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PG THESIS

# The Decider

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George W Bush and His Use of Presidential Power

**Jamie Mullan**

**12/18/2015**

How well did George W Bush use presidential power, and what can be listed as his accomplishments? Richard Neustadt says that the three most important influences a president has are bargaining advantages, expectations of the president, and perception of how the public views him. With that in mind, I examine Bush's major actions and found that he was largely successful as a leader.

# I

“As it relates to my brother, there’s one thing I know for sure: he kept us safe.”<sup>1</sup> Jeb Bush, brother to former President George W Bush, said this in the CNN Republican Presidential Debate in response to Donald Trump’s claim that Bush’s presidency was “such a disaster.”<sup>2</sup> Trump has been regularly critical of President Bush, arguing that Bush made terrible decisions and should have been impeached for his handling of the situation in Iraq.<sup>3</sup> It is rare that former presidents are criticized by candidates in their own party, but Trump is not the only one criticizing George W Bush. Ben Carson, another front-runner candidate, has said that he was against war in response to the September 11 attacks, and that Bush missed a chance then to unite the country.<sup>4</sup> During the 2012 election cycle, a majority of Americans still blamed Bush for the economy, so Mitt Romney attempted to distance himself from Bush.<sup>5</sup> Bush’s endorsement of Romney was done quietly, and Bush did not campaign with Romney, even though Bill Clinton campaigned with John Kerry in 2004, and campaigned with Barack Obama in 2008 and 2012.<sup>6</sup> In 2008, this lack of interest in Bush support was most evident, as the presidential election was essentially a referendum on the Bush Administration. John McCain attempted to separate himself from Bush since Obama called the previous eight years the “Bush-McCain years,” so

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<sup>1</sup> “Republican Presidential Debate.” CNN. September 16, 2015

<sup>2</sup> Ibid

<sup>3</sup> “Trump Calls Former President George W. Bush 'a Disaster'” Fox News. October 6, 2015

<sup>4</sup> “Ben Carson: George W. Bush Missed His Chance To Be “Greatest President Ever” After 9/11.” Real Clear Politics. September 21, 2015

<sup>5</sup> Jacobson, Gary C. “How the Economy and Partisanship Shaped the 2012 Presidential and Congressional Elections.” *Political Science Quarterly* 128, no. 1 (2013): 1-38

<sup>6</sup> Tumulty, Karen. “George W. Bush Endorses Mitt Romney.” Washington Post. May 15, 2012

McCain criticized Bush on issues including the deficit, Iraq, and executive privilege.<sup>7</sup> Bush is criticized almost universally by the Democrats, but it is extremely rare to see this much criticism from his own party landing on a two term president.

Most scholars grade George W Bush near the bottom in terms of presidential rankings. In a 2009 CSPAN poll of historians decided that Bush was 36<sup>th</sup> in terms of presidential leadership, ranking below Herbert Hoover and John Tyler.<sup>8</sup> A 2010 Siena poll of presidential scholars found that Bush ranked 39<sup>th</sup>, especially low on foreign policy and the economy. In 2011, the outlook was slightly more positive, with Bush being ranked 31<sup>st</sup> by UK scholars on historical significance, moral authority, and various policy leadership measures.<sup>9</sup> In 2015, a survey of the American Political Science Association found Bush to be 35<sup>th</sup> overall, and considered him the most polarizing president<sup>10</sup>. The general scholarly narrative of his presidency is that Bush pushed partisan advantages too far, and became divisive.<sup>11</sup> He was also considered to be a forceful president due to his decisiveness and ambition, but that those personality traits got him and the country into more trouble than it got him out of.<sup>12</sup> These scholarly views tend to focus on Bush's failures, so in rebutting them it is important to focus on the things he did well, and to see how the positives and negatives add up.

President Bush had both very high and the very low presidential approval ratings during his term in office. Just after September 11, 2001, Gallup found that Bush had a job approval

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<sup>7</sup> Dinan, Stephen. "McCain Lambastes Bush Years." Washington Times. October 23, 2008

<sup>8</sup> "C-SPAN Survey of Presidential Leadership." C-SPAN. 2009.

<sup>9</sup> "United States Presidency Centre UK Survey of US Presidents." School of Advance Study. January 17, 2011.

<sup>10</sup> Rottinghaus, Brandon, and Justin Vaughn. "New Ranking of U.S. Presidents Puts Lincoln at No. 1, Obama at 18; Kennedy Judged Most Overrated." Washington Post. February 16, 2015

<sup>11</sup> Schier, Steven E. *Panorama of a Presidency How George W. Bush Acquired and Spent His Political Capital*. Armonk, N.Y.: M.E. Sharpe, 2009. 159

<sup>12</sup> Campbell, Colin, Bert Rockman, and Andrew Rudalevige, eds. *The George W. Bush Legacy*. Washington, DC: CQ Press, 2008. 15

rating of 90%, and by November 2008 his approval rating had dropped to 25%.<sup>13</sup> Following the 2008 election his approval rating fell even more due to the state of the economy, but the public also gave him credit when the interviewers asked for approval over specific policies, suggesting that Bush had some successes.<sup>14</sup> By 2010, Bush received a 47% approval rating of his overall presidency in a Gallup poll, suggesting that his legacy was improving in the public's mind, if not in scholarly circles.<sup>15</sup> A 2011 Public Policy Polling survey found a similar result, with Bush at 41% approval, ahead of President Nixon and President Johnson.<sup>16</sup> By 2015, Bush's rehabilitation seemed to be well underway, with Bush outpolling President Obama with an approval rating of 52% compared to 49%, suggesting that perhaps his public legacy may turn out to be positive in the long term.<sup>17</sup>

If the public appears to be warming up to President Bush, why are scholars, politicians, and the media so critical of the former President? Increased polarization has made it difficult to reach a consensus on many of the most important issues facing the nation. Scholars such as Morris Fiorina argue that there is an elite class consisting of politicians and a few activists that have become polarized, and that the general public has merely been sorted into the polarized camps, which causes moderate apathy towards the electoral process.<sup>18</sup> This does not hold up however; according to a large 2014 Pew survey there has been increased ideological polarization, which has led to increased gridlock, and more people viewing the other side as an enemy.<sup>19</sup> Alan

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<sup>13</sup> "Presidential Approval Ratings -- George W. Bush." Gallup. 2008. Accessed December 1, 2015.

<sup>14</sup> "Bush and Public Opinion." Pew Research Center for the People and the Press. 2008.

December 18, 2008. Accessed October 30, 2015

<sup>15</sup> Saad, Lydia. "Kennedy Still Highest-Rated Modern President, Nixon Lowest." Gallup. December 6, 2010

<sup>16</sup> Ingalls, Dustin. "JFK, Reagan, Clinton Most Popular Recent Ex-presidents." Public Policy Polling. September 15, 2011

<sup>17</sup> Gass, Nick. "George W. Bush Outpolls Barack Obama." POLITICO. June 3, 2015. Accessed November 11, 2015

<sup>18</sup> Fiorina, Morris. "America's Missing Moderates: Hiding in Plain Sight." The American Interest. February 11, 2013

<sup>19</sup> "Political Polarization in the American Public." Pew Research Center for the People and the Press RSS. June 11, 2014

Abramowitz, in response to Fiorina, argues that demographic changes, especially concerning race, have contributed to the ideological divide, leading to increased partisanship and ideological homogeneity within each party.<sup>20</sup> Ezra Klein echoes this thought, and argues that those we consider moderates are merely extreme on both sides of the political spectrum, averaging out to what is considered “moderate,” but not contributing to general political cooperation.<sup>21</sup> Views by both Abramowitz and Klein would suggest polarization would make it increasingly difficult to reach consensus on important issues. According to Norm Ornstein, most journalists blame both sides evenly for this gridlock, but Ornstein argues that polarization is asymmetric, with Republicans more to blame, and that they have been holding the government hostage to their demands.<sup>22</sup> This suggests that getting consensus on Bush’s legacy will be difficult due to the ideological divide, and that it is important to avoid getting involved in partisan opinions.

I want to examine George W Bush’s presidential legacy, and see how well he used presidential power. Is the overwhelmingly negative view by politicians and scholars accurate, or will he go down in history as a great president? Rather than one of the extremes I believe that his presidency is similar in general trajectory to Lyndon Johnson, with political successes in domestic policy initially overshadowed by a foreign conflict, but with rehabilitation among public and professional opinion in the long term due to the domestic successes. While Bush’s conservatism makes it difficult to compare him to LBJ due to their different views on the role of government, I believe that the trajectories of their presidencies make them comparable. I believe that George W Bush will end up with a positive legacy when his body of work is objectively analyzed, due to his domestic achievements as well as his initiatives in Africa combating AIDS.

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<sup>20</sup> Abramowitz, Alan, and Morris Fiorina. "Polarized or Sorted? Just What’s Wrong With Our Politics, Anyway?" *The American Interest*. March 10, 2013

<sup>21</sup> Klein, Ezra. "No One's Less Moderate than Moderates." *Vox*. February 26, 2015

<sup>22</sup> Ornstein, Norm. *Setting the Record Straight on a Polarizing Debate*. Washington: Atlantic Media, Inc, 2014

In order to evaluate Bush, I will use Richard Neustadt's *Presidential Power and the Modern Presidents* as a foundation for my methodology. Neustadt argues that the presidency is a unique office with a unique perspective, and that only certain people can be president. He says that presidents are guaranteed certain powers, a "clerkship," but not the power of leadership.<sup>23</sup> Neustadt's most famous quote is that "presidential power is the power to persuade," arguing that using the power of his office requires bargaining with other branches of government and executive agencies.<sup>24</sup> This leads him to say that the use of command, such as executive orders, should only be a last resort, when the president is involved, clear, publicized, authoritative, and has the power to execute the order.<sup>25</sup> Neustadt also states that "The presidency... is not a place for amateurs. The sort of expertise can hardly be acquired without deep experience in political office. The presidency is a place for men of politics, but by no means is it a place for every politician."<sup>26</sup> In order to be a successful president, a politician must be active, confident, and positive. That person must have control of as many decisions as possible, and have a hierarchical chain of command, but with overlapping authority to check each other.<sup>27</sup> A president gets his power from his professional reputation (working with Washington DC insiders), and public prestige. Dependence on the president is crucial, so that he holds bargaining advantages.<sup>28</sup> I am making a change to professional reputation by saying that the long term reputation is also relevant, as that is how the political community will look back on Bush, as I think that actions taken for the betterment of the nation are also important to a

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<sup>23</sup> Neustadt, Richard E. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*. New York: Free Press; 1990. 7

<sup>24</sup> Ibid. 11

<sup>25</sup> Ibid. 18-23

<sup>26</sup> Ibid. 152

<sup>27</sup> Ibid. 91-127

<sup>28</sup> Ibid. 8-9

president's legacy. Using these Neustadtian criteria, I will examine the major decisions Bush made during his presidency.

Bush's largest success was his major AIDS initiative, PEPFAR. He was determined to combat the epidemic, and got Congress to approve the largest AIDS initiative ever, which has so far saved millions of lives in Africa. Bush knew that he needed to reform Medicare, and his reform plan gave many more seniors access to prescription drugs. He had many legislative successes, including tax cuts, education reform, which followed his conservative agenda but were controversial in terms of policy. Bush was extremely active in the war on terror, enacting the Patriot Act and the Homeland Security Act, and inspiring the country rhetorically and gaining approval for the use of military force against terrorists. He fulfilled his campaign promise to establish faith-based programs, and took a moral stand on stem cell research. He kept to his principles to the end, enacting a bipartisan agreement (TARP), to keep the financial crisis from getting worse. While he also failed with some things, such as Iraq and Hurricane Katrina, and failed legislatively with social security and immigration, Bush's body of work has plenty of successes as well, which should be acknowledged when discussing his legacy.

It is important to examine Bush's important decisions in approximate chronological order to create context for the state of his presidential power at the moment in time of the individual decisions. A brief background on American conservatism is important in the beginning to give context to the coalition Bush was tasked with leading, as is a discussion of the relevant parts of Bush's background in order to show what framed his personality. I will then discuss his early priorities, his response to the war on terror, and then his later successes. Following this evaluation, I will mention his failures, and then I will conclude by assessing his legacy as a whole.



## Conservatism

George W Bush followed in the footsteps of previous conservatives, who had shaped the coalitions and principles that formed the Republican Party. When Franklin Roosevelt defined liberalism as freedom from economic rather than political tyranny, Robert Taft popularized the word conservative to oppose the New Deal and pushed for free market capitalism to preserve autonomy.<sup>29</sup> Barry Goldwater and William Buckley added the religious right and states' rights supporters to the conservative coalition, with Goldwater publishing his platform in 1960: *The Conscience of a Conservative*. In it Goldwater claims that conservatism "looks upon the enhancement of man's spiritual nature as the primary concern of political philosophy," whereas liberals "regard the satisfaction of wants as the dominant mission of society."<sup>30</sup> When Democrats finally embraced civil rights in the 1960s, President Kennedy told Martin Luther King "I may lose the next election because of this," and when President Johnson signed the Civil Rights Act of 1964 he told his staff "I think we just gave the South to the Republicans for your lifetime and mine."<sup>31</sup> Since 1964, the South has consistently voted for the Republican Party.

In his inaugural address in 1981, Ronald Reagan said "with God's help, we can and will resolve the problems which now confront us. And, after all, why shouldn't we believe that? We are Americans."<sup>32</sup> This positive outlook brought a new type of conservatism, one which Reagan would build on, with portrayals of America as the "shining city on a hill."<sup>33</sup> Reagan combined

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<sup>29</sup> Farber, David R. *The Rise and Fall of Modern American Conservatism: A Short History*. Princeton: Princeton University Press, 2010. 1

<sup>30</sup> Goldwater, Barry M. *The Conscience of a Conservative*. Shepherdsville, Ky.: Victor Pub., 1960

<sup>31</sup> Farber. 101, 103

<sup>32</sup> Reagan, Ronald. "Inaugural Address." The American Presidency Project. January 20, 1981

<sup>33</sup> Reagan, Ronald. "Farewell Address." PBS. January 11, 1989

branches of conservatism to build a powerful coalition, with elite millionaires, businessmen frustrated with regulations, anti-feminist women, the moral majority (religious right), states' rights supporters, segregationists, and those who no longer believed in the power of government to fix the problems with society.<sup>34</sup> Once elected, Reagan focused on cutting taxes, deregulating the economy, and increasing US military power to fight communism. Neoconservatives, those who joined the conservatives from the anti-communist left over foreign policy, believed in American interventionism to support democracy through the use of military force.<sup>35</sup> Reagan left office incredibly popular, and the conservative movement would only grow stronger throughout the 1990s. When George W Bush began his journey to power, there was a powerful conservative coalition waiting to support him, if he adhered to its core beliefs.

### **Becoming President**

George W Bush was raised in Midland, Texas, and he acquired a certain sense of moral values from his southern conservative upbringing. His Christian faith was extremely important to him, helping him turn around his life and being one of the biggest factors leading to him quitting drinking alcohol<sup>36</sup>. Bush suffered an electoral defeat running for Congress in 1978, after which he realized his non-political passion: baseball, organizing a group of investors to purchase the Texas Rangers in 1989.<sup>37</sup> His hard work and conservative moral values he learned through his early years would shape his decision-making skills greatly as president. Bush assisted his

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<sup>34</sup> Farber. 186-191

<sup>35</sup> Bush, George W. *A Charge to Keep*. New York: Morrow, 1999. 201-202

<sup>36</sup> Ibid. 136

<sup>37</sup> Ibid. 201

father with his presidential campaigns in 1988 and 1992, and was determined to uphold the Bush legacy during his own political career.

In 1994, Bush successfully defeated the incumbent Democrat Ann Richards to become the governor of Texas. In 1994, Bush ran on a platform of education reform and small government, emphasizing his moral values and his credentials as a hardworking American.<sup>38</sup> Even though he was heavily outspent by Richards, Bush won an upset victory by a large margin by winning over conservative Democrats. As governor he achieved most of his campaign promises, including education reform, tax cuts, and faith-based initiatives, and was easily reelected with 69% of the vote in 1998.<sup>39</sup>

Bush was deciding to run for president even during his gubernatorial campaign in 1998. During the 2000 campaign, he ran on the same platform he had been successful with in Texas: small government, education, and compassion. He selected Dick Cheney to become his Vice President; Cheney had a wealth of political experience, as the Chief of Staff for President Ford, as a Congressman for eleven years, and as Secretary of Defense for George HW Bush.<sup>40</sup> Bush chose Cheney because of his experience in politics and business, and because he thought Cheney had the executive experience as chairman and CEO of Haliburton which made him qualified to lead the country in case anything happened to Bush.<sup>41</sup> Cheney had been brought into the Bush campaign to run the vice presidential vetting process as a close advisor, but was ultimately selected to be the running mate due to Bush's trust in him.<sup>42</sup> The 2000 election was extraordinarily close, with Bush losing the popular vote and waiting until December 12, when

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<sup>38</sup>Bush, *A Charge to Keep*. 30

<sup>39</sup> Ibid. 224

<sup>40</sup> McCollough, Lindsey. "The Life and Career of Dick Cheney." Washington Post. December 18, 2007

<sup>41</sup> Bush, George W. *Decision Points*. New York: Crown Publishers, 2010. 68

<sup>42</sup> Ibid 67

the US Supreme Court cited the equal protection clause in *Bush v. Gore* which stopped the recount and upheld Bush's certification as the winner in Florida.<sup>43</sup> This contested process made it seem as though Bush would lack a clear mandate, and also limited the time for him to arrange the major positions in the administration.

Bush began selecting some of his advisors before he was declared the winner, selecting Andrew Card as his chief of staff. Card had been the deputy chief of staff for Bush Sr., and George W Bush described him as "perceptive, humble, loyal, and hardworking."<sup>44</sup> Card was not working alone however, as Bush brought in many other advisors into the White House staff such as Texans Karl Rove, Karen Hughes, Alberto Gonzalez, Harriet Miers, and Clay Johnson.<sup>45</sup> Bush chose Condoleezza Rice to be his national security advisor; she had run his foreign policy platform during the campaign and was the specialist on Soviet policy for the National Security council under George Bush Sr.<sup>46</sup>

Bush's foreign policy team was divided into two camps, but the neoconservative side was given priority following the selection of Dick Cheney as Vice President. Donald Rumsfeld was appointed as Secretary of Defense, his second term there following his years in that position under Gerald Ford.<sup>47</sup> Rumsfeld first worked with Paul Wolfowitz on Bob Dole's 1996 campaign, and so Wolfowitz was soon picked to be Rumsfeld's deputy, as the two had experience as a team and shared views on foreign policy.<sup>48</sup> Colin Powell was the first Bush cabinet appointment as the Secretary of State, announced on December 16, four days after the

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<sup>43</sup> "Bush v. Gore." Legal Information Institute. December 12, 2000

<sup>44</sup> Bush, *Decision Points*. 82

<sup>45</sup> Ibid.

<sup>46</sup> Mann, Jim. *Rise of the Vulcans: The History of Bush's War Cabinet*. New York: Viking, 2004. 171-172

<sup>47</sup> Ibid. 68-71

<sup>48</sup> Ibid. 231, 271

Supreme Court decision.<sup>49</sup> He had been chairman of the Joint Chiefs under George Bush Sr., and was widely respected in the international community. He believed in a careful application of force as well as a belief in multilateralism, which brought him into conflict with the rest of the administration, who feared that Powell would try to run the Department of Defense as well as the State Department.<sup>50</sup> Bush's foreign policy team ended up being run by neoconservatives, with Powell as the outsider, and since Bush had little foreign policy experience, this would have a profound impact on his presidency.

## II

Bush gave his first presidential campaign speech in August 1999, and mentioned the importance of faith, but also criticized his own party, saying "The American government is not the enemy of the American people."<sup>51</sup> Coming in his first speech, it emphasized Bush's platform as being what he had implemented in Texas, and playing up his relatability as a man of faith. In the speech, Bush said that he would add \$8 billion in tax incentives for faith-based organizations, which appealed to right-wing conservatives who were wary of Bush's compassionate conservative agenda.<sup>52</sup> During the 2000 campaign, both parties supported expanding faith-based programs as a way to appeal to moderate voters.<sup>53</sup> On January 29, 2001, a week after his

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<sup>49</sup> Ibid. 264

<sup>50</sup> Mann. 268-270

<sup>51</sup> Gerson, Michael. "Two Speeches." RealClearPolitics. September 14, 2012

<sup>52</sup> Sorin, Hillary. "Today in Texas History: GW Bush Delivers First Presidential Campaign Speech." Houston Chronicle. July 22, 2010

<sup>53</sup> Black, Amy E., Douglas L. Koopman, and David Ryden. *Of Little Faith: The Politics of George W. Bush's Faith-based Initiatives*. Washington, D.C.: Georgetown University Press, 2004. 76-82

inauguration, President Bush created the White House Office of Faith-Based and Neighborhood Partnerships, and required the Department of Housing and Urban Development, the Department of Labor, the Department of Justice, the Department of Education, and the Department of Health and Human Services to create spaces for faith-based initiatives within the departments.<sup>54</sup> Bush next went to Congress to pass faith-based legislation, but could not get anything done; most Republicans only supported faith-based legislation for political reasons, whereas Bush really believed the programs were superior to secular groups.<sup>55</sup> Bush was unable to make meaningful legislative changes due to the perceived partisanship of faith-based programs, only getting a very watered down version of his original proposal in 2003.<sup>56</sup> He was able to claim some progress upon passage of the 2003 bill, but did not achieve meaningful change or win political capital. He did fulfill his campaign promise in part through his executive actions, but these were uses of command, which Neustadt says should be a last resort, instead of a call to arms to encourage legislative action, so faith-based programs were a mixed success for Bush.

### **Tax Cuts**

When Bush became president, his focus was on domestic issues, with his first priority tax reform, followed by economic reform and faith-based programs.<sup>57</sup> The President at this point slim majorities in Congress, with a 221-214 lead in the House of Representatives and a 50-50

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<sup>54</sup> "Creation of a Center for Faith-Based and Community Initiatives." US Department of Housing and Urban Development. 2010

<sup>55</sup> Black, Koopan, Ryden. 2004. 110-111

<sup>56</sup> "H.R.7 - 108th Congress (2003-2004): Charitable Giving Act of 2003." Congress.gov. December 9, 2003

<sup>57</sup> Black, Koopan, Ryden. 2004. 110-111

Senate split, with Vice President Dick Cheney as the tiebreaking vote.<sup>58</sup> This meant that Bush had to act skillfully to keep his party together while working with enough Democrats to keep the legislation process moving. To do this, the Administration used a two-pronged approach based on Congressional rules, with a partisan approach in the House and a compromise approach in the Senate.<sup>59</sup>

On February 27, 2001, in his first speech before a joint session of Congress since his inauguration, the President addressed the need for tax reform.<sup>60</sup> Bush met with ninety members of Congress in the first week of his Presidency and toured the country to promote his plans, a very active approach.<sup>61</sup> By March 8, the tax cut package was through the House, using the partisan approach the Administration had planned for the House, with Bush regularly checking in with Speaker Dennis Hastert to make sure the Republicans would vote for the bill.<sup>62</sup> House Democrats objected to the Republican strategy, particularly Republican attempts to pass the package before a budget resolution (guidelines for future legislation).<sup>63</sup> The Republicans wanted to pass the cuts before the resolution to keep momentum on their side, and the cuts passed the House with all of Bush's proposals intact, and every Republican voting for the cuts, along with ten Democrats.<sup>64</sup> Getting the bill through the Senate was more difficult due to the 50-50 split, and the tenuous support of moderate Republicans, so the leadership had to pass a budget

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<sup>58</sup> "A Visual Guide: The Balance Of Power Between Congress and The Presidency." About.com US Politics. January 5, 2009

<sup>59</sup> Burke, John P. *Becoming President: The Bush Transition, 2000-2003*. Boulder, Colo.: Lynne Rienner Publishers, 2004. 131

<sup>60</sup> Ibid. 133

<sup>61</sup> Ibid 134

<sup>62</sup> Sinclair, Barbara. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*. 3rd ed. Washington, D.C.: CQ Press, 2007. 252

<sup>63</sup> Ibid. 250

<sup>64</sup> "H.R.3 - 107th Congress (2001-2002): Economic Growth and Tax Relief Act of 2001." Congress.gov. August 13, 2001

resolution. The resolution passed the Senate 65-35, but only included \$1.18 trillion in cuts, as opposed to Bush's proposal of \$1.6 trillion, and increased the cap on discretionary spending by 7%.<sup>65</sup> In conference, Bush pushed successfully to reduce the cap on discretionary funds to 4%, and got cuts up to \$1.35 trillion in a close vote, 221-207 in the House and 53-47 in the Senate.<sup>66</sup> By May, with the Senate trying to push a tax bill very close to Bush's requests, Republican Jim Jeffords announced that he would switch to the Democratic Party as soon as the tax bill was resolved, which led to a quick agreement by both sides, with the Senate bill passing the next day 62-38, with Republicans compromising to get most of the cuts through. Bush then pushed for a quick conference bill to be passed, and Congress followed through, largely passing the Senate version of the bill, but including many Republican priorities, phasing out the estate tax and getting rid of the marriage penalty, and with total cuts at \$1.35 trillion.<sup>67</sup> The final vote was 240-154 in the House, with all Republicans voting for the bill along with 28 Democrats, and 58-33 in the Senate, with all but two Republicans and twelve Democrats in support.<sup>68</sup> Bush signed the bill into law on June 7, and it included the largest across-the-board tax cuts since Ronald Reagan's presidency.<sup>69</sup>

The 2001 tax cut bill was a major legislative victory for President Bush, who successfully led his party to get most of his original proposal through Congress. Even though the final bill included \$1.35 trillion in cuts rather than the proposed \$1.6 trillion, there were still across-the-board-cuts and the final bill was much closer to Bush's agenda than to the Democratic

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<sup>65</sup> "H.Con.Res.83 - 107th Congress (2001-2002)." Congress.gov. May 10, 2001

<sup>66</sup> Sinclair. 254-255

<sup>67</sup> Ibid. 258

<sup>68</sup> "H.R.1836 - 107th Congress (2001-2002): Economic Growth and Tax Relief Reconciliation Act of 2001." Congress.gov. June 6, 2001

<sup>69</sup> Burke. 137



compromise proposals.<sup>70</sup> By using the budget resolution, Republicans were able to gain protections from filibusters, and by adjusting the dates for the tax provisions, Republicans ensured that when they were up for renewal political pressure would not let the cuts expire, as was the case in 2011.<sup>71</sup> Bush was skillful in working with the party leadership to ensure quick House passage, and then in compromising just enough in the Senate to ensure the support of moderate Democrats. In the end there were only two Republicans in Congress that voted against the bill, and forty Democrats voted for the tax cuts, showing Bush's success in persuading lawmakers. The cuts greatly increased President Bush's professional reputation, with Texas Senator Phil Gramm praising Bush by saying "Elections have consequences. Leadership makes a difference."<sup>72</sup> Neustadt would praise the dependence that Bush gained over the Republican Congress, with almost all of the main provisions introduced following Bush's initial proposal. While the votes were mainly along party lines, the fact that enough Democrats supported it suggests that they felt the pressure of Bush's leadership. Bush's public prestige was high in some states going into the tax process, for example in Montana, Senator Baucus felt pressure to support cuts in order to maintain his seat, as was the case for Louisiana Senator Breaux.<sup>73</sup> Due to the partisan nature of questions over tax policy, looking back on the issue it is impossible to get a consensus on the policy success or failure of the 2001 tax cuts, but the cuts were an unquestioned legislative success and greatly enhanced Bush's political capital.

In 2003, Bush asked Congress for \$726 billion in tax cuts, as a stimulus for a sluggish economy.<sup>74</sup> This time there was no attempt at bipartisanship, and some moderate Republicans

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<sup>70</sup> Ibid

<sup>71</sup> Sinclair. 264

<sup>72</sup> Ibid. 259

<sup>73</sup> Burke. 137

<sup>74</sup> Sinclair. 259

rebelled, only passing the House 215-212.<sup>75</sup> In the Senate, an amendment passed which limited the cuts to \$350 billion, and the House reported a \$550 billion cut bill.<sup>76</sup> The White House presided over brokering a deal, with a final compromise fitting the Senate dollar amounts, but with the House keeping capital gains and dividend cuts.<sup>77</sup> Nine congressional Democrats and four Republicans crossed party lines, but Bush got some of his cuts through.<sup>78</sup> This was another legislative victory for the President, but increasing partisanship over the war on terror was curtailing his ability to win moderates to his side. In terms of policy, the 2003 tax cuts are partisan and controversial to examine merit, but they were a legislative success.

### **No Child Left Behind**

The next big issue following Bush's successful push for tax cuts was education reform, which had been a Bush priority since he ran for governor in 1994. For the first time in decades, Republicans agreed with Democrats about expanding the federal role in education, with this being a key plank of Bush's compassionate conservatism.<sup>79</sup> The political context at this time favored government action, as there was a budget surplus and education was ranked as the most important issue in the 2000 campaign according to many polls.<sup>80</sup> Bush had picked Rod Paige to be his Secretary of Education, the first African-American to hold that post, and Paige was easily

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<sup>75</sup> Ibid. 260

<sup>76</sup> Ibid 261

<sup>77</sup> Sinclair. 263

<sup>78</sup> "H.R.2 - 108th Congress (2003-2004): Jobs and Growth Tax Relief Reconciliation Act of 2003." Congress.gov. May 28, 2003

<sup>79</sup> McGuinn, Patrick J. *No Child Left Behind and the Transformation of Federal Education Policy, 1965-2005*. Lawrence, Kansas: University Press of Kansas, 2006. 147

<sup>80</sup> Ibid. 148

confirmed due to his popularity and success as Houston's superintendent.<sup>81</sup> The 1965 Elementary and Secondary Education Act established federal funding for public schools as part of President Johnson's war on poverty, with the objectives of making sure minority students got the same educational opportunities as white children.<sup>82</sup> On January 24, Bush publicized his plan, with major federalization of education policy including mandatory standardized testing and strict performance standards aimed at improving test scores and closing the achievement gap.<sup>83</sup> In his inaugural address, Bush said, "Together we will reclaim America's schools before ignorance and apathy claim more young lives."<sup>84</sup> Bush wanted a bipartisan education bill, and invited moderate Democratic senators to discuss education reform before his inauguration, but by January it was clear that to pass meaningful reform he should work with Senator Ted Kennedy, and they had many meetings discussing what would become the No Child Left Behind Act (NCLB).<sup>85</sup> Bush also made a political decision to send only an outline of what he supported, rather than full legislation, which gave him extra flexibility to negotiate and gave him credit for being bipartisan.<sup>86</sup> Initially, Congress agreed with most of the Bush outline, with the exception being vouchers for parents to transfer from failing schools, and this was the only one of Bush's proposals not to pass the House version of the bill 384-45 on May 23, 2001.<sup>87</sup> The Senate version, passed on June 14 by a vote of 91-8 was a more bipartisan compromise, with federal spending on education \$10 billion more than the House version.<sup>88</sup> The conference committee

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<sup>81</sup> Vinovskis, Maris A. *From A Nation at Risk to No Child Left Behind: National Education Goals and the Creation of Federal Education Policy*. New York: Teachers College Press, 2009

<sup>82</sup> Wong, Kenneth, and Gail Sunderman. "Education Accountability As A Presidential Priority: No Child Left Behind And The Bush Presidency." *Publius: The Journal of Federalism* 37, no. 3 (2007): 333-50

<sup>83</sup> Burke. 138

<sup>84</sup> Bush, George W. "Inaugural Address." George W Bush Inauguration, Washington DC, January 20, 2001

<sup>85</sup> McGuinn. 167

<sup>86</sup> Ibid. 168

<sup>87</sup> Vinovskis. 166

<sup>88</sup> Ibid. 164-165

quickly stalled however, in part due to the new Democratic control of the Senate, with large differences over how to measure testing and in the amount of federal funding.<sup>89</sup> On September 6, following the August recess, the Bush Administration began a public relations campaign to promote the President's agenda, which included a tour of schools across the country. A meeting with the conference committee and the President was scheduled for September 13, and Bush visited Florida schools on September 10 and 11, when the terrorist attacks occurred.<sup>90</sup> Following a postponement in action due to the attacks and the anthrax scare, both parties were determined to pass legislation quickly as a symbol of bipartisanship and a final bill passed the House 381-41 and passed the Senate 87-10 in mid-December.<sup>91</sup> This was a true compromise bill, with the Democrats eliminating vouchers and getting 16% more education funding, while the Republicans got mandatory annual testing and strict performance standards.<sup>92</sup> Bush signed NCLB into law on January 8, 2002, and toured the country to promote NCLB and his bipartisanship, appearing with Senator Kennedy on multiple occasions.<sup>93</sup>

Bush succeeded again in getting most of what he wanted through NCLB, and also increased his prestige by leading a bipartisan effort. By January 2002, the public was evenly split on which party was better on education, a remarkable statistic considering the historical Democratic dominance of the issue since at least the 1960s.<sup>94</sup> Bush's public prestige was at a very high level at this point in his presidency, although a large part of this was due to the rally around the flag effect following the September 11 attacks. Bush's ability to garner bipartisan support is in large part due to his strategy of not presenting Congress with specific legislation,

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<sup>89</sup> Burke. 139

<sup>90</sup> Burke. 139

<sup>91</sup> McGuinn, 2006. 176-177

<sup>92</sup> Vinovskis, 2009. 169-170

<sup>93</sup> Burke, 2004. 140

<sup>94</sup> Ibid

and also is due to Bush's recognition to court Senator Kennedy early on, as he had been the liberal champion of education for decades. Bush got all of his performance standards in the final version of NCLB, and lost only vouchers, in a major legislative victory. He kept the more conservative members of his party in line, and brought many Democrats to his side, increasing his professional reputation greatly. Bush was extremely active with NCLB, and was very passionate in promoting the legislation, and his confidence and determination played a large role in getting his agenda passed. The policy merits of NCLB have been questioned by both sides since 2002, and in December 2015 Congress voted overwhelmingly to repeal the federal performance standards.<sup>95</sup> While this diminishes Bush's legacy in education policy, mandatory testing remains in place, and NCLB was an indisputable legislative victory at the time, demonstrating Bush's capability at passing a bipartisan reform bill in true Neustadtian fashion.

### **The War on Terror**

The September 11 attacks fundamentally changed the political context of the Bush presidency. Bush gave a speech to the nation that night to assure the nation of US strength and security, and three days later visited New York City delivering a stirring address to first responders, declaring "I can hear you, the rest of the world hears you, and the people who knocked these buildings down will hear all of us soon!"<sup>96</sup> This became known as the bullhorn speech, and is a good example of the decisiveness and determination Bush possessed: critical Neustadtian qualities. On September 18, Bush signed into law the Authorization of Use of

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<sup>95</sup> Huetteman, Emmarie, and Motoko Rich. "House Restores Local Education Control in Revising No Child Left Behind." *The New York Times*. December 2, 2015

<sup>96</sup> Bush, George W. "Bullhorn Speech." World Trade Center, New York City, September 14, 2001

Military Force,<sup>97</sup> overwhelmingly passed through the House 420-1 and through the Senate 98-0, giving the President broad powers to conduct actions against terrorists or those who aided terrorists. One of the key decisions that Bush made immediately was deciding that governments that aided terrorists were also held responsible, and he was closely involved in planning a response to the attacks, personally chairing meetings of the National Security Council.<sup>98</sup> On September 20, the President gave a speech to a joint session of Congress, where he demanded that the Taliban in Afghanistan “Deliver to United States authorities all the leaders of al Qaeda who hide in your land... Close immediately and permanently every terrorist training camp in Afghanistan, and hand over every terrorist, and every person in their support structure, to appropriate authorities.”<sup>99</sup> He added that “these demands are not open to negotiation or discussion,” receiving several standing ovations, and initiated a new foreign policy, stating “Our war on terror begins with Al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated.”<sup>100</sup> Bush’s decisiveness and determined response was received well at the time, with Bush’s approval ratings skyrocketing from 51% on September 7 to 90% on September 21.<sup>101</sup> Bush also made sure that the focus of the US response was against Al Qaeda, not other terrorist groups or Muslims in general, which was important to giving the US population a sense that the administration was in control and concentrated.<sup>102</sup> President Bush was incredibly important in the days following September 11, reassuring the country and leading the American response. Air strikes against the Taliban began

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<sup>97</sup> “Authorizes the President to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.”

<sup>98</sup> Burke, 2004. 166

<sup>99</sup> Bush, George W. "Address to the Nation." US Capitol, Washington DC, September 20, 2001

<sup>100</sup> Bush, "Address to the Nation." 2001

<sup>101</sup> "Presidential Approval Ratings -- George W. Bush." Gallup. 2015

<sup>102</sup> Burke, 2004. 166

on October 7, which initiated a removal of the regime in Afghanistan.<sup>103</sup> Neustadt would be proud of the way that Bush reacted to the attacks, being active and positive while controlling as many decisions as possible.

In terms of domestic security, Bush strongly supported legislation created by Attorney General John Ashcroft called the Patriot Act. Since Bush was viewed so favorably at the time, and kept a consistent message saying that the Patriot Act would be crucial to stop further attacks, there were few who opposed it.<sup>104</sup> The Patriot Act authorized indefinite detentions, roving wiretaps, and generally much more strict surveillance, and was introduced to the House on October 23, passed on the 24<sup>th</sup> 357-66, passed the Senate the next day 98-1, and was signed into law by the President on October 26.<sup>105</sup> The rush to pass the Patriot Act shows President Bush's determination to be an active leader, as well as the trust shown from Congress in approving Ashcroft's legislation. The Patriot Act was another legislative victory for Bush, but it must be noted that national security fears played a large part in silencing any potential opposition. The Patriot Act is still extremely controversial and partisan, and so I will not evaluate the policy success or failure in order to stick to the facts.

In Bush's September 20 speech, he discussed the creation of a cabinet-level department, the Office of Homeland Security.<sup>106</sup> The Homeland Security Act (HSA) was introduced the next year, and planned to consolidate all agencies charged with protecting the US homeland. It passed the House 295-132 in July and passed the Senate 90-9 in November, with opponents

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<sup>103</sup> Ibid. 167

<sup>104</sup> Domke, David, Erica Graham, Kevin Coe, Sue Lockett John, and Ted Coopman. "Going Public As Political Strategy: The Bush Administration, An Echoing Press, And Passage Of The Patriot Act." *Political Communication* 23, no. 3 (2006): 291-312

<sup>105</sup> "H.R.3162 - 107th Congress (2001-2002): Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001." Congress.gov. October 26, 2001

<sup>106</sup> Bush, "Address to the Nation." 2001

arguing it gave too much power to the executive branch.<sup>107</sup> The HSA was the largest reorganization of federal agencies since the Department of Defense was created in 1947, with 22 agencies and 170,000 employees falling under the jurisdiction of the new Department of Homeland Security.<sup>108</sup> This was a major step for Bush's expansion of the executive branch, and kept momentum for the war on terror favoring the President. There is controversy over the effectiveness of the Department of Homeland Security (DHS), and I will not go into the policy merits due to the extreme partisanship of the issue. Neustadt would consider the HSA a success because it reorganized agencies in a way that made it easier for the President to monitor each agency's progress. It was a major legislative victory, as it grew the image of Bush as a decisive leader who would take action to conduct a severe response against terrorism.

Even before the September 11 attacks, senior members in the Bush Administration wanted to force regime change in Iraq. Some future Bush officials had been pushing for regime change in Iraq as early as 1991, calling it an unfinished war and a symbol of American weakness.<sup>109</sup> While there were those in the Bush Administration calling for regime change in Iraq since he took office, according to neoconservative author Robert Kagan, "This is not what Bush was on September 10."<sup>110</sup> Following September 11, however, Bush changed course, on September 12 asking one of his advisors to "See if Saddam did this."<sup>111</sup> On January 29, 2002, Bush gave his State of the Union Address, and in it mentioned Iraq along with North Korea and Iran as "an axis of evil, arming to threaten the peace of the world."<sup>112</sup> The President also warned

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<sup>107</sup> "H.R.5005 - 107th Congress (2001-2002): Homeland Security Act of 2002." Congress.gov. November 25, 2002

<sup>108</sup> Brook, Douglas A., and Cynthia L. King. "Civil Service Reform As National Security: The Homeland Security Act Of 2002." *Public Administration Review* 67, no. 3 (2007): 399-407

<sup>109</sup> Packer, George. *The Assassins' Gate: America in Iraq*. New York: Farrar, Straus and Giroux, 2005. 27-32

<sup>110</sup> *Ibid.* 38

<sup>111</sup> *Ibid.* 40

<sup>112</sup> Bush, George W. "State of the Union Address." US Capitol, Washington DC, January 29, 2002



that “the United States of America will not permit the world’s most dangerous regimes to threaten us with the world’s most destructive weapons,” leading to a shift in doctrine to preemptive action.<sup>113</sup> This was another example of Bush taking decisive action, pushing to lead in action against the enemies of the US, in this case expanding the war on terror to an ideological war against totalitarianism. Bush later made speeches emphasizing this doctrine, promoting “a balance of power that favors human freedom.”<sup>114</sup> By spring 2002, the foreign policy team was in agreement about regime change, but disagreed on how to get it done. On September 12, Bush appeared before the UN General Assembly to ask for a Security Council resolution against Iraq, and this helped with domestic public support, with 64% of Americans favoring military action against Iraq.<sup>115</sup> By going to the UN, Bush skillfully lessened opposition against the war by presenting the case in a deliberate manner, and by turning the debate into the US versus other countries, rather than debates between Democrats and Republicans or between neoconservatives and institutional liberals. In October, the Authorization for Use of Military Force Against Iraq (AUMF Iraq) was passed 296-133 in the House and 77-23 in the Senate, representing a bipartisan vote to authorize the President to “defend U.S. national security against the continuing threat posed by Iraq.”<sup>116</sup>

The road to war in Iraq was both a success and a failure for President Bush. He skillfully maneuvered the discussion to frame it as part of the continuing War on Terror, but at the same time was able to advance the Bush Doctrine as the new US foreign policy. He gained broad public support for the war, and got many Democrats to support the AUMF Iraq. He was active

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<sup>113</sup> Ibid

<sup>114</sup> Packer. 63

<sup>115</sup> Mann. 343

<sup>116</sup> "H.J.Res.114 - 107th Congress (2001-2002): Authorization for Use of Military Force Against Iraq Resolution of 2002." Congress.gov. October 16, 2002

and decisive, and was very clear on what he wanted to accomplish, all things that Neustadt believed in. At the same time however, Iraq exposed major weaknesses, including a willingness to use unilateral action and Bush's tendency to delegate matters of foreign policy. While he got unanimous support for one UNSC resolution, in response to international caution against a full invasion Bush said about Saddam, "should he choose not to disarm, the United States will lead a coalition of the willing to disarm him," suggesting that Bush was willing to bypass the UN.<sup>117</sup> This idea of unilateral action weakened support both domestically and abroad, and some questioned whether a preemptive strike doctrine was morally acceptable. The planning was also very questionable, with no major plans for what to do when the fighting stopped, and Rumsfeld's view of having few boots on the ground meaning that there would not be enough soldiers to keep the peace.<sup>118</sup> Bush had grand visions of a democracy in the Middle East, but gave the neoconservatives in his administration freedom to make policy concerning Iraq. While Neustadt would hate Bush's delegation in the same way that he criticized Reagan's, he would admire the political maneuvering and decisiveness Bush demonstrated in the build up to the conflict in Iraq.

In 2002, the first electoral referendum on the Bush presidency resulted in a major victory for the President. Just before the 2002 election, 63% of the public approved of Bush's presidential performance, due to the September 11 attacks and Bush's handling of the war on terror.<sup>119</sup> While redistricting definitely helped Republicans in 2002, the fact that Bush was able to keep the focus on the war on terror rather than on the sluggish economy demonstrates his leadership of the party and that he maintained broad public prestige.<sup>120</sup>

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<sup>117</sup> King, John. "Bush: Join 'Coalition of Willing'" CNN. November 20, 2002

<sup>118</sup> Fallows, 2006. 74-75

<sup>119</sup> "Presidential Approval Ratings -- George W. Bush." 2015

<sup>120</sup> Jacobson, Gary C. "Terror, Terrain, and Turnout: Explaining the 2002 Midterm Elections." *Political Science Quarterly* 118, no. 1 (2003): 1-22

## AIDS Initiatives

While the public focus of Bush's presidency was fixed on the war on terror, a major success for President Bush was his fight against AIDS and malaria in Africa. As part of his compassionate conservatism, he believed that it was an American responsibility to extend health and freedom around the world.<sup>121</sup> In 2001, he announced that the US would donate \$500 million to the new Global Fund to Fight AIDS, Tuberculosis, and Malaria, making the US by far the largest contributor.<sup>122</sup> In June 2002, he announced the International Mother and Child HIV Prevention Initiative, which had the goal of preventing the spread of HIV from mother to child through a retroviral drug treatment.<sup>123</sup> This aid would go to Africa and the Caribbean, and totaled \$500 million, increasing the annual HIV/AIDS funding by the US to \$988 million.<sup>124</sup> Annual funding for AIDS programs had totaled less than \$500 million during the Clinton Administration, so AIDS initiatives became a statement of conservative values under Bush and was especially important as a symbol of US leadership across the globe after September 11.<sup>125</sup>

During an interview on the Mother and Child HIV Initiative, Bush said that he wanted to do more, to "think big."<sup>126</sup> Bush not only wanted to practice compassionate conservatism, but also believed that HIV/AIDS posed a national security threat to developing countries.<sup>127</sup> He had

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<sup>121</sup> Donnelly, John. "The President's Emergency Plan For AIDS Relief: How George W. Bush And Aides Came To 'Think Big' On Battling HIV." *Health Affairs* 31, no. 7 (2012): 1389-1396

<sup>122</sup> Donnelly 2012

<sup>123</sup> "Fact Sheet: President Bush's International Mother and Child HIV Prevention Initiative." The White House. June 19, 2002

<sup>124</sup> Ibid

<sup>125</sup> Donnelly 2012

<sup>126</sup> Ibid

<sup>127</sup> Ibid

many advisors from different fields working on a plan to combat AIDS, but he kept the plan secret from legislators and the public, wanting to reveal it at his 2003 State of the Union Address.<sup>128</sup> In that address, Bush announced the President's Emergency Plan for AIDS Relief (PEPFAR), a program declaring that it "will prevent 7 million new AIDS infections, treat at least 2 million people with life-extending drugs, and provide humane care for millions of people suffering from AIDS, and for children orphaned by AIDS."<sup>129</sup> He asked Congress for \$15 billion, a staggering amount for humanitarian efforts, "to turn the tide against AIDS in the most afflicted nations of Africa and the Caribbean."<sup>130</sup> The incredible part of this proposal was that there was no obvious political motive, with few making Africa a high priority.<sup>131</sup> Bush's proposal was met with bipartisan support, and the HIV/AIDS act which authorized PEPFAR was passed 375-41 in the House, with a voice vote in the Senate reflecting the overwhelming support of Bush's proposal.<sup>132</sup>

Bush's AIDS initiative is an unquestioned success, in terms of politics, policy, and legacy. While he got no direct electoral advantages from PEPFAR, he gained in professional reputation by giving compassionate conservatives and social liberals something they could work together on, and it helped the President to look good by pursuing something without considering electoral politics, only helping the world. Christian Caryl, an editor for *Foreign Policy*, argues that Bush will go down in history as the greatest humanitarian president in history due to his work in combating HIV/AIDS.<sup>133</sup> Secretary of State John Kerry has estimated that PEPFAR has

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<sup>128</sup> Ibid

<sup>129</sup> Bush, George W. "State of the Union Address." US Capitol, Washington DC, January 28, 2003

<sup>130</sup> Bush, "State of the Union." 2003

<sup>131</sup> Donnelly 2012

<sup>132</sup> "H.R.1298 - 108th Congress (2003-2004): United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003." Congress.gov. May 27, 2003

<sup>133</sup> Caryl, Christian. "What George W. Bush Did Right." *Foreign Policy*. February 14, 2013

directly saved approximately five million people, and deaths from AIDS have been steadily declining, leading to Africa still seeing Bush in a very positive light.<sup>134</sup> PEPFAR was by far the largest AIDS initiative in history, currently providing life-saving treatment for 9.5 million people.<sup>135</sup> In 2015, PEPFAR provided support and treatment for 5.5 million children, is supporting training for 190,000 health care workers in Africa, and supported HIV testing for over 68 million people.<sup>136</sup> These numbers are amazing, and Bush has won praise from many Democrats, including former Presidents Clinton and Carter, for his work in Africa.<sup>137</sup> PEPFAR should go down in history as a major part of Bush's legacy, and as one of the greatest humanitarian efforts in human history.

### **Medicare Part D**

President Bush saw Medicare as a great idea that was outdated, especially since it did not cover prescription drugs.<sup>138</sup> Bush wanted to add a prescription drug benefit to Medicare, and he wanted to do it through private insurance to increase competition.<sup>139</sup> He had to placate both extremes in Congress, with liberals objecting to private insurance and conservatives disliking a new expensive benefit. Bush's proposal included a drug benefit administered by private plans, but that were voluntary for those who wanted to keep their current coverage, and in a smart move similar to NCLB, he only sent Congress an outline to work with.<sup>140</sup> This again allowed him to

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<sup>134</sup> Ibid

<sup>135</sup> "Latest PEPFAR Program Results." The United States President's Emergency Plan for AIDS Relief. 2015

<sup>136</sup> Ibid

<sup>137</sup> "George W. Bush's Legacy on Africa Wins Praise, Even From Foes." ABC News. April 26, 2013

<sup>138</sup> Bush, *Decision Points*. 281

<sup>139</sup> Ibid. 282

<sup>140</sup> Sinclair. 164

accept more compromises from Congress, while keeping his own ideas on the table. The Senate was able to find a compromise, but House conservatives were concerned, so Bush pushed for and got a trigger provision which would force reexamination of the law if Medicare spending rose too quickly.<sup>141</sup> This got the House to be able to barely pass the bill 216-215, with the White House whipping votes the final night to ensure passage.<sup>142</sup> Bush met with all of the conference committee members, to push for a quick and bipartisan resolution, and then stayed out of the committee to keep a bipartisan image.<sup>143</sup> Congressional Republican leadership decided to limit the competition parts of the bill in order to get moderate Democrats on board, and then in the House Bush made many personal calls to conservative members to ensure their support.<sup>144</sup> The House passed the bill 220-215 after much persuasion from the President, and the Senate passed the conference bill 54-44.<sup>145</sup> Bush did not get all he wanted, but he made the first sweeping change to Medicare since its inception.

Medicare part D was a legislative success for President Bush, but also helped millions of Americans. In 2008, 90% of Medicare drug recipients reported being satisfied with the benefit, including 95% of low-income recipients.<sup>146</sup> Legislatively, it was a win for Bush, as he got some private sector competition, \$174 billion in tax breaks for health saving accounts, and won the public relations battle by extending Medicare coverage.<sup>147</sup> The Democrats were able to get some concessions, including spending hikes and keeping out too much private competition, but Bush had kept his party in line with his personal charm and bargaining advantages. This success for

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<sup>141</sup> Bush, *Decision Points*. 283

<sup>142</sup> Sinclair. 173

<sup>143</sup> *Ibid.* 175

<sup>144</sup> Bush, *Decision Points*. 286

<sup>145</sup> "H.R.1 - 108th Congress (2003-2004): Medicare Prescription Drug, Improvement, and Modernization Act of 2003." Congress.gov. December 8, 2003

<sup>146</sup> Bush, *Decision Points*. 286

<sup>147</sup> Sinclair. 180

Bush emphasized the Republican dependence on the President, an important Neustadtian criterion, and Bush also improved his public prestige by making important changes in a partisan environment.

The 2004 election was a victory for Bush in terms of Congressional gains, and also because it finally gave the President a popular majority. Congress remained controlled by Republicans, and Republicans gained three House and four Senate seats, ending with a 232-202-1 seat advantage in the House and a 55-44-1 advantage in the Senate.<sup>148</sup> In terms of Bush's reelection, "Americans were closely divided, but they were not ambivalent or uncertain about George W. Bush."<sup>149</sup> 122 million Americans voted in 2004, the most for any election in US history.<sup>150</sup> Bush definitely got a boost from fulfilling his 2000 campaign promises, and Medicare gave him more public prestige. Due to partisan polarization and redistricting following the 2000 elections, Republicans had advantages in electoral politics, and Bush took advantage of this, winning by 50.7% to 48.3% over Senator John Kerry, running on a theme of keeping America safe.<sup>151</sup> Kerry flip-flopped with regard to Iraq, and Bush pushed hard on national security issues, saying "you take preemptive action in order to protect the American people."<sup>152</sup> While he won reelection, it was a highly polarized vote, unlike in 2000 when Bush declared that he was "a uniter, not a divider."<sup>153</sup> When he won reelection, he stated that "I earned capital in the campaign, political capital, and now I intend to spend it."<sup>154</sup> Neustadt would approve of this decisiveness and ambition, as Bush was always determined to be a leader, not just a clerk.

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<sup>148</sup> Jacobson, Gary C. "Polarized Politics and the 2004 Congressional and Presidential Elections." *Political Science Quarterly* 120, no. 2 (2005): 199-218

<sup>149</sup> Abramowitz, Alan I., and Walter J. Stone. "The Bush Effect: Polarization, Turnout, and Activism in the 2004 Presidential Election." *Presidential Studies Quarterly* 36, no. 2 (2006): 141-154

<sup>150</sup> Ibid

<sup>151</sup> Jacobson, 2005

<sup>152</sup> Bush, *Decision Points*. 292

<sup>153</sup> Abramowitz, 2005

<sup>154</sup> Bush, *Decision Points*. 296

## Second Term Stands

Bush's second term legislative success was limited due to the worsening of the situation in Iraq, but he kept to his principles and negotiated some successes. The stem cell debate was important to Bush, and he framed it as government responsibility to fund medical research against the moral values of the country.<sup>155</sup> As Bush was pro-life, and had pushed for and passed the Partial-Birth Abortion Ban in 2003, he sided against using human embryos for stem cell research on the basis of protecting the embryos as human life. In August 2001, Bush gave a speech addressing the issue, saying that "Embryonic stem cell research offers both great promise and great peril... I have concluded that we should allow federal funds to be used for research on these existing stem cell lines, where the life and death decision has already been made."<sup>156</sup> He also made it clear that he would not spend federal funds to "sanction or encourage further destruction of human embryos that have at least the potential for life."<sup>157</sup> Bush, a principled man, took a clear moral stand against the destruction of embryonic cells, and in 2006 issued his first presidential veto to stop embryonic stem cell research.<sup>158</sup> For his veto speech, he invited "snowflake babies" to the White House, the result of embryonic stem cells allowed to become adopted, and this gave his supporters the moral high ground, especially since the Democrats refused to pass Bush's alternative stem cell research plans.<sup>159</sup> Bush vetoed a second attempt to pass embryonic research in 2007, in response to the new Democratic majorities in Congress.<sup>160</sup> In late 2007, scientists published reports that they were able to create stem cells using adult skin

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<sup>155</sup> Bush, *Decision Points*. 106

<sup>156</sup> Bush, George W. "Stem Cell Research." The Bush Ranch, Crawford, Texas, August 9, 2001

<sup>157</sup> Ibid

<sup>158</sup> Wadman, Meredith. "Congress and Bush Set to Clash on Stem Cells Again." *Nature* 445 (2007): 134-135

<sup>159</sup> Bush, *Decision Points*, 2010. 123-124

<sup>160</sup> Wadman, 2007



cells, a morally unquestionable method.<sup>161</sup> This was a successful use of Neustadtian command for the President, as he was clear, decisive, and consistent with the reasoning for his vetoes. His moral stance earned him respect from Charles Krauthammer, a journalist very critical of Bush's stem cell stance, who said that this new discovery made it clear that Bush "so vilified for a moral stance – been so thoroughly vindicated."<sup>162</sup> This stand must be considered in Bush's legacy, showing that he was determined to uphold his moral principles in the face of political opposition.

The 2008 financial crisis led to another tough stand for President Bush: whether or not to bail out the banks which had caused the crisis. His optimistic speeches to reassure the public during the crisis meant that he could not take credit for the desperate but effective measures he was taking.<sup>163</sup> While many factors contributed to the crisis, the costs of Iraq and the fact that Bush was at the end of his presidency meant that most put the blame on him. Bush, listening to the advice of his financial advisors, encouraged a sale of Bear Stearns to JP Morgan in March 2008, with a \$30 billion loan to try to keep the economy from nosediving into a recession.<sup>164</sup> In September, with the economy in freefall, Bush proposed to Congress a \$700 billion appropriation (TARP) to bail out the failing banks and the auto industry in order to stabilize the economy.<sup>165</sup> Bush hosted a meeting of Congressional leaders for September 25, and pushed for the passage of TARP, stressing the need for unity and strength.<sup>166</sup> The package failed the first vote, but the second vote passed 74-25 in the Senate and 263-171 in the House, in part due to Bush's personal efforts at contacting Republican Congressmen who did not approve the spending

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<sup>161</sup> Kolata, Gina. "Scientists Bypass Need for Embryo to Get Stem Cells." *The New York Times*. November 20, 2007

<sup>162</sup> Krauthammer, Charles. "Stem Cell Vindication." *Washington Post*. November 30, 2007

<sup>163</sup> Morgan, Iwan, and Phillip Davies, eds. *Assessing George W. Bush's Legacy: The Right Man?* New York: Palgrave Macmillan, 2010

<sup>164</sup> Bush, *Decision Points*. 453

<sup>165</sup> "TARP Programs." US Department of the Treasury. 2015

<sup>166</sup> Bush, *Decision Points*. 462

increase.<sup>167</sup> Through this bipartisan vote, Bush showed once again that he believed in getting things done, at some points even when it was politically unpopular. TARP was a major success in averting an even worse crisis, and I will not make determinations to appoint blame for the crisis because of the partisan nature of the situation.

### III

It is important to note that Bush was not a perfectly successful president, and one of the turning points in Bush's presidency was the failure in the administration's response to Hurricane Katrina. Hurricane Katrina hit New Orleans on August 29, 2005, killed approximately 2,000 people, and left hundreds of thousands of evacuees scattered across the country.<sup>168</sup> Within a week, Bush had approved multiple bills totaling over \$60 billion in aid and ordered 7,200 National Guard troops to Louisiana.<sup>169</sup> While Bush did take action, the organization around the situation was haphazard, with a requirement for cities to contribute 10% of the cost of reconstruction not waived until May, and a five day delay on an authorization for National Guard troops from New Mexico to assist.<sup>170</sup> Additionally, political considerations may have slowed down the response in order to embarrass the Democratic governor of Louisiana and the Democratic mayor of New Orleans.<sup>171</sup> These delays and mistakes caused a major public prestige

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<sup>167</sup> "H.R.1424 - 110th Congress (2007-2008)." Congress.gov. October 3, 2008

<sup>168</sup> "Hurricane Katrina." History.com. 2015

<sup>169</sup> Robillard, Kevin. "10 Facts about the Katrina Response." POLITICO. October 3, 2012

<sup>170</sup> Ibid

<sup>171</sup> Ibid

loss for the administration, making Bush seem at best negligent, and at worst racist. The Katrina response was a policy failure for Bush, and hurt his chances for second term success.

Resignations also hurt the Bush Administration, especially considering the amount of senior officials leaving. In 2002, Bush replaced the treasury secretary, the National Economic Council director, and the Council of Economic Advisors chairman because they were not supportive of his tax cuts.<sup>172</sup> Coming into the 2004 election, with the State Department and Department of Defense not working well together, Colin Powell announced he would resign, and it became known that his resignation was mainly due to his disagreement over the unilateral approach towards Iraq. Attorney General John Ashcroft was controversial since his confirmation, being an extremely conservative Senator, and submitted his resignation in November 2004 after months of debate over civil liberties.<sup>173</sup> He was replaced by Alberto Gonzalez, who resigned in 2007 due to questions about politically motivated dismissal of US attorneys and NSA wiretapping.<sup>174</sup> In 2006, due to issues with White House organization, Andrew Card resigned as Chief of Staff, to be replaced by Joshua Bolton.<sup>175</sup> The other major change was for Secretary of Defense, and Rumsfeld resigned after the 2006 election because of the deteriorating situation in Iraq.<sup>176</sup> All these changes at the top levels of Bush's administration show that he could not rely on his advisors, but his style of delegation meant that he had to, which got him into trouble, especially concerning Iraq.

Bush's main legislative roadblocks came in his second term, with the major campaign promises for his second term going unfulfilled. In 2005, Bush lobbied for privatization of Social

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<sup>172</sup> Bush, *Decision Points*. 85

<sup>173</sup> "John Ashcroft Leaves Behind Controversial Legacy as Attorney General." PBS. November 11, 2004

<sup>174</sup> Myers, Steven, and Philip Shenon. "Embattled Attorney General Resigns." *The New York Times*. August 27, 2007

<sup>175</sup> Bush, *Decision Points*. 95

<sup>176</sup> *Ibid.* 93-94

Security accounts, and was rebuffed at every turn. He campaigned hard for reform, as he believed that the current Social Security program was fiscally unsustainable, making “60 stops in 60 days.”<sup>177</sup> He had little public support for his proposals, and following Katrina Social Security reform was ended for good. Bush also failed to pass immigration reform, this time due to conservative opposition. Bush wanted to grant guest status to illegal immigrants, and educate them, as he had done while governor of Texas, and this split the GOP.<sup>178</sup> Bush tried repeatedly to pass a comprehensive reform bill, but his declining political capital due to Iraq and his social security reform attempt meant that he was unable to get meaningful reform through Congress.<sup>179</sup>

Iraq is the main failure to acknowledge, as it had a huge impact on his presidency. The chief problem from the start was excessive delegation, with Donald Rumsfeld gaining extraordinary influence over proceedings. The selection of Dick Cheney as Vice President meant that neoconservatives ran the administration’s foreign policy, and the infighting between the State Department and the Department of Defense was usually resolved by Cheney, not Bush. The administration was determined to overthrow Saddam, and relied on faulty intelligence and planned badly based on Rumsfeld ideas of few boots on the ground, which did not account for peacekeeping in the aftermath of the conflict.<sup>180</sup> Following the US military victory over Iraq, Bush delegated authority to Paul Bremer, the presidential envoy to Iraq, who disarmed the Iraqi military and would not allow members of the Baath party to govern, leading to a vacuum of capable officials and thousands of unemployed men with weapons training.<sup>181</sup> Bush also made public relations errors, such as when he landed on a carrier and declared combat operations were

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<sup>177</sup> Schier. 112

<sup>178</sup> Ibid. 113-114

<sup>179</sup> Ibid

<sup>180</sup> Fallows, 2006. 74-75

<sup>181</sup> Ibid. 102

over. As the situation worsened, with mounting American casualties, Bush's political capital disappeared and the 2006 election became a referendum on Iraq, leading to Democratic control of both houses of Congress.<sup>182</sup> Many compare Iraq to Vietnam as a failure of American power, and to this point Iraq has overshadowed Bush's full legacy.

### **Legacy**

Bush had his share of failures, but considering his entire body of work leads to the conclusion that he was overall a decently successful president. In 2000, he ran on education reform, tax cuts, entitlement reform, and faith-based programs. He passed a massive tax cut in his first year, and another in 2003, along with passing No Child Left Behind in early 2002. He added a prescription drug benefit to Medicare in the largest Medicare reform in history, and created an executive office to run faith-based initiatives. Bush delivered on his promises, and used his political skill to pass his agenda early in his presidency. He was determined and decisive in his response to the September 11 attacks, and was given broad executive powers as part of the Authorization of the Use of Military Force, the Patriot Act, and the Homeland Security Act. His most important achievement was his AIDS initiative, where he saved millions of lives through a massive program of drug treatments and healthcare training in Africa. On stem cells, Bush took a moral stand, and would not back down on his principles, eventually having his stance become widely justified. He kept the economy from getting worse during the financial crisis through TARP, recognizing the need for a bipartisan solution. Bush kept his

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<sup>182</sup> Jacobson, Gary C. "Referendum: The 2006 Midterm Congressional Elections." *Political Science Quarterly* 122, no. 1 (2007): 1-24

party largely behind him, and was able to reach across the aisle on issues to get his agenda through, and he was active in his domestic policy, aggressively pursuing his goals in a Neustadtian manner, with Republicans dependent on the President and high public prestige for his first term.

Bush can be compared to Lyndon Johnson in many ways, but his detractors only make the Iraq-Vietnam connection. Johnson was also primarily interested in domestic issues, and was overwhelmed by a foreign conflict. Bush passed a lot of conservative legislation, and LBJ pushed sweeping reforms as part of his great society. Both were part of a legacy, with LBJ following in JFK's martyrdom and carrying the standard of FDR's New Deal, while Bush was the successor to Reagan's legacy and wanted to earn his father's respect. Iraq is commonly compared to Vietnam, even though there was no draft and Vietnam casualties exceeded 58,000, compared to Iraq and Afghanistan combining only total approximately 6,600.<sup>183</sup> Lyndon Johnson's political legacy has been rehabilitated over time, ranking in the top twenty in presidential rankings since the end of Bush's presidency. Both presidents achieved most of their domestic agenda, and both had their achievements overshadowed by foreign conflicts, which kept Johnson's legacy overwhelmingly negative until fairly recently.<sup>184</sup>

George W Bush has been unfairly demonized, and in time his image will be rehabilitated. He had many policy and legislative successes, all of which have been overshadowed by the US involvement in Iraq. He will be recognized, much as we have recognized Lyndon Johnson, as a positive president who was skillful in his use of presidential power. Bush was ultimately The Decider.

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<sup>183</sup> Waldman, Paul. "American War Dead, By the Numbers." *The American Prospect*. May 26, 2014

<sup>184</sup> Eland, Ivan. "Bush's Presidency Most Resembles That of LBJ." *The Independent Institute*. February 23, 2005

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