

THE
CHIEF
EXECUTIVE

FIFTH EDITION

LOUIS W. KOENIG



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EXECUTIVE

F I F T H E D I T I O N

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New York University



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To Eleanor and Juliana

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Preface

Ronald Reagan breathed new life into the American presidency after a long period of decline following Vietnam, Watergate, and the rising tide of unresolved problems that engulfed Jimmy Carter. Reagan was also the first staunchly conservative President in many decades and the first to preside over the welfare state. These distinctions and others make the Reagan presidency a fascinating object of study, one to which the Fifth Edition of *The Chief Executive* is in part addressed.

The dimensions of Reagan's conduct of the presidency that are explored include his performance as a public leader and practitioner of symbolic politics; the patterns of his relationships with Congress, disclosed in both his successes and his rebuffs; and his unprecedented efforts to master the federal bureaucracy and halt the expansion of its domestic programs. More than any President since Franklin Roosevelt, Reagan imposed his economic views on the government.

This edition, like its predecessors, continues to pursue the goal of outlining a presidency that can perform effectively in a complex and resisting political system and that can serve as a force for well-being in American society and in the world at large. The book spotlights obstacles to the achievement of this ideal and offers proposals to reduce or even overcome them. Reagan was often blocked by these obstacles; and if his successors should be endowed with lesser political gifts, both their problems and our proposed solutions will become all the larger and more important. As in previous editions, the Fifth Edition continues to explore the problems of maintaining an equilibrium between the presidency and democracy and of avoiding the abuses of power.

This edition reflects the ever-growing body of new scholarship that concerns every major aspect of the presidency, including the office's role in the age of television, the revolution of new technologies and big money in electoral campaigning, the tendencies toward realignment of the major parties, and the unfolding nuances of foreign affairs and national security policy-making.

It is a pleasure to express my appreciation to Frederick W. Zuercher, University of South Dakota, and C. Neal Tate, North Texas State University, for their cogent and fruitful suggestions for the Fifth Edition. The book has been aided in its progress at Harcourt Brace Jovanovich by the wise counsel of Drake Bush and Nancy Crawford and by the thoughtful editing of Craig Avery. I am again grateful to my daughter, Juliana, and my wife, Eleanor, for their tolerance and encouragement.

Louis W. Koenig

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1

Perspectives on Presidential Power

After his massive electoral victories of 1980 and 1984 and his steady high popularity in public opinion polls, Ronald Reagan was widely perceived as the most powerful political phenomenon since Franklin Roosevelt. Following his smashing 1984 success, House Speaker Thomas P. O'Neill, Jr. (D-Mass.), ruefully acknowledged, "I don't believe if we had Paul Newman this year, we could have beat this fellow."¹

Several explanations became commonplace of Reagan's success—that he masterfully applied his Hollywood skills to the presidency's abounding opportunities for dramatic display, that he deftly used the communicative impact of television to its fullest. According to opinion polls, citizens were attracted by his leadership qualities, by his sweeping sense of the direction in which he wanted to take the country, by the simplicity and consistency of his messages, by his espousal of values and myths that Americans hold dear. Other explanations stressed Reagan's gift at setting well-defined goals and not being lured from them into the presidency's byways. Instead of becoming captive to the office's daily flow of memoranda, visitors, and pressures, he held, as Presidents have rarely done, to a simple but ambitious agenda. He meant his administration to be one of historic, even revolutionary, accomplishment. "This administration," he declared at his first news conference, "did not come here to be a caretaker government. The time has come when there has to be a change of direction."²

Reagan took long strides in his first presidential year toward transposing ambition into reality. His proposals of tax cuts, social program reduc-

tions, deregulation, and expanded military spending sailed through Congress. But this interval of triumph was quickly followed by a trimming back of goals and by the disruptive consequences of earlier policies. These policies followed him through two terms and could not be overcome by the triumph of his reelection.

Like Presidents before him, Ronald Reagan, despite his formidable political gifts, succumbed to the built-in limitations of presidential power. Paradoxically, his conservative revolution was slowed, and sometimes stopped in its tracks, by the inherent conservatism of the political system in which the presidency functions. Like other change-minded Presidents, Reagan ran afoul of the system's powerful sentinels who monitor and constrain presidential initiatives. He encountered a Congress whose assertiveness had become well honed after Watergate and Vietnam, courts whose interventions frustrated the administration's efforts to dismantle programs, and interest groups and bureaucracies protective of governmental activities that were vital to their well-being.

After the first year of the Reagan presidency, each year provides its chronicle of rebuffs. In 1985, for example, the Republican-controlled Senate forced Reagan to accept a level of military spending that only a week earlier he had denounced as "irresponsible," and a one-year freeze of the cost of living adjustment for Social Security beneficiaries that he had called "unacceptable." His tax reform proposal was engulfed with criticism and drastic modifications. Both congressional houses rejected his South African policy of "constructive engagement" and legislated economic sanctions. His best successes were the MX missile, deployed at half the proposed level, the Nicaraguan "contras" allotted only nonmilitary aid, and without the CIA as intermediary as the President had proposed.

More than most Presidents, Reagan was bedeviled by the lack of fit between the promises made in promoting his policies and the actualities of their implementation. He sold his program of tax and budget cuts as the magic key to an explosion of economic growth and productivity, to a better living standard for the general citizenry, to a gross expansion of the military, and to a balanced budget. But the world in which the presidency functions is largely one that it does not control. Let it deal with the economy, international affairs, and the habits and decisions of citizens, and it will easily run afoul of perversity and the sheer unpredictability of the consequences. Although Reagan did slow the growth of domestic spending, the share of the gross national product committed to it became higher than when he took office. Instead of a generally shared prosperity, the rate of unemployment in 1984 remained as high as when the Reagan years began. With his liberal spending on arms and the reduction of government revenues, wrought by his tax cuts and a severe recession, Reagan was father to high deficits that required heavy borrowing overseas, increased the value of the dollar against foreign currencies, and slowed the sale of American merchandise abroad.³ The Reagan revolution was hampered by limitations of power inherent in the Presidency and the political system, by private economic decision, and by events abroad that lay beyond its control.

The Diminished Presidency

For all of his political prowess, Reagan had to struggle with the heritage of Watergate and Vietnam, which serves to diminish the office's efficacy and impact. Both events seared in the nation's memory the presidency's capacity for wrongdoing and imprudence. The nation's fond recall of heroic presidential figures of the scale of Washington and Lincoln and a procession of lesser but revered successors is now jostled by a sorry memory of presidencies capable of wrongdoing and misjudgment. In the 1970s, when Watergate and Vietnam erupted, another force potent and independent of them—the reform spirit—ascended. Its hand was felt by two institutions with which the presidency interacts and on whose strength its own well-being depends—Congress and the political parties. Thanks to long-coming reforms that finally materialized, both Congress and the parties were changed from their historic form and, unfortunately, weakened as policy-producing institutions. So dependent is a presidency of strength on the presence of a strong Congress and effective parties, that its capacity for accomplishment is diminished if these other institutions are weakened, if their power is fractionalized, thanks to reform. If their ability to develop consensus, close ranks, and produce policies declines, the President suffers. Particularly in domestic affairs, producing public policies embodied in legislation is an act of partnership between the president, Congress, and the parties.

The major changes buffeting and debilitating Jimmy Carter, Reagan, and their successors in this present era of the diminished presidency include the weakened party system, a rise in congressional power, a resistant bureaucracy, stronger special interests, the mixed blessing of television, the altered candidate selection process, and intractable problems in the country at large.

The Weakened Party System

A genuine, functioning two-party system is an historic foundation of an effective, responsible presidency. The party was a prime weapon of Jefferson, McKinley and the Roosevelts, among others—the instrument by which they mobilized great popular majorities to support their purposes. Citizens, whose individual power is slight, can count for much by uniting in party, and Presidents have not been slow in recognizing the opportunities presented both for policy accomplishment and for renewing their term of office.

But the major parties have become less cohesive. The partisan spirit is slackening; the body of independent voters, who do not identify with the major parties, continues to expand. Partisanship has been dampened by rising educational levels and a more sophisticated electorate, by the pervasiveness of television, which magnifies personality and underplays party and program, and by the reduced influence that reforms made by the parties themselves have accorded party professionals in the national party conventions. Worst of all, the proliferating primaries, also the offspring of reform, endlessly demonstrate the vulnerability of the party to the challenges of out-

siders. Carter's nomination in 1976 and Reagan's in 1980 are showcases of this phenomenon.

Congressional Power

Congress was long the least changing of national political institutions. But reflecting forces of reform afoot in the 1970s and the heritage of Watergate and Vietnam, Congress is changing markedly in ways detrimental to an effective presidency. Theodore Roosevelt, contemplating his exceptional successes in the office, declared that a strong presidency required a strong Congress. In his day congressional power was centralized in the control of the legislature's party leaders and committee chairmen, and most spectacularly in "Uncle Joe" Cannon, the nonpareil Speaker of the House of Representatives. A contemporary Speaker, Thomas P. "Tip" O'Neill (D-Mass.), despite his exceptional political talents, is many notches below the power wielded by his distinguished predecessor of the 1960s, Sam Rayburn. The historic capacity of party leaders of both congressional houses to assemble votes to support the President's policy projects, after ample legislative review, has gravely declined.

Thanks to the congressional reforms of the 1970s, power has flowed away from party leaders like the Speaker, from committee chairmen (another bastion of traditional leadership), to subcommittee chairmen, who are both more numerous and more anonymous, and therefore more capable of resisting the legislative party leadership and the President. Individual members of Congress, mindful of the heritage of Vietnam and Watergate, have far lower thresholds of suspicion and rejection of the President. Where once freshman legislators were deferential to congressional seniors and abstained for a decorous interval from entering debate, they now quickly join the fray and are their own leaders. Stuart Eizenstat, Carter's chief adviser for domestic affairs, after trudging through three years of dealing with Congress, declared, "Moses would have difficulty getting the Ten Commandments through [Congress] today."⁴

Congress's new assertiveness is also fed by its own expanding bureaucracy, professional and sophisticated, knowledgeable from previous experience in the executive branch, aggressive, and career-minded. Congress continues to apply to the President the checks honed during Vietnam and Watergate by limiting appropriations. It has multiplied in statute opportunities for legislative review of executive actions, and its members enter into diplomatic negotiations, a turf traditionally reserved to the President and the executive branch. Congress has also limited more formally and sweepingly than ever before the President's power to use force in international affairs or to convey armaments to the nation's allies and friends.

Resistant Bureaucracy

To Reagan, bureaucracy was the enemy, with whom no peace could be made, the guardian of programs he avowed to abolish. If the bureaucracy did too little, he depicted it as lazy. If it churned out memos and reports, he decried "bureaucratic sabotage." Congress, the courts, and client interest groups were staging areas of bureaucratic resistance.

Special Interests

Interest groups have attained a new plateau of efficient, self-interested assertion. Groups, hard-driving on one or several issues, provide delegates to the national conventions where they grind their special axes, nominate the President, and insert planks into national party platforms. With little provocation, they campaign against legislative candidates who displease them and on whose support the President depends. Political action committees (PACs), composed predominately of business organizations, well-financed, politically sophisticated, and deft in grassroots organization, are a growing force the President must reckon with. In the eyes of group leaders, no President can do enough to advance their interests.

The Role of Television

At best, the age of television is proving a mixed blessing for the presidency. Doubtless television has enhanced the office's position as the nation's supreme political symbol, but in other respects has clearly weakened it. When events take a downturn—when the Vietnam War drags on, when the Soviet Union launches a new thrust, when terrorists hold American citizens overlong, the President is the readiest object on which to affix blame. He becomes a national scapegoat even if his powers for dealing with such eventualities are limited and shared with Congress.

The Altered Selection Process

At the very moment when the nation's problems intensify and leadership is strained, the methods of choosing the President are altered to the point that incumbents who excel at winning elections are selected, but are no longer subject to tests of the older system of the candidates' capacity to govern. The proliferation of presidential primaries since the 1970s has turned the selection process into an extended popularity contest among a modest minority of voters who vote in the primaries. The older system, which required the candidates to pull together a network of support from congressional, state, and local party leaders, as well as to win in the primaries, was a revealing trial run of the candidate's ability to perform a basic task of governing—to weave consensus from the many contradictory strands of the nation's politics.

In the clichés of his critics, Carter, the first President produced by the new selection process, was a nonleader, unskilled in the tasks of consensus-building. Carter initially campaigned for the presidency as an "outsider," untainted by Washington politics, a fresh moral and political force. Even as President, he continued to maintain that he never, or almost never, considered politics when he made government decisions.⁵ This may be a path to sainthood but it does not lead to presidential power.

Intractable Problems

Today's Presidents, Reagan, Carter, and their successors, struggle with problems such as unemployment, recurrent inflation, arms control, peace in

the Middle East, stepping up the economy's lagging productivity—all dilemmas that faced their predecessors, Ford and Nixon, that defy solution and grievously afflict the entire citizenry. Carter's failure to cap inflation was a principal factor that drove him from the presidency. According to one poll, 58 percent of those voting for Reagan in 1980 cited inflation as "a determining issue."⁶

Reagan claimed that he could reduce two of the nation's most harrowing economic problems simultaneously—inflation and unemployment—and make everyone better off. The notion that supply-side economics, which Reagan espoused, could achieve these good things was, at best, what Senate Republican leader Howard Baker called a "riverboat gamble." The gamble of tax and budget cuts worked for inflation, but little else. Reducing the numbers of unemployed substantially, and increasing saving and investment, did not materialize. Even under the most optimistic assumptions, standards of living for most individuals are expected to rise less in the 1980s than in the 1970s, and far less than in the 1960s.⁷

Intractable problems, by their insatiable demands for attention, crowd other problems off the policy agenda. Reagan's legacy of horrendous deficits, defying any solution that the President or Congress could muster, will preclude bold governmental initiatives in dealing with major social problems in the future. Instead, a rapidly growing share of the taxpayer dollar will go for interest on the debt rather than for program benefits and services. Presidents who follow Reagan will feel pressed to curb spending.

In dealing with intractable problems, the President falls easily into a pattern of flipflops as he struggles to cope. In 1981, Reagan promoted tax reduction to stimulate the economy, contending that it was unnecessary to think of budget deficits. A year later, he pushed through a massive tax increase, citing the huge impending deficits. Another year later, in 1983, he largely ignored the deficit. He stood in danger of becoming another Carter, whom he defeated at least partly because of his predecessor's image of indecisiveness.

Cycles of Presidential History

We have been looking at a snapshot taken at a moment in the life of an office almost two centuries old. A picture recorded at another time would have different lines and shadows, strengths and weaknesses. Like any long-enduring institution, the presidency's fortunes fluctuate. The talents of its incumbents differ; events smile and frown. In the American system, more than in the systems of other nations, the chief executive is unable to stabilize his political influence. Potent forces in American society and culture and in its politics cause fluctuations and discontinuities in the President's role. An overview of the many decades of foreign and domestic policy-making reveals rises and falls, ebb and flow in the President's influence and impact.

The volatility of power results partly from the circumstance that it is shared between the executive and Congress. But the precise patterns of sharing are unclear and tentative; and even after nearly two centuries of constitu-

tional practice, they remain largely unpredictable. Power also oscillates because of shifts in public mood that range to a degree seldom matched in other major nations. In foreign affairs, the American mood swings widely between high ideals and willingness to sustain great burdens, to absorption in domestic affairs and even to moods of disillusionment and resignation when foreign policy fails to satisfy activist ideals, prompting withdrawal and isolation.

A similar fluctuation occurs in the domestic arena. Although enlarged executive power triumphed in Franklin Roosevelt's New Deal and Lyndon Johnson's Great Society, there are also interludes of counterpoint. Reaction sets in. The public becomes bored by the President's incessant demands on its attention. It prefers less presidential leadership and striving. After a siege of Kennedy-Johnson activism, society is more receptive to Nixon-Ford retrenchment. Expansions of domestic programs are now slowed, the remote Washington bureaucracy is discredited, and the cry is sounded to leave matters to the states or to private enterprise. Reagan carried this tendency to an even farther extreme, but as the fruits of his policies were harvested, it seemed likely that he had led the country as far to the right as it wanted to go. The historic cycle remains free to swing again, since Reagan did little to institutionalize his agenda. His basic instrumentalities, tax and budget cuts, and pull-backs in regulatory activity, were discretionary decisions with little foundation in statutory change. A Presidential successor could instantly modify or abandon them.

The American system has built-in regulators that assure impermanence in the President's power circumstances. For example, a psychology born of the separation of powers reinforces fluctuation. Congress as an offspring of separation of powers must, like the other branches, struggle to maintain its identity. For a time it can acquiesce to the President's initiatives, but sooner or later it must contest and reject them. Only by that course can its identity be retained; continued acquiescence erodes it. Similarly, the public mood, which the President must arouse if he is to accomplish memorable purposes, is controlled by a limited span of attention. The presidential summons to join in noble purpose can be sounded just so often in a society absorbed in private endeavor, whose rewards are showered on private achievement. Above all, the fortunes of the presidency at any moment depend on the incumbent, on his imagination, energy, values, and political skill. As skills fluctuate so do the sums of usable power.

An historical roadmap of the presidency and its power, then, follows an erratic course of ascents and declines. President George Washington truly led the country, but his successor, John Adams, suffered decline. Thomas Jefferson, more a party leader than a chief executive, was a highly successful President, although too yielding to Congress. Under his weaker successors, the office waned. Andrew Jackson restored the presidency to its earlier vigor with his extraordinary popularity, but soon it again declined as its incumbents struggled with the insoluble problem of slavery, the nation's growing division, and stormy congressional deadlocks. In the Civil War, Lincoln applied a totality of power that has never since been equalled, converting the presidency into what Clinton Rossiter aptly called "a constitutional dictatorship."⁸ Congress's inevitable reaction against this grand claim of power fell on Andrew Johnson. The presidency sustained a general de-