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INTRODUCTION:
THE RHETORICAL PRESIDENCY

When President Carter gathered his advisers together at Camp David in the summer of 1979 for the so-called "domestic summit," he "channeled the discussions beyond the subjects of energy and economics to the larger question of the nature of the leadership he and his administration [were] providing." The president concluded that he had "fallen into the trap of being head of government," rather than the leader of the people he had promised to be. As he emerged from Camp David to give his highly publicized "crisis of confidence" speech, the Washington Post's front page banner headline proclaimed: CARTER SEEKING ORATORY TO MOVE AN ENTIRE NATION.1

Carter's policies were opposed, and to some extent replaced, by his successor's. But his aspiration to leadership was not. President Reagan ended his first term heralded as a popular leader, a "great communicator," even by critics of his policies. Reagan has taken his case to the people at least once every week of his administration through radio and television addresses, continuing a populist cam-

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campaign for conservative causes begun several decades before his election. Direct popular appeal has been the central element of a political strategy that has produced a stunning string of partisan successes, including budget cuts, tax reform, a large military build-up and accompanying social and diplomatic policies. Beneath the differing policies of Democrats and Republicans and varying abilities to secure partisan objectives lies a common understanding of the essence of the modern presidency—rhetorical leadership.

Since the presidencies of Theodore Roosevelt and Woodrow Wilson, popular or mass rhetoric has become a principal tool of presidential governance. Presidents regularly "go over the heads" of Congress to the people at large in support of legislation and other initiatives. More importantly, the doctrine that a president ought to be a popular leader has become an unquestioned premise of our political culture. Far from questioning popular leadership, intellectuals and columnists have embraced the concept and appear to be constantly calling for more or better leadership of popular opinion. Today it is taken for granted that presidents have a duty constantly to defend themselves publicly, to promote policy initiatives nationwide, and to inspirit the population. And for many, this presidential "function" is not one duty among many, but rather the heart of the presidency—its essential task.

The rhetorical presidency is not just a fact of institutional change, like the growth of the White House staff, or the changing career patterns of congressmen. It is a profound development in American politics. The promise of popular leadership is the core of dominant interpretations of our whole political order, because such leadership is offered as the antidote for "gridlock" in our pluralistic constitutional system, the cure for the sickness of "ungovernability." Bound up in the common opinion that presidents should be popular leaders is a larger understanding—of how our whole political system works, of the contemporary problems of governance that we face, and of how the polity ought to function.²

² See, for example, Richard Neustadt, "Presidential Leadership: The Clerk against the Preacher," in Problems and Prospects of Presidential Leadership, ed.
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The rhetorical presidency and the understanding of American politics that it signifies are twentieth-century inventions and discoveries. Our pre-twentieth-century polity proscribed the rhetorical presidency as ardent as we prescribe it. Consider the attitude toward popular rhetoric captured a century ago by a newspaperman who provided a verbatim account of one of Abraham Lincoln's speeches and of audience reaction to it:

And here, fellow citizens, I may remark that in every crowd through which I have passed of late some allusion has been made to the present distracted condition of the country. It is naturally expected that I should say something upon this subject, but to touch upon it at all would involve an elaborate discussion of a great many questions and circumstances, would require more time than I can at present command, and would perhaps, unnecessarily commit me upon matters which have not yet fully developed themselves. [Immense cheering, and cries of "good!!" "that's right!]^3

Lincoln refused to speak about an impending civil war and was applauded. It is hard to imagine a crowd cheering any instance of "stonewalling" today.4 Prior to this century, presidents preferred written communications between the branches of government to oral addresses to "the people." The relatively few popular speeches that were made differed in character from today's addresses. Most were patriotic orations for ceremonial occasions, some raised constitutional issues, and several spoke to the conduct of war. Very few were

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4 When Carter cancelled his energy speech at the time of his "domestic summit," he was widely criticized in the press. One of his responses to that criticism was, of course, to give another speech, the so-called "moral malaise" address. When Reagan cancelled his 1986 State of the Union Address because of the space shuttle disaster, his decision was questioned by some reporters, and most importantly, he replaced that speech with another, a nationally televised memorial delivered just before, and repeated on, the network news programs.
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domestic "policy speeches" of the sort so common now, and attempts to move the nation by moral suasion in the absence of war were almost unknown. Like our present practice, the nineteenth-century proscription of popular rhetoric rested on a larger understanding of how the whole polity functioned and how it ought to function, including conceptions of statesmanship and of the constitutional order alternative to those dominant in twentieth-century political culture. The modern rhetorical presidency marks a change in the American meaning of governance.

What are the larger views of the Presidency and the political system underlying the simple distaste for popular rhetoric in the nineteenth century and the common heralding of popular leadership today? Why did those perspectives change? How did they change? Do any elements of the old theory and structure of governance persist in the conduct of contemporary American politics? Most importantly, what have been the political consequences of the development of the modern rhetorical presidency? This book offers an account of this transformation of American politics, an interpretation of its meaning, and an argument for its significance.  

Transformation or Development?

To be sure, students of American politics know that twentieth-century presidents speak to "the people" more than their nineteenth-

5 Of course, similar changes have occurred in other polities. (See Richard Rose and Ezra Suleiman, eds., Presidents and Prime Ministers [Washington, D.C.: American Enterprise Institute, 1980].) In this study, comparison is confined to the intra-American issue of change in national governing arrangements over two centuries. How similar developments actually are elsewhere, and whether those developments point to similar socio-political causes, will not be determined here. However, this study of a single country can be a useful starting point for comparisons between polities by offering a detailed articulation of a phenomenon thought to be similar elsewhere, and by generating several plausible hypotheses—including the possibility that others have imitated the American experience; or that they have responded to similar, though semi-autonomous, indigenous developments; or some combination of these. Finally, and most important, whatever the causes, analysis of the meaning and significance of political change here will apply elsewhere, to the extent that governing arrangements are truly similar.
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century predecessors did. That is not news. But the extent and significance of the change has gone almost unnoticed. What I have called the rhetorical presidency is usually regarded as a logical development of the institution rather than a fundamental transformation of it. On this common and dominant view, the modern rhetorical presidency was writ small in the founder’s original design. Like a child grown mature, the modern rhetorical presidency represents change, but change prefigured in the government’s original form.

Political scientists have devoted considerable attention to other features of the modern executive that they regard as truly fundamental changes. These include the regular active initiation and supervision of a legislative program; the use of the veto to oppose legislation as a matter of partisan policy rather than of constitutional propriety; the development and “institutionalization” of a large White House staff; and the development and use of “unilateral” powers, such as executive agreements in place of treaties, or the withholding of documents from Congress under doctrines of “executive privilege.” Most scholars trace these developments to Franklin Roosevelt’s administration; some, lamenting the developments, trace the use of unilateral powers to Presidents Johnson and Nixon. All of these changes are viewed by many students of the presidency as constituting “metamorphoses” of the institution.6

The changes that concern political scientists today are important developments, and there is much to learn from their accounts of them. But they do not constitute metamorphoses of the institution, whereas the rhetorical presidency does represent a true transformation of the presidency. All of the allegedly fundamental changes are constituent features of Alexander Hamilton’s theory of governance, and many of them found practical expression as well in nineteenth-century administrations. In fact, our first president, George Wash-

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ington—with Hamilton’s guidance—fashioned a legislative program, used the veto for policy purposes, and exercised all of the unilateral powers that are allegedly new today. The growth and institutionalization of the White House staff finds no practical counterpart in the nineteenth century, but the view of an administrative state that legitimizes its existence can be found, again, in Hamilton.

Here, indeed, is an example of the maturation of an institution, grown from an original structure that contained the political equivalent of a genetic code for subsequent development. Again, this is


9 Because spokesmen can be found on several sides of most questions that we might put to the founding generation, it is important to note that I am not interested in rearticulating all of the founders’ states of mind or concrete intentions. Rather, I attempt to identify those founding arguments that offer the most coherent interpretation of the ratified arrangements. In short, I wish to identify and elaborate the most important founding arguments in order to explore the logic of the Constitution itself. For an excellent statement of this methodological point of view, see Barber, Constitution, esp. 11, 155–59. For the metaphor of the genetic code, I am indebted to Erwin Hargrove and Michael Nelson, Presidents, Politics, and Policy (Baltimore: Johns Hopkins University Press, 1984), ch. 2.
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precisely the view that most presidential scholars wrongly hold about the development of the rhetorical presidency. But I shall show that the founding theory explicitly proscribed such development, and that nineteenth-century practice embodied that proscription.

All accounts of political change presuppose a systemic posture, a view of what constitutes the essential character of the polity. Without that presumption, one cannot distinguish the core elements of a political system from the peripheral aspects, nor can one distinguish enduring from transient qualities of the governing arrangements. While all accounts of political development and change presuppose a systemic posture, few contemporary studies begin from an explicit systemic perspective. One purpose of this book is to articulate a series of explicitly systemic perspectives with which to identify and assess change and development in the American presidency.\textsuperscript{10}

\textit{Institutional Partisanship}

The most influential tradition of scholarship on the American presidency is unprepared for the task of assessing systemic change and its implications. Most students of the presidency view the political system from the perspective of the presidency. I call this stance “institutional partisanship,” because it takes the side of the presidency in the executive’s contests with other institutions. Perhaps due to the common division of fields by institution among those who study American politics, this problem of perspective is not confined to presidency scholars. Students of Congress or the judiciary often assume the centrality of their institution in the drama of American pol-

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Politics. The problem is especially acute for students of the presidency, however, because Richard Neustadt’s book *Presidential Power* has been so influential.

Neustadt views "the Presidency from over the President’s shoulder, looking out and down with the perspective of his place." The central theme of his work is "personal power and its politics: what it is, how to get it, how to keep it, how to lose it." Neustadt’s book has been studied by presidents as well as scholars. Because of its exceptional influence, a number of critics of the "imperial" presidencies of Johnson and Nixon laid some blame on Neustadt himself for giving intellectual support to dangerous arrogations of power in the White House. Yet it is striking how many critics of Neustadt’s theory continue to accept his fundamentally presidential perspective. For many critics of Neustadt, the most troublesome aspect of presidential arrogation of power was that it had made it harder for presidents to accomplish their objectives! It is as if Presidents Nixon and Johnson, together with Richard Neustadt, had betrayed their institution and its future occupants.¹¹

Institutional partisanship is one of two intellectual legacies of Neustadt’s *Presidential Power*. The other influential inheritance is Neustadt’s claim that successful exercises of presidential power are the products of skillful bargains with other politicians in the Washington community. Bargaining is central to a successful presidency because formal authority promises presidents power that it cannot provide. The notion that presidents can secure compliance with their wishes by simply demanding it is misplaced, according to Neustadt, because presidential commands are never self-executing. Their efficacy depends upon artful wielding of informal power through bargaining—by showing other politicians that they will be helped, or at least not hurt, by doing what the president wants.

It is striking that presidential appeals to the public are not a component of political strategy as originally developed by Neustadt.

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Samuel Kernell wonders why a book that purported to be a strategic manual for presidents failed to entertain the possibility of direct and dramatic applications of popular pressure.\textsuperscript{12} He suggests the answer to this question to be the deep incompatibility of popular rhetoric and bargaining as political tactics. "Going public" subverts the logic of bargaining as a political strategy, and, according to Kernell, it undermines the pluralist premises upon which that strategy is built.

Practiced in a dedicated way [going public] can threaten to displace bargaining . . . it fails to extend benefits for compliance, but freely imposes costs for noncompliance . . . . Going public is more akin to force than to bargaining . . . it makes subsequent compromise with other politicians difficult.\textsuperscript{13}

Kernell’s insight and the criticism that it generates are helpful. The rise of the rhetorical presidency reveals important inadequacies in previous strategic analyses. But an improved rendering of Neustadt’s theory can survive this sort of attack upon its original formulation. This is because Neustadt’s second legacy—the president as bargainer—is subservient to the first—the scholar as institutional partisan. The skillful use of popular rhetoric can be integrated into a bargaining perspective if one explores the conditions under which such appeals strengthen, weaken, or substitute for traditional exchange re-


\textsuperscript{13} Kernell, \textit{Going Public}, ch. 1 (pp. 3–4); "[Noted pluralist Nelson] Polsby makes the same point when he says that congressmen may ‘find themselves ill disposed toward a president who prefers to deal indirectly with them [by going public] through what they may interpret as coercion rather than face-to-face in the spirit of mutual accommodation.’" Ibid.
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lations. Indeed, this is what Kernell does. More significantly, Neustadt is doing it himself. He has altered his strategic account in subsequent editions of his book in order to accommodate public appeals. The strategic use of the "bully pulpit" is a prominent theme of Neustadt's recent writing, in which he urges presidents to "keep trying to play in Peoria." 

Despite informed criticism, Richard Neustadt's study continues to set the categories of understanding for students of the presidency because institutional partisanship is so important, yet so little noticed. The touchstone of almost all analyses of the presidency today is presidential "effectiveness," understood as the long-term ability to accomplish whatever objectives presidents might have.

By contrast, in this book I place instances of presidential rhetoric within a larger context of changing conceptions of the political order. Presidential strategy is subordinated to a concern for illuminating some of the multiple and contradictory requisites of republican governance. Without preventing discussion of the strategic utility of rhetorical appeals for presidents' objectives, I explore the effect presidents' rhetorical practices have upon other aspects of the political system, such as the process of congressional deliberation. A systemic perspective also permits one to probe the various ways our political system should foster or constrain leadership. Most importantly, to look at American politics from the perspective of the polity rather than the presidency allows one to see the dilemmas that attend the constitution of executive power in a republican regime. From this perspective, the development of the rhetorical presidency does not appear to be an unqualified blessing as most scholars, citizens, and politicians assume, but rather a political development whose enor-

mous political promise has been accompanied by considerable systemic costs.

Reason and Rhetoric as Cause

The rhetorical presidency may have been generally ignored as an object of concern not only because it has become so familiar and comfortably democratic, but also because it is hard to believe that mere rhetoric could be of consequence to the development of American political institutions. Would it not be wiser, one might wonder, to regard rhetoric as, at best, a symptom of some phenomenon more worthy of our attention? Perhaps our presidents operate differently today than they did a century ago because the country is very different. For example, political parties have disintegrated, and television, unknown to the founders, has simultaneously opened up opportunities for and brought burdens to the modern presidency. Twentieth-century rhetoric may simply reflect these sorts of political developments.

This kind of objection to a focus upon the rhetorical presidency is misplaced, but it contains a kernel of truth. Political rhetoric is reflective of something more fundamental. But that more fundamental phenomenon is intimately bound up with rhetoric itself; it is the idea or set of ideas that legitimizes political practice. I examine the full array of nineteenth- and twentieth-century rhetorical practices as reflections and elaborations of underlying doctrines of governance. These doctrines or systemic understandings are the primary object of inquiry, and presidential rhetoric is their most visible practical manifestation. I will devote considerable attention to description of nineteenth- and twentieth-century rhetorical practices because those practices reveal the fact and consequence of basic change in the understanding of the place of the presidency in the political order.

The relation between fundamental doctrines of governance and presidential rhetoric is more complex than simple cause and effect because rhetoric is not only the result of various ideas, but also the medium for their expression. Rhetorical practice is not merely a var-
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iable, it is also an amplification or vulgarization of the ideas that produce it. Political rhetoric is, simultaneously, a practical result of basic doctrines of governance, and an avenue to the meaning of alternative constitutional understandings. The political meaning and consequence of those understandings is the central subject of this book.\textsuperscript{15}

To indicate the importance of these underlying doctrines, consider the hypothetical objection again. The objection is misplaced, I argue, because it concerns rhetoric rather than the larger political frame that rhetoric expresses and reveals. Perhaps, our critic might reply, this larger frame itself is really a symptom of a more fundamental phenomenon.

One might argue, for example, that the "underlying root cause of" the new understandings of leadership is the "decay of political parties."\textsuperscript{16} Presidents now need to build their own campaign organizations and to regularly appeal to "the people" for at least two years in order to secure nomination, let alone election. Perhaps the selection system is the chief determinant of modern understandings of governance.

It is true that modern presidents are schooled in contemporary rhetorical techniques before they reach office, and that recent presidents have tended to understand governing as a continuation and reduplication of campaigning. This is an important development in American politics.\textsuperscript{17} But to treat the decay of political parties as the "root cause" of plebiscitary leadership is to not look deep enough. A number of students of the party system have shown that the transformation of political parties can best be understood as a result of changing


\textsuperscript{16} Kernell, \textit{Going Public}, ch. 1.

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ideas that legitimate the parties’ place in our political system. The call for plebiscitary leadership preceded modern party reform and eventually legitimated that change. There is a very real sense in which plebiscitary leadership—that is, the ideas that this term signifies—caused party decay. Finally, party reform was concomitant with the rise of the rhetorical presidency, a result of some of the same doctrinal developments examined in this book.

Still, the treatment of ideas as semi-autonomous factors in political development strikes many as naive. Perhaps, a sophisticated social scientist might suggest, technological change (such as television) drives doctrinal change. I do not deny that television has an independent effect on the character of presidential rhetoric (and I discuss some of these independent effects in Chapter 7); but the use of television for leadership purposes required prior legitimation through some set of ideas. Before presidents could appear on television, or radio, it had to be legitimate for them to do so. In fact, these particular technologies were usable before they were politically employed. They were available for exploitation but did not cause it. This idea is not as new nor as odd as it might first appear. Twenty-five years ago, Stanley Kelley provided an account of changing tactics in political campaigns, including “dirty” tactics. Kelley found that the use of “dirty” tactics required not only technical capability, but also a change in ethic, the advent of an accepting disposition on the part of the voting public. Prior to a doctrinal development legitimizing dirty tactics (making them no longer dirty), they could not be profitably employed. So too with the modern technologies that attend the rhetorical presidency.

The greatest difficulty that faces one who would give great weight to the technical development of the mass media as determinant of the

19 This point is made at greater length in James Caesar, Glen Thurow, Jeffrey Tulis, and Joseph M. Bessette, “The Rise of the Rhetorical Presidency,” in Re-thinking the Presidency, ed. Thomas Cronin (Boston: Little, Brown & Co., 1982).
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rhetorical presidency is the fact that presidents had much less technical difficulty in going to "the people" in the past than one might think. Although presidents made relatively few popular addresses in the nineteenth century compared to presidents in our century, taken together they did give a considerable number of speeches—about one thousand of them. I discuss these speeches in Chapter 3. Here I merely note that this rhetoric was well covered in newspaper accounts and widely circulated in pamphlet form. Of course, these speeches looked very different from speeches today and performed very different political functions—that is one of my central claims. Presidents could have made speeches that looked very similar to those made today, but they did not. They spoke and acted very differently than they could have done within the limits of available technology. The differences between nineteenth- and twentieth-century political rhetoric do not depend upon the development of the modern mass media, though contemporary presidential rhetoric is certainly reinforced by requirements of modern television. Rather, the differences depend essentially upon the very phenomena that they reveal—the changing conceptions of leadership and the place of these conceptions in our political order.

Although presidents faced few technical difficulties in "going public" in the nineteenth century, they did face enormous political difficulties, if they attempted to mount a policy-oriented campaign like those so common today. In Chapter 3, I discuss the effort of one nineteenth-century president who did attempt such a campaign. Andrew Johnson faced no important technical difficulty in going public to pressure Congress to support his reconstruction policies. Indeed, he succeeded so well in being heard that he was publicly chastised—indeed, impeached—for making those speeches. Lincoln was cheered for keeping silent; Johnson was castigated for speaking to crowds. In our time, Dwight Eisenhower was criticized for not speaking out on a number of important policies, while Ronald Reagan has been hailed as the "great communicator" for his frequent popular appeals. To comprehend this sort of change—indeed, to identify it as change—one must be prepared to treat the political or-
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der as an arena in which ideas matter. One must be prepared to reverse the common assumption that ideas are "epiphenomenal," that is, mere reflections of important political developments, and to entertain the possibility that thought might constitute politics.\footnote{21}

The Two Constitutional Presidencies

In the chapters to follow, I examine three expressions of constitutive thought in American politics: 1) direct expression of politically authoritative theories of the constitutional system and the presidency's place within it; 2) systemic understandings indirectly expressed through the array of rhetorical and political practices that amplify and express successive constitutional theories; and 3) ideas that emerge from the conjunction of systemic understandings, as modern presidents attempt to lead a nation under the auspices of two general, and conflicting, theories of the constitutional order.

American politics today, and American political development since the founding, can usefully be treated as a layered text. The first layer of this text-poitly is formed by the political theory of the founders. Because subsequent attacks on that theory have sometimes gained public legitimacy without also altering constitutional and structural features of the regime, this thought can be viewed as superimposed upon the founding theory, altering without obliterating the original layer. The dilemmas of modern governance may be located, I argue, in that theoretical space between the layers of politically significant thought that form our political culture.

The modern presidency is buffeted by two "constitutions." Presidential action continues to be constrained and presidential behavior

\footnote{21 It is of course true that ideas can be no more than semi-independent variables in political development and that their relation to socio-economic circumstance, technology, and the like is in some sense reciprocal. It is worth noting, however, that students of politics feel less burden to add this sort of qualifying remark if they treat ideas as "epiphenomenal." The assumption that ideas have constitutive potential is a possibility to be entertained. It does not preclude the discovery that one is wrong, but the common assumption that ideas don't matter, once adopted, does not admit of a test of itself.}
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shaped by the original Constitution. The core structures established in 1789 and debated during the founding era remain essentially unchanged. For the most part, later amendments to the Constitution have left intact the basic features of the executive, legislative, and judicial branches of government. Great questions, such as the merits of unity or plurality in the executive, have not been seriously reopened. Because most of the structure persists, it is plausible that the theory upon which the presidency was constructed remains relevant to its current functioning.

At the same time, contemporary presidential and public understanding of the character of the constitutional system and of the president’s place in it have changed. This new understanding is the “second constitution” under whose auspices presidents attempt to govern. Central to this second constitution is a view of statecraft that is in tension with the original Constitution—indeed, is opposed to the founder’s understanding of the political system. The second constitution, which puts a premium on active and continuous presidential leadership of popular opinion, is buttressed by several extra-Constitutional factors such as the mass media and the proliferation of primaries as a mode of presidential selection.

Presidents work in a political system composed of elements in tension and, at times, in contradiction to one another. Presidents are taught to act as they do by the theory of leadership built into the constitutional structure, and reflected in its institutional principles and incentives. Simultaneously, a very different theory, which reflects current elite and public understanding of leadership, instructs, rewards, and punishes our chief executives. A central claim of this book is that the understanding of this ambivalent constitutional station is necessary to account for many of the dilemmas that attend modern presidential governance.

Chapter 2 is an analysis of the founding theory. To uncover that theory, I rely heavily upon The Federalist, a set of papers justifying the Constitution, written by three of its most articulate proponents, Alexander Hamilton, James Madison, and John Jay. The purpose of this journey back to the founders is not to point to their authority nor
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to lament change. Nor is it meant to imply that all of the supporters of the Constitution agreed with each of these arguments. *The Federalist* does represent, however, the most coherent systemic articulation of the implications of, and interconnections among, the principles and practices that were generally agreed upon when the Constitution was ratified. I then show how that theory is manifest and made more elaborate in formal modes of rhetoric established in the nineteenth century.

Informal political appeals in the nineteenth century are described in Chapter 3, to show the formative influence of the ruling doctrine upon political behavior. I discuss the character of informal speeches, the functions they were intended to serve, and the way they amplify the underlying constitutional perspective. A number of attempts by presidents to adopt practices now familiar to us were politically punished, further confirming the power of the original doctrine. Andrew Johnson's popular appeal is the most striking case of a campaign over the heads of Congress for legislation. The chapter concludes with a discussion of rhetoric's role in Johnson's impeachment.

Chapter 4 is an examination of the most successful use of popular leadership in American political history—Theodore Roosevelt's campaign to secure passage for a railroad regulation bill called the Hepburn Act. As the first president to secure legislation with an appeal "over the heads" of Congress to secure legislation, Roosevelt can lay some claim to being the father of the rhetorical presidency. His was a remarkable political achievement. The president's own party was against the bill. Few contemporary politicians believed he could win. Yet he won, and won big (346 to 7 in the House; 71 to 3 in the Senate).

I discuss this case for three reasons. First, it constitutes the first serious critique of the founding theory, which had proscribed popular leadership. Roosevelt did not speak solely of railroad regulation, but also spent considerable effort justifying his speaking in this way. The core of his argument was that a change in authorized practices was necessary to fulfill the purposes of the underlying founding theory of governance. So Roosevelt criticized the founding theory from

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within, displaying some of the dilemmas of governance built into the original arrangements.

Second, the case serves to highlight the exceptional conditions necessary, even today, for successful popular leadership. It serves as a paradigm of rhetorical leadership properly conceived and exercised. Franklin Roosevelt’s campaign to pass the Social Security Act and Reagan’s achievement of tax reform are two of a very few similar successes in American political history. I discuss the character of the special conditions conducive to that kind of success.

Finally, the case helps to explain how Woodrow Wilson’s subsequent rejection of the constitutional perspective of the founders took hold when it did. By showing that the founders had not envisioned the full range of possibilities that their doctrine implied, Theodore Roosevelt prepared the country for the more radical critique that was to come in the administration of Woodrow Wilson.

Chapter 5 presents the theory of the ‘second constitution,’ the dominant understanding today that has been superimposed upon our original Constitution. To probe this theory I explore the political thought of Woodrow Wilson. Wilson self-consciously attacked The Federalist in his writings, since he regarded that book, as I do, as the best articulation of the meaning of the original Constitution. As president, Wilson tried to act according to the dictates of his reinterpretation of American politics. As I show through analysis of twentieth-century presidential rhetoric, presidents have continued to follow his example. Presidential scholars tend to echo his arguments. Of course, most presidents have not thought through the issues Wilson discussed—they are too busy for that. But if pushed and questioned, modern presidents would (and occasionally do) justify their behavior with arguments that echo Wilson’s. Just as The Federalist represents the deepest and most coherent articulation of generally held nineteenth-century understandings, Wilson offers the most comprehensive theory in support of contemporary impulses and practices.  

22 I should make clear that I am not claiming that modern presidents are self-conscious students of Wilson’s writings. Just as college students often express, say, Freudian, Kantian, or Marxist arguments without ever having read the source, or

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In this chapter I also compare the character and functions of rhetorical appeals in the nineteenth and twentieth centuries. I show a dramatic shift in the number of messages, the kinds of addresses that are offered, and the kinds of arguments that are contained in presidential messages in an effort to show the extent to which the second constitution dominates twentieth-century presidents’ understandings of leadership.

After exploring the origins and development of the rhetorical presidency, I turn to the political significance and consequences of this political transformation. In Chapter 6, two cases detail the limits of modern leadership. The first case explores Woodrow Wilson’s League of Nations fight and shows how that political battle and Wilson’s rhetoric were structured by competing imperatives of the two constitutions. Wilson’s political relation to the Senate, and his speech to them, was shaped by the old Constitution and reflected the theory it contains. His campaign to the people, and the character and content of his speeches, reflected his own new theory of his role, in tension with the old. His failure was not the defect of rhetorical ineptitude or, as many argue, of his personality. In spite of his skill, indeed his gift, Wilson was thwarted by the system he so successfully reinterpreted but only partially reconstituted.

The second case, Lyndon Johnson’s War on Poverty effort, illustrates how apparent short-term rhetorical success (from an institutionally partisan perspective) resulted in long-term costs for the system as a whole. Johnson’s preemption of the deliberative process resulted in a bill that even his supporters later conceded was poorly crafted, raised expectations without providing the means to reach them, and engendered other unforeseen consequences that might have been identified if the deliberative process had run its normal course. The case recalls Roosevelt’s great individual ability to com-

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even having known the name of the great thinker, so may contemporary presidents’ views “echo” Wilson’s without their being aware of it. Just as Freud is (almost always) more profound than the Freudian student who does not know Freud’s name, so is Wilson more interesting than subsequent presidents who adopt his politics for reasons that they only dimly know.

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bine a rhetorical campaign with traditional political skills. But Johnson’s immediate legislative success brought with it long-term failure.

The cases of presidential failure are intended to reveal the limits of the rhetorical presidency and to illuminate some more general dilemmas of modern American politics. These dilemmas are the subject of Chapter 7. A fundamental dilemma is to provide institutional means for crises without making those crisis tools—and crises themselves—routine. The danger from the routinization of crisis is that the political system loses its ability to govern well between emergencies. The point cannot be stressed enough, however, that the executive energy needed to contend with crisis is a genuine need for which the original Constitution may have inadequately provided. Hence the dilemma.

Similarly, I explore the tradeoffs between synoptic change on the one hand and deliberation on the other. This problem is closely related to the tradeoff between increasing the president’s power to make law and the costs of mutable law. These dilemmas are abstracted from the three preceding case studies, but are also illustrated by brief discussion of Ronald Reagan’s rhetorical leadership, particularly his campaigns for tax reform, the budget of 1981, and the Strategic Defense Initiative.

Although I treat the founders’ views more sympathetically than do most contemporary accounts of the presidency, I do not urge a simple return to the ways of the nineteenth century. Like a transparent overlay on an old map, the Wilsonian doctrine has altered the shape of the modern presidency without obliterating the original structure. Just as it is usually impossible for nations to restore ancient boundaries, it would now be difficult to reinstitute the founding perspective. Even if possible, it would not be desirable, because the Wilsonian critique, for all its problems, reveals flaws in our original Constitution.

My object is to describe and assess several fundamental problems of governance in modern America. I do not conclude with the customary wish list of political reforms. I am concerned less with prescribing new laws and practices than with contributing to the estab-
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lishment of a condition in which intelligent public deliberation about reform would be possible. Hopefully, this book will aid that possibility by offering new terms with which to assess the character and development of the constitutional order and the president’s place within it.