10 (.005)	1.10**	.08 (.012)	1.08**	-.27 (.030)	.77**	.046 (.042)	1.05
Age (by each group increase)	.91 (.002)	2.48**	-.26 (.003)	.77**	-.52 (.003)	.65**	-.28 (.006)	.76**	-.16 (.003)	.85**	-.26 (.001)	.77**	-.53 (.004)	.59**	-.68 (.013)	.51**	-.52 (.016)	.60**
Urban/Rural	.10 (.002)	1.10**	.10 (.003)	1.10**	.13 (.003)	1.13**	.14 (.005)	1.15**	-.12 (.004)	.89**	-.09 (.001)	.91**	-.18 (.004)	.83**	-.12 (.011)	.90**	-.055 (.014)	.95**
N	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210	644, 210
Mean SE	(.017)	(.017)	(.016)	(.016)	(.016)	(.016)	(.043)	(.043)	(.021)	(.021)	(.009)	(.009)	(.018)	(.018)	(.061)	(.061)	(.059)	(.059)

*p≤.1; **p≤.05

SO THE PRESIDENT WALKS INTO A BAR

PAGE FORREST

Sewanee: The University of the South

Despite the frequency of the “beer test” as a standard in both media and every day conversations, there are no academic definitions of the test that have been standardized for modern politics. Through a compilation of usages of “beer test” in media across the spectrum, including standard definitions various outlets propose, the definition of the “beer test” comes to include an embrace of traditionally masculine values, an ability to connect with the working class, and a sense of humor. The masculinity value proves to be the most prevalent and significant aspect of the “beer test,” and arose as a decisive factor in President Trump’s victory over Secretary Clinton in terms of common application of the “beer test.” This is not to say that President Trump is a man many would want to have a beer with, but rather, by virtue of just being a man, he automatically had a leg up over Secretary Clinton during the 2016 election.

Over the past twenty years, a happy hour-based litmus test for presidential candidates has entered modern political vernacular, often used by both the media and the general populace to establish a candidate’s relatability. The “beer test” has become shorthand for whether or not a candidate is “cool,” as in, “Would you want to sit down and have a beer with him?” Beyond the initial question, political academia has no standardized definition for what makes a candidate worthy of sharing a beer with an “average” American citizen. As public perception continues to play an increasingly larger role than policy stances in elections, it is imperative to understand how the public applies one of our most common political litmus tests. First, by examining media coverage and retroactive perception of presidents, I intend to develop and present an objective standard for passing the “beer test.” Second, I posit that applying the “beer test” to the 2016 presidential election reveals a gendered bias inherent in how we perceive

beer as a beverage, as well as how we measure relatability in presidential candidates.

Despite its name, the “beer test” has little to do with actual alcohol consumption. Two of the presidents who will feature heavily in this research, George W. Bush and Donald Trump, do not drink. President Bush, a recovering alcoholic, hasn’t consumed alcohol since his 40th birthday in 1986.¹ However, he still keeps up the perception of consuming beer at social events, even though his sobriety is widely known. A photo published by Getty Images during a G8 Summit in 2007 led many to speculate that President Bush had started drinking again²:

In actuality, President Bush is drinking a non-alcoholic beer in this image, presumably due to the presumed importance of beer as social capital. Chancellor of Germany Angela Merkel and then-Prime Minister of Great Britain Tony Blair still consume alcohol, but there’s no impetus for President Bush to do so. Why would he voluntarily drink non-alcoholic beer, even opposed to any other non-alcoholic beverage? As I intend to demonstrate through my research, beer is a powerful social tool that can be used to convey a message, even when it’s merely symbolic.

In many ways, President Trump proves to be an entirely different figure from President Bush. Whereas President Bush is perceived as cool, casual, and even a little goofy on occasions, President Trump rarely even laughs in public.³ Yet like President Bush, President Trump does not drink,

¹ Goldman, Russell. "Laura Bush Reveals How George W. Stopped Drinking." ABC News. May 04, 2010. Accessed September 16, 2016. <http://abcnews.go.com/Politics/laura-bush-reveals-george-stopped-drinking/story?id=10552148>.

² *The Heads Of States Of The G8 Summit Are Gathering On A Terrace To Drink Aperitif Before A Walk On The Peer In Front The Grand Hotel Kempinski In Heiligendamm, Germany*. 2007. Heiligendamm. Comp. Getty Images.

³ Thrush, Glenn. "What Chuck Todd gets about Trump." Politico, December 30, 2016. Accessed January 4, 2017. <http://www.politico.com/story/2016/12/chuck-todd-donald-trump-off-message-podcast-233066>.

even though he owns his own brand of vodka.⁴ Through these two examples, we will come to see how actual consumption has little to do with the “beer test.”

In order to understand how the “beer test” promotes our standards of likability and masculinity for presidential candidates, we must unpack the connotations behind beer itself. In many ways, beer is still considered a more masculine beverage choice, as noted by articles in *Psychology Today*, *Men’s Health*, and *Fox News Magazine*.⁵ *Psychology Today* posits that based on a study done by Professor Jennifer Bosson at the University of South Florida one reason men may drink beer is to signify to other men that they are indeed a heterosexual male. Within the study, Bosson found that “people who are given the chance to affirm that they are masculine, such as by telling the experimenter that they are not a homosexual, later are more willing to do ‘feminine tasks.’”⁶ Not only do they do them for longer, but they also report enjoying them more, and have less anxiety during them.” *Fox News Magazine* goes so far as to assign personality traits to men based on which kind of beer they drink, and claims that men who opt for low-calorie beer, such as Michelob Ultra, are “young and beautiful, but a bit conceited,” and “controlling,” - the traits typically associated with a nagging girlfriend in the American psyche.⁷

⁴ Dent, Millie. "15 Facts You Didn't Know About Donald Trump." *The Fiscal Times*. July 10, 2015. Accessed January 4, 2017. <http://www.thefiscaltimes.com/2015/07/10/15-Facts-You-Didnt-t-Know-About-Donald-Trump>.

⁵ Heflick, Nathan A. "Drinking Beer Makes you a Man!" *Psychology Today*. October 14, 2010. Accessed January 4, 2017. <https://www.psychologytoday.com/blog/the-big-questions/201010/drinking-beer-makes-you-man>; Kita, Joe. "The 7 Beers of a Man's Life." *Men's Health*. September 11, 2015. Accessed January 04, 2017. <http://www.menshealth.com/guy-wisdom/jimmy-beers-men-slideshow>; "What a Man's Choice in Beer Reveals About His Personality." *Fox News*. June 06, 2012. Accessed January 04, 2017. <http://magazine.foxnews.com/food-wellness/what-man%E2%80%99s-choice-beer-reveals-about-his-personality>.

⁶Heflick, Nathan A. "Drinking Beer Makes you a Man!"

⁷ "What a Man's Choice in Beer Reveals About His Personality." *Fox News*.

Perhaps one of the most definitive pieces of journalism cited for the “beer test” is the *Washington Post*’s 2015 column “Who Flunks — and Who Passes — the Beer Test?”⁸ When the *Dallas Morning News* published a piece in March of 2016 claiming that both Secretary Clinton and President Trump flunk the beer test, the author cited the *Washington Post* column as their baseline definition.⁹ Jennifer Rubin, the author of the *Washington Post* piece in question defines the “beer test” as “a shorthand for testing how genuine, fun and likable a candidate may be.”¹⁰ While Rubin is a self-described conservative writer, her argument that Secretary Clinton fails the “beer test” is often echoed in more liberal circles. She even cites a quotation from David Axelrod, a Democratic political strategist, explaining Secretary Clinton’s “authenticity problem.” On the other end of the spectrum, Rubin does not cite George W. Bush as the standard bearer of the beer test but Secretary of Energy Rick Perry. Her comments on why he passes with flying colors give the reader some further insight into how she defines the “beer test.” She describes Perry as “the best retail politician of the bunch. Engaging and friendly, he tells a good yarn and can find commonality with voters as the boy from Paint Creek who grew up in humble circumstances.”¹¹ From there we not only see echoes of “genuine” and “likable,” but also an indication of what sort of voters the “beer test” is meant to showcase. By highlighting Perry’s lower-class background as a means of relating to voters, Rubin implies that it’s more likely to be voters from lower socio-economic

⁸ Rubin, Jennifer. “Who flunks — and who passes — the beer test?” *The Washington Post*. WP Company. April 15, 2015. Accessed January 03, 2017.

https://www.washingtonpost.com/blogs/right-turn/wp/2015/04/15/who-flunks-and-who-passes-the-beer-test/?utm_term=.e0b0ee0ccef4.

⁹ Floyd, Jacquilynn. “Presidential front-runners flunk the beer test.” *Dallas News*. March 16, 2016. Accessed January 03, 2017.

<http://www.dallasnews.com/news/news/2016/03/16/presidential-front-runners-flunk-the-beer-test>.

¹⁰ Rubin, Jennifer. “Who flunks — and who passes — the beer test?”

¹¹ *Ibid.*

statuses (SES) making their voting decisions based on the “beer test.” Other notes further expand her definition. Senator Ted Cruz is cited as failing due to his Ivy League education and pedantic style, as well as his anger, whereas Governor Scott Walker passes for again appealing to working class voters (“a pastor’s son who shops at Kohl’s”), and Senator Marco Rubio for both his background (“son of a bartender and a maid”) and his apparent ease with political communication.¹² From *The Washington Post*’s standard for the “beer test,” we can gather that being casual and engaging come at a high premium, as does coming from a working-class family, whereas displaying anger, touting one’s Ivy League education, and not being comfortable with the public cause a candidate to lose points.

CNN introduces a new factor into the “beer test”: humor. In “Only in America: The Peculiar Pitfalls of a US Presidential Election Campaign,” Lauren Said-Moorhouse explores how the rising rate of political candidates appearing on shows such as *Saturday Night Live* reflects a growing sentiment that our candidates for president should be funny on top of everything else, or at least able to laugh at themselves.¹³ Timothy Stanley, a U.S. historian and columnist for CNN and the *Daily Telegraph* cited in the article, notes that,

You have to appear on Saturday Night Live... That tradition of appearing on it has been around since the '80s but it's really taken off in recent years. Palin went on it. McCain went on it. Obama went on it. Everyone gets on Saturday Night Live. You've got to be prepared to be laughed at and show that you get the joke.¹⁴

¹² Ibid.

¹³ Said-Moorhouse, Lauren. "The peculiar pitfalls of a US presidential election." *CNN*. September 15, 2016. Accessed January 03, 2017. <http://www.cnn.com/2016/09/15/politics/hillary-clinton-donald-trump-health/>.

¹⁴ Ibid.

The following presidential candidates have appeared on *Saturday Night Live*: Gerald Ford, Ralph Nader, George McGovern, Jesse Jackson, George H.W. Bush, George Pataki, Rudy Giuliani, Steve Forbes, Bob Dole, John McCain, Al Gore, Al Sharpton, Donald Trump, Barack Obama, Hillary Clinton, Jon Huntsman, and Chris Christie, for 17 in total.¹⁵ An escalation in appearances occurs the later the election year is, with two candidates appearing during their 2000 election run (Gore, Nader), one for 2004 (Sharpton), four for 2008 (Obama, Clinton, Huntsman, John McCain), and two candidates going on the show in 2016, Trump and Clinton. Other candidates such as Governors Christie and Pataki, while they would run in the 2016 Republican primary, appeared on *Saturday Night Live* in non-campaign contexts. From these numbers, Stanley's point becomes evident - appearing on *Saturday Night Live* convinces the public that you have a sense of humor, and thus are relatable.

While one might not expect similarities between self-identified conservative columnist Rubin and liberal news commentary site *The Huffington Post*, the latter actually echoes one of Rubin's main notes on the beer test: no one likes a candidate who is ostentatious about his wealth (or so we thought during the 2012 election.) In Kurt A. Gardinier's 2012 blog for *The Huffington Post*, "The Beer President," Gardinier rails on Romney for his failures in polls measuring his likability against President Obama's, citing Romney's "offshore bank accounts, numerous mansions — one sporting a car elevator — and his \$100 million trust fund for his five sons."¹⁶

¹⁵ Serico, Chris. "See 17 hilarious 'SNL' appearances from presidential candidates." *TODAY.com*. November 06, 2015. Accessed January 03, 2017. <http://www.today.com/popculture/star-spangled-laughter-17-presidential-candidates-who-appeared-snl-t54106>.

¹⁶ Gardinier, Kurt A. "The Beer President." *The Huffington Post*. October 30, 2012. Accessed January 03, 2017. http://www.huffingtonpost.com/kurt-a-gardinier/the-beer-president_b_2043196.html.

Gardiner's assumption that Romney's lack of likability was rooted in these personal factors and not his performance as a candidate was most likely spot on, given that the poll he cites, a Washington Post-ABC poll taken after the first presidential debate in the 2012 election, has Romney winning the debate with 71% of support, and trailing just behind President Obama in overall margins with 46% of likely voters to President Obama's 49% of likely voters.¹⁷ Despite these successes, Romney still plummeted in the section of the polling that measured likability. Only thirty percent of those same voters said Romney was the more "friendly and likable" of the two, with sixty percent of voters (more than those who actually planned on voting for him at the time) saying the same about President Obama.

In "Mitt Romney would fail the Presidential Beer Test," *Newsweek's* Paul Begala explored why President Obama just was so much more likable than Mitt Romney.¹⁸ He notes that while President Obama is an Ivy League-educated constitutional law professor,

Obama is at his best when he's a regular guy. At heart, he's still a jock. He watches ESPN's *Sports-Center* religiously, secretly coaches his daughter's basketball team, and loves nothing better than goading his friends when they miss a shot on the court. People who have actually had a beer with him say he's charming and down-to-earth.¹⁹

Begala also cites the time that President Obama decided the best course of action to mediate police-black American relations was to invite a cop and an African-American professor to the White House to literally share

¹⁷ Cillizza, Chris. "8 deep(ish) thoughts on the Washington Post-ABC poll." *The Washington Post*. WP Company. October 15, 2012. Accessed January 03, 2017.

¹⁸ Begala, Paul. "Mitt Romney would fail the Presidential Beer Test." *Newsweek*. January 22, 2012. Accessed January 03, 2017. <http://www.newsweek.com/mitt-romney-would-fail-presidential-beer-test-64255>.

¹⁹ *Ibid.*

a beer with him, despite his claim that it wasn't a "beer summit."²⁰

Unpacking what Begala cites as beer positives for President Obama includes his passion for sports (another attribute commonly associated with masculinity), and his friendly, down-to-earth attitude. In comparison, Begala noted that Romney never seemed capable of relating to so-called "normal" folks. He writes of Romney,

When he tries to relate to ordinary folks, he looks like a debutante at a cow-chip-tossing contest: he just doesn't fit in, and the harder he tries, the more ridiculous he seems. (While Romney doesn't drink because of his strong faith, you get the feeling he'd even be stiff over a chocolate shake.)²¹

Begala also unpacks the problem with Romney's wealth. It's not the fact that he's rich that makes him such a failure at the "beer test." After all, the Bushes, the Kennedys, even our Founding Fathers, all came from wealthy families. However, according to Begala, Romney's "real problems are how he got rich, what he wants to do for the rich if elected, and how he relates to middle-class Americans." He became wealthy "in part through buying up companies, loading them up with debt, paying himself millions, and then ditching the companies." If these complaints sound familiar, it's because many would be echoed three years later at the start of President Donald Trump's campaign.²² As Begala points out at the beginning of his piece, the more likable candidate almost always wins the presidency. One of the few notable exceptions was President Nixon's upset over Hubert Humphrey in 1968. His predictions about President Obama became literal in

²⁰ Jackson, David, and Mimi Hall. "Obama: It's not a 'beer summit'" ABC News. July 30, 2009. Accessed January 03, 2017. <http://abcnews.go.com/Politics/story?id=8216592>.

²¹ Begala, Paul. "Mitt Romney would fail the Presidential Beer Test."

²² McCammon, Sarah. "How Rich Candidates Try To Appeal To Working Voters." *NPR*. August 13, 2016. Accessed January 03, 2017. <http://www.npr.org/2016/08/13/489827074/how-rich-candidates-try-to-appeal-to-working-voters>.

January of 2017, when Surly Brewing Company announced the release of a Winter Rye IPA named “Thanks Obama.” The brewery’s owner explained he was celebrating President Obama’s well-documented fondness for beer, rather than making a partisan statement. “Beer is one of the few bipartisan things left in this country, so please don’t yell at us about the name on the internet, even though we know you’re going to anyway.”²³ So how did we get from the clear delineation between 2012 candidates to a 2016 race where it seems as though neither main candidate stood any chance of passing the “beer test?”

To recap, in order to pass the beer test that’s been aggregated by the national news media over the past several years, a presidential candidate should be relatable, comfortable with the public, able to appeal to the working classes (if he himself doesn’t come from a lower-class background already), manly, and able to laugh at himself. 2016 saw the rise of two of the most widely disliked presidential candidates in popular history, both extraordinarily wealthy, and the first female presidential candidate. So how did a seemingly impossible to apply “beer test” impact this presidential election?

One of the biggest hurdles of applying the “beer test” to 2016 is unpacking gendered differences in perception. When Fox News makes it clear that any man who drinks a low-calorie beer is less manly, and *Newsweek* praises Obama’s quality of being a “jock” at heart as one of the reasons he passed the beer test with flying colors, how does a woman pass the test without being derided as not ladylike enough? The answer lies in Sarah Palin. How the 2008 Republican vice-presidential nominee toed the

²³ “Surly to Tap New Beer, ‘Thanks Obama,’ On Inauguration Day.” WCCO. January 16, 2017. Accessed February 23, 2017. <http://minnesota.cbslocal.com/2017/01/16/surly-new-beer-thanks-obama/>.

line between the beer test and traditional gendered expectations is perhaps best outlined in her own words: “They say that the difference between a hockey mom and a pit-bull is lipstick.”²⁴ In that line, Palin hit almost every aspect of the “beer test.” She made it clear she could laugh at herself by comparing her personality to that of a pit-bull’s, she noted her love for sports through her status as a hockey mom, and most importantly for women running for public office, she embraced her femininity by acknowledging her use of lipstick. In a society that has not yet entirely moved beyond traditional gender roles, a woman running for office cannot be “too” anything - especially too manly or too unladylike. The unfortunate reality reflects that if a woman is trying to pass the “beer test,” she has to find a way to remind the public of the fact that she’s a woman while making it clear that she would still drink a beer with you.

Based on sheer anecdotal evidence, one would think that Secretary Clinton would be the perfect antidote to the “beer test.” A *New York Times Magazine* article features General Buster Hagenbeck recalling that shortly after Secretary Clinton’s election as Senator, he invited her out to Fort Drum.

Like many of the officers I spoke with, he had preconceptions of Clinton from her years as first lady; the woman who showed up at his office around happy hour that afternoon did not fulfill them. ‘She sat down,’ he recalls, ‘took her shoes off, put her feet up on the coffee table and said, ‘General, do you know where a gal can get a cold beer around here?’²⁵

However, her refusal to embrace her femininity in a way that is acceptable to the conservative right has instead caused this anecdote and

²⁴ Scully, Matthew. " Sarah Palin's Address at the 2008 Republican National Convention." Speech, 2008 Republican National Convention. Xcel Energy Center, Saint Paul, Minnesota. Accessed January 03, 2017. <https://www.youtube.com/watch?v=Sq7kBcA5q1w>.

²⁵ Landler, Mark. "How Hillary Clinton Became a Hawk." *The New York Times*. The New York Times Magazine. April 24, 2016. Accessed January 03, 2017. <http://www.nytimes.com/2016/04/24/magazine/how-hillary-clinton-became-a-hawk.html>.

others to be painted as evidence of Secretary Clinton's so-called "alcoholism" by multiple fake news outlets.²⁶

Secretary Clinton is also widely cited as not being "likable" enough to pass the "beer test." In "Is Hillary Clinton 'Likable Enough'?" *Times* writer Jay Newton-Small notes that President Trump and Secretary Clinton faced the highest and second-highest disapproval ratings in history respectively during their campaigns.²⁷ However, when Secretary Clinton is holding office and not campaigning, her likability scores skyrocket.²⁸ On both other fronts of the "beer test," it seems like Secretary Clinton would pass. As noted previously, she's appeared on *Saturday Night Live* and poked fun at herself in public. While her wealth is self-made and was touted by her opponents during the election, her father was a working-class silkscreen printer, a fact she may have started pointing out too late during the campaign.²⁹ Analyzing Secretary Clinton in a vacuum would give one the impression she's a mixed bag with the "beer test," maybe someone you'd share a beer with if you were already a few beers deep.

However, the "beer test" cannot be analyzed in the context of one candidate without looking at his or her opponent. On paper, President Donald Trump seems like he'd fail the beer test. As referenced previously,

²⁶ Staff, National Enquirer. "Hillary Clinton Drinking Crisis: 'Sober Her Up!'" *National Enquirer*. October 27, 2016. Accessed January 03, 2017. <http://www.nationalenquirer.com/photos/hillary-clinton-drinking-alcoholic-sober-up-wikileaks/>.

²⁷ Newton-Small, Jay. "Is Clinton 'Likable Enough'?" *Time Magazine*. Time. May 25, 2016. Accessed January 03, 2017. <http://time.com/4347962/hillary-clinton-donald-trump-likability/>.

²⁸ Doyle, Sady. "America loves women like Hillary Clinton—as long as they're not asking for a promotion." *Quartz*. February 25, 2016. Accessed January 03, 2017. <https://qz.com/624346/america-loves-women-like-hillary-clinton-as-long-as-theyre-not-asking-for-a-promotion/>.

²⁹ Lange, Jeva. "Why is Hillary Clinton suddenly talking about her dad?" *The Week*. October 04, 2016. Accessed January 03, 2017. <http://theweek.com/articles/652409/why-hillary-clinton-suddenly-talking-about-dad>.

during his campaign he had the highest disapproval ratings in history. He touts his wealth on a regular basis, and cannot seem to grasp that he did not exactly pull himself up by his own bootstraps. Notably, in 2015, President Trump said in an interview that he got his start with the help of his father giving him a “small loan of a million dollars.”³⁰ NBC Anchor Matt Lauer responded to him "Let's just put this in perspective. You said this hasn't been easy for you, but 'my dad gave me a million-dollar loan.' That probably is going seem pretty easy to a lot of people." He doesn't laugh at himself, and regularly feels uncomfortable with any image of him that he sees as less than flattering. When CNN published a book explaining how President Trump won the 2016 election, he tweeted “@CNN just released a book called "Unprecedented" which explores the 2016 race & victory. Hope it does well but used worst cover photo of me!”³¹ So if candidates who don't pass the “beer test” usually do not win elections, how did President Trump win? Was the “beer test” irrelevant in 2016, or did the year just see a reframing of it?

Callum Borchers of *The Washington Post* explored how exactly President Trump managed to avoid the so-called “Mitt Romney treatment” with perception of his wealth.³² He hypothesized that President Trump's candor regarding his wealth (versus Romney's reluctance to discuss or acknowledge it) made it seem more relatable and accessible to the working-class public. Why does it matter that Trump has gold-plated seat belts on his private plane when he announces to a crowd full of working class supporters

³⁰ Campbell, Colin. "DONALD TRUMP: 'My father gave me a small loan of a million dollars'" *Business Insider*. October 26, 2015. Accessed January 04, 2017. <http://www.businessinsider.com/donald-trump-small-million-dollar-loan>.

³¹ Trump, Donald J (realDonaldTrump). “@CNN just released a book called "Unprecedented" which explores the 2016 race & victory. Hope it does well but used worst cover photo of me!” Jan 2, 2017, 1:32 PM. Tweet.

³² Borchers, Callum. "How Donald Trump has avoided the Mitt Romney treatment from the press." *The Washington Post*. WP Company. January 12, 2016. Accessed January 04, 2017. https://www.washingtonpost.com/news/the-fix/wp/2016/01/12/how-donald-trump-has-avoided-the-mitt-romney-treatment-from-the-press/?utm_term=.9404fdcca305.

that “I love money!” and they laugh and clap for him? President Trump managed to skirt that aspect of the “beer test” that ultimately led to Romney’s downfall by challenging it in such a ridiculous, head-on way that questioning the “how” seemed almost impossible.

President Trump’s campaign also reshaped the question of “likability.” In an era where so-called “political correctness” is demeaned and devalued by the right, President Trump’s brash, crude way of speech seemed to speak to voters. An editorial from *Slate* declaring President Trump the winner of the “beer test” claims that his shock and awe tactics are what make him a fun guy.

But it does occur to me that, for a certain swath of voters, there has never been and perhaps never will be a candidate you’d be more eager to have a beer with than Donald Trump. What other presidential hopeful seems so up for anything? So full of ribald stories and high-gloss gossip? So unguarded and unpredictable? What other candidate calls his opponent a ‘pussy’ on camera and then just owns it? Dude seems like he’d be fun after you got a couple shots in him.³³

Finally, while President Trump might not be called “manly” by any of the traditional stereotypical means, does that matter when his opponent is a woman? Given the default masculine associations we have with beer discussed previously, it would seem that any man in a presidential campaign against a woman would have a decided advantage on that component of the “beer test.”

By tracing media definitions of the “beer test,” and who we consider to be its winners and losers, we find that the “beer test” can be boiled down to one who embraces traditionally perceived as masculine pursuits (such as

³³ Stevenson, Seth. "A Cold One With Donald." *Slate*. February 11, 2016. Accessed January 04, 2017.

http://www.slate.com/articles/news_and_politics/politics/2016/02/trump_is_winning_the_guy_you_d_want_to_have_a_beer_with_election.html.

an unbridled love of sports), can appeal to working classes regardless of his or her own wealth, and is ultimately perceived as both likeable and humorous. The 2016 presidential election set the stage for President Trump to turn the “beer test” to his favor by allowing him to confront traditional expectations about how one embraces his wealth, change the definition of likability from “relatability” to “crudeness,” and eschew worries about who is perceived as manlier by competing against a woman balancing an already complex set of gendered expectations for her candidacy. Ultimately, President Trump navigated the minefield of the presidential “beer test” by changing expectations and reshaping definitions without ever popping open a cold one.

WHEN HOSTILITY TAKES OVER: SEXISM IN THE 2016 PRESIDENTIAL ELECTION

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Gender was front and center in the 2016 election, and while Trump's hostility toward Clinton was often evident, it is harder to determine when this hostility was a result of sexism. Further, sexism does not always take a hostile form, but sometimes presents itself as benevolent. What was the gendered rhetoric in the 2016 presidential election? My research sought to answer this question through a content analysis of the rhetoric of the presidential candidates. Through the content analysis, I found that while Trump used very little benevolent sexism in discussions about and against Hillary Clinton, and his hostile sexism was high, he used benevolent sexist rhetoric when talking about women who support him. This is consistent with the findings of Glick and Fiske that individuals who score high on the ambivalent sexism inventory often treat women that they see in different subgroups differently, treating women who threaten their power or who they see as conniving in a hostile way, and those who they view as pure and fitting the stereotypical gender role benevolently.

INTRODUCTION

Gender was more prevalent in the 2016 presidential election than any other in United States history. One reason for this is likely the historical significance of the presence of the first female candidate running for a major party (the Democratic Party). Another factor that has made gender more prevalent and relatively explicit is the commentary of the Republican nominee for president, Donald Trump. Trump has both in the past and throughout the campaign made crude comments toward and about women. These comments as well as sexism present more broadly in the election have the potential to affect the opinions of the public on the candidates and the sexism present in American political discourse and everyday life in general.

The 2016 election contained greater amounts of implicit sexism than any other presidential election before it, and gendered considerations may also have been greater in the public since Hillary Clinton was competing at a level that only men had competed at previously. This may have led not only those who opposed her to describe her as unfit for the job, but those who implicitly view the presidency in the masculinized way that it is often portrayed to judge her more harshly.

In order to better understand the sexism present in the elite rhetoric, I seek to answer the following question: what types of benevolent and hostile sexism were displayed by candidates in the 2016 general election? Specifically, what type of sexism did Donald Trump display most often and when did his sexism increase and decrease throughout the campaign? By conducting a content analysis of candidate speeches and the presidential debates in the 2016 election, we can observe the sexism that Donald Trump displayed and theorize the implications it had for the broader public's opinions of the candidates.

LITERATURE REVIEW

Extensive research has been conducted on different aspects of the role of gender in politics. Many authors have studied the reasons for the lack of women in politics, for example the percentage of women in Congress is not a proportional representation of the percentage of women to men in the United States. In 1996 Kim Kahn found that individuals rely on their stereotypes of women's capabilities and liabilities when judging the fitness for office of a female candidate, and this causes campaigns to strategize in accordance with these stereotypes. Further, the media focused more on the substantive issue messages of the campaign of male candidates than female campaigns. Finally, "when women's stereotypical strengths correspond to

the salient themes of the campaign, women candidates have an advantage. On the other hand, when the important issues in the campaign highlight women's perceived weaknesses, women's electoral prospects are diminished."¹ Kelly Dittmar built on this work in 2015, conducting a survey of political consultants and interviews with candidates and others working on campaigns. She found that campaign consultants navigate a gendered landscape and must mold candidates to certain gender stereotypes in relation to traits and issues.²

Other authors have found that "voters make inferences based on highly visible and distinctive attributes such as gender" and that "being a woman or a man conveys information about the candidate's willingness or ability to deal with issues that closely impinge on gender (such as sexual harassment) as well as issues that, on the surface at least, have limited relevance to gender (such as education or unemployment)."³ This implies that judgment of a candidate's ability to perform on policy issues both unrelated and related to gender are made on a gendered basis.

While most authors agree that gender plays some role in considerations by citizens of candidates, Deborah Brooks argued in her book *He Runs, She Runs* for a "leaders-not-ladies" theory, positing that female politicians are judged on the basis of good leadership rather than on the basis of good femininity, and thus do not face higher standards.⁴ Brooks supported this theory by conducting experiments attributing behaviors such as crying,

¹ Kahn, Kim F. 1996. *The Political Consequences of Being a Woman: How Stereotypes Influence the Conduct and Consequences of Political Campaigns*. New York: Columbia University Press.

² Dittmar, Kelly. 2015. *Navigating Gendered Terrain: Stereotypes and Strategy in Political Campaigns*. Philadelphia: Temple University Press. (ISBN 978-1439911495)

³ Iyengar, Shanto, Nicholas A. Valentino, Stephen Ansolabehere, and Adam F. Simon. 1997. "Running as a Woman: Gender Stereotyping in Women's Campaigns." In *Women, Media, and Politics*, ed. Pippa Norris, 77-98. New York: Oxford University Press.

⁴ Brooks, Deborah Jordan. 2013. *He Runs, She Runs: Why Gender Stereotypes Do Not Harm Women Candidates*. Princeton, NJ: Princeton University Press.

acts of toughness, displays of anger, and knowledge gaffes to male and female candidates and studying the difference in how respondents reacted to male and female candidates under the same conditions. She found that female candidates do not get penalized more for displaying various behaviors. She interpreted these findings as a refutation of the double-bind that female candidates are often seen as facing (that between being strong/masculine enough for public office but feminine enough to fit into the accepted female gender role). While Brooks may have stumbled upon a new phenomenon in a changing political environment, her finding does not change the fact that even if female politicians are judged by the same standards as male politicians, those standards still reflect a masculinized view of what a politician “should be.”

Much of the research done on how gender affects political opinions is in reference to the gender gap: the research showing that women and men on average vote differently in presidential elections. Women are more likely to identify as Democratic and vote for a Democratic candidate than men.⁵ Women are more likely to support a female candidate, and this difference is greater when “women’s issues” are stressed during the campaign.⁶ Robert Shapiro and Harpreet Mahajan studied the difference in specific policy views between men and women and found that women were more opposed to the use of force, more compassionate in reference to social welfare and unemployment policies, more in favor of regulation and protection, favor conservative, traditional values, and actually found women to be less

⁵ Sanbonmatsu, Kira. 2002. *Democrats, Republicans, and the Politics of Women’s Place*. Ann Arbor: University of Michigan Press.

⁶ Iyengar, Shanto, Nicholas A. Valentino, Stephen Ansolabehere, and Adam F. Simon. 1997. “Running as a Woman: Gender Stereotyping in Women’s Campaigns.”

supportive of pro-choice policies and the Equal Rights Amendment (women's equality issues).⁷

Alvarez and McCaffery studied the gender gap in public opinion on tax reform, and found that

while there is reason to believe that men and women may indeed share similar primary or 'first order' attitudes toward matters of tax, the weighting or 'second order' preferences that men and women put on the importance of tax issues seems to have marked differences.⁸

This is because women and men answer direct questions about their attitudes toward tax reform similarly, but their actual voting behavior responds to issues of tax differently when they are considering other issues as well. They also find that framing can have a strong effect on first order preferences. Using 1996 national exit poll data, they found that men were far more likely to list tax as the most important issue among seven issues than women. However, among those who listed tax as the most important issue, women were more likely than men to be affected by their attitude toward tax and vote Republican. While men and women do not differ in their attitude toward broad questions of tax policy, men and women attribute different levels of importance to issues when voting.⁹

Since the gender gap began being studied intensely in the 1980s, most research has viewed it as a function of changing female attitudes. Kaufmann and Petrocik determined that the gender gap resulted from changes in male partisanship and voting instead of changes in female partisanship and voting. They then test two hypotheses, the attitude

⁷ Shapiro, Robert Y., and Harpreet Mahajan. 1986. "Gender Differences in Policy Preferences: A Summary of Trends From the 1960s to the 1980s." *Public Opinion Quarterly* 50(1):42-61.

⁸ Alvarez, R. Michael and Edward J. McCaffery. 2000. "Gender and Tax." In *Gender and American Politics: Women, Men, and the Political Process*, ed. Sue Tolleson-Rinehart and Jyl J. Josephson, 91-113. Armonk, New York: M. E. Sharpe.

⁹ Ibid.

hypothesis (that the gender gap results from differences in underlying political preferences between men and women) and the salience hypothesis (that the gender gap results from differences in the way men and women weigh issues when evaluating parties and candidates), to determine the cause for the differences in voting and party identification between men and women. Using survey data from the 1992 National Election Study, they found that “policy attitude differences between men and women appear to be a fundamental component of the gender gap” and that “issue salience effects are...less constant and more context driven.”¹⁰

In Kira Sanbonmatsu’s 2002 study on the role of gender in party politics, she found that Democrats tend to be more liberal on gender policies, as with other policies, and Republicans tend to be more conservative on gender policies, as with other policies. By analyzing National Election Studies survey data, Sanbonmatsu concluded that Democrats and Republicans hold similar gender role attitudes overall, both liberalizing since the 1970s with Democrats “somewhat more liberal.”¹¹ However, both groups still hold some traditional views about the role women should play in the work force. Many of the differences in policy views between Democrats and Republicans result from their view toward the role of government, however, the issue of abortion has caused individuals to sort themselves out to hold consistent views with their party leaders. “The pattern of abortion attitudes and party identification over time is consistent with a realignment.”¹² There was also some evidence of divergence of opinions on the Equal Rights Amendment. The public distinguishes the difference in the parties’ views of

¹⁰ Kaufmann, Karen M., and John R. Petrocik. “The Changing Politics of American Men: Understanding the Sources of the Gender Gap.” *American Journal of Political Science*, vol. 43, no. 3, 1999, pp. 864–887. www.jstor.org/stable/2991838.

¹¹ Sanbonmatsu, Kira. 2002. *Democrats, Republicans, and the Politics of Women’s Place*. Ann Arbor: University of Michigan Press.

¹² *Ibid.*

equal gender roles and abortion, but only abortion can affect how individuals choose their party loyalty. The results of public opinion surveys of the public suggest that the public largely supports gender equality, but also still supports some traditional ideas about a women's place in society, especially the role they should play in the family.¹³

As studies of the gender gap continued, other explanations than simple difference of opinion between men and women have been argued to explain the gap. Pamela Conover provides an alternative explanation for the reason behind the gender gap. Conover found that identification as a woman is not the main cause of the gender gap but instead identification as a feminist account "for a large part of the gender gap in specific issue preferences" however most authors have found evidence against this view.¹⁴ The gender gap in elections has also been attributed to other causes, such as labor force participation and attitudes toward social service spending as well as feminist consciousness.¹⁵ While the extent to which the gender gap can be attributed to simple difference of opinion between men and women, recent studies have suggested that other motives are present to explain the gender gap. Elizabeth Cook and Clyde Wilcox analyzed data from the 1984 American National Election Study data. They found women to be significantly more liberal than men on 15 of the 20 issues they considered, and "gender differences were the largest on support for spending to aid the unemployed, and on war and peace issues."¹⁶ Importantly, they found that "feminism is indeed strongly correlated with liberal values and policy

¹³ Ibid.

¹⁴ Conover, Pamela Johnston. "Feminists and the Gender Gap." *The Journal of Politics* (1988): 985-1010.

¹⁵ Manza, Jeff, and Clem Brooks. "The gender Gap in us presidential elections: when? Why? implications? 1." *American Journal of Sociology* 103.5 (1998): 1235-1266.

¹⁶ Cook, Elizabeth Adell, and Clyde Wilcox. "Feminism and the Gender Gap--A Second Look." *The Journal of Politics*, vol. 53, no. 4, 1991, pp. 1111-1122. www.jstor.org/stable/2131869.

preferences, but that the correlations are significant for both men and women” implying that “feminist consciousness in women and feminist sympathy in men are both strong predictors of values and policy preferences.”¹⁷ This is to say that feminist values are not necessarily feminine, and may be shared by men. They found significant gender differences between feminist men and women, potential feminist men and women, and non-feminist men and women, suggesting that a complex relationship exists between gender, feminism, and policy attitudes and that all must be considered.

While this evidence suggests that men and women do vote differently, for different reasons, research has shown that this male-female dichotomy is not the best way to think about differences in policy opinions in relation to gender. Because women and men live in the same physical spaces, with no informal segregation as is often the case with race, there is not an in-group out-group sentiment between men and women. Further, men and women often share similar views to other men and women in their environment. Instead of being based on gender identification, opinion formation about gendered issues relies more on individual perception of gender roles, often a result of power dynamics between men and women.¹⁸

Individuals can be categorized as gender traditionalists vs. gender egalitarians, with the understanding that “gender can influence public opinion for both men and women and that it can operate similarly for both.”¹⁹ Though gender does not provide an in-group/outgroup relationship, the extensive research on group opinion affecting policy formation is still relevant because it shows that opinion on women’s role in society, even if

¹⁷ Ibid.

¹⁸ Winter, Nicholas JG. *Dangerous frames: How ideas about race and gender shape public opinion*. University of Chicago Press, 2008.

¹⁹ Ibid.

not on women themselves, can affect policy opinions as opinion on African Americans or immigrants can. While sexism is less about who women are than about what role they should play in society, it is still a comparable bias to the types of bias group centrism speaks to.

Some work has been done to determine gendered frames that are used by both policymakers and public groups such as the feminist movement when discussing policies. Dorothy McBride Stetson assessed policy debates in Congress, two debates on job training and two debates on abortion regulation. She found that “the issue of job training is defined, primarily, in non-gendered terms,” however, feminists were able to insert gender into the frame by fighting for federal attention to displaced homemakers. In the case of abortion, the *Roe v. Wade* Supreme Court decision helped make “women’s right to choose” the “dominant frame of the abortion issue,” allowing feminist movements to fight directly for women’s rights. However, in the study of the second debate in Congress (the PBAB Act), women’s rights were removed as the dominant frame and replaced by the doctor’s responsibility and timing in abortion procedures.²⁰

Jyl Josephson argues that “men and women’s actual gender roles, as well as perceptions about gender roles for men and women, have played a significant role in the formation of social policy in the United States.” She compares the characteristics of the populations targeted in policies to the ways that they are depicted in policy debates on the issue. She uses Schneider and Ingram’s model of social constructions of target populations and applies it to social policy. She argues that gender roles have historically shaped policymaking on social programs by defining social policies for men

²⁰ Stetson, Dorothy McBride. 2000. “Gendering Policy Debates: Job Training and Abortion Regulation.” In *Gender and American Politics: Women, Men, and the Political Process*, ed. Sue Tolleson-Rinehart and Jyl J. Josephson, 91-113. Armonk, New York: M. E. Sharpe.

and women based on their perceived role in society, mainly women's role as a mother and men's attachment to wage labor. By studying the social constructions of target populations used by political leaders in ending general assistance in Michigan (debate that took place largely in the 1980s) and the changing of welfare law in 1996, she found that policymakers often frame target populations as "deviants" perceived through their compliance with appropriate gender, race, and class-based social roles, and that these depictions do not accurately reflect the characteristics of the target population. Those included in the social construction of social policy as "deviants" are drug addicts, "welfare" mothers, teenage mothers, jobless adults, and racial/ethnic minorities. Women who benefit from welfare policy are often characterized as "bad mothers." "These negative constructions were in turn used to justify policy terminations to the public, and to those opposed to policy termination."²¹

While these studies are useful in describing how policies can be framed in gendered ways and how that can impact the policymaking process, they provide no empirical data on how a gendered frame or the gendered attributes of a candidate affect public opinion on these issues.

Nicholas Winter in his book *Dangerous Frames* also conducted experiments on how frames affect what he calls "group implication," the "process through which ideas about social groups – specifically, race and gender – can be applied to political issues that do not involve either directly."²² What is different about his approach from those previously discussed is that he studied framing as it relates to gender by activating

²¹ Josephson, Jyl I. 2000. "Gender and Social Policy." In *Gender and American Politics: Women, Men, and the Political Process*, ed. Sue Tolleson-Rinehart and Jyl J. Josephson, 91-113. Armonk, New York: M. E. Sharpe.

²² Winter, Nicholas JG. *Dangerous frames: How ideas about race and gender shape public opinion*.

gender schemas when asking questions to determine policy opinion formation. Schemas are the “cognitive structures that represent knowledge about a concept.”²³ Gender schemas, therefore, are a result of the view that individuals have from experiences and information about the way gender behaves in society. It is representative of their understanding of gender relations, and activating these schemas can increase the likelihood that individuals will use prior experience with gender to judge the issue put before them.²⁴

Winter studied the policies of grandparent visitation rights, social security privatization, and the government’s role in the economy. In an experiment using constructed newspaper articles, he found that when using frames that elicit gender group implication by invoking gender schemas, gender traditionalists increasingly support social security privatization.²⁵ He then used nationally representative survey data from the American National Election Studies, measuring the relation of support for a government insurance plan to address rising health costs to gender predispositions, to see if this group implication was actually present in contemporary American politics and not just simply an effect found in the lab. He made the reasonable assumption that “the net effect of gender implication was to depress opinion by reducing the support of gender traditionalists” of health care reform in the form of a government insurance plan to address rising health costs.²⁶

Glick and Fiske conducted an empirical study to show that sexism takes many forms beyond hostility toward women, and that both men and

²³ Fiske, Susan T., and Shelley E. Taylor. 1991. *Social Cognition*. 2nd ed. New York: McGraw-Hill.

²⁴ Winter, Nicholas JG. *Dangerous frames: How ideas about race and gender shape public opinion*.

²⁵ *Ibid.*

²⁶ *Ibid.*

women can experience this type of sexism. Their study is extremely important to the 2016 election in determining how the rhetoric contained not only hostility toward women, and specifically Hillary Clinton, but also the implicit bias present among political opponents and the public. Through their research Glick and Fiske found that there are two components of sexism: hostile sexism, or “antipathy toward women who are viewed as usurping men’s power”, and benevolent sexism, “a subjectively favorable, chivalrous ideology that offers protection and affection to women who embrace conventional roles.”²⁷ It includes protective attitudes toward women, and admiration for them as wives, mothers, and romantic partners. Benevolent sexism involves a positive view of women but a belief that women should live within the stereotype of domestic roles and are the weaker sex in need of men for economic support and protection. The two types of sexism coexist to form ambivalence toward women.

Glick and Fiske identify that “both hostile and benevolent sexism revolve around issues of social power, gender identity, and sexuality.”²⁸ Hostile and benevolent sexism include “three shared components: Paternalism, Gender Differentiation, and Heterosexuality.”²⁹ Hostile sexism involves dominative paternalism, or the idea that men must dominate women, while benevolent sexism involves protective paternalism, being affectionate toward and protecting women. Hostile sexism portrays competitive gender differentiation where only men are perceived to have the necessary traits to govern important social institutions, whereas benevolent sexism portrays complementary gender differentiation, where men depend on women “as romantic objects, as wives and as mothers,” so women’s

²⁷ Glick, Peter, and Susan T. Fiske. "An ambivalent alliance: Hostile and benevolent sexism as complementary justifications for gender inequality." *American Psychologist* 56.2 (2001).

²⁸ *Ibid.*

²⁹ *Ibid.*

positive traits complement men in a relationship where men work outside the home and women work within the home.³⁰ Benevolent sexism in this form suggests a woman completes a man and is his “better half.” Lastly, heterosexual intimacy corresponds to benevolent sexism, representing a “genuine desire for psychological closeness.”³¹ Heterosexual hostility, however, corresponds to hostile sexism, resenting women for the power they hold because men are dependent on them for sex, which creates a vulnerability in the typically more powerful group.³²

The idea that sexism involves a benevolent aspect and a hostile aspect leads the authors to label it “ambivalent sexism,” because benevolence and hostility are opposite feelings toward women. However, they find that hostile and benevolent sexism are positively correlated. Even though they are correlated, they are still considered ambivalent because they have different effects and implications.³³

The authors used six studies involving survey respondents to develop, test, and validate an Ambivalent Sexism Inventory (ASI). The ASI measures both hostile and benevolent sexism into an ambivalent sexism measure. A positive correlation was found between hostile sexism and benevolent sexism scales, which supports the claim that both forms of sexism are related, and total ASI scores are related to ambivalence toward women in study participants. The results indicated that benevolent sexism was based on the three sources described above (paternalism, gender differentiation, heterosexuality), but that hostile sexism is actually unidimensional. While the three sources are likely the same for both, the three sources of hostility

³⁰ Ibid.

³¹ Ibid.

³² Glick, Peter, and Susan T. Fiske. "The ambivalent sexism inventory: Differentiating hostile and benevolent sexism." *Journal of personality and social psychology* 70.3 (1996): 491.

³³ Ibid.

are psychologically more tied together, and so harder to measure as separate sources. “Dominative Paternalism and Competitive Gender Differentiation result in the same impulse: a desire to dominate women,” both of which relate to sexual hostility. They also found that the factor structure was similar for male and female respondents.³⁴

In their 2000 study, Glick and Fiske found that across cultures, hostile and benevolent sexism are complementary ideologies and predict gender inequality, and that women consistently reject hostile sexism but often endorse benevolent sexism, while men consistently exhibit ambivalence (both hostile and benevolent sexism) toward women. Cross-culturally, factor analyses and correlations of raw ASI scores showed that hostile and benevolent sexism were moderately positively correlated, meaning that those who exhibit hostile sexism often also exhibit benevolent sexism, proving ambivalence. These levels of ambivalent sexism have effects on how the society operates.³⁵ “Benevolent sexism is used to reward women who embrace conventional gender roles and power relations, whereas hostile sexism punishes women who challenge the status quo”, this can be seen as an effective tool for maintaining gender inequality in societies, and can often lead to acceptance of sexism by women in those societies.³⁶ Women and men’s sexist ideologies are strongly correlated within a nation, however, in the United States Glick and Fiske found that “women were more likely to reject hostile than benevolent sexism.”³⁷ The problem with the presence of benevolent sexism is that it often goes unseen

³⁴ Ibid.

³⁵ Glick, Peter, Susan T. Fiske, Antonio Mladinic, José L. Saiz, Dominic Abrams, Barbara Masser, Bolanle Adetoun et al. "Beyond prejudice as simple antipathy: hostile and benevolent sexism across cultures." *Journal of personality and social psychology* 79, no. 5 (2000): 763.

³⁶ Glick, Peter, and Susan T. Fiske. "An ambivalent alliance: Hostile and benevolent sexism as complementary justifications for gender inequality." *American Psychologist* 56.2 (2001).

³⁷ Ibid.

by the male perpetrators because they view it as treating women kindly, while women often embrace this kindness because of attraction or in exchange for protection. In other words, chivalry is appealing. While men's hostile sexism scores were considerably higher than women's in all of the countries studied by Glick and his associates, women endorsed benevolent sexism as much as men in half of those countries. Thus, equating antipathy with prejudice is inaccurate, as prejudice can manifest itself in patronizing but appealing ways.

Glick and his co-authors then conducted a two-part study in 2000, the first part of which involved participants generating their own categories of women and then evaluating these categories, the second of which asked participants to evaluate two subtypes of women, homemakers vs. career women. The authors found that "men who scored high on both hostile and benevolent sexism had more polarized ratings of the different types of women they generated," and that "men's hostile sexism scores uniquely predicted negative attitudes toward career women, whereas their benevolent sexism scores predicted positive attitudes toward homemakers." Further, "career women evoked feelings of envy, competitiveness, and intimidation in sexist men, which suggest dislike for women having power. Homemakers, in contrast, evoked a host of strongly positive feelings and symbolic beliefs in sexist men that centered on the complementary roles men and women have in marriage."³⁸ This means that ambivalent sexism may not mean ambivalence toward women as a group, but rather hostility toward some subtypes of women and ambivalence toward others. However, men who hold both hostile and benevolent sexist beliefs may also experience ambivalence

³⁸ Glick, Peter, Jeffrey Diebold, Barbara Bailey-Werner, and Lin Zhu,. "The two faces of Adam: Ambivalent sexism and polarized attitudes toward women." *Personality and Social Psychology Bulletin* 23.12 (1997): 1323-1334.

toward individual women, especially those that they cannot neatly fit into a subgroup.

Benevolent sexism is disarming. Not only is it subjectively favorable in its characterization of women, but it promises that men's power will be used to women's advantage, if only they can secure a high-status male protector. To the extent that women depend on men to be their protectors and providers, they are less likely to protest men's power or to seek their own independent status.³⁹

Women are incentivized to practice conventional gender roles, and punished for seeking less traditional gender roles.

The 2016 presidential election displayed the gender dynamics of politics more than any previous election. It is necessary that there be a more scholarly understanding of how sexism and gender stereotypes played a role in voters' perceptions in this election. It will also be necessary to replicate old research by applying it to the 2016 presidential election in order to determine if the findings are more or less pronounced after this election or the status quo is maintained.

Donald Trump conveyed both benevolent and hostile sexism throughout the campaign. I seek to discover the extent to which this sexism existed by conducting a content analysis. Hillary Clinton has been at the forefront of the discussion of gender in politics, especially since her failed campaign to be the Democratic presidential candidate in 2008. Not only is sexism reflected in mass opinion, but the presence of sexism is also reflected in how candidates present themselves in debates because of the need for candidates to fulfill gender stereotypes. Molly Greenwood and Calvin Coker found that gender presented a statistically significant difference on frequency of personal experiences discussed in debates; female candidates felt the need

³⁹ Ibid.

to discuss their experience more than male candidates.⁴⁰ This is likely because they feel the need to justify being in a position of power.

Women are also criticized when they attempt to discuss the positive aspects that being a female leader can have. When studying the effect of a female candidate emphasizing the historic first associated with a candidacy, Leslie Caughell found that the appeal was most effective among those with the most progressive beliefs about gender roles. Those that scored lowest on the modern sexism scale were more likely to be effected by the appeal, along with women, minorities, and independents. Playing the “woman card” (which Trump criticizes Clinton for) may favorably sway certain voters while being disadvantageous in appealing to others.⁴¹

However, sexism toward other candidates, or promoting the idea that other candidates are not fulfilling the role conceived for their gender, has not been extensively or systematically studied. This could be because only recently have women been serious contenders for candidacy at the presidential level, but also could be because gender was not as front and center in other campaigns like it was in 2016. Already, many observational articles have come out discussing the 2016 election containing much more obvious sexism than other elections, not only in the general election (sexism aimed toward Hillary Clinton), but also in the primaries on both sides of the aisle.

Kelly Dittmar observed that “the presence of women candidates in both major parties’ presidential primaries...has increased the attention paid to gender dynamics in the 2016 US presidential elections,” though she warns

⁴⁰ Greenwood, Molly M., and Calvin R. Coker. "The political is personal: analyzing the presidential primary debate performances of Hillary Clinton and Michele Bachmann." *Argumentation and Advocacy* 52.3 (2016): 165-181.

⁴¹ Caughell, Leslie. "When Playing the Woman Card is Playing Trump: Assessing the Efficacy of Framing Campaigns as Historic." *PS: Political Science & Politics* 49.4 (2016): 736-742.

that this does not mean that previous elections were gender neutral because the presidency has been masculinized by an assumption based on the ideas that the chief executive must be strong and the gender stereotype that men are stronger than women.⁴² She noted the “masculine dominance” seen this year in the description of Senator Mark Kirk’s comment that Lindsay Graham is a “bro with no ho” as “locker room conversation” by Rick Santorum among other examples.⁴³ This thinking implies the idea that sexism should simply be accepted, and that men will behave in a naturally degrading way to women while women are too feminine and emotional for leadership roles. She also notes the discussion of Republican primary candidate Carly Fiorina centering around her demeanor and style rather than her credentials, and the discussion of Hillary Clinton’s voice over her experience, criticisms coming from both Donald Trump and Clinton’s Democratic primary opponent Bernie Sanders among others.

Clinton’s political career has been studied to determine how attitudes on gender impact the public’s impression of female leaders. Mary McThomas and Michael Tesler found that gender egalitarians were more likely to increase their support of Hillary Clinton from the time of her 2008 campaign to 2011 when her approval rating for Secretary of State was high. Gender traditionalists did not update their opinions of Hillary Clinton despite her well-received job as Secretary of State. This reflects this group’s typical opposition to women of power. This implies that gender egalitarianism became a more important factor in Hillary Clinton’s popularity, reflected by her favorability rating, from 2008 to 2011. The effects of gender attitudes on Hillary Clinton’s popularity was the same for both sexes, and “the negative

⁴² Dittmar, Kelly. 2015. Navigating Gendered Terrain: Stereotypes and Strategy in Political Campaigns.

⁴³ Ibid.

impact of gender predispositions on rating Clinton favorably nearly quadrupled in magnitude among political moderates from 2008 to 2011.”⁴⁴ Gender attitudes also had a stronger effect on public opinion of Hillary Clinton than any other public figure, but she was also more popular than any other public figure.⁴⁵ This shows that gender attitudes greatly affect how the public perceives a female candidate, and specifically Hillary Clinton.

In order to navigate this gendered terrain, male and female political candidates behave differently, and in the twenty-first century that includes tweeting differently. Jayeon Lee and Young-Shin Lim conducted a content analysis of the websites and Twitter feeds of Hillary Clinton and Donald Trump. They found that “Clinton emphasizes her masculine personality traits and feminine issues and Trump mentions masculine issues more with no particular attention to traits.”⁴⁶ This again shows that Hillary Clinton as a female candidate feels the need to validate her ability to lead by using masculine traits which included “tough,” “forceful,” and “fighting,” while Trump does not face the same challenge.

METHODS

I conducted a content analysis of campaign speeches from each candidate, Hillary Clinton and Donald Trump, as well as the three presidential debate transcripts. I used all of the catalogued speeches by The American Presidency Project for Donald Trump, and every fifth catalogued speech for Hillary Clinton starting with the announcement of their candidacy, as well as the three-general election presidential debate transcripts, used in the content

⁴⁴ McThomas, Mary, and Michael Tesler. "The Growing Influence of Gender Attitudes on Public Support for Hillary Clinton, 2008–2012." *Politics & Gender* 12.01 (2016): 28-49.

⁴⁵ *Ibid.*

⁴⁶ Lee, Jayeon, and Young-Shin Lim. "Gendered Campaign Tweets: The Cases of Hillary Clinton and Donald Trump." *Public Relations Review* 42, no. 5 (2016): 849-55.

analysis of both candidates. This choice was made for purposes of time after doing part of the Clinton content analysis and finding very little sexism, as expected.

I created a coding scheme to determine the appeals to benevolent and hostile sexism present in the speeches and debates. I did this by first qualitatively observing a few samples of speeches from each presidential candidate as well as all three debates. I then looked at indicators Glick and Fiske used in their Ambivalent Sexism Inventory for hostile and benevolent sexism, and made a coding scheme with these indicators, tweaking them to still look for the same sentiment but relate more to the 2016 election. I then coded all of the speeches and debates selected for the sample. This included 63 Trump speeches. I started out with a sample of 91 Clinton speeches, however, as I began to code for them I realized that both hostile and benevolent sexism were rarely present. I was getting no results for most speeches, so I instead coded for every fifth speech, a systematic way to get a sample of Hillary Clinton speeches.

Glick and Fiske's study suggests that "hostile and benevolent sexism revolve around issues of social power, gender identity, and sexuality," though hostile sexism is uniform among these measures.⁴⁷ The components which correspond to these issues are paternalism, gender differentiation, and heterosexuality. Therefore, the coding schedule for the content analysis included indicators of hostile and benevolent sexism. The indicators for hostile sexism include three categories: dominative paternalism, competitive gender differentiation, and heterosexual hostility (even though these categories have a uniform effect for hostile sexism). For benevolent sexism,

⁴⁷ Glick, Peter, and Susan T. Fiske. "The ambivalent sexism inventory: Differentiating hostile and benevolent sexism."

the categories include protective paternalism, complementary gender differentiation, and heterosexual intimacy. The coding scheme for the content analysis is included in the appendix.

HYPOTHESES

The independent variables of the content analysis are the characteristics of the candidate speaking, and the dependent variable is the benevolent or hostile sexism being displayed.

My hypotheses for the content analysis are as follows:

H₁: Donald Trump will display hostile sexism more than Hillary Clinton.

H₂: Donald Trump will display benevolent sexism more than Hillary Clinton.

H₃: Donald Trump will display more hostile sexism in general election debates against Hillary Clinton than in primary debates when speaking to/about other men.

RESULTS

The content analysis results showed high levels of hostile sexism by Donald Trump and low levels of benevolent sexism. Figure 1 shows Trump’s hostile sexism from June 16, 2015, when he announced his candidacy for

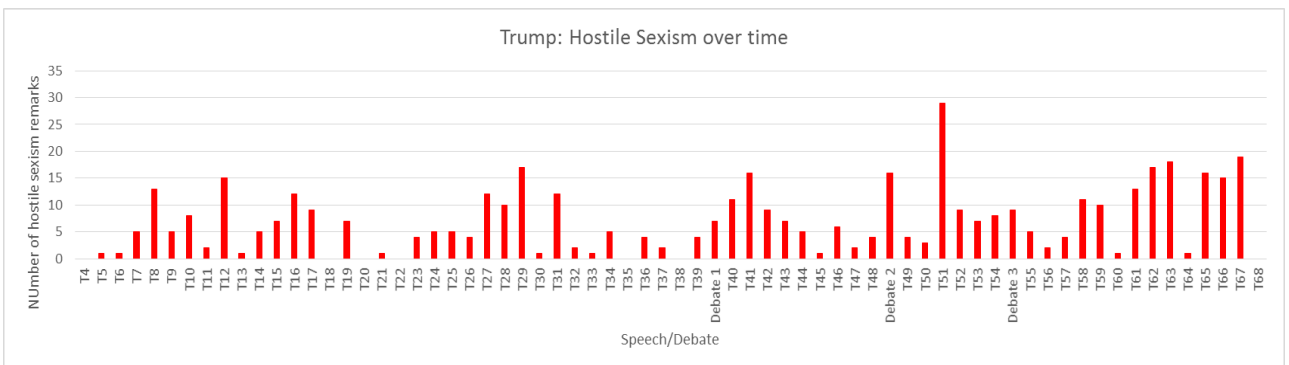


Figure 1: Trump’s hostile sexism measured in the number of times he used hostile sexism language by my indicators, June 20. Horizontal axis spaced as timeline.

president, to his November 9 acceptance speech. This includes all of his campaign speeches, press conferences, and the three presidential debates.

Figure 2 shows Trump’s hostile and benevolent sexism throughout the same time period.

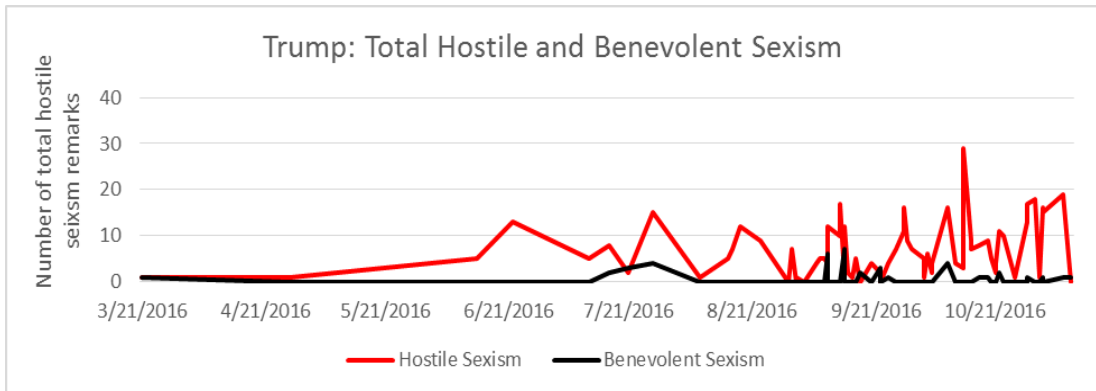


Figure 2: Trump’s hostile and benevolent sexism measured in number of times he used hostile sexism language and benevolent sexism language by my indicators, June 20. Horizontal axis spaced as timeline.

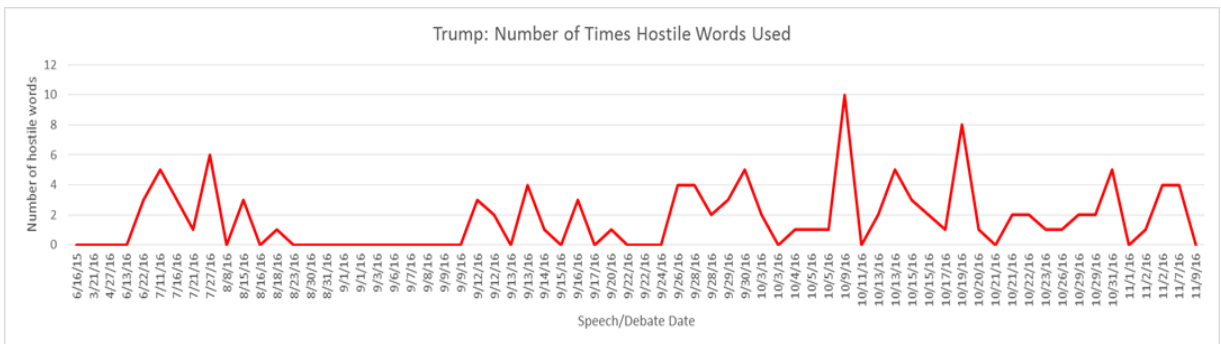


Figure 3: Measure of Trump’s hostile sexism using word count, June 2015 to November 2016. Distance between dates on horizontal axis NOT reflective of real time passed.

Figure 3 shows Trump’s hostile sexism using a different measure, a word count of hostile words that indicate hostile sexism remarks. These words included the following: nasty, vicious, evil, hateful, ashamed, angry, a disgrace, entitled, liar/lies, incompetent, weak. These words were only counted when they referred to either Hillary Clinton or a specific woman or group of women.

DISCUSSION

As briefly discussed before, Hillary Clinton's speeches showed no hostile sexism according to my measures, and little benevolent sexism. Comparing the two quantitatively, because the time span of their campaigns and the number of speeches assessed differed, didn't provide any insight in the end. Donald Trump's speeches included some benevolent sexism, though not much more than Clinton, but consistently high levels of hostile sexism. As seen in the previous graphs, Trump's sexism would spike at certain times in the campaign. For example, in the second debate, Trump's hostile sexism greatly increased. This debate (town-hall) was after the release of the Access Hollywood tape, and likely Trump felt that he needed to attack Clinton in an attempt to draw attention away from himself.

Trump's hostile sexism was also lower before the party nominating conventions, around the same time that Hillary Clinton became the official Democratic Party nominee. His hostile and benevolent sexism increased during his more highly public appearances, such as the national debates. The increase in benevolent sexism likely reflected Trump's attempts to prove that he "respects women" while conveying them in a stereotypical way such as their role as mothers or wives. The increased hostile sexism was likely a part of campaign tactics to focus the attention on Clinton, her past, and to portray her as more of a liability than himself as a candidate for the presidency. While Clinton was not hostile toward Trump in an observed sexist manner, she was very critical of him. This high hostility to focus the attention on the other candidate fits in this election cycle when it was observed that the more coverage either candidate received over the other from July through the beginning of October, the lower their poll numbers (Skelley). However, Trump often chose to channel this hostility in sexist ways. It is important to note that a few of Trump's speeches did not contain any hostile or

benevolent sexism, usually speeches focused on more specific policies that catered to a specific audience.

The hostile word count also indicated peaks during certain times of the campaign. It was highest around the times of the debates (specifically high hostile word counts were found for the actual debates) and second highest around the beginning of September and at the very end of the campaign.

While I attempted to move the content analysis toward a quantitative study, it was still sometimes difficult to determine which of Trump's comments were a result of his hostile sexism and which would have been present in his hostility toward any opponent, or toward Hillary Clinton specifically as a political opponent. For example, the use of the word "lies" was likely used by others against Hillary Clinton in a non-sexist manner. However, Trump's sexism throughout the campaign both toward Hillary and other women was often more obvious.

I read carefully through all 68 speeches/press conferences/debates of Donald Trump during his campaign. Besides counting using my indicators, both those created by me based off of Glick and Fiske's ambivalent sexism indicators and the hostile word counts, I read through each speech to understand the more latent dynamics. For example, though it wasn't one of my measured words as it was not used widely throughout the campaign, from the middle to the end of August Trump often referred to Clinton by using the word "bigot."

Other noticeable things that may have been a result of sexism but were not measured became evident to me while reading the speeches. Trump was often blatantly inaccurate when describing Clinton's policies. While one could argue that he was often inaccurate in general, these instances could also be a result of him underestimating her policies or her experience and

abilities in forming policy, and there is evidence to support this may have been the case in the ways he portrayed her.

Trump's hostile sexism most often involved critiques of Clinton's "stamina." As discussed previously, the reason many have found that female candidates have to work harder to prove themselves, especially at the level of the commander-in-chief, is because the traditional stereotype that women are gentle and kind does not match the masculinized portrayal of the presidency, requiring strength.⁴⁸ Trump focused on depicting Clinton as weak, despite her lengthy experience in government service and as Secretary of State. In his speech on August 15, 2016 at Youngstown State University in Youngstown, Ohio, Trump said that Clinton "lacks the mental and physical stamina to take on ISIS and all of the many adversaries we face."⁴⁹ He continued this portrayal until the end of his campaign. On November 7, 2016 in Raleigh, North Carolina, he said, "Now she stands at the debate, 'I will fight ISIS.' She's got no chance. She's going to fight nobody. She wants to go home and go to sleep."⁵⁰ This was his last speech before his election on November 9, 2016. Going along with his portrayal of Clinton as weak, Trump also often belittled foreign leaders' respect for Clinton.

Trump also depicted Clinton as not only physically lacking strength, but lacking the stability and temperament to be president. In a speech in Des Moines, Iowa on September 13, 2016, he asserted that "Hillary Clinton lacks the judgement, temperament and moral character to lead this country." He often depicts her as a mess and a "disaster." In an effort to appeal to women

⁴⁸ Dittmar, Kelly. 2015. *Navigating Gendered Terrain: Stereotypes and Strategy in Political Campaigns*.

⁴⁹ Rappoport, Alan. "Donald Trump's Latest Jab at Hillary Clinton: 'No Stamina'." *The New York Times*. August 16, 2016. <https://www.nytimes.com/2016/08/17/us/politics/donald-trump-hillary-clinton-stamina.html>.

⁵⁰ "Presidential Candidate Donald Trump Rally in Raleigh, North Carolina." *CSPAN*. November 7, 2016. <https://www.c-span.org/video/?418210-1/donald-trump-campaigns-raleigh-north-carolina&live>.

he stated on July 27 in Florida, “Look, Hillary Clinton's a disaster. I'd love to see a woman become president and it'll happen, absolutely. But I think it would be bad for women if it were Hillary Clinton.” This is false in the sense that Clinton in the past and in her campaign typically stood up for policy concerns typically considered “women’s issues,” and in the end Clinton received the majority of the female vote.

Clinton was also portrayed by Trump as being arrogant. In his speech in SoHo, New York on January 22 he said the following: “Hillary Clinton wants to be president... She believes she is entitled to the office. Her campaign slogan is ‘I’m with her.’ You know what my response to that is? I’m with you: the American people. She thinks it’s all about her.” These comments greatly increased (though they were also present before) after Clinton’s remarks on September 9, 2016 that “you could put half of Trump’s supporters into” a “basket of deplorable,” because of their “racist, sexist, homophobic, xenophobic, [and] Islamophobic” tendencies. Trump often used the words “arrogant” and “entitled” to describe Clinton throughout the campaign. While men are often seen as confident and assertive, women are often seen as arrogant when portraying confidence in themselves.

Through the content analysis, I found that while Trump used very little benevolent sexism in discussions about and against Hillary Clinton, and his hostile sexism was high, he used benevolent sexist rhetoric when talking about women who support him or who he viewed in a positive light. This is consistent with the findings of Glick and Fiske that individuals who score high on the ambivalent sexism inventory often treat women that they see in different subgroups differently, treating women who threaten their power or they see as conniving in a hostile way and those who they view as pure and fitting the stereotypical gender role benevolently.

The greatest example of this was in his speech in Washington, D.C. on September 9, 2016, just two months before the election. On the same page of the transcript, Trump contrastingly criticizes not Clinton's controversy-wrought past, but her performance in the debates: "Hillary Clinton answered questions on her emails horribly. That's why she lost. That's why she did so poorly. She was terrible. She was – honestly, I shouldn't be saying this – she was terrible." He then says: "Hillary Clinton is unfit to be our president, for many reasons...the biggest of which is her judgement. It's just so bad."

He then discusses the recent death of Phyllis Schlafly, the conservative activist and opponent to feminism,

Great woman, really great woman...Phyllis endorsed me a long time ago, when it wasn't necessarily something that was so easy to do. And she was incredible. She was so brave. She endorsed me, and that was not the thing to do at the time...She was a great, great, powerful woman with a tremendous heart.⁵¹

These words contrast so greatly with his words toward Hillary Clinton it is hard not to notice the stark difference; in the second debate, he claimed that Clinton has "tremendous hate in her heart" while here he claimed that Schlafly has a "tremendous heart." This example supports the idea that sexism is not hatred toward women as a group, which most individuals do not have. Trump showed respect for Schlafly and contempt toward Clinton, both women with similar backgrounds, but one who shares his view and one who does not.

While in the Clinton speeches analyzed, though not all of her 2016 election speeches, there was no evidence of hostile sexism, there were instances of benevolent sexism. Often this involved her prioritizing a

⁵¹ Goldmacher, Shane. "Full Text: Trump Values Voter Summit Remarks." POLITICO. September 09, 2016. <https://www.politico.com/story/2016/09/full-text-trump-values-voter-summit-remarks-227977>.

woman's role as a caretaker or mother. If these comments were calculated, they were likely in an attempt to portray her as softer, as she is often criticized as being too rough and not exhibiting stereotypically female characteristics such as being caring. They were also likely an attempt to appeal to mothers and non-working women in the electorate. Since quoted in 1992 as saying, "I suppose I could have stayed home, baked cookies and had teas," when asked about her legal career and its relationship to her husband Bill Clinton, Clinton has often attempted to appeal to mothers and portray herself in this role.

As hypothesized, Donald Trump displayed more hostile sexism than Hillary Clinton. While he did display more benevolent sexism than Clinton as well, there was not much of a difference in the benevolent sexism displayed by the two candidates as hypothesized.

POLITICAL PARTICIPATION IN THE ARCTIC: HOW DIFFERENCES IN ALASKAN AND CANADIAN ARCTIC GOVERNANCE STRUCTURES INFLUENCE NATIVE VOTER TURNOUT

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For decades, northern Indigenous groups throughout the Arctic Nations have lived geographically disconnected and politically disenfranchised from their southern authorities. Despite their aboriginal claims, these people have faced both de jure and de facto discrimination since the arrival of foreign influences to their lands. As disputes over international sovereignty, propositions of resource extraction, and introductions of polar tourism begin to galvanize activity in the Arctic, the region's original inhabitants' stake in political affairs is greater than ever. While early voting opportunities, biracial candidates, and the language of election materials have partially explained the different levels of political participation between Alaskan Natives and the Inuit people of Canada, these factors alone fail to describe the variation in voter turnout across the North American region. Equipped with an understanding as to the origins of this disparity, leaders of northern Indigenous groups from across the eight Arctic states will be better informed and prepared to increase the political participation of their people, and in doing so, affirm their right to self-determination. This paper will attempt to explain how the empowerment of northern Indigenous groups through different governance structures may have an impact on the political participation of the Indigenous people of both Alaska and Canada. Relying on that analysis, recommendations will be made to improve voter turnout among the Native tribes in Alaska thus enhancing their political participation and their right to self-determination.

INTRODUCTION: VOTER TURNOUT AMONG ARCTIC INDIGENOUS PEOPLES

Often with thousands of miles between them and their federal governments, northern Indigenous groups throughout the Arctic States experience both geographic isolation and political abandonment from their southern authorities. While each of the Arctic States has managed their Indigenous populations differently, few have successfully bestowed on them the degree of liberty, equality, and opportunity that one may expect from contemporary democratic nations. Naïve to this seemingly bygone issue of inequality, Americans are once again familiarizing themselves with the images of disenfranchised citizens standing in opposition to the force of government firehoses. Specifically, the continuously running headlines of the North Dakota Pipeline Protests highlight the consequences of a politically muted community facing rapid developments which threaten their land and livelihoods.

As disputes over international sovereignty, propositions of resource extraction, and introductions of polar tourism begin to galvanize activity in the Arctic, the region's original inhabitants' stake in political affairs is greater than ever. In the midst of American-Canadian disputes over Arctic development, Indigenous Arctic peoples are often left out of the discussions. Following disasters such as the Exxon Valdez Oil Spill of 1989, Alaskan Natives may be weary of the potentially adverse impacts of projects such as pipelines and wells. With its maiden Northwest Passage transit in 2016, Crystal Cruises stimulated tourism in native regions generally untainted by external influence. While these foreign forces continue to transform the Arctic landscape, indigenous communities should be more inclined to participate in their nation's

political processes than ever before. This expectation is evidenced by a consistent voter turnout among the First Nations in Canada. Constantly disturbed by new propositions for Arctic development, the Inuit people of Canada deter unwanted activity through effective and active political participation. On the other hand, Alaskan Natives, who face similar encroachments, remain politically apathetic as evidenced by their disparagingly low voter turnout. Why then, does such a disparity exist between each society's voter turnout when both regions face comparable challenges?

While extensive research already exists on the influence of direct voter turnout initiatives on political participation among the Native tribes of northern Alaska and the First Nations of Canada, little has been done to examine the impact variables that are not directly related to the electoral process. Specifically, the analysis of early voting opportunities, biracial candidates, and the language of election materials has partially explained the different levels of political participation between Alaskan Natives and the Inuit people of Canada. However, these factors alone fail to describe the variation in voter turnout across the North American Arctic region.

Equipped with an understanding as to the origins of this disparity, leaders of northern Indigenous groups from across the eight Arctic states will be better informed and prepared to increase the political participation of their people, and in doing so, affirm their right to self-determination. This paper will attempt to explain how the empowerment of northern Indigenous groups through different governance structures may be impacting the political participation of the Indigenous people of both Alaska and Canada. Relying on that analysis, recommendations will be

made to improve voter turnout among the Native tribes in Alaska in order to enhance both their political participation and their right to self-determination, and thus their recognition within the federal government.

LITERATURE: INFLUENCES ON VOTER TURNOUT

Democratic institutions are celebrated across the world for their fundamental credo, citizen participation. While most of the world's early governments achieved their authority through aristocratic or authoritarian rule, contemporary democracies require public consent in order to facilitate their business. This public consent is conveyed through a citizen's vote. However, when one cohort of people neglects their right to vote, they sacrifice the recognition of their political interests. In addition, low voter turnout reflects public disengagement and even a lack of trust in a political system.¹ Thus, in the Arctic region, when Indigenous peoples choose not to exercise their rights, they allow foreign influences and distant governments to dominate their political processes, ultimately fostering the aristocratic or authoritarian rule that contemporary societies have progressed away from. In hopes of restoring these citizens' political voice, several experts have examined various factors that may impact voter turnout.

Lately, research on voter turnout has only focused primarily on direct influences to the electoral process. Measuring the effect of early voting site density on American voter participation, Fullmer's study

¹ Linda Killian, "What Voter Dissatisfaction and Low Turnout Could Mean for November," *The Wall Street Journal*, July 24, 2014, <http://blogs.wsj.com/washwire/2014/07/24/what-voter-dissatisfaction-and-low-turnout-could-mean-for-november/>.

identified the impact of early voting initiatives on turnout.² A widely held assumption, that minority candidates motivate a surge in turnout among biracial voters, was tested by Bernard.³ In addition, Hopkins examined how the language of ballots and election information may influence voter turnout.⁴ Finally, Dettrey examined the variation in voter turnout between several states as it related to those states' different political systems.⁵ When analyzed in the context of Alaskan and Nunavut elections, these electoral factors begin to explain some of the disparity between the two regions participation levels. However, before examining into this research, it is important to explain the significance of the Nunavut region: Nunavut, Canada, became the newest Canadian territory when it separated from the Northwest Territories on April 1, 1999. Nunavut was created by the Nunavut Land Claims Agreement Act in order to offer political autonomy to its majority Indigenous population; it is for this reason that Nunavut is an area of focus for this paper.

Early Voting

Election Day, the Tuesday after the first Monday of November in the United States, is celebrated across the nation as the day that citizens

² Elliot Fullmer, "Early Voting: Do More Sites Lead to Higher Turnout," *Election Law Journal* 14, no. 2 (2015): 81-96, doi:10.1089/ej.2014.0259.

³ Bernard Fraga, "Candidates or Districts? Reevaluating the Role of Race in Voter Turnout," *American Journal of Political Science* 60, no. 1 (2016): 97-122, doi:10.1111/ajps.12172.

⁴ Daniel Hopkins, "Translating into Votes: The Electoral Impacts of Spanish-Language Ballots," *American Journal of Political Science* 55, no. 4 (2011): 814-830, doi: 23025122.

⁵ Bryan Dettrey, "Voter Turnout in Presidential Democracies," *Comparative Politics Studies* 42, no. 10 (2009): 1317-1338, doi 101177.

head to the polls to exercise their constitutional right to vote. Specifically, Election Day offers citizens the opportunity to ensure that their leaders are addressing the important issues and to hold them accountable if they are not. However, when a state's population surpasses three hundred million, when its polling places are inconveniently located, and when most voters are required to work, leaving them a short window of time to get to the booths, it is simply implausible for every citizen to vote.⁶ Early voting initiatives were created to address these issues and they are utilized both across the United States and Canada.

Analyzing data from U.S. elections in 2008 and 2012, Fullmer examined the influence of early voting initiatives on voter turnout. Recognizing the myriad of additional factors affecting voter turnout, Fullmer's tests controlled for other participation predictors such as voter demographics, voter identification requirements, and campaign competitiveness.⁷ Fullmer's study concluded that while early voting "has a significant and generally meaningful impact on voter turnout," it is not enough of an impact to solve "America's comparatively low-turnout issue."⁸ Although Fullmer's research specifically addressed early voting, his work did recognize several other factors that influence turnout rates, including registration procedures, mail-in ballots, and incarcerated voters; all of which are managed differently in Alaska and Nunavut.

While commenting on Alaskan Native voter turnout in the 2014 election cycle, Alaska's Lieutenant Governor, Mead Treadwell,

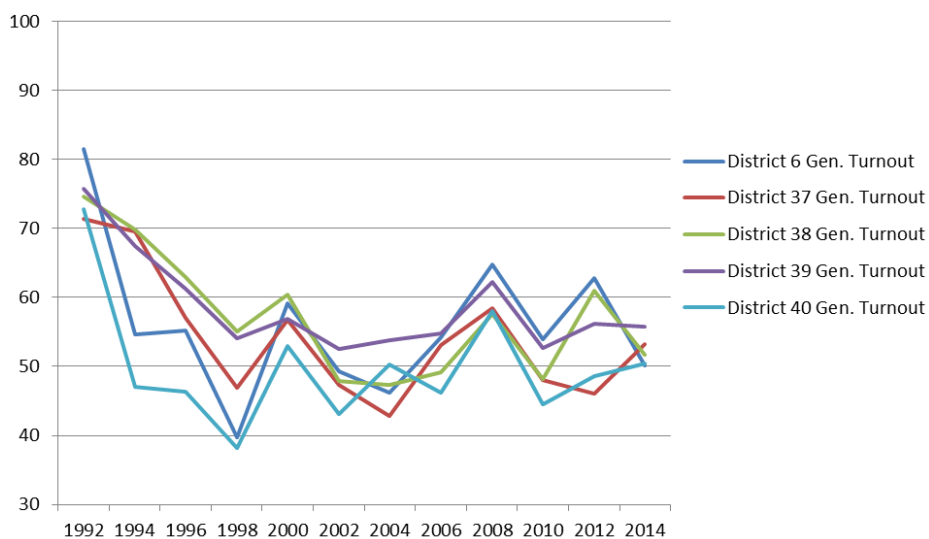
⁶ Natalie Landreth and Moria Smith, "Voting Rights in Alaska," Renew the VRA, March 2006, accessed January 28, 2016, <http://www.protectcivilrights.org/pdf/voting/AlaskaVRA.pdf>.

⁷ Fullmer, 84.

⁸ Fullmer, 92.

applauded the Division of Elections for more than doubling the number of early voting locations since the previous election.⁹ Despite the Governor’s positive outlook on the impact of increased early voting sites, turn out rates in heavily Native populated districts remained low or decreased from previous years (Chart 1).

Chart 1: General Election Voter Turnout in Selected Alaskan Precincts



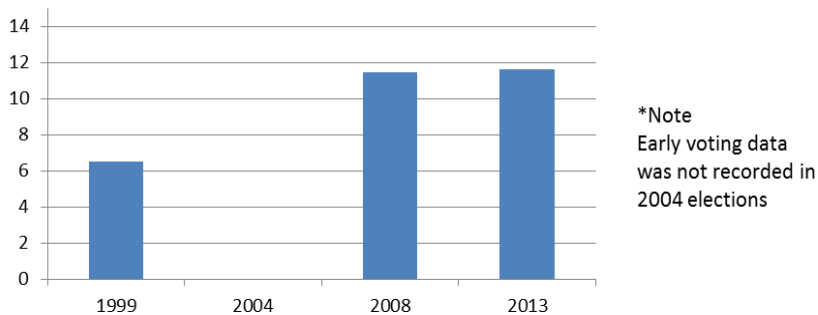
On Nunavut’s government-run elections support website, early voting opportunities, as well as instructions for mail-in ballots, mobile polls, and voting by radio, are provided.¹⁰ Since Nunavut’s beginning as a territory, the percent of total votes designated as “early votes” has doubled (Chart 2). This is all to say that other factors besides early voting

⁹ Treadwell to AFN: Youth and Native Votes Trending Upward,” Alaska Native Business, October 24, 2014, <http://www.akbizmag.com/Alaska-Business-Monthly/October-2014/Treadwell-to-AFN-Youth-and-Native-Votes-Trending-Upward/>.

¹⁰ “Welcome to Elections Nunavut,” Elections Nunavut, accessed January 28, 2016, <http://www.elections.nu.ca/>.

and electoral procedures are influencing the disparity between Alaskan and Nunavut voter turnout.

Chart 2: Percent of Votes Designated “Early Votes” in Nunavut Elections



Heuristics

Voter heuristics are clues, or shortcuts, that voters use to determine who they will support. For instance, voters will often use shallow characteristics of candidates, such as gender, age, or appearance, to make their decisions in low information elections. In addition to influencing voter choice, these cues have also been found to impact voter turnout. Testing this theory, Fraga researched how the presence of biracial candidates impacts minority voter mobilization. Applying this analysis to Alaskan and Nunavut elections, where voters represent a minority of each state’s population, could explain some of the contrast between the two region’s turnouts. However, after using a U.S. database of over 185 million individual registration records and 3,000 congressional primary and general election candidates to evaluate the links between candidate race, district composition, and turnout, Fraga

found “that minority turnout is not higher in districts with minority candidates.”¹¹ Therefore, there must be other reasons that may explain why Nunavut’s voter turnout remains high while that of Alaskan Native districts remains low.

Language

The American Voting Rights Act of 1965 attempted to dismantle legal barriers that were aimed at inhibiting African Americans from voting. Although profoundly improving the political rights of a once disenfranchised faction, the VRA failed to benefit all minorities. Specifically, the VRA was unsuccessful in responding to the “systematic pattern of voting discrimination and exclusion against minority citizens [whose] dominant language was other than English.”¹² Therefore, in 1975, lawmakers amended the VRA “to require covered jurisdictions to provide bilingual voting assistance.”¹³ Hopkins examined the impact of Spanish-language assistance on California State primary elections and found that bilingual ballots increased overall voter turnout.¹⁴

Despite the 1975 improvements to the VRA and the known advantages to bilingual ballot access, in September 2014, a federal judge found that the Alaskan State Elections Division violated the VRA “by failing to provide ballot and candidate information in Native

¹¹ Fraga, 97.

¹² Landreth, 17.

¹³ *Ibid*, 17.

¹⁴ Hopkins, 823.

languages.”¹⁵ Following the ruling, Alaskan state officials guaranteed improvements before the November elections. Similarly, in 2008, the Nunavut Legislative Assembly approved the Inuit Language Protection Act which guaranteed all voting materials to be printed in every First Nations language spoken in the region. In spite of both Alaskan and Nunavut initiatives to improve access to multi-lingual voting materials, voter turnout averages in both regions have remained relatively consistent.

Political System

While both Canada and the United States offer the opportunity for their citizens to participate in democratic elections, the differences in their political systems may encourage one state’s citizens to vote more than the others’. Dettrey studied how different political systems, namely presidential versus parliamentary, impact overall voter turnout. He found that while parliamentary elections tend to draw a larger turnout, they are heavily dependent on multipartism. That is, as the number of parties vying for control increase in a parliamentary system, turnout decreases.¹⁶ While Canada’s parliamentary system may serve as factor in the disparity between Canadian and American turnout, it cannot be alone, thus requiring further research. Another characteristic of political systems with a potential influence on voter turnout is the difference between single-member and multi-member districts; however, it is not a variable

¹⁵ Richard Mauer, “Native Language Speakers Win Voting Rights Lawsuit Against State,” *Alaska Dispatch News*, September 3, 2014, <http://www.adn.com/article/20140903/native-language-speakers-win-voting-rights-lawsuit-against-state>.

¹⁶ Dettrey, 1327.

in this analysis because both the United States and Canada use single member districts.

An extensive amount of research focuses on understanding the relationship between specific aspects of the electoral processes and voter turnout. Early voting affects voter turnout although it cannot fully explain the disparity between participation rates in Native Alaskan districts and Nunavut. While some voter heuristics are confirmed to influence voter turnout, the presence of minority candidates has not correlated to either a rise or decline in participation. Although bi-lingual voter materials improved voter turnout in California, similar initiatives in both Alaska and Nunavut have not proven to be as influential. Finally, while differences in political systems, such as presidential versus parliamentary, create variations in turnout, other influences must exist. Therefore, other factors besides elements of the electoral process must be examined. This research will achieve this by analyzing the differences between governance structures in both Native Alaskan districts and Nunavut and then considering how those might explain the disparity between each respective region's voter turnout rates.

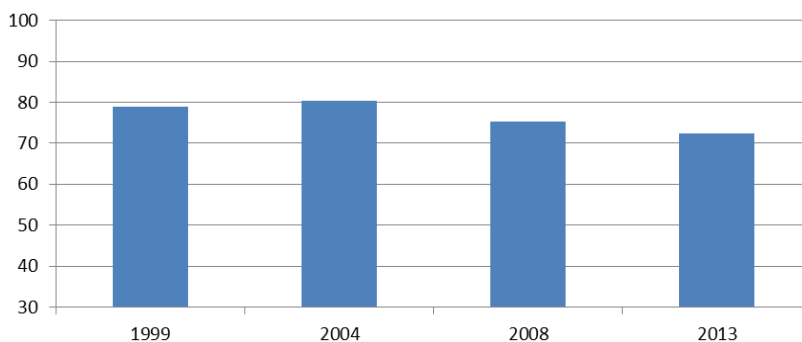
METHODS: INDIGENOUS VOTER TURNOUT IN ALASKA AND NUNAVUT

Political participation and civic engagement are most often measured by voter turnout. In order to examine that of Natives living in Alaska and the Inuit people of Nunavut, this research measured voter turnout from general elections. General elections provide the best account for voter turnout because citizens usually perceive general elections to be of more importance as they will determine which candidate will

ultimately win office.¹⁷ Therefore, with greater perception of importance comes greater overall turnout, thus offering a better analysis of overall political participation. Because voter turnout by specific ethnicity is not recorded in either Alaska or Nunavut, I created a new model, based on the geographic population density of Native Alaskans and Inuit people, to gather data on Indigenous voter turnout in both regions. Specifically, I examined voter turnout in electoral districts that had a majority Indigenous constituency.

Due to its majority Inuit population, Nunavut’s civic political participation can be inferred as Indigenous voter turnout. Utilizing data from Elections Nunavut, I examined every Canadian general election since Nunavut’s inception as a territory, specifically, the elections of 1999, 2004, 2008, and 2013. Then, by totaling the amount of “votes casted” from each Nunavut voting precinct and comparing them to the official voters list from each respected election year, I calculated the overall Indigenous voter turnout in Nunavut (Chart 3).

Chart 3: Voter Turnout in Nunavut General Elections



¹⁷ Eric McGhee, “Voter Turnout in Primary Elections,” *Public Policy Institute of California*, May, 2014, http://www.pplic.org/content/pubs/report/R_514EMR.pdf.

Because the state of Alaska has forty voting districts that range greatly in diversity, additional steps were required in order to calculate the Indigenous voter turnout. Using data from the US Census, I first calculated the Indigenous population density of each of the forty districts (Table 1, Appendix). Then, I isolated the top five districts –District 6, 37, 38, 39, and 40– in terms of Indigenous population in order to best examine the Indigenous voter turnout. Of the top five districts, special attention was given to Districts, 38, 39, and 40 in the analysis because of their geographic location within the state. The location of these districts –spanning from the North Slope down the western Alaskan coast– correlate with the areas most involved with activity such as resource extraction, territorial disputes, and tourism. Therefore Native civic engagement in these districts would theoretically be heavily influenced by Arctic development. Relying on the same process used in Nunavut, I calculated the Alaskan Native voter turnout from 1992 to 2014 in each of the districts (Chart 1).

SURVEY OF DATA

While both Nunavut and several Alaskan electoral districts hold comparable Indigenous populations, their voter turnout averages remain vastly different. The two North American regions experienced unprecedented development throughout the last fifty years, ranging from resource extraction, international territorial disputes, and Arctic tourism. However, although both places and their Indigenous populations are exposed to similar affairs, their levels of practice in civic engagement have not reflected such similarities. As Nunavut’s voter turnout remains

consistently high, Alaskan Indigenous participation in state elections compares far below, even when compared to state averages (Chart 4).

Not only is Nunavut’s turnout substantially higher than Alaskan Indigenous’ rates, it is also consistently higher than the Canadian average (Chart 5).

Chart 4: Average Alaskan Native Voter Turnout vs. State Average

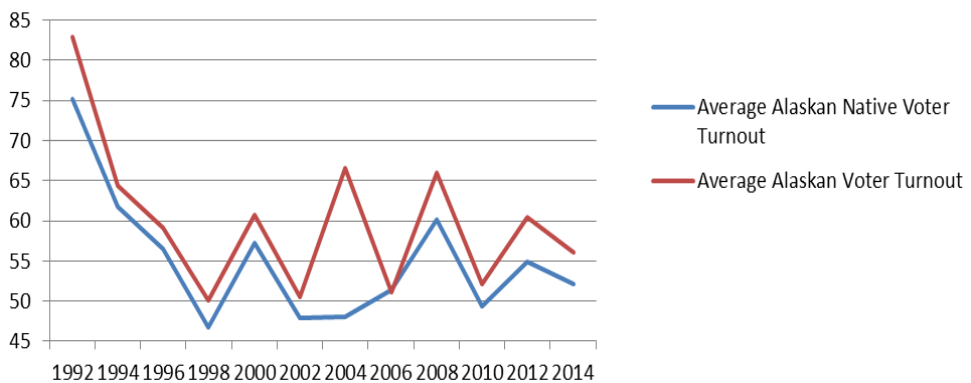
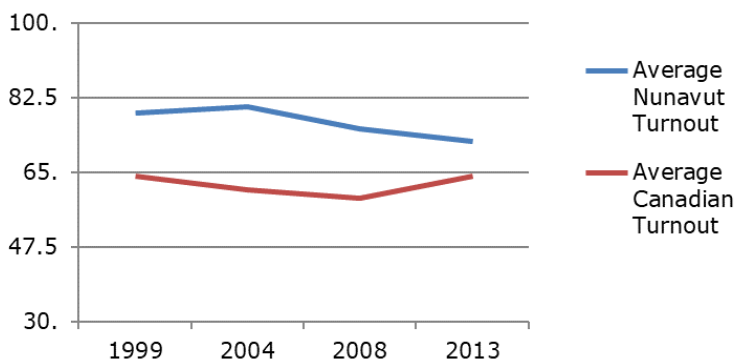


Chart 5: Average Nunavut Turnout vs. Canadian Average



Relying on the methods previously described, I collected voter turnout data in highly- Indigenous populated districts in Alaska to

examine the average Indigenous Alaskan voter turnout from 1992 to 2014 (Chart 1). With the exception of the 1992 and 1994 elections, Alaskan Indigenous voter turnout has remained approximately between 45% and 55%.¹⁸ While these levels do show spikes every other year beginning in 1992, I attribute those differences to the fact that they are in Presidential election years which traditionally draw larger turnouts. Using the same process to examine voter turnout in Nunavut from 1999 to 2013, I found that 77% of Inuit voters participate in Canadian elections.

Recognizing that American citizens, on average, tend to vote less frequently than citizens of comparable modern democracies, such as Canada, I compared the Indigenous Alaskan voter turnout levels with the voter turnout of the entire state of Alaska (Chart 4).¹⁹ Therefore, I could confirm that the disparity in turnout remained between Alaskan and Canadian Indigenous people and not between the two states as a whole. This comparison demonstrated that from 1992 to 2014, Indigenous Alaskan voter turnout, on average, remained 6% lower than that of the entire state of Alaska. This offered support to theory that influences other than direct voter turnout initiatives, and explanations other than national voter turnout averages, must exist to explain the disparity between Indigenous Alaskan and Nunavut voter turnout. This paper will examine

¹⁸ The considerable increase in voter turnout in the 1992 election is most frequently attributed to the uncommonly competitive nature of that year's campaign between George Bush, Bill Clinton, and popular third party candidate, Ross Perot (Koyzis). Additionally, the 1994 turnout levels are commonly thought to be the result of a surge in Republican initiatives to increase support to regain House control following President Clinton's 1992 victory (McDonald).

¹⁹ The considerable decrease in Alaskan Native voter turnout in the 1994 cycle depicted in Chart 4 is not representative of the overall turnout. Between the five state precincts examined, only two displayed similar dives. Thus the noticeable decrease in 2004 is due largely in part to those two districts, but not the Native population as a whole.

the differences in governance structures of Alaska and Nunavut as one such possible influence.

ANALYSIS OF GOVERNANCE STRUCTURES

Just as voter turnout increases in highly competitive elections, such as the 1992 American Presidential election, it likewise increases when voters believe that they have a stake in the outcome of the election. Therefore, when governance structures are aimed at empowering their constituents, voters will feel a greater involvement in their governments operations, and that will be reflected in their political participation. Since the mid twentieth century, North American Arctic communities have experienced substantial political change at the regional level. These changes in governance structures have largely been focused on empowering Indigenous peoples, and it is these developments that are influencing voter turnout in the Arctic. Davidson's analysis of regional governances in the North American Arctic compares the different institutional structures and policymaking procedures utilized in both Nunavut and Alaska.²⁰ I believe the differences that she highlights in her research demonstrate contrasting levels of Indigenous empowerment and thus explain the disparity in voter turnout among Alaskan Natives and the Inuit people of Nunavut.

From the beginning of their recognition by their federal governments, the Indigenous regions of Alaska and Canada have differed

²⁰ Adrienne Davidson, "Regional Governance without Self-Government: Dynamism and Change in the North American Arctic," *Arctic Year Book*, 2015, http://www.arcticyearbook.com/images/Articles_2015/3Regional-Governance-without.pdf

immensely. Davidson described the original Native land claim process that occurred in Alaska as rapid and ad hoc. It began through a process of Congressional hearings and political lobbying and it rested on the idea of creating several Native regional corporations (NRCs) that were intended to “hold and manage Native lands” in order to advance “political and economic development.”²¹ Showing little resemblance to the Native Indian Reservation system utilized in the “Lower 48,” the Alaskan NRC corporate-like model was most likely fueled by commercial interests, instead of cultural preservation. Although Canada also pursued a NRC-based process to establish Indigenous land claims, they “adopted a much more prolonged process of negotiation” focused on developing regional cooperation and promoting ethnic cohesion.²² The differences in regional boundaries between NRCs created in both Alaska and Canada generates particularly different governance structures, thus empowering Indigenous peoples to different degrees.

In Alaska, the boundaries of Native claims were drawn for geographic and historical convenience, thus blurring “the lines between many distinct Indigenous groups.”²³ Therefore, when the boundaries of the twelve NRCs were drawn, they “split across groups and created regions with generally more highly mixed Native populations.”²⁴ In addition, the NRC boundary lines divided existing state electoral districts, which in effect, weakened the collective voice of each NRC in state politics, similar to the consequences of gerrymandering.

²¹ Ibid, 5.

²² Ibid, 5.

²³ Ibid, 5.

²⁴ Ibid, 5.

Differing from Alaska's approach to settling land claims and corporation boundaries, Canada "favored the development of clearly defined regions constrained by group identity."²⁵ This encouraged Canadian "Indigenous peoples to self-organize into most-similar groups based on region, culture, and ethnicity *prior to* [the] negotiation" of specific boundaries.²⁶ This alternative approach encouraged more effective units of regional governance than were created by Alaska's "ad-hoc" method.

Because the Alaskan NRCs lacked cultural and ethnic coherence, they failed to advance towards regionalization. Therefore, in the 1990s, Alaskan Indigenous leaders focused on bolstering local tribal governance. However, this meant that 229 village tribal governments, as well as several nonprofit associations and "borough governments" would be responsible for providing for many of the Indigenous population's needs.²⁷ As a result, Native Alaskans were directed to different government bodies depending on their need. For example, in the Northwest and NANA NRC, employment services are provided by the Native Corporation, but income support is offered by nonprofit organizations, finally, scholarships and education services are through the local borough government.²⁸ This consequential fractionalization of government institutions failed to empower the Alaskan Indigenous population, thus decreasing their interest in political participation which has resulted in lower state election voter turnout.

²⁵ Ibid, 6.

²⁶ Ibid, 6.

²⁷ Ibid, 8.

²⁸ Ibid, 8.

On the other hand, the Canadian Indigenous land claims promoted the combination of several groups thus encouraging regionalization. Specifically, the Gwich'in and the Inuvialut regional groups pressed the federal government to consolidate into one "Beaufort-Delta Public Government".²⁹ Although this government never materialized, it "would have been a clear increase in the policy authority of the Gwich'in and the Inuvialut in the realm of social policy", something that the Alaskan fractionalization prevented.³⁰ The government could have created one central governance structure for Canadian Indigenous people to call on, thus strengthening their stake in political activity. Fortunately, while the Beaufort-Delta Public Government never came to fruition, the Inuvialuit did succeed in creating Nunavut.

In 1999, Nunavut officially broke away from the Northwest Territories becoming Canada's thirteenth province. Nunavut's establishment marked an incredible breakthrough in the regionalization of Canadian Arctic governance structures. With provincial status, Nunavut possesses autonomy in governmental procedures analogous with the states of the American Republic. The province manages all social welfare programs, controls leasing and permitting for resource extraction, and represents the Inuit population's interests in the federal government. Therefore, Nunavut empowers its citizens and motivates them to become civically engaged, thus explaining their higher voter turnout compared to that of Alaskan Natives, who lack such a stake in their governing bodies.

²⁹ Ibid, 12.

³⁰ Ibid, 12.

CONCLUSION AND RECOMMENDATIONS

As the Arctic continues to be one of the most rapidly developing and changing regions in the world, one must scrutinize the Arctic's Indigenous people's engagement in the political arena. With resource extraction, territorial disputes, and adventure tourism emerging in both Alaska and the Canadian territory of Nunavut, Indigenous civic engagement has varied enormously between both regions. While voter turnout among the Inuit people of Nunavut is consistently high, that of Alaskan Natives remains disparagingly low. The apathetic political behavior of Indigenous Alaskans not only disenfranchises them from their democratic political processes, but it grants further discretion to a detached Washington congress. While early voting opportunities, biracial candidates, and the language of election materials have partially explained the different levels of political participation between Alaskan Natives and the Indigenous peoples of Canada, these factors alone fail to describe the variation in voter turnout across the North American region.

This paper finds that the empowerment of northern Indigenous groups through different governance structures greatly influences the political participation of the Indigenous peoples of both Alaska and Canada. The creation of Alaskan Native Regional Corporations favored economic development and geographic convenience, ultimately creating cultural divides among Alaskan Natives. The fractionalization of Alaskan Native governance structures has led to a politically apathetic Indigenous population disenfranchised from the American democratic process. On the other hand, Canada's land claim procedures favored the regionalization of several Indigenous governance structures. This eventually led to the creation of Nunavut, where in which its majority

Indigenous population is highly active in the political arena and regularly participates in Canadian elections.

Therefore, I recommend that the United State federal government considers cooperating with Alaska State leaders and local tribal leadership to reconsider the Alaskan NRC boundaries to better reflect cultural alignment. Then, encourage the ethnically cohesive NRCs to develop regional governance structures instead of relying on a conglomerate of tribal, corporate, non-profit, state, and federal institutions. Finally, increase the autonomy of these regional bodies in order to legitimize their authority. By improving and strengthening these governance structures, and thus political participation, Native Alaskan leaders will enhance their relationships with Washington lawmakers, therefore increasing the feasibility and efficiency of Arctic development while mitigating the friction recently seen between the government and tribal leaders in the lower forty-eight.

Appendix

Table 1 *Data provided by US Census Bureau

District	Native Population	Total Population	% Native
38	13393	16055	83.4195
39	13045	15642	83.39726
40	11755	17516	67.11007
6	6917	14235	48.5915
37	6002	15199	39.48944
5	4224	13846	30.50701
36	2393	14570	16.42416
2	2140	14651	14.60651
3	2238	15433	14.50139
9	2216	16149	13.72221
1	1934	14333	13.49334
23	2205	16958	13.00271
22	2052	16126	12.72479
20	2210	18540	11.92017
25	1863	16201	11.49929
19	1832	17804	10.28982
24	1921	19355	9.925084
29	1712	17639	9.705766
4	1454	15842	9.178134
35	1476	17419	8.473506
27	1355	18047	7.508173
30	1401	18664	7.506429
8	1456	19960	7.294589
26	1110	15814	7.019097
21	1130	16303	6.93124

34	1246	18909	6.589455
33	1190	18493	6.434867
15	1605	25974	6.179256
10	1014	16548	6.127629
12	865	14811	5.840254
28	1051	18473	5.689385
7	1154	20982	5.499952
13	1290	23507	5.487727
14	1150	23682	4.856009
31	860	17744	4.846709
16	1020	21559	4.731203
11	1024	21692	4.720634
17	663	16349	4.055294
32	770	19952	3.859262

Table 2 *Data provided by State of Alaska Division of Elections

Year	District	Primary	General	Pres
1992	6	31.07	81.51	1
1994	6	27.1	54.7	0
1996	6	31.97	55.2	1
1998	6	15.03	39.7	0
2000	6	21.23	59.16	1
2002	6	26.65	49.23	0
2004	6	28.6	46.14	1
2006	6	36.31	54.17	0
2008	6	42.61	64.81	1
2010	6	32.07	53.95	0
2012	6	27.85	62.86	1
2014	6	34.62	50.11	0
1992	37	41.25	71.37	1
1994	37	36	69.6	0
1996	37	42.72	57	1
1998	37	23.8	46.96	0

Year	District	Primary	General	Pres
2000	37	38.69	56.7	1
2002	37	23.34	47.25	0
2004	37	23.43	42.81	1
2006	37	34.26	53.07	0
2008	37	38.27	58.43	1
2010	37	25.54	48.06	0
2012	37	14.48	46.04	1
2014	37	29.97	53.3	0
1992	38	48.67	74.61	1
1994	38	48.4	69.9	0
1996	38	48.3	62.96	1
1998	38	40.01	55.07	0
2000	38	45.04	60.41	1
2002	38	30.38	47.82	0
2004	38	27.28	47.32	1
2006	38	29.59	49.08	0

Year	District	Primary	General	Pres
2008	38	42.56	57.57	1
2010	38	25.76	48.22	0
2012	38	28.06	60.94	1
2014	38	33.02	51.67	0
1992	39	46.77	75.74	1
1994	39	48.4	67.4	0
1996	39	39.86	61.25	1
1998	39	36.4	54.03	0
2000	39	19.68	56.83	1
2002	39	31.06	52.54	0
2004	39	31.74	53.73	1
2006	39	35.54	54.84	0
2008	39	41.79	62.26	1
2010	39	31.03	52.66	0

Year	District	Primary	General	Pres
2012	39	27.25	56.17	1
2014	39	33.82	55.83	0
1992	40	36.69	72.81	1
1994	40	29.4	47.1	0
1996	40	23.29	46.32	1
1998	40	22.68	38.13	0
2000	40	20.13	52.9	1
2002	40	23.83	43.04	0
2004	40	24.14	50.22	1
2006	40	26.08	46.2	0
2008	40	35.31	58.03	1
2010	40	23.83	44.5	0
2012	40	29.71	48.56	1
2014	40	35.81	50.48	0

Table 3 *Data provided by Elections Nunavut

Year	Early Votes	Total Votes	% Early
1999	659	10166	6.482392
2004	*****	10143	*DATA NOT
2008	950	8293	11.45544
2013	1128	9724	11.60016

Table 4 *Data provided by Elections Nunavut

Year	Total Votes	Official Voters	Voter Turnout
1999	10166	12878	78.94082932
2004	10143	12631	80.30243053
2008	8293	11018	75.26774369
2013	9724	13452	72.28664883

Table 5 *Data provided by State of Alaska Division of Elections

Year	AK Native Turnout	AK Turnout	Alaska Native Avg	AK Avg
1992	6	81.51		
1992	37	71.37		
1992	38	74.61		
1992	39	75.74		
1992	40	72.81	75.208	82.9
1994	6	54.7		
1994	37	69.6		
1994	38	69.9		
1994	39	67.4		
1994	40	47.1	61.74	64.4
1996	6	55.2		
1996	37	57		

Year	AK Native Turnout	AK Turnout	Alaska Native Avg	AK Avg
1996	38	62.96		
1996	39	61.25		
1996	40	46.32	56.546	59.1
1998	6	39.7		
1998	37	46.96		
1998	38	55.07		
1998	39	54.03		
1998	40	38.13	46.778	50.1
2000	6	59.16		
2000	37	56.7		
2000	38	60.41		
2000	39	56.83		

FREDERICK SCOTT | 93

The Fellows Review

Year	AK Native Turnout	AK Turnout	Alaska Native Avg	AK Avg
2000	40	52.9	57.2	60.8
2002	6	49.23		
2002	37	47.25		
2002	38	47.82		
2002	39	52.54		
2002	40	43.04	47.976	50.5
2004	6	46.14		
2004	37	42.81		
2004	38	47.32		
2004	39	53.73		
2004	40	50.22	48.044	66.6
2006	6	54.17		
2006	37	53.07		

Year	AK Native Turnout	AK Turnout	Alaska Native Avg	AK Avg
2006	38	49.08		
2006	39	54.84		
2006	40	46.2	51.472	51.1
2008	6	64.81		
2008	37	58.43		
2008	38	57.57		
2008	39	62.26		
2008	40	58.03	60.22	66.03
2010	6	53.95		
2010	37	48.06		
2010	38	48.22		
2010	39	52.66		
2010	40	44.5	49.478	52.29

Year	AK Native Turnout	AK Turnout	Alaska Native Avg	AK Avg
2012	6	62.86		
2012	37	46.04		
2012	38	60.94		
2012	39	56.17		
2012	40	48.56	54.914	60.42
2014	6	50.11		
2014	37	53.3		
2014	38	51.67		
2014	39	55.83		
2014	40	50.48	52.278	56

PATRONAGE TO PAYOFFS: EVALUATING THE PENDLETON ACT'S INTENT AND EFFECT ON THE AMERICAN CAMPAIGN FINANCE SYSTEM, 1883-1896

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“There are two things that matter in politics. The first is money, and I can't remember what the second one is.” –Mark Hanna, 1865¹

Despite being widely viewed as a progressive congressional effort to democratize elections by eliminating the patronage and political assessment systems that drove party politics in the mid-19th century, the Pendleton Civil Service Reform Act of 1883 was not progressive in either intent or effect. In actuality, it was motivated by a desire to streamline campaign finance efforts by securing funds from a small number of corporate donors rather than hundreds of thousands of low-level employees in the civil service, and it caused a shift from a government dominated by party elites to a government increasingly indebted to corporations and wealthy individuals that gained the ability to control party platforms and policy. This paper will first assess the validity of the three most widely accepted explanations of why the Pendleton Act was successfully signed into law, concluding that the “party explanation” is implausible, the “power to the people explanation” fails to explain the bill's overwhelming support in the Senate, and the “inefficiency explanation” is the most accurate and fully supported by available evidence. To analyze the extent to which the Pendleton Act led to a shift of power from political to corporate elites, this paper examines trends in total election cost, major campaign funding sources, party platforms, and the development of relationships between national party leaders and the business world.

By the mid-18th century, the dominant strategy of campaign funding for both the Democratic and Republican parties was the political assessments system. It began in 1829 with the birth of the patronage system, with the newly inaugurated Andrew Jackson's decision to replace nearly ten percent of all government employees with his supporters.² Over the next fifty years, campaigns became more expensive due to increased expenditures on travel, campaign literature, and the maintenance of campaign headquarters, and parties and political machines

¹ Bartlett, Bruce. 2009. "Money And Politics". *Forbes*. <https://www.forbes.com/2009/06/11/terry-mcauliffe-virginia-primaries-opinions-columnists-fundraising.html>.

² Howe, Daniel W. 2009. *What Hath God Wrought: The Transformation Of America, 1815-1848*, 328-33. 1st ed. Oxford: Oxford University Press.

became more central in the electoral process.³ These groups quickly institutionalized a system in which local, state, and national government employees were “assessed” for contributions of between 2-7% of their salaries to the dominant party in the region.⁴ In areas like New York City where party machines were particularly powerful, they demanded assessments ranging up to 20% of each employee’s salary.⁵ Needless to say, refusal to contribute was cause for firing. In addition to assessing the salaries of current employees, party bosses also worked to create new (and generally low-paid) positions to reward contributors who wanted a government job. By 1883, nearly 70% of approximately 100,000 federal employees whose salaries were assessed held the title of “fourth-class postmaster,” and the vast majority of them were paid less than \$100 a year—equal to \$2,302.83 today.⁶ Despite the relatively small amounts that party bosses could extort from each individual employee, the rapid growth of the federal bureaucracy meant that the total collected amount was enough to sustain the parties almost entirely—in 1878, for instance, assessments made up 90% of the Republicans’ funds.⁷

Despite the political assessment system’s apparent success, by the late 19th century ongoing efforts to reform campaign finance finally succeeded with the passage of the Pendleton Civil Service Act of 1883.⁸ Pendleton extended an existing but limited Hayes administration ban on political assessments from dock workers to cover 11% of the entire civil service, which numbered approximately 131,000 at the time.⁹ Specifically, the law required “that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.”¹⁰ The phrase “public service” referred not to the entire civil service, but the specific

³ Boeckel, Richard. "Presidential Campaign Funds." In *Editorial Research Reports 1928*, vol. II, 293. Washington, DC: CQ Press, 1928. <http://library.cqpress.com/cqresearcher/cqresre1928040600>.

⁴ Hoogenboom, Ari. 1959. "The Pendleton Act And The Civil Service". *The American Historical Review* 64 (2): 302. doi:10.2307/1845445.

⁵ Nott, William E. 1882. *The Republican Campaign Text Book For 1882*, 93. 1st ed. Washington, D.C.: Republican Congressional Committee.

⁶ Hoogenboom, 303-304.

⁷ Mutch, Robert E. 1988. *Campaigns, Congress, And Courts*, xvi. 1st ed. New York: Praeger.

⁸ Handlin, 587.

⁹ Hoogenboom, 303.

¹⁰ An Act to regulate and improve the civil service of the United States, January 16, 1883; Enrolled Acts and Resolutions of Congress, 1789-1996; General Records of the United States Government; Record Group 11; National Archives.

subset that was subject to Pendleton restrictions. Over the rest of the 19th century, the law was regularly extended to cover larger swaths of the federal bureaucracy due to the competitiveness of federal elections. From 1885 to 1897, the presidency changed hands four times, and each president during that time period removed large numbers of the opposing party's loyalists, appointed their own partisans, and extended the Pendleton Act to cover those positions and protect their appointments from the opposition when they regained power.¹¹ By 1900, a full 46% of 208,000 total members of the civil service were protected.¹² To prevent parties from ignoring the ban, the Pendleton Act also required that these so-called "classified" positions no longer be appointed but selected based on merit, as measured by competitive examination scores.¹³ To enforce the law and prevent the party in power from subverting the new system, Pendleton also provided for the appointment of three commissioners to the United States Civil Service Commission, "not more than two of whom shall be adherents of the same party."¹⁴ While the Civil Service Commission had been founded in 1871 under President Grant, Congress (and the overwhelmingly patronage-reliant Senate in particular) had refused to renew its funding for nine years prior to the passage of Pendleton.¹⁵ In 1883, not only did Congress restore funding, but a bipartisan Senate voted 42-13 to confirm the Pendleton Act's author Dorman B. Eaton as the first commissioner.¹⁶ Eaton was a well-known pro-reform agitator who had extensively criticized the patronage system in general, the Tammany Hall party machine in particular, and even the Senate's role in patronage appointments, yet in 1883 his appointment was met with "general satisfaction," and the Chicago Tribune called him "eminently qualified for the position."¹⁷ Clearly, Congress' 1883 reversal of their position on the Civil Service Commission represented a real commitment to the shift away from the political assessment system, although not necessarily to Eaton's reformist ideals more broadly.

¹¹ Hoogenboom, 304.

¹² Ibid, 303.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Farazmand, Ali. 2007. *Strategic Public Personnel Administration: Building And Managing Human Capital For The 21st Century*, 32. 1st ed. Praeger.

¹⁶ "CONFIRMATION OF THE NOMINATION OF DORMAN B. EATON, AS CIVIL ... -- Senate Vote #21 -- Jan 11, 1886". 1886. *Govtrack*. <https://www.govtrack.us/congress/votes/49-1/s21>.

¹⁷ The Chicago Tribune. 1899. "Dorman B. Eaton Dead", 7. <http://archives.chicagotribune.com/1899/12/24/page/7/article/dorman-b-eaton-dead>.

Historians have yet to reach a consensus on why civil service reform efforts finally succeeded in 1883 and what Congress intended to accomplish by passing the Pendleton Act. There are three main schools of thought, the first being that Pendleton was a Democratic effort to undermine the Republicans' main source of campaign funding. While it is true that Democratic efforts to pass a reform bill limiting appointment powers increased in response to the Republicans' success in the 1880 Congressional and presidential elections, the "party explanation" is ultimately lacking.¹⁸ Although proponents of this theory argue that banning political assessments "deprive[d] the Republicans of an advantage in campaign financing," the two parties in fact relied on assessments fairly equally depending on which party was in power at the time.¹⁹ Moreover, the Republicans were better prepared to transition to other sources of campaign money, and had already begun to lay the groundwork for doing so when the Pendleton Act was passed—more on this later. The most critical evidence against a partisan explanation, however, is the roll call vote count. Not only did the bill pass with large majorities in both chambers (46-12 in the Senate and 160-47 in the House) but the Republicans voted in favor at much higher rates than Democrats—142 of 150 Republicans in Congress supported the bill as opposed to 64 of 115 Democrats.²⁰ With clear overwhelming support by both parties, Pendleton's passage was not a partisan effort, much less a Democratic one.

A second explanation argues that Pendleton was passed in response to public outrage about corruption in politics and that successful reform of the civil service system represented the public's successful use of petitions and reform leagues to lobby their representatives. This argument relies on the assumption that members of Congress want to be re-elected and, after 39 incumbents were unseated in the 1882 in a backlash to the spoils system, members looked to petitions and reform leagues as indicators of whether or not their constituents would vote against them if they failed to support reform.²¹ A multivariate analysis of the effects of these two forms of public pressure on House representatives' likelihood of voting in favor of the Pendleton Act

¹⁸ Skowronek, Stephen. 1982. *Building A New American State: The Expansion Of National Administrative Capacities, 1877-1920*, 65. 1st ed. Cambridge [Cambridgeshire]: Cambridge University Press.

¹⁹ Ibid.

²⁰ Theriault, Sean M. 2005. *The Power Of The People: Congressional Competition, Public Attention, And Voter Retribution*, 83. 1st ed. Columbus: Ohio State University Press.

²¹ Theriault, Sean M. 2003. "Patronage, The Pendleton Act, And The Power Of The People," 60-61. *The Journal Of Politics* 65 (1): 50-68. doi:10.1111/1468-2508.t01-1-00003.

found that both were positively associated with a “yes” vote—having a reform league in a representative’s district was statistically significant at a p-level of 0.01, and receiving petitions from constituents was statistically significant at a p-level of 0.05.²² Public pressure did, therefore, have an effect in the House. However, the explanation falls short when applied to the Senate. First, a statistical analysis of public opinion on the Pendleton vote in the Senate could not be completed due to “the pattern of the data and the small number of observations,” so it is unclear whether or not a positive association between the variables exists in the first place.²³ Furthermore, the logic that underlies the effect of public pressure in the House is that “members of Congress are accountable to those who elect them” because “the framers of the Constitution... forc[ed] them to go back to their districts every two years and compete for the right to continue their service in Congress.”²⁴ While the desire of House representatives to be re-elected by their constituents may have made them responsive to public opinion on reform, no such incentive existed in the Senate in 1883—Senators were appointed by members of state legislatures until the passage of the 17th Amendment in 1913.²⁵ Thus, although public opposition of the political assessment system likely played a role in the passage of the Pendleton Act in the House, this argument is at best a partial explanation that fails to account for the Senate’s overwhelming support for the law.

The third and most accurate explanation for the passage of the Pendleton Act is the “inefficiency argument,” which holds that reform efforts succeeded in 1883 not because of “altruistic politicians enacting reform for the good of the country,” but because the rapid growth of the federal bureaucracy had made maintaining relationships with political appointees too costly in terms of time and effort.²⁶ As mentioned above, the bulk of patronage appointments were to positions at regional post offices in Congressional members’ districts, and when Pendleton was finally passed the average congressman belonging to the majority party were responsible for maintaining relationships with and collecting political assessments from more

²² Theriault, "Patronage, The Pendleton Act, And The Power Of The People," 63-64.

²³ Ibid, 63.

²⁴ Ibid, 61-66.

²⁵ Joint Resolution proposing 17th amendment, 1913. Enrolled Acts and Resolutions of Congress, 1789-. General Records of the U.S. Government, Record Group 11, National Archives.

²⁶ Theriault, "Patronage, The Pendleton Act, And The Power Of The People," 58.

than two hundred postal service employees alone.²⁷ In 1867, Representative Thomas Jenckes acknowledged that a shift away from patronage “could save countless hours... for more important duties,” and the situation had only worsened in the intervening years.²⁸ In short, the political assessment system had become inconvenient, and “politicians walked rather than were pushed away from patronage.”²⁹ Thus, the Pendleton Act was signed into law in 1883.

Immediately following the passage of the Pendleton Act, both parties began to expand and formalize existing efforts to finance party activities with corporate donations and funds from private wealthy individuals. That said, the shift to corporate funding was not completed immediately. Some efforts to circumvent the expanding prohibition of political assessments occurred—approximately 50% of Republican campaign funds came from unclassified civil service workers in 1888 relative to 40% from corporate and business interests.³⁰ Generally speaking however, assessments were seen as not only time-intensive but unprofitable in comparison to the solicitation of corporate donations. In many cases, ties with these potential donors dated back decades but had not been utilized due to the prevalence of the political assessment system. Now, “translat[ing] businessmen into party funders required a formalization of party methods—the transformation of party into something more like a business.”³¹ Just as both parties had relied on political assessments, both parties shifted to corporate donations immediately following the passage of Pendleton, although they employed slightly different methods of fundraising. In 1884, the Democrats reached out to wealthy contacts and promised that donations would be used for “educational purposes,” meaning campaigning and public outreach, rather than for the private benefit of party members.³² Republicans, on the other hand, kept lists of “registered contributors” to avoid offending donors with multiple appeals and worked to expand their network of financiers by asking donors to suggest friends and acquaintances that could contribute to the party as well. The national committees of both parties

²⁷ Skowronek, 72.

²⁸ Goldin, Claudia, Hugh Rockoff, Joseph D. Reid, and Michael M. Kurth. 1992. *Strategic Factors In Nineteenth Century American Economic History*, 444. 1st ed. Chicago: University of Chicago Press.

²⁹ *Ibid*, 445.

³⁰ Smith, Bradley A. 1996. "Faulty Assumptions And Undemocratic Consequences Of Campaign Finance Reform". *The Yale Law Journal* 105 (4): 36-72. doi:10.2307/797246.

³¹ Klinghard, Daniel. 2013. *The Nationalization Of American Political Parties, 1880-1896*, 119. 1st ed. Cambridge: Cambridge University Press.

³² *Ibid*, 118-19.

soon realized that wealthy donors preferred to give larger donations to an organized party apparatus rather than in response to informal and individual requests from politicians, like those that has been used in the patronage system. In response, the RNC and DNC took the lead in the actual process of fundraising, rather than simply collecting and spending funds individual party members had raised.³³ In 1888, the RNC invented a fundraising method that expanded their reach while still appearing professional to donors—the “businessman’s advisory committee.”³⁴ By selecting well-respected merchants and leaders in the business community to chair these regional committees, the RNC tapped into networks of wealth throughout the nation to fund local and state endeavors. The best-known advisory committee was the Wanamaker committee, whose connections with the Manufacturers’ Club of Philadelphia enabled it to raise more than \$400,000 for the party in 1888.³⁵ The following year, he was appointed Postmaster General.³⁶ Beginning with accusations of “buying the post,” his tenure involved consistent scandals, culminating in 1891 when he was accused of ordering new uniforms for every postal carrier from a firm he was financially involved with.³⁷ While reformers had celebrated the Pendleton Act’s successful dismantling of the patronage system, in actuality it had simply raised the price of patronage positions.

Over the last few years of the 19th century, national elections became both more expensive and funded by fewer, wealthier donors as a result of the Pendleton Act’s passage. To preface--tracking campaign contributions is difficult to do precisely, even in modern elections with strict disclosure requirements. Tracking and disclosure of business contributions was not required until 1971, so estimating spending and donations in early elections is particularly difficult.³⁸ However, in-depth campaign finance investigations conducted in the 1920s that examined party records and correspondence can at least provide minimum figures. It is possible, of course, that spending exceeded even the following calculated amounts. In presidential elections between 1860 and 1872, the total amount raised by both major parties steadily rose

³³ Ibid, 119-20.

³⁴ Skowronek, 74.

³⁵ Ibid, 75.

³⁶ Skowronek, 75.

³⁷ The New York Times. 1892. "A Little 'Job' In Clothes".

³⁸ Zardkoohi, Asghar. 1985. "On The Political Participation Of The Firm In The Electoral Process". *Southern Economic Journal* 51 (3): 804. doi:10.2307/1057881.

from \$150,000 to \$300,000.³⁹ Between 1880 and 1884, the elections directly before and after the Pendleton Act, spending nearly doubled from \$1,455,000 to \$2,700,000.⁴⁰ By 1892, each party was consistently spending more than one or two million dollars on each presidential candidate. The reason behind this exponential increase in fundraising is clear—prior to Pendleton, the dependence on political assessments meant that fundraising capacity was limited by the number of workers in the civil service and their salaries (meaning government spending), neither of which could be easily increased. A shift to corporate money, however, meant that the potential pool of donations was essentially limitless. The Clapp committee's 1912 investigation into the extent of corporate funding revealed testimony by an RNC treasurer that in 1896, "every bank and trust company in New York City but one, and most of the insurance companies, made contributions to the Republican National Committee."⁴¹ These contributions were not small amounts. RNC chair Mark Hanna, drawing on the political assessment system for inspiration, had developed a similar kind of assessment on businesses and banks that required either 0.25% of their total capital or the equivalent in pledged salary assessments from employees.⁴² It was hugely successful, and contributed heavily to Republican's dominance in government around the turn of the 20th century.

While the Pendleton Act's ban on corruption in the civil service continued to be expanded by each president in the late 19th century, it was becoming increasingly clear to reformers that corporate donations were creating a more powerful and concerning kind of corruption—the wealthy were no longer asking for jobs in government, they were demanding control of government from the outside. In fact, Hanna's corporate assessment system was precisely calculated to "reflect returns those firms received from Republican policies."⁴³ In 1904, a Democratic official attending the DNC convention said, "we had been promised a campaign fund of four million dollars... we understand it came from J.P. Morgan... if we would nominate a safe and sane man on a sane platform, that amount of money and probably more would be

³⁹ Boeckel, Richard. "Presidential Campaign Funds."

⁴⁰ Ibid.

⁴¹ *Campaign Contributions: Testimony Before A Subcommittee Of The Committee On Privileges And Elections*, 455. 1913. 1st ed. Washington: U.S. Government Printing Office.

⁴² La Raja, Raymond J. 2008. *Small Change: Money, Political Parties, And Campaign Finance Reform*, 47. 1st ed. Michigan: University of Michigan Press.

⁴³ La Raja, 47.

forthcoming.”⁴⁴ In 1888, when the key political issue was President Cleveland’s opposition to the protective tariff, the Republicans seized the opportunity to appeal to domestic manufacturers seeking protection from recessions, and the Democrats sought contributions from importers.⁴⁵ At the time, such blatant trading of favors was legal, and DNC vice-chairman William G. McAdoo was reported to have openly admitted in a speech, “if there was a change of a fraction of a cent in the duty imposed on certain articles, the men who contributed the money to the campaign funds of a candidates who was successful might take back ten or fifty or one thousand times the amount they contributed.”⁴⁶ While the corruption of political assessment system was ended naturally due to its inefficiency, corporate contributions were easier, more lucrative, and mutually beneficial, and the party machines saw no end in sight.

The extent to which acquiescing to corporate policy demands had become necessary for political success was made eminently clear in the 1896 presidential contest between William McKinley Jr. and William Jennings Bryan. Bryan’s “free silver crusade” and infamous “Cross of Gold” speech compelled bankers and businessmen—so-called “gold bugs”—to donate huge sums of money to his opponent for fear that a shift away from the gold standard would create inflation and destroy the value of the dollar.⁴⁷ An estimated 10-16.5 million dollars was spent on McKinley’s behalf, which set a record for the highest number of inflation-adjusted dollars spent per registered voter, equal to or higher than what all campaigns spent on the 2008 election.⁴⁸ The money was spent on printing and distributing 200 million pamphlets, hosting 750 thousand delegates at McKinley’s home to hear speeches, and paying 1,400 speakers to travel the nation and deliver speeches on McKinley’s behalf.⁴⁹ In contrast, the Democrats struggled to raise \$650,000 to support Bryan, nearly forcing his campaign headquarters to shut down due to lack of funds in the weeks leading up to the election.⁵⁰ Ultimately, McKinley won by 600,000 votes--the

⁴⁴ Boeckel, Richard. "Presidential Campaign Funds."

⁴⁵ Ibid.

⁴⁶ The Courier-News. 1920. <https://www.newspapers.com/newspage/220066236/>.

⁴⁷ Boeckel, Richard. "Presidential Campaign Funds."

⁴⁸ Bernstein, Jonathan. 2012. "They Spent What On Presidential Elections?". *The Washington Post*. https://www.washingtonpost.com/blogs/plum-line/post/they-spent-what-on-presidential-elections/2012/02/20/gIQAL3BaPR_blog.html?utm_term=.3978c32a178e.

⁴⁹ "William McKinley: Campaigns And Elections". 2017. *Miller Center*. <https://millercenter.org/president/mckinley/campaigns-and-elections>.

⁵⁰ Boeckel, Richard. "Presidential Campaign Funds."

largest margin in a quarter century.⁵¹ In analyses of McKinley's overwhelming success over Bryan, historians have tended to focus on RNC chair Mark Hanna's "king-making" abilities as the key factor. While Hanna's persuasive abilities were useful in convincing donors like Andrew Carnegie and J.P. Morgan more than a quarter of a million dollars each in spite of McKinley's refusal to commit entirely to supporting the gold standard that corporations desired, the more important factor was the business community's fear of seeing a pro-silver Democrat like Bryan in office.⁵² In short, the political opinions of four major corporate donors (Carnegie, Morgan, Rockefeller, and Frick) determined the RNC's capability to fundraise, and thus determined the result of the election.⁵³

While the Pendleton Act was never truly meant to be a progressive reform, it is unlikely that the members of Congress who voted to pass the bill in 1883 could have anticipated how quickly the replacement of the political assessment system with a reliance on corporate donations would alter the power dynamics in Washington. Only thirteen years later, a small group of the country's wealthiest men not only replaced the entire civil service as a source of campaign funding, but spent several times what hundreds of thousands of federal employees had. Needless to say, the entanglement of corporate interests and political parties profoundly impacted American elections in an entirely different way than the reformers who had petitioned their representatives to pass Pendleton and usher in this new era had imagined. Instead, "with the decline of federal assessments... success came with the realization of one of their most basic fears. This separation of politics and administration... followed the fusion of party and big business in American politics."⁵⁴ Ultimately, the Pendleton Act succeeded in undermining the power of party elites, but in a very different way than reformers had hoped. Rather than democratizing elections and giving power to the people, party dependence on outside funding gave power to corporate and financial elites to control party platforms, select candidates, and even shape the outcome of elections. Ultimately, Pendleton was not progressive in either intent or effect, but merely a shift to a less labor-intensive form of elitism and corruption.

⁵¹ "William McKinley: Campaigns And Elections".

⁵² Skrabec, Quentin R. 2008. *William Mckinley, Apostle Of Protectionism*, 253. 1st ed. Algora Publishing.

⁵³ Ibid, 251-254.

⁵⁴ Skowronek, 75.

TRUMP COMPARED TO THE OTHER CANDIDATES IN THE FIGHT FOR THE 2016 REPUBLICAN NOMINATION

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The news media continues to paint Donald Trump as a unique candidate—one like none other that has run in the past. It cites characteristics such as his outsider status, his manner of speech, his rhetoric on immigration, and his seeming inability to tell the truth. However, the media spends very little time covering Trump’s actual policy proposals. Are Trump’s policy proposals actually different from those of other candidates seeking the Republican nomination? I will look at Donald Trump’s Presidential campaign and his stated policy positions compared to those who ran against him in the primary to see if the issues where he differs align with ideas found in populism.

When Donald Trump first announced that he would be seeking the Republican nomination, people doubted that he would get very far. Yet Trump’s popularity solidified as each day passed. As Trump started collecting victories in the state primaries, the news media began asking: What made Trump so popular? Their original answer rested on the idea that Trump was not like the other candidates in his positions, his rhetoric, or his career. This paper seeks to challenge that idea by looking at Trump’s issue positions with relation to the other candidates seeking the 2016 Republican nomination. To accomplish this, I will compare Donald Trump’s policy positions during the 2016 Republican primary season to those of the other top nine candidates—Jeb Bush, Ben Carson, Chris Christie, Ted Cruz, Carly Fiorina, Mike Huckabee, John Kasich, Rand Paul, and Marco Rubio. I will evaluate the variation in candidates’ stances by looking at stances on individual issues, by examining them in broad categories, and by looking at their respective platforms holistically. Is Trump an outlier on certain issues? Is his vision for social or economic change in the aggregate different from those of the other candidates? Is Trump entirely unique?

SOURCES OF DATA

I have collected data on all of the known policy stances of the 2016 candidates seeking the Republican nomination. I used official policy platforms from the candidates’ websites along with any interviews or videos. I accessed the internet archive for websites that were no longer

available and attempted to capture them as close to the day that the candidate withdrew from the race as possible. To augment the dataset, I also looked at OnTheIssues, a nonpartisan website that aggregates politicians’ statements from interviews, debates, press conferences, press releases, and social media postings. Ultimately, I collected candidate positions on the following areas:

Economic	Social	Foreign	Immigration
Deficit / the budget	Criminal justice	Cuba	Immigration reform
Energy	Drugs	Internet	“Mexico paying for the wall”
Fiscal policy	Education	Iran	
Infrastructure	Healthcare	ISIS	
Regulation reform	Medicare	Israel	
Taxes	Second amendment	Mexico	
TPP	Social Security	Military expenditure	
Trade	Veterans	NATO	
	Administration	North Korea	
	Welfare reform	Russia	
	Workers’ rights	Syria	

After gathering the candidates’ various policy positions, I coded them into a schema that could be used to compare the positions across candidates. OnTheIssues ranks candidates on social and economic issues to place them in one of five categories: populist, left liberal, right conservative, moderate, and libertarian. I used the VoteMatch Quiz devised by OnTheIssues to help create my rubric. The VoteMatch Quiz prompts people to answer questions about their positions on certain issues in order to help them select a candidate that aligns with their beliefs. The quiz itself gives a series of twenty statements on “Individual Rights,” “Domestic Issues,” “Economic Issues,” and “Defense/ International Issues” and asks people to answer strongly support, support, no opinion, oppose, or strongly oppose. For example, a domestic statement reads: “Vouchers for school choice.”¹ The quiz also provides explanations for its definitions of strongly support to strongly oppose. The strongly oppose position for the school vouchers statement reads, “Public schools are an important component of American society. Improve public schools rather than destroying

¹ “VoteMatch Quiz,” *OnTheIssues*, 2016. <http://www.ontheissues.org/Quiz/Quiz2016.asp?quiz=Pres2016>.

them with vouchers. More teachers, smaller classes, more funding - then parents will choose public schools.”²

I took the issues enumerated in the VoteMatch quiz and adopted them for the 2016 election. For each of the larger policy issues—abortion, the Environmental Protection Agency, criminal justice reform, Second Amendment rights, government’s role in healthcare, school choice, green energy, the War on Drugs, taxes, illegal immigration, social security, free trade, military spending, and U.S. involvement in international institutions and with our allies—I coded the candidates on a scale of -2 to 2, where -2 is the very conservative position and 2 is the very liberal position. I used some of the wording and categorization from the VoteMatch quiz to inform the coding of the liberal and conservative positions. I also included a “center” position since there is possibility that a candidate does not fall on the liberal or conservative side of an issue.

When coding the positions of all candidates, I took their stated positions from this election cycle only. While the candidates have had a variety of stated stances during their respective time in the public eye, the candidates’ stances for this election appear to be the most important. This can be seen through Trump’s switch from a liberal to a conservative, a change that appeared to have very little impact in his appeal to people in the Republican base despite party Republicans calling Trump a “fake conservative.”³ Perhaps Trump’s positions do not fall on the liberal to conservative scale; perhaps they should be judged on an entirely separate scale since maybe they represent something entirely new. However, in order to understand the ways in which Trump is different from the other candidates with regards to his positions on issues, I plan on using the same liberal to conservative scale.

The coding matrix quantified the candidates on the range of policy areas. Included here are a few rows from the matrix to show what qualifies for each of the coded positions and where the 2016 candidates stand on the issues. The entire matrix is included in the appendix.

² Ibid.

³ L. Brent Bozell III, “Conservatives Should Ask, ‘Does Trump Walk with Us?’” *The National Review*, January 21, 2016. <http://www.nationalreview.com/article/430129/donald-trump-conservative-candidate-or-fake>.

	Very Conservative (-2)	Conservative (-1)	Center (0)	Liberal (1)	Very Liberal (2)
Government role in healthcare	Remove the government from providing any form of healthcare. It should be done entirely by the private sector.	Though morally people should have healthcare, the government should not be in the business of providing it to people.	Private sector may do as good of a job if not a better job than the public sector at providing health insurance. We should explore both methods.	The government should help “at risk” groups obtain health insurance, whether through subsidies or providing the services themselves.	The government should run a single-payer system in which all citizens are covered under the same plan.
	Cruz, Fiorina, Paul		Carson, Christie, Kasich, Trump	Bush, Huckabee, Rubio	
Taxes	Abolish the IRS, institute a measure like the FairTax, which would tax based on expenditures rather than earnings.	Institute a flat tax and simplify the entire tax code	Keep the progressive tax, but simplify it by getting rid of categories, reducing the number of loopholes, etc.	We should have a progressive tax system that places more burdens on the wealthy. We should keep tax deductions that help the middle and lower classes, like mortgage interest and deductions on children.	We need a progressive tax system where everyone pays proportionally. No deductions or loopholes.
	Huckabee	Carson, Cruz, Fiorina, Paul	Trump	Bush, Christie, Kasich, Rubio	
War on Drugs	The War on Drugs must be continued for moral and social reasons.	We must fight the war on drugs with all of the resources we can, including police, border patrol, prisons.	“Our drug policy should be reformed, with [fewer] criminal penalties and more drug abuse clinics”	“We should have regulated decriminalization. Medical marijuana might be legalized, for example, as might clean hypodermic needles.”	The Drug War is a failure, and we should recognize it as such. It is time to rethink our policy towards drugs.
	Carson	Trump	Cruz, Fiorina, Huckabee	Bush, Christie, Rubio	Kasich, Paul

Using the coded data, I compared Trump’s positions to those of the other candidates. I first compared his “score” for each issue position to the “scores” of the other candidates. I then devised aggregate scores by grouping certain policy areas together and creating a mean score for each of the categories: social, economic, and total. I included abortion, government involvement in healthcare, drug policy, immigration, social security, crime, school choice, and the Second Amendment in the “social score.” I included the EPA, green energy, taxes, and free trade in my mean “economic score.” Finally I constructed a mean score of all of the different positions combined.

RESULTS

Below is the coded data, meant to show the variation between candidates on certain policy positions. The results also show that candidates are not always consistently conservative.

	Very Conservative (-2)	Conservative (-1)	Center (0)	Liberal (1)	Very Liberal (2)
Abortion	Carson, Paul, Huckabee	Trump, Rubio, Kasich, Cruz, Bush, Christie, Fiorina			
EPA	Trump, Carson, Paul, Huckabee	Rubio, Kasich, Cruz, Bush, Fiorina	Christie		
Criminal justice		Kasich, Bush, Huckabee		Fiorina, Paul	Christie
Second Amend.	Rubio, Kasich, Cruz, Christie, Fiorina, Paul, Huckabee	Trump, Bush			
Government role in healthcare	Cruz, Fiorina, Paul		Trump, Kasich, Carson, Christie	Rubio, Bush, Huckabee	
School choice	Kasich, Cruz, Carson, Fiorina	Trump, Rubio, Paul		Bush	
Green energy	Trump	Rubio, Kasich, Cruz, Carson, Bush, Christie	Paul		

	Very Conservative (-2)	Conservative (-1)	Center (0)	Liberal (1)	Very Liberal (2)
War on Drugs	Carson	Trump	Cruz, Fiorina, Huckabee	Rubio, Bush, Christie	Kasich, Paul
Taxes	Huckabee	Cruz, Carson, Fiorina, Paul	Trump	Rubio, Kasich, Bush, Christie	
Pathway to citizenship for illegal aliens	Trump, Cruz, Huckabee	Rubio, Kasich, Carson, Christie, Paul	Fiorina	Bush	
Social Security	Huckabee	Fiorina		Rubio, Kasich, Cruz, Bush, Christie, Paul	
Free trade		Rubio, Kasich, Carson		Cruz, Huckabee	Trump
Military spending	Trump, Rubio, Kasich, Cruz, Carson, Bush, Fiorina, Christie			Paul, Huckabee	
United States involvement with allies in foreign relations	Trump, Paul, Huckabee	Rubio, Cruz, Bush,	Kasich, Carson, Christie, Fiorina		

CANDIDATES ON A PARTICULAR ISSUE

The results show that the candidates have varied positions on the issues, though they were also pretty much in agreement on certain issues, such as abortion, military spending and the rights protected by the Second Amendment. On the issue of abortion, Carson, Paul, and Huckabee believed that abortion should never be legal, even in the case of health of the mother, while Trump, Rubio, Kasich, Cruz, Bush, Christie, and Fiorina stated that they believe that abortion is wrong except in cases of life or health of the mother.⁴ On the issue of military spending, the majority of the candidates, including Trump, stated that the government should increase the amount

⁴ “Ben Carson,” *OnTheIssues*, 2016. http://www.ontheissues.org/Ben_Carson.html;
 “Carly Fiorina,” *OnTheIssues*, 2016. http://www.ontheissues.org/Carly_Fiorina.htm;
 “Chris Christie.” *OnTheIssues*, 2016. http://www.ontheissues.org/Chris_Christie.htm;

of money spent on the military in order to ensure that our military is the strongest in the world.⁵ However, there is not total agreement on this stance since both Paul and Huckabee said that there should be more of a focus on quality rather than quantity of troops abroad and, as such, the United States should cut back on its military spending.⁶

On the issues where the candidates differ in their opinions, sometimes Trump is among those on one end of the opinion spectrum, sometimes he is alone in his opinion, and sometimes he holds one of the more moderate opinions. With regards to the Environmental Protection Agency, Trump, along with Carson, Huckabee, and Paul, thought that the agency should be abolished—thus making up the most conservative wing on this issue.⁷ Rubio, Kasich, Cruz, Bush, and Fiorina believed that regulations that hurt the economy should be repealed though the EPA should not necessarily be abolished.⁸ Finally Christie takes the most moderate stance on the EPA, thinking that the agency should be conscious about a cost-benefit analysis of its regulations.⁹

There was also disagreement over government's role in providing healthcare to citizens. Trump, Kasich, Carson, and Christie took the moderate view that the government should explore both market means and government programs when providing healthcare to the people.¹⁰ Cruz,

"Donald Trump," *OnTheIssues*, 2016. http://www.ontheissues.org/Donald_Trump.htm;

"Jeb Bush," *OnTheIssues*, 2016. http://www.ontheissues.org/Jeb_Bush.htm;

"John Kasich," *OnTheIssues*, 2016. http://www.ontheissues.org/John_Kasich.htm;

Marco Rubio, "Protecting Life at Every Stage," *Marcorubio.com*, March 14, 2016. <https://web.archive.org/web/20160314082415/https://marcorubio.com/issues/protecting-life-at-every-stage/>;

"Mike Huckabee," *OnTheIssues*, 2016. http://www.ontheissues.org/mike_huckabee.htm;

Rand Paul, "Sanctity of Life," *Rand Paul For President*, February 4, 2016; <https://web.archive.org/web/20160204075132/https://www.randpaul.com/issue/sanctity-of-life>;

Ted Cruz, "Life, Marriage, and Family," *Ted Cruz 2016*, February 26, 2016.

⁵ "Donald Trump."

⁶ "Rand Paul," *OnTheIssues*, 2016. http://www.ontheissues.org/Rand_Paul.htm; "Mike Huckabee."

⁷ "Ben Carson"; "Donald Trump"; "Mike Huckabee"; "Rand Paul."

⁸ "Jeb Bush"; "Carly Fiorina"; "John Kasich"; Marco Rubio, "Marco's Plan to Restore Sanity and Restraint to Regulation: A National Regulatory Budget," *Marcorubio.com*, March 14, 2016. <https://web.archive.org/web/20160314082430/https://marcorubio.com/news/marcos-plan-to-restore-sanity-and-restraint-to-regulation-a-national-regulatory-budget/>;

Ted Cruz, "Jobs and Opportunity," *Ted Cruz 2016*, February 26, 2016. <http://web.archive.org/web/20160226081108/https://www.tedcruz.org/issues/jobs-and-opportunity/>

⁹ Chris Christie, "Governor Christie's Five Point Economic Growth Plan," Christie 2016, 2015. <https://d70h9a36p82zs.cloudfront.net/Ccpres2016/base/assets/1-0-1/production/Chris-Christie-TheEconomy.pdf>.

¹⁰ "Ben Carson"; Christie, "Governor Christie's Five Point Economic Growth Plan"; Donald Trump, "Healthcare Reform to Make America Great Again," *Trump Pence Make America Great Again!*, July 18, 2016.

Fiorina, and Paul took the very conservative stance that the government should play no role whatsoever in the providing of health insurance to the public—even for the poor or old.¹¹ On the other side, Rubio, Bush, and Huckabee had a slightly more liberal view that the government should help provide healthcare to the poor and old either via subsidies or the services themselves.¹² Thus, Trump’s views on government’s role in healthcare were not “unique” per se.

Trump found himself in the middle of the pack for his positions on school choice. On the most conservative end, Kasich, Cruz, Carson, and Fiorina believed that the government should not be in the business of providing schooling services to its citizens and should provide vouchers instead.¹³ Trump, Rubio, and Paul took a slightly less conservative stance that the government should provide vouchers so that people can choose the schools that they wish to attend.¹⁴ Bush had the most liberal stance on the issue, which is that the government should work to reform the schools it already runs, though charter schools and vouchers are not necessarily a bad thing.¹⁵ Thus, Trump’s views on school choice were also not that different from those of the other candidates.

Trump, however, did have the most conservative view on green energy compared to the rest of the 2016 Republican candidates. Trump argued that green energy should not be prioritized and that the United States should look to invest in its natural resources, such as fossil fuels, and disregard foreign agreements on climate change and carbon emissions.¹⁶ Other Republicans took a less hard line approach. The majority of the other 2016 Republican candidates—Rubio, Kasich, Cruz, Carson, Bush, and Christie—thought that, though the United States should abide by the in-

<https://web.archive.org/web/20160718080551/https://www.donaldjtrump.com/positions/healthcare-reform/>; “John Kasich”

¹¹ “Carly Fiorina”; Rand Paul, “Health Care,” *Rand Paul For President*, February 4, 2016. <https://web.archive.org/web/20160204075100/https://www.randpaul.com/issue/health-care/>; “Ted Cruz,” *OnTheIssues*, 2016. http://www.ontheissues.org/Senate/Ted_Cruz.htm;

¹² “Jeb Bush”; Marco Rubio, “Reforming Health Care for the 21st Century,” *Marcorubio.com*, March 14, 2016. <https://web.archive.org/web/20160314082321/https://marcorubio.com/sidebar-featured/marco-rubio-health-care-obamacare-repeal-replace/>; “Mike Huckabee”

¹³ “Ben Carson”; “Carly Fiorina”; John Kasich, “Kasich Action Plan: Reclaiming Our Power, Money, & Influence from Washington,” *Kasich for America*, 2016. <https://www.johnkasich.com/resultsnow/>; “Ted Cruz.”

¹⁴ “Donald Trump”; “Marco Rubio”; Rand Paul, “Education,” *Rand Paul For President*, February 4, 2016. <https://web.archive.org/web/20160204075119/https://www.randpaul.com/issue/education>.

¹⁵ “Jeb Bush.”

¹⁶ “Donald Trump.”

ternational agreements, though a focus should be placed on natural resources instead of green energy since it is not resource efficient.¹⁷ Paul held the most centrist position: that countries should develop a market solution to deal with climate change in order to make the production of carbon emissions most efficient.¹⁸

Trump also was conservative in his stances on the War on Drugs; however, he was not the most conservative—Carson was. Carson believed that the War on Drugs should be continued for moral reasons, while Trump saw the War on Drugs as one that should be fought with all resources available rather than a moral endeavor.¹⁹ The other candidates took much more moderate and liberal stances on the issue. Cruz, Fiorina, and Huckabee had the most centrist view and believed that the War on Drugs should be fought not by imprisoning drug abusers but by providing services so that they can overcome their addictions.²⁰ On the liberal end, Rubio, Bush, and Christie thought that there should be “regulated decriminalization,” and Paul and Kasich wrote off the War on Drugs as a failure and that the United States’ policy should be rethought.²¹ Though perhaps not the most extreme view on the War on Drugs, Trump certainly fell outside of the majority of views held by the other candidates.

The positions on taxes ran the gamut. With the most conservative stance, Huckabee believed in the Fair Tax or that people should be taxed based on their spending rather than their earnings.²² Cruz, Fiorina, Carson, and Paul said that there should be a flat tax—though they do not agree on the exact percentage.²³ Trump thought there should be a simplified progressive tax with three categories, though in his policy positions he does not enumerate the tax credits he

¹⁷ “Ben Carson”; “Chris Christie”; “Cruz 2016”; “Jeb Bush”; Kasich, “Kasich Action Plan”; “Marco Rubio.”

¹⁸ Rand Paul, “Energy,” *Rand Paul For President*, February 4, 2016. <https://web.archive.org/web/20160204075103/https://www.randpaul.com/issue/energy>.

¹⁹ “Ben Carson”; “Donald Trump.”

²⁰ “Carly Fiorina”; “Mike Huckabee”; “Ted Cruz.”

²¹ “Chris Christie”; Jeb Bush, “Jeb’s Plan For America: Safer, Stronger, Freer,” Jeb! 2016, 2015. <https://web.archive.org/web/20160221035933/https://jeb2016.com/wp-content/uploads/2016/01/JebPlanforAmerica-Book.pdf>; “John Kasich”; “Marco Rubio”; “Rand Paul.”

²² “Mike Huckabee.”

²³ Ben Carson, “Prescription for Growth,” *We the People: Heal + Inspire + Revive*. Carson For President 2016, 2015. https://www.bencarson.com/assets/docs/20160103_Prescription_for_Growth.pdf?t=1457712904355; “Carly Fiorina”; Rand Paul, “Taxes,” *Rand Paul For President*, February 4, 2016. <https://web.archive.org/web/20160204075029/https://www.randpaul.com/issue/taxes>; Ted Cruz, “The Simple Flat Tax Plan Summary,” *Ted Cruz 2016*, February 26, 2016. http://web.archive.org/web/20160226090200/https://www.tedcruz.org/tax_plan_summary/.

would give to help the middle class. His tax system appeared to most benefit businesses and the upper class since it reduced the highest tax bracket.²⁴ Rubio, Kasich, Bush, and Christie also suggested reducing the number of tax brackets from seven to three and lowering the taxes on businesses and across the board. However, they each also laid out the tax credits they intended to keep in order to help the middle class.²⁵ Thus, on taxes Trump's position appeared to be mostly in line with other stances.

Trump also seemed to be among the most conservative in his view of a pathway to citizenship. Along with Cruz and Huckabee, Trump stated that there should not be a path to citizenship for illegal immigrants and that legal immigration should be lessened.²⁶ Rubio, Kasich, Carson, Christie, and Paul took a less hardline view and stated that legal immigration should stay as it is though the borders should be tightened.²⁷ Fiorina and Bush saw an opportunity for a pathway for citizenship for those illegal immigrants in the country who are law abiding and thought that legal immigration should continue and be less restrictive.²⁸

Trump took a historically very liberal stance on the issue of free trade—that it should not exist if it hurts the American worker. He made claims about withdrawing from North Atlantic Free Trade Agreement and the Trans Pacific Partnership.²⁹ The other candidates were in complete disagreement with him, though their views also vary. Rubio, Kasich, and Carson thought

²⁴ Donald Trump, "Tax Reform the Will Make America Great Again," Trump Pence Make America Great Again!, July 18, 2016. <https://web.archive.org/web/20160718080603/https://www.donaldjtrump.com/positions/tax-reform>.

²⁵ Bush, "Jeb's Plan For America"; Christie, "Governor Christie's Five Point Economic Growth Plan"; Kasich, "Kasich Action Plan"; Marco Rubio, "A Pro-Growth, Pro-Family Tax Plan for the New American Century," *Marcorubio.com*, March 14, 2016. <https://web.archive.org/web/20160314082500/https://marcorubio.com/issues-2/rubio-tax-plan/>.

²⁶ Donald Trump, "Immigration Reform That Will Make America Great Again," *Trump Pence Make America Great Again!*, July 18, 2016. <https://web.archive.org/web/20160718080612/https://www.donaldjtrump.com/positions/immigration-reform>; "Mike Huckabee"; "Ted Cruz."

²⁷ Ben Carson, "Prescription for a Sovereign America," *We the People: Heal + Inspire + Revive*. Carson For President 2016, 2015. https://www.bencarson.com/assets/docs/20160131_immigration_3.pdf; Chris Christie, "Taking on the Tough Issues," *Christie 2016*, 2016. <https://www.chrischristie.com/issues>; "John Kasich"; Marco Rubio, "How Marco Will Start Securing Our Border on Day One," *Marcorubio.com*, March 14, 2016. <https://web.archive.org/web/20160314082332/https://marcorubio.com/issues-2/marco-rubio-immigration-plan-border-security-legal/>; "Rand Paul."

²⁸ "Jeb Bush"; "Carly Fiorina."

²⁹ "Donald Trump."

that free trade is on net good, except for when it undermines national interests.³⁰ Cruz and Huckabee argued that fair trade should replace free trade and that trade policies should benefit the people rather than multinational corporations.³¹

Trump also had a more extreme view on American involvement in foreign institutions than most of the other candidates, except for Paul and Huckabee. Trump, Paul, and Huckabee believed that America should work to protect her own interests while maintaining little involvement in international institutions that have too much power.³² Rubio, Cruz, and Bush argued that the United States should act first in her own interests and then in the interests of her allies.³³ Finally, Kasich, Carson, Christie, and Fiorina thought that the United States should use her strength and position in the world to build alliances with allies as a way to be most effectual.³⁴ Thus, Trump took the most hardline approach to American involvement abroad, though he is not alone in his stance.

CANDIDATES ON SOCIAL ISSUES

Trump appeared among the rest of the pack of Republicans seeking the nomination based on the mean for all of the scored social issues, including his stated stances on abortion, government involvement in healthcare, drug policy, immigration, social security, crime, school choice, and the Second Amendment. It is also worth noting that Trump did not have a public stance on Social Security from his primary run (except that he would not get rid of it), though the rest of the Republican candidates did have an explicit position. Based on this “social score,” Trump is in the “conservative” camp, though more liberal than Cruz, Huckabee, and Carson, who based on his positions, appeared to be the most conservative of the ten candidates. Bush and Christie—based on the seven scored issues—held mostly center positions. Thus, Trump did not appear all that different from the other candidates on social issues, in that he does not fall on either “extreme” among the other nine candidates.

³⁰ Ben Carson, “Prescription for a Stronger, Safer America,” *We the People: Heal + Inspire + Revive*. Carson For President 2016, 2015. https://www.bencarson.com/assets/docs/20160111_PolicyBook_foreign_policy_WP.pdf; “John Kasich”; “Marco Rubio.”

³¹ “Mike Huckabee”; “Ted Cruz.”

³² “Donald Trump”; “Mike Huckabee”; “Rand Paul.”

³³ “Jeb Bush”; “Marco Rubio”; “Ted Cruz.”

³⁴ “Ben Carson”; “Carly Fiorina”; “Chris Christie”; “John Kasich.”

CANDIDATES ON ECONOMIC ISSUES

The candidates were also compared based on their stances on economic issues. The economic score included positions on the EPA, green energy, taxes, and free trade. Trump on most of these issues—excluding free trade—fell relatively conservative compared to Rubio, Kasich, Cruz, Bush, Christie, Fiorina, and Paul. More conservative, in this instance, means that on economic issues the government should take less of a role in regulating the economy. Where Trump differs on in his stance is that of free trade, where he takes the classically ultra left-wing view that America should be mostly protectionist in order to keep jobs in America. When factoring this view into a score based on simple means, it drove Trump's views into the more centrist range, due to its weight in creating the mean score. However, Trump, unlike most of the other candidates, actually took a hardline stance—whether on the most conservative end (as he did on green energy and the EPA) or the most liberal stance (as he did on free trade)—on most of the economic issues, which differed from his peers, who took less extreme conservative standpoints on the issues.

IDEOLOGY

By plotting the candidates based on their social and economic scores, Trump falls clearly in the “conservative” segment of the graph along with the majority of the other candidates, when giving all of the issues equal weight. Christie looks moderate and Bush slightly libertarian. It is also interesting to note that Carson had the most conservative social and economic views.

The Social/Economic Ideology Chart

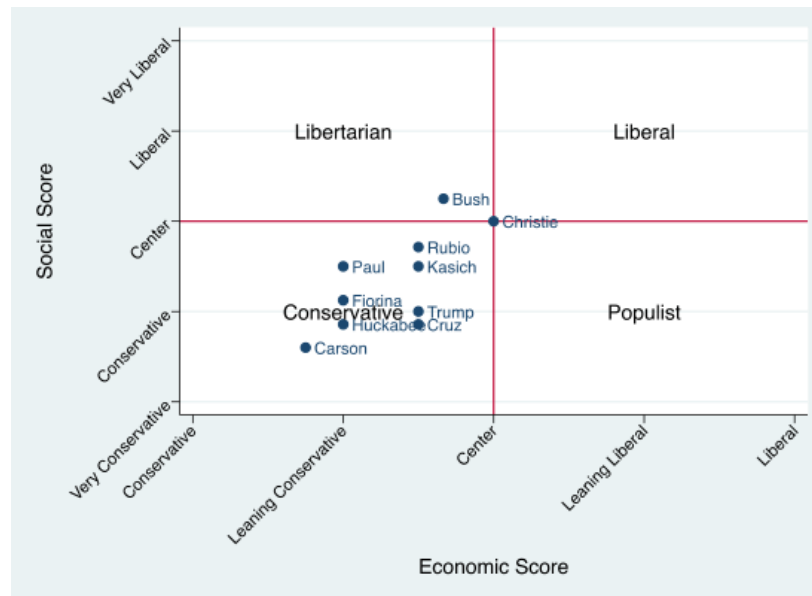


Figure 1. The figure shows candidates' respective ideologies based on plotting them by their mean position on both social issues and economic issues.

DISCUSSION

One must first look at how Trump situated himself relative to the other candidates in order to understand how he ran his campaign differently. It would be incorrect to say that he differentiated himself from the other candidates on every issue, since there were many issues where his position is either similar to other candidates or exactly the same, a result that can be seen by comparing his policy positions to those of the other candidates via the VoteMatch Quiz. Some of these issues include: military spending, taxation, school choice and abortion. It would also be wrong to say that Trump was grossly different on social issues as a whole than the other candidates. Then, there are also other issues to consider including those that Trump offered no stated opinion during the primary season, including Social Security and criminal justice reform. He was different from other candidates on these issues simply because I cannot measure his stance. One noticeable area in which Trump did position himself uniquely compared to most, if not all, of the candidates was on issues related to the economy, especially with regards to free trade.

Trump framed the issue of free trade also in a way that is consistent with populism. He identified a clear problem: Mexico and China were taking jobs from American workers.³⁵ Pew Research found that 80% of Americans believed “increased outsourcing of jobs to other countries hurts American workers” and 77% think that “having more foreign-made products sold in the U.S. has been harmful.”³⁶ Trump, then, clearly defined the “us” as the Americans who feel that harmed by multinational companies who send jobs overseas. He also clearly pointed the finger at negotiators in Washington for not protecting the American people: “Number one, the people negotiating don’t have a clue. Our president doesn’t have a clue. He’s a bad negotiator.”³⁷ Trump, then, positioned himself as the person who will bring jobs back to America by negotiating better deals with countries such as China and Mexico.³⁸ However, his plan provides expedient solutions to the complicated problems of globalization.

Trump delineated a clear plan that would supposedly bring jobs back to America. He planned to “renegotiate NAFTA; withdraw from the TPP; bring trade relief cases to the world trade organization; label China a currency manipulator; apply tariffs and duties to countries that cheat; and direct the Commerce Department to use all legal tools to respond to trade violations.”³⁹ However, once again, the plan lacks nuance and could have potentially dire effects for the workers who are advocating for such measures. First, economics states that free trade is benefit increasing on net. Since countries can specialize in goods in which they have a comparative advantage, the goods can be produced more efficiently and relatively cheaply. Industries are said to get more competitive and productive. With free trade, then, the imported goods would be less expensive than they might have been if produced in the United States.⁴⁰ That is not to say, though, that there are not people who are left behind.

³⁵ Donald Trump, “Reforming the U.S.-China Trade Relationship to Make America Great Again,” *Trump Pence Make America Great Again!*, July 18, 2016. <https://web.archive.org/web/20160718080555/https://www.donaldjtrump.com/positions/us-china-trade-reform>.

³⁶ “The State of American Jobs,” Social & Demographic Trends. Pew Research Center, October 6, 2016. <http://www.pewsocialtrends.org/2016/10/06/the-state-of-american-jobs/>.

³⁷ Trump “Reforming the U.S.-China Trade Relationship.”

³⁸ Ibid.

³⁹ “Donald Trump”

⁴⁰ Douglas Irwin, *Free Trade Under Fire*, 4th ed. Princeton: Princeton University Press, 2015.

Protectionist policies, such as the ones for which Trump was advocating, appeal to those people who feel as though globalization has made them worse off. The appeal is that these policies will bring jobs back to America. However, protectionist policies historically have been welfare decreasing rather than welfare increasing. Protectionist policies do two things: (1) distort pricing thus making goods more expensive; (2) hurt exports, because the relatively more expensive goods are no longer competitive on the global market.⁴¹ It has been estimated that since joining NAFTA, more than 10 million jobs have been created and the Department of Labor announced that between January 1994 and August 1997, 136,000 people were deemed eligible to receive trade adjustment assistance under the general program and part of the NAFTA agreement.⁴² The consensus is that NAFTA did not cause much job loss.⁴³ Trump is not wrong that manufacturing jobs have decreased since the mid 1990s; the Bureau of Labor Statistics estimates that the number of manufacturing jobs has decreased 30% since 1997.⁴⁴ However, it would be incorrect to simply attribute that decline to NAFTA, as Trump does, since a majority of manufacturing goes to countries other than Mexico.

Perhaps Trump should be more wary of China who is a major exporter of goods around the world, including to the United States. However, if Trump were as concerned about China as he says he is, he would support the TPP, which actually opens up markets in Asia while excluding China.⁴⁵ Though manufacturers and labor unions are concerned that the TPP could lead to job loss in the manufacturing sector, it could also be a huge boon for the economy as well, since it would open up many new markets for American goods. Secretary of State John Kerry estimated that the “TPP would increase exports by \$123 billion and ‘help support an additional 650,000 jobs.’”⁴⁶ Thus, the TPP may not be as bad for American jobs as Trump suggests. Furthermore, the TPP could actually give the United States a position of strength in the Pacific.

⁴¹ Ibid., 82.

⁴² Ibid., 120.

⁴³ M. Angeles Villarreal, and Ian F. Fergusson, “The North American Free Trade Agreement (NAFTA),” Congressional Research Service, April 16, 2015. <https://fas.org/sgp/crs/row/R42965.pdf>.

⁴⁴ Jon Greenberg, “Trump Gives Half the Story on Trade Deals, the Clintons and Factory Jobs,” *Politifact*. July 21, 2016. <http://www.politifact.com/truth-o-meter/statements/2016/jul/21/donald-trump/trump-gives-half-story-trade-deals-clintons-and-fa/>.

⁴⁵ Sandy Levin, “New Proposal by Rep. Levin on Trans-Pacific Partnership,” *Coalition for a Prosperous America*, January 22, 2015. <http://www.prosperousamerica.org/new-proposal-by-rep-levin-on-trans-pacific-partnership>.

⁴⁶ Irwin, 123.

Despite Trump's hemming and hawing about how bad trade deals are for Americans, they actually have had positive effects. His focus on providing solutions that appear to be helpful to workers who feel as though globalization has taken their jobs away from them actually shifts focus away from real solutions—which include training for people who have lost their jobs. Thus, once again, Trump frames the situation as the average American worker against the government, the Mexicans, and the Chinese. Trump promises his solutions of revoking NAFTA and withdrawing from the TPP will save the American worker, though economists do not agree.

CONCLUSION

Is Donald Trump unlike the other candidates? By looking at his policy positions compared to those of other candidates, the answer appears to be no. That is not to say that he is not an outlier on certain issues—most notably that of free trade, where he took a classically liberal position. Though the news media saw Trump's candidacy as something “unique,” it could not have been expressly for the positions that he took. It must also involve the ways in which he framed those issues and the frequency with which he spoke about them. For example, Trump spoke about free trade in a populist way by showing the ways in which the deals only benefited certain groups of people—notably the elite—and offering a solution that only he as an outsider could offer to help the groups that were unduly impacted. Free trade is one of many examples that could be used to explore how Trump framed the issues. One could also look at immigration, crime, green energy, or regulations. Perhaps when taking a deeper dive into the issues or by weighting Trump's positions based on how much he discusses certain issues might paint a slightly different picture. However, Trump is not absolutely “unlike any candidate that the United States has ever seen,” as the news media has suggested.

APPENDIX

	Conservative (-2)	Leaning Conservative (-1)	Center (0)	Leaning Liberal (1)	Liberal (2)
Abortion	Abortion is murder and should never be legal under any circumstance	Abortion is acceptable under very few circumstances—mostly if it involves the health of the mother	Abortion is acceptable under a few circumstances, including health of the mother and rape or incest	Pro-choice, but believe that some restrictions should apply, including against late term abortion	Strongly pro-choice and believe in the “right to choose.” Also thinks that the federal government should make it possible for people to choose whether or not to have an abortion
	Carson, Huckabee, Paul	Bush, Christie, Cruz, Fiorina, Kasich, Rubio, Trump			
EPA	Abolish the EPA.	Repeal regulations that hurt jobs and the economy. Institute zero-cost: for every new regulation that gets added, regulations of equal cost must be cut.	EPA is a body that should regulate areas that humans would destroy without them (and it would adversely affect everyone) if no regulation were passed.	EPA plays an essential role looking out for the entire ecosystem and it is important for a governmental body to do that.	Other members of the ecosystem have “inherent rights” that should be protected by the EPA.
	Carson, Huckabee, Paul, Trump	Bush, Cruz, Fiorina, Kasich, Rubio	Christie		

<p>Criminal justice</p>	<p>Mandatory minimums and strict sentencing for repeat offenders keeps dangerous criminals off the street. The death penalty should remain.</p>	<p>While mandatory minimums and strict sentencing for repeat offenders are good in theory, in practice there needs to be some leniency in order to avoid wrongful sentencing.</p>	<p>“Police, courts and prisons should focus on effective enforcement rather than strict enforcement. The death penalty should be used with extreme caution, if at all.”</p>	<p>There should be no mandatory minimums and judges should use their own “discretion” when assigning punishments. This should be done on a case-by-case basis.</p>	<p>Precedent setting is too strict and we need to completely overhaul and rethink how judges sentence people.</p>
		<p>Bush, Huckabee, Kasich</p>		<p>Fiorina, Paul</p>	<p>Christie</p>
<p>Second Amendment</p>	<p>People have the Constitutional right under the second amendment to own guns. The government has no right to infringe on those rights.</p>	<p>The government should address the other problems that cause gun-related crime—like mental health and gangs—since most gun owners use their guns lawfully.</p>	<p>The government should conduct stricter background checks so only those who should legally have guns (UNDER THE CURRENT LAWS) own them, and keep guns away from people who should not.</p>	<p>There should be stricter regulations surrounding gun registration (and who should have them) and guns should be kept away from kids.</p>	<p>The government should limit the ease to which one can obtain a gun, since the Second Amendment does not ensure unlimited gun access or ownership.</p>
	<p>Christie, Cruz, Fiorina, Huckabee, Kasich, Paul, Rubio</p>	<p>Bush, Trump</p>			

<p>Government role in healthcare</p>	<p>Remove the government from providing any form of healthcare. It should be done entirely by the private sector.</p>	<p>Though morally people should have healthcare, the government should not be in the business of providing it to people.</p>	<p>Private sector may do as good of a job if not a better job than the public sector at providing health insurance. We should explore both methods.</p>	<p>The government should help “at risk” groups obtain health insurance, whether through subsidies or providing the services themselves.</p>	<p>The government should run a single-payer system in which all citizens are covered under the same plan.</p>
	<p>Cruz, Fiorina, Paul</p>		<p>Carson, Christie, Kasich, Trump</p>	<p>Bush, Huckabee, Rubio</p>	
<p>School choice</p>	<p>The government should give everyone vouchers to afford schools (whether charter, private, parochial, etc.) and should not run any schooling program itself.</p>	<p>The government should give people the option of school choice by subsidizing vouchers.</p>	<p>Look into solving issues within the school system through both charter schools and public schools.</p>	<p>“Continue experimenting with charter schools, and with public school choice, but only as a limited experiment, and no vouchers. We should create pressure to improve our public schools, not abandon them.”</p>	<p>Public schools are essential and the government should continue to pour resources into public schools (for teachers, classrooms, etc.) in order to improve them. We should not support charter schools.</p>
	<p>Carson, Cruz, Fiorina, Kasich</p>	<p>Paul, Rubio, Trump</p>		<p>Bush</p>	

<p>Green energy</p>	<p>We should focus on our fossil fuel production and take advantage of our natural resources.</p>	<p>While global warming may be an issue, it can be very financially costly. Perhaps we should be involved in certain international agreements, but investing in the technology is very expensive and perhaps not worth the cost.</p>	<p>Though perhaps climate change is real, countries should devise a market approach to deal with carbon emissions.</p>	<p>We should use federal funding—and lots of it—to come up with sustainable energy technology.</p>	<p>“Overuse of fossil fuels causes serious problems that we should deal with immediately by raising carbon taxes, raising CAFE standards, federally funding research into alternative and sustainable energy resources, and push to implement the Kyoto Protocol.”</p>
	<p>Trump</p>	<p>Bush, Carson, Christie, Cruz, Kasich, Rubio</p>	<p>Paul</p>		
<p>War on Drugs</p>	<p>The War on Drugs must be continued for moral and social reasons.</p>	<p>We must fight the war on drugs with all of the resources we can, including police, border patrol, prisons.</p>	<p>“Our drug policy should be reformed, with [fewer] criminal penalties and more drug abuse clinics”</p>	<p>“We should have regulated decriminalization. Medical marijuana might be legalized, for example, as might clean hypodermic needles.”</p>	<p>The Drug War is a failure, and we should recognize it as such. It is time to rethink our policy towards drugs.</p>
	<p>Carson</p>	<p>Trump</p>	<p>Cruz, Fiorina, Huckabee</p>	<p>Bush, Christie, Rubio</p>	<p>Kasich, Paul</p>

<p>Taxes</p>	<p>Abolish the IRS, institute a measure like the FairTax, which would tax based on expenditures rather than earnings.</p>	<p>Institute a flat tax and simplify the entire tax code</p>	<p>Keep the progressive tax, but simplify it by getting rid of categories, reducing the number of loopholes, etc.</p>	<p>We should have a progressive tax system that places more burdens on the wealthy. We should keep tax deductions that help the middle and lower classes, like mortgage interest and deductions on children.</p>	<p>We need a progressive tax system where everyone pays proportionally. No deductions or loopholes.</p>
	<p>Huckabee</p>	<p>Carson, Cruz, Fiorina, Paul</p>	<p>Trump</p>	<p>Bush, Christie, Kasich, Rubio</p>	
<p>Pathway to citizenship for illegal aliens</p>	<p>We must secure our borders and be tough on immigration. Illegal immigration is bad and we should stop it in any way we can—including deporting those already in the country. It wouldn't be a bad thing to close the number of people immigrating into the country either.</p>	<p>"Maintain legal immigration while enforcing against illegal immigration. Tighten our borders"</p>	<p>Enforce the borders but provide a path to citizenship for those that are already in the country. As long as these members are productive members of society, they should pay taxes and receive services.</p>	<p>We should have relatively open borders with limited restrictions on those who wish to immigrate here.</p>	<p>Immigration laws must be reformed in order for them not to discriminate against only certain countries (including those in Africa and Latin America). All illegal aliens should be provided amnesty, provided that they have not broken any laws since arriving in the US.</p>
	<p>Cruz, Huckabee, Trump</p>	<p>Carson, Christie, Kasich, Paul, Rubio</p>	<p>Fiorina</p>	<p>Bush</p>	

<p>Social Security</p>	<p>Private plans rather than the government should run Social Security. Some options include IRAs, 401(k)'s, and other private pension options.</p>	<p>Individuals should be able to decide whether or not to invest their money in a government run Social Security plan or in a private plan.</p>		<p>The Federal Government should run social security, but there needs to be reforms to ensure that money doesn't leave the "trust fund" for other purposes.</p>	<p>"Social Security should remain forever under federal control to ensure that all Americans have a secure retirement. The Trust Fund should not be invested in anything like the stock market, since that would introduce undue risk."</p>
	<p>Huckabee</p>	<p>Fiorina</p>		<p>Bush, Christie, Cruz, Kasich, Rubio, Paul</p>	
<p>Free trade</p>	<p>Free trade, on net, is welfare increasing. There should be no trade restrictions, since globalization is good. GATT, NAFTA, TPP, and WTO should be expanded.</p>	<p>"Free trade is in our national interest because it provides economic growth and jobs. We should only restrict free trade when it poses a security risk."</p>	<p>Free trade is a good thing. "Including environmental and labor safeguards are acceptable if they can be successfully negotiated into trade agreements, but should not be sued as a pretext to stop trade agreements."</p>	<p>We support Fair Trade instead of Free Trade, because it "causes humanitarian problems overseas, or results in environmental damage. Globalization should focus on benefiting people instead of ... multinational corporations."</p>	<p>Free trade is bad for the American people and their jobs. Americans should purchase goods from the domestic economy, instead of imported goods.</p>
		<p>Carson, Kasich, Rubio</p>		<p>Cruz, Huckabee</p>	<p>Trump</p>

Military spending	We should increase military spending so that it is possible to maintain a strong military.	“We should consider carefully before making more cuts - for example, base closings have hurt local economies, and reducing military personnel has put pressure on employment.”	We should figure out where there are inefficiencies in the system and cut wasteful spending in the military while ensuring that our military’s capabilities remain strong.	“We should cut back on troops stationed abroad and focus on quality of our troops instead of quantity.”	We should not be the world’s policemen, nor should we have the larger military in the world than almost the next ten countries combined. “Pull US troops out of Europe, Japan, Korea, and elsewhere.”
	Bush, Carson, Christie, Cruz, Fiorina, Kasich, Rubio, Trump			Huckabee, Paul	
United States involvement with allies in foreign relations	“The United Nations has too much power; the US should withdraw, or restrict their actions. The same applies to other international institutions.”	“The U.S. should consider her own national interests first, and then act with other nations in accordance with those interests.”	We should acknowledge that the U.S. has one of the largest and strongest militaries in the world, and should use it to advance our own interests while building alliances with others.	“We can best advance U.S. interests by building alliances and working with other countries on mutual interests.”	“The United States is just one country among hundreds...We should not throw our weight around, but should use “soft power” and seek other non-military solutions.”
	Huckabee, Paul, Trump	Bush, Cruz, Rubio	Carson, Christie, Fiorina, Kasich		

INSTITUTIONAL IMPACTS ON VOTER TURNOUT: ANALYZING THE EFFECT OF NOMINATING CONTEST TYPE ON VOTER TURNOUT IN THE UNITED STATES

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It is commonly believed that rules shape the outcomes in electoral processes, and in the case of nominating contests, the conventional wisdom is no different. In order to select candidates for office, individual states hold nominating contests, varying in their implementation across the country. To date, however, relatively little scholarly inquiry has actually analyzed the impact of these different nominating processes on various states' electoral outcomes in the general election. In this research, I will analyze that very question, seeking to determine the extent to which nominating contest type affects voter turnout in a state's general election. This paper will present a voter turnout model for testing the relationship between these variables and will present unexpected findings on the nominating contest type-voter turnout relationship.

INTRODUCTION

In the United States, nominating contests dictate the selection method for candidates seeking public office and oftentimes shape voter behavior. Every four years, the presidential election necessitates discussion over the various nominating contests within each state, with particular focus on the outcomes of each individual contest. However, less discussion centers on the actual nuts and bolts of those nominating contests—the rules that characterize the electoral landscape and determine the candidates' and electorate's behavior. This research will focus on the varying rules in nominating contests and study their implications in one specific area of electoral interest—voter turnout.

Voter turnout, as a measure of voter participation in elections, is a good indicator of civic engagement in the democratic process and in government writ large. However, levels of voter turnout may be explained not only by individual attitudes on democracy but also by the rules that inform voter behavior. These rules—institutionalized by, among other things, nominating contest structure—can serve to explain varying levels of voter turnout in different states under varying circumstances. This study will examine the impact of presidential nominating contest rules among the various states on voter participation in the general election. Specifically, I expect to find positive correlation between the openness of a state’s nominating contest and voter turnout in its general election.

Due to the very structures of the various nominating systems and in consultation with several theoretical models of voter behavior, I anticipate finding measurable support for this hypothesis. In accordance with considerable academic literature espousing the expressive theory of voting and the idea of habit-formed voting, an open nominating system in the nominating contest stage should increase voter turnout in the general election stage. These theories will be discussed further in following sections; however, these ideas provide the justification for my research’s hypothesis and are therefore foundational to my research question.

This study’s potential implications are relevant for state and political party policymakers and political scientists alike. This research may provide useful information to policymakers acting in political party organizations and as state legislators. Each state operates their elections independently, so policymakers have a significant voice in determining how elections will be conducted. Specifically, at the nominating contest stage, state legislatures and political parties often work together to schedule elections and codify their processes. With increased insight into how their decided structure may impact

voter turnout, policymakers may be inclined to amend their historical nominating contest structures in favor of a system that may draw more participants.

Additionally, in recent years, a great deal of political science literature has focused on various implications of different nominating contest structures, including, for example, the effects of varying nominating structures on candidate strategy and how more open systems may promote strategic voting.¹ However, to date, little academic literature has focused on the consequences of nominating contest rules on voter participation in state elections, and no academic literature has tested the relationship between nominating contest structure and voter turnout on the national level. For this reason, these results will bolster the political science work in the area of both nominating contests and voter participation.

The structure of this research will proceed as follows. In the first section, I will discuss relevant literature in the political science and psychology fields that both supports and refutes my theory. I will also provide details of similar studies and discuss how my research will differentiate itself from prior academic research. In the Theory section, I will specifically outline my hypothesis and lay out my justification for the expected relationship between nominating contest structure and voter turnout. I will then further discuss the relevance of this study and outline how my hypothesis fits into the existing literature. In the following section, I will present my research strategy, discuss my case selection, and introduce the methodology and specific voter turnout model that I will employ to test my hypothesis. Additionally, I will define each of the model's variables and explain their expected relationship with voter turnout. In the Analysis section, I

¹ Peter T. Calgano and Christopher Westley, "An Institutional Analysis of Voter Turnout: The Role of Primary Type and the Expressive and Instrumental Voting Hypotheses," *Constitutional Political Economy* 19, no. 2 (January 30, 2008): 95.

will submit the results of my voter turnout model tests and discuss whether the results support or refute my hypothesis. Finally, in the conclusion, I will summarize my research, discuss the significance of my results, and pose new areas of research and questions that future studies may seek to address.

HOW NOMINATING CONTEST TYPE MAY AFFECT VOTER TURNOUT

Existing Literature

Many scholars have questioned the linkage between nominating contest type and electoral outcomes, with several suggesting a positive correlation between the two without necessarily testing the hypothesis sufficiently. For example, Jewell originally introduces the idea that primary openness has an effect on general election turnout but does not expound upon the theory in detail.² Gerber and Morton suggest that open primaries are more likely to positively influence general election turnout than closed primaries, yet they lay no conclusive groundwork to justify the theory.³ Kanthak and Morton postulate that primary electoral rules should have an impact on general election voter turnout as a whole; however, they offer no further explanation beyond how an individual candidate's views may impact levels of voter participation.⁴ Finally, Besley and Case propose that "open primaries are positively related to voter turnout," but they also fail to subsequently explicate on the reason for the

² Malcolm E. Jewell, *Parties and Primaries: Nominating State Governors* (New York: Praeger, 1984), 194-95.

³ Elisabeth R. Gerber and Rebecca Morton, "Primary Election Systems and Representation," *Journal of Law, Economics, & Organization* 14, no. 2 (1998): 322.

⁴ Kristin Kanthak and Rebecca Morton. "The Effects of Electoral Rules on Congressional Primaries." In *Congressional Primaries and the Politics of Representation*, ed. Peter F. Galderisi et al. (Lanham, MD: Rowman & Littlefield Publishers, 2001), 123.

apparent correlation.⁵ While the literature presents these compelling theories, it stops short of adequate elaboration on the actual tested relationship between the two variables.

However, two predominant theories have emerged that may explain the relationship between nominating contest type and voter participation: the practice of expressive voting and the effects of habit-formed voting. Calcagno and Westley propose perhaps the most comprehensive examination of the relationship between the openness of a nominating process and electoral outcomes by attributing increased voter turnout in more open systems to the increased use of expressive voting in those systems.⁶ Based on their analysis, the authors conclude that states with open primaries tend to nominate more moderate candidates. Given that there are more moderate voters than extremist voters in the electorate, in accordance with the expressive voting concept, more voters then will be attracted to vote for moderate candidates in a follow-on general election, thereby increasing voter turnout. Their theory is further supported by existing research on expressive voting.⁷ While this conclusion supports my research hypothesis, it uses gubernatorial election data from over twenty years ago, begging the question of whether this trend still exists given contemporary electoral dynamics. Using Calcagno and Westley's research method as a

⁵ Timothy Besley and Anne Case, "Political Institutions and Policy Choices: Evidence from the United States," *Journal of Economic Literature* 41, no. 1 (2003): 30.

⁶ Calcagno and Westley, "An Institutional Analysis of Voter Turnout: The Role of Primary Type and the Expressive and Instrumental Voting Hypotheses," 108; Expressive voting is the idea that voters vote for candidates whose views closely align with their own. Under this theory, the presence of moderate candidates will inspire the majority-moderate electorate to vote in the general election.

⁷ John Ashworth, Benny Geys, and Bruno Heyndels, "Everyone Likes a Winner: An Empirical Test of the Effect of Electoral Closeness on Turnout in a Context of Expressive Voting," *Public Choice* 128, no. 3 (2006): 384; Cassandra Copeland and David N. Laband, "Expressiveness and Voting," *Public Choice* 110, no. 3 (2002): 352.

framework, I will expand upon their foundational study to place this research question in a more up-to-date context.

An additional explanation for the positive relationship between the openness of nominating contests and voter participation in general elections is presented by the habit-forming theory of voting.⁸ According to many scholars, voting is habit-forming activity, implying that voters who regularly participate in elections are more likely than less frequent voters to also participate in following elections. If this theory is true, then nominating systems that encourage greater voter participation – specifically open primary systems – would also encourage increased future voter participation, thereby increasing voter turnout in a follow-on general election. This developmental model of voting can also explain voter turnout in varying electoral contexts over time: voters who regularly vote are less likely to be influenced by different electoral contexts than voters without a voting propensity on whether to actually cast a ballot.⁹ Therefore, general election voter turnout can be explained by the shifting electoral contexts between nominating contest and general election cycles, with particularly strong effects on voter turnout among voters lacking a tendency to vote. One significant complication that arises in studying voting behavior with the habit-forming approach is the methodological challenge of defining and classifying habit-

⁸ John H. Aldrich, Jacob M. Montgomery, and Wood Wendy, “Turnout as a Habit,” *Political Behavior* 33, no. 4 (2011): 557; Alan S. Gerber, Donald P. Green, and Ron Shachar, “Voting May Be Habit-Forming: Evidence from a Randomized Field Experiment,” *American Journal of Political Science* 47, no. 3 (2003): 540; Alexander Coppock and Donald P. Green, “Is Voting Habit Forming? New Evidence from Experiments and Regression Discontinuities,” *American Journal of Political Science* (2015): 1.

⁹ Maciej A. Górecki, “Election Closeness, Habit Formation and Voter Turnout: Evidence from Sixteen Swedish Elections,” *Political Studies* 61, no. 1 (2013): 243.

formed voting.¹⁰ For this reason, while voting as a habit-forming activity may be an explanation for my hypothesis, the interpretation of the causation may be difficult to articulate.

Experimental behavioral tests also indicate support for my hypothesis.¹¹ When researchers have incentivized “voters” to “vote” in social experiments mimicking nominating contests and general elections, they have found support for the notion that voters who vote in an open primary contest are more likely to vote in a subsequent general election than voters who originally vote in a closed primary contest. Given the contrived nature of this study, the results are interesting but not necessarily significant. Standing alone, this conclusion does not overwhelmingly justify my hypothesis; however, combined with existing academic research, these experiments offer complementary support for the idea that open nominating contests lead to a greater general election voter turnout.

DISSENTING LITERATURE

Not all authors agree on the effects of nominating contest type on electoral participation. Instead of positive correlation, scholars such as Boyd argue in support of a negative relationship. In fact, some research reports that with higher frequency elections, voters are less likely to actually vote in any given election.¹² Specific to my research question, this conclusion implies that since primaries add an additional election to the electoral process, voters are less

¹⁰ Coppock and Green, “Is Voting Habit Forming? New Evidence from Experiments and Regression Discontinuities,” 16.

¹¹ Calvin Blackwell and Peter Calcagno, “Party-Crashers or Wallflowers: Costly Voting in Elections with Differing Primary Types,” *Social Science Research Network* (February 2014): 26-27.

¹² Richard W. Boyd, “The Effects of Primaries and Statewide Races on Voter Turnout,” *The Journal of Politics* 51, no. 3 (1989): 738.

likely to participate, thus driving down voter participation in both the nominating contest and general election. However, the basis of these findings rests on data from the 1976, 1980, and 1984 elections and therefore may be outdated. While these findings contradict my theory, the proposition that greater frequency elections may reduce voter turnout does provide an alternate explanation and falsifiability for my hypothesis.

STANDARD VOTER TURNOUT MODEL VARIABLES

While this research seeks to illuminate the relationship between nominating processes and voter participation, it will be just as important to identify the explanatory variables that may influence the outcome of this relationship to mitigate their effects and create an appropriate model. These confounding variables can be classified in two categories: demographic variables and time-bound contextual variables. Both of these variable sets can serve to explain shifts in voter participation in both nominating contest and general elections regardless of the type of nominating contest that the state implements. Each of these variables inherently provides alternative explanations for my hypothesis and should therefore be considered and possibly controlled for in my testing to minimize their effects.

The first set of explanatory variables that may impact the hypothesis' relationship is demographic variables. Many scholars claim that these variables have significant power to explain voter turnout, especially since voting laws tend to impact unique demographic groups differently.¹³ In particular, ethnic

¹³ John G. Matsusaka and Filip Palda, "Voter Turnout: How Much Can We Explain?," *Public Choice* 98, no. 3 (1999): 432; Joshua D. Hostetter, "Wage Reimbursement and Minority Voter Turnout," *Social Science Quarterly* 97, no. 2 (June 2016): 338.

minorities and low-income voters often face more onerous obstacles in the voting process than their counterparts from the ethnic majority or higher-income backgrounds might experience. For example, non-English speakers are hindered by the ballot's language barrier, and low-income voters encounter substantial opportunity costs in voting by foregoing wages that they otherwise could have earned.¹⁴ Such effects have a negative effect on election turnout, especially in areas where these electorally "at-risk" demographic populations are relatively prevalent. In regions where this may be the case, general election voter turnout may appear lower than expected, regardless of the nominating contest type employed by the state simply because those specific demographic groups faced high barriers to vote. However, demographic variables significantly complicate voter prediction models given that there are so many different factors, including race, income, education level, age, religious background, occupation, marital status, etc. While it would be infeasible to account for all of these variables in my research, it is important to at least consider the effect that many of these demographic variables might have on the research's outcome.

The final set of explanatory elements is the time-bound and contextual variables. Much research has been concentrated in this field in an attempt to pinpoint a precise model of voting behavior; however, this ongoing research has also yielded innumerable, superfluous variables that attempt to explain what factors impact a voter's decision to vote. For example, Francia and Herrnson argue that Election Day voter registration boosts voter turnout, and Fitzgerald points to alternative voting methods such as unrestricted absentee voting, in-person early voting, and vote by mail as a source of increased voter

¹⁴ Hostetter, "Wage Reimbursement and Minority Voter Turnout," 339.

participation.¹⁵ Each of these progressive voting initiatives may increase voter participation on Election Day since they provide voters more opportunity to vote, thereby inflating election turnout without regard to nominating contest type.

Parry et al. suggest that the presence of ballot initiatives and multiple elections on the same ballot increases voter turnout, while Timpone proposes that trust in government and voter satisfaction with candidates determines voter participation outcomes.¹⁶ Both of these external factors may influence voters' decision to vote, and that decision would not be related to the state's nominating contest structure. Ansolabehere and Iyengar analyze the effect of negative campaigning, suggesting that its very implementation decreases voter turnout, and Francia and Herrnson propose that increased get out the vote efforts on behalf of campaigns increases voter participation in general elections.¹⁷ Neither of these campaign-related activities is related to the nominating contest type, yet their effects can still impact general election turnout and may be mitigated by controlling for election year. Each of these variables has been theoretically shown to impact voter turnout regardless of nominating contest type and should therefore be considered in creating a model to address my hypothesis.

¹⁵ Peter L. Francia and Paul S. Herrnson, "The Synergistic Effect of Campaign Effort and Election Reform on Voter Turnout in State Legislative Elections," *State Politics & Policy Quarterly* 4, no. 1 (2004): 85; Mary Fitzgerald, "Greater Convenience But Not Greater Turnout: The Impact of Alternative Voting Methods on Electoral Participation in the United States," *American Politics Research* 33, no. 6 (November 2005): 842-43.

¹⁶ Janine A. Parry, Daniel A. Smith, and Shayne Henry, "The Impact of Petition Signing on Voter Turnout," *Political Behavior* 34, no. 1 (March 26, 2011): 132; Richard J. Timpone, "Structure, Behavior, and Voter Turnout in the United States," *American Political Science Review* 92, no. 1 (March 1998): 154.

¹⁷ Stephen Ansolabehere and Shanto Iyengar. *Going Negative: How Political Advertisements Shrink & Polarize the Electorate* (New York, NY: Simon & Schuster, 1995), 2-3. Francia and Herrnson, "The Synergistic Effect of Campaign Effort and Election Reform on Voter Turnout in State Legislative Elections," 75.

HYPOTHESIS AND THEORY APPLICATION

Introduction

Given the varying ideas on the magnitude of the effects of nominating contest type on voter participation referenced in the previous section, I seek to outline a reasonable theory for how nominating contest type should affect voter turnout. In this section, I will propose my hypothesis and present my justification for the expected variable relationships. I will then explain how the hypothesis fits into the existing academic literature before laying out my research design in the following section.

Hypothesis and Justification

I intend to research the effect of nominating contest type in each state on the level of voter turnout in that state's general election. Specifically, I believe that the use of more open candidate nominating systems in a given state is likely to increase voter turnout in that state's general election.

In the context of this hypothesis, the independent variable is the state's primary type. Each state will be categorized by its associated primary type – open primary, closed primary, or caucus – with open primary being the most open and caucus being the least open. The dependent variable in this model is voter turnout in the state's general election. Aligning with the hypothesis, I anticipate positive correlation between both the independent and dependent variables. Detailed variable definitions are discussed in Appendix 1.

I expect to find positive correlation between the openness of nominating contests and voter turnout in the general election due to the expressive theory of voting and the idea of habit-formed voting. In accordance with the theory of

expressive voting, voters tend to vote for candidates whose views closely resemble their own, which will benefit moderate candidates in the long run and increase turnout in states with open primary systems. In the context of the United States, the average voter holds relatively moderate views, so in open primaries (when all voters are able to vote), moderate candidates tend to emerge. However, in closed primaries and caucuses (where only registered party members are able to vote and the electorate is more ideological), more extreme candidates tend to prevail. Therefore, per the expressive theory of voting, in a general election, voters will be more enthusiastic about turning out for a moderate candidate produced in an open primary than for a more extreme candidate produced in a closed primary or caucus. This voting behavior, in turn, will boost general election turnout in open primary states.

Additionally, the idea of voting as a habit-forming activity supports the idea that open primaries tend to increase voter participation. According to this theory, the more opportunities voters have to vote increases the likelihood of them voting in the first place and of them voting again in future elections. Therefore, when voters have increased opportunity to vote – as is the case in open primary states where all eligible voters may cast their ballots – they will turn out to vote in greater numbers and will vote again in following elections. This tendency, then, will increase voter turnout in the general election and provides support for the idea that open primary states will experience greater voter turnout.

Relevance

This research complements the existing scholarly literature by providing quantitative analysis of current data in an attempt to validate currently

unsubstantiated academic hypotheses.¹⁸ Considerable discussion has focused on the effect of nominating contest type on voter turnout, with many scholars claiming the existence of a positive relationship between the two variables. However, since Calcagno and Westley last studied the magnitude of the effects of this relationship using data from 1989-1998, no research has analyzed the effect in a contemporary context.¹⁹ This study will shed light on the implications of nominating contest type for voter turnout and provide an updated analysis to support or refute the theoretical academic literature on the topic.

ESTABLISHING THE RESEARCH STRATEGY AND VOTER TURNOUT MODEL

Introduction

This section will outline the research design of this study. First, I will explain the general research strategy of this quantitative study and discuss the viability of this approach. I will then describe my methodology and present the voter turnout model that this research will test.

Research Strategy and Case Selection

This study will employ quantitative analysis by utilizing a large dataset of 153 cases and conducting statistical tests to determine variable correlation. This type of research is most appropriate to address the hypothesis because it will

¹⁸ Jewell, *Parties and Primaries: Nominating State Governors*, 194-95; Gerber and Morton, "Primary Election Systems and Representation," 322; Kanthak and Morton, "The Effects of Electoral Rules on Congressional Primaries," 123; Besley and Case, "Political Institutions and Policy Choices: Evidence from the United States," 30.

¹⁹ Calcagno and Westley, "An Institutional Analysis of Voter Turnout: The Role of Primary Type and the Expressive and Instrumental Voting Hypotheses," 100.

account for the data from all fifty states plus the District of Columbia and provide statistically significant results. While a comparative case study approach may shed light on the effects of varying nominating contest types among a small selection of individual states, it will not fully account for the institutional differences within those states. However, the statistical model that I propose will mitigate the effects of institutional state differences and will allow me to quantify the magnitude of the effects of the nominating contest type on voter turnout.

In order to conduct this quantitative analysis, I will use individual state data from the 2004, 2008, and 2012 presidential elections. Since this data spreads across an eight-year timespan, I maximize the number of cases and reasonably minimize the possibility of statistical error. In each of these election years, the circumstances differed. Specifically, in 2004, the Democratic Party went through the candidate nomination process while the incumbent Republican candidate did not face a serious re-nomination challenge. In 2008, both the Democratic and Republican Parties went through the nomination stages to nominate their candidates. Finally, in 2012, only the Republican Party held meaningful nominating contests, as the incumbent Democratic candidate did not face a challenger. Each of these cases yielded different electoral dynamics, and by including all three election cycles I will account for those varying situational effects.

Methodology and Model

This study will implement a voter turnout model that can explain the effects of nominating contest type on voter turnout. The voter turnout model that I develop will include standard voter turnout model variables, but it will also

include nominating contest type as an independent variable. With the addition of nominating contest type as a variable, I expect to determine whether – and by how much – the nominating contest type influences voter turnout. Calcagno and Westley successfully employed this type of model in their 2008 study; my model will loosely follow theirs.²⁰ Specifically, my voter turnout model will take the following form:

$$\text{Voter Turnout} = \beta_1 + \beta_2(\text{Primary Type}) + \beta_3(\text{Control Variables})$$

In order to calculate the magnitude of the effect of nominating contest type in the general election, I will conduct multiple regressions and evaluate the sign and magnitude of the coefficients to determine variable correlation.

TESTING THE RELATIONSHIP BETWEEN NOMINATING CONTEST TYPE AND VOTER TURNOUT

Introduction

In the previous section, I discussed my voter turnout model and presented the research methodology. In this section, I will present the results of the voter turnout model regression, discuss statistical significance of the results, support and refute existing literature, and identify possible shortcomings in my hypothesis.

Hypothesis Analysis

In this section, I present the tested effects of nominating contest type on general election turnout using the aforementioned voter turnout model. The first model, Model 1, will include all standard voter turnout variables without

²⁰ Ibid, 99.

accounting for nominating contest type, and the second model, Model 2, will include all standard voter turnout variables plus nominating contest type. The findings of this analysis are summarized in Table 1 and are discussed below.

TABLE 1 – GENERAL ELECTION VOTER TURNOUT MODELS

Variable	Model 1 – Model without Nominating Contest Type		Model 2 – Model with Nominating Contest Type	
	<i>Coefficient</i>	<i>Std. Error</i>	<i>Coefficient</i>	<i>Std. Error</i>
AGE	1.06e-01	2.38e-01	5.67e-02	2.50e-01
EDUCATION	3.03e-01*	1.46e-01	3.45e-01*	1.50e-01
GOV.LABOR	-1.36e-03	1.39e-03	-2.21e-03	1.54e-03
GOV.RACE	-6.68e-03	1.04e-02	-5.41e-03	1.15e-02
INCOME	1.88e-06*	9.08e-07	1.67e-06	9.45e-07
MINORITY	-1.42e-01*	4.40e-02	-1.11e-01*	5.08e-02
POP.DEN	-6.04e-06	7.15e-06	-2.82e-06	7.69e-06
SEN.RACE	-2.45e-03	8.71e-03	3.65e-03	9.10e-03
UNEMPLOYMENT	8.52e-03*	3.36e-03	8.79e-03*	3.50e-03
VOTER.REG.DEADLINE	-1.72e-03*	5.04e-04	-1.44e-03*	5.31e-04
YEAR	-7.69e-03*	1.90e-03	-8.32e-03*	2.01e-03
DEM.NOM.TYPE – CP	--	--	3.81e-03	2.74e-02
DEM.NOM.TYPE – C	--	--	4.67e-03	2.10e-02
REP.NOM.TYPE – CP	--	--	-1.16e-02	2.68e-02
REP.NOM.TYPE – C	--	--	1.22e-02	2.11e-02
Constant	1.59e+01*	3.78e+00	1.71e+01*	4.01e+00

An asterisk () indicates statistical significance at a level less than 5%.*

In Model 1, EDUCATION, INCOME, MINORITY, UNEMPLOYMENT, VOTER.REG.DEADLINE, and YEAR are all statistically significant at a level less than 5%. This implies that we can confidently expect these variables to behave as their coefficient’s sign indicates. Specifically, as education, income, and unemployment increase and as minority populations,

voter registration deadlines, and election year decrease, we can reasonably expect voter turnout to increase in the general election, holding all other variables constant. Moreover, although the result is not statistically significant, the relationship between age and voter turnout also appear to behave as expected. However, the remaining variables – GOV.LABOR, GOV.RACE, POP.DEN, and SEN.RACE – all contradict their sign expectations, implying that their associated relationship with voter turnout does not behave as expected. In the model that accounts for nominating contest type, fewer variables are statistically significant, but more of the sign coefficients behave as expected.

In Model 2, EDUCATION, MINORITY, UNEMPLOYMENT, VOTER.REG.DEADLINE, and YEAR are all statistically significant at a level less than 5%. In other words, when nominating contest type variables are included, these standard voter turnout model variables should still reasonably behave as expected. Additionally, the coefficients for AGE, INCOME, and SEN.RACE all exhibit their expected sign, and although the results are not statistically significant, the model predicts their behavior as expected. Notably, however, the nominating type variables – DEM.NOM.TYPE and REP.NOM.TYPE – do not meet the requirements for statistical significance, and the signs of their coefficients contradict expectations. Specifically, in terms of the nominating contest type's effect on voter turnout in the general election, the model predicts the following:

1. On average, general election turnout in states where the Democratic Party uses closed primaries will be anywhere from 5.1% less to 5.9% more than in states where the Democratic Party uses open primaries.
2. On average, general election turnout in states where the Democratic Party holds caucuses will be anywhere from 3.8% less to 4.7% more than in states where the Democratic Party uses open primaries.

3. On average, general election turnout in states where the Republican Party uses closed primaries will be anywhere from 6.5% less to 4.2% more than in states where the Republican Party uses open primaries.
4. On average, general election turnout in states where the Republic Party holds caucuses will be anywhere from 3.0% less to 5.5% more than in states where the Republican Party uses open primaries.

These results do not align with my original hypothesis. Instead of rejecting or supporting the hypothesis, this model's coefficients leave the expected relationship between nominating contest type and general election turnout ambiguous. These results do not provide support for the theory of the nominating contest's impact of expressive voting on turnout nor the idea of habit-formed voting. According to the theory of expressive voting, in states that use open primaries, the voter turnout should be higher because the candidates' views would more closely align with the general views of the electorate. Therefore, the electorate would be more enthusiastic about turning out in the general election for candidates selected in an open primary system, thereby increasing overall general election voter turnout. According to the results, however, this is not necessarily the case, and the implications of expressive voting in the nominating contests for the general election turnout first espoused by Calcagno and Westley are left ambiguous.²¹

Additionally, the results do not support the idea of habit-formed voting since the general election voter turnout in states with more open nominating systems is not necessarily significantly higher than in states with more closed systems. If the habit-forming nature of voting actually impacted voter turnout in presidential elections, the test would produce a statistically significant coefficient

²¹ Ibid, 108.

with a negative sign. These results do not aid the arguments of Gerber et al., Coppock and Green, or Gorecki that voting is a habit forming activity, but they do not necessarily provide support for Boyd's assertion of a negative relationship between openness of nominating contest and general election turnout either.²²

CONCLUSION AND THE FUTURE OF THE NOMINATING CONTEST TYPE-VOTER TURNOUT RELATIONSHIP

This research focused on the effects of presidential nominating contest type on voter turnout in the general election cycle. Founded in the idea that the rules of the nominating contests would inform the behavior of voters and strengthened by the theories of expressive voting and the idea of habit-formed voting, I presented my hypothesis that more open nominating contests would increase voter turnout in the electoral process. However, my hypothesis is not wholly supported by the findings of this research. In the general election stage, the results do not indicate any statistically significant correlation between nominating contest type and voter turnout, and the hypothesis can therefore not be confirmed.

Though the hypothesis was not confirmed in full, the statistically significant results and even non-statistically significant results are both still meaningful. The research confirms many of the expected relationships between standard voter turnout model variables and voter turnout in both stages of presidential elections. For example, the expected relationship between the demographic variable age and voter turnout and the expected relationship

²² Gerber, Green, and Shachar, "Voting May Be Habit-Forming: Evidence from a Randomized Field Experiment," 540; Coppock and Green, "Is Voting Habit Forming? New Evidence from Experiments and Regression Discontinuities," 1; Górecki, "Election Closeness, Habit Formation and Voter Turnout: Evidence from Sixteen Swedish Elections," 243; Richard W. Boyd, "The Effects of Primaries and Statewide Races on Voter Turnout," 738.

between the institutional variable election year with voter turnout were both confirmed. Additionally, the results of the unconfirmed hypothesis still provide a baseline for understanding the relationship between nominating contest type and general election voter turnout.

One noteworthy shortcoming of this research is its inability to define and control for all variables that affect voter turnout. My list of standard voter turnout model variables – ranging from demographic factors to institutional constraints – was extensive, but it was by no means exhaustive. Failing to control for additional variables affecting voter turnout leaves room for uncertainty in this research model and may have an effect on the research's outcome.

As referenced in the introduction, this study yields meaningful conclusions for policymakers and political scientists alike. State and political party policymakers interested in maximizing (or minimizing) voter participation in their state's elections may note the conclusions of this research. Specifically, should legislators seek to increase voter turnout in the general election contests, amending the nominating contest type may not provide the intended results, as the outcome of such a change is left ambiguous.

Additionally, this research expands the existing political science knowledge base regarding the effects of nominating contests to include the anticipated effects of nominating contest type on voter turnout. Further, this research updates Calcagno and Westley's initial article regarding the relationship between nominating contest type and voter participation by using more contemporary data and, in the process, finds that their conclusions no longer hold

true.²³ Finally, this study provides evidence that may contradict original assumptions by Jewell, Gerber and Morton, Kanthak, and Besley and Case.²⁴

This research poses new questions for interested policymakers and political scientists. A great deal of literature has discussed the variables that impact voter turnout, and while this research included many, due to data availability and time constraints, it did not include all possible voter turnout variables. Future studies may include more of these variables to develop a more comprehensive voter turnout model that can more precisely identify the effects of nominating contest type on voter turnout. Additionally, in light of the anomalous 2016 election, this study may yield different conclusions. Given the resources and opportunity, I would supplement my dataset with the 2016 election data to determine the effect of the 2016 election abnormalities on the research outcome. This research is far from exhaustive in terms of the possibilities of study regarding the nominating contest type-voter turnout relationship.

²³ Calcagno and Westley, "An Institutional Analysis," 95.

²⁴ Jewell, *Parties and Primaries: Nominating State Governors*, 194-95; Gerber and Morton, "Primary Election Systems and Representation," 322; Kanthak and Morton, "The Effects of Electoral Rules," 123; Besley and Case, "Political Institutions and Policy Choices," 30.

APPENDIX 1: VARIABLE DEFINITIONS AND DATA

There are several types of variables in this study. The dependent variables, voter turnout, will be measured by the turnout percentage among the voting eligible population, calculated by dividing the total number of votes cast in the state by the total number of voters eligible to vote in the state. Rather than using voting age population, voting eligible population does not include citizens who are ineligible to vote and is regarded as the most accurate indicator of true voter turnout.²⁵ Both the nominating contest and general election voter turnout data will be gathered from the Federal Election Commission's Annual Election Results Report for each respective election year, and the voter eligible population data will be obtained from the United States Elections Project database.²⁶ A summary table of voter turnout data is included on the following page.

²⁵ Michael P. McDonald and Samuel L. Popkin, "The Myth of the Vanishing Voter," *The American Political Science Review* 95, no. 4 (December 2001): 968.

²⁶ Eileen J. Canavan and Jason Bucelato, 2004 Election Results for the U.S. President, the U.S. Senate, and the U.S. House of Representatives, May 2005, Raw data, Federal Election Commission, Washington, D.C.; Eileen J. Canavan and Jason Bucelato, 2008 Election Results for the U.S. President, the U.S. Senate, and the U.S. House of Representatives, July 2009, Raw data, Federal Election Commission, Washington, D.C.; Eileen J. Canavan and Jason Bucelato, 2012 Election Results for the U.S. President, the U.S. Senate, and the U.S. House of Representatives, July 2013, Raw data, Federal Election Commission, Washington, D.C.; Michael P. McDonald, 2004 General Election Turnout Rates, December 28, 2011, Raw data, United States Elections Project, Gainesville, FL; Michael P. McDonald, 2008 General Election Turnout Rates, March 31, 2012, Raw data, United States Elections Project, Gainesville, FL; Michael P. McDonald, 2012 General Election Turnout Rates, September 3, 2014, Raw data, United States Elections Project, Gainesville, FL.

TABLE 2 – VOTER TURNOUT DATA SUMMARY STATISTICS

	Nominating Contest Turnout			General Election Turnout		
	<i>Mean</i>	<i>Median</i>	<i>Std. Deviation</i>	<i>Mean</i>	<i>Median</i>	<i>Std. Deviation</i>
DEM.NOM.TYPE – OP	0.213	0.204	0.107	0.608	0.606	0.062
DEM.NOM.TYPE – CP	0.194	0.177	0.102	0.611	0.615	0.052
DEM.NOM.TYPE – C	0.049	0.025	0.051	0.634	0.630	0.073
REP.NOM.TYPE – OP	0.225	0.208	0.099	0.616	0.612	0.062
REP.NOM.TYPE – CP	0.195	0.177	0.099	0.606	0.612	0.052
REP.NOM.TYPE – C	0.038	0.024	0.045	0.643	0.648	0.072

The main independent variable, nominating contest type, will be codified by party within each state as open primary, closed primary, or caucus. An open primary will be defined as a nominating contest wherein all registered voters are eligible to vote, regardless of stated party affiliation. A closed primary will be defined as a nominating contest wherein voters must be registered as members of the party in which they vote. Finally, a caucus will be defined as a nominating contest wherein voters must be registered as members of the party and must physically attend a meeting to cast their vote. Given that states carry out elections independently of other states, each state and party uses slightly different rules, so I will categorize states by the nominating contest type that most closely aligns with the rules of their system. In many cases, both parties within a state use the same type of nominating contest. However, political parties occasionally use two different types of nominating contests within the same state. For example, in Nebraska, the Republican Party uses a primary election, but the Democratic Party holds caucuses. To account for this anomaly, each state, regardless of whether they use two different nominating contests, will be

divided by party contest, and I will use the data from both contests in my analysis. A summary table of nominating contest type observations is included below.

TABLE 3 – NOMINATING CONTEST TYPE OBSERVATIONS SUMMARY

	Democratic Party Contests			Republican Party Contests		
	<i>Open</i>	<i>Closed</i>	<i>Caucus</i>	<i>Open</i>	<i>Closed</i>	<i>Caucus</i>
	<i>Primary</i>	<i>Primary</i>		<i>Primary</i>	<i>Primary</i>	
Occurrences	54	51	44	48	56	34

The independent variables constructing the standard voter turnout model can be organized into two categories – demographic and institutional.

Demographic variables, such as education levels and age, have a general ability to predict one’s propensity to vote.²⁷ In the general voter turnout model, I will include variables to account for individual state income levels, education attainment, employment data, minority presence, age, and population density.

Income level will be measured by the state’s median income in each election year, adjusted for inflation to 2015 prices. This data will be gathered from publicly available Census Bureau estimates, and I expect a positive relationship between state median income and voter turnout.²⁸

Education attainment will be measured by the percentage of the state population with at least a bachelor’s degree. This data will be collected from the American Community Survey and the Census Bureau estimates.²⁹ Due to the

²⁷ Matsusaka and Palda, “Voter Turnout,” 432; Timpone, “Structure, Behavior, and Voter Turnout,” 148.

²⁸ Median Household Income by State: 1984 to 2015, Raw data, U.S. Census Bureau, Washington, D.C.; Timpone, “Structure, Behavior, and Voter Turnout,” 148.

²⁹ Educational Attainment of the Population 25 Years and Over, by State: 2004, March 2005, Raw data, U.S. Census Bureau, Washington, D.C.; Educational Attainment of the Population 25

availability of the data, 2009 education attainment data will be used with the 2008 election results; however, 2004 and 2012 educational attainment data will be used for their respective election years. Since education attainment levels remain relatively static by state, I do not anticipate this 2008/2009 substitution having a negative impact on the research outcome. I expect a positive relationship between education attainment and voter turnout.³⁰

Employment metrics will be accounted for by the state's unemployment rate and the percentage of the state's population working in a government job. Unemployment rate will be calculated as the number of unemployed workers divided by the state labor force. This data will be gathered from the Bureau of Labor Statistics, and I expect a positive relationship between unemployment rate and voter turnout.³¹ The percentage of the state's population working in a government job will represent the government workforce within each state. This data will be aggregated from Gallup polling data, and I expect a positive relationship between government employment rate and voter turnout.³²

Minority presence within each state will be represented as the percentage of the minority, non-white population within the state. This percentage will be calculated by dividing the non-white population by the total population within a

Years and Over, by State: 2009, Raw data, U.S. Census Bureau, Washington, D.C.; Educational Attainment of the Population 25 Years and Over, by State: 2012, Raw data, U.S. Census Bureau, Washington, D.C.

³⁰ Timpone, "Structure, Behavior, and Voter Turnout," 148.

³¹ State Unemployment, 2004 to 2014, May 22, 2014, Raw data, Bureau of Labor Statistics, Washington, D.C.; Calcagno and Westley, "An Institutional Analysis," 103.

³² Lymari Morales, Percentage of Government Workers, by State and Level, August 6, 2010, Raw data, Gallup, Washington, D.C.; John G. Matsusaka, "Explaining Voter Turnout Patterns: An Information Theory," *Public Choice* 84, no. 1 (July 1995): 93.

state, and the data will be taken from Census Bureau estimates.³³ I expect a negative relationship between minority presence and voter turnout.³⁴

Age will be represented by the percentage of the state over the age of 65. The data will be provided by Census Bureau estimates.³⁵ I expect a positive relationship between age and voter turnout.³⁶

Finally, population density will be measured as the population of eligible voters per square mile of land mass. Depending on which hypothesis I am testing, this will be calculated dividing the primary or general election voting eligible population by the state's total land area. This data will be provided by the United States Election Project and the Census Bureau, respectively.³⁷ I expect a positive relationship between population density and voter turnout.³⁸

Institutional and situational variables such as year, nominating contest date, registration deadlines, and the presence of down-ballot races also have an effect on voter turnout in standard voter turnout models. An election year's timing can influence whether voters decide to participate in a given election. For this reason, the year variable – coded as 2004, 2008, or 2012 – will be included and will represent the election year in which that data was collected.

³³ Annual Estimates of the Population by Race Alone for the United States and States: July 1, 2004, August 11, 2005, Raw data, U.S. Census Bureau, Washington, D.C.; Annual Estimates of the Population by Race Alone for the United States and States: July 1, 2008, December 22, 2008, Raw data, U.S. Census Bureau, Washington, D.C.; Annual Estimates of the Population by Race Alone for the United States and States: July 1, 2012, June 2013, Raw data, U.S. Census Bureau, Washington, D.C.

³⁴ Timpone, "Structure, Behavior, and Voter Turnout," 148.

³⁵ Annual Estimates of the Resident Population by for Selected Age Groups: July 1, 2004, February 25, 2005, Raw data, U.S. Census Bureau, Washington, D.C.; Annual Estimates of the Resident Population by for Selected Age Groups: July 1, 2008, May 14, 2009, Raw data, U.S. Census Bureau, Washington, D.C.; Annual Estimates of the Resident Population by for Selected Age Groups: July 1, 2012, June 2013, Raw data, U.S. Census Bureau, Washington, D.C.

³⁶ Timpone, "Structure, Behavior, and Voter Turnout," 148.

³⁷ State Area Measurements and Internal Point Coordinates, January 1, 2010, Raw data, U.S. Census Bureau, Washington D.C.

³⁸ Calcagno and Westley, "An Institutional Analysis," 103.

Nominating contest date can impact the voter turnout in nominating contests. Earlier contests – where final outcomes of the nominating cycle are still unknown – are expected to see increased voter participation. Therefore, nominating contest date will be included in the nominating contest voter turnout model and will be coded ordinarily ranging from 1 to 4, with earlier contests being 1 and later contest being 4.³⁹ I expect negative correlation between nominating contest date and voter turnout.

Voter registration deadlines dictate how early a voter must register to vote before an individual election. Individual deadlines vary by state, but the data will be collected from the National Mail Voter Registration Form for each election year and be coded as the minimum number of days before an election that the registration form must be submitted. I expect a negative relationship between early registration deadlines and voter turnout.⁴⁰

Finally, the presence of down-ballot races on the ballot will have an effect on the voter turnout. I will specifically account for whether senate and/or governor elections were conducted concurrently with the presidential election. This information will be collected from the Federal Election Commission's report on that respective election, and I expect a positive relationship between increased down-ballot races and voter turnout.⁴¹

³⁹ Richard E. Berg-Andersson, "2004 Presidential Primaries, Caucuses, and Conventions," *The Green Papers*, April 11, 2007, Accessed October 27, 2016; Richard E. Berg-Andersson, "2008 Presidential Primaries, Caucuses, and Conventions," *The Green Papers*, August 24, 2008, Accessed October 27, 2016; Richard E. Berg-Andersson, "2012 Presidential Primaries, Caucuses, and Conventions," *The Green Papers*, July 22, 2013, Accessed October 27, 2016.

⁴⁰ Thomas Holbrook and Brianne Heidbreder, "Does Measurement Matter? The Case of VAP and VEP in Models of Voter Turnout in the United States," *State Politics & Policy Quarterly* 10, no. 2 (Summer 2010): 165.

⁴¹ Canavan and Bucelato, 2004 Election Results for the U.S. President, the U.S. Senate, and the U.S. House of Representatives; Canavan and Bucelato, 2008 Election Results for the U.S. President, the U.S. Senate, and the U.S. House of Representatives; Canavan and Bucelato, 2012 Election Results for the U.S. President, the U.S. Senate, and the U.S. House of Representatives;⁴¹ Calcagno and Westley, "An Institutional Analysis," 102.

A summary of all voter turnout model variables is outlined below in Table 4. This chart defines variable names and states the expected sign of each variable’s coefficient.

TABLE 4 – SUMMARY OF VOTER TURNOUT MODEL VARIABLES

<i>Variable Name</i>	<i>Variable Definition</i>	<i>Exp. Sign of Coefficient</i>
AGE	Percent of state population over the age of 65	Positive
EDUCATION	Percent of state population with bachelor’s degree or higher	Positive
GOV.LABOR	Percent of state population employed by government	Positive
GOV.RACE	Presence of governor’s race on ballot (dummy variable)	Positive
INCOME	State median income	Positive
MINORITY	Percent of non-white state population	Negative
NOM.CON.ORDER	Nominating contest date category, ranging from 1 to 4 (early to late, respectively)	Negative
POP.DEN	State voting eligible population density	Positive
SEN.RACE	Presence of senate race on ballot (dummy variable)	Positive
UNEMPLOYMENT	Percent of state population unemployed	Positive
VOTER.REG.DEADLINE	Number of days before election voter registration deadline closes	Negative
YEAR	Election year	Negative
DEM.NOM.TYPE – CP	Closed primary used for a Democratic Party nominating contest (categorical variable)	Negative
DEM.NOM.TYPE – C	Caucus used for a Democratic Party nominating contest	Negative
REP.NOM.TYPE – CP	Closed primary used for a Republican Party nominating contest (categorical variable)	Negative
REP.NOM.TYPE – C	Caucus used for a Republican Party nominating contest (categorical variable)	Negative

Part 2

Presidential & Congressional Politics

THE EFFECTS OF HYPER-POLARIZATION ON PRESIDENTIAL DECISION MAKING

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The central question of this paper is how periods of political polarization affect the autonomy of presidential behavior. This reviews the presidencies of Abraham Lincoln, Andrew Jackson, and Barack Obama in order to draw from different political eras and instances of intense polarization within the electorate. The purpose of the research design is to identify common themes and patterns within these administrations to examine how presidents have reacted in the past and may act in the future. In order to fully address these complexities, this paper tests the theory that periods of hyperpolarization uniquely enable Presidents to act unilaterally due to a mandate of necessity and limited structural constraints.

INTRODUCTION

I first became interested in the subject of political polarization after President Obama expressed his disappointment in the political landscape by saying,

It's one of the few regrets of my presidency—that the rancor and suspicion between the parties has gotten worse instead of better. I have no doubt a president with the gifts of Lincoln or Roosevelt might have better bridged the divide, and I guarantee I'll keep trying to be better so long as I hold this office.¹

The President acknowledged that many of his campaign promises had failed. His memoir and political manifesto *The Audacity of Hope*, pushed for a new era of politics. However, the bipartisan divide only worsened during his presidency. Although the conditions and causes of polarization have been studied in detail, I found a lack of research on how the presidential decision making process changes through these shifts. The relevance of such research is realistic as it would provide an understanding of presidential behavior in the past and highlight potential outcomes for the future. Additionally, I have found that although much has been written on the subject of polarization, none have examined this perspective on the intersection of presidential autonomy and these unique political climates.

¹ President Barack Obama. "Together, We Make Change Happen." 12 January, 2016.
<https://www.whitehouse.gov/sotu>

My research began with an autopsy of the Pew Research Center's comprehensive examination into ideological uniformity and the level of antipathy which the electorate had reached in modern times. The research clearly showed that what the media and politicians had been stating about the divisiveness of the country is true. Not only have the median democrat and republican moved farther apart, but the divide has led to serious social implications.² Although Dr. Robert Putnam's book *Bowling Alone* does not embody the research objective of this paper, it showed that the nature of American democracy has led to a fundamental change in the social structures that govern our society.³ These sources highlighted the importance of studying and understanding our changing society, and I hope that my research provides unique insight into these concerning trends.

HISTORY

There are two facets of history which should be discussed in order to fully understand the context behind the research and corresponding theory of this paper. First, there is the history of political polarization since the founding of the United States. As many scholars have noted, the last time the nation was as polarized as it is now, a Civil War erupted. Out of necessity and with mental reserve, President Lincoln autonomously acted outside the scope of traditional presidential power in order to save the Union.⁴ The concentration of power in the executive has increased over time, but certain periods have experienced significant expansion.⁵

Second, there is the history and evolution of presidential autonomy from that which was crafted through the Constitution to its present day form. Presidential scholar James Caesar argued that "popular authority was thus identified by the Founders as the likeliest grounds on which attempts would be made to throw off constitutional restraints and to concentrate power in the hands of one person."⁶ However, this paper will examine to what extent a fundamentally different kind of mandate—that of necessity and energy in instances not traditionally meriting

² Pew Research Center. "Political Polarization in the American Public." 12 June 2014.

³ Robert D. Putnam. "Bowling alone: America's Declining Social Capital." *Journal of Democracy* 6, no. 1 (1995): 65-78.

⁴ Sidney M. Milkis and Michael Nelson. *The American Presidency: Origins and Development, 1776–2014*. CQ Press, 2015. 158-177.

⁵ Andrew Rudalevige. "Old Laws, New Meanings: Obama's Brand of Presidential Imperialism." *Syracuse L. Rev.* 66 (2016): 1.

⁶ James W. Ceaser. "Political Parties and Presidential Ambition." *The Journal of Politics* 40, no. 03 (1978): 708-739.

prerogative—has led to rapid expansion of executive authority. The specific intersection of these two histories is what will be closely examined in this paper in order to determine if causation exists and to what extent.

THEORY

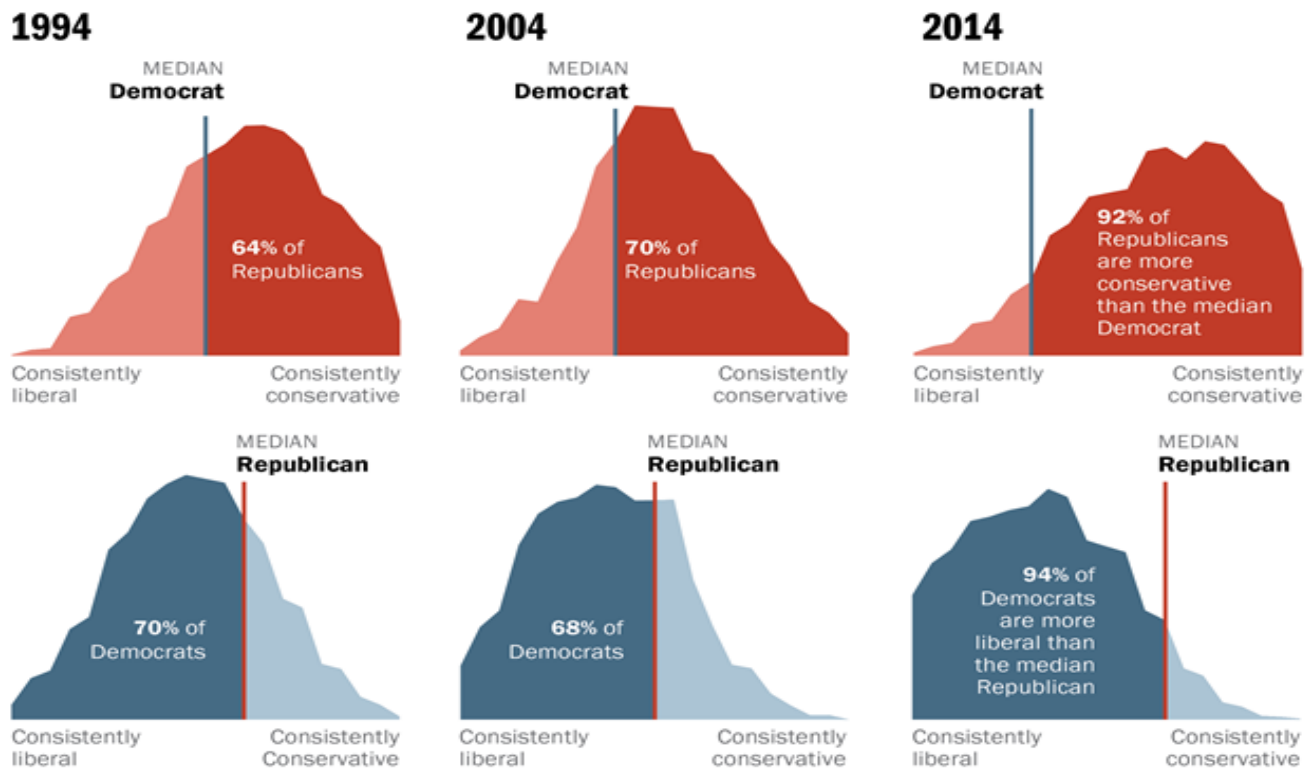
This paper will test the theory that specifically in periods of hyperpolarization, Presidents threaten the traditional scope of presidential power through a mandate of necessity and prerogative.

Hyperpolarization: The modern concept of hyperpolarization is quantitatively defined through the 2014 Pew Research distribution of the median Democrat and Republican. The distribution showed that only four percent of Republicans were more liberal than the median Democrat, while five percent of Democrats were more conservative than the median Republican. The figures from 2014 are considered as indicators of hyperpolarization since the same statistics dating back to 1994 indicate much closer ideological medians. Additionally, in order to bridge the gap with earlier administrations, widely accepted periods of polarization will be identified to capture acceptable case studies.

Abnormal Unilateral Presidential Action: Defining the specifics of abnormal presidential imperialism is difficult because of the various methods Presidents have used to circumvent the other branches of government. Nevertheless, a more holistic understanding of an administration's behavioral trend will be built through the following criteria: use of executive orders, memos, clarifications, waivers, prosecutorial discretions, rulemaking powers, and general approaches to interaction with the legislative and judicial branches.

Republicans Shift to the Right, Democrats to the Left

Distribution of Republicans and Democrats on a 10-item scale of political values



Source: 2014 Political Polarization in the American Public

Notes: Ideological consistency based on a scale of 10 political values questions (see Appendix A). Republicans include Republican-leaning independents; Democrats include Democratic-leaning independents (see Appendix B).

PEW RESEARCH CENTER

Level of Use (Scope)			
	Jackson	Lincoln	Obama
Executive Orders	12	48	276

ANALYTICAL METHODS

I will first analyze data provided in the Pew study to gather the foundational facts of polarization and examine the current state of the political system. This will include identifying the trends associated with political polarization and measuring its effects on modern elections. Following that, I will use a case study approach to examine the presidencies of Abraham Lincoln, Andrew Jackson, and Barack Obama. These presidents were chosen as each served in times of a hyperpolarized electorate. Additionally, each belonged to a separate era of American history which will provide a breadth of historical exposure and limit confounding variables, thus

increasing the validity of the study. The major confounding variables which will be limited through this exposure include: personality, inner circle, historical context, and varying governing structures of the time.

CASE STUDY DESIGN

Case research was chosen as the primary research method for this paper and will be employed in order to test the validity of the proposed theory. On the strengths of case study research Anol Bhattacharjee wrote, “Case research can help derive richer, more contextualized, and more authentic interpretation of the phenomenon of interest than most other research methods by virtue of its ability to capture a rich array of contextual data.”⁷ The argument for using such a research design with this specific study is logical, as a complex array of historical and political factors must be examined to gather a realistic understanding.

However, this research method approach has weaknesses as well. The primary difficulty being that the internal validity of inferences are weak. Additionally my personal ability, experience, and resources will limit the extent to which patterns in the historical data can be recognized.⁸ Through my own inexperience, I may misinterpret or completely fail to identify important trends. Additionally, roll call voting data and other indicators of modern polarization do not exist for any period prior to the 1970s. Therefore, I will have to accurately identify periods of polarization which are widely accepted amongst political scholars.

CASE STUDY SELECTION PROCESS

The following case studies were selected based on the level of polarization at the time. Although the political climate during President Obama’s administration could be derived through DW-NOMINATE scores, the older case studies were chosen based on widely accepted perceptions of polarization. These perceptions were identified through extensive research of political climates through American history and are identified in the “Case Study Sources” section. The specific criteria for the case studies include a hyperpolarized political environment, broad historical coverage, and an initial perception of the expansion of presidential power. A

⁷ Anol Bhattacharjee. "Social Science Research: Principles, Methods, and Practices." (2012): 93.

⁸ Ibid. 93-102.

further general study in the literature review of the evolution of presidential power will cover the presidents who expanded their power in more collaborative environments.

LITERATURE REVIEW

This literature review seeks to build a clear understanding of the existing research in order to identify where a significant contribution can be made. The literature review is split into four different sections. The first section covers political polarization through widely accepted definitions, its causes and effects. The second section covers academic research on the presidential decision making process derived from the origins and nature of the office. Additionally, the presidential decision making process section will discuss interpretations of executive behavior in times of polarization. The third section covers the evolution of presidential imperialism and the leading theories surrounding the expansion of unilateral power. The final section of the literature review directly points to the gap in the research which my theory hopes to fill.

POLITICAL POLARIZATION

The consistent and widely accepted measurement of levels of political polarization are derived from DW-NOMINATE scores. The theory and derivation of these scores are most clearly summarized by Christopher Hare and Keith Poole who stated that NOMINATE “is an unfolding method that jointly estimates the positions of legislators and policy outcomes in latent ideological space from observed roll call voting behavior.”⁹ The DW represents dynamic, weighted scores which provide the ability to use overlapping legislators who have not served together. Therefore, DW-NOMINATE allows for a coherent and accurate snapshot of the flow of polarization in American politics over time.

The scope of polarization and its broader effects on societal attitudes are most clearly explained through the 2014 Pew Research Center project which used survey techniques to capture partisan attitudes toward those on each side of the aisle. Additionally, the statistics

⁹ Christopher Hare and Keith T. Poole. "The Polarization of Contemporary American Politics." *Polity* 46, no. 3 (2014): 411-429.

indicated actual action, such as geographical self-sorting in response to the political climate.¹⁰ Thus the research showed the far reaching results of the trends which DW-NOMINATE had indicated within Congress.

The causes of polarization within the American system of government shares wide consensus across the academic spectrum. A divide has largely always existed within the political landscape as a result of the rise of the party system and English style plurality elections which inevitably lead to two dominant narratives.¹¹ However, as Poole and Hare note, “the periods of polarization have occurred when conflict between the two parties became completely one dimensional; that is, when regional division within the parties becomes the primary focus of conflict.”¹² Therefore, these periods of hyperpolarization are unique in the degree of the divide and the inability to compromise on any issue. The consensus of the modern divide is that it began with the passage of the 1964 Civil Rights Act. The law brought race into the political sphere and broader questions of redistribution became a central divide between the two leading parties.

In “The Contemporary Presidency: Polarization and White House/Legislative Relations”, Gary Andres opened the door to research about the effects of polarization on the contemporary presidency. Specifically, Andres examined the relationship between Congress and the White House during the George W. Bush Presidency. Primarily, he discovered that Bush abandoned all hope of working with Democratic leadership and instead targeted rank-and-file members of the House and Senate for votes on his agenda. Additionally, the lobbying efforts of the White House significantly decreased to a select number of realistic targets. The key to Andres’ finding was that it no longer made sense for presidents to waste their time appealing to the other side of the aisle as “focusing on party unity is both an outgrowth of polarization and a legislative survival strategy.”¹³ These findings led to a theory proposed by Brandon Rottinghaus that presidents should switch from a strategy of “going public” to one of “going partisan.”

¹⁰ Pew Research Center. “How Increasing Ideological Uniformity and Partisan Antipathy Affect Politics, Compromise and Everyday Life.” 12 June 2014.

¹¹ Maurice Duverger, *Les Partis Politiques* (Paris: Armand Colin, 1951).

¹² Hare and Poole, 4-5.

¹³ Gary Andres. “The Contemporary Presidency: Polarization and White House/Legislative Relations: Causes and Consequences of Elite-Level Conflict.” *Presidential Studies Quarterly* 35, no. 4 (2005): 761-770.

PRESIDENTIAL DECISION MAKING

At the broadest level, this research paper examines the relationship between polarized environments and presidential decision making. Therefore, a holistic understanding surrounding existing research of this relationship is required to recognize where this paper's theory fits into the larger picture. Brandon Rottinghaus was the first academic to study this specific relationship. In *Going Partisan: Presidential Leadership in a Polarized Political Environment*, Rottinghaus determines that the modern Executive is no longer focused on persuading a group of independent voters. Rather, political partisans have become the target of their rhetoric. Rottinghaus examines this relationship by showing that a new theory to understand presidential decision making is needed with the modern political landscape. His theory of going partisan "holds that presidents do not just visit localities to influence any cross-pressured members of Congress. Rather, the president directly rallies his partisan base by visiting states to mobilize partisan attitudes and encourage greater partisanship among his party's members of Congress."¹⁴ Although Rottinghaus acknowledges that a partisan base builds presidential approval, he fails to acknowledge the expanded unilateral action by presidents in polarized times. Recent national elections have resulted in partisan split of the federal government with Congress run by one party and the White House by another. Therefore, presidential action during these times must be addressed outside the scope of influencing House and Senate votes.

Despite these wide claims of a democracy death spiral, a more optimistic side of presidential decision making exists. In *The Politics of the Presidency* by Joseph Pika and John Maltese, the writers claim that "presidents follow certain modes or patterns of behavior: bargaining, arm-twisting, and confrontation."¹⁵ Further, they claim that bargaining is the predominant mode of presidential behavior. Although their narrative largely butts heads with the majority of other scholarship on presidential-congressional relations, the piece contributes an important aspect of the conversation in that the system is not a cut and dry divide. Some level of bargaining and compromise continues to exist. However, these levels are limited and show no sign of moving together. Pika and Maltese give credence to the polarized environment by stating that,

¹⁴ Brandon Rottinghaus and Matthew Lang. "Going Partisan: Presidential Leadership in a Polarized Political Environment." In *APSA 2012 Annual Meeting Paper*. 2012.

¹⁵ Pika, Joseph A., John Anthony Maltese, and Andrew Rudalevige. *The Politics of the Presidency*. Cq Press, 2016.

Despite continuing instances when presidents assemble bipartisan coalitions to achieve legislative goals, there is evidence that over the past two decades the opportunity to build bipartisan coalitions has sharply declined. Internal congressional reforms and heightened unity among partisans in Congress have made the task of winning in Congress much more difficult.¹⁶

John Burke and Fred Greenstein in *Presidential Personality and National Security Leadership*, presented a final facet of presidential decision making theory. Through a case study of administrative approaches to the Vietnam War, the authors highlighted the importance of a president's relationship and approach to deal-making in bargaining with Congress. The policy making process of each president is inherently different. However, the authors also avoid the "fallacy of simply reducing the explanation of presidential performance to the president's individual characteristics."¹⁷ The research enhances the discussion of the decision making process by contributing one more facet to the complex understanding of why presidents act certain ways. The authors point out that their research engages in a multivariate analysis of three separate variables of each administration in order to reach the most accurate depiction of presidential action. Not only is the larger political landscape included, but the individual actor and the advisory group in the institutional presidency are included. Although the article does not specifically address presidencies during modern or polarized times, it emphasizes the importance of a holistic examination of presidential administrations and reaffirms the importance of case study research in order to answer such complex research questions.

Therefore, scholars of presidential decision making have largely reached consensus that polarization and strengthened partisan efforts have vastly changed the way presidents approach legislation. Additionally, while Rottinghaus further develops the idea of "going public" into "going partisan," he fails to address moments in modern history where presidents were forced to act against a Congress run by the opposing party. These are where the true moments of hyperpolarization have occurred as presidents form new mandates to accomplish their agendas due to a lack of popular electoral affirmation.

¹⁶ Pika and Maltese, 233.

¹⁷ John P. Burke and Fred I. Greenstein. "Presidential Personality and National Security Leadership: A Comparative Analysis of Vietnam Decision-Making." *International Political Science Review* 10, no. 1 (1989): 73-92.

THE EVOLUTION OF PRESIDENTIAL IMPERIALISM

It has been well documented that the modern presidency is a very different creature than was originally intended by the Founders. The reasons behind this change and the path toward presidential imperialism, a term coined by Arthur Schlesinger Jr. in *The Imperial Presidency*, are the subject of discussion in this section. The examination will proceed chronologically in order to evaluate the path dependence of presidential development.

As noted by presidential scholar James Ceaser, “popular authority was thus identified by the Founders as the likeliest grounds on which attempts would be made to throw off constitutional restraints and to concentrate power in the hands of one person.”¹⁸ The *Federalist Papers* expand on this idea set forth in the Constitution that passions of the people risk the sanctity of the country. Therefore, presidential scholars throughout history have warned of demagogue candidates who appeal to popular messages and claim mandates based on broad support. However, what Ceaser fails to discuss is the power of mandates of necessity. This mandate, understood through the writing of John Locke on prerogative, has evolved throughout presidential history. President Lincoln’s mandate of necessity was strong. If he failed to violate certain laws and institutional structures set forth in the Constitution, the nation would cease to exist. These periods of mandates of necessity have failed to receive significant attention in studies of presidential imperialism.

Interpretations of the scope of power that presidents possess have clearly evolved over time. Some of the most accurate research on these attitudes comes from the presidents themselves. Theodore Roosevelt’s chapter in his autobiography on a theory of executive power lays out his new personal interpretation of presidential autonomy. According to Roosevelt, “My belief was that it was not only his right but his duty to do anything that the needs of the Nation demanded unless such action was forbidden by the Constitution or by the laws.”¹⁹ This interpretation of Executive power should not be ignored. Roosevelt’s claim was radical at the time and greatly broadened his ability to push his agenda which did not rely on a popular mandate but rather a new version of necessity. He believed that he acted in the interest of the public welfare and for the well-being of the entire nation. However, he did not believe that these ends could be accomplished through Congress and thus acted on his own. Roosevelt’s greatest

¹⁸ Ceaser, 14.

¹⁹ Roosevelt, Theodore. 1968. *Theodore Roosevelt: An Autobiography* (Vol. 9). Charles River Editors.

fear was not contenting himself “with the negative merit of keeping his talents undamaged in a napkin.”²⁰ This small comment actually captures a large aspect of presidential imperialism. Presidents, as the Founders feared, were ambitious political animals. Primarily for the right reasons, they push agendas and do not expect significant resistance due to their national selection process and powerful voice. However, when Congress, the Supreme Court, or a polarized political environment opposes them, they will always seek a way to accomplish their policy goals.

Woodrow Wilson’s take on the autonomy of the president was centralized much more in popularity. According to Wilson, the president “is the representative of no constituency, but of the whole people. When he speaks in his true character, he speaks for no special interest.”²¹ Essentially, the president served a role a translator in chief; taking the passions of the Nation and providing them with an avenue for advancement. Wilson saw this progression toward presidential autonomy as natural. In his view, the Nation’s “instinct is for unified action, and it craves a single leader.”²² Alexander Hamilton recognized these passions as well and pushed for the construction of mechanisms within the executive branch which would foster, yet tame this notion. Wilson’s view differed from Ceaser’s interpretation of popular mandate as the Executive in his case was acting in the name of the people as opposed to taking advantage of their voice for his own ends. For students of political science, Wilson’s views highlight a significant grey area in that the righteousness of the popular mandate is derived from the purity of that specific president’s intentions. In truth, only that executive has possession of such details. However, Wilson does comment on the largest case of overstepping constitutional bounds and misusing his justification for a form of popular mandate. Wilson adamantly believed that Andrew Jackson abused the authority of the office in his dealings with the Supreme Court. Specifically, Jackson flatly ignored the constitutional interpretations of the Court and challenged them to enforce their rulings. As Wilson further stated, “No serious student of our history can righteously condone what he did in such matters on the ground that his intentions were upright and his principles pure.”²³ Unfortunately, such an understanding of the popular mandate only leads to yelling between the opposing parties as one claims pure intentions and the other malicious intent. The

²⁰ Roosevelt, 1.

²¹ Wilson, Woodrow. *Constitutional Government in the United States*. Transaction Publishers, 1961.

²² *Ibid*, 68.

²³ *Ibid*, 69.

case research will take both sides of the argument in context in order to reach the most accurate ends in research.

In *Old Laws, New Meanings: Obama's Brand of Presidential 'Imperialism'* Andrew Rudalevige applies Arthur Schlesinger's indictment of the Vietnam and Watergate era presidents with President Obama's extrajudicial administrative techniques to circumvent the wishes of Congress. President Obama was not acting through a popular mandate in this instance, but through a completely different animal. The American public has a view that Congress has effectively shut down. However, the actions and leadership of the government had to flow from somewhere. Thus, the president took advantage of the hyperpolarized environment to push through his agenda in other ways which Rudalevige catalogues in executive orders, proclamations, presidential memoranda, and executive instructions. As he points out,

These efforts, unsurprisingly, clustered in areas where Congress did not act: either in the first place, as in the fields of climate change and immigration (or, for that matter, to pass a new AUMF), or where the usual route of legislative technical corrections was blocked by polarized frenzy, as with 'Obamacare.'²⁴

Therefore, President Obama found a new mandate based on a polarized environment. He took elements of President Wilson's theory that Americans crave single, unitary action and applied it to a hyperpolarized environment.

GAPS IN THE LITERATURE

This research fits into the existing body of literature by further assessing presidential action in hyperpolarized environments. Unlike Brandon Rottinghaus' theory that presidents "go partisan," my theory asserts that they instead take unique unilateral action which results in rapid expansions of presidential autonomy. Rottinghaus advances the idea that cooperation amongst the president and their party in Congress increase. However, a theory of "going partisan" fails to account for intraparty rifts and presidents' understanding that unilateral executive action is often permitted. This theory seems to make sense due to the inherent collective action problem in a polarized Congress. Further, Rottinghaus fails to address the existing mechanisms that senators can use, such as the filibuster to block the White House agenda. Additionally, his theory fails to

²⁴ Andrew Rudalevige. "Old Laws, New Meanings: Obama's Brand of Presidential Imperialism." *Syracuse L. Rev.* 66 (2016): 1.

address instances of opposing parties in control of the White House and Congress. Finally, the new understanding of presidential decision making proposed in this paper examines a new mandate of power for presidential action which combines the traditional mandates of necessity and popularity. The mandate in polarized times seems to be more nuanced in that presidents take the interpretive popular mandate approach of Woodrow Wilson with the mandate of necessity and action embodied by Lincoln.

CASE STUDY SOURCES

The case research of President Lincoln's administration and political environment are largely represented through his public speeches and private letters. Lincoln's justification for extrajudicial actions during the Civil War were summarized when he asked, "Are all the laws but one to go unexecuted, and the Government itself go to pieces lest that one be violated?"²⁵ Lincoln clearly did not believe that all of his actions were Constitutional. Nevertheless, they instated a precedent for future administrations to point to in times of intense domestic strife and conflict. Additionally, leading presidential scholar Louis Fisher's *Presidential War Power*, provides important insight into the inner workings of Lincoln's decision. Fisher shows that Lincoln had opposed the mandate of responsibility embodied by the actions of President James K. Polk. Lincoln's mandate therefore differed in that it was a mandate of necessity, not based on the personal agenda but on one of preservation of the Union.²⁶

The case research of President Andrew Jackson is also categorized through speeches and messages which highlight the intentions and reasoning behind Jackson's actions. However, it is important to note that Jackson's expansion of presidential power arose from a popular mandate. The Founders coined this form of presidential ambition as the most dangerous test of the constitutional structure. Jackson expanded power through a continuous reference to his popular authority.²⁷ However, in order for this claim to be made in each instance, Jackson could not deviate too far from popular opinion. Therefore, he was inherently bound by the public and had a much smaller impact on future presidential action than the presidents who operated from a mandate of necessity.

²⁵ Abraham Lincoln. "Message to Congress." 4 July 1861.

²⁶ Louis Fisher. *Presidential War Power*. University Press of Kansas, 2013: 43.

²⁷ Milkis, 126-153.

The case research of President Obama is based in speeches and Office of Legal Counsel justifications for action. Additionally, examinations into far reaching executive orders provide context for the president's actions. His initial approach to presidential decision making derives from campaign literature, actions and books. Therefore, by examining his narrative prior to the inauguration with actions as president, the proposed theory can be effectively employed.

SHATTERED CONSENSUS: THE EVOLUTION OF SENATE ADVICE AND CONSENT FOR INTERNATIONAL ENVIRONMENTAL AGREEMENTS

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The United States Constitution grants the President the authority to make treaties with the advice and consent of the Senate. Three cases involving international environmental agreements have produced drastically different results. The Montreal Protocol of 1987 was approved unanimously, the Kyoto Protocol of 1997 was rejected unanimously, and the Paris Agreement of 2015 was never even considered in the floor of the Senate. An investigation of the Congressional Record indicates the evolving positions, attitudes, and beliefs of senators that resulted in these different endings. Changes in the way senators thought of the science behind environmental change, the economic impacts of taking action, and the political support for taking action shattered the consensus that characterized the Montreal and Kyoto Protocols and resulted in the failure of the Paris Agreement to even make it onto the Senate floor. The paper concludes by offering a few insights into how future administrations might pursue an international environmental agreement to greater success.

INTRODUCTION

The United States Constitution distributes the power to enter into international agreements between the executive and legislative branches. Article 2, Section 2 of the Constitution states: “He [the President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur.”¹ Though the President holds primary responsibility for negotiating international treaties, he cannot ratify the treaty without the advice and consent of the Senate. This restraint

¹ Article 2, Section 2, Paragraph 2, United States Constitution.

on the power of the president makes sense when considering Article 6 of the Constitution, which states, “all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.”² Thus, the advice and consent of the Senate is a check on the power of the president so that he cannot enter into treaties that affect the citizens of the United States without the consent of the citizens’ elected representatives.

One of the most obvious results of this distribution of authority is the recurring inability of the United States to ratify treaties. For example, the U.S. still has not yet ratified the United Nations Convention on the Law of the Sea (UNCLOS), the Rome Statute of the International Criminal Court (ICC), and the Comprehensive Nuclear-Test-Ban Treaty (CTBT). This distribution of authority has also led to a mixed record with regards to international environmental agreements. Three cases stand out in particular: the unanimous consent granted to the Montreal Protocol in 1988, the unanimous rejection of the Kyoto Protocol in 1997, and the complete lack of consideration given to the Paris Agreement in 2016.

In a much-cited interview with the *Scientific American* published on July 24, 2013, former Secretary of State George Shultz, who served under President Ronald Reagan, recalled the “insurance policy” argument that convinced skeptical Republicans to support the Montreal Protocol when they were considering it in 1988.³ According to Secretary Shultz, President Reagan presented a compelling case that the potentially catastrophic effects of environmental degradation (in the case of the Montreal Protocol, ozone hole depletion was the issue at hand), even if uncertain, warranted an

² Article 6, Paragraph 2, United States Constitution.

³ David Biello, “A Republican Secretary of State Urges Action on Climate Change,” *Scientific American*, 24 July 2013, accessed 23 February 2017, <https://www.scientificamerican.com/article/questions-and-answers-with-george-shultz-on-climate-change-and-energy/>.

insurance policy to protect against those potential damages. The Montreal Protocol ended up gaining the unanimous consent of the U.S. Senate and was swiftly ratified shortly thereafter. To this day, the Montreal Protocol remains the most successful international environmental treaty in history. Thanks to the efforts of the U.S. and other signatories to the Montreal Protocol, ozone hole depletion was halted and gradually reversed.

Subsequent international environmental treaties addressing global climate change have been significantly less successful. Although the U.S. did adopt and ratify the United Nations Framework Convention on Climate Change (UNFCCC) in 1992, the Senate chastised the Clinton administration and unanimously rejected to consent to the 1997 Kyoto Protocol, which sought to translate the principles of the UNFCCC into tangible, mandatory reductions in greenhouse gas emissions. Without the support and participation of the United States, the Kyoto Protocol was doomed to fail. Beginning in 2007, the parties to the UNFCCC embarked on a process to negotiate a new, binding agreement. Eight years later, in 2015, the UNFCCC process produced the Paris Agreement. However, the Paris Agreement never made it onto the Senate floor for consideration. From the very beginning, the Obama administration sought to bypass what was believed to be a hostile, Republican-dominated Senate.

One of the criticisms levied against the Obama administration is that President Obama failed to include the Senate, especially the Republican leadership, in his negotiations leading up to the Paris Agreement. This argument is reminiscent of the indignation expressed by the Senate in 1997 as it was considering the Kyoto Protocol. As demonstrated below, many of the Senators back then expressed concern that the Clinton administration was simply not including them in the process. The argument also implies that, had President Obama altered his political approach in 2016, he might have

been able to secure the support of enough Republicans to obtain consent for ratification.

An analysis of the *Congressional Record* and the debates surrounding each of these three cases proves this criticism to be definitively wrong. The truth of the matter is that the political climate has shifted tremendously between 1988 and 2016. The same arguments, including the “insurance policy” logic championed by Secretary Shultz that worked in 1988, however sensible it may be, simply would not work in 2016. The consensus shared by the Democratic and Republican Parties in 1988 had already begun to demonstrate fissures in 1997, and by 2016, the basic positions and attitudes of Democratic and Republican Senators on climate change were largely irreconcilable. However, by closely examining the differences in these attitudes and positions, this paper can begin to propose ways that these fissures might be bridged so that a future administration seeking an international environmental agreement for the U.S. might have a path forward.

UNANIMOUS CONSENT: THE MONTREAL PROTOCOL IN 1988

In August 1987, just over two years after the Vienna Convention for the Protection of the Ozone Layer was adopted, the parties to the Vienna Convention agreed to the Montreal Protocol on Substances that Deplete the Ozone Layer. U.S. leadership proved instrumental in the negotiation of a strong treaty that would reduce emissions that damaged the ozone layer. President Reagan himself took a strong position on the Montreal Protocol, overruling the advice of many of his own Cabinet members in his support for the treaty.⁴ In April 1988, after a unanimous vote of consent in the Senate,

⁴ Richard Elliot Benedick, *Ozone Diplomacy: New Directions in Safeguarding the Planet*, Harvard University Press, Enlarged Edition, 1998, 51-67.

the United States became the second country to ratify the Montreal Protocol. The debate on the Montreal Protocol on the floor of the Senate is instructive: it reveals a bipartisan recognition of the urgency in taking action and a common embrace of the science behind ozone layer depletion. At the same time, the relatively limited participation of senators in the debate suggests that the Montreal Protocol itself was largely uncontroversial and had already garnered the support of both parties. The limited participation in the debate means that a more diverse range of views was not expressed with regards to the Montreal Protocol.

The senators who spoke on the Montreal Protocol recognized the need to take action and even went so far as to press for further action independent of and beyond the obligations of the Montreal Protocol. Senator Pell suggested, “the reduction schedule in the [Montreal] protocol is not sufficient to protect public health and the environment from a problem of staggering proportions.”⁵ Senator Kerry criticized the administration for cutting its initial promise for a 95% reduction in CFCs to a 50% reduction in CFCs, arguing that this is insufficient to address the problem.⁶ Senator Kerry also argued that even if the Montreal Protocol fails to enter into force, the United States should still make reductions in CFCs independent of the status of the Protocol. For him, the problem of the ozone hole was “too urgent to wait any longer for action.”⁷ Senator Stafford, widely recognized as a so-called “Rockefeller Republican,” also stated his support for the Montreal Protocol and his agreement with the comments made by his colleagues. On the other hand, Senator Helms stated that when confronting like ozone hole

⁵ Senator Pell (RI), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3718.

⁶ Senator Kerry (MA), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3721.

⁷ *Ibid.*

depletion, “it is important to be realistic rather than idealistic,” a comment that can be interpreted as addressed to those who wanted more action to be taken by the United States.⁸ As Senator Chafee pointed out, the main disagreement over the Montreal Protocol was whether or not the protocol goes far enough and adequately protects the environment.⁹ Senator Chafee lodged his disagreement with the theory that a 50% cut in CFCs would “trigger a market-induced elimination of [CFCs],” stating that he was “not willing to entrust the survival of our planet to an economic theory” and that it was “not enough to ‘hope’ that the economists are right.”¹⁰

Senators also embraced the science behind ozone hole depletion. Senator Pell stated that “there is no doubt that ratification of the [Montreal] protocol is in the interest of the United States,” citing the scientific evidence compiled by the EPA as justification.¹¹ Like Senator Pell, Senator Wirth noted that the “scientific community has reached a consensus that continued worldwide emissions of chlorofluorocarbons and halon compounds threaten to break down the stratospheric ozone layer.”¹² Even Senator Helms, a Republican famed for his conservatism and obstructionism, did not challenge the science behind ozone hole depletion at all, noting instead that ozone hole

⁸ Senator Helms (NC), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3721.

⁹ Senator Chafee (RI), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3721.

¹⁰ *Ibid.*, 3722.

¹¹ Senator Pell (RI), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3718.

¹² Senator Wirth (CO), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3720.

depletion “is an environmental issue which affects all Americans.”¹³ In June 1988, a few months after the ratification of the Montreal Protocol, Senators McCain (R-AZ), Karnes (R-NE), and Cochran (R-MS) introduced the Ozone Layer Protection Act. In his speech announcing the proposed bill, Senator McCain described the science behind the depletion of the ozone hole, even going so far as to state that “ozone-depleting CFCs are included among the greenhouse gases which have been implicated in global warming.”¹⁴ Most notable in Senator McCain’s speech is his continued reference to the science behind ozone hole depletion and his recognition that the situation may be more pressing than previously predicted.

Finally, some Senators also embraced the idea that the United States should lead the global effort against ozone hole depletion and that, as the largest emitter of CFCs, the United States bore a special responsibility to take extraordinary action. Senator Pell concluded that international cooperation on addressing emissions of ozone-depleting chemicals should be supported and that the United States, as the largest user and producer of CFCs on a national and per capita basis, “has an obvious responsibility to accept its share of the reductions required to protect public health and the environment.”¹⁵ Senator Helms argued that ratification of the Montreal Protocol will “enhance the American position” in a conference to be held in Nairobi the week after.¹⁶

¹³ Senator Helms (NC), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3721.

¹⁴ Senator McCain (AZ), speaking on S.2502, the Ozone Layer Protection Act, on June 13, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 10: 14268.

¹⁵ Senator Pell (RI), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3718.

¹⁶ Senator Helms (NC), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3721.

Some Senators also used the action on the Montreal Protocol to build momentum towards addressing global climate change. Senator Mitchell suggested that the Montreal Protocol was not only a step towards addressing the ozone hole, but also global climate change as well, since CFCs are a greenhouse gas. He considered the Montreal Protocol to be “the most effective way” to demonstrate U.S. leadership in the international scene in phasing out both CFCs and greenhouse gases.¹⁷ Meanwhile, an amendment introduced by Senator John Chafee on July 12, 1988 sought to express the sense of the Senate that the President should call an international convention on the greenhouse effect and the protection of the Earth’s climate. Chafee, a Republican from Rhode Island, cited the findings of scientists and reports from the Environmental Protection Agency, concluding that the United States “cannot afford to sit by and wait for the problem to solve itself.”¹⁸ Cosponsored by a bipartisan group of two other Republicans and two Democrats, that amendment was accepted by both sponsors of the bill, Republican Senator Jake Garn and Democratic Senator William Proxmire, and agreed to via a voice vote in the Senate. The Senate also witnessed the introduction of two bills that sought to further action against global climate change. The first of these, the Global Environmental Protection Act of 1988 (S.2663), was introduced by Senator Robert Stafford (R-VT) and co-sponsored by Senators Baucus (D-MT), Chafee (R-RI), Durenberger (R-MN), and Gore (D-TN). The second of these, the Global Warming Prevention Act of 1988 (S.2867), was introduced by Senator John Chafee (R-RI) and co-sponsored by Senators Baucus (D-MT), Durenberger (R-MN),

¹⁷ Senator Mitchell (ME), speaking on the Montreal Protocol on Substances that Deplete the Ozone Layer, on March 14, 1988, 100th Congress, 2nd sess., *Congressional Record* 134, pt. 3: 3719.

¹⁸ Senator Chafee (RI), speaking on S.Amdt.2574 to H.R.4800, on July 12, 1988, 100th Cong., 2nd sess., *Congressional Record* 134, pt. 12: 17686-17687.

Stafford (R-VT), Bumpers (D-AR), and Gore (D-TN). Both of these bills were referred to committees for review, but never progressed beyond that stage. The seeming bipartisanship of these proposed bills is deceiving. The Republican sponsors of these bills were members of the liberal wing of the Republican Party and thus, may not necessarily represent the views of the Republican Party at that time.

The debate surrounding the Montreal Protocol reflects a time when the Democratic Party and the Republican Party achieved a consensus on the importance of taking international action against anthropogenic environmental degradation. The momentum generated by the Montreal Protocol may have even inspired some senators to seek further action on climate change. However, the generation of Republicans that supported such efforts quickly left the Senate. As the next section will demonstrate, by 1997, the consensus around environmentalism in the Senate had already dissipated.

UNANIMOUS DISSENT: THE KYOTO PROTOCOL IN 1997

After the adoption of the UNFCCC in 1992, the parties to the Convention convened in 1995 to begin outlining specific emissions reductions targets. The result was the Kyoto Protocol, which was adopted in 1997 and set emissions reductions targets for a select group of developed countries collectively referred to as the “Annex I countries.” Countries that did not have those mandatory emissions reductions were referred to as “non-Annex I countries.” Among them were China and India, two of the world’s largest and most rapidly growing emitters.

In the months leading up to the Kyoto Protocol, the U.S. Senate considered and unanimously adopted the Byrd-Hagel resolution, which stated the sense of the Senate that it would not consent to any climate agreement that did not include legally binding commitments for developing

countries and that would leave a significant negative impact on the U.S. economy. The Byrd-Hagel resolution represented yet another unique moment of bipartisanship on environmental issues. With the adoption of the resolution, the Kyoto Protocol would never gain the consent of the Senate and thus, was a treaty dead upon arrival. Yet the subtle differences in the arguments made by senators from both parties are instructive; they demonstrate that, even though both Democrats and Republicans united in support of this resolution, there were great disparities in their understandings of the science behind climate change, the need for a legally binding treaty, and basic assessments of risk.

One of the concerns shared by both Democrats and Republicans was the Clinton administration's lack of policy planning made available to Congress and the general public for review. During the debate on the Byrd-Hagel resolution, Republican Senator Shelby of Alabama stated, "the public has a right to know how the administration's commitments requiring them to reduce fossil fuel energy will be accomplished and how their lives, jobs, and futures will be affected."¹⁹ Short of an open debate and communication with Congress and the American public, Senator Shelby refused to support committing the United States to the Kyoto Protocol. Similarly, Democratic Senator Byrd also criticized the Clinton administration for its failure to include the Senate's opinions on the negotiation of the Kyoto Protocol, stating that "if the Senate is not included in the takeoff, if the Senate is not included at the beginning, if the Senate is intended to be shut out of doing its constitutional responsibility of advising as well as consenting in making a treaty, then count me out."²⁰ A year after the Byrd-Hagel resolution was

¹⁹ Senator Shelby (AL), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

²⁰ Senator Byrd (WV), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

adopted and six months after the Kyoto Protocol was signed, there continued to be concerns among Senators regarding the Clinton administration's lack of a detailed policy. Addressing the Senate on the Kyoto Protocol, Republican Senator Murkowski of Alaska criticized the Clinton administration for failing to formulate and deliver detailed plans for its climate change policy beyond a speech previously given by the President: "Out in the business world, you don't get \$6.3 billion in financing based on a three page proposal."²¹

Republicans and Democrats also joined in criticism of the Clinton administration's willingness to sign a treaty agreement that did not have legally binding commitments for developing countries as well. Some were concerned that this would create an unfair competitive advantage for developing countries, while others worried that any emissions reductions from developed countries would be offset by developing countries' emissions anyways. In sponsoring the Byrd-Hagel resolution, Senator Byrd shared Senator Hagel's concerns that the Kyoto Protocol did not hold some developing countries accountable for their emissions and that the economic impacts of the Kyoto Protocol on the United States would be too great. Senator Byrd insisted that U.S. negotiators ensure developing countries such as China, India, Mexico, Indonesia, and Brazil also undertake initially modest commitments to action and "not settle for vague promises to return to a future negotiation to get serious."²² Furthermore, Senator Ford of Kentucky argued that, because of its failure to hold developing countries to commitments, the Kyoto Protocol would neither stop global warming nor reduce carbon emissions: "every ton of reduced emissions in the United

²¹ Senator Murkowski (AK), speaking on "Kyoto Protocol Implementation," 105th Cong., 2nd sess., *Congressional Record* 144, no. 85 (June 25, 1998): S7164-S7166.

²² Senator Byrd (WV), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

States and other developed nations will be made up and then some in the developing world.”²³ Senator Conrad linked the two provisions of the Byrd-Hagel resolution together: without similar restrictions on greenhouse gas emissions for developing countries, the United States economy could face “a flight of jobs and capital from this country to nations that do not face greenhouse gas emissions limitations.”²⁴ Senators Mikulski and Thomas issued similar statements upholding these positions.

There were, however, a few dissenters. Even as Senator Murray supported the Byrd-Hagel resolution for seeking to hold developing countries accountable for their emissions, she also states her belief that “developed nations have historically emitted more greenhouse gases per capita than have developing countries,” and that “[developed nations] are economically more able to absorb whatever increased costs occur based on the need to reduce emissions.”²⁵ She concluded that the United States should support its neighbors in meeting emissions reduction goals through technology transfer, economic assistance, and joint ventures. Likewise, Senator Baucus argued in favor of binding limits, noting that voluntary emissions reductions in the 1992 United Nations Framework Convention on Climate Change (UNFCCC) had failed to adequately reduce global emissions, though he also argued that developing countries needed to undertake emissions reduction commitments.²⁶

Senators from both parties were able to agree on the Byrd-Hagel resolution in spite of differing assessments on the validity of the science

²³ Senator Ford (KY), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

²⁴ Senator Conrad (ND), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

²⁵ Senator Murray (WA), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

²⁶ Senator Baucus (MT), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

behind global climate change. Senator Hagel argued, “The science [of climate change] is inconclusive and contradictory.”²⁷ In his opinion, “common sense dictates that you don’t come up with a solution to a problem until you are certain that you have a problem.”²⁸ Senator Hagel’s “common sense” departed from the “insurance policy” thinking that guided Republicans to consent to the Montreal Protocol in 1988. In another statement, Senator Hagel made clear that the debate surrounding the Kyoto Protocol “is not a debate about who is for or against the environment,” stating that “we all agree on the need for a clean environment.”²⁹ On the other hand, Senator Murkowski of Alaska differed from many of his Republican colleagues when he noted that “it is an indisputable scientific fact that concentrations of greenhouse gasses are on the rise,” but also reminded the Senate that the exact effects of that rise remain disputable.³⁰ In response to questions regarding the scientific understanding of climate change embodied by the Byrd-Hagel resolution, Senator Byrd stated that “the resolution accepts the thesis, which is still the subject of some dispute, that the increasing release of carbon dioxide and its accumulation in our atmosphere are causing a very gradual heating of the globe which has many adverse consequences for us all.”³¹

However, statements from Democratic Senators reflected a type of “insurance policy” mindset. These Senators supported greenhouse gas emissions reductions as an insurance policy against whatever potential impacts climate change could have, even if the science might be uncertain.

²⁷ Senator Hagel (NE), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ Senator Murkowski (AK), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

³¹ Senator Byrd (WV), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

Senator Byrd made clear his belief from both personal observation and examination of scientific evidence that “there apparently are changes going on in the climate pattern and that anthropogenic interference is probably the cause of some of this change.”³² In his opinion, all of this warranted some type of global action. Similarly, Senator Baucus, a Democrat, noted that the “science is complicated and a bit uncertain,” but nevertheless concluded that the kinds of threats posed by climate change “are serious enough that [the United States] must take action to avoid them.”³³ Senator Baucus noted that climate change would create serious economic consequences for the agricultural sector in Montana due to the possibility of changing weather patterns that could affect crop yields. Senator Baucus concluded, “if we start with modest steps now, instead of waiting, we will likely avoid any serious economic disruptions.”³⁴ Senator Kerrey of Nebraska also argued in favor of an “insurance policy” approach, recognizing that there were uncertainties in the effects of climate change but that climate change itself was very much real. He called for the United States to lead the global effort against climate change by seeking a treaty agreement that included developing countries as well. Senator Bingaman also argued in favor of an “insurance policy,” stating that whatever scientific uncertainty about climate change “should not be a cause for comfort,” since “ignorance of what might lie ahead is not bliss, and it is prudent to slow down until you have a better appreciation of what you are dealing with.”³⁵ Finally, Senator Kerry argued that “caution and common sense predicate that we should do everything possible in order

³² Ibid.

³³ Senator Baucus (MT), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

³⁴ Ibid.

³⁵ Ibid.

to avoid the potential of that kind of catastrophe,” in essence reaffirming the insurance policy thinking.³⁶

Overall, the Byrd-Hagel resolution represented a unique bipartisan coming-together of Republicans and Democrats. Senator Kerry acknowledged the strange coalition of Senators who cosponsored the Byrd-Hagel resolution, noting that there are “some who do not want any treaty,” “some who do not think [climate change] is a problem,” “some who do not accept the science,” and “some for whom the effort is one to really have nothing happen.”³⁷ He concluded, however, that the point of the Byrd-Hagel resolution was to advise the Clinton administration on negotiating tactics. United by common disapproval for the negotiating tactics of the Clinton administration, the Senators overcame differences in opinion on the science of climate change and the need of the United States to actively address climate change. Despite the fact that many of the Democratic senators possessed an “insurance policy” mindset on the issue of climate change, that alone was not enough for them to support President Clinton’s signing of the Kyoto Protocol. They had been left out of the policy making process and were unsatisfied by the way the Clinton administration handled the Kyoto Protocol. Senator Byrd captured the dissent of the Senate most aptly when he described the Byrd-Hagel resolution as a manifestation of the desire of the Senate “to be in on the takeoff, not just on the landing.”³⁸

³⁶ Senator Kerry (MA), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 107 (July 25, 1997): S8113-S8139.

³⁷ *Ibid.*

³⁸ Senator Byrd (WV), speaking on S. Res. 98 the Byrd-Hagel Resolution, 105th Cong., 1st sess., *Congressional Record* 143, no. 82 (June 12, 1997): S5622-S5626.

NO CONSENSUS AT ALL: THE PARIS AGREEMENT IN 2016

As the failure of the Kyoto Protocol became ever more apparent to the international community, pressure began to mount for a renewed effort towards some type of global agreement that would translate the principles of the UNFCCC into global action. In 2007, member-states of the UNFCCC adopted the Bali Road Map at COP-13, laying out a two-year plan towards a binding agreement. Two years later, at COP-15 in Copenhagen, the talks fell apart on the last day, producing a weak “Copenhagen Accord” that was not even adopted by the conference. Discouraged but not defeated by the debacle of Copenhagen, the parties to the UNFCCC met again at COP-17 in 2011 in Durban, where they adopted the Durban Platform. The goal would be to produce a binding agreement, which would enter into force in 2020, by 2015. Three more rounds of COPs passed, each gradually paving the way for COP-21 in Paris.

One of the most prevalent issues in the negotiations leading up to COP-21 was the question of legal force of an agreement. Specifically, negotiators were concerned that the United States would not be legally bound to an agreement if it did not win the consent of the U.S. Senate. While the Obama administration insisted that the Paris Agreement, which was eventually adopted by acclamation at COP-21, would function as an executive agreement, the Republican-led Congress sought to assert its authority and demand that consent be sought. On November 19, 2015, Senator Mike Lee (R-UT) introduced a Senate concurrent resolution (S.Con.Res.25) to demand that President Obama submit any climate agreement arising out of COP-21 in Paris to the Senate for advice and

consent.³⁹ Although the concurrent resolution never moved beyond a referral to the Committee on Foreign Relations, the fact that the resolution received the sponsorship of 34 Republicans and not a single Democrat is telling.⁴⁰ Debate in the Senate chambers before, during, and after COP-21 reveals stark divides between Republicans and Democrats over the Paris Agreement and global climate change.

Senators sharply disagreed on the merits of the science behind climate change. Senator Inhofe, a Republican, argued that the Paris Agreement is “not scientific but political,” and he continued to challenge the idea that there was a consensus in the scientific community regarding the dangers of climate change.⁴¹ His Republican colleague Senator Cornyn also disputed the accuracy of the models provided by scientists: “if you start looking at some of the models that are used to predict temperatures decades and perhaps centuries out, this is not what you would call science, this is more like an economic projection or model, and we know how reliable they have been in the past.”⁴² On the other hand, Senator Udall, a Democrat, stated, “This [climate change] is settled science. The world has moved on. The United States Congress should, too.”⁴³ Similarly, with regards to the

³⁹ *Expressing the Sense of Congress that the President Should Submit the Paris Climate Change Agreement to the Senate for Its Advice and Consent*, S. Con. Res. 25, 114th Cong., 1st sess., *Congressional Record* 161, no. 171 (November 19, 2015): S8166-S8167.

⁴⁰ S.Con.Res.25 of the 114th Congress was sponsored by: Senators Lee (R-UT), Cotton (R-AR), Cruz (R-TX), Vitter (R-LA), Shelby (R-AL), Thune (R-SD), Scott (R-SC), Wicker (R-MS), Hatch (R-UT), McCain (R-AZ), Blunt (R-MO), Johnson (R-WI), Rounds (R-SD), Roberts (R-KS), Sessions (R-AL), Cochran (R-MS), Tillis (R-NC), Grassley (R-IA), Coats (R-IN), Cassidy (R-LA), Crapo (R-ID), Inhofe (R-OK), McConnell (R-KY), Sasse (R-NE), Daines (R-MT), Toomey (R-PA), Barrasso (R-WY), Paul (R-KY), Capito (R-WV), Enzi (R-WY), Cornyn (R-TX), Hoeven (R-ND), Boozman (R-AR), and Risch (R-ID).

⁴¹ Senator Inhofe (OK), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8715-S8716.

⁴² Senator Cornyn (TX), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8712.

⁴³ Senator Udall (NM), speaking on “Paris Climate Change Talks,” 114th Cong., 1st sess., *Congressional Record* 161, no. 179 (December 10, 2015): S8576-S8581.

science, Democratic Senator Merkley stated that there is “nothing disputable about the facts.”⁴⁴ Even more critical of the deniers, Senator Durbin blatantly insisted that those who denied the science behind climate change were part of a “deliberate campaign financed by the fossil fuel industry, a campaign that peddles the pseudo-science of manufactured doubt.”⁴⁵ Senator Durbin went one step further: he tied climate change with national security, claiming that the “crisis in Syria and the flow of refugees from unstable parts of the world is an early warning of how humanitarian crises, particularly from less stable parts of our shared planet, are likely to get worse if we continue to let climate change go unaddressed.”⁴⁶ In the case of Syria, many of the initial pro-democracy protesters in 2011 were displaced farmers suffering from the effects of drought.

Interestingly, both Democrats and Republicans seemed to have similar views on the role of innovation in addressing climate change, despite their significant differences on the science behind the issue. Senator Cornyn, a Republican, affirmed his belief that innovation, rather than regulation through international agreements, would be the way towards fixing the problems posed by climate change: “American innovation, creativity, and entrepreneurialism can take care of many of these problems that some of our friends worry so much about.”⁴⁷ Senator Franken, a Democrat, shared Senator Cornyn’s faith in American innovation, stating that he wanted to “make sure that our startups are innovating tomorrow’s solutions, that our companies are the ones that are developing and deploying clean energy

⁴⁴ Senator Merkley (OR), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8697-S8698.

⁴⁵ Senator Durbin (IL), speaking on “Paris Climate Agreement Signing and Earth Day,” 114th Cong., 2nd sess., *Congressional Record* 162, no. 62 (April 21, 2016): S2379-S2381.

⁴⁶ *Ibid.*

⁴⁷ Senator Cornyn (TX), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8712.

technologies here and around the world.”⁴⁸ This shared optimism about the power of American innovation meant little, however, when both sides could not agree on a common policy with regards to climate change.

Perhaps most concerning from a political perspective is the disagreement over the extent to which the American people recognized the dangers posed by climate change. Senator Shaheen argued that according to a “recent Pew poll, two-thirds of all Americans recognize that climate change is real and that action must be taken to address it.”⁴⁹ On the other hand, Senator Wicker cited a FOX news poll that reportedly “showed that only 3 percent of Americans believe that climate change is the most important issue facing our country.”⁵⁰ The disparity between the numbers provided by these senators is striking and demonstrates the extent to which different political narratives have developed surrounding the issue of climate change. According to Democrats, there is a broad plurality of support in American society, including from moderate republicans. On the other hand, Republicans assert that climate change is hardly an issue at all for Americans. It is hard to imagine how any climate agreement could possibly win the consent of the Senate when there are such disparate narratives being told about the political imperatives, or lack thereof, of taking action.

Senators also had conflicting views on the efficacy of international agreements. Republicans in particular seemed to have a deep mistrust of the process behind the Paris Agreement. Senator Inhofe recounted a past rendezvous with a friend “from a West African country” at a climate change conference in which the friend stated he did not believe in climate change

⁴⁸ Senator Franken (MN), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8697-S8698.

⁴⁹ Senator Shaheen (NH), speaking on “Paris Climate Change Talks,” 114th Cong., 1st sess., *Congressional Record* 161, no. 179 (December 10, 2015): S8576-S8581.

⁵⁰ Senator Wicker (MS), speaking on “Paris Climate Change Conference,” 114th Cong., 1st sess., *Congressional Record* 161, no. 173 (December 1, 2015): S8230.

and merely attended the conference because “we stand to be able to bring back literally billions of dollars to Benin” and because “this [conference] is the biggest party of the year.”⁵¹ On a similar note, Senator Barrasso claimed that he is “willing to sit down with any Democrat who wants to work on a realistic, responsible, and achievable plan to make American energy as clean as we can, as fast as we can, without raising costs on American families.”⁵² Implicit in his argument is the idea that the Paris Agreement is both unrealistic and merely symbolic. When the process itself is considered illegitimate, any results of that process, such as the Paris Agreement, are unlikely to garner the support of those who doubted the process in the first place.

Finally, unlike in the case of the Kyoto Protocol when senators of both parties achieved a consensus position on these two issues, senators were split on whether or not the Paris Agreement would generate unbearable economy costs and on whether or not the Paris Agreement would be binding on other countries to make tangible and substantial commitments to greenhouse gas emissions reductions. Senator Inhofe invoked the Byrd-Hagel resolution when recalling the failure of the Kyoto Protocol, citing the same two reasons why the Byrd-Hagel resolution was passed as the reasons why he opposed the Paris Agreement. Republicans maintained that line of argument from the days of the Kyoto Protocol in the debate on the Paris Agreement. In his remarks to the Senate on December 15, 2015, Senator Barrasso criticized the Paris Agreement for two reasons: first, it “can do a great deal of damage to American jobs and the American economy,” and

⁵¹ Senator Inhofe (OK), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8715-S8716.

⁵² Senator Barrasso (WY), speaking on “Paris Climate Change Agreement and Senate Accomplishments,” 114th Cong., 1st sess., *Congressional Record* 161, no. 182 (December 15, 2015): S8655-S8656.

second, “important parts [of the agreement] are not binding on other countries.”⁵³ Senator Wicker further supported the argument that the Paris Agreement would undermine the U.S. economy, stating that “our economy will have suffered, and job growth will have been slowed, perhaps by as much as \$154 billion a year.”⁵⁴ Senator Cornyn argued that the Paris Agreement was negotiated so that “major economies don’t have to play by the same rules that the United States would.”⁵⁵ Senator Cornyn also expressed his frustration with the “President’s willingness to sacrifice our economy--job creation and the ability of people to find work and to provide for their family--to promote a cause that offers no guarantee of a more resilient climate or a clean environment.”⁵⁶

Democrats sharply disagreed. Unlike his Republican counterparts, Senator Franken argued that addressing climate change would “mitigate unprecedented damage to [the U.S. economy].”⁵⁷ Senator Franken sought to draw an analogy between the U.S. response to global climate change and the space race: just as the space race drove U.S. innovation, grew sectors of the U.S. economy, and created jobs, rising to the challenge of climate change would do the same. Senator Durbin also spoke about the economic costs of climate change, citing a study from the London School of Economics that argued that “on a global scale, climate change could cost the world as little as \$2.5 trillion--or, within the range of possibilities, as much as \$25 trillion.”⁵⁸ Senator Udall, who attended COP-21 in Paris as part of a

⁵³ Ibid.

⁵⁴ Senator Wicker (MS), speaking on “Paris Climate Change Conference,” 114th Cong., 1st sess., *Congressional Record* 161, no. 173 (December 1, 2015): S8230.

⁵⁵ Senator Cornyn (TX), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8712.

⁵⁶ Ibid.

⁵⁷ Senator Franken (MN), speaking on “Paris Climate Change Agreement,” 114th Cong., 1st sess., *Congressional Record* 161, no. 183 (December 16, 2015): S8697-S8698.

⁵⁸ Senator Durbin (IL), speaking on “Paris Climate Agreement Signing and Earth Day,” 114th Cong., 2nd sess., *Congressional Record* 162, no. 62 (April 21, 2016): S2379-S2381.

delegation of Democratic senators, argued, “The largest emitters in the developing world--China and India--are making serious commitments. They understand, they have to reduce their reliance on fossil fuels.”⁵⁹ As a whole, Democrats seemed to believe that mitigating and adapting to climate change would produce minimal economic costs, if any, and even actually generate economic benefits. They also seemed to believe that the Paris Agreement provided for a fair distribution of emissions reduction commitments for both developing and developed countries.

CONCLUSION

Investigating the three cases of the Montreal Protocol, the Kyoto Protocol, and the Paris Agreement has revealed how the basic positions, attitudes, and beliefs of both Democrats and Republicans in the Senate have evolved between 1988 and 2016. Shared faiths in the accuracy of the science and assessments on the impact of these agreements on the U.S. economy have grown increasingly disparate. Over time, both parties have also developed disagreements around the extent of support from the American public for climate action. Both parties now have drastically different assessments of the urgency of addressing global climate change. In light of all these disparities, it is hard to imagine how merely including a group of Republican senators who shared neither the same faith in the science behind climate change, nor the same assessment of the urgency of the issue or the impact of action on the American economy, nor even the same appraisal of the political support of the American people, could have produced an agreement that could have been ratified.

⁵⁹ Senator Udall (NM), speaking on “Paris Climate Change Talks,” 114th Cong., 1st sess., *Congressional Record* 161, no. 179 (December 10, 2015): S8576-S8581.

However, there are opportunities for future administrations seeking to make progress on climate action. The differences between the positions, attitudes, and beliefs of Democrats and Republicans are disparate but not irreconcilable. First, future administrations should seek to build a common understanding of the extent to which the American people support climate action. Achieving this may include mobilizing more people of both parties to make climate change a more prominent and popular issue. Businesses will inevitably need to be part of this movement. Part of the success of the Montreal Protocol was due to the fact that even the companies that emitted the most CFCs supported the agreement. Finding a way to integrate energy, especially oil, companies into efforts addressing climate change may be a necessary challenge.

Second, future administrations will need to dispel continued doubts about the accuracy of the science behind global climate change. The lack of a consensus on the science behind climate change has plagued the Senate at least since 1997. Some of the skeptics may truly doubt the science, while others may simply feign doubt for political purposes. For the latter, creating alternative political incentives may convince them to forget their doubts. The former may be harder to address. Ironically, future administrations may find themselves aided by the fact that, without committed global action, the negative effects of climate change will only grow more apparent. One can only hope that the skeptics overcome their doubts sooner rather than later.

Third, future administrations will need to overcome fears that climate action will irreparably damage the U.S. economy. There is little doubt that certain sectors of the U.S. economy will be negatively impacted by a climate agreement that requires mandatory emissions reductions. However, finding ways to create new jobs in other, green sectors and compensate and

rehabilitate displaced workers into those new sectors should be options for future administrations to consider.

In these efforts, future administrations may find the “insurance policy” logic to be promising. However, the “insurance policy” approach only really works when the costs of insurance can be kept reasonably low and the probability of disaster is demonstrated to be high. As green technologies continue to develop, the costs of mitigating and adapting to climate change may decline. Unfortunately, the stakes only keep getting higher as catastrophic climate change becomes more and more a reality. International climate action cannot succeed without the United States. One can only hope the United States finds its way soon.

THE EFFECTS OF PRESIDENTIAL RHETORIC ON STOCK MARKET PRICES

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According to the Efficient Market Hypothesis, stock prices reflect and incorporate all relevant information that may pertain to the security. Utilizing the Efficient Market Hypothesis as the foundation, this project compares the reactions of stock prices to the president's positive rhetoric from the State of the Union Address. The research explores large capitalization index data (Standard & Poor's 500) from President Carter's administration through President Obama's second term. From the compiled data, select case studies are analyzed to test positive presidential rhetoric on stock market prices and determine the extent that stock prices incorporate and react to presidential signaling.

INTRODUCTION

On a continuous basis, stock market prices change to incorporate new information about the health of the economy. In 2007, the United States faced the worst financial collapse since the Great Depression. The immediate decrease in marketable security prices was a response to the negative information about the state of the economy. Previous financial research has shown that a change in security price may be caused by a quarterly earnings report, an economic report, unexpected world events, accounting changes, a piece of legislation, financial regulation, and even market sentiment.¹ Financial scholars have identified many independent variables that could affect the price of marketable securities, but one variable that warrants the attention of financial and political scholars is the president's economic rhetoric.

Financial scholars have attributed positive and negative shifts in marketable security price to presidential rhetoric focused on specific industries. In 2005, Eshbaugh-Soha found that President Clinton's rhetoric, which focused on the need to decrease strategic oil reserves, caused the price of oil and related stock market securities to decrease in value.² In 2001, Ellison and

¹ Frank K. Reilly and Keith C. Brown, "Analysis of Investments & Management of Portfolios," *Australia: South-Western Cengage Learning* (2012): 157-158.

² Matthew Eshbaugh-Soha, "Presidential Signaling in a Market Economy," *Presidential Studies Quarterly* 35.4 (2005): 732.

Mullin found that Clinton's rhetoric, which endorsed a regulation of drug prices, caused a decrease in stock market value of publicly traded pharmaceutical companies.³ In each case, the president's rhetoric adversely affected the shareholder of the publicly traded company by causing a decrease in marketable security value. The studies produced by Eshbaugh-Soha and Ellison prove that presidential rhetoric can affect the direction of marketable securities, especially if that rhetoric is threatening towards the respective industry. In 2005, Ayers et al. confirmed that rhetoric about components of the economy can affect stock market prices, showing that President Clinton's rhetoric about taxes caused marketable securities to drop in value.⁴ While these studies show the potential for negative consequences, Wood has proposed that positive economic rhetoric can produce positive results for American investors. In a 2005 study, Wood identified a positive relationship between presidential rhetoric and earnings recorded by American companies.⁵

The president and Congress must recognize that any statement from the executive office can negatively and in some cases positively affect the wealth of Americans invested in the stock market. A recent example of this phenomenon would be Trump's commentary on Boeing's production of Air Force One. President Trump was not in favor of the cost associated with the production of the Air Force One jet and took to Twitter to express his dissatisfaction. As a result, Boeing's stock market capitalization dropped by 1% or a total of approximately 1 billion dollars.⁶ To protect shareholders and companies from executive overreach, Congress should develop measures to hold the president accountable. At a minimum, the president should at least be aware of the potentially negative effects his actions may have on the market. The objective is not to strip the president of his unilateral ability to pursue his agenda but to restrain his influence on the competitive nature of the U.S. economy.

The president of the United States is charged with the responsibility to report on the current status and forecast the future direction of the national economy. Each year in the State of the Union Address the president fulfills his obligation, which is enforced by the Humphrey-Hawkins

³ Sara Fisher Ellison, and Wallace P. Mullin, "Gradual incorporation of information: pharmaceutical stocks and the evolution of President Clinton's health care reform," *Journal of Law and Economics* 44.1 (2001): 124.

⁴ Benjamin C. Ayers, Bryan C. Cloyd, and John R. Robinson, "Read my lips...": Does the tax rhetoric of presidential candidates affect security prices," *Journal of Law and Economics* 48.1 (2005): 146.

⁵ Dan B. Wood, "Presidential rhetoric and economic leadership," *Presidential Studies Quarterly* 34.3 (2004): 574.

⁶ Tomi Kilgore, "Boeing's stock drops after Trump tweet about canceling Air Force One order," *Market Watch* (2016): 1.

Act of 1978.⁷ In a study that spanned from Truman’s Administration through George W. Bush’s last term, Dan B. Wood, Professor of Political Science at Texas A&M University, found that modern presidents, beginning with Nixon, spoke about the economy more often and more optimistically than their predecessors.⁸ Wood's article brings to mind two questions: 1) as the rate of positive economic rhetoric used by presidents has increased, can one expect the rhetoric to affect stock market prices positively? And 2) if the stock market does incorporate the president's economic rhetoric then is the market creating cyclical patterns that investors could utilize to create advantageous trading strategies? To answer these questions, the study utilizes statistical analysis, financial theory, and political theory in order to test the effect of positive presidential rhetoric on stock market prices and determine the extent to which stock prices incorporate and react to the president’s economic rhetoric in his State of the Union address. If either statement holds true, it could impact the way presidents approach public commentary in the economy and assist stockholders in making decisions.

THE EFFICIENT MARKET HYPOTHESIS

The foundation of this research project is built upon the Efficient Market Hypothesis (EMH). In 1970, Eugene Fama, recipient of the Nobel Prize in Economics and Robert R. McCormick Professor of Finance at the University of Chicago, theorized that the “current market price fully reflected all available information about a security and, therefore, the expected return based upon the price is consistent with its risk.”⁹ This theory became recognized as the Efficient Market Hypothesis. Fama would eventually expand the theory to include three variations of the Efficient Market Hypothesis; the Weak Form, Semi-Strong Form, and Strong Form. This study utilized the Weak-Form of the EMH to test the market for inefficiency or the existence of exploitable cyclical patterns that could produce advantageous returns.

According to the Weak Form of the Efficient Market Hypothesis, all relevant information should be rapidly incorporated into the market, “therefore, the current prices of securities should reflect all relevant information about the security.”¹⁰ If all information is incorporated accurately

⁷ Wood, “Economic Leadership,” 574.

⁸ *Ibid.*, 604.

⁹ Reilly and Brown, “Analysis of Investments,” 151.

¹⁰ Reilly and Brown, “Analysis of Investments,” 150-51.

and promptly, then the market is efficient. Market efficiency also contends that exploitable cyclical patterns should not exist within the market. More specifically, this study tests the Weak Form of the Efficient Market Hypothesis, which contends that past rates of return or historical data should not have a relationship to future rates of returns.

In support of the Efficient Market Hypothesis, Ellison and Mullin and Haidan et al. provide compelling examples of information in the form of legislation entering the market efficiently. Ellison and Mullin's 2001 study, "Gradual Incorporation of Information: Pharmaceutical Stocks and the Evolution of President Clinton's Health Care Reform," found that pharmaceutical stocks responded negatively to Clinton's health care reform plan.¹¹ In this case, the market responded correctly because pharmaceutical companies would experience drug price regulation, which would substantially affect future earnings. Li et al.'s 2008 study, "Market Reaction to Events Surrounding the Sarbanes-Oxley Act of 2002 and Earnings Management," found that stock prices responded with increases and decreases in value to the introduction of the Sarbanes-Oxley Act of 2002.¹² The change in price corresponded to the information surrounding the legislation and its effect on business. Ultimately, the changes in stock price confirmed that the market adjusted accordingly and efficiently to material information. These findings are in accordance with Fama's Weak Form of the Efficient Market Hypothesis.

However, Kadir Yalcin argues that the Efficient Market Hypothesis is discredited by the existence of market anomalies. Yalcin's 2016 study, "Market Rationality: Efficient Market Hypothesis Versus Market Anomalies," contends that the market is not efficient because of the existence of anomalies such as the January effect.¹³ The market anomaly known as the January effect is a cyclical pattern that allows investors to profit by buying stock in December and selling in January.¹⁴ Wong and McAleer's 2009 study, "Mapping the Presidential Election Cycle in US Stock Markets," also challenges the Weak Form of the Efficient Market Hypothesis. Wong and McAleer state that the Presidential Election Cycle, which is a cyclical pattern that produces ad-

¹¹ Ellison and Mullin, "Gradual incorporation," 124.

¹² Haidan Li, Morton Pincus, and Sonja Olhott Rego, "Market reaction to events surrounding the Sarbanes-Oxley Act of 2002 and earnings management," *Journal of Law and Economics* 51.1 (2008): 129.

¹³ Kadir Can Yalcin, "Market rationality: Efficient market hypothesis versus market anomalies," *European Journal of Economic and Political Studies* 3.2 (2016): 30-34.

¹⁴Ibid., 34.

vantageous returns in years three and four of a presidential administration, contradicts the Efficient Market Hypothesis.¹⁵ Wong and McAleer explain that the exploitable pattern reoccurs every election cycle, but due to market adjustments that are made over time, the scholars were hesitant to discredit market efficiency completely.¹⁶

The financial sector is heavily divided between accepting and discrediting the Efficient Market Hypothesis. Since the State of the Union address is an annually reoccurring event, it is an excellent control variable that has the potential to produce cyclical patterns in the market. Therefore, this study analyzes the market's reaction to positive presidential rhetoric in the State of the Union address in an attempt to discover profitable cyclical patterns that could discredit the Weak Form of the Efficient Market Hypothesis.

SIGNALING THEORY AND PRESIDENTIAL RHETORIC

An important part of this study is understanding the relationship that exists between the president and the American consumer, and how that relationship allows the president to utilize his rhetoric to affect economic output. In 1973, Michael Spence, recipient of the Noble Prize in Economics, and Philip H. Knight, Professor Emeritus of Finance at Stanford University, introduced the use of Signaling Theory in the field of economics.¹⁷ Spence's work focuses on signals between the U.S. labor force and employers. Spence highlights the use of signaling to explain the employment cycle, which in part is caused by the acquisition of new skills by potential employees in order to attract employers.¹⁸ In this case, the employee, by acquiring new skills, is signaling to the employer that he or she is qualified to accept a position. The foundation of Spence's work has transitioned into the field of political science, especially in research involving the president.

Many researchers, both economic and political, have referenced Spence's contribution as a pillar of their work. One author, Brian Connelly of Auburn University, credits Spence for having created the central tenets of Signaling theory in relation to political science and economics.¹⁹

¹⁵ Wing-Keung Wong and Michael McAleer, "Financial Astrology: Mapping the Presidential Election Cycle in US Stock Markets," *SSRN Electronic Journal* (2009): 18.

¹⁶ Wong and McAleer, "Financial Astrology," 18.

¹⁷ Michael Spence, "Job market signaling," *The Quarterly Journal of Economics* (1973): 355-374.

¹⁸ *Ibid.*, 368.

¹⁹ Brian L. Connelly, et al., "Signaling theory: A review and assessment." *Journal of Management* 37.1 (2011): 40.

According to Connelly's 2011 study, "Signaling Theory: A Review and Assessment," "one party, [the president], may undertake actions to signal its underlying quality to other parties, [the American consumer]." ²⁰ The president utilizes this method to transfer information to the American consumer effectively, and in turn, the American consumer responds to optimize their market opportunity.

Research conducted by Ayers et al. and Eshbaugh-Soha provides evidence for a relationship that exists between presidential rhetoric (signaling) and stock market prices. Both authors found that rhetoric (signaling) utilized to threaten an industry or advocate for a policy agenda item could influence marketable security prices. ²¹ Ayers et al.'s 2005 study, "'Read my lips...': Does the tax rhetoric of presidential candidates affect security prices," found that President Clinton's pre-election tax rhetoric decreased the value of marketable securities. ²² President Clinton ran on a pro-tax agenda, which called for a tax increase on ordinary income and dividends paid out to shareholders. In response, shareholders sold their stock positions at lower prices (driving the stock price down) because of the likelihood that Clinton would be elected and would follow through with his tax proposal.

Eshbaugh-Soha's 2005 study, "Presidential Signaling in a Market Economy," identifies a relationship between the stock price of oil and President Clinton's rhetoric about releasing strategic oil reserves. The release of the oil reserves, at the time, would have oversupplied the market. According to the laws of supply and demand, if demand in the market is kept constant and an oversupply occurs, the market price for that product will decrease. As the price of oil decreased, the potential future earnings of oil companies declined. In response to President Clinton's signaling and rhetoric, investors sold their oil stock positions at prices below the intrinsic value further driving the stock price down

Wood et al.'s 2005 study, "Presidential rhetoric and the economy," provides support for the existence of a responsive unilateral relationship between the president and the American people. In the study, Wood et al. found that "positive presidential rhetoric could affect consumer perceptions of current and future economic conditions." ²³ The positive economic rhetoric of

²⁰ Ibid., 40.

²¹ Ayers, Cloyd, and Robinson, "Read My Lips," 146, and Eshbaugh-Soha, "Presidential Signaling," 732.

²² Ayers, Cloyd, and Robinson, "Read My Lips," 146.

²³ Dan B. Wood, Chris T. Owens, and Brandy M. Durham, "Presidential rhetoric and the economy," *Journal of Politics* 67.3 (2005): 642.

modern presidents translates into an increase in consumer spending. The studies produced by Ayers et al. and Eshbaugh-Soha found a relationship between presidential rhetoric and stock market prices, leading one to wonder if this same relationship between the President's positive economic rhetoric and consumer spending would hold true in the case of stock market adjustments.

RESEARCH DESIGN

The research project focuses on testing the extent to which economic rhetoric in the State of the Union address impacts stock market prices. The process of designing the research began with a question: does the president have an effect on the stock market or vice versa? Preliminary research using Reilly and Brown's "Analysis of Investments & Management of Portfolios" discovered that the stock market is of a responsive nature (EMH) and that the president is more likely to cause the market to adjust to new information leading to the question as to what extent or in what ways can the president influence the market?²⁴

Two previous studies, one by Ayers et al. and one by Eshbaugh-Soha, identified a relationship between stock market prices and presidential influence.²⁵ As discussed in the "Signaling Theory and Presidential Rhetoric" section, Ayers et al. and Eshbaugh-Soha were able to credit changes in stock price to the president's use of economic rhetoric. Also discovered during the preliminary review, was Wood's 2005 article that found the president's economic rhetoric could affect the economic output of the United States.²⁶ These articles were used to build the base of the research and develop the research objectives.

To test the market for presidential influence and inefficiency, a speech was selected that recurred on a yearly basis. The speech also had to inform the American consumer about current U.S. economic conditions and forecasted U.S. economic conditions. The State of the Union address was selected because the Humphrey-Hawkins Act requires the president to utilize the speech as a report on the economic health of the United States. To test market responses and efficiency, a market index was selected as the financial instrument because of market representation.

²⁴ Reilly and Brown, "Analysis of Investments," 150.

²⁵ Ayers, Cloyd, and Robinson, "Read My Lips," 145-46.

²⁶ Wood, "Economic Leadership," 604-05.

Market representation allows for a broad set of securities to be tested at once. The Standard & Poor's 500 composite index was selected due to its often cited use in financial literature.²⁷ Many researchers also feel that the Standard & Poor's 500 composite index tends to represent the market better than other indices because it "contains many more shares, and all of them are based on market values... rather than the share prices."²⁸ Therefore, the Standard & Poor's 500 composite index is recognized by the financial industry to be the best measure of general market conditions and large cap companies.

VARIABLES

Control Variables

Three control variables exist within the study: the State of the Union address, the value (price) of the Standard & Poor's 500 on the day of the State of the Union address, and the use of one stock market index (Standard & Poor's 500 composite index). Data for the State of the Union address was collected from The American Presidency Project. Data for the Standard & Poor's 500 composite index (^GSPC) was collected from Yahoo on a daily basis beginning with January 20, 1976, and ending on December 12, 2016.²⁹ The Standard & Poor's 500 composite index was utilized because it is a market value weighted index. Market value-weighted indices are calculated by adding each stock's market value capitalization and dividing by a calculated divisor.³⁰ This method allows for a "more broad-based and representative measure of general market conditions."³¹

Independent Variables

Three independent variables are used to test the research questions. The first variable is Party Affiliation. The American Presidency Project database is utilized to gather the date of each speech and each president's party affiliation. Party Affiliation is included to test if a particular party produced superior market returns. The second independent variable and the most important

²⁷ Scott B. Smart, "Fundamentals of Investing," *Place of Prentice Hall* (2013): 92.

²⁸ *Ibid.*, 92.

²⁹ "Historical Data of the S&P 500 (^GSPC)," *Yahoo Finance*, Accessed Jan. 11, 2017. <https://finance.yahoo.com/quote/%5EGSPC/history?p=%5EGSPC>

³⁰ Scott B. Smart, "Fundamentals of Investing," 92.

³¹ *Ibid.*, 92.

included in the study is the president's tone of rhetoric. The tone of rhetoric is included in the study to answer the research question concerning the effects of presidential rhetoric on stock market prices. The last independent variable included in the study is the approval rating of the president the week after the speech. Gallup's Presidential Job Approval Center is utilized to gather the data for the president's approval rating.

Dependent Variables

The study utilizes six dependent variables: change in price one day after the State of the Union address; five days after the speech; ten days after the speech; thirty days after the speech; fifty days after the speech; one hundred days after the speech; and two hundred days after the speech. The intent of utilizing these variables is to gauge at what point, if any, presidential influence could begin to predict market movements. Also, these variables represent the direction of the market which provides sufficient data to test the Efficient Market Hypothesis.

METHODOLOGY

Excel and Statistical Package for the Social Sciences (SPSS) were utilized to aggregate the data and perform statistical calculations. Following Wood's 2004 research model, modern presidents from Carter through Obama's last term were selected.³² Utilizing these presidents kept the number of Democrats (3) and Republicans (3) equal. Presidents elected as Democrats are coded with the number "1" in the Excel spreadsheet. Presidents elected as Republicans are coded with a "0". The code was used to produce a correlation that would help satisfy the research question.

In a 2004 study, Wood utilizes the word "economy" to quantify the president's tone.³³ To follow the methodology, each State of the Union address that occurred between the Carter and Obama Administrations (40 speeches) was scanned for "economy". Utilizing the control F function to search for the word, positive and negative statements were identified. Each statement was then marked and added to either the positive or negative count. Examples of positive (p) and

³² Wood, "Economic Leadership," 581.

³³Ibid., 576.

negative (n) statements from President Barak Obama’s most recent State of the Union address follow:

(P): The United States of America right now has the strongest, most durable economy in the world. We’re in the middle of the longest streak of private sector job creation in history. More than 14 million new jobs, the strongest 2 years of job growth since the 1990s, an unemployment rate cut in half.³⁴

(N): Companies in a global economy can locate anywhere, and they face tougher competition. As a result, workers have less leverage for a raise. Companies have less loyalty to their communities. And more and more wealth and income is concentrated at the very top.³⁵

In order to quantify each speech and produce a tone of rhetoric, the following equation was utilized:

$$\text{Tone of Rhetoric} = \text{Tone of Rhetoric} = \frac{\text{Positive Statements}}{\text{Total Number of Statements Made}}$$

This equation produced a positive percentage and reciprocal negative percentage of the tone of the president’s rhetoric used in the speech. The research utilized the positive tone because the objective was to test whether or not the president’s positive economic rhetoric had an effect on stock market prices. Also, Wood et al.’s research suggests that the president is more likely to use positive rhetoric than negative to cause changes in economic output.³⁶ Final calculations for the positive percentage are referenced in Appendix A, Table 2, Tone.

After quantifying the tone of rhetoric, the index was sorted in descending order, utilizing the date. Next, the index was separated into sections by each occurrence of the State of the Union address. Following the parameters of one, five, ten, thirty, fifty, one hundred, and two hundred days after the speech, calculations were made for the change in price between the day of the speech and each of the listed dependent variables. Appendix A, Table 2 provides the final calculations for the dependent variables.

³⁴ Peters and Woolley, State of the Union, Accessed Jan. 11, 2017.

³⁵ Ibid.

³⁶ Wood, Owens, and Durham, “The Economy,” 642.

Gallop's Presidential Job Approval Center was utilized to gather the Approval Ratings for the modern presidents. This task primarily focused on recording the data and aligning said data with the corresponding president. Eshbaugh-Soha's 2005 study, attributes some of his research findings to presidential credibility, which he validates through the use of presidential approval ratings.³⁷ Following Eshbaugh-Soha's methodology, presidential approval ratings were incorporated into the model.

To produce results that would qualify or disqualify the research question, multivariate linear regression was utilized. Multivariate regression models were used to assess the reliability of linear prediction. Therefore, the question must be posed in this form; is positive rhetoric a predictor for positive market movements? The program used to produce calculations was Statistical Package for the Social Sciences (SPSS). The equation utilized follows:

$$Y' = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 \dots$$

RESULTS AND ANALYSIS

A multivariate linear regression analysis was used to determine whether the independent variables of Party Affiliation, the Tone of the President's Economic Rhetoric, and Presidential Approval Ratings could predict the direction of the stock market. The objectives were to test the Efficient Market Hypothesis (past data should not be able to predict future data) and the relationship between the president's economic rhetoric and stock price movements. Means, Standard deviations, and correlations coefficients for the predictors and criterion variables are shown in Appendix A, Tables 3 through 15.

In Tables 3 and 4, the independent variables were not able to predict the change in stock price one day after the State of the Union address.³⁸ The correlation between the variables reached 30% ($r = .287$), but the predictors only accounted for .06% ($\text{Adj. } r^2 = .006$) of the variability in stock price movements. The one-day after-the-speech model would be unreliable to utilize in building a trading strategy. This model supports market efficiency, prices in this case, could not be predicted by the independent variables.³⁹ The data produced by the model does not

³⁷ Eshbaugh-Soha, "Presidential Signaling," 727-28.

³⁸ Tone of Economic Rhetoric, Presidential Approval Ratings, and Party Affiliation.

³⁹ Reilly and Brown, "Analysis of Investments," 149.

support the hypothesis that the independent variables (especially tone of rhetoric) could predict the outcome of the market one-day-after-the-speech. In Tables 5 and 6, the results are displayed for the change in price five days after the speech. The strength of the correlation between dependent and independent variables decreased to 17% ($r = .167$) and the variability decreased to 5.3% ($\text{Adj. } r^2 = -.053$). The model's ability to predict the direction of the market decreased.

Tables 7 and 8 display the results for ten days after the speech. The correlations between the variables reaches 40% ($r = .402$). Together, all of the predictors account for 9% ($\text{Adj. } r^2 = .092$) of the variability in stock price movements. Also, the results from the regression analysis indicate that the model is approaching statistical significance ($p = .09$). Table 8 indicates that two of the variables reliably contributed to the prediction: tone of rhetoric (Beta weight of .34) and party affiliation (Beta Weight of .20). Overall, the results were an improvement and a positive sign that the rhetoric of the president may be able to affect the direction of the market.

Tables 9 and 10 present the results from testing the dependent variable of stock price thirty days after the speech. The correlation between the variables improved to 42% ($r = .421$). The ability of the independent variables to predict the dependent variable also improved to 11% ($\text{Adj. } r^2 = .109$). The results from the regression analysis indicate that the model approached the statistically significant level ($p = .06$). However, the tone of rhetoric decreased in its contributions to the model's ability to predict the change in price ten days after the State of the Union address. The improvement in correlation and ability to account for 11% of the variance suggest that the president's message may be incorporated in the long-term rather than the short-term.

The results for fifty days after the State of the Union address are displayed in Tables 11 and 12. The correlation of that data approached the 50% ($r = .49$) threshold. All the variables entered simultaneously improved the ability to predict the direction of the market. Two of the variables reliably contributed to the prediction: party affiliation and approval. Tone of rhetoric marginally contributed to the prediction. Together, the predictor variables account for 18% ($\text{Adj. } r^2 = .177$) of the variability in change in stock price fifty days after the State of the Union address. The p-value for the model was below the statistically significant value of .05 ($p = .01$), and the value approached the almost statistically certain value of .001. The downside to this regression test is that the independent variable, tone of rhetoric, decreased in Beta weight. The decrease suggests that the president's influence on the market through the use of rhetoric peaked in between thirty and fifty days after his speech.

The results for change in stock price 100 days after the State of the Union address are displayed in Tables 13 and 14. The results experienced a slight decrease in strength when compared to the results produced by the 50 days after the speech model. The correlation of the variables decreased to 46% ($r = .455$). Table 14 shows the corresponding Beta weights for the predictor variables. The variable, tone of rhetoric, improved when compared to the test at 50 days. In this regression, party affiliation and tone of rhetoric are the variables that contributed reliably to the prediction. Together, the independent variables were able to account for 14% ($\text{Adj. } r^2 = .140$) of the variability in stock price movements. This data suggests that the president's influence decreases over time. The peak occurred at fifty days and experienced a slight decrease in statistical strength at 100 days. To confirm this assumption, the results at 200 days were examined.

In Tables 15 and 16, the results for predicting market direction 200 days after the State of the Union address are displayed. The strength of the correlation increased marginally from 100 days to 200 days or 45.5% to 45.9% ($r = .459$). The slight increase in correlation value suggests that the model has experienced its limit in predictive ability. The independent predictor variables account for 15% ($\text{Adj. } r^2 = .145$) of the variability in the movements experienced by the market. The results continue to stay statistically significant below the .05 level ($p = .03$). The Beta weight for Tone of Rhetoric also managed to contribute to the results significantly.

Ultimately, the most significant results were produced by the fifty days after the State of the Union address model. As a predictor, the model lacks the ability to predict the market direction of the dependent variables firmly. This first attempt at answering a new research question utilized a preliminary model to produce the results.

CONCLUSION

The data produced by the multivariate linear regression marginally supports the existence of a relationship between positive economic rhetoric and upward stock price movements. The data suggested that the president's rhetoric is incorporated in the short-term (thirty plus days). Though the data cannot sufficiently support the existence of a predictive relationship between the dependent and independent variables, the results offer useful insight into market preferences. The data analysis supports market preference to democratic presidents over republicans in the modern era. The correlations between the variables were positive, and the heaviest variable in most of the

regressions was party affiliation. In 2005, Leblang and Mukherjee found that under liberal administrations the stability and performance of the stock market increased.⁴⁰ The results produced by the model support the statements made by Leblang and Mukherjee.

Additionally, the raw data did not produce repeating market patterns that could be exploited by investors. An investor could not profit from these results by creating a trading strategy to outperform the market. Though the model was not able to predict 100% of market direction, it was able to successfully predict a small percentage of the direction the market could move in. These results do not completely support the Weak Form of the Efficient Market Hypothesis. The EMH states that past data should not be able to predict future data. The EMH also suggest that every market participant will optimize their position in the market resulting in an efficient market.⁴¹ The results propose that the EMH is missing components that incorporate market participant behavior. In 1988, Ben Olsen theorized that “the EMH was an incomplete model since it does not consider individual behavior.”⁴² In the past decade, a hypothesis has emerged that takes into account the behavioral tendencies of market participants and can explain the EMH's inability to rebuke the results sufficiently.⁴³

The Adaptive Market Hypothesis contends that market participants do not always make the optimal choice. In an adaptive market, some participants do not have the information or skill to optimize their investment which contradicts total market efficiency.⁴⁴ The data supports the existence of an adaptive market because the model, in some cases, could marginally predict the direction of the market. Also, the rhetoric of the president was not incorporated in the immediate short-term (next trading day). The non-incorporation of the rhetoric by the market participants could also be lent to the fact that the State of the Union address is a not specific economic report targeting an industry. Ultimately, the research is on the right path of questioning the existence of a relationship between the use of rhetoric by influential individuals and the responses made by market participants in the forms of buying and selling securities.

⁴⁰ David Leblang and Bumba Mukherjee, "Government Partisanship, Elections, and the Stock Market: Examining American and British Stock Returns, 1930-2000," *American Journal of Political Science* 49, no. 4 (2005): 798.

⁴¹ Reilly and Brown, "Analysis of Investments," 152

⁴² *Ibid.*, 169.

⁴³ *Ibid.*, 152.

⁴⁴ Andrew W. Lo, "The adaptive markets hypothesis: Market efficiency from an evolutionary perspective," *Journal of Portfolio Management*, (2004):16.

These results support the continued use of presidential rhetoric without restrictions from Congress. The data suggests that the president did not have the same negative effect on security prices found by Ellison and Mullin, Eshbaugh-Soha, and Ayers et al. An explanation to the missing influence on stock market price could be that the State of the Union address does not directly target industries. Though this research lacks the evidence to support presidential overreach, it did not test the same variables. Congress should still recognize the potentially disastrous effects a president could have on the shareholder of a publicly traded company, i.e. President Trump and Boeing.

LIMITATIONS

As a first attempt, the project contained a few limitations. The use of one keyword to quantify tone may have limited the accuracy of the results. Wood's 2004 article utilized four words: economy, unemployment, inflation, and deficit. Further investigation will aim to expand the keyword selection. Also, the use of one large cap index may have restricted total market representation. Future work will seek to include a small cap and mid cap index to provide the best market representation. Another aspect of this project that could be improved is the reliance on one presidential statement. The State of the Union address is not directed at a particular industry. In the future, it may be best to include signing statements, other addresses to Congress, and economic updates to test for presidential influence on stock market prices. As the study is expanded, the model will be refined by adding new variables to produce results that may confirm or reject the hypothesis.

APPENDIX A

Table 1. Recorded Data

President	Party	Speech	Date	Approval	Tone
Carter	Democrat	State of the Union address	1/19/1978	0.52	0.81
Carter	Democrat	State of the Union address	1/23/1979	0.43	0.93
Carter	Democrat	State of the Union address	1/23/1980	0.58	0.67
Carter	Democrat	State of the Union address	1/19/1981	0.34	0.80
Reagan	Republican	State of the Union address	2/18/1981	0.6	0.73
Reagan	Republican	State of the Union address	1/26/1982	0.47	0.68
Reagan	Republican	State of the Union address	1/25/1983	0.35	0.64
Reagan	Republican	State of the Union address	1/25/1984	0.55	0.69
Reagan	Republican	State of the Union address	2/6/1985	0.64	0.91
Reagan	Republican	State of the Union address	2/4/1986	0.64	1.00
Reagan	Republican	State of the Union address	1/27/1987	0.48	1.00
Reagan	Republican	State of the Union address	1/25/1988	0.49	1.00
Bush41	Republican	State of the Union address	2/9/1989	0.63	0.88
Bush41	Republican	State of the Union address	1/31/1990	0.8	1.00
Bush41	Republican	State of the Union address	1/29/1991	0.82	0.73
Bush41	Republican	State of the Union address	1/28/1992	0.47	0.86
Clinton	Democrat	State of the Union address	2/23/1993	0.59	0.72
Clinton	Democrat	State of the Union address	1/25/1994	0.47	0.85
Clinton	Democrat	State of the Union address	1/24/1995	0.49	0.78

Clinton	Democrat	State of the Union address	1/23/1996	0.52	0.75
Clinton	Democrat	State of the Union address	2/4/1997	0.6	0.88
Clinton	Democrat	State of the Union address	1/27/1998	0.69	0.65
Clinton	Democrat	State of the Union address	1/19/1999	0.69	0.87
Clinton	Democrat	State of the Union address	1/27/2000	0.64	0.83
Bush43	Republican	State of the Union address	1/27/2001	0.57	0.50
Bush43	Republican	State of the Union address	1/29/2002	0.84	0.71
Bush43	Republican	State of the Union address	1/28/2003	0.6	0.85
Bush43	Republican	State of the Union address	1/20/2004	0.59	0.88
Bush43	Republican	State of the Union address	2/2/2005	0.57	0.79
Bush43	Republican	State of the Union address	1/31/2006	0.43	0.69
Bush43	Republican	State of the Union address	1/23/2007	0.36	0.86
Bush43	Republican	State of the Union address	1/28/2008	0.34	0.63
Obama	Democrat	State of the Union address	2/24/2009	0.64	0.65
Obama	Democrat	State of the Union address	1/27/2010	0.48	0.50
Obama	Democrat	State of the Union address	1/25/2011	0.5	1.00
Obama	Democrat	State of the Union address	1/24/2012	0.45	0.75
Obama	Democrat	State of the Union address	2/12/2013	0.51	0.77
Obama	Democrat	State of the Union address	1/28/2014	0.42	1.00
Obama	Democrat	State of the Union address	1/20/2015	0.49	0.84
Obama	Democrat	State of the Union address	1/12/2016	0.48	0.63

Table 2. Price at Day of Speech "0" & Change in Price (X) Days After

President	0	1	5	10	30	50	100	200
Carter	90.08	-0.2	-1.51	0.04	-2.77	-1.63	9.48	5.52
Carter	100.59	-0.44	0.45	-2.55	-2.16	2.05	1.49	0.60
Carter	113.44	0.26	1.76	2.28	-4.79	-10.32	2.65	15.47
Carter	134.22	-0.4	-4.54	-5.22	-2.76	-0.49	-2.45	-12.88
Reagan	128.47	-1.87	0.04	2.38	8.09	4.33	1.16	-3.79
Reagan	115.19	0.55	0.55	3.18	-5.78	0.27	-7.91	27.83
Reagan	139.97	-0.21	1.21	3.95	11.12	10.01	27.38	20.01
Reagan	16.83	-0.6	-2.1	-8.99	-11.37	-8.40	-16.91	4.47
Reagan	180.42	1.39	2.92	-0.24	-1.08	0.68	12.00	20.98
Reagan	212.78	0.17	1.13	6.97	11.55	30.24	36.81	23.99
Reagan	273.75	1.65	2.24	1.32	16.56	18.74	33.22	-34.75
Reagan	252.16	-2.6	2.87	-3.07	17.26	13.32	17.60	21.76
Bush41	296.05	-4.04	-1.25	-8.93	-5.49	12.63	24.58	47.91
Bush41	329.07	-0.29	4.67	2.93	-24.15	3.50	-10.26	-12.70
Bush41	335.83	5.07	15.42	29.66	38.73	41.79	41.91	60.90
Bush41	414.95	-4.62	-1.11	1.2	-10.93	-20.46	-11.29	3.66
Clinton	434.79	6.07	13.1	19.6	6.15	8.81	13.98	31.19
Clinton	470.92	2.28	8.7	0.13	-6.09	-23.92	-13.52	-6.32
Clinton	465.8	1.58	4.56	14.95	17.28	39.71	73.97	120.46
Clinton	621.61	2.6	14.22	34.75	42.39	41.86	54.52	93.33
Clinton	789.26	-10.98	0.33	23.23	-3.49	-27.49	98.04	148.97
Clinton	969.02	8.44	36.98	49.99	92.46	133.21	125.75	143.51
Clinton	1252	4.62	0.31	9.99	-24.30	34.37	41.64	95.74
Clinton	1398.56	-38.4	26.41	18.27	-3.49	117.79	77.39	1.58
Bush43	1354.94	9.22	15.96	-24.98	-174.79	-217.36	-131.81	-212.71

Bush43	1100.64	12.93	-10.62	6.86	53.45	3.05	-111.50	-217.69
Bush43	858.53	5.82	-10.34	-29.34	-54.35	7.45	137.15	188.03
Bush43	1138.77	8.85	5.28	-2.74	12.26	-12.56	-13.48	4.43
Bush43	1193.18	-3.3	1.2	17.75	-2.98	-50.57	-2.50	38.02
Bush43	1280.07	2.38	-25.3	-4.55	22.94	8.04	-35.58	113.14
Bush43	1427.98	12.14	0.083	20.01	-36.02	11.38	104.92	45.92
Bush43	1353.95	8.34	26.86	-14.83	-33.31	0.53	-11.13	-434.75
Obama	773.14	-8.24	-76.81	-53.54	42.41	146.39	167.24	318.80
Obama	1097.5	-12.97	-0.22	-29.37	52.74	96.87	15.70	121.21
Obama	1291.18	5.45	16.41	33.39	28.84	44.36	-19.68	-30.84
Obama	1314.65	11.41	-2.24	32.4	37.98	84.31	28.19	62.86
Obama	1519.43	0.9	-7.48	-3.44	43.42	43.42	121.03	322.94
Obama	1792.5	-15.95	-37.3	27.25	75.70	79.68	170.37	247.18
Obama	2022.55	9.57	7	27.48	75.98	37.14	71.56	87.24
Obama	1938.68	-48.4	-79.35	-55.73	13.02	97.26	170.73	200.75

Table 3. Means, Standard Deviations, and Intercorrelations for Stock Price One Day after Speech and Predictor Variables (N = 40)

Criterion Variable	M	SD	1	2	3
1 Day After Speech	-0.79	11.85	-0.28	0.04	0.05
Predictor Variables					
1. Party	0.50	0.50	1.00	-0.06	-0.14
2. Tone of Rhetoric	0.79	0.13		1.00	0.06
3. Approval	0.54	0.12			1.00

Table 4. Simultaneous Multiple Regression Analysis Summary for Predicting Market Movements (N = 40)

Variable	B	SEB	β	p
1. Party	-6.62	3.78	-0.28	0.08
2. Tone of Rhetoric	1.97	14.16	0.02	0.89
3. Approval	0.77	15.72	0.00	0.96

Note. $R = .287$; $Adjusted R^2 = .006$; $F(4,36) = 1.076$; $p = .37$

Table 5. Means, Standard Deviations, and Intercorrelations for Stock Price Five Days after Speech and Predictor Variables (N = 40)

Criterion Variable	M	SD	1	2	3
5 Days After Speech	-1.23	21.85	-0.12	0.09	0.09
Predictor Variables					
1. Party			1.00	-0.06	-0.14
2. Tone of Rhetoric	0.50	0.50		1.00	0.06
3. Approval	0.79	0.13			1.00

Table 6. Simultaneous Multiple Regression Analysis Summary for Predicting Market Movements (N = 40)

Variable	B	SEB	β	p
1. Party	-4.76	7.18	-0.11	0.51
2. Tone of Rhetoric	13.06	26.88	0.08	0.63
3. Approval	12.81	29.83	0.07	0.67

Note. $R = .167$; $Adjusted R^2 = -.053$; $F(4,36) = .345$; $p = .79$

Table 7. Means, Standard Deviations, and Intercorrelations for Stock Price Ten Days after Speech and Predictor Variables (N = 40)

Criterion Variable	M	SD	1	2	3
10 Days After Speech	3.56	22.05	1.67	0.33	0.11
Predictor Variables					
1. Party					
	0.50	0.50	1.00	-0.06	-0.14
2. Tone of Rhetoric					
	0.79	0.13		1.00	0.06
3. Approval					
	0.54	0.12			1.00

Table 8. Simultaneous Multiple Regression Analysis Summary for Predicting Market Movements (N = 40)

Variable	B	SEB	β	p
1. Party	8.98	6.72	0.20	0.19
2. Tone of Rhetoric	56.24	25.19	0.34	0.03
3. Approval	21.06	27.96	0.11	0.45

Note. $R = .402$; $Adjusted R^2 = .092$; $F(4,36) = 2.37$.; $p = .09^*$

Table 9. Means, Standard Deviations, and Intercorrelations for Stock Price Thirty Days after Speech and Predictor Variables (N = 40)

Criterion Variable	M	SD	1	2	3
30 Days After Speech	7.75	43.00	0.38	0.12	0.05
Predictor Variables					
1. Party			1.00	-0.06	-0.14
2. Tone of Rhetoric	0.50	0.50		1.00	0.06
3. Approval	0.79	0.13			1.00
	0.54	0.12			

Table 10. Simultaneous Multiple Regression Analysis Summary for Predicting Market Movements (N = 40)

Variable	B	SEB	β	p
1. Party	34.42	13.00	0.40	0.12
2. Tone of Rhetoric	45.33	48.68	0.14	0.35
3. Approval	36.73	54.02	0.10	0.50

Note. $R = .421$; Adjusted $R^2 = .109$; $F(4,36) = 2.583$; $p = .06^*$

Table 11. Means, Standard Deviations, and Intercorrelations for Stock Price Fifty Days after Speech and Predictor Variables (N = 40)

Criterion Variable	M	SD	1	2	3
50 Day After Speech	19.99	58.79	0.46	0.05	0.06
Predictor Variables					
1. Party			1.00	-0.06	-0.14
2. Tone of Rhetoric	0.50	0.50		1.00	0.06
3. Approval	0.79	0.13			1.00

Table 12. Simultaneous Multiple Regression Analysis Summary for Predicting Market Movements (N = 40)

Variable	B	SEB	β	p
1. Party	57.00	17.08	0.49	0.002
2. Tone of Rhetoric	30.42	63.96	0.06	0.63
3. Approval	60.31	70.97	0.12	0.40

Note. $R = .490$; $Adjusted R^2 = .177$; $F(4,36) = 3.791$; $p = .01^{**}$

Table 13. Means, Standard Deviations, and Intercorrelations for Stock Price One Hundred Days after Speech and Predictor Variables (N = 40)

Criterion Variable	M	SD	1	2	3
100 Days After Speech	32.31	67.07	0.42	0.13	-0.08
Predictor Variables					
1. Party					
	0.50	0.50	1.00	-0.06	-0.14
2. Tone of Rhetoric					
	0.79	0.13		1.00	0.06
3. Approval					
	0.54	0.12			1.00

Table 14. Simultaneous Multiple Regression Analysis Summary for Predicting Market Movements (N = 40)

Variable	B	SEB	β	p
1. Party	56.96	19.91	0.43	0.007
2. Tone of Rhetoric	81.32	74.56	0.16	0.28
3. Approval	-17.26	82.74	-0.03	0.83

Note. $R = .455$; Adjusted $R^2 = .140$; $F(4,36) = 3.125$; $p = .03^{**}$

Table 15. Means, Standard Deviations, and Intercorrelations for Stock Price Two Hundred Days after Speech and Predictor Variables (N = 40)

Criterion Variable	M	SD	1	2	3
200 Days After Speech	41.79	132.50	0.43	0.09	0.04
Predictor Variables					
1. Party			1.00	-0.06	-0.14
2. Tone of Rhetoric	0.50	0.50		1.00	0.06
3. Approval	0.79	0.13			1.00

Table 16. Simultaneous Multiple Regression Analysis Summary for Predicting Market Movements (N = 40)

Variable	B	SEB	β	p
1. Party	118.86	39.23	0.45	0.005
2. Tone of Rhetoric	114.48	146.89	0.11	0.44
3. Approval	106.14	163.01	0.09	0.51

Note. $R = .459$; $Adjusted R^2 = .145$; $F(4,36) = 3.206$; $p = .03^{**}$

Part 3

Domestic Policy

PUBLIC OPINION, INTEREST GROUPS, AND THE FEDERAL MINIMUM WAGE

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An assumption of political responsiveness is that policy outputs reflect citizen preferences. Research and theory of this concept conclude that public opinion and interest group involvement effectively allow citizen preferences to shape and influence congressional decisions in a variety of policy topics. Based on previous findings, this paper poses the question: do public opinion and interest group involvement correlate with congressional action on the consistently relevant policy of the federal minimum wage? An examination of public opinion and interest group involvement surrounding the Fair Minimum Wage Act of 2007 and the Minimum Wage Fairness Act of 2014 show correlation between a higher percentage of favorability from the public and a favorable outcome, while a correlation is not visible between greater interest group support, in the form of campaign contributions, and a favorable outcome.

INTRODUCTION

Modern democratic theory assumes a direct relationship between the representatives and the people they represent.¹ Although there are several factors taken into account when formulating policy outcomes, public opinion, or the aggregated responses of individuals reflected in opinion polls, must hold weight in their decisions for Congress to remain

¹ Stephen Ansolabehere and Philip Edward Jones, "Constituents' Responses to Congressional Roll-Call Voting." *American Journal of Political Science* 54 (July)

representative to the voters who elected them.² Accordingly, scholars explored this correlation of public opinion and congressional decision making in a number of policy areas, and concluded that public opinion shapes and corresponds with congressional decisions in most policy areas, with domestic policy topics yielding the highest level of correspondence (see Manza and Cook 2002; Stimson, MacKuen, and Erikson 1995; Jacobs et al. 1998; Monroe 1979; Bartels 1991; Joyce 1979; Silver and Shapiro 1984).

Additionally, concentrated groups of the public substantially influence and shape congressional decisions as well. Interest groups are associations, organized from common interests, which engage in activity relative to governmental decisions.³ The pluralist theory of representative democracy presents that the general public relies on interest groups to ensure their demands are aggregated and communicated to political elites.⁴ These groups employ a multitude of techniques from lobbying and contributing money to candidates, to participating in public protest demonstrations, yielding the consensus that they do indeed influence and shape congressional decisions.⁵

²Jeff Manza and Fay Lomax Cook, "A Democratic Polity? Three Views of Policy Responsiveness to Public Opinion in the United States." *American Politics Research* 30 (November)

³R. Salisbury, "Interest Groups." In F.I. Greenstein and N. W. Polsby, eds. *Handbook of Political Science: Nongovernmental Politics* 4

⁴Anne Rasmussen, Brendan J. Carroll, and David Lowry, "Representatives of the Public? Public Opinion and Interest Group Activity." *European Journal of Political Research* 53

⁵Clayton D. Peoples, "Campaign Finance and Policymaking: PACs, Campaign Contributions, and Interest Group Influence in Congress." *Sociology Compass* 7/11

The previous literature proves that public opinion and interest group involvement correlate with policy outcomes in a variety of domestic policy areas. What is missing in the literature is the correlation between public opinion, interest group support, and the passage of federal minimum wage legislation. The federal minimum wage has been known by many to be a channel to redistribute income and reduce poverty. The level of support across the general public for minimum wage increases does fluctuate, but consistently remains at a high level.⁶ Contrary to high levels of support, proposed legislation to increase the minimum wage is not always favorable. However, in years when Congress passes legislation, are public opinion and interest group support greater than in years when legislation is not passed? More specifically, although public opinion and interest group support for minimum wage increases consistently remain at high levels, is the support from each of these measures greater surrounding the passage of minimum wage legislation than surrounding the blockage of minimum wage legislation? This research seeks to add to the discussion on public opinion and congressional responsiveness and provide insight on the passage of minimum wage legislation.

Procedurally, this paper develops in distinct steps. This paper begins with a brief history of minimum wage laws in America, followed by a literature review on public opinion and interest groups in relation to congressional behavior and the federal minimum wage. Situated after the literature review are the theory and hypotheses concerning support of minimum wage increases and the passage of minimum wage legislation.

⁶David Neumark and William L. Wascher, *Minimum Wages* (Cambridge, MA: The MIT Press)

Analyzation of public opinion polling and interest group support, in the form of campaign contributions, during specific time frames when legislation was both passed and blocked comes next to test the hypotheses. Lastly, the paper concludes with some final remarks and discussion of the findings in light of the theory and hypotheses, along with addressing possible limitations relevant to this research.

THE HISTORY OF FEDERAL MINIMUM WAGE LAWS IN AMERICA

Since the passage of the Fair Labor Standards Act of 1938, federal minimum wage laws have consistently remained a substantial part of the U.S. antipoverty policy landscape. The Fair Labor Standards Act of 1938 provided for an initial minimum wage of 25 cents per hour, with an increase to 30 cents in the second year, and a minimum wage of at least 40 cents per hour by 1945.⁷ However, there was neither a provision in the Act that raised the minimum wage above 40 cents per hour after 1945 nor was it not indexed for inflation. After the last increase, the real value of the wage declined fairly quickly. Because of this, discussion of an amendment to the Act to raise the wage again started to gain momentum, eventually resulting in a raise of the minimum wage to 75 cents per hour in late 1949.⁸

Since the first amendment to the Fair Labor Standards Act in 1949, this cycle follows as a sort of ritual for minimum wage legislation. Following each increase is the depletion of the real value of the new

⁷Neumark and Wascher, *Minimum Wage*, 250

⁸ *Ibid.*

wage, leading to congressional liberals, a Democratic president, or both beginning to push for a new amendment to be made to the Fair Labor Standards Act.⁹ With that being said, the Fair Labor Standards Act has been amended nine times, with most amendments being implemented in stages over the course of two to three years. With each proposed amendment comes vigorous debate on the merits of the minimum wage. The argument around raising the federal minimum wage remains consistent and partisan. In the simplest of terms, proponents, generally Democrats, view minimum wage laws as an important tool for antipoverty policy and address the possible employment losses by characterizing them as small and offset by wage gains while opponents, generally Republicans, base their argument almost exclusively on the adverse effects on low wage workers and the unemployed.¹⁰

In Congress, however, political ideology is only one factor in decision making. There have been amendments to the Fair Labor Standards Act passed by a Republican-dominated Congress, as well as amendments signed into law by a Republican president, proving minimum wage legislation as not strictly a partisan-controlled issue. This leads one to consider other factors that have the potential to shape policy outcome, such as influence from the public.

⁹ Scott Meinke, “Long-Term Change and Stability in House Voting Decisions: The Case of the Minimum Wage.” *Legislative Studies Quarterly* XXX (February)

¹⁰Keith Krehbiel and Douglas Rivers, “The Analysis of Committee Power: An Application to Senate Voting on the Minimum Wage.” *American Journal of Political Science* 32 (November); Oren M. Levin-Waldman, Oren, “Exploring the Politics of the Minimum Wage.” *Journal of Economic Issues* 32 (September)

PREVIOUS RESEARCH

A basic concept to representative democracy is that it is responsive to the desires of the public. Public representation can occur in two ways. One way is indirect, through elections, where the public selects like-minded politicians to deliver its wants in policy, and the other is direct, in which current politicians respond to public demands.¹¹

Likewise, politicians, members of Congress, and policy-makers act in a way that represents the public or their respected constituencies. The most viable theories affirming why public opinion is vital to congressional decision-making posit one of two goals—reelection or achieving policy objectives. When reelection is at the forefront, constituency opinion warrants explicit and substantial weight in explaining voting decisions of individual members and the collective policy choices of Congress. When the main goal of congressional voting is achieving policy objectives, policy preferences are typically said to be persuaded by factors such as public opinion and personal views held by individual legislators.¹² Whether reelection or policy objectives are in mind, public opinion weighs heavy on the minds of the members of Congress.

Although it is not sound to assume that public opinion always determines public policy, few would believe that it never does. There is a substantial body of literature regarding the impact of public opinion on policy-making, producing assessments on the extent of responsiveness.

¹¹Christopher Weizen, Christopher, “Patterns of Representation: Dynamics of Public Preferences and Policy.” *The Journal of Politics* 66 (January)

¹²Lawrence R. Jacobs et al., “Congressional Leadership of Public Opinion.” *Political Science Quarterly* 113 (Spring)

Most studies regarding domestic policy that examine public opinion report ample evidence of responsiveness.¹³ The work of Stimson, MacKuen, and Erikson (1995) demonstrates that public opinion is strongly related to changes in congressional behavior, while attributing this influence on the efforts done to maintain and enhance electoral support. Jacobs et al. (1998), through their theoretical framework for incorporating leadership into the study of Congress's relationship with public opinion, also found results that solidify the idea that public opinion has a pervasive and widespread impact on the congressional policy-making process. To add another important study to the discussion, Monroe (1979) examined the links between majority opinion toward policy proposals and legislative outcomes in over 500 cases where new policies were adopted between 1960 and 1979, and later (Monroe 1998) between 1980 and 1993. In his first examination, he found that in 63% of cases, policy moved in the direction preferred by the majority. In his second examination, he found similar, yet slightly lower results, with 55% policy movement in the direction preferred by the majority. While these studies apply their findings to the general scope of congressional policy areas, several studies verify these findings zoned in on specific policy areas as well.¹⁴

In addition to aggregate public opinion effecting congressional action, a powerful segment of the public that also works to influence

¹³Manza and Cook, "A Democratic Polity?"

¹⁴Larry Bartels, "Constituency Opinion and Congressional Policy Making: The Reagan Defense Build Up." *The American Political Science Review* 85 (June); Kathleen M. Joyce, "Public Opinion and the Politics of Gambling." *Journal of Social Issues* 35 Charles Silver and Robert Shapiro, "Public Opinion and the Federal Judiciary: Crime, Punishment, and Demographic Constraints." *Population Research and Policy Review* 3

Congress is interest groups. The pluralist theory of representative democracy states that the public relies on interest groups to ensure their demands are aggregated and communicated to political elites.¹⁵ Interest groups are thought to act as gate keepers aggregating the opinions of citizens and representing them. Additionally, Rasmussen, Carroll, and Lowry (2013), found that they “can say with confidence that organized interests should have at least the potential to act as an additional transmission belt between the public and the decision makers.”¹⁶ There are several techniques that interest groups employ, such as lobbying, campaign contributions, the rating of government officials, and public protest demonstrations, to grab the ear of Congress in their attempts to influence policy decisions, but specifically for this study, campaign contributions are the main focus. Contributions may be made either to affect the election outcome, to obtain influence over legislative decision-making by the successful candidate, or both.¹⁷ However, a direct “buying” of policies, or money in exchange for a direct outcome, is not feasible; therefore, a sociological view of interest group contributing explains contributions as best understood as gifts, rather than purchases. In other words, contributing involves back-and-forth exchange of gifts or favors with law makers.¹⁸

A way to examine money contributions, specifically donations given directly to candidates, is through the contributions given from

¹⁵Rasmussen, Carroll, and Lowry, “Representatives of the Public? Public Opinion and Interest Group Activity.”

¹⁶ Ibid., 265

¹⁷David Austen-Smith, “Interest Groups, Campaign Contributions, and Probabilistic Voting.” *Public Choice* 54

¹⁸Peoples, “Campaign Finance and Policymaking.”

political action committees, or PACs. PACs are entities that collect and contribute money on behalf of organizations such as corporations and labor unions.¹⁹ The analysis of PACs is a good source to gain knowledge on interest group influence in campaigns because PACs are essentially the financial arms of interest groups. As stated in Peoples (2013), to examine the influence of interest groups in the political sphere, looking at PACs is the logical starting point. In an assessment of the existing literature, Baumgartner and Leech (1998) provided information on 33 studies done regarding PAC influence on voting, finding that fourteen studies showed significant PAC influence on voting, thirteen showed marginal or contingent PAC influence, and six showed no influence at all. In a more thorough meta-analysis, Stratmann (2005) found that contributions do indeed influence votes, reversing the findings in existing studies that say otherwise (146). Another meta-analysis from Roscoe and Jenkins (2005) settled on the same conclusion that influence of contributions is real and significant, stating that “one-third of roll call votes exhibits the impact of campaign contributions” (64). Although findings show that campaign contributions do have an influence on policy makers, it is very rarely a quid pro quo exchange. In the literature review from Peoples (2013), he concludes that contributions do influence policymaking, but contributions are almost never made with an explicitly promised return, rather contributions grant interest groups access to the policymaking process.

Contributions do, indeed, influence policymaking. But this influence flows in ways that do not necessarily match public perceptions of the issue...contributions are frequently part of an ongoing *implicit* exchange that

¹⁹ Ibid.

provides contributors many favorable benefits (e.g. softer regulations, lower taxes, and lucrative contracts) and impacts multiple stages of the legislative process, from committee activities to even roll call votes.²⁰

In other terms, complete bribery is rare. Contributions are rather part of a broader implicit exchange, producing benefits and access to the legislative process.

In relation to the minimum wage laws and increases, the public has consistently shown extraordinarily high levels of support.²¹ For example, a Gallup poll from 1936 found that seventy percent of Americans favored a constitutional amendment to regulate minimum wages. Likewise, a 2006 survey from Pew Research Center found that eighty-three percent of Americans favored raising the minimum wage to \$7.25 per hour, and nearly half of the respondents said that they would strongly support this increase. Additionally, there are specific interest groups that support minimum wage laws more intensely than others. Labor unions, liberal advocacy groups, and even some large corporations show strong support for minimum wages and increases.²² Labor unions and union workers have benefited on a much larger scale than those nonunion workers from increases to the wage floor, which is why they exhibit strong support of minimum wage legislation.²³ Other members of particular institutions or policy-relevant groups may support or oppose minimum wages for noneconomic reasons. The high level of support

²⁰ Peoples, "Campaign Finance and Policymaking: PACs, Campaign Contributions, and Interest Group Influence in Congress." 909

²¹Neumark and Wascher, *Minimum Wage*, 250

²²*Ibid.*, 253

²³*Ibid.*

from the public regarding minimum wages could arguably be driven from a lack of understanding of its effects. However, even if the effects of minimum wage laws were unambiguous and clearly perceived by all affected parties, there is little reason to believe that everyone would weigh those interests equally in voting.²⁴ Overall, for the past thirty years, the public's strength and consistent support of minimum wage laws has anticipated government decisions about what the minimum standard should be and has advocated for a higher wage than that currently established by law.

METHODOLOGY

Theory and Hypotheses

The basis of this theory relies on the concept that modern democratic theory assumes a strong and direct relationship between citizens and the representatives that represent them.²⁵ In accordance with this assumption, there is already knowledge that public opinion does correlate with policy outcomes. Considering this factor, there is an expectation for high levels of public support for a wage increase to correlate accordingly with congressional decisions on federal minimum wage legislation.

The Fair Labor Standards Act is not indexed for inflation, so the real value of the minimum wage is inevitably going to decrease. When

²⁴William R. Keech, "More on the Vote Winning and Vote Losing Qualities of Minimum Wage Laws." *Public Choice* 29 (March)

²⁵Ansolahehere and Jones, "Constituents' Responses to Congressional Roll-Call Voting."

this happens, a member of Congress, the President, or both begin to push for a new amendment to the Fair Labor Standards Act.²⁶ Opinions and proposals from members of Congress initiate the public to form their own opinion on this issue. When evaluating economic issues, the public looks to future expectations of the economy as a whole, while factoring in past experiences, information gathered through exposure, and expert commentary from political elites about the future, to make their evaluation.²⁷ Since it is not plausible for all citizens to be experts on the economy, the public uses the stances of political elites as shortcuts or cues to help them form their opinion.²⁸ If a member of Congress that they think highly of supports a particular proposal, they will take that into consideration. Similarly, if a large portion of Congress thinks favorably about an increase, the public will take this as a cue of what is needed to improve the current economic state, and can use this to estimate what the future will look like with and without an increase. Opinions are formed and then gathered to be relayed to the members of Congress

Two main goals for members of Congress are reelection and achieving policy objectives, both of which depend in part on public opinion²⁹ Once public opinion is gathered, Congress has an incentive to respond to it in order to achieve their goals. Similarly, if a large portion of Congress favor an increase, it is likely that a large percentage of the public, using Congress as a cue, will also favor an increase. Therefore, public opinion and congressional decisions should correlate in most cases

²⁶Meinke, "Long-Term Change and Stability in House Voting Decisions."

²⁷ James A. Stimson, Michael B. Mackuen, and Robert S. Erikson, "Bankers or Peasants Revisited: Economic Expectations and Presidential Approval." *Electoral Studies* 19

²⁸ Ibid.

²⁹Jacobs et al., "Congressional Leadership of Public Opinion."

where legislation is passed. With this in mind, the following hypothesis is formulated:

H1: Public opinion in support of raising the federal minimum wage will be greater in the years leading up to the passage of an amendment raising the federal minimum wage than it will be in the years leading up to the blockage of an amendment that would raise the minimum wage.

Another way of examining public opinion is through assessing interest group involvement. As stated by Rasmussen, Carol, and Lowry (2013), citizens not only voice their concerns directly, but rely on gatekeepers to ensure their demands are aggregated and communicated to political elites. Interest groups work to fulfill such a function by acting as a transmission belt to guarantee responsiveness between public demands and policy supply. Interest groups work to ensure the public is supplied with the necessary policies through campaign contributions to congressional members whom they feel will produce the interest group's desired outcome.³⁰ Campaign contributions enable the group to obtain the ear of the candidate to make the candidate aware of the preferences of the public.³¹ Contributions are also given to receive political favors in return, meaning that the interest groups will give the most to those members of Congress that are most likely to support their cause.³²

³⁰Austen-Smith, "Interest Groups, Campaign Contributions, and Probabilistic Voting."

³¹Peter J. Coughlin, Dennis C. Mueller, and Peter Murrell, "Electoral Politics, Interest Groups, and the Size of Government." *Economic Inquiry* 28 (October)

³²W.P. Welch, "The Allocation of Political Monies: Economic Interest Groups." *Public Choice* 35

Labor unions are a type of interest group that is widely known to support minimum wage increases.³³ Since labor unions cannot directly give money to a candidate's campaign, several form their own PACs or donate their funds to a PAC that fights for an increase to the federal minimum wage. PAC contributions do not "buy" the policy outcome intended, but they do open doors to access that in turn can influence policies in favor of the PAC. As stated by Welch (1980), as long as the benefits are concentrated and cost is diffused over many sectors of society, a politician may be willing to modify his actions in exchange for the contribution of an economic interest group. Because PAC support can spin congressional action in their favor, it should then follow that PAC contributions do correspond to some degree with the passage of legislation.

This rationale leads to the expectation that in years when federal minimum wage legislation was passed, the amount of contributions from labor PACs to Congress is greater than in years when federal minimum wage legislation is blocked. The influence of a voter on the outcome of the political process depends upon the group to which he or she belongs. A voter wishing to increase their influence must work through interest groups.³⁴ Accordingly, once the public has an opinion on a minimum wage increase, citizens in support will donate and reach out to interest groups that will advocate for a higher minimum wage and communicate their desires to Congress. The interest groups will then allocate their funds to their own PAC or to a PAC that also supports a higher minimum

³³Neumark and Wascher, *Minimum Wage*, 253

³⁴Coughlin, Mueller, and Murrell, "Electoral Politics, Interest Groups, and the Size of Government."

wage, most being labor PACs. The PACs will contribute their funds to those candidates or members of Congress who will work to achieve a higher wage. Since contributions give PACs access to influence policies in their favor, a large amount of contributions from labor PACs that support a minimum wage increase should be given in years when favorable legislation is passed. The two should correspond. This leads to the second proposed hypothesis:

H2: The total amount of contributions given to Congress from labor PACs that strongly support increasing the federal minimum wage will be higher in years that federal minimum wage legislation was passed than in years when federal minimum wage legislation was blocked.

Sampling Method:

In order to gain insight on public opinion and interest group support towards minimum wage increases, examination of public opinion surveys and the financial activity of the most prominent labor PACs that support increasing the minimum wage must take place. To analyze these concepts' correlation with the passage of legislation, the focus of this study is on public opinion and PAC contributions surrounding the passage of the Fair Minimum Wage Act of 2007, which gradually raised the federal minimum wage from \$5.15 to \$7.25, and the Minimum Wage Fairness Act of 2014, which proposed a gradual increase from \$7.25 to \$10.10, but did not acquire the three-fifths majority needed from the Senate to proceed to the Senate floor for debate and amendment. By assessing the concepts for an act that passed and an act that did not, shifts and changes regarding the independent variables, public opinion and interest group support, will be visible.

Public opinion polls on the favorability of minimum wage increases conducted within two time sections, 2004 to 2007 and 2011 to 2014, measured public opinion for this study. Each time section includes public opinion three years prior to the proposed legislation and public opinion from the year each proposal was decided on. This length of time section is necessary because public opinion was not gathered consistently each year. To prevent gaps in the data, the four-year time sections are most feasible.

Gathering public opinion data consisted of searching for federal minimum wage opinion polls from reputable research centers for each of the years in the time sections. The polling data from years 2004, 2006, 2007, 2013, and 2014 came from telephone interviews conducted by Pew Research Center. Each survey interviewed a sample of roughly 1,400 to 2,000 national adults. The 2005 data came from a poll conducted by Gallup, the 2011 data came from a poll conducted by the Public Religion Research Institute (PRRI), and the data for 2012 came from a poll conducted by Lake Research Partners. All these surveys were telephone interviews as well. The 2005 Gallup survey did not include the sample size, while the 2011 PRRI survey interviewed a sample of 1,505 adults eighteen years and older, and the 2012 Lake Research Partners survey interviewed a sample of 805 likely general election voters. Each survey asked a variation of the question, “Would/do you favor or oppose an increase to the minimum wage from \$X an hour to \$Y an hour?”

Although the use of polling data cannot capture the full complexity of public opinion, it can render the most valid indicator of overall distribution of opinion, making the analysis of opinion polls a

good measure for this study.³⁵ Also, advocates of public influence on policy making have often endorsed the increased reliance on polls as providing a solution to some of the weakness of American political institutions.³⁶ Polls are not perfect, though, and some political commentators suggest caution toward excessive reliance on polling on specific subjects. However, many scholars have asserted that the influence of public opinion on policy is due in part to the increase of polling techniques and technology. The reliance on polling data was sufficient to obtain aggregated public opinion for the area of focus in this study.

Since PACs are the financial arms of interest groups, measurement of the concept of interest group support came from analyzing PAC contributions made to Senate members during the 2005-2006 election cycle of the 110th Congress, which passed the Fair Minimum Wage Act of 2007 and the 2011-2012 election cycle of the 113th Congress, which blocked the Minimum Wage Fairness Act of 2014. Looking at the PAC contributions made to the Senate as opposed to Congress as a whole is necessary for two reasons. First, both pieces of legislation passed in the House, but the Senate is where the Minimum Wage Fairness Act of 2014 did not garner enough support. Since observation of differences between one piece of legislation that passed and one that failed is the goal, looking at Senate data will be most beneficial. Second, the Senate during both the 110th Congress and the

³⁵Amy Fried and Timothy M. Cole, "Talking About Public Opinion and Public Opinion Yet to Come: Media and Legislator Constructions of Public Opinion in the Clinton-Lewinsky Scandal." *The Communication Review* 4

³⁶Manza and Cook, "A Democratic Polity?"

113th Congress had a Democratic majority. By analyzing Senates that both have majorities held by the same party, the idea that political ideology increased or decreased the likelihood of each piece of legislation passing is diminished.

The first step in data gathering was to find the highest contributing labor PACs that contributed to Congress as a whole during both of the election of the 110th Congress and the election of the 113th Congress. The Federal Election Commission provided a list of the top fifty labor PACs contributing to candidates and other committees during each of the selected election cycles. From there, the next step was to take the top ten highest contributing labor PACs to analyze their contributions made to Senate members only. During the election cycle of the 110th Congress, the top ten highest contributing labor PACs were as follows: (1) International Brotherhood of Electrical Workers; (2) American Federation of Teachers AFL-CIO Committee of Political Education; (3) American Federation of State, County, and Municipal Employees; (4) Carpenters Legislative Improvement Committee; (5) Laborers' International Union of North America; (6) D.R.I.V.E Democrat, Republican, Independent Voter Education– PAC for the Teamsters Union; (7) NEA Fund for Children and Public Education; (8) National Air Traffic Controllers Association PAC; (9) UAW Voluntary Community Action Program; and (10) Machinists Non Partisan Political League of the International Association of Machinists & Aerospace Workers. For the election cycle of the 113th Congress, the top ten highest contributing labor PACs were: (1) American Federation of Teachers AFL-CIO Committee of Political Education; (2) Engineers Political Education Committee (EPEC); (3) United Food and Commercial

Workers International Union Active Ballot Club; (4) NEA Fund for Children and Public Education; (5) Committee on Letter Carriers Political Education (Letter Carriers Political Action Committee); (6) National Air Traffic Controllers Association PAC; (7) International Brotherhood of Electrical Workers PAC; (8) American Federation of State, County, and Municipal Employees; (9) D.R.I.V.E Democrat, Republican, Independent Voter Education– PAC for the Teamsters Union; (10) Laborers’ International Union of North America.

Next was analyzation of how much each of these PACs donated to Senate members. The Center of Responsive Politics provided information on the amount of contributions made by each of these PACs. The Center of Responsive Politics supplied a list of all sitting Senate members as well as candidates running in the prevalent senatorial election that each labor PAC had donated to, how much they donated to each individual, and a total of all their contributions added up. Because the total contributions given included contributions to candidates running in each senatorial race that had lost, a list of candidates and Senators whom each PAC contributed to and a complete list of the members of the 110th and 113th Congresses needed to be compared to see how many winning and sitting members of each Congress the PAC had contributed to. Comparing the lists and adding up all the relevant contributions revealed the total number.

RESULTS

This study addressed the question of correlation between high levels of public opinion and interest group support of a minimum wage

increase and the passage of legislation increasing the minimum wage. Looking at percentages from public opinion polls and the amount of labor PAC contributions to the Senate members surrounding the passage of the Fair Minimum Wage Act of 2007 and the blockage of the Minimum Wage Fairness Act of 2014 allowed for insight as to whether there was a difference between the level of support from the public and interest groups when legislation was passed and when legislation was blocked. If public opinion is consistently higher in the years leading up to and the year of the passage of the Fair Minimum Wage Act of 2007 than in the years of the blockage of the Minimum Wage Fairness Act of 2014, correlation between public opinion and the passage of minimum wage legislation for the two relevant Acts can be assumed. Similarly, if labor PACs in favor of a minimum wage increase contributed a greater amount to Senate members of the 110th Congress than those of the 113th Congress, correlation between interest group support, in the form of PAC contributions, and the passage of minimum wage legislation for these two Acts can be assumed.

From the first hypothesis, public opinion should be greater in the years leading up to and the year of the passage of the Fair Minimum Wage Act of 2007 than those of the blockage of the Minimum Wage Fairness Act of 2014. Does public opinion correlate accordingly with the passage and blockage of legislation in the two relevant cases? Comparing the information in Table 1 and Table 2, the simple answer is yes. For the first time section, the 2004 survey found public opinion in favor of an increase to the minimum wage to be 86%, in opposition of an increase to be 12%, and those having no opinion, no knowledge, or no desire to answer filled the remaining 2%. The 2005 results found public opinion in

favor to be 83%, in opposition to be 14%, and the remaining 3% had no opinion, knowledge, or answer to the question. The 2006 results yielded 86% in favor, 11% in opposition, and 3% with no opinion, knowledge, or desire. The 2007 survey found 84% in favor, 14% opposition, and 2% with no opinion, knowledge, or desire of the question of a minimum wage increase. The mean percentages for the first time series was 84.75% in favor of a minimum wage increase, 12.75 % in opposition of a minimum wage increase, and 2.5% had no opinion, did not know, or refused to answer whether a minimum wage increase was favorable or not.

Table 1 The Public Opinion of an Increase to the Federal Minimum Wage in Years 2004, 2005, 2006, and 2007

Year	Favor (%)	Oppose (%)	No opinion/Do not know/Refused (%)
2004	86	12	2
2005	83	14	3
2006	86	11	3
2007	84	14	2
Mean	84.75	12.75	2.5

For the second time section, the 2011 survey showed that 67% of citizens were in favor of a minimum wage increase, 30% were in opposition of an increase, and 3% chose not to respond, had no opinion, or did not know whether they were in favor or opposition. In 2012, the survey showed that 73% were in favor, 20% were in opposition, and 7% did not know, refused to answer, or had no opinion. The 2013 responses yielded 70% in favor, 26% in opposition, and 3% did not know, had no opinion, or refused to answer. The 2014 survey found public opinion for

a minimum wage increase to be 73% in favor, 25% in opposition, and 3% had no opinion, did not know, or refused to answer. The mean percentages of the second time section were 70% in favor of a minimum wage increase, 25.25% in opposition of an increase, and 4% did not have an opinion, refused to answer, or did not know whether they favored or opposed an increase.

Table 2 The Public Opinion of an Increase to the Federal Minimum Wage in Years 2011, 2012, 2013, and 2014

Year	Favor (%)	Oppose (%)	No opinion/Do not know/Refused (%)
2011	67	30	3
2012	73	20	7
2013	70	26	3
2014	73	25	3
Mean	70	25.25	4

These results support the hypothesis. Public opinion in favor of a minimum wage increase presented a higher percentage in all years included in the first time section surrounding the passage of the Fair Minimum Wage Act of 2007 than public opinion in all years of the second time section surrounding the blockage of the Minimum Wage Fairness Act of 2014. The results are significant because they suggest that, for these two pieces of minimum wage legislation, public opinion correlates with the passage of legislation. Although we have correlation with public opinion and the passage of legislation, does the next concept produce the same result?

The second hypothesis expected labor PAC contributions in support of a minimum wage increase to be greater during the election cycle of the 110th Congress than in the election cycle of the 113th Congress. Did the labor PAC contributions correspond accordingly with

the passage of the Fair Minimum Wage Act of 2007 and the blockage of the Minimum Wage Fairness Act of 2014? From the data presented in Table 3 and Table 4, the clear answer is no. In the election cycle of the 110th Congress, the ten highest contributing labor PACs contributed a total of \$1,665,234 to sitting Senate members and winning candidates in the Senate race.

Table 3 Labor PAC Contributions Given to Senate Members and Winning Candidates During the 2005-2006 Election Cycle

Name of the Labor PAC	Dollar Amount of Contributions Given to Senate Members and Winning Candidate
International Brotherhood of Electrical Workers PAC	\$183,650
American Federation of Teachers AFL-CIO Committee of Political Education	\$174,000
American Federation of State, County, & Municipal Employees	\$196,000
Carpenters Legislative Improvement Committee	\$144,000
Laborers' International Union of North America	\$165,000
D.R.I.V.E – PAC for the Teamsters Union	\$164,050
NEA Fund for Children and Public Education	\$177,850
National Air Traffic Controllers Association PAC	\$167,250
UAW Voluntary Community Action Program	\$144,850
Machinists Non-Partisan Political League of the International Association of Machinists & Aerospace Workers	\$148,384
	Total: \$1,665,234

During the election cycle of the 113th Congress, the top ten highest contributed labor PACs contributed a total of \$1,872,750 to sitting Senate members and winning candidates in the Senate race. The contributions given during the election cycle of the 110th Congress were greater than those given during the election cycle of the 113th Congress, suggesting a weak correlation between interest group support in the form of PAC contributions and the passage and blockage of the two relevant pieces of minimum wage legislation.

Table 4 Labor PAC Contributions Given to Senate Members and Winning Candidates During the 2011-2012 Election Cycle

Name of the Labor PAC	Dollar Amount of Contributions Given to Senate Members and Winning Candidate
American Federation of Teachers AFL-CIO Committee of Political Education	\$200,000
Engineers Political Education Committee (EPEC)	\$313,500
United Food and Commercial Workers International Union Active Ballot Club	\$172,600
NEA Fund for Children and Public Education	\$194,750
Committee on Letter Carriers Political Education (Letter Carriers Political Action Committee)	\$180,750
National Air Traffic Controllers Association PAC	\$187,150
International Brotherhood of Electrical Workers PAC	\$176,000
American Federation of State, County, & Municipal Employees	\$218,500
D.R.I.V.E – PAC for the Teamsters Union	\$152,500
Laborers’ International Union of North America	\$77,000
	Total: \$1,872,750

CONCLUSION

A representative democracy is known to be responsive to the desires of its citizens. From previous studies, we know that in many policy areas public opinion and interest group support both correlate with congressional decisions. Specifically, though, there was a gap in the literature regarding how well public opinion and interest group support correlates with the passage of minimum wage legislation. With the federal minimum wage remaining a substantial piece of antipoverty policy in America, this gap is important to fill. This attempt to fill the gap relied on an evaluation of the relationship of responsiveness focusing on two specific pieces of minimum wage legislation, one that passed and one that did not.

From the results produced in this study, in relation to the Fair Minimum Wage Act of 2007 and the Minimum Wage Fairness Act of 2014, higher levels of public opinion correlate with the passage of minimum wage legislation while a higher amount of campaign contributions does not produce correlation with the passage of legislation. The finding of correlation between public opinion and congressional decision making in this study follows smoothly with the findings presented in previous studies. As stated from Manza and Cook (2002), most domestic policy areas yield a high level of responsiveness between public opinion and congressional decisions, which is partly why the correlation was expected with this study. However, the finding that interest group support, in the form of PAC contributions, and congressional decision making do not correlate in this situation does not follow from the previous literature on this subject. Specifically, Stratmann (2005) and Roscoe and Jenkins (2005) both concluded that campaign contributions do indeed influence congressional votes, reversing studies that previously said otherwise. One does not see that in this situation. A limitation of this study, and possible reason correlation was not visible, may be the analyzation of only contributions given to the Senate. If one examines contributions given to Congress as a whole, it is possible there would be results corresponding with the previous

literature. Another limitation was the observance of only one method of interest group involvement. By looking at all interest group strategies instead of only campaign contributions, a different outcome may have been produced.

This research provides a starting point for further research on this topic. Assessing these measures with two specific pieces of legislation does not allow the results to be generalizable to encompass all minimum wage legislation. However, this opens doors for further research. Responsiveness is a necessity to modern democratic theory. From this study, one sees this aspect of our government play out partly as expected.

DEVELOPMENT OF THE STRATEGIC PETROLEUM RESERVE: INFLUENCES ON AMERICAN ENERGY POLITICS, 1971 - PRESENT

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From 1973 to 1974, Arab member states of the Organization of Petroleum Exporting Countries imposed an embargo on oil exports to the United States. This event was detrimental to the United States in multiple ways. Stability of energy markets deteriorated. Consumers faced gasoline rationing. Policymakers scrambled to address the crisis. President Gerald Ford created the Strategic Petroleum Reserve in 1975 in order to soften the impact of similar supply disturbances in the future. This paper assesses the fluctuating relationship between White House policymakers and their congressional counterparts in reforming the federal government's policies with respect to energy consumption in times of crisis.

HISTORICAL OVERVIEW

Countless American companies and individuals rely on a steady supply of petroleum. For decades, the refined derivatives of petroleum, such as gasoline and diesel, have constituted the backbone of energy consumption in the United States. In 1955, over thirty percent of all the world's energy was consumed by Americans. The second-largest consumer used one sixth this amount. Taking into account the heftier demand compared with all other nations, the U.S. economy has been linked inextricably to the energy industry. Indeed, "The oil economy, and American dominance in it, had always been predicated on ready supply and on the ability to meet the ceaselessly rising demand simply by pumping more oil or going out and finding more fields."¹ During the times when the market fails to provide the necessary supply, the government is often left scrambling to create reactive policies to stabilize the economy. The Strategic Petroleum Reserve (SPR) is a critical government program run by the Department of Energy (DOE) designed to address these periods of instability.

Throughout the 1970s, the amount of petroleum supplied domestically failed to match the relentlessly growing consumer demand. In this decade, the country lost its absolute "security of

¹ Roberts, Paul. *The end of oil: On the edge of a perilous new world*. Boston: Houghton Mifflin, 2004, 41.

supply” because the ever-larger imports of petroleum from abroad made the nation more vulnerable to foreign political whims.² During President Gerald Ford’s time in office, the SPR program was established, in order to provide a stockpile of crude oil in times of emergency. While the SPR’s contents would not ameliorate a crisis by itself, the cushion would offer short-term protections. This offered peace of mind to American consumers.

Today, the SPR contains about 700 million barrels of non-refined crude oil, which is distributed among four underground locations, two each in Texas and Louisiana.³ The DOE hierarchy overseeing the SPR includes the Assistant Secretary for Fossil Energy and the Deputy Assistant Secretary for Petroleum Reserves. The program’s daily operations are “... exercised through the [SPR] Program Office in Washington, D.C., and the Project Management Office in New Orleans, Louisiana.”⁴

The stockpile is held in underground caverns, consisting of hollowed-out salt dome formations. This storage method is superior to traditional above-ground tanks: “Salt dome storage technology provides maximum security and safety for the nation’s stockpile...”⁵ Texas and Louisiana are ideal locations due to their geological conditions and proximity to the existing petroleum infrastructure along the Gulf Coast. Since many pipelines connect with one another along the Gulf Coast, this network facilitates quickly moving the oil to its destination.

PRELUDE TO THE ENERGY CRISIS

Richard Nixon’s campaign for the presidency during the 1968 election was not defined by energy politics. The ongoing Vietnam War consumed the most attention in discourse between Nixon’s campaign and those of his competitors, Hubert Humphrey and George Wallace. Following his victory, energy issues were still several rungs below the spotlight. In 1971, however, Nixon took an unprecedented step: never before had the president drafted a comprehensive package of energy reforms and submitted it to Congress. In this proposal, Nixon requested “... more research and development to produce clean energy sources, encouraged

² Ibid.

³ U.S. Energy Sector Vulnerabilities to Climate Change and Extreme Weather. *Office of Policy and International Affairs*. July, 2013.

⁴ U.S. Department of Energy. *Strategic Petroleum Reserve: Annual Report for Calendar Year 2006*. Assistant Secretary for Fossil Energy, 2006, 8.

⁵ U.S. Department of Energy, *Strategic Petroleum Reserve*, 10.

expansion of nuclear power programs, and asked for authorization to create a federal energy agency.”⁶ By and large, the package of energy proposals was dropped by Congress. Only a few small aspects were adopted, namely its “... modest programs on federal lands and on the continental shelf to increase energy production.”⁷

After securing reelection in 1972, Nixon summarized the lack of political attention paid to energy issues, saying that “Energy won’t get the public attention it deserves until people run out of it, and then they’ll blame the government.”⁸ This statement foretold the crisis to come the following year. In 1973, the Nixon administration put forth “Project Independence” to guide the nation towards self-sufficiency by 1980. The package of wide-ranging policies entailed “... reduction in speed limits to fifty miles per hour, the halt of industrial conversion from coal to oil, cutbacks in air flights, reductions of 15 percent in the supply of heating oil, and a speedup on the licensing of nuclear power plants.”⁹

Later that same year, the Yom Kippur War between Israel and a coalition of Arab states culminated in a market-disrupting oil embargo: “After the October [1973] invasion, as Israel fought for survival, the [Arab] oil producers met and agreed to increase prices; to prevent any supplies of weapons reaching Israel, they also imposed an embargo on Holland and the USA. In the face of queues and rationing of gasoline, there was fear throughout the West of economic devastation.”¹⁰ Torn between its need for oil and support for its ally, Israel, the Nixon administration was forced into a precarious political position. To this end, Secretary of State Henry Kissinger referred to the actions of the Arab members of the Organization of Petroleum Exporting Countries (OPEC) as “political blackmail.”¹¹

When exports of oil officially ceased on October 17, American consumers were not yet aware of the problems to come; “... consumers in the United States depended on Middle Eastern oil a great deal. The United States produced less and less oil for domestic consumption every year and imported more and more from overseas sources... Over a span of a few months, the

⁶ Small, Melvin. *The presidency of Richard Nixon*. American Presidency Series. Lawrence: University Press of Kansas, 1991, 201.

⁷ Ibid.

⁸ Ibid.

⁹ Small, *The presidency*, 202.

¹⁰ Bower, Tom. *Oil: Money, politics, and power in the 21st century*. New York: Grand Central Publishing, 2009, 39.

¹¹ Ibid.

price of oil quadrupled.”¹² More importantly, on the next day the region’s foremost producer, Saudi Arabia, slashed its total production by ten percent.¹³

Naturally, the Nixon administration and Congress were accused of failing to protect the economy from OPEC’s economic meddling. On October 26, Kissinger spoke with leaders of several major energy companies. He received their warning that “... the embargo could produce ‘a real disaster’ and a ‘possible breakdown of the economy.’”¹⁴ The administration had no easy solution to convince OPEC to restore the flow of oil.

As expected, American financial markets suffered during this time as well: “The Dow Jones index reached a historic high of over 1,000 in late 1972, but the gains were wiped out in the brutal bear market of 1973-74, when the Dow plunged to a low of 577. Not until the fall of 1976 did the index again rise over the 1,000 mark.”¹⁵ This period of instability was etched on American consumers and businesses. Looking back, the 1973 crisis “utterly transformed the map of world power” because it portrayed the United States as weak and unable to control its economy.¹⁶ International political discourse took this phenomenon into account:

The OPEC cartel had emerged as the new kid on the geopolitical block, an international bogeyman that controlled more than half the world’s oil and was capable of laying low the once-invincible Western powers. In a matter of months, the global flow of revenues and power essentially reversed course, as the United States, Europe, and Japan began exporting enormous sums of cash to OPEC. By 1979, as the Iranian hostage crisis drove oil prices to thirty-four dollars a barrel, OPEC’s annual earnings soared to the modern equivalent of nearly three-quarters of a trillion dollars. It was the largest, most sudden redistribution of wealth in history...¹⁷

The oil embargo demonstrated the need for stronger government responses to market disruptions, when the ramifications of inaction in a specific area could reverberate throughout the

¹² Falola, Toyin, and Ann Genova. *The politics of the global oil industry: An introduction*. Westport, CT: Praeger Publishers, 2005, 76-77.

¹³ Horne, Alistair. *Kissinger: 1973, the crucial year*. New York: Simon & Schuster, 2009, 348-349.

¹⁴ Horne, *Kissinger: 1973*, 349-350.

¹⁵ Jenkins, Philip. *Decade of nightmares: The end of the sixties and the making of eighties America*. New York: Oxford University Press, 2006, 65.

¹⁶ Roberts, Paul. *The end of oil: On the edge of a perilous new world*. Boston: Houghton Mifflin, 2004, 100-101.

¹⁷ *Ibid.*

rest of the economy. Thus, the energy industry reassessed its role: “After the 1973 oil shock, it was clear that oil companies could not and would not manage future crises by themselves, and that it was up to governments to take on that role.

“In the years after, the industrial countries developed an energy security system built around the International Energy Agency [IEA] and the strategic stockpiles, such as the [American SPR...] and similar reserves in Germany and Japan and other countries...”¹⁸ The task of securing America’s energy needs fell to the government, because the private sector could not unilaterally prevent disasters of this sort.

FORD AND THE BIRTH OF THE SPR

In 1975, the administration of President Gerald Ford created the SPR via the Energy Policy and Conservation Act (EPCA). The decision to establish the stockpile was predicated on the assumption of “... the long-term dependence of the United States on imported crude oil and petroleum products.”¹⁹ The EPCA represented a compromise between decision makers in the administration and their congressional counterparts. The wide-ranging legislation is remembered as a milestone, because it helped reform American energy policy in the wake of the 1973 embargo:

Among other initiatives, it authorized the establishment of the SPR and called for a stockpile of petroleum that could mitigate the economic damage of disruptions. It also specified the SPR-related authorities of the Administrator of the Federal Energy Administration... as well as U.S. participation in the International Energy Agency... an analysis of the U. S. refining industry indicated there was sufficient domestic capacity to satisfy the majority of U.S. demand for refined petroleum products; however, the nation was dependent on crude oil imports. Crude oil storage also afforded flexibility to meet specific potential refined product emergencies, given the substantial refining capacity located in the Gulf Coast.²⁰

America’s energy future would still be in danger from foreign supply shortages, whether caused by political changes, natural disasters, or any other reason. Nevertheless, the SPR added to the

¹⁸ Yergin, Daniel. *The prize: The epic quest for oil, money & power*. New York: Free Press, 1991, 760.

¹⁹ U.S. Department of Energy. *Strategic Petroleum Reserve: Annual Report for Calendar Year 2006*. Assistant Secretary for Fossil Energy, 2006, 3.

²⁰ “*Long-Term Strategic Review of the U.S. Strategic Petroleum Reserve: Report to Congress*”, U.S. Department of Energy, August, 2016, 4.

nation's sense of "energy security," which brought about a fresh set of political discussions:

After the oil shocks and embargoes of the 1970s, it was common in Washington to think of 'energy security' as a problem in which newly powerful Arab exporters could wield the 'oil weapon' over vulnerable Western importers... Oil supplies lay scattered around the globe, as on the board of a Risk game, and governments competed for advantage and control.²¹

Put simply, the role of the SPR was to solve short-term problems: "The reserve's existence presumably deterred oil-producing enemies from imposing embargoes. If one was imposed anyway, the S.P.R. provided Washington with time to pursue military or other interventions against the aggressor."²²

The Ford administration's role in the creation of the program had to overcome a critical movement of partisan politics; "As Presidents Nixon and Ford had discovered... finding consensus on energy matters proved to be an elusive task. Republicans and oil-state Democrats tended to favor policy that relaxed the labyrinth of federal rules and regulations in order to increase domestic production, while most Democrats preferred policy that would encourage conservation, thereby preserving the environment from new resource extraction hazards and protecting consumers from rising energy prices."²³ Due to the ideological divide between the parties, the formation of the EPCA was slow. Tellingly, the extreme level of "... intensity of interest group lobbying and the inability of Congress to achieve consensus during the Nixon and Ford administrations caused then House majority leader Thomas P. 'Tip' O'Neill, Jr., to remark that energy policy was 'perhaps... the most parochial issue that could have ever hit the floor.'"²⁴

In tandem with the SPR, the Ford administration promoted deregulation of the oil industry as another method to protect the nation's energy future:

The idea appealed to Ford on two levels. First, as an economic conservative, Ford supported the across-the-board deregulation of business as a matter of principle. Second, decontrolling oil was seen to be a moderate, workable response to the energy crisis as opposed to other solutions—such as gasoline rationing—that were being discussed. If Nixon's controls were lifted, the price of both heating oil and

²¹ Coll, Steve. *Private empire: ExxonMobil and American power*. New York: Penguin Press, 2012, 237.

²²Ibid.

²³ Barrow, John C. 1998. "An age of limits: Jimmy Carter and the quest for a national energy policy." In *The Carter Presidency: Policy choices in the post-New Deal era*, ed. Gary M. Fink and Hugh Davis Graham, 158-178. Lawrence: University Press of Kansas, 1998, 159-160.

²⁴ Ibid.

gasoline could be expected to rise.²⁵

Naturally, the reaction to this proposal from congressional Democrats was fierce:

[Members of Congress] attacked Ford's energy proposal using a strategy that had been perfected under Nixon—claiming that Ford had exceeded his constitutional power by promising to impose a tariff on oil imports without first seeking congressional approval for the measure. On 19 January 1975 Democratic senators Henry 'Scoop' Jackson of Washington and Edward Kennedy of Massachusetts announced that they would introduce a joint resolution to block the tariff, 'at least temporarily.'²⁶

The Jackson-Kennedy bill was passed by the Senate and the House, but vetoed by Ford.²⁷ This event underlines the policy clashes between Ford and his legislative counterparts.

REWORKED ENERGY POLICIES UNDER CARTER

When President Jimmy Carter took over from Ford, his administration pursued a fresh set of energy policies. Throughout the summer of 1977, Congress formulated a bipartisan approach to the issue of energy security. He attempted to convince the American public of their common interest in conservation and long-term thinking. The president was certainly challenged politically:

... The combined efforts of Speaker O'Neill and the White House's own lobbying produced a crucial legislative victory in August when most of Carter's energy program was accepted by the House. Regarding passage... as a test of whether a Democratic president and Congress could work together, O'Neill short-circuited the regular legislative process by having the program quickly funneled to a forty-member ad hoc Committee on Energy... The Speaker also made sure that the majority of the committee's members supported Carter's energy proposals... 'This bill was going to pit one region of the country against another,' O'Neill later explained. 'I *had* to get that bill through—and quickly, so that Congress could move ahead on other fronts.'²⁸

The administration's proactive work on energy matters was followed up by a series of

²⁵ Greene, John Robert. *The presidency of Gerald R. Ford*. American Presidency Series. Lawrence: University Press of Kansas, 1995, 74.

²⁶ Greene, *The presidency*, 77.

²⁷ *Ibid.*

²⁸ Kaufman, Burton I. *The presidency of James Earl Carter, Jr.* American Presidency Series. Lawrence: University Press of Kansas, 1993, 57.

major initiatives. Carter's speech from the Oval Office on April 5, 1979 similarly demonstrated his perspective on the matter. As the 1970s came to a close, the country faced a new round of possible energy disruptions: "... Carter could not have chosen a more opportune time to address the American people on the importance of energy conservation. Just one week earlier, the worst accident in the history of nuclear power to that time occurred at a plant on Three Mile Island near Harrisburg, Pennsylvania..."²⁹ This domestic problem was coupled with a foreign change in policy: "During the same week, OPEC ministers meeting in Geneva agreed to raise their prices for the second time in a little more than three months—this time by 9 percent."³⁰ However, the administration's proposals failed to catch on.

Carter's policies designed to respond to OPEC and Three Mile Island were widely derided, even by members of his own party. Senator Edward Kennedy, a Democrat from Massachusetts, called the program "seriously flawed," and emphasized how "... the oil lobby had intimidated the president 'into throwing in the towel' on decontrol without even 'entering the ring.' ... So angry were Democrats with the president's actions that they began a legislative drive to take away his power to lift controls."³¹

Additionally, Carter's famous "malaise" speech about the ongoing energy crisis pointed to the broader implications for the country. He said, "We can see this crisis in the growing doubt about the meaning of our own lives and in the loss of unity of purpose for our Nation. The erosion of our confidence in the future is threatening to destroy the social and the political fabric of America."³² Unfortunately, for his political agenda, this speech wiped out much of the political capital the president had accrued. It drew harsh criticism from both political parties: "For conservatives, the national weakness Carter was bemoaning was his own creation, the direct consequence of his personal weakness. Liberals too attacked Carter's incompetence, and it became clear that Carter would face an electoral threat from Edward Kennedy in 1980."³³ Evidently, Carter's agenda on the environment and energy consumption was besieged by these political setbacks.

²⁹ Kaufman, *The presidency*, 138.

³⁰ Ibid.

³¹ Kaufman, *The presidency*, 139.

³² Jenkins, Philip. *Decade of nightmares: The end of the sixties and the making of eighties America*. New York: Oxford University Press, 2006, 155-156.

³³ Jenkins, *Decade of nightmares*, 156.

In retrospect, Carter himself acknowledged the problems with his political actions. Referencing the “malaise” speech in his memoirs, he reflected, “I made the speech in the evening, and the response was very good. Instantaneous polls on the West Coast were the best they’ve ever had for a half-hour program, and I think the people were getting the message. About 100 million people watched this speech.”³⁴ Afterwards, however, negativity from both his supporters and opponents ensured that his agenda would not move forward easily.

RENEWAL OF FOCUS WITH REAGAN AND BUSH

The Energy Emergency Preparedness Act (EEPA) reinforced the SPR’s role as a crucial component of American energy policy. Signed in August 1982 by President Ronald Reagan, the law signaled his administration’s preference to avoid price controls as a method of economic control during an oil shortage. Hence, the act “... signaled Reagan’s success in freeing the market. Stripped of allocation and price control authorities, this measure instead emphasized the need to fill the [SPR...] at a faster rate.”³⁵ Furthermore, the EEPA’s 6 billion dollars authorization to fill the SPR emphasized the executive branch’s commitment to making the energy sector more resilient. Reagan valued energy security highly, stating that “Restoring America’s energy security has been a top priority since I assumed office... As a result of the policies of this administration, the vulnerability of the United States and our allies to possible shocks from supply interruptions is significantly lessened.”³⁶ In the context of the Cold War against the Soviet Union, ensuring a steady flow of oil was a cornerstone of national security interests.

In his 1984 campaign for reelection, Reagan easily defeated Walter Mondale, former Vice President and U.S. Senator from Minnesota. During the campaign, the President emphasized the importance of energy security. He, “... claimed victory over the energy crisis, economic stagnation, and international impotence...” which helped lock in support from moderate voters.³⁷ After constant havoc in the energy sector throughout the 1970s, Reagan’s

³⁴ Carter, Jimmy. *White House diary*. New York: Farrar, Straus and Giroux, 2010, 344.

³⁵ Jacobs, Meg. *Panic at the pump: The energy crisis and the transformation of American politics in the 1970s*. New York: Hill and Wang, 2016, 280.

³⁶ *Ibid.*

³⁷ Jacobs, *Panic at the pump*, 286.

political rhetoric underlined the possibility for oil security from the SPR, increased domestic drilling, and a wider network of imports. Reagan won reelection in 1984 in a landslide, losing only the District of Columbia and Minnesota to his challenger, Walter Mondale. Reagan's vice president, George H.W. Bush, became his successor with his own victory in 1988.

During the earliest days of Operation Desert Storm (1990 – 1991), President Bush approved a drawdown of the SPR. According to his press secretary, above all else this action was a "... precautionary measure, taken in concert with our IEA partners, designed to promote stability in world oil markets."³⁸ The conflict began when Iraq invaded neighboring Kuwait. The decision to involve American ground troops took root in energy politics. In order to justify the role of American forces, President Bush noted that "Our jobs, our way of life, our own freedom and the freedom of friendly countries around the world would all suffer if control of the world's great oil reserves fell into the hands of Saddam Hussein."³⁹ The stability of the international energy markets relied on a timely end to the Iraqi invasion.

During the build-up to the Persian Gulf War, within the Bush administration "... there was a spirited debate as to 'original intent.' Was the SPR to be used only in the event of a 'physical shortage,' or was it also to be used to head off a major price spike that would seriously damage the economy?"⁴⁰ President Bush and his advisors collaborated with their DOE counterparts and Congress, eventually agreeing that when war broke out, the government's best policy option would be to open its stockpile. This would attempt to sidestep an energy predicament like those experienced in 1973 and 1979. Bush administration officials decided that "... the principle of 'early release,' previously promoted by the Reagan administration, would be applied, and the SPR might well be used to flood the market with oil, preventing sharp price hikes driven by a panic build-up of inventories."⁴¹

The existence of the SPR, not its opening, was all the necessary assurance needed by financial markets when Desert Storm kicked off. On the first night of the invasion, after an initial price hike, the price of oil stabilized because the government had made clear its intentions with regard to the SPR. Ultimately, the Persian Gulf War did not destabilize the American energy

³⁸ Jacobs, *Panic at the pump*, 305.

³⁹ Yergin, Daniel. *The prize: The epic quest for oil, money & power*. New York: Free Press, 1991, 754.

⁴⁰ Daniel, *The prize*, 756.

⁴¹ *Ibid.*

market to the extent many had predicted. The SPR and other tools had proved their usefulness. The crisis in the Middle East did not counteract the incessant growth rate of domestic energy consumption: “During the war, Bush had not asked Americans to sacrifice, and few saw any need to do so. According to a Gallup poll, only 3 percent turned down their thermostats, and the same small number said they were carpooling or buying a gas-saving car... Gasoline consumption had risen nearly 20 percent since the 1973 embargo.”⁴² Despite the threat to energy stability posed by Iraq’s invasion, everyday Americans felt little need to adapt their consumption patterns. This trend permeated the government’s policymaking.

Rather than change domestic policies to shield against international supply disruptions, the Bush administration’s preferred path for its economic goals took advantage of U.S. military might. Following the war, James Schlesinger, an experienced bureaucrat who served as Director of Central Intelligence, Secretary of Defense, and Secretary of Energy during his impressive career in Washington, humorously summarized these feelings: “It’s a hell of a lot easier and a lot more fun to kick asses in the Middle East than make sacrifices and practice conservation.”⁴³ Clearly, American consumers relied on government policy to protect their oil supply, rather than conserve resources in a meaningful way. Desert Storm demonstrated the potency of the SPR as a political and economic tool.

POLICY CHANGES IN MODERN TIMES

Recent events have demonstrated that portions of the energy policies forming the SPR are outdated. For example, a four-year-old DOE report highlighted the possibility that natural disasters, not foreign political actions, could diminish the nation’s oil supply. The architecture of the SPR is not geared towards such events:

Increasing intensity of storm events... put coastal and offshore oil and gas facilities at increased risk of damage or disruption. In 2005, Hurricanes Katrina and Rita shut down or damaged hundreds of oil drilling and production platforms and offshore drilling units. The two storms damaged approximately 457 offshore oil and gas pipelines and significantly damaged onshore oil refining, gas processing, and pipeline facilities, which impacted oil and gas production for months... As energy sector development in the Gulf Coast has proceeded over the last 50 years, including the deployment of deep-water rigs costing more than half a billion dollars,

⁴² Jacobs, *Panic at the pump*, 306.

⁴³ Jacobs, *Panic at the pump*, 307.

the potential for significant damage from storm events in the region has increased.

Natural disasters like hurricanes could threaten American energy security in several key ways. First, catastrophic damage to physical infrastructure like offshore rigs along the Gulf Coast would force the energy industry to turn elsewhere for accessible oil. Second, the nation's refineries and pipelines are essential to deliver usable fuels to consumers. Third, the SPR's unrefined crude stocks can only act as a buffer against instability if refining capacities escape damage from hurricanes. Essentially, the SPR cannot prevent a crisis by itself. Refineries must remain operable to convert the stored crude oil into useful end-products like gasoline and diesel fuels for automobiles.

Taking into account the variety of possible threats to the American energy market, the SPR will continue to be a vital tool in coming years. The government recognizes the SPR's value proposition, saying that the reserve "... remains the nation's flagship energy security asset, even as the nature of energy security evolves."⁴⁴ The SPR is a useful component of modern energy policies because, as its overseers argue, it provides political leadership with a tool for short-term relief that would likely be paired with other solutions:

A loss of supply to U.S. refineries is no longer the singular focus of the SPR. Because the United States is linked to the global market, it is exposed to global price spikes. When global oil prices spike, U.S. oil prices spike. Regardless of U.S. oil import levels, a severe global oil supply disruption today would impact domestic petroleum product prices, whether or not U.S. refineries import crude oil from the disrupted countries. These supply linked price shocks, which could significantly affect the American economy, are the focus of the SPR's contemporary mission.⁴⁵

Additionally, since 2015, the domestic "shale revolution" in states like Texas, Oklahoma, and North Dakota has deemphasized the role played by Middle East oil-producing nations; the fracking of shale deposits has helped to push down oil prices by augmenting the already-high supply of Middle Eastern oil. However, U.S. energy policy should acknowledge the outsized role played by Middle East producers:

The [2015] price collapse is likely to reduce the drilling frenzy, even if it does not wipe fracking out altogether... OPEC will remain a large player in the global oil

⁴⁴ "Long-Term Strategic Review of the U.S. Strategic Petroleum Reserve: Report to Congress", U.S. Department of Energy, August, 2016, 6.

⁴⁵ "Long-Term Strategic Review of the U.S. Strategic Petroleum Reserve: Report to Congress", U.S. Department of Energy, August, 2016, 6.

market. Even as the percentage of oil we import from the Middle East is down substantially since 1991, we have fought another large-scale war in Iraq. The American public might display some greater reservation about our military presence in the region, but it is unlikely, especially given the ongoing unrest and instability, that we will abandon our commitment to Persian Gulf security anytime soon.⁴⁶

The saga of the turbulent energy market during the 1970s has broad implications for American politics. Petroleum politics influence national security, foreign policy, and other central responsibilities of government; throughout the 1970s "... oil was fundamental to the crisis, not 'cheap oil,' but rather oil as a critical element in the global balance of power, as it had been ever since the First World War. Such is one of the great lessons of the last hundred years".⁴⁷ In the time since its creation, political leaders have differed on the intent and utility of the SPR program. While the Carter administration struggled to secure policy changes, Reagan and Bush were more successful in accomplishing their policy goals. Moreover, the congressional counterparts of each administration played vital roles in the process of ensuring American energy security. Overall, the SPR, while designed to address an outdated set of domestic requirements and foreign problems, could still be useful in future political confrontations between the United States and the nations from which it imports petroleum. The political debate in Washington over the SPR will surely continue for years to come.

⁴⁶ Jacobs, *Panic at the pump*, 311.

⁴⁷ Yergin, Daniel. *The prize: The epic quest for oil, money & power*. New York: Free Press, 1991, 755.

SHOULD THE NEA BE ABOLISHED? HISTORICAL ANALYSIS AND PREDICTION OF ART POLICY IN THE UNITED STATES FROM REAGAN TO TRUMP

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The National Endowment for the Arts (NEA) was founded as an independent federal agency in 1965 to support art activities in the United States. The uniqueness of this organization lies in that the art organizations that receive grants from the NEA must be able to raise the same or larger amount of funds from other sources. Even though the NEA is a small organization, there has been lots of discussion about whether the organization should exist or not in its 50 years history. Frédéric Martel says that the organization is already “dead.” This paper focuses on his argument, and analyzes if the NEA is still “dead” after the Obama Presidency by examining his art policy and the NEA. Thereafter, this paper concludes with a discussion on whether the NEA should be abolished or not, as the new U.S. President has suggested.

INTRODUCTION

Art policy in the United States is unique, and unlike other countries, the United States does not have a ministry of culture, and separate governmental departments or organizations oversee arts and culture policy. One of these organizations is the National Endowment for the Arts (NEA). The 36th U.S. President Lyndon B. Johnson signed the National Foundation on the Arts and the Humanities Act in 1965, and laid the foundation for the NEA. The main role of this organization is grant-making to art activities nationwide. There are both favorable and unfavorable opinions about this organization in its effectiveness to support art activities and its value. This study first aims to understand the NEA and the uniqueness of art policy in the United States through historical and comparative analysis, and then answer the first research question whether the NEA is still “dead” under the Obama administration, followed by answering the main research question, whether the U.S. government should abolish the NEA under Trump’s presidency.

There are multiple studies focusing on the role of the NEA in art policy in the United States. One of the previous studies mentions that the NEA damaged the quality of American art.¹ From a different perspective, Frédéric Martel suggests one of the most remarkable outcomes in his book, *De la Culture en Amérique* (2009). By analyzing art policy and the

¹ "Ten Good Reasons to Eliminate Funding for the National Endowment or the Arts." The Heritage Foundation. February 29, 1997. Accessed November 05, 2016. <http://www.heritage.org/research/reports/1997/04/bg1110-ten-good-reasons-to-eliminate-funding-for-the-nea>.

NEA in the United States up until the administration of George W. Bush, Martel states that the NEA is already “dead” since it can no longer accomplish its foundational roles. This thesis will conclude whether the NEA is still “dead” under the Obama administration by analyzing these claims and art policy conducted by the President Obama.

In addition, this paper will discuss the possible future of the NEA under the new U.S. President. After Donald J. Trump became the 45th president of the United States in January 2017, supporters feared the National Endowment for the Arts (NEA) might be “eliminated entirely” in the near future in order to reduce governmental expenditure.² Accordingly, the petition to stop the defunding of the NEA was launched during the administration of former President Barack Obama using the “We the People” online platform. Using research gathered from the current state of the NEA, this thesis analyzes its future and aims to figure out whether the NEA should be abolished or not.

ART POLICY IN THE UNITED STATES

Before discussing the NEA, this section briefly discusses the uniqueness of art policy in the United States. A unique point of U.S. art policy is the small-scale of governmental support available for art activities, unlike large-scale support within European countries, such as France and Germany, which expend enormous amount of money as a part of their cultural budgets. In fiscal year 2015, the ratio of the culture budget to the entire governmental budget was 1.09% (\$4.7 billion) in France and 0.44% (\$1.4 billion) in Germany. In contrast, in the United States, it was only 0.04% (\$1.14 billion).³ Therefore, governmental support for art activities is more important in some European countries, such as Germany and France, compared with the United States.

Even compared with other financial support for art activities within the United States, governmental support is relatively small. According to a NEA report, federal level financial support for non-profit performing arts groups and museums only constitutes 1.2% of the total revenue.⁴ This small-scale support is based on the idea of the independent operation of art activities, separate from the government. Shibuya points out that this basic idea derives from

² Bolton, Alexander. “Trump team prepares dramatic cuts.” *The Hill*. January 19, 2017. Accessed January 20, 2017. <http://thehill.com/policy/finance/314991-trump-team-prepares-dramatic-cuts>.

³ “*Syogaikoku no Bunka Seisaku ni Kansuru Chousakenkyū*” [Investigative study of culture policy in foreign countries], Agency for Cultural Affairs Japan, March, 2013. Accessed October 10, 2016. http://www.bunka.go.jp/tokei_hakusho_shuppan/tokeichosa/pdf/h24_hokoku.pdf

⁴ “How the United States Funds the Arts.” National Endowment for the Arts. November, 2012. Accessed November 10, 2016.

the foundation of the United States, where immigrants, wanting freedom, built an independent country in a new land.⁵ In addition, the goal of art policy in the United States is not merely for stimulating art activities. The support for art activities should also result in solving or improving problems that other policies deal with, such as educational divides and poverty, which U.S. citizens regard as more important than art policy itself. In the New Deal, the U.S. President Franklin Roosevelt, conducted very extensive projects to support art activities, such as the Public Works of Art Project in which artists were asked to draw murals on the walls of public buildings. The reason for creating these support projects was to help solve the loss of jobs that artists faced after the Great Depression (1929-1939). Even in the beginning, as Martel writes, the idea of creating the NEA together with the National Endowment for the Humanities made the foundation of the NEA possible. By creating them at the same time, President Johnson was able to get enough support for the foundation of the NEA.⁶ If the government supports purely art activities, such as an art exhibition, it is difficult to gain wide support from people. If the art exhibition, for example, leads to local revitalization, it is much easier to get support.

The other important feature of art policy at the federal-level in the United States is tax deductions. Historically, the United States has operated under the idea that the government should not directly help art activities. Instead, other organizations should do so to ensure their independence. Based on this idea, large amounts of philanthropy from foundations, endowments, and other organizations is very common in the United States.⁷ Local, state, and federal government spending on arts constitutes only 6.8% of the total revenue, while foundations, corporations, and individuals in total constitute 38.2%. In 2011, “Americans donated approximately \$13 billion to the category ‘Arts, Culture, and the Humanities.’”⁸ This amount of money exceeds the budget of the NEA, which was only \$147 million in 2016. Tax deduction policy contributes to the popularity of donations in the United States. If charitable contributions are claimed as donations, this allows “adjusted gross income” to be deductible “by up to 50%.”⁹ As for individual charitable contributions, the higher the income, the more likely the individual will donate to arts and cultural organizations, as opposed to

⁵ Katayama, Taisuke, and Hiroshi Shibuya. “*Amerika no geijutsu bunka seisaku.*” [Art and Culture Policy in the U.S.], Tōkyō: Nihon Keizai Hyōronsha, 2006. p.7

⁶ Martel, Frédéric, Chobee Nemoto, and Harume Hayashi. “*Chotaikoku amerika no bunkaryoku: Futsu bunka gaikokan ni yoru zenbei chosa repoto.*” [De la culture en Amérique], Tokyo: Iwanamishoten. 2009. p.78

⁷ *How the United States*, p.1

⁸ Ibid.

⁹ “Charitable Contribution Deductions.” Internal Revenue Service. Accessed January 08, 2016. <https://www.irs.gov/charities-non-profits/charitable-organizations/charitable-contribution-deductions>

religious organizations.¹⁰ In conclusion, the scale of governmental support for art activities in the U.S. is relatively small compared with some European countries. The reasons for this limited support include negative feelings towards direct governmental funding for art activities and a cultural tradition of third-party donations. Tax deductions help the popularity of donations.

THE ROLE OF THE NATIONAL ENDOWMENT FOR THE ARTS AND OTHER ORGANIZATIONS THAT CONSTITUTE ART POLICY IN THE UNITED STATES

The previous section explains the uniqueness of art policy in the United States. This section explains the NEA and how other organizations and individuals affect art policy in the United States. These other organizations and individuals include the Kennedy Center for the Performing Arts, the Smithsonian Institute, the First Lady, and the President's Committee on Arts and Humanities. Upon its founding, the NEA, "was not intended to solve a problem, but rather to embody a hope."¹¹ The aim of the organization was to provide U.S. citizens with access to art activities, which, they believed, would contribute to "artistic prosperity."¹² With regards to art policy at the federal level, the National Endowment for the Arts plays an iconic role, though some argue that it has never been the most important aspect of art policies in the United States. Without a doubt, the NEA attracts the attention of both Congress and the public to art policy and art activities.

Though founded in 1965 under President Johnson's administration, the concept of the NEA had been evolving for decades. In Congress, Jacob K. Javits proposed the idea of a federal level arts organization in 1949 when he was a member of the U.S House of Representatives. He emphasized the importance of making "an integrated, country-wide organization aided by the Federal government."¹³ Under the presidency of John F. Kennedy, the idea became more concrete, and under the Johnson Presidency, the concept became reality as the NEA, an independent federal agency.

Congress authorizes and appropriates the budget of the NEA. In 2016, the budget was \$147,949,000, and its cost per American was only \$0.46.¹⁴ Therefore, as a relatively small

¹⁰ *How the United States*. p.19

¹¹ "National Endowment for the arts A History 1965-2008." Edited by Mark Bauerlein. National Endowment for the Arts. 2009. Accessed December 20 2016. <https://www.arts.gov/sites/default/files/nea-history-1965-2008.pdf>.

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¹² *Ibid.*

¹³ "A BRIEF CHRONOLOGY OF FEDERAL SUPPORT FOR THE ARTS." Accessed May 4, 2017. <https://www.arts.gov/sites/default/files/NEAChronWeb.pdf>.

¹⁴ "President Trump Wants to Kill These 17 Federal Agencies and Programs. Here's What They Actually Cost

budget, it accounted “for just over .002 percent of federal discretionary spending.”¹⁵

Regardless of its size, this agency has been controversial not only in the art field but also the political field in the United States.

The main goal of this organization is to fund, promote, and strengthen “the creative capacity of our communities by providing all Americans with diverse opportunities for arts participation.”¹⁶ In addition, nurturing artists or people engaged in art is another important goal of this organization, and by 2011, the mission statement of this organization included providing “leadership in arts education.”¹⁷ The main roles of the NEA are grant-making, creating partnerships, conducting research, and creating platforms where artists can communicate. Among them grantmaking is the biggest role. The National Council on the Arts acts as an advisory board to the chairman and currently, the council consists of 18 members. The council, “reviews and makes recommendations to the Chairman on applications for grants, funding guidelines, and leadership initiatives.”¹⁸

The U.S. president nominates the chairman to a four-year-term. Congress must confirm the nomination. U.S. presidents have historically had difficulties getting their nominees confirmed, which has led the position to be left vacant multiple times. Since the appropriation is suggested by the U.S. President but has to be decided by Congress, it is difficult to increase the appropriation unless both the U.S. President and Congress want to increase it.

In order to successfully receive grants, an art organization has to apply for a grant, a panel reviews the application, then the National Council on the Arts, and finally, the chairman of the NEA. Grant-making by the NEA takes the form of matching funds. In order to receive grants, art organizations must be able to raise the same or larger amount of funds from other sources. Martel writes that this style of fundraising is appropriate for the United States, because it can hedge the risk of the heavy reliance by artists or art organizations on the nation for supporting their activities, which can assure the independent operation of activities without the interference from the government.¹⁹

(and Do)." Time. January 25, 2017. Accessed January 26, 2017. <http://time.com/money/4639544/trump-nea-sesame-street-budget-cut/>.

¹⁵ "What Trump's Proposed Spending Cuts Could Mean for the Arts Economy." Fortune. January 20, 2017. Accessed January 21, 2017.

<http://fortune.com/2017/01/19/trump-arts-economy-cuts/>

¹⁶ "Home." National Endowment for the Arts. Accessed January 12, 2017. <https://www.arts.gov/>.

¹⁷ "Strategic Plan: FY 2006 - 2011." Accessed May 4, 2017. <https://www.uvm.edu/~tri/pdf/NEA-StrategicPlan2006-11.pdf>.

¹⁸ "National Council on the Arts | NEA." National Endowment for the Arts. Accessed May 02, 2017.

<https://www.arts.gov/about/national-council-arts>.

¹⁹ Martel, *De la Culture*, p.91

Even though direct support to art activities by the federal government is limited to low levels compared with other countries, the federal government directly supports some art facilities financially. These organizations include federal museums and performing arts centers. The appropriation for The Kennedy Center for the Performing Arts in Washington, D.C., which was in development under John F. Kennedy and named in his honor after his assassination, was \$23 million in 2012. The appropriation for the Smithsonian Institution, which operates most of the museums in Washington, D.C., was \$812 million in 2012, which far exceeded the appropriation for the NEA.²⁰

Besides these organizations, the First Lady and President's Committee on the Arts and the Humanities contribute to the federal-level art policy. The First Lady has historically influenced art policies in the United States. The First Lady supplements the role related to art policies that should be conducted by the president, who is too busy to do so. Former First Lady Laura Bush admitted that her husband, President George W. Bush, was too busy to focus on art policy during his term in office, but now he is interested in art.²¹ The expectation for the First Lady is to lead the President's Committee on the Arts and the Humanities as an honorary chairman with other chairmen. The establishment of this committee was in 1982 under President Ronald Reagan, and his wife, Nancy Reagan became the first honorary chairman. With this organization, the First Lady is expected to attend art events, welcome artists to the White House, start art-related programs, and collaborate with the NEA. Even though the First Lady has multiple roles in this committee, rather than directly leading the committee by proposing actions to support art activities, the First Lady plays the role of spokesman. In ceremonies and events, the First Lady promotes the activities of the committee to gain nationwide attention. The budget of the NEA reflects the costs of this committee, and the committee has a very strong relationship with the NEA accordingly. Therefore, historically, the NEA has a stronger relationship with the First Lady, rather than with the U.S. President. One of the accomplishments of this committee, for example, was to catalyze "the federal Save America's Treasures (1999) to leverage public/private investment in our nations cultural and historic resources."²² Therefore, the First Lady has played a symbolic role in art policy in the United States, and has attracted attention.

²⁰ *How the United States*. p.14

²¹ Geoff Edgers. "Is it better for the Obamas to support or be visible on the D.C. arts scene?" The Washington Post. September 2, 2016. Accessed February 01, 2017. https://www.washingtonpost.com/entertainment/is-it-better-for-the-obamas-to-support-or-be-visible-on-the-dc-arts-scene/2016/09/02/c1f0b358-62dd-11e6-96c0-37533479f3f5_story.html?utm_term=.d9a8eb833d54.

²² President's Committee on the Arts and the Humanities. Accessed January 20, 2017. <http://www.pcah.gov/about-us>.

In sum, while the NEA has played an important role in art policy in the United States by grant-making, there are other organizations and players involved, and the appropriation for the Smithsonian Institute far exceeds that for the NEA. In addition, it is important to note that the First Lady has played an important role in arts policy.

IS THE NEA “DEAD”?

Thus far, this paper explicated art policy in the United States, and the role of the NEA and other organizations in the policy. This section is dedicated to the history of the NEA under the presidency of Ronald Reagan, George H. W. Bush, and Bill Clinton, when the position of the NEA dramatically changed. After these periods, Frédéric Martel argues that the NEA is “dead” in his book, *De la Culture en Amérique* (2009). Therefore, while explaining the history of the NEA, this section examines the idea that the NEA is “dead.”

Before focusing on the NEA under each U.S. president, “culture wars” is an important concept to understand in order to discuss the history of the NEA. This concept gained relevancy when conservative commentator Pat Buchanan used it in the Republican National Convention. He declared, “There is a religious war going on in this country. It is a cultural war, as critical to the kind of nation we shall be as was the Cold War itself, for this war is for the soul of America.”²³ After this speech, “the idea of a clash of cultures [became] a common theme in discussions of American politics.”²⁴ In James Davison Hunter’s book, *Culture Wars: The Struggle to Define America*, he argues there are two poles, “orthodox” and “progressive,” and conflict between these two poles happened multiple times under the three presidents’ administrations.²⁵ In the NEA case in these time periods, the “progressive” camp includes artists who advocate for progressive or sometimes obscene art, and “orthodox” are the Congressmen and some presidents who are against progressive arts. The situation under each president can be referred to as “the trigger of the collapse of the NEA,” “the acceleration to the collapse,” and “the aftermath of the collapse,” respectively.

Ronald Reagan is the first U.S. president who expressed interest in eliminating the NEA, as testified by W. Barnabas McHenry, vice chairman of the Presidential Task Force on the Arts & Humanities under Reagan, “Some people in the coming Administration wanted the

²³ "Buchanan, “Culture War Speech,” Speech Text – Voices of Democracy." Voices of Democracy. Accessed May 08, 2017. <http://voicesofdemocracy.umd.edu/buchanan-culture-war-speech-speech-text/>.

²⁴ Fiorina, Morris P., Samuel J. Abrams, and Jeremy C. Pope. "Culture War?" Accessed May 13, 2017. <http://www.uvm.edu/~dguber/POLS234/articles/fiorina2.pdf>.

²⁵ Hunter, James Davison. *Culture wars: the struggle to define America*. New York: BasicBooks, 1992.

endowment to disappear.”²⁶ The was borne out of conservatives’ criticism of the NEA as supporting unqualified artists or art organizations. The main criticism over the NEA is that it “has only stimulated institutions and many artists themselves to cooperate in the paying of undisguised public tributes to those who are neither artists nor even patrons, but rather representatives of the people.”²⁷ The idea to eliminate the NEA, however, was abandoned after “its special task force on the arts and humanities discovered ‘the needs involved and the benefits of past assistance.’”²⁸ Even though the NEA was able to survive, decisions about which artworks to support often got controversial. Under such circumstances, Martel states that during this presidency, we can see the birth of a censorship issue that later caused further controversy in the 1980s and eventually led to the separation of the NEA from its original goal.

Under the presidency of George H. W. Bush, the structure of the culture war became clear between “orthodox” and “progressive.” “Orthodox” consisted of conservatives and others who were against the NEA, and “progressive” consisted of artists, and advocates of the NEA. Under his presidency, the criticism over the NEA got tougher for supporting art activities that were not morally appropriate for the “orthodox” camp, such as art including sexual expression. Due to this culture war, the White House got more deeply involved in the operation of the NEA in order to calm the controversy. The NEA shifted its direction to limit support to controversial art activities, but this only caused further criticism from progressives. The NEA was in danger of collapse, but it was promptly resolved after the Independent Commission submitted a report about the effectiveness of the NEA. This commission was formed, “for the purpose of (A) Reviewing the National Endowment for the Arts grant making procedures, including those of its panel system; and (B) considering whether the standard for publicly funded art should be different than the standard for privately funded art.”²⁹ The report submitted by this commission in 1990 made sure that “the NEA must not operate solely in the interest of its direct beneficiaries,” and art activities supported should be selected “with respect for the differing beliefs and values of the American people.”³⁰

²⁶ Honan, William H. “Book Discloses That Reagan Planned To Kill National Endowment for Arts.” *The New York Times*. May 14, 1988. Accessed January 14, 2017. <http://www.nytimes.com/1988/05/15/arts/book-discloses-that-reagan-planned-to-kill-national-endowment-for-arts.html>.

²⁷ “Mandate for Leadership.” Google Books. Accessed January 20, 2017. https://books.google.co.jp/books?redir_esc=y&hl=ja&id=I0WGAAAAMAAJ&dq=mandate%2Bfor%2Bleadership%2BNEA&focus=searchwithinvolume&q=mood.

²⁸ Honan, William H. “Book Discloses That Reagan.”

²⁹ “Full text of “A report to Congress on the National Endowment for the Arts”.” Internet Archive. Accessed May 09, 2017. https://archive.org/stream/reporttocongress00inde/reporttocongress00inde_djvu.txt.

³⁰ Ibid.

Furthermore, the commission suggest a prohibition on “underwriting projects that could be considered obscene, sadomasochistic or homoerotic.”³¹ A year later, however, the “orthodox” wing regained their power and again support for radical artists was further criticized. This further criticism caused two consequences, the first of which was the resignation of the chairman of the NEA, and the second was the acceptance of restricting the content of art activities supported by the NEA. In 1991, the amendment that “prohibits the endowment from using any of its funds to promote or disseminate materials "that depict or describe, in a patently offensive way, sexual or excretory activities or organs” was adopted.³² Martel mentioned this final result as the loss of every artist engaged in the culture war.

Artists welcomed Bill Clinton because of his and his wife’s love of the arts, but it was not enough to change the aftermath of the controversy. Because of the dominance of Republicans in Congress, the budget of the NEA dropped from \$160 million to \$100 million. Such an undesired outcome shifted the attention of the president away from art policy in the end. Martel mentioned Bill Clinton as someone who preferred socializing with artists, rather than conducting art policy. The NEA got more and more out the realm of concern of the U.S. president and his team.

In the end, Martel explains the current situation of the NEA by arguing that the NEA is dead. This means that the NEA can no longer accomplish the goals that it had from inception to the Reagan Presidency: support private level initiatives and philanthropy, strengthen support in the local level, and supplement the market for supporting art activities while assuring the non-interference by the federal government.³³ The role of assuring the non-interference by the government is no longer secure because of the admittance of interference in the content of the art activities supported by the NEA by the acceptance of the amendment in 1991. This means that the NEA can no longer be the source of vitality of art activities in the U.S. Though Martel highly evaluated the contribution of the NEA to give recognition to artists and arts, he also implied that the collapse of the NEA returned America’s art environment and support back to its original form by saying that everything attempted through the NEA ended up as failures. By the original form, Martel is referring to the supporting structure for art activities through philanthropy and donations, rather than

³¹ “Restrictions Removed on Arts Funding.” CQ Almanac. Accessed January 25, 2017.

<https://library.cqpress.com/cqalmanac/document.php?id=cqal90-1113019>

³² Pianin, Eric. “HELMS WINS SENATE VOTE TO RESTRICT NEA FUNDS.” The Washington Post. September 20, 1991. Accessed January 23, 2017.

https://www.washingtonpost.com/archive/lifestyle/1991/09/20/helms-wins-senate-vote-to-restrict-nea-funds/b7ced7b8-98c8-4596-909a-9fef9f487bcd/?utm_term=.7d883437a4b7.

³³ Martel, *De la Culture*. p.92

funding and interference by the government.

ART POLICY AND THE NEA UNDER THE OBAMA PRESIDENCY

Martel's declaration that the NEA is "dead" came before Barak Obama became the 44th U.S. president in 2009. This section analyzes art activities and art policies including the NEA under the Obama Presidency. Based on the understanding in this section, the next section aims to answer the first research question, whether the NEA is "dead" even after the Obama Presidency.

Obama showed his commitment to support art activities even before he became the U.S. president. Obama became the first presidential nominee who had clearly supported art policies in his presidential campaign under the name of "Champions for Arts and Culture." In order to reflect his idea to support art on this policy, he formed the Obama National Arts Policy Committee during the campaign. The arts policy itself, however, is fundamentally an extension of his other main policies. In other words, in this "Champions for Arts and Culture," Obama was able to show how his main policies can be applied to artists and that he cared about their livelihood. This idea is clear from one of the items included in this policy, "Provide Health Care to Artists," an extension of his main accomplishment, the Affordable Care Act, known as ObamaCare. This and his revolutionary image as the first African American presidential candidate effectively attracted advocates from famous artists, such as Aretha Franklin, one of many who attended his inaugural ceremony and pre-inaugural concert. He was also very successful in validating his stance to support art by connecting it with other important issues. As was mentioned, in the United States, it is very important to show how art policies can be connected to other important policies. This can be seen from multiple items in the policy, such as "Reinvest in Arts Education," and "Attract Foreign Talent," which are connected to educational policies and immigration issues respectively. He also promised to support increased funding for the NEA.

After being elected, he was able to accomplish some items laid out in his "Champions for Arts and Culture" policy framework. For example, he promised to "Create an Artist Corps." After becoming president, "he signed the Edward M. Kennedy Serve America Act, which 'increases the number of positions within the AmeriCorps program from 75,000 to 250,000 by 2017,' " and he kept his promise to create an artist corps.³⁴ President Obama

³⁴ "Create an artist corps for schools." PolitiFact. Accessed January 6, 2017. <http://www.politifact.com/truth-o-meter/promises/obameter/promise/325/create-an-artist-corps-for-schools/>.

secured a budget increase for the NEA in 2010, which he promised, but he was not able to sustain that budget because of his deteriorating relationship with Congress. In 2010, the budget had reached \$167 million, but it dropped to \$138 million in 2013.³⁵

NEA funding figures show that it remained stable under the Obama Presidency. By the end of the Obama Presidency, the budget of the NEA had only dropped \$13 million, or 8%, which was not as dramatic as it had been during the Clinton Presidency. In contrast, it is important to note that the appropriation for the Smithsonian Institute was increased significantly from \$761 million in 2010 to \$920 million in 2015, a 20% increase. The number of grants offered by the NEA was stable as well, around 2,300; though the number of exhibitions supported remarkably decreased from over 4,000 in 2012 to around 1,600 in 2013, reflecting the decrease in the appropriation of the NEA from \$146 million to \$138 million. Overall, it can be said that the NEA has been stable under the Obama administration. Another remarkable figure is that of matching funds. The official report of the NEA says that “the ratio of matching to federal funds is approximately 7-10 to one” in 2014, and “10:1” in 2015, even though the required ratio is one to one.³⁶ Therefore, art organizations effectively get support from outside of the NEA while utilizing the grants provided by the NEA.

Two individuals, Rocco Landesman and Jane Chu, worked as a chairman of the NEA under the Obama Presidency, and they took different approaches. President Obama appointed Rocco Landesman as the chairman of the NEA in 2009, but he resigned in 2012, after he finished his four-year term. Afterwards, it took so long to find the next president of the NEA that there was a two-year gap in which an acting chairman filled the position. Finally in 2014, President Obama appointed Jane Chu as chairman.

There are both positive and negative reviews about the NEA under Landesman, but one thing that is agreed upon is that he tried to change the NEA from its original structure, but he was disappointed with what the NEA could do because of the small budget of the organization. Landesman was famous as a producer of musicals such as “The Producers,” reminiscent of the first president of the NEA, Roger L. Stevens, who was also the producer of musicals. Initially, he was motivated, answered lengthy interviews conducted by multiple members of the media, and talked about his intention to empower the NEA. He said that “the

³⁵ “National Endowment for the Arts Appropriations History.” NEA. Accessed January 28, 2017. <https://www.arts.gov/open-government/national-endowment-arts-appropriations-history>.

See Appendix I

³⁶ “2014 Annual Report.” NEA. 2015. Accessed January 10, 2017. <https://www.arts.gov/sites/default/files/2014%20Annual%20Report.pdf>; “2015 Annual Report.” NEA. 2016. Accessed January 10, 2017. <https://www.arts.gov/sites/default/files/2015%20Annual%20Report.pdf>

mission of the NEA is to support artists, and the best way to do that is to support them directly,” which is not necessarily true given what the NEA has accomplished historically.³⁷ Rather than emphasizing directly supporting artists, the NEA has promoted support to philanthropic and artistic efforts. Dobrzynski praised Landesman’s practicality.³⁸ From the beginning, he visited multiple art sights in the United States on his “Art Works” tour. In addition, he proposed practical art programs, such as MICD25, which supported creative place-making projects in twenty-one communities in the United States.

There was one issue that plagued his administration. Multiple news sources pointed out the possibility of corruption in the NEA, by pointing out that it encouraged “artists to create work that promote[d] the Obama agenda” in an August 10 conference call.³⁹ Since the conference call had happened before his arrival at the NEA, he was not directly involved in this incident. In the official statement, while he admitted that some inappropriate words had been uttered on the call, he made sure that the grant-making process of the NEA was unrelated to that incident. This issue, however, gave the impression that the NEA was interfering in the content of art activities it supported, and led to the further loss of trust in the organization.

After finishing a four-year term, he decided not to renew for a second term. In his resignation statement, he said that his “intention has always been to serve one term,”⁴⁰ but he did not publicize this position when he started his term as a chairman. Observe believe the reason for his resignation to be his disappointment with what he and the NEA were able to do in the political world with a small budget, though it was also he who was not able to keep the budget once it had been increased in 2010. He was “not exactly the Washington type; he is a fast-moving, risk-taking entrepreneur who is colorful...and blunt.”⁴¹ In addition, he specialized in musical, for profit art activities, which is diversely different from the non-profit art activities with which the NEA is most concerned about. He himself understood this point,

³⁷ Diane Haithman. "Rocco Landesman, from the Great White Way to the White House." Los Angeles Times. August 25, 2009. Accessed January 14, 2017. <http://latimesblogs.latimes.com/culturemonster/2009/08/rocco-landesman-nea.html>.

³⁸ "Landesman Exits the NEA, Taking A Surprise Bow." Real Clear Arts. January 03, 2013. Accessed January 10, 2017. <https://www.artsjournal.com/realcleararts/2013/01/landesman-exits-the-nea-taking-a-surprise-bow.html>.

³⁹ "JW Obtains Documents Regarding NEA's Controversial 8/10 Conference Call Encouraging Artists to Promote Obama Agenda." Judicial Watch. October 29, 2009. Accessed January 20, 2017. <http://www.judicialwatch.org/press-room/press-releases/jw-obtains-documents-regarding-neas-controversial-8-10-conference-call-encouraging-art/>.

⁴⁰ "Statement from National Endowment for the Arts Chairman Rocco Landesman | NEA." National Endowment for the Arts. November 20, 2012. Accessed May 15, 2017. <https://www.arts.gov/news/2012/statement-national-endowment-arts-chairman-rocco-landesman>.

⁴¹ Stolberg, Sheryl Gay. "Mr. Broadway Storms Capitol Hill." The New York Times. April 10, 2010. Accessed January 20, 2017. <http://www.nytimes.com/2010/04/11/arts/11rocco.html>.

and so before his resignation, Landesman said, “an artist or someone with deep connection to artists and the nonprofit world would be an ideal choice” for the next chairman of the NEA.⁴²

The next chairman was “an artist someone with deep connection to the nonprofit world,” as Landesman suggested.⁴³ President Obama finally appointed Jane Chu as the first Asian American chairman of the NEA in 2014 after a two-year vacancy of the position. She was a musician and president of the Kauffman Center for the Performing Arts in Kansas City, which made her very knowledgeable about philanthropy and non-profit art activities. Obama nominated her, saying that “Jane’s lifelong passion for the arts and her background in philanthropy have made her a powerful advocate for artists and arts education in Kansas City.”⁴⁴ Unlike her predecessor, Chu sought stability, rather than change. After she joined, the NEA played more of a role as a representation of art and art activities in the United States. One typical undertaking is the “Tell Us Your Story!” program started to celebrate the 50th anniversary of the NEA. In this program, artists, with the help of the NEA, shared their activities through the NEA website and social media. Through activities like this, Chu has accelerated the role of the NEA as a promoter of art activities in the United States. In addition, Chu’s administration further accelerated the use of online communication, which had been a focus when Landesman was the chairman. This included starting social media accounts, and since then online strategy has played a larger and larger role. The organization has started to offer webinars so that people can get more information about art from their homes.

The President’s Committee on the Arts and Humanities was active under Michelle Obama’s lead. The First Lady’s strategy to activate the committee was to connect art activities with education. Michelle Obama was famous for her accomplishments in education, and she was able to successfully connect art activities with her interest, education. Collaborating with the NEA, for example, the committee started the National Arts & Humanities Youth Program Awards, in order to praise “outstanding after-school and out-of-school programs that are transforming the lives of young people.”⁴⁵ In addition, in the

⁴² Parker, Lonnae O’Neal. “Head of National Endowment for the Arts gets mostly rave reviews as he exits the stage.” *The Washington Post*. December 27, 2012. Accessed February 01, 2017. https://www.washingtonpost.com/entertainment/head-of-national-endowment-for-the-arts-gets-mostly-rave-reviews-as-he-exits-the-stage/2012/12/27/b220149c-4ab2-11e2-b709-667035ff9029_story.html?utm_term=.cfea031fd7dd.

⁴³ Ibid.

⁴⁴ Boyle, Katherine. *The Washington Post*. February 12, 2014. Accessed January 23, 2017. https://www.washingtonpost.com/entertainment/theater_dance/2014/02/12/e916acf2-943c-11e3-83b9-1f024193bb84_story.html?utm_term=.7b8e4f53a661.

⁴⁵ “Welcome.” National Arts and Humanities Youth Program Awards. Accessed January 23, 2017. <http://www.nahyp.org/>.

creation of Artist Corps, which President Obama promised in *Champions for Arts and Culture* and realized, the Committee's research activities and reports, "Reinvesting in Arts Education: Winning America's Future Through Creative Schools" contributed to create the corps.⁴⁶ Furthermore, the committee accomplished a noticeable achievement in art diplomacy. The delegation, consisting mostly of the committee and the NEA, visited Cuba to stimulate cultural exchange between the United States and Cuba.

The other point to note is Obama's tax reform plan, though was not realized. He had tried to raise taxes on wealthy people, but there were criticisms that such a tax reform plan would lead to the reduction of money used on philanthropy. This tax reform plan did not pass Congress, and the amount of money used for philanthropy was steadily increased during the Obama Presidency.

OBAMA'S INFLUENCE ON ART POLICY AND THE NEA

In section 4, this report discusses how President Obama conducted art policy and operated the NEA. In this section, this report analyzes his art policy and the operation of the NEA by answering the first research question, whether the NEA is still dead after the Obama Presidency.

Before answering the question, first, did Obama *change* art policy in the United States, or did he impact art policy positively? The overall answer is No. It is true that he and his team had some accomplishments, such as creating Artist Corps. Michelle Obama and the President's Committee on Arts and Humanities found a way to support art activities by combining them with educational purposes, to avoid possible criticisms from others, especially those who are still against the idea of direct federal-level support of art activities. However, President Obama was not able to increase the budget for the NEA for the long-term in the end, and he was not able to change art policy itself and people's opinions about art policy in the U.S.

Then, is the NEA still dead after the Obama Presidency? Yes, because the U.S. President was less interested in the NEA, and the art activities that the NEA can support remain relatively limited. By the end of the Obama administration, it was clear that the separation between the NEA and the presidency had increased. Even though he had proposed

⁴⁶ "President's Committee on the Arts and the Humanities 2009-2016: A legacy of Action." President's Committee on the Arts and the Humanities. September 23, 2016. Accessed January 23, 2017. http://www.pcah.gov/sites/default/files/PCAH_Report_Final_2016.pdf

the increase in the budget of the NEA in his presidential election campaign, Champions for Arts and Culture, this was not realized, though the budget for the Smithsonian Institution was increased. This reality explains the decrease in the president's interest in the NEA. This organization was not prioritized. It is also clear from the fact that the chairman position of the NEA remained unfilled for two years, and the budget request from the President to Congress remained stationary at a low level, rather than requesting the budget increase directly to Congress. In addition, the two chairmen during the Obama administration did not ask for a review of the "decency clause," which was included in the 1990 bill to take "into consideration general standards of decency," and were not able to support a wide range of art activities, as the NEA president under George W. Bush failed to do.⁴⁷ Therefore, the NEA under the Obama Presidency merely validated Martel's statement, the NEA is dead.

POSSIBLE FUTURE OF THE NEA AND ART POLICY UNDER THE TRUMP PRESIDENCY

This section discusses the possible future of the NEA and the concerns of art policy under the new president, Donald J. Trump. The future will not be bright. With Barack Obama having finished his presidency, what will Trump, who was able to garner attention without the need of celebrities during his presidential campaign, do instead? His team already implied huge budget cuts of the NEA, which could lead to the elimination of the NEA.⁴⁸ The main reason reported for this proposal is to cut federal spending. The other reason is that the elimination of the NEA is what Trump and some Congressmen have wanted to accomplish for a long time after they found out that the NEA supported offensive or obscene art. Trump had already developed similar ideas in 1999. When it was revealed that the NEA supported offensive art, he made it clear that he believed federal funds for such art must be cut. When Ronald Reagan had discussed abolishing the NEA with his team, the idea was overthrown by the proposal of the special task force, but will that happen this time around? No. The present NEA is different from the one under the Reagan Presidency. There is little possibility that

⁴⁷ Raleigh Douglas Herbert. "National Endowment for the Arts - The Federal Government's Funding of the Arts and the Decency Clause - 20 U.S.C. 954(d)(1)" (1990). Seton Hall University Law Center. 1993. Accessed January 26, 2017. <https://www.google.co.jp/url?sa=t&rc=j&q=&esrc=s&source=web&cd=3&cad=rja&uact=8&ved=0ahUKEwiKp86Kju7RAhUBvbwKHXETAxQFggwMAI&url=http%3A%2F%2Fsites.jmu.edu%2Fjmmuse%2Ffiles%2F2011%2F11%2FGovernment-Funding-of-arts-and-NEA-Decency-Clause.doc&usg=AFQjCNEwk0A8GeQOJLhvBq2xmeavyODOXw&sig2=ZQFE8p7eDHxmO9Qv5k65Yw&vm=bv.146073913,d.dGc>

⁴⁸ Depending on the source, the expression is different. Some sources say that the huge budget cut will eliminate the NEA, and other sources say that Trump will eliminate the NEA.

such a task force will appear and so the NEA will likely have to go through this crisis. This is also clear from the ongoing result of the petition asking not to defund the NEA or NEH. As of January 30th, it has only received 1,308 signatures, though it aims to get 100,000.⁴⁹ The public has already forgotten the NEA, and there are few people who really care about the loss of the NEA.

Besides the NEA, there are two concerns about art policy conducted under the new President Trump. The first one is about the First Lady. Currently, the First Lady, who has historically been an important role in art policy, is away from the White House. There has been no news regarding how she would engage art policy or if she would lead the President's Committee on Arts and Humanities as an honorary chairman. The second reason is that well-respected artists do not favor Trump. Many artists rejected offers to perform in the inauguration ceremony and pre-inaugural concert. Because of the situation, there is a huge question remaining about art policy under the Trump Presidency.

SHOULD THE NEA BE ABOLISHED?

The previous section referred to the strong possibility that the NEA will be eliminated, or almost eliminated, because of the huge budget cuts under the Trump Presidency in the near future. Under this context, should the NEA be abolished? The position of this paper is that it is better to be abolished since judging from the current situation, the NEA might just be used in favor of politicians and cannot assure the independence of art activities from the interference from politicians, despite the benefit that the organization can bring to society. In this section, this paper introduces both positions on why the NEA should be abolished and why the NEA should not be abolished, and based on that this paper explicates the position that the NEA is better to be abolished.

Those who believe the NEA should be abolished likely share the same reasons as the ones Trump's team came up with. They believe that federal money should not be used for supporting art activities, especially for the NEA. Congressman Ron Packard said in 1997, "we need to put an end to this inefficient cycle by admitting that the Federal Government has no business funding the arts and eliminate the NEA."⁵⁰ However, those who believe that the

⁴⁹ "Do not defund the NEA or NEH." The White House. Accessed January 30, 2017. <https://petitions.whitehouse.gov/petition/do-not-defund-nea-or-neh-0>.

⁵⁰ "ELIMINATING THE NATIONAL ENDOWMENT FOR THE ARTS." Congress.gov. June 18, 1997. Accessed May 08, 2017. <https://www.congress.gov/congressional-record/1997/6/18/extensions-of-remarks-section/article/e1244-2?q=%7B%22search%22%3A%5B%22national%2Bendowment%2Bfor%2Bthe%2Barts%22%5D%7D&r=31>.

NEA should not be abolished point out the benefits that the NEA can bring thanks to the fact that it is a nation-level governmental organization and people often overlook such benefits. The benefits include its effectiveness to attract support despite its small budget, its representative symbol of art activities in the United States, and its role in nurturing the self-management skills of art organizations. First, the NEA's system of fund matching effectively worked in the United States, and can attract further donation or philanthropy to art activities. As was made clear in the 2015 Annual Report of the NEA, now the ratio of funding from outside of the NEA to the grants approved by the NEA for funding is 10:1. As was stated before, when the art organization receives grants from the NEA, it has to get the same amount of financial support from outside of the NEA. According to this data, currently when the organization gets \$5,000 grants from the NEA, it gets \$50,000 in grants from outside of the NEA. This shows that the NEA grants still attract further support to art activities. Second, even though the NEA is "dead" as described by Martel, the representational role of art activities in the United States is still not negligible as he supposed. The NEA has historically given recognition to many different art activities. Even in the middle of controversy, small-scale 'obscene' art activities got recognition because of the criticism by the conservatives, ironically. Especially in this digital era, the NEA has started to use online communication effectively, and there is an opportunity to increase such a representational role. In addition, Katayama mentions the fact that the NEA has nurtured its self-management skills of art organizations is one of the points that validate the NEA.⁵¹ In order to get through the process of receiving grants from the NEA, the art organizations have to clearly explain why the grants are necessary, and raise the same amount of funds from other sources. He mentions that this rigid system helps art organizations develop its self-management skill.

These benefits that the NEA can bring are strong enough to support the existence of the NEA, but it is also true that the influence of the NEA is relatively insignificant and cannot deny the possibility of interference by the President or Congress in terms of the art activities that the organization supports. President Obama could not revive the NEA to its former glory. The budget remained low, and the NEA could not remove the decency clause that required that art activities supported by the organization must meet general standards of decency. In addition, the present government does not fully understand the positive influence of the NEA, and the organization is on the verge of elimination. The NEA no longer has strong influence and so the organization itself cannot make the present government realize its own importance.

⁵¹ Katayama. *Amerika no.* p.217

One of the solutions for the NEA to survive is to increase the number of grants given to Trump's supporters and cooperate with states or local agencies that have a large support base for Trump after the election. By doing that, the NEA would allow Trump's team to understand the importance of its organization. The other solution is for the NEA to increase its support for art activities that are not radical or obscene, favored by some conservative Congressmen, which in turn would help the NEA get support from Congress, which sets appropriation levels for the NEA. Either solution, however, would just end up accelerating the death of the NEA, and the organization would merely become the supporters for Trump or conservative Congressmen. The possibility of such case was already evident under the Obama administration. Even though the former NEA president Landesman partly denied it, the NEA was used for the Obama Administration to further "propaganda for its pet causes – health care, energy, and the environment."⁵² It is difficult to deny that the same thing will happen in the present administration. Considering the situation under Trump, it will be the best to accept the abolition of the NEA, rather than allowing a single party or President to use it as a political tool because it will not be able to promote art independence from the government and provide the assurance of freedom for the artists. Fortunately, the supporting structure for art activities is strong in the United States, partly because of the contributions by the NEA, and support for art activities will not be eliminated in the near future even without the NEA. In addition, the loss of the NEA will be a disadvantage for artists in that they lose one representative voice in the government.

CONCLUSION

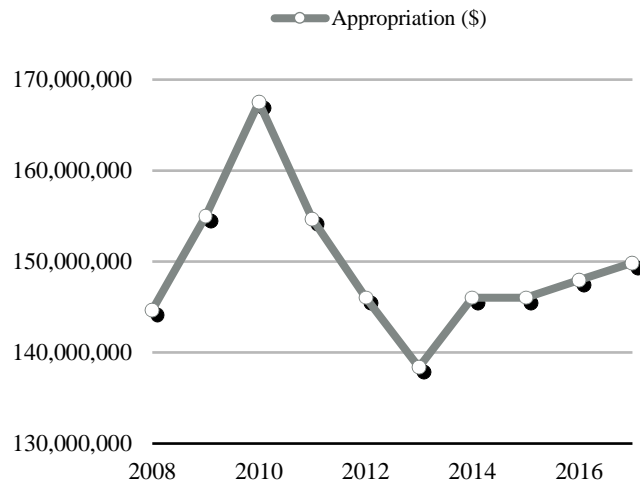
The present thesis answers the two research questions, whether the NEA is still "dead" after the Obama Presidency, and whether the NEA should be abolished under the Trump Presidency. First, the NEA remains "dead" after Obama's administration. The NEA under Obama could not remove the possibility of political interference on the art activities supported by the NEA. The NEA could no longer help art activities while assuring the freedom of artists or art organizations. Furthermore, the U.S. President got less and less interested in this small organization, the NEA, since the budget is relatively limited and even though it is small, the possibility that this organization becomes the source of controversy is strong.

⁵² "The NEA and Political Propaganda." Findlaw. Accessed May 09, 2017. <http://supreme.findlaw.com/legal-commentary/the-nea-and-political-propaganda.html>.

Then, should President Trump work to abolish the NEA? The answer is it is better to abolish the organization. Considering the current situation, there is a strong possibility that continuing the existence of the NEA will result in political interference. In order to avoid that, it is better to abolish the NEA. Even though the NEA is “dead,” and can no longer be an effective organization to support art activities, the accomplishments of the organization, such as attracting further support for art activities, should never be underestimated. Even though the organization has been plagued with many crises, it has endured and continued to play key roles in art awareness and grant-making. The key roles reveal the strength and importance of the NEA, however the situation has changed. It may be better for the NEA to accept its elimination rather than straying away from its fundamental principals which include supporting art activities without the interference of the government and assurance of freedom for the artists. The only way for the NEA to survive is to support art activities that the current leader or congressmen of the United States favors, but this means that the organization becomes a tool of the government, not artists. Therefore, the NEA should be eliminated in the current situation.

This thesis strives to analyze past, current, and future events at the federal level, and does not delve into those at the local or state-level. In addition, this thesis does not go into the role of other organizations, such as foundations, for supporting art activities. If the NEA were to be eliminated, these other organizations will be expected to fill the role of the NEA. In regards to further research, how these organizations can complement the loss of the NEA could be further researched.

Appendix 1: Appropriation to the NEA



POLITICAL POLARIZATION AND HEALTHCARE FOR CHILDREN WITH MEDICAL COMPLEXITY

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Children, especially those with medical complexity (referring to conditions such as cystic fibrosis that cause medical fragility and intensive care needs), are a vulnerable population that typically garner bipartisan support and whose interests are valuable from an ethical and financial standpoint. However, partisanship has impeded passage of effective legislation to address their interests as seen through a case study of the Children's Health Insurance Program (CHIP) (1997) and the Affordable Care Act (ACA) (2010). This is specifically evident in partisanship's impact on the aforementioned acts and healthcare for children with medical complexity (CMC). This retrospective analysis coupled with an acknowledgment of the current financial burden of healthcare for CMC will serve as a historical background to understand the value in passing the Advancing Care for Exceptional (ACE) Kids Act (2015).

Children with medical complexity (CMC) are a vulnerable population due to their young age and medical fragility. Their vulnerability translates into significant intensive care needs. As such, they are valuable stakeholders that should garner bipartisan support but polarized partisanship has impeded passage of policy on their behalf.¹

In this paper, I will detail the passage of the State Children's Health Insurance Program (CHIP) (1997) and the Affordable Care Act (ACA) (2010) to show partisan responses to this bipartisan set of stakeholders. Presidents Bill Clinton and George W. Bush both vetoed

¹ Christine Vestal, "ACA and the Children's Health Insurance Program," *KHN: Kaiser Health News*, May 21, 2014.

CHIP at different points, and President Barack Obama faced unprecedented congressional gridlock regarding the ACA. In other words, bipartisan collaboration is more and more difficult in and among the legislative and executive branches. However, the Advancing Care for Exceptional Kids Act (first proposed in 2015) expands on components of CHIP and the ACA to formulate a bipartisan policy that meets CMC needs. Prior to this, no health policy had ever specifically focused on these needs. The Trump administration promises to repeal the ACA, and there has been no indication of whether CHIP will be reauthorized again. I recommend that policy for the ACA's replacement and/or CHIP reauthorization incorporates the ACE Kids Act.

PARTISANSHIP

Partisanship has become synonymous with political polarization: “the vast and growing gap between liberals and conservatives, Republicans and Democrats.”² Politicians and the public have adopted stances on bipartisan issues such as child health, manifesting as a divided political environment of “fistfights at campaign rallies. A congressional sit-in. Angry political trolling.”³

² “Political Polarization,” *Pew Research Center*, , <http://www.pewresearch.org/packages/political-polarization/>.

³ Niraj Chokshi, “U.S. Partisanship is Highest in Decades, Pew Study Finds,” *The New York Times*, June 23, 2016, <http://www.nytimes.com/2016/06/24/us/politics/partisanship-republicans-democrats-pew-research.html>.

In fact, Democrats and Republicans are more divided today than at any other point in the previous two decades.⁴

Currently, disagreement between parties, loyalty to parties, personal judgments, party issues, and distrust define politics. Negativity toward the opposite party exceeds positivity toward one's own party, with 16 percent of Republicans and 20 percent of Democrats "almost always" agreeing with their own side's policies while 44 percent of each party "almost never" agrees with the opposite side's policies.⁵ This antagonistic stance has hampered health policy progress for Americans, including children with medical complexity (CMC), by preventing compromise and collaboration. These (dis)agreement levels cover the 70 percent of Democrats who perceive Republicans as "more close-minded than other Americans" and the nearly fifty percent of Republicans who view Democrats as "immoral," "lazy," and "dishonest."⁶ Partisanship is both personal and ideological. Most Republicans agree with their party's stance on illegal immigration and gun policy while Democrats agree with those on health care, abortion, and climate change. Distrust compounds these polarized perspectives. More than forty percent of each party saw the opposite party as "a threat to the nation's well-being."⁷ This view illustrates the increasingly polarized political climate when compared to

⁴ "Political Polarization in the American Public," Pew Research Center, published June 12, 2014, <http://www.people-press.org/2014/06/12/political-polarization-in-the-american-public/>.

⁵ "Partisanship and Political Animosity in 2016," Pew Research Center, published June 22, 2016, <http://www.people-press.org/2016/06/22/partisanship-and-political-animosity-in-2016/>.

⁶ Ibid.

⁷ "Partisanship and Political Animosity in 2016."

the 36 percent of Republicans and 27 percent of Democrats who felt this way in 2014.⁸

As a representative democracy, our polarized country polarizes Congress and the president and hinders their ability to compromise on issues that transcend party lines such as health, particularly for CMC. Today, the stricter association of conservative with Republican and liberal with Democrat illustrate the impact of “the disappearance of moderate-to-liberal Republicans (mostly in the Northeast) and conservative Democrats (mostly in the South).”⁹ As the parties drift farther away from one another, the country faces a new president who does not fit exactly into either party’s ideology but vows to respond partisanly to the Affordable Care Act by repealing it.¹⁰ Trump’s unclear and evolving political philosophy makes this even more complex, for “both the president and Congress are primarily motivated by ideology when bargaining over policy outcomes and seek to move policy as close to their ideal policies as possible.”¹¹ The ambiguity of the future of American healthcare may be daunting and policy progress for CMC may be challenging, but it is crucial that the next steps in American health

⁸ “Political Polarization in the American Public,” Pew Research Center, published June 12, 2014, <http://www.people-press.org/2014/06/12/political-polarization-in-the-american-public/>.

⁹ “The polarized Congress of today has its roots in the 1970s,” Pew Research Center, published June 12, 2014, <http://www.pewresearch.org/fact-tank/2014/06/12/polarized-politics-in-congress-began-in-the-1970s-and-has-been-getting-worse-ever-since/>.

¹⁰ “How much does Trump really need the Republican Party?,” CNBC, October 11, 2016, <http://www.cnbc.com/2016/10/11/how-much-does-trump-really-need-the-republican-party.html>.

¹¹ Alexander Bolton and Sharece Thrower, “Legislative Capacity and Executive Unilateralism,” *American Journal of Political Science*, May 2015, <http://onlinelibrary.wiley.com.ezproxy.rice.edu/doi/10.1111/ajps.12190/full>.

policy include a bipartisan effort to create legislation focused on care coordination and standardization for CMC.

CHILDREN WITH MEDICAL COMPLEXITY

Children with medical complexity make up six percent of the 35.5 million children on Medicaid/CHIP. However, CMC account for forty percent of children’s Medicaid costs, making them a vulnerable and costly population with important needs to align with health policy.¹² CMC’s extensive and costly service needs are due to severe chronic conditions (muscular dystrophy, cystic fibrosis, etc.) and resulting functional limitations. CMC depend on technology and multiple providers for acute and daily needs, and their families often must provide home care equivalent to that of a hospital. For many, their “families’ efforts, out-of-pocket expenses, and missed days of work...can become a financial and emotional burden” and result in CMC dependence on financial aid for health coverage.¹³ Currently, of the three million CMC in the U.S., two million are enrolled in Medicaid/CHIP and that number will double by 2024.¹⁴

¹² “Monthly Child Enrollment in Medicaid,” Kaiser Family Foundation, published 2017, <http://kff.org/other/state-indicator/total-medicaid-and-chip-child-enrollment/?currentTimeframe=4>.

¹³ Berry, Jay, “What Children with Medical Complexity, Their Families, and Healthcare Providers Deserve from an Ideal Healthcare System,” Lucile Packard Foundation for Children’s Health, December 1, 2015, <http://www.lpfch.org/publication/what-children-medical-complexity-their-families-and-healthcare-providers-deserve-ideal>.

¹⁴ “Evolving Medicaid to Better Serve Children with Medically Complex Conditions,” HealthAffairsBlog, published December 8, 2014, <http://healthaffairs.org/blog/2014/12/08/evolving-medicaid-to-better-serve-children-with-medically-complex-conditions/>.

Medicaid's state-based nature causes unnecessary or fragmented care for children with medical complexity, by impeding access and coordination of nationwide care. Medicaid also lacks a national CMC database "to inform improvement work in the quality and cost of care."¹⁵ Democratic and Republican Representatives in the House introduced the Advancing Care for Exceptional (ACE) Kids Act (2015). The act has bipartisan support for its proposal of interstate access to nationally designated Medicaid provider networks and nationwide collection of clinical data. Sponsor Joe Barton (R-TX) said, "Our aim is simple-to put medically complex children and their families first."¹⁶ By prioritizing its stakeholders, the ACE Kids Act represents bipartisan recognition of policy weaknesses for CMC. Passage requires bipartisanship in and among the legislative and executive branches, which has been historically difficult.

THE CHILDREN'S HEALTH INSURANCE PROGRAM

The State Children's Health Insurance Program (SCHIP), the first comprehensive children's health insurance program in the U.S., represented a bipartisan compromise in Congress and its partisan clash with the president. It also represents the first step toward policy to meet CMC's needs. Congressional gridlock initially complicated SCHIP's journey to passage. Despite SCHIP's bipartisan set of stakeholders and the ultimate bipartisanship in both houses on this legislation, Senator

¹⁵ Ibid.

¹⁶ "Press Release: Reps. Barton and Castor Applaud Hearing on the ACE Kids Act," U.S. Representative Kathy Castor, 14th District of Florida, July 7, 2016, <http://castor.house.gov/news/documentsingle.aspx?DocumentID=398210>.

Edward Kennedy's (D-MA) proposed Affordable Health Care for All Americans Act (1996) called for the partisan solution of a tobacco tax to pay for this expanded health coverage and did not pass. Nevertheless, children's health coverage was still a national priority. Then-President Bill Clinton noted in his 1997 State of the Union address, "We must continue...step by step, to give more families access to quality healthcare...Ten million children still lack health insurance. Eighty percent of them have working parents who pay taxes."¹⁷ He promised health coverage for up to five million of these children even if their parents were to lose their jobs, an important promise for many parents of CMC who had to weigh the cost and benefit of being their child's primary caregiver.¹⁸

During Clinton's second term, the Republican Congress and the Democratic president aimed to provide children's health coverage, recognizing its bipartisan value for this vulnerable population. Senator Thomas Daschle (D-SD) noted the bipartisanship of children's health when proposing subsidizing children's health plan premiums in the Children's Health Coverage Act. He said,

Children don't vote; they do not sit on corporate boards; and they cannot argue their case on the Senate floor. But we have a vote. We can take it upon ourselves to the lives of our children and their families by making our nation's children a top priority.¹⁹

¹⁷ "President Bill Clinton's 1997 State of the Union Address," *Washington Post*, <http://www.washingtonpost.com/wp-srv/politics/special/states/docs/sou97.htm/>.

¹⁸ Berry, Jay, "What Children with Medical Complexity, Their Families, and Healthcare Providers Deserve from an Ideal Healthcare System," Lucile Packard Foundation for Children's Health, December 1, 2015, <http://www.lpfch.org/publication/what-children-medical-complexity-their-families-and-healthcare-providers-deserve-ideal>.

¹⁹ Senator Daschle speaking on S.13, 105th Congress, 1st sess., Cong. Record 143 (March 20, 1997): S2644-2645.

This recognition illustrates the potential grounds on which Congress and the President could have reached agreement.

Daschle's act also did not pass but the 105th Congress saw the need for children's health coverage in the more than 15 related Republican and Democratic bills that followed.²⁰ Then, Senators Orrin Hatch (R-UT) and Kennedy came together to propose the Child Health Insurance and Lower Deficit Act (1997), a solution to the bipartisan issue of "trying to help those who cannot help themselves."²¹ Under CHILD, states would establish children's health insurance programs financed by a tobacco tax, a risky move for this tax had already proved polarizing in Kennedy's earlier proposal. Nevertheless, Hatch called for Congress

to focus on how to make a great country greater, on how to set aside partisan differences and help the people we were elected to help...to focus on what truly needs to be done in this country not on deadlock or gridlock or shutdown.²²

He noted that Kennedy and he had overcome their own wide "philosophical differences" to prioritize children's health. In the Senate, Republicans saw the tax as a disincentive to purchase tobacco, such that the tax revenues would be insufficient to cover the expanded benefits and worried the programs would be open-ended instead of a block grant. In the Republican Senate, this partisan response and Clinton's need to "safeguard the overall budget proposal" of the 1997 Balanced Budget Act

²⁰ Ibid.

²¹ Senator Daschle speaking on S.13, 105th Congress, 1st sess., *Cong. Record* 143 (March 20, 1997): S2644-2645

²² Senator Hatch speaking on S.525 and S.526, 105th Congress, 1st sess., *Cong. Record* 143 (April 8, 1997): S2846.

blocked the tax's passage.²³ Senate majority whip Trent Lott (R-MS) did not support CHILD and Clinton needed his support to pass the budget. As such, Clinton lobbied Democratic lawmakers to kill the act in the Senate.

After the Hatch-Kennedy act, the Children's Health Insurance Provides Security (CHIPS) Act (1997) was another bipartisan proposal for children's health coverage, looking to the states to expand coverage for children of the working poor, such as CMC with parents who were unable to work due to caregiving responsibilities.²⁴ CHIPS would have increased coverage accessibility for children in families that made up to 150 percent of the federal poverty level and funding for unidentified or not enrolled eligible children (3 million at the time).²⁵ Representative John Dingell (D-MI) said, "CHIPS sets a floor below which no child should fall and other approaches could fit nicely on top of CHIPS." This illustrates the significance of a broad policy for children's health and the importance of supplementing it with more specific policy, such as focused on CMC. Upon noting its bipartisan support in the Senate, he called for the same in the House, hoping his "colleagues on both sides of the aisle in the House will come together behind this sensible proposal that will expand access for children to health insurance." When introducing it in the Senate, Senator John Chafee (R-RI) emphasized the "bipartisan coalition who have worked so hard to put this legislation together."²⁶ John Kasich then proposed the State Children's Health

²³ Clymer, Adam. "Senate Unwilling to Amend Budget Resolution," *New York Times* (New York, NY), May 23, 1997, <http://www.nytimes.com/1997/05/23/us/senate-unwilling-to-amend-budget-resolution.html>.

²⁴ Representative Dingell speaking on H.R. 1491, 105th Congress, 1st sess., *Cong. Record* 143 (April 30, 1997): E803-E804.

²⁵ *Ibid.*

²⁶ Senator Chafee speaking on S. 674, 105th Congress, 1st sess., *Cong. Record* 143 (April 30, 1997): S3850-S3851.

Insurance Program discussed below so Senate did not vote on CHIPS. However, Congress' response shows the value of a bipartisan proposal in garnering support for passage and the need for a bipartisan solution to children's health prior to considering specific health policy for CMC.

The State Children's Health Insurance Program (SCHIP) of the Balanced Budget Act of 1997 passed by meeting both parties' needs. Although the majority-Republican Congress agreed a block grant for Medicaid was not the right measure to protect "the 36.8 million poor senior citizens, disabled people, women, and children that rely on Medicaid for their health and long term care services," Democrats in the House took issue with the proposal's failure to cover disabled children who qualified for Supplemental Security Income, including CMC with qualifying disabilities such as muscular dystrophy.²⁷ Representative John Dingell (D-MI) said,

At a time when the majority was attempting to proclaim that they were providing additional coverage to millions of uninsured children, they were at the same time taking away health insurance coverage from 20,000 disabled children...caus[ing] us to wonder whether the majority's idea is to provide insurance to the healthy but not the sick.²⁸

With an amendment to allow "Medicaid eligibility for disabled children who lose benefits under SSA title XVI (Supplemental Security Income)," the act passed by large margins in both houses due to amendments like this that addressed Democratic complaints.²⁹ Clinton

²⁷ "Benefits for Children with Disabilities." January 2016. Accessed December 16, 2016. <https://www.ssa.gov/pubs/EN-05-10026.pdf>.

²⁸ U.S. Congress, House, Committee, Balanced Budget Act of 1997, 105-149.

²⁹ Ibid.

signed it into law on August 5, 1997. Despite SCHIP's long path to passage, its success can be attributed to a political environment in which both the Congress and the president agreed on the bipartisan issue of children's health. Despite disparate ideas on the topic, both parties prioritized the issue over partisanship to reach a successful compromise.

Amid its general purpose to expand children's health coverage, SCHIP had a significant positive impact on children with medical complexity. It provided CMC and their families with, in comparison to private insurance, a broader range of coverage and less cost sharing. Additionally, many special programs or supplemental services were covered for CMC enrolled in SCHIP plans. Publicly insured CMC increased by nearly ten percent. The proportion of uninsured CMC decreased by six percent, and the unmet need for health care decreased by eight percent.³⁰ In other words, this bipartisan effort for a bipartisan issue was a step in the right direction toward better care for CMC.

REAUTHORIZATION OF THE CHILDREN'S HEALTH INSURANCE PROGRAM

President George W. Bush promised to continue to prioritize child health as CHIP and Clinton had, but his actions in office speak otherwise. It is difficult to see potential for policy progress for children with medical complexity amid a partisan environment in which even general children's health is not enough to drive legislation.

³⁰ Davidoff, Amy, et al. "Effects of the State Children's Health Insurance Program Expansions on Children with Chronic Health Conditions," *Pediatrics*, July 2005, <http://pediatrics.aappublications.org/content/116/1/e34>.

As incumbent presidential nominee at the 2004 Republican National Convention, Bush vowed,

[to] lead an aggressive effort to enroll millions of children who are eligible but not signed up for government health insurance programs. We will not allow a lack of attention, or information, to stand between these children and the health care they need.³¹

Toward the end of Bush's second term, Bush had yet to act on these promises but Representative Charles Rangel (D-NY) introduced the Children's Health Insurance Program Reauthorization Act of 2007 (CHIPRA) to a Democratic Congress. It included how to fund CHIP, reach the target demographic of low-income children and pregnant women, facilitate enrollment, reduce the barrier for premium assistance, and improve benefit access, program integrity, and revenue provisions. Senator Chuck Grassley (R-IA) noted its bipartisan value by improving SCHIP and focusing on ensuring that it reached its vulnerable target demographic, low-income children and pregnant women. He described CHIPRA as, "the product of months of bipartisan work in the [Finance] Committee. I emphasize the word 'bipartisan'... this Finance bill is a compromise. I think it is the best of what is possible." He referenced it as a necessary compromise, for

Neither side got what they wanted...[but] This compromise bill maintains the focus of low-income, uninsured children and adds coverage for an additional 3.2 million low-income

³¹ "President Bush Is Violating His Own Campaign Promise on Children's Health Insurance," Office of Majority Leader Steny Hoyer, October 04, 2007, accessed December 16, 2016, <http://www.democraticwhip.gov/sites/default/files/documents/Bush%20Violating%20Campaign%20Promise.pdf>.

children, children who could presently qualify but not enough money is available or States were not doing their job of outreach to bring these people in.³²

The bill passed in both houses,

with unusual bipartisan support, as many Republicans who side with the president on almost everything else voted to expand the SCHIP from its current enrollment of about 6.6 million children to more than 10 million.³³

Similar to the unified Congressional support of the initial legislation, members of the legislative branch focused on policy progress for the bipartisan issue of children's health rather than focusing on their party loyalty.

Although Congress' agreement on CHIPRA had exemplified their ability to compromise on children's health policy, Congress and President Bush could not reach the same type of agreement. Although Bush had vowed to expand children's health insurance coverage, he did not stick to this promise. Senator Frank Lautenberg (D-NJ) described the contradiction of Bush's campaign promises and his actions in office. Lautenberg said,

President Bush is threatening to veto [the bipartisan Senate bill]. A veto means putting millions of children at risk for illness and disease. It means going back on the President's pledge, and it shows, by his action more than his words, that the President's priorities are not the same as America's.³⁴

³² Senator Grassley speaking on H.R.976, 110th Congress, 1st sess., *Cong. Record* 153 (July 31, 2007): S10353.

³³ Stout, David, "Bush Vetoes Children's Health Bill," *New York Times*, October 3, 2007, <http://www.nytimes.com/2007/10/03/washington/03cnd-veto.html>.

³⁴ Senator Lautenberg speaking on H.R. 976, 110th Congress, 1st sess., *Cong. Record* (July 31, 2007): S10353.

Bush attributed his philosophical divide with Congress to his belief that, “The policies of the government ought to be to help poor children and to focus on poor children and the policies of the government ought to be to help people find private insurance, not federal coverage.”³⁵ Bush saw CHIPRA as unaligned with his ideological stance on children’s health care.

Although party lines generally define partisanship, the Congress and Bush were divided on CHIPRA. Bush vetoed a revised CHIPRA, claiming it was still not aligned with his ideology regarding the purpose of child health policy for, “Ultimately our nation’s goal should be to move children who have no health insurance to private coverage-not to move children who already have private health insurance to government coverage.”³⁶ This veto showed, “When congressional capacity is low, the president can more effectively circumvent a hostile Congress through unilateral action.”³⁷

Clinton’s response to the Hatch-Kennedy act was similar to Bush’s to CHIPRA. Notably, both presidents were faced with houses with opposite party majorities. That being said, in both cases, Congress made a bipartisan effort to drive child health policy. Similar to how Republican leaders’ efforts had addressed Democratic complaints on SCHIP, Democratic leaders had dealt with “Republican objections [to

³⁵ Ibid.

³⁶ Bush, George , *Public Papers of the Presidents of the United States: George W. Bush: Book II-July 1-December 31, 2007* (Washington, D.C.: Office of the Federal Register, National Archives and Records Administration, 2011).

³⁷ Alexander Bolton and Sharece Thrower, “Legislative Capacity and Executive Unilateralism,” *American Journal of Political Science*, May 2015, <http://onlinelibrary.wiley.com.ezproxy.rice.edu/doi/10.1111/ajps.12190/full>.

CHIPRA] by tightening restrictions on illegal immigrants receiving SCHIP benefits, capping the income levels of families that qualify for the program and preventing adults from receiving benefits.” However, their joint effort did not align with the president’s narrower ideology and political agenda. Both Clinton and Bush had deemed themselves proponents of child health. However, Clinton’s other objectives (specifically the budget) and Bush’s overall political approach led them to go against the joint effort of the houses. Once again, it was fruitless to even consider drafting policy specifically for children with medical complexity, when the nation was unable to pass legislation for all children.

Bush did not renew CHIP but President Barack Obama vowed in his 2008 presidential platform to renew and expand it. Bush too had promised to make children’s health a priority but Obama took action, signing CHIPRA into law in 2009 with bipartisan support from a Democratic Congress. The Act went well beyond Democratic votes in Congress, passing in the House 290-135 and in the Senate 66-32.³⁸ Representative Jared Polis (D-CO) felt these votes spoke to child health’s bipartisan nature,

A large majority of Americans of all political persuasions support this important bill. It’s a fiscally responsible way to not only extend the number of children in our nation who will receive health care, but to improve the quality of that care.³⁹

³⁸ House-Energy and Commerce; Ways and Means; Education and Labor, *H.R.2-Children's Health Insurance Program Reauthorization Act of 2009*, 111th Cong., 1st sess., Cong. Bill, February 4, 2009, accessed December 17, 2016, <https://www.congress.gov/bill/111th-congress/house-bill/2/actions>.

³⁹ Representative Polis speaking on H.R. 2, 111th Congress, 1st sess., *Cong. Record* (February 4, 2009): H928-H975.

That is to say, both Congress and the president were putting the issue before their party in order to make progress for children's health. This focus on expanding and increasing children's health coverage continued to not only better the health of children in general but specifically improve care for children with medical complexity. For example, CHIPRA emphasized quality of care, calling for annual data from CHIP programs on "access to primary and specialty services, access to networks of care, and care coordination provided under the state child health plan, using the Consumer Assessment of Healthcare Providers and Systems survey."⁴⁰ This survey also has an optional section on "Children with Chronic Conditions," demonstrating a need for health policy for CMC.

In the majority-Democrat House, opposition to the bill was entirely partisan from the minority party. Representative Peter Sessions (R-TX) aimed to "protect the American taxpayer" from "[his] Democratic colleagues [that] are putting their agenda first, not our children's health care."⁴¹ In response to Sessions, Representative Rosa DeLauro (D-CT) referenced Bush's 2007 veto of the bipartisan bill as a failure to recognize the needs of the American public. She said, "It was the former President of the United States who decided to veto that legislation when a majority of the American public supports health insurance for our children. Today we have an opportunity to right a

⁴⁰ "Fact Sheet: Initial Core Set of Children's Health Care Quality Measures," Centers for Medicare and Medicaid Services, December 2012, <https://www.medicaid.gov/medicaid/quality-of-care/downloads/cahpsfactsheet.pdf>.

⁴¹ Representative Sessions speaking on H.R. 2, 111th Congress, 1st sess., *Cong. Record* (February 4, 2009): H928-H975.

wrong.”⁴² Many Republicans felt that the bill did not account for their needs and took issue with its increased government intervention, which they deemed unnecessary. Representative Thomas McClintock (R-CA) remarked, “This is no longer a program for the children of poor people. It’s being used to insinuate government into the medical care of every American.”⁴³ Needless to say, 40 Republicans voted for the bill.

Meanwhile, in the Senate, an ideological divide pervaded discourse and hindered bipartisan compromise for progress on child health policy. Senator Orrin Hatch (R-UT) proposed an amendment to extend CHIP coverage to the Department of Health and Human Services’ definition of a child (“anyone from conception to 18 years of age”).⁴⁴ He reflected on CHIP’s bipartisan background in the Senate and his own recognition of child health as a bipartisan issue when he said,

I came to the Senate with the conviction [of shared humanity] and tried to act on that conviction ever since by working to protect children’s lives and promote children’s health...That is why I worked so hard with Senator Kennedy and others to originally pass the children’s health program and bill. It was kind of a miracle that we were able to get it done over 10 years ago when we did it. It...became the glue that held both the Republicans and Democrats together on the first balanced budget in over 40 years.⁴⁵

⁴² Representative DeLauro speaking on H.R. 2, 111th Congress, 1st sess., *Cong. Record* (February 4, 2009): H928-H975.

⁴³ Representative McClintock speaking on H.R. 2, 111th Congress, 1st sess., *Cong. Record* (February 4, 2009): H928-H975.

⁴⁴ “Press Release: Hatch Amendment Would Ensure CHIP Eligibility for Unborn Children,” Office of the US Senator Orrin Hatch, January 29, 2009.

⁴⁵ Senator Hatch speaking on Amendment no. 80 to H.R. 2, 111th Congress, 1st sess., *Cong. Record* (January 29, 2009): S1009-S1048.

Hatch's proposed modification was polarizing, for it raised questions about, in Senator Boxer's words, the "philosophical argument forever-what is the point at which life begins?"⁴⁶ Hatch responded by explaining that Bush's vetoes had changed CHIPRA's bipartisan nature. According to Hatch, had Bush signed CHIPRA I or II into law, "The whole Congress would have been together and this whole effort would have been truly bipartisan. We could have set a bipartisan tone right off the bat, instead of this partisan tone."⁴⁷ Polarizing a shared priority of child healthcare coverage complicated the vote for Boxer and others. Boxer remarked at the time, "[the abortion issue] has nothing to do with left-right... This is not a left-right issue. It is an issue we all address in our own way using our own logic, our religion, our moral values, and we come to a conclusion."⁴⁸ Abortion is an ideological issue, which converted the nonpartisan issue of child health into partisan and kept Hatch's amendment from passing.

However, Senator Chuck Grassley (R-IA) urged the Senate to prioritize true bipartisanship if they wanted progress for child health. He said, "It is not, we will write 90 percent of the bill together and ask the minority to vote for the last 10 percent... It is not: here is the bill, does the minority want to sign off on it and let us call it bipartisan?" In the end, the Democratic Senate passed, with all but nine Republicans voting nay, amendments to expand CHIP that included pregnant women.

⁴⁶ Senator Boxer speaking on Amendment no. 80 to H.R. 2, 111th Congress, 1st sess., *Cong. Record* (January 29, 2009): S1009-S1048.

⁴⁷ Senator Hatch, *ibid.*

⁴⁸ Senator Boxer, *ibid.*

When President Obama reauthorized CHIP in February 2009, he extended coverage to 4 million American children by a \$35 billion expansion over the next five years. Despite the bipartisan topic, the aforementioned dialogue in both houses shows polarization on the issue. Unlike vetoes by Clinton and Bush to bipartisan agreement in Congress, Obama's polarized response corresponded with the Democrat Congress and represented "his commitment to cover every single American."⁴⁹

Although Obama called for collaboration to "achieve what generations of Americans have fought for and fulfill the promise of health care," his "liberal," now interchangeable with Democrat, agenda met a Republican Congress.⁵⁰ This is the same political environment Clinton faced with CHIP but, as the previously discussed analysis of American politics suggests, America is more polarized. Nevertheless, Obama did sign the Medicare Access and CHIP Reauthorization Act of 2015 (MACRA) into law, extending CHIP for two more years for \$7 billion and shifting Medicare physician reimbursement to a merit-based incentive payment model from a fee-for-service system.⁵¹ Value-based care is a beneficial approach to all Americans' care, especially for CMC. CMC's high level of service needs makes fee-for-service nearly impossible, diminishing their care. In fact, when a children's hospital and an affiliated ACO implemented a value-based quality improvement

⁴⁹ "Obama signs children's health initiative into law," *CNN*, February 4, 2009, <http://www.cnn.com/2009/POLITICS/02/04/schip.vote/index.html?eref=onion>.

⁵⁰ "Remarks by President Barack Obama on Children's Health Insurance Program Bill Signing," The White House: Office of the Press Secretary, February 4, 2009, <https://www.whitehouse.gov/the-press-office/remarks-president-barack-obama-childrens-quos-health-insurance-program-bill-signing>.

⁵¹ "The Basics of the SGR Replacement Bill," Committee for a Responsible Federal Budget, April 2, 2015, <http://crfb.org/blogs/basics-sgr-replacement-bill>.

initiative, admissions of CMC decreased by 18 percent and the average length of stay for children decreased by more than 30 percent. Total CMC inpatient charges also decreased by \$11.8 million.⁵² In other words, MACRA may not have been specifically for CMC but the Obama administration and MACRA itself set priorities that align with the needs of CMC.

The Bipartisan Policy Center recognized MACRA as a

good bipartisan compromise [that] strikes a careful balance that will draw both praise and criticism. By reconciling these competing views [on Medicare access and CHIP's extension], the proposed legislation offers a set of politically viable solutions that deserve bipartisan support.⁵³

This bipartisan support was evident in the House when Representative Engel said,

the American people want us to end gridlock. They want us to meet in the middle, and we are doing that today. And while I would have liked to have seen a four-year extension of CHIP funding...this is a good agreement.⁵⁴

Representative Phil Roe (R-TN) rose in “strong support” of the bill and Representative Renee Ellmers (R-NC) commented “I just want to say to the American people, don’t look now but we are actually

⁵² Noritz, et al. “A Population Intervention to Improve Outcomes in Children with Medical Complexity,” *Pediatrics*, Jan 2017, <http://pediatrics.aappublications.org/content/139/1/e20153076.long>.

⁵³ Bipartisan Policy Center speaking on H.R. 2, 114th Congress, 1st sess., *Cong. Record* (March 26, 2015): H2038-H2045

⁵⁴ Representative Engel speaking on H.R. 2, 114th Congress, 1st sess., *Cong. Record* (March 26, 2015): H2038-H2045

governing. And this is what the American people want to see.”⁵⁵

Representative Michael Burgess (R-TX) also said, “I urge all of my colleagues to get behind this legislation. It may not have been everything you want, it may not have been what you would have done if you had done it by yourself.”⁵⁶ Burgess focused on the issue’s collaborative nature and it ultimately passed in the House 392 to 37.

MACRA’s bipartisan passage in the House stemmed from CHIP’s origins and, implicitly, on the nature of children’s health. Senator Grassley noted, “an overwhelming majority of the House supported H.R.2...212 Republicans and 180 Democrats supported the bill. That is a sign of bipartisanship that is, on a major issue, extremely rare in the House.”⁵⁷ Although the act passed 92 to 8 in the Senate, Grassley’s reference to the growing philosophical divide between parties speaks to “a new dynamic in Congress, in which Senate Democrats are assuming the role played for years by House Republicans-waging an ideological fight from a disadvantaged position-and Republicans are eager to prove themselves good stewards of government.”⁵⁸ Congress’ divisiveness, even on bipartisan issues like health of CMC, grew more apparent with the ACA.

⁵⁵ Representative Roe speaking on H.R. 2, 114th Congress, 1st sess., *Cong. Record* (March 26, 2015): H2038-H2045; Representative Ellmers speaking on H.R. 2, 114th Congress, 1st sess., *Cong. Record* (March 26, 2015): H2038-H2045

⁵⁶ Representative Burgess speaking on H.R. 2, 114th Congress, 1st sess., *Cong. Record* (March 26, 2015): H2038-H2045

⁵⁷ Senator Grassley speaking on Amendment no. 1115 at 114th Congress, 1st sess., *Cong. Record* (April 14, 2015) S2158.

⁵⁸ Steinhauer, Jennifer, and Pear, Robert, “Bipartisan Deal on Health Care Issues Hits a Snag Among Senate Democrats,” *The New York Times*, March 24, 2015, [http://www.nytimes.com/2015/03/25/us/politics/bipartisan-deal-on-health-care-issues-hits-a-snap-among-senate-democrats.html?rref=collection%2Ftimestopic%2FState%20Children's%20Health%20Insurance%20Program%20\(S-CHIP\)&mtref=undefined&assetType=nyt_now](http://www.nytimes.com/2015/03/25/us/politics/bipartisan-deal-on-health-care-issues-hits-a-snap-among-senate-democrats.html?rref=collection%2Ftimestopic%2FState%20Children's%20Health%20Insurance%20Program%20(S-CHIP)&mtref=undefined&assetType=nyt_now).

THE AFFORDABLE CARE ACT

The Patient Protection and Affordable Care Act (2010) aimed to provide health insurance to Americans. Throughout his 2008 presidential campaign, Obama emphasized the need for restructuring healthcare, vowing to make sure “that we have a health care system that allows for everyone to have basic coverage.”⁵⁹ Obama also noted the system’s cost. He said,

We have to fix our health care system, which is putting an enormous burden on families. [Families] are getting crushed, and many of them are going bankrupt as a consequence of health care.... We have to do that now, because it will actually make our businesses and families better off.⁶⁰

To Obama, the new budget built upon MACRA health care advances and the economic stimulus package. He described it as “an historic commitment to comprehensive health reform—a down payment on the principle that we must have quality, affordable health care for every American.”⁶¹ Unlike Bush’s commitment to children’s health, this commitment to reform was not just an empty promise as the Obama administration tried to get to work.

⁵⁹ “Election Guide 2008: The First Presidential Debate,” *The New York Times*, September 26, 2008, <http://elections.nytimes.com/2008/president/debates/transcripts/first-presidential-debate.html>.

⁶⁰ Ibid.

⁶¹ “Remarks of President Barack Obama -- Address to Joint Session of Congress,” The White House, February 24, 2009, <https://www.whitehouse.gov/the-press-office/remarks-president-barack-obama-address-joint-session-congress>.

However, gridlock in the Republican Congress thwarted progress. The House passed a number of bills and the bipartisan Senate Finance Committee met more than thirty times. Nevertheless, Senator Mitch McConnell (R-KY), Senate minority leader, warned Senators Grassley and Mike Enzi (R-WY) that “their futures in the Senate would be much dimmer if they moved toward a deal with the Democrats that would produce legislation to be signed by Barack Obama.”⁶² All Republican members of this committee voted down the plan on the Senate floor. In this case, priorities in Congress, rather than of the president in the case of CHIP, determined progress in children’s health policy.

The Health, Education, Labor, and Pensions Committee of the Senate passed the Affordable Health Choices Act in July 2009 with more than 160 Republican amendments in the Democratic Congress. Meanwhile, in the House Committee on Energy and Commerce, the bill was voted out 31 to 28. Then, Senator Kennedy died, compromising the Senate’s supermajority. Nevertheless, the Senate Finance Committee approved the America’s Healthy Future Act and the House of Representatives passed its own version of this bill. However, Kennedy’s Senate vacancy and the Obama administration’s focus on passing the ACA promptly led to a contentious election for Massachusetts Senator. This election between Democrat Martha Coakley and Republican Scott Brown emphasized the polarization of the legislative branch by illustrating how issues fell to the wayside as priorities grew more partisan. This same “philosophical divide” that had hindered healthcare

⁶² Ornstein, Norm, “The Real Story of Obamacare’s Birth” *The Atlantic*, July 6, 2015, <http://www.theatlantic.com/politics/archive/2015/07/the-real-story-of-obamacares-birth/397742/>.

progress in the past led Scott Brown to run as “the person to go down there and send the health care [bill] back to its drawing board, so they can do it better.”⁶³ He described Congress as void of bipartisanship and compromise, referencing it as “them vs. us.”⁶⁴ Meanwhile, Obama noted the importance of a vote for Coakley, a vote to decide “whether we’re going forward or going backwards...whether we’re going to have a future where everybody gets a shot in this society, or just the privileged few” Coakley’s loss suggested the impact of injecting partisanship into bipartisan issues.⁶⁵ That is to say, when Obama made it clear that American healthcare would be a priority, members of the increasingly polarized Congress found themselves on one side or the other of this ideological divide.

After Brown’s election, party polarization continued to surround the ACA. This showed an inability to compromise on health, despite its broad bipartisan appeal in relating to all Americans from CMC to elderly people. Senate minority leader Mitch McConnell (R-KY) blocked Republican defections on the vote because,

It was absolutely critical that everybody be together because if the proponents of the bill were able to say it was bipartisan, it tended to convey to the public that this is okay,

⁶³Senator Lautenberg speaking on H.R. 976, 110th Congress, 1st sess., Cong. Record (July 31, 2007): S10353.

⁶⁴Steinhauser, Paul; Silverleib, Alan; and Cohen, Tom, “Obama rallies Dems in crucial Massachusetts Senate race,” *CNN*, January 17, 2010, <http://www.cnn.com/2010/POLITICS/01/17/massachusetts.senate/>.

⁶⁵Ibid.

they must have figured it out....It's either bipartisan or it isn't.⁶⁶

Democratic whip, Senator Richard Durbin (D-IL), claimed the Republican senators' goal was

to slow down activity to stop legislation from passing in the belief that this will embolden conservatives in the next election and will deny the president a record of accomplishment. Senator McConnell is their inspiration, their enforcer, and their enabler.⁶⁷

When the majority-Democrat Senate approved the bill with no Republican votes, the American public saw, "Democrats...forced to cut questionable intraparty deals and jump through legislative hoops in an ugly process...help[ing] sour the public and its legislation."⁶⁸

Representative Charles Rangel (D-NY) sponsored it in the majority-Democrat House in September 2009. Representative Kelly Cassidy (R-LA) emphasized Republican discontent and fear of ACA. She said, "instead of passing health care reform that lowers costs, Democrats are positioned to pass a bill that hides costs by passing them on to State tax payers."⁶⁹ Meanwhile, Representative Baca described the proposal as an urgent means to provide Americans with "more security and stability."⁷⁰ The ACA passed 219-212 in the House, with 34 Democratic defectors in addition to the Republicans. Speaker of the House Nancy Pelosi noted

⁶⁶ Hulse, Carl and Nagourney, Adam, "Senate G.O.P. Leader Finds Weapon in Unity," *The New York Times*, March 16, 2010, <http://www.nytimes.com/2010/03/17/us/politics/17mcconnell.html?pagewanted=all>.

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ Silverleib, Alan, "House passes health care bill on 219-212 vote," *CNN*, March 22, 2010, <http://www.cnn.com/2010/POLITICS/03/21/health.care.main/>.

⁷⁰ Representative Baca speaking at 111th Congress, 1st sess., *Cong. Record* (October 7, 2009) H10523.

ACA's value, calling it "necessary to end insurance industry abuses and bring greater economic stability to most Americans." However, House Minority Leader John Boehner said, "we have failed to listen to America and we have failed to reflect the will of our constituents. And when we fail to reflect that will, we fail ourselves and we fail our country."⁷¹ He viewed it as a Democratic betrayal of the American public's trust.

Despite the ACA's general nature, aspects of the ACA that directly affected CMC were provisions regarding pediatric concurrent care, pre-existing conditions for children under 19, and the Patient-Centered Outcomes Research Institute. Pediatric concurrent care meant that children on Medicaid/CHIP can receive both palliative and curative care simultaneously that would be covered by insurance. Children under 19 cannot be classified as having pre-existing conditions and can stay on their parents' insurance until age 26. Additionally, the Patient-Centered Outcomes Research Institute provides funding to "healthcare stakeholders who are non-traditional candidates for research grants" to improve efficacy and efficiency of care for CMC.⁷²

Just as the ACA was focused on the general issue of American healthcare, health policy for CMC must also be general because CMC affect their families and society as a whole. Many families incur significant time and cost burdens to care for CMC. It is estimated that most CMC need about twelve hours of care per week and family

⁷¹ Silverleib, Alan, "House passes health care bill on 219-212 vote," *CNN*, March 22, 2010, <http://www.cnn.com/2010/POLITICS/03/21/health.care.main/>.

⁷² Walsh, Eileen, "Caring for Kids with Medical Complexity; CCS Stakeholders Meet Jan. 6; Grants Available," Lucile Packard Foundation for Children's Health, December 17, 2015, <http://www.lpfch.org/cshcn/advocacy/network-newsletters/network-newsletter-2015-12-17>.

caregivers lose about \$3,200 in earnings per CMC per year.⁷³ Families opt to keep their children at home because they can do many of the medical tasks there (i.e. operating a feeding tube) and the high cost of taking their child to the hospital. The ACE Kids Act would work with families by creating, through coordinated networks, accountable groups of providers to expand on the care the families are already giving.

THE ADVANCING CARE FOR EXCEPTIONAL KIDS ACT

The Advancing Care for Exceptional (ACE) Kids Act, introduced in both houses in 2015, represents a shift away from the polarized responses of the legislative and executive branches on CHIP and ACA. In contrast to ACA and CHIP, the bipartisan act aims to expand certain ACA priorities to specifically support CMC, a narrower purpose for a specific set of stakeholders. The ACA's "Triple Aim" approach to improving population health via "greater alignment of health care quality, costs, and value [by] prioritiz[ing] the expansion of insurance coverage, prevention and public health innovation, and improvements in the health care delivery infrastructure" is appropriate for CMC.⁷⁴ CMC need

a comprehensive array of specialty and collaborative medical, behavioral, and developmental health care and social services that often result in high health care costs and utilization, with costs expected to increase exponentially

⁷³ Amy Wallace, "Families provide billions in unpaid medical care to children with chronic conditions," UPI, December 27, 2016,

http://www.upi.com/Health_News/2016/12/27/Families-provide-billions-in-unpaid-medical-care-to-children-with-chronic-conditions/4711482846571/.

⁷⁴ Walter, A.W., et. al. "The Affordable Care Act and Value-Based Purchasing: What's at Stake for Children with Medical Complexity?" Boston University School of Public Health: *The Catalyst Center*, 2015, <http://cahpp.org/resources/affordable-care-act-value-based-purchasing-whats-stake-children-medical-complexity/>.

during the continuum of care into adulthood and across the lifespan.⁷⁵

A “Triple Aim” approach would increase the value of and lower the cost of health care for CMC and their families.

The ACA used accountable care organizations (ACOs) of “groups of doctors, hospitals, and other health care providers who work together to provide coordinated and integrated care to a defined population of patients they serve across health care settings” for value-based purchasing via shared savings or population-based payment models.⁷⁶

This act also demands a coordinated approach, as CMC and their families

often have to keep up with a number of treatments and regimens. They coordinate care with multiple doctors, providers, and specialists. Many times they travel across state lines for procedures that are not performed in their home state. That complicates the Medicaid bill process and adds extra burdens and stress to the entire process.⁷⁷

The ACE Kids Act would

improve coordination of care for children to reduce the burden on families, address problems with fragmented care across state lines, gather national data on complex conditions to help researchers improve treatments for rare

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ “Senate Passes Portman-Bennet Amendment to Help Kids with Complex Medical Conditions,” Senator Michael Bennet, March 24, 2015, <https://www.bennet.senate.gov/?p=release&id=3286>.

diseases, potentially save an estimated \$13 billion over its first 10 years, compared to the current system.⁷⁸

By allowing state Medicaid to support a nation-wide program, care coordination models would fit CMC's needs, not only optimizing value through capitated payment (projected to decrease Medicaid spending by 1 to 4 percent) but also through quality measures.⁷⁹

Representative Joe Barton (R-TX) sees the act as necessary for “coordinating and streamlining care” for CMC and their families. He noted the efficiency and efficacy the bill affords to CMC's care via “shorter hospital stays and overall improved outcomes for these children.”⁸⁰ He and his bipartisan cosponsors see this policy for CMC as

the right thing to do, [for] the last thing these families need is more bureaucratic red tape and obstacles. This bill helps remove these inefficiencies and allows the most qualified children's hospitals and providers to do what they do best—help children get well.⁸¹

Although this bill is not yet law, there are other efforts to enhance payment to providers of comprehensive care for CMC. For example, Medicaid in Michigan offers fee-for-service reimbursement for CMC care management activities.⁸²

⁷⁸ “ACE Kids Act,” Speak Now For Kids, 2016, http://www.speaknowforkids.org/ace_kids_act.

⁷⁹ Robert Book and Douglas Holtz-Eakin, “Prospects for Care Coordination for Children with Medical Complexity,” accessed January 24, 2017, <https://www.americanactionforum.org/research/14241/>.

⁸⁰ “Rep. Barton on Advancing the ACE Kids Act,” Congressman Joe Barton, June 30, 2016, <https://joebarton.house.gov/press-releasescolumns/rep-barton-on-advancing-the-ace-kids-act/>.

⁸¹ Ibid.

⁸² Berry, Jay, “What Children with Medical Complexity, Their Families, and Healthcare Providers Deserve from an Ideal Healthcare System,” Lucile Packard Foundation for

CONCLUSION

In the last two decades, the U.S. political system has grown increasingly polarized, hindering passage of legislation to meet CMC's medical needs. Presidential decisions, through vetoes by Clinton and Bush on CHIP and its reauthorization, and congressional gridlock, through Congress's response to the ACA, illustrate this partisanship. With the start of Donald Trump's presidency, the question remains: will the bipartisan nature of child health, specifically for the vulnerable and costly stakeholders that are CMC, overcome the country's increasingly extreme partisan political environment? If so, the ACE Kids Act can be passed, creating models of care with CMC in mind to increase value of and decrease cost of care. If not, the legislative and executive branches will continue to struggle to reach compromise with one another and accord within the individual branches as well, hindering progress on policy for vulnerable populations such as children with medical complexity.

THE EFFECTS OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ON OBESITY, HEALTH, AND THE ECONOMY

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This study addresses the relationship between the Supplemental Nutrition Assistance Program (SNAP) and health problems, particularly obesity. The SNAP program was originally created to encourage spending on foodstuff following economic hardship. Currently, however, these benefits seem to promote obesity by forcing participants to choose unhealthy options in order to have enough food to survive. There have been multiple attempts to remedy the problems with the SNAP program, but making changes to a program as sensitive as SNAP is complicated and there are many obstacles policy makers face. The study offers a proposal to weaken the link between SNAP and obesity.

Food insecurity and hunger have been long studied including the correlation between obesity and the Supplemental Nutrition Assistance Program (SNAP)'s low-income households that qualify and opt to receive these benefits. Food insecurity is an indicator of one's nutritional state and is defined as a point in time in which the availability of nutritionally adequate and safe food, or the ability to acquire these acceptable foods in a socially acceptable manner, is either limited or uncertain.¹ Food insecurity is an involuntary food shortage that is a significant indicator for poverty. Substantial research links food insecurity to income level.² Hunger is defined

¹ Olson, Christine M. and Strawwaterman, Myla S., "The Relationship Between Food Insecurity and Obesity in Rural Childbearing Women", National Rural Health Association, 2008, 60-66.

² Townsend, M. S. et al, "Food Insecurity is Positively Related to Overweight in Women", *The Journal of Nutrition*, 2001, 1738-1745.

as a relatively severe manifestation of food insecurity.³ In 2004, forty million people—approximately 12% of the United States' population, lived in households that experienced food insecurity, and eleven million Americans—approximately 3% of the population experienced food insecurity as well as documented hunger.⁴ Just two years later, the percentage of people experiencing food insecurity as well as hunger increased to 4% of the population; the beginning of an upward trend.⁵ Data taken from The National Longitudinal Survey of Children and Youth, beginning in 1994, shows that families who reported child hunger were thirteen times more likely to report that they had received income from a social assistance program than those who did not report child hunger—one of the many links that begin to tie welfare programs to food insecurity and ultimately hunger.⁶ Food insecurity may also be linked to poor health, most notably obesity. Obesity is calculated by measuring one's body mass index (BMI), a mathematical formula that is the product of one's weight in kilograms, divided by the square of their height in meters. For adults, a healthy BMI is between nineteen and twenty-five and an obese BMI would be over thirty. For children, aged two to nineteen, rather than the product of their weight and height, a percentile system is used to evaluate them. Healthy children are between the fifth and ninety-fifth percentile.⁷ The linking of low income families to obesity

³ Vozoris, Nicholas T. and Tarasuk, Valerie, "Household Food Insufficiency is Associated with Poorer Health", *The Journal of Nutrition*, 2003, 120-126.

⁴ Seligman, Hilary K. et al, "Food Insecurity is Associated with Diabetes Mellitus: Results from the National Health Examination and Nutrition Examination Survey 1999-2002", *Society of General Internal Medicine*, 2007, 22 and 1018-1023.

⁵ Olson, Christine M. and Strawwaterman, Myla S., "The Relationship Between Food Insecurity and Obesity in Rural Childbearing Women", National Rural Health Association, 2008, 60-66.

⁶ Vozoris, Nicholas T. and Tarasuk, Valerie, "Household Food Insufficiency is Associated with Poorer Health", *The Journal of Nutrition*, 2003, 120-126.

⁷ Ploeg, Michele Ver; Mancino, Lisa and Lin, Biing-Hwan, "Food Stamps and Obesity: Ironic Twist or Complex Puzzle", *The Economics of Food, Farming, Natural Resources, and Rural America*, 2006.

through welfare programs has two leading explanations. The first explanation is based on the idea that benefits encourage increased spending; however, this is the less likely option. The option that is more supported by physiology is that food benefits are released in long intervals that create the “food stamp cycle,” periods of starvation followed by periods of binging.⁸

THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

The Food Stamp Program was created as a result of the Great Depression as a nutritional safety net for low-income households; today, it is the nation’s largest food assistance program in the United States with twenty-four million people, costing 27 billion dollars in 2004.⁹ The Food Stamp Program was renamed to be SNAP in 2008 and is still the largest of 15 federal nutrition programs.¹⁰ Since its creation, the goals of SNAP have been modified.

Programs like SNAP were designed to encourage food expenditures, since they were developed during a time where the only goal was to alleviate hunger; the original inventors of these welfare programs did not have the negative side effects, such as obesity, in mind when they created these hunger-eliminating policies.¹¹ SNAP can be used to purchase most foods and

⁸ Ploeg, Michele Ver and Ralston, Katherine, “Food Stamps and Obesity: What We Know and What it Means”, *United States Department of Agriculture Economic Research Service*, June 01, 2008, <https://www.ers.usda.gov/amber-waves/2008/june/food-stamps-and-obesity-what-we-know-and-what-it-means/>

⁹ Ploeg, Michele Ver; Mancino, Lisa and Lin, Biing-Hwan, "Food Stamps and Obesity: Ironic Twist or Complex Puzzle", *The Economics of Food, Farming, Natural Resources, and Rural America*, 2006.

¹⁰ Leung, Cindy W. et al, “Associations of Food Stamp Participation with Dietary Quality and Obesity in Children”, *Pediatrics*, 2013, 463-472.

¹¹ Tolbert-Kimboro, Rachel and Rigby, Elizabeth, “Federal Food Policy and Childhood Obesity: A Solution of Part of the Problem?”, *Health Affairs*, 2003, 411-418.

beverages, except for alcohol, supplements, and prepared foods; there is no defined food-list or menu standards that those who qualify for snap must abide by.¹²

SNAP participation is optional for those who qualify. A 1997 panel study of income dynamics did, however, find that the majority of low-income families voluntarily participate in at least one food assistance program. Eligibility and benefits are based upon a household's size, the household's asset's, and both the gross and net income received by the household. Monthly income cannot exceed 130% of the federal poverty guidelines.¹³ In 2011, the highest qualifying monthly income was measured to be 2,389 dollars for a four-person household. SNAP distributed 72 billion dollars in food stamps in 2011 to forty-five million participants.¹⁴ This money is distributed via an electronic benefit transfer (EBT) card that can be used at participating grocery stores to purchase foodstuff. In 2004, the amount loaded on to these cards monthly was 86 dollars per person or two hundred dollars per household.¹⁵ This distribution method is limiting and problem-causing: the benefits can only be used at participating stores, and the cards are only distributed on a monthly basis.

¹² Leung, Cindy W. et al, "Associatons of Food Stamp Participation with Dietary Quality and Obesity in Children", *Pediatrics*, 2013, 463-472.

¹³ Ploeg, Michele Ver; Mancino, Lisa and Lin, Biing-Hwan, "Food Stamps and Obesity: Ironic Twist or Copmplex Puzzle", *The Economics of Food, Farming, Natural Resoures, and Rural America*, 2006.

¹⁴ Leung, Cindy W. et al, "Associatons of Food Stamp Participation with Dietary Quality and Obesity in Children", *Pediatrics*, 2013, 463-472.

¹⁵ Ploeg, Michele Ver; Mancino, Lisa and Lin, Biing-Hwan, "Food Stamps and Obesity: Ironic Twist or Copmplex Puzzle", *The Economics of Food, Farming, Natural Resoures, and Rural America*, 2006.

SNAP LIMITATIONS

SNAP limitations begin at where they can be claimed. When one considers a low-income family, they must consider their location and their assets. Low-income families must first locate a qualifying grocery store and then find a mode of transportation, which causes the family to limit the amount of trips that are made to the grocery store and forces them to choose quantity over quality foods. Those with poor access to food stores likely travel farther to shop for their groceries or rely solely on stores with fewer choices or higher priced foods. This results in poor access to foods such as fruits and vegetables, whole grains, lean meats, and low-fat dairy products.¹⁶ These shortages could lead to poor diets and health conditions. Low income neighborhoods in inner cities are less likely to have access to healthy, fresh, and affordable food choices.¹⁷

Store access is not the only problem that low-income families face. SNAP participants surveyed by the United States Department of Agriculture (USDA) reported to be even more sensitive to food price than to food store access.¹⁸ A survey on living conditions found that 25% of low-income households reported buying cheaper foods due to economic problems, nine percent feared that they would run out of food because of economic reasons, 11% experienced running out of food because of economic reasons, and 3%

¹⁶ Ploeg, M. V., and Rankovsky, I., “Recent Evidence on the Effects of Food Store Access on Food Choice and Diet Quality”, *United States Department of Agriculture Economic Research Service*, 2016, [Ers.usda.gov](https://ers.usda.gov)

¹⁷ Nguyen, B. T. et al, “The Supplemental Nutrition Assistance Program, Food Insecurity, Dietary Quality and Obesity Among U. S. Adults”, *American Journal of Public Health*, 2015, 1453-1459.

¹⁸ Ploeg, Michele Ver and Ralston, Katherine, “Food Stamps and Obesity: What We Know and What it Means”, *United States Department of Agriculture Economic Research Service*, June 01, 2008, <https://www.ers.usda.gov/amber-waves/2008/june/food-stamps-and-obesity-what-we-know-and-what-it-means/>

had reported having too little food because of a lack of money.¹⁹ Fears of not having enough food are what cause people to sacrifice the quality of food that they buy to attempt to ensure they have enough.

Quantity over quality is often a choice that low-income households make regarding food and this is how the SNAP program begins its ties with obesity. People in food insecure households try to compensate for nutrition by choosing cheaper alternatives that are nutritionally poor and calorically dense, they reduce the amount of fruits and vegetables they consume and increase the amount of fat they consume.²⁰ Obese people are more likely to report buying cheaper food and having fears or experiences of running out of money to buy food, reducing the quality of their diet.²¹ Food insufficiency is associated with the consumption of fewer than five fruits or vegetables daily.²² Dietary intake of 2,200 calories calls for three servings of fruit as well as four servings of vegetables daily.²³ In any given week, approximately 19% of all low-income households bought no fruits and vegetables, and those that do splurge for the fruits and vegetables still spend on average approximately one dollar and forty-three cents less per person per week on

¹⁹ Sarlio-Lahteenkorva, S., and Lahelma, E., "Food Insecurity is Associated with Past and Present Economic Disadvantage and Body Mass Index", *The Journal of Nutrition*, 2001, 2880-2884.

²⁰ Seligman, Hilary K. et al, "Food Insecurity is Associated with Diabetes Mellitus: Results from the National Health Examination and Nutrition Examination Survey 1999-2002", *Society of General Internal Medicine*, 2007, 22 and 1018-1023.

²¹ Sarlio-Lahteenkorva, S., and Lahelma, E., "Food Insecurity is Associated with Past and Present Economic Disadvantage and Body Mass Index", *The Journal of Nutrition*, 2001, 2880-2884.

²² Lyons, A.-A., Park, J., and Nelson, C. H., "Food Insecurity and Obesity: A Comparison of Self-Reported and Measured Height and Weight", *American Journal of Public Health*, 2008, 751-757.

²³ Reed, J., Frazao, E., and Itskowitz, R., "How Much Do Americans Pay for Fruits and Vegetables", *United States Department of Agriculture Economic Research Service*, 2004, Ers.usda.gov

fruits and vegetables.²⁴ Low-income families are aware that as well as costing more than processed foods, fresh produce can go bad in a few days and will need to be thrown out if not consumed in time. Keeping in mind that benefits are only distributed monthly and most families have limited access to grocery stores, it is not surprising that there is a link between SNAP and obesity.

These food choices that adults make are mimicked by children. As the concerns about food adequacy of the adults of the household escalate, adjustments to food management take place and these bad habits are transferred from older house members to younger members.²⁵ Research done by the University of Minnesota's School of Public Health in public school cafeterias found that school-aged children changed their purchases when the prices of unhealthy snacks were lowered and prices of healthy snacks were raised.²⁶ Children who did not have a home-made lunch and had to purchase their lunch had a higher rate of obesity than children who packed a lunch.²⁷ Children mimicking adult's decisions to choose quantity over quality because of price will continue the trend of low-income families suffering from obesity.

These children who cannot pack a nutritional lunch from home are at a greater risk of food insecurity during the summer months when the school

²⁴ Blisard, N., Stewart, H., and Jolliffe, D., "Low-Income Households' Expenditures on Fruits and Vegetables", *United States Department of Agriculture Economic Research Service*, 2004, Ers.usda.gov

²⁵ Lyons, A.-A., Park, J., and Nelson, C. H., "Food Insecurity and Obesity: A Comparison of Self-Reported and Measured Height and Weight", *American Journal of Public Health*, 2008, 751-757.

²⁶ Todd, Jessica E. and Li, Biing-Hwan, "What Role Do Food and Beverage Prices Have on Diet and Health Outcomes", *United States Department of Agriculture Economic Research Service*, 2012, <https://www.ers.usda.gov/amber-waves/2012/september/what-role-do-food-and-beverage-prices/>

²⁷ Tolbert-Kimboro, Rachel and Rigby, Elizabeth, "Federal Food Policy and Childhood Obesity: A Solution of Part of the Problem?", *Health Affairs*, 2003, 411-418.

is not able to provide them with a lunch. Food insecurity, even without evidence is associated with adverse health outcomes in young children. These low-income children are significantly more likely to display poor health results and be hospitalized.²⁸

ADVERSE HEALTH OUTCOMES CAUSED BY OBESITY

Food insecurity and hunger are the cause of a variety of poor health outcomes. Food insecure people are 11% more likely to be in general poor health than food secure persons (n = 6,857), 25% more likely to be in poor functional health (n = 8,691), 15% more likely suffer from multiple chronic conditions (n = 23,390), 11.8% to suffer from major depression (n = 2,965), 21.9% are more likely to report being under distress (n = 7,486), and 9.1% more likely to report having a poor social support network (n = 7,486).²⁹ These are just a few of the many chronic conditions in which are exasperated by food insecurity. It is easy to believe that food insecurity is linked with increased stress-levels and reduced overall well-being.³⁰ Those who are food insecure suffer more daily hardships than those who are secure.

Food insecure persons deal with a greater amount of stressors in their life. Environmental adversity, disadvantages, and stressful events associated with low socio-economic status are known to contribute to the onset of depression symptoms, which can cause a cascade of problems for food

²⁸ Cook, J. T. et al, "Food Insecurity is Associated with Adverse Health Outcomes Among Human Infants and Toddlers", *The Journal of Nutrition*, 2004, 1432-1438.

²⁹ Vozoris, Nicholas T. and Tarasuk, Valerie, "Household Food Insufficiency is Associated with Poorer Health", *The Journal of Nutrition*, 2003, 120-126.

³⁰ Nguyen, B. T. et al, "The Supplemental Nutrition Assistance Program, Food Insecurity, Dietary Quality and Obesity Among U. S. Adults", *American Journal of Public Health*, 2015, 1453-1459.

insecure individuals.³¹ There is evidence that low socioeconomic status can lead to psychosocial stress, which promotes central obesity through the psychoendocrinological pathways. Food deprivation has the possibility of resulting in a variety of behavioral and cognitive changes, including a preoccupation with food and eating.³² Being in a stressed state, as many food insecure low-income individuals are, can cause one to become what is known as an “emotional eater,” a person who consumes increased amounts of fatty and energy-dense foods.³³ Because food insecurity is a stressor, food-insecure persons may choose to cope with this onset of stress by eating uninhibitedly or excessively and thus experience a higher body weight.³⁴ Another common pattern seen by SNAP members stuck in the “food stamp cycle” is binge eating when benefits restore with a new month after an involuntary food restriction when benefits and food ran low or out from the previous month. Binge eating is well-known to result in weight gain.³⁵ Food insecurity and SNAP place people in the “food stamp cycle,” a cycle of periods of food restriction followed by food binging and this causes weight gain, which leads to obesity. Both concurrent and long-term SNAP participation is associated with increased absolute risk of obesity by about

³¹ Kim, K., and Frongillo, E., “Participation in Food Assistance Programs Modifies the Relation of Food Insecurity with Weight and Depression in Elders”, *The Journal of Nutrition*, 2007, 1005-1010.

³² Sarlio-Lahteenkorva, S., and Lahelma, E., “Food Insecurity is Associated with Past and Present Economic Disadvantage and Body Mass Index”, *The Journal of Nutrition*, 2001, 2880-2884.

³³ Lyons, A.-A., Park, J., and Nelson, C. H., “Food Insecurity and Obesity: A Comparison of Self-Reported and Measured Height and Weight”, *American Journal of Public Health*, 2008, 751-757.

³⁴ Kim, K., and Frongillo, E., “Participation in Food Assistance Programs Modifies the Relation of Food Insecurity with Weight and Depression in Elders”, *The Journal of Nutrition*, 2007, 1005-1010.

³⁵ Townsend, M. S. et al, “Food Insecurity is Positively Related to Overweight in Women”, *The Journal of Nutrition*, 2001, 1738-1745

2% and 4.5%, respectively.³⁶ The average BMI of a person from a food-insecure household is 2.6 points higher than the average BMI of a person from a food-secure household, a statistically significant number. Food-insecure households see a 37% obesity rate, compared to a much lower, 26% obesity rate for food-secure households.³⁷ The “food stamp cycle” seems to be causing obesity when the numbers are examined.

THE COST OF OBESITY

Obesity is a medical condition that requires care and treatment by professionals with pricy bills and prescription costs. In 2008, the cost of medical obesity care was 147 billion dollars, approximately 10% of all medical spending done in the United States. Obesity has both direct costs, as well as opportunity costs. The direct costs associated with obesity include: counseling, surgery, and medication. Opportunity costs include: missed days of work, quality of life issues, as well as related health problems. Economists have used a model to demonstrate that the obese people had a 36% higher average annual health care cost compared with a healthy-weight group; this includes 105% higher prescription costs and 39% higher primary care costs.³⁸

³⁶ Frongillo, E. A., “Understanding OBesity and Program Participation in eh Context of Poverty and Food Insecurity”, *The Journal of Nutrition*, 2003, 2225-2231.

³⁷ Olson, C. M., “Nutrition and Health Outcomes Associated With Food Insecurity and Hunger”, *The Journal of Nutrition*, 1999, 5215-5245.

³⁸ Ma, A., McCabe et al, “Changing Enviroment, Engaging Community: An Effective, Feasible Approach to Childhood Obesity” *Brown University's Tuabman Center for Public Policy and American Institutions*, 2013.

PREVIOUS CHANGES AND STUDIES OF SNAP

Leading experts and policy makers seem to realize that there is a problem with SNAP, as they have attempted to make changes to modify it; however, the appropriate changes have not been made. The American Recovery and Reinvestment Act (ARRA) of 2009 expanded the eligibility of SNAP to stimulate the economy. ARRA increased the benefits of households by 13.6% and gave benefits to jobless individuals who did not belong to a household with children. These changes in the food welfare program did result in changes in participation which could suggest that ARRA SNAP enhancements improved food security among low-income households during a period of tough economic conditions; however, they could also simply be seen as inflation-adjusted food spending. SNAP expansions were intended to stimulate the economy, create and save jobs, as well as improve the food security of low-income households; once again, the policy makers did not consider the health implications that could be caused by these sorts of changes.³⁹ This is an example of how different experts will need to work together to solve this problem.

A separate attempt at solving the SNAP obesity problem was a USDA pilot study called the Healthy Incentives Pilot (HIP) in 2011-2012. HIP allowed SNAP participants a 30 cent bonus for every dollar of SNAP benefits that were spent on fruits and vegetables. HIP resulted in spending 11% more on fruits and vegetables and approximately a 25% increase in fruits and vegetables consumption. These increases bring SNAP participants 17% closer to the Healthy People 2010 objectives that HIP was designed to

³⁹ Nord, M., & Prell, M., “*Food Security of SNAP Recipients Improved Following the 2009 Stimulus Package*”, *United States Department of Agriculture Environmental Research Service*, 2015, Ers.usda.gov

meet.⁴⁰ HIP seems to be a step in the correct direction, until one realizes that the numbers are likely low and not meeting goal standards because many of SNAP participants, low-income households, are located in regions where access to healthy food is less available than other regions, even completely inaccessible in some places. SNAP participants also still only receive their benefits monthly, which maintains a fear of fresh food because its expiration date will likely come before benefits are redistributed. The USDA is not solving the problem of SNAP's connection to obesity, but they are at least considering the health of the participants.

Currently, the USDA is investigating behavioral economic research to investigate how in-store prompts, such as the placement and availability of items such as shopping carts and the visibility, coloring, and placement of signage, encourage healthy choices in a grocery store. If this is seen as successful, it could be another correct step towards lowering SNAP-related obesity, but it is doubtful that something like this could solve the problem.

There is not enough research conducted on SNAP based upon all of the negative health outcomes that can be caused by food insecurity. The reason behind the lack of improvements is the sensitivity of the subject matter. For some people, SNAP is the only benefit that goes towards feeding a family. For example, many have suggested "food bans," that would limit what kinds of products that people could buy using their snap benefits (i.e. no fatty or sugary foods), but when the amount of food restrictions and allergies that are possible are considered, there is a chance that a person could lose too much of their calorie intake. Food bans are also opposed by policy makers because criteria for banning food would have to be developed. Also, even if a ban could be established that would not jeopardize any

⁴⁰ Kennedy, Eileen and Guthrie, Joanne F., "Nutrition Assistance Programs: Cause or Solution to Obesity", *Springer Science*, 2016, 176-183.

participants health, a consumer response would need to be sufficient enough to reduce the caloric intake to truly see a change in obesity.⁴¹ Finding a fix to SNAP that would be effective, yet not detrimental to the health of any of the participants is a challenge. It is a complicated, as well as sensitive subject.

The sensitivity of the subject matter being reported also creates a challenge in devising new studies to even evaluate the extent to which SNAP needs to be revised. Much of SNAP data is self-reported, which likely biases study results. For example, SNAP asks users how they spent their benefits and what they consumed. A family may be unwilling to admit that they purchased and consumed unhealthy, calorie-dense foodstuff and report that they consumed a healthier option, such as fruits and vegetables, out of fear of losing their benefits. Regardless of what they report, the high-calorie foods that are consumed by the participants lead to poor diet quality and a rise in the rate of obesity.⁴² Measuring obesity is also a problem. BMI is measured with height and weight, but it is self-reported. It is not uncommon for many people to lie on a report and claim a taller height and a lower weight for a variety of reasons, including a simple attempt to conform to social standards. Misreporting of BMI is particularly common in the elderly, a group very likely to be considered low-income and qualified for SNAP benefits. The elderly often do not purposefully misreport their height and weight, but simply report the height and weight of their “adult-self” rather than their “elderly-self,” this also results in a miscalculation of BMI. Self-reporting complicates efforts to change SNAP because it hinders the ability for accurate data to be collected.

⁴¹ Ibid.

⁴² Todd, Jessica E. and Li, Biing-Hwan, “What Role Do Food and Beverage Prices Have on Diet and Health Outcomes”, *United States Department of Agriculture Economic Research Service*, 2012, <https://www.ers.usda.gov/amber-waves/2012/september/what-role-do-food-and-beverage-prices/>

SNAP CHANGES ARE DESPERATELY NEEDED

With 45 million participants, SNAP has the potential to influence the diets of many Americans. Of these participants, 47% are children. However, SNAP's beneficiaries promote a low-intake of nutritious food among children, which represents a significant missed opportunity to promote a healthy lifestyle in an important stage of life.⁴³ It is clear that changes need to be made to SNAP, but these changes must not further disadvantage an already vulnerable group.⁴⁴ SNAP is already an expensive program to run and this is before the medical costs of the program induced obesity is considered. If the problems of obesity are not addressed nationally, its costs, both social and economic, will only increase.⁴⁵ It is in the entire nation's best interest to develop proposals that consider both the health of the participants and the economic cost.

THE PROPOSAL

It is clear that a solution needs to be found to the rising obesity crisis that appears to be caused by SNAP benefits and the way in which they are distributed. There needs to be more options for those who require SNAP benefits to survive. SNAP participants, especially those with children, who continue to choose healthy options, such as consuming fruits and vegetables,

⁴³ Leung, Cindy W. et al, "Associations of Food Stamp Participation with Dietary Quality and Obesity in Children", *Pediatrics*, 2013, 463-472.

⁴⁴ Aldhous, P., "Food Stamps Could Help US Trim Obesity Epidemic", Retrieved from *New Scientist*, 2013, <https://www.newscientist.com/article/dn23978-food-stamps-could-help-us-trim-obesity-epidemic/>

⁴⁵ Ma, A., McCabe et al, "Changing Environment, Engaging Community: An Effective, Feasible Approach to Childhood Obesity" *Brown University's Tuabman Center for Public Policy and American Institutions*, 2013.

should be rewarded. Most importantly, there needs to be a change in the frequency in which benefits are distributed.

It is possible that a household that qualifies and requires SNAP benefits to survive may not live near a grocery store that accepts EBT cards. This is a serious problem. A radius, no larger than approximately five miles, should be created to require at least one grocery store to accept the SNAP benefits. Additionally, the majority of grocery stores—if not all grocery stores, should be required to accept SNAP benefits for basic grocery items that are required for survival, such as bread, milk, and eggs.

Healthy behavior should also continue to be rewarded. It has been proven that when the participants are offered a reward for choosing healthy options, such as fruits and vegetables, many purchase and consume more of these important food groups. This could help to shift participants purchases away from “junk” food and towards healthier options in a permanent way. This is especially important for households containing children who will hopefully continue to choose the healthy options into adulthood.

The most important change that needs to take place is the changing of the frequency in which the benefits need to be distributed. Currently, benefits are uploaded onto participants’ EBT cards monthly. This is problematic, as it can encourage participants to only purchase grocery items once a month. Items that are purchased in a monthly manner are not fresh produce, they are processed foods with a long expiration date and a high calorie and fat content. However, if benefits are uploaded on a biweekly basis (half of the original amount at the beginning of the month and the remainder two weeks later) instead, this will force participants to have to do their grocery shopping more frequently, which will make it more likely for them to purchase fresh produce, such as fruits and vegetables. Biweekly benefits could also work to

eliminate the “food stamp cycle.” This is the most important change that needs to take place.

This proposal, which includes increasing access to grocery stores, continuing to reward healthy behavior, and changing the frequency in which the benefits are distributed, may be successful. If participants are encouraged to go to the store more often and to have easier access to use their benefits, they may be more likely to purchase healthier options. This behavior can be further encouraged by rewarding choosing healthy options. These methods help reduce obesity connected to SNAP benefits.

Part 4

Foreign Policy & National Security

FIGHTING A HIDDEN BATTLE FOR THE SOUTH CHINA SEA: RUSSIA'S STRATEGIC AGENDA FOR PARTICIPATING IN THE SOUTH CHINA SEA DISPUTES

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With its abundance of natural resources and valuable trading routes, the South China Sea has become a location of much controversy. While states like China, Vietnam, the Philippines, Taiwan, Indonesia, and Malaysia dispute ownership and travel rights for this region, Russia – a country with no territorial claims and little trade passing through these waters – has surprisingly decided to partake in some political actions surrounding the South China Sea. The United States has been pushing for freedom of navigation through these waters and is defending its weaker allies in this region from an aggressive Chinese government who is building militarized islands in the South China Sea. Russia, on the other hand, is using the South China Sea as an opportunity to push its own agenda: regain its once renowned Soviet Union status and heavily decrease United States influence around the world. This paper analyzes the reasoning for Russia's recent political actions in the South China Sea and attributes them to Russia's desire to minimize United States influence in the region. Most notably, this paper investigates why Russia has started joint military exercises with China in the South China Sea, began an alliance with the Philippines and is discussing joint naval exercises with the Philippines, and started planning for the installment of Russian military bases in Vietnam, Cuba, and other areas around the South China Sea. This paper also draws parallels to other events involving the United States and Russia, including Russia's annexation of Crimea in 2014.

INTRODUCTION

International politics is a struggle for power among states. As states grow and develop, they seek to gain even more power until they can dominate their neighbors, their region, and eventually the rest of the world. In the meantime, however, the modern world has been shaped by a multipolar order. In the west, the United States has become the main stronghold, and in the east, China dominates while Russia continuously tries to claw its way back to its once renowned Soviet status. Contrary to China's use of soft power methods (such as obtaining global economic influence through extensive trade relations), Russia has taken a more aggressive approach to obtaining power such as the use of military strength (the invasion of Georgia in 2008 and the annexation of Crimea in 2014). Following the international relations theory of realism, Russia has vied for power by allying itself with China in opposition of an even greater power: the United States. As Russia continues to counter U.S. dominance, the most recent controversy is Russia's decision to support China in the disputes over the South China Sea. While Russian exports and imports thrive from the massive trade highway, which is the South China Sea, it seems rather illogical that Russia would choose to side against free trade in that region. This paper argues that Russia's increasing involvement in the South China Sea is due to Russia's desire to reduce U.S. influence and dominance around the world.

The South China Sea is part of the Pacific Ocean, covering the waters from the Karimata Strait to the Strait of Taiwan. This important waterway is a massive trade highway with roughly five trillion dollars worth of traded goods passing through this region each year (equating to

about one-third of all the world's shipping).^{1 2} Additionally, these waters are rich in fish and potential oil and gas reserves.³ With so much at stake, several states surrounding the South China Sea—including China, Vietnam, the Philippines, Taiwan, Malaysia, and Indonesia—are in heated disputes over the ownership and rights of access to the sea and its islands.

China in particular is playing aggressive as it is putting claim to 95% of the waters in the South China Sea.⁴ Despite the Hague Ruling in July 2016, which ruled that China has no grounds to claim these islands and reefs, China continues to pursue control over the South China Sea, refusing to accept the court's decision.⁵ Making the situation even more complicated, China has recently started building artificial islands in the South China Sea. Furthermore, military facilities are being built by China on these man-made islands. These actions violate the spirit of the non-militarization pledge that President Xi Jinping implied during his visit to the United States as well as the letter of the Declaration of Conduct of Parties in the South China Sea that was signed by China in 2002.⁶

The United States, although not directly involved with territorial claims, is pushing for freedom of navigation in the South China Sea. The

¹ CNBC.com, Justina Crabtree; Special to. "Why South China Sea Disruption Could Have 'gigantic' Consequences for Global Trade." *CNBC*. CNBC, 19 July 2016. Web.

² McDowell, Robin. "A Look at the Top Issues at Asian Security Meeting." *HighBeam Research - Newspaper Archives and Journal Articles*. AP Worldstream, 21 July 2011. Web.

³ Pennington, Matthew. "Recent Developments Surrounding the South China Sea." *Fox News*. FOX News Network, 15 Jan. 2017. Web.

⁴ Litovkin, Nikolai, and Rbth. "Russia Could Gain from Backing China in South China Sea Disputes - Experts." *Russia Beyond The Headlines*. N.p., 08 Sept. 2016. Web.

⁵ Ibid.

⁶ Parameswaran, Prashanth. "The Truth About China's New South China Sea Drill Proposal with ASEAN." *The Diplomat*. The Diplomat, 17 Oct. 2015. Web.

United States also feels it must defend its other allies in the region by preventing the Chinese military build-up on the artificial islands. While the United States has challenged China by sending warships close to these islands, the talk of China denying access to these features could significantly raise the risk of confrontation. From China's point of view, however, they need to enhance the building up of strategic forces, including the construction of reefs and islands, in order to prevent outside (United States) influence in that region.⁷ China contends that 80 percent of its crude oil imports come through the South China Sea, and if the United States controls the waters, it would be a major blow to China.⁸

Russia, on the other hand, has relatively little interest in the physical region constituting the South China Sea as most of its exports do not pass through this region.⁹ However, Russia has many allies fighting over these waters including Vietnam, China, and most recently, the Philippines. Russia also sees the South China Sea as another opportunity to limit United States dominance and influence.

RUSSIA MAKES THE FIRST MOVE

Russia's involvement in the South China Sea has historically been marginal. Since its withdrawal in the early 2000s from Cam Ranh Bay—a bay in Vietnam seen as a historical military standpoint—Russian military presence in the area has been scarce. In general, Russian leaders have not expressed much interest in the ongoing sovereignty disputes. In

⁷ Pennington, Matthew. "Recent Developments."

⁸ Ibid.

⁹ Tsvetov, Anton. "Russia's Tactics and Strategy in the South China Sea." *Asia Maritime Transparency Initiative*. N.p., 01 Nov. 2016. Web.

particular, Russian interest in regional affairs has been weak due to Russia's desire to maintain bilateral relations with Northeast Asian States and Vietnam.⁶ For these reasons, Russia has usually taken an explicitly neutral stance on the maritime disputes in the South China Sea. The Russian Government has repeatedly stated that Russia does not take any sides on sovereignty issues, supports a diplomatic solution, non-use of force, and adherence to international law including the United Nations Convention on the Law of the Sea (UNCLOS) and the 2002 Declaration on Conduct.¹⁰

It would seem that overall, Russia has no territorial claims, no major economic interests, and no need to dabble in the South China Sea. In fact, awareness of the Russian population about the politics of the South China Sea is extremely low.¹¹ Still, Russia decided to act. In September 2016, Russia and China started their routine naval drill off the coast of China. Although this was the fifth naval drill between Russia and China since 2012, it was the first to take place in the South China Sea.¹²

Russian officials tried to point out that although Russia did carry out drills with China in the South China Sea, these drills were held off the coast of Guangdong and far away from any disputed area.¹³ Although this may be true, the decision for Russia to have these drills during such a heated time and in the location of the ongoing controversy is no coincidence. That being said, Russia is not unfamiliar with the sensitivities involved in the South China Sea. With two allies, the

¹⁰ Tsvetov, Anton. "Russia's Tactics."

¹¹ Ibid.

¹² Feng, Huiyun, Daniel R. DePetris, and Lyle J. Goldstein. "The Great Russia-China South China Sea Naval Hook Up (and Why It Matters)." *The National Interest*. The Center for the National Interest, 7 Oct. 2016. Web.

¹³ Parameswaran, Prashanth. "The Truth About China's New South China Sea."

Philippines and Vietnam, both vying against China for territory in the South China Sea, it is no wonder why Russia needed to walk a thin line and why it felt the need to defend itself in the first place.

These joint military exercises in the South China Sea came shortly after the Hangzhou Summit, where China made it clear that Russian President Vladimir Putin was a top guest. Following this summit, China and Russia declared that their bilateral relations are the “best ever” and demonstrate an “unprecedentedly high level of trust.”¹⁴ This may be true, but most likely it is not. Russian and Chinese interests have rarely seen eye-to-eye. For example, take Central Asia – a territory rich in oil and gas, but also home to many ethnic Russians. China invested in pipelines and infrastructure in Central Asia which undermined the Russian energy monopoly, but more importantly greatly expanded China’s sphere of influence in Central Asia.¹⁵ In fact, recently, Xi Jinping’s “One Belt, One Road” policy aims to expand further into Central Asia – a gesture that Vladimir Putin will not welcome easily.¹⁶ Additionally, China has expanded its lands into Russia’s Far East region, which has literally turned into “New Beijing” as many Chinese families and workers have immigrated to the region bringing with them their culture, customs, and Chinese loyalty.¹⁷ Taking these reasons plus the fact that Russia’s economy is highly dependent on China (especially after

¹⁴ Thayer, Carlyle A., Daniel R. DePetris, and Lyle J. Goldstein. "Does Russia Have a South China Sea Problem?" *The National Interest*. The Center for the National Interest, 27 Sept. 2016. Web.

¹⁵ Mankoff, Jeffrey. *The Return of Great Power Politics*. New York: Council on Foreign Relations, 2012. Print.

¹⁶ Thayer, Carlyle A., Daniel R. DePetris, and Lyle J. Goldstein. "Does Russia."

¹⁷ Nezavisimaia gazeta. 2011. "Kitaitisy vkladyvaiut v rossiiskie regiony bolshe, chem Moskva" (Chinese Are Pushing into the Russian Regions More Than Moscow)

Russia's rebalance with the Asia-Pacific, Russia is exporting its natural resources and importing Chinese finished goods), it is hard for one to truly believe that Russo-Chinese relations are really at an all-time high, at least from Russia's perspective.

Nevertheless, Russia seeks to regain its once renowned Soviet status. After the fall of the Soviet Union, Russia has been trying everything possible to gain dominance over the United States and ultimately to obtain global hegemony. Utilizing international relations theories, one can see that Russia's acts with the South China Sea are all aimed at achieving this goal. While Russia is currently weak compared to its strong Chinese neighbor, Russia has decided to team up with China in an effort to balance powers against the United States. This becomes tricky in the South China Sea incident, however, since Russia must also tend to its other allies in the region including the Philippines and Vietnam. For this reason, Russia has tried to exclaim its "friendship" with China, while still staying borderline on issues that can create trouble among its existing allies. For these reasons, Russia has played its cards such that it can counter the United States with joint naval drills in Guangdong, while also exclaiming to Vietnam and the Philippines that Russia is still a neutral party in the South China Sea.

The reality of the situation is, as the Financial Times put it, "The naval drill can be seen as a sign of increasingly tight ties between the world's second and third largest militaries as they seek to counter United States influence in that region."⁹ These joint naval drills arguably benefit both Russia and China strategically. For China, these drills signify Russian support for China in the South China Sea, while giving the Chinese navy the opportunity to explore new waters and gain experience

through joint exercises. For Russia, on the other hand, these drills follow Putin's policy of pivoting towards Asia.¹⁸ The pivot was put in motion following the Ukraine Crisis, where Western sanctions pressured Russia to find new trading partners. This led to the May 2014 signing of a record number of bilateral agreements between Russia and China, including a natural gas deal called "The Power of Siberia," which exported 38 billion cubic meters of natural gas to China annually.¹⁹ Overall, the Russians have no real interest in the South China Sea, and they would not be holding joint military exercises there if not for the fact that China is so influential in Russia's countering of the United States and in Russia's resurgence both economically and politically on the world stage.

RUSSIA STEALS A MAJOR UNITED STATES ALLY

Despite Russia's lack of territorial claim in the South China Sea, Russia felt the need to conduct its joint military exercises with China in the South China Sea. When asked by reporters, President Vladimir Putin said that Moscow supports China's stance on the South China Sea court dispute and opposes any third-party interference. He says,

We of course have our own opinion on this matter. It is that, first of all, we do not interfere and we believe that any intervention of a non-regional power goes only to the detriment of settling these issues. The intervention of third-party non-regional powers, in my opinion, is harmful and

¹⁸ Thayer, Carlyle A., Daniel R. DePetris, and Lyle J. Goldstein. "Does Russia?"

¹⁹ Filippov, Dmitry. "What Happened to Russia's 'pivot to Asia'?" *East Asia Forum*. East Asia Forum, 19 May 2016. Web.

counterproductive.²⁰

The real kicker in this act comes from Russia's desire to directly prevent the United States from getting involved. Russia wants to limit U.S. dominance around the world in any way possible. Does Russia really believe that the intervention of third-parties in the South China Sea disputes is wrong?

This question is challenged intensely with the most recent developments in the South China Sea, where Russian ships are now considering conducting joint military exercises with the Philippines, a long-time loyal partner to the United States.²¹ Russia is trying to hide the meaning of these exercises, stating that their goal is to fight maritime piracy and terrorism. However, Russia is not just interested in joint naval exercises. Speaking at Manila Harbor in January 2017, the leader of Russia's Pacific Fleet, Admiral Eduard Mikhailov, attempted to persuade the Philippines to join forces with Russia. He stated, "You can choose to cooperate with the United States of America or to cooperate with Russia."²²

Currently, the Philippines is underequipped and underfunded, leading the country's defense force to struggle in defending itself from Jihadist terrorist groups. From this standpoint, there is some truth to Russia's claims of fighting piracy and terrorism. However, the timing of this gesture in relation to the incidents in the South China Sea leave one to be suspicious. Russia's spontaneous interest in helping the Philippines

²⁰ "Russia Supports China's Stance on South China Sea." *Sputnik International*. N.p., 05 Sept. 2016. Web.

²¹ Fernando, Gavin. "Russia's Big Offer to the Philippines." *NewsComAu*. N.p., 05 Jan. 2017. Web.

²² Ibid.

came shortly after the longstanding close ties between the Philippines and the United States hit an obstacle. In October 2016, the controversial Filipino leader, Rodrigo Duterte, shocked the world after he announced a major shift in alliances away from the United States. In a hall of Chinese and Filipino business people, he stated that “In this venue, I announce my separation from the United States.”²³ He continued by saying how “America has lost” and that he has “realigned himself with China’s ideological flow.”²⁴

The Philippines, a former American colony, had for decades been one of the United States’ most important allies in Asia. The two countries are even bound by a mutual defense pact.²⁵ However, Duterte, a self-described socialist, has tried to dramatically shift the Philippines’ foreign policy and military alliances away from the United States and towards China and Russia. He made multiple threats to downgrade and even end military ties with the United States. Additionally, Duterte halted many traditional war games held between the United States and the Philippines, and has stated that he wants all American troops to leave the Philippines.²⁶ As Duterte is excitedly trying to forge closer ties with China and to burn bridges with the United States, it is clear why Russia decided to capitalize on this opportunity to steal a U.S. ally.

By allying with the Philippines and discussing joint naval exercises, Russia is directly going against the very precedent it tried to set. Russia’s belief in minimizing third party interference in the South

²³ Ibid.

²⁴ Ibid.

²⁵ France-Presse, Agence. "WATCH | Russia Flags War Games with US Ally PH, and S. China Sea Joint Drills with Claimants." *InterAksyon.com*. N.p., 3 Jan. 2017. Web.

²⁶ Ibid.

China Sea was all just another opportunity for Russia to limit the United States' sphere of influence in that region. The Russian ambassador Igor Anatolyevich Khovaev held a news conference in which he directly acknowledged the Philippines' intentions of diversifying its foreign partners. He stated,

It's not a choice between these partners and those ones. Diversification means preserving old traditional partners and getting new ones. So Russia is ready to become a new reliable partner and close friend of the Philippines.¹⁴

Without explicitly stating the words "United States," Khovaev stated that, "We don't interfere with your relations with your traditional partners and your traditional partners should respect the interest of the Philippines and Russia."²⁷

Russia has found a way to once again undermine U.S. influence around the world by capitalizing on the opportunity to ally with the Philippines. As this change of heart comes at a crucial time in the South China Sea events, this alliance also gives the United States one less reason to partake in defending the South China Sea. Once again, referencing Russia's previous policy of no third party interference, it becomes quite clear that Russia has alternative motives. For these reasons, Russia's alliance with the Philippines was a strategic maneuver to limit the United States.

²⁷ Fernando, Gavin. "Russia's Big."

RUSSIA REOPENING HISTORICAL MILITARY BASES ALONG THE SOUTH CHINA SEA?

In a time when the South China Sea disputes are headline news, Russia is considering reopening military bases along the coastline of the South China Sea. In the early 2000s, Russia decided to scale back its global military presence. This resulted in the closing of bases at the Lourdes signal intelligence station in Cuba and Vietnam's Cam Ranh Bay naval base, a deep-water harbor located along the South China Sea.²⁸ However, according to *The Diplomat*, during October 2016,

“a senior Russian defense official [Deputy Defense Minister Nikolai Pankov] made headlines when he was reported as indicating that Moscow was considering plans to reopen key bases it had during the Cold War, including in Vietnam and Cuba.”²⁹

This plan to restore naval bases was later confirmed in November 2016 when the Russian defense ministry announced that Moscow is considering restoring Soviet-era military bases in Vietnam and Cuba.³⁰ Additionally, there is discussion in Moscow about negotiating with Egypt to lease military bases outside its borders in four countries including Armenia, Kyrgyzstan, Tajikistan, and Syria.³¹

If Russia were to succeed in opening new bases in the South China Sea, the Caribbean, and in the southern Mediterranean Sea, Russia would be able to assert major pressure in the South China Sea disputes.

²⁸ Parameswaran, Prashanth. "A Vietnam 'Base' for Russia?" *The Diplomat*. The Diplomat, 15 Oct. 2016. Web.

²⁹ Ibid.

³⁰ Lukin, Artyom. "Will a Russian Naval Base Appear in the South China Sea?" *East Asia Forum*. East Asia Forum, 02 Nov. 2016. Web.

³¹ Ibid.

Shockingly, Russia has yet to say exactly why they have decided to open up these new bases, but the answer is quite apparent: it expands Russia's ability to project power in these key regions located in and around the South China Sea.

As previously stated, Russia has little to gain in the South China Sea in terms of territory or trade routes. Instead, Russia is using all of its will to create powerful alliances among key states like China and the Philippines, which will help Russia's resurgence in the world order. In particular, Russia sees the South China Sea disputes as an opportunity to be China's only ally in an ongoing controversy in which it was already ruled against at the International Court of Justice.³² By showing deep commitment to siding with China on this ruling, Russia is building the ties it needs to someday regain its powerful Soviet status. By installing military bases around the area surrounding the South China Sea, Russia is showing China that it is loyal and ready to help. All of this links right back to Russia and China's mutual desire to counter U.S. influence around the world. With the expansion of NATO and the continued dominance of the United States, Russia and China have decided to balance powers against the United States – a classic act of realism in international relations theory.

During this process, Russia maintains this ambiguous, low-profile strategy to show its support, but to not anger its other allies in the region. This comes from Russia's core desires to not take sides, but yet to still maintain an image of power, reach, and independence. However, one could argue that this ruse will not be able to hold up for long as Russia's increased military presence along with the forging of new ties with the

³² Litovkin, Nikolai, and Rbth. "Russia Could Gain."

Philippines and China will no doubt stir up the historical relationship that Russia has with Vietnam. For one thing, Vietnam felt the heat from the United States when Russia was pushing for access to Vietnam's Cam Ranh Bay in March 2015.³³ If Vietnam were to return the favor to Russia, Russia could face severe diplomatic and reputational damage. For these reasons, Russia is being very careful to walk a thin line in order to prevent any major confrontation with its own allies. Nevertheless, Russia's risks in the South China Sea disputes are tremendous, but Putin is capitalizing on this opportunity to counter the United States, and so far, it is working.

THE FUTURE OF THE SOUTH CHINA SEA

Russia's constant aggression comes from the 1991 dissolution of the Soviet Union, which was due largely to the United States. As Russia seeks to regain its once powerful Soviet Status, it sees the United States as a major obstacle. As can be seen with events like the invasion of Georgia in 2008 and the annexation of Crimea in 2014, Russia is not afraid to push the United States' buttons.

The annexation of Crimea was a disaster for the United States, who failed to protect Ukraine from Russia. The United States' decision to handle the situation by placing sanctions on Russia was weak and not effective. Russia simply pivoted to Asia as a new customer for Russian oil and natural gas. This not only allowed Russia to continue with its annexation of Crimea, but it also forged an even stronger tie between

³³ Parameswaran, Prashanth. "The Limits of Russia-Philippines Military Relations." *The Diplomat*. The Diplomat, 05 Jan. 2017. Web.

China and Russia. Russia has historically placed great emphasis on power politics, utilizing hard power methods to gain control. This includes the attainment of nuclear weapons and the boosting of military might in Russia. The only way to deal with a country like Russia is to show the same military might as Russia. In the case of the annexation of Crimea, it was widely considered wrong for the Russia military to line the borders of Ukraine. Not many expected a full invasion, but the act of Russian military preparation did catch many countries' attentions.

If the United States would have fought back against Russia during the invasion, or at the very least armed Ukrainians with weapons, the outcome would have turned out very differently. Additionally, with that outcome changed, Russia today may not even be part of the South China Sea discussion at all. The construction of militarized islands in the South China Sea is the same button-pushing that happened with Crimea. The Hague ruling made it quite clear that China has no right to ownership of those islands and reefs in the South China Sea. Yet, China keeps following their plans in building artificial weaponized islands. The United States is currently taking a pretty neutral stance in the South China Sea disputes. However, this is not going to work when dealing with Russia and China, two countries, now allies, who have both made it clear they will do what they want when meekly pressured by the United States. The United States needs to support, and more importantly, defend, the Hague ruling. The United States needs to send China a clear signal that they will not put up with China's disobedience. Otherwise, the South China Sea will no doubt become controlled by China and Russia. In which case countries will remember this to be another foolish mistake by the United States, just like the annexation of Crimea.

CONCLUSION

Russia's actions in the South China Sea are going directly against the precedent it had once tried to set. This reality becomes even more apparent when viewing these actions in light of Russia's "no third-party interference" stance and Russia's non-relevance to the geographical location in respect to both territorial claims and trade routes for Russian energy. Arguably, from a regional standpoint, Russia can only lose as it will eventually be forced to choose sides on debates where many of its allies stand at arms. However, in the grand scheme of things, it becomes clear that Russia is not in it for the territory or the trade routes, but rather, they are in it to improve alliances, (whether this be to steal the Philippines from the United States or to team up with a rising power like China), and to ultimately limit U.S. influence around the world.

Despite Russia's outwardly ambiguous agenda, countless events point to Russia's desire to shut down U.S. influence in the South China Sea. These include the joint military exercises with China in the South China Sea, the new alliance with the Philippines and the discussion of joint naval exercises with the Philippines, and the installment of Russian military bases in Vietnam, Cuba, and other areas around the South China Sea. The U.S. government needs to realize that Russia represents a serious threat to the South China Sea with the sole agenda of gaining powerful alliances and decreasing U.S. influence around the world. As Russia tries to claw its way back to its once powerful Soviet status, the United States will need to apply the lessons learned from Crimea to the situations that arise in the coming years over the South China Sea.

Without an assertive, power-focused approach to handling Russia and China, the United States may become the new post-Soviet Russia.

COUNTERTERRORISM IN THE 21st CENTURY: AN ANALYSIS OF TARGETED SANCTIONS BETWEEN 1994 AND 2016

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Across the Clinton, Bush, and Obama administrations, the process of designating and sanctioning terrorist organizations has remained largely the same in spite of changing threats and adversaries. This essay addresses the puzzle of United States terrorist designations through an analysis of counterterrorist sanctions between 1997 and 2017. During the Reagan administration, the war on terror centered on combatting state sponsors of terror in Latin America and the Middle East. The Clinton administration introduced the first formal processes of designating non-state terrorist groups, and established new conceptions of modern terrorism. The Bush administration further refined the terrorist threat, and the Obama administration found itself constrained at times by the patterns established by previous administrations. While the circumstances of each administration differed, each president utilized designation tools similarly, even in light of differing approaches to other aspects of the war on terror. This paper demonstrates that terrorist designation is a function of national security and of constructed ideas of what constitutes a terrorist group. It further argues that the current process of designation, based on previous patterns and characterizations of terrorism, limits the potential decisions of future administrations in combatting terrorism in new ways.

Most scholarly research associates the war on terror closely with the fall of the World Trade Center towers during the Bush administration. During this time, new security-related government departments and the spread of American intervention in the Middle East characterized the new armed conflict. While the attacks on the World Trade Center were the genesis of what we know today to be the global war on terror, the designation of terrorist groups began a decade before that, with the growth of the

counterterrorist sanctions program during the Clinton administration. The war on terror is intimately linked to American ideas of terrorism and, in turn, with the groups that are labeled as terrorist entities according to the American government. In the U.S. government, it is a foregone conclusion that terrorism is the nation's most pressing threat to national security and U.S. interests throughout the world. However, the process through which the executive and his administration determine which groups are terrorist, militant or organized crime organizations is unclear. Some designated groups pose a clear and pressing security threat, while others are smaller, regionally based, and lack the capacity to conduct a large attack, thus calling into question what, if anything, unites designated terrorist groups under one set of characteristics. This paper asks the question: "Who does the president name a terrorist and why?" To answer it, this paper will first trace the origins of the war on terror to the Reagan administration. It will then examine the national security motivations and implications for terrorist designation, and the discursive ways in which the label of terrorism is created and employed. This paper demonstrates that the president designates terrorist organizations both as a tool of national security, as well as a result of preconceived conceptions of the threat of transnational terror.

THE BEGINNINGS OF THE WAR ON TERROR

The war on terror first began during the Reagan administration. After the end of the Cold War, Reagan and the U.S. foreign policy apparatus turned its attention towards a plethora of insurgent conflicts that had formed out of proxy-war factionalism and focused on threats from Latin American

guerrilla groups and burgeoning anti-Western terrorism in the Middle East.¹ During this time, Reagan approached the war as a result of state-sponsored insurgency and imposed sanctions in accordance with the state sponsors of terrorism list in an attempt to punish terrorist states and encourage international action against states that supported terrorism.² The State Sponsors of Terror list proved to be politically untenable and generally ineffective. The impact of economic sanctions on terrorist states served primarily to further weaken the rule of law in those states, thereby furthering the rise of terrorist groups rather than preventing it.³ During George H. W. Bush's administration, the war on terror turned from its dual focus in Latin America and the Middle East to focus primarily on the Middle East, specifically the Gulf states.⁴

Like Reagan and Bush Sr., the Clinton administration characterized terrorism as the United States' primary national security threat. However, unlike the previous two administrations, Clinton shifted bureaucratic structures from a state-based counterterrorist approach to one focused on threats from terrorists as non-state actors.⁵ While the insurgent groups in the Clinton administration looked similar to ones in decades past, newer terrorist groups also used weapons of mass destruction, chemical attacks, suicide

¹ Cole, David. "The New McCarthyism: Repeating History in the War on Terrorism." *Harv. CR-CLL Rev.*, 2003, 38: 1.

² Winkler, Carol. *In the Name of Terrorism: Presidents on Political Violence in the Post-World War II Era*. New York, NY: State university of New York Press, 2006, Chapter IV.

³ Hufbauer, Gary Clyde, Jeffrey J Schott, and Barbara Oegg. "Using Sanctions to Fight Terrorism." Policy Briefs. Washington DC: Peterson Institute for International Economics, 2001.

⁴ Winkler, Carol. *In the Name of Terrorism: Presidents on Political Violence in the Post-World War II Era*. New York, NY: State university of New York Press, 2006, Chapter IV.

⁵ Lim, Elvin T. "Five Trends in Presidential Rhetoric: An Analysis of Rhetoric from George Washington to Bill Clinton." *Presidential Studies Quarterly*, 2002, 32 (2): 328-48.

bombs and biological warfare that became hallmarks of what the administration dubbed “modern terrorism.”⁶

To address this new, non-state threat, the Clinton administration attempted to unify government and international responses to specific groups, rather than against rogue states.⁷ The administration used the Emergency Economic Powers Act to target sanctions at terrorist groups through the Foreign Terrorist Organizations (FTO) and Specially Designated Nationals (SDN) lists.⁸ The Bush administration was in its early days when Al-Qaeda attacked the World Trade Centre. These attacks, the deadliest in the nation’s history, marked the start of the War on Terror as an armed conflict and subsequently the government expanded its approach and capacity to deal with transnational insurgent threats. After these attacks, Bush turned his focus towards the threat of terrorism in earnest, and directed his attention on Al-Qaeda and its affiliates throughout the Middle East. In particular, he drew attention to these terrorist groups and rallied support for the armed conflict through the naming of new terrorist entities in Iraq and Afghanistan.⁹

THE LEGALITY OF THE FTO LIST AND ITS IMPLICATIONS

The process of designating a terrorist group, though often a point of political

⁶ Winkler, Carol. 2006. *In the Name of Terrorism: Presidents on Political Violence in the Post-World War II Era*. New York, NY: State university of New York Press, 2006, 130.

⁷ McLean, E. V., K. H. Hinkkainen, L. De la Calle, and N. A. Bapat. “Economic Sanctions and the Dynamics of Terrorist Campaigns.” *Conflict Management and Peace Science*, March 2016.

⁸ Clinton, William J. n.d. “Executive Order 13099, Prohibiting Transactions with Terrorists Who Threaten to Disrupt the Middle East Peace Process.” Washington, D.C: The American Presidency Project.

⁹ Cole, David. “The New McCarthyism: Repeating History in the War on Terrorism.” *Harv. CR-CLL Rev.*, 2003, 38: 1.

debate throughout the government, is an exclusive function of the executive, State Department and Treasury.¹⁰ Because they are financial sanctions, the FTO and SDN lists are housed at the Department of the Treasury, but are added to by the executive and secretary of state. The Secretary of State is responsible, with the guidance of the executive, for designating all groups listed on the FTO list.¹¹ The executive, treasury or state department can add individuals and entities to the SDN list. These twin lists have two primary purposes. First and foremost, they are financial sanctions intended to cripple terrorists' access to finance by preventing financial interactions between U.S. nationals and terrorists abroad.¹² They also place a hold on any U.S. funds or assets owned by terrorist entities.¹³ In the last 20 years, enforcement of the sanctions has blocked nearly 20 million dollars in assets and transactions, primarily from large terrorist groups like Al Qaeda, Hezbollah and the Haqqani Network.¹⁴ In comparison, the estimated yearly operating budget of Al-Qaeda is nearly 22 million dollars, and the Haqqani Network's is 12 million.¹⁵

It is unlikely that counterterrorist sanctions function primarily to interrupt terrorist business activities. In an analysis of the Haqqani Network's funding structures, Gretchen Peters demonstrates the complexities

¹⁰ Cronin, Audrey K. "The 'FTO List' and Congress: Sanctioning Designated Foreign Terrorist Organizations." In DTIC Document, 2003.

<http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA445050>.

¹¹ Slocum, Louisa C. "OFAC, the Department of State, and the Terrorist Designation Process: A Comparative Analysis of Agency Discretion." *Administrative Law Review*, 2013, 65: 387.

¹² Cronin, Audrey K. "The 'FTO List' and Congress: Sanctioning Designated Foreign Terrorist Organizations." In DTIC Document, 2003.

<http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA445050>.

¹³ Biersteker, Thomas J. "Targeted Sanctions and Individual Human Rights." *International Journal: Canada's Journal of Global Policy Analysis*, 2010, 65 (1): 99–117.

¹⁴ "Terrorist Assets Report 2016". Washington DC: Office of Foreign Assets Control, 2016.

¹⁵ Levey, Stuart A. "Combatting Terrorism: Treasury Provides Terrorism Information for Consolidated Watchlist Purposes through Its Specially Designated Nationals List." Department of the Treasury. Washington DC: Office of the Inspector General, 2007.

of enforcing counterterrorist financing through an analysis in which she finds that the vast majority of the network's finances are procured through illicit operations. This indicates that the counterterrorist sanctions may be somewhat effective, but do not impact the majority of a group's funding structures.¹⁶ Other scholars have investigated the effects of the sanctions programs in light of their intended versus expected outcomes, and found that sanctions against terrorist organizations can often have unintended financial consequences for a region or conflict, given the convoluted nature of actors and their allegiances in a conflict.¹⁷ This evidence, combined with the relatively small proportion of funds blocked in comparison with terrorist budgets, suggests that the targeted sanctions list's primary importance is not in imposing financial sanctions but in its broader political and organizing purpose.

The second key purpose of the lists is its function as the U.S. government's official list of terrorist groups and entities. That is, it determines which groups and individuals the government views as a key threat. It therefore holds important symbolic and logistical significance as the first line of action in the war on terror.¹⁸ Although the FTO list has fairly little importance as a sanctions mechanism, it plays a key role in the development of counterterrorist policy. It is the only official mechanism through which the government declares groups to be a threat, and as such it

¹⁶ Peters, Gretchen. "Haqqani Network Financing: The Evolution of an Industry." DTIC Document., 2012.

<http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA562872>.

¹⁷ Hufbauer, Gary Clyde, Jeffrey J Schott, and Barbara Oegg. "Using Sanctions to Fight Terrorism." Policy Briefs. Washington DC: Peterson Institute for International Economics, 2001; Nadarajah, Suthaharan, and Dhananjayan Sriskandarajah. "Liberation Struggle or Terrorism? The Politics of Naming the Ltte." *Third World Quarterly*, 2005, 26 (1): 87–100.

¹⁸ Hufbauer, Gary Clyde, Jeffrey J Schott, and Barbara Oegg. "Using Sanctions to Fight Terrorism." Policy Briefs. Washington DC: Peterson Institute for International Economics, 2001.

is closely observed by other agencies within the government and in the international community.¹⁹

THE FTO LIST'S ALTERNATIVE PURPOSES

The current list is an interesting amalgamation of groups that have been added since 1997. These include obvious candidates that have been discussed often and involved in terror attacks directed at the U.S. in the last ten years, like Al-Qaeda, ISIS, and Hezbollah. However, it also includes far more puzzling groups, like the Liberation Tigers of Tamil Elam and a plethora of small groups around Pakistan and the Middle East, that seem to pose no direct threat to U.S. nationals, security interests, or even to regional stability. The groups listed range in size from several dozen members to several thousand. They have different motivations, but a large majority (76%) are motivated by religious ideology, in most cases fundamentalist Islam (see appendix 1).

Many engage in similar types of violence (suicide attacks, car bombings, targeting civilians), but there is no clearly defined pattern of attacks or violence among each group.²⁰ Only 20% of the groups listed have ever carried out an attack that involved the death of one or more U.S. nationals. Of that 20%, only four groups have successfully launched an attack directed specifically at U.S. nationals. The majority of these groups also have anti-Western goals, such as the removal of western-friendly politicians and the establishment of Sharia Law. 85% of the groups listed are active primarily in Central and Southeast Asia or the Middle East and North

¹⁹ Cronin, Audrey K. "The 'FTO List' and Congress: Sanctioning Designated Foreign Terrorist Organizations." In DTIC Document, 2003.
<http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA445050>.

²⁰ Beck, Colin J., and Emily Miner. "Who Gets Designated a Terrorist and Why?" *Social Forces*, sos200, 2013.

Africa. 15% are ideologically motivated groups whose primary purpose is not to destroy the west (for example, leftist separatist groups in Colombia, Spain and Sri Lanka), but who intend to gain influence and attempt to overthrow their respective governments (see appendix 1).

Even when the United States would have an interest in taking up arms against a group, formal designation of a terrorist organization is not the only mechanism through which the United States can take action against a terrorist group.²¹ Prior to the designation of the al-Qaeda-affiliated Haqqani Network, the United States took action against them as a part of the broader war on terror. While the Bush administration designated some Taliban affiliates, it never directly designated the Taliban as a terrorist organization, despite the fact that it took military action against them.²² Therefore, the FTO lists are not the only tool that the executive branch has for fighting terrorists, and designation is not necessarily integral to addressing terrorist threats.

Audrey Cronin describes the FTO list as a “clear focal point for interagency cooperation on terrorist sanctions.” Cronin also describes the benefits of designation in dealing with foreign governments, many of which designate groups in accordance with American lists.²³ There is little doubt that designating groups is an important national security tool for the United States. It has been particularly effective in raising awareness about particular groups and their affiliated agents, such as the various offshoots of al-Qaeda

²¹ Roach, Morgan Lorraine, and Under Executive Order. “Boko Haram: Obama Fails to Designate Nigerian Sect a Terrorist Organization.” *The Heritage Foundation*, 2012, 3647: 1–2.

²² Koskinas, Ioannis. “Call the Taliban What They Are -- Terrorists.” *Foreign Policy*, February 19, 2015.

²³ Cronin, Audrey K. “The ‘FTO List’ and Congress: Sanctioning Designated Foreign Terrorist Organizations.” In DTIC Document, 2003, 10.

<http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA445050>.

operating throughout the Middle East and North Africa, particularly after the World Trade Center attacks of 9/11.

In other research on the designation of terrorist organizations, the security implications of designation are emphasized as the key function of the lists.²⁴ The term “national security” is frequently invoked as a rationale for the designation of terrorist organizations. However, its parameters are vague.²⁵ National security, in the context of the war on terror, can be interpreted to include physical threats to the United States, such as the threat of a terrorist attack. However, it can also refer to more indirect threats, such as the potential for a group to have a destabilizing effect on a region, thereby threatening U.S. interests and leading to a risk of more attacks.²⁶ If designation is a response to observed national security threats or national interest, groups listed could be expected to pose the most direct threat to the United States national security, whether in stated goals, potential for launching a successful attack, or potential to grow in the future.²⁷

Apart from the direct threat that terrorist groups may pose to national security, U.S. administrations may also be motivated to act on national interest. Even where groups could not be directly harmful to U.S. nationals, a group could have a potentially destabilizing impact on a region and ripple effects that might affect the United States. Regional stability and the “capacity and intent” to conduct attacks on the United States are frequently mentioned by the government as justifications for designation.²⁸ However,

²⁴ Pieth, Mark. *Financing Terrorism*. Boston: Kluwer Academic Publishers, 2002.

²⁵ Donohue, Laura. “In the Name of National Security: US Counterterrorist Measures, 1960-2000.” *Terrorism and Political Violence*, 2001, 13 (3): 15–60.

²⁶ Clawson, Patrick. “A Roadmap for the Foreign Terrorist Organizations List.” *PolicyWatch* -- *The Washington Institute for Near East Policy*, April 25, 2008.

²⁷ Donohue, Laura. “In the Name of National Security: US Counterterrorist Measures, 1960-2000.” *Terrorism and Political Violence*, 2001, 13 (3): 15–60

²⁸ Cronin, Audrey K. “The ‘FTO List’ and Congress: Sanctioning Designated Foreign Terrorist Organizations.” In DTIC Document, 2003.

<http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA445050>.

there is little information available about the specifics of these less obvious threats. Given that only thirteen of the sixty-three groups listed have ever launched an attack that killed a U.S. national, it seems unlikely that each of the groups designated poses a clear and present threat to the United States and its security (see appendix 1). Even when considering the capacity of a group to launch a damaging attack, it is clear that there are few who would be able to do so. Of the groups listed, many are small, with primarily regional or country-specific goals.

Thus far, it is clear that the designation of terrorist groups is a multifaceted policy tool. As a sanctions mechanism, the FTO list is largely ineffective in blocking terrorist funding structures. However, designation also serves an important political purpose in determining which groups pose the greatest national security threat. The rationale behind national security designations, however, does not adequately explain the designation of smaller groups that do not threaten U.S. security or regional interests. In order to understand the designation of smaller, less consequential terrorist groups, it is important to understand the narratives and discourses of terrorism that further influence the designation of groups. Terrorist designation serves to organize counterterrorist policy around national security, but it is also a function of previously constructed ideas around prototypical terrorist groups. The following section will explore in more detail the process through which the United States came to recognize certain types of terrorist organizations based on their normative and ideological characteristics.

NARRATIVES OF TERRORISM

The narrative established by the Clinton administration focused on two main elements of the war on terror: its threat to American ways of life

and the United States' duty to act as a global leader. Through these two lines of argument, Clinton first created the ideological and rhetorical framework for the war on terror, and also the image of terrorism that would subsequently dictate most of the United States' terrorist designations. This narrative was continued by Bush, who designated the majority of the groups that are considered high-level threats. While all groups on the list do not pose a direct threat to U.S. national security or interests, each group matches the picture of terrorism as characterized by religious fundamentalism, anti-western ideology, and symbolic targeting of civilians (for more analysis, see appendix 1). The concept of the prototypical terrorist group as defined by the Clinton administration and enforced by the Bush administration now constrains action by the U.S. government in naming and sanctioning terrorist group.

Considered broadly against the backdrop of the war on terror, the FTO and SDN lists marked a turn towards a non-state actor approach to terrorism, and also signified the increasingly public nature of combatting the terrorist threat.²⁹ Through publishing lists and making the specifics of the terrorist threat known, the government engaged Americans in a more intersubjective account of the war on terror, in which the government designated threats and the public responded through accepting these designations and the implied security threat. With information about combatting the terrorist threat and the specific individuals and entities considered the most menacing, individuals were made to feel that their government was protecting national security interests at home and abroad.³⁰

At the outset of the war on terror, Clinton defined terrorism as a threat to American ways of life and as a distinctly anti-American ideology.

²⁹ Bush, George W. *National Strategy for Combating Terrorism*. Wordclay, 2009.

³⁰ Ibid.

Through the invocation of American values and principles, he described the types of action that would protect the United States in the war on terror. In the aftermath of the 1995 bombings in Oklahoma City, Clinton frequently invoked religious rhetoric to describe the necessary action of Americans, stating,

When there is talk of hatred, let us stand up and talk against it. When there is talk of violence, let us stand up and talk against it. In the face of death, let us honor life. As St. Paul admonished us, let us ‘not be overcome by evil, but overcome evil with good.’³¹

Beyond its invocation of religious leadership, Clinton’s words emulate tenants of American ideals, including tolerance and moral superiority, two values he mentioned often in the beginning of the war on terror.

During his administration, Clinton established much of the current counterterrorist bureaucracy and the rhetoric surrounding the designation of terrorist organizations. With the threat of transnational terrorism came the need for American leadership, both ideologically and strategically, specifically in the form of increased response mechanisms. During the early years of his presidency, Clinton established that the United States was uniquely positioned to respond to a terrorist threat, and stressed the need for preventive action in ensuring safety from terrorist attacks. In April of 1995, Clinton stated, “Here in America it is not only our right, it is our duty to stop the terror, to bring to justice the guilty... and to help others in other lands to do the same.”³² Primarily, the groups that Clinton focused on were

³¹ Clinton, Bill. “Public Papers of the Presidents of The United States: Bill Clinton, 1995.” Washington, D.C: Office of the Federal Register, National Archives Administration, 2013, 145.

³² Clinton, Bill, Public Papers of the Presidents, National Archives Administration, 2013, 615.

transnational organizations with an anti-Western agenda. Al-Qaeda was the most apparent of these groups, but Hezbollah, Hamas, and other Palestinian groups also employed international tactics and funding structures in order to work towards their extremist goals.³³ Therefore, Clinton argued American leadership was necessary in efforts to combat the transnational threat of terrorism that endangered the United States and its allies in furthering the Middle East peace process.³⁴

The Bush administration's characterization of terrorism focused on terrorist motivations of destruction over any political objective.³⁵ Americans were attacked simply because they represented liberty and honor, which gave the United States a unique impetus to designate terrorists in order to organize action against the type of ideology that posed the greatest threat. Days after the World Trade Centre attacks, Bush spoke about the nature of terrorism and the strength of American resolve stating, "America was targeted for attack because we're the brightest beacon for freedom and opportunity in the world. And no one will keep that light from shining."³⁶ He emphasized the nature of terrorism as primarily opposed to the freedoms afforded in Western democracy, and described terrorists as motivated by destruction and evil. This characterization of terrorism describes the terrorist threat as primarily anti-American, not only in their motivations for violence, but also in their worldview. Throughout his administration, Bush emphasized the role of American leadership in a multi-pronged approach to the war on terror, such

³³ Byman, Daniel. "Hezbollah's Growing Threat against U.S. National Security Interests in the Middle East." Washington, D.C: Brookings Institution, 2016.

³⁴ Clinton, Bill, Public Papers of the Presidents, National Archives Administration, 2013, 615.

³⁵ Winkler, Carol. *In the Name of Terrorism: Presidents on Political Violence in the Post-World War II Era*. New York, NY: State university of New York Press, 2006, 166.

³⁶ George Bush. "Public Papers of the Presidents of The United States: George Bush, 2001." Washington, D.C: Office of the Federal Register, National Archives Administration, 2013, 1099.

as in his calls for building a world that is characterized by “freedom and opportunity.”³⁷ Americans, according to both Bush and Clinton, stood for democracy, tolerance, and liberty. Terrorist groups stood for extremism, tyranny, and exclusion. The designation of Hamas, Hezbollah, and al-Qaeda during the Clinton administration was the first iteration of the United States’ war on transnational terrorist groups that matched this prototypical image of terrorism as antithetical to American liberty. Rhetoric around their designation focused on the type of attacks they carried out, the ideology of the groups, and their expressed goals for the Middle East.

AL-QAEDA AND THE MODERN TERRORIST ORGANIZATION

The designation of Al-Qaeda, Hamas and Hezbollah focused on the tactics they employed in their attacks and their symbolic anti-American rhetoric. The image of the “modern” terrorist organization involves an idea of the tactics that terrorists use and the ideology they employ to recruit members and further their goals.³⁸ In particular, Clinton emphasized the use of dirty bombs with enriched uranium, the symbolic mass killings of civilian targets, and the use of suicide bombs as characteristics of a modern terrorist organization.³⁹ In presidential speeches and discourse from other members of the Bush and Clinton administrations, al-Qaeda represents the picture of what the terrorist threat looks like, both because of its tactics and because of

³⁷ George Bush. “Public Papers of the Presidents of The United States: George Bush, 2001.” Washington, D.C: Office of the Federal Register, National Archives Administration, 2003, 1090.

³⁸ Kydd, Andrew H., and Barbara F. Walter. “The Strategies of Terrorism.” *International Security*, 2006, 31 (1): 49–80.

³⁹ Winkler, Carol. *In the Name of Terrorism: Presidents on Political Violence in the Post-World War II Era*. New York, NY: State university of New York Press, 2006, 135.

its ideology.⁴⁰ The symbolic targets of suicide bombing and mass casualties further define the prototypical terrorist threat as opposed to American ideals. In particular, the largest terrorist groups are often the ones that execute the most dramatic attacks, and transnational groups with broad political goals are the most likely to partake in the most symbolic attacks.⁴¹

Of the groups listed as FTOs, nearly 30% are recognized as affiliates of al-Qaeda. Some groups merely claim their ideological allegiance to the group, while others receive direct funding and are more akin to proxy groups or offshoots than loosely associated affiliates.⁴² Other groups designated are considered chapters of the organization, such as Al-Qaeda in the Arab Peninsula and al-Qaeda in the Islamic Maghreb. It is difficult to ascertain whether the ideological affiliations between al-Qaeda and similar groups are a result of direct collaboration with Al-Qaeda, and whether the designated offshoots pose a separate threat from the main organization.⁴³ Nonetheless, the designation of al-Qaeda and its affiliates is an important consideration, mainly because the United States government has positioned itself so strongly against the type of transnational terrorism that is characterized by the al-Qaeda network. Al-Qaeda, according to both Clinton and Bush, is simultaneously the most prototypical transnational terrorist organization, the chief threat in the war on terror, and the antipathy of what constitutes ‘Americanism’.⁴⁴

⁴⁰ Beck, Colin J., and Emily Miner. “Who Gets Designated a Terrorist and Why?” *Social Forces*, sos200, 2013.

⁴¹ Ibid.

⁴² “Mapping Al-Qaeda.” *Mapping Militant Organizations*. Stanford, California: Stanford University, 2016. <http://web.stanford.edu/group/mappingmilitants/cgi-bin/maps/view/alqaeda>.

⁴³ Baken, Denise, and Ioannis Mantzikos. *Al Qaeda: The Transformation of Terrorism in the Middle East and North Africa*. Santa Barbara, CA: Praeger, 2015.

⁴⁴ Gunaratna, Rohan. *Inside Al Qaeda: Global Network of Terror*. Ithaca, New York: Columbia University Press, 2002.

Al-Qaeda is anti-Western, committed to a vision of Islam that is inherently undemocratic. Even prior to the world trade center attacks, al-Qaeda was considered the most dangerous transnational terror organization, both in its symbolic attacks that publicly targeted civilians and in its anti-Western ideology. While religion is a commonality among many terrorist organizations, Clinton, Bush, and Obama all stressed that this commonality was not a result of Islam, but rather the fundamentalism that was inherently opposed to American ways of life, with al-Qaeda and its later affiliates as the most striking examples of anti-Western fundamentalism.⁴⁵

The Clinton administration characterized al-Qaeda as attempting to incite mass panic in the American people and stressed the need for a rigorous response, particularly in cracking down on the ability of terrorists to infiltrate the United States. After the bombings in Oklahoma City in April of 1995 he stated, “We may have to have some discipline in [freedom] so we can go after people who want to destroy our very way of life.”⁴⁶ Clinton’s call for ‘discipline’ soon translated to the regulations of the counterterrorist bureaucracy. It is also important to note his invocation of terrorism as a threat to the American way of life. Rather than a direct threat to the existence of the United States, or a threat to the physical safety of Americans, Clinton’s invocation of American livelihoods, ideals, and standard of living informs the nature of the threat that terrorist groups pose to American freedom and liberty.

In response to terrorist threats of mass panic, Bush emphasized an approach that was both systematic and ideological. In the wake of September

⁴⁵ Winkler, Carol. *In the Name of Terrorism: Presidents on Political Violence in the Post-World War II Era*. New York, NY: State university of New York Press, 2006, 154.

⁴⁶ Clinton, Bill. “Public Papers of the Presidents of The United States: Bill Clinton, 1995.” Washington, D.C: Office of the Federal Register, National Archives Administration, 2013, 575.

11, he emphasized the need for “courage, strength and fortitude of America’s people” in the face of terrorists who “thought somehow, they could affect the psyche of our country.”⁴⁷ Like Clinton, Bush describes the threat of terrorism as a threat to American ways of life and ideology, rather than a direct physical or strategic threat. The characterization of terrorism as an attack on ‘psyche.’

Even in light of the sometimes-tenuous connections between al-Qaeda and other militant groups, the designation of alleged al-Qaeda affiliates from 1997 through to the end of the Obama administration is an important part of the broader process of designation. From 2000 through to the present, al-Qaeda has been established as a chief threat in the war on terror.⁴⁸ However, its variety of affiliates around South Asia and the Middle East demonstrates the convoluted nature of designating this particular threat.⁴⁹ Many of the groups that are designated as al-Qaeda affiliates are named as such without significant evidence as to the threat that they really pose, and little information is available regarding their numbers, capacity, or goals (often, this lack of evidence is related to the sensitivity of information).⁵⁰ However, the designation of al-Qaeda affiliates is imperative to the continuation of the current war on terror.

The relationship between rhetoric around the terrorist threat and the designation of al-Qaeda and its affiliates shows that U.S. designation of terrorist groups is not simply a policy tool in the broader counterterrorist

⁴⁷ George Bush. “Public Papers of the Presidents of The United States: George Bush, 2001.” Washington, D.C: Office of the Federal Register, National Archives Administration, 2013, 1153.

⁴⁸ “Mapping Al-Qaeda.” *Mapping Militant Organizations*. Stanford, California: Stanford University, 2016. <http://web.stanford.edu/group/mappingmilitants/cgi-bin/maps/view/alqaeda>.

⁴⁹ Ibid.

⁵⁰ Baken, Denise, and Ioannis Mantzikos. *Al Qaeda: The Transformation of Terrorism in the Middle East and North Africa*. Santa Barbara, CA: Praeger, 2015.

bureaucracy. Rather, the heavy emphasis on al-Qaeda designations demonstrates the duality of the FTO list. The Foreign Terrorist Organizations list, more than simply a representation of the most pressing national security threats, is also intimately related to the narratives of terrorism established during the Bush and Clinton administrations. Al-Qaeda and its affiliates do indeed pose a threat to national security, but it is unclear to what extent each of its affiliates listed poses a real and pressing threat. Instead, terrorist groups are also named when they also fit into an overall narrative of terrorism.

CONSTRAINTS ON DESIGNATION

If al-Qaeda is the model of a transnational terrorist organization, then the United States must also designate any organization that uses similar tactics, has similar anti-Western goals, and employs similar rhetoric in recruiting new members in order to continually justify the current war on terror.⁵¹ The United States has done so, and 27 of the 62 groups are al-Qaeda affiliates. In other words, al-Qaeda has set the precedent of what a modern terrorist organization looks like, and in order to maintain a unified understanding of terrorism both within the government and abroad, the United States must also designate groups that are similar, even if they do not pose the same direct level of threat. This was particularly true during the Bush administration, but it also applied to the designations during the Obama administration.

The Obama administration designated 30 terrorist organizations between 2009 and 2016. Many of these groups are related to ISIL and offshoots of al-Qaeda, and several are violent organizations located

⁵¹ "Mapping Al-Qaeda." *Mapping Militant Organizations*. Stanford, California: Stanford University, 2016. <http://web.stanford.edu/group/mappingmilitants/cgi-bin/maps/view/alqaeda>.

elsewhere in the Middle East. As previously discussed, many of these groups were a reaction to observed security threats in the Middle East and Europe, especially in light of the growing influence of ISIL (see appendix 1). However, the administration also designated groups in situations where it was potentially out of its interest to do so. Essentially, after the Bush and Clinton administrations, the president is no longer necessarily free to designate groups based on the objective threat they pose to security or national interest. Instead, precedent set by previous administrations constrains their actions in the war on terror. This was the case in the designation of Boko Haram in 2013, a group that the State Department resisted designating from 2009 to 2012 because of the potential ripple effects of a designation.⁵²

The pattern of designations has been strikingly similar since 1997, particularly during the Bush and Obama administrations, in spite of the changing nature of geopolitics. While these designations undoubtedly relate in part to national security, it is also evident that the designation of such groups has moved from its original motives to characterize all threats facing the United States and towards a more singular focus on a specific type of terrorist organization, characterized by religious ideology, geographic location, extra lethal violence, and affiliation with other terrorist groups. This constructed picture of a terrorist organization is useful in some ways, but it also poses potential problems for future administrations. Designations broadly reflect current geopolitical structures of terrorism, but the pattern of designation also constrains presidential administrations in their decisions. Even where it may be out of the administration's interest to pursue a certain

⁵² Roach, Morgan Lorraine, and Under Executive Order. "Boko Haram: Obama Fails to Designate Nigerian Sect a Terrorist Organization." *The Heritage Foundation*, 2012, 3647: 1-2.

designation, the rigid picture of a “modern terrorist organization” requires the president to pursue a certain strategy.

APPENDIX 1

The following chart was used to examine the patterns of currently designated terrorist groups. It was made using information from the National Counterterrorism Center; the center for the Study of Terrorism and Responses to Terrorism (START) at University of Maryland; and the Mapping Militants Project at Stanford University. Bolded entries mark the first designation by a new presidential administration. Also attached is a print out of the current FTO list, which includes the dates of each group designated.

Group	Region and Location	Classification	United States Casualties?	Al Qaeda Network
Abu Nidal Org (ANO)	Palestine	Palestine Separatist	no	No
Abu Sayyaf Group (ASG)	Philippines	Islamic	no	Yes
Aum Shinrikyo (AUM)	Japan	Japanese Cult	no	No
Basque Fatherland and Liberty (ETA)	Spain	Leftist Separatist	no	No
Gamaa Al Islamiyya (G)	Egypt Islamic State	Islamic	no	Yes
Hamas	Palestine	Palestinian, Islamic	yes	
Harakat ul Mujahidin	Kashmir	Islamic	No	Yes
Hizballah	Palestine	Palestinian, Islamic	yes	
Kahane Chai	Israel	Jewish Extremist	No	No
PKK	Turkey/Kurdish Territory	Leftist Separatist	no	No
Liberation Tigers of Tamil Eelam	Sri Lanka	Separatist	no	No
ELN	Colombia	Right Paramilitary	no	No
Palestine Liberation Front (PLF)	Palestine	Palestine	yes	No
Palestine Islamic Jihad (PIJ)	Palestine	Palestine	no	No
Popular Front for the Liberation of Palestine	Palestine	Palestine	no	No
PFLP General Command	Palestine	Palestine	no	No
FARC	Colombia	Leftist Separatist	no	No
Revolutionary People's Liberation Party/Front	Turkey	Turkish Leninist Party	no	No
SL	Peruvian Maoist Party	Leftist Separatist	no	No
Al Qaeda	Middle East	Islamic	yes	Yes
Islamic Movement of Uzbekistan	Uzbekistan	Islamic	no	Yes
Real Irish Republican Army	Ireland	Separatist	no	No
Jaish e Mohammed	Kashmir	Islamic	no	Yes
Lakshar-e-Taayyiba	Pakistan	Islamic	no	Yes
Al Aqsa Martyrs Brigade	Palestine, Secular	Separatist	yes	No
Asbat al Ansar	Lebanese Refugee Camps	Islamic	no	yes
AQIM (Islamic Maghreb)	Algeria	Islamic	no	yes
Communist Party Philippines	Philippines	Islamic	no	No
Jemaah Islamiya	Islamic Jihad	Islamic	no	No
Lakshar-e-Tangvi	Pakistan	Islamic	yes	Yes
Ansar al Islam	Kurdish/Iraq	Islamic	no	yes
Continuity Irish Republican Army	Holdover	Separatist	no	No
Islamic State Iraq Levant (ISIL)	ISIL	Anti West Islamic	Unclear	No
Islamic Jihad Union (IJU)	Uzbekistan	anti West Islamic	yes	Yes
Harakat ul Jihad Islami (HUJI)	Bangladesh	anti West Islamic	no	Yes
Al Shabaab	North Africa	anti West Islamic	no	Yes
Revolutionary Struggle	Greece	anti West	yes	No
Kataib Hizballah	Iran/Iraq	Islamic	yes	No
Al Qaeda in the Arab Peninsula	Arab Peninsula	Anti West Islamic	yes	Yes
Harakat ul Jihad Islami (HUJI)	Pakistan	Anti West Islamic	no	Yes
Tehrik-e-Taliban Pakistan	Pakistan	anti West Islamic/Talib	no	Yes
Jundallah	Balochistan (Iran)	anti West	no	No
Army of Islam	IS/Palestine	Islamic	no	No
Indian Mujahadeen	India/Kashmir	Islamic	no	No
Jemaah Anshorut Tauhid	Indonesia/ISIL	Islamic	no	No

Abdallah Azzam	Lebanon, Arab Peninsula	Islamic	no	No	No
Haqqani Network	Pakistan	Anti-west Pakistan	yes	Yes	No
Ansar Dine	Mali	Sharia anti-west	no	Yes	No
Boko Haram	Nigeria	Islamic	no	Yes	No
Ansaru	Nigeria	Sharia anti-west	no	Yes	Yes
Al Mulathamun Battalion	West Africa	Islamic	yes	Yes	No
Ansar Al Sharia in Benghazi	Libya	Sharia	yes	Yes	No
Ansar Al Sharia in Darnah	aq network	Sharia	no	Yes	No
Ansar Al Sharia in Tunisia	Tunisia	Sharia	no	Yes	No
ISIL Sinai	Sinai	Sharia anti-west	yes	No	Yes
Al Nusra	Syria	Sharia anti-west	no	Yes	Yes
Mujahidin Shura Council environs Jerusalem	Palestine	Islamic	no	Yes	No
Jaysh Rijal Tariq	Iraq, Iran Arab	Islamic	no		No
ISIL Khorasan	Tajikistan Turkmenistan	Sharia anti-west	no		Yes
ISIL Libya	Libya	Sharia anti-west	no		Yes
AQ Indian Subcontinent	India	Sharia anti-west	Yes	Yes	No
New People's Army	Philippines		no	No	No
	%African: 16	%Islamic: 76	%yes: 25	%Al Qaeda affiliated: Yes: 12%	No: 88%
	%Iraq, Iran, Arab Peninsula: 1	%Not Islamic: 24	%no: 75	%non-affiliated or Other: 5%	

PUBLIC OPINION AND GOVERNMENT PERCEPTIONS OF THE UNITED STATES WITHIN CHINA

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This paper studies how the United States is viewed by the general public of China compared to how it is viewed by the government of China. Specifically, it compares these two views of the United States in terms of perceived threat: does the government of China perceive the United States as a threat more or less than does the general public? Analysis of quantitative and qualitative studies related to this subject indicate that the Chinese government is more likely to view the United States as a threat to China while the views of the general public consider the United States to be a threat at times, but also a dependable ally. The ability of the government to influence the degree to which the general public views the United States as a threat is analyzed through processing data and observing how views within the general public of China change among those who are affiliated with the government.

INTRODUCTION

The relationship between the United States and a rapidly-growing China is one of the most pressing issues in international politics. Tension and uncertainty arise from the singular challenges that result as an acknowledged hegemon and a rising and hopeful hegemon strive to come to terms with their relationship. Each wonders how and if it may continue to fulfill its own initiatives while maintaining cooperation and communication with the other. In addition, the way these two powers choose to manage this relationship will have a hand in defining how powerful nations interact within the global system in the future. Is it

possible for two hegemons to coexist peacefully or is this an inevitable slide towards a classic security dilemma? Gaining a thorough understanding of how China perceives the United States is crucial as Washington decides how to interact with President Xi and the Chinese government. A deep, detailed understanding of how the United States is viewed by China is crucial to having the knowledge necessary to make the right statements, project the right image, and forge beneficial international norms.

In an effort to understand how China feels about the United States, this paper takes a nuanced approach to studying Chinese perceptions. Often, perception studies focus on either perceptions of the United States from the point of view of the Chinese government or perception studies from the point of view of the public. Rarely do studies differentiate and explore how the two compare. However, understanding the degree to which China's United States policy coincides with the views of the general public creates a broader and more accurate image of how the country as a whole feels about the United States. Analyzing perceptions of only the upper levels within a state or only public opinion limits exploration of the United State's perceived image to a fraction of the whole. As a result, one risks prescribing a uniform view of the United States onto the country of China without taking into account the variances that occur between social and political strata. This paper focuses on this important aspect of China's perception of the United States.

While this paper does explore general feelings towards the United States, it is specifically concerned with security perceptions and feelings of the United States as a threat to China. The comparison of threat

perceptions between the government and the public of China is crucial because coinciding views can mobilize public sentiment, promulgate nationalism, and ultimately affect policies and agendas.¹ However, before analyzing the degree to which the government and the general public of China each perceive the United States as a threat, the concept of a “threat” as used in this paper must first be defined. Jie Chen’s extensive study published in 2001 evaluated Beijing respondents’ perception of threat in terms of two different categories: perceived perception of capability to do harm and perceived intent to cause harm.² This paper adopts Chen’s system and defines a “threatening” country as one that is perceived to have the intention and the capability to cause harm to another country. “Harm” does not necessarily mean the country in question is planning military actions to destroy the other- the means of causing harm is not a factor in the definition. What matters is only that the country in question is perceived to have the ability and the intention to cause harm in some way. Additionally, while both aspects of the definition are included, the “intention” side is taken most into consideration. The capabilities of the United States as a global power are well-established and not many people around the world would debate the ability of the United States to cause harm to a country if it so desired. The main question at hand is if the people of China perceive the United States as having the intent to harm their country.

¹ Chen Youwei, "Viewing a Changing World from the PRC Embassy Window in Washington DC," *Journal Of Contemporary China* 11, no. 30 (February 2002), 253.

² Chen Jie, "Urban Chinese Perceptions of Threats from the United States and Japan," *The Public Opinion Quarterly*, 65, no. 2 (2001)

To narrow the field of study, this paper focuses on the period between the 1990s and the present, conducting an analysis of historical events, qualitative studies and articles, and quantitative surveys from this time frame to form a general picture of how perceptions of the United States among China's public and government compare. Subsequently, an analysis of quantitative data is constructed to determine the extent to which the views of the government influence views within the general public.

THE UNITED STATES AS VIEWED BY THE CHINESE GOVERNMENT

Studies analyzing the views of the government within China are often accomplished through article analysis. This involves compiling a large amount of articles from influential sources and searching for trends and rhetoric indicating stances on a certain issue. The government is closely connected to influential journalists and political writers and these writings are likewise influential in shaping policies and agenda-setting. Political writers and scholars are often retired or active members of the military or are professors at military academies. Circulating political articles are also an accurate way to determine government opinion because the government has a role in controlling the press and its agenda. Thus, while the rhetoric coming from these articles is not completely uniform, the writings of scholars and military officials when viewed as a whole reveal trends that can basically be taken to represent the views of

the governing body.³ The following is a comprehensive evaluation of a number of such studies in tandem with analysis of historical events.

Studies from the 1990s exploring perceptions within the Chinese Government reveal deep mistrust towards the United States. One example is Zhen Biwu's detailed and meticulous examination of articles from this era which concludes that seventy-five percent of scholarly articles analyzed referenced the United States in a manner that indicated feelings of threat toward the United States. In general, the articles referenced these threats in terms of international issues between the two countries.⁴ This high percentage of perceived threat is reflective of the confusion and mistrust towards the United States that existed in the nineties. These feelings persisted despite, and even because of the Clinton administration's abrupt change in its China policy from coercive ultimatums to friendly engagement.⁵ The suspicion that Washington was using friendly overtures to contain China and prevent its rise out of resentment for the budding power was common as was the idea that the United States was trying to use friendly relations with China to influence Russia into containing China.⁶ This suspicion and resentment meshed with hurt national pride at the United States' seeming refusal to acknowledge China's achievements and resistance to recognize it as a

³ Samantha Blum, "Chinese Views of US Hegemony," *Journal of Contemporary China*, 12, no. 35 (May 2003).

⁴ Zhang Biwu. *Chinese Perceptions of the U.S.* Plymouth, United Kingdom: Lexington Books (2012).

⁵ Jia Qingguo. "Frustrations and Hopes: Chinese perceptions of the engagement policy debate in the United States." *Journal of Contemporary China*. 10, no. 27 (May 2001): 324.

⁶ Chen Youwei, "Viewing a Changing World from the PRC Embassy Window in Washington DC," *Journal Of Contemporary China* 11, no. 30 (February 2002),

prominent global power.⁷ According to Whiting's 1996 account, a turning point in United States-Sino relations occurred in the mid-1990s when certain significant and difficult international situations converted confusion and mistrust into anger. These include the visit of President Lee to the United States and Washington's insistence on maintaining relations with Taiwan.⁸ Additionally, the untimely and accidental NATO bombing of the Chinese embassy in Belgrade and the collision of a Chinese fighter plane with an American EP-3 surveillance craft only deepened the perception of the United States as a nation that could not be trusted and a possible threat.⁹

Liu and Ren's analysis of People's Liberation Army (PLA) security perceptions provides some insight into the view of the United States as a security threat through the years. The PLA's view of the United States as a threat also hinges on how the United States is seen to interfere with individual issues- a view that has involved varying levels of suspicion since the Korean War.¹⁰ During the 1990s, the main PLA concerns were regional issues of territorial integrity and sovereignty threats- specifically the Tibet, Taiwan, South China Sea, and East China

⁷ Zi, Zhongyun. "The impact and clash of ideologies: Sino-US relations from a historical perspective." *Journal Of Contemporary China*. 6, no. 16 (November 1997), 17.

⁸ Whiting, Allen S. "The PLA and China's Threat Perceptions." *The China Quarterly*. no. 146 (1996), 605.

⁹ Deng Yong, "Hegemon on the Offensive: Chinese Perspectives on U. S. Global Strategy," *Political Science Quarterly* 116, no. 3 (2001), 352; Liu Yawei, and Justine Zheng Ren. "An Emerging Consensus on the US Threat: the United States according to PLA officers." *Journal of Contemporary China*. 23, no. 86 (2014), 272.

¹⁰ Liu, Yawei, and Justine Zheng Ren. "An Emerging Consensus on the US Threat: the United States according to PLA officers." *Journal of Contemporary China*. 23, no. 86 (2014), 260.

Sea Island disputes. This more focused suspicion of the United States as a meddler in specific issues grew into an open objection of U.S. policy toward Asia and the idea that the United States was an aggressive opponent of China's economic progress. The previously mentioned disputes over Belgrade, the EP-3, and Taiwan were especially poignant to PLA officers because they were viewed as "painful reminders that China did not command international respect and was vulnerable to encroachment..."¹¹

It is noteworthy that the PLA suggested policies that were much more aggressive than that of the civilian regime because it was not as concerned with the economic aspects of United States-Sino relations nor with the goals of modernization and economic expansion. Thus, these views of the United States as aggressive were more radical among the PLA, whose deep nationalistic sensibilities triggered offense at perceived sovereignty infringements throughout history.¹² The tendency of PLA views to be much more strident and hard-lined than that of civilian leadership has at times been a source of internal difficulty for China's United States policy.¹³ However, these security concerns were undoubtedly acknowledged by the government of China, affecting China's view of the United States and its foreign policy decisions.

¹¹ Liu, Yawei, and Justine Zheng Ren. "An Emerging Consensus on the US Threat: the United States according to PLA officers." *Journal of Contemporary China*. 23, no. 86 (2014), 263.

¹² Whiting, Allen S. "The PLA and China's Threat Perceptions." *The China Quarterly*. no. 146 (1996)

¹³ Liu, Yawei, and Justine Zheng Ren. "An Emerging Consensus on the US Threat: the United States according to PLA officers." *Journal of Contemporary China*. 23, no. 86 (2014), 264.

In recent years, the attitude of the government of China as a whole toward the United States is increasingly competitive. Relations alternate between displays of cooperation and condemnation of each other's actions. The prevalent idea that the United States is trying to contain China and stop its rise has deepened since Obama's "pivot to Asia".¹⁴ Threat perceptions have intensified in recent years with the heightening of South and East China Sea tensions. Liu and Ren (2014) identify rhetoric among recent articles from top military officials blaming the United States for anti-Chinese sentiment among regional opponents in the South China Sea issue and expressing views that the United States is an aggressor aiming to eliminate all threats to its global hegemony. This is followed by the view that China's new status as a "true hegemon" on par with the United States requires that it not give in to American bullying or tolerate American interference.¹⁵

The previous analysis is not meant to conclude that China considers the United States purely as an enemy or that it is planning aggressive strategies against the United States. Since China's economic growth began to attract international attention, Beijing has been careful to maintain an image of a "peaceful rise" and as such, to remain on fairly cordial terms with the United States. This included ensuring that China was not seen to oppose American values, even if it did take international

¹⁴ Sun, Yun. "March West: China's Response to the U.S. Rebalancing." *Brookings.com*. January 31, 2013.

¹⁵ Liu, Yawei, and Justine Zheng Ren. "An Emerging Consensus on the US Threat: the United States according to PLA officers." *Journal of Contemporary China*. 23, no. 86 (2014)

stances against American actions (such as the Iraq invasion).¹⁶ However, it is apparent from these accounts that within the governmental leadership of China there are deep concerns that the United States does pose a threat to China and even has a comprehensive strategy to preserve its status as the world's sole hegemon.¹⁷ Views among the PLA are extremely aggressive and stem from outrage at perceived American interference, suspicion of American intentions regarding China, and growing national pride in China's increasing strength. The foregoing analysis reveals that despite the necessity of maintaining a good relationship with the United States and the desire to do so, China's government still views the United States with a striking degree of suspicion. Because the United States is viewed as intending to remain a sole hegemon, it is also seen as intending to halt or harm China's progression towards a hegemon in its own right.

THE UNITED STATES AS SEEN BY THE GENERAL PUBLIC OF CHINA

Some of the earliest available surveys analyzing Chinese public opinion of the United States were done in Beijing in the mid-1990s. These well-known studies by Sun and Cui (1996) and Yu (1998) revealed that over three quarters of respondents considered the United States to be "the most threatening country", followed closely by Japan. This study was repeated again in 1999 and found almost identical results.¹⁸ Historical events

¹⁶ Chan, Yuenying. "Reimagining America." *Social Research*, 72, no. 4 (2005), 946-947.

¹⁷ Samantha Blum, "Views of US Hegemony," *Journal of Contemporary China* 12, no. 35 (May 2003)

¹⁸ Chen Jie, "Urban Chinese Perceptions of Threats from the United States and Japan," *The Public Opinion Quarterly*, 65, no. 2 (2001), 254-255
 Chan Yuenying, "Reimagining America," *Social Research*, 72, no. 4 (2005), 943.

during this time period explain the reason for the high level of mistrust among the Chinese public. During the 1990s, Chinese perceptions of the United States were characterized by a sharp shift in ideology as the glamorization of American culture that had persisted through the eighties was shrugged off and replaced by a resistance to Westernization and a desire for national identity. Political issues that brought tension between the two governments during the nineties also triggered anger against Washington both within the Chinese public and among Chinese Americans.¹⁹ As China began to experience unprecedented economic success the idea that the United States was trying to contain China became more prevalent among the public.²⁰ In general, the feeling from the Chinese public toward the United States during the nineties mirrored the mistrust and suspicion observed in the Chinese government.

However, studies from the mid-2000s show that the perception of the United States as a threat began to decline among the general public. Surveys by Pew Research Center and the Committee of 100 (a prestigious research organization founded by Chinese-Americans in the 1990s) indicate that, perhaps as a result of increased trade between the United States and China, the public began to recognize the salience of this relationship and its positive mutual benefits.²¹ Doubts about the United States became less about security concerns and more about how United States actions overseas or economic policies could affect the

¹⁹ Chan, Yuenying. "Reimagining America." *Social Research*, 72, no. 4 (2005), 943.

²⁰ Chen Jie, "Urban Chinese Perceptions of Threats from the United States and Japan," *The Public Opinion Quarterly*, 65, no. 2 (2001), 258; Tan, Qingshan. "The Change of Public Opinion on US-China Relations." *Asian Perspective*, 35, no. 2 (2011), 217.

²¹ Committee of 100, *Hope & Fear: American and Chinese Attitudes toward Each Other* (2007), 2.

Chinese way of life.²² In addition, roughly one-third of the public reported an unfavorable opinion of the United States, as opposed to the seventy-five percent of the previous decade.²³

At the same time, these studies also report a growing confidence among the Chinese public in the probability that China would become a power superior to the United States, along with the belief that the United States would try to oppose China in its rise to hegemony. Many also feared that disagreements over Taiwan were likely to trigger conflict between the two countries in the future.²⁴ Responses to a Pew survey in 2008 showed that not many members of the public still defined the United States as an enemy; however, an equally low percentage defined it as a close partner. The majority of people still considered the United States in fairly neutral terms—not an enemy or a close friend but somewhere in between.²⁵ These reports and studies depict public perceptions of the United States as a “Paradox of Hope and Fear,” an image pitched somewhere between the enemy of the nineties and the economic partner of the globalization era.

This lukewarm image of the United States is likewise reflected in more recent versions of the same studies. The Pew Global Attitudes

²² Chan Yuenying, “Reimagining America,” *Social Research* 72, no. 4 (2005), 947.

²³ Committee of 100, *Hope & Fear: American and Chinese Attitudes toward Each Other* (2007), 12-13; The Pew Global Attitudes Project, *Rising Environmental Concern in 47-Nation Survey: Global Unease with Major World Powers* (2007), 39; The Pew Global Attitudes Project, *The Chinese Celebrate Their Roaring Economy, as they Struggle with its Costs* (2008), 21.

²⁴ Committee of 100, *Hope & Fear: American and Chinese Attitudes toward Each Other* (2007), 2, 5, 25-27.

²⁵ The Pew Global Attitudes Project, *The Chinese Celebrate Their Roaring Economy, as they Struggle with its Costs* (2008), 21.

survey in 2012 showed that sixty-six percent of people, considered the relationship with the United States to be one not of threat or of total cooperation but that of “a competitor”.²⁶ Mistrust in matters of trade and partnership remain high and a growing number of Chinese believe security in the Pacific region to be a potential source of conflict.²⁷ Pew 2012 data shows that many respondents still describe the United States as hostile.²⁸

This information is further supported by results from Pew 2014 data. Subsequent sections of this paper rely on an analysis of raw data acquired from the Pew website. The specific data set used was the 2014 Pew Global Attitudes Survey (the methods and processes of which are described in greater detail later on). The frequency analysis performed as a pre-requisite to the analysis itself revealed interesting results that, because of their relevance, are also included here. Below are the results for the frequency analysis of two questions in the survey asking the respondents to name the top three countries they believed to be the greatest threat to China and China’s greatest ally. Figure 1 shows a respondent’s first answer to each question while Figure 2 shows the combined results of all three countries named by the respondents.²⁹

²⁶ The Pew Global Attitudes Project, *American and Chinese Publics Increasingly Wary of the Other* (2012)

²⁷ Committee of 100, *US-China Public Perceptions Opinion Survey 2012* (2012), 20, 39, 42 ; The Pew Global Attitudes Project, *How the Americans and Chinese View Each Other* (2012).

²⁸ The Pew Global Attitudes Project, *How the Americans and Chinese View Each Other* (2012)

²⁹ Note: These frequency tables (located on page 9) were created in Microsoft Office Excel for convenience but were originally produced by performing a frequency test on the previously mentioned variables using the Statistical Package for the Social Sciences

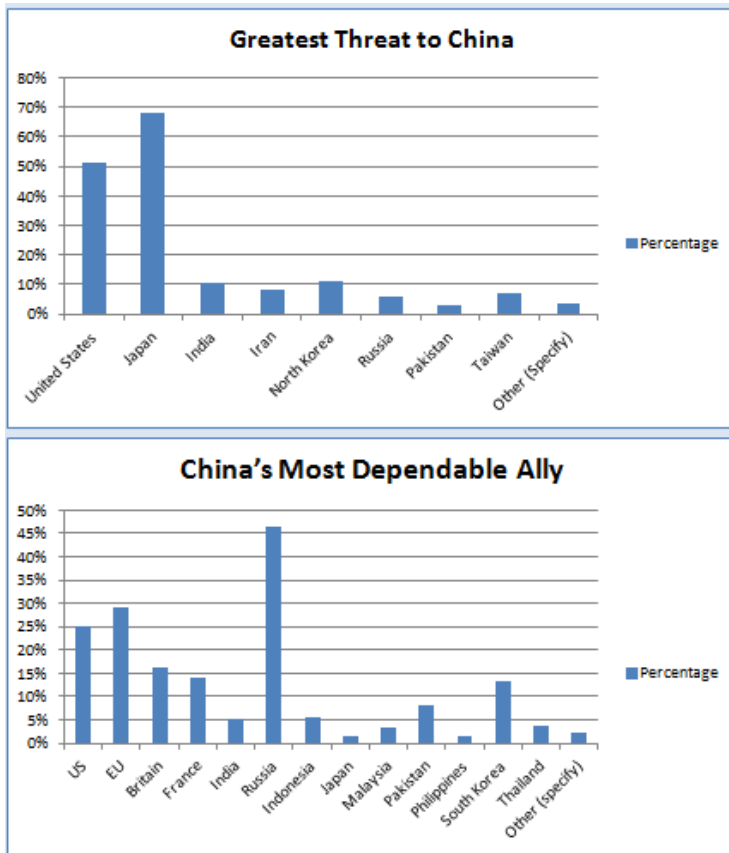
FIGURE 1

Which Country is the Greatest Threat to China?			Which Country is China's Most Dependable Ally?		
	Frequency	Percent		Frequency	Percent
United States	1160	36.4	US	596	18.7
Japan	1065	33.4	EU	434	13.6
India	52	1.6	Britain	117	3.7
Iran	30	0.9	France	85	2.7
North Korea	40	1.3	India	35	1.1
Russia	36	1.1	Russia	798	25
Indonesia	21	0.7	Indonesia	31	1
Pakistan	6	0.2	Japan	9	0.3
Taiwan	10	0.3	Malaysia	23	0.7
Other (Specify)	25	0.8	Pakistan	57	1.8
Don't Know	604	18.9	Philippines	3	0.1
Refused	58	1.8	South Korea	58	1.8
Total	3190	1	Thailand	14	0.4
			Other (specify)	16	0.5
			Don't Know	856	26.8
			Refused	58	1.8
			Total	3190	100

Produced from 2014 Pew Global Attitudes Survey Data

(SPSS) data processing program. They are a direct representation of the raw data in the 2014 Pew Global Attitudes Survey data set. However, the data set only displays respondents' first, second, and third answers separately without combining them in a sum of total countries named. The combination of all three answers was done by hand using Excel and put into the graph labeled Figure 2. All highlighting has been added.

FIGURE 2



Produced from 2014 Pew Global Attitudes Survey Data

The most interesting aspect presented in these frequency tables is how the Chinese public perceives the United States as compared to other countries. As seen in the tables, when a respondent names the country they believe to be the greatest threat to China, Japan and the United States are by far the two most frequently named. No other countries even come close. Japan and the United States are also evaluated relatively equally in terms of the threat they pose to China. However, when looking at the countries considered to be China's strongest allies, the United

States is the second most named country; only several percentage points behind Russia. This is a huge contrast to Japan (the other leading threat) which was named as a reliable ally by less than one percent of respondents. In addition, the graphs show that when all three countries named by each respondent are considered Japan is named as a threat much more frequently than the United States—a significant difference of fifty-one and sixty-eight percent. This contrasts sharply with public opinion studies in the 1990s which showed the United States to be considered more of a threat than Japan.³⁰ As indicated by these numbers, the United States may be considered a threat nearly on level with Japan, but it is also depended on much more than Japan whose ratings as an ally are astronomically low.

This comparison between countries is so important because it makes clear the perspective through which the Chinese public views the United States. Japan is considered a serious threat and definitely not an ally. Russia is considered the most reliable ally and not a threat. The United States, however, received high scores in both categories. Thus, the United States is not a threat in the sense that Japan is a threat nor is it an ally in the way that Russia is an ally but is pitched somewhere in between. This reflects the information found in other recent surveys and analyses which depict an image of the United States as equally mistrusted and appreciated.

To summarize, a comparison of literature on perceptions of the United States from both the public of China and the government suggests that the government perceives the United States more in terms of a threat

³⁰ Chen Jie, “Urban Chinese Perceptions of Threats from the United States and Japan,” *The Public Opinion Quarterly*, 65, no. 2 (2001).

than does the public. The above historical analysis also shows that to some extent public opinion reflects the perceptions of decision making elites (although the threat perceptions of elites are more focused and extreme). As in the case of the 1990s, major trends in public opinion also coincide with major events in United States-Sino relations. For example, in the mid-1990s high disapproval of the United States among the Chinese public occurred at a time when a series of international incidents caused relations between the two governments to be especially strained. However, the mid-to-late 2000s began a period of increased cooperation and, simultaneously, public opinion also eased its perceptions of the United States as a threat.

Although China and the United States continue efforts to maintain cordial relations, rhetoric from the Chinese government toward the United States is still tense, distrustful, and suspicious. The rhetoric coming from articles written by influential scholars and military officials is, for the most part, strikingly negative and contains skepticism and suspicion about the intentions of the United States. This is not to say that China does not want to work with the United States or maintain good relations but it concludes that China also feels wariness and mistrust towards the United States. However, data describing the opinions of the general public suggests that the United States is viewed in slightly more favorable terms from this group than from political elites. Among the Chinese general public, the United States is viewed equally as both enemy and ally.

HYPOTHESIS AND THEORY

The purpose of the following data analysis is to deepen understanding of conclusions reached in the preceding historical analysis. It builds on and tests the conclusion that the government of China is more prone to see the United States as a significant threat than the general public and tests the degree to which governmental views influence public views. It is hypothesized that if a member of the general public were to have a personal affiliation with the government, they would be more likely to view the United States as a threat than a member of the public with no such association. It is hypothesized that association with a governing body prone to viewing the United States as a threat will influence a respondent to adopt these views and to be more likely than other members of the general public to view the United States as a threat. Testing this question through data analysis will further confirm the difference in perceptions of the United States previously described and offer insight as to whether the views of the Chinese government influence the public in its views of the United States.

METHODOLOGY AND VARIABLES

As previously mentioned, the following analysis utilizes data from the Pew 2014 Global Attitudes Survey. The Pew survey within China was based on phone or face-to-face interviews and consisted of a sample size of 3,190 adults pulled from a variety of regions. Questions most closely representing the question at hand were chosen for analysis. For the dependent variable, perception of the United States as a threat, three questions were selected which were predicted to yield results most

closely representing this idea. The first variable is a categorical variable determining which country or group the respondent considered to pose the most significant threat to China. A list of countries was provided for the respondent; however, they were also given the option of naming an unlisted country. Although the original data partitioned the answers into thirteen different countries, only the countries with significant results have been displayed in this paper, including the United States, Japan, and Russia. The second variable is organized in the same manner but instead measures which country the respondent considers to be the most dependable ally of China. This paper likewise includes only results from the United States, Russia, Japan, and the European Union. The third variable chosen was how the respondent ranked the United States on a favorability scale. The question chosen to represent the independent variable, increased affiliation with the government, was whether or not a respondent was a member of the China Communist Party (CCP).

To compare these variables, a cross-tabulation analysis was performed using the Statistical Package for the Social Sciences (SPSS). This software allows one to filter the China results from the results of other countries, analyze the frequencies of variables, and perform cross-tabulations (a frequency analysis of the dependent variable as it is separated into categories of the independent variable). Correlation strength is tested using Chi squares and P-values showing the significance of the independent variable in affecting the results of the dependent variable.³¹

³¹ Note: The graphs (located on pages 14 and 15) were also created in Excel but the data comes from the cross-tabulation outputs produced in SPSS. As previously mentioned, the data for the first two dependent variables (threat and ally perceptions) was separated

RESULTS

Figure 3, Figure 4, and Figure 5 below display the cross-tabulation results for each of the dependent variables compared to the independent variable. Though perhaps not as dramatic a difference as was expected, a trend can still be seen in the direction hypothesized. Of both those within the China Communist Party and without, the highest categories were those prefixed “somewhat” rather than “very”. This shows a tendency away from extreme answers on both sides, although CCP members lead non-CCP members slightly in disapproving of the United States. It is interesting that while both groups gravitated towards “somewhat” answers, the non-CCP members had equal numbers on both “very favorable” and “very unfavorable” while among CCP members twice as many chose the negative extreme than the positive. From the results, it is clear that the general public has a higher opinion of the United States than members of the CCP overall. It is also clear that these trends do not indicate a largely significant departure of opinion between members and non-members; the percentages across all categories do not differ by more than eight percent.

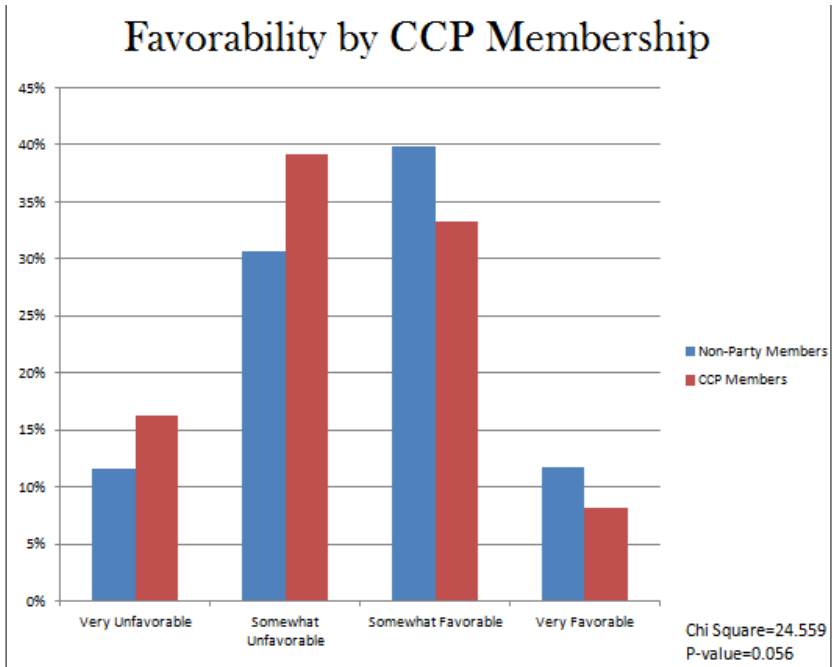
In terms of security perceptions, for both the CCP and the general public the only significant threats named were the United States and Japan. Even the combined category of all other countries named did not compete with these two. Japan was evaluated almost equally in both groups as being a high perceived threat. Likewise, Russia received a very

into three questions depicting the first, second, and third countries a respondent named. In order to obtain a cross-tabulation with all three answers, a separate cross-tabulation was performed for each of the three answers and then these were combined by hand in an Excel workbook. The result is full cross-tabulations which are displayed in graph form.

low threat rating among members of both groups. However, the percentage of CCP members to label the United States as the most significant threat was higher by roughly seven percent than the percentage of the general public to do so. This analysis suggests that while perceptions of Japan and Russia are uniform between the groups, there is an increased tendency among the China Communist Party to depict the United States as a threat compared to those outside the CCP. Once again, the views of the general public are different than those of CCP members, but the data does not show this departure to be dramatic.

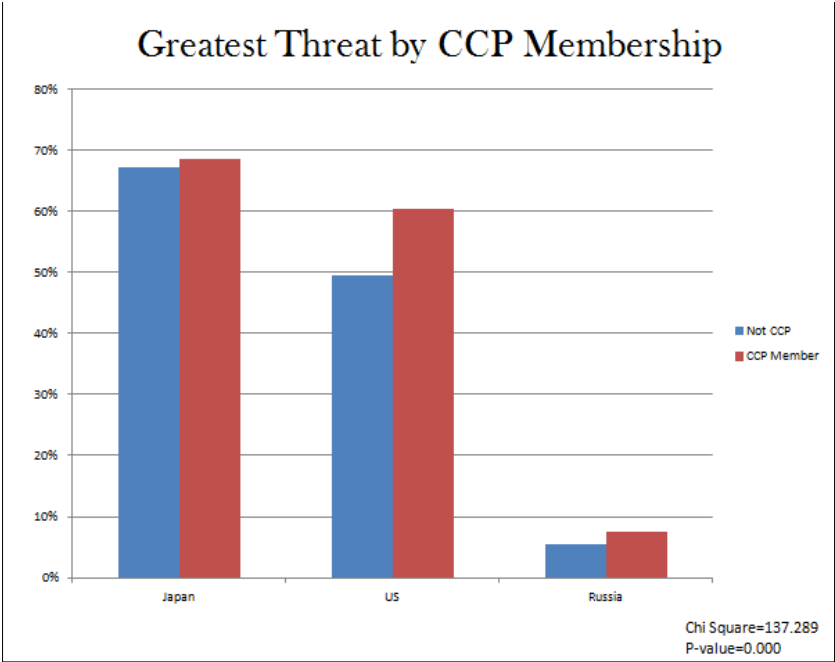
Cross-tabulation of ally perception with CCP membership shows some interesting results. Members of the CCP are shown to be slightly more likely to name Japan as an ally and very much more likely to name Russia. The European Union also shows a surprising spike in being named as an ally among non-CCP members. However, perhaps as a result of the stark departure of opinion between party members and non-party members concerning Russia and the EU, the United States is almost equal in how it is perceived between the two groups. It is only slightly more likely to be named an ally by non-CCP members than by CCP members and in total, people who named the United States as an ally are less frequent than both Russia and the European Union. The P-Value and Chi square also show this cross-tabulation test to be less than significant. While the trends in this cross-tabulation concerning the United States are less distinct and not considered statistically significant, they are still visible and support previous results showing CCP members to trend away from answers that represent trust in the United States.

FIGURE 3

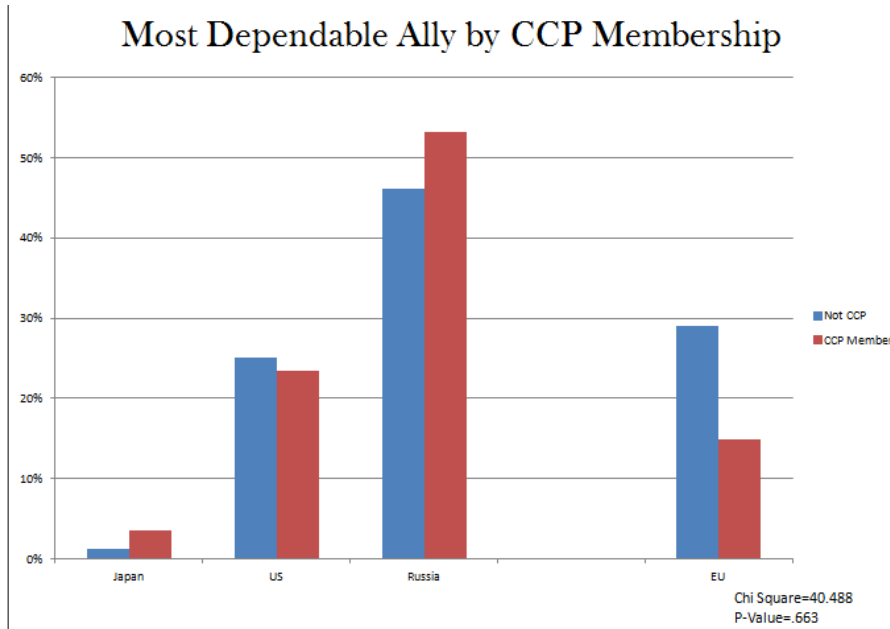


Produced from 2014 Pew Global Attitudes Survey Data set

FIGURE 4



Produced from 2014 Pew Global Attitudes Survey Data set

FIGURE 5

Produced from 2014 Pew Global Attitudes Survey Data set

SOURCES OF ERROR ACKNOWLEDGED AND CONCLUSIONS

Overall, these results are supportive of the original hypothesis. They indicate that there are consistent differences in views between those affiliated with the government through membership in the Chinese Communist Party and those who are not. The cross-tabulations show that those not in the CCP are more likely to look at the United States favorably, less likely to name it as a threat, and more likely to name it as an ally. Those in the CCP are more likely to disapprove of the United States, to name it as a threat, and not to name it as an ally. However,

despite these consistent differences, both groups agree that Japan is the most significant threat, Russia the most dependable ally, and the United States somewhere in between. In conclusion, while members of the CCP are more likely to believe the United States is a threat to China, the answers of both groups reflect each other.

It should also be acknowledged that the ability of this study to represent the views of both CCP members and non-CCP members is limited. This is especially true for members, as the sample size for the China Communist Party in the Pew data set is only seven percent of respondents; a total of 222 members. Were the sample size twice as large, it might indicate trends that are stronger or weaker than those obtained in this study. It is also acknowledged that there are numerous other factors that could be responsible for the correlations witnessed. The reasons leading a person to feel, or not to feel, threatened by the United States *could* stem from their involvement in the CCP; or it could stem from family traditions, education level, political interest, age, or something as immeasurable as childhood memories. The Chi-square and P-Values also prove the “Threat” and “Favorability” cross-tabulations to be significant correlations; however, it is noteworthy that the “Ally” cross-tabulation is not shown to be a statistically significant correlation. Yet, as long as these considerations are kept in mind it is permissible to consider these results for what they are: clear trends within a sample that may be indicative of larger trends within the real world.

Both the conclusions and the considerations of error previously mentioned apply to the larger question of this paper. The results of the data analysis imply that there is indeed a difference between members of the general public who are affiliated with the government and those who

are not. After observing this difference, it is tempting to prescribe it to the influence of the Chinese government, whose propensity to view the United States as a threat was determined in the literature review. However, the ability of the cross-tabulations to explain larger ideas such as the general divergence of government threat perceptions from those of the public is limited. For example, membership in the Chinese Communist Party is not the only form of government affiliation capable of influencing members of the public. Furthermore, views of members of the Chinese Communist Party are not guaranteed to reflect those of the government itself. These assumptions are certainly not made in this conclusion nor are the results obtained in the data analysis used to force assumptions about perceptions within the Chinese government. However, the results of the data analysis support the conclusions reached in the literary review in the sense that they do not disprove them. Both show that views of the government differ from those of the public. Likewise, both suggest that the government of China is more prone to mistrust the United States and view it as a threat than is the public. In conclusion, the preceding qualitative literary study combined with supporting quantitative evidence provides substantial reason to conclude that the government of China and those closely affiliated with it are more prone than the Chinese public in general to see the United States as a threat. Acknowledging that this difference exists and taking into account the security perceptions of both political elites and the general public can aid the United States in formulating a comprehensive approach to further relations with China—China as a whole.

**PRESIDENT OBAMA'S NATIONAL SECURITY COUNCIL DOES
THE NATIONAL SECURITY ADVISOR MAKE THE
DIFFERENCE?**

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Presidents often choose National Security Advisors (NSA) with whom they have preexisting trust and a rapport. This can be a help or a hindrance to establishing a functioning National Security Council (NSC). In an environment driven almost entirely by personal relationships, judging the effectiveness of the NSC involves examining the inner workings of the Council, and more importantly, the National Security Advisor and his or her ability to counsel the president while representing all policy angles. The NSA must act as an honest broker, a personal advisor, be wary of personal visibility, and ensure efficient communication between the White House and other government agencies. The job, an essential piece of American national security policy formation, is a challenging position in a high-stakes game. President Obama worked with three very different NSAs, and examining their ability to advise him provides a window into the type of national security policy that came out of the Obama White House.

Several clarifications on the purpose of the National Security Council must be made in order to understand the way in which this body operates. Though its size and influence have increased in the years since its inception, the function of the NSC remains the same. As its name suggests, the only policy with which the NSC concerns itself is policy relating to national security. In this specific arena, the NSC serves not as a forum for decision, but rather as an apparatus for the coordination and integration of policy.

Currently, the NSC is the nexus of all policy affecting national security, be it domestic, foreign, military, intelligence, or economic. The NSC gathers all policy options to present to the president, but leaves the ultimate decision to the commander-in-chief. As delineated in the National Security Act of 1947, the purpose of the NSC by law is, "... to advise the president with respect to the integration of domestic, foreign, and military policies... so as to enable the military service and the other departments or agencies of the Government to cooperate more effectively in matters involving the national security...".¹ This is a crucial aspect of the NSC and an exposition of its core function. The National Security Council exists to serve the president.

When the NSC was created by the National Security Act of 1947, the position of National Security Advisor (NSA) was not provided for. The original NSC operated with a small permanent staff and a civilian Executive Secretary who was appointed by the president. It was not until President Eisenhower assumed office that the NSA was created ("National Security Act of 1947").² Rear Admiral Sidney Souers was named the first Executive Secretary, a precursor to the Modern NSA.³

But Eisenhower did more than simply introduce a new position to the White House. His presidency established the roots for what is considered the best path for a National Security Advisor to follow, that of the "honest broker." Though Eisenhower's NSAs seldom advocated for policy options,

¹ Best, Richard A., "The National Security Council: An Organizational Assessment", *Congressional Research Service*, 2009, <https://www.fas.org/sgp/crs/natsec/RL30840.pdf> (March 14, 2015)

² "National Security Act of 1947", 2013, *Office of the Historian*. U.S. Department of State, <https://history.state.gov/milestones/1945-1952/national-security-act> (April 23, 2015)

³ Rothkopf, David. 2006. *Running the World: The Inside Story of the National Security Council*

they laid the foundation for the idea of brokerage under which modern NSAs operate. This system stresses promoting

...a genuine competition of ideas, identifying viewpoints not adequately represented or that require qualification, determining when the process is not producing a sufficiently broad range of options, and augmenting the resources of one side or the other...⁴

The merits of this system are obvious since it has been implemented by many presidential administrations, but academic studies have also confirmed the legitimacy of a National Security Advisor who serves as an honest broker. Case studies across various national security decisions display that there is value in a broker, and that decision-making suffers in the absence of this role. The ultimate test of honest brokerage is whether or not “...the president was given the essential information he needed to make an informed decision, or whether the information was filtered by others or skewed by the preferences of the National Security Advisor.”⁵

This is not to say that an NSA cannot offer his or her own policy option, but merely requires all other options be presented to the president also, in an unbiased and fair way. The role of an honest broker would be considerably easier if developing policy were a process devoid of politics. However, the National Security Advisor’s job as an intermediary between the president, the NSC, and various agencies requires the deft navigation of an intricate web of personal relationships and personalities. Using the quality of relationships and individual personalities as indicators of success is a difficult and ambiguous task, but they remain constant factors in how

⁴ Burke, John P. 2009. “The Obama National Security System and Process: At the Sixth Month Mark.” *White House Transition Project*, <http://whitehousetransitionproject.org/resources/briefing/SixMonth/Burke-6months-review=aug.pdf> (April 23, 2015)

⁵ Warshaw, Shirley Anne, “Reviewed Work: Honest Broker? The National Security Advisor and Presidential Decision Making by John P. Burke.” *Presidential Studies Quarterly*, 2010.

effectively the NSC operates. It is possible that relationships within the NSC matter just as much, if not more, than any formal processes.

There are two primary relationships the NSA must navigate. He or she must interact with both the agency heads and the president, and attempt to do so successfully and honestly. If this is not accomplished, the functionality of the NSC is impacted. More often than not, the National Security Advisor encounters problems with agency heads, as problems with the president would result in a quick replacement.

Brent Scowcroft served as National Security Advisor to President Ford and President George H. W. Bush. In a new biography, Bartholomew Sparrow calls Scowcroft "...the United States leading foreign policy strategist of the last 40 years."⁶ Scowcroft is an NSA worth discussing because he set the gold standard for the way in which a National Security Advisor can be most effective. He was especially successful under George H.W. Bush for three reasons: he enjoyed a close relationship with President Bush, his personality was a good fit for the position, and he had a strong understanding of what the role of the National Security Advisor should be.⁷

Scowcroft enjoyed a trust with the first President Bush that allowed for "candor and informality."⁸ This led to a functional policy process because the trust worked both ways. In order to facilitate honesty within the process, Bush, "...was careful to make sure that he [Scowcroft] was informed and not taken by surprise, especially on substantive important decisions."⁹

⁶ Kurtz-Phelan, Daniel., "On His Watch," *The New York Times*, sec Sunday Book Review. March 8, 2015.

⁷ Burke, John P., "The Obama National Security System and Process: At the Sixth Month Mark", *White House Transition Project*, 2009.

⁸ Worley, Robert D., "Orchestrating the instruments of power: A critical examination of the U.S. national security system", *National Security Council*, 2008.

⁹ Burke, John P., "The Obama National Security System and Process: At the Sixth Month Mark." *White House Transition Project*, 2009.

Bush and Scowcroft's relationship could have been detrimental if Scowcroft had not managed the NSC in an open and honest way. His efficiency extended beyond the realm of his rapport with Bush. The

NSC principals trusted Scowcroft to fairly and accurately represent their positions to the president...[he] was a critical enabler of collegiality in the Bush administration. His quiet competence allowed trust and avoided destructive competitions.¹⁰

Scowcroft's personality and temperament were a major asset to his post. The president valued his opinion, and his ego was not large enough to encourage any ulterior, personal motives. He worked for the good of the order and was intent on "staffing the president," a task that has been adopted by some of his successors. Though it is not possible to perfectly replicate Scowcroft's personality for each subsequent National Security Advisor, the system his personality allowed him to establish has survived three presidents since its implementation.

Scowcroft's legacy lies in the expansions he made to the traditional honest broker role, merging two separate models into one two-pronged approach that focuses on attending to the president's agenda and organizing the institutional structure of the NSC. Scowcroft himself said, "There are two modes for being National Security Advisor... staffing the president or running the institution. The trick is doing them both."¹¹ This trick is something at which Scowcroft excelled. His successors have not been quite as capable, often able to accomplish one task, but not the other.

A final caveat of Scowcroft's success as National Security Advisor involved his willingness to stay out of the spotlight. Scowcroft was not

¹⁰ Worley, Robert D. *Orchestrating the instruments of power: A critical examination of the U.S. national security system*. National Security Council, 2008.

¹¹ Rothkopf, David., "Donilon's legacy", *Foreign Policy*, July 5, 2013.

hesitant to back policy and offer his own advice to the president, but he almost always declined the opportunity to espouse these views publically. He usually deferred to members of the cabinet to discuss policy.¹² This is a quality that is highly valuable for an NSA to possess. Shying away from the media and staying out of the public eye set Scowcroft apart from other Washington politicians and staffers who craved power and often acquired it through publicity. Scowcroft attained his power in part because he, as President Bush once commented, “Doesn’t want anything.” With no personal agenda, the president trusted Scowcroft completely, allowing him to become, what one NSC staffer called, “a kind of doppelganger for Bush.”¹³

Scowcroft reached a place of such high esteem in the national security world because of his ability to work with others to develop the most successful policy coordination process of the modern NSC. He understood how harmful the ego can be, and was able to increase and use his own power in conjunction with the power of those around him. He did not burn bridges with the departments, and he understood the most effective model of brokerage. His success was circular; the logistical end of the National Security Council was aided and enhanced by his personal abilities and assets. Scowcroft’s keys to success were, “gain the trust and confidence of the key players; establish a cooperative policy process at all levels; and cement an unbreakable relationship with the president.”¹⁴

President Obama has arguably not met Scowcroft-level success with his three National Security Advisors. He had a closer relationship with Tom Donilon and Susan Rice than he did with General Jim Jones, but the policy

¹² Burke, John P., “The Obama National Security System and Process: At the Sixth Month Mark”, *White House Transition Project*, 2009.

¹³ Daalder, Ivo H. and I.M. Destler. *In the Shadow of the Oval Office*. New York: Simon & Schuster, 2009.

¹⁴ *Ibid.*

that came out of President Obama's White House has been criticized enough that some of the blame must lie with his advisers.

General James Jones came out of retirement at the request of President Obama to serve as his first National Security Advisor, a move that surprised the political world as the president-elect had no preexisting connection to Jones. Some called the choice a testament to Obama's recognition of his own needs. General Jones received praise for his extensive experience and credentials that were expected to be a huge asset to the new and young administration. There were both advantages and drawbacks to this appointment, but President Obama seemed optimistic about his decision.¹⁵

In his memoirs, former Secretary of Defense Bill Gates discusses how the tenor of Jones's appointment changed very quickly. A central factor in Jones's rapid isolation within the White House involved his status as an outsider. Upon his appointment, Jones's staff was chosen for him, and he was therefore forced to compete for the President's time with junior members of his own staff. Mark Lippert, NSC chief of staff, and Denis McDonough, the NSC head of strategic communications both had pre-established relationships with the president, and according to Gates, "Obama also gave them ready access, making Jones's position all the more difficult".¹⁶

Lippert and McDonough were only two impediments in Jones's path to the president. Also vying for Obama's attention, and often winning it, was Jones's own Deputy NSA, Tom Donilon, who had ties to both Vice President Biden and Chief of Staff Rahm Emanuel. This was indicative of a larger pattern in the Obama White House. The president had a very close inner

¹⁵ Calabresi, Massimo, "James Jones: Obama's National Security Surprise", *Time Magazine*, December 01, 2008.

¹⁶ Gates, Robert M. *Duty: Memoirs of a secretary at war*, New York: Knopf, 2014.

circle of advisors, many of whom had been with him since the campaign, if not his days in the Senate. This group, consisting of names like Valerie Jarrett, David Axelrod, Rahm Emanuel, and Robert Gibbs, "...weighed in independently with Obama on foreign policy issues. Perhaps a dozen people, including Jones's own subordinates, had more access to the president than he did..."¹⁷ In a book by Bob Woodward, Jones privately referred to the president's inner circle as "the water bugs," and accused them of being, "...major obstacles to developing and deciding on coherent policy."¹⁸

Some of the difficulties Jones encountered may have had to do with the fact that he, as a career military man, was not suited for a staff position. The bureaucracy of the White House presented new territory for Jones, a man used to structure and a strict chain of command. In an interview conducted after he left the White House, Jones was asked about the differences between his time as a commander in the military and his time as a civilian in a senior-level job. Jones's answered that, "The big difference is that an order is a basis for negotiation in the White House".¹⁹

Instead of adjusting to this new environment and stepping to the forefront of policy coordination, Jones took a step back. A notable example of Jones's detached manner as National Security Advisor occurred during President Obama's 2009 Afghanistan strategy review. The debated issue was whether or not to send 40,000 additional troops to Afghanistan in order to counter the revived influence of the Taliban. During the debate Jones is described as a "referee" because he facilitated discussion rather than offering his own opinions and, "...largely concentrated his efforts on management of

¹⁷ Ibid.

¹⁸ Lucas, Fred, "New Book Describes Rift between Obama's Nat'l Security Advisor and His Political Team: 'Water Bugs'", *CMSNews*, June 05, 2012.

¹⁹ Bloomfield Jr., Lincoln P., "Interview of General James L. Jones." *The Stimson Center*, 2011.

the review process itself.”²⁰ While a noble effort, managing the logistics of this review was not the best use of the NSA’s intellect, skill, or time.

The consequences of Jones’s inability, or unwillingness, to better facilitate the formation of coherent policy resulted in a chaotic, dysfunctional process. Many meetings ended without a resolution, and in the list of principle players, Jones’s name is rarely discussed, signaling that he was not driving the process. Bob Woodward’s book “Obama’s Wars,” illustrates an administration deeply divided, and an NSC that failed to mend the rifts. “Some of the critical players in President Obama’s national security team doubt his strategy in Afghanistan will succeed and have spent much of the last 20 months quarreling with one another over policy, personalities and turf.”²¹

According to then Director of National Intelligence, Dennis Blair, NSC meetings seemed staged and hollow. The president’s questions were met with feeble responses, and it was obvious to Blair that Jones was not much more than a figurehead. Woodward wrote, “Donilon and Brennan had direct access to the president, so they didn’t have to go through Jones... Dennis McDonough also had his own turf... and Emanuel also tinkered in policy...”²² This, if nothing else, illuminated the chaos of the process and Jones’s lack of control, and it was not long until Jones left the White House in October 2010.

Tom Donilon succeeded Jim Jones as National Security Advisor, and he did so with a wealth of experience to draw upon. Not only did he serve as deputy NSA under Jones, but he was also former Secretary of State Warren

²⁰ Marsh, Kevin, "The Contemporary Presidency the Administrator as Outsider: James Jones as National Security Advisor", *Presidential Studies Quarterly*, 2012.

²¹ Baker, Peter, "Woodward Book Says Afghanistan Divided White House," *The New York Times*, September 21, 2010.

²² Woodward, Bob. *Obama's wars*, New York: Simon&Schuster, 2010.

Christopher's chief of staff during the Clinton administration.²³ Donilon began his political career as a White House staffer during the Carter administration, and with three decades of Washington knowledge and connections, Donilon has been described as the "patron saint of staffers." When he was promoted to NSA following Jones's departure he commented that, "It's the kind of job I've been preparing for, for a long time..."²⁴

The transition from deputy NSA to NSA was hardly a difficult one as Donilon was already a trusted member of the Obama foreign policy team; His tenure as a foreign policy advisor began during the 2008 campaign, and therefore when he became NSA he did not have to compete for access to the president.²⁵ Although being part of the Obama inner circle gave Donilon a leg up, much of his initial, and ultimate, success was made possible because he understood the inherent structure of the NSC. He recognized it as an executive body that exists to serve the president. He molded the NSC to fit Obama's management style, creating a much more fluid process.²⁶

Donilon's relationship with the president allowed the entire NSC to function more effectively. Donilon, like many in his position, hoped to emulate the Scowcroft model and was credited with doing so in more ways than one. He certainly served as an effective honest broker. Cabinet members and White House staffers alike commended Donilon for his ability to juggle the demands of this job and present a full, detailed picture that connects smaller issues to the larger picture. Hillary Clinton confirmed Donilon's

²³ Destler, I. M., "Donilon to the Rescue?", *Foreign Affairs*, October 13, 2010.

²⁴ Horowitz, Jason, "Is the Donilon Doctrine the New World Order?" *The Washington Post*, December 21, 2010.

²⁵ Jackson, Michael Gordon, "A Dramatically Different NSC? President Obama's Use of the National Security Council." Paper presented at the Annual Meeting of the Western Political Science Association, Portland, Oregon, 2012, <http://wpsa.research.pdx.edu/meet/2012>

²⁶ Mann, James, "Obama's gray man", *Foreign Policy*, May 08, 2013.

respected place in the national security process when she commented that he was, “truly an honest broker.”²⁷

Donilon’s imitation of Scowcroft bled into other aspects of his position. During his time as NSA, he was a relatively unknown figure to the general public, described as “...the most powerful man in the White House whose name isn’t widely known.”²⁸ This tendency to shy away from the media highlights Donilon’s commitment to effectively serve his administration. He was so good at his job because of his ability to avoid friction with the cabinet, understanding that trust among policy makers was essential to managing the process.²⁹

During his time as NSA, Donilon oversaw one of the most successful military undertakings of the Obama administration: the raid that captured Osama Bin Laden. Before the May 2011 mission, twenty-four interagency meetings took place. Donilon was proud of the fact that there were no information leaks prior to the raid in Pakistan, an example of how well the NSC performed under intense pressure. He pointed to four aspects of his NSC that facilitated this kind of discipline and interagency coordination: a highly centralized process with no back channels, the group’s promise to execute the president’s decisions faithfully, an accurate representation of each Cabinet department’s opinions and needs, and follow-up memos regarding options and decisions so that there was no confusion. According to

²⁷ Baker, Peter, "Tom Donilon, A Manager of Overseas Crises, as Much as the World Permits", *The New York Times*, September 23, 2012.

²⁸ Jackson, Michael Gordon, “A Dramatically Different NSC? President Obama’s Use of the National Security Council.” Paper presented at the Annual Meeting of the Western Political Science Association, Portland, Oregon, 2012, <http://wpsa.research.pdx.edu/meet/2012>

²⁹ Mann, James, "Obama's gray man", *Foreign Policy*, May 08, 2013.

Donilon, this process, "...has been really essential to our success in the foreign policy, national security side."³⁰

If this process was Donilon's modus operandi, it certainly produced successful policy implementation in other corners of the world. Perhaps the most important aspect of Donilon's legacy as National Security Advisor, and an example of his ability to read the global context and manage the national security policy process accordingly, was the "pivot" to Asia. As the United States moved further away from the trauma of 9/11, Donilon seemed to recognize the magnitude of China's meteoric rise and the growing status and influence of other Asian countries.³¹ Donilon himself discussed the administration's Asia policy. "We determined that from a geographic perspective, and no other elements to this, that we were overinvested in the Middle East, particularly with respect to military operations, but that we were underinvested in Asia..."³²

This assessment was applauded, as a crucial aspect of national security is long-term strategy, not just focus on immediate crises. Donilon's recognition of Asia, and his escape from the post-9/11 tunnel vision that dominated U.S. national security policy throughout the Bush administration, exhibits why he was considered to be such a valuable member of the president's team. Not only did he manage process, but he also managed

³⁰ Jackson, Michael Gordon, "A Dramatically Different NSC? President Obama's Use of the National Security Council." Paper presented at the Annual Meeting of the Western Political Science Association, Portland, Oregon, 2012, <http://wpsa.research.pdx.edu/meet/2012>.

³¹ Horowitz, Jason, "Is the Donilon Doctrine the New World Order?" *The Washington Post*, December 21, 2010.

³² Rose, Gideon, "Tom Donilon on U.S. Asia policy", *Foreign Affairs*, February 06, 2014.

ideas, making himself indispensable to the president who called him, "...one of the most effective National Security Advisors our country has ever had".³³

The quality of the policy created under Donilon's leadership is subject to scrutiny, but he is not responsible for whether or not history will deem the policy sound. Donilon's concern was the proper implementation of this policy, and with high marks from the president and cabinet members, as well as an Asia strategy that is still being executed; it is accurate to describe Donilon's tenure as NSA as a success.

In June of 2013, Susan Rice became President Obama's third National Security Advisor. Unlike Jim Jones or Tom Donilon, Rice was already a nationally known name when she became National Security Advisor. She worked at the State Department and for the NSC during the Clinton administration, and prior to being appointed NSA, served as President Obama's ambassador to the United Nations.³⁴ A front-runner to be Obama's second-term Secretary of State, Rice was caught in controversy surrounding the 2012 attacks on the American consulate in Benghazi, Libya. Rice made several incorrect statements about the attacks, and speculation about her motives forced her to withdraw her name from consideration for Secretary of State. However, in a testament to his loyalty to her, President Obama appointed her National Security Advisor.³⁵

The president's defense of Rice after the Benghazi affair, and his move to appoint her to a top-level position in the face of controversy, highlighted the close relationship between Obama and Rice. She had been

³³ Horsley, Scott., "Obama Picks Rice as Next National Security Advisor", *National Public Radio*, June 05, 2013.

³⁴ Broder, Jonathan., "Susan rice: Obama's right-hand woman." *Newsweek*, December 16, 2014.

³⁵ "Profile: Susan Rice." Accessed April 19, 2015, <http://www.bbc.com/news/world-us-canada-20722189>

with Obama since 2006, when she served as a foreign policy advisor on his presidential campaign. She then joined the White House as a member of Obama's inner circle of campaigners and long-time loyalists. The tie between Obama and Rice has been described as sibling-like.³⁶ As a central factor in the success of an NSA is proximity to the president, Rice's outlook was promising when she started in the White House.

One reputation that followed Rice to the White House was that of a foul-mouthed, uncompromisingly tough player. This attitude however, appeared to stem from Rice's desire to get things done in a timely, no-nonsense manner. Although some interpreted her blunt demeanor as abrasive, it was part of why the president found her so valuable. The president has to be careful acting on frustrations and firing off sharp-tongued replies, but in Rice, Obama had an NSA who was able to force other advisers into movement.³⁷ As one article put it, "there are moments... where she says what he's thinking, but can't say."³⁸

Though Rice's tough demeanor might have offset the president's cool and collected one, her legacy as an NSA must be based on more than personality and management style. One of her major tests was the collapse of Syria and the subsequent development of ISIS, one of the defining national security issues of the Obama administration. There was, and still is, a great deal of reproach for how the Obama administration handled Syria. Much of this criticism centered on the NSC and its overly complicated process—contributing to indecision and failure to follow through on pledged actions.

³⁶ Broder, Jonathan., "Susan rice: Obama's right-hand woman." *Newsweek*, December 16, 2014.

³⁷ Ignatius, David, "Susan Rice, a Provocateur in the West Wing", *The Washington Post*, June 05, 2013.

³⁸ Sanger, David E., and Jodi Kantor, "Rice's Blunt Style Endearred Her to President, but Not all", *The New York Times*, December 13, 2012.

Obama's own team was, at times, surprised by the president's action, or lack thereof. At the beginning of the civil war in Syria, Rice expected Obama to take a hardline military course of action; she was stunned like many of the president's advisers when he sought congressional approval to intervene in Syria.³⁹

Though it was not Rice's job to make up the president's mind, it came as a shock that he diverged so sharply from the opinions of his cabinet and advisors, and then stuck to the decision so closely. This example raises questions about how able Rice was to thoroughly coordinate and present options for the president's consideration. Chuck Hagel expressed speculation about Rice's effectiveness in a contentious memo about the strategy in Syria. The memo revealed to the whole nation the disparity of opinions on proper policy between the NSC and the departments. Though the actual text of the memo was not made public, Hagel allegedly criticized Rice for not having, "...a sharper view of what to do about the Assad Regime."⁴⁰ Rice even said upon her exit from the White House that the situation in Syria is one of her biggest regrets.⁴¹

It is possible that Rice encountered difficulty because she was too close to the president. The position of National Security Advisor requires a delicate balance between personally advising the president and providing balanced information. The name is slightly misleading, as the NSA should not be overly committed to one policy option over the other. Once again,

³⁹ Rothkopf, David. *National Insecurity: American Leadership in an Age of Fear*. New York: Public Affairs, 2014.

⁴⁰ Ernst, Douglas, "Hagel Blasts White House Syria Strategy in Memo to Susan Rice", *The Washington Times*, October 30, 2014.

⁴¹ Heim, Joe., "Susan Rice looks back on her time with the Obama administration." *The Washington Post*. January 12, 2017.

Brent Scowcroft is the gold standard for achieving this balance, and it seems that Rice did not quite meet the bar that Scowcroft set.

President Obama was criticized for appointing “political hacks,” and ignoring, “...the institutions and procedures that were designed to help the commander in chief insulate the serious business of foreign policy and national security from baser political concerns.”⁴² Rice was often accused of being one of Obama’s few close advisors who tolerated or even supported that habit, something that would have clouded her ability to act as an honest broker.⁴³

Isolating the president from multiple viewpoints, creates an environment in which thorough policy is no longer developed. Syria was evidence of this. Whether Rice was personally overly accommodating or not, her NSC quickly gained a reputation for being purely reactive in nature and, “There is a sense that the NSC is run a little like beehive ball soccer, where everyone storms to wherever the ball is moving around the field”.⁴⁴ NBC military analyst Colonel Jack Jacobs described Rice’s NSC as, “...isolated, and a lot of decisions it makes are either ill-considered or do not consider everything that needs to be considered.”

Rice’s tenure was not marked exclusively by failure, though. The last two years of the Obama administration saw an opening of relations with Cuba and the negotiation of a nuclear deal with Iran. Rice has expressed pride over these efforts. She may have even learned from her initial failures that foresight and planning are crucial to the job of an NSA. In a discussion about Cuba and Iran, Rice stated that,

⁴² Strassel, Kimberley A., "Meet Obama's Kissingers." *The Wall Street Journal*, June 05, 2014.

⁴³ Ibid.

⁴⁴ Logiurato, Brett., "Ex-Administration Official Sums Up the Obama Administration's Insularity in One Brutal Sentence." *Business Insider*, October 28, 2014.

one of the most important things...is that you have to be able to do not only the urgent and the crisis out of left field, but you also have to find time for the important. That advances our agenda and takes advantages of opportunities rather than just respond to the incoming crises.⁴⁵

This is a far different attitude than the one that marked the first two years of Rice's tenure at the helm of the NSC.

President Obama's NSC essentially experienced three waves. Jim Jones was isolated and kept out of Obama's inner circle, creating an NSC that did not perform to the full extent of its ability or responsibility. Tom Donilon was able to rehabilitate the NSC and create a policy process that was both effective and respected. Susan Rice basically kept the NSC functioning at capacity, if not sometimes below productivity.

The occasional turmoil and dysfunction within the Obama NSC was both a cause and an effect of the breakdown of sound process. Under Obama the numbers of the NSC ballooned to epic proportions. These growing numbers may have been indicative of a centralized decision-making structure in the White House, a structure that bred contempt among cabinet members, and did not always contribute to a smooth policy formation or coordination process.

As it stands now, the NSC is any president's primary body for policy consideration. In order to make successful decisions, the president must consider an array of viable options. When the NSC works correctly, these options represent the views of the various department heads that sit on the Principal's Committee. By statute, and on purpose, this committee is a diverse body that is intended to develop assorted, relevant policies. These potential policies should then be presented to the president by the NSA in an

⁴⁵ Heim, Joe., "Susan Rice looks back on her time with the Obama administration." *The Washington Post*, January 12, 2017.

unbiased manner. Once the president makes a decision, the NSA relays it back to the Principals Committee, and the process of policy implementation begins. If the NSA does not act as an honest broker, the quality and quantity of options are diminished, and subsequently the NSC cannot perform at full capacity. Since the NSC operates at the pleasure of the president, and without any external oversight, it is not difficult to see how the process can quickly become eroded if the NSA fails in his or her duties.

President Obama's three National Security Advisors serve as proof that failure occurs in a variety of ways. So too, does success. Because the NSC does not exist in a vacuum, neither outcome is exclusively the fault of the National Security Advisor. However, as the NSC has moved to the forefront of the national security policy-making structure, the role of NSA has become increasingly more significant. This significance denotes power, and power in turn demands responsibility. Of President Obama's three NSAs, each handed enormous responsibility, Jim Jones was the least successful, Tom Donilon the most, and Susan Rice falls somewhere in between, with a legacy that is yet to be determined.

INCREASING CONGRESSIONAL DRONE OVERSIGHT: A BACKGROUND DISCUSSION AND POLICY ANALYSIS

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The shifting focus of warfare during the administrations of Presidents George W. Bush and Barack Obama from conventional battlefield operations to clandestine drone strikes has altered the war-making responsibilities of Congress and the President. Broad authorizations by Congress enabling President Bush to use force against Al-Qaeda terror threats allowed the executive branch to increase its own war-making power. This increase has been coupled with a declining public opinion of the secrecy surrounding, and opaque guidelines for, drone use. In recent years, advocacy groups and citizens have pressed Congress to increase oversight over the executive branch and its unilateral role in dictating drone use. This paper examines how and why Congress interacts with the executive branch currently, and, more importantly, what role members of Congress would like to have in determining drone use. This discussion is followed by policy proposals on how to change the role of Congress resulting in an increase in its institutional power.

BACKGROUND

Drone strikes, or targeted killing of enemy combatants, are currently considered a presidential power. Because drone strikes are either conducted by the CIA or by the Department of Defense, both lines of command on when and whether to attack directly lead to the president. Documents that were unclassified in August 2016 detail how drone strikes are determined and how the president engages with this information. First, intelligence is collected by a number of intelligence agencies—civilian and military—and are corroborated with other sources. Once this intelligence is collected, either the CIA or Department of Defense must provide a plan and framework to either detain or target the particular high-level target.¹ These detailed plans must include a precise counter terrorism objective, the time for which the authorization of force is active, and the international legal basis for taking action against the individual.² Upon

¹ U.S. Department of Justice, *Procedures for Approving Direct Action Against Terrorist Targets Located Outside the United States and Areas of Active Hostilities* (U.S. Department of Justice, 2013): 1.

² Karen DeYoung, “Newly declassified document sheds light on how president approves drone strikes,” *The Washington Post*, August 6, 2016, accessed October 12, 2016, <https://www.washingtonpost.com/world/national->

completion of this framework, an operational plan is made and reviewed by other federal agencies³. After the interagency review and changes, the principal of the operating agency along with their deputy will review the final nomination, and send it to the president for approval.⁴ Disputes by high level department officers will be resolved by the president's decision.⁵

Because the system of approving drone strikes is cemented firmly in the executive bureaucracy, Congress has little authority to intervene during the decision making process, which in turn can make oversight a difficult task. Congressional power to check the president's war making authority is jeopardized by Congress's lack of action on repealing, renewing, or changing the terms of the Authorization of Use for Military Force (AUMF). AUMF was passed by Congress in 2001 as a response to the terrorist attacks on September 11, 2001. The AUMF gave the president broad authority to use military action against the Al-Qaeda terrorist network and their associated cells or organizations.⁶ Since 2001, the resolution has been used to justify military action, particularly drone strikes, in nations from Pakistan to Libya. Since the rise of the terrorist organization ISIS, President Obama has attempted to create a new AUMF that would contain language to specifically target ISIS leaders. Currently, presidential authority to target ISIS operatives is legally defended by asserting that ISIS is an offshoot of Al-Qaeda.

Despite the effort to create a new AUMF with increased restrictions on drone use, Congress has refused to act. Conservatives in Congress have argued that President Obama's proposed AUMF draft is too restrictive.⁷ Liberals refuse to agree because the proposed draft does not include tight limits on the use of U.S. ground troops.⁸ This lack of action has hurt Congress's potential to give itself more strength in determining drone strikes. If Congress truly wishes for more oversight, they could include provisions in a new AUMF to increase transparency in the

security/newly-declassified-document-sheds-light-on-how-president-approves-drone-strikes/2016/08/06/f424fe50-5be0-11e6-831d-0324760ca856_story.html?utm_term=.5b8e5e5b2507.

³ U.S. Department of Justice, *Procedures for Direct Action*, 4.

⁴ U.S. Department of Justice, *Procedures for Direct Action*, 4-5.

⁵ DeYoung, "How President Approves Drone Strikes."

⁶ U.S. Government Printing Office, *Public Law 107-40 107th Congress Joint Resolution S.J Res. 23* (U.S. Congress, 2001).

⁷ Jennifer Bendery, "Obama Sends Congress Draft War Authorization," *The Huffington Post*, February 11, 2015, accessed November 10, 2016, http://www.huffingtonpost.com/2015/02/11/obama-aumf-congress-isis_n_6660208.html.

⁸ Bendery, "Obama Sends Congress Draft War Authorization."

executive branch, or simply to increase communication between the executive branch and Congress on potential strikes.

Another reason that Congress has little oversight over the drone strike process is because of the dual nature of drone strikes. As mentioned earlier, drone strikes can be launched by either the CIA or the Department of Defense. CIA operations are more secretive than the Department of Defense missions run by Joint Special Operations Command (JSOC) forces. CIA strikes are categorized as classified Title 50 covert actions.⁹ These actions are activities by the United States that are intended to be secret and do not include traditional military activities. More precisely, the U.S. government cannot legally provide information on covert CIA drone strikes.¹⁰ The Department of Defense, and JSOC operations, are covered under a different set of guidelines—Title 10 armed forces operations.¹¹ Title 10 and military doctrine are publically available, and Congress is more easily able to hold hearings on this information.¹²

Because of the dual reporting standards, Congressional oversight is sometimes duplicated among different committees, and separate committees are privy to different information. For example, JSOC counterterrorism operations are reported to the armed services committees in both chambers of Congress. However, CIA drone strikes are reported to the intelligence committees in both chambers. One member of the House Permanent Select Committee on Intelligence has said that he receives and review reports from the CIA and JSOC, despite the fact that JSOC drone strikes do not fall under that committee’s jurisdiction. The overlapping and crisscrossing structure of oversight confuses who is authorized to view certain information and who has the authority over specific operations.

To further complicate the issue of oversight, the Congressional foreign affairs committees have requested briefings on drone strikes since those members are tasked with overseeing all U.S. foreign policy and counterterrorism operations.¹³ These requests have been repeatedly denied.¹⁴ Even if they had not been denied, the foreign affairs committee would not be permitted

⁹ Micah Zenko, “Transferring CIA Drone Strikes to the Pentagon” *The Council on Foreign Relations*, April 2013, accessed October 21, 2016, <http://www.cfr.org/drones/transferring-cia-drone-strikes-pentagon/p30434>.

¹⁰ Zenko, “Transferring CIA Drone Strikes.”

¹¹ Zenko, “Transferring CIA Drone Strikes.”

¹² Zenko, “Transferring CIA Drone Strikes.”

¹³ Micah Zenko, “Reforming U.S. Drone Strike Policies,” *Council on Foreign Relations Council Special Report No. 65* (January 2013): 15.

¹⁴ Zenko, “Drone Strike Policies,” 15.

to review strikes by the CIA, only the publicly acknowledged strikes by Department of Defense operations. This is a problem because the other committees, while authorized to review drone strikes, are not tasked with ensuring those drone strikes remain strategically valuable to U.S. foreign policy. The foreign policy committees are lacking a large piece of information that is necessary to understanding how the United States is operating abroad and whether this aligns with diplomatic objectives.

Muddled as it is, Congress does provide some oversight of the presidential drone programs. In principle, members of the Senate and House intelligence committees are given access to recent drone strike footage, and all records and information used to make the decision for the particular strike. Then, those members are charged with questioning the aspects of those strikes. Former chair of the Senate Select Committee on Intelligence, Dianne Feinstein, has said the committee does just that. She claims that the committee devotes a large proportion of time and attention to the drone program, reviewing the strikes and questioning the “legality, effectiveness, precision, and foreign policy implications of the strike.”¹⁵ Further, members and approved staffers are permitted to go to CIA headquarters each month to review footage of recent drone strikes.¹⁶

While this relationship with the CIA and executive branch appears functional, reports have shown that committee members and staffers are actually given less information than previously thought. Many members and staffers have anonymously reported being denied requested information. Further, reporting by international news agencies has found that some footage that staffers and members receive at CIA headquarters is truncated, deliberately cut to show the parts of the strike that the CIA wants to be seen.¹⁷ Further, despite repeated requests, the Obama administration waited multiple years to provide legal opinions on the legal basis for targeted killings—essential material for understanding when and how drones should be used.¹⁸ This type of obstruction was duplicated with Senator Ron Wyden—another member of the Senate

¹⁵ Alice Ross, “Is Congressional Oversight Tough Enough On Drones?” *The Bureau of Investigative Journalism*, August, 1, 2013, accessed October 25, 2016, <https://www.thebureauinvestigates.com/opinion/2013-08-01/is-congressional-oversight-tough-enough-on-drones>.

¹⁶ Ross, “Congressional Oversight.”

¹⁷ Ross, “Congressional Oversight.”

¹⁸ Conor Friedersdorf, “Reports of Congressional Drone Oversight Are Greatly Exaggerated,” *The Atlantic*, May 1, 2013, accessed November 3, 2016, <https://www.theatlantic.com/politics/archive/2013/05/reports-of-congressional-drone-oversight-are-greatly-exaggerated/275451/>.

Intelligence Committee—who had spent several years attempting to receive information on the practices and guidelines of the drone program.¹⁹ He only received a fraction of the information during John Brennan’s highly publicized confirmation hearing to become CIA director.²⁰ Withholding information breaks the responsibility of the President to keep the committee fully and currently informed and shows that Congressional oversight is too easily checked by the whim of the executive branch.

Even when the committee is given information, Feinstein has argued that Congress has little power to act on any of it. Because the CIA drone strikes are covert activity, if members of the committee see something wrong and decide to act on it with the full chamber, they are often blocked because of the secretive nature of the operations. Because of the time it takes to delve deeper into the intelligence community to demand answers to questions, many times elected officials leave those questions unanswered or staffers are pressured not to infringe on the power of the secretive intelligence community on behalf of their bosses.²¹

Given this information, it is reasonable to believe that Congress would want to increase its oversight of the drone program and limit unilateral presidential power in commanding this military action. Its oversight inefficiencies coupled with a growing public concern over covert drone use should be enough to spur legislative change in drone operations. One way that Congress could achieve greater control over the program, transferring all drone strike and targeting duties to the Department of Defense, is routinely dismissed by members of Congress, especially those on the intelligence committees like Senator Diane Feinstein. Feinstein and others believe that the Department of Defense may not be suited to carry out clandestine missions. For example, they may lack the deniability the CIA has because of its secrecy.²² Further, the Department of Defense may not be able to launch attacks in certain areas. For example, traditional military drone operations today are reserved for nations with more amiable relations towards U.S. drone involvement.²³ Consequently, those who oppose this action are

¹⁹ Friedersdorf, “Drone Oversight Exaggerated.”

²⁰ Friedersdorf, “Drone Oversight Exaggerated.”

²¹ Ross, “Congressional Oversight.”

²² Bryan Bender, “I don’t think the CIA should be in the business of carrying out wars,” *Politico*, April, 23 2015, accessed October 19, 2016, <http://www.politico.com/story/2015/04/drone-strikes-cia-pentagon-war-defense-117294>.

²³ Bender, “CIA Carrying Out Wars.”

legislators who have positions on the intelligence committees, suggesting their opposition is more to preserve their own—if minimal—oversight powers.

This said, other legislators are actively looking to increase oversight of drone use by the CIA and the Department of Defense. Unlike members of the armed services committees who may be looking to boost their own prestige, many legislators unaffiliated with the dominant committees are addressing the need for increased oversight. To them, the public deserves representatives who are well-informed and updated with the military actions of the United States abroad. Members of the Progressive Caucus convened in 2013, to discuss ways their own oversight capabilities could be increased, some of which will be discussed below. They suggested that the high casualty count of drone operations, marked by minimal success given its legal parameters to eliminate Al-Qaeda targets, is disturbing. According to a report by the New American foundation, only ten percent of those killed in drone strikes by the Obama administration have been Al-Qaeda members, the rest are thought to be militants from varying organizations or civilians.²⁴ Another report by counterterrorism expert Peter Bergen notes that 13 percent of the 283 drone strikes in Pakistan between 2009 and 2012 resulted in killing a terrorist or militant leader.²⁵ Following this hearing, Rep. Keith Ellison attempted to attach an amendment to the Intelligence Authorization package of 2015 that would have required the Inspector General of the Intelligence Community to investigate civilian deaths in drone strikes and to report the findings to Congress.²⁶ However, his attempt was unsuccessful.

It should be noted that members of the intelligence committees do want increased oversight on drones, but within their own purview. For example, in 2013 the Senate Intelligence Committee approved legislative language to be attached to the authorization of intelligence activities for the following fiscal year. This included language to require U.S. spy agencies to publicly publish statistics on how many people were killed or injured by drone strikes.²⁷ Further,

²⁴ Congressional Progressive Caucus, *Hearing on U.S. Drone Policy* (Congressional Progressive Caucus, May 2013): 4.

²⁵ Ilya Somin, "Hearing on 'Drone Wars: The Constitutional and Counterterrorism Implications of Targeted Killing,'" (George Mason University School of Law, April 2013), 5.

²⁶ Jenna McLaughlin, "Congressman Calls for More Oversight After Drone Papers Revelations," *The Intercept*, October 23, 2015, accessed October 19, 2016, <https://theintercept.com/2015/10/23/congressman-calls-for-more-oversight-after-drone-papers-revelations/>.

²⁷ Mark Hosenball, "Senate panel approves beefed-up oversight of drone attacks," *Reuters*, November 8, 2013, accessed November 8, 2016, <http://www.reuters.com/article/us-usa-drones-idUSBRE9A713G20131108>.

it had language that would increase scrutiny on intelligence agencies and their deliberations on whether to approve strikes against U.S. citizens or residents. These measures were passed out of the Intelligence Committee with a vote of 13-2, clearly demonstrating the desire for more control over the actions of the president and his agency subordinates.²⁸

POLICY OPTIONS

Given the desire for increased oversight by Congress, members have many options that they can pursue to regain some of the branch's war-making power. Two options highlighted earlier were moving the drone program fully under the jurisdiction of the Department of Defense or passing a new AUMF with greater controls. The first option, colloquially known as the military option, would give the Department of Defense primary control over the use of drone strikes and targeting. This does not mean that all strikes necessarily need to be conducted by the Department of Defense. Rather, the Department would take over primary control of usage, but delegate some tasks to other government agencies, such as the CIA. Further, if any quick decisions need to be made by the intelligence agencies, the Defense Department could allow those agencies to take immediate action. As discussed, this policy has significant oversight benefits. Instead of relying on the goodwill of the intelligence agencies to show information to congressional staff and members, the Department of Defense is arguably a more transparent organization. A further benefit is the expertise and status of Armed Services Committee members in Congress and the natural weight that their words carry.²⁹ Unlike the intelligence committees that are constantly refilled with new and inexperienced members, members in armed services committees will be able to use years of connections with military officials to apply pressure to demand information regarding any drone activities.³⁰ Not to mention that armed service committee members usually have non-legislative experience with the subject. In the 111th Congress, about a third of armed services committee members had had previous military experience.³¹ Meanwhile, out of the total 535 members in the same session, only two had

²⁸ Hosenball, "Beefed-up Oversight."

²⁹ Amy B. Zegart, *Eyes on Spies Congress and the United States Intelligence Community* (Stanford, Calif: Hoover Institution Press, 2011), 95.

³⁰ Zegart, *Eyes on Spies*, 92.

³¹ Zegart, *Eyes on Spies*, 88.

professional experience working in the intelligence community.³² Simply put, the armed service committee members generally have a working knowledge of the complex issues at hand.

One issue with moving the majority of drone strike jurisdiction to the Department of Defense is whether the oversight on the DOD is actually more rigorous than oversight over intelligence agencies. After President Obama's commitment to move many of the drone strike operations, specifically those against the Islamic State, under the purview of the Department of Defense, some officials grew worried that the quality of oversight had been negatively affected. Specifically, congressional staffers, and therefore members, have had less access to drone strike information, such as video or details of the strike affects.³³ Also, because Armed Services Committee members and staff already have many responsibilities—including providing oversight for conventional air strikes, special forces actions, and any number of logistical problems—the load is too much to provide detailed oversight and attention to drone strikes. Further, while the CIA at least sends a report through secure fax to the Senate Intelligence Committee within 24 hours of a strike, the Senate Armed Services Committee can go days without being briefed by JSOC.³⁴

Despite these beliefs by some Obama administration officials and lawmakers, others contend that the oversight function of the armed services committees is as capable and equal to the intelligence committees, supporting the idea that there is no detriment in moving drone strike oversight to the former. Former head of the House Armed Services Committee, Representative Mac Thornberry says that committee members have never been refused by the DOD when wanting to look into an issue further. Senator Angus King of Maine, who was a member for the Senate Intelligence Committee and Armed Services Committee in 2015, says that the differences in oversight are not quality based. He has said, "I can't say they are identical, but it's not that different."³⁵

³² Zegart, *Eyes on Spies*, 88.

³³ Ken Dilanian, "Congressional aides aren't watching video of each drone strike by military in Iraq, Syria." US News. December 24, 2015. <https://www.usnews.com/news/politics/articles/2015-12-24/as-military-handles-drone-strikes-less-scrutiny-by-congress>.

³⁴ Michael A. Cohen, "The Imperial Presidency: Drone Power and Congressional Oversight," *World Politics Review*, July 24, 2012, accessed November 10, 2016, <http://www.worldpoliticsreview.com/articles/12194/the-imperial-presidency-drone-power-and-congressional-oversight>.

³⁵ Dilanian, "Congressional aides."

A different option for Congress to increase its oversight would be to modify or reauthorize the current AUMF. While a new AUMF would focus primarily on defining the targets and scope of the U.S. military action, by updating the aged document, Congress could also add provisions to expand oversight. Most clearly, it could require public hearings of the military's operations, specifically their drone operations.³⁶ Because a renewed AUMF would be a law, the new presidential administration, and those to follow, would be required to adhere to it, unlike any changes in reporting or internal oversight that President Obama implemented.³⁷ So while the Obama administration has released redacted information on their processes of drone targeting, new administrations do not have to follow that legal justification, and could seek their own legal explanation for expanding the scope of targets.

Another way Congress could increase its power over the drone strike oversight process is by establishing an oversight panel or commission to review drone strikes. Sometimes referred to as a "drone court," these panels can be implemented in a number of different ways, some of which would not be contained in the judiciary.³⁸ The first option would create a FISA-like court that would authorize drone strikes before they happened. The Foreign Intelligence Surveillance Act (FISA) courts give warrants to federal agencies to collect evidence on foreign intelligence and terrorism. A drone panel with a similar structure would be presented with information from the CIA or Department of Defense on a target, the situation on the ground, and any potential fallout. The panel would decide whether to authorize the drone strike. Given the extreme circumstances of a high-value target on the move, agencies could justifiably take lethal action and present their case to the panel afterwards.³⁹ This panel would be beholden to Congress, whether through the appointment of judges or officials to the panel, or by mandating reports back to Congress when authorizing the panel's creation. The panel would be an extra level of oversight ensuring that executive and congressional interests are aware of the potential collateral damage and the precise persons being targeted.

³⁶ Cohen, "The Imperial Presidency."

³⁷ Jessica Schulberg, "Barack Obama Will Hand Donald Trump A Sweeping Ability to Wage War Without Oversight," *Huffington Post*, November 17, 2016, accessed February 22, 2017, http://www.huffingtonpost.com/entry/obama-trump-drones-war-torture_us_582e27a5e4b058ce7aaa2928.

³⁸ Diane M. Vavrichek, "The Future of Drone Strikes: A Framework for Analyzing Policy Options," *CNA Analysis and Solutions Occasional Paper Series* (September 2014): 16.

³⁹ Vavrichek, "Future of Drone Strikes," 17.

A FISA-like panel could be problematic if it violates the Constitution, namely the President's prerogative to have decision-making power and command during a military engagement.⁴⁰ Also, if the panel was implemented by the judiciary, and presided over by federal judges, it could call into question whether the federal judiciary has the right to give orders for lethal action. The FISA court gives search warrants, which are legal, the drone panel would be issuing death warrants, a completely different situation.

Another option would be to create a congressionally appointed review panel that would conduct investigations of drone strikes after the fact—much like the Israeli drone strike court. This panel would conduct an independent investigation after a strike to determine the precision of the strike and the circumstances leading up to it.⁴¹ If the panel is required to report back to Congress, members could review the findings and present any recommendations to the president or demand changes, enforced through financial power. If the federal judiciary ran the panel, Congress would have the power to appoint judges who are qualified to provide effective oversight on presidential actions. Conversely, this panel would seemingly not provide increased oversight if it was an internal executive review panel. That panel would be classified, and most likely only be required to report its findings to the president.

Another option for a “drone court” would be to delegate those powers to Congress directly. While Congress cannot constitutionally give the clear on battlefield operations for the president, it could conduct careful hearings of every drone strike that the executive branch authorizes. Given that option, this policy seems the least likely to be authorized. As discussed, the intelligence committees and the armed services committees have large workloads, and they would seemingly be unable to hold multiple hearings on each drone strike—which would include calling for testimony from many members of each department. Instead, each of those committees in either house of Congress could create a subcommittee focused on reviewing the specifics of drone strikes and holding hearings only if evidence of wrong doing has been found.

Congress also has the power to increase its oversight of the lethal use of drones by updating or strengthening its existing powers. One of the most important, and powerful, mechanisms that Congress has is its budgetary power: the power to authorize federal agencies

⁴⁰ Vavrichek, “Future of Drone Strikes,” 60-61.

⁴¹ Vavrichek, “Future of Drone Strikes,” 18.

and programs, and then to fund these programs appropriately.⁴² This, power is split between authorizing committees and the powerful appropriations committee, which provides the funds for executive branch agencies after conducting oversight of its actions. In the case of drone programs, this two-step function splits oversight between a few separate of committees. The functional oversight of targeted killings and drone strikes is shared between the Armed Services and Intelligence committees, based on whether the CIA or Defense Department are conducting the strike, as discussed previously. The funding for the drone programs must be approved by the appropriations committee, members of which do not have the intelligence access that the specialized committee members have.⁴³

Congress could realign which committees are responsible for drone program funding and intelligence funding as a whole. This plan argues that the intelligence committees should be given a limited power of the purse so Congress can increase leverage over the executive branch. As it stands now, members of the CIA who are looking to keep Congressional leaders in the dark on the scope of their drone activities can withhold information from the Appropriations Committee without fear of financial repercussions. Even if the intelligence committee were to condemn CIA drone strike practices, members of the executive branch could engage directly with legislators in the Appropriations Committee to secure funding. There is no penalty for bypassing the intelligence committees. Senator John McCain commented in 2004 that bureaucrats know to go straight to the appropriators.⁴⁴ Members of the House Intelligence Committee echoed his concern, arguing that intelligence bureaucrats game the system by working around the authorizing committees who devote valuable time to understand the issues, and instead talk to a handful of appropriations legislators.⁴⁵ If the intelligence committees were to gain some power of the purse for CIA and other covert operations, members could demand information regarding secretive drone strikes, and if it is withheld they could easily withhold funding for the program to continue.

Some would argue that members of the intelligence committees already have the power to influence the executive branch using Congress's power of the purse. After all, every member

⁴² U.S. Constitution, art. 1, §8.

⁴³ Zegart, *Eyes on Spies*, 102-103.

⁴⁴ Zegart, *Eyes on Spies*, 109.

⁴⁵ Zegart, *Eyes on Spies*, 107.

of the Senate or the House of Representatives has the ability to make a floor speech during the budget debate process and argue against funding certain programs until certain changes or reforms have been made. Unfortunately for members of the intelligence committees, it is not acceptable to discuss classified topics from committee briefings in front of the public, staff, or other members. Because the material is usually marked at least top secret, it cannot be discussed with individuals who do not have equivalent clearance. In 2004, Vice Chairman of the Senate Intelligence Committee Senator Jay Rockefeller attempted to influence the CIA in just such a way.⁴⁶ The Senate Intelligence Committee had voted twice to defund a secret satellite program that was not up to standards—its expensive photography equipment was faulty.⁴⁷ However, the yearly budget had designated funds anyway since other members were not aware of all of the classified problems with the program. So, on the floor of the Senate, Senator Rockefeller made his concerns clear about the program and the extent of its failure. Shortly afterwards, congressional Republicans sought a Justice Department inquiry into whether classified information was leaked. This was coupled with a threatened ethics inquiry.⁴⁸ While Rockefeller was not punished, other members could be punished for similar violations of secret intelligence rules—especially with regard to drone strike mission information or program materials. A more streamlined approach would allow the intelligence committee to effectively use its oversight function by controlling the money flow to executive intelligence agencies and programs.

Another rule change that Congress can use to increase its capabilities to monitor intelligence agencies, and subsequently its drone operations, is to eliminate remaining rules regarding term limits on the intelligence committees. Up until 2004, the Senate intelligence committee limited the number of terms an individual members could sit on the committee. The House of Representatives has still not changed that rule for its intelligence committee. This leads to an expertise problem that is not found on any other legislative committee. Further, the committee does not attract members who are already “long-termers” in Congress, defined as having served five or more terms, because it does not have an electoral or pork barreling bonuses. In the House between 1975 and 2008, only five members of the committee were long-

⁴⁶ Zegart, *Eyes on Spies*, 107.

⁴⁷ Zegart, *Eyes on Spies*, 108.

⁴⁸ Zegart, *Eyes on Spies*, 108.

termers.⁴⁹ Because it takes so long to become an expert in the complex world of intelligence, and because most members are inexperienced or have only been serving in Congress for a short amount of time, members have little time to gain expertise before they are forced out and replaced by a new member. This brain drain not only affects the quality of oversight performed, but also disrupts valuable relationships that may have formed between members and intelligence bureaucrats. Allowing House members on the Intelligence Committee to serve indefinitely would reduce the brain drain of the committee, allow for increased positive relationships with the executive intelligence agencies, and provide members with more context for making progressive change in multiple sessions of Congress.

CONCLUSION

The purpose of this essay is to layout potential policy changes that would allow for increased congressional oversight on the use of drones. It is not to make any specific policy recommendations. That said, it is important to highlight the recommendations that seem more likely to be implemented in today's political environment and that provide the best chance of success in providing more effective oversight.

First, it does not seem likely that members of Congress will be willing to review a large number of drone strikes independently. Because of the complicated nature of the strike decision process, involving a large number of executive branch personnel and data collection, congressional committees do not have the resources or desire to hold hearings on every strike. Not only time consuming, the issue is not a big electoral focus and has offers little incentive for public deliberation. Continuing, it seems unlikely in the current political atmosphere that a new AUMF will be passed. On the surface, a Republican dominated legislature may not want to take away powers from a Republican president—even if it would increase its own members power. Also, given the highly gridlocked nature between the parties and intra-party doubts of the current administration, awarding or taking away war powers from the president seems unlikely.

More plausible is the switch in drone operations from shared duty within agencies and departments to full Department of Defense control. Given the current presidential administration's distrust of the intelligence community, it seems plausible that President Trump

⁴⁹ Zegart, *Eyes on Spies*, 95.

could follow in the steps of President Obama and allowed for increased Defense control. This action would have numerous allies in Congress—namely members of the armed services committees—who seek greater oversight over the secret operations of the CIA. This said, it seems plausible in this circumstance for the armed service committee, or a relevant subcommittee, to review and investigate flawed or compromised strikes. Less likely is for the armed services committees or the intelligence committees to take power away from the Appropriation Committee. Appropriations holds an unusual amount of power and can leverage funding over any member that attempts to remove part of their power. Not to mention, giving limited appropriation power to other committees would be a radical rule change—something that does not happen often in the internal policies of Congress.

Given this analysis, and the history of power of drone strikes, Congressional leaders would do well to look for unique ways to exert power over the executive branch. Public opinion for increased oversight of drone use has steadily grown over the last decade. And given the historically negative view of the current presidency, it is reasonable to suggest this trend will continue. Because members of Congress are most affected by the whim of the citizenry, they should be incentivized to find solutions quickly. Either through changing jurisdiction of agencies controlling drone strikes, increasing their own oversight power, or creating any number of styles of drone panels, Congress has the power to reinsert itself into the drone oversight conversation.

POLICY-MAKING AND THE NATIONAL SECURITY COUNCIL: DOES KINGON'S POLICY STREAMS MODEL FIT?

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Carl von Clausewitz modeled strategy as the connection between “ends, ways, and means.”¹ Since the National Security Act of 1947, the White House National Security Council (NSC) has served as the arm of the executive responsible for consolidating the nation’s national security apparatus.² The NSC advises the president on foreign relations and plays a significant role in the development of United States strategy. Historically, presidents have leveraged the NSC in different ways, from serving strictly as an advisory committee with virtually no authority to forming policy with the authority of the president to even becoming engaged in operations abroad.³ Given the varying approaches to national security and philosophies of the NSC’s utility, presidential transitions may have had different impacts on the NSC’s effectiveness. Thus, the question that this paper will address is “How do existing policy-making models fit the White House National Security Council Staff’s policy-making process?”

INTRODUCTION

Carl von Clausewitz modeled strategy as the connection between “ends, ways, and means.”⁴ Strategy plays an important role in determining the function of institutions in the executive, including the White House National Security Council (NSC). Since the National Security Act of 1947, the NSC has served as the arm of the executive responsible for consolidating the nation’s national security apparatus.⁵ The NSC advises the president on foreign relations and plays a significant role in the development of United States strategy. Historically, presidents have leveraged the NSC in different ways, from serving strictly as an advisory committee with virtually no authority to forming policy with the authority of the president to

¹ Carl Von Clausewitz and Bernard Brodie, *On War*, trans. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1984), 585-587.

² "Milestones: 1945–1952 - Office of the Historian," accessed September 05, 2016, <https://history.state.gov/milestones/1945-1952/national-security-act>.

³ Karl Inderfurth and Loch K. Johnson, *Fateful Decisions: Inside the National Security Council* (New York: Oxford University Press, 2004).

⁴ Carl Von Clausewitz and Bernard Brodie, *On War*, trans. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1984), 585-587.

⁵ "Milestones: 1945–1952 - Office of the Historian," accessed September 05, 2016, <https://history.state.gov/milestones/1945-1952/national-security-act>.

even becoming engaged in operations abroad.⁶ Given the varying approaches to national security and philosophies of the NSC's utility, presidential transitions may have had different impacts on the NSC's effectiveness.⁷

This paper will hone in on the policy-making process that exists at the NSC and address the question: “*What factors and mechanisms determine the policy formed by the NSC?*”

This paper incorporates the NSC's effectiveness as an institution. Effectiveness is broken into two parts: first, the ability to achieve policy outcomes in the bureaucratic environment and second, to accomplish the intent of the President. This paper argues that the NSC develops policy that can largely be explained through organizational and bureaucratic politics models. Thus, the conception that the Council forms the long-term strategy of the nation is inaccurate. This misconception stems from the disconnect between the daily actions of staffers on the NSC and the documents that it attempts to produce, including the annual *National Security Strategy*.

The thesis of this paper, therefore, is that the NSC performs a legitimate purpose of managing daily bureaucratic interactions and consolidation of the interagency process, but this purpose renders it incapable of forming long-term strategy under the body's current structure and function. The hypothesis that this paper uses to address this question derives from John Kingdon's “streams” and the “policy windows” that open up as a result of alignment of those streams.⁸ The hypothesis is that problems, politics and visible participants each play a key role in setting agendas within bureaucratic organizations. The causal link is that these three streams influence the opportunity to influence policy and achieve clear objectives at a moment where the “policy window” is open.

In the NSC, the relationship between these three components is operationalized in the following manner: first, problems are those issues that the President and supporting components decide is necessary for staffers to work on. Then, politics constitute the interactions between staffers who work on different policy areas and the management of the interagency process. Finally, the visible participants are the cabinet secretaries who decide the final courses of action they wish to present to the President. The President makes the final decision.

⁶ Inderfurth and Johnson, *Fateful Decisions: Inside the National Security Council* (New York: Oxford University Press, 2004).

⁷ Effectiveness is addressed in the following paragraph.

⁸ John W. Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (New York: Longman, 1995). See literature view for in-depth analysis of Kingdon's theory.

First, this paper will review the policy history surrounding the NSC to provide a historical context. Following the policy history, this paper reviews the literature surrounding the concepts of strategy, presidential transitions, and policy-making processes to incorporate in the case application and analysis sections. After reviewing the literature, the paper will apply Kingdon's "streams" to President Nixon's NSC, highlighting the case of Vietnam, where NSC staffers demonstrated discontent with the direction the administration pursued in regards to Vietnam.

POLICY HISTORY

At the conclusion of World War II, the United States struggled with a decentralized government organization laden with bureaucracy. In order to consolidate the national security apparatus, Congress ratified the National Security Act of 1947, which served as a compromise to coordinate national security organizations.⁹ The act established the secretary of defense, the Joint Chiefs of Staff (JCS), the Air Force, and the Central Intelligence Agency (CIA). In addition, the NSC would serve to

advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.¹⁰

After several poor military performances and an expanded division between civilian-military leadership in the executive, Congress readdressed "military effectiveness and civilian control" under the Department of Defense Reorganization Act of 1986.¹¹ Also known as the Goldwater-Nichols Act of 1986, this legislation reasserted the authority of the Chairman of the Joint Chiefs of Staff (CJCS) as principal military advisor to the President.¹² This act enabled greater civilian objective control of the military as the CJCS was brought into the ring of close advisors to the President. This remains significant throughout conflicts at the end of the twentieth and into the twenty-first century.

⁹ Amos A. Jordan et al., *American National Security*, 6th ed. (Baltimore, MD: Johns Hopkins University Press, 2009), 214.

¹⁰ *Ibid.*, 214.

¹¹ *Ibid.*, 176-177.

¹² *Ibid.*, 176.

Another important lens for viewing the development of the NSC is through the ways in which specific presidential administrations advanced or inhibited the bureaucratic interests of the NSC. Specifically, the Eisenhower (1953-1961), Nixon (1969-1974), Carter (1977-1981), and Clinton (2000) NSCs and administrations made significant developments that portray the key moments in the executive's development.¹³ For example, under President Eisenhower the NSC expanded into a "highly structured network of committees," which increased the staff personnel and delegated the NSC's authority amongst its staffers.¹⁴ Furthermore, Secretary Kissinger, under the direction and approval of President Nixon, evolved the Council to incorporate subcommittees, their chairs, and members; in addition, the implicit intent of the Council became to centralize the control of foreign policy in the executive.¹⁵ This demonstrates that the evolution of the NSC largely reflects the political context of the administration – including its objectives, personalities, and external political objectives. Thus, the presidents of the Council serve as an appropriate format for approaching the Council's history.

LITERATURE REVIEW

This literature review ties together three intersecting aspects of political theory: strategy, presidential transitions, and policy-making processes. These areas comprise the major areas of interest for this paper, as this paper demonstrates the connectivity between each. While the primary focus and thesis is on policy-making and policy development processes, strategy and presidential transitions help portray the utility and relevance behind the central argument.

Strategy

Strategic decisions, outlook, and consequences of strategy stem back to the original formation of governments and societies; strategy is a concept that has been furthered by conflict and war – which constitutes one approach for arriving at a desired end-state. Carl von Clausewitz, in *On War*, famously reflects on his experience as a Prussian General in the early

¹³ Inderfurth and Johnson, *Fateful Decisions: Inside the National Security Council*, x.

¹⁴ *Ibid.*, 29-30.

¹⁵ *Ibid.*, 67-69.

1800s. Clausewitz is credited with inspiring modern conceptions of strategy and its utility.¹⁶ Clausewitz' famous quote, "War is not merely an act of policy but a true political instrument, a continuation of political intercourse, carried on with other means," provides the argument that war fits into an overarching state-driven narrative.¹⁷

Furthermore, his establishment of means-ends relationships and the idea that "means must be commensurate with ends" reveals one initial difficulties that states face as they interact with one another.¹⁸ When countries formulate policy, they must ensure that individual actions and decisions align with the overarching narrative, or strategy, that will bring about their desired ends. Therefore, a major implication of Clausewitz' theory that continues to inform national security decisions today is that states innately desire their own survival and leaders seek to coin strategies that align with this desire.

Though Clausewitz did lay the foundation for modern strategy, contemporary scholars disagree on numerous aspects of strategy, most notably: what constitutes strategy, how it is measured, what methods are best for analyzing strategy, and the different factors that contribute to the effective use of strategy. Military strategists generally expand on the individual strategies that Clausewitz provides and relate these to an overall concept of military effort. In 1914, Captain Henry Johnstone, a lecturer at Edinburgh University, published the book *The Foundations of Strategy*, in order to educate military and civilian leaders on the importance of particular aspects of military engagement and determinants of success in war.¹⁹ He defines strategy as the "movements and taking up of positions of an army or armies, or parts of an army up to the time when the next movements will bring about the collision."²⁰ Admittedly, this definition of strategy is of little relevance to the content of this paper other than to highlight one notion of strategy that is common, especially among military leaders and civilian officials with connections to the military.

B.H. Liddell Hart, in *Strategy*, establishes a link between raw military strategy proposed by Captain Johnstone and the definition of strategy that this paper will expand on. Hart hones in on particular periods where clashing strategies generated winners and losers in conflict – he

¹⁶ Carl von Clausewitz, *On War* (Princeton, NJ: Princeton University Press, 1948), 1-20.

¹⁷ *Ibid.*, 87; State, in this context, fits a traditional definition of a country and the way it fits into the international system.

¹⁸ Clausewitz, *On War*, 585-586.

¹⁹ H. M. Johnstone, *The Foundations of Strategy* (London: G. Allen & Unwin, 1914).

²⁰ *Ibid.*, 1.

acknowledges that military tactics and contained military strategies are appropriate to wars. Where Hart departs from Captain Johnstone is in portraying the overarching narrative in war; this directly relates to the concept of war as “a continuation of political intercourse, carried on with other means.” Hart even acknowledges several pitfalls of Clausewitz’ work, specifically his focus on military campaigns and tactics, without expanding on the relevance of these principles in the sphere of policy that developed it.²¹

Expanding on this counter to military strategists, Hart coins the term “grand strategy,” which echelons strategy into different levels: individual tactics on the “lower plane,” and with strategy as an application on a “lower plane” of grand strategy.²² The role of grand strategy “is to coordinate and direct all the resources of a nation, or band of nations, towards the attainment of the political object of the war – the goal defined by fundamental policy.”²³ Hart expands upon the concept that Clausewitz forms as he links politics to war, and further departs from Johnstone in that this approach takes into account several capabilities available to a state, and exists throughout times of war and peace.

In *Strategy* Tom Kane analyzes aspects of strategy from Sun Tzu’s *The Art of War*, and consequently characterizes strategy as a brutally practical subject that includes detailed planning with specific state objectives.²⁴ Kane’s analysis leads to conclusions similar to Hart’s; however, he makes one specific observation that adds to Hart’s definition of grand strategy. Kane argues that “planning not only concerns political issues, it is itself a political process” and consequently, “although strategy may require difficult choices, strategists may not wish to highlight the difficulties.”²⁵ Kane’s insinuation is essential to the conception of modern strategy and it reaches towards another implication for strategic decision makers: the development of strategy is an extremely complex process that, as a human process, is largely unquantifiable and abstract.

Hart delves deeper into the distinction between grand strategy and military strategy, advocating for a grand strategy that “should take account of and apply the power of financial pressure, of diplomatic pressure, of commercial pressure, and, not least of ethical pressure, to weaken the opponent’s will.”²⁶ This statement reveals several characteristics of Hart’s grand

²¹ B.H. Liddell Hart, *Strategy* (New York: Praeger, 1967), 333.

²² *Ibid.*, 335.

²³ *Ibid.*, 335-336.

²⁴ Thomas M. Kane, *Strategy: Key Thinkers* (Cambridge: Polity, 2013), 178.

²⁵ *Ibid.*, 178.

²⁶ Hart, *Strategy*, 336.

strategy: first, grand strategy is most prevalent under the conditions of war because it brings together resources outside raw military power, and he maintains grand strategy as a lofty concept that is largely underdeveloped. Hal Brands' *What is Grand Strategy?* seeks to provide greater detail and elaborate on the concept of grand strategy as Hart left it. Brands disagrees and departs from Hart by providing a succinct definition of grand strategy with a scope outside of warfare, "grand strategy is the highest form of statecraft...that lends structure to foreign policy; it is the logic that helps states navigate a complex and dangerous world."²⁷ Brands' theoretical perspective prescribes a purpose to grand strategy beyond a certain situation – grand strategy in this sense, is a free-flowing concept that states implicitly or explicitly grapple with as they navigate the international system and foreign policy issues.

Brands provides the principle that "there is no good alternative to grand strategy," and supports this claim through acknowledging the arguments made by skeptics. Stephen Krasner, former Director of Policy Planning at the State Department contends "given the divisions and uncertainties of the contemporary environment it is impossible to frame a successful grand strategy," and points to President Bush's search for a grand strategy to fit the narrative of twenty-first century international relations.²⁸ Brands refutes this skepticism by pointing to the past and arguing that grand strategy, though valuable, has never been a straight-forward concept; furthermore, he alludes to the concept of "strategic nihilism" that sometimes causes international relations to stagnate.²⁹ While Hart and Johnstone would disagree with the scope that Brands is taking in his approach to grand strategy, it appears to establish an effective concept if leveraged effectively.

While individual states and their leaders, in this case within the United States, may not directly subscribe to the academic concept of grand strategy, they do seem to exhibit particular behaviors that align with Hart's and Brands' understandings of strategy. However, state perception of strategy is generally rooted in a much more pragmatic and tangible concept; this is consistent with the role of decision-makers in states because they must ground abstract and free-floating arguments in order to form a coherent approach to international relations. Examples of this understanding of strategy are found in the policies and documents developed by the United

²⁷ Hal Brands, *What Good Is Grand Strategy?: Power and Purpose in American Statecraft from Harry S. Truman to George W. Bush* (Ithaca, NY: Cornell University Press, 2014), 1.

²⁸ *Ibid.*, 194.

²⁹ *Ibid.*, 195.

States, including the *National Security Strategy*.³⁰ Publications, such as this one, apply the concept of strategy to the United States' current role in the international system, and illuminate the practical concept that states apply to strategy. Specifically, the United States applies strategy by managing the instruments of power, often including diplomatic, informational, military, and economic resources.

The approach to the concept of strategy taken in this paper seeks to relate academic notions of grand strategy and tie them with the means available with the United States. This paper takes on the perspective of a policy maker or decision maker by aligning theoretical concepts with the practical solutions proposed by policy. In this way, strategy is an inherently abstract concept: it constitutes the overarching narrative that a country hopes to establish and consists of a desired set of ends that can be achieved through policy. Similarly, strategy presents policy makers the dilemma of having to balance between the overarching narrative that the state attempts to achieve, while appealing to immediate and pressing factors.

Scholarship surrounding strategy often includes theoretical foundations for the concept of strategy, how strategy is developed, and the contents of coherent strategies; however, much of this scholarship lacks a deep analysis of how strategic views impact national security decisions. In the United States, the executive branch and existing national security institutions play a predominant role in forging national security policy, which requires decision making from the leaders in these situations.

Presidential Transitions

Furthermore, during presidential transitions, these institutions are greatly affected. In *Presidential Transitions: From Politics to Practice*, John Burke argues that “it is decisions that matter, and transitions, in turn, are critically important because they are a time when the processes leading to policy decisions first begin to take shape and are organized.”³¹ Burke points primarily to organizational and management factors as the most impactful on the decisions that come out of the executive during and immediately following presidential transitions.³² While he

³⁰ United States, The White House, *National Security Strategy 2015* (2015).

³¹ John P. Burke, *Presidential Transitions: From Politics to Practice* (Boulder: Lynne Rienner Publishers, 2000), 5.

³² *Ibid.*, 377.

acknowledges that other factors impact the decisions that come out of a newly established regime, he fails to specify coherent and repeated aspects of presidential terms that are affected most.

Frederick C. Mosher, W. David Clinton, and Daniel George Lang largely agree with the argument that presidential transitions inflict the greatest impact on institutions through changes in organization and management; however, in *Presidential Transitions and Foreign Affairs*, expands into the relationship between domestic and international affairs during transitions. They develop the link as “the supreme, overarching difference between domestic and foreign affairs...is that the stakes are so much higher in international relations.”³³ Evidence for this includes the current international order and the power contained by the United States, the lack of experience that the incoming president brings with his immediate aides and advisers, the pervasiveness of secrecy, and the availability of information in the system as the new leader attempts to gain credibility.³⁴ While these factors demonstrate several consequences of presidential transitions, they can specifically impact the administration’s ability to connect strategy with actual policy.

As argued earlier in this review, strategy stands as a conception connection between desired ends and available means. The difficulty that presidential administrations in the United States face is actually formulating policy that aligns with strategy, as the pragmatic application of strategy attempts to materialize an abstract concept. When a presidential transition is in the process of taking place, the coherence of national and grand strategy can be disrupted. The connection of ends and means largely relies on the United States’s ability to display power and act abroad, while maintaining the domestic situation and managing the bureaucracy that exists in decision-making. According to Mosher, Clinton, and Lang, the ability to connect policy with strategy requires experience and credibility, which often causes the international system to undermine the policy of newly elected presidents.³⁵ This analysis of the impacts of presidential transitions on the coherence of strategy and policy-making relies on the assumption that transitions mostly impact the newly elected president.

³³ Frederick C. Mosher, W. David Clinton, and Daniel George Lang, *Presidential Transitions and Foreign Affairs* (Baton Rouge: Louisiana State University Press, 1987), 13-20.

³⁴ *Ibid.*, 20-21.

³⁵ *Ibid.*, 20-25.

Furthermore, Mosher, Clinton, and Lang, while working largely from the assumption that transitions have a greater impact on the incoming presidential administration's formation of sound national security policy, argue that there are several types of presidential transitions – this, they argue, is what causes a lot of the difficulty in the study of presidential transitions. Mosher, Clinton, and Lang acknowledge several types of transitions, including from one president to another of the opposite party – including times when an incumbent president runs and loses and when the incumbent does not run for reelection. Other forms of presidential transitions include those when a president is succeeded by another member of his own party, when an incumbent dies or resigns, and is succeeded by a vice-president, and when an incumbent president succeeds himself following a successful election.³⁶ Each of these types of transitions has different implications and observations associated with them, which will be incorporated in the case application section of this paper.

Burke, Mosher, Clinton, and Lang present different theories and observe the characterization of presidential transitions from the perspective of administrative change; however, where this literature is lacking is in the consequences of these changes. Here, the link between previously established definitions of strategy and decision making processes become extremely useful – incoming presidents can utilize strategy in order to unify the previous administration's decisions with his or her own or presidents may disregard previous strategies and forge a new approach. This gap is absent from existing scholarship, as presidential transitions are generally observed from institutional perspectives, which are then reflected through impacts on policy.

Policy-making Processes and Political Models

John Kingdon analyzes the reasons why certain issues gain higher priority over others. First, Kingdon defines public policy making as a set of processes that include “(1) the setting of the agenda, (2) the specification of alternatives from which a choice is to be made, (3) an authoritative choice among those specified alternatives, as in a legislative vote or a presidential decision, and (4) the implementation of the decision.”³⁷ Furthermore, an agenda refers to “the list

³⁶ Ibid., 22-25.

³⁷ Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (New York: Longman, 1995), 2-3.

of subjects or problems to which governmental officials, and people outside of government closely associated with those officials, are paying some serious attention at any given time.”³⁸ In explaining how policy-making processes drive agendas in particular directions, Kingdon points to three factors: problems, policies, and politics.³⁹ Each of these factors makeup different “streams” that play into agenda setting, and therefore drives the development of identifiable policies.⁴⁰

The “problem stream” is comprised of the particular areas of issue that surround an area in government. According to Kingdon, problems are separate from conditions because conditions constitute a situation that policy-makers may not actively try to solve; however, conditions become problems “when we come to believe that we should do something about them.”⁴¹ Therefore, “the values one brings to an observation play a substantial role in problem definition,” meaning a problem is subjectively defined according to the goals and interests of those who attempt to solve it.⁴² In addition to a subjective definition, problems often fade from political agendas because people in government may feel like they have address the problem and solved it or the financial and social costs associated with action may outweigh the potential benefits gained from addressing or solving the problem.^{43,44}

The policy stream, or “policy primeval soup,” is the policy community in which policy-makers interact, including common interactions and specialized interactions.⁴⁵ Kingdon coins the term “fragmentation” to describe a community with players that have intersecting interests, but internal divisions cause interactions to be sporadic, inconsistent, or even dysfunctional.⁴⁶ He uses the example of the transportation community, which is highly fragmented because of the different modes that are associated with transportation. A congressional committee may prioritize one particular area of transportation, such as urban mass transit, while rail, highway, and aviation specialists may prioritize their own area of focus.⁴⁷ The soup includes all of these

³⁸ Ibid., 3.

³⁹ Ibid., 197.

⁴⁰ Ibid., 145.

⁴¹ Ibid., 109.

⁴² Ibid., 110.

⁴³ Ibid., 103-104.

⁴⁴ Anthony Downs, “Up and Down with Ecology: The ‘Issue-Attention’ Cycle,” *The Public Interest*, no. 28 (Summer 1972): 38-50.

⁴⁵ Kingdon, 117-119.

⁴⁶ Ibid., 118.

⁴⁷ Ibid., 118.

different communities, and explains how different interests and priorities are compiled into a holistic system. The intent for developing this system to is gain a greater understanding of the actual content of the ideas that drive policy-making processes.⁴⁸

Finally, the political stream flows “along independently of the problems and policy streams” and is composed of the “public mood, pressure group campaigns, election results, partisan or ideological distributions in Congress, and changes of administration.”⁴⁹ In this context, Kingdon defines “political” as “any activity related to the authoritative allocation of values, or to the distribution of benefits in costs.”⁵⁰ The national mood includes the climate in the country, changes in public opinion, or other social movements.⁵¹ The political stream plays a significant role in the “bigger picture” of policy-making, by either promoting or inhibiting agenda status.⁵²

At the heart of Kingdon’s “policy streams” logic, is the “policy window,” which serves as the joining of the streams and is the greatest opportunity for advocates to shape the direction of the agenda and achieve policy objectives.⁵³ According to Kingdon, policy windows open “because of change in the political stream (e.g., a change of administration, a shift in the partisan or ideological distribution of seats in Congress, or a shift in national mood); or it opens because a new problem captures the attention of governmental officials and those close to them.”⁵⁴

Kingdon’s “policy streams” align with the incrementalist school of thought. In 1958, Charles Linblom developed incrementalism when describing policy-making as a “mechanical process of choosing the means that best satisfied goals that were previously clarified and ranked.”⁵⁵ Linblom pulls from rational logic to describe a process of decision-making that relies on in-depth understanding of a phenomenon and an approach that gradually integrated into a system over time. Otto Davis, M. A. H. Dempster, and Aaron Wildavsky expand on incrementalism in their analysis of the budget process. They argue, “Decisions depend upon

⁴⁸ Ibid., 125.

⁴⁹ Ibid., 145.

⁵⁰ David Easton, *The Political System*, 2nd ed. (New York: Knopf, 1971), 129; Harold Lasswell, *Politics: Who Gets What, When, How* (Cleveland: Meridian Books, 1958); Kingdon, 145.

⁵¹ Ibid., 146.

⁵² Ibid., 163.

⁵³ Ibid., 165.

⁵⁴ Ibid., 168.

⁵⁵ Charles E. Lindblom, “The Science of “Muddling Through.” *Public Administration Review* 19, no. 2 (1959): 80.

calculation of which alternatives to consider and to choose,” and thus, budgeting requires small decisions with completely calculative logic in order to be justified.⁵⁶

Stephen Krasner contributes to the discussion of understanding institutions and policy-making by identifying four organizing principles, each defining state sovereignty differently from the other. These principles include: Legal sovereignty, in which states recognize others as independent; Domestic sovereignty, in which the institutions of a state grant it effectiveness and authority; Interdependence sovereignty that describes a state of eroded sovereignty due to interconnectedness; and Westphalian sovereignty where states have self-determination over domestic authority.⁵⁷ Krasner coins these principles to help describe common paradigms for approaching international relations, and while his research may not appear clearly related to the policy models addressed by Kingdon, an analysis of his variables helps to establish analytical connections. Krasner relates each of his principles to different assumptions made by neorealists, liberalists, and constructivists – this demonstrates the placement of the principles along the international relations spectrum. For the most part, Krasner groups the principles along with the term “organized hypocrisy,” in which “institutional norms are enduring but frequently ignored.”⁵⁸ Krasner’s institutional argument argues that certain norms exist in institutions that establish international relations policy and impact policy as a result.

Graham Allison and Phillip Zelikow similarly pull from rationalist bases of logic when analyzing the Cuban Missile Crisis and answering questions such as “Why did the Soviet Union decide to place offensive missiles in Cuba?” “Why did the United States respond to the missile deployment with a blockade?” and “Why did the Soviet Union withdraw the Missiles?”⁵⁹ In their analysis, Allison and Zelikow address the rational actor and organizational behavior models; however, they conclude that these models are insufficient, as the rationalist and realist perspectives often do not hold up against examples like the Cuban Missile Crisis. As an alternative, Allison and Zelikow present the “Government Politics Model,” which admits, “Policy outcomes result from multiple causes that defy simple summary and easy

⁵⁶ Otto A. Davis, M. A. H. Dempster, and Aaron Wildavsky, “A Theory of the Budgetary Process,” *Am Polit Sci Rev American Political Science Review* 60, no. 03 (1966): 529, accessed October 22, 2016, <http://www.jstor.org/stable/1952969?origin=JSTOR-pdf>.

⁵⁷ Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999), 11-20.

⁵⁸ *Ibid.*, 66.

⁵⁹ Graham T. Allison and Philip Zelikow, *Essence of Decision: Explaining the Cuban Missile Crisis*, 2nd ed. (New York, NY: Addison Wesley Longman, 1999), v.

generalization.”⁶⁰ Consequently, Allison and Zelikow conclude that none of the three models offers a comprehensive view of policy-making, especially in crises.

Allison expands on his analysis of the Cold War in his 1969 article “Conceptual Models and the Cuban Missile Crisis,” Allison proposes the “Bureaucratic Politics Model.”⁶¹ In this section of the article, Allison clearly highlights the logic of his argument, with the independent variables being the interactions between individuals within a government and the resultant government action serving as the dependent variable.⁶² This model contrasts previously proposed paradigms, such as the incrementalist approach, as it seeks to encompass the wider array of issues that a government actively seeks to solve at any moment. The aspect of incrementalism that does align with the Bureaucratic Politics Model is that even though the model sometimes justifies seemingly irrational decisions, this does not mean the individual actors – policy-makers, leaders, etc. – are not making rational decisions and seeking rational solutions on their own levels.⁶³

Furthermore, Allison directly addresses national security policy arguing, “The conception of national security policy as ‘political’ result contradicts both public imagery and academic orthodoxy.”⁶⁴ Both the American public and academics have unrealistic expectations for national security institutions. Academics expect carefully thought-through proposals, while the American public demands “rational deliberation among a unified group of equals;” however, neither of these conceptions is grounded by the realism that surrounds bureaucratic politics.⁶⁵ Allison identifies this as the gap between academic literature and the experience of policy-makers, largely because “government leaders have competitive, not homogeneous interests; priorities and perceptions are shaped by positions; problems are much more varied than straightforward, strategic issues; [and] the management of piecemeal streams of decisions is more important than steady choices.”⁶⁶ Allison implicitly addresses both Kingdon’s and Krasner’s models, arguing that while they find academic applications, the reality is that bureaucratic institutions are not governed by intellectual positions or clear frameworks of thinking.

⁶⁰ Ibid., 263.

⁶¹ Graham T. Allison and Morton H. Halperin, “Bureaucratic Politics: A Paradigm and Some Policy Implications,” *World Politics* 24, no. S1 (1972): 43, accessed October 22, 2016, JSTOR.

⁶² Ibid., 43.

⁶³ Ibid., 43.

⁶⁴ Ibid., 43.

⁶⁵ Ibid., 44.

⁶⁶ Ibid., 44.

These theories are summarized in Figure 1 below:

		<i>Aspect Analyzed</i>			
		<u>Scope</u>	<u>IV</u>	<u>DV</u>	<u>Logic</u>
<i>Theory</i>	<u>Kingdon's Policy Streams</u>	Individual Institutions; Combined with Input from Others; Flexible	Policy, Politics, and Problem Streams	Increased Attention on Issue, and thus, Policy on Issue	Aligning of Streams Opens Policy Window
	<u>Allison's Bureaucratic Politics</u>	Interagency Politics	History/Case Dependent	Ability to Achieve Policy Outcomes	Each Case has Unique Factors
	<u>Krasner's Organizing Principles</u>	Domestic Institutions that Qualify Sovereignty on International Scale			

Figure 1: Table Comparison of the Logic of Each Theory.

CONCEPTUAL FRAMEWORK

The conceptual framework proposed in this paper revolves around Kingdon's policy streams and the ensuing policy window that is established through the alignment of these three streams. This paper will apply Kingdon's logic to the policy-making process that exists in the NSC to address the factors and mechanisms that shape policy formulation. Figure 2 presents a comprehensive diagram of the theory and the course of logic the paper will follow:

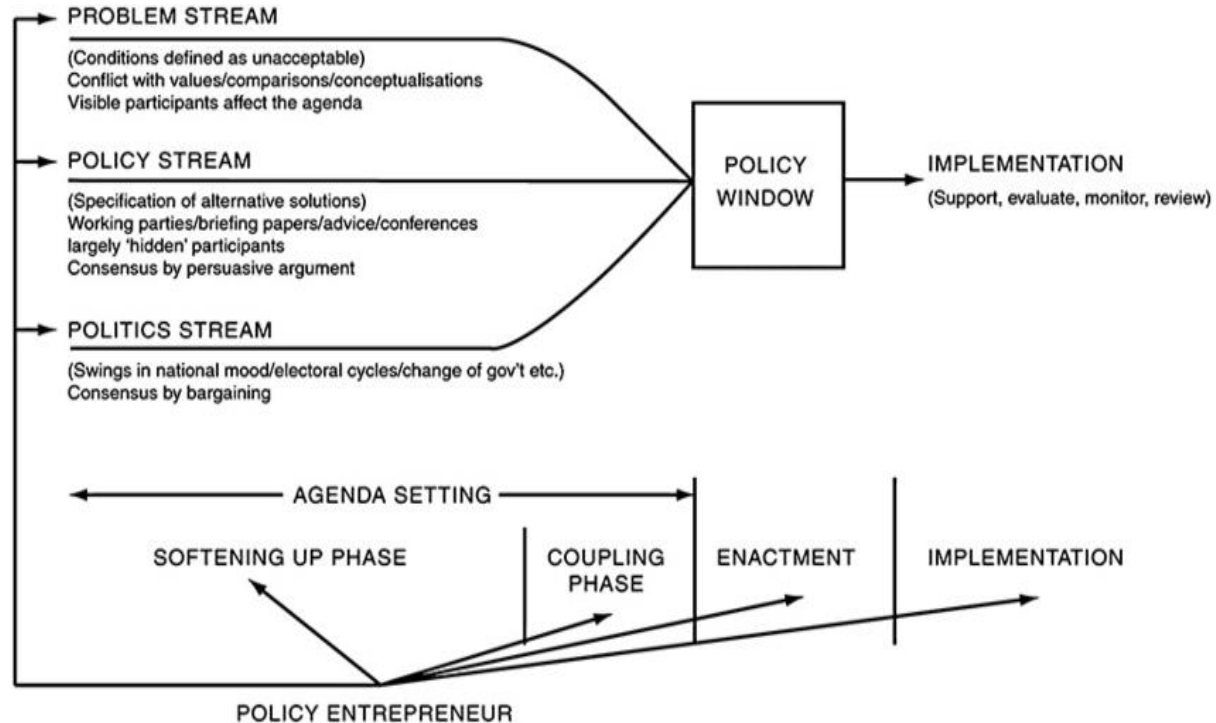


Figure 2: The Logic of Kingdon's Policy Streams.⁶⁷

CASE DESIGN

The scope of this research is narrowed to the institution of the NSC; therefore, individual cases will apply to presidential decisions that were made with influence from the NSC. Kingdon's framework applies to individual cases and sources of political development in shaping the character of institutions.⁶⁸ However, these cases will not seek to comment on the development of the NSC over time, though this may be an indirect result of the analyses. Rather, the cases will help determine if Kingdon's three policy streams explain the behavior and decisions made by the President, with the influence of the NSC as a factor.⁶⁹ Therefore, the

⁶⁷ Elizabeth M. Banister, Bonnie J. Ross Leadbeater, and E. Anne Marshall, *Knowledge Translation in Context: Indigenous, Policy, and Community Settings* (Toronto: University of Toronto Press, 2011), 107-110.

⁶⁸ Skowronek, Stephen. *The Politics Presidents Make: Leadership from John Adams to Bill Clinton* (Cambridge, MA: Belknap Press of Harvard University Press, 1997).

⁶⁹ Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (New York: Longman, 1995).

effectiveness of the NSC comes into play, especially its role in providing policy recommendations to the President.

CASE SELECTION

The criteria for case selection includes an analysis of the individual personalities that makeup the office of the president, including the National Security Advisor and the President him or herself. Furthermore, the relationship between staffers internal to the NSC and staffers external to the NSC is essential to understanding the policies that the NSC formulates throughout history. Therefore, this analysis yields two criteria: first, the individual personalities versus staff makeup, and the considerations associated with the presidential administration itself. Because individuals are key components and drivers to policy formulation, this could derail the applicability of Kingdon's theory.

Another criterion for case selection includes time period and horizon of decision-making. Kingdon's theory accounts for varying periods of time; however, the NSC is a unique institution in that it is highly subject to the vision and discretion of the President. Therefore, presidential administrations often serve as a source of periodization when viewing executive institutions. While this is an important consideration, the case does not necessarily have to follow the timeline associated with presidential administrations. As a result, this paper is considering the United States policy towards Vietnam during President Nixon's administration.

CASE APPLICATION – PROBE

President Nixon's approach to the NSC was to "restore the National Security Council to its prominent role in national security planning" and this inspired much of the top-down change that came during his presidency.⁷⁰ Thus, his NSC largely reflected his vision for the institution, meaning the structure and personal relationships between staffers reflected the advice that he looked for from the agency.

During Nixon's Presidency, the White House Staff pushed for the National Security Study Memorandum (NSSM) that related to long-term policy-planning, rather than just daily

⁷⁰ Karl Inderfurth and Loch K. Johnson, *Fateful Decisions: Inside the National Security Council* (New York: Oxford University Press, 2004), 67.

crisis management.⁷¹ Therefore, the NSC staff took a more prominent role in researching and advising in the more substantive and immediate decisions that the President needed to make.

President Nixon's cabinet level advisors, including his National Security Advisor, McGeorge Bundy, influenced the decision to press deeper into Vietnam and enact the aerial bombardment campaign Operation Rolling Thunder.⁷² The logic behind running a bombing campaign in North Vietnam was to not only decrease attacks in the north, but also deter opponents from resisting through forms of insurgency in the South. When confronted by Deputy Secretary of State Ball and presented with a plan for appealing to the UN Security Council instead of increasing direct involvement, Bundy resisted and remained defensive about the air campaign.⁷³

According to James Schlesinger, assistant director of the Bureau of the Budget, the NSSMs that were completed during Nixon's first term constituted much of the "best work" done in the administration, with most of those being published as a means for securing long-term policy guarantees.⁷⁴ In an interview with David Rothkopf, Schlesinger notes,

one was based on Nixon's conviction that he could exploit the differences between China and Russia and set up triangular policies. And the memo that was produced examined both the political dimensions and assumptions by which we maintained our defense establishment and the nature of the defense establishment.⁷⁵

One of the NSSMs that Schlesinger alludes to is NSSM-1, in which the NSC worked with Rand Corporation to produce. NSSM-1 consolidated the interagency process by including questions for other agencies; these questions would continue to shape the NSC's focus around Vietnam in discussions throughout the administration.⁷⁶

As Nixon's Presidency transitioned, Henry Kissinger took on the role of national security advisor and Nixon provided him with the autonomy to put together the NSC staff. The team that Kissinger put together included executive assistant Lawrence Eagleburger, who later became secretary of state for President Bush and Anthony Lake, who later became national security

⁷¹ Ibid., 68.

⁷² H. R. McMaster, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam* (New York: HarperCollins, 1997), 235.

⁷³ Ibid., 236-237.

⁷⁴ David Jochanan Rothkopf, *Running the World: The Inside Story of the National Security Council and the Architects of American Power* (New York: PublicAffairs, 2006), 120.

⁷⁵ Ibid., 120. Interview between the author, David Rothkopf, and James Schlesinger, 24 September 2004.

⁷⁶ Ibid., 120-122.

advisor under President Clinton.⁷⁷ This staff is revered as one of the most highly concentrated of both current and future leaders for U.S. diplomacy and international relations.

Nixon's NSC staff played a significant role in determining policy for United States involvement in Vietnam. The "national mood" played a large role in determining the decisions made by the NSC, as the American population warranted a revolution in national security policy.⁷⁸ Largely due to the push from the American people and their forlorn sense of resolve, Kissinger pushed for settlement with the North Vietnamese, which did not always include realistic expectations. Regardless, the strategy associated with "Vietnamization," yielded a cut in U.S. combat fatalities in half during 1969. Rothkopf explains the role that the NSC staff played, "the NSC of this era was, in a very real sense, a reflection of the American public, with several important staffers – including some who were originally very close to Kissinger – beginning to be deeply troubled by the administration's actions in Southeast Asia."⁷⁹ The relationship between President Nixon, Kissinger, and the NSC's internal staff demonstrate the complexity of policy-making when the "national mood" has an impact on decision-making.

Kingdon argues the national mood sometimes "serves as a constraint, pushing other items into relative obscurity."⁸⁰ In the case of Nixon's use of the NSC for advising on Vietnam policy, a serious disconnect existed between the policy that Kissinger pushed for, and those that the NSC staff were willing to support. This mismatch in opinion drove a wedge in the agenda setting that occurred within the NSC as Kissinger looked for policy recommendations and pressured his top advisors to look deeper into Vietnam. In response, NSC staffers tolerated little guidance and looked to disengage from Vietnam. When Kissinger did not budge to the recommendations of his advisors, several threatened resignation, including Staff Secretary William Watts.⁸¹ While the NSC expanded and assumed a greater role during the Nixon administration, the deliberation on Vietnam, the tension between the national security advisor and the staff, and the policy that Kissinger and Nixon implemented suggests that the national mood did not have the greatest impact on Nixon's decision-making with respect to Vietnam. Rather, the individual impact of

⁷⁷ Ibid., 126.

⁷⁸ Inderfurth and Johnson, *Fateful Decisions: Inside the National Security Council* (New York: Oxford University Press, 2004), 69-70.

⁷⁹ Rothkopf, *Running the World: The Inside Story of the National Security Council and the Architects of American Power* (New York: PublicAffairs, 2006), 143-144.

⁸⁰ Kingdon, 146-147.

⁸¹ Rothkopf, 144-145.

Henry Kissinger as national security advisor allowed President Nixon to mitigate the dissent proposed by the institutions, and thus, suggests the role that those two played as individuals in the policy-making processes. However, this is not to be conflated with the role Kissinger played in U.S. relations with China.⁸² In the case of Vietnam, Kissinger stood as the authoritative figure over and representative of the NSC to President Nixon. Therefore, he could delegitimize or legitimize the opinions and recommendations provided by the group, as he did with Vietnam. While NSC staffers pushed back, Kissinger deemphasized their views when speaking with President Nixon, and thus the impact of the individual staffers was of less significance.

This case is appropriate for observing the internal dynamics of the NSC because they each relate to unique relationships between the National Security Advisor and the President, differing views of how the President should use the NSC, and different issues that were handled with the assistance of advice and other support provided by the NSC.⁸³

CONCLUSION

While the NSC plays a significant role in advising the President and reconciling the interagency process, Kingdon's policy streams do not necessarily characterize the behavior of policy-makers and life of policy-making. This is the case due to multiple factors, including the uniqueness of the institution, leading back to its conception in the late 1940s. The intent of the NSC is to increase the effectiveness in national security domains, whether it be through consolidating and reconciling the interagency process in more of a crisis-management mode, or providing long-term strategic recommendations.⁸⁴ Inherently, the NSC is highly subject to the vision and desires of the current presidential administration. Therefore, the President may sway the activity that exists and therefore provide the national security advisor with more autonomy over shaping internal affairs. This yields less autonomy for the NSC staffers, and shapes the way policy is formed and enacted.

⁸² Daniel L. Byman and Kenneth M. Pollack, "Let Us Now Praise Great Men: Bringing the Statesman Back In." I am not suggesting the idea of indispensable personality or individual characters in international relations, as Byman and Pollack do.

⁸³ *Ibid.*, 31-69.

⁸⁴ Jordan et al., *American National Security*, 6th ed. (Baltimore, MD: Johns Hopkins University Press, 2009), 214.

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