

## CHAPTER VII

### OBSERVATIONS ON THE PRESIDENCY

ALTHOUGH the President has been, not that independent good citizen whom the framers of the Constitution contemplated, but, at least during the last sixty years, a party man, seldom much above the average in character or abilities, the office has attained the main objects for which it was created. Such mistakes as have been made in foreign policy, or in the conduct of the administrative departments, have been rarely owing to the constitution of the office or to the errors of its holder. This is more than one who should review the history of Europe during the last hundred years could say of any European monarchy. Nevertheless, the faults chargeable on hereditary kingship, faults more serious than Englishmen, who have watched with admiration the wisdom of the Crown during the present reign, usually realize, must not make us overlook certain defects incidental to the American presidency, perhaps to any plan of vesting the headship of the State in a person elected for a limited period.

In a country where there is no hereditary throne nor hereditary aristocracy, an office raised far above all other offices offers too great a stimulus to ambition. This glittering prize, always dangling before the eyes of prominent statesmen, has a power stronger than any dignity under a European crown to lure them (as it lured Clay and Webster) from the path of straightforward consistency. One who aims at the presidency — and all prominent politicians do aim at it — has the strongest possible motives to avoid making enemies. Now a great statesman ought to be prepared to make enemies. It is one thing to try to be popular — an unpopular man will be uninfluential — it is another to seek popularity by courting every section of your party. This is the temptation of presidential aspirants.

A second defect is that the presidential election, occurring once in four years, throws the country for several months into a state of turmoil, for which there may be no occasion. Perhaps there are no serious party issues to be decided, perhaps the best thing would be that the existing Administration should pursue the even tenor of its way. The Constitution, however, requires an election to be held, so the whole costly and complicated machinery of agitation is put in motion; and if issues do not exist, they have to be created.<sup>1</sup> Professional politicians who have a personal interest in the result, because it involves the gain or loss of office to themselves, conduct what is called a "campaign," and the country is forced into a (possibly factitious) excitement from midsummer, when each party selects the candidate whom it will nominate, to the first week of November, when the contest is decided. There is some political education in the process, but it is bought dearly, not to add that business, and especially finance, is disturbed, and much money spent unproductively.

Again, these regularly recurring elections produce a discontinuity of policy. Even when the new President belongs to the same party as his predecessor, he usually nominates a new cabinet, having to reward his especial supporters. Many of the inferior offices are changed; men who have learned their work make way for others who have everything to learn. If the new President belongs to the opposite party, the change of officials is far more sweeping, and involves larger changes of policy. The evil would be more serious were it not that in foreign policy, where the need for continuity is greatest, the United States has little to do, and that the co-operation of the Senate in this department qualifies the divergence of the ideas of one President from those of another.

Fourthly. The fact that he is re-eligible once, but (practically) only once, operates unfavourably on the President. He is tempted to play for a re-nomination by so pandering to active

<sup>1</sup> In England, also, there is necessarily a campaign once at least in every six or seven years, when a general election takes place, and sometimes oftener. But note that in England (1) this is the only season of disturbance, whereas in America the Congressional elections furnish a second; (2) the period is usually shorter (three to six weeks, not four months); (3) there are usually real and momentous issues, dividing the great parties, which the nation has to settle.

sections of his own party, or so using his patronage to conciliate influential politicians, as to make them put him forward at the next election. On the other hand, if he is in his second term of office, he has no longer much motive to regard the interests of the nation at large, because he sees that his own political death is near. It may be answered that these two evils will correct one another, that the President will in his first term be anxious to win the respect of the nation, in his second he will have no motive for yielding to the unworthy pressure of party wire-pullers; while in reply to the suggestion that if he were held ineligible for the next term, but eligible for any future term, both sets of evils might be avoided, and both sets of benefits secured, it can be argued that such a provision would make that breach in policy which may now happen only once in eight years, necessarily happen once in four years. It would, for instance, have prevented the re-election of Abraham Lincoln in 1864.

The founders of the Southern Confederacy of 1861-65 were so much impressed by the objections to the present system that they provided that their President should hold office for six years, but not be re-eligible.

Fifthly. An outgoing President is a weak President. During the four months of his stay in office after his successor has been chosen, he declines, except in cases of extreme necessity, to take any new departure, to embark on any executive policy which cannot be completed before he quits office. This is, of course, even more decidedly the case if his successor belongs to the opposite party.<sup>1</sup>

Lastly. The result of an election may be doubtful, not from equality of votes, for this is provided against, but from a dispute as to the validity of votes given in or reported from

<sup>1</sup> Mr. E. A. Freeman (*History of Federal Government*, i. 302) adduces from Polybius (iv. 6, 7) a curious instance showing that the same mischief arose in the Achaian League: "The Ætolians chose for an inroad the time when the official year (of the Achaian General) was drawing to its close, as a time when the Achaian counsels were sure to be weak. Aratos, the General elect, was not yet in office; Timoxenos, the outgoing General, shrank from energetic action so late in his year, and at last yielded up his office to Aratos before the legal time." This effort of Timoxenos to escape from the consequences of the system could not have occurred in governments like those of Rome, England, or the United States, where "the reign of law" is far stricter than it was in the Greek republics.

the States. The difficulty which arose in 1876 will not, owing to the legislation of 1887, recur in quite the same form. But cases may arise in which the returns from a State of its electoral votes will, because notoriously obtained by fraud or force, fail to be recognized as valid by the party whose candidate they prejudice. No presidential election passes without charges of this kind, and these charges are not always unfounded. Should manifest unfairness coincide with popular excitement over a really important issue, the self-control of the people, which in 1877, when no such issue was involved, restrained the party passions of their leaders, may prove unequal to the strain of such a crisis.

Further observations on the President, as a part of the machinery of government, will be better reserved for the discussion of the relations of the executive and legislative departments. I will therefore only observe here that, even when we allow for the defects last enumerated, the presidential office, if not one of the best features of the American Constitution, is nowise to be deemed a failure. The problem of constructing a stable executive in a democratic country is indeed so immensely difficult that anything short of a failure deserves to be called a success. Now the President has, during ninety-nine years, carried on the internal administrative business of the nation with due efficiency. Once or twice, as when Jefferson purchased Louisiana, and Lincoln emancipated the slaves in the revolted States, he has courageously ventured on stretches of authority, held at the time to be doubtfully constitutional, yet necessary, and approved by the judgment of posterity. He has kept the machinery working quietly and steadily when Congress has been distracted by party strife, or paralyzed by the dissensions of the two Houses, or enfeebled by the want of first-rate leaders. The executive has been able, at moments of peril, to rise almost to a dictatorship, as during the War of Secession, and when peace returned, to sink back into its proper constitutional position. It has shown no tendency so to dwarf the other authorities of the State as to pave the way for a monarchy.

Europeans are struck by the faults of a plan which plunges the nation into a whirlpool of excitement once every four years, and commits the headship of the State to a party leader chosen

for a short period.<sup>1</sup> But there is another aspect in which the presidential election may be regarded, and one whose importance is better appreciated in America than in Europe. The election is a solemn periodical appeal to the nation to review its condition, the way in which its business has been carried on, the conduct of the two great parties. It stirs and rouses the nation as nothing else does, forces every one not merely to think about public affairs but to decide how he judges the parties. It is a direct expression of the will of twelve millions of voters, a force before which everything must bow. It refreshes the sense of national duty; and at great crises it intensifies national patriotism. A presidential election is sometimes, as in 1800, and as again most notably in 1860 and 1864, a turning-point in history. In form it is nothing more than the choice of an administrator who cannot influence policy otherwise than by refusing his assent to bills. In reality it is the deliverance of the mind of the people upon all such questions as they feel able to decide. A curious parallel may in this respect be drawn between it and a general election of the House of Commons in England. A general election is in form a choice of representatives, with reference primarily to their views upon various current questions. In substance it is often a national vote, committing executive power to some one prominent statesman. Thus the elections of 1868, 1874, 1880, were practically votes of the nation to place Mr. Gladstone or Mr. Disraeli at the head of the government. So conversely in America, a presidential election, which purports to be merely the selection of a man, is often in reality a decision upon issues of policy, a condemnation of the course taken by one party, a mandate to the other to follow some different course.

The choice of party leaders as Presidents has in America caused less mischief than might have been expected. Nevertheless, those who have studied the scheme of constitutional monarchy as it works in England, or Belgium, or Italy, or the reproductions of that scheme in British colonies, where the

<sup>1</sup> Such faults as belong to the plan of popular election are not necessarily incident to the existence of a President; for in France the chief magistrate is chosen by the Chambers, and the interposition between him and the legislature of a responsible ministry serves to render his position less distinctly partisan.

Crown-appointed governor stands outside the strife of factions as a permanent official, will, when they compare the institutions of these countries with the American presidency, be impressed by the merits of a plan which does not unite all the dignity of office with all the power of office, and which, by placing the titular chief of the executive above and apart from party, makes the civil and military services feel themselves the servants rather of the nation than of any section of the nation, and suggests to them that their labours ought to be rendered with equal heartiness to whatever party may hold the reins of government. Party government may be necessary. So far as we can see, it is necessary. But it is an unfortunate necessity; and whatever tends to diminish its mischievous influence upon the machinery of administration, and to prevent it from obtruding itself upon foreign states; whatever holds up a high ideal of devotion to the nation as a majestic whole, living on from century to century while parties form and dissolve and form again, strengthens and ennobles the commonwealth and all its citizens.

Such an observation of course applies only to monarchy as a political institution. Socially regarded, the American presidency deserves nothing but admiration. The President is simply the first citizen of a free nation, depending for his dignity on no title, no official dress, no insignia of state. It was originally proposed, doubtless in recollection of the English Commonwealth of the seventeenth century, to give him the style of "Highness," and "Protector of the Liberties of the United States." Others suggested "Excellency";<sup>1</sup> and Washington is said to have had leanings to the Dutch style of "High Mightiness." The head of the ruling President does not appear on coins, nor even on postage stamps.<sup>2</sup> His residence at Washington called officially "the Executive Mansion," and familiarly "the White House," a building with a stucco front and a portico supported by Corinthian pillars, said to

<sup>1</sup> In ridicule of this the more democratic members of Congress proposed to call that more ornamental than useful officer the Vice-President "His Superfluous Excellency."

<sup>2</sup> The portraits on American postage stamps are those of several past Presidents—Washington, Jefferson, Jackson, Taylor, Lincoln, Grant, Garfield, and of a few eminent statesmen, such as Franklin, Hamilton, Clay, Webster, Scott, Perry, Stanton.

have been modelled upon the Duke of Leinster's house in Dublin, stands in a shrubbery, and has the air of a large suburban villa rather than of a palace. The rooms, though spacious, are not spacious enough for the crowds that attend the public receptions. The President's salary, which is only \$50,000 (£10,000) a year, does not permit display, nor indeed is display expected from him.

Washington, which even so lately as the days of the war was a wilderness of mud and negroes, with a few big houses scattered here and there, has now become one of the handsomest capitals in the world, and cultivates the graces and pleasures of life with eminent success. Besides its political society and its diplomatic society, it is becoming a winter resort for men of wealth and leisure from all over the continent. It is a place where a court might be created, did any one wish to create it. No President has made the attempt; and as the earlier career of the chief magistrate and his wife has seldom qualified them to lead the world of fashion, none is likely to make it. However, the action of the wife of President Hayes, an estimable lady, whose ardent advocacy of temperance caused the formation of many total abstinence societies, called by her name, showed that there may be fields in which a President's consort can turn her exalted position to good account, while of course such gifts or charms as she possesses will tend to increase his popularity.

To a European observer, weary of the slavish obsequiousness and lip-deep adulation with which the members of reigning families are treated on the eastern side of the Atlantic, fawned on in public and carped at in private, the social relations of an American President to his people are eminently refreshing. There is a great respect for the office, and a corresponding respect for the man as the holder of the office, if he has done nothing to degrade it. There is no servility, no fictitious self-abasement on the part of the citizens, but a simple and hearty deference to one who represents the majesty of the nation, the sort of respect which the proudest Roman paid to the consulship, even if the particular consul was, like Cicero, a "new man." The curiosity of the visitors who throng the White House on reception days is sometimes too familiar; but this fault tends to disappear, and Presidents have now more reason

to complain of the persecutions they endure from an incessantly observant journalism. After oscillating between the ceremonious state of George Washington, who drove to open Congress in his coach and six, with outriders and footmen in livery, and the ostentatious plainness of Citizen Jefferson, who would ride up alone and hitch his horse to the post at the gate,<sup>1</sup> the President has settled down into an attitude between that of the mayor of a great English town on a public occasion, and that of a European cabinet minister on a political tour. He is followed about and fêted, and in every way treated as the first man in the company; but the spirit of equality which rules the country has sunk too deep into every American nature for him to expect to be addressed with bated breath and whispering reverence. He has no military guard, no chamberlains or grooms-in-waiting; his everyday life is simple; his wife enjoys precedence over all other ladies, but is visited and received just like other ladies; he is surrounded by no such pomp and enforces no such etiquette as that which belongs to the governors even of second-class English colonies, not to speak of the viceroys of India and Ireland.

It begins to be remarked in Europe that monarchy, which used to be deemed politically dangerous but socially useful, has now, since its claws have been cut, become politically valuable, but of doubtful social utility. In the United States the most suspicious democrat — and there are democrats who complain that the office of President is too monarchical — cannot accuse the chief magistracy of having tended to form a court, much less to create those evils which thrive in the atmosphere of European courts. No President dare violate social decorum as European sovereigns have so often done. If he did, he would be the first to suffer.

<sup>1</sup> Mr. H. Adams (*First Administration of Jefferson*, vol. i. p. 197) has, however, shown that at his inauguration Jefferson walked.