WHEN DEMOCRACIES MAKE WAR: COMPARING DEMOCRATIC
INSTITUTITONS IN THEIR WAR-MAKING ABILITIES

by

Charles M. Turner
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Committee:

_____   Ahsan Butt

_____   Mariely Lopez-Santana

_____   Matthew Scherer

_____   Ming Wan, Program Director

_____   Mark J. Rozell, Dean

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                                             George Mason University
                                             Fairfax, VA

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By

Charles M. Turner
Bachelor of Arts
Virginia Commonwealth University, 2011

Director: Ahsan Butt, Assistant Professor
Department of Political Science

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Fairfax, VA

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Abstract

WHEN DEMOCRACIES MAKE WAR: COMPARING DEMOCRATIC
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Charles M. Turner, M.A.

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Thesis Direction: Dr. Ahsan Butt

My thesis explores the relationship between democracy and peace by studying

domestic institutions and their ability to constrain executives determined to

engage in war. In particular, I distinguish between structural institutions such as

executive accountability, cabinet composition, and party system, and unique

war powers granted to parliaments. Comparing Italy, Denmark, Portugal, and

the Republic of Korea in their commitment to the invasion of Iraq in 2003, I

argue that institutions are capable of reducing the commitment to war or

preventing an executive from going to war altogether. Dual executive

structures, coalition cabinets, and parliamentary voting rights on deployments

are the most powerful constraints in these cases. These examples of constraint

tell much about the ability of parliamentary opposition to affect government

policy and challenge executives in the realm of foreign affairs.

More Democracy, More Peace?

Democracy and peace have long been synonymous in the political rhetoric of our nation. Democracy was seen as the foundation that was meant to bring stability after both World Wars and served as the mechanism for such international organizations as the League of Nations and the United Nations. In the final years of the Cold War, President Ronald Reagan envisioned "the permanent prevention of war and the establishment of conditions of freedom and democracy" (Reagan 1982). Following the fall of Baghdad in 2003, President George W. Bush reiterated the relationship between democracy and peace when he said, "Democracy and the hope and progress it brings are the alternative to instability and to hatred and terror. Lasting peace is gained as justice and democracy advance" (Encarnacion 2006).

The tragic irony of President Bush's statement is that it came only after a coalition of democratic nations had invaded and toppled a non-belligerent regime. This begs the question; what is the relationship between democracy and peace? Though empirical data have shown that democracies have never engaged in interstate conflict with one another (Levy 1988; Maoz and Abdolali 1989), the data are less supportive of the idea that democracies are less conflict prone overall. It certainly seems that some democracies are better at avoiding conflict than others. Since the end of World War II, the United States has engaged in dozens of armed conflicts all across the globe, whereas other democratic

countries such as Switzerland and Italy have experienced markedly less conflict. The theories regarding international conflict are boundless; however, recent literature on democratic peace has pointed to domestic institutions as a possible explanation for the varied experiences of war with regards to democratic nations.

Democratic peace theorists argue that authoritarian regimes are more prone to conflict because of the singular nature of leadership and the absence of checks and balances (Rousseau 2005). Though democracies attempt to diffuse power to separate governing bodies, executives in different types of systems hold varying amounts of power over their legislative and judicial counterparts. To a certain extent, a strong executive can act unilaterally and therefore theoretically narrow the disparity between democracies and dictatorships. For instance, The George W. Bush administration was criticized for executive overreach after the September 11th terrorist attacks and the implementation of the US Patriot Act (Howell 2003).

The degree of executive power over the use of force is something of a dilemma for the democratic ideal. The realm of foreign policy and war is of significant consequence to a state's well-being, yet it often rests solely in the hands of the executive (Elman 2000). With citizens represented in a legislature that practices less control over foreign policy and war, the use of military force is not open to the same avenues of democratic representation. However, certain institutional arrangements may open those channels of representation and constrain executives in their use of military force, thus leading to a lesser frequency of conflict. By focusing on the relative power of executives and legislatures and the extent of representation, this research project is an inquiry into those institutional arrangements to

determine if certain types of democracies are capable of promoting the peace for which they are often extolled.

In this paper, I argue that the nature and arrangement of formal institutions impacts the ability for an executive to wage war. Systems that allow a greater proportion of political actors to contribute to policy creation and implementation will have greater constraints than those systems which are more exclusive. In particular, multi-party coalition governments in which the executive, or executives, are held accountable to the parliaments endowed with a set of budgetary, committee-forming, and voting powers will be the most constraining.

I begin with an overview of the democratic peace literature and highlight the development of a monadic peace theory which states that democracies are less conflict-prone in general and not simply in democratic dyads. Once the monadic peace research has been detailed, I then develop a theory of what institutions are the most important in capturing the executive-legislative divide: a term that describes the autonomy and relative power of the executive over the legislature. With a set of six variables, I then explore the relationship between formal institutions and the involvement of four democratic countries in the invasion of Iraq. Finally the implications of my research are presented alongside a potential roadmap for future research endeavors.

The Development of a Democratic Peace

Realist scholars initially downplayed the importance of regime-types and domestic structures and their effect on the international order. Domestic institutions were deemed insignificant in relation to such structural conditions as international anarchy, balance of power considerations, and the security dilemma (Mearsheimer 2001; Rose 1998; Waltz 1979). However, the predominance of realism was challenged on theoretical and empirical foundations starting in the 1980s. Michael Doyle (1986) served as the harbinger for the democratic peace theory that claimed democratic states were disinclined to engage in military conflict with each other. Though met with resistance from realist scholars, the roots of democratic peace theory began to take hold and produce intellectual fruit. Democratic peace would eventually overcome its critics and develop into a robust literature.

Many puzzles still remain within the realm of democratic peace, and methods of approaching the research play a significant role in contributing to future progress. Initially touted as one of the most robustly supported theories in political science, the dyadic research method of the democratic peace has lost much of its prominence because of an oversimplified understanding of democracy. The peace ascribed to democratic dyads is no longer explained simply by virtue of their shared self-governance; instead other variables, such as histories of alliance and economic partnership, have gained explanatory significance (Gartzke 2007; Russett and Oneal 2001; Schneider and Gleditsch 2010). However, little

research has been conducted regarding the diversity that exists within the range of domestic institutions (Dieterich, Hummel, and Marschall 2015).

A simplistic understanding of democracy does little to advance the theory of democratic peace. This is particularly true for the monadic argument; the theory that democracies are less conflict-prone than other systems of governance regardless of the countries with which they interact. Traversing this conceptual pitfall has been a problem for proponents of the monadic theory (Benoit 1996; MacMillan 2004). However, even with this simplistic conceptualization of democracy, proponents have contended that democracies still exhibit more conflict-inhibiting mechanisms that authoritarian regimes. Bueno de Mesquite et al. (1999), highlight several conclusions throughout the literature. These regularities include the conflictual nature between democracies and non-democratic states (Maoz and Abdolali, 1989; Bennett and Stam, 1998), the success of democracies both militarily and economically (Bennett and Stam, 1996; Reiter and Stam, 1998), and that varying levels of restraint exist in democratic states (Morgan and Campbell, 1991). Attempts at determining the cause of such regularities have spawned two explanations that comprise the current debate in democratic peace theory: the normative and institutional theories.

Normative theory claims that democracy socializes leaders in a way which promotes cooperation over confrontation and conflict. In regards to democratic peace, the domestic processes of negotiation enable democratic leaders to approach international politics with a similar attitude. When two democratic countries are at conflict, they share a similar set of values that decreases uncertainty and allows for peaceful resolution. Another claim of this theory is the relatively benign nature of democratic populations. The average citizen

understands the cost of war is mostly bore by the people, and therefore they act to restrain their leaders from engaging in conflict by holding them accountable at the polls (Morgan and Campbell, 1991).

The normative explanation has faced significant criticism from skeptics of democratic peace and institutional democratic peace theorists. Gowa (1995) argues that the normative explanation varies little from rationalist explanations of self-interest during the Cold War. Bueno de Mesquite et al. (1999) argue that normative explanations are not historically supported and because of the inductive nature of normative theory it becomes susceptible to circular reasoning. While normative explanations have been used in the dyadic argument of democratic peace, they hold less value to the monadic. Maoz and Russett (1993) admit that when facing an authoritarian adversary, democratic leaders may result to more aggressive maneuvers because the lack of a shared value system increases uncertainty, essentially eliminating the importance of democratic norms entirely.

The other side to the democratic peace debate has concentrated on institutional explanations. This line of work asserts that the institutional arrangements and mechanisms inherent within democratic governments contribute to the more peaceful nature of democracies. Perhaps the most common institution referred to is a legislative body conceived by popular vote in a land of universal suffrage, which represents the principles of accountability and transparency that distinguishes democracy from authoritarianism. Because of this accountability, democratic leaders must appeal to a majority of the populace if they or their party are to retain power. Therefore, leaders will be more inclined to provide dispersed benefits to the majority in the form of public goods rather than concentrated benefits to a

smaller class of elites. Because of these constraints, democratic leaders are only likely to engage in conflicts they are sure they can win, and once committed they will commit more resources to ensure success (Bueno de Mesquite et al. 1999). Not only does the institutional theory contribute to the monadic argument, it also explains the empirical regularities present in much of the democratic peace literature.

The first steps in searching for a monadic democratic peace exhibited the same methodological pitfall of referring to democracy as a monolith, though recent research has started 'unpacking democracy' (Elman 2000) and studying the variations within different democratic systems Morgan and Campbell (1991) were perhaps the first to discern that particular characteristics within different democracies constrained executives to varying degrees. However, the greatest progress was made at the turn of the 21st century. Auerswald (1999) hypothesized that executives had greater leverage in foreign policy in majoritarian systems than coalition systems. Reiter and Tillman (2002) demonstrated the role of election cycles, intraparty conflict, and the role of the legislature in security policy.

The dichotomous conceptualization of regimes soon gave way to a more specific typology of democracies. For instance, Elman (2000) further divided parliamentary systems into Westminster and coalitional models and was able to derive significance in that typology by showing how different societal groups achieved access to policy-making realms. Clark and Nordstrom (2005) used statistical analysis to challenge this typology and argued that little else could be discerned from that type of categorization. The intra-democratic typology was further dismissed with the shift in focus to research on particular formal war powers, which

differ significantly across states (Dieterich, Hummel, and Marschall 2015; Peters and Wagner 2013).

Transitioning from the use of broad typologies to more specific institutional features is certainly progress, though much work remains to be done. Reliance upon statistical modeling has provided the evidence that trends exist; however, qualitative studies, often neglected until recently, can add the depth necessary to highlight the mechanisms that provide the explanatory power necessary to progress the democratic peace paradigm. This process requires engaging with comparative parliamentary studies that has been previously neglected and examining relative indicators within each democratic state rather than across broad categories designed to include states with vague similarities.

My research attempts to utilize the depth of comparative institutional literature to determine if domestic structures are capable of constraining executives from initiating war. These institutions include executive accountability, cabinet composition, party systems, and a set of unique constitutional war powers. These institutions are impactful regardless of the adversarial country a given democracy is facing, adding strength to the monadic argument that democracies are less conflict-prone overall.

Conceptualizing the Executive-Legislative Divide

Comparative literature has shown that differentiating between types of democracies is not without merits. Research comparing presidential and parliamentary systems is vast, and a significant degree of difference is obvious from studying the constitutional nature and institutional structure of the two respective systems. These differences can have profound effects on policy outcomes, including foreign and security policy. From these basic institutional variations, it becomes evident that research beyond the simple democratic feature of elections is necessary to understand the nuances of how public preference is translated into government policy.

Sources of Executive Accountability

Juan J. Linz argues that "the most important difference among democratic regimes concerns the generation and accountability of executive authority (1994, p. x). Theoretically, the consequences of this distinction should be significant. Executive authority in parliamentary systems derives from and is dependent upon the confidence of the parliament itself. In parliamentary systems built upon proportionally representative electoral rules, the executive and the cabinet are often chosen from a coalition of parties that fail to garner a majority of votes individually and therefore, according to Lijphart (2012), work more towards consensus than from a state of competition. Conversely, executive authority in

presidential systems is derived from the direct election of an executive that has complete control over the composition of the cabinet, is usually endowed with greater constitutional powers, and remains in office for a fixed term, except in the rare case of impeachment.

The principle of executive accountability is the defining characteristic that differentiates presidential and parliamentary systems. In parliamentary systems, the parliament is the single democratically legitimate institution that forms the government, maintains the executive through support, and disbands the government when deemed necessary. However, in a presidential system, both the legislature and the executive enjoy their own democratic legitimacy independent of one another. Linz (1994) argues that this system of dual legitimacy often creates a government of political disharmony with the executive representing one party or ideology and the legislature representing another. The dual legitimacy dilemma can be problematic when trying to discern which political party represents the public's view on security policy. As a result, legislative deadlock is common and both branches are left competing for greater assertion of power, contributing to the growing power of the executive. This is very apparent when studying the wave of executive action following the terrorist attacks of September 11th, 2001. With little action on the part of the US Congress, President George W. Bush was able to create an entirely new department within the government, authorize bombardment of another sovereign nation, and within a year the displacement of the Taliban regime. Whether Congress was intentionally reluctant to act is irrelevant considering the President was able to act without any formal directive at all (Howell 2003).

Another characteristic that differentiates presidential and parliamentary democracies is the ability of transitioning from one executive to another. Parliamentary systems make the process of executive transition easier, whereas presidents are set in office for a fixed period of time and typically that time is not shortened or extended. Each regime type has its proponents, with presidential supporters arguing for greater executive stability and consistency and parliamentary supporters citing the ease in which incompetent or unpopular executives can be replaced. In regards to democratic peace, a parliamentary system is more constraining on the executive because the threat of losing parliamentary confidence is ever-present, whereas a president can continue with their term with little concern of legislative backlash.

Semi-presidential systems are a unique hybrid of presidential and parliamentary systems. Though variations exist in both theory and practice, the essence of a semi-presidential system rests in a dual executive government with a popularly-elected president and a parliamentary-appointed prime minister working together to propose and implement policy. The dual executive arrangement was initially criticized by Linz (1994) because of the potential for intra-executive conflicts that may tempt political actors to violate constitutional rules to resolve deadlock. With the presence of such conflict and the need to violate the constitution, democratic deterioration is inevitable and this can be particularly harmful for young and unstable democracies.

Others have argued that semi-presidential systems contain distinct advantages over other forms of democracy. Instead of creating a deadlock between the president and prime minister, Giovanni Sartori (1997) argues that semi-presidentialism solves the issue of

executive rigidity in presidential systems while also promoting cooperation that is otherwise missing in more majoritarian parliamentary systems such as the United Kingdom. The dual executive structure also allows for greater flexibility and adaptation in the face of ever-changing circumstances (Pasquino 2007).

Two types of semi-presidential systems have risen in practice. The premier-presidential model is characterized by a cabinet that is responsible to the parliament solely, whereas the president-parliamentary model is one in which the cabinet is responsible to both the parliament and the president (Shugart and Carey 1992). Scholars claim that the former model is more likely to succeed theoretically because it requires the president to cooperate with parliament in order to govern properly and parliament will seek to cooperate so as to prevent all blame of possible cabinet failures from being attributed to the parliament. In the latter model, the president and parliament are likely to dispute with whom blame should be credited when failure occurs (Elgie 2011). Empirically, the premier-presidential model has been more successful creating stability for younger democracies transitioning from authoritarian rule (Moestrup 2007).

The semi-presidential system can produce a broad range of disparity in power between the president and prime minister which may result in two semi-presidential countries having drastically different political outcomes. Much of this disparity lies in the constitutional framework particular to each nation. A great example is the comparison between Poland and Ukraine. Poland managed to create a collegial balance between the president and prime minister by strengthening the power of the cabinet, preventing the president from exerting his will and forcing policy. Conversely, Ukraine invested in the

president the power to dismiss the cabinet without review and transfer responsibility to the prime minister at will (Sydorchuk 2014). The possibility for such a disparity in the power of the president directly affects security policy. A president unchecked and able to disband political opponents in the cabinet at will should be more capable of using force if it is preferred.

In parliamentary democracies, and therefore the majority of modern democracies, the prime minister is not the sole executive authority. Contrary to presidential systems, parliamentary democracies place varied amounts of power in the cabinets that assist the prime minister in executing policy. Switzerland represents one end of the spectrum with the prime minister being equal in power to the other ministers, and Norway could represent the opposite end of that spectrum in which the President practices significant control over the cabinet (Laver and Shepsle 1994). Therefore, to move beyond democratic typologies we must consider the level of cabinet collegiality and its effect on security policy within each country.

Cabinet Composition

The cabinet often serves as the connection between the legislature and the executive and is commonly referred to simply as "the government." In many democratic countries the cabinet is created by and composed of legislators, and the cabinet in turn is responsible to the parliament. Lavir and Shepsle describe the relationship excellently: "In a very real sense, one of the main jobs of the legislature in a parliamentary democracy is to sit as a court passing continual judgment on the record of the executive and continuous sentence on its

future prospects" (1994, p. 3). This closeness represents a distinctive feature of parliamentary democracy, while simultaneously serving as a litmus test for the degree of executive dominance.

Cabinet composition is significantly affected by the number of parties present in a given democratic country (Lijphart 2012). The fewer the number of parties, the easier it is for a government to form representing a single ideology; conversely, a country with more parties is likely to produce a coalition in order to form a government. Therefore, the party system has tremendous effect on the government and the relative power of the executive in relation to the legislature. In theory, a government comprised of a single party, or relatively few, should face less constraints in pushing policy than a coalition that operates more through consensus.

Minimal winning coalition cabinets exhibit the greatest potential for strong executives that can push through their policy preferences. Minimal winning refers to a cabinet devised from a single party or numerous parties that constitute a majority of parliament yet with the least number of parties necessary to capture a majority. Nearly one-third of governments since 1945 have been minimal winning in Western Europe, with only one-tenth being single party majorities. Yet countries have had the opportunity to create minimal winning governments and declined (Lijphart 2012; Bale 2013). Perhaps with the possibility of eventually falling from the public's grace, parties seek to include others even when it is not necessary. Also, certain nations contain constitutional provisions that make opposition more impactful, and therefore including parties may decrease the level of opposition and open avenues for bargaining (Strom 1990).

The majority of European governments have comprised of coalition cabinets. Coalition governments are those that require numerous parties to align in order to secure a majority of the parliament to build a working cabinet. With a cabinet consisting of representatives from multiple parties, consensus becomes necessary for policy formation and implementation. Often cabinet members engage in debate to arrive at this consensus, which prevents policy initiation on the basis of a single politician. Sometimes, governments will even form oversized majority cabinets that include more parties than necessary to capture the majority of parliament. Adding additional parties introduces a greater variety of views regarding policy and more options to consider (Bale 2013; Lijphart 2012).

All of these considerations have the potential of affecting a country's foreign and security policies, with minority cabinets the most susceptible to legislative pressure by way of a confidence. Minimal-winning cabinets may come under pressure from a party within the coalition threatening to leave and result in the dissolution of the government. With cabinets serving only an advisory role in presidential democracies, a president faces little institutional constraint within the government if war is preferred to peace. This means a president is not concerned with the cabinet because it lacks any real power of constraint unless specifically written into law. In parliamentary democracies the situation is often different, though single-party cabinets provide the same ease of mobilization because the government will most likely be supported by its majority party in parliament. Because of the need for greater consensus in different policy arenas, a prime minister must convince cabinet members and the other parties within parliament of the wisdom of military deployment. In the time it takes to reach consensus, diplomatic measures may succeed and nullify a military resolution.

Unique War Powers

Many forms of executive constraint may result from particular constitutional and legal stipulations that conform to a common method though vary significantly across countries. However, it is important to look beyond specific legislature regarding military deployment that may be created on an ad-hoc basis and instead focus on the methods of constraint or legitimization of military use. The common methods of constraint observed in this study will include legislative budgetary powers, the ability for committee formation regarding military operations, and the extent to which a parliamentary vote is necessary for the use of force.

Budgetary constraints, sometimes referred to as the 'power of the purse,' refers to the ability of the legislature to control the money which is allocated to military forces and operations. Budgetary power could be impactful in that it gives the legislature the option of refusing to fund additional military resources to carry out operations that may be outside the purview of normal military operations. There are a number of ways this power may be practiced, from prior approval for entirely new military budgets to passive consent for additional funds progressively allocated over time.

Legislative committees are also a method of curtailing executive power in the realm of security policy. Committees can be tools that hold executives accountable to the legislature by providing information of military strategy and conduct. Committees may also serve as avenues for opposition to challenge the military policy of an executive. Legislative

constraint should be higher if committees are capable of being formed prior to military action. However, committees may be less effective if there are secrecy provisions in place that allows the executive to implement military policy absent of legislative oversight, often under the banner of homeland security.

Parliamentary voting rights on security issues can vary as well. Whether a vote against military action constitutes a blocking of executive authority or simply a showing of dissent has various implications for the policy implementation and responsibility for outcomes. It may also be important to consider if legislatures typically act upon the powers that may be legally granted to them, or if the legislature has a history of allowing executives to implement security policy unchecked.

The aforementioned war powers provisions are not linked to a particular democratic typology, and therefore we should expect more variation than the structural constraints. Also, unique war powers are likely to be craft in response to specific historical incidents and therefore are more specific in their scope of limiting executive power. If these provisions appear to be more constraining than institutional variations, we can conclude that the typologies are not sufficient in contributing to the democratic peace literature.

Building a Spectrum of Institutional Constraints

Crafting a spectrum of institutional constraints by further "unpacking" democratic subtypes and applying principles of war power restrictions will allow for a more nuanced comparison of democratic states and their war-making abilities. In this study, I have attempted to create a spectrum that divides each of the variables into five degrees of

constraint (see Table 1 below). Certain variables have been subdivided in an attempt to disentangle elements that often overlap but may produce different consequences depending on their degree; this will be the case as I include the number of political parties present in a given country, as well as the division of unique war powers into budgetary, committee formation, and parliamentary voting variables.

The greatest constraint in regards to executive accountability is when the executive is considered "an equal among equals," as is the case in Switzerland where the Prime Minister holds no substantial power over any other minister and must work towards consensus when executing policy. The next level of constraint is a system of dual executives which have the capability to check each other and prevent a single executive authority from asserting their will. This type of model is best exemplified by the case of Italy and the constraint placed upon Prime Minister Berlusconi by President Ciampi with regards to involvement in the Iraq invasion. The next level is the more common characteristic of parliamentary democracies that appoint prime ministers from the parliament and are subsequently subject to a vote of confidence. A vote of confidence acts much like an election for a popularly-elected president in that it sustains an awareness of being ejected from power because of policy blunders. Below this degree is a dual executive system in which one executive has significant power over the other. This is demonstrated with the case of France in which the president practices significant power while the prime minister has traditionally remained in a weak position, often competing with ministers in the government. Finally, the lowest level of constraint is offered by a popularly-elected president that remains in office for a constitutionally ordained period of time. Once elected, a president is capable of executing security policy without the

concern of a vote of confidence. Though a mechanism exists for impeachment, it is often difficult, as demonstrated by the small number of impeachments in American history that produced no instance of a president being booted from power.

Cabinet composition is closely linked with the number of political parties active in a given country. Typically, more parties translate into greater chances for the formation of minority coalition governments. The number of parties is important for security policy because more parties allow for more diverse policy options, and the dynamics of party alignments demands greater consideration from executives determined to use force. Therefore, the spectrum of constraint in regards to political parties ranges from two-party systems as the lowest degree to systems with eight or more representing the highest degree of constraint. Similarly, the cabinet composition variable is dependent upon the number of parties holding ministerial positions and the power of the cabinet to constrain the executive. The highest degree of constraint is a minority coalition cabinet in which consensus is, again, necessary to execute policy in a way that secures parliamentary confidence. A lower degree of constraint is produced from a one-party minority cabinet that usually functions with the tacit support of other parties, yet is always constrained by the fear of being dissolved by the majority of parliament. The next two levels are often similar in their behavior because they are majoritarian in behavior; these two are minimal-winning coalitions, followed by one-party cabinets composed of ministers from the prime minister's party. Finally, the lowest form of constraint is an advisory cabinet typical of presidential democracies in which the cabinet has no true power to constrain the executive.

Unique war powers have been subdivided into the three aforementioned variables: budgetary powers, committee powers, and parliamentary vote obligations for the legitimate use of force. The budgetary power variable consists of only three degrees in this study, with the highest degree the requirement of additional fund prior to military operations, a lower degree which requires approval for additional funds after the start of operations, and with the lowest engagement being parliamentary approval of a yearly budget.

The committee variable is five-tiered as the other variables. The lowest degree of constraint is the ability to form investigative committees. The ability to form committees prior to operations is another degree. Another degree of constraint is reached if committees are granted access to military objectives and operational procedures and strategies. If committees can be used to voice opposition to operations, and thus preemptively place the risk of blame for failure on the executive, another degree is reached. Finally, if a committee has the power to call for a vote of confidence or a vote of legitimacy for the operation then this represents the highest degree of constraint from committees.

Parliamentary voting obligation for the legitimate use of force is the last variable included in the unique war powers category. The voting variable is three-fold much like the budgetary variable. Some democracies such as the United Kingdom and the commonwealth nations which declared their independence from the British have a clause known as the "Royal Prerogative" which allows all matters of security policy to be dictated by the executive. This type of clause typically means that parliament has no voting constraints upon the executive. The lowest degree of constraint would be the parliamentary responsibility for official declarations of war. The middle degree is the requirement for a

parliamentary vote for the use of force after operations have been initiated, and there are

varying grace periods executives are granted. Finally, the greatest degree of constraint is

practiced through a parliamentary vote necessary before any use of the military by the

executive.

Table 1

Spectrum of Institutional Constraints on the Executive Use of Force

Degree of Constraint	Executive Accountability	Cabinet Composition	Number of Parties	Budgetary Powers	Committee Powers	Parliamentary Voting Powers
5	"Equal among equals" P.M.	Minority Coalition	8 or more	Prior request	Force Vote	Prior Vote Necessary on all Operations
4	Dual Executives - Equal Strength	Minority One-Party	6 to 7		Avenue for Opposition	
3	P.M. held to vote of confidence	Minimal-Winning	4 to 5	Request after Initiation	Committee Access to Information	Legitimacy Vote after Initation
2	Dual Executive - Power	One-Party	3		Formation Prior to Operation	
1	Executive Independent of Legislature	Advisory Cabinet	2	Annual Budget Approval	Committee Formation	Power to Declare War

Table 1 indicates the measurement criteria for determining the level of executive

constraint across the cases studied below. Each case begins with a graph indicating a score

for each variable, following an explanation for that scoring derived from constitutional and

legal arrangements coupled with the context in which the decision to fight was reached.

What results is the case of the strongest executive constraints abstaining from conflict and

the case with the weakest constraints committing to conflict. The most intriguing result is

the two median cases in which one nation went to war and the other abstain. This indicates that the variables being explored are not equal in weight and more research is needed to determine when and to what extent each variable is impactful.

The Executive-Legislative Divide and the Invasion of Iraq

The invasion of Iraq in 2003 may be the greatest indictment of the democratic peace theory. Though democracies had used military force in a host of other conflicts since the end of the Cold War, the war in Iraq was markedly different. Justified through the use of faulty intelligence and fought against the wishes of most citizens and in defiance of the United Nations, the Iraq War demonstrated a willingness on the part of certain nations to engage in war despite resistance from nearly every political avenue. In studying the Iraq War with the lens of monadic democratic peace, it seems that no mechanism for constraint is powerful enough to stop a government truly determined to fight.

However, there were numerous democratic countries that refused to participate in the invasion of a sovereign nation without U.N. approval or definitive evidence of developing nuclear armaments. Because the more pacific nations were very similar to the invading nations in their political and socioeconomic character, the Iraq War serves as an interesting case to study the executive-legislative divide in detail and discover which elements are particularly useful in constraining executives in their abilities to use military force.

The Iraq War is a useful case for a variety of reasons. In this study however, I will be limiting the scope of study to the period between the authorization of the use of force by the United States Congress in October 2002 and the end of the conflict between the conventional Iraqi and Coalition forces in May 2003. This stage of the Iraq War is closer to a conventional war between regular forces with the traditional objective of subduing the

enemy. It wasn't until the Saddam regime fell that the objective shifted towards peacekeeping, state-building, and counterinsurgency. A nation engaging in these latter missions faces a different debate at the domestic level because the nature of the conflict is very different. Therefore, studying the invasion period provides greater focus and consistency that attempting to study the entire conflict throughout its numerous developments. However, in some cases the negotiations between parliaments and executives for troop deployment after the invasion phase help supplement the argument that institutions are impactful in constraining determined executives.

The Iraq War is also unique in its initiation. It is very clearly a case in which a coalition of democratic nations launched an invasion of an authoritarian state with no sound provocation. This situation is radically different than the invasion of Afghanistan following the terrorist attacks of September 11, 2001. Iraq launched no attack against another country and its nuclear ambitions were shrouded in question and, therefore, no emergency powers were applicable. The invasion was deliberate and allowed for ample time for diplomacy between nations and public debate domestically. Unlike the sudden and catastrophic attacks on September 11th, there was no element of the rally-round-the-flag effect that would have allowed for a swift and uncontroversial deployment of military forces (Hetherington 2003).

Also unlike the War in Afghanistan, public opinion across Europe was against the invasion of Iraq without a mandate from the United Nations (Dieterich, Hummel, and Marschall 2015). This is particularly important for the democratic peace theory, for if democracy is said to have pacifying effects in international relations, those effects should be strongest when the citizens of democratic nations are war-averse. Because of the

controversial decision to build a coalition outside the confines of the United Nations and NATO, the invasion was also a particularly salient issue across the democratic world.

A study of the participation by democracies in the invasion of Iraq also fills a void in the democratic peace literature that has been largely neglected until very recently. The democratic peace was initially based upon large-N studies and quantitative analysis, and its critics employed the same methodology in their attempts to refute the theory. These large-N studies contributed significantly to supporting the claim that a democratic peace existed, but otherwise failed to capture the causal mechanisms at work. Hayes captures the reality in his evaluation of the history of the literature; "In the democratic peace literature, mechanisms are lost in the wash of regression models. (2012, pg. 769)" Case study research excels at identifying and measuring the indicators most important in supporting theoretical explanations. These indicators are also much more understandable due to the proximity offered by focused, in-depth analysis (George and Bennett 2005). A case study of the Iraq War allows researchers to study the recent outlier of a "preventative" war in which democracies struck first and against the wishes of their citizens.

The types of democracies than initially supported the invasion of Iraq with substantial force were varied. With the main force comprising of United States, United Kingdom, Australian, and Polish forces, all three democratic typologies are represented. Likewise, the resistance to invasion also came from a variety of democracies, with semi-presidential France and parliamentary German being particularly vocal opponents. This arrangement should immediately cast doubt on the theory that a country's democratic subtype is sufficient to predict conflict behavior; however, a closer examination is necessary

to identify if the failure of particular institutions is evident or there is another explanation to the why some countries chose to invade and others did not.

Picking the cases to study was not without its own issues. First, presidential cases were extremely limited. With the United States was spearheading the invasion and facing significantly less public and legislative opposition, South Korea was the only other presidential democracy called upon to join the coalition in a meaningful way. Despite the fact that Korea would eventually contribute forces, there was a lively debate in South Korea that was otherwise absent in the U.S. and different measures were taken to respect that domestic opposition. For semi-presidential systems, Poland serves as the only example of a contributor to the coalition and France served as the greatest opponent of the invasion. Considering the abundance of parliamentary systems in the world, the greatest difficulty in choosing a pair of cases was not picking arbitrarily. Despite contributing more ground forces, I opted to avoid using Australia and instead went with the smaller-scale support of Denmark because of its proximity to Europe and its similarity to other European parliamentary models. In opposition to the invasion I chose Italy to represent the other parliamentary system because it had a similar party system, which as I shall demonstrate plays a significant role. I will also demonstrate why some scholars believe the UK is not a suitable case to use when demonstrating the explanatory power of institutions in relation to the democratic peace.

Italy: A Case of Comprehensive Constraints

Figure 1

Italy
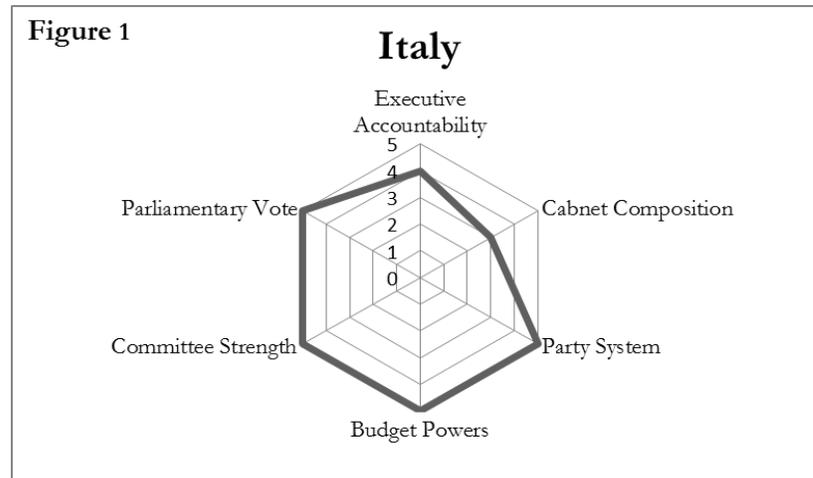
Prime Minister Silvio Berlusconi's support for the invasion of Iraq was often marred in hesitancy and hard to interpret, but undeniably his stance was pro-American. He considered a strong relationship with the U.S. as a foundation of traditional Italian foreign policy. However, the rift within Europe and across the Atlantic often gave Berlusconi pause; Italy relied heavily on economic cooperation with France and Germany and was recently admitted into the Economic and Monetary Union. To further complicate matters, bipartisan consensus did not exist on the issue of Iraq as it had for Afghanistan and Kosovo. Berlusconi's support for the U.S. would actually prove to be one of the most divisive stances of his political career (Croci 2006).

Berlusconi rose to the position of Prime Minister for a year in 1994, and was reelected in May 2001 with broad support from a center-right coalition in parliament, occupying 526 out of the total 931 parliamentary seats (Cantir 2001). He and his coalition followed a longstanding tradition of support for the U.S., one in which the opposition was

engaged in with their support for Operation Enduring Freedom (Carbone 2008). Berlusconi was also one of the first proponents for the aggressive stance towards Iraq. In September 2002, Berlusconi addressed the issue of Iraq in the Chamber of Deputies with a similar intensity as President Bush, and though he guaranteed his government that he would seek a UNSC resolution, he unequivocally endorsed unilateral action on the part of the US and considered the failure of the U.N. and NATO as showing "unbearable fault lines for a country that has the major responsibility for, as well as a direct national interest in, security in the world (Croci 2006, pg. 167)." However, the opposition in parliament capitalized on the rift between France and the U.S. to establish themselves as anti-war and on the side of European cooperation on the matter.

Opposition in the Italian system has proved an issue in regards to maintaining a sitting government. Berlusconi's first government in 1994 lasted only one year before it lost parliamentary confidence, and this story is far from uncommon. In fact, Berlusconi's second government which remained in power from June 2001 to April 2005 has been the longest standing government in the history of the Italian Republic. This simply demonstrates the volatility of Italian politics, in particular the role of the government (Lijphart 2012).

The Italian government is much like other parliamentary systems in Europe in which the prime minister is selected from a majority coalition in parliament, who then selects a cabinet subject to parliamentary confidence. Italy is unique in that it has a president who serves as head of state and yet is endowed with powers to check the prime minister and the parliament. The president is select by a two-thirds majority of parliament to a seven year term (Articles 83 & 85) and can only be impeached if proven to be in violation of the

constitution and subject to a majority vote in parliament (Article 90). With the power to

disband parliament (Article 88) and the position of official commander-in-chief (Article 87),

the president acts more as a guardian of democratic principles and usually only intervenes in

boundaries are overstepped.

The opposition was also significant in terms of the constraint it placed on Berlusconi

from following America's lead in Iraq. Power over foreign policy and defense is relatively

dispersed between the parliament, the president, and the prime minister. Parliament is

granted by the Constitution the power to declare war and provides the legal support for the

government to conduct war (Article 78), while also having control of other elements

involved in conducting war such as the power to approve the budget (Article 81) and the

ability to form committees "with the same powers and limitations as the judiciary" (Article

82).

The budgetary process is executed through an annual finance bill which the executive

crafts in order to make corrections to a five-year budget passed by parliament. Allocations

for defense are presented with the finance bill, which is then subjected to a minimum of

three series of readings and redrafting in the finance committee. At any time during this

process, the resources allocated for military operations can be modified before being sent to

parliament for voting (De Giorgi and Verzichelli 2008). Foreign policy and defense

committees have similar conditions for inspecting resolutions drafted by the government.

After the prime minister submits a resolution concerning military deployment, the

committee has the power to call forth ministers and experts to debate its merits, make

modifications, or nullify it completely. Only after making it through this process is the bill

sent back to the prime minister and then onto parliament for final approval. Mattei summarizes the relationship between parliamentary committees and the executive: "The parliamentary function ceases to be consultative and becomes a direct scrutiny of executive legislative powers. Parliament authorizes the executive to legislate, but in fact ends up co-legislating with it (2005, 22)."

In the months leading up to the invasion Berlusconi was aware of the opposition in parliament and among the public and often coupled his support for the U.S. with attempts to reconcile the transatlantic rift. For example, after Berlusconi signed the "letter of eight," Ciampi travelled to France to reiterate the importance of their friendship (Hummel 2007). Domestically, opposition was growing, even within the governing coalition. After Pope John Paul II declared an invasion of Iraq to be immoral, the Union of Christian Democrats (UCD) party, a member of Berlusconi's coalition, declared their opposition to the war and threatened the very existence of the government with their withdrawal (Davidson 2008).

The debate regarding Italian troop deployment ended with President Ciampi's word in the Supreme Council of Defense. The Supreme Council is an institution established in 1950 with the purpose of guaranteeing the responsible and legal use of military forces. The Council is headed by the president and includes a number of important ministers, including the prime minister. The Council's powers and responsibilities were enlarged in 1997, forcing the government to consult the Council on all matters related to defense and subjected all deployments to a parliamentary vote. Ultimately, the Council acts as a mechanism for distributing greater power to the President over security issues, allowing access to

information and establishing another veto actor in the policy process ("Supreme Council of Defense").

On March 14th, President Ciampi called an emergency meeting of the Supreme Council of Defense to settle the issue of Italian military deployment on the eve of the intervention. Citing Article 11 of the Constitution, which states "Italy rejects war as an instrument of aggression against the freedom of other peoples and as a means for the settlement of international disputes… Italy promotes and encourages international organizations furthering such ends," Ciampi declared Italian intervention as unconstitutional without an explicit UN resolution supporting the move. Confronted with the charge of unconstitutionality and the disintegration of his supporting coalition, Berlusconi capitulated. On March 18th, Berlusconi announced to his government that Italy would play a non-belligerent role in the invasion of Iraq and instead would offer access to military bases and overflight rights. In his speech to Parliament, Berlusconi continued to support the U.S. and its unilateral action towards Iraq though Italy would offer no support in regards to the invasion. President Ciampi went so far as to deny the use of Italian bases and airspace as points from which direct attacks could be launched against Iraq. Parliament overwhelmingly agreed to the government's non-belligerence bill (Davidson 2008).

Italy has perhaps some of the greatest institutional constraints that prevent an executive from acting unilaterally. In the case of Iraq, Article 11 of the constitution explicitly calls for cooperation with international organizations when concerning war. The dual executive constraint also played a significant role in preventing Prime Minister Berlusconi from committing to the invasion. President Ciampi's declaration not only made the

commitment unconstitutional and therefore illegal, but it also placed a huge political cost on deployment that would have isolated Berlusconi and brought the entirety of blame for failure upon him. The extensive party system of Italy also played a role in preventing deployment. With dozens of political parties that coalesce into coalitions, the loss of just a couple of coalition members can threaten the entire government, as it did with the UCD. The institutions of executive accountability, cabinet composition, and party system were sufficient for constraining the executive in this case; however, the unique war powers vested in the need for a parliamentary vote, parliamentary control of the budget, and the committee process would undoubtedly acted further to deter the executive. This simply demonstrates the robust nature of Italy's institutional constraints on executives seeking to engage in war, and supports the hypothesis that institutions can effective constrain determined executives from going to war.

Denmark: Institutional Constraints and State Interests

Figure 2
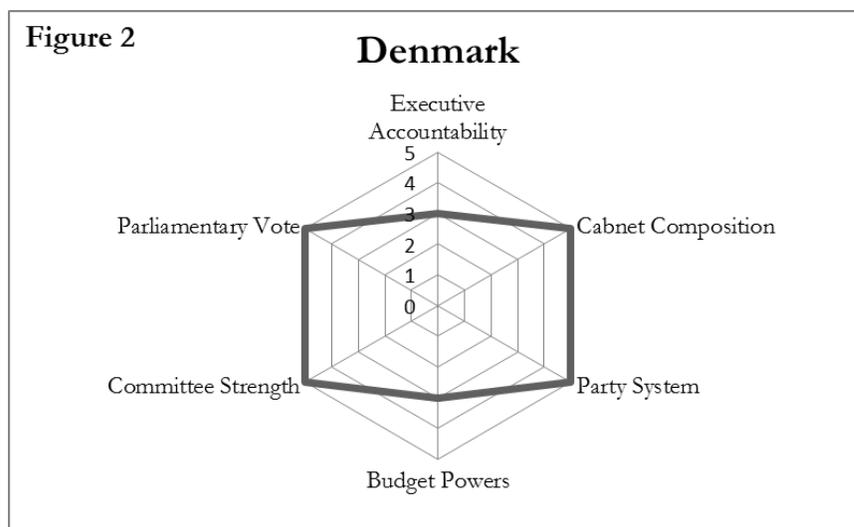
Denmark

Denmark has a similar parliamentary system to that of Italy; however, this case demonstrates that variations do exist and were impactful on Denmark's decision to contribute to the coalition. Domestic institutions do not exist in a vacuum, but often work under the conditions of the international system and through the lens of historical experience. Denmark was trying to reestablish itself as a more assertive force in international politics after the Cold War, which inspired it to gravitate closer to the U.S. However, the dilemma of whether to invade Iraq alongside its new ally arose from its recent experience in Afghanistan. The ensuing domestic debate regarding the merits of intervention would take place through the institutions studied here and within this particular context.

In recent years, Denmark made a significant shift in its role in the international community. Traditionally Denmark and the other Nordic countries had become renowned as models for exceptional character and have inspired what some scholars have coined as the 'Scandinavian model of international relations.' Christopher Browning has described the Scandinavian Model as "the adoption of a broadly anti-militarist stance to international affairs, meaning that resort to military force should be rejected in all but the direst of circumstances and that if possible international problems should be resolved through diplomacy and recourse to the UN/international law (2007, pg. 32)." This identity was built upon a history of encouraging cooperation among nations through the avenue of international organizations. The Nordic countries utilized the League of Nations to resolve island disputes after World War I, and subsequently supported the United Nations by providing peacekeepers and offering to moderate between parties, such as NATO and the Warsaw Pact nations (DeLong 2009).

Denmark began shifting to a more aggressive foreign policy after the end of the Cold War. Danish scholars referred to this activist shift as a stronger form of Atlanticism that was meant to strengthen the relationship between the U.S. and Denmark. A rift in Danish politics formed between Leftist parties seeking to work towards greater European alignment and more conservative parties who sought to counter rising German and French dominance by aligning with the U.S. From this perspective Danish participation in Operation Desert Storm and the War in Afghanistan starts to make sense, particularly when U.S. military engagements are supported by the United Nations (Olesen 2012).

Conservative elements were able to achieve victory in the 2001 Danish election, prompting the rise of Prime Minister Anders Fogh Rasmussen. Rasmussen would be that primary instigator for following the U.S. into Iraq against the tide of European opposition. Just like many other prime ministers throughout Europe however, Rasmussen was bound to the confidence of the Folketing, the Danish parliament. Eight political parties gained seats in the Folketing in 2001 and no one party garnered the 90 necessary votes to form a government. Instead, the center-right Venstre party combined their 56 seats with the Conservative People's Party's 16 seats and formed a conservative government with the tacit approval of the far-right Danish People's Party's (DPP). This left the Social Democratic Party (52 seats) and the Socialist People's Party (12 seats) as the opposition (Nohlen and Stover 2010). Rasmussen was able to form a cabinet of Venstre and CPP members, and the DPP put itself in a position of power as the party that would always need to be consulted for the government to maintain parliamentary confidence. Therefore, the Rasmussen

government ruled as a minority coalition and was in a position that demanded negotiation with other parties in parliament.

Continuing its newfound tradition of following the United States, the Danish government joined the choir of nations as they began to target the Saddam regime in Iraq. In September 2002, when responding to a question of the legality of intervention without a U.N. mandate, Prime Minister Rasmussen told the foreign policy committee, "politically it would be an advantage if possible actions were based on a new resolution, but Saddam Hussein has already violated several U.N. resolutions and obviously that must have a consequence. It undermines the authority of the U.N. if he can ignore the resolutions without some kind of reaction (Reuters 2002)." Thus Rasmussen began setting the stage for Danish military intervention without the support of a U.N. mandate.

The Danish government continued to build a case for supporting the United States, even in the face of staunch international opposition. Rasmussen began to stress the importance of U.S.-Danish relations and claimed their friendship was then at its height since the end of World War II (Kaarbo and Cantire 2013). Rasmussen also hoped to draw parallels between the people of Iraq and the Danish resistance to Nazi occupiers to build sympathy for the overthrow of the Saddam regime, even after the Iraq invasion had occurred. In a dedication speech for erection of WWII resistance hero Flemming Juncker's memorial, Rasmussen said,

> Evil and cruelty have not changed. Whether it is the Nazi SS, Saddam
>
> Hussein's executioners, or he present day fanatical terrorists, they are all

characterized by fully intending to kill completely innocent civilian men, women, and children… Our past obliges us to do what we can to spread freedom, peace, and security that we ourselves have the benefit of, to other regions of the world. (Statsministeriet 2004)

The opposition in parliament did not share in the prime minister's enthusiasm however. The rally effect from the September 11th attacks had diminished significantly, particularly after Danish blood had been shed on Afghan soil. The opposition was also concerned with the shift away from the Scandinavian model and towards a stronger bilateral relationship with the United States. Social Democratic leader Mogens Lykketoft and Socialist People's Party leader Holger Nielson demanded an authorization from the U.N. before committing troops and criticized the Rasmussen government for its pro-American stance, particularly after Rasmussen signed the "letter of eight." In a speech to the Danish Folketing, an SD Party spokesman warned that casting aside the UN was a major step backwards for the cause of international law and "Denmark will now choose a course which is different to that taken by the Nordic countries and Denmark's closest European neighbors (BBC Monitoring)."

Parliamentary opposition is a large obstacle for a prime minister to overcome if intervention is desired. The Danish Constitution is explicit in the requirements that must be met to make war, stating that the prime minister "shall not use military force against any foreign state without the consent of the Folketing (Article 19.2)." Therefore, if the prime minister is unable to garner support from a majority of the parliament (absent those who abstain from voting) then the use of force is deemed

illegal and the prime minister runs a serious risk of being voting from office or even conviction for violating the constitution.

Furthermore, parliamentary committees are endowed with significant powers and create a more collegial cabinet as a result. In regards to military deployment, the Constitution requires the prime minister to consult with the Foreign Affairs Committee before "any decision of major foreign policy implication." (Article 19.3). The committee enjoys significant power in parliament as the only committee that requires a group of 3 of its 17 members necessary to call a meeting with the government (Rynning 2013). The Finance Committee also plays a significant role in curtailing the military ambitions of the prime minister. The work of the Finance Committee extends to all ministries of the government, and no expenditure can be defrayed without its prior approval. This also grants the Finance Committee the power to legislate over the entire parliament, a privilege shared by no other committee (Folketinget 2015).

Initially Rasmussen pledged a submarine, corvette, and approximately 750 elite Jaegerkorp soldiers. However, it became apparent that the government would not have the support of parliament to pass a resolution and compromises had to be made. The Danish People's Party was expecting for ground troops to play a role in the invasion, but that option was entirely ruled out by the opposition. Therefore, Rasmussen traded troop involvement for changes to the asylum policy to buy the support of the DPP and simultaneously believed the Social Democrats would agree to substitute special forces with medical teams and chemical weapons specialists who

would face very little threat of harm. However, after ten hours of debate, the Social

Democrats and the Socialists still voted against the resolution. Though it passed,

Rasmussen was still surprised at the opposition, stating "we chose to leave out the

Jaegerkorp to make a compromise with the opposition, but unfortunately it didn't

make them give us their support (Associated Press 2003)." The opposition still

demanded a more humanitarian role in cooperation with the other Nordic nations

(Kaarbo and Cantir 2013).

Talk of playing the humanitarian role became a reality once the Saddam

regime fell in May 2003, making the deployment of peacekeepers was less

controversial in the Folketing. With the passing of a new U.N. resolution permitting

countries to partake in the stabilization of Iraq, the opposition was pleased to see

Danish commitment supported through institutional pathways. Social Democratic

spokesperson Per Kaalund encapsulated the feeling of obligation that the opposition

now harbored: "It is Denmark that has gone to war in Iraq and therefore we have,

according to the humanitarian part of the law of nations, also got obligations

afterwards as an occupying power (Olesen 2012)." However, even the stabilization

force was renegotiated down from 740 troops to 380 troops and 25 police officers.

The parliamentary constraints on Rasmussen would once again become obvious as

he lost support for the mission in the Folketing and was forced to withdraw troops

in 2007 (Kaarbo and Cantir 2013).

The Denmark case demonstrates the extent to which institutions can

constrain an executive, but it also shows at what point those institutions can be

overcome as well. Prime Minister Rasmussen sought to contribute combat troops to the invasion of Iraq, but because of the institutional constraints present in the form of a necessary parliamentary vote on troop deployment, the number of parties in the system, and the nature of the minority government, Rasmussen was forced to compromise and reduce Denmark's commitment to the coalition. Constraints also played a role later in the war as government requests for troops were reduced in number and the mission was ended as a result in a loss of parliamentary support. This case simply goes to show that institutions have the ability to constrain war-prone executives, if not from abandoning war entirely then by reducing the country's commitment to the mission.

Portugal: Clash of the Executives

Figure 3

Portugal
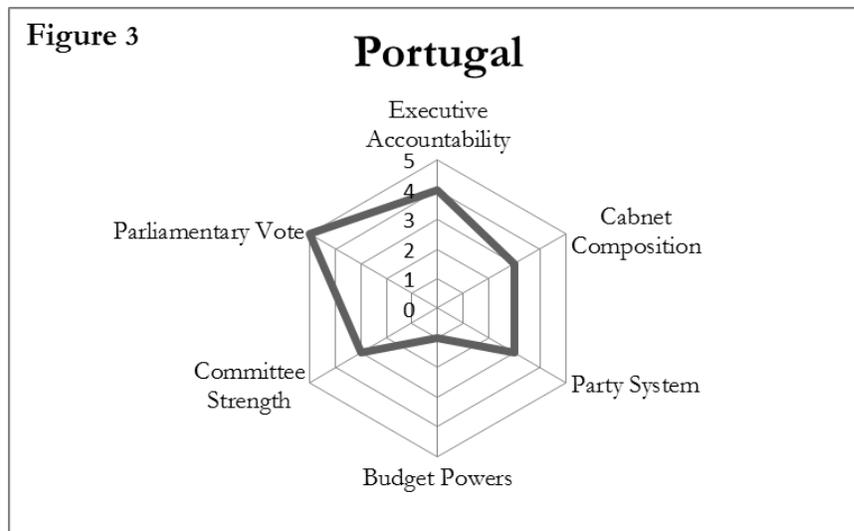
A signatory of the "letter of eight," Prime Minister Duaro Barroso hoped to compete with Denmark's Rasmussen as America's staunchest ally in the region. Barroso hosted the

final summit of allies before the war began on the Atlantic island of Azores, condemning the Saddam regime and praising the transatlantic partnership simultaneously. Though Barroso promised to "follow its political principles at the side of its friends and its allies (Xinhua News 2003a)," Portugal would sit-out the invasion of Iraq. Much like its Italian counterpart, the institution of dual-executives was a deciding factor and prevented Barroso from carrying out his will. Unlike Italy however, were the dual-executive institution not to provide the proper constraint, Portugal has few other institutional constraints that would stop a determined prime minister or president.

Portugal transitioned to democracy during the Third Wave of democratization (Huntington 1991) across Europe, which would result in an increased number of semi-presidential systems on a continent commonly associated with parliamentarianism. According to the drafters of the 1976 Constitution, semi-presidentialism in the model of the French Republic seemed to be the most optimal structure to move towards democracy and incorporate the armed forces that had recently ousted the dictatorship (Martin 2006). The Constitution established a separation of powers between a popularly-elected president, a prime minister and administrative government, and the parliament known as the Assembly of the Republic.

The president was originally vested with significant powers over the prime minister and government. According to the Constitution, the president is popularly elected to a five-year term (Article 121) and works to balance against and check the legislature and government. The president is capable of vetoing legislation in the Assembly (Article 134) and dissolving the Assembly if it is deemed necessary to the survival of democracy (Article

133). In regards to foreign policy, the president is granted the power to declare war on a motion by the government and subject to Assembly consent (Article 135).

Significant constitutional reforms in 1982 limited the power of the president in certain areas but increased others. The Council of State was introduced as an advisory board to the president and was required to consent to certain actions. The most impactful reform was that the president was no longer able to dissolve the government but instead would require the consent of the Council of State and the Assembly (Martins 2006). After the 1982 reforms, Portugal could be classified as a premier-presidential type of semi-presidential system wherein the government is responsible to the parliament and the president practices only narrow powers of the government (Shugart and Carey 1992). However, the president's power to veto legislative bills did increase because of the reforms. Presidential vetoes are typically more common when the president and government are derived from competing political parties; for example, President Mario Soares presided over ten years with governments from competing parties and had the highest number of vetoes. President Jorge Sampaio, who was in office during the invasion of Iraq, averaged one veto for every four laws that were passed by the Assembly, the second highest average since the Constitution was adapted in 1976 (Neto and Lobo 2009).

The Assembly and the government are closely related in a way that is similar to a parliamentary system. The Assembly is vested with legislative powers and is elected every four years according to proportional representation which has produced a multiparty system. After the 1982 constitutional reforms, the government became solely responsible to the Assembly. The prime minister is appointed by the president in accordance with election

results and after consulting party leadership. The prime minister is charged with overseeing

the government, formally known as the Council of Ministers, which consists of the

numerous ministers of particular policy areas. The government is the main executive body

charged with setting the direction of policy and overseeing its implementation. The

government is also capable of drafting resolutions and bills to be introduced to the

Assembly. The strength of a government can be judged by the percentage of overall

legislative bills passed that originated from the government. From this method of

measurement, the government of Durao Barroso has been deemed weak with its 13.8%

legislative outcome compared to the 33.8% legislative outcome of the following Socrates

administration and an average outcome of 40.6% between 1976 and 2008 (Passarelli 2010).

Within this context, Martins best describes the president's role: "The president is, above all,

an institutional moderator. He or she does not conduct, directly or indirectly, the country's

general policy, which is the responsibility of the government (2006, pg. 97).

The Assembly has been classified as have weak parliamentary war powers, leaving

foreign and defense policy largely in the hands of the president and the government

(Dieterich, Hummel, and Marschall 2010). The president is designated the commander-in-

chief (Article 120, 134) and given authority by the Assembly to declare war. If there is no

formal declaration of war then the Assembly is responsible for overseeing military

operations abroad. However, the scope and procedure of military oversight had never been

clarified by law until August 2003. As a result, the Assembly rarely concerned itself with

military operations and the government was able to act according to its will. In August 2003,

in response to the debacle in Iraq the Assembly adopted a resolution that clarified the

supervision procedure and required the government to inform the Assembly of plans for deployment (Article 3 of Law no. 46, 2003).

Budgetary constraints are lacking as well. The defense budget is incorporated into the national budget which is drafter by the government every year. The budget is voted on as a whole, though defense is comprised of numerous lines of funding for differences in domestic upkeep and overseas operations. If defense funds deplete, the government must seek authorization from the Assembly to acquire more funds, which should act as a constraint; however, the government is vested with an emergency fund which can be used for any activity it sees fit, essentially allowing the government to bypass the Assembly for more funds. The Assembly is informed of defense costs only after a military operation has been initiated and the Assembly has no power to veto the budget of an individual military operation (Dieterich, Hummel, and Marschall 2010).

Assembly committees are likewise minimal in their powers to constrain an executive. Committees of inquiry can be requested by any legislator (Article 126) which can then be established by the support of one-fifth of the Assembly. Committees have judicial powers and can subpoena government members to testify on topics of concern (Article 111, 112). A committee has the right to access of government documents, though the government can invoke secrecy provisions to block parliament requests. Any parliamentary group can request a debate regarding a military decision, though groups are only allowed two such requests per parliamentary session (Dieterich, Hummel, and Marschall 2010). Therefore, both budgetary and committee powers are relatively weak and able to be circumvented by the government.

The presidency became more symbolic throughout the 1980s and 1990s until the election of President Jorge Sampaio in 1996. Sampaio took the position of "institutional moderator" more seriously, and after a series of resignations from the government in 2001 he dissolved the Assembly rather than follow the precedence of appointing a new prime minister. The election produced a minority coalition of the center-right Social Democrats occupying 105 seats and the People's Party occupying 14 seats which nominated Durao Barroso to be prime minister. Sampaio was a member of the Socialist Party, the main opposition party in the Assembly, which would ensure Prime Minister Barroso would be checked in his security policy. President Sampaio was considered a very assertive president in his decision to dissolve the Assembly in 2002, and he would go on to dissolve it again in 2005 after naming the Lopes government ineffective (Neto and Lobo 2009).

The presidency became the sole institution of constraint that prevented Prime Minister Barroso from committing Portuguese troops to the invasion. However, President Sampaio declared that Portuguese involvement would be illegal without a stronger U.N. resolution, making the same argument as President Ciampi in Italy. Sampaio argued that defying the U.N. would undermine its legitimacy and Portugal had contributed greatly to peacekeeping operations after the end of the Cold War. The Iraq issue had also uncovered serious differences between European countries and could threaten efforts at unification, including a common European foreign policy (EU Observer 2003). Though the Assembly had authorized the use of the Azores airfield for U.S. aircraft bound for the Middle East (Inter Press Service 2003a), Barroso was forced to concede. On March 18th, the prime minister announced that Portugal would only provide political support for the U.S. and that

44

the county "will not declare war on Iraq, nor will it send troops or participate in any military operations (EU Observer 2003)."

The U.S. would call on Portugal for support again in November 2003. Hoping to prove that Portugal remained a strong ally, Barroso declared a plan to send a division of paratroopers. With public opposition to the war still at 80%, President Sampaio once again objected to the use of Portuguese forces. Barroso was forced to compromise and resort to a small contingency of militarized police. The force was largely symbolic, but with the Red Cross and the U.N. reducing the size of their missions in Iraq and U.S. casualties increasing by the day, the deployment was well-received by the Bush administration (Inter Press Service 2003b).

Portugal is a case of institutional constraints largely based on the semi-presidential structure. The dual-executive feature acts as the strongest constraint because it essentially divides executive privileges into two positions which may check one another, with the president in this case acting as the "institutional moderator." However, it is important to note that this feature is not identical in every semi-presidential system; for example, the president of France has significantly more power than the prime minister and often has complete control over foreign and defense policies (Hauss 2008; Bale 2013). Also, the fact that the president and prime minister were of opposing parties matter significantly in this case, as Barroso's party unanimously agreed with his position on Iraq (EU Observer 2003). Without the dual-executive constraint operating in the way that it did in this case, other institutional constraints may have been too weak to prevent Portugal from going to war. In the absence of institutional constraint, the issue of Iraq became an issue between Prime

Minister Barroso and President Sampaio, and Sampaio just happened to be vested with more powers.

Republic of Korea: The Unfettered President

Figure 4
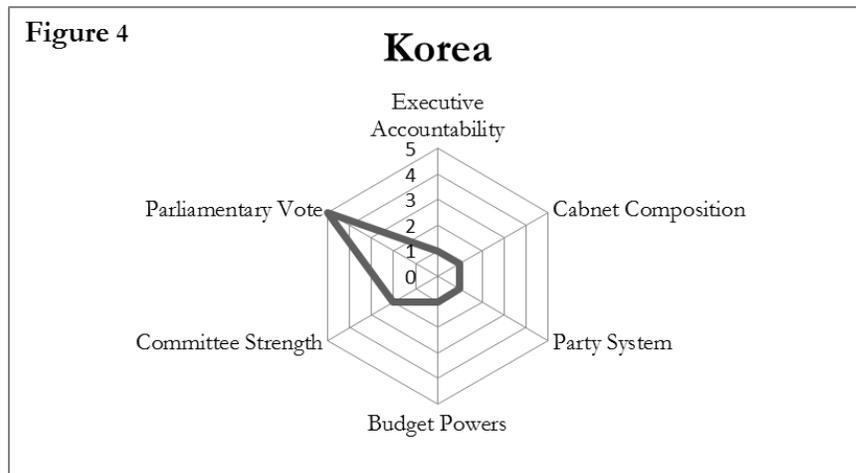
Korea

The case of the Republic of Korea's (ROK) entry into the war in Iraq acts as a model for what transpires in the absence of robust institutional constraints. President Roh Moo-hyun was able to manipulate the political process in a way that allowed him to hold true to his promise to the U.S. and deploy troops during the initial invasion phase. While it may seem the President had the support of his legislature due to their affirmative votes, the opposition against the invasion was strong throughout all sectors of the country and the President's victory was only achieved through political strategies employed outside the scope of the institutions mentioned above. Though it requires exploring ROK's entire tenure in Iraq to understand the nature and extent of the absence of institutions, the narrative ultimately supports the claim that institutions matter and may have been able to limit ROK's involvement in war.

President Roh benefited from a presidential system that had recently transitioned from decades of military dictatorship. Democratic reform did not genuinely begin until 1988 and as a result ROK still has a political culture that appreciates a strong executive relative to the legislature and the judiciary. The President's power is supplemented by a weak party system in which political elites use parties to assert their will and often public opinion is not reflected at the national level. Local governments still suffer from a significant power disparity in relation to the national government and often are unable to assert their own will (Hahm and Plein 1997).

The constitutional reforms of 1987 attempted to limit the power of the executive to help transition to a more representative government with similar checks and balances as that of the U.S. One of the biggest constitutional limitations is the popular election of a president for a single five-year term with no opportunity for reelection (Article 70). The constitution also established guidelines for impeachment of any member of the executive and judicial branch, with a majority of the National Assembly needed to propose an impeachment and two-thirds needed to approve. If a proposal for impeachment is declared, the President is suspended from executive authority until a decision is reach (Article 65). President Roh had to relinquish his power from March to May 2005 due to a controversy unrelated to the Iraq War and the prime minister was required to act as head executive, but the impeachment did not succeed.

The National Assembly was also granted more power as a result of constitutional reforms. The Assembly has numerous rights that include consenting to declarations of war and the deployment of Korean troops abroad (Article 61). The Assembly was given the

responsibility of approving the annual budget (Article 54) and is allowed to form investigative committees with access to government documents, the ability to question government officials, and even recommend the removal of particular ministers (Article 62). If one were to look simply to the constitution, it would appear that the Assembly has a number of measures it can use to constrain the executive.

The reality is that the President is capable of outmaneuvering the Assembly, particularly in the realm of foreign policy and defense. Constitutionally, the President is still regarded as the commander-in-chief (Article 74) and has the right to declare war and peace (Article 73). The cabinet, known as the State Council, acts an advisory board with no real power to constrain the President. And though the Council was granted the right of consultation in matters of war and budget, the President often selects ministers with whom he is most likely to agree. The power to appoint loyal party members and fire them at will essentially guarantees little resistance in executing policy (Kihl 2005).

The Assembly's budgetary and committee powers are lacking as well. The President drafts the annual budget and the Assembly votes whether to approve it, but the constitution favors the President in the case of deadlock. Article 54 of the Constitution allows for a President to disburse funds in accordance to the previous year's budget if the Assembly does not approve the new budget within thirty days of the fiscal year, particularly for "the maintenance and operation of agencies and facilities established by the Constitution and law." There are also budgetary freedoms that are incorporated within the emergency powers granted to the President in the case of a threat to national security, which is vaguely defined in Article 75. The powers of Assembly committees are also checked by the robust executive

bureaucracy, which is usually in power longer and acquires greater expertise in policy areas over time. And though the committee is capable of proposing bills that are contrary to the preferences of the executive branch, the President is fully capable of vetoing any and all bills from the committees (Hahm and Plein 2005). Therefore, the executive branch is fully equipped to deal with legislative constraints that may be applied by relying on the weakness of those institutions and the ability to circumvent deadlock that may arise.

Finally, the weakness of the party system contributes greatly to the power of the President. Parties have often been used as mechanisms for political elites to assert their power. Korean lawmakers seeking to rise in power typically follow the decision of the party's leader, and therefore competition within parties is often more fierce than between parties. In regards to policy, debate is more likely to take place within the party than on the assembly floor. Party leaders are often promoted to positions within the executive branch when their candidate is elected as president. This intense competition within the party creates a culture of conformity in hopes of rising to a position in the government, but it also means that parties splinter over time based on the whims of their leaders (Kim 2008). This was the case in 2003 when President Roh left the Millennium Democratic Party (MDP) and started the Uri Party.

Contrary to his support for the invasion throughout his presidency, President Roh actually campaigned on a platform that promised greater autonomy for ROK and an equal footing in the ROK-U.S. alliance. Anti-American sentiment was particularly high during the 2002 presidential race because of a traffic accident involving two American servicemen that killed two Korean schoolgirls. Roh pledged to be more assertive in the alliance and work

towards the peaceful resolution of the North Korean nuclear crisis (Ko 2006). Just as the invasion of Iraq was on the horizon, ROK was more polarized than ever in their feelings towards the U.S.

At the time of the presidential election, the National Assembly was split with the conservative Grand National Party (GNP) holding a slight majority over Roh's MDP, creating a state of checks and balances common to the U.S. The GNP was supportive of the ROK-U.S. relationship and wanted closer ties, whereas the MDP wanted greater autonomy like Roh promised. Because each of these parties captured 40% of the Assembly in 1997 and 2002, they developed a very adversarial relationship; the relationship with the U.S. therefore became a very polarizing issue. In the presidential race, Roh captured only 2.3% more votes than his competitor and from then knew he would have to tread lightly to maintain support from both parties (Lee 2006). Roh's attempts at maintaining that balance would surprise the MDP when he chose pro-U.S. National Security and Defense Ministers (Baltrusaitis 2008).

The U.S. initially asked ROK to join the coalition in November 2002, but with the forthcoming election there was no commitment. Many were puzzled when President Roh took office and immediately reversed his opinion regarding the U.S. and the intervention in Iraq. ROK was not threatened by Saddam's regime and was not committed to any collective security organization that bound them to intervention. However, after the U.S. requested troops on March 10th, Roh immediately set out to cast his cooperation as being the best for ROK national interest. In particular, supporting the U.S. was seen as necessary to include the ROK in future strategies dealing the North Korea and did not wish to be sidelined because they had refused to help. Roh explained to party leaders that "I made the decision [to

support the U.S.] for the national interest because we may get a bigger say in dealing with the United States by sending noncombat troops (New York Times 2003)."

Opposition to Roh's proclamation of support for the invasion was widespread. A bipartisan group of lawmakers immediately adopted a parliamentary resolution stating they would not support sending troops to Iraq. The liberal MDP spoke of betrayal on the part of the President, and the conservative GNP, known for its support for a stronger ROK-U.S. relationship, made no concerted effort to support Roh. The President met with party leaders numerous times in hopes of winning their support, but an Assembly vote on deployment was postponed several times. In hopes of appeasing party leaders, Roh began an aggressive public campaign to convince the country that deploying over 700 noncombat troops would be in the nation's best interests (Lee 2006).

The process of convincing the Assembly to support Roh's Iraq policy began with shifting public opinion. Party leaders told the President they would be more willing to consider the deployment if public opinion shifted and they could therefore avoid blame for any failures. President Roh initiated a series of public speeches that linked Korea's commitment in Iraq to determining America's approach to the North Korean nuclear crisis. As the public slowly became more supportive, party leaders started to reach out to other legislators to change their minds. Finally at the beginning of April public support for Korean intervention surpassed 50% and a vote was scheduled for April 2nd. President Roh addressed the Assembly before the vote, further emphasizing the benefits ROK would reap in diplomatic and economic relations with the U.S. and again promising a more equal position in deciding the fate of the Korean peninsula. After weeks of campaigning to the

public and personally addressing the Assembly before the vote, the deployment of 700 Korean medics and engineers was approved (Baltrusaitis 2008).

The National Assembly voted 179 to 68 in favor of the deployment, with most of the negative votes coming from the President's Democratic Party (VOA News 2003). While it may be tempting to understand this vote as clear evidence that no disagreement existed, it is important to understand the process underlying the outcome. The vote had previously been postponed twice because the President was not confident he would receive the legislative support necessary to commit. Perhaps the greatest explanation for the shift towards support was the personal efforts put forth by President Roh and party leaders to convince the Assembly members to vote for deployment. The success of the President and party leaders demonstrates the weakness of formal institutions in ROK and the ability of the executive to bypass the constraints those institutions might otherwise produce. Even a strong constraint such as the necessity of legislative approval for deployment can be overcome, as it was in this case, because other institutions were similarly weak or did not produce a great enough number of veto actors, such as the party system and the weak legislature.

Supplementing this examination of the invasion period with the following years of reconstruction and peacekeeping further demonstrates that opposition was still alive throughout the first years of the occupation and that the lack of institutional constraints allowed the President to continue and even increase ROK support. After the war was declared won on May 1st, the situation rapidly evolved into a counterinsurgency effort. Realizing that their forces were stretched too thin, the U.S. called upon ROK to deploy

combat troops in September 2003. Opposition to sending combat units was great, particularly from the President's own party; however, through the efforts of the National Security Council and the passing of U.N. Resolution 1511, which provided a framework for the legal international occupation of Iraq, public opinion once again cooled and the government was able to announce its plan. In December 2003, the government announced the deployment of the 3,600 unit Zaytun Division to northern Iraq and stated its anticipation for the upcoming Assembly vote. However, the Subcommittee on National Defense did not address the issue in their meetings until late January 2004, and after another round of talks between the President, party leaders, and legislators, the plan was adopted. Later, as violence continued to escalate throughout the country and the situation seemed to be deteriorating daily, the Assembly called for the reduction of troops from northern Iraq. The President complied, but was held to no specific timetable and did so on his own terms (Lee 2006).

The case of Korea demonstrates the complexity of the executive-legislative relationship and how difficult it can be to constrain an executive when strong institutions do not existence. Coming from a tradition of strong dictatorial leaders, the popularly elected president was able to manipulate the National Assembly in the absence of institutions that may have otherwise provided obstacles towards the fulfillment of his will. The two-party system developed in a way that allowed individual legislators to be swayed according to the whims of the party's leaders. The cabinet acts as an advisory board which is chosen by the President from his most ardent supporters and guarantees little resistance in the way of policy implementation. Finally, the legislature had little power in the way of budgetary means or committee activities that could stop a determined executive from waging war. In nearly

every case in which the President wanted to support the U.S. in Iraq, he was able to carry out his proposal with disregard to the opposition among the public and the Assembly.

How did institutions play a role?

The institutional arrangements of each country affected the process in which a given country either participated or abstained from invading Iraq in 2003. While each country had a unique set of interests that motivated the government to join the invasion, institutions played a role in determining the possibility and extent of involvement while also providing a lens through which political scientists could study just how political actors interacted within different institutions. It is important to understand that institutions do not determine whether or not a country goes to war. Instead, institutions provide varying levels of constraint that make going to war more or less difficult for a single actor, in the case the executive. Therefore we can account for a country like France that has a strong president and weak legislature not participating in the war, while simultaneously study how a relatively constrained prime minister can still manage to contribute to the war like the case of Denmark. In the case of France, the preferences of the executive were the deciding factor; however, institutional constraints were significant in determining just how much Denmark would contribute to the coalition. Whether institutions are strong, weak, or absent altogether matters when dispute arises between the executive, legislature, and public.

Prime Ministers Berlusconi of Italy and Barroso of Portugal were both constrained by the same institution feature: the sharing of executive power between a prime minister and a president. However, this institution only proves effective when the two executives are in

disagreement, and the outcome depends largely on particular constitutional arrangements. This explains why Poland was capable of contributing forces to the invasion; President Kwasniewski and Prime Minister Miller were both supportive of the U.S. (Lubecki 2005). The two countries diverge beyond that particular institution. Italy has a robust level of parliamentary constraints that can be used to temper an executive's ambitions to go to war. The multitudes of political parties coalesce into coalitions that require constant negotiations to maintain parliamentary confidence. The parliament also has significant powers over the budget, the ability to form strong investigative committees, and the constitutional right to a vote of consent on all military operations. Adversely, Portugal has few avenues for opposition to challenge the executive authority. Budgetary and committee powers appear to be strong, but the executive is capable of bypassing those constraints with independent emergency funds and secrecy laws to curtail the flow of information. Therefore, Italy has many mechanisms that challenge the executive extensively in his war-making abilities, whereas the Portuguese system is more dependent upon the political actors' preferences than the institutions.

The Republic of Korea is a true case of what results when institutions are severely weak or absent altogether. The president of Korea is strong and most other institutions pale in comparison. The greatest weakness of the Korean political system in regards to institutional constraints is rooted in the party system. When legislators are competing within their own parties to ascend the ranks with aspirations of attaining an executive posting, the foundation of checks and balances in a presidential system fails. What is produced is a political system of personalities rather than parties representative of public will. A

determined executive is capable of manipulating this interparty competition to either sway legislators or bypass them altogether. Weak parties produce a weak legislature that lacks budgetary constraints and committee powers. The case of President Roh demonstrates the key problem with the Korean presidential system; the opposition has no power to challenge the ruling party.

Denmark is perhaps the most surprising case considering its diplomatic history and abundance of institutional constraints. Institutionally, Rasmussen was unable to deploy military forces without the support of parliament. However, because the coalition government consisted of the prime minister's Liberal Party and the rightward leaning Conservative Party, he faced little resistance from his cabinet. In order to secure a vote of approval in parliament, Rasmussen withdrew his request for ground troops and instead offered naval and medical units. After ten hours of deliberation, the parliament narrowly passed a resolution to send a small force to Iraq (Kaarbo and Cantir 2013). Rasmussen was able to send forces despite institutional constraints because his conservative coalition was willing to back intervention; however, parliamentary constraints did work to the extent that Rasmussen had to downgrade his request for ground troops to support troops instead. The political maneuvering of the different parties in parliament was perhaps the most intriguing. Despite its tacit approval of the government that upheld parliamentary confidence, the People's Party was able to turn is absence from the government into a power that it wielded to push stronger asylum policy. Simultaneously, the opposition parties could have applied greater pressure on Rasmussen's government but instead they chose to allow a smaller

contingency, in a way allowing the government to pursue what it thought was the national interest meanwhile sidestepping responsibility for any future repercussions of the invasion.

It seems the success or failure of institutions in their abilities to constrain a bellicose executive lies in the ability of the opposition to express itself and challenge the executive. The institutions thus become an obstacle course for the executive to traverse in order to wage war. In democratic systems that rely on consensus to legislate and execute policy, the opposition is capable of making a greater impact on the future decisions. Likewise, a lack of constraints prevents oppositional minorities from being impactful, such as the case of Korea. Therefore, with constraining executives from waging war as perhaps the greatest example, institutions can be considered the tools in which minorities remain relevant and the tyranny of the majority can be overcome.

Finding a Greater Democratic Peace

Democracy is no monolithic system of governance. Democratic nations across the world are arranged in a number of different ways and produce widely varying systems of representation as a result. Formal institutions act as tools that allow the numerous political groups to express themselves and maintain a balance of power to prevent the tyranny of one group over all others. As the cases of Italy, Denmark, Portugal, and South Korea show, the scope and strength of institutions can have a significant impact on the policy that is pursued. With the very existence of nations and peoples at stake, the power to declare and wage war is one that should be wielded with the utmost care and concern for the sanctity of human life.

The research presented here supports the hypothesis that institutions matter when legislatures and executives disagree about the merits of going to war. In particular, institutions can constrain an executive from waging war without the support of the legislature and, inadvertently, the people. In the case of Italy and Portugal, a hawkish executive was prevented from contributing to the invasion of a non-belligerent nation, primarily because it was controversial at both the domestic and international levels. In Denmark, the executive was forced to reduce the commitment of combat troops to support troops instead. The opposition was able to assert itself through parliamentary rights and prevent the government from acting against the will of the people. Korea provides the

important example of a president unfettered. With formal institutions lacking, executives and party elites are capable of pursuing policy at their own will by circumventing the parliamentary constraints that would otherwise exist strongly in other democracies. This range of institutional strength and corresponding constraints shows that executives can be forced to disavow war, even if they prefer otherwise.

The research of institutional constraints on war-prone executives can be improved by determining which institutions are more capable of constraining than others. From this study, the three cases of institutional constraint derive from two main sources. The Italy and Portugal cases champion the dual-executive institution, thought this is only capable if the two executives are from competing parties. The case of Denmark shows the susceptibility of a minority coalition government to oppositional pressure. Combined, the importance of a strong multiparty system appears significant for it underlies the composition of parliamentary governments and allows the dual-executive institution to constrain properly. The case of South Korea also supports this theory as well; one of the reasons President Roh was able to contribute to the coalition was his ability to manipulate legislators in a weak two-party system.

Domestic institutions do not exist in a vacuum however, and it remains imperative to consider the international context in which these decisions are being made. Italy, Denmark, and Portugal were all struggling with competing visions of the international system. They all had histories of engaging with international organizations such as the U.N. to carry out peacekeeping operations around the world. They were also being pulled in opposing directions by a unifying Europe and a hegemonic U.S. These issues were salient at the

domestic level and shaped the discussions and debates that took place within the institutions studied above. To disregard these factors would be to take the international system out of the democratic peace.

At the foundation of this discussion on the importance of institutions lies the role of the opposition. If opposition can be a part of the political process of a country, polarizing issues such as war can be addressed with either consensus or rejection. What makes this research so important is that the nature of opposition is important in every policy area. Though this paper looks specifically at defense and security, institutions play a similarly important role in economics, environmental politics, healthcare, and education. When institutions are strong, a nation will produce policies through consensus rather than controversy and that will be supported by a greater proportion of the citizens of that nation.

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Biography

Charles Turner received his Bachelor of Arts in Political Science from Virginia Commonwealth University. He continued his studies at George Mason University, and completing his Master of Arts in Political Science he will begin as an Adjunct Professor of Political Science at Virginia Commonwealth University in Fall 2016.