

P O R T R A I T S

of

AMERICAN
POLITICS

A Reader

BRUCE ALLEN MURPHY

PORTRAITS OF **AMERICAN POLITICS**

A Reader



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PREFACE

The idea for this book began several years ago in a late-night conversation with two Penn State students. At the time, I was planning the reading list for my introductory American government course. I am constantly searching for materials that my students will enjoy reading, and over the years I have discovered that although an American government textbook is helpful, students really want, and benefit from, illustrations of how our government *truly* operates.

Indeed, in that late-night discussion, the two students, who prided themselves on not reading assigned texts, insisted that I add Anthony Lewis's *Gideon's Trumpet* to my class reading list. Like their classmates, these students wanted to read about real people and real events rather than about theories and maxims. Through descriptions of politics in action, students can come to understand the people and institutions that dominate American government. For example, Lewis's account of a poor man's fight for the right to counsel can teach students more about how the Supreme Court makes decisions than can volumes of legal theory.

The construction of this reader comes from the other side of my professional work. As a biographer with a political focus, I have a great love for biographical narrative and a belief that through this craft we can instruct nonspecialists in the art of politics. Over the years, I have collected a variety of compelling biographical accounts of American politics in action, many written by some of the finest authors of our time, which I have used in my classes to supplement the core materials. Some of these pieces are portraits of people; others are descriptions of institutions or events. All of them capture the rich human drama of American politics.

This volume contains many of these materials. The articles are drawn from some of the best political biographies and from accessible journals such as *American Heritage*, *The New York Times Magazine*, *The Atlantic*, and *The New Yorker*. These narratives describe the central players and events in American politics, particularly those of the last twenty years. For example, D. B. Hardeman and Donald Bacon profile legendary Speaker of the House Sam Rayburn. William Greider presents former Budget Director David Stockman and explains

why many of Ronald Reagan's economic plans were doomed from the start. And Joseph Persico explores the Iran-contra scandal from the perspectives of two principals, William Casey and Oliver North.

Some selections focus on turning points in our political history and show how these historic events have shaped the context of events today. For instance, Charles Mee explains the hardball politics of the fight to ratify the Constitution. Theodore White describes how the 1960 campaign and election of John F. Kennedy changed presidential campaigning. And Ethan Bronner shows why Robert Bork's nomination for the Supreme Court may have changed the way the Senate confirms Supreme Court justices.

This book is designed primarily to be used with a core text in the introductory American government course. It can also be used as the main text for that course, or for a course such as "Film and Politics" that draws on political writings but does not use them exclusively. Recognizing the range of uses, I have employed a number of pedagogical tools so that each piece can stand on its own. First, each reading has a thorough introduction that places it in historical and political context and an epilogue that brings the issue up to date. Annotations throughout the reading explain unfamiliar events, terms, or people. A unique feature of this reader is the list at the beginning of each selection that identifies and explains the prominent people in that reading.

The *Instructor's Resource Manual with Test Items* that accompanies this book contains the following for each reading: a summary of the selection, multiple-choice and essay questions, suggestions for classroom use, and a list of suggested videos. I thank Kelly Keating for her assistance in preparing this manual.

I am very grateful to each of the reviewers for their valuable suggestions:

John F. Bibby, University of Wisconsin-Milwaukee

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Kathryn Yates, Richland College

My thanks go also to my fellow biographer, and former teacher, Stephen B. Oates of the History Department at the University of Massachusetts at Amherst for suggesting that a political science version of his own history reader, *Portrait of America*, might work well. And thank you to Bob Holste and Phil Gutis, the two students who initially suggested that I use these kinds of readings. I would

like to acknowledge the highly professional staff at Houghton Mifflin for their help at every stage of the book's creation. I would also like to thank my colleagues at Penn State's Institute for the Arts and Humanistic Studies and its current and former directors, George Mauner and Stanley Weintraub, for providing an oasis of fellowship and support for my work. Finally, it is always a pleasure to thank my wife, Carol, who makes life worthwhile, and my children, Emily and Geoffrey, who inspire me with their love and enthusiasm.

B.A.M.

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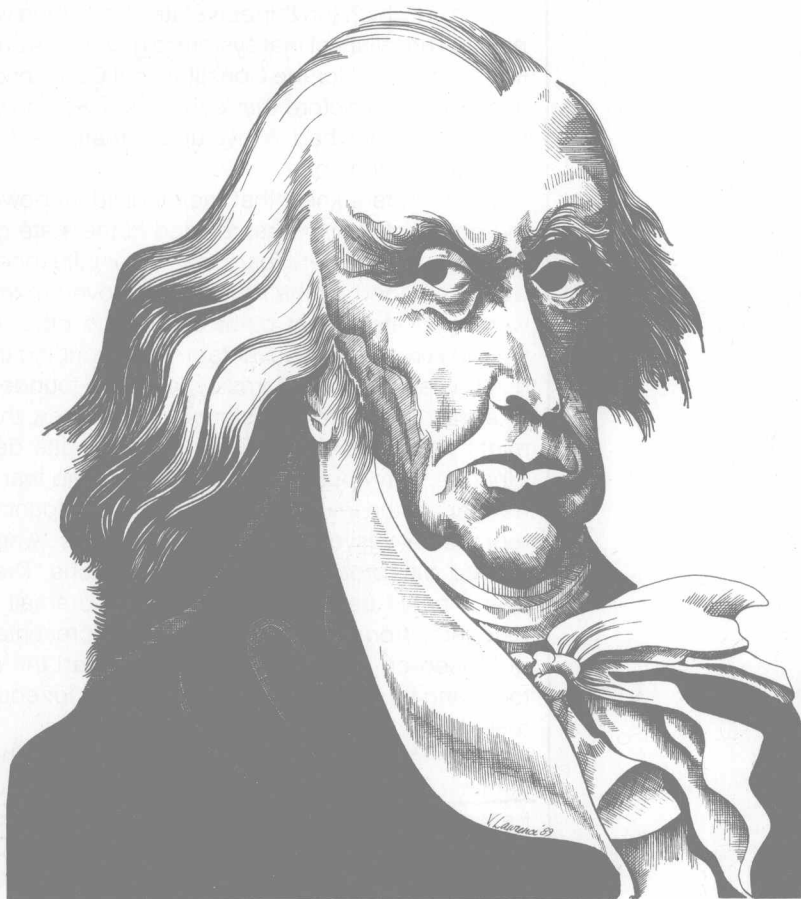
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CHAPTER 1



THE CONSTITUTION

Behind Closed Doors

Richard B. Morris

The U.S. Constitution is an extraordinary and visionary document. The difficulty of creating such a blueprint for governing should become evident again as countries throughout Eastern Europe attempt to write their own constitutions. Yet the brilliant men who wrote the Constitution were also practical politicians. Having thrown off the yoke of the British monarchy, they had tried a more democratic government under the Articles of Confederation, in which the thirteen states had virtually all the power. The failure of that system to govern the entire nation led to a call for the Constitutional Convention. The main question before that convention was how much power the states had to give up to create a successful central government.

The founders knew that their individual power, and the power of their peers, resided in the state governments, and they were fearful that their influence would be superseded by the new central government. They were also afraid that other states and other people would gain an unfair advantage. In describing the various battles, Richard Morris conveys the founders' fear of a truly democratic system in which they, the elite, might have less power. As Massachusetts delegate Elbridge Gerry put it, they had a prevailing fear of "the dangers of the leveling spirit." Hence the founders, as representatives of their individual states, were concerned with protecting their own positions. The result was a battle between large states and small states; delegates from large states wanted representation to be based on population, where they had the advantage, and those from small states fought for equal representation for all states.

The genius of the Constitution is found in the Connecticut Compromise, which reconciled the conflict between large and small states to create a unique governmental system. At the same time, however, the issue of slavery caused continuing conflict between the northern and southern states. Although the founders reached enough of a compromise over slavery to form

From Richard B. Morris, *Witnesses at the Creation: Hamilton, Madison, Jay, and the Constitution* (New York: Holt, Rinehart and Winston, 1985). Copyright © 1985 by Richard B. Morris. Reprinted by permission of Henry Holt and Company, Inc.

the Constitution, the seeds were sown for the turmoil that culminated in the Civil War seventy years later.

The irony is that in spite of these personal issues, and the attendant political battles, a constitution was created that transcended the individual concerns of the framers and their states and became the model for democratic government around the world. Note that the Constitution has been amended only twenty-six times in over two hundred years, with ten of those amendments coming at the time of ratification. The brilliant vagueness of the Constitution has allowed the Supreme Court to interpret it over the years in various ways to keep pace with present-day demands. →? more like p-d stigmas, i

Notice the title of the selection: "Behind Closed Doors." Could these very political men have done such work if their actions had been visible to their constituents? Could they have taken such extreme and unpopular positions for the purpose of achieving a useful compromise if they had feared that revelation of their words would end their careers? Ironically, the world's most open democratic system most likely could have been created only in total secrecy. Morris and others would not have been able to study the framers' actions had James Madison not published his notes of the Constitutional Convention, but that was done thirty years after the event. This is certainly not the kind of politics we know now, where information is leaked to the press almost the moment something happens, and battles are deliberately played out for all to see. — like

Roe vs Wad

Clarence
Thomas
hearings

BENJAMIN FRANKLIN The senior delegate at the Constitutional Convention.

ALEXANDER HAMILTON New York delegate who favored a strong central government.

JAMES MADISON Principal chronicler of the Constitutional Convention; pushed for the Virginia Plan.

GEORGE MASON Antifederalist delegate from Virginia; one of three delegates *not* to sign the Constitution.

WILLIAM PATERSON Delegate who proposed the New Jersey Plan.

EDMUND RANDOLPH Virginia governor and delegate who proposed the Virginia Plan (Randolph Plan) to the Convention.

GEORGE WASHINGTON Presiding officer of the Constitutional Convention.

JAMES WILSON Federalist delegate from Pennsylvania; advocate of strong presidency.

■ In the steaming hot summer of 1787, fifty-five delegates met in convention in the State House of Philadelphia and devised a new national government for the thirteen states and all those that were to enter the Union thereafter. The delegates sat almost daily for four months and argued out their ideas in long, heated sessions in secret and behind closed doors. On September 17 they gave to the people the final document, five pages of parchment setting forth a plan of union calculated “to secure the Blessings of Liberty to ourselves and our Posterity.” This document is our Federal Constitution. It provided for a sovereign government with broad, if clearly defined, powers and responsibilities.

The spare, eloquent language, much of it attributed to the talented Gouverneur Morris, outlined a republican government that steered a course between the equal dangers of tyranny and ineffectualness by providing by implication for a separation of powers among the three coequal branches of the government: Congress, the President, and an independent judiciary, all curbed by a system of checks and balances.

It created a unique system called federalism, in which the central government was delegated authority in international and national affairs, including the power to tax and to regulate commerce, to provide for the common defense and the general welfare, and to make all laws necessary and proper for carrying into execution the powers vested in the Constitution. As its Preamble declares, it is a government of the people, not of the states, and lines of demarcation between the national government and the states were laid down. It guaranteed to the states a republican form of government and declared the Constitution and the laws and treaties of the national government to be the supreme laws of the land. Finally, it wisely provided for a method of amendment.

That delegates from so many regions of the country and with such widely diverse interests could unite in creating an entirely new governmental system was, for George Washington, who presided over the Convention, “little short of a miracle.” It was also testimony to the fact that, with a few exceptions, the delegates who attended were committed to a more national frame of government than the Articles of Confederation had provided, and were in general agreement about the powers to be conferred on a central government. On much else there was a sharp disagreement and heated debate, but the spirit of compromise that prevailed attested to the common wisdom and common sense of the participants.

It is more than chance that both the Great Declaration and the Constitution were adopted at the Pennsylvania State House in Philadelphia, a shrine now called Independence Hall. Both documents enlisted the wisdom and statecraft of many of the same men. These men recognized that merely winning independence did not suffice. They knew the newly emerging nation would have to be soundly structured.

In London, John Adams declared the Convention “the greatest single effort of national deliberation that the world has ever seen.” Thomas Jefferson was later to refer to the Convention as “an assembly of demigods,” for, with a few

notable exceptions, virtually of America's big names were found on the roster of delegates.* Indubitably, the Convention's greatest asset was the presiding officer, George Washington, the unanimous choice to chair its sessions, and one who could count on advice from a prestigious delegation from his own state. Pennsylvania's delegation claimed Benjamin Franklin, then eighty-one years old, as its senior member; he brought to the assemblage his wit, common sense, and unrivaled experience in the service of empire, colonies, state, and nation, as well as his international renown as diplomat, scientist, and humanitarian. Virginia's most erudite member was James Madison, an ardent nationalist with whom we are now familiar. And there were first-class legal minds like James Wilson of Pennsylvania, who never lost his Scottish burr, John Rutledge of South Carolina, and William Livingston, the learned and witty governor of New Jersey.

The only state to dispatch an Antifederalist delegation was New York, where an Antifederalist legislature, under prodding from Governor George Clinton, passed over John Jay, certainly one of the best qualified for the task at hand, but grudgingly included Alexander Hamilton, who, as the author of the Annapolis resolution, could not conceivably be left out, but curbed his independent authority by including two antinationalists in the delegation, John Lansing and Robert Yates, both upstate lawyers. Since the pair consistently outvoted Hamilton and then left the Convention in disgust, the state that Hamilton represented was, in effect, deprived of a vote. How well Hamilton could operate under these handicaps was, as we shall see, the special concern of his fellow nationalists and well-wishers of his hometown.

How wisely the delegates performed their task may be judged from the ability of their instrument of government to surmount the trials and crises of two hundred years. The prescience, innovative capability, drafting skills, and awareness of the need to compromise on the part of the Convention's delegates are attested to by the Constitution's durable qualities. Over a period of two centuries, dozens of constitutions adopted in other countries, whether in imitation of the American model or based on quite different plans, have gone into the scrap heap. The United States Constitution has outlived all its successors.

Fortunately for posterity, James Madison chose a seat up front. Not missing a single day, the diligent and meticulous Virginian took systematic notes, providing us with the principal record of the debates in the convention. The ordeal, he later said, "almost killed" him; but having undertaken the task, he was "determined to accomplish it." Some nine others also took notes, but none are as full, as impartial (despite some corrections that Madison, some forty years later, saw fit to make), or as accurate as Madison's. It is through James Madison chiefly that we are let in on the secret debates by which the most delicate and crucial

* At the time of the Constitutional Convention, John Adams was ambassador to Great Britain and Thomas Jefferson was ambassador to France.

issues were resolved and a constitution drafted and adopted between May 25 and September 17, 1787. . . .

[On] May 25 [1787], a quorum of seven state delegations were seated in the East Room of the State House. Here the Declaration of Independence had been signed, and here the old Congress had mostly sat until they were humiliatingly driven out by an insubordinate state militia wanting back pay. The East Room, forty by forty feet, with a twenty-foot-high plaster ceiling, proved adequate for the business at hand. The delegates seated themselves at tables covered with green baize, three or four delegates to a table. Before the session began, Washington talked informally to the delegates, urging them to create a plan of government of which they could be truly proud. As Gouverneur Morris later reminisced, Washington exhorted them, "Let us raise a standard to which the wise and honest can repair! The event is in the hands of God."

The first order of business was the election of a presiding officer. In the absence of the senior delegate, Benjamin Franklin, who was indisposed that day, Robert Morris moved that General Washington be the presiding officer, a motion seconded by John Rutledge. Unanimously elected, Washington was escorted to his chair by his two co-sponsors. In a brief speech he thanked his fellow delegates for the honor conferred upon him, and asked their indulgence for any errors he might commit in the execution of that post. Then the delegates picked as secretary William Jackson, a former army officer, and decided on the rules to be followed.

It was agreed that a majority of the states present could decide any question, each state to have an equal vote. This was an initial victory for the small states, and one that conformed to the voting rules of the Continental Congress. Then a rule of secrecy was adopted, the delegates feeling that they could talk more freely and be willing to modify their declared positions if word of what they said did not leak to their constituents back home. The rule, with strict injunctions laid down by Washington, was vigilantly respected. The wide, lofty windows ranging on both sides were nailed shut. Guards were posted outside the doors. Throughout a torrid summer the delegates sweated it out, but in the main what was happening inside never got outside. No one raised the issue of the public's "right to know," although Jefferson, from his post in Paris, protested privately to John Adams in England that the "precedent" of "tying up the tongues of the delegates was abominable." What came out of Philadelphia on September 17 has been called "an open covenant secretly arrived at." And years later Madison would insist that "no Constitution would ever have been adopted by the convention if the debates had been public."

The initial victory of the small states would quickly prove abortive. The Virginia delegation now seized the initiative. On May 29, Governor [Edmund] Randolph rose from his seat at a nod from General Washington and, with a degree of modesty concealing his own indecisiveness, declared:

"I regret that it should fall to me, rather than those of greater standing in life and longer experience, to open the great subject of this mission. But my colleagues from Virginia imposed this task on me.

"I need not comment on the crisis that confronts us, on the weakness of the Union under the Articles of Confederation, and on the dangers of our situation. But here is the remedy I am offering, which I am proposing in the form of a resolution."

Randolph, to reassure his listeners, began with the timid resolution proposing that the Articles be "corrected and enlarged." Ahead lay the real shockers, the fourteen following resolutions, which in essence proposed to demolish the Articles of Confederation and erect in their stead a strong national government on a popular foundation. The resolutions set up a bicameral legislature, the lower house chosen by popular election, the upper house picked by the lower from the candidates named by the state legislatures. Each house's representation was to be proportional to population. This Congress would have the authority to make laws "in all cases in which the separate states are incompetent" and to nullify any state laws contrary to the Federal Constitution.

The Virginia Plan provided for a President to be called the National Executive, who was to have all the executive powers granted Congress under the Articles. With the concurrence of a number of federal judges, the President would have veto power over the acts of Congress. He was to be chosen by Congress and would serve for a term of seven years. The plan also proposed to set up a system of federal courts.

This audacious plan transcended a mere revamping of the Articles, placing in its stead a different constitutional structure embracing a balanced government of three branches, supreme over the states.

The Convention now went into a committee of the whole. For a few moments the response to the Virginia Plan seemed auspicious. On the motion of Gouverneur Morris, the Convention voted six to one "that a *national* government ought to be established consisting of a *supreme* Legislative, Executive, and Judiciary." The dissenting state was Pennsylvania, whose delegation yielded to Benjamin Franklin's long predilection for a unicameral legislature, such as had been operative in Pennsylvania. Once taken and never reversed, the vote on the Morris resolution was perhaps the most significant made by the Convention, amounting as it did to a commitment to set up a supreme central government.

Other parts of the Randolph Plan provoked serious debate. The proposition that "the first branch of the legislature" should be elected by the people quickly raised two questions: First, how much democracy did the Founding Fathers really want? And second, how much power were the states ready to yield to the people? Perhaps to the surprise of most delegates, two old Patriots with long-established radical credentials quickly sought the floor to contest this proposition.

The first to do so was Roger Sherman, a delegate from Connecticut, signer of the Declaration of Independence, one-time shoemaker, and one of the few ex-artisans present at the Convention. The second was Elbridge Gerry, the fiery maverick from Marblehead, who stunned some of his colleagues with his uninhibited antidemocratic outpourings, among them:

The evils we experience flow from the excess of democracy. The people do not want virtue, but are the dupes of pretended patriots. Just look at Massachusetts. There it would seem to be a maxim of democracy to starve the public servants. There has been a perfect clamor to reduce salaries, and even the governor has had to cut his salary. I have been too republican, heretofore; I am still republican, but I have been taught by experience of the dangers of the leveling spirit.

The nationalists who looked to the people, not to the states, for support of their program, could not let these remarks go unchallenged. George Mason, more democrat than nationalist, rejoined: "I am for an election of the larger branch of the legislature by the people. That is to be the grand depository of the democratic principle of government. We ought to attend to the rights of every class of the people. Perhaps we have been too democratic in the past, but let us not now run into the opposite extreme. However indifferent the affluent may be on this subject, let me remind you gentlemen: Every selfish motive, every family attachment, ought to recommend such a system as would provide no less carefully for the rights and happiness of the lowest than the highest orders of citizens."

Mason had brought the class issue out in the open. Two others, more enthusiastically nationalistic, now manifested their concern about attaching the people to the national government. James Wilson wanted to raise "the federal pyramid to a considerable altitude," and for that reason "to give it as broad a base as possible." He warned that "no government could long subsist without the confidence of the people." To put elections in the hands of the state legislatures would only increase their weight rather than reduce it.

Madison had impatiently waited his turn on an issue so vital to the nationalist cause. He contended that to have one branch of the national legislature elected by the people was "essential to every plan of free government." "The excessive flirtations" of indirect elections now being practiced in some of the states, was, in his opinion, being "pushed too far." He was prepared to have such indirect elections for the second branch of the legislature as well as for the president and the judiciary. But the great fabric to be raised would be more solid and durable "if it should rest on the solid foundation of the people themselves." . . .

How far the delegates were prepared to trust the judgment of the people was reflected in the stirring debate over the method of electing senators. Once the committee of the whole had approved by a vote of six states to two the election to the "first branch" (the House of Representatives) by the people, how was the "second branch" (the Senate) to be picked? Randolph, arguing in support of his