THREE

Constitutional Government
and Presidential Power

In 1906, President Nicholas Murray Butler of Columbia University asked Wilson to resurvey the territory covered in Congressional Government, by then more than two decades old, and present an updated analysis in a series of lectures at the university. Wilson relished the chance to do so. He had been named president of Princeton in 1902, and he had found, to his chagrin, that the administrative responsibilities of his new position crowded out time for creative thought and inquiry. In early 1907, he took a holiday in Bermuda to map out his revised analysis. He gave the lectures later that spring and published them the following year as Constitutional Government in the United States. This book merits special scrutiny. It does in part because it integrated the studies in political development, leadership, and American history that Wilson had undertaken in the previous two decades with his earlier reform writings. He also regarded the book as his contribution to the debates over political reform then raging in the midst of the Progressive Era, stating in the preface his hope that what followed would be “serviceable in the clarification of our views as to policy and practice.” Most important, it was in this book that Wilson elaborated the understandings of the American political system and presidential leadership that he took with him into the White House and that guided his conduct there.

I

In Constitutional Government, Wilson set out to undermine what he termed, following Henry Jones Ford, the whig theory of politics. The whig theory sought to comprehend and order the political universe much as Newton did the physical universe, in terms of fixed and enduring balances, mechanisms, and counterpoises. This theory, Wilson believed, was embodied in and perpetuated by the checks and balances and various other constraints on power in the Founders’ Constitution. In place of the whig theory, Wilson
sought to elaborate an alternative understanding of politics, one that relied on Darwinian metaphors and portrayed politics as an organic process of adaptation and development.2

Part of Wilson's criticism of the Founders' Newtonian design was based on his enduring belief (not fully accurate, as indicated earlier) that they were interested only in checking and separating power in order to prevent its abuse. Yet Wilson's problems with the Founders ultimately came from a more fundamental and accurate reading of their purposes. Wilson fully understood that the Founders had intended their Constitution to endure for the ages. The Founders had studied the history of the ancient republics and federations and pondered the universal tendencies of human behavior in order to develop a science of politics and a corresponding Constitution that would withstand the corroding influence of history. As Publius had insisted, "Constitutions of civil government are not to be framed upon a calculation of existing exigencies, but upon a combination of these with the probable exigencies of ages, according to the natural and tried course of human affairs."3

Wilson focused his dispute with the Founders and defenders of their Constitution on this point. He believed that the Founders' attempt to establish a permanent constitutional order was ultimately mistaken because that order had naturally and inevitably evolved over time. Government, Wilson argued, "is accountable to Darwin, not to Newton. It is modified by its environment, necessitated by its tasks, shaped to its functions by the sheer pressure of life."4 Wilson was not arguing against the idea of constitutionalism. He only wanted to expand it to encompass what he held to be the fact as well as the promise of the living constitution.

The best proof of the Darwinian nature of politics, Wilson left no doubt, lay in the emergence of the president as the leader of both his party and national opinion, notwithstanding the intentions of the Founders to circumscribe these forms of presidential leadership with the separation of powers. "The tendency has been unmistakably disclosed," Wilson argued, "and springs out of the very nature of government itself. . . . our government is a living, organic thing, and must, like every other government, work out the close synthesis of active parts which can exist only when the leadership is lodged in some one man or group of men. You cannot compound a successful government out of antagonisms" (Constitutional Government, p. 60; subsequent parenthetical citations in this chapter are to this book).

The president's leadership of his party and national opinion now stood as the key to Wilson's program, for they meant that "if [the President] rightly interpret the national thought and boldly insist upon it, he is irresistible" (68). The White House was the platform for interpretive leadership that could
not only provide much needed initiative and guidance on matters of policy in the short term but also expand the opportunities for the exercise of compelling direction in the long term.

Wilson's book was itself an act of interpretive statesmanship, albeit in the realm of thought, intended to discern, explain, and thus foster new possibilities for such leadership in the presidency. As an interpretive statesman in his own right, Wilson had to present a program for responsible government that people could readily grasp and accept. He could not, then, call for lodging compelling leadership in a "group of men," as he had in his early essays on cabinet government; it had to be lodged in "one man." His parliamentary plan, and the constitutional amendments it entailed, was too radical. People could more easily contemplate a dominating presence in the presidency, not least because Theodore Roosevelt currently filled the office.

Wilson's celebration of presidential power can be seen, then, as the latest in a long series of practical accommodations that began two decades earlier with *Congressional Government*. In the earlier book, he had held back from calling for the amendments he believed were essential in order to get his work published and promote his general views. He had indeed gained notice over the years, to the point where the lectures that would serve as the basis for *Constitutional Government* were reported in the New York papers. However, for all of the insight that Wilson's years of study brought to the book, the theoretical compromises upon which it rested left significant tensions and ambiguities in his analysis.

II

In championing the president's capacity to lead his party and national opinion simultaneously, Wilson challenged the assumptions of the party tradition in U.S. politics. Beginning with Martin Van Buren, American statesmen believing in the legitimacy of party action have sought to ensure that presidents remain intimately connected, through political obligations, principles, loyalties, and the means of their nomination, to a well-developed party organization. Demagoguery, factionalism, and the debasement of executive power, the argument runs, are all more likely to occur if presidents are not restrained by the institutional moderation and collective discipline of a party. Wilson's call for the president, acting on his own, to lead public opinion and thereby to wield an irresistible power ran counter to the central principles underlying the party system invoked and legitimated by Van Buren. Hence James Ceaser's charge that Wilson's talk of party government was in fact an academic's "deception," one designed to mask Wilson's intention to "destroy" the traditional parties and replace them with pseudoparties
that would in fact be creatures of, and dedicated to serving, their leaders. "Parties must either constrain individual leadership," Ceaser contends, "or be undermined by it." 

Why did Wilson propose that the president’s national leadership could and should be reconciled with his party leadership? Whatever the origins of Wilson’s thinking in this regard, he was not constructing his program so that the traditional parties might be destroyed. Indeed, in *Constitutional Government*, Wilson demonstrated that he had developed, once more with the help of Henry Jones Ford, a healthy appreciation for the rough-hewn virtues of the American party system. Wilson recognized that the traditional party organizations had performed a number of indispensable integrating functions for the whig constitution over the course of the nation’s development: recruiting and nominating candidates for the excessive number of elective offices at the local, state, and national level; coordinating the activities of the officeholders once in power; and, more generally, through their ideological pragmatism, muffling the sectional, class, and ethnocultural conflicts that might otherwise have riven the nation apart. And, what is more, Wilson understood that the dispensation of patronage and waffling on matters of principle that he had earlier condemned were in fact what enabled the traditional parties to perform these essential functions.

In response to the criticisms of the antipartisan reformers, who at that point in the Progressive Era were at the height of their zeal and influence, Wilson quipped in *Constitutional Government*, “It is an odd operation of the Whig system that it should make such party organizations at once necessary and disreputable, and I should say that in view of the legal arrangements which we have deliberately made, the disrepute in which professional politicians are held is in spirit highly unconstitutional” (214). Moreover, at this time Wilson remained an outspoken opponent of the leading reforms advocated by the opponents of the traditional parties: the initiative, referendum, recall, nonpartisan ballots, and direct primary.

Wilson’s appreciation of the traditional parties, and his admonitions of those who wanted to reform them, did not go unnoticed. In its review of *Constitutional Government*, the *Nation*—the reform journal that had first whetted young Woodrow Wilson’s desire for principled partisanship and parliamentary reform in the 1870s—observed that “as for the boss and the machine, no cleaner bill of health for their essential activities has lately come under our eye. It is certainly a matter of regret that, with such keen insight and so much literary skill, the distinguished author should have held his plough with so light a hand.”

While opposed to what he considered to be shortsighted reforms, Wilson
did believe that some changes in the party system were necessary. He argued that the nation had developed and was integrated to the point where instead of moderating the debate over political issues in order to preserve consensus, the parties needed to hasten progress by articulating more coherent and timely political visions. Furthermore, the governmental integration that the parties were then providing, while essential, was less than complete: the constitutional obstacles set in their path, along with the crude methods they had to adopt in response, made party control inconsistent at best. So long as the traditional parties were integrating the executive and legislative branches and presenting slates of candidates for office in their standard fashion, the systematic legislation and professional administration that the nation needed was not likely to be forthcoming. Speaking of the traditional party system, Wilson warned that "this thing that has served us so well might now master us if we left it irresponsible. We must see to it that it is made responsible."9

Implicit in Wilson's concern with making the parties more responsible was the need to preempt the reformers who were capitalizing on the abuses of the party organizations in their efforts to eradicate party politics once and for all. In 1879, when he had first defended the necessity and desirability of party government against the proposed reforms of Albert Stickney, Stickney's was a voice in the wilderness. However, in the intervening twenty-five years, the antipartisan reform movement had gained many more adherents, and a wave of reforms designed to strike at the roots of traditional party politics was then sweeping the country.10 Wilson, then, had not wavered in his commitment to party government, nor was he seeking to destroy the traditional parties. Instead, he was trying to transform the party system in order to salvage a defensible form of partisanship at a time when the antipartisanship running deep in American political culture was particularly virulent.

Wilson believed that the president's position as the sole representative of the people as a whole and as the administrative head of the federal government made it possible for him, and him alone, to provide the sort of public, principled leadership that the parties needed if they were to survive the challenges of the antipartisan reformers. Wilson proposed, for example, that presidents' control of the federal bureaucracy positioned them to wean their party organizations off baser forms of political sustenance. He admitted that "the President can, if he chooses, become national boss by the use of his enormous patronage, doling out his local gifts of place to local party managers in return for support and cooperation in the guidance and control of his party" (215). Wilson argued, however, that presidents should avoid such a perversion of the administrative ethic to suit their own political purposes.
More important, he contended that they would increasingly do so on their own, cleaning up party politics from the top down. The presidency's "conspicuous position" meant that public attention would focus on how the chief executive led the administration. In the bright light of this scrutiny, then growing in intensity, presidents would be much more likely to act scrupulously and responsibly (71, 214-16).

In addition to cleaning up organizational politics, Wilson argued that the president could use his status as national leader to extend the focus of his party in government to broader conceptions of the public and national interest. To do this, the president had to rally support behind a more encompassing vision of what the party's principles were and what policies they entailed. At the same time, the president had to work behind the scenes and take an active hand in the formulation and passage of the party's program, the step that Grover Cleveland had not taken. Wilson thus called for the president to combine the roles of statesman and politician that, he contended, were peculiarly differentiated in the United States (212-13). Through this combination, the president could lead his party in government much as Wilson's hero Gladstone had led the Liberal Party, as a visionary prime minister: "In him are centered both opinion and party. He may stand, if he will, a little outside party and insist as if it were upon the general opinion. . . . The President may also, if he will, stand within the party counsels and use the advantage of his power and personal force to control its actual programs" (69).

Wilson assumed that the organization men and elected officials, with their overriding interest in votes, would follow their party's standard-bearer even when he led them into unfamiliar (if ultimately more defensible) territory, for mutinies within or desertion from the ranks of the party would not bode well for the next election. Thus Wilson could assert of the president's standing "outside" his party, "If he lead the nation, his party can hardly resist him" (69).

In addition to the president's potentially bracing effect on the party system in the organizations and government, Wilson held that the president could best raise the issues that should appropriately animate and divide the electorate. The exercise of principled leadership in Washington and the party balance in the electorate were intimately connected. The president's sensitivity to and leadership of public opinion gave him a dominant voice on Capitol Hill. By directing government and politics in Washington with such a public voice, the president would also be "giving the country at once the information and the statements of policy which will enable it to form its judgments alike of parties and of men" (68). These quickened popular judg-
ments, and the shifts in partisan commitments that many of them might portend, would resolve the stagnation and issue-straddling that Wilson believed had characterized the party balance in the electorate since the end of the Civil War.

In stressing the necessity of principled leadership for the redemption of partisanship, Wilson was thus holding to the claim that he had first made in “Cabinet Government” in 1879: “Eight words contain the sum of the present degradation of our political parties: No leaders, no principles; no principles, no parties.”

James Ceaser sees this claim as proof of Wilson’s general intention to subordinate partisanship to leadership, to foster conditions in which leaders could create parties and use them for their own purposes. Yet as noted above, Wilson saw the emergence of such principled leadership as essential if the legitimacy of party action was to be preserved. Moreover, he held that principles, not leaders, were the dominant force in politics; leaders and their parties alike were constrained by their public commitments. To be sure, Wilson believed that interpretive leaders were needed to discern, articulate, and uphold the principles upon which legitimate partisanship—and an electoral majority—depended. However, there were significant constraints on the interpretive freedom of leaders. They could not just proclaim any set of principles and expect to rally a compelling majority that they could then use for their own political ambitions. The leaders had to be responding to sentiments and aspirations already intimated in public opinion; they had to “rightly interpret” the national mood if they wanted to garner sufficient support for their cause and sustain that support over time. Furthermore, once presidential leaders had rallied a party around a particular set of principles, the leaders and party alike would be constrained by those principles: any change in positions would have to be defensible in terms of the original principles, i.e., as extensions of rather than departures from them. Wilson recognized a phenomenon that other observers of parties, from Edmund Burke to Anthony Downs, have likewise grasped: once leaders and parties have gone on the public record with statements about where they stand and why, they change positions at their peril.

It is more important to ask whether Wilson, in discussing the relationship between principled leadership and party politics, overestimated the impact of the former on the latter. Ultimately, his scenario for the creation of a legitimate and effective party system hinged on something of a theoretical deus ex machina, on his prediction that the nation was approaching a crossroads in its political development in which the parties would suddenly and uncharacteristically be amenable to leadership that would polish their
virtues while ridding them of their vices. "The time is at hand," Wilson claimed, "when we can with safety examine the network of party in its detail and change its structure without imperilling its strength. . . . We are ready to study new uses for our parties and to adapt them to new standards and principles." Would partisans—in Congress, the organization, and the electorate—really change their beliefs and activities so radically in response to visionary presidential leadership? For their sustenance, could the parties be weaned from patronage and the exploitation of sectional or ethnocultural antagonisms onto principled commitments and debates over truly national issues, as Wilson understood them? If so, would the parties still have the capacity to integrate the system?

These questions are particularly vexing because Wilson's own analysis of the traditional party system emphasized the considerable political inertia embodied in it. Wilson recognized the mutually reinforcing nature of behavior at all levels of the traditional party system: politicians in Washington ducking difficult issues, machine politicos struggling to control the "petty choices," and voters responding to age-old fears and loyalties. What is more, he saw that the benefits accruing from the party system, the modest integration of government and the nation, were inextricably bound up with the costs of small-time corruption and the suppression of political debate (207–10, 220–21).

Then there was the logic of responsible government that Wilson had elaborated in the first formulations of his program: to wit, that the sort of principled, programmatic partisanship he envisioned depended on the formal fusion of executive and legislative power in cabinet government. Only then, he had once argued, would the institutional incentives compel the parties to transcend their debilitating obsession with gaining access to the spoils of office and instead propose and act upon a programmatic mandate. Though Wilson had since dropped his call for constitutional amendments that would have formally integrated the executive and legislature, after realizing that it was not feasible politically, he could not escape from his own logic so easily.

Indeed, J. Allen Smith, the muckraking political scientist, reaffirmed this logic in the same year that Wilson was giving his lectures at Columbia. Like Wilson, Smith held convictions about the necessity and desirability of party government that were most unusual among progressive reformers. And, also like Wilson—indeed, basing his argument in part on Wilson's analysis of the Founders' Constitution—Smith noted how this document had thwarted the development of political parties that could serve as principled instruments of majority rule in the United States. Smith therefore insisted that so long as the separation of powers between the executive and legislature and the
associated system of checks and balances remained intact, the parties would remain parochial and pragmatic institutions, i.e., unsuitable instruments of majority rule. Only when the party backed by the majority held all power and authority in its hands would democracy be established.15

Grant McConnell, writing some years later of Smith's theoretical conclusion, observed that "perhaps alone among the Progressives, J. Allen Smith understood the movement best. He had drawn—ruthlessly—its fullest implications." 16 Wilson had also drawn these implications; in fact, he had drawn them first. But he had opted to step back from them, in keeping with the statesman's imperative to keep his program within the realm of the possible. Whether it could still work in that realm, its core logic having been jettisoned, remained to be seen.

Wilson's proposal that the president lead both his party and the nation challenged not only the defenders of the idea of a party system but also the nonpartisan tradition in American politics. In calling for the president to capitalize on his unique authority as national leader to provide positive direction for the polity, Wilson invoked the vision of Bolingbroke's "Patriot King" that was subscribed to by the first six presidents and reflected in their leadership. However, these presidents were convinced that an important condition of such authoritative leadership was an abstention from open partisanship, at least while in office. The "presidents above party," in Ralph Ketcham's apt phrase, believed that the legitimacy to stand as the leader of the nation as a whole originated in the president's essential independence from any part, or party, of that whole. Once the president became an active player in party politics, the authoritative luster of the presidential office would be tarnished by the ensuing corruption, factionalism, and general resentment. The power stemming from that authority would be diminished as well.17

The notion of a nonpartisan president was gaining more adherents in the Progressive Era. Reformers increasingly proposed that the chief executive abstain from party politics altogether, governing by means of his augmented administration, attracting whatever political support was needed by leading public opinion.18 At first glance, the idea of presiding above parties would appear to have been consistent with Wilson's evolving vision, given his new convictions about the power and authority then accruing to the presidency on account of the office's national constituency, prominence in the media, control of foreign affairs, and leadership of the administrative branch. Why did Wilson not sign on to this traditional ideal that was once more ascendant?

Wilson remained committed to the idea of party government in part
because he believed it was inevitable, necessary, and desirable. Despite the pretensions of the "presidents above party," their administrations, beginning with Washington's, were nonetheless marked by some of the most contentious party battles in American history, thereby supporting Wilson's long-held belief that partisanship was an inevitable by-product of constitutional government. Moreover, if the president was going to lead the nation, he required the votes of party supporters—both on election day and thereafter on Capitol Hill. In light of the political independence of and institutional jealousy between the two branches, "the President himself is cooperatively bound to the houses only by the machinery and discipline of party." Beyond noting the functional necessity of parties, Wilson held them up as "an indispensable means of subordinating varieties of individual opinion to the pursuit of common principles and large objects of policy." He also proposed that party leadership did not preclude the more encompassing role of national leadership for the president. For "the nation as a whole has chosen him," Wilson argued, "and is conscious that it has no other political spokesman. His is the only national voice in affairs."

Of course, not every voter would have "chosen him." Could a partisan president be recognized as the nation's spokesman by followers of rival parties or by the growing number who saw partisanship in general as an obstacle to good government? This result was by no means clear, especially in light of the rancor, parochialism, and less than pristine methods that had long marked the U.S. party system. Wilson acknowledged that were the president to lead his party as a traditional politico—cutting deals with legislators over policies and appointments, building a political machine, or intervening in senatorial election contests, for example—any claim to be serving as a national leader would clearly ring false.

What led Wilson to believe that presidents would avoid such naked politicking? For one thing, he proposed that the presidential nomination process, partisan though it was, made presidential abstinence from these forms of leadership more likely. In a significant revision of his earlier position, Wilson now detected broader and more coherent purposes in the functioning of the conventions. However unseemly their methods, the party chieftains who maneuvered to control the nomination were inclined to make their selection with an eye toward the symbols and principles that the candidate would represent and that, if the managers chose well, would not only rally the party faithful but also win the favor of the nation at large. "Sometimes the country believes in a party," Wilson wrote, "but more often it believes in a man, and conventions have shown the instinct to perceive which it is that the country needs."
The candidate who was elected, Wilson suggested, would be apt to have a national vision and a record of integrity—a man who would be inclined and willing to “stand outside” of his party in order to make appointments, formulate policies, and raise issues in a manner consistent with the public and national interests. Presidents who adopted this more encompassing approach would preserve and enhance their authority as national leaders. Moreover, they also would set improvements in motion at all three levels of the party system—in government, the organization, and the electorate—that would make the dual exercise of party and national leadership even more conceivable. The Wilsonian president’s ability to stand as a national leader, then, depended ultimately on the establishment of a new form of partisanship, a form that he believed the president was in the best position to bring about.

However, even accepting Wilson’s more heroic assumptions, namely, that presidents would observe the dictates of the higher form of partisanship he was advocating and thereby could effect the transformation in the party system he had prophesied, their ability to stand as leaders of the nation would still be subject to question. For if partisanship was to become less parochial in his program, it was also to become more ideological. As the party visions became more national and coherent, they would still be visions that members of the opposing party would suspect and even fear, especially given the greater power at the disposal of the governing party in Wilson’s program and the larger stakes in the party battle—the planning and execution of the new regulatory, social, and foreign policies. Thus even if the party system changed as Wilson desired, it would by no means be easier for the party leader to speak authoritatively as the national leader.

In Wilson’s earliest formulations of his program for responsible government, he had called upon the president to perform a symbolic, kinglike role, serving as a unifying chief of state while leaving party leadership, and the pulling and hauling of politics, to the cabinet that he would select from Congress. In Constitutional Government, Wilson still cast the president as the chief of state, except now, of course, the president’s national leadership role was not merely symbolic; rather, he also had to rally public opinion behind particular causes. And the president now stood as the leader of his party. These changes in Wilson’s program meant that it had become more necessary and more difficult for the president to rise above less than encompassing political concerns and lead the nation as a whole.

III

Wilson’s treatment of the president’s party and national leadership was closely connected with his analysis of the president’s legislative, diplomatic,
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and administrative leadership, the traditional roles of what Wilson termed the “legal executive.” The functional demands for leadership in the traditional roles had served to bring the president to the forefront of his party and the nation, and ultimately it was in exercising these traditional roles that the Wilsonian president used the power and authority he had managed to accrue as party and national leader. At times, Wilson’s reconception of the traditional roles in light of the president’s emerging preeminence suggested that executive-legislative relations could be elevated to the plane of responsible government by interpretive leadership in the White House. However, Wilson’s own reasoning indicated that the formal Constitution could not be so easily overcome.

One of Wilson’s most striking emphases in *Constitutional Government* was his call for the president to provide positive leadership in matters of legislation, serving in effect as a prime minister. Wilson criticized what he described as the whig theory of presidential-congressional relations, under which presidents remained aloof from the legislative process, simply signing measures developed and passed by Congress, intervening only to veto unacceptable legislation. Wilson argued that this conception of interbranch relations was increasingly obsolete, because Congress—for all of its continuing pretensions to be the government—simply could not direct itself toward any coherent, systematic ends. What was more, insofar as Congress, the House in particular, had sought to become “an instrument of business, to perform its function of legislation without assistance or suggestion . . . it has in effect silenced itself” (109). The body that was to be the organ of public opinion and was nominally the closest to it had sacrificed that position and the accompanying power by opting for efficient rather than deliberative lawmaking.

Wilson argued that in the midst of this leadership vacuum, which was growing more troublesome in its effects as the nation struggled with its new historical circumstances, a Darwinian adaptation was taking place. “Some of our Presidents have felt the need,” he observed, “which unquestionably exists in our system, for some spokesman of the nation as a whole, in matters of legislation no less than in other matters, and have tried to supply Congress with the leadership of suggestion, backed by argument and by iteration and by every legitimate appeal to public opinion.” Wilson acknowledged that this kind of presidential leadership had yet to become the norm. Holding to the whig theory, some presidents “thought that Pennsylvania Avenue should have been even longer than it is; that there should be no intimate communication of any kind between the Capitol and the White House” (70). However, in Wilson’s estimation, the reticence of the whiggish presidents could
not be sustained, as it ran counter to the functional logic that properly gave
the right to lead the legislature to the executive, logic that Wilson felt was
particularly hard to dispute "in times of stress and change" (73).

Moreover, Wilson maintained that the whig view of the presidency rested
on a cramped reading of the Constitution itself. The Founders may have
been whig theorists, he argued, but their Constitution did not proscribe
presidential leadership in legislation. Indeed, Article 2 of the Constitution
specifically called for the president to recommend "such measures as he shall
deam necessary and expedient." Wilson proposed that this clause, even when
strictly interpreted, opened the way for the positive guidance of Congress
by the president (72-73).

How was the Wilsonian president to lead the legislative agenda? What
were the mechanisms through which he could control Congress? Implicit
in Wilson's discussion of the president's ability to reshape the party system
was the notion that if the principles and programs the president articulated
were based on sound interpretations of public opinion, he would be less apt
to face undisciplined majorities, persistent dissenters, or divided government
on Capitol Hill. Nevertheless, Wilson's analysis of executive-legislative rela-
tions indicates that principled partisanship was not enough to establish re-
sponsible government in the United States.

A major problem for presidents attempting to play the prime ministerial
role advocated by Wilson was that they lacked the ability to dissolve the
legislature, to entice seated members with positions of power in the execu-
tive, and to influence in any significant way the nominations of their party's
legislative candidates at the next election. Wilson stripped further power
from the president by suggesting that a range of inelegant methods that
presidents had often relied upon in dealing with Congress was unacceptable.
These illicit methods included the blatant politicking discussed in the pre-
vious section and constitutional brinkmanship vis-à-vis an unyielding Con-
gress. Not only should presidents not engage in these illegitimate activities,
he argued, they could not, for these methods were sure, "in a country of free
public opinion, to bring their own punishment, to destroy both the fame
and power of the man who dares to practice them" (71).

In this regard, of course, Wilson's arguments were based more on his
hopes than on the historical record. His hopes, though, are nonetheless re-
vealing. On the one hand, he wanted his new model presidency to lead Con-
gress in a fashion that enhanced, instead of degraded, the integrity of the
legislative and administrative processes. On the other hand, by proposing
that the president should and indeed had to lead Congress with clean hands,
so to speak, within the forms of the Constitution, Wilson was attempting to show that his theory of presidential leadership had “no touch of radicalism or iconoclasm in it” (71). And with both lines of argument, Wilson was polishing the appeal of his theory of the presidency for those who might otherwise have been set aback by the idea of the head of state actively leading public opinion.

For it was through public opinion leadership that Wilson was attempting to develop an element of positive executive sanction over the legislature. The president’s superior access to public opinion gave him a means “compelling Congress.” Wilson celebrated the power that the active leadership of public opinion brought to the office, suggesting that through it the crucial focal point of responsibility that he admired in the British polity might be approximated in the United States (70–71). In light of some of Wilson’s rhetorical flights in this regard, it is understandable that his neo-Federalist critics, most notably Jeffrey Tulis, have concluded that Wilson’s was fundamentally a rhetorical presidency, that it drew and used its power through popular appeals. However, this view overestimates the role and the power of public opinion leadership in his conception of the office.

To begin with, Wilson was not suggesting that public opinion leadership was the sole or even the primary mode of leading Congress. In the same paragraph of Constitutional Government in which Wilson talked of the president “compelling” Congress, he emphasized the importance of “intimate communication” between Congress and the president, interactive discussions that overly zealous interpreters of the separation of powers had forsworn. Indeed, he argued that while this separation prevented the president from being able to “dominate [Congress] by authority,” it nonetheless left him “at liberty to lead the houses of Congress by persuasion.”

The need for the president to rely more on persuasion than appeals over the heads of the legislators to the people at large was reinforced by the significant legislative role that Congress retained in Wilson’s program. His account of the president’s serving as a principled national spokesman coincided with a recognition that Congress tended “naturally” to predominate in “domestic questions” in which it was understandable for representatives and senators, with their personal grasp on the needs and interests of their constituents, “to make the initial choice, legislative leaders the chief decisions of policy” (58). In ordinary circumstances, “when matters of legislation are under discussion the country is apt to think of the Speaker as the chief figure in Washington rather than the President” (107–8). While the president could best lay out principles and clarify and mobilize public opin-
ion, Congress and its leadership retained control of the basic function and the details of lawmaking. Neither partner on this legislative team could go it alone; each had to respect the role of the other.

Wilson's own analysis indicates that he saw real limits on the president's ability to rely on public opinion and hence on the element of responsibility that such leadership could bring to the American regime. His rhetorical retreat regarding the power of public opinion leadership followed the precedent of his 1889 essay, "Leaders of Men," in which he acknowledged the limits imposed on interpretive leaders by the natural conservatism of public opinion. In *Constitutional Government*, Wilson observed that in addition a president seeking to lead opinion faced institutional—indeed, constitutional—constraints.

Even in ideal circumstances, public opinion leadership was an indirect form of control. Wilson was proposing that, for example, when the House's committee structure kept what the president considered to be a necessary and widely supported measure from passing, the president could appeal to the people in order to give his side of the issues at stake. Thereafter, "if public opinion respond to his appeal the House may grow thoughtful of the next congressional elections and yield." Yet, if public opinion did not respond or if the House remained insensitive to it, then that was it; the president could not subordinate the House.28

More important, Wilson understood that appealing to public opinion was simply not a viable method when the president was trying to overcome opposition in the Senate. Members of the House, the ostensibly popular branch, who all stood for election every two years, might well think twice before going against the spokesman of the people unless they were sure that public opinion was on their side. But Wilson recognized that the Senate, with its staggered, six-year terms, "is not so immediately sensitive to opinion and is apt to grow, if anything, more stiff if pressure of that kind is brought to bear upon it." The only way to win over an unyielding Senate, he admitted, was for the president to seek out its counsel, communicate judiciously, and soften his demands (139–41). This imperative, though, considerably reduced the utility of public opinion leadership by the president, for on all matters of legislation the president had to carry the Senate as well as the House. And, of course, the president was completely dependent on the Senate when it came to the approval of his nominations for office and the ratification of treaties he had negotiated.

Wilson did call for presidents to focus the political debate in order to foster a consensus behind their agendas and in those circumstances where it
was feasible and appropriate to appeal to the country for support. But his analysis also made clear that the president’s leadership of public opinion had to complement—it could not replace—more “intimate communication” with Congress. Were presidents to capitalize on “time and circumstance and wise management,” on the one hand, and their “most direct access to opinion,” on the other, they had “the best chance of leadership and mastery” in the legislative process. But in the end, Wilson recognized that it was only that, a chance (r ro). Thus while the invigorated presidency that Wilson envisioned would help fill the leadership void resulting from more traditional conceptions of the office, it did not provide the compelling mechanisms that were needed to establish responsible government.

Wilson thought the president did not need to be as accommodating with Congress when it came to foreign policy, in part because he saw no role for the legislature in a realm in which necessity dictated the executive go it alone. And to his mind, the president could go it alone. Wilson’s discussion of “one of the greatest of the President’s powers . . . his control, which is very absolute, of the foreign relations of the nation,” was quite brief. He simply proposed that the president held the initiative in foreign affairs “without any restriction whatever,” and that this initiative effectively gave the president the ability to determine the course of U.S. foreign policy. Wilson paid little heed to the considerable powers that the Constitution gave to Congress in this domain, such as the power to regulate foreign commerce, to create and support an army and a navy, and to declare war. The one congressional prerogative that he did mention, the right of the Senate to ratify treaties, he quickly dismissed as being essentially irrelevant in the face of the president’s commanding position. The president, Wilson wrote, “need disclose no step of negotiation until it is complete, and when in any critical matter it is completed the government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also.” The president was not only to be the dominant leader of the United States in the new century, but he would also be, “henceforth, one of the great powers of the world” and thus could use his global preeminence to trump congressional objections (77–79).

Implicit in Wilson’s notion that with the nation having “risen to the first rank in power and resources,” the president “must stand always at the front of our affairs” was the assumption that the nation—Congress, the parties, the media, the citizenry—would willingly stand behind the president. Thenceforth, Wilson was suggesting, politics would stop at the waters’ edge, beyond which the president had to be the authoritative voice of the nation (78–79).
He was thus predicting that the Constitution's distribution of foreign policy prerogatives would no longer be, in the eventually famous phrase of his Princeton colleague, Edward Corwin, "an invitation to struggle."^{29}

As presented in *Constitutional Government*, Wilson's analysis contains the basic theoretical assumptions of what Aaron Wildavsky has since termed "the two presidencies" model. Wilson acknowledged that the domestic president—his prime minister—would have to work in tandem with a Congress retaining significant control of the legislative agenda. But the higher stakes of politics between nations ruled out the debate and delay, the long marches toward compromise and consensus, that characterized domestic policy-making. As the spokesman of the nation in world affairs, the president could expect, and rightfully so, to enjoy wide freedom of action and deference from other actors and institutions in the polity.^{30}

But Wilson's argument that the president could set his own course in foreign policy did not sit well alongside his subsequent observations of how the Senate, well insulated from presidential dominance, had often taken issue with the president's diplomacy and sought to dictate alternative courses of action. And, Wilson admitted, "when, as sometimes happens, the Senate is of one political party and the President of the other, its dictation may be based, not upon the merits of the question involved, but upon party antagonisms and calculations of advantage" (139). For the president to control diplomacy as Wilson hoped and predicted that he would in the twentieth century, senators and partisans not previously inclined to follow presidential leadership would have to recognize and submit to the growing functional imperative of their doing so. That they would submit was the crucial—and most questionable—assumption of Wilson's thinking about the presidential control of foreign affairs.

While arguing in *Constitutional Government* that the president's legislative and diplomatic roles were changing in profound ways, Wilson held that the job of chief executive was in an even greater state of flux. The president had less time to spend on administrative details, which were piling up as the federal government slowly expanded, because of the new demands that were levied upon him as the leader of his party and the nation. "The one set of duties it has proved practically impossible for him to perform; the other it has proved impossible for him to escape" (66–67). Responding to these imperatives, recent presidents (Wilson singled out Cleveland and Roosevelt) had increasingly delegated the administrative tasks to their cabinet officers, while taking on more of the public relations and political leadership themselves.

This functional adaptation, Wilson argued, was changing the nature of
the cabinet. Less and less would it be the redoubt of party barons whom presidents took into the administration in order to better manage their party coalition or preempt their leading rivals within it. As presidents shouldered the burden of their growing political responsibility, they would choose their department secretaries primarily on the grounds of administrative expertise and personal, not partisan, connections (75–76).

By advocating the continuation of these developments, Wilson was making an important change in his own theory of the presidency and its place in responsible government, rearranging the institutional demarcation between politics and administration. In his earlier proposals, he urged that the president—essentially, the top administrative officer—be required to choose his department heads from among leaders of the majority party in Congress; they, in turn, would be the responsible political officers, directing and having to keep the confidence of the legislative bodies in which they sat. Wilson now reversed the roles: the president would serve as the political leader, the man who had to take the initiative and deal with Congress, while his cabinet secretaries would serve as administrative officers.

There were problems with Wilson’s reformulation. In his old scenario, the members of the cabinet—simultaneously directors of the administration, party leaders, and congressional leaders—were in a position to prevent individual representatives and senators from involving themselves in the details and staffing of the administration. The Wilsonian president, constitutionally aloof from Congress, could not impose as many institutional and political sanctions to counter congressional interventions. Moreover, Wilson’s new formulation contained no mechanisms for collective responsibility. It not only left the president without the formal means to control the legislature but also did not require that the executive leader maintain its confidence. There was ultimately no focal point of responsibility—that Holy Grail of Wilsonian politics, the source of effective government and principled politics—in the presidential system that he now celebrated. Indeed, responsibility was further occluded by the president selecting as his department heads not party leaders but private men of affairs with whom he alone had ties. The president would not have the counsel of men with established political experience and ties to the legislature, nor would he necessarily have the experience and ties himself. When Wilson had first noticed this trend during the second Cleveland administration, he had viewed it with alarm; in *Constitutional Government*, he was willing to acquiesce in and even hail it.

As Wilson concluded his discussion of the ascendant presidency, he sought to come to terms with how someone holding the office might juggle the multifaceted responsibilities that he now assigned to it. Wilson admitted that
the presidency whose power he celebrated was also “the most heavily bur­
dened office in the world” (79). In addition to the traditional presidential
roles of chief of state and chief diplomat, he suggested that the president also
had to serve as the leader of his party and national opinion, the prime min­
ister of the legislature, and even as an international force in his own right.
Whereas in Wilson’s early program he had not assigned this last role, saw the
president serving only as chief of state, and assigned the rest of the respon­
sibilities to the prime minister of a collectively responsible cabinet, he now
gave all the duties to one man, the president. Wilson recognized the potential
contradictions between the roles. He also knew that the more presidents
did—the more they led—the more expectations concerning their perfor­
ance and leadership would increase. In light of these difficulties, perhaps
only half in jest, Wilson predicted that “men of ordinary physique and dis­
cretion cannot be Presidents and live, if the strain be not somehow relieved.
We shall be obliged always to be picking our chief magistrates from among
wise and prudent athletes,—a small class” (79–80).

Wilson thus essentially acknowledged that his program and the presi­
dency that lay at the center of it were problematic. In a shrug of his theo­
retical shoulders, he observed that the president’s tremendous burdens, and
the potential contradictions between and among them, could only be re­
lieved by a constitutional amendment of the sort that he had once openly
advocated, which would set up a collectively responsible executive cabi­
et. But this prospect “was a thing too difficult to attempt except upon
some greater necessity than the relief of an overburdened office.” Moreover,
Wilson noted that such an amendment was unlikely to come about, not just
because of the difficulty of the process but also because “it is to be doubted
whether the deliberate opinion of the country would consent to make of
the President a less powerful officer than he is” (80).

Wilson thus revealed the extent to which he was softening his analytical
rigor regarding the preconditions, means, and ends of the reforms he desired
in order to accommodate the political world as it was, to bring about the
developments that might be possible within its existing confines. Attempt­
ing to put the best face on the situation, he proposed that presidents could
best keep on top of their mounting burdens, “without shirking any real
responsibility,” by following the example of their recent predecessors, ced­
ing mere administrative concerns to their cabinet secretaries, “regarding
themselves as less and less executive officers and more and more the directors
of affairs and leaders of the nation,—men of counsel and the sort of action
that makes for enlightenment” (80–81). This enlightenment, Wilson might
well have continued, could perhaps clear the way in the minds of citizens for more extensive changes at some point in the future.

Looking back over Wilson's program as it was presented in *Constitutional Government* and comparing it with the version that he proposed in the early 1880s, it stands as more expedient and yet, at the same time, more problematic. In a move that he understood as an act of interpretive statesmanship, he had given up on the constitutional amendments that would have established parliamentary mechanisms linking the executive and legislative branches. Wilson's subsequent elaboration of his progressive theory of political development and the catalytic role played by interpretive leadership in this process suggested that responsible government might arrive through more indirect methods. The emergence of a reinvigorated presidency in the 1890s and 1900s appeared to confirm Wilson's speculations in this regard. He now believed that amid the unprecedented and unmet functional demands that were buffeting the government of the United States—the result of sweeping social, economic, and international changes—in­

However, Wilson's convictions concerning the Darwinian nature of political development and the power of interpretive presidential leadership were tempered by an awareness of the resilience of the Constitution and party politics as they had traditionally functioned. Wilson the reformer, who was driven by the hope and imperative of instituting responsible government, kept up his troubling dialogue with Wilson the realistic student of political life, who was keenly aware of the political inertia embodied in the American regime and the difficulties even the president would have in reversing that inertia. The analysis now turns to Wilson's more explicitly political career, in which these two personas continued, as it were, to speak their truths to each other and to his statesmanship.