

Presidential Power, Historical Practice, and Constraints

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ABSTRACT

America's founding fathers designed the Constitution as a malleable contract for governance, envisioning a republic with a struggle among co-equal actors that would serve to constrain and channel the struggle for power. The problem this study was designed to address is that presidents have used executive orders (EOs) when legislation is too difficult to pass due to divided party government, or when making sweeping changes to executive departments or agencies that historically required congressional approval. The purpose of this analysis was to explore whether a contemporary Democratic president are more likely than a Republican to use the EO as a unilateral strategy to pursue domestic/economic policy objectives during times of divided party government. This study compared the use of executive orders under divided government by Republican President Ronald Reagan and Democratic President Barack Obama, examining three EOs issued by each.

Reagan and Obama viewed government differently. President Obama saw government as a solution to problems and President Reagan saw government as a source of problems. From this, I inferred that Democrats would be more likely than Republicans to favor federal government intervention in domestic/economic policy. Yet, though both presidents had different agendas and approaches, they both used the EO as a unilateral strategy under divided government. This may reflect that presidents understand that many in the public hold the president accountable for the economic performance of the United States, and economic wellbeing may lead to reelection of a president.

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GENERAL AUDIENCE ABSTRACT

America's founding fathers designed the Constitution as a flexible contract for control, imagining a republic with a struggle among co-equal actors that would serve to limit and guide the struggle for power. The problem this study was designed to address is that presidents have used executive orders (EOs) when laws were too difficult to pass due to divided party government, or when making far-reaching changes to departments or agencies that usually need congressional approval. The purpose of this study was to gain more insight as to whether a Democratic president was more likely than a Republican president to use executive orders to pursue domestic/economic policy goals when different parties controlled Congress and the presidency.

The study examined the use of executive orders by Republican President Ronald Reagan and Democratic President Barack Obama under divided government, looking in depth at three executive orders each President issued. Reagan saw government as a source of problems and Obama saw government as a source of solutions. This led to the expectation that Democratic President Obama might use domestic/economic intervention by the federal government more often than Republican President Reagan would. Yet, although both presidents had different plans and methods, they used the executive order similarly during times of divided government. This likely reflects that presidents -- regardless of party -- understand that many in the public hold the president accountable for the economic performance of the United States, and economic wellbeing may lead to reelection of a president.

Dedication

This paper is dedicated to my family, who has endured a long process and stood by me, even when it seemed no end was in sight. More specifically, to my wife Doniel. Her encouragement and example in academics has been nothing short of remarkable. I only hope my completion of this program brings her a bit of satisfaction knowing there is no one more important in my life than her.

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Chapter 1: Introduction

America's founding fathers designed the United States Constitution as a malleable contract for the purpose of governance (Moe & Howell, 1999). The U.S. Constitution defines official actors, allocates powers and jurisdictions amongst them, and provides a general framework, or a set of rules, permitting the nation's elected and appointed officials to make decisions. The founders envisioned a republic in which co-equal actors would be constrained by the struggle for power, due to the separation and balance of powers devised by constitutional rules (Bradley & Morrison, 2013). Limited by such constitutional rules, none of the three branches of the federal government can act alone to make and execute public policy (Corwin, 1984). The so-called balance of power is based on the premise that divided, shared powers would promote a rivalry wherein no single branch of government could exercise unchecked power or dominance, thus promoting the public good and ensuring both individuals and groups would be forced to compromise (Corwin, 1984).

Presidential power is, in actuality, not just a function of the U.S. Constitution, but it is determined by a confluence of factors, including historical practice and political and policy considerations (Bradley & Morrison, 2013). Due in part to generally limited judicial review of unilateral presidential actions, certain members of the U.S. Congress have suggested presidential authority has become "unbounded." In a press release regarding *House of Representatives v. United States Department of Health and Human Services*, House speaker John Boehner (R) excoriated Democratic President Barack Obama's use of the executive order. In response to this case, Boehner (2013) said: "Time after time, the president has chosen to ignore the will of the American people and rewrite

federal law on his own without the vote from Congress.” Boehner (2013) believed this was not the way the government was intended to work. Boehner is not alone in his views—many other Congressmembers, judges, scholars, and media commentators have argued that executive orders are constitutional violations insofar as they represent executive overreach and an abuse of presidential power. These same groups have asserted that such institutional failings have damaged the American constitutional system, specifically by betraying core principles such as the separation of powers, checks and balances, self-government, and public participation—the very values the U.S. claims it wants to export to other countries through democracy-building initiatives overseas.

Unilateral presidential action has considerable precedent, however (Bradley & Morrison, 2013). George Washington issued the first executive order in 1793, declaring American neutrality in the war between France and England. Washington issued this order because he believed that Congress would not support his position, making it necessary to bypass congressional approval or collaboration (Pious, 1979). The total number of executive orders signed, beginning with George Washington in 1793 through October 2019 is 15,668.

Despite its sometimes-contentious reputation, the executive order has been a tool used to accomplish positive public policy objectives throughout U.S. history. For example, President John F. Kennedy’s Executive Order 10925 (1961) required government contractors to use affirmative action in employment and established the Committee on Equal Employment Opportunity (EEOC). President Franklin D. Roosevelt’s Executive Order 7034 (1935) created the Works Progress Administration (WPA), which stimulated the American economy during the Great Depression. President

Jimmy Carter's Executive Order 12127 (1939) established the Federal Emergency Management Agency (FEMA), enabling the federal government to assist the states during times of disaster. Arguably, these executive orders undoubtedly served the public interest. This study, however, addresses executive orders that specifically aim to execute controversial policies that opponents of the president believe are inconsistent with the public interest and would be unlikely to gain congressional support or approval.

Statements such as Boehner's and litigation brought by the states as well as Congress on issues ranging from immigration to the Affordable Care Act (ACA) indicate a pervasive concern among many policymakers that presidential power as witnessed in the use of executive orders has exceeded the limitations of its constitutional mandate. Although the limits of the office are continuously contested and debated—as, some would argue, the framers intended—some have accused Democratic presidents of exceeding those bounds more seriously than their Republican counterparts. For example, Republicans contended that President Obama brought unprecedented expansion of power to the office by his specific use of the EO (Salsman, 2013; *The American Mandate*, 2015). This accusation also was leveled against Democratic President Bill Clinton and Republican President George W. Bush (Steigerwald, 2001). Such criticisms illustrate the contentious environment surrounding unilateral presidential decision-making with tools like the EO.

Problem Statement

This study addresses the contention that presidents use executive orders to circumvent a divided government, because in such an environment it would be too difficult either to pass legislation or to make sweeping departmental changes that require

congressional approval (Deering & Maltzman, 1999). By comparing how a Democratic and a Republican president—both serving under divided governments—used executive orders, this study serves to answer the following question: Did these presidents use executive orders to accomplish domestic policy goals that were stalled or that they believed Congress was neglecting or resisting? Further study is needed to determine whether this applies to other presidents. Although a significant body of research examines the use of executive orders, few studies have explored the differences between Republican and Democratic presidents' use of such orders in the face of stalled or failed legislation the presidents supported. Little research has systematically examined how presidents have used executive orders to accomplish policy goals without approval from, or collaboration with, Congress.

Such unilateral use of executive orders is problematic, giving rise to debate and litigation regarding the limitation of presidential power to effect change in government without the consultation of its legislative arm (Salsman, 2013; *The American Mandate*, 2015). Existing research is rooted in normative legal concerns, such as, for example, if presidents have exceeded their constitutional authority in the use of executive orders (Fleishman & Aufses, 1976). This study, on the other hand, was designed to provide a deeper understanding of another, less apparent aspect of their use: How many executive orders can be traced back to a president's attempt to unilaterally assert their authority to accomplish domestic policy goals without congressional collaboration?

Purpose

The purpose of this analysis is to compare the use of selected executive orders by Democrat president Barack Obama and Republican president Ronald Reagan, and to

examine whether such use appeared to be a strategic use of executive orders to unilaterally pursue their own domestic policy objectives and overcome the impediments of divided party government. Aside from analyzing the content of the executive orders themselves, this study compares presidential statements regarding the purpose of their executive orders, with an emphasis on examining whether such statements indicate a president's desire to bypass or overcome congressional hindrances to accomplish his policy objectives. This study recognizes the possibility that statements studied may have been used as a strategy to influence accountability for the issue the executive order was designed to address, and might further have been used to minimize a perception that the executive order was used to circumvent divided government.

This research highlighted partisan associations in the use of executive orders in domestic economic policy. Many contemporary Democrats embrace a Keynesian approach to economic recovery that is rooted in Franklin Roosevelt's administration, and continued through Barack Obama (Ciment, 2007; Leuchtenburg, 1963). In practice, such an approach encourages government intervention—for example, the use of fiscal policy such as deficit spending—to alleviate a sluggish economy. President Ronald Reagan, however, supported the opposite, with his first inaugural address referring to government as a problem while identifying people as the source of solutions. From this, he argued that government's growth should be checked and reversed (U.S. Senate, 1981). In contrast, Barack Obama's speeches both asked the people to trust the government, which he referred to as the solution to problems ranging from economic difficulties to gun violence (Bradner & Krieg, 2016). Although this only demonstrates the actions of a single Democratic president and a single Republican president, a future study may help

determine whether Democrats favor domestic intervention by the federal government more often than Republicans do.

To conduct this study, I examined three executive orders issued by President Barack Obama and three executive orders issued by President Ronald Reagan, selected according to the criteria noted in Chapter 3. One of the goals of this research is to consider the difference between the presidents' issuance of executive orders. For instance, President Obama's use of the executive order is compared to President Reagan's rather than to President George W. Bush, due to the distinctiveness of the latter's presidency. Bush presided over a state of national crisis—needing to reestablish a state of normalcy after the 9/11 terrorist attacks—which brought with it conditions that may have affected his use of the executive order; for example, a more cooperative Congress.

Research Questions

The research question is: Did Republican President Ronald Reagan's use of executive orders differ from Democratic President Barack Obama's in terms of effecting domestic economic policy changes under divided party government, and if so, how? This thesis is divided into five chapters. Following the overview in this chapter, Chapter 2 reviews relevant scholarly literature. Chapter 3 describes the research design and the methods used to answer the research question, and Chapter 4 reports the findings. The final chapter, Chapter 5, presents the conclusions, identifies the limitations of this study, and makes recommendations for further research.

Chapter 2: Review of the Scholarly Literature

The use of executive power is a complicated topic. The sheer variety of tools at presidents' disposal for acting unilaterally is large, and the reasons why they use those tools vary depending on political context, world events, administrative concerns, and myriad other factors. The most familiar of these unilateral actions is the EO, a document signed by the president to direct the actions of executive agencies. Other types of executive actions include presidential proclamations and memoranda (Cooper, 2014). Each type of unilateral action has its own set of costs and benefits, depending on the particular goal of the specific order. As Chapter 1 noted, critics charged that Obama's use of the executive order demonstrated presidential overreach. They also claimed that he used executive orders to impose his will unilaterally, citing the sheer number of executive orders issued by his administration as evidence of a "runaway" executive. Interestingly, however, Obama did not issue the largest number of executive orders. Franklin D. Roosevelt (FDR) achieved this, having issued 3,721 orders, with Eisenhower (484) and Ronald Reagan (381) in second and third places, respectively (The Presidency Project, 2019). It is clear that this question is more complex than simply the raw number of executive orders issued and that the relationship between presidential and congressional party control and executive orders can be shaped by a number of factors.

Historically, the common use of unilateral action is a feature of the modern presidency that is rooted in the Progressive era. As stated previously, FDR issued more executive orders than any other president. Since then, the raw number has dropped, but the frequency of executive direct action has become more common. Some evidence exists that the use of executive action is more frequent during wartime. This makes sense

because presidents are commanders in chief of the military. Since the Vietnam conflict, presidents have taken a good deal of leeway in using the military without Congressional consent (Howell, Jackman, & John, 2013). This is one aspect of executive power, but this study is more concerned with executive action regarding domestic policy. Because the latter policy arena differs from commanding the military, for which presidents enjoy explicit authorization in the U.S. Constitution, domestic orders can be viewed as better examples of potential executive overreach than those associated with foreign policy or national security. For this reason, the following discussion of research on executive orders focuses on domestic policy. Since the 1960s, political scientists have shown an interest in unilateral action by presidents, and a growing body of research has generated a thorough and systematic treatment of the subject, identifying both limits to presidential power and individual presidential responses to those limits (Bradley & Morrison, 2013).

Many authors have studied the “imperial” presidency, which evidently is relevant to presidential use of executive orders as unilateral action. The framers did not focus on presidents making laws but rather on Congress. Nonetheless, many presidents have acted unilaterally. Theodore Roosevelt dispatched military forces to Central America without explicitly asking Congress for their approval. He even boldly used those forces to assist in the establishment of governments. President Truman did the same in Korea in 1950, as his order to send troops into Korea was done without the blessing of Congress.

(Schlesinger, 1973)

Arthur Schlesinger, Jr. explains:

The weight of messianic globalism was indeed proving too much for the American Constitution. If this policy were vital to

American survival, then a way would have to be found to make it constitutional; perhaps the Constitution itself would have to be revised. (Schlesinger, 1973, p. 299)

Presidents, including for Schlesinger Lyndon Johnson and Richard Nixon, used unilateral actions to address pressing needs for which they deemed there was no other solution but to use the presidency to act on issues important to them.

Presidential addresses are one source of primary evidence that speaks to the differences among presidents' views of unilateral action by means of executive orders. For example, Republican Ronald Reagan's first inaugural address referred to government as a problem and identified the people as the source of solutions. From this, he argued that government's growth should be checked and reversed—a classic conservative “anti-big government” position (U.S. Senate, 1981). In contrast, both of Barack Obama's inaugural speeches asked people to trust the government as a source of solutions for problems ranging from economic stagnation to gun violence (Bradner & Krieg, 2016). From this, it might be inferred that Democrats have been more likely to favor domestic involvement by the federal government than Republicans.

Literature Search Strategy

In looking for relevant scholarship on presidential use of executive orders, I searched the following online databases for law review and social science articles. I searched for the articles using databases, including Google Scholar, JSTOR, ProQuest and Hein Online. Information on executive orders came from the American Presidency Project at the University of California in Santa Barbara.

Developing key search phrases was an ongoing process that was continually adjusted to maximize the results returned. Initial sets of keywords used to perform database searches included *presidential powers*, *executive orders*, *presidential executive orders*, *presidential uses of executive orders*, *differences in the use of executive orders*, *trends in the use of executive orders*, *executive powers*, *unilateral executive powers*, *signing statements*, *presidential proclamations*, and *unitary executive*. The scholarship reviewed here includes peer-reviewed articles in scholarly journals and recently published books. Journal articles examined were published primarily between 2010 and 2015. Older works typically illustrated how scholarship has expanded and often built on the findings of previous academic literature. Approximately 70% of the materials consulted reported research based on the analysis of quantitative data, usually detailing the frequency and patterns of use of executive orders.

Executive Orders

The president issues executive orders to direct actions by the departments and agencies of the executive branch. There are many analyses of executive orders, but these studies are somewhat complicated by other types of executive action the president may take and the tendency of presidents to use different tools for similar actions (e.g., memoranda instead of executive orders, as Cooper (2014) explained. Despite the availability of other mechanisms, executive orders are the most common and familiar of the unilateral powers of the executive, and are therefore useful for examining the willingness of presidents to assert their power independent of legislative collaboration.

Peters and Woolley (2015) compared the number of times Reagan and Obama issued executive orders. They found that, through the beginning of 2016, Reagan issued

comparatively more executive orders than Obama. In both of his terms, Reagan utilized the executive order more often than Obama did, and both used executive orders more frequently in their first than in their second terms. (Interestingly, this pattern also appears under the presidencies of Clinton and George W. Bush).

Initially, this may seem to contradict the study’s expectations. Yet further examination reveals the issue is more complicated than looking solely at the number of executive orders issued. While the numbers are telling, they do not always indicate a president is acting unilaterally without congressional support. For example, it might be that Bush issued more executive orders as part of what he termed the “War on Terror.” Congress established the Department of Homeland Security, which was then under his control. This illustrates the complexities in evaluating the use of executive orders and how both domestic and international events might influence their use.

Table 1 lists the total number of executive orders issued by presidents beginning with Herbert Hoover. Reliable data on these orders are not available before the Hoover administration, and even then, the numbers are probably not exact. These numbers suggest several important points. Firstly, the number of executive orders issued has generally fallen over time for both Democratic and Republican administrations. Secondly, the number of orders per term varies by president, and no obvious pattern emerges based on party affiliation.

Table 1

Executive Orders by President and Term. 1929-2020 (Trump 2017—2020, through 02/01/20)

President	Term 1	Term 2	Total
Trump	138		138

Obama	147	129	276
Bush	172	118	291
Clinton	200	164	364
Bush Sr	166		166
Reagan	213	168	381
Carter	320		320
Ford	169		169
Nixon	247	99	346
LBJ	325		325
Kennedy	214		214
Eisenhower	266	218	484
Truman	504	403	907
FDR	NOT AVAIL	NOT AVAIL	3,721
Hoover	NOT AVAIL	NOT AVAIL	968

Note. Adapted from <http://www.presidency.ucsb.edu/data/orders.php>

Howell (2005) went beyond examining the number of executive orders issued. Instead, he compared the number of policies, bills, and initiatives that presidents proposed to Congress to the number of executive actions. The study differentiated between executive orders (primarily aimed at subordinates that make up the executive branch) and proclamations (aimed at citizens). A final form of unilateral presidential power the study noted was the use of the national security directive. These directives aim to strengthen national security, have legal force, and can be kept secret from both Congress and the judiciary. Howell (2005) noted presidents might take other forms of executive action, including executive agreements, letters of agreement, and memoranda. Howell's study demonstrated that, while the recent trend is fewer executive actions, the

modern presidency generally is characterized by a much greater willingness to use executive action to effect policy.

Non-congressional motivation for executive action.

The raw number of executive orders is not sufficient evidence to determine the reason for their use. Other factors may explain the probability of the use of executive power. Krause and Cohen (1997) examined the use of executive orders, employing event count regression to predict the chance of a president using unilateral action during the period between 1953 and 1994, which included Reagan's presidency but not Obama's. Krause and Cohen found the use of executive power depended on a multitude of factors, including presidential rate of legislative success, seats held by the president's party in each chamber of Congress, and macroeconomic conditions. They concluded that a president asserts executive power in response to a series of characteristics, including presidential approval, managerial considerations, and legislative factors. Again, while this may seem to contradict the premise of this study, this may not be the case and the matter deserves further scrutiny, especially because Krause and Cohen (1997) do not consider the relationship between the legislative chambers. The lack of a thorough consideration of congressional make-up and use of the executive order may be the result of their finding a differential willingness of Republicans and Democrats to use executive orders in general.

Young (2013) agreed with Krause and Cohen (1997) that external circumstances were associated with higher rates of use of the executive order. The researcher found the likelihood of unilateral action, such as the issuance of an executive order, rose in response to periods of economic or social instability in the U.S. This creates a brief span

of time when presidents asserted their power more frequently. The results of the study suggested these windows rarely involve economic crises. Although they might occasionally move a president to act unilaterally, presidents were most likely to issue an executive orders during an international crisis. Presidents were most likely to move unilaterally when issues of national security were at play. Young (2013) noted that mass epidemics also engendered a greater exercise of executive power. The researcher did not find support for the notion that presidents use their power to overcome gridlock over domestic policy.

Considering war as the ultimate test of policy, Howell, Jackman, and John (2013) argued it is precisely in wartime when presidential use of executive orders expanded. In addition, during wartime Congress was more likely to vote in line with the wishes of the president. Chiou and Rothenberg (2013) argued that presidents resort to executive authority precisely when there is little conflict with Congress. War seems to be an external force that motivates cooperation between the legislature and the president and is consistent with the contentions of Young (2013) and Chiou and Rothenberg (2013). It is a time when foreign policy is most rigorously tested, and when presidents are likely to face minimal pushback from Congress.

Other researchers supported the conclusion that presidents do not frequently use executive power to combat a hostile Congress, particularly on domestic issues. Chiou and Rothenberg (2013) conducted an extensive study of the use of executive orders between 1947 and 2002. Pertinent data on the use of executive orders by Reagan were therefore included in the sample. Chiou and Rothenberg proposed competing models to explain when executive action is taken. They found that presidents employed executive power in

ways that respond to the majority party in Congress. Rather than try to find middle ground or assert presidential power in direct conflict with the majority political party, presidents use their executive power as a means of furthering the wishes of the party with majority control. The researchers contended this is because presidents are reluctant to use executive power that will face a high level of judicial scrutiny. However, their models examined a period that did not include both the Reagan and Obama presidencies. Adjustments also should be made to accommodate the changing view of the use of executive orders as an appropriate use of presidential power, especially as the political parties grew more distinct and polarized.

The notion that a president prefers not to use executive orders combatively finds support in other studies as well. Fine and Warber (2012) examined the unilateral use of presidential power as a response to divided government. Specifically, they examined the strategic model of presidential power, which asserts the use of presidential power directly increases in response to an adversarial Congress. They found that studies revealed just the opposite, concluding that the use of the strategic model in such cases needed to be revisited. They added that presidents embark on unilateral actions differently for the use of some orders compared to others. There are distinctive circumstances influencing whether a president uses executive orders in some cases when confronting a Congress controlled by the other party. Chiou and Rothenberg (2013) reinforced the notion that the president's unilateral action responds to a diverse set of factors, rather than simply to a hostile Congress. In addition, Warber (2014) argued that, between 1936 and 2008, presidents used executive action to target specific populations with policies. He framed this in a larger discussion of how presidents put forward policies that earn them support

among various target populations. In this view, the president's relationship to Congress is secondary to the larger goal of cultivating support amongst specific groups. In many ways, it can be advantageous to the president to circumvent Congress, if doing so increases the support of specific groups of voters.

Rudalevige (2012) touches on this de-emphasis of presidents targeting an adversarial Congress as an institution incidental to achieving broader presidential goals. He examined nearly 300 executive orders between 1947 and 1987 as well as the circumstances surrounding them. This study covered multiple presidents and circumstances, including the executive orders issued by Ronald Reagan in both of his terms. The researcher concluded that presidents used executive orders in response to unfulfilled domestic needs created by the action, or inaction, of federal agencies, and not directly in response to Congress. Rudalevige's research did not include Obama's presidency, but it did suggest a basis for examining presidential executive action. Much like Warber (2014), Rudalevige does not view Congress as the primary target of presidential action. Instead, the president in most cases through his use of executive orders is directing the activities of domestic agencies. Executive action may have a secondary impact: by allowing domestic agencies to complete their work, which affects the public, those orders are not direct responses to legislative failure or congressional opposition to a president's position.

While the discussion thus far may seem to contradict this study's expectations, the research is incomplete. There is no scholarly consensus regarding the use or purpose of executive orders. This has to do, in part, with the varying periods and definitions employed to examine the use of executive authority. Certain times present challenges for

analysis since outside circumstances heavily influence the degree to which Congress and the president are willing to work together. For example, national disasters like the 9/11 attacks tend to rally the public behind the federal government, regardless of party affiliation. The next two sub-sections discuss research regarding the use of the executive orders in response to Congress.

Executive order as threat.

Chiou and Rothenberg (2013) asserted that presidents avoid highly contentious use of the executive order, specifically to avoid potential conflict with the judiciary. The executive order is not a powerful enough tool to force congressional capitulation to presidential wishes, since a judicial challenge to such unilateral displays of power could further undermine presidential authority. Rottinghaus and Maier (2007) agreed that presidents seek to avoid conflict with Congress rather than instigate it. Their study focused on presidential proclamations rather than executive orders; they found a similar pattern. The presidency coordinated with Congress more often than acting in a manner combative with it. Again, this parallels Chiou and Rothenberg's (2013) assertion that unilateral presidential power is not used to fight against Congress, but rather to work in concert with the co-equal branch of government.

Bolton and Thrower (2015) agreed with the notion that presidents avoid using executive orders in the face of an oppositional Congress. Rather than argue that presidents use executive action as a weapon against hostile legislatures to impose their own policy, the researchers contended that presidents distance themselves from unilateral action when an opposing majority party controls Congress. Bolton and Thrower (2015) examined executive orders between 1905 and 2013. They argued the use of the executive

order in the face of an opposing party. Congress was more common prior to the 1940s, when legislative capacity was low. They showed this pattern reversed after the 1940s because the capacity of Congress to enact legislation grew.

This directly contradicts Dodds (2013), who argued the use of direct action by the president has increased since the 1940s. This difference could be the result of their differing definitions of executive action. Dodds (2013) conceptualized “unilateral action” as encompassing the many tools presidents have at their disposal. Going beyond the executive order, Dodds (2013) included proclamations and memoranda in the analysis. Bolton and Thrower (2015) examined only executive orders. Dodds (2013) pointed out the records of direct action by the president are spotty at best. Many of the direct actions presidents take are never published, making analysis difficult.

Congress as motivation for executive action.

Dodds (2013) posited one of the few counterarguments that favors the use of unilateral executive action as a weapon against an uncooperative Congress. Dodds (2013) argued that both executive orders and proclamations are typically used to impose controversial policies. This directly contradicts previous findings that presidential power most often coordinates with the majority party rather than overrides it (Chiou & Rothenberg, 2013; Wigton, 1996). Dodds argued that, beginning with Theodore Roosevelt, unilateral action came to typify the presidency. Dodds also contended that both the legislative and judicial branches rarely resisted this assertion of power. Wigton (1996) might counter this is because presidents pick their battles carefully rather than fight over highly contentious issues. Yet, Dodds (2013) believed that presidents often use executive action to move beyond Congress on such issues.

In general, existing scholarship does not support the notion that presidents use executive orders as a way to combat Congress. That idea, though, does find some support when examining other forms of unilateral executive action. Chiou and Rothenberg (2013) and others argued that unilateral presidential action is typically used under unified government. Such studies have primarily been of executive orders and proclamations. However, Kelley and Marshall (2010) argued that presidential signing statements are sometimes used to assert presidential power in the face of congressional hostility. In their initial assessment of presidential behavior and the use of signing statements, they found this power is used when the “political stakes” are the greatest. This left room to hypothesize that, although the threat of issuing an executive order may not be sufficient for negotiating with Congress, particularly on controversial issues, there might be higher usage of signing statements on high stakes issues if legislation is passed (Wigton, 1996).

This last point about the nature of the specific policy is important. It could be the case that the conflicting research surrounding executive orders is the result of not distinguishing clearly among specific policies. For example, it is unlikely that a president would issue an executive order in the face of a hostile Congress on an issue that is not very important to them or their supporters. It could be the case that the use of the executive order as a weapon to combat an uncooperative legislature depends on presidential perceptions of the political stakes involved.

It does not appear that any research has considered presidential perception of the political stakes when examining how presidents use executive orders. If Democrats are more willing than Republicans to use the executive order on issues of domestic policy, then Republicans may be less willing to issue an executive order because Congress will

not pass legislation even on issues they care deeply about. This is not to say that they will never use the executive orders in these circumstances. However, I expect that there will be systematic differences between Democratic and Republican presidents in their justifications for issuing executive orders.

Summary

Republicans have accused Democratic presidents of using executive orders as a means of circumventing Congress (Salsman, 2013; Steigerwald, 2001; The American Mandate, 2015). The scholarly literature does not support this claim, but whether Republican and Democratic presidents differ in their use of executive orders to fulfill policy goals under divided government remains unknown. Since the creation of the presidency, presidents have issued executive orders to further policy. More than 200 years after the U.S. was formed, its use has moved upward but peaked at several points over the early part of the 20th century, namely between 1933 and 1945, when President Franklin D. Roosevelt issued 3,728 executive orders, before the number declined (Howell, 2005). Any assertion that it has been used more frequently in recent presidencies falters after examining the numbers. Presidential executive action has become more frequent, but the executive order is not inherently a tool used by presidents gone “maverick” in the face of an uncooperative Congress.

The majority of relevant research has been conducted over relatively long periods, often over the course of a century or more. There is a gap in the existing literature examining shorter periods to probe for possible differences between Democratic and Republican usage of the executive order. Larger quantitative analyses may not fully capture variations in context and in party goals and their effects on the substance of

executive orders. This qualitative study examines the presidencies of Ronald Reagan and Barack Obama to see if there are systematic differences in their use of executive orders to accomplish domestic/economic policy objectives under divided party government. I expected that Democratic President Obama would be more likely to use a gridlocked Congress as a reason to issue executive orders to achieve such policy goals than would Republican President Reagan.

Chapter 3: Research Design and Methods

This study was designed to investigate whether Democratic presidents are more likely to prefer an activist government than Republican presidents as seen through the use of executive orders by a Republican president (Ronald Reagan) and a Democratic president (Barack Obama) during divided government. This is based on party positioning on a range of topics including land management, economics, and public safety. Since the 1930s, most Democratic presidents have been more likely to use federal action to address domestic/economic issues compared to Republican presidents, who favor smaller government, fewer federal interventions, and more local solutions to domestic problems.

This study compares the use of executive orders by Republican President Ronald Reagan and Democratic President Barack Obama. The different parties of the two presidents, their sometimes-controversial employment of executive orders, and their service during periods when the opposition party controlled at least one chamber of Congress, make them suitable for exploring how presidents use executive orders under divided government. Firstly, it is expected that the party of the president will influence their use of executive orders. Secondly, both presidents were criticized for their use of executive orders in addressing controversial issues. Reagan, for example, issued several controversial executive orders, including Executive Order 12333, which allowed for the recording of personal information for the purposes of surveilling people in the U.S. (Wen, 2015). Likewise, some critics claimed Obama “overreached” in his use of executive power through executive orders (Hagan, 2015; Millemann, 2017). Thirdly, President Reagan faced a Democratic House of Representatives for his entire tenure, with the U.S. Senate controlled by Democrats beginning in 1987 through the end of his second term.

During the Obama presidency, Republicans controlled at least one chamber of Congress for all but the first two years of his administration.

President Reagan and President Obama were chosen for this study because both presidents faced not only divided government, but also particularly acrimonious atmospheres during their tenures, specifically in terms of the combativeness of the opposition party toward the executive. Republican Reagan spent eight years in office, and his party did not control both chambers of Congress for any part of it. During President Obama's administration, a Republican-controlled Congress made the passage of any legislation favored by the executive close to impossible. As evidenced by the amount of legislation passed during their terms, the lack of cooperation between the legislative and executive branches becomes immediately apparent. According to data from the American Presidency Project, President Obama had 60 bill-signing ceremonies during his presidency. Sixty ceremonies is significantly less than those held by fellow two-term presidents George W. Bush (95) and Bill Clinton (91). President Ronald Reagan—whose party never controlled Congress in eight years—signed 61 (Korte, 2016). The fact that both presidents had so few bills passed demonstrates the difficulty of presiding over a divided government and speaks to why presidents in this situation may choose unilateral action, such as the executive order, in efforts to circumvent an uncooperative Congress, to accomplish their domestic policy goals.

The study focused on the use of domestic executive orders and additionally placed emphasis on the impact that the executive order can have on the economy. Presidents, regardless of party understand that the electorate can hold the president accountable for

the economic performance of the United States, and this perception of economic wellbeing may influence decision making at the ballot box.

This analysis excluded executive orders related to the military and international affairs. Presidents are more likely to have congressional support in these areas than in domestic or economic policy. Moreover, national security orders often take the form of national security directives, which are not always public. Because the research focuses on the use of executive orders when presidents face a Congress under divided government, executive orders issued under unified government, such as when the Democrats controlled both legislative branches under President Obama from 2009 to 2010, were excluded. Executive orders issued by presidents aside from President Barack Obama and President Ronald Reagan were excluded. Other recent presidencies with divided governments were not considered. George H. W. Bush served one only term, yielding fewer executive orders, and George W. Bush served during a time of national crisis due to the 9/11 terrorist attacks, after which Congress frequently was more cooperative.

The study examines whether the use of domestic policy executive orders by Republican and Democratic presidents differed in terms of their relationship with Congress. It investigates whether presidents of either party used executive orders as a unilateral strategy to achieve policy goals they believed an obstructionist Congress had failed to act on. To determine whether unilateral strategies were used, specific executive orders were examined, as well as presidential remarks and speeches about the orders, paying particular attention to whether these presidents suggested that Congress should do more about policy related to the executive orders. The total number of executive orders is available in existing data maintained by The Presidency Project (2016). Statements

regarding these orders were obtained from a number of official archival sources, including WhiteHouse.gov, the American Presidency Project, and various presidential libraries. I examined statements by each president regarding the executive orders in question, looking for explicit language that the order was issued due to congressional failure to act. The rest of the chapter discusses sampling, data sources, data collection and data analysis. It begins by describing how the purposive sample of executive orders was selected and how related news articles were identified. The chapter then examines the data collection process and data analysis procedures, following the six-step thematic analysis of Braun, Clarke, and Terry (2014). Firstly, however, it is important to define the terminology this thesis uses.

Operational Definitions

Divided government. The period when a president's political party is not in control of one or both houses of Congress. Unified government refers to circumstances when which the president's party holds both houses of Congress.

Domestic executive orders. Economic policies directly affecting domestic residents, both public and private, or policies on topics that fall under the purview of the National Economic Council (NEC) under Obama and the broader Office of Policy Development (OPD) under Reagan.

Unilateral strategy. The use of executive orders by a president to address a domestic issue that Congress could act upon but has not. Whether the executive order is a response to congressional obstruction can be inferred from or explicitly identified in a review of presidential comments accompanying the executive orders.

Data Collection

Three executive orders were selected for each president to focus the analysis on specific language in both the order and accompanying the executive orders in presidential commentary and speeches. Before searching for specific executive orders, it was necessary to develop inclusion criteria. I selected three executive orders that each president made regarding issues on which they campaigned before being elected. This in turn required the analysis of campaign speeches and the party platforms to determine appropriate subjects. Since I hypothesized that Republicans preferred a less activist government than Democrats, they would be less willing to circumvent Congress, even on subjects that helped to get them elected.

I manually identified executive orders through an alphabetical search of the executive orders signed by President Obama and President Reagan. To begin the process, the American Presidency Project was searched alphabetically and orders referring to education, work, employment, wages, security, health, social welfare, and environment were identified. The American Presidency Project does not maintain a keyword search, necessitating a keyboard search when scanning large archives. After a potentially relevant executive order was identified, the introduction to the order was read to determine whether the material in the executive orders pertained to domestic matters. Once this was confirmed, I recorded the executive orders' numbers, titles, and dates.

The second database searched to identify presidential comments relevant to the EO was the *Public Papers of the Presidents* archive located on the website of the American Presidency Project. The archive consists of presidential messages, statements, speeches, and conference remarks. The signing date of the executive order was used to

manually search the archive for that year using the keyboard shortcut search support to identify keywords. The full title and relevant keywords were searched to identify relevant presidential remarks. I then read the remarks to ascertain if they applied to the executive orders under study. The contents of the remarks included references to the executive orders by both name and title, and the remarks typically occurred at the time of signing or shortly before or after, with specific references to the order itself in all cases.

The six executive orders were examined in detail. Scholars typically have used the total number of executive orders as the basis for measuring a president's use of power (Harrington, Gould, & Kiersz, 2017). However, the more relevant and appropriate basis for comparing the two presidents' use of executive orders is the substance of the issues underlying these executive orders (Leatherby, 2017). Therefore, I chose executive orders based on the particular policy goals that each president publicly emphasized on issues they personally advocated. To meaningfully compare executive orders between presidents belonging to different parties, it was necessary to carefully choose the orders to be examined. It did not make sense to compare the executive orders by specific subject, because different presidents have different policy goals. Because the aim of this research was to determine if presidents of the two parties differed in their use of the executive order as a unilateral strategy under divided government, I compared executive orders on subjects that each president advocated for. This permitted me to determine if emergent themes included the use of executive orders to compensate for an unresolved issue or unpassed legislation in Congress, specifically for matters that were of particular significance to each president.

Barack Obama campaigned on issues of workers and economic rights (Harrington et al., 2017; Savage, 2012). These issues were causes he promoted and supported. Three executive orders that he issued under divided government between 2011 and 2016 that related to these specific policy goals—workers’ and economic rights—were chosen for examination. These three executive orders were selected based on several criteria (see below).

- EO 13624 Accelerating Investment in Industrial Energy Efficiency (signed on August 30, 2012)
- EO 13658 Establishing a Minimum Wage for Contractors (signed on February 12, 2014)
- EO 13691 Promoting Private Sector Cybersecurity Information Sharing (signed on February 13, 2015)

On the other hand, Ronald Reagan was a known advocate for American Conservatism (Savage, 2012). He focused on executive orders amending government regulations that he deemed to be hindrances to economic growth. These executive orders were also selected for meeting outlined criteria. The three executive Reagan issued under divided government to support his specific small government policy directives were:

- EO 12291 Federal Regulation (signed on February 17, 1981)
- EO 12333 Strengthened Management of the Intelligence Community (signed on December 4, 1981)
- EO 12356 National Security Information (signed on April 2, 1982)

Executive Order 12333 and Executive Order 12356, issued in 1981 and 1982 respectively, related to national security. However, both orders also related to domestic

policy. Executive Order 12333 expanded data collection authority for U.S. intelligence agencies (James, 2018). Many saw this expansion, while directly linked to national security, as a threat to American civil liberties. By issuing Executive Order 12333, Reagan permitted warrantless surveillance of American citizens with limited influence of the legislative or judicial branches (James, 2018). Although such controversial surveillance was conducted in the name of national security, it related closely to domestic policy as it affected the civil rights of American citizens. Similarly, Executive Order 12356 set domestic policy by setting standards under which information could be kept confidential from the public (Winkenweder, 2017). Executive Order 12356 affirms the principle that Americans are entitled to information in principle, but that information can be withheld under certain conditions. Based on the potential impact these orders could have on civil liberties they were considered in this study. Thus, Republicans would be less willing to circumvent Congress, even when dealing with issues on which they campaigned and that may have helped them be elected by their small government constituencies.

As already mentioned, a unilateral strategy refers to when executive leadership strives to accomplish a policy goal for which there previously has been a legislative failure or when Congress has refused to consider legislation because of a divided government. Such a strategy exists when an executive order was issued after Congress refused, explicitly, to pass statutes accomplishing similar policy goals. I determined whether the executive order was issued for that purpose through an analysis of presidential remarks on the executive order and whether those remarks specifically identified the lack of legislative action on similar policies as a reason for its issuance.

Such remarks are a good measure of presidential purpose because due to their less formal milieu, presidents are likely to discuss more openly the reasons behind issuing an executive order in the initial description of each executive order. For example, in his remarks on signing of his Executive Order 13706, President Obama specified he had taken action to elevate the federal minimum wage because Congress had failed to do so (Remarks by the President on Signing of Executive Order, 2014).

Sampling

Between them, Presidents Reagan and Obama issued 657 executive orders—381 for Reagan and 276 for Obama. The texts of these executive orders were saved for analysis; including the five formal sections of the executive orders: the heading, the title, the introduction, the body, and the signature. Information regarding presidential purpose typically was found in the introduction sections of the executive orders. Six executive orders were ultimately chosen that met the inclusion criteria: they were issued under divided government and concerned domestic/economic policy objectives.

Table 2

Selected Executive Orders and Related Articles

Executive order	Date signed	Number of search results	Number of articles for analysis	President
EO 12291 Federal Regulation	February 17, 1981	88	13	Reagan
EO 12333 Strengthened Management of the Intelligence Community	December 4, 1981	82	9	Reagan
EO 12356 National Security Information	April 2, 1982	7	5	Reagan
EO 13624 Accelerating Investment in Industrial Energy Efficiency	August 30, 2012	55	9	Obama

EO 13658 Establishing a Minimum Wage for Contractors	February 12, 2014	69	31	Obama
EO 13691 Promoting Private Sector Cybersecurity Information Sharing	February 13, 2015	7	2	Obama

In addition, to garner supplemental information regarding presidential purpose in issuance of an executive order, for each sampled executive order I examined articles accessible from *The New York Times* index that had been published one month before and two months after the executive order was signed. This three-month period permitted identification of articles most relevant to the domestic policy context when the executive orders were signed. Initially, the search generated 308 articles. I then read each article to determine its relevance to the focal executive orders; this yielded 69 articles identified as being relevant to the use of executive action as a unilateral strategy to pursue economic or domestic policy objectives. The articles were saved using the executive order number, date published, and article title (e.g., 13658 012814 Obama to Raise Minimum Wage for New Federal Contractors; see Table 2).

Data Analysis

The study explored the research question by examining how a Democratic and a Republican president under divided government used executive orders and whether they used it to accomplish domestic policy goals they believed Congress was neglecting or resisting. I analyzed presidential speeches, notes, and other published documents, such as newspaper articles, to ascertain the purpose of the executive orders. A general set of themes about the purpose of the executive orders emerged, as well as whether the executive order was part of a unilateral strategy to circumvent an obstructionist Congress. This involved comparing themes that emerged from the analysis of Democratic and

Republican presidential remarks regarding their use of executive orders. Finding that using executive orders as a unilateral strategy was more common under one of the two presidents would support the conclusion that presidents of one party were more likely to use executive orders in this way than those of the other.

Executive Order 13658 was an economic-themed executive order that President Obama claimed would promote economic growth and greater efficiency in procurement. This would be accomplished by contracting only with sources that paid their workers at a certain threshold. Section 1 addressed the policy. The president claimed efficiency and cost savings could be achieved by increasing the Federal Government minimum hourly wage to \$10.10/hour. This was expected to increase morale and produce greater productivity and quality, associated with lower turnover, and reduced supervisory costs. Section 2 outlined that agencies should ensure new contracts or contract-like instruments include clauses requiring workers to be paid the new wage beginning in January of 2015 with increasing wages annually beginning in January of 2016. Means for determining how the wage would be determined, such as comparison against the Consumer Price Index, were identified. Section 3 noted that increased wages were also to be applied to tipped workers at a rate of \$4.90. Section 4 reviewed regulations for implementation, including timetable requirements for federal agencies and requirements to adhere to existing labor law.

I analyzed the executive orders and related texts using thematic analysis. I coded Reagan's executive orders before the associated articles. Codes for the executive orders and articles were analyzed to reveal themes. Then, the Obama executive orders and articles were coded and analyzed. The themes from the two sets of orders and articles

were compared and contrasted so the final themes helped identify similarities and differences in how Presidents Reagan and Obama used executive orders as a unilateral strategy during periods of divided government. The data analysis followed the six-step thematic protocol of Braun, Clarke, and Terry (2014): (a) data familiarization, (b) code development and coding, (c) theme development, (d) theme revisions, (e) theme finalization and theme definition development, and (f) report generation.

Familiarization with the data began by reading and re-reading the executive orders under the Reagan administration followed by reading and re-reading the corresponding articles. Once I was familiar with the data for Reagan, *code development and coding* began using NVivo 12 Pro. Each article was re-read closely, during which chunks of data relevant to answering the research question were highlighted and assigned codes. For instance, Reagan's executive orders and related articles generally focused on strengthening the economy and national security, while Obama's executive orders and related articles generally mentioned worker and economic rights. In both cases, the two presidents used executive orders as a unilateral strategy. In NVivo 12 Pro, the codes were represented in nodes. I began coding from the first article following signing of the executive orders, Executive Order 12291, signed on February 17, 1981, with the first relevant article published on January 18, 1981. The relevance of sorting the data by date was to review continuity of events, such as to determine if the president used executive actions as a unilateral strategy if an issue persisted. Sorting the data in this way provided an overview of the similarity or difference in the way the two presidents used executive orders. The code development process involved assessing the contexts or issues discussed in the periodicals or frequently used terms during coding based on at least one of the

following in which the order addressed an issue that (a) is generally in conflict with or opposed to views of the majority party in one or both chambers of Congress (b) is related to legislation that is moving slowly in Congress, (c) Congress did not consider or vote on. Some of the codes that emerged from the data based on frequently used terms were *security, administrative, support, oppose, and economic*.

Theme development began after the coding process. Codes with similar content were clustered to develop a theme relevant to answering the research question. The themes that emerged from the Reagan data were *reliance on private firms to boost the economy, use of unilateral strategy to increase power of intelligence community, and withholding information for national security*. *Theme revision, finalization, and definition* took place as I revised themes after thoroughly reviewing the executive orders and the related articles, finally assigning labels and descriptions to each theme. I repeated these steps for the Obama data. Similarly, the texts of the executive orders were read and re-read for familiarization. The codes that emerged from these data were *people, economy, administrative, security, Congress, and oppose*. Codes with similar patterns were grouped together. The themes that emerged from the Obama data were *micromanaging businesses to boost economy, use of unilateral strategy for environmental policies, and taking care of the middle class*. The themes were then compared with the executive orders texts and articles for theme revision and were finalized. The themes that emerged from both data sets were compared and finalized. The final themes contained similarities and differences in how presidents Reagan and Obama used domestic or economic executive orders as a unilateral strategy under divided government. The themes that emerged from the analysis

were different strategies to boost the economy and the role of advocacy towards issuing executive orders.

Summary

This chapter described the research design and methods the study used. The research focused on the use of executive orders by Democratic President Barack Obama and Republican President Ronald Reagan, exploring whether and how Republican Reagan differed from Democrat Obama in using domestic or economic executive orders as a unilateral strategy under divided or partially divided government. The executive orders examined addressed economic and domestic policy issues during periods of divided government, for Reagan, 1981 through 1988 when at least one chamber of Congress was Democratic, and for Obama, from 2011 through 2016 when Republicans controlled at least one chamber. The next chapter turns to the final themes and examines the research question: did the two presidents' executive orders issued under divided government differ, specifically on issues related to domestic and economic policy, and if so, how?

Chapter 4: Results

This chapter discusses the final themes in the analysis of the six executive orders, examining whether Democratic President Obama was more likely than Republican President Reagan to use executive orders as a unilateral strategy to pursue economic and domestic policies under divided government. Two themes emerged from the analysis: (a) *different strategies to boost the economy*, and (b) *the role of advocacy in issuing executive orders*.

Themes

Several themes emerged from the examination of the three executive orders for President Barack Obama and President Ronald Reagan. The themes are different strategies to boost the economy and the role of advocacy in issuing executive orders. In this section, the themes are discussed in greater detail.

Different strategies to boost the economy.

President Reagan and the economy.

Republican President Reagan was a known advocate for conservatism. Reagan believed in upholding some of the American traditions and features of Western culture rather than progress toward principles of equality and social justice. He also believed that government was not the solution to the problem, but the problem itself. Reagan also believed in decreasing governmental regulation over the economy to allow it to prosper. On February 17, 1981, President Reagan passed Executive Order 12291, Federal Regulation. This executive order entailed two new principles regulating federal institutions' regulation issuance. The first is that it called for federal institutions to present an oversight of the benefits and expenses of a plan and different approaches to

achieving this plan, prior to appearing in the *Federal Register* (Stockman, 1981). Second, the executive order called for focused assessment of regulations and the associated regulatory impact analysis (RIA) by the Office of Information and Regulatory Affairs (OIRA), which is part of the Office of Management and Budget (OMB) (Stockman, 1981).

The intent of OIRA was to provide presidential oversight of the regulatory process. President Reagan wanted to ensure that when new procedures or policies are passed, they are passed within sound reason (Stockman, 1981). The passing of this executive order is fundamental in the development of further regulations. The regulatory oversight process in the United States now operates according to Executive Order 12866, which was issued by former President Bill Clinton on September 30, 1993. The changes that Clinton made to this executive order were to heighten the community's ability to access the regulation process, and to require that only the benefits of the suggested plan must validate, not offset the expenses, which was the message in Executive Order 12291. The change later made by Clinton made it easier to continue with a new regulation, regardless of whether the benefits do not outweigh the expenses. Ultimately, the passing of this executive order led to the present regulation, but much of the same characteristics proposed by Reagan remain intact in Executive Order 12866.

Executive Order 12291 also entails information on regulatory oversight. According to Casey (2014), over the past 40 years or so, each president has called for a plan for oversight before institutions' principles are published in the *Federal Register*. Three of these presidents included President Richard Nixon, President Gerald Ford, and President Jimmy Carter. In 1971, President Nixon made it mandatory for institutions to

explain their plans for oversight, an explanation of the substitute plans they deliberated, and the expenses of the substitute plans (Casey, 2014). In 1974, President Ford made it mandatory for institutions to write an inflation impact statement for each proposed law (Casey, 2014). Next, in 1978, President Carter made it mandatory for institutions to present plans for oversight that investigated the expenses associated with the substitute oversight strategies used for major laws (Casey, 2014). The cost-benefit analysis mandates in the decision-making process, in the present day, are rooted in Executive Order 12291.

Officials were forced to consider a change to Executive Order 11291 following the Economic Recovery Act of 1981, which was revised in 1986. Williams (1981) reported the New York State Assembly followed federal guidelines in implementing tax reductions to small businesses. This also enforced the executive branch institutions required by the White House to consider whether the benefits outweighed the costs of proposed legislations, as included in the Executive Order 11291 (Carter et al., 2000). This forced executives to take into account the potential benefits, risks, and losses to implementing a certain change. The administration aimed to aid businesses through the Accelerated Cost Recovery System (ACRS), which supports significantly raising the degree to which wealth assets lose their value, loosening the investment tax credit, and streamlining de-valuation processes. The ACRS was similar to the 10-5-3 proposal supported by Representatives Jones and Conable previously. The ACRS would be effective January 1, 1981, and components of its provisions would be planned to be completed over a five-year period. According to the executive order, the ACRS was designed to lower the fiscal year 1981 corporate tax receipts by \$2.5 billion; a figure that

was incredibly light compared to the total amount involved. As the process began, costs reached \$9.7 billion in fiscal year 1982, and soared to almost \$60 billion in fiscal year 1986 (Williams, 1981, p. B00002). The budget reduction may be interpreted as President Reagan trying to encourage the unemployed to search for work.

The Administration wants to reduce direct lending by the Farmers Home Administration by 5% in the last half of 1981 and by 25% in 1982. The program now offers loans and loan guarantees at interest below the market rate to a wide variety of private, credit-worthy borrowers. The Administration plan would reduce lending by \$2.4 billion in 1982. Regional Development: The Administration wants to end the Economic Development Administration and the Regional Development Commissions of the Commerce Department and the non-highway programs of the Appalachian Regional Commission. The development administration makes grants to local authorities to create jobs. But the President says that the grants have had little influence on local economic development and that the regional commissions duplicate activities of states and localities. The cuts would save more than \$5 billion over the next four to five years (New York Times, 1981, Feb. 22, p. 26).

In addition to leaving the decision for investment as small and large business orders found necessary, encouraging people to find employment helped create more jobs during the Reagan administration. As such, executive order 12291 may have been rooted in the reliance on private firms to boost the economy. A 1981 *New York Times* article reported:

A group of advisers to President Reagan is urging an overhaul of the Securities

and Exchange Commission through cuts in its budget, staff, enforcement activities and regulation of the financial community. A pre-inaugural report prepared by a Reagan transition team recommended that the independent Federal agency's main thrust be redirected from enforcing securities laws and regulating businesses to encouraging increased private investment. The proposals in the report parallel President Reagan's own call for reduced Federal regulation of private business. Because the commission is an independent agency, many of the changes proposed by the transition team can be implemented only by Congress or the commission itself. The report said the S.E.C.'s staff and budget could be cut 30% over three years, mainly by cutting back regulatory activity. For 1981, the agency has a budget of \$77 million and 2,100 employees. The report urges that the Reagan Administration encourage "the elimination of unnecessary regulatory impediments to capital formation." The transition team was headed by Dr. Roger W. Spencer, dean of the School of Business at Trinity University in San Antonio (New York Times, 1981, Jan. 23, p. 10).

President Reagan was laser-focused on making the moves and policy changes necessary to improve the U.S. economy, which was in poor shape (Jacob, 1985). Reagan's plan for economic reform became known as President Reagan's Program for Economic Recovery (Carter et al., 2000). At the time of Reagan's presidency, there were eight million Americans who were unemployed, the national interest rate had risen to 20%, and the national debt reached \$1 trillion, though Americans were being paid smaller salaries than ever before (Jacob, 1985). Reagan wanted to provide the economy with the opportunity to grow. To do so, he chose to lower inflation, reduce taxes, decrease

regulation, and lower governmental oversight (Carter et al., 2000). Reagan wanted to hand over some of the control back to the private sector and the business owners, rather than maintain most of the power (Carter et al., 2000). Understandably, Reagan believed the economic problems being faced in the U.S. were because of the governments over activity or over involvement (Carter et al., 2000). When Reagan came into presidency, his efforts were not immediately successful, though they grew to become successful during his second presidential term (Jacob, 1985). Reagan cut taxes nationwide by 25%, which proved a major relief for both the individual taxpayer and the business owner (Carter et al., 2000). Hence, Reagan focused much of his efforts on reforming and improving the economy, and many of his actions as a leader stems back to Executive Order 12291 (Jacob, 1985)

President Barack Obama and the economy.

President Obama was also interested in boosting the economy to advance businesses in the United States. However, President Obama was looking to do an entire refresh and restructure of the economy impacted by recession in 2008. To help Americans recover, he looked to help those who were hit hardest by the recession (Obama Whitehouse Archives, n.d.). To recover stability in the economy, Obama established a “stress test” for the country’s largest banks to ensure they were capable of remaining afloat if another recession were to occur; an effort that resulted in the banks raising \$66 billion (Obama Whitehouse Archives, n.d.). He helped recover the housing market and helped the automobile industry, which included preventing Chrysler and General Motors from claiming bankruptcy; this latter fact permitted businesses in the auto market to grow with such demand that it created more than 700,000 new jobs for

Americans (Obama Whitehouse Archives, n.d.). Obama helped to reestablish certain practices on Wall Street, such as establishing the Consumer Financial Protection Bureau to hold banks and other financial companies or organizations responsible and safeguard customers from the institutions' overexertion of power, which contributed to the recession (Obama Whitehouse Archives, n.d.). Obama also lowered the federal income tax rate for middle-class Americans to the lowest they have been since the 1950s (Obama Whitehouse Archives, n.d.).

Executive Order 13658 was part of President Obama's plan to improve conditions for workers. On February 12, 2014, he established a national minimum wage of \$10.10 for contractors (Federal Register, 2014). Certainly, this would only have been the federal minimum wage, with states permitted to enforce their own higher minimum wage requirements if warranted. The justification behind Obama's support of the wage increase was justified in the executive order as salary increases result in higher employee satisfaction, which lowers the rate of turnover and related costs associated with recruiting new, qualified workers, and lowers managerial costs (Federal Register, 2014). This executive order essentially became the bill for the Minimum Wage Fairness Act, which would amend the Fair Labor Standards Act of 1938. Although the minimum wage would increase as a result of this act, appealing to the needs and preferences of workers, businesses would also benefit by replacing workers who were unsatisfied with their role or the company. However, this bill was not approved, and some critics claimed the executive order may have contributed to business struggles.

Executive Order 13658 was not approved by all. Perman (2014) claimed that heightened wages would hurt small business because it would lead to a major layoff.

Nonetheless Perman (2014) also argued there are small businesses with owners who support wage increases for workers, because it leads to lower turnover. The money salvaged from having lower costs associated with locating and recruiting new, skilled workers to fill vacant positions, as stated, would recycle back into the local economy (Perman, 2014). Bradley (2017) also discussed four reasons supporting the argument against the minimum wage increase. It was believed that raising the minimum wage would increase unemployment, rather than reduce it, specifically in terms of businesses seeking more skilled workers instead of hiring youth or unexperienced workers, or businesses would simply cut their workers' hours to compensate for the higher costs (Bradley, 2017). It was believed the increase would not reduce poverty because it was not created to specifically target low-income households (Bradley, 2017). Because businesses would need to compensate for the higher costs, prices would likely increase for consumer goods or services as well (Bradley, 2017). Finally, it was also believed the increase would reduce profits, which is directly because more funds would be needed for the employees, and therefore taken from the business (Bradley, 2017).

Aside from arguing for a higher minimum wage, President Obama pursued other avenues as well. He passed several executive orders that were aimed at cybersecurity and protecting the people's personal information and identities by establishing the Federal Privacy Council (Executive Order 13718 and Executive Order 13719, respectively). He also signed Executive Order 13725, Steps to Increase Competition and Better Inform Consumers and Workers to Support Continued Growth of the American Economy. This executive order made it known that to be competitive and achieve success should not require businesses to negotiate value or customer service. It was an unspoken contract

under the Department of Justice and the Federal Trade Commission to remaining competitive in the marketplace by providing customers with the information they need, while they need it, with the expectation for quality service and innovation.

Both President Reagan and President Obama had distinctive strategies to promote the economy during periods of divided government. President Reagan remained an advocate of American conservatism, while President Obama advocated for workers' rights. President Reagan advocated ideologies such as individualism, free market, and free trade to help boost the economy, while President Obama advocated ideologies involving equality and social justice. President Reagan was focused more on rebuilding the economy as a whole, while President Obama looked to rebuild the economy by helping each individual to rebuild his or own lives, particularly for the middle class and those most affected by the recession. The presidents' objectives were near-opposite, but both aimed at reforming, or fixing, operations they believed were flawed.

The role of advocacy in issuing executive orders.

The second theme emphasized the role of the presidential advocacy when issuing executive orders. Specifically in issuing Executive Orders 12291, 12333, and 12356, President Reagan sought to protect the United States, with a focus on strengthening the economy and national security. Reagan used a unilateral strategy to increase the power of the intelligence community and to withhold information for national security reasons. President Obama issued Executive Orders 13624, 13658, and 13691, emphasizing the protection of workers' rights, with a specific focus on boosting the middle class. In addition, President Obama encouraged environmental policies for sustainable

development. See Table 3 for a summary of the executive orders chosen for this study and the themes present in each.

Table 3

Executive Orders of Reagan and Obama : Thematic Analysis

President	Executive Order	Themes
Reagan	EO 12291 Federal Regulation <ul style="list-style-type: none"> Required administrative bodies to conduct a cost-benefit assessment for all important policies and consolidated the oversight assessment process by having the Office of Management and Budget review all organizational policies. 	Role of advocacy
	EO 12333 Strengthened Management of the Intelligence Community <ul style="list-style-type: none"> The director of national intelligence now headed the intelligence community, not the Central Intelligence Agency 	Different strategies to boost the economy
	EO 12356 National Security Information <ul style="list-style-type: none"> The creation of a single system for organizing, releasing, and protecting information about national security 	Different strategies to boost the economy
Obama	EO 13624 Accelerating Investment in Industrial Energy Efficiency <ul style="list-style-type: none"> To protect the American industrial sector by investing in factories that are eco-friendly and pull from renewable energy sources, 	Role of advocacy
	EO 13658 Establishing a Minimum Wage for Contractors <ul style="list-style-type: none"> Increasing the national minimum wage to \$10.10 	Different strategies to boost the economy
	EO 13691 Promoting Private Sector Cybersecurity Information Sharing <ul style="list-style-type: none"> To improve companies' ability to exchange information about cyber threats 	Different strategies to boost the economy

President Obama was a proponent of protecting the environment in the fight against global warming. According to the Executive Office of the President (2013), President Obama created a plan to lower the amount of carbon dioxide emissions, which is the type of pollution that causes climate change and can be damaging to physical health. This plan formally became the Climate Action Plan (CAP) (Executive Order, 2013). Porter (2012) wrote about Obama's perception of the significance of the battle against global warming:

The president proudly announced energy-efficiency standards negotiated with the nation's carmakers, which will have to nearly double the average fuel economy of cars and light trucks sold, hitting 54.5 miles a gallon in 2025. "It'll strengthen our nation's energy security, it's good for middle class families and it will help create an economy built to last," he said in an official statement (Porter, 2012, p. B1).

Moreover, President Obama's advocacy for workers' rights was the focus of Executive Order 13658. This executive order called for the minimum wage to be \$10.10 per hour, and for tipped employees, which pertained to employees who earned \$30 or more per month in tips, the minimum wage was to be raised to \$4.90 (Federal Register, 2013). Upholding the principle of social justice, Obama was intending to invest in workers—the working middle class—to boost the economy. Schwartz (2014) describes a company with operations that would be supported by President Obama. Unlike much of its competition, QuikTrip, a convenience store company and gas station, intentionally hires more employees than needed to ensure that employees who are ill, on vacation, or who are dealing with emergencies, are able to take off the time they need from work (Schwartz, 2014). In turn, the employees are more satisfied, which translates into better

customer service (Schwartz, 2014). The significance of keeping employees satisfied was conducted of a retailer with 500 stores. The results indicated that for every \$1 devoted to the employees' wages translated into an increase in sales from \$4-\$28 (Schwartz, 2014). Schwartz (2014) also included a personal opinion about the compensation structure, stating that it would be ethically abhorrent not to pay employees a salary that allows them to live comfortably. Schwartz (2014) provided personal perspective about the topic:

For my money, it's morally repellent to pay honest and hardworking full-time workers less than they need to live. What Ms. Ton makes so persuasively clear is that it's also a shortsighted business practice. (Schwartz, 2014, par. 13)

President Reagan, with the issuance of Executive Order 12356, aimed for enhanced national security through providing government officials with "broader authority to withhold information from the public." Raines (1982) wrote:

He [Reagan] said the new order achieved the "proper balance" between the public's right to information and the Government's security needs. "It is essential," he said, "for our citizens to be informed about their government's activities, but it is also essential to protect certain sensitive information when disclosure could harm the security of all our citizens."

The order expressly—and properly—prohibits use of classification to hide violations of law, inefficiency or administrative error, to prevent embarrassment to a person, organization or agency, to restrain competition or to prevent or delay the public release of information that does not require national security protection. (Raines, 1982, p. 1001001)

In addition, an excerpt from the article “*C.I.A. Changes Spy Operations to Add Security*” (New York Times, 1982, p. 1) about EO 12333 noted:

United States intelligence-gathering activities are increasingly being conducted under the cover of private commercial organizations rather than diplomatic missions, according to senior intelligence officials.

The officials said the change was made to tighten security after the loss of sensitive documents when the United States Embassy in Teheran was seized in 1979, Secret Contacts Disclosed. (*New York Times* 1982, Feb, 2, p. A00001)

Presidents Reagan and Obama used executive orders as a unilateral strategy under a divided government to push policies and manage the federal government.

Republicanism and conservatism may be consistently seen in President Reagan’s executive orders, with priorities on increasing national security and individualism.

President Obama’s executive orders tended to promote social justice advocating workers’ rights and environmental policies.

Summary

President Reagan and President Obama may have shared similar goals of encouraging economic growth, but the presidents differed in their use of domestic and economic executive orders as a unilateral strategy under divided government. The differences in strategies may be seen in the orders they issued. President Reagan emphasized American conservatism and movement towards a smaller government. Executive Order 12291 sought to reduce the regulatory burden on businesses. In Executive Orders 12333 and 12356, President Reagan also sought to strengthen the economy. During the Obama administration, economic recession was avoided through

tax increases on high-income businesses, maintaining principles such as social justice. With Executive Orders 13624 and 13658, Obama advocated for social justice through the fight against global warming and decreasing income inequality. The Obama administration then created more jobs and encouraged spending to stimulate the economy (Porter, 2012; Schwartz, 2014).

As stated, both presidents focused much of their efforts, though using different strategies. President Reagan appealed to the needs of the overall economy, by focusing on making top-down changes to the structure of the market. President Obama focused on the individual lives of those who were affected most by the recession, mainly lower-income and middle-class Americans, and appealed to social and environmental needs by making motions toward eco-consciousness and environmental awareness. Both presidents' strategies shared the theme of improving the economy, but they differed in their areas of focus, as exhibited by their executive orders, in order to achieve their goals. Chapter 5 discusses implications of this study.

Chapter 5: Discussion

This chapter summarizes and interprets the findings, discusses the study's implications and its limitations, and makes recommendations for future research. The findings showed that, although President Reagan and President Obama may have shared similar goals for promoting economic growth, they differed in their use of domestic and economic executive orders. President Reagan favored smaller government, which entailed less oversight and less of a governmental role, believing that government caused problems, rather than resolved them. President Obama favored policies that targeted workers' rights and the environment. These differences likely reflected fundamental differences between the two presidents and their presidential platforms. These differences also reflected issues of heightened importance outside of economics, like the push toward eco-friendlier processes and raising awareness of global warming. Their executive orders demonstrated public policy choices supported by their parties.

Interpretation of Findings

The findings of this study indicated that President Ronald Reagan and President Barack Obama used executive orders as strategies to boost the economy albeit in different ways. This finding is inconsistent with my initial hypothesis that the Democratic president would be more likely to use executive orders to circumvent an opposition party Congress than the Republican president.

Executive orders are the most common of the unilateral powers of the executive (Peters & Woolley, 2015). Comparing the number of times Reagan and Obama issued executive orders, it is apparent that President Reagan issued more executive orders more than President Obama did. Moreover, both presidents used executive orders more often in

their first terms than during their second terms. The two themes that emerged from the sampled executive orders were different strategies to boost the economy and the role of advocacy in issuing executive orders. It is important to note that the findings of this study are drawn from a very small sample of executive orders; further exploration is necessary in order to reach more definitive conclusions.

Theme 1: Different strategies to boost the economy.

In the small sample examined, President Reagan issued more executive orders to maintain fundamental values than President Obama did, which may imply that it was President Reagan, a Republican, who was readier to issue an executive order when confronted with potential opposition from a divided Congress. An example of this was President Reagan's effort to promote and maintain American traditions rather than social justice issues. With Executive Order 12291, President Reagan sought to limit support for existing and future regulations.

There are different ways to categorize executive orders. Beyond categorizing executive orders in terms of fundamental values, Warber (2006) categorized executive orders as symbolic, routine, or major policy directives. Symbolic orders are ceremonial like the president awarding a new medal to soldiers in the armed forces or creating certified seals for newly-created federal departments or agencies. These orders diverged from other forms of executive orders because they are not controversial; nor would they be expected to receive much, if any, disapproval from legislators or the news media. In other words, these are the forms of executive orders less likely to be challenged by other politicians to avoid burning unnecessary political capital (Warber, 2006). "Routine" executive orders either tend to fulfill just administrative, clerical, or housekeeping

functions in the executive branch, or allow presidents to execute existing federal statutes (Warber, 2018). Routine executive orders neither produce new policies, nor depart from already established public policies.

Major policy directives.

Conversely, there are what Warber (2006) described as major policy directives. An example is Executive Order 12291 signed by President Reagan on February 17, 1981:

To reduce the burdens of existing and future regulations, increase agency accountability for regulatory actions, provide for presidential oversight of the regulatory process, minimize duplication and conflict of regulations, and insure well-reasoned regulations (Executive Order 12291, 1981).

Not only did the President seek to reduce spending, but he also sought to lower taxes. According to Ballotpedia (n.d.) and Scalia, Miller, and Weidenbaum (1981), the reductions were designed to eradicate a large portion of the financial, monitoring, and paperwork requirements placed on small businesses by New York State and federal regulations, as well as to bring new investments into New York. The legislative package provided \$38 million in federal tax relief for that year (Scalia et al., 1981).

President Obama issued a similar order, Executive Order 13658, which established a minimum wage for contractors. Warber (2006) likely would also classify this as a major policy order. According to Warber, there was opposition to and criticism of Obama's executive order. According to Perman (2014), small businesses suffered from the increased wages, resulting in having to lay off employees. Although this was the case, Perman also acknowledged that some small-business owners supported the policy.

Perman (2014) explained that businesses might actually benefit from contributing higher wages because of lower turnover and the added money that went into local economies.

Theme 2: Role of advocacy.

In addition to different presidential strategies to boost the economy, the findings here revealed some executive orders took on more of an advocacy role (Perman, 2014). From the time Obama was a candidate, he promised he would attack the agendas of lobbyists in Washington:

I intend to tell the corporate lobbyists that their days of setting the agenda in Washington are over, that they had not funded my campaigns, and from my first day as president, I will launch the most sweeping ethics reform in U.S. history. We will make government more open, more accountable and more responsive to the problems of the American people NHPR. (2008, p. 92)

This sentiment is consistent with Obama's advocacy-focused Executive Orders 13624, 13658 and 13691, which focused on worker and economic rights and on the middle class. His policies also focused on environmental issues. One example was Executive Order 13624, where Obama advocated increased energy-efficiency standards (Porter, 2012). According to Porter, the president promised through the order that new standards would increase vehicle fuel economy to 54.5 miles a gallon by 2025.

In Executive Order 13658, Obama advocated for social justice aimed at workers, middle class and boosting the economy (Porter 2012). President Reagan, on the other hand, mostly used executive orders for different types of issues. Executive Order 12356, for example, emphasized improving national security by authorizing wider ability to suppress information from the public (Raines, 1982). It shaped domestic policy by setting

standards under which information could be kept confidential from the public (Winkenweder, 2017). This aligns with what Young (2013) described as presidents being more likely to issue executive orders for matters of national security. Rudalevige (2012) examined executive orders by various presidents including Reagan, finding that presidents tend to use executive orders to respond to unfulfilled needs created by the action or inaction of Congress. According to Raines (1982), Reagan's order was designed to achieve what the president considered the proper balance between the public's right to information and security of the government. This focus on security also can be seen in Reagan's Executive Order 12333, where language on security related to the data collection abilities of U.S. intelligence agencies. Executive Order 12333 also had substantive import for domestic policy as it expanded the ability of U.S. intelligence agencies to gather data from U.S. citizens and therefore had the capacity to impact American civil rights.

The findings of this research suggests that both presidents used executive orders as a unilateral strategy to influence policy when a House or Senate controlled by the opposition party would have been unlikely to pass legislation addressing similar issues. Further research is needed, of course, because only three executive orders were explored for each president. Republican Reagan tended to prioritize national security and individualism, while Democrat Obama focused on social justice and the environment (Young, 2013). In the six instances discussed in this research, the presidents' purposes for using executive orders diverged, partly due to ideology. A similarity between the presidents' use of executive orders also happened to be utilized but also because of

tendencies to use an executive order when Congress prevented the likely passage of similar legislation.

Implications

At the outset of the study, I expected Democrats to be more likely than Republicans to use executive orders to circumvent an uncooperative Congress. I also expected the findings would support a relatively common belief that Democratic presidents assert authority more often than their Republican counterparts do. The research did not confirm this; it revealed presidents of both parties issued executive orders under divided government. The findings overall revealed these two presidents both asserted authority during divided government but for different reasons. This suggested Democrats were not more likely to issue executive orders than Republicans were, but used them to pursue different objectives.

The guiding purpose of the analysis was to explore whether Democrats were more likely than Republicans to use the executive order as a unilateral strategy to pursue domestic/economic policy objectives during times of divided government. The research showed presidents from both parties issued orders as a unilateral strategy during divided government pursuing two dominant themes: boosting the economy and advocating particular positions. The overarching implication of the study is that neither Democratic nor Republican presidents assert more power than the other under divided government. In the examples analyzed, they did it differently and for different purposes and agendas. President Reagan did it more often for national security and budgetary purposes, while President Obama employed executive orders more often for human rights and social

justice. Both used executive orders to advance their policy agendas as most presidency scholars (e.g., Moe & Howell, 1999; Neustadt, 1990) have long maintained.

Limitations of the Study

This study was limited by a number of factors deriving from the assumption stated in the first chapter—that Democrats may be more likely to favor domestic intervention by the federal government than Republicans due to the Republican goal of favoring smaller government. This study reviewed selected executive orders from two presidents, Ronald Reagan and Barack Obama. The research was guided by the unsupported notion that Democratic President Obama would use executive orders as a unilateral strategy during times of divided government more frequently than Republican President Reagan. Having only two presidents was a limitation of the study. Had it been shown that Obama utilized the EO as a unilateral strategy more often than Reagan, it would have still been difficult to make the case that Democratic presidents in general assert their power unilaterally more often than their Republican counterparts.

Another limitation was the lack of existing research with this particular focus. As the literature review discussed, many analysts have examined executive orders. However, presidents can issue many types of executive orders, making it a challenge to distinguish the focus of this study without further exploration.

A final limitation was the complicated nature of the topic, reflecting various factors that influence whether an EO met the criteria of the study. Factors such as political context, world events, and administrative concerns among others influence whether an order can be deemed as unilateral in nature. This was a limitation because it

includes human perception. How one individual views an action can differ from another individual depending on agenda, party affiliation, and a host of other factors.

Another limitation of the study was its reliance on presidents' words to determine their intent. Using a speech and comments from a president just before and just after the EO was issued is a strategy to interpret the intentions or purposes of the president. Yet presidential comments that others deemed to be too strong or overly combative could motivate those opposed to the action to challenge the order Congress, the federal courts or among the public.

Recommendations for Future Research

As the country has evolved and become increasingly diverse and ideologically polarized, presidents may have become more likely to promote the agenda of their parties through the use of the executive order. Yet, relatively little research has specifically highlighted such a use of the executive order and other unilateral powers of presidents. It may prove useful to explore this further. This might help ensure that the American people are placed at the forefront of such decisions.

Future research should use rigorous research methods to validate and build upon the results of this investigation. Forthcoming researchers might consider the following questions:

- What ways do the executive orders positively or negatively influence individuals?
- What are the unintended consequences of executive orders being used as a unilateral strategy rather than working on legislation with Congress?
- What is “appropriate” use of executive orders?

- How do executive orders benefit the American people?
- What executive orders in U.S. history have had the most significant effects?

The aim of this research was to determine if two presidents of different parties diverged in their use of the executive orders as a unilateral strategy. I compared executive orders on subjects for which each president was an advocate. Numerous questions remain about presidential use of executive orders. The results indicated that one Democratic president (Obama) tended to use executive orders as a strategy to advance human rights and social justice concerns; a Republican president (Reagan) tended to use them to advance national security and budget concerns. Future research might explore whether this study's findings are supported under other presidents and other executive orders, using the same criteria, and a longer period.

Conclusion

As the introduction mentioned, a goal of this research was to examine the hypothesized association between presidential party and use of executive orders under divided government. Other researchers have suggested, for example, that contemporary Democrats were more likely than post-Nixon Republicans to embrace a Keynesian approach to economic recovery (Leuchtenburg, 1963; Ciment, 2007). Such an approach, they suggested, encouraged government intervention as a way to alleviate economic problems using fiscal tools, often in the form of deficit spending. Reagan viewed government as a problem while identifying people as the source of solutions and believed that the size and scope of the federal government should be reduced (U.S. Senate, 1981). Obama, however, called for people to rely more on government for well-being (Obama, 2007). Government, in this view, was a source of solutions for problems ranging from

economic difficulties to gun violence (Bradner & Krieg, 2016). From this, I inferred that Democrats were more likely to favor domestic/economic intervention by the federal government than Republicans were. However, the research findings showed that, while both presidents had different agendas and took different approaches, they were as likely to use the executive order as a unilateral strategy under divided government.

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