

direct and high, issues at once gripping and arcane, opposite numbers frequently intriguing and well-mannered, acclaim by foreign audiences echoing well at home, foreign travel relatively glamorous, compared with home, interest groups less clamorous, excepting special cases, authority always stronger, Congress often tamer. But the distinctions lessen—compare Bush's time with Nixon's to say nothing of Eisenhower's—and we should expect that they will lessen further. Telecommunications, trade, aid, banking and stock markets combined with AIDS and birth control and hunger, topped off by toxic waste and global warming—these are not the stuff of which the Congress of Vienna* was made, much less the summits of yore. Moreover, Europeans ten years hence, as well as Japanese, may not resemble much the relatively acquiescent “middle powers” we grew used to in the 1960s and 1970s. Cooperating with them may come to seem to Presidents no easier than cooperating with Congress. Our friends abroad will see it quite the other way around: How are they to cooperate with our peculiar mix of separated institutions sharing powers? Theirs are ordered governments, ours a rat race. Complaints of us by others in these terms are nothing new. They have been rife throughout this century. But by the next, some of the chief complainants may have fewer needs of us, while ours of them grow relatively greater, than at any other time since World War II. In that case foreign policy could cease to be a source of pleasure for a President. By the same token, he or she would have to do abroad as on the Hill and in Peoria: Check carefully the possible effects of present choices on prospective reputation and prestige—thinking of other governments and publics quite as hard as those at home. It is not just our accustomed NATO and Pacific allies who may force the pace here, but the Soviet Union, if it holds together, and potentially great powers—China, India, perhaps Brazil—as well as our neighbors, north and south.

From the multicentered, interdependent world now coming into being, environmentally endangered as it is, Presidents may look back on the Cold War as an era of stability, authority, and glamour. They may yearn for the simplicity they see in retrospect, and also for the solace. Too bad. The job of being President is tougher when incumbents have to struggle for effective influence in foreign and domestic spheres at once, with their command of nuclear forces losing immediate relevance, and the American economy shorn of its former clout. There are, however, compensations,

*After the 1814 defeat of the French leader Napoleon by Russia, Prussia, Austria, and Britain, these great powers met in Vienna, Austria, to ensure that the future of Europe would be peaceful. At the Congress of Vienna, they created a “balance of power” system so that no single European nation could dominate the continent.—EDS.

one in particular. If we outlive the Cold War,* the personal responsibility attached to nuclear weapons should become less burdensome for Presidents themselves, while contemplation of their mere humanity becomes less haunting for the rest of us. To me that seems a fair exchange.

32

ARTHUR SCHLESINGER

From *The Imperial Presidency*

Historian Arthur Schlesinger coined one of the most famous and often-quoted political phrases, used not just in academe but in the real world of government too. The demise of Richard Nixon, because of the Watergate scandal, inspired Schlesinger to look back in U.S. history to locate the roots of the tremendous power that the executive had accumulated. His observations led him to develop the idea of an “imperial Presidency,” with all the connotations that phrase carries. The author believes that the imperial presidency initially evolved for a clear and identifiable reason; it then grew due to other secondary factors. Certain presidents—Roosevelt and especially Kennedy—garner praise from Schlesinger for their judicious use of imperial powers. Other presidents he condemns. Schlesinger’s discussion of Richard Nixon, the ultimate imperial president as well as its destroyer, is a frank and unvarnished critique of the man who turned the imperial presidency homeward, against the American people. After Nixon left office, the phrase was little-used, until President Bush responded to the terrorist attacks of September 11, 2001. To some, President Bush’s response to 9/11, especially his “War on Terror” and the invasion of Iraq, signify a rebirth of the “imperial presidency.”

IN THE LAST YEARS presidential primacy, so indispensable to the political order, has turned into presidential supremacy. The constitutional Presidency—as events so apparently disparate as the Indochina War and the Watergate affair showed—has become the imperial Presidency and threatens to be the revolutionary Presidency.

*The Cold War refers to the hostility that existed between the United States and the Soviet Union from the end of World War II until recent times. The Cold War involved many forms of hostility: democracy versus communism; America’s NATO allies versus the Soviet Union’s Warsaw Pact military partners; the threat of nuclear war; economic competition; the dividing of Third World nations into pro-U.S. and pro-Soviet camps. With the demise of communism in Eastern Europe and the disintegration of the Soviet Union, the Cold War era has ended.—EDS.

This book . . . deals essentially with the shift in the *constitutional* balance—with, that is, the appropriation by the Presidency, and particularly by the contemporary Presidency, of powers reserved by the Constitution and by long historical practice to Congress.

This process of appropriation took place in both foreign and domestic affairs. Especially in the twentieth century, the circumstances of an increasingly perilous world as well as of an increasingly interdependent economy and society seemed to compel a larger concentration of authority in the Presidency. It must be said that historians and political scientists, this writer among them, contributed to the rise of the presidential mystique. But the imperial Presidency received its decisive impetus, I believe, from foreign policy; above all, from the capture by the Presidency of the most vital of national decisions, the decision to go to war.

This book consequently devotes special attention to the history of the war-making power. The assumption of that power by the Presidency was gradual and usually under the demand or pretext of emergency. It was as much a matter of congressional abdication as of presidential usurpation. . . .

The imperial Presidency was essentially the creation of foreign policy. A combination of doctrines and emotions—belief in permanent and universal crisis, fear of communism, faith in the duty and the right of the United States to intervene swiftly in every part of the world—had brought about the unprecedented centralization of decisions over war and peace in the Presidency. With this there came an unprecedented exclusion of the rest of the executive branch, of Congress, of the press and of public opinion in general from these decisions. Prolonged war in Vietnam strengthened the tendencies toward both centralization and exclusion. So the imperial Presidency grew at the expense of the constitutional order. Like the cowbird, it hatched its own eggs and pushed the others out of the nest. And, as it overwhelmed the traditional separation of powers in foreign affairs, it began to aspire toward an equivalent centralization of power in the domestic polity.

. . . We saw in the case of Franklin D. Roosevelt and the New Deal that extraordinary power flowing into the Presidency to meet domestic problems by no means enlarged presidential authority in foreign affairs. But we also saw in the case of FDR and the Second World War and Harry S. Truman and the steel seizure that extraordinary power flowing into the Presidency to meet international problems could easily encourage Presidents to extend their unilateral claims at home. . . . Twenty years later, the spillover effect from Vietnam coincided with indigenous developments that were quite separately carrying new power to the Presidency.

For domestic as well as for international reasons, the imperial Presidency was sinking roots deep into the national society itself.

One such development was the decay of the traditional party system. . . . For much of American history the party has been the ultimate vehicle of political expression. Voters inherited their politics as they did their religion. . . . By the 1970s ticket-splitting had become common. Independent voting was spreading everywhere, especially among the young. Never had party loyalties been so weak, party affiliations so fluid, party organizations so irrelevant.

Many factors contributed to the decline of parties. The old political organizations had lost many of their functions. The waning of immigration, for example, had deprived the city machine of its classical clientele. The rise of civil service had cut off the machine's patronage. The New Deal had taken over the machine's social welfare role. Above all, the electronic revolution was drastically modifying the political environment. Two electronic devices had a particularly devastating impact on the traditional structure of politics—television and the computer. . . .

As the parties wasted away, the Presidency stood out in solitary majesty as the central focus of political emotion, the ever more potent symbol of national community. . . .

At the same time, the economic changes of the twentieth century had conferred vast new powers not just on the national government but more particularly on the Presidency. . . .

. . . The managed economy, in short, offered new forms of unilateral power to the President who was bold enough to take action on his own. . . .

. . . The imperial presidency, born in the 1940s and 1950s to save the outer world from perdition, thus began in the 1960s and 1970s to find nurture at home. Foreign policy had given the President the command of peace and war. Now the decay of the parties left him in command of the political scene, and the Keynesian revelation placed him in command of the economy. At this extraordinary historical moment, when foreign and domestic lines of force converged, much depended on whether the occupant of the White House was moved to ride the new tendencies of power or to resist them.

For the American Presidency was a peculiarly personal institution. It remained, of course, an agency of government, subject to unvarying demands and duties no matter who was President. But, more than most agencies of government, it changed shape, intensity and ethos according to the man in charge. . . . The management of the great foreign policy crisis of the Kennedy years—the Soviet attempt to install nuclear missiles

in Cuba—came as if in proof of the proposition that the nuclear age left no alternative to unilateral presidential decision. . . .

. . . Time was short, because something had to be done before the bases became operational. Secrecy was imperative. Kennedy took the decision into his own hands, but it is to be noted that he did not make it in imperial solitude. The celebrated Executive Committee became a forum for exceedingly vigorous and intensive debate. Major alternatives received strong, even vehement, expression. Though there was no legislative consultation, there was most effective executive consultation. . . . But, even in retrospect, the missile crisis seems an emergency so acute in its nature and so peculiar in its structure that it did in fact require unilateral executive decision.

Yet this very acuteness and peculiarity disabled Kennedy's action in October 1962 as a precedent for future Presidents in situations less acute and less peculiar. For the missile crisis was unique in the postwar years in that it *really* combined all those pressures of threat, secrecy and time that the foreign policy establishment had claimed as characteristic of decisions in the nuclear age. Where the threat was less grave, the need for secrecy less urgent, the time for debate less restricted—i.e., in all other cases—the argument for independent and unilateral presidential action was notably less compelling.

Alas, Kennedy's action, which should have been celebrated as an exception, was instead enshrined as a rule. This was in great part because it so beautifully fulfilled both the romantic ideal of the strong President and the prophecy of split-second presidential decision in the nuclear age. The very brilliance of Kennedy's performance appeared to vindicate the idea that the President must take unto himself the final judgments of war and peace. The missile crisis, I believe, was superbly handled, and could not have been handled so well in any other way. But one of its legacies was the imperial conception of the Presidency that brought the republic so low in Vietnam. . . .

. . . Johnson talked to, even if he too seldom listened to, an endless stream of members of Congress and the press. He unquestionably denied himself reality for a long time, especially when it came to Vietnam. But in the end reality broke through, forcing him to accept unpleasant truths he did not wish to hear. Johnson's personality was far closer than Truman's to imperial specifications. But the fit was by no means perfect. . . .

Every President reconstructs the Presidency to meet his own psychological needs. Nixon displayed more monarchical yearnings than any of his predecessors. He plainly reveled in the ritual of the office, only regretting that it could not be more elaborate. What previous President, for

example, would have dreamed of ceremonial trumpets or of putting the White House security force in costumes to rival the Guards at Buckingham Palace? Public ridicule stopped this. But Nixon saw no problem about using federal money, under the pretext of national security, to adorn his California and Florida estates with redwood fences, golf carts, heaters and wind screens for the swimming pool, beach cabanas, roof tiling, carpets, furniture, trees and shrubbery. . . . Nixon's fatal error was to institute within the White House itself a centralization even more total than that he contemplated for the executive branch. He rarely saw most of his so-called personal assistants. If an aide telephoned the President on a domestic matter, his call was switched to Haldeman's office.* If he sent the President a memorandum, Haldeman decided whether or not the President would see it. "Rather than the President telling someone to do something," Haldeman explained in 1971, "I'll tell the guy. If he wants to find out something from somebody, I'll do it."

Presidents like Roosevelt and Kennedy understood that, if the man at the top confined himself to a single information system, he became the prisoner of that system. Therefore they pitted sources of their own against the information delivered to them through official channels. They understood that contention was an indispensable means of government. But Nixon, instead of exposing himself to the chastening influence of debate, organized the executive branch and the White House in order to shield himself as far as humanly possible from direct question or challenge—i.e., from reality. . . .

As one examined the impressive range of Nixon's initiatives—from his appropriation of the war-making power to his interpretation of the appointing power, from his unilateral determination of social priorities to his unilateral abolition of statutory programs, from his attack on legislative privilege to his enlargement of executive privilege, from his theory of impoundment to his theory of the pocket veto, from his calculated disparagement of the cabinet and his calculated discrediting of the press to his carefully organized concentration of federal management in the White House—from all this a larger design ineluctably emerged. It was hard to know whether Nixon, whose style was banality, understood consciously where he was heading. He was not a man given to political philosophizing. But he was heading toward a new balance of constitutional powers, an audacious and imaginative reconstruction of the American Constitution.

*Robert Haldeman headed Richard Nixon's White House staff. He was a stern gatekeeper (the president wished it so) before his resignation in the face of the exploding Watergate scandals during the spring of 1973. He was subsequently convicted of criminal charges and imprisoned for his role in Watergate.—EDS.

He did indeed contemplate, as he said in 1971 State of the Union message, a New American Revolution. But the essence of this revolution was not, as he said at the time, power to the people. The essence was power to the Presidency. . . . His purpose was probably more unconscious than conscious; and his revolution took direction and color not just from the external circumstances pressing new powers on the Presidency but from the needs and drives of his own agitated psyche. This was the fatal flaw in the revolutionary design. For everywhere he looked he saw around him hideous threats to the national security—threats that, even though he would not describe them to Congress or the people, kept his White House in constant uproar and warranted in his own mind a clandestine presidential response of spectacular and historic illegality. If his public actions led toward a scheme of presidential supremacy under a considerably debilitated Constitution, his private obsessions pushed him toward the view that the Presidency could set itself, at will, *above* the Constitution. It was this theory that led straight to Watergate. . . .

Secrecy seemed to promise government three inestimable advantages: the power to withhold, the power to leak and the power to lie. . . .

The power to withhold held out the hope of denying the public the knowledge that would make possible an independent judgment on executive policy. The mystique of inside information—"if you only knew what we know"—was a most effective way to defend the national-security monopoly and prevent democratic control of foreign policy. . . .

The power to leak meant the power to tell the people what it served the government's purpose that they should know. . . .

The power to withhold and the power to leak led on inexorably to the power to lie. The secrecy system instilled in the executive branch the idea that foreign policy was no one's business save its own, and uncontrolled secrecy made it easy for lying to become routine. It was in this spirit that the Eisenhower administration concealed the CIA operations it was mounting against governments around the world. It was in this spirit that the Kennedy administration stealthily sent the Cuban brigade to the Bay of Pigs* and stealthily enlarged American involvement in Vietnam. It was in this spirit that the Johnson administration Americanized the Vietnam War, misrepresenting one episode after another to Congress and the peo-

*In 1961, President John F. Kennedy accepted responsibility for the disaster at the Bay of Pigs in Cuba. Over a thousand Cuban exiles, trained by the U.S. Central Intelligence Agency (CIA), tried to land in Cuba to overthrow the communist government of Fidel Castro. The invasion was a complete failure, forcing Kennedy to reassess his foreign policy approach, especially toward Latin America.—EDS.

ple—Tonkin Gulf, the first American ground force commitment, the bombing of North Vietnam, My Lai and the rest.*

The longer the secrecy system dominated government, the more government assumed the *right* to lie. . . .

God, it has been well said, looks after drunks, children and the United States of America. However, given the number, the brazen presumption and the clownish ineptitude of the conspirators, if it had not been Watergate, it would surely have been something else. For Watergate was a symptom, not a cause. Nixon's supporters complained that his critics were blowing up a petty incident out of all proportion to its importance. No doubt a burglary at Democratic headquarters was trivial next to a mission to Peking. But Watergate's importance was not simply in itself. Its importance was in the way it brought to the surface, symbolized and made politically accessible the great question posed by the Nixon administration in every sector—the question of presidential power. The unwarranted and unprecedented expansion of presidential power, because it ran through the whole Nixon system, was bound, if repressed at one point, to break out at another. This, not Watergate, was the central issue. . . . Watergate did stop the revolutionary Presidency in its tracks. It blew away the mystique of the mandate and reinvigorated the constitutional separation of powers. If the independent judiciary, the free press, Congress and the executive agencies could not really claim too much credit as institutions for work performed within them by brave individuals, nonetheless they all drew new confidence as institutions from the exercise of power they had forgotten they possessed. The result could only be to brace and strengthen the inner balance of American democracy. . . .

If the Nixon White House escaped the legal consequences of its illegal behavior, why would future Presidents and their associates not suppose themselves entitled to do what the Nixon White House had done? Only condign punishment would restore popular faith in the Presidency and

*The Tonkin Gulf incident involved two alleged attacks on American ships in the waters off the coast of Vietnam in 1964. President Lyndon Johnson may have exaggerated the extent of the attacks to gain support for widening the war. In response to the incident, the Senate voted 88 to 2 and the House of Representatives 416 to 0 to allow the president significant latitude in the use of American forces in Vietnam. No formal declaration of war was ever made concerning Vietnam, but the Gulf of Tonkin Resolution became the executive branch's "blank check" to expand the conflict. The 1968 My Lai massacre was a turning point in American public opinion concerning the Vietnam War. U.S. soldiers killed over a hundred Vietnamese villagers. One lieutenant was tried and convicted for the slaughter that had happened because of the inability of American troops to distinguish between enemy soldiers and civilians. Some Americans believed that those higher up in the military, not just Lieutenant William Calley, should have been prosecuted for the massacre.—EDS.

deter future Presidents from illegal conduct—so long, at least, as Watergate remained a vivid memory. We have noted that corruption appears to visit the White House in fifty-year cycles. This suggests that exposure and retribution inoculate the Presidency against its latent criminal impulses for about half a century. Around the year 2023 the American people would be well advised to go on the alert and start nailing down everything in sight.

33

THOMAS CRONIN
MICHAEL GENOVESE

From *The Paradoxes of the American Presidency*

The United States as a nation of paradoxes is a theme frequently used to explain the contradictions found throughout American life. In an earlier selection, Michael Kammen called Americans "people of paradox." Here, political scientists Thomas Cronin and Michael Genovese use the concept of paradox to explore the many images that citizens hold of their president. Each image they describe is accompanied by a contrary image. For example, Cronin and Genovese note, the president is supposed to be an average person just like us, while simultaneously being outstanding and extraordinary. With such paradoxical expectations of a president, is it any wonder that Americans judge the executive so harshly?

THE MIND SEARCHES FOR answers to the complexities of life. We often gravitate toward simple explanations for the world's mysteries. This is a natural way to try and make sense out of a world that seems to defy understanding. We are uncomfortable with contradictions so we reduce reality to understandable simplifications. And yet, contradictions and clashing expectations are part of life. "No aspect of society, no habit, custom, movement, development, is without cross-currents," says historian Barbara Tuchman. "Starving peasants in hovels live alongside prosperous landlords in featherbeds. Children are neglected and children are loved." In life we are confronted with paradoxes for which we seek meaning. The same is true for the American presidency. We admire presidential power, yet fear it. We yearn for the heroic, yet are also inherently suspicious

of it. We demand dynamic leadership, yet grant only limited powers to the president. We want presidents to be dispassionate analysts and listeners, yet they must also be decisive. We are impressed with presidents who have great self-confidence, yet we dislike arrogance and respect those who express reasonable self-doubt.

How then are we to make sense of the presidency? This complex, multidimensional, even contradictory institution is vital to the American system of government. The physical and political laws that seem to constrain one president, liberate another. What proves successful in one, leads to failure in another. Rather than seeking one unifying theory of presidential politics that answers all our questions, we believe that the American presidency might be better understood as a series of paradoxes, clashing expectations and contradictions.

Leaders live with contradictions. Presidents, more than most people, learn to take advantage of contrary or divergent forces. Leadership situations commonly require successive displays of contrasting characteristics. Living with, even embracing, contradictions is a sign of political and personal maturity.

The effective leader understands the presence of opposites. The aware leader, much like a first-rate conductor, knows when to bring in various sections, knows when and how to turn the volume up and down, and learns how to balance opposing sections to achieve desired results. Effective presidents learn how to manage these contradictions and give meaning and purpose to confusing and often clashing expectations. The novelist F. Scott Fitzgerald once suggested that, "The test of a first-rate intelligence is the ability to hold two opposed ideas in the mind at the same time." Casey Stengel, long-time New York Yankee manager and occasional (if accidental) Zen philosopher, captured the essence of the paradox when he noted, "Good pitching will always stop good hitting, and vice versa."

Our expectations of, and demands on, the president are frequently so contradictory as to invite two-faced behavior by our presidents. Presidential powers are often not as great as many of us believe, and the president gets unjustly condemned as ineffective. Or a president will overreach or resort to unfair play while trying to live up to our demands.

The Constitution is of little help. The founders purposely left the presidency imprecisely defined. This was due in part to their fears of both the monarchy and the masses, and in part to their hopes that future presidents would create a more powerful office than the framers were able to do at the time. They knew that at times the president would have to move swiftly and effectively, yet they went to considerable lengths to avoid enumerating specific powers and duties in order to calm the then