

PERSPECTIVES ON THE PRESIDENCY*

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I

INTRODUCTION

With the inevitable procrustean effects, this paper attempts to summarize familiar and arcane writing on the presidency and its incumbents. I divide the literature into six categories, each of which, I suggest, represents a relatively distinctive perspective on the presidency. I portray these approaches by comparing and contrasting the beliefs and assertions of representative writers along four dimensions: first, presidential responsibilities; second, the powers of the office; third, the importance of the occupant's behavior; and fourth, prescriptions for institutional changes—which often but not invariably stem from the first three dimensions. These beliefs and assertions may be refurbished, revised, or modified in some way by the actions of Presidents, and by the horde of words which scholars, politicians, journalists, and other scribes compose and, with the encouragement and sometimes at the behest of publishers, purvey. I therefore attempt not only to distinguish the six different perspectives, but also to suggest why and how some of them have undergone change.¹

This paper is not an attempt to canvass the entire range of literature about the presidency or about particular Presidents. I concentrate on selected and representative works. Writings which treat particular facets of the office and its incumbent—subjects such as elections, advisory systems, presidential personality, and so on—are excluded from my purview.² Nor do I include epiphenomena from the *Saturday Review* and *New York Times Sunday Magazine*. Moreover, by concentrating on the written word, I totally ignore television which, primarily because of its pervasiveness and its personalization of the presidency, has a far more important impact on the mass public's knowledge and myths than any of the works

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¹ According to Norman Mailer in a review of *The Group*, 1 N.Y. REV. BOOKS 3 (1963): "lists and categories are always the predictable refuge of the passionless, the mediocre, the timid, and the bowel-bound who will not make another move until they have exhausted the last." He exaggerates.

² Works in these areas are so well-known as to require no footnote. I would, however, draw the reader's attention to three publications deserving particular attention. They are: Barber, *The President and His Friends*, paper presented at the 65th Annual Meeting of the American Political Science Association, New York, 1969; E. FLASH, *ECONOMIC ADVICE AND PRESIDENTIAL LEADERSHIP: THE COUNCIL OF ECONOMIC ADVISERS* (1965); *THE PRESIDENTIAL ADVISORY SYSTEM* (T. Cronin & S. Greenberg, eds. 1969).

I discuss.³ My focus is on the authors whose books deal in a general way with the presidency and its incumbents.

One final introductory comment is necessary. This paper is exploring uncharted territory. The classificatory scheme, therefore, is intended to be both suggestive and tentative rather than logically and analytically distinct.

II

THE PERSPECTIVES

A. Roles

The most prevalent and academically respectable way of viewing the presidency is in terms of the President's roles. Indeed, it may be dubbed the received view of the office. Presidential roles are arrayed, and range from those provided for in the Constitution (Chief Executive, Commander-in-Chief), to those which assertedly now devolve upon the office. The latter include Chief Legislator and World Leader. Clinton Rossiter's widely used text⁴ is a typical example of this genre and has the roles all specified—from Chief Executive to World Leader—in the first chapter.⁵

Obviously each role is a presidential responsibility. But the authors of this view also often contend that no other American governmental institution can adequately compensate for presidential dereliction. And, without necessarily adducing specific evidence, they emphasize that the public expects an incumbent President to perform his roles. Thus, an almost inevitable concomitant of a role perspective is the contention that the President is possessed of "far more responsibility than he has power."⁶ Nonetheless, the occupant of the office does make an enormous difference; for the presidency is malleable and some Presidents are far more able than others. Rossiter, for example, compares Franklin D. Roosevelt, Harry S. Truman, and Dwight D. Eisenhower in terms of their ability to meet their abundant responsibilities. Perhaps inevitably, Rossiter depicts Roosevelt's conception and conduct of the presidency most favorably, while Eisenhower receives fewest plaudits.⁷

Thomas A. Bailey exemplifies the zenith (some might say the nadir) of the "roles" approach in his book on presidential greatness.⁸ The forty-three roles he provides⁹ are not only measuring criteria of presidential greatness as he conceives it, but also a compendium of presidential responsibility (also as he conceives it). The President is proclaimed Administrator-in-Chief, Bureaucrat-in-Chief, Legislator-in-

³ For an example of a discussion of public images of the presidency, see Sigel, *Image of the American Presidency—Part II of an Exploration into Popular Views of Presidential Power*, 10 *MIDWEST J. POL. SCI.* 123-41 (1966).

⁴ C. ROSSITER, *THE AMERICAN PRESIDENCY* (rev. ed. 1960).

⁵ *Id.* at 5-43.

⁶ F. HELLER, *THE PRESIDENCY: A MODERN PERSPECTIVE* 87 (1960).

⁷ ROSSITER, *supra* note 4, at 142-81.

⁸ T. BAILEY, *PRESIDENTIAL GREATNESS* (1966).

⁹ *Id.* at 262-66.

Chief, Chief of State, Spokesman-in-Chief, Financier-in-Chief, Diplomat-in-Chief, Appropriator-in-Chief, General-in-Chief ("of so-called free-nations,"¹⁰) and so on. By adding other criteria such as a President's skill at handling his press conferences, his ability to bypass the Senate with executive agreements, the quality of his leadership, and his management of public opinion, Bailey makes it clear that he views the powers of the office as elastic. By evaluating Presidents against his criteria (although with becoming modesty he does admit to the difficulty of the task), Bailey demonstrates his belief in the importance of the occupant of the office and his conviction that a President who extends his powers for the benefit of the nation merits the appellation "great."

Interestingly, Bailey alludes to the war in Vietnam. "Great Presidents generally have had big wars, and with the escalation of bombing and shooting in South Vietnam, Johnson may enjoy this added advantage as he eagerly seeks an honored place beside Lincoln, Wilson, and Franklin Roosevelt."¹¹ Although it is problematic whether he would revise it as one of his criteria, I doubt that Bailey would be so sanguine now about the relationship between this war and presidential greatness.

Given his inclination to endorse activist Presidents, we might expect Bailey to prescribe structural changes in the Presidency and also propose additional powers for the office. That he does not do so is probably a result of the consciously evaluative rather than prescriptive purpose of his book. Other authors of the "roles" approach are not so reticent. And, on the grounds that a President's responsibilities are so overwhelming, while the powers of the office are inadequate to meet them, these writers often suggest ways of increasing the presidency's formal powers. Such proposals include according the President greater autonomy in making appointments, further curtailing the ability of Congress to impede executive reorganization, and endowing the President with an item veto.¹²

These proposals to enlarge the power of the presidency are rarely accompanied by any disquiet among proponents of the "roles" approach. Their emphasis is on the difficulty a President encounters in handling his job and fulfilling the manifold expectations pressed upon him. As Tugwell puts it:

[i]f the President cannot, by using the cleverist administrative devices and by devoting to his duties the utmost industry, stretch his personal directions over the enormous machine he commands; and if he often cannot find the time, to say nothing of the capability, to make all the vital decisions he is supposed to make—then we do have to ask ourselves in what other way the institution can be enlarged to meet the looming responsibilities of an even more demanding future.¹³

The possible solution for Tugwell is some form of plural executive. But what is important is the formulation of the problem, not the solution. There is no

¹⁰ *Id.* at 266.

¹¹ *Id.* at 334. This was probably written in 1965.

¹² F. HELLER, *supra* note 6, at 88-89.

¹³ R. TUGWELL, *THE ENLARGEMENT OF THE PRESIDENCY* 492 (1960).

concern about the possibility (however remote) of tyranny in any form; nor is there much discussion about possible repercussions resulting from the aggrandizement of the presidency. It may be, for example, that more powers not only beget more responsibilities but that they make a President more vulnerable by imposing upon him requirements for the kinds of explicit and detailed involvements in the political process which he may need to avoid. Thus, an item veto might demonstrate for the public the political dimension of the presidency and exacerbate conflict with Congress. A dissatisfied Congress (especially if controlled by the party without the presidency) could reduce authorized expenditures, conduct even nastier and more frequent inquiries into Administration department management and policies than it does at present, and even withhold some appropriations altogether. And more explicit and clear power for the President is likely to make the party holding the office more accountable to the electorate, which is not necessarily desirable either for the President, or his party, or those who see blurred distinctions between America's political parties as essentially beneficial for social cohesion. Despite this, for most of those authors who emphasize presidential roles, the question is how the office can be strengthened to enable its occupant better to run the country. It is assumed that additional responsibilities and increases of power will work in both the President's and the public's interest.

B. Obligations

As discussed under the "roles" category, much of the literature identifies the President as the repository of his country's hopes and characterizes him as Chief Executive, Chief Legislator, Voice of the People, Protector of Peace, etc. Implicit in this characterization is the expectation that he will carry out these responsibilities. There is, however, a more extreme version of this perspective which merits its own category. This is the writing which identifies an area, defines it as falling clearly within presidential responsibility, proceeds to complain about presidential dereliction, and exhorts the present and future occupants of the office to action. Such work is replete with illustrations of the reasons for action and includes constitutional justification. Often the presidency is chosen as the necessary source of action because the other institutions of government at the national, state, and local levels are assertedly unwilling or incapable of adequate response.

In *The Presidency and Individual Liberties*,¹⁴ Richard P. Longaker, although he denies any intention "to suggest that the burden on the President to protect constitutional rights is ultimately any greater than it is for the other institutions of American government or for the least of us,"¹⁵ belies his disavowal by the following kind of statement:

¹⁴ R. LONGAKER, *THE PRESIDENCY AND INDIVIDUAL LIBERTIES* (1961).

¹⁵ *Id.* at vii-ix.

Wise and persistent use of the instruments of the presidency—the appointing power, the selective and vigorous use of law enforcement, and the cumulative advances by means of the imaginative application of administrative discretion, to name only a few—can nourish freedom even in the face of Cold War pressures. Executive neglect, on the other hand, may lead to the undermining of the very substance of American constitutionalism. What must be recognized today is that sustained leadership in the field must originate in White House direction, coordination, and sensitivity Because the major problems will find their way to the White House, to be dealt with or neglected, here in particular there should be individuals who speak of liberty rather than security and who feel committed to a positive role for the Federal executive in civil rights.¹⁶

The responsibility is depicted as pressing, and its neglect is supposedly dangerous to the health of the body politic.

The “obligations” and “roles” perspectives both place considerable importance on the actions of the President. Indeed, Presidents can be differentiated on the basis of their responses to their responsibilities. Yet, whereas the “roles” approach often explicitly and invariably implicitly stresses the necessity of increasing presidential powers, this is not to the same extent a theme of the “obligations” writers.

Thus, Longaker makes clear that so far as protecting constitutional rights is concerned, the President possessed adequate powers—he merely needed to use them. Both perspectives, however, generally share an absence of the fear that presidential activity can be anything other than beneficial and humane.

Probably the most flamboyant example of the “obligations” category, and it is consciously hortatory, appeared in 1966. In it Bertram Gross argues that “the new role of the White House is to provide a center of creative stability in the midst of turbulent change.”¹⁷ The President is charged with some of his conventional responsibilities, such as Peacemaker and Champion of Justice, but to these Gross adds Truth Teller, Humanist, and Learner. This article was probably written during the period of the Johnson administration’s greatest legislative success when, for a few euphoric months, Congress no longer seemed an obstacle to presidential legislative leadership. And Gross certainly sees the presidency and its occupant as pivotal in the American political system. Yet responsibilities like Truth Teller and Learner may well represent reactions by Gross to President Johnson’s conduct of his office. There is an awareness of presidential fallibility here relatively absent from other works.

Yet the “obligations” writers are politically disingenuous in the sense that they rarely encourage the President to follow their prescriptions by adumbrating the gains in power, prestige, and popularity that might accrue. Conversely, they neglect to discuss the negative repercussions that might result if he undertakes the proposed activity. Their books, then, remain academic in their effects on the President. The

¹⁶ *Id.* at 232.

¹⁷ Gross, *Some Questions for Presidents*, in *A GREAT SOCIETY* 305-50 (B. Gross ed. 1966). The quote is at 309.

effect of these books on the public, however, is probably to convey an impression of presidential dereliction while simultaneously raising expectations about the ability of Presidents to act and the beneficial results to be expected from such action were it to be undertaken.

It has been observed that generals develop strategy to win the last war rather than the next. Similarly, writers on the presidency address themselves to the model and experiences provided by the President in power or the one who has recently left office. The "roles" and "obligations" perspectives became particularly prevalent during the late fifties and early sixties. They may well have been a response to the problems that seemed to accumulate in the United States during the complacency and apparent stagnation of the Eisenhower presidency. Those wishing to see an attempt made to solve these problems identified the presidency as the most, if not the only, appropriate institution. Since Eisenhower had essentially a passive conception of his office, he became something of a symbol and focal point for dissatisfaction—especially among liberal academics. Rossiter's book, for example, seems to reflect this irritation with Eisenhower.

Clearly Eisenhower did not fully accept many of the responsibilities thrust upon him by either the "roles" or the "obligations" schools. And although it is often a tenet of the "roles" approach that the presidency needs additional power, Eisenhower was criticized by both "roles" and "obligations" authors for not using the power he did possess. Accordingly, with their emphasis on the importance of the occupant, both views placed great expectations on the next incumbent. Indeed, Longaker's book, published in 1961, appears to be a clear rebuke to Eisenhower and an appeal to his successor.

The next President was John F. Kennedy and his experience graphically demonstrated the gap between presidential responsibility, as conceived by scholars in the first two categories, and the President's powers. Koenig put the restraints-and-constraints point of view colorfully when he described the source of President Kennedy's discouragement as the "far-stretching chasm between the ideal of a vigorous, creative Presidency he envisaged in his gallant 1960 campaign and the reality of the complicated, restraint-bound, frustrating office he discovered after his inauguration."¹⁸ And Sidney Warren in 1964 similarly sounded the motif of ever greater obligations on the President combined with the limitations and constraints on the Chief Executive's course of action:

The nation has come to look to the White House for an immediate answer to any and all significant problems. Yet, ironically, in a period when the presidency is at the very peak of its influence, probably nowhere in the world is executive leadership more hemmed in, more limited by political considerations, more vulnerable to pressures from within and without than in the United States.¹⁹

¹⁸ L. KOENIG, *THE CHIEF EXECUTIVE* 3 (1964). When Koenig published a revised version of his book in 1968 his views were essentially unchanged.

¹⁹ S. WARREN, *THE PRESIDENT AS WORLD LEADER* 431 (1964).

Hence, the views of the presidency held by the scholars who dominated the first two categories began to change as the experiences of the Kennedy administration provided fresh empirical data. The limitations and frustrations of the office began to be accentuated. These difficulties were most immediate to the men in the Kennedy administration and their perspectives provide our next category.

C. Constraints

For the men who serve in an administration and subsequently strive to depict their experiences, the story is a combination of achievement and frustration. The Kennedy presidency exemplifies this category because it generated such an outburst of prose from the assassinated Chief Executive's cohorts (many of whom justified their efforts by claiming they were merely inadequately trying to write the book he would have written had he lived).

John F. Kennedy was an activist President whose rhetoric proclaimed vast responsibilities for his office. There is, therefore, inevitably an inclination for those who served in his administration to blame his frustrations, disappointments, and failures on the constraints surrounding the presidency and the President's lack of power to overcome them. Such a tendency was reinforced when the President was killed before he really had a sufficient opportunity fully to pursue his policies, let alone implement them. Conversely, the late President's accomplishments are lauded and cited as examples of his ability to overcome his office's lack of power. This is the tenor of the "histories" emanating from participants in the Kennedy administration. The President had enormous responsibilities (getting America moving again, for example); his powers were inadequate to the task; but by dint of his ability, skill, effort, and concern, he was able to make a start. Implicit in this approach is a general prescription that the presidency be strengthened. But more important, is the explicit assumption that an activist conception of the presidency is appropriate and necessary and that men like John F. Kennedy are the kind to occupy the office. It is not surprising that many members of the Kennedy administration joined Robert F. Kennedy's 1968 campaign.

Nonetheless, men who have actually participated in the conduct of government at the presidential level tend to emphasize the burdens and difficulties of the office. They suggest (although not necessarily expressly) that a President, even when he wants to face and deal with his manifold responsibilities (as the writers conceive and identify them), is constrained in at least four ways. First, the problems are often intractable or difficult to solve. Second, the President is limited in his options and constrained in his choices of which problems to tackle, let alone try to resolve. Third, the decision-making process is a complex and inordinately difficult one, particularly if the decision-maker takes into account the manifold sources of information and views and the sensibilities (personal and political) on which his decisions impinge. Two and three are obviously interrelated. Finally, even when a

decision is reached, the obstacles to its implementation and then execution are so extensive as often to render it nugatory.

The views I have outlined can be found, in between the paeans, in the books by Schlesinger,²⁰ Sorensen,²¹ and Hilsman²² as they chronicle the experiences of the Kennedy administration.

A distinction should be made, however, between domestic and foreign policy. Here, the participants' books confirm the impression conveyed by some scholars that a President is somewhat more confined in his domestic policy where he must often deal with the mastodons of Congress.

Yet even Hilsman, who specifically concentrates on foreign policy-making even more than Schlesinger, and who asserts that President Kennedy was successful in surmounting many of the administrative, political, and legislative obstacles to decision-making and implementation, quotes President Truman's famous comment which the latter made as he contemplated turning over the presidency to Eisenhower: "He'll sit here and he'll say, 'Do this! Do that!' And nothing will happen. Poor Ike—it won't be a bit like the Army."²³ And, at the end of his book, Hilsman elaborates:

In the field of foreign affairs, the President's power is immense. His is the monopoly in dealing with other states. But he, too, must build a consensus for his policy if it is to succeed. He must bring along enough of the different factions in Congress to forestall revolt, and he must contend for the support of wider constituencies, the press, interest groups, and "attentive publics." Even within the Executive Branch itself, his policy will not succeed merely at his command, and he must build cooperation and support, obtain approval from some, acquiescence from others, and enthusiasm from enough to carry it to completion.²⁴

So, although a President is sometimes less frustrated and confined in his conduct of foreign policy than in domestic affairs, he is still constrained. This is the essential view conveyed by the participant-observers.

Most of the participants cited do not propose to place more responsibilities on the President, perhaps because they construe such responsibilities primarily as burdens. And although they may believe that the presidency needs strengthening, this does not necessarily lead them into specific proposals for increasing the powers of the office. One reason may be that most of the writers in this category began their Washington sojourns when the White House was occupied by John F. Kennedy and ended them during the tenure of Lyndon B. Johnson. Under the onslaught of Johnson's aggressive conduct of the office, not to mention the expanded war in Vietnam, they are conscious that presidential activity may not always be beneficial.

²⁰ A. SCHLESINGER, JR., *A THOUSAND DAYS* (1965).

²¹ T. SORENSEN, *KENNEDY* (1965).

²² R. HILSMAN, *TO MOVE A NATION* (1967).

²³ *Id.* at 6.

²⁴ *Id.* at 561-62. Presidents may have objectives, I'm not sure they have policies.

The one apparent exception is McGeorge Bundy who, in his Godkin lectures delivered at Harvard in March 1968, argued forcefully that American government, including the presidency, must be strengthened.²⁵ His position is clear, even simple. There is what he characterizes as “explosive need,”²⁶ in such areas as race, poverty, communication, and nuclear energy. These needs are the responsibility of government. But government’s capacity to respond is limited by “alarming weakness.”²⁷ The solution is to strengthen government, which means strengthening the presidency, first to meet “present responsibilities,” and second, to meet the “new ones that are coming.”²⁸

Yet, returning to Cambridge from his Washington duties, Bundy encountered pervasive distaste for the war in Vietnam. Hence he is constrained to admit that “rhetorically, at least, there is difficulty in presenting an argument for greater strength in our government in a year when many of our most concerned and conscientious citizens are inclined to believe that it is precisely the strength of a government they disagree with that has brought us to great trouble in Vietnam.”²⁹ Subsequently, he scarcely treats Vietnam and his argument is independent of it. Nonetheless, he does ask those “who have strong feelings about Vietnam to consider how much they would give to a President they approved.”³⁰ This seems to beg the issue. It may be that Lyndon Johnson’s conduct of the Vietnam war manifested a lack of presidential power rather than the reverse; this is too complex an issue to argue here. The point is that to some observers the war reveals two things: first, that Presidents can make mistakes; and secondly, that the effects of such errors can be devastating. Accordingly, there has been a diminution in the enthusiasm for loading responsibilities onto the President and in the proposals for increasing his power.

In any event, Bundy’s suggestions for change are of an order different from those made by writers who adopt the “roles” perspective. It is true that he proposes to increase the President’s power by empowering him to change basic tax rates within certain limits. But among his more significant suggestions is one designed to increase the prestige and authority of Cabinet-level executives. The job of these men, as Bundy explains it somewhat unclearly, would be to help the President and be more responsive to him than the present Cabinet officers. At the same time, however, they would tend to diminish “excessive personalism,”³¹ if the President had such a tendency.

Here, Bundy is in a muted way responding to the presidency of Lyndon B. Johnson because his proposal, if adopted, would probably have the effect of in-

²⁵ M. BUNDY, *THE STRENGTH OF GOVERNMENT* (1968).

²⁶ *Id.* at 1. It is the title of the first chapter.

²⁷ *Id.* at 27. It is the title of the second chapter.

²⁸ *Id.* at 29.

²⁹ *Id.* at x.

³⁰ *Id.*

³¹ *Id.* at 55.

creasing the power of the presidency but not necessarily the power of the President. In the same refrain, Bundy has a sober paragraph on presidential fallibility.³²

One conclusion possibly to be derived from Bundy's discreet comments and proposals is that, despite the ambiguities of meaning inherent in America's sorry relations with Vietnam, the episode generally serves as a warning, chastening experience; and that we are unlikely to see an abundance of works in the near future proposing to increase the President's power—at least with respect to foreign relations. In fact, we may expect the reverse.

Perhaps representing the start of a trend, towards the end of 1966 Arthur Schlesinger, Jr. engaged in a partial debate with Alfred de Grazia (a propounder of the "anti-aggrandizement" approach to be discussed as category five) under the auspices of the American Enterprise Institute.³³ He advocated giving Congress "a more authoritative and continuing voice in fundamental decisions in foreign policy,"³⁴ and argued that the citizen's obligation is to support Congress or the presidency depending on the results desired. This view, Schlesinger hastened to add, was not "simply a consequence of the Vietnam war."³⁵ Still, the Johnson presidency then in full swing, and the Vietnam war increasingly conspicuous and bothersome, do appear to have raised questions about presidential power and its employment which Schlesinger had previously slighted.

Yet, despite Bundy's proposals for strengthening the presidency and Schlesinger's caveats about presidential power, this category is one of the least susceptible to change. The view from the White House and the Executive Office is one of good intentions and difficult decisions impeded by bureaucratic inertia, incompatible demands, and rampageous pluralism. Experience in governing leads to the realization that additional power to the President may not resolve problems but increase them; that administrative re-organizations have been tried in the past without noticeable success; and that clear-cut triumphs for a President are few and often overshadowed by frustrations and mistakes. The constraints gradually take on a rather immutable cast.

D. Statecraft

Looming over the three previous categories, and apparently required reading for members of the Kennedy administration both during and after their sojourns in Washington, is Richard Neustadt's *Presidential Power*.³⁶ Hilsman's book in particular reflects the Neustadt approach to and conception of leadership.

³² *Id.* at 57.

³³ A. SCHLESINGER, JR., & A. DE GRAZIA, *CONGRESS AND THE PRESIDENCY* (1967). It was a partial debate because the two participants never appear to have confronted and argued with each other orally.

³⁴ *Id.* at 28.

³⁵ *Id.* at 101.

³⁶ R. NEUSTADT, *PRESIDENTIAL POWER* (1968). For an intelligent explication of some of the merits and defects in the book see Sperlich, *Bargaining and Overload*, in *THE PRESIDENCY* (A. Wildavsky ed. 1969). For a work which considers leadership in a comparative and less instrumental fashion, see *POLITICAL LEADERSHIP IN INDUSTRIALIZED SOCIETIES* (L. Edinger ed. 1967), and the bibliography therein.

Neustadt, of course, is in the tradition of Machiavelli, a tradition which for its apparent hard-headed devotion to the realities of power has only appeared in American politics in the form of such blatantly cynical and droll books as Riordon's *Plunkitt of Tammany Hall* and the acidulous comments of *Mr. Dooley*.

Neustadt's positions on my four criteria can be briefly summarized. The President has overwhelming responsibilities; his powers are conspicuously limited; the views and actions of the occupant are vital; and such Presidents as Franklin D. Roosevelt with an activist conception of the office are infinitely preferable to passive occupants like Dwight D. Eisenhower. Neustadt is not, however, particularly interested in prescribing structural change. Rather, his book is a manual (although not always a clear one) advising the President how best to employ those powers he already possesses.

Since Neustadt is the primary contemporary American exponent of the "statecraft" category, we must look to him for changes in this perspective. The main source is the afterword on JFK contained in the latest paperback edition of *Presidential Power*. Neustadt's closing paragraphs in this new section are instructive:

The President remains our system's Great Initiator. When what we once called "war" impends, he now becomes our system's Final Arbiter. He is no less a clerk in one capacity than in the other. But in the second instance those he serves are utterly dependent on his judgement—and judgement then becomes the mark of "leadership." Command may have a narrow reach but it encompasses irreparable consequences. Yet persuasion is required to exercise command, to get one's hands upon subordinate decisions. With this so-nearly absolute dependence upon presidential judgment backed by presidential skill, we and our system have no previous experience. Now in the 1960's we begin to explore it.

Hopefully, both citizens and Presidents will do so without fear, or histrionics, or withdrawals from reality, or lurches toward aggression. Regardless of the dangers, presidential power, even in this new dimension, still has to be sought and used; it cannot be escaped. We now are even more dependent than before on the mind and temperament of the man in the White House.³⁷

The approach remains the same. The objective—to guide the President in gaining, preserving, and employing his power is unchanged. Yet the lines quoted above are suffused with awareness of the dangers that inhere in the presidency and the damage which may result from presidential errors or abuses of power. It may be that Neustadt is unhappy over the conduct of the presidency of Lyndon B. Johnson. More likely, he is concerned over what that conduct revealed about the damage which could result from a misapplication of presidential powers (or a President's ability to extend them through such dubious instrumentalities as the Tonkin Gulf resolution). In any event this "afterword: JFK" contains a note of caution and concern generally absent from the remainder of the book.

³⁷ NEUSTADT, *supra* note 36, at 213-14.

E. Anti-aggrandizement

"Anti-aggrandizement" is a perennial thread in the literature on the presidency. Constitutionalists who put their faith in the balance and separation of powers look with dismay at the increased powers and importance of the presidency. They might agree that the United States faces many difficult problems, but they scarcely consider this sufficient reason sanguinely to increase the number and nature of presidential roles, or to enhance presidential power—particularly at the expense of Congress. Consequently, in his magisterial *The President: Office and Powers*,³⁸ Edward S. Corwin describes "a long-term trend at work in the world that consolidates power in the executive departments of all governments."³⁹ The result is an institutionalized presidency which may jeopardize⁴⁰ private and personal rights. Individual Presidents may differ, and their impacts on the office vary considerably, yet the impetus to institutionalization of the office is apparently irresistible unless specific changes are implemented in order to control presidential power. Accordingly, Corwin proposes that the President's Cabinet be constructed from a joint Legislative Council containing the leading members of Congress.⁴¹

Just as some of the men included in the "obligations" category were responding to the somewhat lacadaisical conduct of the office by President Eisenhower, Corwin's book may have been influenced by a distaste for the increase in presidential power occurring under Franklin D. Roosevelt. Similarly, shortly after Roosevelt's death, C. Perry Patterson's book on the presidency appeared in which he advocated cabinet government. His purpose, however, was not to strengthen the presidency but to weaken it. As Patterson put it, "responsible cabinet government is the best possible means in the absence of constitutional restraint to prevent the permanent establishment of irresponsible executive government in this country in the hands of one man."⁴²

In recent years the "anti-aggrandizement" approach has been a reaction to and a direct rejection of the "obligations" and, to a somewhat lesser extent, the "roles" views. "Anti-aggrandizement" is now propounded most eloquently by Alfred de Grazia. De Grazia spells out his views in *Republic in Crisis* where he attacks the conventional views of the presidency with radical scepticism.⁴³ He is not convinced that we are now more inundated by crises than ever and he observes that the cry of emergency (which may be created by the President) results in an increase in the already too great presidential power. "Congressmen, being only human, are themselves subject to the man-on-horseback hallucinations. The releasing of power

³⁸ E. CORWIN, *THE PRESIDENT: OFFICE AND POWERS* (1957). This book first appeared in 1940. Were it not for Corwin's pronounced "anti-aggrandizement" view, his book could be included under the "roles" category.

³⁹ *Id.* at 304.

⁴⁰ Although Corwin refrains from using so strong a word, his concern is evident.

⁴¹ *Id.* at 297.

⁴² C. PATTERSON, *PRESIDENTIAL GOVERNMENT IN THE UNITED STATES*, at vi (1947).

⁴³ A. DE GRAZIA, *REPUBLIC IN CRISIS* 69-144 (1965).

in generous and vague terms to President Johnson in 1965 to deal as he saw fit with the Vietnam conflict was typical."⁴⁴

Even if this is an age of crisis (which de Grazia is not really willing to admit), it is, in his opinion, a mistake to turn to the presidency and its occupant for solutions. For the President is part of an executive force. Americans do not realize this because of their penchant (reinforced by the media and historians) to personalize this executive force in the President. By the executive force, de Grazia is apparently referring to the bureaucracy or more precisely the civil service. The presidency is merely its spearhead. This means that although there are differences in the attitudes, temperaments, and inclinations of Presidents, the policies they support are similar:

Because of how he is chosen and because of his role in the system, the President will emphasize certain policies and propound certain ideas. It appears, for example, that it is very difficult for a federalist, "voluntarist" decentralizing, "isolationist" politician to be elected President, or if elected President to espouse such policies.⁴⁵

De Grazia's prescriptions for change are quite explicit. "The President should be seen as a person furnished with a license to capture as much as he can, and as Congress will let him, of the flora and fauna of a gigantic reservation."⁴⁶ Such imperialism must be resisted. The solution is to strengthen Congress against the executive force.⁴⁷ This should be done not only because in terms of coordination, integration, and efficiency, Congress is a more responsible institution, but because the executive force is already too powerful. Conversely, all the proposals for increasing the power of the President, such as an item veto and unfettered authority to reform agencies, should be strenuously opposed. Otherwise we may experience rule by the bureaucratic state with the President supplying the face just "as the frozen pond needs a skater to make a winter scene perfectly human."⁴⁸

It may not be entirely accurate to attribute to the presidency the qualities of an increased bureaucracy in the overall administration; for the presidency is in many of its essentials separate and different from the administrative branch. Nor is it entirely clear how presidential irresponsibility necessarily follows from possessing many powers or even from their misuse. I suspect that presidential irresponsibility is more likely to be a function of the relationship between the office and the "legitimate" demands placed upon it, with "legitimate" being, as often as not, redefined from one problem to another. Nonetheless, given the Johnson presidency and America's external entanglements, we can probably anticipate a spate of books in the "anti-aggrandizement" category.

⁴⁴ *Id.* at 95.

⁴⁵ *Id.* at 79.

⁴⁶ *Id.*

⁴⁷ For his specific proposals, see *id.* at 215-43, 298.

⁴⁸ *Id.* at 105.

F. Power Elite

C. W. Mills provides a deliberate attempt to refute those he calls "the image makers." "The images they now offer us are not those of an elite in irresponsible command of unprecedented means of power and manipulation, but of a scatter of reasonable men overwhelmed by events and doing their best in a difficult situation."⁴⁹ This view, which smacks of the embattled and constrained President discussed under category C, is replaced in Mills' analysis by a "power elite," and the presidency is only one among a nexus of institutions controlled by this elite.

Since the power elite approach is ostensibly concerned with the presidency only as a small component of a much broader phenomenon, it might seem inappropriate to treat it as a distinctive category. I do so because I regard it as an important emerging perspective on the presidency which can be usefully compared and contrasted with the five perspectives previously outlined.

According to Mills, it is the power elite who are

in command of the major hierarchies and organizations of society. They rule the big corporations. They run the machinery of state and claim its prerogatives. They direct the military establishment.⁵⁰

Obviously, then, there is not much point discussing the distribution of responsibilities and powers because, on issues of pith and moment, it is the power elite which decides. One would assume, further, that this view downgrades the importance of the President's behavior. Yet, when Mills adduces evidence to confirm his analysis he refers to pivotal moments in which small circles (meaning the power elite) "do decide or fail to decide."⁵¹ Mills cites as such moments "the dropping of the A-bombs over Japan . . . the decision on Korea . . . the confusion about Quemoy and Matsu, as well as before Dienbienphu . . . the sequence of maneuvers which involved the United States in World War II."⁵² These instances refer to decisions ultimately made by three different Presidents. All are foreign policy decisions. Consequently, implicit in Mills' analysis is the idea that in the membership of the power elite the President is *primus inter pares* in his decision-making ability, although in making his decisions the President acts in consonance with other members of the elite and follows what Mills refers to in a different context as its "community of interests."⁵³

Mills' portrayal of the power elite is directed by a populist anger and moral fervor. This leads him, therefore, into a discussion of the "higher immorality," as if the combined weight of his exposé and indignation will lead to beneficial results. Otherwise, he seems pessimistic about the prospects for change. "At the top there has emerged an elite of power. The middle levels are a drifting set of stalemated,

⁴⁹ C. MILLS, *THE POWER ELITE* 325 (1956).

⁵⁰ *Id.* at 4.

⁵¹ *Id.* at 22.

⁵² *Id.*

⁵³ *Id.* at 283.

balancing forces The bottom of this society is politically fragmented, and even as a passive fact, increasingly powerless."⁵⁴ Of course, proposals for structural changes in the presidency are not important in Mills' analysis.

In 1967 G. William Domhoff wrote a book in an attempt, among other things, empirically to demonstrate or at least to bolster Mills' thesis.⁵⁵ As Domhoff put it: "We will not assume, as Mills did, that the Executive branch of the federal government is part of a power elite, but will instead show that its leaders are either members of the upper classes or former employees of institutions controlled by members of the upper class."⁵⁶ Domhoff then tries to document that the power elite controls the executive branch through prior control of the presidential nominations which, in turn, it controls through the financing of political campaigns.⁵⁷

Like Mills, Domhoff too has received considerable criticism of his thesis and methodology. I cite him merely to indicate the persistence of the power elite theme.

Whereas Domhoff tends to repeat Mills' theme, Noam Chomsky develops it. For Chomsky,⁵⁸ although he may never use Mills' term, America is ruled by a power elite and this elite, as demonstrated by the Vietnam war, can be both evil and dangerous in its effects on America and other countries which bear the brunt of its policies. And, more explicitly than Mills, Chomsky denigrates the importance of the presidency. "There is a growing realization that it is an illusion to believe that all will be well if only today's liberal hero can be placed in the White House."⁵⁹

Chomsky differs from Mills in tone and prescription. Mills is sarcastic and biting; Chomsky is angry and bitter. Ironically, while Mills appeared pessimistic about prospects for change, Chomsky sees in the course of the Vietnam war an opportunity, for it has provoked opposition not only to those in political power who were involved in its conception, execution, and defense, it has also engendered questioning and threatens to undercut the legitimacy of those who occupy positions of importance in the American political system and many of the institutions themselves—including the presidency. Finally, whereas Mills did not appear to proffer a solution, Chomsky advocates draft resistance, and endorses the "revival of anarchist thinking [which] . . . offers some real hope that the present American crisis will not become an American and world catastrophe."⁶⁰

III

CONCLUSIONS

I have briefly canvassed the component parts of six perspectives on the presidency, tried to explain their sources, and suggested a few of the reasons why they

⁵⁴ *Id.* at 324.

⁵⁵ G. DOMHOFF, *WHO RULES AMERICA?* (1967).

⁵⁶ *Id.* at 9.

⁵⁷ *Id.* at 85. *See generally id.* at 84-105.

⁵⁸ N. CHOMSKY, *AMERICAN POWER AND THE NEW MANDARINS* (1967).

⁵⁹ *Id.* at 18.

⁶⁰ *Id.* at 19.

might have been modified in recent years. Certainly my list is not complete. Furthermore, given the varieties of conduct available to Presidents; the different viewpoints and concerns of authors; and the fact that the presidency is, if not protean, at least an office both of extraordinary power and extraordinary limitations, we can expect diverse perspectives to persist.

As for the six perspectives discussed in this paper, I would speculate that they may correspond to particular segments of the political spectrum.⁶¹ To oversimplify grossly, conservatives would be inclined to be "anti-aggrandizement"; moderates would tend to have a "constraints" perspective;⁶² liberals would be partial to the "roles" approach; more extreme liberals might be found in the "obligations" school; and the "power elite" perspective is probably peculiar to radicals or, more precisely, nascent revolutionaries.⁶³ If my formulations have any semblance of accuracy, some intriguing areas of research emerge. I shall mention only one. Presidential perspectives may provide useful indices of changing attitudes among the public, especially among the political activists. For example, the differences in tone and prescriptions between C. Wright Mills and Noam Chomsky may well reflect changes in the revolutionary temper if the Chomsky version of the "power elite" perspective is accepted. Even more important than changes within a category would be changes in acceptance between categories. A decline in "obligations" and corresponding increase in the "constraints" perspective might reflect a reduction in the more extreme liberalism with its optimism and belief in government action (especially presidential action) to solve social ills.

In conclusion, I suggest that we need to examine and test some of the assumptions and assertions about the extent of presidential responsibilities, the adequacy of the President's powers, the importance of individual Presidents' behavior, and the impact of proposed changes in the presidency, inherent in each of the six perspectives. Perhaps because of the difficulty of achieving adequate access (in comparison to Congress), scholars have failed to generate sufficient data about the actual workings of the presidency. Without such empirical data, however, it is difficult to compare or evaluate the various perspectives; and we are often confined to exposition.

⁶¹ The words liberal, extreme, etc. are used here without conscious pejorative intent.

⁶² Irrespective of their initial ideological inclinations, many participant-observers, chastened by their experiences in office, probably leave the White House or Executive Office as confirmed moderates—at least in their perspectives on the presidency.

⁶³ I have excluded the statecraft category. Although statecraft is putatively the province of political scientists, it requires a bolder man than this writer to identify his professional brethren with any particular political positions. Besides, Machiavelli's unfortunate experiences, and Professor Neustadt's lonely eminence in this category, suggest that a statecraft perspective may require qualities denied most political scientists.