(but not who is the stronger state) and smaller values indicate that the two states are fairly equal in power.

17. These models have extremely poor predictive ability—neither predicts any wars, and thus neither improves on a null model. Because the outcome models are so poor, it is not surprising that the rhos are insignificant—the error terms in the outcome equations surely include much more than the unobservable relationship to the initiation model.

7

Separation of Powers, Lawmaking, and the Use of Military Force

William G. Howell and Jon C. Pevehouse

Although investigations of the domestic politics of international relations have proliferated, studies of the use of force in American foreign policy regularly overlook the partisan struggles that erupt between presidents and Congress. We examine whether two government functions—writing laws and coordinating military ventures abroad—have common domestic institutional linkages. Specifically, we explore the possibility that partisan alignments between executive and legislative branches simultaneously augment the production of laws and the president's discretion to respond militarily to foreign crises; or, alternatively, whether inter-branch dynamics reverse course when presidents move away from advocating their legislative agenda, and toward contemplating the exercise of military force abroad. We show how international relations research can usefully adapt theories developed in American politics and suggest ways in which separation-of-power theories might incorporate other empirical investigations of international relations.

Almost twenty-five years after Kenneth Waltz proclaimed that "domestic systems are centralized and hierarchic" and hence are functionally "like units," international relations is rediscovering domestic political institutions, both the struggles that occur among them and the implications they have for the state's behavior in the international system (1979, 88). The rediscovery began with the advent of two-level games, which effectively linked the domestic political order to the international (Putnam 1988). Subsequently, scholars demonstrated that legislatures critically affect the capacity of states to commit to international agreements (Martin 2000; Milner 1997). In the United States, Congress's fundamental relevance in negotiating trade policies and tariffs appears well established (Lohmann and O'Halloran 1994; Karol

2000; Sherman 2002; Schnietz 2003). Within the democratic peace literature, scholars have begun to explore the ways in which legislatures help states signal resolve and act as conduits for public opinion (Huth and Allee 2003; Reiter and Tillman 2002; Prins and Sprecher 1999).

A concern for domestic political institutions, however, has yet to penetrate the quantitative literature on the use of force. Although the Constitution vests Congress with the power to raise and support armies, to provide and maintain a navy, to regulate the military, and to appropriate funds, the existing empirical literature on the use of force continues to overlook Congress's capacity to influence when, and whether, the president deploys troops abroad. Rarely are measures of congressional relations with the president included in statistical models on the use of force; and when included, they are crudely specified, typically nothing more than indicator variables for divided government (Gowa 1998, 1999; Fordham 2002), the post–War Powers Resolution period (DeRouen 1995), or for eras of "cold war consensus" (Meernik 1993).

Here too, however, there are signs that change is afoot. According to Milner, international political-economy arguments about legislatures' influence over the possibilities for, and content of, international cooperation fully extend to security studies: "In general, the more groups internally with which an executive must share power and the more preferences of these groups differ, the less likely it is that cooperation *or* conflict will occur. Polyarchy can prevent both cooperation *and* conflict" (Milner 1997, 259, emphasis added). Democracies that are internally divided—what Milner calls polyarchies— should be less likely to initiate military conflict abroad.[1] For as the number of parties vying for power proliferates, and as ideological divisions across branches of government intensify, the anticipated costs of military initiatives abroad increases, making heads of state less prone to initiate international conflict.

To test Milner's specific claim that ideological convergence within systems of separated powers paves the way for coordinated military ventures, we recently revisited the event-count models used to predict U.S. uses of force, adding appropriate measures of congressional support for the president (Howell and Pevehouse forthcoming). Our findings ran directly against the notion that politics stop "at the water's edge" (Gowa 1998). Between 1945 and 2000, no relationship was observed between the partisan support for the president within Congress and the total number of foreign military engagements each quarter. Large impacts emerged, however, when distinguishing minor from major military initiatives. While Congress did not appear to constrain the president's capacity to initiate low-level military maneuvers, sizeable effects were observed for major military ventures—the very events that can have electoral consequences for presidents *and* members of Congress. As

partisan support within Congress increased, presidents engaged in major military initiatives more and more often; but, as support within Congress waned, so did the frequency with which presidents conducted significant acts of military force abroad.

This chapter advances the argument one step further, connecting the logic of inter-branch relations in security matters back to more traditional legislative concerns—namely, writing laws. We examine whether the institutional forces that promote the production of laws also support the president's discretion to respond militarily to foreign crises; or, alternatively, whether inter-branch dynamics reverse course, or are suspended altogether, when presidents move away from advocating on behalf of their legislative agenda and toward contemplating the exercise of military force abroad. Doing so, we show how processes that are typically studied in isolation from one another have common institutional linkages, suggesting that international relations may benefit from adapting theories developed in American politics.

We proceed as follows. The first section reviews the quantitative literature on the use of force in the international relations subfield and the theoretical literature on presidential-congressional relations within the American politics subfield. The second section applies these theoretical insights about executive-legislative relations to presidents' decisions about whether to deploy military troops abroad. The third examines the empirical relationships between the partisan composition of Congress, the number of uses of force during the post-war eras, and the enactment of important laws. The final section identifies additional synergies in international relations and American politics and recommends paths for future research.

INTERNATIONAL RELATIONS AND THE USE OF FORCE

Military deployments short of war (such as the Berlin airlift, the Cuban missile crisis, and interventions in the Middle East, Africa, and Central America) represent some of the most potent expressions of executive authority. Not surprisingly, the practice has garnered a large academic following, beginning with the pioneering work of Barry Blechman and Stephen Kaplan in 1978. Blechman and Kaplan were principally concerned with the international conditions (e.g., whether the Soviet Union or China was a party to a crisis, whether troops were already deployed in the region, the relative nuclear capabilities of the United States and the Soviet Union) that led presidents to initiate lower-level military ventures, what they termed "force without war." Blechman and Kaplan identified 226 such incidents between 1946 and 1976 and tracked when, and whether, U.S. presidents achieved their strategic objectives.

Beginning in the mid-1980s, scholars built upon Blechman and Kaplan's database to test international relations theories about interstate conflict and the political psychology of executive decision making. Charles Ostrom and Brian Job's study (1986) added an important set of domestic variables to the study of the use of force short of war. According to Ostrom and Job, U.S. presidents must create simple decision rules to balance the competing demands of the presidency. As commander in chief, chief executive, and "political leader," presidents "monitor salient dimensions in the domestic, international, and political arenas" before committing U.S. forces abroad. Domestic politics, however, retains special significance (1986, 555). Indeed, in Ostrom and Job's empirical analysis, the substantive impacts of domestic variables (public aversion to war, a weighted economic misery index, presidential approval, "overall presidential success," and national elections) were consistently as strong if not stronger than their international counterparts.

The Ostrom and Job findings spurred a number of quantitative studies that examined how the economy and public opinion influence presidents' decisions to deploy troops abroad. Patrick James and John Oneal (1991) introduced a new variable that tapped international threats to U.S. interests, yet still found that the same domestic political factors that Ostrom and Job introduced were largely responsible for the use of force. Benjamin Fordham (1998b) subsequently argued that economic factors and public opinion do not directly shape presidential choices, but instead influence how the president views his external environment. The president, according to Fordham, perceives international crises as particularly troublesome when the domestic economy is poor. When inflation is low and employment high, however, presidents have few incentives to imperil their reelection prospects with foreign military ventures and, hence, are more likely to overlook such crises.

Other scholars have reached very different conclusions, holding that purely external factors drive decisions to use force. Meernik (1994), for instance, finds that domestic economic forces played little to no role in predicting American use of military force (see also Meernik and Waterman 1996). Joanne Gowa (1998) contends that between 1875 and 1992 neither the partisan nature of Congress, electoral cycles, nor the state of the economy was a significant predictor of U.S. involvement in militarized disputes. In a slightly different vein, Mitchell and Moore (2002) and Fordham (2002) raise important issues of data comparability (scholars use different years in analyzing their hypotheses) and temporal dynamics (uses of force may be clustered together in time), both of which potentially compromise previous statistical findings.

While much divides the protagonists in the use of force literature, one assumption is dominant: Congress is weak.[2] Indeed, legislative impotence has achieved the status of conventional wisdom. According to James Meernik:

The literature on U.S. foreign policymaking unambiguously demonstrates that because of his constitutional prerogatives and political incentives as well as congressional weaknesses in foreign policy, it is the president who exercises supreme control over the nation's military actions. (1994, 122–23).

Joanne Gowa, one of the few scholars to use event count data actually to test Congress's influence on the use of force, concludes that:

The use of force abroad is invariant to both the domestic political calendar and the partisan composition of government. . . . The use of U.S. military power abroad responds only to changes in national power and to the advent of the world wars. (1998, 307).

Because the president is commander in chief of the military, Congress cannot (or will not) try to constrain his freedom to pick battles, define the scope and duration of conflict, or set the terms by which a conflict ultimately is resolved. While Congress may direct domestic policymaking, its hold over foreign policy is tenuous; and when the president decides to exercise military force abroad, members of Congress can only complain on Sunday morning talk shows. According to these scholars, the president's authority over military matters is beyond reproach.

Consider, by way of examples, the work on two of the causal mechanisms that underlie the use of force literature: the diversionary war hypothesis and the rally around the flag effect. The diversionary war hypothesis suggests that heads of state deploy troops abroad in an effort to distract attention away from domestic strife, most commonly a flagging economy (see, e.g., Richards et al. 1993). Advocates of the theory assume that Congress, the bureaucracy, and the public are blind to a leader's true intentions and, as a consequence, regularly accept on faith proffered justifications for conflicts (for critiques, see Meernik and Waterman 1996; Blainey 1988; Levy 1989; Morgan and Bickers 1992). By sending troops abroad, it is supposed, presidents can shift public attention away from a failing economy and rally widespread support, as members of Congress (very much including the opposition party) naturally and automatically fall behind their chief executive.

Congress, again, is largely absent from most quantitative tests for rally around the flag effects (Mueller 1973; Ostrom and Simon 1985; Wittkopf and Dehaven 1987; Lian and Oneal 1993). Congress's stance on military ventures conducted abroad, it is assumed, does not mediate the size or direction of changes in the president's public approval ratings (for exceptions, see Brody 1991; Brody and Shapiro 1989). While "aggressive foreign behavior [may be] a useful tool for dealing with domestic political problems," domestic political institutions do not hinder the president's ability to engage in aggressive foreign

behavior (Morgan and Bickers 1992, 26). Quite to the contrary, members of Congress are just as susceptible to the rally phenomenon as is the general public (Stoll 1984). As Barbara Hinckley argues, "The use of force shows the clearest conventional pattern: presidents are active and Congress accedes to what the presidents request. On these occasions both Congress and the public rally around the President and the flag" (1994, 80).

We believe scholars overstate executive supremacy over the use of force and overlook opportunities for congressional influence. Presidents, to be sure, are not empty vessels responding to the whims of Congress. They retain profound informational and tactical advantages over Congress that make them the most powerful actors in U.S. foreign policy generally, and over security matters specifically (Peterson 1994). But we question the "unambiguous demonstration" that domestic political institutions do not, or cannot, impede the presidential use of force. Presidents cannot easily and automatically dupe their political opponents, especially when doing so entails putting American troops in harm's way. To strip away the institutional setting in which presidents operate is to dismiss the institutional politics associated with the use of military force.

THE AMERICAN POLITICS LITERATURE

While the existing use of force literatures occasionally gesture toward domestic political institutions (DeRouen 1995; Morgan and Campbell 1991), the treatment consistently is fleeting. This is unfortunate given the tremendous volume of research on executive-legislative relations within the American politics subfield (see, e.g., Binder 2003; Jones 1994; Mayhew 1991; Peterson 1990; Bond and Fleisher 2000; Krehbiel 1999). Scholars of American politics have developed ample theories with strong micro foundations on interactions between the executive and legislative branches. This work examines the conditions under which presidents successfully guide their legislative agendas through Congress (e.g., Rudalevige 2002); the ability of presidents to rally public opinion in support of particular bills, and the impact this has on Congress (Canes-Wrone forthcoming; Edwards 2003); the respective powers presidents wield in foreign versus domestic policy when negotiating with Congress (Wildavsky 1966). When discussing presidential power within the American politics subfield, Congress cannot be avoided. Yet within the extant use of force literature, the legislative branch, along with theory required to explain its behavior, is wholly absent.

A burgeoning body of work examines when presidents will unilaterally set public policy given that Congress and the courts may subsequently undo his

actions (Cooper 2002; Howell 2003; Mayer 2001). Using executive orders, proclamations, memoranda, and administrative orders, presidents have managed to impose a wide array of public policies that never would have survived the legislative process. This work demonstrates that the president's powers of unilateral action—which very much encompass the option to deploy troops abroad—are critically defined by the capacity and willingness of Congress to subsequently overturn him.

Presidents rarely exercise their unilateral powers when large and unified majorities govern Congress. As shown elsewhere (Howell 2003), when strong majorities stand in support, the president would do better to engage the legislative process and set policy with firm legislative footings; and when such majorities stand in opposition, presidential efforts to unilaterally set public policy of consequence may provoke a congressional response. But when small and divided majorities govern Congress, presidents have incentives to strike out on their own. Just as an internally divided legislature cannot enact the president's agenda, nor can it overturn, post hoc, policies written and issued within the executive branch. In this sense, congressional strength marks presidential weakness, and congressional weakness presidential strength. The outcome is hardly accidental, for it is the checks that each institution places on the other that determines the overall division of power.

With regard to the use of force, inter-institutional dynamics shift as a clear asymmetry defines the relationship between Congress and the president. While members of Congress can punish the president for deploying troops abroad (Grimmet 2001), they cannot readily impel military action in the face of presidential resistance. In this realm—unlike policymaking generally, where Congress has the option of legislating when the president refuses to issue a unilateral directive—Congress's impact manifests itself principally as a constraint on presidential power. Not since the Spanish-American War has an activist, interventionist Congress forced a president into a foreign conflict that he would have just as soon avoided. Historically, the norm has been for presidents to identify foreign crises that they believe warrant military action, and subsequently (occasionally simultaneously) for members of Congress to support, abstain, or demur.

Unfortunately, while ready-made theories on the institutional foundations of unilateral powers are easily applied to presidents' decisions to use military force, the American politics and U.S. foreign policy literatures are devoid of systematic quantitative tests on this issue. Instead, scholars have offered up little more than isolated case studies, some of which herald Congress's impotence in foreign affairs (e.g. Hinckley 1994; Weissman 1995), while others celebrate examples of Congress successfully asserting its authority in foreign policy (Auerswald and Cowhey 1997; Freedman and Karsh 1993; Hall 1978; Lindsay

1994; Lindsay and Ripley 1993). Assuredly, scholars can point to instances of executive dominance (Nixon's expansion of the Vietnam War into Cambodia, Clinton's decision to invade Haiti in 1994 despite widespread congressional reluctance, Bush's uncontested exercise of military might in the immediate aftermath of September 11, 2001), just as others can selectively cite assertions of congressional prerogatives (the War Powers Resolution, Republicans' refusal to appropriate funds in 1976 for an invasion of Libya, the contentious debates that preceded invasions of Iraq in 1991 and, to a lesser extent, 2003). It remains unclear, however, whether Congress systematically figures into presidential decision making; or whether military deployments proceed irrespective of preference alignments across the legislative and executive branches.

Rarely are the limits of one subfield's treatment of a topic so well complemented by the strengths of another's. While American politics scholars have developed rich institutional theories that delineate the conditions under which presidents exercise their unilateral powers, uniformly they have overlooked the presidential decisions to deploy troops abroad. Meanwhile, international relations scholars have constructed impressive datasets on the use of force, but most overlook interactions between Congress and the president. Indeed, the international relations treatment of the use of force assumes away legislative constraints on presidential power, just as American politics scholars remain captivated by them.

EMPIRICAL TESTS

Congressional influence should vary according to the relative size and cohesiveness of the president's party and its opposition.[3] Without enough seats in Congress, and enough discipline within its ranks, the opposition party can do little to derail presidents' decisions to use force abroad—for as the international relations literature rightly insists, decisions regarding when and where the military intervenes ultimately reside with the commander in chief. But when the opposition party is unified and large, it can credibly threaten to punish presidents who pursue misguided military ventures. Although such punishments will not derail or stall all military initiatives, congressional opposition should decrease the likelihood that presidents will exercise force abroad.

Elsewhere, we demonstrate that the partisanship of Congress does in fact significantly affect the frequency with which presidents deploy troops abroad (Howell and Pevehouse forthcoming). As the size and unity of their party grows in Congress, presidents exercise force with rising frequency; but when support wanes, so too does their proclivity to engage in major military ventures. These effects, we show, hold for multiple time periods during the post-

World War II era, using multiple datasets on troop deployments, including a wide variety of background controls, and operationalizing congressional support in different ways. The willingness of presidents to assume the substantial risks (political and otherwise) associated with sending troops abroad appears to depend critically on the partisan support they enjoy within Congress.

It remains unclear, however, whether the politics that surround the creation of public policy differ markedly from those that surround military deployments; that is, whether inter-branch dynamics shift abruptly when discussions of proposed legislation turn to preparations for military engagements. For two reasons, this issue is consequential. First, and foremost, it raises the possibility of trade-offs occurring across policy spheres. If factors that positively contribute to the president's capacity to respond militarily to foreign crises negatively influence the prospects for enacting laws, then heretofore unrecognized tensions are built into systems of separated powers. Presidents may enjoy influence over the creation of public policy or discretion over the deployment of troops abroad, but not both—suggesting that the legacies they leave are confined to a single area of governance. Just as the administration begins to direct the military abroad, its ability to govern effectively at home becomes mired in gridlock; and just when the president and Congress begin to find common ground on domestic policy, tensions flare over security matters.

Consider the following scenario. Assume for the moment that Democratic members of Congress (but not Democratic presidents) are more dovish, and hence more skeptical of arguments on behalf of military deployments; while Republican members of Congress (but not Republican presidents) are more hawkish, and hence more willing to support foreign military ventures.[4] Further assume that Democrats and Republicans generally disagree with one another about the content of public policy. To see the trade-offs between lawmaking and military force, let us fix the president's partisanship while allowing Congress's to vary. During periods of divided government, a Democratic president should find ample opportunities to enact sweeping policy reforms, but precisely because his co-partisans in Congress generally oppose military campaigns, his discretion to respond militarily to foreign crises will be significantly reduced. Conversely, a Democratic president who faces a Republican Congress will enjoy widespread discretion to use force abroad, just as negotiations over policy matters bog down. Either way, agreement in one policy sphere implies opposition in the other, and presidents—by virtue of the distribution of parties across branches of government, rather than independent choices made while in office—must focus on those areas of governance where possibilities for coordinated action reside.

The "Partisan Divide" argument, however, could be wrong. Indeed, institutional arrangements may promote (or undermine) government action more

generally in both the creation of public policy and the initiation of military campaigns. Presidents and Congress, accordingly, are either productive or idle, just as policies and military ventures proliferate or languish. If true, then the success political actors enjoy in one area of governance need not be weighed against the failure they inevitably confront in another. The same factors supporting the passage of domestic laws may support the deployment of U.S. troops abroad.

The second reason for exploring inter-branch dynamics across policy spheres relates to the work of scholars in American politics and international relations, and the degree to which existing theories of legislative-executive relations can be transported to topics involving security matters. If the domestic politics of military engagements are completely unrelated to those of lawmaking, then American politics scholars have little to offer international relations scholars, except to remind them that Congress might deserve recognition. On the other hand, if these politics proceed in tandem, then much of the work of specifying inter-branch relations has already been accomplished, and the immediate job at hand involves linking up two literatures that, until now, have developed independently from one another. Just as encouraging, if the domestic institutional politics of policymaking and the use of force do in fact coincide, then, we may make strides toward unifying theories of systems of separated powers. Rather than constructing separate institutional theories for domestic policymaking and military engagement, scholars may begin to identify those opportunities that contribute to, or hinder, government action and gridlock more generally.

In this section, we examine whether those institutional dynamics that support the enactment of legislation also contribute to the propensity of presidents to use force in the international arena. Specifically, we estimate a seemingly unrelated negative binomial model, with the use of force and the enactment of significant laws as the two dependent variables. The seemingly unrelated (SUR) class of models is appropriate for our empirical test. Although we have proffered that the same underlying institutional arrangemenets inform both the enactment of key laws and the deployment of U.S. forces abroad, there is nothing to suggest a strictly simultaneous process, vitiating the need to move to a set of simultaneous equations. SUR models, however, account for correlations in residuals between equations and yield efficiency gains.[5]

Our model specification is as follows:

(1) $FORCE = \beta_0 + \beta_1 CongressSupport + \beta_2 Unemployment + \beta_3 CPI + \beta_4 Approval + \beta_5 Election + \beta_6 War + \beta_7 ColdWar + \beta_8 Hegemony + \beta_9 WorldDispute + \Sigma\beta_i President + \epsilon_1$

(2) $LAWS = \gamma_0 + \gamma_1 CongressSupport + \gamma_2 Approval + \gamma_3 Election + \gamma_4 War + \Sigma\gamma_i President + \epsilon_2$

Equation 1: Use of Force

In equation 1, the dependent variable (FORCE) is a yearly count of major deployments of force directed by the president. We update data from Fordham (1998b), Fordham and Sarver (2001), and Zelikow (1987), who extended the original Blechman and Kaplan time series that ended in 1976.[6] The dependent variable, as such, is the number of times each year that the president initiates major force abroad.[7] Table 7.1 includes descriptive statistics for all variables.

Our key explanatory variable measures the convergence of preferences between Congress and the executive. This variable, *CongressSupport*, is operationalized three ways. First, we employ a simple indicator variable (*Unified*) that equals 1 when the House, Senate, and president are led by the same political party, and zero otherwise. Second, we compute the average percentage of seats held by the president's party in the House and Senate and label this variable *Percent President Party*.[8]

Southern Democrats present obvious problems for partisan-based measures of presidential support. While Democrats enjoyed large majorities in the House and Senate in the 1960s, they also faced strong divisions within their ranks. To address this shortcoming, David Brady, Joseph Cooper, and Patricia Hurley (1979) constructed "legislative potential for policy change" (LPPC) scores. They base LPPC scores on four factors: (1) the size of the majority party; (2) the majority party's internal cohesiveness; (3) the size of the minority party; and (4) its cohesiveness.[9] To generate our third measure

Table 7.1. Descriptive Statistics

	Mean	Std Dev.	Min.	Max.
Force	2.52	1.95	0.0	7
Laws	46.88	17.02	18.0	103
Unified	0.39	0.49	0.0	1.0
President Percent Party	0.50	0.09	0.35	0.68
President Party Power	−0.46	13.98	−23.63	26.96
Unemployment	5.51	1.61	2.03	9.70
CPI	4.22	3.38	−0.95	14.65
Approval	55.19	12.16	28.25	85.25
Election	0.25	0.44	0.0	1.0
Ongoing War	0.25	0.44	0.0	1.0
Cold War	0.80	0.40	0.0	1.0
Hegemony	0.33	0.06	0.26	0.52
World Disputes (non U.S.)	22.14	7.77	4.0	38.0

of congressional support for the president, we modify these scores only slightly, substituting the president's and opposition parties for the majority and minority parties, respectively. When the president's party is relatively large and unified and confronts a relatively small and divided opposition party, the president should be able to use force with considerable freedom. Conversely, when the president's party is relatively small and divided, and the opposition party is larger and more unified, the president's freedom to use force abroad should decline substantially. We label this variable *President Party Power*.

Upon reflection there is good reason to expect that the impact of *Percent President Party* and *President Party Power* could be nonlinear. Incremental changes at the tails of the distribution may not have an appreciable impact on the frequency with which presidents exercise force abroad. Shifts around the center of the distribution, meanwhile, may induce large changes in the use of presidential force. To test for the possibility of nonlinear effects, we take the logistic transformations of *Percent President Party* and *President Party Power* and reestimate the statistical models (these transformations are noted in each table with an "e" prefix). Thus, for both *Percentage President Party* and *President Party Power*, the first set of estimates in tables 7.3 and 7.4 contains only a linear term of each variable, while the second set contains their logistic transformations.

As previously discussed, scholars have focused almost exclusively on other domestic and international factors that shape the president's ability to use force abroad. To mitigate concerns about omitted variable bias, we incorporate controls for many of the alternative hypothesized influences on the use of force. To begin, consistent with a burgeoning literature on the political economy of the use of force (Ostrom and Job 1986; Fordham 1998b), we control for the yearly unemployment rate and the inflation rate (CPI), both of which were taken from the Bureau of Labor Statistics. Past research, for the most part, finds that poor economic performances encourage presidents to act aggressively in foreign policy affairs (James and Oneal 1991; Fordham 2002).

Because much of the literature on the use of force draws upon theories of diversionary war, we control for the president's public approval rating (*Approval*). The impetus for much of the original quantitative work on the subject was Ostrom and Job's (1986) finding that approval ratings were a highly significant determinant of the use of force—though subsequent research has proven less definitive on the matter. We measure the first Gallup presidential approval rating at the beginning of each year.[10]

A related body of work examines whether elections usher in additional uses of force (Stoll 1984; Gaubatz 1991). This research contends that rally around

the flag effects establish incentives for presidents to use force during the months immediately preceding an election. As such, we control for presidential election years (*Election*).

The next four variables capture facets of the international environment that may impinge on the president's autonomy in foreign policy. Due to contemporaneous military commitments, there should be a tendency for presidents to employ force for bargaining purposes less often during times of war. We introduce the *War* variable to control for periods of international wars in which the United States was involved (here, Korea, Vietnam, and the 1991 Gulf War). The Cold War was also a period of heightened concern over international engagement of U.S. forces. To account for its influence, we include a dummy variable coded 1 during the 1945–1989 period (*ColdWar*).

To account for systemic forces that have been linked to the onset of both interstate wars and disputes (Mansfield 1994; Mansfield and Pevehouse 2000), we include a measure of U.S. hegemony during the period of analysis (*Hegemony*). The measure is the percentage of international military capabilities held by the United States and derives from the Correlates of War Capabilities dataset (Small and Singer 1993). With hegemonic power may come responsibilities (and incentives) to monitor, and possibly intervene, in conflicts. If true, then hegemony ought to be positively associated with the use of force. Finally, we include a measure of the number of world military conflicts beginning in each year of observation (*WorldDispute*). Presumably, a higher number of world conflicts provides more opportunities for the United States to respond with the use of force (Meernik 1994; Fordham 1998b). The data here aggregates non-U.S. militarized interstate disputes (MIDs) over the period of observation (on the MIDs data, see Jones, Bremer, and Singer 1996).

Finally, we include presidential fixed-effects in our model to account for individual differences in each president's leadership style, military experience, and policy agendas.

Equation 2: Nontrivial Laws

In equation 2, the dependent variable (*LAWS*) represents the number of "nontrivial" laws enacted each year. Nontrivial laws encompass all "landmark," "important," and "ordinary" laws enacted by each Congress. Landmark enactments consist of the "Sweep One" laws identified by David Mayhew (1991). By measuring the amount of coverage laws received in the *New York Times*, the *Washington Post*, and the annual *Congressional Quarterly* almanacs, Howell et al. (2000) categorized all of the remaining laws as important, ordinary, or trivial. Between 1945 and 1995, 17,830 total laws were

enacted, 1 percent of which they deemed landmark, 1 percent important, 10 percent ordinary, and 87 percent trivial.[11] Here, we combine the 12 percent of landmark, important, and ordinary laws and extend the time series through 2000.

The remaining control variables in the *LAWS* equation draw from those used in the *FORCE* equation. As no one, to our knowledge, argues that changes in the economy, the number of international disputes, the relative power of the United States vis-à-vis the rest of the world, or the Cold War systematically affect the production of laws, we exclude these variables from the model. Background controls for election years, periods of war, and presidential approval ratings regularly are included in statistical models of legislative productivity, and hence are kept here as well. Finally, as in the *FORCE* model, we include presidential fixed-effects to account for differences across administrations that may contribute to their baseline propensity to enact laws.

Results

The estimates of each model across the versions of our independent variable of interest are presented in three tables. Table 7.2 shows the results for our simple dummy variable indicating the presence of unified government. *Unified* is positive and significant in each equation, suggesting that during periods of partisan alignment between the legislative and executive branches, both the use of force and the enactment of important laws become more likely. Specifically, for the *FORCE* equation, the presence of unified government increases by over 80 percent the predicted count of the use of force. For the *LAWS* equation, unified government induces a nearly 20 percent increase in the predicted number of nontrivial laws.

The models utilizing *Percent President Party* (Table 7.3) and *President Party Power* (Table 7.4) also show strong support for our hypothesis. In fact, in only one case (the logistic transformation of *President Party Power* in the *LAWS* equation) is our explanatory variable of interest not statistically significant. For the estimates using the *Percent President Party* measure, an increase in one standard deviation from the mean of that variable produces a 17 percent increase in the number of predicted uses of force and a corresponding 15 percent increase in the predicted number of nontrivial laws. An equivalent shift in *President Party Power* induces a 24 percent increase in the number of military deployments and a 10 percent increase in the predicted number of laws.

The overwhelming balance of evidence from these models suggests that there is a strong link between the partisan composition of the legislature and

Table 7.2. Seemingly Unrelated Count Model of Use of Major Force by the United States and the Enactment of Nontrivial Laws: 1945-2000

	FORCE	LAWS
Unified	0.603***	0.170**
	(0.161)	(0.079)
Unemployment	0.229***	—
	(0.079)	
CPI	0.061**	—
	(0.028)	
Approval	0.001	0.001
	(0.016)	(0.002)
Election	0.089	0.052
	(0.242)	(0.112)
Ongoing War	−0.739***	−0.108***
	(0.119)	(0.041)
Cold War	0.655***	—
	(0.135)	
Hegemony	3.264	—
	(3.270)	
World Disputes	0.013	—
	(0.023)	
Constant	−2.889*	3.183***
	(2.006)	(0.147)
ln(α)	−16.623	−3.525

NOTE: N = 56 for both equations. For all table entries: *** = $p < .01$; ** = $p < .05$; * = $p < .1$; one-tailed tests. Each model is estimated using negative binomial regression with Huber/White/sandwich clustered standard errors. Each model also contains fixed effect terms for each presidential administration, which are not reported to conserve space.

the president's ability to act in both the domestic and international realms. These models lend no support for the notion that presidential influence is consigned to either foreign or domestic policy initiatives, but not both. Quite the contrary, increased legislative activity implies greater freedom for presidents to exercise military force abroad, and vice versa. The American politics literature helps explain why: when the president enjoys strong support in Congress, he is less constrained in both foreign and domestic policy. Stronger congressional support leads to a comparatively easier road for the president to pursue his legislative agenda, just as it affords greater discretion to send troops abroad. The very institutional structures that support the enactment of numerous laws—namely, widespread support within Congress for the president—also lend the chief executive considerable discretion to exercise force abroad.

Table 7.3. Seemingly Unrelated Count Models of Use of Major Force by the United States and the Enactment of Nontrivial Laws: 1945–2000

	(Model 1)		(Model 2)	
	FORCE	LAWS	FORCE	LAWS
Percent President Party	1.785**	1.571*	—	—
	(0.969)	(0.963)		
e[Percent President Party]	—	—	7.565**	6.583*
			(4.191)	(4.108)
Unemployment	0.239***	—	0.239***	—
	(0.090)		(0.090)	
CPI	0.039*	—	0.039*	—
	(0.026)		(0.026)	
Approval	−0.003	0.0002	−0.003	0.0003
	(0.016)	(0.002)	(0.016)	(0.002)
Election	0.057	0.081	0.057	0.081
	(0.252)	(0.118)	(0.253)	(0.118)
Ongoing War	−0.575***	−0.077***	−0.575***	−0.077**
	(0.182)	(0.030)	(0.182)	(0.030)
Cold War	0.679***	—	0.678***	—
	(0.158)		(0.157)	
Hegemony	5.030*	—	5.025*	—
	(3.265)		(3.281)	
World Disputes (non U.S.)	0.009	—	0.009	—
	(0.024)		(0.024)	
Constant	−3.725*	2.497***	−7.544**	−0.816
	(2.198)	(0.530)	(3.986)	(2.597)
ln(α)	−17.248	−3.589	−17.496	−3.586

NOTE: N = 56 for both equations in both models. For all table entries: *** = p< .01; ** = p< .05; * = p< .1; one-tailed tests. Each model is estimated using negative binomial regression with Huber/White/sandwich clustered standard errors. Each model also contains fixed effect terms for each presidential administration, which are not reported to conserve space.

Regarding the control variables, the presence of war depresses both the number of times force is used as well as the number of laws enacted. When both institutions are preoccupied with ongoing conduct of a full-scale war, the nation's ability to extend the military to other parts of the globe and the resources required to enact important legislation undoubtedly decline.

In the *FORCE* equation, both unemployment and inflation correlate positively with uses of force. In nearly every model, these estimates are statistically significant, which is consistent with the existing use of force literature's emphasis on economic predictors of foreign policy (Fordham 1998b, 2002; Ostrom and Job 1986). The Cold War saw consistently more activity in terms of the use of force. As predicted, higher levels of hegemony are positively as-

Table 7.4. Seemingly Unrelated Count Models of Use of Major Force by the United States and the Enactment of Nontrivial Laws: 1945–2000

	(Model 1)		(Model 2)	
	FORCE	LAWS	FORCE	LAWS
President Party Power	0.015***	0.007*	—	—
	(0.005)	(0.004)		
e[President Party Power]	—	—	0.393***	0.098
			(0.105)	(0.096)
Unemployment	0.222**	—	0.231***	—
	(0.088)		(0.084)	
CPI	0.041*	—	0.036	—
	(0.028)		(0.030)	
Approval	−0.003	0.001	−0.003	0.001
	(0.016)	(0.002)	(0.016)	(0.002)
Election	0.078	0.070	0.066	0.044
	(0.252)	(0.117)	(0.235)	(0.110)
Ongoing War	−0.645***	−0.085*	−0.692***	−0.072**
	(0.160)	(0.033)	(0.150)	(0.043)
Cold War	0.660***	—	0.682***	—
	(0.159)		(0.136)	
Hegemony	4.257*	—	4.848*	—
	(3.103)		(3.064)	
World Disputes (non U.S.)	0.011	—	0.012	—
	(0.024)		(0.024)	
Constant	−2.600*	3.266*	−2.979*	3.224
	(1.781)	(0.124)	(2.037)	(0.132)
ln(α)	−19.990	−3.554	−17.116	−3.497

NOTE: N = 56 for both equations in both models. For all table entries: *** = p< .01; ** = p< .05; * = p< .1; one-tailed tests. Each model is estimated using negative binomial regression with Huber/White/sandwich clustered standard errors. Each model also contains fixed effect terms for each presidential administration, which are not reported to conserve space.

sociated with increases in the use of force in four out of five sets of estimates. The state of public approval of the president, the presence of elections, and the number of disputes in the world have no discernible bearing on the use of force.

A Note on the Possibility of Direct Trade-offs

Our previous statistical tests showed that there was nothing inherent in the assignment of preferences across branches of government that forces presidents to choose between an aggressive foreign or domestic policy agenda. Nonetheless, it could be the case that time and resource constraints during a presidential administration establish more direct trade-offs between the enactment

of laws and the use of force, implying a negative relationship between the two. This question is important to consider for two reasons.

The first is substantive in nature. Efforts to address foreign policy crises may erode the president's ability to pursue his domestic policy agenda, just as ongoing negotiations over domestic policy may distract a president from attending to foreign crises. While presidents may choose to pursue foreign or domestic policy successes during periods of unified government (an eventuality that the Partisan Divide argument does not allow for), as a practical matter, they may not always be able to secure both. No one, perhaps, has been more aware of this eventuality than Lyndon Johnson, who witnessed his Great Society stall as developments in Vietnam dominated the news, and who eventually decided to forego reelection in 1968 because of mounting domestic protest against the war.[12]

Second, the existence of trade-offs would indicate that our previous statistical models are miss-specified. Rather than seemingly unrelated processes, we would be dealing with related processes. Such a relationship would require a modeling strategy that accounts for systems of simultaneous equations wherein the endogenous variable in one equation represents the dependent variable in the other—the common stock of three-stage estimators. Unfortunately, simultaneous count models using three-staged estimators are not well developed in the econometrics literature. We attempted to estimate the simultaneous count models a number of other ways, including instrumental variable maximum-likelihood approaches, two-stage least squares, and three-stage least squares. Each of these sets of estimates yielded wildly diverging estimates of the effects of uses of force on the enactment of nontrivial laws, and vice versa. No strong evidence emerged that a consistent trade-off exists between the use of force and the enactment of laws, but given the fragile nature of these models, we do not place much weight on these results and leave the issue for future research.[13]

CONCLUSIONS, FUTURE DIRECTIONS

Given extant theories from the American politics subfield, our own empirical findings are not surprising. Just as the composition of Congress has clear, and profound, implications for the president's legislative agenda, so too does it affect executive discretion to use force abroad. When the president confronts a hostile Congress, he is less likely to initiate large-scale military forces; when he enjoys widespread support in Congress, meanwhile, he is more likely to do so. The levels of partisan support presidents inherit when they assume office crucially defines their capacity to govern, and set in motion legislative

processes or military campaigns that address any number of domestic or foreign problems.

Let us be clear, however, about our argument's boundaries and structure. We do not claim that the influence Congress exerts over domestic public policy carries over, in full, to deliberations over military engagements; plainly, Congress gives considerable ground when policy discussions turn from farm subsidies and welfare reform to armed conflicts in Libya and border disputes between Ecuador and Peru. Similarly, we are not arguing that presidents need to seek Congress's formal or tacit consent every time that they consider military action; clearly, presidents often send troops abroad with little regard to Congress's wishes. Our argument is probabilistic in nature, suggesting that Congress, all else being equal, plays an important role in defining the political costs of a military venture, and determining the chances that presidents will have to pay them.

In the immediate future, three matters require attention. The first concerns issues of measurement and model specification. Admittedly, the statistical models estimated here are crude. The dependent variables are annual frequencies of enacted laws and military deployments. Nothing in the FORCE models identifies the duration of time troops are deployed, the eventual success or failure of the missions, or the kinds of foreign crises to which the United States is responding. Similarly, the LAWS models do not differentiate legislation by policy type or the margins by which they were enacted. The key explanatory variables, meanwhile, could also benefit from improved measurement. The models presented here assume that the number of copartisans within Congress strictly determines support for the president. Consequently, members of each political party are assumed to have identical preferences (both in form and intensity) across multiple policy realms. Democratic members of Congress are presumed always to oppose Republican presidents, just as Republicans are presumed to uniformly oppose Democratic presidents. Little in these models allows us to explore intra-party disputes, instances when opposition to the president rises as the revealed costs of a military engagement materialize, or possibilities for bipartisan alliances when a military engagement succeeds.

Second, empirical studies of the use of force should move beyond simple event-count models, and begin to examine the ways in which Congress influences not only decisions to deploy troops but also the timing, duration, scope, and ongoing conduct of military exercises. Witness, for example, the decision to authorize the use of force against Iraq in the fall of 2002, an event which would seem to disprove our argument as the president confronted a House controlled by his own party, but a Senate very much divided and (weakly) controlled by his opposing party. Why did the processes outlined in this chapter ultimately fail to check the prospects of an Iraq invasion? We would first

remind the reader that our argument is probabilistic—we do not claim that partisan politics influence every military deployment. Rather, on balance, a president facing a hostile Congress will be less likely to deploy troops. Still, the Iraq episode indicates various ways in which congressional-executive dynamics shape decisions to exercise military force. After weeks of insisting that prior resolutions granted him the required authority to exercise military force, Bush nonetheless relented in October 2002 and formally requested from Congress authorization to use force in Iraq. As the existing literature presumes, Bush could have easily ignored Congress; and while it is possible that Bush asked for a vote knowing that it would be favorable, a vast array of voices (especially among Democrats) pushed for a formal vote. Then, during congressional debates over Iraq, many questioned the lack of international support for the Iraq operation, establishing further impetus for the Bush administration subsequently to seek United Nations approval.

In the end, Congress did not stop the administration from attacking Iraq, nor did it convince the administration to act exclusively through the UN, substantiating Louis Fisher's argument that "the decision to go to war cast a dark shadow over the health of U.S. political institutions and the celebrated system of democratic debate and checks and balances" (2003, 390). But even amidst these extraordinary events are undercurrents of congressional influence—most prominently, over the invasion's timing. Had the Bush administration not felt impelled to seek congressional approval, nor go to the UN, we might well be discussing the December 2002 invasion of Iraq. None of the existing empirical tests in the use of force literature (nor our own) capture such procedural developments and hence overlook additional manifestations of congressional influence.

The final task for future research involves the incorporation of other empirical studies in international relations with domestic policymaking and the use of force. As previously mentioned, limited work has investigated how divided government influences trade policy (Lohmann and O'Halloran 1994; Sherman 2002), the escalation of military disputes (Huth and Allee 2003), and aggressiveness in foreign policy (Clark 2001). As it does for the production of laws and the initiation of military force, the structure of partisan preferences across branches of government should have implications for treaty ratification, signing preferential trade agreements, military spending, foreign aid allotments, immigration policy, and economic sanctions, among others.

Having accomplished these three objectives, the groundwork may be set for the identification of a unified theory of systems of separated powers. Some efforts to specify such a grand theory are already underway. Bruce Bueno de Mesquita and colleagues (1999a, 1999b, 2000) have developed a

general model of domestic institutions and international conflict that highlights differences in institutional rules guiding the election of leaders. Their argument suggests that the size of the "selectorate" (those who participate in the selection of government leaders) and the proportion of the selectorate that is required to hold positions of government leadership have a direct influence on foreign policy behavior, very much including the propensity to use force in the international system. They argue that as the size of a winning coalition increases (more support is needed to sustain leadership), leaders will want to fight more effectively since "the prospects for survival increasingly hinge on successful policy performance" (Bueno de Mesquita et al. 1999b, 804). Thus, Bueno de Mesquita and colleagues deduce that democracies are more likely to win wars and credibly deter those who would challenge them.

This theory of political institutions, however, largely ignores the alignment of preferences across political institutions *within each country*. For example, what is the role of those individuals outside of the winning coalition, but within the selectorate? What happens when the winning coalition must "win" in more than one powerful institution (e.g., executive and legislative branches)? We suggest that what may drive leaders in democracies to fight effectively (and selectively) is not only concern with the winning coalition size but concern over winning coalitions in other institutions.

George Tsebelis has articulated an alternative theory that better accounts for political actors' preferences across a governing system (2002). Tsebelis focuses on the number of veto players in a political system and their impact on possibilities for major policy change. Veto players, Tsebelis argues, enhance policy stability just as they inhibit innovation; and where multiple veto players with divergent ideological orientations preside over legislative and executive branches, policy change can be expected to come almost exclusively through independent bureaucracies and judiciaries. A unified theory of domestic institutions, however, need not specify a set of conditions under which activity in all branches of government increases, or decreases, concurrently and in equal proportion. Howell (2003), for instance, argues that there are clear trade-offs between the production of laws and the issuance of unilateral directives from presidents (e.g., executive orders, executive agreements, national security directives). A unified institutional theory need not predict that all indicators of government activity point upward or downward, either across branches of government or policy spheres. Such a theory, instead, should identify the key underlying institutional configurations that link the various processes of enacting laws, issuing unilateral directives, deploying troops, and negotiating trade agreements.

In any discipline, a certain division of labor emerges. As grand theories (e.g., selectorate and veto-player models) are asserted and modified, so too

are finer measures of executive and legislative preferences developed, datasets that capture particular features of domestic policy, trade, and military campaigns are assembled, and statistical modeling techniques that allow for the estimation of systems of equations based upon event-counts are specified. From our perspective, however, the time is long overdue for scholars across subfields to speak directly to one another. As we demonstrate here, processes that appear to play out on entirely different dimensions (writing laws and deploying troops) in fact have important institutional linkages; and, as a consequence, theories in American politics may well benefit scholars in international relations. Eventually, we hope, the boundaries across (and within) subfields will continue to dissipate as scholars edge toward a unified theory of systems of separated powers that generates predictions about *both* the presence or absence of cooperation between states (in dyadic analyses) and the likelihood of different policies being enacted within states (in monadic analyses).

NOTES

1. Milner's (1997, 11) definition of polyarchy (the nature of power sharing arrangements among domestic groups) differs from Dahl's (1971) definition (amount of democracy within a country).

2. For a partial exception, see Morgan and Campbell (1991) and Morgan and Bickers (1992).

3. Consistent with George Edwards's observation that "members of the president's party almost always form the core of the president's support in Congress" (2003, p. 10), we focus on partisan support for the president within Congress. There is, at present, a sizeable literature in American politics that examines the effects of partisan divisions across the legislative and executive branches on lawmaking (Mayhew 1991; Coleman 1999; Howell et al. 2000; Rudalevige 2002; Binder 2003; Lewis 2003). Concurrently, there is an ongoing debate about whether parties represent mere proxies for members' preferences (see, e.g., Krehbiel 1993), or whether party leaders independently influence legislative processes (e.g., Cox and McCubbins 1993). On this particular issue, we remain agnostic. Given that the unilateral presidency literature consistently finds that the partisan composition of Congress influences executive discretionary authority, however, we choose in this chapter to use partisan measures of congressional support.

4. Many scholars assume that Republicans and Democrats have divergent preferences concerning the use of force. Among others, see Gowa 1998; Fordham 1998a; Fordham 2002.

5. On seemingly unrelated models, see Pindyck and Rubinfeld (1991, 308-11); Kennedy (1992, 164, 170).

6. For a description of our modifications and extensions of the Blechman and Kaplan data, see Howell and Pevehouse (forthcoming). We use only major uses of force in this investigation. Note that the classification of major versus minor force is *ex ante* to the crisis and is based on initial deployment size. For a further discussion of this choice, see Howell and Pevehouse (forthcoming) and Mitchell and Moore (2002).

7. Following those who have investigated the determinants of legislative productivity, we use annual event counts (see, e.g., Coleman 1999; Peterson 1990). Those who have not used annual event counts, for the most part, have aggregated to each Congress (Howell et al 2000; Mayhew 1991). Because many of the influences on the legislative calendar do not vary within the year, there is good cause for using annual data; it is worth noting, however, that observed impacts attenuate when relying upon quarterly data on the nontrivial law time series. For more on issues of temporal aggregation, see Mitchell and Moore 2002.

8. Versions of the key explanatory variables that consider only the partisanship of the Senate generate virtually identical results.

9. The LPPC score for either chamber in any given term is calculated as follows: Chamber LPPC = [(majority party size in percent) x (cohesion of majority party)] - [(minority party size in percent) x (cohesion of minority party)]. *Congressional Quarterly*'s party unity scores are utilized.

10. Some research, including Ostrom and Job, does not measure approval at the outset of the period of observation, but throughout the period. This specification invites endogeneity problems (on this issue, see DeRouen 1995; DeRouen 2000b; DeRouen and Peake 2002), as rally around the flag effects emanating from exercises of force may influence popularity ratings.

11. For a further description of these data, see Howell et al. (2000).

12. Johnson's experience, in fact, reveals an important limitation to our analyses. Neither the original Blechman-Kaplan series nor its extensions includes major, protracted conflicts (e.g., Vietnam and Korea), which may derail presidents' domestic agendas. Because our event data concerns uses of force short of war, and because our analyses focus only on initial deployment decisions, our empirical test are poorly equipped to detect these trade-offs. (More on this below.)

13. Another possibility is that while military campaigns conducted abroad may disrupt negotiations over certain public policies (e.g., those over welfare or social security reform), they may actually facilitate others (e.g., adjustments to military appropriations and the creation of new administrative agencies). Given that the *LAWS* equation above distinguishes legislation by its significance but not its policy type, these kinds of trade-offs should not affect the estimates presented.