
The Presidency and the People

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In an interview shortly after the inauguration of John F. Kennedy, Walter Lippmann exulted, "This is a most presidential country." That observation still seems apt twenty years later; even as wilfully obtuse a president as Ronald Reagan can use the Office of Management and Budget or the Department of Justice to obliterate the separation of powers in the name of the Constitution.

Even so, it is probably more accurate to say that this is a most presidential *century*. It is difficult, at any rate, to identify more than two exceptions to the rule of Congress in the nineteenth century—Andrew Jackson and Abraham Lincoln—or to believe that their significance as presidents had nothing to do with the exceptional times in which they served. Jackson came to power at the moment of the republic's lurching transition from its provincial, agrarian past, to its modern, industrial future—when the pace of territorial settlement and social and economic change seemed to have outrun the capacities of custom, legal precedent, or legislative sanction, and accordingly demanded startling innovation in politics as in every other sphere of American life. His direct appeal to "mass publics," for example, was not only possible, given his background and personality, but necessary, since the enormous expansion of the electorate in the 1820s (over 200 percent between 1824 and 1828) occurred before there was a party system that could offer new voters a programmatic language, and thus mediate between the people and federal, state, and local governments. Lincoln's extra-legal and unconstitutional acts during the Civil War were even more obviously dictated by extraordinary circumstances: in effect, he had to reinterpret for an American audience the role of revolutionary despot that had been created by Cromwell and Robespierre.

Yet the "blueprint for modern America" was drafted in Congress, where the Republican party had first gained a foothold in the federal government. It was in Congress that a unitary labor and property system was codified by constitutional amendment, and industrial capitalism on a continental scale was created by forced loans, land grants, subsidies to railroads, protective tariffs, national banks, and aid to immigrants. Lincoln's role in this drama was necessarily secondary. Moreover, his late nineteenth-century successors played similarly minor parts in the subsequent remaking of American society.

If the United States was not very presidential (and rather less than gubernatorial) until the twentieth century, it follows that there are fundamental differences between the political cultures of the nineteenth and twentieth centuries. We can therefore dispense with the idea that executive sovereignty is a cyclical phenomenon,¹ and proceed instead on the assumption that changes in the language and structure of American politics are worth explaining in historical terms.

Significant change in this respect, not surprisingly, was the product of the collapse of a self-regulating market economy in the 1890s. Until then, the language of American politics was predicated on the notion that equality among individuals, and thus the sovereignty of the people—not the state—were possible here because the continental reach of a competitive, entrepreneurial economy distributed opportunities and obligations anonymously, broadly, and equally, yet did not give a majority of citizens the same interests. Political divisions and conflict among the people followed from the fragmentation of social power and the multiplicity of interests that were created in and through that market economy. Such factiousness, however, was not only natural and unavoidable, but actually productive of the general welfare: it precluded any one interest from becoming too powerful, it sustained an open political system, it enforced compromise, and so stabilized the republican form of government. The sovereignty of the factious people found its practical expression in working legislatures—in representative assemblies that, as “miniatures” of the citizenry, were designed and assumed to be policymaking bodies, not “talking shops.”

This uniquely American assumption—that working legislatures were the setting in which the sovereignty of the people was actualized—remained a vital part of our political experience for so long because the enduring legacy of the Revolution was an astonishingly “positive” conception of liberty. To be sure, the revolutionaries found a promise of freedom from potentially despotic state power in an unfettered, even self-regulating market economy. Yet the most popular arguments for and about liberty were eminently political in the sense that they did not limit its meaning to specified civil rights that would protect the private happiness of individuals—liberty, in other words, was more than freedom from civic obligations, political association, and public power. It was as much effect as cause of the people’s participation in public affairs: its real meaning existed in the people’s use of public power for the sake of public happiness.

The crisis of the 1890s demanded a new political language for it demonstrated that the competitive, entrepreneurial economy could not enforce equality, or produce a multiplicity of interests—or even allow the orderly allocation of resources. Indeed, the progeny of that economy was a proletarian majority that could not be expected to be interested in reconciling the “two cardinal objects of

1 Alan Wolfe, “The Presidency and the Crisis of Modernization,” *democracy* 4, no. 2 (April 1981).

Government, the rights of persons, and the rights of property.”² Political division and conflict would not necessarily be contained by a consensus on the need to maintain some form of capitalism: the sovereignty of the people, like the competitive, entrepreneurial economy, was dangerously unmanageable.

Thus it was not mere coincidence that the breakdown of the rule of Congress and the rise of the modern presidency went hand in hand with the corporate reconstruction of the American economy, from approximately 1893 to 1920. Certainly the architects of the new corporate order viewed the working legislature and the competitive, entrepreneurial economy as equally lacking in stability, efficiency, and the capacity to utilize modern technical (“scientific”) expertise—in other words, as similarly lacking in distance from the people. They insisted, moreover, that neither Congress nor an unreconstructed economy could provide the unity of purpose demanded by the nation’s new imperial responsibilities.

The modern presidential state emerged as the solution to these inseparable problems—as the middle term between the domestic consolidation of the corporate order and the internationalization of the corporate economy. Since the second decade of the twentieth century, the language of American politics has accordingly been based on the assumption that the sovereignty of the presidential state—not the people—is a manifest necessity. Because the corporate economy obviously concentrates assets, opportunities, and social power, and so creates the potential for class conflict and ideological politics, it requires regulation by the state in the name of parity among a limited number of groups (not individuals) that are defined by their economic function or so-called special interests. As the embodiment of the sovereign state, the president does not, then, so much represent the occupationally aggregated people as negate them.³ And because the corporate economy obviously cannot exist without constantly enlarging its legal claims on the world’s resources, it requires enforcement by the state of its worldwide claims. Here, too, the role of the president as the embodiment of the sovereign state is to make of the diverse and factious people a lifeless, apolitical abstraction—to make them one nation, indivisible, by incessant appeals to the “necessity of solidarity and continuity of national conduct.”⁴

2 “James Madison’s Observations on Jefferson’s Draft of a Constitution for Virginia” (1783), ed. Julian P. Boyd, *The Papers of Thomas Jefferson* (Princeton: Princeton University Press, 1950), 6:310.

3 The pivotal figures in the articulation of this modern liberal conception of the presidency and the people are Woodrow Wilson and Herbert Hoover. See, for example, Wilson’s *Constitutional Government* (New York: Columbia University Press, 1908), pp. 58–59.

4 John A. Hobson, *Imperialism* (Ann Arbor: University of Michigan Press, 1965), p. 148. Cf. Woodrow Wilson’s preface to the fifteenth edition of *Congressional Government* (Boston: Houghton Mifflin, 1900), pp. xi–xii.

The people do not altogether disappear under this corporate-liberal political dispensation. But if they are not and cannot be sovereign (except at the moment they secretly cast their ballots), their liberty amounts to the freedom to consume and maximize utilities in private. Perhaps that is why the language of twentieth-century American politics so often reads like an unappetizing menu.

I do not mean to suggest that the presidential state was or is a natural corollary to the establishment and maintenance of the corporate *imperium in imperio*. In the early twentieth century, the connection seemed natural only to those who created it—to the corporate innovators and ideologues who believed that unless the political issues animating the people were redefined as technical problems to be attended by experts in executive branch agencies, modern civilization could not be developed in the United States or extended to precapitalist areas of the world. The most imposing monument to their faith in the New Leviathan is probably the Federal Reserve System, which removed all significant issues involving money and banking from the purview of Congress and hence from normal political discourse, where they had been throughout the nineteenth century—and where, according to the Constitution, they belong.

In the late twentieth century the connection between a sovereign presidential state and a stable corporate order still seems perfectly natural and necessary to the leaders of the business community: their fear of the sovereignty of the people still overrides their misgivings about presidential rhetoric or the state's proper role in economic stabilization. But fear of the people is even more pointed now, because corporate leaders believe that over the last five decades, and more particularly in the last twenty years, government policy aimed at income and employment stability has virtually destroyed the people's willingness to submit to the "natural laws" of the modern economy.

For example, Henry Kauffman, the influential economist and market analyst of Salomon Brothers, argues that "fundamental change has been taking place in our society over the last five decades": the majority of Americans is now committed to a "democracy oriented toward an unaffordable egalitarian sharing of production rather than equal opportunity." Felix Rohatyn bases his well-publicized jeremiads on a similar analysis of the evils of a "padded society"—a society, he says, that for fifty years has promoted income security and thus price rigidity at the expense of balanced government budgets and the work ethic itself.⁵

From this standpoint, the economic problem becomes a political one; more specifically, the economic problem becomes an excess of government. But that does not mean that corporate leaders have been born again as Manchester-school

⁵ These and the following quotations are taken from Kauffman's address to the Chicago Economic Club, "The Disregard for Capital," May 1980, and from Rohatyn's "The Coming Emergency," *New York Review of Books*, December 4, 1980.

liberals: they are by no means antistatist. Their polemics are aimed not at state intervention in the economy as such, but at government policies that support consumption over capital formation and social over economic objectives—at policies that seem to take the rights of persons more seriously than the rights of property, and so perhaps may be said to nurture a new society blindly struggling to be born within the old.⁶

In sum, corporate leaders now see themselves as engaged in a momentous struggle—a class struggle—for control of the state. As Kauffman puts it, “We have, I believe, a last-ditch opportunity to stop the tide and to strike a new balance between social and economic objectives.” Accordingly, they recognize that the key to victory is to insulate the presidential state apparatus from the government—from the interest groups and broader social movements educated and enfranchised by the New Deal, the Fair Deal, the Great Society, and the New Left, and represented, with varying degrees of self-consciousness, commitment, and success, in the Congress and in state and local legislatures. A “government of checks and balances,” Rohatyn explains, “has become all checks and no balances. . . . Today, we could not build our road system, the TVA, or the Manhattan Project. Between the Congress, the courts, the numerous interest groups, these projects would all die on the vine.” He and other “serious students of government”—most notably Lloyd Cutler, formerly counsel to President Carter—recommend constitutional change “so that a president with a real vision of the future will be able to put his program through.” Whether their project will require a constitutional amendment is not yet a practical question. But in any case the political language that contemporary corporate ideologues hope to

6 The distinction between the rights of persons and the rights of property that I’m suggesting here cannot be reduced to the putative conflict between (or contemporary meaning of) equality and liberty, because the revolutionary bourgeois notion of liberty, especially in its American variant, presupposed equality—and vice versa. The distinction is instead analgous to that suggested by G.H. Sabine and Sheldon Wolin as between democratic radicalism and liberalism, and by C.B. Macpherson as between the contradictory concepts of human nature that coexist within the modern liberal tradition (infinite developer of capacities as against infinite appropriator or consumer of utilities). Both political tendencies or concepts were present at—or rather converged and inspired—the creation of the American republic because, as Madison pointed out, “in the existing state of American population and American property, the two classes of rights were so little discriminated that a provision for the rights of persons was supposed to include of itself those of property.” But the sublimation of politics thereafter, in accordance with the requirements of capital accumulation, was never complete. And so the periodic return of the repressed language of democratic radicalism—a political grammar that makes provision for the rights of persons, to the virtual exclusion of the rights of property—fairly characterizes the development of our political culture, especially in the twentieth century.

make the vernacular presume that the sovereignty of the presidential state must be renewed and guaranteed if modern capitalism is to be saved.⁷

The issue for those who believe that effective democracy requires the sovereignty of the people is whether the impending crisis referred to by corporate leaders now is in fact upon us. Whether the majority of Americans is indeed committed to an "egalitarian sharing of production," or a "padded society," or, for that matter, to any notion of America that assumes the legitimacy of the people's social-economic needs and political sovereignty is the question at hand. For if such a majority exists—if the fears of Kauffman, Rohatyn, and their allies are justified—"democracy" need not be treated as a merely mythical standard against which this profane world is measured and found wanting, or, less superficially, as the historical discovery and cultural monopoly of one or another oppressed social class; it can be treated instead as an unknown yet evident and living reality that resides in the American people's experience and aspirations.

Of course, the question is not and cannot be a strictly empirical one, mainly because most significant issues are routinely repressed and mutilated beyond recognition by the various news media and the party system, and as a consequence of the fact that executive decisions on foreign policy and national security are allowed to circumscribe and distort every form of domestic political debate. But it does seem that what Kauffman calls the "disregard for capital" has reached epidemic proportions—that a majority or near-majority of the American people understands the rights of persons to be in conflict with the rights of property, and is unable or unwilling to see why the rights of property should take precedence.

Perhaps the best way to suggest the meaning and validity of this proposition is simply to note that, notwithstanding the few obvious exceptions, the influential social movements that have found or rediscovered a political voice in the last quarter century are essentially social-democratic in their outlook and programs. Consider, for example, the movements for black power, sexual equality, environmental integrity, consumer protection, citizens' action, party reform, national self-determination, or human rights abroad. Consider too the political odyssey of the labor movement in the last decade: the AFL-CIO, whose domestic programs have always been social-democratic if not plainly socialist, has now abandoned not only its liberal-internationalist position on foreign trade and investment, but also its commitment to ever greater defense spending and the use of American military power abroad in the name of anticommunism.

⁷ Lloyd Cutler, "To Form a Government," *Foreign Affairs* 59 (Fall 1980): 126-44; and Bayless Manning, "The Congress, the Executive and Intermestic Affairs: Three Proposals," *Foreign Affairs* 55 (Winter 1977): 306-24.

The irrepressible yet still veiled conflict between the goals of these social movements and the rights of property has not been expressed as radical programmatic differences between the two major parties (although even here the gap has widened as the federal budget has become the pivot of political debate). Instead, as corporate leaders recognize, the conflict has found its political form, its institutional setting, in the deepening deadlock between the Congress and the presidency. I am not suggesting that the forces of social democracy dominate the legislative branch—merely that, unlike the executive branch, the Congress has not been able to ignore or negate the vast and growing constituencies of those social movements that are more interested in the rights of persons than in the rights of property.⁸ Thus it is no accident that Wayne Valis, the present liaison between the White House and the corporate business community, compares his constituency to the slaveholding ruling class of the antebellum south—for each can be seen as a besieged minority that consistently defined the supra-legal citadel in the executive branch as its last hope and refuge against the sovereignty of the people.

It is therefore all the more surprising and discouraging to realize that when it is not speaking in tongues, the American left still employs a political language that presumes the legitimacy and necessity of a sovereign presidential state. Since the 1930s, the left's political strategy has amounted to voting for a presidential candidate as a means of "creating space" for itself: every four years, socialists and their fellow "progressives" advocate one or another potential president as the lesser evil, or tell the people to waste their votes on marginal candidates who have neither a practical program nor a way of getting it through Congress.

In effect, then, the left assumes that the sovereignty of the people is either impractical or unrelated to the question of democracy in the modern United States; which is to say that the left has not outgrown its own fear of the people, and so is driven, willy-nilly, to embrace the same faith in the Leviathan that sustains corporate leaders in their hour of darkness. As long as that remains true, the left will have nothing to offer the people except the dubious advantages of economic planning centered in and controlled by the executive branch—in short, state capitalism—and democracy will be irrelevant to the future of American politics.

But what would enable the left to conquer its fear of the people? To begin with, it must realize that the "disregard for capital" is real enough, but that no matter how epidemic it may be, it will not receive political expression (except as

⁸ Even the executive branch is not completely immune—that is why one-term presidents are becoming the rule, not the exception. The empirical problem here—why did the Congress cave in to Reagan?—is more apparent than real. In the absence of a coherent movement outside of Congress and a voting bloc in Congress that speak of and for genuine democracy, the results of supply-side electoral momentum, OMB reconciliation, etc., could not have been much different. The Black Caucus, the closest thing to such a voting bloc, did introduce an alternative budget that, not incidentally, was virtually identical to the AFL-CIO's economic program of 1981.

mass demonstrations and protest marches, or in even more manageable forms) if corporate leaders are the only people able to recognize it and name it as a threat to corporate capitalism. Beyond that, the left must realize that it has not yet earned the right to announce that—or to behave as if—the potential of “conventional” politics has been exhausted. It will have earned that right when and only when the people have had a chance to judge the promise and practicality of the left’s programs as these have been developed within the context of conventional (and not-so-conventional) electoral and party politics.

Allowing the people to exercise their political judgment in this manner—allowing them, in other words, to give political expression to their disregard for capital—will obviously involve, among other things, running *and electing* candidates who are willing and able to make the conflict between capitalism and democracy the central issue of state and local as well as national politics. But until the left renounces its childlike dependence on and attachment to presidential politics, it will not be able so to demonstrate its commitment to the sovereignty of the people, and the people will not be able to make the kinds of commitments that “political renewal and radical change” have always demanded.

AUTHOR’S NOTE: I have taken ideas and inspiration from books, articles, and addresses by William Appleman Williams, Martin J. Sklar, and Carl Parrini.