

★★★★★ THE EVOLVING AMERICAN PRESIDENCY ★★★★★

ACCIDENTAL PRESIDENTS

DEATH, ASSASSINATION,
RESIGNATION, AND
DEMOCRATIC SUCCESSION

Philip Abbott



THE EVOLVING AMERICAN PRESIDENCY SERIES

Series Foreword:

The American Presidency touches virtually every aspect of American and world politics. And the presidency has become, for better or worse, the vital center of the American and global political systems. The Framers of the American government would be dismayed at such a result. As invented at the Philadelphia Constitutional Convention in 1787, the Presidency was to have been a part of a government with shared and overlapping powers, embedded within a separation-of-powers system. If there was a vital center, it was the Congress; the Presidency was to be a part, but by no means, the centerpiece of that system.

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by Philip Abbott

Accidental Presidents

*Death, Assassination, Resignation, and
Democratic Succession*

Philip Abbott

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ACCIDENTAL PRESIDENTS

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To
Kevin Louis Abbott



Assassination Attempt, September 5, 1975 (Courtesy Gerald R. Ford Library)

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Preface

Presidential scholars, as well as the general public, classify presidents in many ways. There are successful presidents and failed ones, presidents who speak eloquently and those who do not, generous presidents and vindictive ones, imaginative presidents and stolid ones, lucky presidents and unlucky ones, popular presidents and unpopular ones, those who are reelected and those who are not. There are also cold war presidents, Reconstruction presidents, war and peacetime presidents, modern presidents and postmodern ones, and, of course, Democratic and Republican presidents.

One of the most intriguing classifications is “accidental presidents.” Presidents in this category are successes and failures, lucky and unlucky as well as all the other different kinds of chief executives. However, how these presidents assume office seems to determine in large part their fate. Rather than becoming president by election, they assume office by the death, assassination, or resignation of the current occupant. In a fundamental way, accidental presidents are the stepchildren of presidential classifications and indeed of democratic theory in general, for, while they share many features of other presidents, their common characteristic, holding office without benefit of direct election, makes them exceptional. Not only were Millard Fillmore, Harry Truman, and Lyndon B. Johnson very much aware that they shared a basic position in common with the first accidental president, John Tyler, but also each of them finds himself with a few basic strategies available to govern under these special circumstances. This book identifies and examines how and why a particular strategy was selected by an accidental president, why it was a success or failure, and if their political lives could have been or should have been made easier.

As always, I have benefited greatly by suggestions and comments from a large number of colleagues, both in political theory and presidential studies. As always, I have especially profited from the advice and support of my family, particularly Patricia Abbott who took time away from her own writing to help with this project. Someday, my new grandson, to whom this book is dedicated, will too join this group of invaluable supporters.

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Detroit, Michigan

Chapter One

Succession and Democratic Theory

In his classic study of political power, Bertrand de Jouvenal presents several models of political succession in Polynesia. On Tonga, a king was selected from a single family. Upon assuming office, all inhabitants of the island kissed his feet. Whenever he spoke, they responded in unison, "How true!" But this leader exercised no direct political power. Upon taking office, he lived apart and prayed and mediated. Another leader, chosen in a contest, ruled. Jouvenal calls the one the "passive king" and the other, the "active king." He notes that in the Fiji islands the leaders bore the names, "the respectable king" and the "root of war."

In Managaia, however, the "passive king" played a more active role. His counterpart too won power in combat. After victory, he was required to seek the approval of the king who lectured him on good governance. Should he fail to rule justly, the king warned, he would refuse to order the playing of the sacred drum that forbade the use of arms. On another island, a new leader was chosen by a less violent method. Whoever found a nest of rare birds was designated by the king as ruler. Jouvenal notes that the odds favored the contestant who was able to recruit the largest and most adept search party. On yet another island, the role of king disappeared entirely and after one group achieved victory, their opponents were banished. On Samoa, political succession was occasioned by full-scale civil war. "Power was seized by the strongest party, which bore the name of *malo*. The *malo* assembled in the *fono*, or parliament, and there worked its will, oppressing or despoiling the rest of the population called the *vaivai*. This continued until rising discontent turned the minority into a majority, which rebelled, seized power in its turn and used it in the same arbitrary way."¹

Jouvenal's examples certainly capture the diverse solutions to the problem of political succession. Authorization by religious authority, heredity, charisma and/or force have all been used as ways to transfer power. It is the similarities, however, that Jouvenal finds useful in analyzing succession. For in each case, he identifies what he regards

as the twin aspects of political authority. The roles of “rex” and “dux,” the stabilizer and the initiator, are essential to governance. The role of rex emphasizes the continuity of the political order and that of dux, its capacity to respond to change. Without dux, rex is unable to assemble the forces necessary to engage in great projects and without rex, dux’s achievements are fleeting.

Even the most stable political system potentially confronts loss of legitimacy in moments of political succession as the balance between rex and dux must be renegotiated. The rituals recounted by Jouvenal are examples of attempts to validate this process. Repeated instances of succession crises can result in more and more problematic outcomes in terms of rex and dux, leading as they did in the case of Samoa to the disappearance of rex or to routinization in which the roles are successively clarified. In the Ottoman Empire, to take another example, with the death of a leader, the sons fought one another with the victor strangling his brothers to insure unchallenged legitimacy. Later, the defeated brothers were banished. Still later, the chaos of fratricidal competition was ended. The Sultan’s eldest brother became the new leader. But in this innovation the political system did not enjoy the same benefits of dux since ambitious young men were denied succession opportunities.²

If succession within a particular regime is often difficult, replacement by another is fraught with even more problems. Czarist Russia enjoyed generally routinized patterns of succession under the Romanovs. The elimination of the family line by the Bolsheviks and the creation of a new Soviet Republic produced a succession crisis when Lenin died in 1924. As one commentator notes, “the elements of a thousand succession struggles in a hundred nations and empires were reproduced in Stalin’s climb to complete power: the expression of will by the previous ruler; rivalry among the former chief lieutenants; intertwining of personal rivalry with ideological or policy arguments; appeal, even if covert, to popular yearnings; the skillful use of patronage.”³

One of the most commonly stated virtues of modern constitutional democracies is their capacity to insure reliable and accepted methods of political succession through election. In this innovation, many problems of political succession are solved. Elections only simulate a death, or even murder, of an existing leader to guarantee the perpetuation of rex. Democratic theorists support this mode of succession not only because it permits a much wider authorization for selecting new leaders than in other regimes but also because the procedure is peaceful, swift, and decisive.⁴ Thus in constitutional democracies the

balance between *rex* and *dux* is assured. The former is guaranteed by the election and the degree of authorization for *dux* is regulated by the electoral mandate. The size of the winner's electoral victory will minimize opposition to his/her political agenda.⁵

If one were to present this solution in the fashion of Jouvenal, the account would be something like this. As the term of office of the current leader is about to expire, two or more individuals announce their intention to claim the office through an election. In the modern context, a political party endorses each candidate. Citizens assess these claimants through a variety of formats—personal solicitation, visual and written representations, proxy performances—and make a judgment. They register their support for a particular claimant at an election in which procedures for voting, counting ballots, and determining the victor are stipulated in advance. Thus authorized, the leader is ceremonially installed in office (with the former leader simultaneously vacating) and forms a new government.

Democratic political systems have over time also devised symbolic succession rituals, equivalent to those discussed by Jouvenal and also prominent in monarchical regimes generally, to further support election.⁶ Like the crowning of a prince, there is a democratic version authorizing the winner, the fairness of the election and a mandate, and like the reincarnation of *rex*, there is the process of transforming the candidate into the chief executive. Identifiable scripts are evident in each of these rituals. In the “crowning the prince” ritual, the campaign formally ends with concession and victory speeches, congratulatory messages from other governments, and media editorials. In the “reincarnating *rex*” ritual, words and images are chosen to signify the executive-elect's leadership of the entire electorate. Personal characteristics such as fairness, deliberation, and compromise are stressed as the candidate/combatant is recast as the imminent *rex/dux*.

The inaugural, as the democratic equivalent of coronation, is part of a “*rex ascendans*” ritual in which the new leader formally assumes the role of both *rex* and *dux*. The parades, balls, oath of office, and a first address by the new leader are symbolic paths to legitimacy. The new leader acknowledges not only the additive aspect of *rex* but also attempts to establish his role as interpreter of national identity. In the words of Martin Van Buren, “The President under our system, like the king in a monarchy, never dies.”⁷ The ascent also includes confirmation of cabinet secretaries and the first official acts of the new leader.

The election as a successful succession device also requires the ritual deposition of the previous *rex* and/or his/her defeated successors. The

relative silence of the old rex after an election is preparatory to this final displacement. The “burying rex” ritual is thus both a transition and a renewal ritual that emphasizes the continuity of rex and the novelty of another dux.⁸ Orderly transitions in modern democracies are sensitive to even symbolic usurpation. Therefore, in a perfect election in the American case, during the sitting president’s lame duck period, the president-elect usually signals obliquely that there will be a ritual burial of his predecessor. This interment involves accepting resignations of cabinet secretaries and other high-ranking political appointees, overturning some executive orders, and a public review of past policies.

Though the process typically appears seamless, and even “natural,” these rituals depend on a large number of actors and include many individual events. Aberrations in the rituals may be repaired by interpretations of the disruption as a minor variation in an otherwise predictable and stable process. John Adams, for example, did not attend his successor’s inaugural, later claiming that he was unaware of the precedent. Vice presidential inaugural addresses were abandoned without notice. Eisenhower was privately sworn in a day early because the inaugural fell on a Sunday.

What, however, if the departure from the perfect election is too great to be interpreted as a typical variation in the ritual?⁹ Table 1.1 lists presidential elections through 2006 in which one or more parts of one of the succession rituals deviated so dramatically that the absence of a perfect election was publicly acknowledged and the legitimacy of the successor contested.

Table 1.1 Imperfect Elections

1. Elections in which the successor received less than a majority of votes cast: 1824; 1844; 1848; 1856; 1860; 1876; 1880; 1884; 1888; 1892; 1912; 1916; 1948; 1960; 1968; 1992; 1996; 2000
2. Elections which required constitutional/statutory contingency procedures: 1800; 1824; 1876; 2000
3. Elections in which the successor received less popular votes than his opponent: 1824; 1876; 1888; 2000
4. Elections with major voting irregularities: 1876; 1916; 1960; 2000; 2004
5. Elections in which the successor’s plurality was less than 1% of votes cast 1844; 1880; 1884; 1888; 1960; 1968
6. Elections that resulted in secession: 1860
7. Elections in which some states were not eligible to participate: 1864; 1868; 1872

There is a sense in which imperfect elections are like Tolstoy's unhappy families. Even the resolutions of the most severely contested of these imperfect elections clustered in category 3 are different. In 1876, the resolution, though constitutional, was ad hoc and highly contested. The resolution of the election of 1800 required thirty-six ballots and led to a constitutional alteration four years later. Opponents of the resolution of the election of 1824 characterized it as the "Corrupt Bargain." Imperfect elections in varying degrees fail (or come close to failing) basic tenets of legitimacy as provided by democratic theory. Elections in categories 1 and 3 fail to meet the standards of majority rule; elections in category 5 are so close to failing to meet the lesser standard of plurality that they raise legitimacy questions as well as fail to provide a foundation for dux. The constitutional provisions of the Electoral College, of course, make the majority rule standard legally irrelevant but still pertinent for legitimacy in a broader sense. No doubt the closeness of elections was the result of imperfection in category 4 yet the standard of a fair count is a basic feature of democratic standards of legitimacy. Likewise, the extraordinary legitimacy crisis of 1860 was responsible for the truncated electoral base in category 7, but nevertheless, the democratic rule of what Robert Dahl has identified as the "inclusion principle" of democratic theory is still under question.¹⁰ If one adds to this list, the two elections of George Washington and elections from 1804 to 1820, which were not characterized by the presence of a substantial opposition, the number of examples of perfect elections falls further.

Perfect elections are elusive. Deviations occur with regularity, and reconstructing successions as if they were perfect must be undertaken under adverse conditions. In all presidential elections except that of 1860, imperfections were reconstructed well enough to gain acceptance of the president as rex. John Quincy Adams and Rutherford B. Hayes, for example, did serve as presidents despite their inclusion in categories 1 to 3 though both had great difficulty in assuming the role of dux, particularly in terms of sustaining legitimacy. George W. Bush fared better despite the fact that the election of 2000 suffered from numerous imperfections (1–5). Some presidents not only survived challenges to their role as rex but excelled in terms of dux despite imperfections. Lincoln in categories 1 and 6 and Kennedy in 4 and 5 are prominent examples. Both of them used the rex ascendant ritual expertly. Democratic principles do, as well, provide guidance in creating mechanisms to correct imperfect elections through constitutional revision and subsequent election. In the United States, the Twelfth Amendment was designed to avoid one scenario of (2). Jackson was

finally elected in 1828 and again in 1832 and Cleveland returned to office in 1880 compensating in part for what is listed in category 3.

Even acknowledging the capacity to repair, the general democratic ideal of succession is rarely met. Nevertheless, elections, despite these persistent imperfections, have proved to be an extremely resilient mechanism for political succession. France, for example, has had an extremely volatile history of regime succession, even in contemporary context. Yet despite capitulation to outside military force, insurgency and liberation, insurrection, Bonapartist reconstruction, and student revolt, it has maintained, at least in general terms, democratic principles of political succession.¹¹ The United States has been able to retain the same despite civil war and near economic collapse.

I

Nearly all democratic political systems also provide for political succession in the absence of election. In cases of death, assassination, or resignation, democracies have devised measures to provide for immediate succession before an election is held by designating some temporary successor or a process, either constitutionally or by practice. In parliamentary systems, a cabinet member assumes power. In the United States this position is held by the vice president.¹²

It is sometimes argued that the issue of political succession in this irregular sense was largely ignored at the constitutional convention of 1787.¹³ This position is in important ways overstated, since the founders, as in other matters, considered one constitutional arrangement in tandem with others. Thus while it is true that presidential succession was not addressed until late in the session, neither were fundamental aspects of the office. It is also probably correct to state that the vice presidency itself was invented in part serendipitously. Once the mode of election was agreed upon, members began to focus on the question of recruitment. Concerned that electors would vote only for favorite sons, they required two choices for the office, one from a state other than that of the elector. With two individuals thus designated, it was a short step to the creation of another office.¹⁴

Had the founders selected the option of presidential selection by the legislature, the succession issue would surely have been resolved differently. The Pinckney plan provided for irregular succession by designating the president of the Senate as successor. Had the founders selected direct election, they might have moved in any number of directions perhaps by creating a vice presidency too, designating some

legislative or judicial official, or simply leaving the succession issue to congressional enactment (as they did in the case of succession past the vice presidency). Had the founders too retained an Executive Council, which persistently reappeared as a proposal before the convention, a successor could have been chosen from this body.¹⁵

The difficulty the delegates faced on this question can be traced to issues other than their decision-making procedure. The power to name a successor in the case of irregular succession, especially in the instance of impeachment, was a considerable one. To the extent that the legislature performed that role, it challenged the principle of separation of powers. Madison expressed his concern, for example, that should the president of the Senate be made the provisional successor, the Senate would have reason to delay holding elections.¹⁶ Similar objections were made concerning the proposal to make the vice president president of the Senate. By putting the “president’s man” in the legislature with power to break ties, executive powers would encroach upon legislative ones. Nevertheless, this proposal had its own advantages, which probably explains its eventual adoption. It saved a state from losing representation since the Senate presidency was deemed to require a neutral officiator and it gave the vice president some power.¹⁷

There was also the question of the relevance of the election principle to the irregular succession question. Madison objected to a succession clause offered by Randolph on September 7 on the grounds that the phrase, “such officer shall act accordingly until the time of electing a President shall arrive,” voided the option of a special election. Others expressed concern that a special election was not feasible. Madison’s substitute motion was nevertheless passed. When the article was submitted to the committee on style, two clauses passed by the delegates; the one on vice presidential succession and the other on Congress’s role were combined. The famous succession clause now had not two but four components: one designating the vice president as successor in cases of irregular succession; two dealing with succession past the vice presidency; and the fourth dealing with the term of the successor. The convention changed the last clause to reflect Madison’s earlier motion. The result is a clause that lends itself to different interpretations. On one reading, the vice president succeeds as “acting” president until another successor is chosen. On another, the vice president assumes the full powers of the office. Interlaced with this ambiguity is the question of the successor’s term. Is the new president to serve until Congress arranges a special election or for the full term?

Some argue this vagueness supports the view that the founders conceived of the resolution to the problem of irregular succession in

terms of the election principle.¹⁸ In this case, the vice presidency was to be primarily a vehicle for regular succession and a temporary one for irregular circumstances. Publius can provide some support for this view since, after reviewing the problems the convention faced in selecting a president of the Senate from their own members, he recommends the selection of vice president. In addition to performing this role, he “may occasionally become a substitute for the President.”¹⁹ When during the ratification controversy, George Mason referred to the vice presidency as an “unnecessary and dangerous” office, “Civis Resticus” replied that the vice president “will seldom or ever have that devolution of power by the death, resignation, or inability of the president; and if he should, he will exercise it for a short time.”²⁰

If this is indeed the case, the role of the vice presidency was further complicated by the passage of the Twelfth Amendment in 1804. While the amendment is generally described as a minor adjustment owing to an “oversight” of the founders, it was a controversial proposal with far-reaching implications for the presidential succession. Simply stated, the Twelfth Amendment replaced the procedure in which electors voted for two candidates for the office with one which required electors to vote for a president and “in distinct ballots” cast their vote for vice president. In addition to ending the “dual vote” system, the amendment reduced from five to three the number of candidates to be considered for the post of president by the House of Representatives in the event no one received an electoral majority. In the event of the absence of a majority for vice president, the Senate would choose from the two highest vote getters on the list. The amendment also included provisions for the vice president to act as president if no action is taken by the House by March 4.

The Twelfth Amendment was a response to the nation’s first, and perhaps one of its most serious, constitutional crises in regard to regular presidential succession. The dual voting system in Article II provided an arena for complex voting strategies as a party system rapidly developed in Washington’s second term.²¹ Publius described presidential selection as a reflection of the elector’s judgments about individual talents, character, and qualification. But if votes were cast in support of party agendas, decisions had to be made as to how to promote each party ticket. If the candidate of one’s party held little prospects of success, should electors use their votes for vice president in the hopes of at least selecting him? Or should electors use one of their votes for the opposition party’s vice president in hopes of denying the presidency to the opposition party’s candidate? In 1801 Albert Gallatin explored with Jefferson the risks of these strategies from a Republican

standpoint in the approaching election in 1804. The party could support Burr again for vice president or give only one vote for vice president scattering the rest among several people. But, he wondered, "if we do the first, we run, on the one hand, the risk of the Federalist Party making Burr President."²² On the other hand, pursuit of another strategy might not only give the vice presidency to the Federalists but also "pave the way for the Federal successful candidate to that office to become President." Indeed, adding to these kinds of uncertainties were the tactics of factional leaders within a political party. In 1796, the Republican electors discarded their second vote while Federalists used theirs to maximize their chances for capturing the presidency. The Republican strategy worked to the extent that Jefferson came in second in the balloting and became vice president. But, after the election, Federalists wondered if Hamilton's strategy had an ulterior purpose. Did he really want Pinckney, the Federalist candidate for vice president, to win the presidency?

It is possible that these intricate strategies might have continued for some time and even become embedded as a traditional norm in the political culture of presidential succession. In the election of 1800, however, such tactics, which reached new levels of sophistication as the party system moved from one of largely elite competition toward mass participation, resulted in a tie in the Electoral College between Jefferson, the Republican Party candidate for president and his vice president, Aaron Burr. Some Federalists preferred Burr to Jefferson; others thought a deadlock might induce Jefferson to make policy concessions in exchange for the presidency; still others were willing to engage in the high-risk route of adjourning without electing anyone in the hope that in the interregnum, a Federalist could be installed in the office. It is difficult to accurately determine the Republican response since most of the available comments were made after the crisis. There seems to have been threats of armed resistance on the part of some states as well as plans to hold a new constitutional convention. Finally, after thirty-six ballots in the House of Representatives, Jefferson was elected president.

Despite this close call, a "discrimination" amendment, as it was called, failed to pass the Senate by a single vote in 1801. Legislation was again introduced in next session but action was delayed by the Republicans who feared they did not have enough votes. In 1803, the pressure of an approaching presidential election made the issue of an amendment urgent. Federalists strongly opposed the amendment on two grounds. First, they argued that the amendment diminished the power of small states and thus violated the spirit of the compromise

on this question settled at the constitutional convention. They were especially upset by the change from five to three candidates to be considered by the House under the contingency route to presidential selection. Second, they argued that the amendment violated the general principle of minority rights. Federalists were quite frank about the fact that under the conditions of the new amendment, they would no longer have a chance to elect a Federalist vice president. Even some Republicans, imagining themselves to be in a minority at some future date, questioned the wisdom of the change. Nevertheless, Twelfth Amendment passed Congress and was ratified in time to take effect before 1804.²³

The Twelfth Amendment certainly illustrates the adaptability of a democratic political system to dealing with succession problems in response to changing political circumstances. The amendment accommodated party competition by insuring the election of a president and vice president from the same party and it ended the complex plotting after the selection of electors that may have escalated in future elections to unacceptable proportions. On the other hand, the amendment, true to Federalist protestations in Congress, accelerated the demise of the Federalist Party. It is possible that Federalist might have elected a vice president in one or more of the next two elections and thus kept the party alive as a force in national politics to provide alternatives to Republican policies. Also, the amendment severely diminished the office of the vice president. For the immediate succeeding elections, Republicans nominated men near the end of their political careers.²⁴

Though the ambiguous status of a vice president today is due to many factors, it is the Twelfth Amendment that certainly altered the institution early and significantly. In fact, the actions of the John Tyler, the first accidental president, are directly related to the decisions made in 1787 and the Twelfth Amendment. Tyler would almost certainly not have been a vice presidential candidate without the impetus of the amendment. Nor would his status both in terms of *rex* and *dux* have been as precarious without the ambiguity of the succession clause. This perfect storm, however, did resolve the debate about the vice president's formal succession powers.

The vice presidency was eventually given constitutional authorization in terms of succession in the Twenty-Fifth Amendment. Most of the disagreement in Congress focused on sections 3 and 4 of the amendment, which provided for succession in cases of a presidential inability to perform the duties of the office. The confirmation of the Tyler precedent in section 1 produced little debate.

There were concerns, however, about section 2. The number of years in which the office of the vice presidency was vacant, as a result of succession, death or resignation, was quite high (over thirty-seven years; see table 1.2).

Table 1.2 Vice-Presidential Vacancies

<i>Vice President</i>	<i>Cause of Vacancy</i>	<i>Date of Vacancy</i>	<i>Time Left in Years</i>	<i>In Months</i>	<i>In Days</i>
George Clinton	Death by Natural Cause	April 20, 1812		10	12
Eldridge Gerry	Death by Natural Causes	December 28, 1832	2	3	9
John C. Calhoun	Resignation	April 15, 1865		2	4
John Tyler	Succession	April 4, 1841	3	11	0
Millard Fillmore	Succession	July 9, 1850	3	7	23
William J. King	Death by Natural Causes	April 18, 1853	3	10	14
Andrew Johnson	Succession	April 15, 1865	3	10	17
Henry Wilson	Death by Natural Causes	November 22, 1875	1	3	10
Chester A. Arthur	Succession	September 19, 1881	3	5	13
Thomas Hendricks	Death by Natural Causes	November 25, 1885	3	3	7
Garret A. Hobart	Death by Natural Causes	November 21, 1899	1	3	11
Theodore Roosevelt	Succession	September 14, 1901	3	5	18
James S. Sherman	Death by Natural Causes	October 30, 1912		4	5
Calvin Coolidge	Succession	August 2, 1923	1	7	2
Harry S. Truman	Succession	April 12, 1945	3	9	8
Lyndon B. Johnson	Succession	November 22, 1963	1	1	29
Spiro T. Agnew	Resignation	October 10, 1973		1	26
Gerald R. Ford	Succession	August 9, 1974		4	10
Total ^a			38	9	8

^aThe months have been totaled, converted to years, and then added to years and similarly days have been added to months.

The death of a president in these periods would have pushed political succession beyond the vice presidency. Congress had not been inattentive to this possibility and had provided for irregular succession past the vice presidency. The issue was debated in the first Congress although no agreement was reached until the second. Largely because of Alexander Hamilton's rivalry with Thomas Jefferson, the Federalist Senate placed the line of succession in the president pro tempore to be followed by the Speaker of the House, rather than with the secretary of state (the cabinet post held by Jefferson). Many House members, however, expressed concern that the Constitution's provision that succession be limited to officers of government required the line of succession begin with the cabinet. Congress returned to the issue in 1886. The Garfield assassination occurred when both the president pro tempore and House Speaker offices were vacant. This time Congress adopted the cabinet succession model only to be overruled by another Congress in 1947 after the death of FDR. At Truman's urging, succession was determined to rest first with the Speaker, then the president pro tempore of the Senate followed by the cabinet.

In each of these decisions, the succession question largely focused on selecting a procedure that guaranteed a chief executive past the vice presidency. Immediate political conflict aside, debate centered on whether succession should follow the election principle or continuity in government. The solution of selecting another vice president as another way to provide for irregular succession was raised in part when legislators contemplated the consequences of the possible death of Lyndon Johnson. Before 1965, the presidency would have fallen upon a John McCormick, the aged Democratic Speaker of the House.

The proposed solution in section 2 called for presidential nomination of a vice president within thirty days after a vacancy followed by confirmation of both Houses of Congress by a majority vote. Senator Ervin preferred congressional selection alone and Senator Javitz offered an amendment giving the president a veto over the congressional selection. Javitz also suggested the pool of candidates for vice presidential selection be limited to those offices listed in the 1947 succession law on the grounds of both speed and quality. Former vice president Nixon recommended that the vacancy be filled by the Electoral College to insure continuity of party control. Others argued the use of the Electoral College would be a step away from democratic principle since it would introduce discretion in an institution that currently had none.²⁵ No witness at the Senate hearings supported direct election of a new vice president.

Debate in the House about section 2 was more pronounced. Representative Roman C. Pucinski expressed concern that this section

would promote “palace intrigue.” By authorizing a president to name his own vice president, “you are in effect setting up a dynasty...” John Dingell stated similar concerns. The amendment would “permit a President to begin an orderly chain of successors through an appointive device” thus effectively denying voters the decision of “who will serve in the highest office of the land.”²⁶ Both congressmen seemed to assume that irregular succession would be a common enough event to create these patterns. Pucinski’s motion to delete section 2 received forty-four votes. Charles Mathias’s motion to fill the vice presidency with an acting one chosen by Congress until an election was held was defeated by voice vote. Ratification was complete in less than eighteen months without major debate. To date, one scenario in its provisions has been played out with reasonable success though with some important unanticipated complications.²⁷

II

Vice presidents can, of course, assume the presidency via election in their own right.²⁸ In this case, the office forms an important element in the process of regular succession although not a very reliable one. To date, two vice presidents have assumed office through regular succession and neither was reelected (Van Buren and George H. W. Bush). Four more have tried but failed (Breckinridge, Richard Nixon, Hubert Humphrey, and Al Gore). Each of these cases, however, involved an imperfect election in one or more of the instances described above.²⁹ In all these instances, the vice presidents, as potential successors, struggled to establish their legitimacy in terms of both *rex* and *dux*. Several had opponents within their own party who made their own claims as heirs and in the general election, their capacity for *dux* was regularly challenged since, until perhaps recently the vice president has had little opportunity to establish either. His formal authority as *rex* is one in which he represents the president and his capacity to govern is limited to the extent of president’s largesse.³⁰ There have been many jokes about the powerlessness of the office itself, but none expresses the dilemma more directly and poignantly than Hubert Humphrey’s remark in the 1968 campaign. Note how the candidate’s voice shifts so abruptly from that of all (powerless) vice presidents to the singular future (powerful) president:

I don’t think any vice president is going to be able to fundamentally alter the policy of this country between now and January 20. Our

advice and counsel may be sought, but we are not in charge, any of us. Come January 20 high noon, 12:00 A.M. in the afternoon, then I will be in charge. And I will set the policy. And I will determine what we are going to do about our foreign relations and our national security, including Vietnam. And I have some rather strong ideas about it.³¹

But it is their other role in assuming the highest office “accidentally” through the death, assassination, or resignation of the president that is particularly informative since it illustrates this transition even more sharply. Given the vagaries of the Constitution and political development noted above, these accidental presidents can hold office, without election, for up to four years. In fact, to date accidental presidents have held office for more than twenty-six years since the adoption of the Constitution (see table 1.3).

Table 1.3 Irregular Successions to the Presidency

<i>Successor</i>	<i>Cause of Vacancy</i>	<i>Date of Vacancy</i>	<i>Time Left in Years</i>	<i>In Months</i>	<i>In Days</i>
John Tyler	Death by Natural Causes	April 4, 1841	3	11	0
Millard Fillmore	Death by Natural Causes	June 9, 1850	2	7	23
Andrew Johnson	Assassination	April 15, 1865	3	10	17
Chester A. Arthur	Assassination	September 19, 1881	3	5	13
Theodore Roosevelt	Assassination	September 14, 1901	3	5	18
Calvin Coolidge	Death by Natural Causes	August 2, 1923	1	7	2
Harry S. Truman	Death by Natural Causes	April 12, 1945	3	9	8
Lyndon B. Johnson	Assassination	November 22, 1963	1	1	29
Gerald R. Ford	Resignation	August 9, 1974	2	5	11
Total ^a			26	4	1

^aThe months have been totaled, converted to years, and then added to years and similarly days have been added to months.

“Accidental presidents” are a prime illustration of the intricate process of succession because their irregular nature clarifies and highlights patterns of legitimacy that are less visible in other contexts. Accidental presidents confront these questions in extremis. Without assuming office through direct election, these presidents must find ways to replicate the legitimacy conferred by election. They cannot even employ the techniques used by presidents who assume office through imperfect election. Thus accidental presidents must hastily find ways to establish their qualifications as rex that are more substantial than those entailed by meeting minimal constitutional requirements and participating in an election in the role of vice president and they must also rapidly create the conditions that will permit them to govern as dux. The range of these accidental presidents across identifiable periods permits us to review these creative efforts in widely different political and constitutional circumstances. In a sense, these accidental presidents resemble the founders of new regimes since they must construct many features of their own right to govern.

Vice presidents, of course, present themselves before voters but they do so from a decidedly subordinate position. After the Twelfth Amendment, the visibility of the office was significantly reduced and until recently was not even considered a major route for regular succession. Thus while the vice president was constitutionally the first in line for succession, he was not in this favored position politically. The secretary of state was the claimant in a practical sense and the vice presidency was regarded as a dead-end office. Subsequent vice presidents after 1800 were men at the end of their political careers. Monroe’s appointment of John Quincy Adams, the son of a Federalist president, rather than the Democrat Crawford created a political crisis in his party.

The value of the vice presidency, however, was enhanced in the electoral context with the passage of the Twelfth Amendment, although this change complicated the role of the office in terms of succession. Accidental presidents represented different wings of their party or, in the case of Tyler and Johnson, were from different parties. Arthur was the price demanded by Stalwarts for support of the Garfield ticket. FDR’s selection of Truman was due to pressures by powerful leaders to drop Henry Wallace. Nixon allegedly chose Ford as a part of an inoculation strategy against impeachment. Accidental presidents therefore may have been elected (except in the case of Ford) but their policies more often differed from the ones voters may have based their decisions upon when voting for the top of the ticket. In about half of the administrations of accidental presidents, this policy

disjunction has been extreme: Tyler in terms of a national bank and tariff; Fillmore and the slavery crisis; Johnson and reconstruction; Arthur and civil service reform. In other cases, suspicions were less pronounced but no less significant for alleged policy reversals: TR and corporate regulation; Truman and the cold war; Johnson and Vietnam. As frustrating as is the task of the vice president in the case of regular succession, he has an identifiable position to articulate and perhaps to depart from.

Accidental presidents also do not benefit from the complex symbolic succession rituals in democratic practice adapted from authoritarian regimes. They do not enjoy any liminal period between election and officeholding. In fact, their accession to office is abrupt and unexpected, both for the vice president himself and the public. In some cases, there are brief moments of probability such as was the case with Garfield's lingering demise and Nixon's impeachment. But in these instances, the vice president must be especially cautious about succession and at least strike a public pose of surprise at taking office. Vice presidents too have no opportunity to publicly reincarnate themselves as rex. Balls and parties in particular would be especially inappropriate. Neither are vice presidents afforded the opportunity of assembling their own government. In fact, one of the repeated burdens of accidental presidents is their initial reliance on the former president's cabinet officials as counselors and administrators. Burying rex would seem to be a *fait accompli* since in most cases the departing leader is literally rather than symbolically dead. But even in this case, the actual death of the president removes from the new president the symbolism of voluntary relinquishment of authority that so enhances democratic succession.

Accidental presidents are, however, not without resources. The suddenness of their new position is so dramatic and focused that it can augment the role of rex by its very compression. Oaths, attendance at funerals and the equivalent of inaugurals can be arranged for a highly attentive and emotional public. Cabinet officials can be gradually but systematically replaced. Accidental presidents experience their own macabre version of a presidential honeymoon with Congress since a grieving public regards partisanship as inappropriate.

If election as president is taken as the most important criterion of success, three vice presidents met that standard. There is no question, however, that the succession of accidental presidents is a very difficult one. Four accidental presidents were not nominated by their party for another term and three chose to relinquish possible nomination for an elected second term.³² Two regularly receive a high ranking by political scientists and historians and four have been rated near the bottom.³³

What measures can accidental presidents employ that might enable them to validate and repair their mode of succession? Any approach must confront not only the new president's diminished status due to the departure from the perfect election but also take into account more specific factors such as the relative popularity of his predecessor, the severity of crises he faces domestically and internationally, the emergence of new issues on the political agenda and his place in political time. In addition, six accidental presidents took office less than a year into the term of office of the elected president while the remainder faced election within 30 months or less.

One strategy, adopted by three presidents, is to focus on the achievements and mandate of his predecessor. This homage strategy attempts to legitimize the new president through his associating with the dead leader. In its purest symbolic form, the new president becomes the old one and both the constitutional and policy disjunction is erased. The risks of this plan are twofold. The new president in his attempt to psychically and politically absorb the old one may be seen as simply a caretaker or clerk. And since he has so centered his predecessor, he may be continually compared unfavorably to him. One variation then is to include in the homage a subtext that the new president is, in some way, better equipped to complete the agenda of the previous president. Thus the homage strategy undergoes a kind of subversion in which fate has actually produced a better leader. Three presidents have selected this strategy: Chester Arthur; Harry S. Truman; Lyndon B. Johnson.

Another strategy is to adopt an opposite approach. The new president aggressively embarks upon his own programs independent from those of his predecessor. While the independent approach confronts the issue of *dux* head-on, it also, of course, opens the new president to the charge of usurpation. How dare the new president attempt to alter the mandate of his elected precursor? his opponents can charge. Despite this risk, four presidents have chosen this strategy: John Tyler; Millard Fillmore; Andrew Johnson; Theodore Roosevelt.

A third tack attempts to avoid the risks of both the homage and independent strategies by undertaking a minimalist approach. The new president seeks to lower his visibility in terms of *dux* and carefully attempts to establish a degree of competence in the minds of voters and elites. This strategy has the advantage of quieting the anxieties associated with succession, but it also is most prone to evoking the image of the new president as a regent. Critics can charge, "Why vote for a president who has not really governed?" Two presidents have employed this strategy: Calvin Coolidge and Gerald Ford.

In general, it is very difficult to predict in advance how general personality dispositions are likely to influence both the selection of a strategy and its implementation. In James David Barber's classification of presidential character, the "active-positive" orientation toward the office and world view in general is the ideal type. These presidents possess a high sense of self esteem, enjoy political activity and exhibit an ability to adapt to new situations.³⁴ Barber does not classify nineteenth century presidents but none appear to fit his ideal type regardless of their relative success or failure as accidental presidents. Theodore Roosevelt and Harry Truman do fit but Calvin Coolidge, perhaps the most successful, does not. In the more complex schema offered by Stephen J. Ruebenzer and Thomas R. Fashingbauer, Coolidge finishes last among all presidents for "extroversion" and Fillmore, who was not reelected, is first in "character."³⁵

In what is arguably the most sophisticated classification of the relative success of presidents based upon their position in political time, Stephen Skowronek's models are almost as problematic in regard to accidental presidents. One of his three "hard cases," presidents that do not seem to fit any of the models, is Calvin Coolidge.³⁶ For the others, presidents are then assigned to a typology of political authority: reconstruction (opposition figures in vulnerable regimes), articulation (affiliated figures in resilient regimes), disjunction (affiliated figures in vulnerable regimes) and preemption (opposed figures in resilient regimes). Preemption certainly fits the presidencies of Tyler and Johnson, whose policies were different from their ostensible parties. But the independent strategies of Tyler and Johnson were undertaken under quite different circumstances from other preemptive presidents. There are some similarities, of course, between Wilson and Nixon and these two accidental presidents but the former were elected to pursue an agenda somewhat different from the dominant electoral coalition and thus had resources unavailable to Tyler and Johnson. Fillmore and Theodore Roosevelt would be expected to pursue homage strategies since they were affiliated figures in resilient regimes yet both undertook policies different from their predecessors despite the fact they were not elected.³⁷ Happily from the perspective of democratic theory no accidental president has undertaken the monumental changes Skowronek reserves for reconstructive presidents like Jefferson and Lincoln. A careful look, however, at the strategies of Tyler, Fillmore, Johnson and TR suggests some similarities, at least in intent, for in each case, these presidents attempted to create an entirely new party alignment. There are no accidental presidents who occupy the unenviable role of disjunctive president like Hoover and Carter

but this might be the result of historical accident. While it is certainly possible that these presidential classifications might be flawed, it is also possible that accidental presidents constitute an entire separate category of executive governance.³⁸

In the complex arena of political action, there are, of course, many nuances associated with each of these strategies and some presidents, as we shall review, have also attempted to combine these approaches, sometimes by policy issue and in response to changing conditions. Nevertheless, it is striking how accidental presidents have employed these few basic approaches in their efforts to gain legitimacy and election in their efforts to avoid either the charge that their leadership is one of usurpation or regency. In the conclusion, we shall attempt to assess both the utility and implementation of each of these strategies, and consider whether the present arrangements for succession are consistent with democratic principles, and examine the case for constitutional reform.

Part I

Independent Strategies

Chapter Two

John Tyler

“I can never consent to being dictated to”

John Tyler’s selection of an independent strategy is initially quite surprising in the context of his unique position as the first accidental president. Even before he initiated actions as leader, Tyler faced a constitutional crisis. Whig Party leaders argued that Tyler was actually only an “acting president,” presumably with less power than a directly elected one. Henry Clay, at first, declared that Tyler would govern as a “regent” and Adams noted in his diary that “the event...made the Vice president...Acting President for four years less one month.”¹ Not only did Tyler aggressively resist this view from the moment he assumed office, but he also opposed and vetoed the legislative agenda of his putative party. Tyler thus has received sharply mixed assessments as the first accidental president. On the one hand, he has been praised for setting a major constitutional precedent that has aided all subsequent accidental presidents. Presidents who assume office as the result of death or resignation possess the same authority (at least in terms of *rex*) as directly elected ones.² Through his decisive actions in 1841, concludes one biographer, “John Tyler had placed all future vice presidents a heartbeat away from the presidency.”³ His use of presidential powers in general is seen as preparing “the way for the completion of the movement toward executive leadership started by Jackson.”⁴ On the other hand, Tyler has been portrayed as a “maverick and a loner” whose obstinacy cost him election in his own right.⁵ Was Tyler’s adoption of an independent strategy a rational, though a high-risk one, given his unique political position, or was it the result of limited vision and personal compulsions?

I

When Tyler “accidentally” became president in 1841, his novel status was further complicated by a peculiar political environment. Andrew

Jackson had left the office four years ago but he still exercised a powerful influence both within his party and in American politics generally. His attempt to transform the political system was not complete but was nevertheless significant. Almost all Democrats still paid homage to Old Hickory. He was in a negative sense the organizing impetus for the Whig Party whose members still regarded his views as a threat to the republic. Whigs had transformed themselves in an attempt to defeat Jacksonian politics. Like the Federalists who preceded them, Whigs openly championed the cause of elite leadership and limits on broader political participation. In 1840 the Whigs openly abandoned this position. They nominated William Henry Harrison again but this time with a new vigor. Harrison was a general, an Indian fighter and hero of the War of 1812, that is, he had the same *bona fides* as Jackson in 1832. They even included a disaffected follower of Jackson on the ticket as vice president. When a Democrat jokingly remarked, "Give him a barrel of hard cider" and a pension and Harrison "will sit the remainder of his days in a log cabin," Whigs adopted the symbols of cider barrels and log cabins. Whigs portrayed themselves as the party of the people and Democrats, led by Van Buren (Jackson's handpicked successor) as the elitists. Democrats campaigned largely on organizational terms, abandoning Van Buren as the head of the ticket and urging voters to reject these newfound populists and stick to the party of Jefferson and Jackson. Harrison won in a close election (40,000 votes) with over two and a half million cast), carried the Electoral College (234–60), and both Houses of Congress.

While the populist Jacksonian persona was now a feature of both political parties, Jackson's policies, particularly his conception of the presidency, were not. Not only did Whigs campaign on reversing Jackson's economic reforms, but they also pledged to return the presidency to what they regarded as its constitutionally circumscribed form. Presidents should use the veto rarely and defer to Congress in regard to legislative initiatives.

Before becoming president, Tyler performed his role as a Democrat in the Southern wing of the party conventionally, if sometimes dramatically. The son of a Virginia planter, he enjoyed all the political advantages that came to nineteenth-century Southern politicians of his class. When he was elected to the Senate in 1827 he had already been a member of the Virginia legislature, the House of Representatives, and governor of his home state. In the House, he routinely voted against internal improvements, the bank recharter, and tariff legislation. While he supported in principle the right of the

United States to seize the Florida Territory, Tyler voted for resolutions condemning Jackson's military excursions. He took a major role in opposing the Talmadge Amendment that would have eliminated slavery in Missouri. Tyler eventually supported Clay's compromise but asserted that the national diffusion of slavery was an invaluable way to thwart emancipation. In short, Tyler was a conventional Southern Democratic-Republican—well connected in Washington and in state politics and firm in his convictions about the nature of the union, the agrarian ideal, slavery, and Southern "virtues."

It was, however, Tyler's unorthodoxy regarding Andrew Jackson that landed him on the 1840 Whig presidential ticket and consequently his position as the first accidental president. Tyler gave a major address in opposition to the Force Bill, Jackson's response to South Carolina's nullification proclamation. He not only reiterated the doctrine that the union was a federal compact but also suggested that he was a citizen of the United States only by virtue of the fact that Virginia had entered into a compact with other states. While he was not prepared to endorse the right of South Carolina to secede, he said that secession was a complex question appropriate for congressional debate. He complained that Jackson was responsible for obliterating this federal system in the minds of the public: Everything is "running into nationality... You cannot walk along the streets without seeing the word on almost every sign—national hotel, national boot black, national blacksmith, national oyster house." The bill also gave far too much power to the president. "I have an instinctive abhorrence to confiding extravagant powers to one man," he told the Senate and claimed that Jackson was carrying the nation down the road to monarchy. When Southern Democrats decided to boycott the session in protest, Tyler refused to join them and cast the only dissenting vote on the bill.⁶

Although Tyler had long been on record in opposition to the Bank of the United States, he opposed, though initially reluctantly, Jackson's plan to remove deposits and voted to censure Jackson for the action. In his speech before the Senate, his criticism now extended to the Democratic Party which had lost all principle and changed its color like a chameleon depending upon instructions from the "Presidential orb."

On both these issues, Tyler's constituency in Virginia had been divided. When the question of expunging the censure from the record emerged in 1834, Tyler found himself in a more difficult position. The Virginia legislature instructed its senators to vote for the bill and Tyler had long been on record as supporting the practice of state instruction of federal legislators. Voting for the bill made Tyler open to charges

that he was a hypocrite in terms of his oft-stated republican principles since the Senate would be acceding to executive directive, in effect, to change history. Voting against it meant violating the principle of instruction, an important part of compact theory for Tyler.

After gathering much advice, Tyler resigned his Senate seat. Whigs, of course, were delighted by Tyler's opposition to the expungement, and party leaders hinted at future benefits should he stay in his seat. Democrats offered Tyler a judgeship in return for a quiet retirement from the Senate (which he rejected as insulting to his high political status). When Tyler resigned, he disappointed Whigs. Democrats were also unhappy with his decision. The entire incident is in many ways a precursor to events in Tyler's presidency. Tyler's apparent caution and his amenability to advice led to miscalculations by both his allies and opponents.

Tyler's retirement was extremely short. As a result of his position on expungement, he was nominated for vice president by several state Whig conventions in 1836. He was elected to the Virginia House of Delegates as a Democrat in 1838 and shortly after became its Speaker. He ran unsuccessfully for the Senate again as a Democrat. Tyler supported Clay for the presidency in 1840 and announced his availability for the vice presidency on the Whig ticket. Had Clay won the nomination, it is unlikely that Tyler would have won a place on the ticket since the vice presidency would have been offered to a Northerner. When the convention turned to Harrison, however, Tyler's prospects were greatly enhanced. He was a Southerner and anti-Jacksonian who, according to Whigs, risked his career rather than cater to demands of a potential tyrant. Moreover, Tyler now enjoyed a cordial relationship with Clay, the passed-over candidate, and could be expected to solidify the Southern wing of the party.

Like all vice presidential selections after the Twelfth Amendment, the choice of Tyler was an opportunistic one though not as crass as it might appear today. Tyler's persona as a heroic opponent of Jackson did coincide with the *raison d'être* of the Whig Party. Many members of this new party had only this position in common, and Southerners in particular were late in rallying to the charge of executive usurpation. Nevertheless, there were other issues however much they might have been glossed over in the Whig attempt to win the presidency. Democrats knew well Tyler's position on the BUS (Bank of the United States) and in October forced him to respond to their queries about Whig plans to recharter the bank. Tyler said he supported Harrison's view on the issue. Although the bank was unconstitutional, it was permissible for Congress to create one if it found it necessary to

achieve its own constitutional goals. Tyler had on occasion taken this position himself when he was a member of Congress. It was the same one Jefferson had taken when he had opposed the first creation of the bank. Tyler then, however, told the questioners that he was on record as opposing the bank, mentioning speeches he had delivered in 1819 and 1832. He seemed to be saying that while the bank might be constitutional, he himself was opposed to rechartering. Whigs, however, were satisfied with his endorsement of Harrison's position. Tyler's close friend Littleton Tazewell, however, warned him that Harrison might not live out his term of office and he would immediately find himself head of the Whig Party and be responsible for an agenda he could not support.⁷

Tazewell's scenario came true on April 4. Informed of the president's death, Tyler rushed from Williamsburg to the capitol and waited for the cabinet to summon him. He immediately asked all members to remain in government. The cabinet itself reflected the strains in the new party. Webster, as secretary of state, was Clay's major rival in the party and Francis Granger, the postmaster general, was an opponent of Clay. Secretary of War John Bell was a states' rights Democrat like Tyler and had recently drifted toward the Whig agenda. Nevertheless, the cabinet was overall ideologically aligned with Clay.

The first subject of the cabinet meeting was the issue of the appropriate form of address for the new president. The cabinet concluded that it would be "Vice president, Acting President." The question of whether an accidental president possessed less authority than a regularly elected official turned on an interpretation of the Twelfth Amendment. Whigs in Congress, led by Adams, insisted that the phrase, the "Vice president shall act as president" in the event of a deadlock in the Electoral College or the death of the President clearly suggested diminished powers although exactly what this special status entailed was never clearly spelled out. Tyler vigorously rejected this position. He undertook a series of actions that have been copied by later accidental presidents. Tyler took an oath of office, delivered an "inaugural address," moved into the White House, met with the diplomatic corps, and recommended a day of fasting and prayer in memory of the departed president. Each of these acts was designed to establish his legitimacy as president without qualification.

Tyler's address on accepting office is a masterful adaptation of the inaugural. He began with condolences and a brief homage to the dead president who was "selected as your chosen instrument to correct and reform" abuses in government. He noted his exceptional circumstances

and the “new test” that succession entailed and warned that politicians animated by the “spirit of faction” may use this “sudden and unexpected” transition to launch “assaults” on his administration. The new president stated that he would resist these efforts since he has sworn to “protect, preserve and defend” the Constitution.⁸

After asserting his authority as rex—those who oppose him were challenging the Constitution—he explicitly moved to the inaugural format to give a “brief exposition of the principles which will govern me in the course of my administration.” After a few brief remarks on foreign policy, Tyler announced that while he would support measures designed to restore a “sound circulating medium,” any legislation must not disturb the balance of powers between the federal and state governments. In these matters he would rely on “the fathers of the great republican school for advice and instruction.”⁹

In the following months, Tyler’s position on the restoration of the Bank of the United States, as well as other major Whig initiatives, led to a series of conflicts with Congress that not only defined his administration and set the future of the Whig Party but also provided a strategic model for later accidental presidents. Tyler’s early actions as rex clearly suggested that he would not adopt a caretaker role or at least the severe form of “Vice president Acting President.” This is not to say, however, that this role could not be forced upon the president by others. Tyler had no base of his own in the Whig Party. His cabinet had no reason to be loyal to him. Although Whigs, of course, could not know that they were at the height of their electoral power in 1841, their ascendance was a remarkable one. Formed just a few years earlier, the Whigs controlled the Senate by 29–22, the House 133–102 and 85 percent of the governorships and a majority of state legislatures. Their rejection of elitist principles and adoption of populist campaign rhetoric in the 1840 election transformed the party system. Moreover, since Harrison had announced he would only serve one term, Whig leaders Clay and Webster immediately began campaigning for the presidential nomination in 1844. It appeared then that Tyler could be easily pushed aside as Congress developed a series of legislative initiatives to bring the country out of a recession and win the gratitude of voters in the approaching elections. In short, Clay and Webster, as well as the press of both parties, assumed that Tyler’s personal prickliness and quaint republican principles would be no more than a minor annoyance.¹⁰

Tyler’s option of a homage strategy was even less palatable. While he briefly mentioned this strategy in his address, Harrison had few clear policies to implement and any credit for legislative victories

would go to Clay anyway. In fact, Clay's aggressiveness had already created a breach with the president before his death. Full support for Whig policies would have eliminated his role as leader. In other words, a homage strategy, even one of limited duration, would drain his presidency of all authority. Tyler could theoretically have attempted to exceed Whig proposals as LBJ later did in regard to civil rights and economic legislation or he could have adopted a more cautious version of a homage strategy as Arthur did. Given Tyler's ideological views, the first option was not feasible. Tyler may have preferred the latter although his unique situation as the first accidental president meant that delay had its own risks. He may have actually considered this variation when he informed Clay that he preferred that the bank bill not be considered in the special congressional session. Clay had forced the idea of a special session on a reluctant Harrison, and Tyler contended that under the current circumstances a more limited legislative agenda was appropriate. He even suggested that this would have been Harrison's wish as well. The moderate tone, however, seems to have actually encouraged Clay who, along with the Whig press, concluded that Tyler was following James Madison's position. Madison signed the bank recharter in 1816 despite his own reservations about its constitutionality.

Tyler's special message to Congress in June continued this approach. He reviewed Jackson's objections to the bank with approval, but also noted that subsequent arrangements including Van Buren's sub treasury alternative, which he said had been rejected by the voters in the last election, had proven unworkable. Tyler thus left his options tantalizingly open and while he insisted he would not accept a plan that was in his mind unconstitutional, he refrained from using the hot button, Jacksonian word, "veto." As Clay began drafting a bank bill, his secretary of treasury proposed one that created a bank in the District of Columbia (to avoid constitutional reservations) that would require state approval of any branches. Clay objected, claiming the people wanted an "old-fashioned bank," not the "rickety, imbecile, incompetent local bank" that Ewing had proposed. Senator William C. Rives, perhaps with Tyler's approval, then proposed an amendment to Clay's bill giving states the right to approve branches. Rives's amendment failed, but Clay was forced to propose a compromise that gave states the right to refuse; but if rejection did not come during the first legislative session after passage of the federal legislation, bank branches would be formed. The change was enough to get the bill passed but not enough for Tyler, who vetoed the legislation in August. A new bill was passed that appeared to meet Tyler's objections by prohibiting

branches from issuing promissory notes. While Tyler indicated he would sign the measure, he urged postponement of the entire bank issue until the subsequent Congressional session. Whigs refused. Tyler issued his second veto message in September.

The reaction of the Whigs was swift and it amounted to an attempted nonviolent coup d'état. With the exception of Webster, the entire cabinet resigned and the Whig congressional caucus expelled Tyler from their party. The Whig plan, foiled by Webster's refusal to leave the cabinet, was to refuse any reappointments, forcing Tyler to resign the presidency. Tyler responded by creating a new cabinet composed of states' rights Democrats and anti-Clay Whigs. He deftly used his patronage powers to appoint enemies of Clay. Along with his alliance with Webster, Tyler managed to split the Whigs so badly that they suffered one of the worst defeats of any incumbent party in 1842. Less than two years earlier, the Whigs had been confident they had created a new, historic, governing coalition. Now they worried they were a doomed party destined to repeat the fate of Federalists.

The second veto message committed Tyler to the independent strategy. Before that decision, Tyler could still have moved toward a homage or caretaker strategy. Once Whigs came to the conclusion that Tyler would never pass any bank bill, Tyler's other options, as undesirable as they might have been, were foreclosed. Restoration of the Bank of the United States represented for the Whigs what Jeffrey Tulis has called a regime issue.¹¹ Though bank legislation was a complex question understood by few of the electorate, for the Whigs it had enormous resonance. The bank signified their view of economic development. Led by a knowledgeable and responsible elite, America could rationally grow into an industrial society in which all would benefit. Their conception of the national idea was deeply imbedded in the notion of coordinated economic progress. In more specific terms, Whigs believed the restoration of the bank would bring the nation out of recession. By receiving the credit for returning the nation to prosperity, they would not only be rewarded by voters, but other items on their agenda would also be enhanced. And finally, the re-creation of the bank would be a final blow to the Jacksonian legacy. The idea of running a nation without a central financial institution, especially after Van Buren's effort to find a reliable alternative, would be permanently discredited.

Tyler's second veto demolished this vision. When Whigs resorted to centering other portions of their agenda, they found that Tyler's vetoes were even more difficult to challenge. By forcing Whigs to choose between land distribution funds to the states and tariffs, Tyler further

split the party. Democrats were adamantly opposed to distribution since they regarded the policy as an indirect way to raise tariffs and to provide states with cash to finance internal improvement projects that only benefited the wealthy. They also demanded the “right of preemption” that permitted squatters the right to buy land for sale at the lowest starting price rather than at auction. Tyler finally signed legislation in 1841 that permitted distribution and included preemption, provided tariff rates did not exceed 20 percent. Whigs now hoped to use the fiscal crisis to both raise tariffs and continue distribution. They passed a “Little Tariff” bill that would permit rates higher than 20 percent and suspend distribution for a month. Tyler knew, of course, that the effect of the legislation would be higher tariffs and distribution after the time limit expired. He vetoed the bill. Whigs considered passing another bill raising tariffs and continuing distribution but found that that public support for their battles with Tyler was waning in face of the deficit. They capitulated and passed the tariff alone that Tyler signed.

As a consequence of these adroit maneuvers by Tyler, the Whigs rapidly began to revert to their ideological default position of a “country” party.¹² Now imbued with intense, even paranoid, feelings of executive tyranny, derived not only from their experience with Jackson but also from their identification with the English Whigs under George III, they became addicted to passing legislation designed to elicit vetoes. “The more vetoes now on the right question, the better” was Clay’s new strategy. Tyler encouraged this mind-set by openly defending the veto as a presidential prerogative in his second bank veto message. The Whig press, in fact, seemed to see Tyler as a Jackson redivivus. After his veto of the “Little Tariff,” he was described as “high-handed, arbitrary and despotic” (*Maryville Eagle*) and showed an “awful squinting toward monarchy” (*Raleigh Star*).¹³ Whig opposition then extended to refusal to confirm nominations, endless requests for information and documents, even rejection of White House plans to renovate and buy furniture, and finally impeachment hearings. Thurlow Weed’s admonition that the “Whig members of Congress, instead of taking the President ‘for better or for worse,’ as wives take their husbands, array themselves against the Administration. This is a source of interminable mischiefs and evils. And what is worse, it’s a warfare that will not only bring defeat and disgrace to both parties but is proving destructive to public interests” went unheeded.¹⁴

For all Tyler’s ingenuity, however, he still needed one more card to play for a successful independent strategy. It was one thing to divide the Whig Party and even to reconstruct a Jefferson-Jackson vision,

and it was another to lead a political party in that direction. There was no possibility, even from the beginning of his term, of moving the Whig Party to his positions. States' rights Whigs constituted only a small fraction of the party. The Democrats were of course another matter. Most, however, were committed to Van Buren shortly after the 1840 election although Tyler attempted to buy off Van Buren by offering him a Supreme Court position. A Clay-Van Buren electoral contest in 1844 was assumed by almost all Whigs and Democrats. Moreover, many Democrats, while grateful for Tyler's vetoes, were unforgiving in regard to this opposition to Jackson and his apostasy in accepting the vice presidency on the Whig ticket. A third party was a possibility. Given the recent rise of the Whigs, the success of this option would have been considered by Tyler as low but not remote. Tyler's goal was to create a Southern-based party devoted to states' rights, low tariffs, agrarianism, and slavery.

The issue of Texas annexation was the card Tyler dearly wanted to draw. Both Democrats and Whigs were extremely anxious to keep the question off the agenda in the election. In fact, Clay and Van Buren agreed not to support annexation. Both feared that Texas entering the union as a slave state would cost votes for their parties, lead to defections to the new Liberty Party, and possibly split their own organizations. Of course, for Tyler all these scenarios were desirable outcomes.

Despite the rancor of his communications with Congress on domestic issues, Tyler's messages on foreign policy had an enthusiastic, upbeat and even genial cast. "Congratulat [ions], you, fellow citizens, on the happy change of our foreign affairs since my last annual message," began his 1842 address in which he reported progress on negotiations with Great Britain.¹⁵ Tyler's achievements in these area were modest but they nevertheless did permit him to exercise the kind of leadership unavailable to him in domestic policy. The Webster-Ashburton Treaty did resolve several contentious issues between the two countries. The Maine-New Brunswick border dispute was resolved with a slight increase in U.S. territory. Tyler agreed to end the "unlawful and inhuman traffic" in slaves but successfully resisted British efforts for authorization to enforce the ban. Instead, much to the pleasure of both parties who were not anxious to endorse any policy that resembled British impressments and Southerners who were suspicious of international interference with slavery, Webster reached agreement on a plan with dual enforcement. Tyler too cheerfully reported on a most favored nation agreement with China that gave the United States access to five ports. On the other hand, Tyler, fearing

stalemate, took discussion of the Oregon boundary question off the table. Attempts to improve relations with Mexico collapsed after an unauthorized military intervention in Monterey by a U.S. naval commander.

With the negotiations with Britain completed, the president gave the Texas issue top priority. He had left most of the details of the Webster-Ashburton treaty to his secretary of state but now he took personal command. It is likely he encouraged Robert Walker, a Democratic senator from Mississippi, to publish a pamphlet urging annexation. Walker advanced an argument similar to one that Tyler had offered in the crisis of 1820. Texas would provide a "safety valve" for the migration of slave labor that was certain to be a pressing issue in the near future. Walker insisted Texas statehood as a slave state would eventually lead to the decline of the institution although it was unlikely this prediction would be a convincing one to Northern Whigs. Convinced that few Democrats could afford the risk of appearing to be abandoning the Jacksonian legacy, Tyler also supported the publication of an endorsement for annexation by the former president.

In his comments upon submitting the treaty to the Senate, Tyler reiterated the national benefits of annexation and, by asserting that the Texas was part of the Louisiana Purchase and hence really, a "reannexation," recalled the Jeffersonian heritage as well. Employing his position as commander in chief, he also contended that should the opportunity slip, Texas would "seek the friendship of others" and thus present a permanent threat to national security.¹⁶ At this moment, for Tyler, the initiative was hardly a high-risk one. The treaty was certain to pass the Senate. Most important for his own agenda, he predicted "this Texas question will ride down and ride over every other."¹⁷

This forecast, however, was made in the context of important complications. When his secretary of state died in an accident, Tyler's immediately appointed John C. Calhoun as his replacement. Despite his differences with Calhoun who announced and then withdrew his presidential candidacy in 1843, Tyler could be certain Calhoun would aggressively pursue annexation. In fact, Calhoun's repeated justifications that annexation would be a major boon to the proslavery cause were likely to exacerbate tensions in both parties. When Calhoun produced a treaty with Texas in April, Tyler's reasons for supporting annexation for the Senate were different from those of his new secretary. Texans were American immigrants and thus "deeply indoctrinated in the principles of civil liberty." He emphasized the advantages

to all parts of the country, noting in particular that the Southern states would find in annexation protection and security to their “peace and tranquility, as well as safety against all domestic and foreign efforts to disturb them.” In one only slightly veiled sentence, he reiterated Calhoun’s arguments.¹⁸

Even the Senate’s resounding opposition to the treaty by a vote of 35 to 16, did not necessary thwart Tyler’s plans at this point. Democrats, largely as a result of Van Buren’s opposition to annexation, nominated Polk, who favored the treaty. States’ rights Democrats and Whigs who benefited from the president’s patronage nominated Tyler at a convention in Baltimore on a third party Democratic-Republican ticket. Tyler looked forward to the prospect of a divided Democratic Party with those opposed to annexation limited to voting for Clay. By August, however, Tyler’s plans fell apart. Democrats rallied around Polk who supported annexation and began putting pressure on Tyler to withdraw, which he did in August. Faced with inevitable defeat, Tyler’s demands were quite modest. He asked that attacks on him in the Democratic press cease, and that his supporters not be punished by the party. Andrew Jackson himself served as the intermediary and Tyler gratefully accepted his old adversary’s help.

In a sense, Tyler’s prophecy that the “Texas question will ride down and ride over every other” was correct. Annexation was a prominent issue and Clay’s temporizing during the campaign may have cost him New York’s electoral votes and the presidency. Even before the election and the rejection of his party, Tyler hinted that annexation could be pursued in a different manner. The accidental president, who had earlier insisted on a republican-inspired view of limited executive power only to assert his authority, now repeated his inconsistency. Resting his argument that it was a matter of constitutional indifference whether Texas was admitted by the Senate (with its two-third threshold) or by Congress, he suggested a second route in June, 1844. After the election, he claimed there was a mandate for annexation and, at the same time, claimed there was no need to wait for the newly elected Congress to act. When the House and the Senate were unable to decide whether to accept the lame-duck president’s interpretation, they fashioned a compromise permitting the new president to decide the issue since both sides believed Polk would favor their position. Tyler concluded that as president it was he who was entitled to act and he signed the authorization to admit Texas as a state by a vote of both Houses three days before leaving office.

II

Tyler's swift assertion of authority as the first accidental president did indeed set a constitutional precedent. Tyler's actions mimicked those of a conventionally elected president and each of them required imagination and creativity under conditions that necessitated immediate decisions. Taking an oath of office was technically redundant, but it did draw attention to Tyler as rex. Delivering an acceptance address required rhetorical revisions since the inaugural is historically a celebratory event. Tyler acknowledged the memorial nature of the occasion, but then reverted to the traditional structure of the inaugural. Even more innovatively, Tyler discussed his general policy positions independent of electoral authorization and even party support. In other words, he placed his authority as rex solely on his very occupation of the office. Thus the explanation that he would follow "the fathers of the great republican school for advice and instruction" is especially instructive since it seems to place authority in previous presidents rather than in the party or the electorate. Though phrased in republican terms, Tyler's assertion of rex is a strikingly monarchical one since he locates political and moral responsibility with the line of succession. The phrase also has multiple resonances. For by suggesting that his obligations are not primarily derived from Harrison but the "the fathers of the great republican school," Tyler offers an admonishment to the putative members of his own party that his policy predilections are derived from other sources. Even the symbolic act of recommending a day of prayer and fasting provided a ritual that captured the sense of transferring authority from a departed leader to a new one and provided a democratic equivalent to "the king is dead/long live the king!" Tyler was not so adventurous in his assertion of rex as to name a new cabinet but he adamantly rejected Webster's suggestion that he obey the cabinet majorities. Almost from his assumption of the presidency, he began to rely upon his friends (the "Virginia Cabal") for advice. Even with all this innovation, Tyler, for months, faced arguments that he was less than a president. His insistence that the Senate resolve the matter put the rex question to rest.

Tyler's efforts to perform his role as leader were no less impressive. Unable to pursue either a caretaker or homage strategy, he developed an independent approach that required acceptance of very high risk. Only a leader who possessed great confidence in his political skills would be willing to undertake this strategy. Tyler knew that Clay and Webster, two of the most talented politicians in the history of the

republic, would stand in his way and that Van Buren, still the “little magician” even after his defeat in 1840, would have to be pushed aside. It is difficult to say at what point Tyler irrevocably committed himself to an independent strategy. His effort to delay taking up the bank issue in special session might have represented a willingness to consider other options. Even after the first bank veto, Tyler had room to maneuver. After the second, however, Tyler’s strategy was set. He now had no alternatives. Openly hated by the Whigs and treated favorably only in an opportunistic and limited way by the Democrats, Tyler experienced surprisingly few defeats even though he was not only the first accidental president but also a “man without a party” in an age of intense partisan competition.

But what independent path did Tyler hope others would follow? On the basis of his early career and the first years of his presidency, one can reliably conclude he sought to revive the Democratic-Republican Party. Separating Jefferson from Jackson was a major ideological task since the Jacksonians had effectively connected the two in the public’s mind. Such a project involved hostility to the Bank of the United States and internal improvements, a position shared by both. But it also required a commitment to a diminished presidency, a position shared by Jefferson and now the Whigs. Then there was the issue of reasserting states’ rights, a position shared by Jefferson but not Jackson (at least after the nullification) nor the Whigs. Finally, a recommitment to the agrarian way of life was a position shared by Jefferson but not Jackson and, even more so, the Whigs.

It is Tyler’s unwillingness to compromise on these issues that has led many commentators to conclude that his failure can be traced to personal obstinacy, an inability to acknowledge the good will of others, and ideological rigidity. In fact, Tyler’s behavior appears to fit James David Barber’s category of dangerous “active-negative” presidents who “pour energy into the political system, but it is an energy distorted from within.”¹⁹ For Michael Holt, Tyler’s courtesy and affability masked a fierce stridency.²⁰ For Dan Monroe, Tyler behavior was governed by the strict principles of Southern honor. Charges of inconsistency or a questioning of motives, which might be treated as part of the adversarial game of politics by others, were treated by Tyler as attacks on his integrity and honor.²¹ For Edward P. Crapol, Tyler was obsessed with the “delusional project” of protecting the vision of the founders.²²

Yet granting that Tyler’s independent strategy was likely to fail under most circumstances, one can argue that his rhetoric and actions increasingly involved a repudiation of the very principles he sought to

promote. Since Tyler's actions themselves were the strongest indictment of his own beliefs, opponents attacked him on these terms. Outrage and recrimination followed. But since Tyler's commitment to courtesy was the last to be cast aside, his most effective reaction was yet another veto. This pattern confused Tyler's critics, who often confessed they were "in a fog" as to what precisely were his objections to a bank or tariff bill. But he could not disguise his growing imitation of Jackson, and often, conversely, repudiation of Jefferson. For what Jeffersonian would speak of a "mere representative majority" or praise the veto as a weapon exercised by the president to "guard the fundamental will of the people"?²³ When Tyler began to pack the federal bureaucracy with his political allies, relying on his own personal cabinet for advice and demanding legislative extraordinary measures to annex new territory, his resemblance to Jackson was hard to deny. Thus in his effort to fashion an independent strategy, Tyler found himself trading away the very principles that were the basis for his actions. If selling his soul was not price enough to pay, Tyler's transformation by 1844 left him nearly ideologically indistinguishable from Polk. Although he would return to his Jeffersonian persona in his postpresidential years, even joining the Confederacy, Tyler's failure lies not with his selection of an independent strategy per se, nor with his alleged personal rigidity, but actually with his willingness to grasp presidential powers he once regarded as illegitimate.

Chapter Three

Millard Fillmore

“God save us from Whig Vice Presidents”

When Fillmore assumed the presidency upon the death of Zachary Taylor, the “traumatic specter” of John Tyler was very much on the minds of Whig leaders. A day after Fillmore took office, Thurlow Weed publicly warned Fillmore not to take “the perfidious course and ignominious fate” of Tyler.¹ Weed’s concomitant advice to select another exemplar to instruct him, “the inflexible firmness” of Taylor, constituted a demand for an homage strategy. The leader of the New York Whigs raised the standard issue of rex facing an accidental president, arguing that Tyler had ignored homage, which was the only appropriate way to gain acknowledgment as president. The circumstances were, of course, quite different in many respects from 1841. Tyler as accidental president rejected homage and instead pursued an independent strategy in the face of a united Whig Party agenda. When Fillmore assumed office in 1850, he faced a party rife with internal conflict. Fillmore therefore was really being warned by Weed not to abandon the faction supported by the dead president. The situation was even more complex than Weed’s analogy suggested. Tyler was placed on the ticket as an anti-Jackson Democrat. Though his own early party allegiances were complex, Fillmore was selected as vice president as a balance to the slaveholding general.

During Fillmore’s accidental presidency, intraparty policy disputes were reversed. For it was his predecessor who had refused to follow Whig Congressional leadership. When Henry Clay began creating a congressional coalition in support of a compromise on slavery in the new states as Southern threats of secession and unilateral action were rising, Taylor stated his adamant opposition and threatened to veto the bill. Just as the confrontation was reaching a climax, Taylor died. Vice president Millard Fillmore assumed the presidency a day later on July 10, 1850. Weed’s blunt advice to

Fillmore was not the only counsel he received. Many Whigs urged the new president to make peace with Clay. "Conciliate Mr. Clay and obtain his support. Act for the good of the whole country and not a section," advised one of Fillmore's New York allies.² In some respects, this approach amounted to a suggestion that Fillmore undertake a caretaker strategy. As with Tyler, however, following the lead of Clay and his "mighty band of friends throughout the Republic" risked abdicating the role of dux in an effort to preserve rex. While Clay's health made him an unlikely candidate for the presidency in 1852, Webster remained a potential rival. Moreover, the young Stephen Douglas entered the stage and was poised to take credit for the "final settlement" of the slavery question with the rewards going to the Democratic Party. Given these circumstances, if Fillmore did not take the lead in regard to the impending legislation, he risked severe marginalization.

Fillmore's decision, of course, turned out to be a bad one although open repudiation of Taylor initially appeared to be a successful implementation of an independent strategy. As the implications of compromise became clearer, it seemed to satisfy no one. Northern abolitionists opposed the Fugitive Slave Act and began organized resistance. The Whig Party was so divided over the compromise that it took fifty-four ballots to select a nominee in 1852. Fillmore was dumped as the Whig Party candidate and Winfield Scott, another general, was selected. (Fillmore did receive the nomination of the American Party, however, in 1856.)

Like later elected presidents preceding Lincoln, Pierce and Buchanan, Fillmore is portrayed as a man of limited imagination and ability. He was in Seward's words, a man of "hesitation and double opinions," and in Horace Greeley's "a man who lacks pluck...timid, irresolute, uncertain and loves to lean."³ Fillmore proudly described himself differently although in the same minimalist terms. He never smoked or chewed tobacco and "never knew intoxication." Throughout his presidency he "maintained the same regularity and systematic habit of living which I had previously been accustomed. I never allowed my usual hours for sleep to be interrupted. The Sabbath I always kept as a day of rest."⁴ Yet there is a noticeable element of finesse in Fillmore's actions that belie these interpretations. Faced with the most intricate set of circumstances—a party that was on the verge of collapse, a national issue whose explosive dimensions were becoming clear to all, a piece of legislation dizzying in its complexity—Fillmore acted with considerable skill.

I

Fillmore's early career was in some ways similar to Lincoln's. His father lost his upstate New York farm and was forced into tenancy. The elder Fillmore arranged a series of apprenticeships for his son. Finally with his father's help, the precocious Millard was able to attain a clerkship that he parlayed into other legal positions until he was admitted to the bar in 1823 and opened up his own office in East Aurora. Although he had networked with the National Republicans, the young Fillmore joined the Anti-Masonic Party and readily accepted Thurlow Weed's tutelage. After serving four terms in the state assembly, Fillmore ran for Congress in 1832. Despite his election as an Anti-Masonic candidate, he switched to the Whig Party two years later and was elected to Congress for three more terms between 1836 and 1842. Central to Fillmore's persona was his social and political ascent described thus by one contemporary journalist:

[Fillmore's] ancestors were among the hardy sons of the north, and during the revolution were whigs, inhabiting the Green Mountains of Vermont. Mr. Fillmore, from the commencement of his career, has been a republican. He is, in the strictest sense of the word, a self-made man.⁵

Mobility rates were often extremely high for politicians who signed on to new parties on the ground floor, particularly in this case for a young man who could credibly highlight his modest origins and who seemed amenable to forging new electoral coalitions. Fillmore was a leading candidate for the Whig vice presidency in 1844. He lost the election for governorship of New York despite his attempt to attract both nativist and abolitionist voters. After a brief retirement, he ran for state controller in 1848 and received the highest number of votes for a Whig candidate in New York. When the Whig presidential nominating convention deadlocked over a choice for vice president, New York Whigs again proposed Fillmore, who won on the first ballot. Though selected for his antislavery views, including opposition to Texas annexation, Fillmore largely avoided discussion of the issue during the campaign.

Fillmore was also able to avoid taking any positions during the Taylor administration. His influence was limited since Weed now supported Seward for president in 1852 and Seward immediately became a confidant of the president. On all of Taylor's controversial actions—his support for California statehood, his threat to “hang”

Southern secessionists and personally lead an army to protect the New Mexico territory from Texan “aggression,” and later his opposition to the Omnibus bill—Fillmore remained silent. As presiding officer of the Senate, he treated all sides fairly, privately expressing his concern that he be called upon to cast a tiebreaking vote.

Upon Taylor’s death, no political figure could predict the new president’s course of action with any certainty. Seward’s friends feared retribution. Seward himself thought that Fillmore’s hesitation and “double decisions” during the crisis meant that no presidential leadership was likely. All those who called upon the new president “came away without knowing or being able to conjecture anything.”⁶ Seward’s concerns were undoubtedly wrapped up with his own political ambitions. A minimalist president would almost certainly open gates of opportunity for Whig rivals and Democrats. The general political climate at the time of Taylor’s death was more serious, however, than in 1841. Fillmore analyzed the Whig Party in 1840 as a “heterogeneous mass of old national republicans and revolting Jackson men; Masons and anti-masons; Abolitionists, and pro-Slavery men; Bank men and anti-Bank men with all the lesser fragment that have been, from time to time thrown off from the great political wheel.” He wondered how it would be possible “to melt them down into one mass of pure Whig metal.”⁷

Now the Whig challenge seemed even more acute. Without legislation, Northern Whigs were convinced Texas was poised to seize New Mexico Territory for the cause of slavery thus reducing the addition of any new nonslave states. The Senate would be confronted either with a *fait accompli* protected by Southern senators or there would be war between the federal troops in Santa Fe and Texas forces. Sympathetic Southern states might send volunteers. Southern Whigs, at the same time, feared a different *fait accompli* scenario in which California and the New Mexico territory entered the Union as free states. “Ultras” from both the North and South were willing to accept these scenarios rather than give into the “slave power” or abolitionists respectively. Though criticized by both wings of the party and by Democrats, the choleric Taylor had kept the lid on the situation by refusing to accept either Northern or Southern demands fully. His tilt no doubt leaned to the North but Taylor’s slaveholding credentials as well as his status as a national war hero immobilized serious opposition. Taylor was in fact a republican version of a Louis Napoleon who spoke for no party and claimed to represent the only national voice in the legislative struggle.

Fillmore had none of these attributes. He was a party regular. His persona was one of moderation bordering on indecision. His past antislavery positions made any action he took immediately suspicious to the South and, of course, he had not been directly elected. As with other accidental presidents, the control of the party rested with those whose interests were only tangentially similar to his own. Tyler's fate too did not enhance his chances. Fillmore did enjoy a few advantages. He possessed an intimate knowledge of both the legislative process and party politics. Both were attributes in which Taylor was noticeably deficient. Taylor struggled with rumors that the presidency was actually under the control of Seward and/or the cabinet. Detractors claimed that his strong opinions were only those of a puppet. In this respect at least Fillmore enjoyed a small advantage. For critics, the significance of Taylor's death was not so much that he was no longer president but that Seward and the cabinet were not.

The persona that Fillmore quickly assembled for himself involved a very imaginative appropriation of the conflicting advice regarding *rex* and *dux* offered by his putative friends. He rejected Tyler's presidentialism but also made no attempt to imitate either Taylor's persona or policies. Presidential scholars are uncertain about when exactly Fillmore decided to abandon Taylor's opposition to the Omnibus bill.⁸ Whigs, in particular, looked to Fillmore's decision about the cabinet as the first indication of his intentions. Seward met with Fillmore no less than three times in attempts to convince him to retain the current members. Fillmore's first major act, however, was an unusual one for accidental presidents. When cabinet members offered their resignations on July 10, he accepted all of them the next day.

The creation of a new cabinet was Fillmore's first assertion of *rex*, since when he took the oath on the 10th, he gave no address. Even in hindsight, however, it is difficult to tell the direction in terms of *dux* that Fillmore planned on the basis of these appointments. Fillmore's cabinet tilted just a bit more to the North than Taylor's (4–3). The most controversial appointment was Webster as secretary of state. Webster was of course, along with Clay, the most well-known supporter of the compromise and, as a result, had come to be regarded as an apostate by many Northern Whigs. But Fillmore's first choice had been Robert C. Winthrop who was also from Massachusetts and a public opponent of the Omnibus bill. In addition, other members, like the postmaster general, had taken anti-Omnibus positions. Aside from the obvious absence of any Seward supporters and even any selections from the Deep South, there appeared to be no clear policy direction discernible from Fillmore's choices. Fillmore thus appears to

have assembled a cabinet less on the basis of support for the Omnibus bill *per se* but on a general amenability to compromise.

Taken in this sense, Fillmore's first act as *rex/dux* is instructive. What he hoped to establish in a broad sense with his cabinet was substantially the same for his vision of the Whig Party and his own persona as president. If Fillmore could establish himself and his party as one of national reconciliation, even at the cost of immediate political advantage and personal conviction, he would have implemented a successful independent strategy. This is not to say that Fillmore's strategy did not borrow or lean upon Taylor's. While the new president rejected Taylor in term of *dux*, he imitated in a revised way his mode of governance. Taylor governed as republican hero in much the same way as Washington did. Loosely tethered officially to party, Washington employed his persona as war hero to advance his agenda. As Washington personally led federal forces to quell the Whiskey Rebellion, so too did Taylor warn he would respond in the same way in Santa Fe, should Texans rebel. In fact, the same liabilities of this strategy that fell on Washington were evident in Taylor's case. As Washington had his Hamilton as "aegis," so did Taylor, his Seward. In both cases critics detected a disengaged presidency run by unelected confidants. While Fillmore could not use heroic military status as the anchor for a republican hero, he could devise a civilian equivalent. As a "republican servant," he promised to govern in the public interest at the expense of his personal views and partisan beliefs. Fillmore also utilized the theme of personal sacrifice that surrounds the republican hero extending back to Cincinnatus who, like Washington, yearned to return to private life.

The restrictions that bind the republican hero—his commitment to duty and service at the expense of his personal moral convictions and private happiness—secludes the monumental projects of the leader. Even Washington's institution building, particularly in terms of the presidency, is partially hidden.⁹ Thus the republican hero fits neatly with the contradictory yearnings of a people who are both distrustful of power and anxious to see resolutions of political crises. Whether Fillmore also saw the fit between this model and his accidental status would be highly speculative, but there is no doubt that the longer Fillmore governed within these boundaries, the more the role almost automatically guaranteed his status as *dux*.¹⁰

However modest the role of republican hero might appear, it required in this case major alterations in the political system to succeed. Not only must the current crisis over admission of new states be resolved, but the resolution must be accepted as the "final solution" to

the slavery question. Moreover, the Whig Party must be the primary vehicle for this transformation. The reward for this effort would be bestowed by the American voter but the price would be the enforcement of party discipline. Only procompromise Whigs would be entitled to carry the party banner. It is no accident that this honor, with the Republican Party performing the role Fillmore envisioned for the Whigs, would soon go to Abraham Lincoln. Lincoln of course engineered a different final solution but the enormity of achievement illustrates what Fillmore may have seen before him in 1850.

II

When the Omnibus bill collapsed on July 31, 1850 Fillmore had the piece of his project in hand. Whether he himself had some part in engineering the collapse is uncertain.¹¹ James Pearce, a Maryland Whig and close friend of the president, offered an amendment withdrawing the entire section dealing with New Mexico from the bill that carried 33–22. Then followed an amendment to delete the section on Texas that carried 29–38 and finally a motion to remove California was passed. The rapidity of the unraveling supported Stephen Douglas's postmortem: "By combining the measures into one Bill the Committee united the opponents of each measure rather than securing the friends of each."¹²

The Omnibus bill was defeated by Southern Democrats and Northern Whigs, precisely the groups Fillmore needed to isolate. Northern Whigs treated the collapse as a defeat for the president and planned to introduce legislation for the admission of California to the Union, obstruct any other legislation, and run in the midterm elections on the slave question. Fillmore, however, demanded that the New Mexico question be the first legislative item on the Senate agenda, using the Texas dispute as a pressing concern and openly supporting the Fugitive Slave and D.C. slave trade sections as well. Fillmore's pressure was unusual for a Whig president and even Douglas assured the president that the California bill could be introduced first without risk to the other legislation. Unconvinced, Fillmore, with Webster's help devised an ingenious solution. Fillmore repeated Taylor's pledge to defend Santa Fe militarily, should Texas attempt to seize disputed territory (although he used the term "trespassers" rather than Taylor's "insurrectionists"). Meanwhile, his friend Pearce offered a bill providing Texas financial indemnification for the loss of territory (although the new boundary, which included the panhandle, was far

more in Texas' favor than provided in the Omnibus bill). Pearce's bill was read on August 5 and Fillmore's message sent the next day. The strategy worked in two ways. Pearce moved that the Texas bill be moved up and considered before the California one, and on August 9, the Senate passed the Texas bill easily, 30–20. Southerners complained that Texas had been swindled while Northerners claimed a major victory for the slave cause. Seward said the compromise amounted to "Seventy thousand square miles of free territory made slave, and a gratuity of \$10,000,000."¹³ But these positions amounted to buyers' remorse as ultras on both sides were unable to effectively oppose the measure.

The remaining sections passed quickly with relatively large majorities supporting the New Mexico bill (27–10), the Fugitive Slave Act (27–10), and the end of the slave trade in the capitol (33–19). Ultras from both sections of the country made a last stand in the House. In order to avoid a scenario in which the California bill was introduced first, Lin Boyd of Kentucky proposed simultaneous consideration of the Texas and New Mexico bills as the lead item on the House agenda. The "little omnibus" rattled though the legislature for nine days and a score of votes. In one the House voted 101–100 to recommit the bill to committee. Only one-fourth of the Northern Whigs supported consideration. Just as the little omnibus was set to be considered by the whole body, Representative Tombs of Georgia offered an amendment establishing the primacy of U.S. common law as it stood before the Declaration of Independence in the territories, thus negating Mexican antislavery statutes that Northerners regarded as operational. Only an imaginative alternative in which the amendment was divided at the point of a crucial semicolon saved derailing the compromise. The vote on the second section of the bifurcated amendment was defeated, although all but two Southern Whigs voted for it. After this frantic maneuvering, the four pieces of legislation passed quickly as they had in the Senate.

During this debate, Fillmore used Webster as his aegis. The secretary of state met with House leaders daily and forged an unusual working relationship with Democrats and pressured Whigs to support the compromise. Fillmore immediately signed the bills, declaring that "the long agony was over." "Though these several acts are not in all respects what I would have desired," he wrote to Hamilton Fish, "I am rejoiced at their passage, and trust they will restore harmony and peace to our distracted country."¹⁴ Fillmore was now extremely popular in both sections of the country and was poised for election. Seward and other anticompromise Whigs braced for a patronage housecleaning

as Fillmore went on tour promoting a transcontinental railroad. He took his cabinet with him to inaugurate the Erie Railroad. Stopping along the way to speak to large crowds, he told audiences that the compromise paved the way to prosperity and national harmony. In New England, he introduced his Southern cabinet members to crowds, emphasizing his own modest origins.¹⁵

Aside from opposition to Jackson, prosperity was the central claim for Whig governance. No doubt the Whigs were severely deflated by their failure to pass legislation in 1840, but if the Whigs stood for any set of policies, they were ones related to national economic progress. Fillmore did not attempt to return the issues of the tariff and the bank to the agenda but his plan was clear. If the nation could only accept the compromise, not only would prosperity follow, but also the sectional discord would dissipate.

Fillmore had little opportunity to extend his leadership skill in foreign affairs. He refused to take measures to annex Cuba, a long-held ambition of Southern politicians. "Were the island comparatively destitute of inhabitants, or occupied by a kindred race," he later argued, "I shall regard it, if not voluntarily ceded by Spain, as a most desirable acquisition. But under existing circumstances, I should look upon its incorporation into our Union as a most hazardous measure."¹⁶ He proceeded cautiously in regard to a building a canal across Latin America and was satisfied to let Hawaii's status remain independent after receiving assurances from the French that they would not attempt to create a protectorate. In the Far East, Fillmore let the British engage in economic imperialism, with the United States receiving some of the benefits. Only in Japan did Fillmore act more aggressively. In December 1850 he began his project of forcibly opening Japanese ports to American commerce by sending Commodore Perry to the Bay of Yedo with four warships. The Japanese acceded to Perry's demands ten days later.

Thus Fillmore appeared to have engineered an extremely successful independent strategy that avoided the pitfalls of Tyler's effort. He had opposed his predecessor and, at the same time, produced a major achievement. As one biographer concludes, "As if by magic, the clouds of disunion, which hovered threateningly over the nation, disappeared. In ten short weeks, Fillmore's administration had solved the problem of territorial government that had plagued Congress ever since American and Mexican troops first clashed four years ago—a problem that had sacrificed all else to its devouring demand for attention."¹⁷ Given the deaths of Harrison and Taylor, Fillmore was the first president to provide the public with an image of a Whig

administration. Fillmore offered domestic tranquility and prosperity at home and in new markets abroad, both of which were pursued with moderation and careful planning.

Despite the president's efforts, there were, however, significant difficulties on the horizon that seemed to multiply rather than dissipate. The state nominating convention in New York met shortly after the compromise. Fillmore carefully arranged that an ally, Francis *Grange*, would chair the meeting in Syracuse. He also signaled Weed and Seward that he would not replace their supporters in federal patronage positions. Just as the convention was poised to formally endorse the compromise, a Seward supporter offered substitute resolutions urging the next Congress to pass legislation banning slavery from the new territories upon the "first indication" of spread of the institution. Fillmore and his allies were particularly outraged by a statement of gratitude to Seward for his efforts in the Senate. The president's men promptly stormed out of the meeting. Named derogatorily the "Silver Greys" by Weed (after *Granger's* long hair), the group announced they would hold their own convention in Utica. Deeply concerned that the Silver Greys would create a new party, Fillmore, urged restraint. The Utica convention acceded to Fillmore's advice by simply supporting the compromise and the Whig candidate for governor. A large and influential group of merchants, who were a central part of Fillmore's base in the state, resisted and called yet another convention with the express purpose of creating a new "Union Party." Again, Fillmore dodged defeat but just barely. The convention set up a local ticket, urging voters to support only the Democratic candidate for governor.

In the South, Fillmore faced even more problems. With the support of governors in Georgia, Mississippi, and South Carolina, a convention was scheduled to meet in Nashville with the express purpose of exploring strategies of secession. Meanwhile in South Carolina, plans were made to seize federal forts. The U.S. attorney and other federal officials resigned. Fillmore asked one person after another to fill these positions and received polite refusals—or initial acceptance was followed by resignation—until he finally convinced one Carolinian. The president also sent troops to fortify the federal garrison over the protest of the governor. These actions and a victory for Unionists at the Georgia convention defused the crisis.

Fillmore held the party together in support of the compromise although Whigs lost ground in the 1850 elections. Critics blamed the losses on Fillmore's strategy, contending that voters could no longer tell the difference between the two parties. Comparisons with Tyler

reappeared as party members complained, "God save us from Whig Vice Presidents."¹⁸ Some Whigs openly supported Winfield Scott as an alternative to the president.

Fillmore's ability to effectively lead the party was severely damaged by the one portion of the compromise insisted on by the South. The president was well aware of the explosiveness of the legislation when the bill arrived on his desk. He delayed signing the measure until he received written advice on its constitutionality from his attorney general. When the Fugitive Slave Act was passed, thirty-three Northern Whigs in the House did not vote at all. Their absences were so noticeable that Thaddeus Stevens sarcastically suggested that the Speaker "send a page to notify the members on our side of the House that the Fugitive Slave bill has been disposed of, and that they may come back into the hall."¹⁹ Whigs were especially concerned about the federalization of returning slaves through the use of marshals and the absence of a jury trial for the accused runaways. Most galling, however, was the belief of many Northerners, who were required to implicitly accept the constitutionality of slavery, that they were now legally required to actively participate in the maintenance of the institution.

Individuals accused of hiding escaped slaves could receive six months in jail and a one thousand dollar-fine, as well as incurring civil liabilities for each slave involved. Northerners found even minor portions of the act violations of fairness. For example, a putative owner or his agent was required to take a captured slave to a federal commissioner. If he ruled in the accuser's favor he received ten dollars. If he found the slave to be a freeman, he received just five dollars.

While the other issues that inflamed the debate over the compromise subsided, the opposite was the case in regard to the Fugitive Slave Act. Fillmore faced a series of heart-wrenching incidents in which he saw it as his duty to support the law. When a Pennsylvania judge asked for the employment of federal troops after a crowd rescued an accused escaped slave, Fillmore obliged by sending assistance to the federal marshal on the grounds that he would "admit no right of nullification North or South." To Webster, Fillmore wrote that he detested slavery "but it is an existing evil, for which we are not responsible, and we must endure it, and give it such protection as guaranteed by the constitution, till we can get rid of it without destroying the last hope of free government in the world."²⁰

If truth be told, Fillmore did manage, in all these cases, to employ only token force. Often abolitionists would spirit away escapees before the president acted. Nevertheless, Fillmore's rhetorical support for the legislation was unequivocal and came to define his own version of

republican hero. As resistance to the act accelerated, Fillmore would repeat his duty to uphold the law no matter how much he (and escaped slaves as well) might suffer. These reiterations of the important distinctions between personal belief and political duty and the precedence that must be given by the true patriot to the latter form the core of republicanism. He told Hamilton Fish in November, 1850 that "my only object is to save the country...and to save the Whig Party, if possible."²¹

Whig critics, however, began to see Fillmore's stance in another way. His actions did not reflect the burden of republican duty but rather political ambition. Most accepted Fillmore's assertion that he was not a Southern sympathizer, but their calculations of the national political situation were different. They tended to regard Southern secession as less a real threat than a bargaining tactic. If this were the case, either Fillmore was duped by Southern threats or he had a plan of his own to recast the Whig Party with himself as its leader. Perhaps Fillmore could have lessened the attraction of this interpretation of his actions by supporting revisions of the Fugitive Slave Act. This Fillmore refused to do in the belief that any alteration in the compromise would unravel its status as the "final solution" to the slavery issue. The tactic Fillmore did adopt in its place was to claim that he had no interest in serving as president after 1852. Such disavowals could help establish his status as republican hero by erasing personal ambition as a motive. On the other hand, refusal to be a candidate undoubtedly reduced the president's capacity to serve in the role of dux. Clearly, congressional disinterest in Fillmore's projects, such as an intercontinental railroad, which should have excited Whig sensibilities, can be traced to the eroding support for the compromise but it also suggested a response to a lame duck.

Fillmore's position on his candidacy became more equivocal. His friends resisted his assertions that he would not be a candidate. When rumors emerged about his reluctance, Southern Whigs desperately appealed to him. Many had angered radicals for their support of Union and the compromise at recent state nominating conventions and they were convinced no other Whig candidate could represent their views. Some Northern Whigs thought a Fillmore candidacy was the only way to prevent the dissolution of the party. Concerned Whig leaders urged Fillmore to declare that, although he would not seek nomination, he would not turn it down. Even Weed, who was in the forefront in accusing the president of pursuing the compromise for his own presidential ambitions, seemed to accede to a Fillmore nomination.

Two figures stood in the way of Fillmore's nomination. One was Winfield Scott, supported by Seward, and the other was Webster, apparently supported by Fillmore himself. Scott had the advantage, like Taylor, of having little or no paper trail on issues and an admired military record. But he was regarded as a figurehead for antislavery Whigs. Webster, despite his central role in the compromise, was distrusted by Southerners. To complicate matters further, Fillmore was approached by the "Silver Greys" and their allies to head a new "Union Party."

In February, Fillmore formally announced he would reserve the right to be considered a candidate. Soon after, Fillmore received a deathbed endorsement from Henry Clay and thankful expressions of support from Southern Whigs. The openness of the announcement, however, allowed anti-Fillmore forces to take their gloves off. They now charged that Fillmore had been bitten by the "Presidential Bug," as soon as he took over the office and geared all his actions to winning an election in his own right.

As the convention began in Baltimore, Fillmore was a slight favorite. Still the president delivered a letter of withdrawal to George Babcock, who was authorized to make it public whenever he saw fit. Though the platform debate was intense, the convention endorsed the compromise measures. On the first ballot, Fillmore had 133 votes, Scott, 131, and Webster, 29. The president was only fourteen votes short of nomination. After forty-six ballots with little change, Fillmore's managers met with Webster's and a deal was struck. If Webster could increase his support in the North by forty delegates in one or two more ballots, Fillmore would urge his delegates to switch to Webster. If not, Webster's votes would be switched to Fillmore. On Monday, however, after Webster votes showed no movement, his delegates began slowly to switch not to Fillmore but to Scott. The general was nominated by the fifty-third ballot.

Fillmore's actions, both before and at the convention, still puzzle analysts. Some contend that Fillmore was genuinely uninterested in continuing in office. Others believe his actions indicate he really did hope for the nomination. The notion that Fillmore was genuinely not a candidate in 1852 requires explanations for the numerous actions in which he behaved otherwise. Not least is the fact that both his supporters and opponents thought he was a candidate, and a front runner at that. Despite statements that he did not wish to continue in office, he entered the Whig convention with 133 votes. Perhaps, commentators suggest, he stayed in the race simply to assure a procompromise platform or to help keep the Whig party intact.²² If one reviews

Fillmore's independent strategy, however, particularly his own version, this pattern of reticence and ambition becomes more comprehensible.

The role of republican servant that Fillmore adopted to establish both rex and dux required a disinterest both in political power and personal ambition. The president acted solely out of concern for the nation even at the expense of his own party and career. This persona provided both a rationale for rejecting the policies of the elected president Fillmore replaced as well as the explanation for his extensive participation in the legislative process. Fillmore's comment to Fish shortly after the passage of the bill encapsulates his approach: "My only object is to save the country [and] save the Whig party, if possible." On these terms, an active pursuit of the nomination was potentially inconsistent with his governing strategy and would give ammunition to those who questioned the sincerity of the president. The independent strategy also needed another component for success. Fillmore had to convince the entire Whig Party, or at least an overwhelming portion of it, to accept the compromise in which he was such a central figure. Otherwise, the accidental president's achievements as dux would be fleeting. The only sure way Fillmore could achieve these results was to head the party himself. Seward would certainly take the party in his own "higher law" direction through his own efforts or through control of Scott. Webster was committed to the compromise but appeared incapable of winning the nomination, let alone the election.

There was one more chapter in Fillmore's career that also contains a puzzling element. In 1856, the former president accepted the nomination of the nativist American Party for the presidency. Defenders of Fillmore suggest he was selected by the party largely without any effort on his part while he toured Europe. Fillmore's campaign addresses too were almost completely free of the anti-immigration and anti-Catholic sentiments of the party. Nevertheless, Fillmore did accept the nomination and toured the South and West for five months before he left the country. During his travels, Fillmore reviewed his decisions and defended his policies as president (although he did not speak about the Kansas-Nebraska Act). It is quite possible that the former president's campaign was not a quixotic one. Fillmore finished third, receiving 21 percent of the popular vote. However, a shift of 800 votes in Kentucky, Tennessee, and Louisiana from Buchanan to Fillmore would have sent the election to the House.²³

The Know-Nothing Party between 1853 and 1856 was the fastest growing political movement in America, far outpacing the

Republicans in many parts of the country. One of the sources of its strength was its ability to attract young men who had never before voted. The new party, though complicated was in an already volatile environment. The party's focus on anti-Catholicism threatened all others since both Whigs and Democrats competed for immigrants. Many Whigs regarded capture of this bloc as a life-or-death struggle. The Know Nothings regarded this strategy as reprehensible. One, for example, wrote Franklin Pierce that "many honest Protestants among the Whigs (especially Methodist and Presbyterians) are disgusted at the course Scott has taken to secure the Catholic vote and will vote against him."²⁴ The Know Nothings threatened the fledgling Republican Party as well, decimating their ranks in Pennsylvania.

Fillmore was not the only Whig who joined the new party. Many officeholders, angry or frustrated by their treatment by one party faction or another, looked for alternatives. Many, especially those in the middle ranks, left to join the Know Nothings rather than the Republicans. This influx of former Whigs was, however, regarded as a mixed blessing by Know-Nothing regulars. Like most social movements, members were angered as much from a general sense of unresponsiveness of politicians as from certain issues. "The masses are sound," complained one leader, "but the old party leaders and political hacks who have come into the order, from selfish purposes will ruin us, if we are not strictly on our guard." "This struggling and scrambling for office and promotion was one of the great evils" that the new party sought to remedy.²⁵ Fillmore would seem to be a perfect example of Know-Nothing fears. Moreover, his support from Southerners exacerbated his legitimacy within the new party. Republicans seemed to have anticipated this sentiment by nominating a relative newcomer as president in 1856. Perhaps Fillmore's trip abroad was meant to simulate his status as outsider.

Again, critics of the former president reveal his possible strategy. The Fillmore nomination represented the reincarnation of "Silver Grey-National" Whiggery with the American Party as the temporary vehicle. In this context, Fillmore's candidacy was a high-risk one but not out of reach of the attempt to collect national Whigs who supported the compromise to regroup into a new party. Fillmore believed that the Fremont Free-Soil position would be unacceptable to Southern Whigs and that they would not vote for a Democrat. Unfortunately for Fillmore, many in fact did eventually drift to the Buchanan camp.

III

Later events would establish a narrative that placed Fillmore in tandem with Democrats Pierce and Buchanan as presidents who lacked the imagination and will to resolve sectional conflict. Fillmore's claim for both rex and dux rested upon the Compromise of 1850, which was not the "final solution" to the slavery question. In fact, it lasted only four years and was "a compromise only in the sense that it would be the last one before no compromise was possible."²⁶ Moreover, Fillmore's policies contributed to the demise of the Whig Party, arguably the only agency that was capable of avoiding civil war. The party even repudiated his efforts two years after the compromise.

It is of course difficult to present any other realistic narrative of antebellum politics, but it is possible that Fillmore's actions were nevertheless an astute response to his situation as accidental president and actually a high-risk one rather than an overly cautious one. Like all accidental presidents, Fillmore came to the office with very little support from his party and with limited options. His almost immediate formation of an independent strategy required both ingenuity and political resolve. His stealthy destruction of the Omnibus bill effectively sidelined Clay. His support for the separate compromise bills as well as the measures he took to assure that the California bill would not be first on the agenda needed perfect timing. In ten weeks, the bills were passed, Taylor's supporters isolated, Clay marginalized, and Webster became part of *his* team.

Fillmore's approach was different from Tyler's in several ways. Unlike Tyler, Fillmore relied on the positive exercise of presidential authority rather than the veto to implement his independent strategy. Moreover, unlike Tyler as well, Fillmore relied for the most part on legislative rather than executive action. Finally, Fillmore devised a persona quite different from Tyler's (and indeed other accidental presidents who would adopt the independent strategy). Fillmore's use of the republican servant model minimized the obstinacy so characteristic of Tyler. Not only did the persona fit Fillmore's own personality, but it also accorded well with his central project as dux, which emphasized conciliation. There was also ample room for tenacity and inflexibility in this approach as Fillmore demonstrated in regard to his Texas policy and the Fugitive Slave Act.

Nevertheless, the republican servant strategy still had its own liabilities, particularly given the fact that the independent strategy seems to require party realignment for ultimate success. Fillmore found it difficult to purge his party of opponents without destabilizing his

persona and he found that the role of reluctant servant in 1852 could only be a reliable one in the context of little or no intraparty opposition.

Even after his defeat, Fillmore was willing to take chances. In his last speech before Congress, he proposed a grand (though, of course, morally atrocious) program involving a massive population transfer in which 100,000 African Americans would be deported annually. And, in 1856, he was willing to attempt to use a one-issue party (as he had done early in his career with the Anti-Masons) as a route for one more attempt at realigning the Whigs behind his projects. Ironically, Fillmore's continued reputation as a cautious man disengaged from the office is a testament to his adeptness in casting himself as republican servant.

Chapter Four

Andrew Johnson

“I care not about my dignity”

Andrew Johnson is almost universally regarded as one of the worst presidents. He was, after all, the first president to be impeached, and the missed opportunities for genuine reconstruction have been directly traced to his policies. It is only the subsequent judgment that impeachment itself was a great error that seems to lessen slightly this assessment. Chief Justice William H. Rehnquist, for example, concluded in 1992 that congressmen mistakenly followed the maxim that “the end justifies the means.” Constitutional protections for an independent executive were regarded as “obstacles to the accomplishment of a greater good.”¹

Like Tyler, Johnson was a Democrat in a government controlled by the opposing party. Unlike Tyler, however, Johnson enjoyed considerably more support as an accidental president—from both parties—and had greater opportunities from the standpoint of both rex and dux. Republicans were frustrated by what they regarded as Lincoln’s lenient policies and looked forward to a Johnson presidency. Some even claimed that the assassination was divinely ordained. Lincoln’s job was done and He sent another in Lincoln’s place who could better finish the task of dealing with the defeated rebels and enfranchising former slaves. Democrats too were enthusiastic about the prospect of a former member of their own party assuming the presidency and spoke rhapsodically of Johnson as one who would “bring things back to the balmy days of Andrew Jackson.”²

Not only did both parties envision new opportunities for their agendas but both also desperately needed Johnson on their side. Republicans were terrified that, after the great sacrifices of the war, their governing coalition would disintegrate if Southern Democrats were returned to Congress. Democrats, who suffered under the burden of questionable patriotism during the war, realistically contemplated the possible demise of their party. Thus both parties actively courted Johnson. Republicans supported the new president long after they could reasonably expect

that they shared mutual goals, and Democrats warmly supported a politician who had deserted their party.

When he took office, Johnson could have pursued either a homage or caretaker strategy. Lincoln's postwar policies were vague and contradictory and the reconstruction so complex that Johnson could have designed a homage strategy that would give him plenty of room to eventually distinguish himself from his predecessor. Lincoln's second inaugural, after all, spoke both of retribution and forgiveness. One option, which many Republicans actually hoped for, would have been to pursue a "hard" Lincoln line of punishment for rebels. Democrats, of course, spoke of swift reconciliation.

When Johnson, however, did develop a position of leniency, he rarely invoked the authority of Lincoln. In an address before a delegation of Illinois citizens attending Lincoln's funeral, he spoke more about the assassination than the president and even deleted a line from the stenographer's record that suggested his support for Lincoln's postwar policies.³ Republicans too would have been happy to have Johnson accede to a caretaker strategy. They had already sparred with Lincoln over which institution, the executive or legislative, was responsible for reconstruction and were quite prepared to take the lead in developing postwar policies. It is possible that a grateful party might have rewarded Johnson with the nomination in 1868. This approach too would probably have synchronized well with an inevitable peacetime reassertion of congressional power. The caretaker strategy too allows for minor acts of independence, and through some carefully positioned objections to the congressional agenda, Johnson could have peeled off some Democratic votes in the next election.

Johnson could also have fashioned an independent strategy different from the one he apparently selected. Followers of this approach often display a high degree of personal stridency, which relies heavily on the inherent powers of the office. But Johnson's combativeness seems extreme, particularly in regard to the veto of the Civil Rights bill in 1866 and in some of his actions in the Stanton controversy a year later. Was Johnson's behavior the result of his deeply held racial prejudices, and/or his volatile personality? How could an accidental president with so many opportunities squander them to the point of impeachment?

I

Jefferson Davis's assessment of Johnson, offered in 1865 while in prison awaiting trial for treason, speaks much about the influence of the

accidental president's personality. Davis concluded that Johnson suffered from "an almost morbidly sensitive" pride. But it took a particular form: Johnson was consumed by "the pride of having no pride."⁴ Johnson never tired of speaking about his "plebian" origins. In his infamous drunken vice presidential inaugural address, he repeatedly waved the word "plebian" as the source of his success. Through most of his career, he made his own suits, giving away many as gifts to his friends and allies. In the rough-and-tumble world of Green County politics where he developed his reputation as the reincarnation of Andrew Jackson, Johnson defined pride as self-respect. Challenging him constituted a challenge to the "will of the people." He placed an enormous weight on personal courage and once delivered a speech challenging putative assassins to dare to act. Opening his coat and placing his hand on pistol, he said that if anyone planned to take his life, "I do not say to him, let him speak, but, let him shoot."⁵

During the major part of his career, Johnson voted like any Jacksonian follower, opposing internal improvements and tariffs. Unlike Tyler, however, Johnson's pride led him in some atypical directions. For years, both in the House and Senate, he struggled to gain passage of the Homestead Act despite the opposition of fellow Southerners whom he openly charged with desiring to make every man a slave who was not a slave owner. While he supported slavery, he attacked the three-fifths rule for congressional representation. He opposed Polk, while supporting the war with Mexico, and opposed a Tennessee prohibition bill. Johnson was not incapable of shrewdness. He did not take a prominent position on the Kansas-Nebraska Act, nor did he employ his usual bellicose rhetoric in responding to John Brown's attack at Harper's Ferry.

The above actions and others suggest Johnson's "pride of having no pride" as an explanation of his later behavior. Certainly it would be an overstatement to conclude that Johnson's persona was only a façade. His attachment to the East Tennessee Democracy appears genuine and it accounts for his in extremis views on "aristocrats" as well as his later positions on executive power. On the other hand, Johnson was not a compulsive figure. Nor were his decisions those of an amateur out of his element, once he stepped outside Green County. While his opponents and some of his supporters held both these conclusions, Johnson was a calculating politician of above average talents who did not rigorously plan for future contingencies but nevertheless did not make hasty decisions.

A brief review of his performance as military governor of Tennessee can illustrate this point. Johnson's appointment is generally regarded as

a stepping-stone to his vice presidency in 1864, but Lincoln's choice, as well as Johnson's acceptance, was surrounded by complex political calculations. Lincoln may have seen Johnson as a potential rival in 1864 and the post would force Johnson to support his reconstruction policies. Johnson had no immediate political opportunities before him. His term in the Senate would soon expire. Without a state legislature in Tennessee, it was unclear how he could be renominated. Consequently, Johnson assumed a post with career-ending possibilities.

He began with an acceptance address that spoke of the tragedies of the war and the admonition that traitors must be punished. He assigned war guilt to those Southerners who mistakenly believed that secession would protect slavery when, in fact, the Constitution was their only practical and moral protection. Johnson then proceeded to demand that officeholders take an oath of allegiance. Those who refused would be dismissed. He shut down newspapers sympathetic to the rebellion, seized the state bank, and imposed a tax on the property of "aristocratic" secessionists. Rebel forces still roamed the state and Johnson threatened to burn the houses of suspected secessionists if Nashville was attacked.

At this point, Johnson enjoyed the support of Tennessee proslavery Unionists as well as gaining the attention of Northern radical Republicans. When Johnson learned, however, that Lincoln was considering emancipation, he faced a set of difficult decisions. If he refused to support Lincoln's incipient move, he risked resignation or dismissal by the president. If he acceded, he risked losing his base among conservative Unionists. Johnson responded by moving in two directions. First, he convinced Lincoln to formally exempt Tennessee from the emancipation order on the grounds that the state was not in rebellion against the Union. Then he left his post, ostensibly for consultations with the president. Along the way, he went on a speaking tour through the North. Johnson repeated his views on the moral and legal poverty of secession, hinting that if the end of slavery was the price required to end rebellion, then he was for it. After meeting with the president, Johnson decided not to oppose emancipation and even promised Lincoln that he would consider raising black troops. Johnson faced other issues, such as assuring Unionist control of an elected government and dealing with Lincoln's Amnesty Proclamation, both of which ended more problematically. Nevertheless, his military governorship shows that he was not only adept at discerning changes in public opinion both in Tennessee and in the North in an extremely volatile situation but also able to respond in flexible and imaginative ways.

II

When Lincoln began consideration of a running mate in 1864, Johnson was very well positioned for the vice presidency. He even had some support for the presidency. Lincoln was extremely concerned about the outcome of the election and the addition of a Southern Unionist was an ideal way to strengthen the ticket. There were, of course, other men who could also help implement Lincoln's strategy, including the Northern War Democrat, Daniel S. Dickenson. Johnson attempted to help his own cause by encouraging press endorsements of his candidacy. When the convention chose Johnson, there was widespread support for the decision.

As a candidate, Johnson was bent on customary rules about campaigning and repeated his commitment to punish traitors. One address in late October attracted special attention. Before a crowd of freemen, Johnson said that he hoped that "a Moses might arise" who would lead people of color "safely to their promised land of freedom and happiness." When members of the crowd shouted back, "You are our Moses!" Johnson demurred, and suggested that God would in time reveal him. When someone said, "We want no Moses but you!," he replied: "Well, then humble and unworthy as I am, if no better shall be found, I will indeed be your Moses, and lead you through the Red Sea of war and bondage to a fairer future of liberty and peace."⁶ Johnson's remarks aroused abolitionists, but the press, particularly in the South, questioned his commitment to principle and asked whether there was anything he would not say to get elected.

Throughout his career, Johnson's public addresses were frequently controversial. When he assumed the governorship of Tennessee in 1853, he delivered a tirade that frightened his supporters and he was the subject of derision by his opponents. The propriety of the "Jacob's Ladder" address, in which Johnson compared democratic progress to attainment of religious spirituality, remained an issue for many years to come. Johnson delivered his vice presidential inaugural in a state of extreme inebriation. Partisan papers, of course, offered widely different assessments and the official transcript was heavily edited. One unedited version gives some hint of Johnson's performance: "I am a-goin' for to tell you here today; yes, I'm a-goin' for to tell you all, that I'm a plebian! I glory in it; I am a plebian! The people, yes people of the United States have made me what I am; and I a-goin' for to tell you here today-yes today, in this place—that the people are every thing." When he finished, he took the oath of office, held up the Bible, and

dramatically kissed it. He was too unsteady to swear in the new senators. The most telling reaction was that of Lincoln himself who said, "Do not let Johnson speak outside!"

The scandal surrounding the address does conceal, however, recurrent features of Johnson's rhetoric. In a speech of only eight hundred words there are twenty-eight "I"s and nine "my"s. There are also fourteen references to Johnson's own legitimacy, all of which were described as derived from the people. "Humble as I am," Johnson kept repeating, I have been "elected by the people."⁷

The first months of Johnson's accidental presidency, by contrast, could be a model for rex, the demonstration of legitimacy. Upon being told of the assassination, Johnson immediately visited the dying president. When notified by the cabinet of the president's death, he decided to take the oath of office at his hotel. He next called for a meeting of the cabinet and asked all members to continue in their posts. He met with congressional delegations and citizen groups over the following days. Johnson responded only generally to questions and listened carefully to requests. He judiciously handled a dispute between General William T. Sherman and Stanton, accepted his attorney general's advice about a military trial of Lincoln's assassins, and quietly refused to take up residence in the White House in honor of the president's grieving widow (who finally vacated in May). When Johnson reviewed troops at a victory parade at the end of May, his authority was almost completely unchallenged.

Johnson's popularity was destined unquestionably to be short-lived. The surrender of Lee at Appomattox ended the fratricide but opened up staggering constitutional, economic, political, and moral problems that no president, even Lincoln, could expect to resolve without severe conflict and criticism. Johnson himself appeared acutely aware of his special status as accidental president and said that he was determined not to follow in the footsteps of either Tyler or Fillmore.⁸

There was the immediate question of the constitutional status of the states that had seceded. Were they still states, since the CSA was never recognized by the North? Or had they forfeited their status as states and now must assume the role of conquered provinces? Who should decide this question as well as the terms of readmission, the president or Congress? The Supreme Court in the Prize Cases (1862) acknowledged the CSA as a belligerent power, and described the Civil War as an insurrection. In subsequent cases regarding the status of property in the CSA, courts continued to accept a dual account of secession. In *White v. Bruffy* (1877), Justice Field contended the recognition of the belligerent status of the CSA was only

a humanitarian gesture that was operational only during hostilities and that the United States never acknowledged “in any form” the “lawfulness of the rebellious organization or the validity of any of its acts.” Lincoln assumed the initiatives would come from the office of the president, but Congress did not recognize his plan and offered its own, which Lincoln subjected to a pocket veto before the 1864 election. Johnson, who constantly reminded others from the moment that he took his oath of office that he should be judged by his past actions and positions, favored the view that the Southern states legally should remain in the Union despite the rebellion.

Whatever the legal status of the former CSA, the economic problems of the defeated South were enormous. When Carl Schurz, a Northern Republican, surveyed the region for the president immediately after the surrender, he was shocked by the effects of this new kind of war. Some parts of the South had escaped devastation, but in others the countryside “looked for many miles like a broad black streak of ruin and desolation.” Schurz reported that the region desperately needed massive amounts of capital but investment was not likely to occur “as long as Southern society is liable to be convulsed by anarchical disorders.”⁹

Political problems involved in readmission were readily evident. The South had been soundly defeated, but the nationalism that emerged in the 1850s had not disintegrated. As historian W. J. Cash noted in *The Mind of the South*, the war had left the Southerners

far more aware of their differences and of the line which divided what was southern from what was not. And upon that line all their intensified patriotism and love, all their high pride in the knowledge that they had fought the good fight and had yielded only to irresistible force, was concentrated, to issue in a determination . . . to hold fast to their own, to maintain their divergences, to remain what they had been.¹⁰

Northern Republican politicians worried about the possibility of a resurgent Confederacy and even the possibility of the emergence of guerrilla warfare. They worried also about the impact of Southern representation in Congress, especially since the three-fifths rule was now inoperative. Would readmitted Southern representatives again align with Northern Democrats, stronger in numbers if the black population were included as part of the census? Would black citizens, if enfranchised, vote at the bidding of their former masters?

Then there was the moral issue of slavery as well as the economic and legal status of black Americans. The abolitionist strategy

eventually coincided with Lincoln's own goals. But the Emancipation Proclamation ended slavery only in the states in rebellion. Lincoln worked very diligently with Congress in the enactment of the Thirteenth Amendment, which abolished slavery, and Johnson had openly supported this effort. The South acquiesced in ratification, although several Southern states added codicils insisting that their accession did not foreclose in their minds the issue of compensation. Generally in the South, emancipation created a panic. Before the war, John C. Calhoun had warned that abolition would make "the last first" in the South. Southerners were adamant in rejecting the most minimal social and economic implications of abolition. Emerson Etheridge, a prominent Tennessee politician, said in 1865 that "negroes are no more free than they were 40 years ago, and if one goes about the country telling them that they are free, shoot him." Johnson seemed especially sympathetic to these concerns.¹¹

Johnson delayed making almost any decisions for weeks. Even his two proclamations of May 29, while disappointing to Radicals, were not demonstrably different from the directions Lincoln had pursued. Johnson's plan for Reconstruction included an amnesty for those who had taken an oath of allegiance to the Union, as did Lincoln's proposal. But Johnson's plan also included an important revision. Confederates who owned more than \$20,000 worth of property were ineligible for amnesty. Johnson explained to a Virginia delegation that the exempted class could appeal individually for special pardons to the president, but he reminded them, "You know full well it was the wealthy men of the South who dragooned the people into secession." The second proclamation set up a procedure for bringing North Carolina back into the Union through the appointment of a provisional governor appointed by the president. The governor would be responsible for scheduling elections for a constitutional convention. Neither proclamation spoke of black suffrage.

Johnson's smaller decisions, however, were more revealing about his plans for an independent strategy. His subsequent appointments of provisional governors throughout the South were all Unionists but also conservative ones. He limited the funding of the Freedman's Bureau. He began to issue pardons indiscriminately. He seemed oblivious to Southern state legislation regulating freemen. He supported the actions of provisional governors authorizing the formation of local militias.

His refusal to call Congress into special session meant that he was in complete control of reconstruction. The period from April until December 1865 was a less dramatic exercise of presidential power

than Lincoln's eighty-day "constitutional dictatorship" in 1861, but nevertheless it was momentous in its consequences. Indeed, Johnson began to object to the term "reconstruction" itself, preferring instead the term "restoration." Some newspapers began to surmise Johnson's developing strategy. Some thought he was attempting to create a "revolution of parties" by forging a coalition of conservatives and moderates in the North and South. Others believed that Johnson still had not made up his mind and was trying to "ride two horses" and jump to the one that "finally keeps him uppermost."¹²

When he finally did address Congress in December, Johnson remained circumspect. He insisted he was pursuing a moderate course that he admitted held some risks. Nevertheless, chances must be undertaken, "otherwise reconciliation would be a fraud."¹³ He equivocated about black suffrage but urged Southern ratification of the Thirteenth Amendment. Republicans were particularly concerned about Johnson's failure to even mention the infamous black codes that were rapidly being passed by Southern states and set up a joint committee on Reconstruction. The committee sent Johnson a message urging him to take no further executive actions unless absolutely necessary. Surprisingly, Johnson agreed. A vigorous debate in Congress followed. Some Republicans voiced their support for the president, but a confidence motion was tabled in the House.

By January, 1866, Johnson still had numerous alternatives available to him. His support in Congress was fragile but workable. In February, however, the president undertook two high-profile initiatives that departed from his previous policies of what one historian calls a "politics of ambiguity and misdirection."¹⁴ While his views on race were now clearly under suspicion, Johnson had continued to base his positions on the constitutional theory that no state was ever constitutionally outside the Union and thus his options were limited. Existing federal relationships with the states remained intact and restricted national interference. His meeting with Frederick Douglass raised the question of whether these points indicated a thinly veiled animus toward freemen.

In the light of recent events in the former CSA, Douglass appealed to Johnson to support measures to give black Americans the right to vote. Johnson replied that slavery had been abolished with a "great national guarantee." He asked Douglass whether it was not true that, as even a black slave, he looked upon "a large family, struggling hard upon a poor piece of land" with less esteem than he would the large slave-owning planter. This in itself was a cruel question to ask a former slave, but Douglass politely, but

emphatically, disagreed. Johnson, insisting the affirmative was the case in his experience in Tennessee, continued:

The colored man went into this rebellion a slave; by the operation of the rebellion he came out a freeman.... The non-slaveholder who was forced into the rebellion, who was as loyal as those that lived beyond the limits of the State, but was carried into it, lost his property, and in a number of instances the lives of such were sacrificed, and he who has survived has come out of it with nothing gained, but a great deal lost. Now, upon what principle of justice, should they be placed in a condition different from what they were before? On the one hand, one has gained a great deal; on the other hand, one has lost a great deal, and in a political point of view, scarcely stands where he did before.

Douglass attempted to argue that the small white farmer and the new black freeman could use the ballot to overturn the plantation aristocrat, but Johnson found this scenario inconceivable and ended the exchange, shouting a racial epithet after Douglass left the room.¹⁵

When Johnson vetoed an extension of the Freedmen's Bureau Act twelve days later, his rhetoric was restrained and cast in terms of constitutional objections. But now the public saw two Johnsons: one, the states' rights constitutionalist, the other, the populist presidentialist. Both were actually replications of the personas of Johnson's idol, Andrew Jackson, who could profess his attachment both to the Union and state authority and also engage in harsh, even hysterical, personal rants. Jackson/Johnson, the populist, who emerged so ferociously in the meeting with Douglass, was alternated with Jackson/Johnson, the Unionist, in the veto message.

The other Jackson returned three days after the Senate upheld his veto. The occasion was Washington's birthday. Johnson first accused the joint committee of irresponsibility and then escalated his charges. He had "fought traitors and treason in the South" all his life and now "when I turn around at the other end of the line, I find men—I care not by what name you call them...who stand opposed to the restoration of the Union of those states." If the equation of Southern secessionist to members of Congress was not inflammatory enough, Johnson answered those in the crowd who shouted for him to provide examples, saying: "I say Thaddeus Stevens of Pennsylvania. I say Charles Sumner." The president went into his usual soliloquy about his modest origins. Rhapsodizing about his former job as tailor, he told the crowd he would accept no "patchwork" solutions. "I want a whole suit," he shouted to the crowd and asked, "who is there that will say Andrew Johnson ever

made a pledge that he did not redeem or made a promise that he did not fulfill?"

The address horrified all Republicans. As the worship of Jackson invigorated Johnson, it also reawakened the same fears that animated the defunct Whig Party. As one biographer has concluded, "up to this time the people of the United States had, as they usually do of Vice Presidents, a fuzzy picture of Johnson as a man. On this occasion he gave the country the fullest view it had yet had of him and he did himself almost unbelievable and largely irreparable harm by the trumpets of passion to which he gave way."¹⁶

As Congress was considering a Civil Rights bill in the spring, some Republicans, including its sponsor Lyman Trumbull, believed Johnson might sign the measure and even sent a copy to the president for his reactions. Johnson never responded to the opportunity to recommend changes, and he vetoed the bill nine days later. He objected to the attempt to define citizenship for freedmen as premature and contended that the legislation did not promote equality at all but would "operate in favor of the colored over the white race."¹⁷ This time moderate Republicans felt betrayed. The veto was overridden. Johnson had marked a milestone in the history of the presidency. Only six bills had been passed over a president's objections before and none involved a major piece of legislation. A revised version of the Freedmen Bureau bill was also vetoed, and overridden, in June. While Johnson could not veto the Fourteenth Amendment when it was sent to the secretary of state on June 22, he stated his vigorous opposition.

It is at this point, with both his powers as rex and dux in severe jeopardy, that Johnson finally openly played his hand in pursuing an independent strategy. While still filling patronage positions with Republicans, albeit conservative ones, he had begun to encourage Democrats to consider the formation of a new Union Party. Three members of his cabinet resigned rather than support the initiative. Delegates were elected in each state for an August convention in Philadelphia. In June, Johnson promised to spend \$20,000 of his own money in support of the effort. The call to supporters, which announced that a "wigwam" would be built to house the meeting, reiterated all the policies of Johnson. The Union was perpetual; all states deserved equality and respect, including representation in Congress. Any departure from these principles amounted to a "revolution" instigated by Congress. The convention did begin auspiciously with delegates from all the states and a dramatic entrance of Darius Couch, a Massachusetts Union officer and James L. Orr, a former Confederate senator, walking arm in arm into the hall. The convention

endorsed all of Johnson's policies as speakers warned of a possible revolution with violence worse than the late war.¹⁸

Johnson warmly received these resolutions and went on a speaking tour which he described as a "swing around the circle of the states." He traveled with two cabinet members (Wells and Randall) and Union generals (Farragut and Grant) and arranged for press coverage. His addresses contained his usual themes (his modest background, his support of the Union, the arrogance of Congress) and thus anticipated the twentieth-century "stump" speech. Johnson began with the promise not to give a "long winded" talk and then proceeded to give a standard review of his policies compared to those of his opponents. In some ways, the tour was an extremely innovative strategy that would be used by Theodore Roosevelt and later every president. Johnson's tactic of "going public" benefited from the novelty and fascination with seeing a president in person. His press entourage guaranteed wide newspaper coverage and representatives of his administration offered more celebrities for the public to gaze upon. Though, of course, extremely negative in his assessment, Thaddeus Stevens's account does reveal a grudging acknowledgment of the boldness and imagination of Johnson's project: "In order to attract attention they took with them... a celebrated general; they took with them an eminent navel officer, and they chained him to the rigging so that he could not get away, though he tried so once or twice."¹⁹

The drawbacks were, however, severe. Going public was a rare strategy in the nineteenth century and when employed, was carefully disguised by presidents. Rather than simply demonstrating his status as rex, Johnson projected his role as dux through a very populist framework. His responses to both taunts and support from crowds were sharp and direct but, as in his Washington birthday performance, also extremely aggressive and often outrageous. When a member of a crowd in St. Louis shouted, "New Orleans!" (a reference to a recent race riot), he not only blamed the violence on congressional policies but asserted that it was "substantially planned" by Radicals.

Johnson's opponents quickly picked up on this weakness and again reminiscent of contemporary presidential politics, began to plant hecklers in the audience. Johnson never failed to take the bait. A broader attack by Republicans began to emerge. Johnson's tour was a "circus" that demeaned the dignity of the office. When one onlooker asked, "Is this dignified?" Johnson replied "I care not about my dignity." His following amplification explained that dignity was an earned attribute that his opponents failed to acknowledge. But this answer did not address the sense that the office was itself an important

source of authority. Johnson was now treated as an object of ridicule, which was a dangerous perception for any politician. The very intense press coverage, which Johnson had created for his tour, magnified this assessment.

Even worse for Johnson were the comparisons with Lincoln. In a fit of anger, Johnson himself made comparisons with Lincoln:

I make use of a very strong expression when I say that I have no doubt the intention was in incite assassination and so get out of the way the obstacle from place and power. Whether assassination or not, there are individuals in this government, I doubt not, who want to destroy our institutions and change the character of the government. Are they not satisfied with the blood which has been shed? Does not the blood of Lincoln appease the vengeance and wrath of the opponents of government?²⁰

Johnson, of course, had challenged potential assassins to strike when he was governor of Tennessee. But now the accusation, aside from its absurdity, hardly promoted a heroic image despite his claim that “if my blood is to be shed because I vindicate the cause of the Union, let it be shed.” The press began to focus on the common origins of both presidents. “Both Lincoln and Johnson sprang from an origin not favorable to finished oratory. The one was a flat boatman from Kentucky and the other a tailor from North Carolina and Tennessee. To expect the polish of an Everett from such men would be absurd.” Yet Lincoln had fashioned his own voice while Johnson did not. The new president “would have done well to imitate the noble patience with which Abraham Lincoln bore far bitter gibes, far ruder attacks from the same men.”²¹ The *Nation* claimed to have discovered the key to the difference between the two men. Johnson “has always writhed under the sense of his plebeianism and under the contempt with which he knew himself to be regarded by Southern gentlemen whom he affected to despise, but whom he secretly envied.” Now president, he was enjoying “the sweetest triumph of his life when these men, as individuals, gathered around him crushed, humiliated, abject, waiting eagerly for his smile, echoing every sentiment that fell from his lips . . . the temptation to mold his flattery so as to secure the continuance of this delightful adulation was irresistible. All obligations of fidelity, consistency, and honor melted away before the sweet vision of becoming a recognized Southern gentleman.”²²

Johnson’s “swing around the circle” was a disaster. When votes were counted, 42 Republicans had been elected to the Senate and 143 to the House. Both parties now began to look to the presidential

elections in 1868. After the congressional elections of 1866, congressional Republicans gained enough votes to pass veto-proof legislation. The First Reconstruction Act was passed in the spring over Johnson's veto. Republicans also passed two other pieces of legislation designed to reduce the president's power. One, the Tenure of Office Act, required the Senate's approval before the president could remove any executive official, and the other, contained in the Army Appropriations Act, stated that General Grant could not be reassigned without his own approval and that all orders to Grant must be subject to Grant's approval before taking effect. Congress, in effect, dramatically reduced the president's powers as executor of laws and commander-in-chief. It did not take Johnson long to take Congress's bait.

In the spring of 1867, the president fired Edwin Stanton as secretary of war. Stanton refused to leave and barricaded himself in his office. In what appeared to be a very clever move, he also appointed Grant, a national hero, as his successor. Grant was an extremely important figure at this moment. His support was essential to reconstruction efforts which relied upon the army for implementation and he was very popular with Republican rank and file and in the nation as a whole. Grant's political views were not clear and he was even regarded as a possible candidate for the Democrats as well. When he accepted the appointment, the radical press charged that Johnson would not have dared dismiss Stanton without Grant's complicity.²³ Had Grant assumed the post, it is likely that some Republicans would have regarded him as a moderating influence on the president. In any case, with support from the Radicals, Grant's chances for a presidential nomination would have been severely damaged. Republicans would be forced to field a less popular candidate, perhaps Benjamin Wade or Salmon Chase.

This ploy failed, however, when Grant privately warned Senators that Johnson was a dangerous man who might even attempt to dissolve Congress and publicly protested Stanton's removal. He subsequently returned to his headquarters. The Radicals were now reassured and Democrats accepted Grant as the likely nominee of the Republicans. Andrew Johnson inadvertently had created his own "Bobby" problem. In January, the Senate by a vote of 35–6 refused to accept Stanton's removal. Johnson's next move, appointing a strident critic of Stanton, Major General Lorenzo Thomas, might have been more productive as a first response. Now it only further angered Congress. A month later, the House impeached Johnson.

Johnson's presidency, both in terms of *rex* and *dux*, ended in practical terms in 1866. His subsequent impeachment forms the core

narrative of his presidency but Johnson was electorally impeached as dux nearly two years earlier.

III

Johnson's accidental presidency was a failure on almost all counts. His actions steadily dissipated his capacities in terms of rex and dux, which stood at a remarkably high level when he assumed the office. After 1866, he struggled to retain his minimal authority as rex. He was unable to prevent Congress from stripping him of power to appoint and remove executive officers. He was impeached. He avoided conviction partly by promising not to exercise some of his constitutional authority. He was not offered the nomination for president by either his old party or his new one. Grant, the president-elect, refused to ride in the same carriage with him at his inaugural. Johnson decided not to attend at all, the first president to do so since John Adams.

Some of the reasons for Johnson's failure can be traced to simple miscalculations. His realignment effort was based on a sound assessment of public opinion. Northern voters were interested in reconciliation and were ambivalent about the rights of freedmen. Johnson's support for state's rights and concern over federal authority were default positions in American political culture and were only temporarily overridden by the war. Together, these principles would seem to be enough to give a new coalition a reasonable chance of success. Johnson's calculation, however, did not give sufficient weight to both the impact of Northern war casualties on public opinion and the continued resistance of the South to all but the most minimal conditions for readmittance to the Union. It is difficult, for example, to point to one single instance in which Johnson's leniency prompted a positive response in the South.

By 1866, Southern Democrats had warmed to Johnson. But the very success of his policies meant they were much less reliant upon him than they had once been. Northern Democrats generally supported Johnson but here too it was a relationship of calculated convenience. Johnson had deserted the Democracy and as president, his patronage went to Republicans. Conservative Republicans held common positions with Johnson on racial issues and Reconstruction generally. Johnson's overt Jacksonianism, with its penchant for framing issues in terms of class conflict, was, however, difficult to swallow. Johnson had all the pieces for realignment but not all the incentives available to him for encouraging such a movement.

One possible way Johnson might have precipitated realignment would have been through the articulation of an ideological position that was both personally and electorally attractive to these groups. It was natural for Johnson to rely on the Jacksonian persona as the fulcrum for his independent strategy. Not only had the homage to Jackson worked successfully throughout Johnson's career and indeed propelled him to the vice presidency, but also imitations of Jackson had been the standard route for all Democratic presidential aspirants since Van Buren. While Johnson's decision to "go public" was a tactical error, it was an imaginative extension of the Jacksonian persona. For while Jackson generally observed nineteenth-century rhetorical restrictions concerning audience, one could envision going public as a logical expansion of the populist tribune role he had created.

What Johnson failed to see, however, is that the war had shattered the Jacksonian coalition. New issues were at the center of the agenda and others were transformed. The bank and tariff questions were momentarily subsumed by other questions. The Jacksonian antipathy to racial minorities, which arguably helped precipitate the war, was now being played out in a far different context. The Republicans were not Whigs and the Democratic Party was no longer the hegemonic coalition it once was. Under these circumstances, Johnson's populist rendition of Jackson did not possess the force of the earlier performance and also repulsed Republicans by reawakening fears of "King Andrew."

Nevertheless, Johnson's independent strategy, moral assessments aside, could have been more successful had the president been less bellicose toward congressional Republicans or perhaps more accommodating to Democrats, particularly with regard to patronage. In this instance, Johnson's personal asperity that spurred him to undertake the great gamble of an accident president, at the same time, worked against the gamble's success.

Chapter Five

Theodore Roosevelt

“There’s only one life between that madman and the presidency”

Although Johnson is generally regarded as the most unsuccessful of accidental presidents and Roosevelt the most successful, the two presidents have much in common. Both succeeded popular assassinated leaders. Both assumed the presidency with a high degree of popular support. Both were men of strong will and conviction who used aggressive personae to intimidate opponents. Both challenged limited conceptions of the presidency. Both sought to strengthen wings of their congressional party by “going public.”¹ Both were peacetime presidents after wars. Both initiated their independent strategy with a brief homage that moved directly to independence.

These similarities of course exclude some important differences. Despite the reticence of many party leaders, Roosevelt, until 1912, remained a loyal Republican. The Civil War was a traumatic experience that forever marked American culture while the Spanish-American War was more of an initial flirtation with empire. Johnson’s personality bore similarities to Roosevelt’s but did not have the latter’s buoyancy. Nevertheless, the presidencies of Andrew Johnson and Theodore Roosevelt illustrate the problematic status of the independent strategy. Why was Roosevelt so successful (at least until 1912) and Johnson such a failure? Can the difference be traced to presidential character, specific matters of implementation, or differences in political time?

I

Roosevelt’s success has in many ways glamorized his public persona for later generations. In fact, his personality remained as much a problem as an asset throughout his career. When he spoke, one contemporary could think of nothing but “a man biting ten penny nails.” Johnson’s critics spoke of his prideful stubbornness. For

Roosevelt, the critique took the form of his alleged boyishness although sometimes even this assessment could work in TR's favor. "You must remember, said TR's friend Sir Cecil Spring-Rice, "that the President is about six." The public actually found this remark charming and even reassuring. They sent him hundreds and hundreds of teddy bears. Boyishness could thus suggest energy and confidence. But it could also evoke immaturity and impetuosity. There were others, however, who were concerned, even frightened about this man, little over five feet eight inches, but who seemed "palpably massive" with an enormous head, a frame of pure muscle and shining teeth and glasses. Political cartoonists emphasizing these features often captured a figure who was charming, even a bit comical, but also unnerving. There is of course Mark Hanna's oft-quoted reaction to the prospect of TR's vice presidency in 1900. When asked why he was so upset, he said "Why has everyone gone crazy! What is the matter with all of you? ... Don't you realize that there's only one life between that madman and the presidency?" Many others also expressed concerns. To Mark Twain, the president was "clearly insane;" and to Woodrow Wilson, he was "the most dangerous man of the age." The Speaker of the House, Joe Cannon, a man not adverse to the use of power, complained: "Roosevelt's all right but he's got no more use for the constitution than a tom cat has for a marriage license."²

Reactions such as these required Roosevelt to be extremely adept throughout his career and especially in his pursuit of *rex* and *dux* after he became an accidental president. The boyish side of his persona could be used to disarm political adversaries, for who could worry about a boy-man who simply showed his exuberance for life? On the other hand, this side also had a liability beside a reputation for impetuosity. TR always risked being laughed at. Perhaps this explains his refusal to accept the moniker "Teddy." When for example he entered the 1900 Republican convention wearing a replica of his Rough Rider hat he might remind onlookers of his courage at San Juan Hill but also the amateur status of the "colonel" and perhaps even an image of playing dressing up.

The entire Rough Rider narrative further illustrates this dilemma. Roosevelt's role in recruiting and training the volunteer force and his famous charge were undoubtedly central to his political career propelling him to the governorship of New York and the vice-presidency. The First Volunteer Cavalry made great media copy but one could not fail to notice that the unit was composed of boy-men, not only the cowboys of the Southwest but also Ivy League undergraduates. Roosevelt justified the latter on terms like these: one was "perhaps the

best quarterback who ever played on the Harvard eleven," another was not only a footballer but a national tennis champion who in "two different years, saved this championship from going to an Englishman."³ This combination certainly celebrated the myth of class equality in American culture but it also suggested a search for, rather than an assertion of, manhood. Had the unit spent the war in Florida or languished behind the professional forces or worse, some suicidal military result (scenarios that TR openly feared), this aspect of the project would have become prominent. The San Juan charge, however, subsumed these possible negative outcomes of youthful male exploits. Even given the bravery of Roosevelt and of those in his regiment, the braggadocio of the new colonel reached such heights as to bring the boy-man critique back in focus. TR thought he deserved not only a promotion but the Medal of Honor. He described the charge as one that "European military writers consider utterly impossible of performance."⁴

The young Roosevelt's prepresidential writings reveal a good deal of self-reflection about both the advantages and disadvantages of his personality. In a review of a determinist historical account, Roosevelt contended that pessimism was the attitude of both the "weakling" and "very strong men." The former uses the philosophy to explain why he "cannot struggle with his fellow-men and with the conditions that surround him." The latter, particularly "if of a morose and dyspeptic temper," are "apt to rail at the present, and to praise the past simply because they do not live in it."⁵ Roosevelt clearly identified with the dilemma of the very strong man but challenged the belief that "the great poems have all been written, that the days of the drama and epic are past."⁶

TR wrote three biographies examining the effect of personality on political ambition, and political success and failure: Gouverneur Morris, an aristocratic supporter of the revolution; Thomas Hart Benton, Tennessee Senator and uncompromising Jackson supporter; Oliver Cromwell, Puritan commander in the English civil war. In each case, these men failed, though in different ways to overcome their own spiritedness. Here is his assessment at the close of the Morris biography:

There has never been an American statesman of keener intellect or more brilliant genius. Had he possessed but more steadiness and self-control he would have stood among the two or three very foremost. He was gallant and fearless. He was absolutely upright and truthful; the least suggestion of falsehood was abhorrent to him. His extreme, aggressive frankness, joined a certain imperiousness of disposition, made it

difficult for him to get along well with many of the men with whom he was thrown in contact. In politics he was too much of a free-lance ever to stand very high as a leader. He was very generous and hospitable; he was witty and humorous, a charming companion, and extremely fond of good living. He had a proud, almost hasty temper, and was quick to resent an insult. He was strictly just; and he made open war on all traits that displeased him, especially meanness and hypocrisy. He was essentially a strong man, and he was an American through and through.⁷

If Gouverneur Morris represented an examination of the limits of an aristocratic version of spiritedness with which TR undoubtedly partially shared, Thomas Hart Benton represented more of a template for Roosevelt's own persona. Indeed, TR told Henry Cabot Lodge that he was "evolving him from my inner consciousness" and one biographer describes the biography as one in which "Roosevelt gleefully discovers many points of common identity with his subject, and in describing them, describes himself."⁸

TR left New York for the Dakota Territory in 1884 to start a life as a rancher when both his wife and mother died within hours of one another. The migration had the most positive impact on him. "He had gone West sickly, foppish, and racked with personal despair; during his time there he had built a massive body, repaired his soul, and learned to live on equal terms with men poorer and rougher than himself." In *Thomas Hart Benton*, TR found similar transformations; indeed he discovered the transformation of an entire "race." He saw the creation of the "young" West in terms quite different from those of other migrations such as California or Australia which "were suddenly filled up by the promiscuous overflow of a civilized population, which had practically no fear of any resistance from the stunted and scanty native races." The Western expansion was "far more closely akin to the tribe movements of the Germanic peoples in time past." Here were spirited men and women, "valiant warriors" and "hardy pioneers," "men of stern stuff, who from the very beginning formed a most warlike race." Benton was an exemplar of this spiritedness: "[H]e was a faithful friend and a bitter foe; he was vain, proud, utterly fearless, and quite unable to comprehend such emotions as are expressed by the terms despondency and yielding. Without being a great orator or writer, or even an original thinker, he yet possessed marked ability; and his abounding energy and industry, and his tenacious persistency and personal courage, all combined to give him a position and influence such as few American statesmen have ever held."⁹

Roosevelt, nevertheless, had some misgivings about Benton's character. He was able to examine the underside of Benton's personality and admitted that he was "sometimes narrow-minded, and always willful and passionate."¹⁰ He was especially critical of Benton's support of slavery that Roosevelt described as a "grossly anachronistic and un-American form of evil," especially in terms of his failure to see how the institution was "interwoven with the disunionist movement."¹¹ TR, however, had the most difficulty coming to terms with Benton as Jacksonian Democrat and in particular his role as point man in the Senate for the president in the Bank war. He was at pains to praise Benton's loyalty to the president but regarded opposition to the BUS as a cause "apt to be popular in a Democratic republic, partly on account of the vague fear with which the poorer and more ignorant voters regard a powerful institution whose workings they do not understand and partly on account of the jealousy they feel toward those who are better off than themselves."¹² Thus TR was uncharacteristically ambivalent toward a major American historical event. He was, of course, much taken with the earnestness and courage of both Benton and Jackson and praised both for educating the people about the virtues of sound money. On the other hand, he was offended by Benton's "pure demagogic pyrotechnics" and his "extreme Jeffersonian doctrinaire views."

TR's summary finally veered in a derisive direction: "Jackson and Benton solemnly thought that they were taking part in a great act of justice, and were amusingly unable to see the comic side of their acts. They probably really believed most of their own denunciations of the Bank, and very possibly thought that the wickedness of its followers might tempt them to do any desperate deed. At any rate they enjoyed posing alike to themselves and to the public as persons of antique virtue, who had risked both life and reputation in a hazardous but successful attempt to save the liberties of the people from the vast and hostile forces of the aristocratic 'money power.'" Roosevelt then dismissed Benton's heroism as one "little elevated above the character of a contemptible farce."¹³

Roosevelt's last biography was composed even more hurriedly than the others since it was written after his military exploits in Cuba and his election as governor of New York. Roosevelt concluded that the English civil war included both medieval and modern elements and though the revolution failed it "laid the groundwork for all subsequent movements" and he drew parallels between England's struggle and America's in both 1776 and 1860. As to Cromwell,

Roosevelt concluded that he was “not only one of the greatest generals of all time,” but he was also “a great statesman who on the whole did marvelous work.” He failed because he “lacked the power of self-repression possessed by Washington and Lincoln.” “The more I have studied Cromwell,” concluded TR, “the more I admire him, and yet the more I have felt that his making of himself a dictator was unnecessary and destroyed the possibility of making the effect of that particular revolution permanent.”¹⁴

When Roosevelt was selected as the party’s vice-presidential candidate in 1900, he had already demonstrated many of the assets and liabilities of the subjects of his biography. At age forty-eight, TR had a broad range of political experience although most of it was administrative. He served for six years as a civil service commissioner; one, as president of the New York Police Commission; one, as assistant secretary of the navy. Roosevelt served three one-year terms in the New York State Assembly and one year as governor of New York. In general, TR had difficulty whenever he engaged in public service without executive authority, whether bureaucratic or elective. The independence of action available in executive positions, however small or temporary, was his preferred political arena. Positions in which authority was circumscribed and shared were more difficult for him.

He was only twenty-three years old when he was first elected to the state legislature. While in his autobiography he admitted that he could have begun his career with either party, “a young man of my bringing up and convictions could only join the Republican Party.”¹⁵ As a Harvard graduate from a notable and wealthy family, as an author (his *Naval War of 1812* was published just as he began his term) and as a well-connected young man who dined with Elihu Root, William Van Rensselaer, Joseph Choate, and others, Roosevelt arrived in Albany in 1882 ready to make his mark. He was immediately given the most coveted committee assignments. The New York Republican Party was in the process of loosening itself from the grip of Roscoe Conkling, the nemesis of TR’s father. On the other hand, Democrats controlled the assembly and after 1883, the governorship. Initially at least, the young Roosevelt refused to even recognize the legitimacy of the majority. “The average Catholic Irishman as represented in this assembly,” he said, “is a low, venal, corrupt and unintelligent brute.”¹⁶

Roosevelt later admitted that “like most men in politics, I went through various oscillations in feeling before I ‘found myself.’”¹⁷ While he quickly became friends with Democratic leaders, especially Joe Murray, and was especially attracted to the “sporting male culture” of the Irish politicians, TR still largely retained the belief that politics was best left to the “governing class.” His *modus operandi*

was fundamentally an executive one. He assumed a prosecutorial role in his impeachment campaign against a New York judge. He made speeches before the assembly assailing saloons and spousal abuse. He often held his own personal investigations relevant to pending legislation. The most dramatic for his own political beliefs was his study of working conditions among cigar workers in tenements. He was placed on the investigating committee because he was judged to be reliably opposed to economic regulation. When TR saw whole families making cigars 24/7 in their living rooms and bed rooms, he rebelled. After successfully moving the bill through the legislature, he was asked by the union to plead their case before the governor. Cleveland signed the measure forbidding cigar making in the tenements but it was declared unconstitutional by the court. Roosevelt, who had been taught to hold the courts in "special reverence" as "barriers to demagogic legislation," now realized that the judges who rendered decisions such as this one "were apt to foregather at social clubs, or dinners, or in private life."¹⁸ They were mere adjuncts to a predatory class.

Roosevelt's actions made good copy and he was generally treated well by the press. There were editors, as well as legislators, however, who found his approach to law making pompous and egotistical. Some referred to TR as "His Lordship." One contended that "Mr. Roosevelt keeps a pulpit on his person" and another complained his constant lectures "make him ridiculous."¹⁹ Later TR admitted that "I became so impressed by the virtue of complete independence that I proceeded to act on each case purely as I personally viewed it, without paying any heed to the principles and prejudices of others." As a result, "I speedily and deservedly lost all power of accomplishing anything."²⁰

Roosevelt's experience on the Civil Service Commission, a prize given to him by Harrison for his support of the ticket was even more frustrating. Naturally, TR became *de facto* president by the force of his personality. He began a highly publicized investigation of the Customs House and found that job applicants were given answers to exam questions. When Harrison's post master general John Wannamaker began to routinely fire postmen appointed by Cleveland, TR struck again. He demanded the wealthy Philadelphian appear before Congress to explain his actions. When Wanamaker delayed, TR took the commission on the road to investigate alleged wrongdoing in the Midwest. Needless to say, Harrison was not amused but when he lost reelection in 1892, Cleveland made the unusual move of retaining TR. Roosevelt immediately got in a political fight with another member, General George Johnson, a Democrat. Cleveland obligingly offered Johnson an ambassadorship. When he refused, he fired him. TR's interest in the commission, however, began to flag after four years, and he resigned in April, 1895.

Despite his obstreperous behavior with both parties, TR not only gained a national reputation but also began to lose some of the aristocratic personage that he had detected in Governor Morris. He gladly accepted an offer of president of the police commission by the mayor of New York. The position was a quasi-executive one and TR treated the police force as a revolutionary leader with full powers would deal with a sullen peasantry. Very quickly, he forced the police chief and his minions to resign. Traveling through neighborhoods rarely frequented even by middle-class reformers, he reduced bribery and police abuse. Crime rates fell as well. Both seasoned officers and young recruits felt TR's reign of terror. Fines for police nearly doubled and ninety-eight officers were dismissed in two years.²¹

Roosevelt, however, did make one costly error, even in the context of his robust performance. He demanded police enforce a law forbidding the sale of liquor on the Sabbath. TR claimed he personally did not support the law but insisted on its enforcement as a way to reduce bribery. Patrolmen would regularly visit neighborhood saloons on Sunday and demand payment from owners to keep the bar open. Roosevelt admitted that he faced a difficult task: "The professional politicians raved. The yellow press surpassed themselves in clamor and mendacity."²² Most important, the police commissioner who had been portrayed as a tribune was now featured in the press as a foe of the workingman. Roosevelt would deny a poor man a beer on Sunday. Saloon keepers quickly found ways of dealing with the police commissioner's enforcement by serving food with liquor. Roosevelt was then forced to retreat. He took a vacation to the Badlands and traveled through New York and Ohio in support of McKinley.

After McKinley's victory, Roosevelt anxiously awaited his political compensation. He had been a very popular campaigner. McKinley's advisor Mark Hanna quickly appreciated the crowds he drew and set up a shadow tour that followed Bryan through the Midwest. Roosevelt's close friend Henry Cabot Lodge lobbied the president-elect for an appointment as secretary of navy. McKinley regarded TR as too impulsive for the position and no doubt felt that his authority as naval expert would make it even more difficult to rein him in. Instead, he offered TR the assistant secretaryship. McKinley's fears were confirmed when the naval secretary John D. Long left his office for a day. It had been ten days since the American battleship *Maine* had been sunk and Long had left Roosevelt explicit instructions not to take any actions without the explicit approval of the president. TR, however, immediately sent Commodore George Dewey a cable to prepare for an attack on Spanish forces in the Philippines. Long was quite angry and claimed

that Roosevelt “came very near causing more of an explosion than happened on the Maine.”²³ Two months later McKinley asked Congress for a declaration of war and Roosevelt resigned his position to command a cavalry regiment. No other decision in TR’s career was more decisive than this in his career. Roosevelt had exhibited all the assets and liabilities of his biographical subjects but he added one other attribute that was essential to his success, at least up to this point. He knew when to leave a position just as he had exhausted all his political capital.

TR’s move from governor to vice-presidential candidate was actually a reversal of his previous strategy. While he showed clear indications of maturity in reining in his impetuosity as governor, his activist agenda was so threatening to New York Republican leader Tom Platt that he used all the influence at his command to place him on the McKinley ticket as vice president. Roosevelt was quite aware of Platt’s motives. His effort to “get rid of me” forced the McKinley’s advisor Mark Hanna, who vigorously opposed Roosevelt, to “waver” and finally accede.²⁴

II

Given all the nuances of his persona many of which he was mindful, the independent strategy of Roosevelt required great deftness to succeed. In many instances, particularly in the months after assuming the presidency, TR paid the price for his flamboyance. So skittish were party leaders that he was forced to promise more than once to play the part of the loyal supporter of the president and the party platform in 1900. Roosevelt kept his promise but the force of his personality sometimes threatened to overshadow the top of the ticket. His speaking engagements expanded during the campaign because so many people “wanted to see him, and he couldn’t turn them down.” He attacks on Bryan grew ever more vitriolic. Privately, Roosevelt could be even more intense as he treated his political rivals much as a soldier would his enemies. Bryan was a “thorough-paced hypocrite” and a “demagogue.” Supporters such as Godkin and Schurz were “traitors” and “vermin.”²⁵ Like Johnson on the stump, TR did not respond well to hecklers. When someone shouted from a crowd about the “embalmed beef” scandal in the recent war, he replied, “I ate it!” and accused the heckler of cowardice.²⁶

As vice president, TR concealed his personal distaste for the president. He limited his dissents from McKinley’s policies to letters to friends. Roosevelt realized that the president’s need for his service and

talent ended with the election. Sometimes Roosevelt blamed the jealousy of advisors for his distance from McKinley and at others, blamed the fact that although the president did really like him in his “cold-blooded way,” he did not include him in policy decisions because he did not feel “comfortable” with him. McKinley, Roosevelt concluded, did not “understand what it is that makes me act in certain ways at certain times, and therefore think me indiscreet and overimpulsive.”²⁷

When Roosevelt assumed the presidency in 1901, he exhibited the same promise of party complaisance along with a barely suppressed thymos. Upon learning of the assassination, he immediately took a train to be at the president’s side. When it appeared that McKinley was out of danger, he returned briefly to Oyster Bay convinced that the president would fully recover. He was sent a cable, however, two days later that the president’s condition had worsened. Roosevelt was uncertain whether he should again travel to the president’s bedside since he had already demonstrated his concern. Just hours later another cable arrived. The president did not have long to live. Now Roosevelt acted in his characteristic manner. In the middle of the night, he took a wagon, changing horses along the way, to a rail station where he learned that McKinley was dead. TR took the oath of office that afternoon before the cabinet after paying his respects to the family.

The midnight ride to Buffalo might have been interpreted as an impulsively ambitious act but the press found the narrative of the young vice president who climbed down from a mountain peak to commandeer transportation and travel at breakneck speed to be at the dying president’s side both charming and reassuring. Not only was this the third presidential assassination in less than forty years but there was a generalized fear that the act might be part of a rebellion against the impact of industrialization. When the Edison Company released film footage of the funeral, the public could also view a solemn, determined new president.

Roosevelt continued to cultivate a reassuring persona through the fall of 1901. He retained the McKinley cabinet and met frequently with Republican leaders. Roosevelt enjoyed a number of significant advantages as an accidental president. The office itself had been expanded considerably under McKinley and it seemed as if the presidency was just emerging from the state of eclipse it had fallen since the impeachment of Andrew Johnson. Roosevelt was a popular figure with the press and public and now had almost a whole term to exhibit his leadership skills before he faced election in his own right. He was

determined to get off to a good start, telling Lodge that he would “approve of what I have done and the way I have handled myself.”²⁸ When the stock market declined, he told a reporter that he did not “care a damn about stocks and bonds, but I don’t want to see them go down the first day I am President!”²⁹

The new president regarded his route to the office as not significantly different from election. “It is a dreadful thing to come into the Presidency this way; but it would be a far worse thing to be morbid about. Here is the task, and I have got to do it to the best of my ability, and that is all there is about.” While Roosevelt was quite candid about his desire to be president, he knew quite well that had McKinley lived, his nomination was far from certain. He also knew that political opportunity could close abruptly. “By some turn of the kaleidoscope” men are “thrown in the background” and become a “pale shadow” of what they once were.³⁰ Thus Roosevelt gladly took the role of rex as a gift of fate that could be bestowed upon a man by election *or* tragedy.

As a political leader, however, TR did face some significant problems. The control of the Republican Party was not in his hands but in Mark Hanna’s. Hanna, a newly elected senator whose relationship with Roosevelt had only moved from hostile to cool and correct, was not going to give in to the new president. A caretaker strategy could very well prepare the road for Hanna to groom another McKinley or for “Uncle Mark” himself. The homage strategy held the same risks. When TR announced that he would follow McKinley’s policies, some of his friends warned him of the possibility of being regarded as a “place copy of McKinley.”³¹ In addition, there were Roosevelt’s own negative views on McKinley. As H. W. Brands notes, Roosevelt admired McKinley’s shrewdness much in the way a policeman admires the cleverness of a thief.³² TR not only thought McKinley too given to indirection, as well as too reliant on Hanna, but he had also begun to doubt the efficacy of his policies, particularly in regard to trusts and the Panama Canal. There was also the general question about how long an administration so connected with the interests of capital could continue to be successful. Although it is difficult to tell with absolute certainty, Roosevelt, despite his commitment to “continue absolutely unbroken the policy of President McKinley,” decided to pursue an independent strategy almost from the moment he took the oath of office.

There are two pieces of evidence for this assumption. Three days after taking office, Roosevelt contacted an opponent of the Hanna-backed Colorado senator Wolcott to discuss new appointments. The Colorado Republican Party split on the silver question in the

1890s and animosities had remained and Roosevelt was prepared to exploit those. By 1903 all patronage positions in the state were awarded by TR's man, Philip B. Stewart. Methodically, Roosevelt wrested control of the rest of the Republican Party from Hanna with forays into Missouri, then Kansas, and then the South. His much-publicized and criticized dinner with Booker T. Washington in October obscured his real mission. Roosevelt needed Washington's expertise and political clout to identify Southern supporters. Sometimes he would reappoint African Americans who had been pledged to Hanna who prudently changed loyalties after Washington's intervention and sometimes he would make new appointments.

Despite this foray into Hanna's base, the senator still remained a major threat. He was still chair of the Republican National Committee and could become the anchor for a possible challenge to TR in 1904. As senator, his opposition to Roosevelt's friend, Leonard Wood, for promotion to major general was a minor skirmish but it did highlight his potential for disruption. His support of the Panama Canal issue and his leadership in the passage of the Spooner Act authorizing Roosevelt to purchase land was so eloquent and so adept that it threatened to overshadow TR's role in the project. Roosevelt fortuitously found the opportunity for a coup de grace in 1903. Joseph B. Foraker, Hanna's rival for control of the party in Ohio, no doubt buoyed by TR's successes in other states, proposed an endorsement of the president at the party's annual convention. The endorsement was a bit early and so Hanna telegraphed Roosevelt that he could not support the resolution. TR wrote back: "Your telegram received. I have not asked any man for his support. I have nothing to do with raising the issue. Inasmuch as it has been raised of course those who favor my administration and my nomination will favor endorsing both and those who do not will oppose."³³ Hanna immediately backed down. Roosevelt succeeded in landing several major blows. He weakened considerably Hanna's control of his state party. He established publicly that, unlike McKinley, his nomination was not dependent on Ohio's junior senator. He foreclosed, barring some catastrophe in his administration, any attempt on Hanna's part to offer himself as a favorite son in 1904. Rarely in politics does a single maneuver produce such dramatic and immediate results. Roosevelt was justifiably elated.

These attempts to secure a party loyal to the new president and not to some other McKinley replacement were juxtaposed with Roosevelt's more public delineation of his relationship to the man he replaced. Roosevelt used his first annual address to Congress as the equivalent to his inaugural. The new president compared the fallen president to Lincoln and praised McKinley for "the grand heroism with which he

met his death." The slaying of McKinley represented an attack not only on "this President, but all Presidents," even "the very symbol of government." McKinley had so embodied the will of the people that the assassination was as if an entire New England town meeting had been struck down.³⁴

Roosevelt's magnification of the murder, however, also contained a characterization of McKinley that required transcendence. The dead president had "kindly eyes," was free of "the bitter animosities incident to public life," and exhibited "sweetness and gentleness of character." The murder illustrated that the risk to life was now a part of the presidency and Roosevelt concluded that future presidents would be very un-McKinley-like. Roosevelt spoke of a "new" kind of president. He was on these terms "first" since "the office would more and more come to be filled by men of spirit which would make them resolute and merciless."³⁵ The brilliance of Roosevelt's independent strategy rested with his simultaneous resolution of the problems of *rex* and *dux*. The new president's authority emanated from his conflation with McKinley (both were presidents under attack as "the very symbol of government") and the exceptionalism now required of those who succeeded slain presidents. This two-step process of the homage strategy is compressed, not in terms of months or years, but in a set of paragraphs in a single speech. Thus rhetorically Roosevelt as McKinley was authorized to act differently from McKinley. Indeed, the remainder of the address introduced the themes of his administration (corporate regulation, international commitments, and conservation).

In 1902 Roosevelt established his capacity of *dux* in two vivid ways. In February, he brought an antitrust lawsuit against the Northern Securities Company, a railway conglomerate. Despite falling stock prices and criticism in financial circles, he prevailed. The Supreme Court validated his action a year later.

In May, 1902, a strike by coal miners threatened the economy. Unlike previous presidents, Roosevelt was not particularly sympathetic to the mine owners. The mine owners in fact expected the new president to issue an injunction against the union much as Cleveland had done. Instead Roosevelt offered his help in reaching a settlement. When the mine owners refused to accept his proposal for a settlement, he threatened to use federal troops to take over the mines. The horrified owners gave way and a compromise settlement was reached that was generally favorable to the unions.

In terms of Roosevelt's efforts to establish his leadership in the context of an accidental presidency, these initiatives are remarkable in several ways. First, both were purely executive acts requiring no participation of Congress. Unlike previous accidental presidents,

Roosevelt found an arena of action that did not depend on legislative cooperation. There were undoubtedly risks in both cases. The court might not have ruled his suit unconstitutional (the eventual decision was 5–4) and the intervention in the miner's strike depended on the acquiescence of both the owners and workers.

In both cases Roosevelt proceeded very carefully and systematically. He assigned the task of advising on the Northern Securities suit to his attorney general alone without whom of course the suit could not have been initiated. In the case of the coal strike, Roosevelt followed the conflict through the summer and did not call both parties to the White House until October. The owners promptly formally called for an injunction against the strikers demanding that the president "deal with a set of outlaws" and complaining in the presence of Roosevelt that the meeting was a "grandstand play" on the part of the president.³⁶ When the meeting failed to produce any progress, Roosevelt made a proposal to the union to return to work pending the results of a presidential investigating commission. When the union rejected this proposal, Roosevelt floated his idea of a federal takeover of the mines to some skeptical cabinet members. His attorney general was especially negative and his secretary of war seems to have acquiesced in part because he did not believe the president would actually carry out the plan. Meanwhile the president picked out a general to carry out the task and even told him that should he be served a writ, he was to send it to him as Lincoln had done. Arrangements were made for the governor of Pennsylvania to ask for federal troops. The president also received former president Cleveland's support. There is great irony in Cleveland's reaction but for Roosevelt, the endorsement of a president who used his powers against a union was considered quite helpful. To enhance the credibility of the threat, Secretary Root leaked the plan to Morgan who immediately took a proposal for a settlement to the mine owners.

Second, the new president visibly established his dominance over two powerful symbols of capital, the Morgan Trust and the mine cartel. The meeting with Morgan is a case study of a symbolic act of a transfer of power from lord to king. Morgan is reputed to have told the president: "If we have done anything wrong, send your man to my man and they can fix it up." When Roosevelt replied, "That can't be done," Morgan then asked whether he planned to attack "my other interests" and the president said, "Certainly not, unless we find out that in any case they have done something we regard as wrong." In an astute appreciation of the nature of the exchange, Roosevelt told his attorney general that the meeting was "a most illuminating illustration

of the Wall Street point of view" since Morgan regarded him as a rival businessman rather than head of state. Not only did Roosevelt refuse to perform in the way the mine owners expected by issuing an injunction against the union but also his threat triggered what Roosevelt called "a ludicrous comedy" of reluctant submission to his refusal to do their bidding.³⁷

Third, through these actions Roosevelt seized the leadership of the Progressive Movement by carrying it to the federal level and aligning both the presidency and his party to its agenda. As Roosevelt described his strategy in his autobiography, while he was not able to "push the legislation I desired during the first four months," he was "able to prevent them from doing anything I did not desire, or undoing anything that I had already succeeding in getting done." As a result, "the Republican party became once more the progressive and indeed the fairly radical progressive party of the nation."³⁸

These initiatives firmly and clearly distinguished TR from his successor. For better or worse, by the fall of 1902, little more than a year after McKinley's death, Roosevelt governed independently and operated all the levers of power that sustained his predecessor. Hanna was defeated. Reliance upon Wall Street was reduced and the leaders of capital were put in their place. As William Henry Harbaugh has concluded, Roosevelt "indelibly stamped within a year of his accession as the first President in the modern era who was not indissolubly wedded to the business point of view."³⁹ The party machinery was his. No other Republican stood as a rival in 1904. For that matter, neither did any Democrat. Congress though recalcitrant did not pose a unified threat to his agenda.

Of course, this picture may be a bit overstated. TR made an implicit contract with senate leaders to steer clear of tariff reform but he still occupied an office with diminished powers. His depiction of a new kind of presidency in his first address before Congress was still amorphous and it was not yet clear how Roosevelt could fashion his model in peace time. Nevertheless, while other accidental presidents were isolated and defensive a year into office Roosevelt seemed on the verge of dominating the national agenda in a way not unlike Jefferson's or Jackson's. Roosevelt's subsequent attention to foreign affairs enhanced his persona as a new kind of president. Each of his exploits was confined to Latin America where failure was minimal. In the confrontation with Germany in Venezuela, Roosevelt acted more carefully than in Panama and Santo Domingo. Roosevelt's later boast that he took the canal while Congress deliberated has the same contentiousness and contempt for legislative bodies as some of Johnson's remarks. The difference in this case was that

Roosevelt's were made in the context of a victor rather than as a bent but unbowed combatant.

Unlike other accidental presidents who undertook the independent strategy, Roosevelt was nominated by acclamation in 1904 by his party and never faced a serious challenge to reelection. While he is reported to have said, "watch out for me" at his inauguration now that he was president "in his own right," the line that separated his first term and the second in terms of governance is not very clear. There is a sense, of course, in which Roosevelt was at the height of his abilities in 1905–06. His actions in support of the Hepburn Act are remarkable examples of inside/outside modes of political pressure. In fact, Roosevelt openly replicated Johnson's "swing around the circle" strategy though without his accidental predecessor's rhetorical vituperation. His diplomacy during the Russo-Japanese War could be an addendum to *The Prince*. Aside, however, from the sophistication and the new reliance on indirection, Roosevelt governed much like he did in his accidental term of office.

There is, however, a kind of delayed failure in Roosevelt's career that finally replicates the fates of other accidental presidents who followed an independent strategy. For everything that Roosevelt did right in 1901–03, he did wrong in 1910–12. In other words, in his quest for reelection for a second full term, TR's decisions are very close replications of Johnson's (as well as Tyler's and Fillmore's). He waited too long to mount his campaign. Had Roosevelt announced his candidacy in 1910 after Republican defeats in midterm elections, dispirited party regulars might have seen him as he a visible alternative to Taft. An earlier announcement would have provided him more time to pry away Taft delegates. As it turned out, Roosevelt was forced to go the primary route, which though quite successful on its own terms, may have antagonized party regulars. Or, as William Henry Harbaugh contends, perhaps Roosevelt should have waited even longer and announced his availability in 1916. Harbaugh captures the dilemma Roosevelt faced in waiting: "Could he avoid stumbling over himself? Could he for five years do and say the contradictory things necessary to the preservation of his hold on both the right and left? Could he accept the inevitable even after he had convinced himself that Taft's nomination in 1912 was in fact inevitable?"⁴⁰

Like Johnson's attempts, Roosevelt's depended upon perfect timing. Both engaged in astute calculations and in this case, both failed. Roosevelt, like Johnson, made other mistakes. His Columbus, Ohio, address in February 1912 constituted a major move to the left, just as Johnson had moved right. His support for recall of judicial decisions played straight into the hands of the Taft forces who now claimed they had fresh and clear evidence of Roosevelt's unreliability. The

address thus revived fears of Roosevelt's impetuousness and nascent radicalism that he worked so hard to quell throughout his career. After the *New York World* called the speech a "charter of demagoguery" and the *New York Times* an "alarming" threat to American institutions, TR insisted that he stood by his speech and campaigned even more on the principle of "majority rule" and the absurdity of "majority tyranny: The only tyrannies from which men, women and children are suffering in real life are the tyrannies of minorities."⁴¹

When Roosevelt then named the tyrants the trusts, he did so in a very different framework than he had done as president. Then he criticized both the "speculator" and the "demagogue" as social types and noted that the spirit of class was the downfall of republics in the past. He expressed his determination that America would become neither a "government by a plutocracy" nor a "government by a mob." Even during his presidency, critics saw Roosevelt as an Augustus Caesar, the false savior of the republic.⁴² At the close of his administration, TR found his own historical analogy. He compared America to the French Second Republic with "Bryanites" and "Debsites" cast in the role of radicals who, given the opportunity, would act like their alleged French counterparts who "adopted every kind of impossible policy, including the famous national workshops for the unemployed." He cast himself as an alternative to a Louis Napoleon whose regime rested on "force, corruption, and repression." Both labor and capital were unable to place "moral chains upon their own appetites" and Roosevelt called for a reinvigoration of citizenship as an alternative. What "really counts" is not class division but a division between the honest and dishonest. It is a man's "moral quality, his attitude toward the great questions which concern humanity, his cleanliness of life, his power to do his duty toward himself and toward others" that determines the success of self-government.⁴³

After successfully performing the role of the conservative reformer for seven years, this address gave the appearance of a Roosevelt who finally tore off his mask. A case can be made, of course, for Roosevelt to distinguish himself from Taft and in this case especially to do so as a man of principle. But like Johnson and those accidental presidents before him who sought independence, there was harshness and a discernable sense of desperation in Roosevelt's elaboration of principle.

III

Roosevelt's success, and also his delayed failure, can tell us much about the independent strategy. While TR's personality was always problematic, he did manage to use it to his advantage. Even in the

context of his late failure in 1912, his new version, the Bull Moose persona, gained him almost 30 percent of the vote, the highest of any third-party candidate. There was then awareness, though not always complete control, of his personal inclinations that was not the case with other accidental presidents in this category.

Like other accidental presidents attempting an independent strategy, Roosevelt was confronted with the task of rejecting his predecessor without losing his own legitimacy. While it is true, for example, that even while the popular McKinley did not assume the role in politics that the wartime Lincoln did, Roosevelt found a compelling way to acknowledge McKinley while at the same time abandoning him, which Andrew Johnson never did.

All accidental presidents are prisoners of time. Their decisions must not only be correct strategically but they also must be executed at the exact right moment. Except for the 1912 experience, Roosevelt showed an almost uncanny ability in this regard. While Johnson undoubtedly waited for the right moment to challenge Republicans in Congress directly and open up patronage coffers to his supporters, TR found the perfect one nearly every time in his attacks on Hanna, Morgan, and the trusts.

Both Roosevelt and Johnson were also aware that their strongest weapon in their quest for independence lay in the executive office. Johnson in a sense was in a more advantageous position than Roosevelt in using his executive power. He was president in a crisis, he enjoyed the precedents set by Lincoln, and he faced a long period in which Congress was not in session. Roosevelt had a much smaller window and yet still managed to exercise his executive power to his advantage by the injunction against the Northern Securities Trust and then the threat in the coal strike.

Part II

Homage Strategies

Chapter Six

Chester A. Arthur

“He isn’t Chet anymore, he’s the president”

Few accidental presidents have assumed office under more inauspicious circumstances than Chester Arthur. The association between Garfield’s assassin, Charles Guiteau, and the Stalwarts as well as his visibility as the Custom House official removed by Hayes, created rumors that he was culpable symbolically, if not literally, for the death of the president. Arthur as the “gentleman boss” was the poster child of political corruption and patronage for which, according to reformers, Garfield had given up his life. One memorialist blamed his death on partisan strife: “There were two parties; there were those, / in thine own party, called thy foe;? / There was a North; there was a South, / Ere blazed th’ assassin’s pistol mouth.” Another compared Garfield favorably with Lincoln.¹ Arthur too was a person with limited political experience outside of New York. Even before Garfield’s death, Arthur received letters urging him to resign the presidency. One reminded Arthur that since “the day he was shot, the thought rose in a thousand minds that you might be the instigator of the foul act.”² The new president even had to submit to a deposition during the long trial of the assassin who proudly announced that he had often met the man whom he put in office.

Succession, even under these adverse conditions, still suggests some opportunities, however remote, that Arthur might have considered. The lingering death of Garfield did give the public the opportunity to adjust to the gentleman boss as president. Arthur was extremely reluctant to acknowledge any role of rex during this period. At first he refused to even meet with the cabinet and immediately rejected Secretary of State Blaine’s suggestion that he assume the role of “acting president” until Garfield’s recovery or death. Upon learning of the president’s demise, Arthur took the oath of office in the middle of the night. Before leaving for Garfield’s funeral, he called the Senate into special session since the position of president pro tem was vacant. Arthur quoted lines from Tennyson (“His name is pure his fame is

free") honoring the departed leader.³ He issued a proclamation declaring September 26 a national day of mourning. In his inaugural, Arthur attempted to connect his position with that of other accidental presidents and with the continuity provided by the Constitution. "For the fourth time in the history of the Republic its Chief Magistrate has been removed by death," he noted in his brief address. "Men may die," he continued, "but the fabric of our free institutions remains unshaken." The new president pledged to honor the name of the former president whose "protracted sufferings...and the pathos of his death will forever illumine the pages of our history." The press responded very positively.⁴

As skilled as these actions were, Arthur was still forced to find avenues for the exercise of dux. In a sense, the eclipse of the office after the accidental presidency of Johnson lowered expectations for both the public and Congress, and worked initially in Arthur's favor. As Garfield lingered for months, only one document awaited his signature. Nevertheless as Garfield had declared after his victory in the dispute over his appointment powers, the issue of whether the president was the "registering clerk of the Senate or the Executive of the United States" had finally tipped a bit in the latter direction. Still an independent approach under the conditions of such legislative dominance would be difficult. Unfortunately for Arthur as well, the entire base of his political influence rested in the Senate. Under these circumstances, a caretaker strategy had its advantages. Here too, however, there were risks. A status quo administration would in essence return power to the legislature and the bosses, reawakening fears, only just recently quelled, that Arthur assumed power through a coup. Instead Arthur pursued a homage strategy that was startling in terms of political reversal. Yet it should be noted that his adoption of this approach was cautious and gradual. Was Arthur's inability to be elected in his own right in 1884 a result of this hesitation, his particular position in political time, or problems inherent in the homage strategy in general?

I

When he assumed the presidency Arthur was the symbol of political corruption, publicly exposed by a former president and foisted upon Garfield by resentful party bosses. Even worse in terms of both dux and rex, Arthur was seen as a figure almost bereft of political agency. Roscoe Conkling was in fact the center of the governing wing of the

post-Civil War Republican Party and Arthur merely one of its beneficiaries. Elected to the Senate from New York in 1868, Conkling built a vast patronage system with the acquiescence of President Grant. Both Conkling and Grant represented the desiccated ideological wings of a party that had just recently managed the war and ended slavery but now was devoted to “wine, women, whiskey and war.”⁵ Arthur’s career in fact neatly epitomized this transformation. The son of a poor abolitionist preacher, Arthur began his career as a law clerk in one of the leading antislavery law firms in the country. He even left for Kansas in 1856 to work for the abolitionist cause. As a very early member of the new Republican Party he quickly rose in New York politics and was appointed the quartermaster of New York by the governor during the Civil War. Ironically, Arthur’s management of uniforms and supplies for the troops was remarkably free of corruption. When Governor Morgan was defeated in a Senate race, Arthur immediately picked up a new patron, Roscoe Conkling, soon to become the “Apollo of the Senate.” Conkling named Arthur collector of the New York Customhouse, the most prized patronage position in the nation.⁶

As a bagman for Conkling, Arthur ran an incredibly complex organization with smooth efficiency. The key to the system was the “moiety” process in which customs officials shared the proceeds from illegal operations. The proceeds for this kind of “legal” enforcement were enormous and Arthur shared them with both low-level officials and Conkling. When Congress passed the Anti-Moiety Act in 1876, Arthur’s personal income dropped by 80 per cent although his \$12,000 a year base salary still compared quite favorable with the less than \$500 received by the average American. There were also huge revenues from the salaries of other customs officials as well as various other sources of income for “expediting” baggage and goods. The Customs House collected a third of all federal revenues. As important, the system of assessments to the party by each employee, fueled each subsequent election campaign, thus assuring more jobs—more assessments—more victories. Reformers saw this system as corrupt and wasteful. One reformer, commenting on the report of the Jay Commission said: “We read of clerks receiving \$300 or 400 beside their salaries; of weighers who are never seen on the dock, while their assistants come in late, leave early, and read the papers; of men who are deficient in a proper attention to business as well as in business qualifications and character.”⁷ Another complained that Arthur did not come to work until noon. To men such as Arthur and Conkling, these arrangements had to be judged in terms of their outcome, the

maintenance of the Republican Party in its battle against the traitorous Democrats. In addition, these methods were not appreciably different from those in industry, and vast complex empires required men of exceptional talent such as Gould, Rockefeller, and Morgan to function at the top.

Conkling defended the system as desirable for all: "We are told that the Republican Party is a machine. Yes. A government is a machine, the common-school system of the State of New York is a machine, a political party is a machine. Every organization which binds men together for a common cause is a machine."⁸ Both Conkling and Arthur were quite open in displaying their wealth. Each wore the finest clothes, smoked the best cigars, and enjoyed lavish dinners in the best restaurants. All attempts at reform were derided as elitist efforts to deny the average person opportunities for public service (and financial security). In the 1880 campaign, Arthur predicted civil service examinations would create a caste system of Ivy League college graduates in government.

Since Arthur was regarded at best as a junior partner and at worst as simply a creation of Conkling, he was treated with derision by both Half-Breeds and reformers. In a political culture that was defined in large part by male displays of wealth and power, these were serious liabilities. Even when President Hayes's Jay Commission investigated the Custom House and concluded that a change of leadership was necessary, it was Conkling who led the battle for Arthur. Conkling was incensed by what he regarded as Hayes's effrontery, and one of his supporters asserted that the president was delusional. "He thinks he is George Washington," complained Senator Teller of Colorado.⁹ Arthur was offered the ambassadorship to France, which would seem to be a good appointment, given his fondness for wine and food, but he declined the position because his dismissal had already been leaked to the press. His reputation suffered even more when Conkling read a letter before the Senate in which Secretary of Treasury John Sherman pleaded with the Custom House collector for jobs for his friends. Senate members believed that either Arthur broke the rule about keeping correspondence private or was unable to restrain Conkling.

Arthur seemed unperturbed by his firing and spent the next year leading a highly successful fund-raising campaign for the New York party. When Republicans met to choose a presidential candidate, he, like other Stalwarts, supported Grant for the nomination. Faced with a stalemate between Grant and Blaine, the convention turned to James A. Garfield, who was allied with neither faction, on the thirty-sixth ballot. A dramatic meeting between Conkling and Arthur soon

followed. It was a turning point in Arthur's career. Garfield supporters, anxious to accommodate the Stalwarts and insure a victory in New York, approached Arthur for the vice presidential nomination. When he dutifully reported to Conkling the offer from the "Ohio men," the New York senator, replied, "Well, sir, you should drop it as you would a red hot shoe from the forge." Arthur replied firmly, "The office of vice president is a greater honor than I ever dreamed of attaining." Conkling insisted that Garfield was certain to lose and that Arthur should bide his time until 1884 to which Arthur answered, "A barren nomination would be a great honor. In a calmer moment you will look at this differently." Undeterred, Conkling uttered this threat, "If you wish my favor and respect, you will contemptuously decline it" to which Arthur answered with his own, "Senator Conkling, I shall accept the nomination and I shall carry with me the delegation."¹⁰

This exchange, recorded by a reporter lurking in an adjacent room, reveals much about Arthur's personality and political position in 1880. That Conkling felt that he could order Arthur to decline the offer tells us much about the relationship between the senator and the former Customs House collector. Equally illuminating is the directness of Arthur's declaration of independence, his sense of honor, and even his own political ambition. The swiftness of Arthur's response was in fact the key to his nomination. Garfield was at this point unaware of the overture to Arthur as were members of the New York delegation who placed several other nominations before the caucus. When Arthur appeared in public at the Grand Pacific Hotel with Garfield after the final balloting, he still was wearing a Grant badge on his lapel. Although Arthur received 468 votes with three other nominees combined receiving 288, the choice continued to be controversial. Republicans wondered what other commitments Garfield had made to the Stalwarts. John Sherman, for example, complained that the nomination was a "ridiculous burlesque." Arthur "never held an office except the one he was removed from." Finally, E. L. Godkin of the *Nation* assured the party that "there is no place in which the powers of mischief are so small as in the vice presidency." He admitted that Arthur could become president but the chances of Garfield's death in office were "too unlikely a contingency to be worth making extraordinary provision for."¹¹

Two weeks later, Conkling reached a rapprochement with the nominee. They spent a week together on a salmon fishing trip to Canada and Arthur helped his mentor to obtain assurances from Garfield that New York patronage would be secure in his presidency. Since Garfield spent most of the campaign in Ohio, it was up to

Arthur to make most of the arrangements that would symbolize at least a temporary alliance between Stalwarts and reformers. He convinced Conkling to deliver a major address in New York City that drew a crowd of 25,000. Conkling managed a few kind words about Garfield in the fourth hour of his speech. The task of convincing Conkling to appear with the nominee and former president Grant in Ohio was especially difficult. But Arthur's persistence, and a last minute veiled demand by Garfield, convinced the reluctant Conkling to attend in what later was called the "Treaty of Mentor."

In an election that illustrated the competitiveness of the two parties, Garfield won by 7, 018 votes nationally. Had New York not stayed in the Republican column, Hancock would have received an Electoral College majority. Flushed by his role in the victory, Arthur held many celebratory dinners during the winter of 1880–81. One in particular illustrates Arthur's approach to politics. A banquet was held at Delmonico's in honor of Arthur Donnelly, whom Arthur recruited to deliver Indiana to the Republicans. After a toast by Donnelly praising Arthur's "unassailable character" and his "steady hand and clear head" without which "we would hardly be here tonight celebrating the victory of November last," Arthur stood to speak. "I don't think," he said, "we had better go into the minute secrets of the campaign...because I see reporters present, who are taking it all down; and while there is no harm in talking about some things after the election is over you cannot tell what they may make of it. Because the inauguration has not yet taken place...if I should get to going about the secrets of the campaign, there is no saying what I might say to make trouble between now and the 4th of March." Arthur closed his remarks by returning Donnelly's compliment. Everyone knew that Indiana was really a Democratic state and only by the distribution of certain "tracts and documents" orchestrated by Donnelly did the Republicans win. Arthur said that he would be happy to say more if reporters were not present. The vice-president-elect's remarks, which were duly reported in the press, were even more blatant than the transcript since Arthur's body language was so full of winks and nods.¹²

There are several interpretations of Arthur's boast that he helped steal the election. One, of course, is that he simply had too much to drink. A sober Arthur would have kept these remarks to only a few associates in private. Another is that Arthur may have been attempting to show off his talents to the businessmen at the table which included J. P. Morgan, Jay Gould, and John Jacob Astor. If these robber barons could buy off legislators, Arthur could fix elections. Another is that Arthur was signaling to Garfield, as well as the

Half-Breeds and Independents, that they would not soon be sitting in the White House without his efforts.

Probably there is a mixture of all these elements in the toast at Delmonico's. Shortly after his public humiliation by Hayes, Chester Arthur became vice president of the United States. Arthur wanted all to marvel at his comeback and honor his indispensable talents. Yet although his relationship with Garfield appeared to be cordial and he was appreciative, Arthur was unable to prevent Blaine from entering the cabinet as secretary of state. Conkling and the Stalwarts now feared that Blaine rather than the vice president would have Garfield's ear. Incontrovertible confirmation of these concerns came quickly. When Arthur opened up a list of nominations as presiding officer of the Senate, he was shocked to see William Robertson as the administration's choice for Custom House collector. Garfield, undoubtedly with Blaine's aid, had struck a direct blow to the entire Conkling machine without even informing Arthur. Conkling and his Senate supporters announced they would approve all his choices but this one. Garfield responded by announcing that he would withdraw all of them. As public support for the president rose, Conkling tried one more maneuver. He, and his fellow senator, Thomas C. Platt, resigned in the hope that the New York state legislature would reelect him. The legislature, however, despite Arthur's efforts, chose two other men to fill their positions.

A day after Conkling's defeat, Charles Guiteau shot Garfield at the Baltimore train station announcing to police, "I am a Stalwart, and Arthur will be president." The soon-to-be president was meeting with Roscoe Conkling when he learned of the news. Public opinion immediately turned against the Stalwarts in a cascading crisis of legitimacy. Americans in the 1880s were well aware of the rash of assassinations worldwide. Prince Michael of Serbia was killed in 1868, president Balta of Peru in 1872, President Maena of Equador in 1875, Sultan Abdul Aziz of Turkey in 1876, President Gill of Paraguay in 1877, and Czar Alexander II of Russia in 1881. There were attempted assassinations of leaders in Prussia, Spain, Greece, and France. Was America becoming like the rest of the world?¹³

If assassination was the new mode of political succession, who was to blame for it? The case against the Stalwarts seemed to be a strong one. Not only had they openly attacked Garfield but nearly all the Stalwart leaders had some relationship with Giteau, however fleeting. Grant, like Arthur, admitted that the assassin had attempted to visit him on several occasions. The former president's volubility with the press made good copy. He had once forcibly thrown Giteau out of his

hotel room, he told eager reporters, and he had personally seen Garfield's wounds. Nevertheless, even Grant was not immune from suspicion. Why, asked one reporter, on the Sunday after the shooting had he only sent one inquiry about the president's condition?

Stalwart supporters urged Conkling to leave New York but he refused. The constant flow of Stalwarts to his hotel suite did not help matters. Not until five days after the shooting did Conkling send a note to the First Lady and this was delivered through Arthur. A much-repeated quote by Conkling strongly suggested a conspiracy. According to a reporter, he had said, "The president forced me to commit suicide or murder. I prefer murder." Though vigorously denied by Conkling, the comment, even if not taken literally, indicated that the politics played by the Stalwarts were too rough. Their tactics created an atmosphere that encouraged violent acts.

Meanwhile as the legitimacy of the Stalwarts seemed to collapse, the status of Garfield rose dramatically. The Independence Day speeches after the assassination attempt quoted Garfield's comment on the death of Lincoln. Speaking before an angry crowd on the night of the assassination, the young congressman had said, "Fellow citizens! God reigns, and the government in Washington still lives!"¹⁴

Under the circumstances, it is not surprising Arthur attempted, although unsuccessfully, to retain Garfield's administrators. When Blaine resigned in October, despite his promise to remain as secretary of state until at least till December, Arthur resisted intense pressure to nominate his mentor, Roscoe Conkling, although he named Frederic T. Frelinghuyen, a Stalwart. Despite the fact that most of Arthur's replacements were Stalwarts, reformers expected worse and were impressed with his effort to reduce spoilage appointments. Arthur also received praise for refusing to remove Robertson as Customs House head on the grounds that he had a moral obligation to follow Garfield's wishes.

The new president's actions were so carefully framed that he seemed to be adopting a caretaker strategy. Other options at this point did not seem feasible. It was unlikely that any Independent could take a position in an Arthur administration and retain his credentials as a reformer. One Independent, and a supporter of civil service reform, Attorney General Wayne McVeigh, informed the new president that he intended to resign immediately. Arthur was especially anxious to retain McVeigh since he was prosecuting the "star route" cases, which were a national symbol of Stalwart corruption. The government routinely subcontracted mail routes in rural areas, which were passed out to friends of Stalwarts in the Grant

administration. The scheme involved very low bids that were then upgraded by the postmaster general, sometimes at fifty times the original price. Arthur pleaded with McVeigh to reconsider. When McVeigh replied by openly doubting Arthur's resolve, the new president even asked to meet directly with the attorney general. Arthur had to give in and he nominated Benjamin Brewster, a moderate on civil service reform but a Stalwart, as a replacement.

Even in 1881, it was unlikely that Arthur could win over the Half-Breeds who were already committed to the charismatic Blaine. The secretary of state immediately became an early version of what later became known as the "Bobby problem," serving in the administration of another president who employed the homage strategy. As Whitelaw Reid wrote to Blaine in October that year, the secretary of state had two options. He could remain in the cabinet but only if he felt he could control it or he could return to Maine and spend his time preparing for the next election. Reid concluded, "You are the popular representative of Garfield's Administration, the residuary legatee of his popularity. You ought to be and can be chosen as his successor."¹⁵ In the short time he served in Arthur's cabinet, Blaine was completely out of control and he frenetically continued the policies of Garfield in Latin America. And as if the Blaine problem was not enough, Arthur had to contend with the constant demands by Grant for jobs for his own friends.

The trial of Guiteau during the fall of 1881 revived issues of the circumstances surrounding the Arthur presidency. Guiteau, who acted as his own attorney, spoke for five days and insisted that Arthur was his friend. The president's deposition was read in the courtroom. Arthur admitted that he had briefly met the assassin "at least ten times, and possibly as often as twenty times altogether" in both New York and Washington but insisted that his conversations were limited to "the ordinary salutations of the day" and occasionally in reply to requests for employment. As to the question whether he had rendered any services to Guiteau, Arthur answered, "None that I know of." While few believed Guiteau's assertions, the trial was a national spectacle that filled newspaper pages that might have been devoted to the new administration. The president later rejected an appeal to create a commission of inquiry concerning Guiteau's sanity.¹⁶

In his first annual message to Congress, however, Arthur presented an ambitious agenda that included recommendations for increasing the army, formation of a government for Alaska, changes in Indian policy, and construction of the Library of Congress. Most significant, however, was his support for civil service reform. Arthur announced

his approval of a system similar to the British civil service, noting that while he still had some doubts about competitive examinations, he would give legislation his “earnest support.”

The message, along with a few well-placed vetoes and aggressive patronage support of the Mahone faction in Virginia, seemed to suggest that in early 1882 Arthur was groping for an independent strategy. Such an approach would have required picking off various segments of each of the party factions and thereby forming an identifiable Arthur faction. Mahone’s “readjustors,” for example, received 200 Treasury posts and those who opposed him were removed. Like all independent strategies, this one entailed many risks that Arthur seemed unable or unprepared to fully undertake. One obvious problem involved civil service reform itself. Without the promise of jobs—and the threat of dismissals—as well as the assessments that went with them, no Gilded Age politician could imagine how to reconstruct a political base. The appeal of ideological loyalty, so useful to Lincoln, was largely gone and what remained in the form of bloody shirt appeals rested ironically with the Stalwarts. Another problem involved the nature of national politics in general as Arthur and others saw it. While voter turnout was quite high in this period, it was due largely to the parity of the two parties and the high personal economic stakes for those who made a living in public service. Henry Clay observed in 1829 that every election caused a panic to run through the departments, since each “petty official felt like the inhabitants of Cairo when the plague breaks out; no one knows who is next to encounter the strike of death.” The situation was even more pronounced fifty years later.¹⁷ Under these conditions, national politics tended to focus around what today are called “beltway” concerns that are important to the politically engaged but much less so to the rest of the nation. Although the political climate did change after Garfield’s assassination, Hayes’s analysis of the prospects of civil service reform was still largely correct. There were “no champions of civil service reform” in Congress, he complained to his friend George Curtis. There were those who “would float or lean that way,” but there was “no earnest man to propose bills, to make the argument, and to champion the cause as a hobby.”¹⁸ In Arthur’s favor, no other Republican after Johnson had devised a set of national issues to take to the public. When circumstances arose that seemed to favor issue mobilization, they, like civil service reform and coinage of silver, tended to divide each party rather than unite it. Cleveland would struggle to create one in 1888 when he declared that his reelection would turn on the tariff question. McKinley found the one with the war with Spain and Roosevelt with the trusts.

Ironically one area in which Arthur did experiment was with the White House itself and these actions did much to confirm the old image of the “gentleman boss.” Arthur decided the White House needed remodeling. He had twenty-four cartloads of furniture, unused by presidents since the early days of the republic, carried away and auctioned off. He gave Louis Tiffany’s firm carte blanche to redecorate. Tiffany, and presumably Arthur as well, loved light and bright colors. The Blue Room was repainted a vivid sky blue and the ceiling fitted with stars. A huge stained glass screen was installed in the main corridor. Arthur hired a French chef who prepared food for extravagant parties and fourteen-course dinners. Most opulent of all of Arthur’s projects, however, was a huge carriage built in New York and painted green and red. Arthur took time out to design his own coat of arms and even a presidential seal for his yacht.

Arthur’s attention to creating what Tom Platt called “the beau-ideal of the American citizen” surprisingly did not raise the kind of outrage and derision that followed, for example, President Nixon’s design of White House guard uniforms, although former president Hayes complained about “liquor, snobbery and worse” in the Executive Mansion.¹⁹ There seems to have been a certain admiration for Arthur’s panache, particularly among the new economic elites, and the festivities probably did serve a function by providing Stalwart guests such as Grant and Conkling with the honor they felt was their due. On the other hand, Arthur’s devotion to display in the White House reveals a fascination with the artifice of authority at the expense of other pursuits.

These sporadic explorations of different strategies ended abruptly in 1882. The congressional elections were a major defeat for Republicans in part because Democrats, including Cleveland, supported civil service reform. Cleveland’s victory in New York was particularly distressing since his election was made possible by major defections of both Stalwarts and Independents. Similar patterns emerged in Ohio and Pennsylvania. Democrats, in an innovative and opportunistic approach, actually criticized Arthur for not employing an homage strategy. They circulated a long poem, “Arthur and the Ghost,” in which Garfield visited the president and censured his behavior. Republicans too blamed Arthur and revived concerns expressed when he first assumed office. The *New York Times* urged him to “cease trying to be a ward politician and the Executive of the Nation at the same time.”²⁰

In his message before the lame-duck Congress, Arthur now more vigorously supported reform. He abandoned his concerns about civil

service examinations, urged the abolition of party contributions by officeholders, and announced his support for the bill proposed by Ohio Democrat, George Pendleton that was introduced in the previous Congress. The president largely framed his support in terms of comments made in his first message, insisting that removals in his administration were very limited (9 percent). Arthur did add, however, a new argument in favor of reform. There was the “practical problem” of the sheer size of the federal bureaucracy. The president’s exercise of his appointment powers had now become an “irksome task for the Executive” that took away from time needed for other tasks, especially since it was not possible to delegate these decisions to others. He also noted that reform would unburden members of Congress from “the labor of examining conflicting claims and pretensions of candidates.” In other words, Arthur refused to directly confront the charge most often made by reformers that patronage fostered corruption and incompetence. He now admitted that party contributions by bureaucrats might be motivated as much by “the fear of what might befall them” as a genuine desire to exercise their rights as citizens and said that legislation that remedied assessments would receive his “cordial approval.”²¹

Democrats were suspicious of Arthur’s and Republican’s motives. They were reluctant to have their opponents receive credit for reform and were perhaps even more concerned that civil service would deny them patronage just at the moment when they were poised to enjoy it. The frenzied efforts by Arthur and his party to get legislation passed in the lame-duck session was so pronounced that they only had time to use the Pendleton bill as a template. This haste only increased the paranoia of the Democratic Party. Nearly half the Democrats did not support the measure and Pendleton himself nearly lost his Senate seat in the next election to disgruntled Ohio Democrats. Both parties, however, agreed to extend civil service to only about a tenth of federal employees, exempting all postmasters and veterans. Republican reformers too had their doubts and watched Arthur’s appointments to the commission very carefully.

The lame-duck Congress dealt with another issue that might have distinguished the Arthur presidency. In his first message to Congress, Arthur discussed the tariff question, recommending formation of a commission to review rates. Garfield’s position on lower tariffs was unusual for a Republican and Arthur seemed to be following his predecessor’s lead. The appointments to the commission by the president were generally protectionist but when the report was issued in December, 1882 members of both parties were amazed by its

recommendations for large decreases in tariffs. To the surprise of the press, Arthur endorsed the commission's findings and even recommended ending the excise tax. Although both the House and Senate passed bills that incorporated many of the commission's recommendations, the conference committee brought out a revised bill in twenty-four hours that removed most of the reductions and actually raised some tariff rates. The legislation quickly became known as the "mongrel tariff." While Arthur was not blamed for the failed opportunity, the outcome certainly did not enhance his political position.

Arthur's other major initiative was also broadly compatible with his predecessor's policies. On the recommendations of his naval secretary, a holdover from the Garfield administration, Arthur proposed reform of the nation's decrepit fleet. During the lame-duck Congress, Arthur managed, with the help of William F. Chandler, Hunt's replacement and another Half-Breed, to get Congress approve production of new ships and reforms in the service.²²

Arthur still had two years left in his term when the 47th Congress adjourned in March. Much of his foreign policy involved dealing with Blaine's numerous ventures. In an effort to establish his legitimacy after the assassination, Arthur was reluctant to direct his rival. Now he had to contend with Blaine's plan to convene a Pan-American conference designed ostensibly to produce a settlement between Peru and Chile but more generally to limit European political and economic initiatives in the Southern Hemisphere. He also sent strong diplomatic signals that the United States no longer regarded the Clayton-Bulwer Treaty operational, insisting that the issue of the neutrality of any canal that might be built was "strictly and solely...an American question."²³ He also demanded Germany cease its embargo of meat products and Britain release naturalized Americans of Irish descent interned by the 1881 Coercion Act. All these actions were politically popular with various groups in America but difficult to implement. His replacement, Frederick Frelinghuysen, withdrew invitations to the planned conference. Arthur appointed a commission to investigate the safety of American pork but refused to pursue a plan for economic retaliation. Frelinghuysen admitted that naturalized American citizens were bound to obey British laws. The administration soon discovered that Irish terrorists were using American-made bombs and ordered stronger law enforcement. Frelinghuysen did continue to support Blaine's objections to the Clayton-Bulwer Treaty and negotiated an agreement with Nicaragua for building a canal. Both Democrats and Blaine supporters opposed the treaty, however, which failed to pass the Senate by nine votes short of the necessary two-thirds

majority. Blaine himself called the loan to the contractors as a “corruption fraud.”

The president took several highly publicized tours to the South and West in support of Indian affairs reform and national park legislation. The trip to Yellowstone Park received special attention since the area had just become safe for tourists. The president’s visage before “Old Faithful” countered rumors about the president’s health and also served as a symbolic announcement that the West was open for business. Arthur appeared before large crowds on his way back to Washington at the Southern Cotton Exposition. The trips themselves, however, were politically contradictory. Arthur seemed to be genuinely committed to protecting Indian lands, but at the same time his travels emphasized business opportunities, settlement, and tourism. In fact, in 1885 Arthur eliminated by executive order the Crow Creek reservation in the Dakotas.

Despite Arthur’s turnabout on civil service and the tariff and his public relations appearances throughout the country, he was not nominated by his party in Chicago. In one sense the failure is puzzling since the party’s choice, James G. Blaine, represented the same wing of the party to which Arthur was paying homage. No doubt Arthur’s health was a factor, but the president had at least as much support within the party as Blaine. Both candidates, in fact, did not openly pursue the nomination. The figures on the first ballot certainly showed the weakness of the president’s position (278 votes to Blaine’s 334). Efforts to ally with the Independent candidate George Edmonds failed. Arthur’s refusal to add to his total by trading delegate votes for post-office positions can be explained by his desire not to appear as the gentleman boss before potential reformist allies. Three ballots later Arthur’s support eroded as delegates rushed to support Blaine before he won the nomination.

II

What was the source of the tepidness of support for Arthur in 1884? Even the *New York Times* editorialists, who supported Arthur since he was Customs House collector, concluded that while he had proved to be “a most skillful politician,” the president was unelectable. And although the *Nation* concluded that while his administration was “discreet, conservative and cleanly” and “above the average of post-bellum administrations in point of respectability,” the president had not won the confidence of his party.²⁴

Yet Arthur had come quite a long way since the moment the public learned that the gentleman boss was president. He adopted Garfield's agenda; he turned down demands by Conkling and Grant for appointments and patronage (even including denying his mentor the secretary of treasury and the former president promotion to five-star general); he made appointments that largely satisfied reformers. Yet each faction of the Republican Party showed a marked increase in animosity toward the other during his term and the president became the focus of their anger. Reformers distrusted Arthur; Stalwarts felt betrayed, and Half-Breeds supported Blaine. Arthur's homage may have protected his legitimacy but it did not translate into a level of leadership necessary for party nomination.

One approach to Arthur's problem might be connected to the actual implementation of his homage, which was delayed and muted. It is true that Garfield's positions on civil service reform and the tariff were not much different from Arthur's. As a candidate, Garfield in fact opposed Hayes's order banning political activity by federal bureaucrats and opportunistically supported tariffs in the heat of the campaign. The point, however, of the homage strategy is to pay extravagant obeisance to the predecessor to eventually surpass him. Thus Arthur missed an opportunity to support civil service reform in 1881, rather than a year later, and to drape his recommendations in the form of honoring the slain leader who gave his life to the cause. The reversal, which was still notable later, would have been spectacular in the months immediately after the assassination. Clearly there would have been risks in this timing. The foundation of the spoils system was so entrenched as a mode of governance that both parties might have ignored the new president. Had they done so, however, Arthur may have won the gratitude of both the Half-Breeds and reformers. Biographers of the president often suggest that Arthur simply did not have the personal strength to undertake projects in any other manner. Yet, Arthur did summon the strength to resist an angry Conkling when he accepted the vice presidential nomination and to deny him a cabinet post when he became president.

Would an early utilization of the homage strategy have resolved Arthur's Blaine problem? Probably not, as it did not help Lyndon Johnson in his struggle to deal with his Bobby problem. But such an approach may well have lessened Blaine's support at the 1884 convention. Had the first ballot totals been reversed, the outcome might well have been quite different since an Edmunds candidacy would not have probably materialized. Delegates would have been faced with nominating Arthur or no one else as the 1948 Democrats found in the case of their sitting accidental president.

One of the most severe restrictions Arthur faced in pursuing a more vigorous homage strategy was his own conception of politics. There are certainly moments when Arthur's capacity for imagination was evident. Not only in his support for civil service reform but also in his treatment of the tariff question, his naval proposals and his tours, Arthur showed flashes of creativity. Yet his primary frame of reference overwhelmingly rested with political management in a machine structure. Arthur, from his tenure as New York quartermaster in the Civil War to his Custom House reign through his administration, made very few errors. He could understand the motives of friends, potential allies, and supporters intuitively and respond effectively. The presidency was a more complex environment than his other positions since he had to maneuver across factions but Arthur treated the task in fundamentally the same way. Throughout his presidency, Arthur read both *rex* and *dux* in terms of his ability to arrange personal spectacle and display. From today's vantage point, Arthur's White House remodeling and dinners are simply Veblenesque conceits of the Gilded Age. But for the president and much of the attentive public, this behavior was a genuine sign of success.

James Bryce in *The American Commonwealth* wrote that the spoils system could only be defeated from without rather than from within.²⁵ He correctly assessed the Pendleton Act as an important, perhaps crucial step, in dismantling machine politics. In a muted way, Arthur saw the presidency as the kind of external agency that could effect systematic change. In his case, however, occasional insights were not enough.

Chapter Seven

Harry S. Truman

“I felt like the moon, the stars, and all the planets had fallen on me”

Like Arthur and Lyndon Baines Johnson, Truman’s homage strategy was developed in the context of a popular predecessor. Unlike Arthur and Johnson, FDR died of natural causes in his fourth term of office and thus the nature of the shock and concern by the electorate was different. Truman’s reaction to the White House press corps when he was informed of Roosevelt’s death (“Boys, if you ever pray, pray for me now. I don’t know whether you fellows ever had a load of hay fall on you, but when they told me yesterday what had happened, I felt like the moon, the stars, and all the planets had fallen on me”¹) was a conventional response of an accidental president to succession. This particular context, however, created both opportunities and liabilities. As a result of FDR’s phenomenal domination of the political landscape for twelve years, there were few political leaders with whom Truman had to compete. Conservative Democrats had been pushed into regional enclaves and there was no single powerful presidential aspirant in the liberal wing of the party. Both Douglas and Wallace were often mentioned by liberals, but there was no one with the stature of Blaine whom Arthur faced or RFK whom Johnson would confront. Moreover, while Truman represented the Midwest, machine-controlled wing of the party, his credentials as a loyal New Dealer were difficult to impugn. On the other hand, whenever comparisons of Truman with FDR were made, Truman’s capacity as both rex and dux were questioned. He was not an effective speaker, his intellectual scope appeared to be provincial, and he did not enjoy the confidence of FDR’s cabinet. Grace Tully, FDR’s secretary, told Henry Wallace, “I just can’t call that man president.”²

Finally, since FDR was strikingly adept at creating new political directions (often after periods of severe indecision), it was unclear what way Roosevelt would have attempted to lead the nation after the

war. Henry Wallace, though denied the vice presidency in 1944, regarded himself as the rightful ideological heir to FDR. Wallace believed that the left now had an advantage over the Progressives of the 1920s since the government knew how to deal with depressions as well as the ideological “tricks” of the right.³ Proof that the spirit of the early thirties could be recaptured was to be found in the great experiments now underway in Britain and Scandinavia. After visiting England in the spring of 1947, Wallace concluded that countries that were courageous and decisive, and not preoccupied with gadgets to overcome their anxiety, could continue reform. “Labor Britain was on the march, reactionary America was relying on her wealth alone and living in alarm.”⁴ Others expressed concerns that new issues such as inflation, labor strife, civil rights, and communism were about to appear on the agenda. Very quickly a right-of-center clique emerged in the Truman administration that favored economic growth, as well as removal of price controls and labor restraint as the key to the postwar economy.

Truman’s response was to adopt a very inventive version of a homage strategy. The new president’s cabinet appointments generally reassured liberals although there were complaints about the addition of Missouri “cronies.” Truman’s proposals in his address to Congress in September were anchored by FDR’s “Economic Bill of Rights,” which had become a lodestar for liberals of the past president’s postwar intentions. On the other hand, Truman was very careful to select for his homage those parts of FDR’s agenda that suited his purposes. He did portray his Fair Deal as “basically an extension” but without the alleged gyrations of certain early New Dealers whom he referred to as the “lunatic fringe” and “crackpot professional liberals.” America had had enough experimentation and, in fact, needed a “rest from experiments.” Moreover, labor was “following exactly the same path that arrogant industry followed in the 1920s.”⁵ In his support of civil rights legislation in February, Truman confronted issues long avoided by FDR, and the new politics of the cold war provided Truman with a new area of action independent of Roosevelt.

In his “Impossible Campaign” for election in 1948, Truman paid homage to another aspect of FDR’s agenda. Truman called Congress in special session in July, 1948, and challenged members to act on his plans. He knew fully well that the Republican-controlled Congress was even less likely to support his proposals in an election year. Truman, however, used this failure to attack what he called the “Do Nothing” Republican Congress in a series of “whistle stop” train tours from Labor Day to election day. These short, taunting speeches

became more and more prized by voters. People in the crowds responded with the shout, "Give 'em hell, Harry!" The personalization and the populism of the campaign were nearly an exact replication of Roosevelt's famous left turn in 1936, in which he welcomed the personal hatred of "economic royalists" who would "gang up on the people's liberties."⁶

Of course, Truman's homage was devised within the context of a severely factionalized party that challenged his nomination and then nearly denied him election. In his elected term, he experienced a stalemate in domestic policy and, led by Senator McCarthy, a sustained attack on his international policies. Nevertheless, Truman's strategy illustrates how homage can, with ingenuity and a bit of luck, be pushed to self-sufficiency.

I

Although Truman's circumstances were quite different from Arthur's in many respects, they did bear some resemblances to the gentleman boss. Truman was fundamentally as much a creature of Tom Pendergast as Arthur was of Roscoe Conkling. He was called "the gentleman from Pendergast" by the boss himself, who once said that if big business had its representatives in Congress why should he not be allowed to send his own man?⁷ Over the years, primary opponents referred to Truman as Pendergast's "bell-hop" and "Pendergast's Senator."

Politics was a profession for Truman as it was for Arthur. Until he was asked by the Pendergast machine to run for the county commission in 1923, Truman struggled to make a living as a farmer, banker, and haberdasher. Several times in his political career Truman teetered on the brink of the oblivion of private life without any professional credentials like Arthur's to cushion the transition. He lost one election owing to factional disputes in the Democratic Party only to come back to serve two four-year terms as commissioner. An informal term limit rule required him to seek another office, but the Pendergasts supported another candidate for governor despite Truman's attempts to plant favorable articles promoting his candidacy in local papers. Again, despite his attempt to add an additional congressional seat to benefit the machine, he was overlooked. Finally at age fifty, Pendergast gave Truman his support for a Senate seat. Missouri was governed by not one but two machines in the 1930s and Truman faced strong primary opposition from the St. Louis counterpart. In the battle between

the two organizations, Truman was the beneficiary. In Jackson county, Pendergast produced over 120,000 votes for his man (his opponent received 1,221), which was enough to overcome his deficit in St. Louis. In 1940, Truman nearly lost his Senate seat. The Pendergast machine was under attack by the governor, whom FDR appeared to support. Truman won the primary by 8,000 votes largely due to a last minute vote trade agreement between the Kansas City and St. Louis machines.

Throughout his career as the gentleman from Pendergast, Truman struggled, largely successfully, to draw a firm line between providing patronage to the machine and avoiding collusion with Pendergast's numerous and Byzantine kickback schemes. So delicate was this arrangement that Truman as commissioner used a room provided by the manager of the Pickwick Hotel to gather his thoughts concerning various requests made by supplicants supported by the machine.

There were thus two early Trumans. One was the Baptist and Mason, a veteran and an efficient administrator. The other was the man who was the conduit for county patronage and the beneficiary of thousands of "ghost votes" in Kansas City. Each Truman certainly benefited both sides. Without the cooperation of the machine Truman would not have had the slightest chance of a political career and Pendergast knew that support of a clean candidate deflected the ever-increasing corruption charges against the machine.

Later in life, Truman offered a measured defense of Pendergast. "I am obliged to the Big Boss, a man of his word; but he gives it very seldom and usually on a sure thing." While he concluded that all machine leaders have "but one end-fool the taxpayer, steal the taxes," there were "'machines' and machines." Cities such as Chicago, Pittsburgh, San Francisco, and Los Angeles "make us look like suckers." Nevertheless, Truman's position as Pendergast's "bell-hop" bedeviled him throughout his career and into his accidental presidency. Truman's chairmanship of a Senate committee investigating government fraud during the war certainly helped his reputation. But every scandal in his administration reawakened his persona as a machine politician. In fact, one of his first difficulties as vice president involved his attendance at Pendergast's funeral. Despite advice that he just send condolences, Truman went to Kansas City because Tom was "a good and loyal friend, and he never asked me to do a dishonest deed."⁸

When he arrived in the Senate in 1935, Truman was one of thirteen new Democrats. He met FDR twice but by his own admission did not make much of an impression. Truman was an extremely loyal New

Dealer, especially by the standards of many other border state and Southern politicians. He voted for the Social Security Act, the Wagner-Steagall Housing Act, the Wealth Tax Act, and all of FDR's relief programs. When many senators retreated from the court reorganization plan, Truman supported it. Late in the New Deal, many Senators too withheld their support of Roosevelt's executive reorganization proposals but not Truman. In his first major vote, he backed the Public Utility Holding Company bill even though it was opposed by both by Pendergast and the *Kansas City Journal*, the only paper to endorse him in his election. FDR nevertheless, funneled all patronage to Bennett Clark, the senior senator from Missouri. He apparently regarded Truman as a Pendergast functionary who was dispensable. It is not surprising that FDR leaned on Governor Stark, a reformer, in 1940, once Pendergast began to suffer from health and legal problems. Not until Truman chaired the special investigating committee did patronage come his way.

Truman clearly had an opportunity to take revenge when the Senate approved funds for the Special Committee to Investigate the National Defense Program. The fact that he did not use his chairmanship to attack the administration was a great relief to Roosevelt and certainly was a factor in his selection as vice president. There were other reasons, in addition to personal slight, that might have led Truman in a different direction. Despite his wholesale support of the New Deal, Truman's ideological rationale was more parallel to than congruent with FDR's liberalism. Truman was foremost a Jefferson-Jackson Democrat:

I am sure that right down in your heart you know that the ordinary man is the backbone of any country—particularly is that true in a Republic and what I am trying to eliminate is the fringe at each end of the situation. I think small business, the small farmer, the small corporations are the backbone of any free society and when there are too many people on relief and too few people at the top who control the wealth of the country we must look out.⁹

This perspective under different conditions could have led Truman in several directions. He could have rejected the New Deal in the manner that Al Smith did or he could have moved toward a radical populist framework again in opposition to the New Deal, as Huey Long did. Indeed sometimes Truman's populism was toward this position. In 1937, he told the Senate that Jesse James was a "piker" compared to the thievery of those who managed the railroad holding

companies who were “real artists.”¹⁰ Two years later he became quite attracted to the cultish Moral Rearmament movement led by Frank N. D. Buchman, which emphasized personal discipline and promoted thinly veiled antilabor views. When Truman came to Congress, however, FDR himself was taking the New Deal to the left, partly in response to Long’s critique. Roosevelt’s new focus on class antagonism and those who would “gang up on the people’s liberties” fit well with his outlook.

As Roosevelt began gearing up defense production in preparation for war, Truman could see a divergence between the agenda of “Dr. Win the War” and the Depression Roosevelt. He was an avid interventionist. Truman vigorously opposed the isolationism of the America First Committee, again from a traditional standpoint:

Pressure groups and the distributions of propaganda are a bad thing for the stability of our form of government. With the radio we are almost back to the old demagoguery government of Athens. The situation as it is developing now, if my history is correct, caused the downfall of the Roman Republic. Every time a Senator had a pet project to put through the Senate and if the Senators didn’t like it, he would run out to the Forum and bring pressure to bear by haranguing the people. That is what Fish and his crowd are attempting to do with the America First campaign.

He blamed a “fifth column” for coordinating the movement. I have received “nutty letters...nearly all of them from St. Louis and nearly all with German names. The Bund is working,” he told the Senate. Truman called for immediate deportation of all “undesirables” who are not American citizens as an appropriate response.¹¹

Truman made increased defense spending a major theme of his 1940 senatorial campaign. While he voted for the Neutrality Act, he voted for conscription, Lend-Lease, and the arming of American merchant ships in the North Atlantic. What troubled him, however, was the return of corporate capital to Washington. In an effort to make America an “arsenal of democracy,” FDR recruited the very business leaders he had attacked in 1936 for the government. These “dollar a year” men were, from Truman’s perspective, patriotic volunteers in name only. They were using their new influence to bring large defense contracts to their corporations and those of their friends. In fact, in the first six months after Roosevelt set up the National Defense Advisory commission under the direction of William Knudsen of General Motors, twenty corporations received 60 percent of the 11 billion dollars in defense contracts awarded by the government.

When Truman made his request before the Senate for a committee to investigate defense spending he noted that small businesses were being forced to sell out to large corporations: "The policy seems to be to make the big man bigger and to put the small man out of business."¹² He even invoked machine politics ties when he said that he had "considerable experience" in awarding public contracts and knew well the motives of contractors. The Truman Committee, as it was soon called, consistently made headlines for its exposure of fraud, inefficiency, and waste. All the big names in corporate capital were brought before the committee. Alcoa, Dow, Standard Oil, and U.S. Steel were charged, sometimes, erroneously with building substandard parts or supplies and covering up their actions. The committee also had authority to investigate labor as well. Truman was convinced that too many days were lost due to labor disputes. Blaming labor leaders, he called for intervention by the National Guard in 1941 in Michigan. More than once, Truman threatened to "cause trouble" for government agencies if they did not make more effort to award contracts to more small businesses.

While Truman was not averse to attacking the OPM (Office of Personnel Management) or even the War Department, he never criticized FDR or the New Deal generally. As a result, he built a reputation for what *Time* magazine in 1943 called "a personally honest, courageous man." He stood up against big business, big labor, and big government. Truman had "reconstructed his image from that of a machine politician to a statesman of democracy."¹³

His selection as vice presidential nominee in 1944 was in many ways an amalgamation of these two Trumans.¹⁴ Though not often described in these terms, the choice of Truman constituted a coup d'état by the machine wing of the party. FDR too connived in this effort with his usual indirection. He promised his support not only to Wallace but also to James Byrnes, who was now serving the president in the White House. At the same time, he gave a green light to the party bosses. As was the case with the Pendergasts, Truman attracted attention because he was both cooperative and clean. Apparently, the president, despite his failing health, was anxious to have a vice president who lacked the support to succeed him. A machine-backed candidate from a border state, with no aptitude or interest in grandstanding, fit the bill. Neither coconspirator seemed the least interested in considering Truman's ability to be president. Neither too was Roosevelt or the party much interested in the vice president's capacity to help the ticket, although Truman dutifully performed the role of the point man in attacking Dewey.

II

Roosevelt treated Truman much like he treated all his vice presidents. He ignored him. In an oral history, Truman bristled at the reminder that he saw FDR only twice after the inauguration, but the fact remains that the vice president's primary activity was presiding over the Senate (where he was) when he was told without comment to come right over to the White House when FDR died.¹⁵ This political superfluosity is, of course, not new in regard to vice presidents but it was especially damaging in this particular case. Although Truman was aware of the decline in the president's health, the public for the most part was not. In the context of a perspective in which FDR was *the* grand political leader who had been not only "Dr. New Deal" but also "Dr. Win the War," any successor would appear a shrunken substitute. More than any other presidential funeral, Roosevelt's had the air of monarchical spectacle. Truman himself was surprised at the size of the crowds awaiting the president's body at Union station. "You'd think," he later recalled, "the world had come to an end."¹⁶

Like succession in a monarchy, Truman's status was in a narrow sense assured. He was next in line, and he was sworn in by the chief justice before the cabinet at 7:09 p.m., less than four hours after FDR's death. But although the new president's accession was automatic, his legitimacy was problematic. On April 12, it seemed to many in the Roosevelt White House that a regency would soon be under way. James Brynes, a vice presidential hopeful in 1944, and Henry Wallace, a vice president until 1944, both insisted on attending the funeral with Truman. After the funeral train left for Hyde Park, Secretary of Interior Harold Ickes complained extensively with the new president in the same room that the "country would go to hell now that Roosevelt was gone" since "there wasn't any leadership now."¹⁷ A sympathetic Harry Hopkins told Truman that many cabinet members were already comparing him unfavorably with FDR. Truman asked the entire cabinet to continue, but there was a noticeable assertion in his comment that he would seek their advice but final decisions were his to make and he would expect them to support him. Within six months only three Roosevelt appointees remained in his administration. If there was to be a regency, it would be without a regent.

Immediately, Truman initiated a homage strategy. His first official decision was to insist that the United Nations meeting take place as scheduled because that was "what Roosevelt wanted." His speech before a joint session of Congress was the equivalent of an inaugural address. It began with an extended eulogy for the dead president and

a pledge for continuation of the war and FDR's domestic policies. One of the tactics of the homage strategy is to convince the audience that their support, in policy terms and perhaps in psychological terms as well, is support for the departed leader. The simplest way to achieve this goal is to signal a commitment to carry on policies of the predecessor. Truman did announce this, of course, in his declaration that "in the memory of our fallen President-we shall not fail!" But he also developed an ancillary route as well. He spoke of FDR's sense of confidence and "faith in the people." Roosevelt's self-assurance and buoyancy is still regarded today as one of his most important assets. Truman suggested FDR's example was an inspiration to subjugated people ("Hope has become the secret weapon of the forces of liberation!"), to allied unity, and to confidence in building a new world order after the war.¹⁸ What Truman did not say, at least explicitly, was that citizens should also extend that confidence to the new president. If FDR could be so self-assured in the midst of the Depression and the days after Pearl Harbor, so too could Americans be confident that their new president, chosen by the departed leader, could complete the job.

This implied position was an especially delicate one since Truman always assumed the persona of modesty and humility even in his most combative moments. While the notion of Truman as an empty vessel through which the dead president's confidence and abilities would be channeled had a temporary workability, it was also fraught with problems. First, it raised questions about the president's competence in general and in particular, would raise doubts whenever he found it necessary to depart from FDR's policies or was confronted with new challenges. The Republican slogan, "To Err is Truman," picked up very cleverly on doubts about the president's abilities. Second, Truman as a little FDR, might lead to a heavy reliance on the party's left, which Truman felt with some justice would never fully accept him and would dump him if an opportunity arose. After all, the new president could not predict the strength of this faction when the war ended since he did not know exactly what problems would emerge. He, as did many others, vacillated between citing unemployment and inflation as national concerns. Third, was the issue of Truman's actual assessment of FDR. While Truman told Rosenman that he always asked himself the question, "What would Roosevelt have done?" he also admitted later that "I had some ideas of my own."¹⁹

Truman, who knew well the value of loyalty even when benefits were granted in a limited fashion and in self-interest, readily accepted the fact that he held the office only because Roosevelt had chosen

him. On the other hand, as all vice presidents, he harbored his share of resentment against both the president and his staff. More importantly, however, Truman had compiled a relatively long list of FDR's failings. He was a sloppy administrator; he was a procrastinator; he was unable to fire subordinates; he relied too much on improvisation; he was at times too receptive to new ideas; his deviousness sometimes bordered on disloyalty to friends.²⁰

For the first six months of his administration, Truman therefore largely followed his version of a homage strategy. At the same time, he began to explore ways to transcend this pattern of deference. One very intriguing step was taken on his first full day in office. Truman arranged a luncheon with legislators, not at the White House but at the Capitol. Though a Republican, Arthur Vandenberg immediately saw the import of the event. He wrote in his diary that the visit was "both wise and smart. It means that the days of executive contempt for Congress are ended."²¹ Six weeks later Truman shocked the hold-overs on his staff by inviting former president Hoover to the White House. Truman explained that he wanted Hoover's advice on famine issues and that FDR had never given him the respect that a former president deserved. He added to the insult by reversing FDR's order to change the name from Hoover Dam to Boulder Dam.²²

In the context of these minor incidents as well as the quick formation of Truman's own staff, the president's September address was a bit of a surprise to insiders. Samuel Rosenman, an FDR speechwriter retained by Truman, confessed to the president that he had been influenced too much by rumors that the president was under the influence of "your conservative friends" and would declare the "so-called 'Roosevelt nonsense' over and return to 'normalcy.'" ²³ One could readily see, however, the problems of the homage strategy in the speech which Truman planned as a combination inaugural and State of the Union address. There were no less than twenty-one proposals for legislation that included extension of some New Deal programs (unemployment compensation, minimum wage, and Social Security) and major new plans (major public works programs, national health care, full-employment legislation). It is hard to believe that Truman could have expected passage of even a portion of these recommendations. Democratic majorities were not large, issues of postwar conversion, and the cold war competed for public attention. Most importantly, the message seemed to be one that could have been delivered in 1936. New Deal proposals had already been reduced to a trickle as early as 1938 and Republicans had reduced many of the existing ones. Even House Minority leader

Joseph W. Martin, Jr. was puzzled: "Not even President Roosevelt ever asked for so much at one sitting."²⁴

Some observers blame Truman's inexperience for the address. But however new Truman was to the presidency, as a former senator he was quite aware of the likelihood of legislative approval of a slew of programs that rivaled those of FDR's first hundred days in 1933. From the vantage point of the homage strategy, Truman's action makes more sense. It reassured the left wing of the party. Henry Wallace, Truman's equivalent of Arthur's Blain problem and LBJ's Bobby problem, could hardly contend that Roosevelt would have not approved. The twenty-one points also signified Truman as an agent, rather than simply as a ratifier of reform. As Truman later said, the message "symboliz(ed) for me my assumption of the office of President in my own right." "I have always been a supporter of the New Deal in Congress," he continued, and "this was my opportunity as President to advocate" legislation.²⁵ For Truman then this homage was the first step toward his independence, "the beginning of the Fair Deal." Republican Charles Halleck's observation after the speech was correct: "This is the kick-off; this begins the campaign of '46."²⁶

The problem with the strategy was that it opened up as many problems as it foreclosed. The inability of Truman to convince Congress to act on most of the recommendations raised the question of his competence and gave his opponents, both in his party and in the Republican Party, an opportunity to compare him unfavorably to FDR, damaging his efforts in terms of establishing both his roles as *rex* and *dux*. Even when he eventually proposed his own legislation more openly after his election, the issue of unsuccessful imitation was still raised. While there were all the apparent symbols of reform in the Fair Deal according to the Alsop, there was nothing in any of the proposals that might "alter the pattern of American society." The Fair Deal looked more like a collection of policies to help blocks of citizens "not essentially very different from the veteran's bonus after the First World War."²⁷

As much of a problem too was the fact that the New Deal was formulated as a response to an economic crisis quite different from what Truman was facing in 1945. While many New Deal programs were designed to provide security against later depressions, their thrust was to provide confidence for a fearful public, but in the post-New Deal era, what Tocqueville once described as national "eagerness" (the desire to rise economically) replaced "apprehensiveness" as a central desire of the mass of Americans.²⁸

Although war production reduced unemployment to record low levels (1.2 percent in 1944), both Americans in general and policymakers

in particular were concerned that the Depression would return once the war ended. In fact, almost 2 million Americans lost their jobs in the ten months after V-E Day. Although some planning had been done as early as 1943 to reconvert the economy to peacetime production, the precipitant end of hostilities left the government unprepared. In this context, Truman's proposals would have fit well with the major concerns of the public. Indeed, Wallace's attention to Great Britain's project of constructing a welfare state seemed to provide a template. But the United States was in quite a different position from Britain both economically and culturally.²⁹

Despite these concerns, the economy rebounded surprisingly well. Unemployment stabilized; industrial plants rapidly converted to production of consumer goods; the GI Bill of Rights helped veterans resume their studies and reduced the job pool. Inflation, a problem unknown to the New Dealer, quickly became the administration's major concern. Truman dramatically reduced the federal budget from nearly 100 billion to 60 billion dollars. Congress reluctantly gave him authority to enact new price control measures. But union leaders were deeply resentful of the administration's efforts to persuade them to continue their wartime no-strike pledges. Over 4 million workers went on strike in 1946. Truman called a Labor-Management Conference in November of the same year but the meeting seemed to worsen the situation. As Donald R. McCoy has reported, "The proceedings of the conference resembled less a Quaker meeting than the shoot-out at the OK Corral."³⁰ Truman was sympathetic to union demands. On the other hand, he was determined not to let inflation spiral out of control and destabilize the new chance for prosperity. When Congress refused to grant him authority to appoint fact-finding boards in troubled industries, he intervened personally to settle strikes. During a railway strike, he announced a plan to draft the strikers and order them back to work as federal employees. The threat worked. Truman proudly announced an agreement when he was handed the news in the middle of an address to Congress. Mine workers under the leadership of John L. Lewis went on strike in November, 1946 despite Truman's efforts to help reach a fair settlement. The president took Lewis to court and received an injunction forcing workers to return or face a \$3.5 million fine. Lewis, a man who stood up to even FDR during the war, gave in and called off the strike.

The president's disputes with Congress over price controls and unions shattered Truman's accidental presidency. He said that the cause of beef shortages should be "laid at the door of the reckless group of selfish men who, in the hope of gaining selfish political advantage, have encouraged

sellers to gamble on the destruction of price controls." These were the very same group that "hated Franklin D. Roosevelt and everything he stood for."³¹ The president relied more and more on his executive powers. As Jenkins writes, "In one year he had seized the coal mines twice; he had seized the railroads; he had seized 134 meat-packing plants; he had seized ninety-one tugboats; he had seized the facilities of twenty-six oil producing and refining companies; he had seized the Great Lakes Towing Company. And all he had on his hands now was disaster."³² Republicans gained control of Congress for the first time since 1928 and Truman's approval ratings plunged from 82 percent to 32 percent.

During this period Truman wrote, but did not deliver, drafts of speeches in which he blamed everyone—Congress, labor, business, even the American people at large—for his problems. "Effete" union leaders, who make "five to ten times the net salary of your president," took workers during the war out on strike with "consequences that were worse than bullets in the back of our soldiers." Now these same leaders and their "communist friends" were making new demands and Congress does not have the "intestinal fortitude" to give the president the means to deal with them. He closed by urging "you men who are my comrades in arms, you men who fought the battles to save the nation as I did twenty-five years ago, to come along with me to eliminate the Lewises, the Whitneys, the Johnstons, the Communist Bridges and the Russian Senators and Representatives and really make this a country by and for the people."³³

In another speech, he seemed to abandon the "March on Rome" style injunction for a jeremiadic tone. He blamed the public at large for their lack of heroism: You have "forgotten the ideals for which we fought under Franklin Roosevelt.... You would sacrifice the greatest government that was ever conceived in the mind of man for a mess of pottage—for a piece of beef, for a slice of bacon. If you the people insist on following Mammon instead of Almighty God—your president can't stop you all by himself." He ended the draft of this speech with the suggestion that he intended to resign the presidency. There is no reason to believe that Truman intended to deliver these exact words, although Ickes complained about the president's frequent threats to quit during this period.³⁴ Had he done so, he would have replicated the most negative aspects of the Andrew Johnson presidency. Truman would have alienated most of his own party, galvanized the opposition, presented a threat to the Constitution, and raised questions about his emotional stability.

Certainly part of Truman's frustration and anger was a displacement of the problems of his own homage strategy. He had done everything

FDR had done, including evoking his memory. If FDR confronted selfish men and overcame them, why couldn't he? FDR too had his problems with labor in the late thirties and during the war but managed to contain union demands. Why couldn't Truman? FDR, in his second inaugural, warned the public not to hesitate to move forward and still was able to galvanize citizens despite setbacks such as the court battle. Why couldn't Truman do so now? The answer, in the undelivered speeches, was that selfish leaders in business and labor were even stronger and the public corrupted, not that Truman lacked capacity as dux.

III

In 1947, through a set of fortuitous circumstances and his own will, Truman created another version of the FDR homage that carried him out of the abyss. In January, he deftly maneuvered Byrnes out as secretary of state and appointed Marshall as his replacement. Byrnes represented a possible Blaine problem, and like Blaine, tended to act independent of the president in foreign policy. Marshall was frequently compared to George Washington; the Senate confirmed his nomination the same day it was submitted. In March, Truman delivered an address to a joint session of Congress outlining the rationale for aid to the Greek government in its struggle to defeat a Communist guerilla insurgency. Little more than two months later, Marshall announced an administration proposal to provide 50 billion dollars to aid European recovery. Truman was successful in gaining bipartisan congressional support for both initiatives. What became known as the Truman Doctrine and the Marshall Plan quickly became the foundation for American policy for the next fifty years and certainly helped rescue Truman's accidental presidency from disaster.

From the moment Truman became an accidental president, he was inclined to take a hard line with the Soviets. In his first diplomatic exchange with the Russians, he gave the Soviet foreign minister a dressing-down over Russian actions in Poland. Even Averell Harriman, a hard-liner himself, said: "I did regret that Truman went at it so hard, because his behavior gave Molotov an excuse to tell Stalin that the Roosevelt policy was being abandoned."³⁵ Truman was reluctant to even attend the Potsdam Conference, perhaps as recognition of his inexperience. At the meetings, despite his initial suspicion of Churchill and his regard for Stalin, he abandoned FDR's role as broker of the demands made by the two leaders. After the successful use of atomic

weapons, he supported the “bomb in our pocket” approach of Byrnes in dealing with the Russians.

Thus Truman had an opportunity to devise a strategy different from homage in foreign policy. Roosevelt’s actions at Yalta were already controversial. The criticism was so intense and so extensive that it became a signifier for almost any attack on the New Deal. There were assertions of a cover-up (emblematic of New Deal big government secrecy or excessive presidential power or “struggle for continuation in office by the New Deal group”); accusations of Democratic Party irresponsibility for nominating a “sick man” for president; assertions of naiveté; and charges of treason. The *Chicago Tribune* conveniently summarized Yalta as a representation of the New Deal “four C’s (confusion, control, corruption, and communism) soon after the agreement.”³⁶

In a broader sense, the entire culture of the thirties was under reexamination in the 1940s, particularly the relationship of the 1930s to the foreign policy of the 1940s. Comparisons and then the conflation of fascist and communist regimes were systematically pursued throughout the late 1930s. Even before the end of the war, prominent leftists such as Sidney Hook, John Dos Passos, Max Eastman, Edmund Wilson, and James Burnham had moved from a criticism of Stalinism to a criticism of Communism in general to adoption of a model that argued that fascist and communist regimes were indistinguishable. Their experience in polemical debate and particularly the authenticity of their voice as former communists or fellow travelers were extremely influential in drawing conclusions about the 1930s in regard to foreign policy. The answer they gave was that the 1930s were characterized by an appalling lack of responsibility in perceiving the nature of the Soviet Union. As Archbald MacLeish castigated men and women of the 1930s for their lack of responsibility in failing to confront fascism, these writers did the same for Communism. The question of the responsibility of intellectuals was thus reviewed once again. Philip Rahv, who was to move the *Partisan Review* away from its own Marxist commitments, wrote in “The Twilight of the Thirties” that intellectuals must find some means of personal commitment other than “playing with bureaucratized visions of the shining cities of the future.”³⁷

Though there were works far more theoretically intricate, Eugene Lyons was central in redefining the 1930s as the “red decade.” Lyons, himself a former radical, offered a first exit account of the 1930s in *Assignment to Utopia*, which was an apologia for his own failure as a reporter to see the nature of the Soviet Union. *The Red Decade*,

however, brought the issue to the domestic front. In great detail Lyons chronicled the cunning nature of American communists in the 1930s and the naiveté and willful obedience of “totalitarian liberals” to their cause. Interestingly, his characterization of the literary left (the “red cultural renaissance”) built on 1930s critiques of 1920s intellectuals: “[S]ingly and in packs” intellectuals “migrated from the Left Bank of Paris to the political left of Moscow. They abandoned prosperity bohemianism for proletarian bohemianism.”³⁸

Truman’s address before Congress on aid to Greece captured this intellectual turn while at the same time still leaned somewhat on the homage strategy in a general way. The president’s rhetoric was quite close to FDR’s speeches about the fascist threat before the war. In his declaration that the world could not endure “half slave and half free” and with his commitment to extend the “four freedoms” “everywhere in the world,” FDR globalized central features of American culture. Truman did the same. He offered a dichotomy of regimes:

One way of life is based upon the will of the majority, and is distinguished by free institutions, representative government, free elections, guarantees of liberty, freedom of speech and religion, and freedom from political oppression.

The second way of life is based upon the will of the minority forcibly imposed upon the majority. It relies upon terror and oppression, a controlled press and radio, fixed elections, and the suppression of personal freedoms.³⁹

It was the duty of America to “help free peoples to maintain their free institutions and their national integrity against aggressive movements that seek to impose upon them totalitarian regimes.”

Truman’s advisors were divided, not over aid to Greece and Turkey, but in regard to the rhetoric. Charles E. Bohlen, for example, thought the tone was “too flamboyantly anti-Communist.” Truman’s own views, however, were remarkably similar to Lyon’s. After the address he told his daughter that “there was no difference in totalitarian or police states, call them what you will, Nazi, Fascist, Communist or Argentine Republics...The attempt of Lenin, Trotsky, Stalin et al. to fool the world and the American Crackpots Association, represented by Joseph Davies, Henry Wallace, Claude Pepper and the actors and artists in immoral Greenwich Village, is just like Hitler’s and Mussolini’s so-called socialist states. Your Pop had to tell the world just that in polite language.”⁴⁰

In terms of the problems of an accidental presidency, however, the question of rhetorical overreach and oversimplification was beside the point.⁴¹ Truman had placed the new bipolar rivalry in the form of a grand narrative that at one level extended FDR's war strategy and at another replaced it. The Marshall Plan was also perfectly framed as a massive governmental effort to protect and enhance capitalism that was, after all, the goal of the New Deal.

Ironically, Truman was helped by Republicans in Congress, who attempted to cash in on public resentment of strikes by passing the Taft-Hartley Act in June, 1947. The bill banned union shops and provided the president with authority to declare an eighty-day "cooling-off" period, should a strike occur. Labor unions were outraged. Against the advice of most of his cabinet, Truman vetoed the measure in strong terms. Congress overrode his veto. At least in the short term, Truman enjoyed the best of both worlds. He established a reputation for standing up to unions and, at the same time, his veto of Taft-Hartley galvanized union support in 1948 in the hope of repealing the act.

The veto reinvigorated one major segment of FDR's coalition. Truman's civil rights policies solidified another. Perhaps the only faction of the Democratic Party that was pleased with the succession of Truman to the presidency was white Southern politicians. A South Carolina senator said: "Everything is going to be all right—the new president knows how to handle the niggers."⁴² Truman urged funding and permanent status for the Federal Employment Practices Commission in the spring of 1945, but Southerners might have concluded this effort was part of a homage to FDR, who created the commission in 1941 and subsequently never paid it much attention.

In December 1946, however, Truman appointed his own commission to investigate civil right violations. He spoke to the NAACP (National Association for the Advancement of the Colored people) at the Lincoln Memorial in June, 1947 where he forthrightly supported federal action in support of "equality and freedom" for "all Americans." Delivered shortly after Marshall's Harvard address on European recovery, Truman connected civil rights to winning the cold war. He incorporated the committee's recommendations in its report, *To Secure These Rights*, in his State of the Union message in January and followed up with another special message devoted exclusively to civil rights in February, 1948. The ten-point "minimum" plan included an end to segregation, antilynching legislation, and protection of voting rights.

Even with these steps. Truman faced an unanticipated challenge. Liberals, with the support of some labor leaders, attempted to draft

Dwight Eisenhower as the Democratic Party candidate. Two of FDR's sons supported the general and the Liberal Party in New York endorsed him. Senators Claude Pepper on the left and Stennis on the right came out for Eisenhower. Many who supported the draft were less concerned with Truman's credentials as a liberal than with his ability to win in November. Harold Ickes, who had resigned his cabinet post in 1946 but had promised to support the president in 1948, sent Truman a particularly insulting note:

You have the choice of retiring voluntarily and with dignity, or being driven out of office by a disillusioned and indignant citizenry. Have you ever seen the ice on the pond suddenly break in every conceivable direction under the rays of the warming spring sun? That is what has happened to the Democratic Party under you.⁴³

Even when Eisenhower announced that he would not accept a draft, the campaign continued. It is likely that the boomlet actually helped Truman in the end since the interest in the general prevented any other willing candidates from stepping forward.

Truman's general strategy in 1947–48 almost backfired as well. He had distinguished himself from Wallace in foreign policy and his recent initiative in civil rights weaned African American leaders away from supporting the former secretary of commerce. He still held on to shards of a homage strategy in domestic policy, bringing labor back into his camp with his veto of the Taft-Hartley Act. Nevertheless, the endorsement of civil rights initiatives led to a platform plank that led to a Southern withdrawal from the convention. Truman's support of the original draft seemed to align him with the status quo. Wallace forces too left to form their own party. While Truman's nomination was never in doubt, few political observers gave him much of a chance to defeat Thomas Dewey in November. As Arthur's homage had exacerbated factions in his party, so apparently did Truman's. It appeared therefore that Truman's efforts would not fare much better than those of his predecessor who had invested in homage.

In what became known as the "Impossible Campaign," Truman, however, continued to employ the innovative strategy he had begun in 1947. Truman largely ignored the Southern-based "Dixiecrat" Party but he did systematically attack the Progressives. With the aid of his advisor, Clark Clifford, he devised a strategy for attacking Wallace. In his St. Patrick's Day speech in 1948, Truman declared that he would never accept the support of Wallace "and his Communists" even it meant his own defeat. In Los Angeles, he urged Wallace to reject

Communist support and “go to the country he loves so well and help them against his own country if that’s the way he feels.”⁴⁴ The approach was designed to force liberal Democrats to reject Wallace as procommunist and at the same time, to solidify support for Truman as the only “responsible” agent for continuing the domestic programs of the New Deal of the 1930s. The tactic worked. The Americans for Democratic Action (ADA), a group of liberal Democrats formed in 1947, who did not initially think Truman could be relied upon to the continue the New Deal, attacked Wallace for his refusal to renounce communist support of his campaign and supported Truman.

Truman continued to support the extension of FDR’s policies. He particularly emphasized the construction of new housing and his policies on public health care as well as civil rights. In his acceptance speech, announcing his intention to call Congress into a special session, he hurled the charge of incompetence, a critique still lingering in the derisive epithet, “To Err is Truman,” back to the Republicans. By calling the opening session, “Turnip Day,” a homey rural Missouri saying that advised people to plant their crops “wet or dry,” he challenged Congress to finally do some work.

The label of the “Do Nothing” Congress was actually a misnomer that the number of Truman’s vetoes could easily prove. But the phrase reflected the traditional populist belief that elites live off the labor of the people. Ironically, the very stridency of those undelivered speeches in 1946 was recaptured, this time though with only the politicians and “special interests” as villains. Roosevelt in 1936 spoke of “economic royalists”; Truman now spoke of “gluttons of privilege.” Truman began to add references to Hoover in his short speeches using the term “Hoovercart” (“the remains of a tin lizzie being pulled by a mule, because you can’t afford to buy a new car, you couldn’t afford to buy gas for the old one”). Now Republicans and businessmen were speaking like those who advocated “riding out” the Depression in these “Hoovercarts.” In another speech, the president used an insouciant remark by Dewey about a railroad engineer who was responsible for a delay, to compare him to that “great engineer” who led America into “the worst depression in our history.” A staff of speechwriters worked furiously to add expressions such as this to the president’s repertoire.⁴⁵

Fascination with Truman’s upset victory has excluded consideration of the risks that he took in the whistle-stop tour that led to his election. Truman’s image of a provincial machine politician was still in the public mind and these short populist outbursts, even when tempered by a template of support for local candidates and sports

teams, could have been read by the public as demagogic rants by a desperate man. The press was never sure how to report them and sometimes suggested that the size of the crowds resembled a carnival freak show. Some members of his staff were concerned that the speeches were unbecoming of a sitting president.⁴⁶

As it turned out, of course, the impossible campaign imprinted on the public mind an independent persona for the president. While Truman might not have the intellectual breadth of FDR, he did not have his guile either. As a “plain speaker,” the president was a trustworthy successor who substituted ferocious dedication to everyday people for elegance of manner and speech. A Cy Hungerford cartoon succinctly illustrated the transition from homage to independence. In the first frame, a distraught diminutive Truman is pictured frantically trying to walk in FDR’s huge shoes. In the background, Uncle Sam says, “I feel sorry for the little fellow!” In the second, Truman, wearing his own shoes and a tracksuit, is swiftly jumping “political hurdles” with great enthusiasm and ease. Uncle Sam, nearly bowled over by the tailwind of the sprinter, remarks, “He’s introduced his own style—AND HOW!” Though Hungerford may not have meant to suggest that Truman excelled FDR because he was not disabled and not ill, the comparison was certainly available to the reader of the *Pittsburgh Post-Gazette*.

The impossible campaign of 1948 also veils the narrowness of Truman’s victory. The president’s tactics, aided by international developments, kept Wallace’s vote to 2.38 percent of the popular vote and the Southern secession to four states. Still Truman began his first elected term as a minority president with 49.51 percent of the popular vote. Despite the crowds that met the president on his tour, turnout was quite low. Truman, of course, held together the New Deal coalition but lost Michigan, New York, and Pennsylvania. The key to his victory, which Dewey acknowledged (though interestingly not Truman), was in the farm states, the locus of his tour.

It must be noted as well that Truman’s victory led to a problematic elected term. The president had hoped his election would provide a mandate for the Fair Deal, a set of his own programs independent of Roosevelt’s. Despite the battering Congress took during the campaign, it was not receptive to most of Truman’s proposals. Truman had effectively demolished the Wallace wing of the Democratic Party but now he confronted a resurgent right from the opposition in which the populism that he had used in 1948 was turned against him. Cold war drama, such as the decision to enter Korea, to fire MacArthur, and once again to seize a steel mill, provided Truman with numerous

opportunities to display his new independent persona. Truman's new voice, however, began to lose some of its charm. Plain speaking became increasingly viewed as crankiness and stubbornness, particularly in terms of Truman's response to allegations of corruption in his administration. Though Truman was eligible for reelection, it is very unlikely he would have received renomination and in fact he informed his staff of his intention to retire in November, 1951.

These caveats, however, cannot overshadow Truman's achievements as accidental president. This intensely partisan figure is regularly cited today for inspirational purposes by both Republicans and Democrats. His success, in these terms, can be traced to Truman's implementation of the homage strategy. The swiftness and forthrightness of dedicating his accidental presidency to his predecessor (unlike Arthur's delayed efforts) bought Truman a measure of authority as rex and bought him some time to establish conditions as dux. The homage, in itself, did not erase or even diminish negative comparisons with FDR until Truman was able to extend the homage more eclectically to new conditions. The cold war and racial problems provided Truman with opportunities to combine homage with the possibility of independence. In the 1948 campaign, he was able to find an aspect of FDR's legacy, his populist turn in 1936, that he was able to mimic. Certainly crucial as well was Truman's ability to resolve the Blaine problem that Arthur faced. Unlike Arthur, Truman was able to isolate his challenger, though not able to prevent a third-party effort. Even with this resourcefulness, Truman needed help from the opposition (the overreach of the 80th Congress and the caution of his presidential opponent) and fortuitous circumstances (e.g., Stalin's Berlin blockade) to receive the nomination and win election.

Chapter Eight

Lyndon Baines Johnson

“For millions of Americans I was still illegitimate, a naked man with no presidential covering, a pretender to the throne, an illegal usurper”

In terms of dux, Lyndon Baines Johnson's position was closer to Arthur's than Truman's. Both took office after the assassination of younger men who had captured the imagination of the public. As vice presidents both were added to the ticket despite objections. Both were implicated with the death of their predecessor in the public's mind.

While Arthur's use of the homage strategy was belated and selective, Johnson's was instantaneous and sweeping. Although shunned and openly mocked by Kennedy's advisors while vice president, Johnson set out to establish both dux and rex directly and systematically promoting programs as a homage to the slain president. In his memoirs, LBJ reiterated his homage strategy: “Rightly or wrongly, I felt from the very first day in office that I had to carry on for President Kennedy. I considered myself the caretaker of both his people and his policies...I did what I believed he would have wanted me to do. I never wavered from the sense of responsibility, even after I was elected in my own right, up to my last day in office...I eventually developed my own programs and policies, but I never lost sight of the fact that I was the trustee and custodian of the Kennedy administration.”¹

There was, however, a clear element of subversion in this obeisance. Johnson and his aides repeatedly emphasized that he was more effective, more mature, more liberal, more imaginative, and more compassionate a president than Kennedy.² Ideally, from Johnson's standpoint as an accidental president, his homage strategy would have developed along these lines: Although defeated by Kennedy for the presidential nomination in 1960, Lyndon Johnson accepted the nomination as vice president. He was one of the few vice presidents in recent times who noticeably helped the ticket. Kennedy's confidence in him was confirmed as Johnson tirelessly worked to implement the

New Frontier agenda. Johnson's legislative tactical skills were so phenomenal that a grateful citizenry rewarded him with a landslide victory. The now elected president kept the cold war commitments made by Kennedy in Vietnam and rebuilt the country with programs that "dwarfed the TVA," eliminated poverty and racial segregation in America. With the Republican Party collapsing as the Federalists did, Johnson won another landslide victory in 1968.

Why did this scenario fail? A large body of scholarship suggests that the fatal flaw in Johnson's homage strategy was its application to Vietnam.³ Although Johnson contended he did "what I believed he would have wanted me to do" it is possible that either Kennedy's policies were themselves mistaken or Kennedy would have changed directions had he lived. Johnson, however, believed he knew exactly what would be the consequences if he did not extend his homage strategy to Vietnam as an application of domino theory, whatever were JFK's intentions. As Truman, another accidental president, lost his effectiveness "from the day that the Communists took over China," so too would he. And as the "loss of China had played a large role in the rise of Joe McCarthy, all these problems...were chicken shit compared with what might happen if we lost Vietnam. For this time there would be Robert Kennedy out in front leading the fight against me, telling everyone that I betrayed John Kennedy's commitment to South Vietnam."⁴

A case can be made, however, that Johnson's justification of the war in Vietnam, based at least in part on fealty to JFK, was part of a more general problem with the homage strategy and particularly with Johnson's zealous application. LBJ's attempt to legitimize his presidency by both paying homage and encouraging his own exceptionalism, invited comparisons with JFK. Johnson was confident such comparisons would be to his benefit. But every act of homage, as well as every act of exceptionalism, produced a competing narrative from the Kennedy family and their supporters. The "Bobby problem" was difficult enough. Robert F. Kennedy resembled Arthur's nemesis Blaine more than Truman's Wallace. He was a controversial, charismatic leader with the capacity to attract a large devoted following. But the "Bobby problem" was larger than Bobby himself. The power and authority of the "Kennedy mystique" reached widely and deeply into the press, the academy, and the party apparatus. In this context, LBJ's strategy to attain and retain *rex* and *dux* led to a conflict that resembled the dynastic struggles of monarchical regimes foregrounding Johnson's legitimacy as accidental president.

I

An independent or minimalist strategy would have presented Johnson with significantly more problems than homage in 1963. Johnson had moved to the left in the late 1950s in an effort to gain support of Northerners for the presidential nomination in 1960. He was one of only three Southern Senators who did not endorse the "Southern Manifesto." His new persona, however, was achieved in the context of Eisenhower Republicanism. A slightly left-of-center approach would have made him indistinguishable from JFK, except that he did not enjoy the favor of intellectuals. A more populist orientation was possible and Johnson was certainly familiar with its Texas variant. But the arc of Southern populists did not reach to the presidency as Estes Kefauver's recent career illustrated. Johnson's management of civil rights legislation as Majority Leader was distinctive and would have enabled him to reach back to parts of the Truman exemplar on race but JFK's June, 1963 address and proposals to Congress would still have required some sort of homage. Anticommunism was part of LBJ's right turn after the war, but it would have been difficult to develop an independent position from the right in the light of the Kennedy record.

It is conceivable that LBJ could have moved directly to his Great Society programs after a suitable caretaking period perhaps by assuming a minimalist strategy until after election in 1964. The advantage of this approach was the avoidance of comparison with JFK at least in the short term. Since Johnson would not have been imitating Kennedy or extending his programs, he could, in effect, have engaged in a second assassination by relegating JFK to the status of a Harrison or Taylor. The problem with this approach is that caretaking is a slow way to establish not only *dux* but *rex* as well. The relatively unknown Southerner, who accidentally became president, could be quickly cast as a figure incapable of governance. Under these circumstances, LBJ risked the formation of a regency by JFK's appointees and possibly a primary challenge in 1964, though not likely by Bobby. Johnson's own recollection to Doris Kearns Goodwin is self-serving but it does suggest the need for a more immediate demonstration of *dux*:

We were spinning around and around and around, trying to come to grips with what had happened, but the more we tried to understand it, the more confused we got. We were like a bunch of cattle caught in a swamp, unable to move in either direction, simply circling 'round and 'round. I understood that; I knew what had to be done. There was but

one way to get the cattle out of the swamp. And that is for the man on the horse to take the lead, to assume command, to provide direction.⁵

Faced with these alternatives it is easy to see why Johnson adopted the homage strategy despite its risks. If the American people were indeed like cattle in 1963, then the new president, acting as much as possible like the departed one, could establish *rex* by fulfilling his predecessor's agenda.

There was another compelling reason why Johnson adopted the homage strategy. Homage was the primary way that LBJ had advanced his political career since its beginnings. There were different variants of course. In general, Johnson befriended older, more powerful men. In addition to deference and honor, Johnson offered his services. With Congressman Richard Kleberg, Johnson was the efficient secretary; with FDR, the reliable supporter; with Tom Corcoran, the party fund raiser; with Sam Rayburn, the son; with Richard Russell, the student. Sometimes one homage relationship was used to create another. Johnson used Rayburn's friendship to convince him to use his influence for an appointment to the National Youth Administration. As a young congressman, he so impressed FDR with his eagerness that the president told Corcoran, "I've just met the most remarkable young man. Now I like this boy, and you're going to help him with anything you can."⁶

In nearly all these cases, LBJ's homage was complete and perhaps even obsessive. As congressman, he was the most avid New Deal supporter in Texas, whole heartedly in favor of the court reorganization plan as well as labor legislation. He became Russell's man in the Senate. Johnson sought a seat on the Armed Services Committee because he knew this was the "only way to see Russell every day" and he even imitated the senior senator's dress and mannerisms.⁷

These relationships, however, did not mean that LBJ was incapable of betraying his mentors. He considered major revisions in his support of the New Deal as he entered the Senate race in 1940 because he thought FDR might not run or be nominated for a third term. After the war, he abandoned almost all of his New Deal positions and never mentioned FDR in his 1948 Senate race.⁸ Johnson, who voted for the Taft-Hartley Act, accused his opponent of being "soft on labor bosses." He refused to join the Southern caucus in the Senate (although he voted consistently with their positions) and manipulated Russell into cooperating with civil rights legislation.

The betrayal of Russell is almost universally regarded as the epitome of LBJ's considerable political talents and Johnson's passage of a civil

rights bill in 1957 is seen as an essential step in creating a credible candidacy for president in 1960. Johnson's duplicity might not have been so successful without Russell's own attempt to win the Democratic Party nomination in 1952. Russell's name had been placed on the ballot in 1948 and he had received 263 votes. Four years later, he actively campaigned for the presidency and was encouraged by the positive reactions from party leaders in the North. Russell's argument was that only he could beat Eisenhower since he would only need 118 electoral votes outside the South and Border States to win in November. He was heartbroken when he received only 268 votes at the convention. Russell had expected as many as 400 on the first ballot. Even more hurtful were the blunt statements made to his face that no Southerner could receive the nomination.

After his defeat, Russell went to the Mayo clinic to recuperate. Almost from that moment on, he vowed to work for the election of a Southerner for president. Who could be a better candidate than his protégé Lyndon Johnson who had just campaigned so strongly for him in Chicago? But Johnson learned a lesson from Russell's defeat as well. He must somehow avoid his mentor's fate. The opportunity and the challenge came after Eisenhower's reelection. Ike decided to present to Congress a civil rights bill. The proposal was, by the standards of the day, a strong one. The most controversial portion, section III, called for giving the Justice Department authority to bring civil suits for those denied their civil rights in education, housing, and voting.

Although the legislation fit well with Eisenhower's general effort to create a "new Republicanism," Democrats interpreted the initiative as an attempt to split their party. Jim Rowe defined the challenge for Johnson who thought it was "Armageddon for Lyndon Johnson." If LBJ "did not support some form of civil rights law that would come before Congress, he could forget about the presidential nomination; indeed, his position as majority leader would be irreparably compromised. He would thenceforth be perceived as was Richard Russell after 1952, as a purely sectional candidate."⁹

Johnson's choices, destroying his base in the South or retaining it, both risked his Senate leadership position and his presidential prospects. The key, of course, was his relationship with Russell who still controlled the Southern bloc in the Senate. Despite the fact, however, that LBJ was his protégé, Johnson was also his own object for his personal and political redemption. By helping Johnson, Russell would also be furthering his own goal of electing a Southern president. LBJ also had one more tactic available to him. If Russell had any obsession other than preserving his image of the South, it was his love for the

Senate as it was presently governed. Both liberals and the White House had other ideas. They were prepared to change Rule 22 to allow cloture of a filibuster by majority vote. LBJ convinced Russell that his only hope for retaining the filibuster was acquiescing to a civil rights bill. Russell accepted but only if section III was deleted from the bill. Since he knew he had enough votes to submit the House bill directly to the floor circumventing Eastland's committee, Johnson voted "no" in support of his fellow Southerners. Throughout the proceedings he promised Northern liberals his support and told Southerners that was he was reluctantly forced to "bring up the nigger bill again."¹⁰ LBJ peeled off crucial Republican yes votes on section III by promising some judgeships. The White House too finally caved in. With some final modifications to reassure Northerners, Johnson was able to get enough Senate votes to pass a civil rights bill on August 7. Johnson thus avoided Russell's fate—but just barely. Civil rights groups were not pleased with the final legislation. Southerners including Russell resented Johnson's hostage taking of the filibuster.

When Johnson sought the presidential nomination in 1960, this *modus operandi* became more difficult to pursue. As Johnson rose to power in the Senate, he expected, and for the most part, received homage. This pattern quickly developed in regard to Hubert Humphrey who entered the Senate in 1948 and bowed to the establishment. The case was different with JFK, however. Kennedy was deferential to LBJ both in terms of submitting to his voting discipline and by sending him effusive congratulations and expressions of gratitude for favors granted. Nevertheless there were strains in the relationship. In 1956, Kennedy made a speech to the Women's Press Club praising independent senators such as Clay and Norris who were willing to fight for lost causes. Johnson learned of the speech, which he suspected was a veiled criticism, and immediately requested a transcript. Just as quickly, Kennedy wrote to Johnson, denying that the remarks were directed toward him. Johnson accepted the explanation, but there was a hint of threat in his response ("just carry on the way you have been, and you will always find that Lyndon Johnson is your friend").¹¹

The wariness that characterized the Johnson-Kennedy relationship revealed deep antagonisms in the ways both privately regarded one another. To LBJ, Kennedy was a rich kid with little aptitude or interest in the Senate. To JFK, Johnson was a Southern version of the Boston Irish politician, who was provincial and limited but could nevertheless respond brutally when the circumstances arose.¹²

Johnson briefly considered running for president in 1956. His exploration of the possibility of a Johnson-Kennedy ticket further illustrates the extent to which he treated the relationship in homage terms with himself on top, as well as his need to include an Easterner on the ticket. The actual outcome in 1960, a Kennedy-Johnson ticket, must have been difficult enough for LBJ. The events leading up to it were in some ways worse. In his own words, he was defeated “overwhelmingly and humiliatingly” in his contest with Kennedy.¹³ Particularly embarrassing was the backfire of the trap he had set for Kennedy at the convention. In forcing a debate before the Texas delegation, LBJ thought he could expose Kennedy’s youth and irresponsibility. Instead, LBJ appeared old and cranky and his young opponent self-assured and gracious. He had to accept an ungracious invitation from the nominee. In one version, Kennedy is reported to have said, as he extended his hand, “I didn’t offer the vice presidency to him. I just held it out like this, and he grabbed it.”¹⁴

Johnson also had to resist an attempted retraction on the part of Bobby. In fact, the circumstances surrounding his selection continued to resurface throughout his own presidency. When Theodore White’s *The Making of a President* 1964 reported on the courtesy nature of the original offer based on an eyewitness account, Johnson was enraged.¹⁵ Thus it seemed as if Johnson not only had to endure the problems of rex and usurpation as president but also as vice president.

As Paul R. Henggeler notes, “the convention had turned the world upside down. The most powerful Democrat in Washington had been reduced to a ceremonial attendant.”¹⁶ Despite this humiliation, Johnson attempted to refashion aspects of the homage strategy that characterized his career. When asked once why he accepted the vice presidency he replied, “Power is as power goes.” In fact, Johnson was repeatedly asked why he accepted the offer, especially under the circumstances under which it was proffered. George Reedy’s argument was probably a convincing one for Johnson. He argued that LBJ still needed a national presence to successfully pursue the presidency at a later date. The Majority leader position “is an action post which gives few people a real opportunity to find out about your philosophy and convictions.” Indeed Reedy had a point. Johnson was unable to state his own views on civil rights throughout 1957 in his effort to move all sides to a compromise. He had once stated that Henry Clay was his model but LBJ knew that the Great Compromiser never became president. On the other hand, Reedy’s contention that the vice presidency was a better forum “to think and express his thoughts” was not very

credible as Nixon, and a long list of vice presidents learned.¹⁷ When on the way to an inaugural ball Clare Booth Luce asked LBJ again why he accepted, the new vice president eerily replied; "Look Clare, I looked it up; one out of every four presidents has died in office. I'm a gamblin' man darlin' and this is the only chance I got."¹⁸

Johnson's multiple explanations for his acceptance reveal conflicting calculations. He certainly knew that power did not go to the vice presidency (although he initially did his best to change this) and he knew that the office as an opportunity to develop a new persona was a less than ideal one as. He was aware of JFK's serious health problems but however cold the calculation that he would become an accidental president might be, this scenario was still a long shot, even for a "gamblin' man." Johnson did know that the majority leader position would be a less powerful one, whoever won the election. He would be Kennedy's man if the Democrats won and there would be less room to maneuver if Nixon was elected. LBJ also could guess that the civil rights movement would only grow larger, making his Clay legislative strategy even more difficult. Still, Johnson did cover his bet. He ran for senatorial reelection simultaneously with the national ticket.

After the convention, LBJ's fears seemed justified. He was concerned that no joint campaign appearances had been arranged since the one in San Antonio in early September and that was at Johnson's urging. The press had begun to take notice. "Why don't they ever ask me to appear with Jack?" he asked an aide. "Nixon has Lodge with him quite often." Jim Rowe tried to assure him that Kennedy was avoiding joint appearances because he feared he would look like the presidential candidate's son. Finally the two candidates were scheduled to appear together on television. But Kennedy did not show at a strategy session at the Biltmore. Johnson went to the Carlyle where he learned JFK was staying only to learn that he had already left.¹⁹

Despite the distance between the candidates, Johnson was constantly receiving messages that Kennedy was counting on him to carry Texas. LBJ was ordered to stage a Truman style whistle-stop tour of the South. Generally, Johnson met enthusiastic crowds but on several occasions he faced hostile audiences. LBJ experienced such unbearable pressure that Kennedy is reported to have told him, "I think you're cracking up."²⁰ The Democratic ticket did carry Texas and most of the South (although Johnson only won his Senate seat by 46,000 votes, which was about the same number of votes received by Kennedy). Johnson was immediately given major credit for the slim victory. But he was still unnerved by the experience. What if Texas

was lost? Johnson would still have his Senate seat but his career would have been irreparably damaged. Although the scenario of a Republican Texas and a Kennedy victory was unlikely (JFK could have carried Ohio instead), this prospect was even more frightening. It is not surprising then that when he and JFK won in November, Johnson was not a happy man. "Lyndon looked like he'd lost his last friend on earth," observed Margaret Mayer.²¹

Immediately after the election, Johnson made an extraordinary attempt to keep a seat in the Senate Democratic Caucus. The new Majority Leader Mike Mansfield was not enthusiastic about the idea but he dutifully took the proposal to the caucus. Only by threatening to resign, did Mansfield receive a majority of Democratic votes. Johnson knew how strong the opposition was to his plan and only attended one session. After this effort failed, he tried another tactic. Johnson sent a memorandum to the new president requesting him to issue an executive order authorizing him to exercise "general supervision" over selected issues across departments. JFK ignored the request. He was sympathetic to Johnson's plight as vice president but remembered that he had "spent hours of my life when I could not get consideration for a bill until I went around and begged Lyndon Johnson to let it go ahead."²² The memo quickly became the basis for one of many jokes by the staff. Aides compared Johnson's request to Seward's proposal to Lincoln that he cede major presidential duties to him.

Johnson's early attempts to enlarge the power and authority of the vice presidency were responses modeled after his earlier successes. As secretary to an errant congressman, Johnson shaped policy and, as Robert Caro has chronicled in *Master of the Senate*, Johnson transformed a largely ceremonial position into an extremely powerful one. It is possible that Johnson, who never quite grasped the source of JFK's political power, believed Kennedy might be as disengaged from the presidency as he was from the Senate.

The president did give Johnson several duties, including chair of the Equal Employment Opportunity Commission and NASA as well as roving ambassador. Each of these tasks, however, created strains with the administration. Robert Kennedy clashed with Johnson over his approach to civil rights enforcement. The president's staff thought that "Uncle Cornpone" was inept and embarrassing as goodwill ambassador. Although there were charges that Johnson used his influence to favor Southwestern space contractors, his chair of the Space Council was regarded by Kennedy and his staff as quite successful. LBJ was not happy, however, when after the Shepard flight the president quipped, "You know, Lyndon, nobody knows the Vice President

is the Chairman of the Space Council. But if the flight had been a flop, I guarantee you that everybody would have known you were the Chairman."²³

By 1963, Johnson's mood as vice president swung between depression and sullenness. JFK noted to Benjamin Bradlee that the "steam really ran out of Lyndon as early as his failure to participate in the Senate caucus."²⁴ Although there is only slight evidence that JFK was contemplating dumping him in 1964, Johnson was prepared for the possibility. He convinced himself that a respectful and workable relationship with the president was intact, but it was always being undermined by "his snot-nosed brother" and "all those high-falut'n Harvards" who "if I give them enough rope they'll hang me with it." Johnson could not find a way to be either the subject or object of homage.²⁵

II

On November 22, 1963, however, LBJ was in a position to construct a homage strategy anew. He acted immediately. He took the oath of office aboard Air Force One with the president's widow at his side and retained Kennedy's entire cabinet despite his distance from the New Frontiersmen and the hostility between him and the president's brother. He ordered Richard Goodwin to create a JFK file of the president's ideas and quotes for use in speeches. Five days after the assassination, he spoke before a special joint session of Congress and urged the passage of JFK's civil rights bill as well as other legislation recommended by the slain president. He paraphrased Lincoln's Gettysburg address: "Let us here highly resolve that John Fitzgerald Kennedy did not live—or die—in vain." The address constituted a *de facto* inaugural and Johnson adapted Kennedy's inaugural theme, "Let us begin" as "Let us continue." The following day he announced that NASA Launch Operation Center would now be known as the John F. Kennedy Space Center and Cape Canaveral as Cape Kennedy. A month later, he recommended to Congress major increases in funding for space and antipoverty programs both of which were part of the Kennedy agenda.

These acts of homage were of course initially designed to establish Johnson's legitimacy as *rex*. Just beneath the intensive homage were scattered assertions of his competence. In talking points for Johnson's meeting with Eisenhower, Horace Busby reminded the new president that Ike should not leave the meeting with the belief that appeals to

bipartisanship could be “exploited as a ‘regency’ Presidency, marking time.”²⁶ The following day, Busby, however, sent another memo suggesting past members of Johnson’s staff not appear on television “to provide insight into the new president.” This task should be assigned to Kennedy appointees. Busby concluded, “The simple fact is that while you have become President with more experience for the job than any other man in history, your staff itself... have had minimum experience for a public role.”²⁷ On the 25th, in a budget meeting with some cabinet members, Johnson emphasized his confidence and how he “knew the score,” and responding sharply to doubts about budget cutting, he snapped back that he knew what \$105.5 million meant.²⁸

Amidst extensive homage offered to the slain president, Johnson first publicly displayed his own authority in his Thanksgiving Day address on November 28. He told the American people that he had “served in Washington for 32 years—32 years yesterday.” He knew five presidents well—Hoover, FDR, Truman, Eisenhower, and President John Kennedy. He closed by asking Americans to pray for him daily as he pledged to work for “a new American greatness, a new day when peace is more secure, when justice is more universal, when freedom is more strong in every home in the land.”²⁹ The Thanksgiving address was not nearly as bold a transition from homage to independence as Theodore Roosevelt’s message to Congress after McKinley’s assassination, but there were noticeable shards of independence.

As swiftly as LBJ initiated his homage barrage, he sought the support of two of the most prominent members of the Kennedy family. Johnson sent a personal note not only to Jacqueline on the day of the assassination but also to Caroline and John as well (dated 7:30 Friday evening). Lady Bird also wrote. Jackie responded with long replies to both. Johnson attempted to continue the relationship by inviting her to state dinners and other White House events, but she always refused. Johnson was particularly irked when the widow refused to vote in 1964, especially since he had always responded immediately to her requests for favors. Jackie did, however, apologize to the president for the “unhappiness” the Manchester book might have caused him and recounted her efforts to prevent including such “cruel” material. Later she wrote to Johnson regarding a newspaper report stating she had objected when Johnson called her “honey.” “I think honey is a loving word,” she wrote, and “I hope you will call me that again—and that you will not become embittered by all this and by all life, really.”³⁰

Although his efforts to co-opt the president’s widow might not have been as successful as LBJ would have liked, she did not publicly

criticize the new president. His efforts to deal with JFK's brother were, of course, much less effective. Johnson asked Robert to remain in the cabinet to assure continuity and help win congressional passage of his brother's agenda. As with Jackie, he sent notes of support. "Your brother would be very proud of the strength you have shown," he wrote to Robert on New Year's Day. Johnson reminded him that "people around you are saying things about me. You can't let your people talk about me and I won't talk about you."³¹ This statement with its reference to "your people" reveals a belief on Johnson's part that RFK was in effect the leader of an opposition, real or potential, within the government.

Both parties could barely control their antagonism to one another. Bobby noted that LBJ was impossible to work with unless "you want to 'kiss his behind' all the time." He very quickly perceived that Johnson's homage to his brother was designed to establish his own capacities as dux.³² Johnson once, in a moment of exasperation, responded to the attorney general's complaint that his brother would have acted differently, "President Kennedy is no longer president."³³

The first public indication that Johnson's homage strategy was nearing an end could be said to have occurred as early as 1964. The selection of Robert Kennedy as vice president would have been a highly visible symbol of homage. From one perspective, it would have even provided an ironic compensation for the new president. RFK had attempted to remove LBJ's name from the ticket in 1960 and now he would be offered that post in 1964. While Johnson offered several reasons for not choosing RFK, they were contradictory. Kennedy would hurt the ticket in the South; he did not need Kennedy, given his very high approval ratings; Democratic rank and file politicians preferred Humphrey.

Johnson even explored recommending another Kennedy to the convention (Sargent Shriver or Ted Kennedy) or a prominent JFK appointee (McNamara). Some aides urged him to appoint Bobby as head of the campaign. None of these alternatives was acceptable. The Kennedys opposed the nomination of any family surrogate and Johnson did not trust any Kennedy on the ticket. "Just remember, Bill," he told Moyers, "blood is thicker than water."³⁴ Eventually, Johnson settled on the subterfuge that no cabinet member should be on the ticket.

While "Let us continue" banners were prepared for the 1964 convention, Johnson still feared that this homage would lead to a draft RFK movement on the floor. Johnson, in fact, was so distraught that he told George Reedy that he would quit "if they try to push Bobby

Kennedy down my throat as vice president.³⁵ He had RFK's role in the film tribute to the fallen president, *A Thousand Days*, reduced and rescheduled for the end of the convention. Johnson did not appear at the convention during the broadcast and later announced that he had been taking a nap. The new independent strategy worked, but to Kennedy aides, it publicly exposed Johnson's hostility to the Kennedys as well as his own insecurity.³⁶ Thus while Johnson may have symbolically secured his autonomy as dux in the public eye, to his competitors his actions revealed weakness and aggression.

At other moments, Johnson was more secure about his independence. Anticipating his own election, he began to see himself as a realigning president who could not only surpass JFK but FDR as well. He told his advisors that "every issue that is on my desk tonight was on my desk when I came to Congress in 1937." After his victory, his staff prepared for another "Era of Good Feeling" in which moderate and liberal Republicans would be co-opted by the president.³⁷ The "let us continue" theme was dropped and replaced with the "Great Society." JFK was not mentioned in Johnson's inaugural address.

When Lyndon Johnson announced his plans for a Great Society at the University of Michigan in 1964, his proposals were still seen as a homage to the dead president despite the fact that Johnson and his advisors began planning for this independent initiative soon after the assassination.³⁸ Now however, the president's staff prepared memos distinguishing Kennedy's efforts from Johnson's. JFK did speak about "individual elements that go into a war on poverty" but "he rarely spoke in terms of a unified, comprehensive campaign to strike at the root, stock and branch of the condition." "It is significant that there is no reference to 'poverty,' 'antipoverty,' 'war on poverty,' or 'economic opportunity,' in the three volumes of his Public Paper(s) covering 1961, 1962, and 1963," noted Fred Panzer.³⁹

Whatever the truth of these assertions, there were many aspects to the Great Society that were independent of the Kennedy approach. For the Great Society formulated as more extensive than not only the New Frontier but also the New Deal. Although Johnson's attitude toward the FDR was complex, he did not feel the principled animosity that JFK sometimes exhibited.⁴⁰ In fact, the submerged antagonism between Johnson and the New Frontiersmen was linked by Johnson's own evocation of the Great Society as a restitution of certain facets of the New Deal. LBJ's landslide victory in 1964 surpassed FDR's in 1936. His hundred days in 1965 were more glorious than Roosevelt's and dwarfed Kennedy's limited successes. The veritable flurry of legislative proposals (in 1965, the president submitted sixty-five messages

to Congress requesting new programs) seemed to imitate FDR's edict about bold, persistent experimentation much more than the New Frontier's more rhetorical commitment to get the country moving again. Johnson had broken the unholy alliance with the party's Southern wing that neither FDR nor JFK dared to do. For Johnson, the white Southerner had committed the nation to the eradication of not only segregation but racism in general. Johnson's staff released a memo utilizing the "first hundred days" as the bench mark for his civil rights initiatives.⁴¹

The collapse of this project was, of course, imminent, but for a moment it appeared that the Great Society had marshaled every possible segment of American society on its side. The remains of both the New Deal apparat and its blue-collar supporters, the new generation of young post-1950s liberals, Southern progressives and African Americans all coalesced into an unstoppable national movement of liberal reform. Opposition seemed relegated to the Goldwater wing of the Republican Party and a handful of Southern politicians. As Eric Goldman observed, "working in the White House during this period produced on occasion an almost eerie feeling. The legislation rolled through the House and Senate in such profusion and so methodically that you seemed part of a vast, overpowering machinery, oiled to purr."⁴²

The ideological justification for these programs also differed from those of the New Frontier. Kennedy's liberalism rarely strayed from the "blood, sweat and tears" model of leaders who remind a free people of their burdens. While it is true that Johnson employed martial metaphor in his "war" on poverty, the Great Society had a discernible utopian cast:

The Great Society is a place where every child can find knowledge to enrich his mind and to enlarge his talents. It is a place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness. It is a place where the city of man serves not only the needs of the body and the demands of commerce but the desire for beauty and the hunger for community.⁴³

While many commentators would soon conclude that Johnson's project of liberal reform was either too limited or too broad, there was an image of a door unbolted in these rhetorical descriptions. Gone were the intonations of a world of plenty only for the industrious and rational, a world in which communion with Nature replaced its subjugation, a world in which individuals valued beauty and

community above commerce. So too, in the area of civil rights, LBJ spoke in new terms. No president, not even Lincoln, identified with the cause of racial equality more comprehensively and forthrightly than Johnson. His March, 1965 speech to Congress not only appropriated the movement's anthem, "We Shall Overcome," as a national one but elevated the struggle to one which tied American national identity to its success. To Johnson, the Depression and World War II, the crises of the 1930s and 1940s, as well as the cold war of the 1950s, did not "lay bare the secret heart of America itself" in the way that the issue of equal rights for African American posed. Quoting Isaiah ("What is a man profited, if he shall gain the whole world, and lose his soul?"), Johnson contended that all the wealth and power of this "great, rich and restless country" were worthless without a resolution to this problem.⁴⁴

As if the declaration of war on the legal toleration of racism through historical patterns of "systematic and ingenious discrimination" was not sweeping enough, two months later at Howard University, Johnson declared the guarantee of voting rights and the end to segregation were inadequate. Because "you cannot take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, 'you are free to compete with all others,' and still justly believe that you have been completely fair," he outlined a new and "more profound stage of the battle for civil rights." Johnson openly dismissed equality of opportunity as a goal and announced a policy that would promote "equality as a fact and equality as a result."⁴⁵

A year into his first term as elected president, this formerly accidental president appeared to be well on his way to dwarfing not only JFK but FDR in terms of both effectiveness and comprehensiveness as a reform leader. But even before the catastrophe of the war in Vietnam became fully apparent, Johnson's homage to independence strategy showed signs of unraveling. An alternate narrative dismissing and challenging Johnson's achievement continually appeared before the public.

Most troubling of all for the president were reevaluations of Johnson's narrative of the immediate aftermath of the assassination. LBJ delayed the flight of Air Force One from Dallas to Washington until he could take the oath of office. He was acutely aware of the importance of oath taking for his legitimacy but he was also aware that perception of precipitous action would leave him open to charges of symbolic usurpation. He therefore phoned the attorney general for constitutional advice about who could

administer the oath. Bobby checked with Nicolas Katzenbach and called LBJ back.

Now different accounts began to appear in the press. Kennedy aides were concerned and some were angry at the delay. Johnson explained that the attorney general wanted the oath taken in Dallas.⁴⁶ As William Manchester began research on his authorized biography of the assassination, this event and others reawakened the anger of Kennedy aides. Johnson was reported as brutally and opportunistically forcing the widow to stand by him as he took the oath of office. Most striking of all was Manchester's contention that on the trip to Texas, Johnson took the president to his ranch and insisted that he shoot deer. Kennedy was reluctant to do so but complied. This image of the vice president with a gun and the obvious psychological transposition on the readers' part to JFK as the deer infuriated Johnson who insisted that Kennedy was the hunter with bloodlust who actually wanted to shoot even more game.

Interspersed between narratives of Johnson's crudeness and ambition were others that challenged his competence. He was depicted as a weak and "dazed figure...sniffing on a plastic vapor inhaler while his wife recorded what she called 'never to forget moments' in the notebook that she always carried in her purse."⁴⁷ In one excerpt (deleted in the *Look Magazine* serialization), JFK was reported to have joked that the three most overrated things were the "state of Texas, the FBI and the political wizardry of Lyndon Baines Johnson."⁴⁸

Johnson assigned Jake Jacobson to prepare detailed rebuttals and the press reported leaks from both the president and the Kennedy family.⁴⁹ This dispute, as well as seemingly constant differing recollections of the former president's aides, reintroduced an image of symbolic usurpation rather than the calm and empathetic succession that Johnson tried to convey. Criticisms of the report of the Warren Commission, which was released in September, 1964, kept reintroducing doubts about Johnson's role as rex as well. Four popular books were published in October 1966 raising doubts about the report. The confidence in the commission declined so much that some of the president's advisors recommended a small task force to review the contested material. Johnson refused.⁵⁰

Press commentary, on what would have been JFK's fiftieth birthday, dwelled on the differences between the two men and how the world too would have been different had JFK lived. The draft of the Thanksgiving Day proclamation JFK would have delivered was published.⁵¹ Many of the New Frontier staff left within a year of the

succession, but Johnson became paranoid not only about both the loyalty of the rest but the loyalty of his own aides. When a photo of Bill Moyers, a Johnson appointee, with Bobby Kennedy appeared in the newspapers, the president lost confidence in his aide concluding that "the Kennedys sucked Bill away."⁵²

III

Johnson's decision, however, to carry on JFK's policies internationally constituted a continuation of homage that he had abandoned in his domestic policies. "I believe that we can continue the Great Society while we fight in Vietnam," he told Congress in 1966. Eventually the set of decisions to escalate American commitments in Vietnam not only ended many of the Great Society initiatives but also his presidency. In 1970, Johnson described his decision to escalate the war with a gender metaphor. He felt that he could not risk the loss of Vietnam to the Communists: "I knew from the start that I was bound to be crucified whichever way I moved. If I left the woman I really loved—the Great Society—in order to get involved with that bitch of a war on the other side of the world, then I would lose everything at home. All my programs... But if I left that war and let the communists take over South Vietnam, then I would be seen as a coward and my nation would be seen as an appeaser and we would both find it impossible to accomplish anything for anybody anywhere on the entire globe."⁵³

Johnson, like Eisenhower and Kennedy, accepted the domino theory in Southeast Asia. Unlike these presidents, however, Johnson felt he could not avoid a major military commitment. Eisenhower refused to send American troops to the region after the defeat of the French forces and instead accepted the division of Vietnam into two regimes. Partition was a common method of dispute resolution in the cold war. It was utilized in Germany and Korea. Eisenhower supported the anticommunist government led by Ngo Dinh Diem in South Vietnam with both economic and military aid. Kennedy resisted pressure to approve a coalition government in the South as communist guerilla forces gained momentum. He did however increase the number of military advisors from under 1,000 to over 16,000 and became intimately involved in Vietnamese politics.

Richard Reeves reports that a Soviet official casually noted that the U.S. ambassador, Henry Cabot Lodge, acted very much like a Russian official in an East European country.⁵⁴ South Vietnam was rapidly

becoming a client state that was dependent upon the United States for its very existence. Three weeks before his assassination, Kennedy engineered a coup against Diem in an attempt to provide the country with a more popular leader. It was difficult for both supporters and critics of the war to determine with certainty which direction JFK would have pursued in Vietnam. On the one hand, he strongly believed a noncommunist South Vietnam was essential to the maintenance of a noncommunist Asia. Two of the major architects of the American response in Johnson's cabinet, Dean Rusk and Robert McNamara, were once Kennedy officials. On the other hand, he was clearly concerned about the prospects for nation-building in South Vietnam and very suspicious of the projections of military advisors after the Bay of Pigs.

The day after the assassination, Johnson told Ambassador Lodge that he would not be the president who lost Vietnam. In August 1964, the president made his first major decision about the conflict. A U.S. destroyer was fired upon by Vietnamese torpedo boats in the Gulf of Tonkin. Although communications were murky, two days later another destroyer reported hostile fire. Johnson immediately sent sixty-four bombers to North Vietnam and requested from Congress authorization to "take all necessary measures to protect American troops and prevent further aggression in Vietnam." Congress immediately passed the resolution. The vote was unanimous in the House and 88-2 in the Senate. The action provided some short-term advantages for Johnson. Faced with a challenger from the right, the new president was able to establish a forceful response to a cold war adversary. During the 1964 campaign, Johnson rarely discussed Vietnam and referred to Goldwater's call for military escalation as "reckless." Thus Johnson was able to occupy two positions. He was able to respond in a "manly" way but he was also a "responsible" leader. Those analysts who portray Johnson as a figure out of his element in foreign policy miss his political agility in 1964.

In February, 1965 Johnson responded to an attack on the American base at Pleiku with more retaliatory raids on North Vietnam. The president expanded these raids to a permanent policy of air raids called "Rolling Thunder." He also added 50,000 more U.S. forces and expanded their mission. Both policies were initiated without public disclosure. In June and again in July, both Johnson's political and military advisors informed him that without the introduction of massive American ground troops the war would be lost in months. The president expressed his concerns that the Communists would match American troop increases and force him to constantly escalate. In a

July meeting, he worried about the costs of the war and asked: "Are we starting something that in two or three years we simply can't finish?" His advisors, many of whom were Kennedy appointees, acknowledged his concerns but insisted that the war was winnable and that withdrawals would constitute an abandonment of the containment policy that had guided American policy for the past twenty years. There were dissenters. George Ball, under secretary of state, made an impassioned plea for "cutting our losses" since Vietnam was the wrong place to take a stand. Johnson could at this point have moved in other directions. He could have moved Ball to secretary of state and replaced Bundy as foreign policy advisor with Moyers, whom he trusted.⁵⁵ This modification toward an independent strategy was never considered.

By 1967, over 500,000 troops were stationed in Vietnam. Both the inability to convincingly establish progress in winning the war and disturbing moral issues in its prosecution led to the formation of a large peace movement that was initially led by college students, then later joined by major segments of the most influential elements of American society, including the media and politicians. Protestors blamed the Americanization of the war in 1965 on the president and shouted slogans outside the White House and anywhere the president traveled: "Hey! Hey! LBJ how many kids did you kill today!" Johnson was angry and hurt by these attacks. He told Doris Kearns in 1970 that the students simply did not understand him ("I always hated cops when I was a kid...I'm not some conformist middle class personality") nor did they understand the communist threat since they had not lived through World War II and Korea.⁵⁶

By 1968 Johnson was more and more isolated. He refused to listen to critics in his administration. He felt that members of Congress who questioned his policies had betrayed him. He could not appear in public except under controlled circumstances because protesters would taunt him. He began to worry about his own legacy:

I felt that I was being chased on all sides by a giant stampede coming at me from all directions. On the one side, the American people were stampeding me to do something about Vietnam. On the other side, the inflationary economy was booming out of control. Up ahead were dozens of danger signs pointing to another summer of riots in the cities. I was being forced over the edge by rioting blacks, demonstrating students, marching welfare mothers, and hysterical reporters. And then the final straw. The thing I feared from the first day of my Presidency was actually coming true. Robert Kennedy had openly announced his decision to reclaim the throne in the name of his brother. and the

American people, swayed by the magic of the name, were dancing in the streets. The whole situation was unbearable to me.⁵⁷

Despite Johnson's perceptions, Robert Kennedy moved quite slowly in announcing his opposition to the war and openly breaking with the president. The great rupture did not occur until February 1967 when Johnson, with some justification, concluded that Kennedy had interfered with possible peace talks. The meeting made the earlier confrontation over the vice presidency a minor disagreement. Kennedy denied any culpability but offered some proposals for speeding up negotiations. Johnson replied: "there isn't a chance in hell that I would do that." He told Kennedy he not only never wanted to hear his views on Vietnam again but also did not want to ever see him again. "I'll destroy you and every one of your dove friends in six months," he threatened. "You'll be dead politically in six months."⁵⁸

Initially Johnson was relatively unconcerned with the challenge in the New Hampshire primary by Eugene McCarthy, senator from Minnesota, a critic of the war. Johnson won the primary, but his relatively slight margin (50 percent to 42 percent) showed that the once masterful president was in trouble with his own party. Robert Kennedy entered the race shortly after. Johnson's only public reaction was to say that he expected him to do so.

On March 31, the president appeared on television with two surprise announcements. He indicated he had called a partial halt to bombing in North Vietnam, and because he planned to devote all his energies to a peace agreement, he would not be a candidate for reelection. The withdrawal of accidental presidents from consideration for party nomination is, of course, a common event as are questions about the motives surrounding their decisions. Arthur claimed ill health but let his name be entered at the convention. Truman, who more than once considered resignation in his early years in office, claimed fatigue but nearly changed his mind when Stevenson dallied. Johnson actually timed his withdrawal to correspond to Truman's before adjusting the date slightly. He instructed his speechwriter to draft two endings to his address, one of which was a refusal to be considered as a candidate for reelection. When Horace Busby asked what the chances of withdrawal were, he answered, "Eighty-twenty, against it." Johnson gave his speechwriter the reason, "I want out of this cage."⁵⁹ In his withdrawal address he stated that he planned to devote all his time to the success of the peace process. Later commentators have offered other reasons. Vaughn Davis Boret claims that Johnson's health was fragile while others have suggested that the

withdrawal was a ploy to briefly extricate himself from partisan politics only to be called forth later by Democrats when he showed that peace was imminent.⁶⁰ Had the country not been subjected to the King and RFK assassinations, it is conceivable that this strategy, if it indeed it was one, might have worked. In fact, a spectacular settlement may have finally extricated Johnson from his ill-fated homage in regard to Vietnam. Like the case of Arthur, however, Johnson's homage had so aggravated party factions that this scenario seems very unlikely.

IV

Why did Johnson's homage strategy fail (at least after 1966)? Clearly there is the issue of the construction of a homage in terms of JFK's foreign policy. From Johnson's point of view, an independent approach to Vietnam was fraught with unacceptable risks, not in small part because he felt he would have been departing not only from JFK's policies but from Eisenhower's and Truman's as well. Perhaps yet another source of the president's anger was the fact that JFK's brother and a large number of New Frontiersmen did eventually abandon the application of containment policy in Vietnam.

Yet there may be an overarching explanation for the Johnson "tragedy." Very few politicians, especially in the twentieth century, had a greater appreciation of and talent for the homage strategy than LBJ. Throughout his career, he was the subject or object of homage relationships. He knew how to create them, sustain them, and even conclude them. Hence there is great irony in Johnson's adoption of this strategy as accidental president. Another accidental president was very likely to have engaged in a homage after the death of John F. Kennedy. Another, however, would not have done so as comprehensively and intensely as Lyndon B. Johnson. This truly spectacular implementation, no doubt also enhanced by the nature of his opponent in 1964, raised unnatural expectations on Johnson's part. As he had dutifully subjected himself to homage in his career and of course as vice president, Johnson now expected others to do the same. When they did not, or did not do so to Johnson's satisfaction, he was both enraged and perplexed. While in public Johnson was thankful to JFK holdovers, he told friends that he had suffered stoically as vice president. He did not "whimper" and was never "disloyal" to the president. He never attempted to create a rival group in the White House. But now the Kennedys and their acolytes were not acting like "big boys." They would have "to learn how to act—or else."⁶¹

Johnson's reaction to urban riots was typical of his reactions in other areas. According to Joseph Califano, Johnson was initially so stunned that he was immobilized. "He just wouldn't accept it. He refused to look at the cables from Los Angeles describing the situation...We needed decisions from him but he simply wouldn't respond."⁶² This reaction continued until his death: "A few hoodlums...moved from city to city making trouble. Spoiling all the progress I've made in these last few years."⁶³ In Vietnam especially, but in case after case, Johnson, the master of homage, reverted to the personality of King Lear, enraged by the ingratitude of all around him. The Kennedys did not appreciate his role in the 1960 election, African Americans his role in civil rights, student protesters his role in education, Ho Chi Minh his efforts to reach a settlement, even the American people, in general, who refused to acknowledge his massive achievements. Given these dispositions, would Johnson, despite all the advantages that lay before him in 1963, have done well to have selected another strategy?

Part III

Minimalist Strategies

Chapter Nine

Calvin Coolidge

“I thought I could swing it”

When Coolidge assumed the presidency after Harding's death in August, 1923, he had no political base and very limited visibility. Congressional investigations of cabinet corruption had begun. Information about his predecessor's martial infidelities was beginning to reach the press. The Harding administration was becoming a “synonym for corruption, malfeasance and rapacious capitalism” among critics.¹

To complicate matters, Harding was a popular figure with the public. Harding is frequently compared to Grant today but in the weeks after the funeral, Lincoln was often mentioned as his forebear.² The group of presidents who died in office was relatively small but still the analogy appears odd except for the fact that Harding was such a beloved figure. He was given credit for promoting economic growth and providing political stability after years of unrest and war thus providing a linkage between the call for “normalcy” and the last lines of Lincoln's second inaugural. McKinley was the president to whom Harding was compared most after his nomination in 1920 perhaps in the hope of convincing the public that the realignment begun in 1900 was reemerging. Whatever the appropriateness of these connections, both suggest Coolidge's dilemma as accidental president. However much Harding was admired in August 1923, his stature was sure to decline dramatically with future revelations. A strong Coolidge-Harding connection would be very damaging. Both comparisons were likely to raise negative assessments. A homage strategy was not a reliable route to either rex or dux.

The McKinley model is intriguing nevertheless. The suggestion that Harding was an underestimated modernizer has some credibility. Despite shortcomings that were soon to be placed before the public, Harding had instituted several significant features of the modern presidency. In fact, one of his defenders, Robert K. Murray, contends

that Harding should be credited for advancing a political philosophy and agenda that was followed for an entire decade: “[H]is 882 days in office were more significant than all but a few similar periods in the nation’s experience.”³ Although Harding frequently spoke of a return to “normalcy” and an abandonment of “heroics,” his philosophy required significant innovation to implement. Shortly after assuming office in 1921, he explained his agenda to Congress as one in which there would be “less government in business as well as more business in government.” Harding appointed business leaders to regulatory commissions created by Progressives to supervise the economy and systematically focused on accelerating revolutions in communication and transportation that were under way. At his urging, Congress passed the Highway Act in 1921, which provided federal funds for road construction that tripled in two years to \$88 million. He also created a conference on commercial aviation, requesting Congress establish a federal agency to provide rules for routes and airports. Harding also established a system of voluntary radio licensing supervised by the Department of Commerce and supported legislation to give the department authority to regulate airwaves.

As to the issue of “business in government,” two major national conferences were held during the Harding administration, one on problems in agriculture and the other on unemployment. Although neither conference produced major legislation, the practice of bringing experts together led to two major innovations for the modern presidency. It placed the office of the president at the center of policy evaluation and gave a role to professionals in solving policy problems. When FDR formed his “Brains Trust” in 1932, he adopted these principles, though, of course, their prescriptions were very different from those of Harding’s administration.

In addition, Congress passed the Budget and Accounting Act in June, 1921. The concept of a federal budget was actually part of the Progressive agenda, but it also fit well with Harding’s proposal for economy in government. The legislation created a Bureau of the Budget to aid the president who was now given authority to estimate expenditures and revenues for each fiscal year. The director reported directly to the president. (Congress also created the General Accounting Office in the act to oversee expenditures.) Harding appointed Charles G. Dawes as the first director. Dawes approached the position with religious fervor. He gathered together federal bureaucrats in a series of meetings where he stood next to two brooms. One, he said, represented the army allocation and the other, the navy. Dawes complained that when the navy needed brooms, it

sought funds to buy them from outside contractors even though the army had plenty. With the image of the two brooms on the door to his office, Dawes saved the government over one billion dollars in 1922. Although "business in government" was Harding's primary concern, the creation of the bureau placed the president at the center of budgetary policy, providing the president with the administrative structure to shape his programs.

Coolidge might have taken some of his initiatives in new directions, as Theodore Roosevelt did after McKinley's death. Roosevelt was still a revered figure in the Republican Party as Hiram Johnson's and General Leonard Wood's successes as his heirs in the 1920 presidential primaries attested. Coolidge's action in the 1919 Boston police strike was his signature achievement and showed that he could use executive power *ad uno tratto* as Roosevelt did in 1901. He was frequently involved in mediation efforts in labor disputes as a state politician. This independent strategy, however, had many liabilities. Not only did Coolidge not have the vibrant personality of Roosevelt but he had far less time to establish this course. When Harding died, the Republican national convention was scheduled to meet in a year and Coolidge was faced with rivals for the nomination in 1924.

A minimalist strategy appeared to be Coolidge's best option. He could focus almost exclusively on the establishment of legitimacy. By implicitly accepting the designations of "acting," "interim" and "caretaker," he could postpone the possibility of leadership until his own election. Coolidge could retain Harding's cabinet, appoint special prosecutors to investigate the scandals of his predecessor, and promise to promote economic stability during the transition. Coolidge could present himself as "former vice president" and "acting president" as part of his résumé at the subsequent year's convention.

The problem with the minimalist approach, however, was that it threatened to engulf Coolidge in anonymity. Like almost all vice presidents, Coolidge was ignored. He was not particularly liked by the First Lady who often omitted Coolidge and his wife from guest lists at the White House. He was part of neither Harding's "Ohio gang" advisors nor the modernizer faction led by Hoover. Requests for speaking engagements were great. Although Harding invited him to attend cabinet meetings, he rarely spoke. He was referred to by the president as "that little fellow." His effort to follow Harding's policies was so scrupulous that he told a reporter that it was his duty to support the administration's policies "one hundred per cent up to the point when I cannot conscientiously agree with them." Then he added, "When I cannot conscientiously agree with them it is my duty to keep

silent.” Despite his self-effacement, it was rumored that Harding was planning to replace him on the ticket in 1924.⁴

A simple minimalist strategy risked dismissal by party leaders and the public in the approaching months. The new president could be viewed as a capable transition figure but not necessarily as an electable and competent president. Coolidge met this problem by adopting a hyperbolic version of the minimalist approach. Although the image of “Silent Cal” was well known in Massachusetts, Coolidge exaggerated and extended it as accidental president. This strategy is no better illustrated than by his very first actions as president. Standing by a kerosene lamp since there was no electricity at the family farm, Coolidge took the oath before his father, a notary public, using the family Bible. This image of a new president who reflected the simplicity of rural New England in his actions and words became the primary mode of governance for the next six years. By adding competence, shrewdness, pragmatism, and traditional values of hard work in contrast with Harding’s persona of gregariousness and “crony capitalism,” Coolidge’s image caught the public imagination.

The taciturn in extremis persona erased the problem of political invisibility that is one of the major liabilities of the minimalist strategy. In the 1924 election, Coolidge deftly combined the persona of Silent Cal with proficient use of an emerging media technology. Appreciation for this adept combination of conservatism and modernism has been nearly obliterated by subsequent events. The Great Depression blended Coolidge with Harding once again. Both came to be regarded as typical New Era politicians, oblivious to the coming storm. Nevertheless, Coolidge, who recollected that his first response to the news that he was president was “I thought I could swing it,” was one of the most successful accidental presidents.

I

If one reviews Coolidge’s political career before 1920, one can readily see an early employment of the Silent Cal formula, but other elements are also visible. The young Cal was an upwardly mobile man who managed to graduate from Amherst College and be admitted to the bar. (Coolidge was one of the last in his generation to do so without benefit of a law degree.) Most elected offices in Massachusetts had short terms and Coolidge was forced to climb the rungs on the political ladder rapidly and systematically. He was city councilman and solicitor in Northampton, a member of the state house (for two terms),

state senate (three terms), mayor (for two terms), lieutenant governor (three one-year terms), and governor (two terms). None of these positions, except perhaps the last, required wide public visibility, but Coolidge was an active politician who readily sought new opportunities and numerous committee assignments. He actively pursued the position of the Senate presidency that made him the highest-ranking Republican in the state. He assiduously performed services for constituents. Throughout this period, Coolidge consistently stood on the progressive wing of his party. He favored direct elections of senators, women's suffrage, child labor laws, the right to unionize and a six-hour week. In his gubernatorial inaugural, he urged legislators to "recognize the right of man to be well born, well nurtured, well educated, well employed, and well paid."⁵

Given these stated beliefs, Coolidge's actions during the Boston police strike are surprising. He was generally regarded as a friend to labor and had helped settle a textile strike in Lawrence favorable to the workers. The governor's reactions to the strike were nuanced and hesitant. He recognized the grievances of the police and initially regarded the strike as a local problem between the police commissioner and the mayor. In the midst of the controversy, he spoke to an AFL convention and, while not mentioning the conflict, assured the audience of his support for the right to organize and to fair wages. "Human labor will never again be cheap," he concluded. Even after the police were fired, he promised to help them find other jobs.

The strike was precipitated by the Boston police commissioner, who suspended nineteen officers for their role in joining the AFL. Coolidge publicly pledged to support the commissioner perhaps because he had been assured a strike was unlikely and this was a simple way to signal the issue was a local problem. When most of the force went on strike on September 9, Coolidge, as well as the commissioner and the mayor, who was a Democrat, were all caught off-guard. Mayor Peters reluctantly called for National Guard troops to stop looting and restore order. Coolidge then called out more troops and reinstated the commissioner whom Peters had dismissed.

The whole affair might not have reached national attention had Samuel Gompers not sent a telegram to Coolidge urging him to reinstate the strikers. Coolidge gave a lengthy reply but the press picked up on one line: "There is no right to strike against the public safety by anybody, anywhere, any time." Some papers were critical of Coolidge's actions. The *Nation* claimed that the governor "sat discretely on the fence until he saw which side public sentiment was gathering." When opinion turned against the police and after the danger to public safety

was averted, Coolidge “climbed down from the fence on the side with the crowd and issued a proclamation needlessly mobilizing the entire State Guard.”⁶ But the preponderance of opinion was more like this ode in the *New York World*:

To one who has never seen Governor Calvin Coolidge of Massachusetts, he is a sphinx or an enigma. He talks little. It is his silences which seem to speak loudest, for when one ventures to put a question to him, the answer comes in a tightening of the governor’s lean face and the closing of his lips. He has a lean and hungry look, and the Policemen’s Union and the Central Labor Union of Boston discovered that such men are dangerous.⁷

Thus the Silent Cal persona was introduced to the nation. Coolidge won reelection by 125, 000 votes and a year later was a presidential prospect. Coolidge’s political advisor, Frank W. Stearns, who had made arrangements for the publication of the governor’s speeches, *Have Faith in Massachusetts* sent copies to delegates at the convention but the boomlet quickly collapsed. When Hiram Johnson and John Cabot Lodge refused to be considered for the second position on the ticket, he was nominated by a delegate from Oregon. On the basis of his action in the police strike, Coolidge easily won. The circumstances of his nomination, however, would later place another burden on the accidental president, for he was not the choice of the party bosses. His victory was achieved due to a churlish response to delegates resentful of the power of the senators who controlled the convention. Nevertheless, Coolidge, who fully recognized that his sole qualification for the presidency was his action in the police strike, was happy to accept. Some of his advisors questioned the wisdom of taking a position that required standing in line behind a healthy, fifty-six-year-old president. But Coolidge treated the vice presidency much like he did any of the stopovers he had made in his career in state politics. Later, he noted that his failure to be nominated for the top of the Republican ticket was a disguised blessing since “presidents who have gone to Washington without having held some national office have been at a great disadvantage.”⁸

II

When Harding died, however, the new president was still not recognized as a national leader. In fact, he was burdened by an image of

dual accidentalness. Chosen as vice president for a single fortuitous event and now reaching the presidency by succession, reporters began speaking of the "Coolidge luck." Even after his nomination as vice president, both his fellow politicians and the press predicted with dark humor that Harding had signed his own death warrant, given Coolidge's good fortune. In December, Mark Sullivan reported on the joke making the rounds in Congress. Coolidge "got to first base on balls, stole second (police strike) to 3rd (VP) on an error and reached home because the catcher fell dead."⁹

The circumstances surrounding Coolidge's succession helped erase some of these slightly veiled criticisms. No other transfer of power to an accidental president was presented to the public in a more vivid and arresting image than Coolidge's oath-taking ceremony administered by his father by kerosene lamp in a New England farmhouse. Even in this case, the Coolidge luck held. Had Harding died a day later, the new president would have taken the oath in his friend's palatial mansion. The public, however, was not generally aware of this accident and the event, covered by two reporters on the scene, was described by the press throughout the country. Soon a picture of this homey event would be commissioned and copies began to appear in people's homes.

Later in his understated manner, Coolidge himself showed an astute appreciation of the transmission of rex:

When the highest office in the land is by inheritance or appointment, no doubt there have been kings who have participated in the induction of their sons into their office, but in republics where the succession comes by an election I do not know of any other case in history where a father has administered to his son the qualifying oath of office which made him the chief magistrate of a nation. It seemed a simple and natural thing to do at the time, but now I realize something of the dramatic force of the event.¹⁰

Except for a few brief appearances (church attendance and opening the Red Cross convention), Coolidge did not speak to the public until his State of the Union address four months later in December. He resisted efforts to call a special session of Congress. By then interest in Coolidge had heightened precipitously. The speech was the first to be broadcast nationally. The large radio audience heard for the first time the new president's New England accent and even the sound of pages being turned. The new president gave a brief homage to Harding, noting that "this is not the occasion for extended reference to the man

or his work." He announced his opposition to joining the League of Nations (which he regarded a "closed" decision), relief for farmers, a veterans' bonus, and cancellation of war debts. He requested legislation in support of some of Harding's agenda such as highway spending. The centerpiece of his proposals was a tax cut proposal. The press was supportive and called the address "practical," "able," "frank" and "clear." The next day Coolidge announced his candidacy for the presidency.

The new president, however, had two major problems with which to deal. He faced competition for the nomination of his party. The Harding scandals were about to break. A minimalist strategy placed a strain on both these concerns. Without an overt homage or independent strategy, Coolidge could not expect any major legislative achievements. In any event, the Senate was unlikely to accommodate him whatever strategy he employed. While retention of the cabinet fit neatly with a caretaker approach, Coolidge almost immediately faced the prospect of becoming identified with the corruption of his predecessor.

The scandals in the Veterans Bureau and Department of Interior had all the requisites for bringing down a government: Congressional investigations, startling testimony, delivery of bribes in black bags, adultery, murder, suicide, betrayal, resignations, and most of all, spiraling revelations. The fact that they involved government agencies dealing with war and conservation—major policies before the transition to "normalcy"—added to public interest. Coolidge, in fact, initially privately dismissed the charges pursued by "conservationist malcontents and LaFollette progressives." The affairs too began as high as the cabinet level. The head of the Veterans Bureau and one of Harding's regular poker friends, Charles R. Forbes, was caught selling war surplus material to companies below cost in return for kickbacks. The attorney for the agency committed suicide when the scandal broke. Secretary of Interior, Albert B. Fall, was later discovered to have sold government leases to oil reserves at Teapot Dome, Wyoming, and Elk Hills, California for kickbacks of over \$400,000. The attorney general's confidante was accused of taking bribes of between \$200,000 and \$400,000 from a German national. There were rumors that other cabinet officials might be involved and the press began to ask what Coolidge as vice president knew. In January the new president provided an equivocal response. He did not recall any proposal regarding oil leases at cabinet meetings he attended. "I don't say that it wasn't," he continued, "but I don't recall. I think I should have recalled, had it been discussed at any length or referred to."¹¹

In early 1924, there were so many breaks in the investigations that it appeared that Coolidge would be seriously damaged by the scandals. The new president in general refused to fire cabinet officials under investigation on the grounds that an accidental president was obliged to retain "the counselors of the deceased president." He also insisted that officials should not be dismissed on the basis of rumors and unsubstantiated charges. Fall had left the government before Coolidge became president but there was pressure on him to fire Secretary of the Navy Denby and the attorney general. These actions were certainly consistent with a minimalist strategy but they risked dragging Coolidge into the scandal. If Harding had protected corrupt officials or was unable to control them, was Coolidge behaving any differently? If the scandals touched more cabinet members, Coolidge faced the prospect of belated mass firings or arriving at the convention with a cabinet under indictment or suspicion. If he dismissed officials as the investigation closed in on each one, he could be seen as allowing the Senate to act as regent.

Coolidge responded to the crisis by issuing a midnight announcement in late January from his presidential yacht. He alleged that the corruption involved members of both political parties and announced his plan to name two special counsels, one from each party. The action outflanked the Senate investigating committee, which was planning to ask for the appointment of a special counsel. He found a reason to dismiss his attorney general. Daugherty could not continue to give advice about providing documents to the Senate in which he was an interested party. Coolidge refused to comply with the Senate's demand that Denby be fired on the grounds that cabinet dismissals were an executive function, but the secretary of the navy, perhaps with the realization that the president's support would not continue, resigned. Coolidge promptly made two appointments of men with distinguished legal backgrounds that impressed members of both parties: Harlan Fiske Stone, former dean of Columbia Law School, and Curtis Wilson, chief justice of the California Supreme Court.

One of the significant problems with a minimalist strategy is that it permits an opening for the competitors in the new president's party. In 1923 Coolidge faced a large array of competitors, including Frank O. Lowden and Leonard Wood, who were candidates in 1920, and Robert LaFollette and Henry Ford. Each soon moved aside for Coolidge. There is no more adroit application of the minimalist strategy, however, than Coolidge's response to the threat from Gifford Pinchot, governor of Pennsylvania. The day after Harding's funeral, the governor discussed with the new president the strike deadline set

by the coal miners. Coolidge listened but appeared disengaged. When Pinchot later complained about his lack of interest, Coolidge invited him to the White House and proposed that Pinchot lead a mediation effort. The governor gladly agreed. Pinchot did settle the strike on September 7 and Coolidge promptly congratulated the governor as did the national press.

On balance, Coolidge's minimalist response to the strike seemed to play perfectly into Pinchot's hands. Coolidge did nothing to avert or settle the strike and Pinchot, who acted much like Theodore Roosevelt, was the energetic executive. The governor, however, in helping the miners reach a contract with a 10 percent wage increase, angered conservatives in his party, especially Secretary of Treasury Mellon who controlled a large portion of the Pennsylvania delegation. Coolidge often referred to the incident as our "coup."¹²

Coolidge's actions in dealing with these two problems might not have succeeded, had he not so rapidly and successfully engineered his persona of Silent Cal. With background in the media, Harding reinstituted the press conference format that Wilson had increasingly found unproductive and frustrating. Coolidge followed Harding's example but with a major innovation. The biweekly meetings with the press became the anchor for his Silent Cal persona. As correspondent Tom Stokes wrote in his memoirs, "it was really a miracle. He said nothing. Newspapers must have copy. So we grasped little incidents...and created...a character who spoke sparingly and acted economically."¹³ Stokes's analysis, however, misses part of Coolidge's innovation. The new president did, in fact, speak extensively during these meetings and often offered long, rambling responses to questions. He required, however, that questions be submitted in writing before the conferences. As he flipped through the slips of paper, ignoring some and answering others, reporters were quite aware that the president could not be quoted directly without permission that was rarely given. Instead, the news was filled with statements from a "White House Spokesman."¹⁴

The president supplemented his news management with assiduous courtship of reporters. His relationship was not as jocular as Harding's. Instead, he approached them with a disarming courtesy, and asked reporters to join him for his private vacations. On one occasion he extended them an invitation to his home in Vermont and asked, "What would the members of the press prefer, to go by automobile or by train?" When the groups answered "train," Coolidge replied, "[S]eems unanimous. Well, I think I can arrange to take you over by train if that would suit you better."¹⁵ This combination of control and solicitude created an extremely pliant press. The *New Republic* in

1925 remarked on the “completeness with which the press has been Coolidgized.”¹⁶

Coolidge was also innovative in his approach to the election in 1924. The Republican convention was broadcast by radio and Coolidge immediately saw the implications of the new communication technology. He later revealed a sense of his limitations, uncommon among politicians, to Senator James E. Watson: “I am very fortunate that I came in with the radio. I can’t make an engaging, rousing, or oratorical speech to a crowd as you can...but I have a good radio voice, and now I can get my messages across to them without acquainting them with my lack of oratorical ability.”¹⁷ Coolidge was also fortunate that the new medium produced an especially attentive audience. Americans took to the radio with great enthusiasm. They “devoured the programs offered and cried for more.”¹⁸ When Coolidge delivered his acceptance speech for the Republican Party nomination, 2,000 people filled the Constitution Hall and 10,000 listened outside via loudspeakers. And 25 million heard the address across the nation.

Even before his nomination Coolidge made arrangement to appear on radio at least once a month, sometimes offering very short remarks on the former president and on the movement for better homes. As early as May 1924, Coolidge began to deliver radio speeches from his White House study. This transition from broadcasting a set speech to one designed only for the radio audience, suggested, as a public opinion expert has noted, “a very rapid and significant recognition of radio as a medium in its own right, rather than as a mere adjunct to the old fashioned public meeting.”¹⁹ By embracing the new technology, Coolidge was able to retain—and enhance—his Silent Cal persona while at the same time reach audiences even larger than the peripatetic William Jennings Bryan.

Coolidge’s limited campaign speech-making was also replaced by what is now called the photo op. In the 1920s, as more and more consumer products were developed, advertising became a growth industry. He retained Edward L. Bernays, a public relations expert. One event sponsored by the Republican Party was a breakfast meeting at the White House attended by New York theater actors. The highlight of the event was a song sung by the guests and led by Al Jolson. The lyrics of “Keep Coolidge” included refrains such as “without a lot of fuss/he did a lot for us” and “he’s never asleep/still waters run deep.”²⁰

Silence, brevity, and directness were only some of the nuances that Coolidge conveyed from August 1923 to his own election in November a year later. Stories and jokes about the president became a national

pastime. Some such as "Coolidge looked like he was weaned on a pickle" or "Coolidge always appeared to be looking down his nose to locate a smell which seemed forever to affront him" were derisive. Some were affectionate:

As a government function in the nineteen-twenties, a young lady approaching President Coolidge, said gushingly, "Oh, Mr. President, I have made a wager with a friend of mine that I could persuade you to say more than two words to me. Could you?" And Coolidge, without expression, said, "You lose."

Calvin Coolidge had been to church. When he returned, he said nothing about the service. His wife prompted him. "What was the sermon about?" she asked. "Sin," Cal answered. "Well, what did the preacher say about sin?" she asked impatiently. "He was against it," Cal told her.²¹

Then there were the president's own aphorisms such as "[T]he business of America is business"; "Under this republic, the rewards of industry belong to those who earn them"; "[E]conomy is idealism in its most practical form"; "America must be kept American;" "I am for economy. After that I am for more economy." What is intriguing about this phenomenon were the numerous variations on the theme of Silent Cal. A kind of Coolidge hermeneutics developed in which the president was wise/dim, sophisticated/provincial, shrewd/indifferent, churlish/witty. A president who spoke little and acted rarely nevertheless overcame redundancy. The Coolidge enigma became the functional equivalent to the personas of courage and self-sacrifice in the independent and homage strategies.

The election of Coolidge in 1924 was rightly regarded as a foregone conclusion. Coolidge received 54 percent of the popular vote and 372 electoral votes. The border states of Kentucky, Missouri, and West Virginia voted for Coolidge and the Republican ticket carried New York City. It is possible, however, that the outcome with another Republican or Democratic nominee (or a less astute accidental president) might have been different. The Progressive Party received 16.6 percent of the vote. LaFollete only carried Wisconsin but came in second in eleven states.

Even after his own election, Coolidge continued to follow the minimalist strategy he devised as accidental president.²² With the end of the war, he announced in his inaugural address that the collection of taxes "beyond reasonable doubt" necessary for securing the public welfare was "only a species of legalized larceny." But how could taxes and the war debt be lowered at the same time? Coolidge argued that economies in government plus additional revenue from consumer

buying assured the success of his plan. Some representatives, such as Senator George Norris thought Coolidge's "supply-side" strategy was too radical and one which "good businessmen" would never chance. Nevertheless, the Coolidge-Mellon tax plan was passed by Congress in 1924. Two years later another tax cut was passed by Congress at the president's urging, The Revenue Act of 1926 eliminated the gift tax, reduced the estate tax by 50 percent, and lowered the income tax.

Twice, Coolidge vetoed the McNary-Haugen Act. Farmers were one group that noticeably did not benefit from the "Coolidge prosperity." Congress, led by Midwestern Republicans, attempted to alleviate their suffering by establishing a system of cooperatives that would sell surplus crops to the government that would then place them on the world market at discount prices. Coolidge, however, vigorously opposed the legislation as a "cruelly deceptive" price-fixing scheme that would create a "bureaucratic tyranny of unprecedented proportions."

On other issues, Coolidge carefully followed congressional wishes. He signed, for example, the National Origins Act of 1924, which severely reduced immigration from southern Europe and stopped it altogether from Japan on the grounds that these limitations, like the tariff, "save American jobs for American workmen." Coolidge, however, was a reluctant participant in the nativist debate. He did call for immigration caps in his 1923 State of the Union address but did not initially support the exclusion clause. His secretary of state Charles Evans Hughes believed the restriction was a violation of the "Gentleman's Agreement" with Japan in which the Japanese acquiesced to quotas in return for concessions for Japanese students already in the United States. Hoover too was dubious of the measure, preferring instead negotiating a new treaty with Japan. Hughes made a tactical error in making public a comment from the Japanese ambassador that there would be "grave consequence," should the exclusion clause become law. Rather than producing caution on the part of the Senate, the comment was regarded as a provocative intrusion on American sovereignty. Hughes hinted that he might resign but Coolidge rejected the offer.²³ While he stated that he supported his secretary on the issue, he also withdrew his opposition.

On cultural issues generally, Coolidge ignored one opportunity. 1920s political culture was quite distinct. A booming economy and numerous technological advances inclined to produce a satisfied electorate. But the unevenness of the prosperity as well as the emergence of the "New Negro" and the "New Woman" also provided the conditions for a cultural backlash. The electoral map of 1924 might not show a red state/blue state division as that of 2000 (Republicans

carried all but the South), but there was certainly a pattern in public opinion that suggested a "culture war."²⁴ America was undergoing another religious revival. It was much like later years when fundamentalists were committed to rejecting this latest moment in modernity while also readily utilizing the new technology to promote their cause. W. B. Riley, the leader of the anti-Evolution League, for example, wrote scores of books criticizing "Modernists" and "Liberals" for relegating the Bible to a series of "esoteric fables."²⁵ Aimee Semple MacPherson's spectacular appearances were carried on radio. (The scandal that brought about her downfall was also covered by the same medium.) The Ku Klux Klan grew to a national organization of 5 million in the 1920s with chapters in Indiana, Colorado, Oregon, and Ohio.

Coolidge largely ignored the fundamentalists. He bent, of course, on the immigration issue. Liquor was not served in the White House (unlike in Harding's administration) although Coolidge was known to drink beer privately. He was almost indifferent to federal enforcement of the Volstead Act. On racial questions, Coolidge faced more difficult political choices. In 1924, the Democratic Party was roiled over the Klan issue and ultimately did not repudiate the organization. African American voters were an important part of the Republican base and over 300,000 had moved to the North for jobs during the war. The Democratic presidential candidate, John W. Davis, personally spoke out against the Klan during the campaign and urged his opponent to follow. Coolidge, however, limited his comments to general statements about tolerance. His White House secretary, a Southerner with no sympathy for civil rights, was given the task of explaining Coolidge's position. The president, Bascom Slemp told the press, was not a member of the Klan and "was not in sympathy with its aims." When the Klan, however, staged a huge rally in the nation's capitol in August 1925, the president left for vacation in Massachusetts without comment. A month later he delivered an address to the American Legion praising all Americans regardless of race or religion without mentioning the Klan. Coolidge did support antilynching legislation, although without great effort, and commuted the mail fraud sentence of Marcus Garvey (and then signed his deportation papers).

On cultural questions Coolidge followed a minimalist strategy whenever possible, preferring a general image of traditional values rather than as a general in a culture war. In foreign affairs, he relied heavily on the State Department. As he stated in his autobiography, "the ideal way . . . is to assign to the various positions men of sufficient ability so that they can solve all the problems that arise under their

jurisdiction. If there is a troublesome situation in Nicaragua, a General McCoy can manage it. If we have differences with Mexico, a Morrow can compose them. If there is unrest in the Philippines, a Stimson can quiet them.”²⁶ Coolidge remained largely indifferent to the rise of fascism in Europe. When asked if Germany could be permitted to delay or cancel war debts, Coolidge refused with the reply: “They hired the money, didn’t they?” Almost by accident, the administration successfully negotiated the Kellogg-Briand Pact that outlawed war as a solution to problems. The pact was ultimately signed by sixty-two nations. The French foreign minister originally proposed the idea as a bilateral agreement between the United States and France. Secretary of State Frank B. Kellogg was not initially willing to be involved in the effort but in an attempt to mollify public demands for peace efforts, proposed a wider agreement. Coolidge was won over by Kellogg and later came to believe that the treaty was a highlight of his administration.

III

This minimalist strategy, despite its risks, had two significant advantages. Coolidge’s persona appeared so different from his predecessor’s that the public found it difficult to associate him with the scandals. As one contemporary noted, “he represented a picture of plain commonsense Americanism.... Coolidge was ‘different.’”²⁷ This difference allowed him to escape from the “embarrassments” of the Harding administration while at the same time endorsing and extending its policies. As a purified Harding, Coolidge enjoyed all the advantages of party incumbency without carrying its burdens. Other strategic choices can produce this same result. Despite their victories, Theodore Roosevelt, Harry S. Truman, and LBJ, however, eventually paid the price for their decisions when their party rejected them, in one way or another, for a second elected term. When Coolidge, with his finely honed brevity, announced he would not be a candidate in 1928, he faced no opposition.

If there is one drawback to Coolidge’s achievement in selecting and implementing such a successful strategy, it is related to the nature of the minimalist approach itself. Coolidge’s subsequent low ranking as president is no doubt directly related to the economic collapse in 1929. Every negative outcome Coolidge successfully avoided by pursuing the minimalist strategy seems to eventually reemerge. The Great Depression reconnected Coolidge with Harding and brought forth questions of competence. The Coolidge luck, once used as a thinly

veiled exposure of Coolidge's political successes, returned as a criticism. Even as the Kellogg-Briand pact came to be regarded as a chimera of peace so did Coolidge's economic policies come to be seen in terms of prosperity. Within ten years, Coolidge's minimalism was uniformly discredited. The president's laconic refusal to run again in 1928 is now seen as one last piece of Coolidge luck.

As early as 1926, Walter Lippman anticipated some of these developments. Lippman acknowledged the adroitness of Coolidge's Silent Cal persona, but he attributed it largely to fortuitous coincidence in American political culture. Celebration of Coolidge's New England traits was a convenient and self-serving way for Americans to "praise the classical virtues while continuing to enjoy all the modern conveniences":

[Americans] not only installed him in the White House, but they trust him utterly as they hear his voice on expensive radio sets; they praise him as they ride in their expensive radio cars; they toast him at banquets where there is more food than can be eaten. At a time when Puritanism as a way of life is at its lowest ebb among people, the people are delighted with a Puritan as their national symbol.

To Lippman, comparing Coolidge to Washington, Jackson, or Lincoln was "like saying that the contented captain of a houseboat on an inland river is in many respects like the captain of a ship at sea."²⁸

Nearly seventy years later, Stephen Skowronek attributed Coolidge's phenomenal success in avoiding the intractable problems of an articulating leader to his "astute perception that precious little needed to be done in the circumstances at hand to vindicate his moral and material commitments and sustain his leadership position."²⁹ This inaction, according to Skowronek, belatedly struck back at Coolidge. His refusal to run again in 1924 was perhaps his most "brilliant" act since he sensed that changes were afoot to which he was not capable of responding.³⁰

Both of these assessments are skillful attempts to solve the old Coolidge enigma, but neither is able to acknowledge Coolidge's achievements as accidental president. The reason perhaps for this refusal, in addition to an ideological distaste with Coolidge's policies, is connected to the minimalist strategy itself. Ironically, Coolidge's success lay with his ability to disguise his achievements, first as caretaker for a dead president and then as caretaker for the nation. But this strategy also excludes, even more systematically than the homage approach, recognition of the active role a president performs in accomplishing his goals. Coolidge is thus, at best, portrayed as a captain of a houseboat.

Chapter Ten

Gerald Ford

*“I am acutely aware that you have not elected me as
your President”*

Coolidge’s minimalist strategy, which depended upon acceptance of a purified version of the policies of his predecessor, was followed in large part by Gerald Ford. When he assumed the presidency on August 9, 1974, he insisted that his speech was not an inaugural address “just a little straight talk” and he announced that “our long national nightmare is over.” He also carefully indicated his sympathy for the disgraced former president. Ford said he hoped Richard Nixon “who brought peace to millions, finds it for himself.” Initially, this minimalist strategy succeeded. Press assessments that concluded that the new president was no “different from your next-door neighbor” validated Ford’s attempt to portray himself as a competent and reliable representative of Middle America.¹ Ford’s self-description that he was “a Ford, not a Lincoln,” made when he accepted the vice presidency, was the equivalent to Coolidge’s image of “Silent Cal,” the symbol of New England integrity.

The underside of this minimalism signifies dullness, passivity, and ultimately incompetence and ineptitude, assessments that Coolidge’s critics too offered. A variety of factors, some within Ford’s control and some not, conspired to move these aspects to the center of his accidental presidency. Asked about the scandal surrounding the attorney general at a press conference, Coolidge simply replied: “Let the guilty be punished.” Ford, on the other hand, decided to pardon President Nixon one month into his accidental presidency. When asked if Germany could be permitted to delay or cancel war debts, Coolidge refused with the reply: “They hired the money, didn’t they?” One of Ford’s early major initiatives, a policy of conditional clemency to Vietnam draft resisters, was a more proactive response to a postwar problem.²

Ford, of course, faced numerous problems that Coolidge did not confront: a difficult vice presidential confirmation, a troubled

economy, a Democratic Congress, a popular rival in his own party. Most significantly, the Ford succession was “unique and unprecedented.”³ As the first president who held the office through the Twenty-Fifth Amendment, Ford’s role as rex was even more tenuous than that of other accidental presidents. Nevertheless, Ford’s version of a minimalist strategy, one that was perhaps required in view of these circumstances, was more demanding than Coolidge’s. Ford’s agenda theme of “healing” required constructive actions. Ford, therefore, wavered at crucial points between an independent strategy and a minimalist one that brought to the forefront the negative aspects of the caretaker role.

I

Most accidental presidents have had presidential ambitions. Ford, along with Harry Truman, was an exception. The persona of Ford as a middling politician with a comfortable House seat and with few ideological or even personal passions accentuated his accidentalness. Ford was, in this view, a sinecure, midcentury Midwest Republican with conventionally moderate conservative beliefs in family, free enterprise, and anticommunism, whose life was not appreciably different from his counterparts in business, law, or education either in Grand Rapids Michigan or any other medium-sized Midwest city. This image, however, does not fully coincide with Ford’s political career. Not only is there a distinct Horatio Alger cast to Ford’s life but there is also more than a dollop of political ambition and risk taking. Born the son of an errant father, Ford won a football scholarship to the University of Michigan and worked his way through Yale Law School as a boxing coach and assistant football coach. He enjoyed the support of the kind of mentors so prominent in the Alger narratives. Senior partners in two small law firms helped him on his path to success. He also volunteered for military duty in the navy after Pearl Harbor. His friendship with Richard Nixon was based partly on their common class backgrounds. Like Nixon, Ford began his political career by taking some significant chances. He successfully challenged a five-term Republican congressman in 1948, the chair of the Republican Conference in 1962, and the House Minority Leader two years later. On these occasions, Ford was a gentleman maverick, willing to confront more powerful men when the circumstances were propitious for him. His support for Eisenhower in 1952 nearly produced a primary challenge from Taft supporters. Ford was generally cautious

and polite in dealing with members of the opposite party, a stance that helped him win an assignment to the intelligence subcommittee in 1956 and the support of Carl Albert and Mansfield for the vice presidency in 1973. His attacks on LBJ's prosecution of the war in Vietnam, however, led to the president's ridicule: "Jerry played football too many times without a helmet." And there was also Ford's peculiar demand for the impeachment of Justice Douglas in 1970 (which he later admitted was "politically ill-advised").⁴

The circumstances that led to Ford's assumption of the vice presidency were unique. In his brief address at the swearing-in ceremony, Ford attempted to establish his role as rex by emphasizing his constitutional *bona fides*. "Together we have made history today," he asserted. "For the first time, we have carried out the command of the 25th Amendment. In exactly eight weeks, we have demonstrated to the world that our great Republic stands solid, stands strong upon the bedrock of the Constitution."⁵ In other words, his vice presidency was strictly legal (the result of the "command" of the 25th amendment) and actually exceptional in a positive sense since it demonstrated the solidity of the Constitution as the guide to succession. Ford himself seemed genuinely impressed with his own transition: "I had entered the chamber as a Congressman from one of nineteen districts in Michigan; I was stepping out as the new vice president of the United States."⁶ All was not well, of course, with this exceptionalism. Vice presidents are chosen for a variety of reasons, most of which have little to do with their capacity to govern as presidents. But Ford was nominated (not by his party) and confirmed (not elected) for reasons quite different from those for which other vice presidents were nominated and confirmed. He was not chosen for electoral or ideological balance. Nor was he chosen as a defeated competitor for the presidency.

Why was Ford selected as the first vice president through the procedures outlined by a constitutional amendment? He was not Nixon's first choice, or even his second, or third. His name was at the bottom of the list of recommendations by the Republican National Committee and the cabinet. Ford himself listed four other candidates on his own "ballot." Only in the House of Representative was Ford's name prominent.⁷ In a fundamental way Ford became vice president as a result of the House leadership. When Nixon invited Democrats Mike Mansfield and Carl Albert to discuss the matter, both told the president that Ford was the only person readily confirmable. This assessment was a particularly crucial one in terms of presidential succession. For without a vice president, an impeachment conviction would have left

Albert next in line for the presidency. Thus Albert's recommendation, prompted by Mansfield, was an open invitation for a scenario triggered by the Twenty-Fifth Amendment. More than this, it was also an incursion by the legislative branch into the succession process. After leaving the meeting, Albert told Mansfield, "We gave Nixon no choice but Ford. Congress made Jerry Ford President."⁸

When Ford returned to the House after his nomination, he received a standing ovation. Press reaction too was positive. But Ford clearly faced significant problems as vice president. Nixon and his staff were openly dismissive of the nominee. The president reportedly asked Rockefeller, "Can you see Gerald Ford sitting in this chair?"⁹ When Ford met with Nixon, the president extracted from him a promise not to run for president in 1976. Ford readily agreed but later wondered whether the offer would have been withdrawn had he responded differently. Presidents often change vice presidents but this early decision sent two signals to Ford. He was to be a "lame-duck" vice president. Nixon still preferred someone else as his successor.

Despite his popularity in Congress, Ford had to submit to confirmation hearings in both Houses. The hearings were taken quite seriously since they would set a precedent for the Twenty-Fifth Amendment and because impeachment was already under consideration for the president. Congress was in essence choosing a president. As the chairman of the Senate Rules Committee said in his opening remarks, Congress was voting for 76 million Americans.

Vice presidents as well as presidents must of course respond to personal and political accusations throughout a campaign. The Twenty-Fifth Amendment concentrated on this process. With Congress rather than the public as voter, however, Ford was forced to respond to their institutional interests. He told Senator Byrd that executive privilege was often abused in the past and that it did not cover instances in which criminal conduct was alleged. He told Senator Pell that an impeachment offense is whatever Congress says it is. He supported a new special prosecutor and congressional demands for the White House tapes. As to a question about a pardon of an ex-president, Ford replied that he would have to seek legal counsel but he believed that "the public would not stand for it."

Despite an attempt by "fire-eaters" in the Democratic Party who argued for delay with the hope of impeaching and convicting Nixon first to assure Albert the presidency, Ford was easily confirmed. But he was now bound by the equivalent of campaign promises. As a specially chosen vice president, and perhaps soon as president, Congress was prepared to treat the occupant of both offices as a regent. Nixon, of

course, had other ideas. Haldeman's comment that Ford was chosen as an insurance policy was perhaps only part of a maximin strategy. Certainly Congress, as well as the public, was prepared to have Ford assume the presidency. More likely, Nixon and Haldeman saw Ford as a reliable vice president who would readily follow any orders given to him. Not only had Ford loyally supported all of the president's policies in Congress, he had also attacked Justice Douglas on orders from the White House after Nixon was piqued by the rejection of his Supreme Court appointments. The president left Ford on his own when both Democrats and Republicans rallied to the justice's defense. Even so, Ford came perilously close to involvement in the Watergate cover-up by thwarting investigations, again on White House orders, by the Pateman Committee before the 1972 elections. Haldeman's aide, Alexander Butterfield, said that Ford was "totally under [the president's thumb]." "He was the tool of the Nixon administration—like a puppy dog. They used him when they had to—wind him up and he'd go 'Arf, Arf.'"¹⁰

If Ford was not even a watchdog but only a puppy and only a mechanical one at that, as vice president he began to behave differently. His first act of independence occurred immediately after the confirmation. Nixon's aides insisted that the swearing-in ceremony be in the East Room of the White House. Ford wanted it to take place in the Capitol where he had spent his career and where he had been confirmed. Only after demanding a meeting with the president himself was the venue changed. The Nixon White House expected Ford to support the president daily and attack his critics. His staff prepared speeches for Ford to deliver that the vice president, except on one occasion, toned down. On March 30, Ford actually gave a critical speech before the Midwest Republican Leadership Conference attacking the "arrogant elite guard of political adolescents" who ran the Committee to Reelect the President. When an aide gave him a copy of George Reedy's *The Twilight of the Presidency*, he made sure his entire staff received a copy. Part of Reedy's critique of presidential power rested upon the assertion that young White House staffers quickly act like "tin gods." Ford found this observation particularly prescient since it predicted the "climate that led to Watergate."¹¹

Ford too was reacting to his own treatment by the White House staff whom he now began to see as immature and even incompetent. The president's staff was still dismissive of him in petty ways. When he ignored their complaints that he was traveling too much, they assigned him an aged plane. But by the end of April, Ford clearly saw that it was possible that he would be president. He assessed the odds as fifty-fifty that the president would eventually step down.

Other vice presidents have had to gauge their actions and speech when presidents were near death. Arthur's behavior helped him when the assumed office as did Theodore Roosevelt's. Ford, of course, was on a special version of a "deathwatch." Criticized by the press for "zigzagging" in his support for the president and the House Judiciary Committee's demands for tapes, Ford admitted that he was engaged in a "day-by-day balancing act." If he were too critical, it would appear "that I was trying to position myself for the presidency." If he were too supportive, he would run the risk "being sucked into the whirlpool myself."¹²

Not one but three transition teams were formed to help the would-be president. The first, headed by Philip Buchen, began its work in May, met in secret, and did not even inform the vice president. The most significant recommendation of the team was the dismissal of Haig and the abandonment of a chief of staff altogether. The second team was initiated by Ford himself after the August 5 release of tapes and was chaired by William Whyte. This team recommended retaining Haig, though not as chief of staff. A third headed by Donald Rumsfeld largely endorsed the recommendations of the Whyte report. None of the reports offered any major policy recommendation except the suggestion to engage in "straight talk" to the American people and to "reduce the trappings of the presidency." Examples of the latter included eliminating the use of black limousines, portal-to-portal parking privileges for all staff below cabinet rank, and mess privileges for top aides and cabinet members.¹³

There was, of course, a major difference between this deathwatch and those in the past. Ford awaited Nixon's political, not physical, death. Until the public reaction to the release of the final tapes set in, Nixon's future was in his hands, however tenuously. Ford handled his "impossible situation" by insisting that he expected to be vice president until 1977. On August 1, this relationship changed dramatically. Ford, against the advice of his aides, met with Alexander Haig for forty-five minutes during which the chief of staff outlined six options the president could exercise: invoke the Twenty-Fifth Amendment and temporarily step down during the impeachment process, delay any decision, attempt to convince Congress to vote censure rather than impeachment, pardon himself and resign, pardon all Watergate defendants and resign, and resign and be pardoned by Ford. The very mention of the last option broke though Ford's neutrality regarding succession. Ford's response created an even larger opening. After receiving two handwritten sheets of paper, outlining a president's authority to pardon and a template for his successor to use, Ford

asked about the extent of a president's pardon power and then said that he needed to seek advice before replying. Ford's action might be considered equivalent to Coolidge discussing a "no resuscitation" order with Harding's physicians. When Ford's aide Robert Hartmann heard the vice president's summary of the meeting, he was aghast and suggested another option Ford should have taken. "I think you should have taken Haig by the scruff of the neck and the seat of his pants and thrown him out of the office. And then you should have called an immediate press conference and told the world why."¹⁴ Ford, who valued Hartmann's counsel, always considered him hyperbolic and insisted he was overreacting, making a "mountain out of a molehill."¹⁵

The vice president nevertheless attempted to repair the damage. On the advice of two more aides, Jack Marsh and Bryce Harlow, he called Haig, and stated in view of witnesses that in their previous conversation there was no implication that he agreed to pardon Nixon. His aides exclaimed in relief, "Whew, that was close!" Few observers now agree with Ford's assertion that the conversation was only a molehill. Ford himself even seemed to recognize problems with his response when he burned the notes given him by Haig. Perhaps Ford was moved to consider Haig's options out of a sense of patriotism. The vice president hoped to spare the American people a continuation of what he later called "our long national nightmare." Perhaps, he was inclined to consider all possible compromises, given his experience as a legislator. Perhaps he was just another politician who was simply outwitted by Nixon. In any case, the impact of the discussion on Ford's status as rex did not end with Ford's clarification. The fateful meeting with Haig became the center of controversy when the president pardoned Nixon a month later.¹⁶

II

When Ford assumed the presidency, his position was similar to Coolidge's. Like Coolidge, he had no base in his own party and no national constituency. Like Coolidge too, Ford was forced to deal with the scandals of his predecessor. In some ways, Ford's position was even worse. He was the supreme accidental president since he had not been elected as vice president. Ford attempted to make the best of this situation in his swearing-in address when he said, "I am acutely aware that you have not elected me as your President by your ballots, and so I ask you to confirm me as your President with your prayers."¹⁷

This admission attempted to establish *rex* by replacing legitimacy via election by legitimacy via a desire for authority in general. He even added a utilitarian (although vaguely undemocratic) reason for accepting his authority: "If you have not chosen me by secret ballot, neither have I gained office by secret promises. I have not campaigned either for the Presidency or the vice presidency. I have not subscribed to any partisan platform. I am indebted to no man, and to only one woman—my dear wife—as I begin this very difficult job." These two claims, one based on the notion that some authority is necessary and the other based on the notion that his status was in some way purer than conventional democratic succession, provide the basis for his presidency. The first, however, was most congenial with a minimalist strategy, the second an independent one. Ford wavered between these two options throughout his tenure in office, sometimes also making mistakes along the way in implementing each.

As he reiterated in his memoirs, Ford showed an acute appreciation of his position. There is a "seasonal cycle to the presidency," Ford noted. The first year a president lays out his programs and then devotes the next one or two to pushing them through Congress. The fourth, he "mends his fences politically and runs for reelection." He had to do all this in 895 days. He added, "[M]ost men who become President have buried their predecessors and then go on to reassure people by wrapping themselves in the mantle of men they followed." Ford mentioned LBJ's "Let us continue" theme. His problem, however, was "at the time of his departure, Nixon had no mantle left."¹⁸

Part of Coolidge's minimalist strategy designed to meet the problem of a discredited predecessor was to present himself to the public as a purified version of the previous president. Ford immediately dismantled the symbols of the modern presidency that Nixon had layered onto the office. He stopped playing "Hail to the Chief" and ended religious services in the White house. He renamed the Executive Mansion, removed "bugs" from the Oval Office and drew up a new code of ethics for the White House staff. He replaced portraits of Theodore Roosevelt and Woodrow Wilson in the Cabinet Room with Truman's. Chairs for reporters were moved closer to the president for his first press conference and the royal blue curtain that Nixon had stood before was removed. He even made his own breakfast. The press responded very favorably. Hugh Sidey's comments were typical. Ford, he concluded, had engineered a "transformation" of the White House, not from "mystique but from candor, not from majesty but from humility, not from complexity but from plainness."¹⁹

These symbolic actions, however, depended upon extremely careful policy implementation. Almost all accidental presidents face major personnel problems. Their administration is composed of people not of their own choosing. Given the absence of an interregnum, even if they decide to make significant changes, there are severe time constraints. A new president can appear to be without any administration until his new choices are made and confirmed. Recognizing these circumstances, Ford decided to retain most of the former president's White House staff and cabinet. Ford justified his decision, overriding the recommendation of the transition teams, on the grounds of efficiency, stability, and fairness. It was Ford's contention that he did not want to initiate a "Stalin-like purge" that would have "tarred" members "with the Nixon brush" when so many were innocent of any wrongdoing, that so infuriated his own staff.²⁰

Both President Truman and Lyndon Johnson were confronted with the problem of a cabinet and staff whose respect and loyalty to the new administration was questionable. In both cases, however, the previous president had been an honored figure. There were good reasons for both Truman and Johnson to retain their staffs, at least temporarily, to establish a connection with their predecessor. Ford, who followed a discredited president, faced a different problem. He knew that the Nixon staff regarded him and his advisors as "minor leaguers" and he knew that some members might later be found to have undisclosed links to Watergate that would "embarrass me if I kept them on the team."²¹

It is possible that Ford found temporary staff retention as the most congenial alternative for a minimalist presidency. A clean sweep of the entire staff and cabinet, as both Buchen and Hartmann advised, would have put immediate pressure for new programs for which Ford was not prepared, at least at this point, to stake his presidency. It is possible too that Ford saw the decision as less significant than his staff did since he intended to return to a cabinet-centered presidency like Eisenhower's. Whatever his reasoning, the decision had several significant drawbacks. There was a contradiction between Ford's efforts to remove the symbolism of the imperial presidency of Nixon while retaining his imperial staff. The Nixon staff was openly dismissive of Ford's efforts. When Ford did not accept Henry Kissinger's advice to delay the first meeting of the National Security Council, he walked out shortly after the photographers left. Though Ford rejected the notion of a powerful chief of staff, Alexander Haig continued to behave as one.

Robert Hartmann referred to the Nixon retainees as the “Praetorian Guard of the Departed Emperor.” The characterization may seem exaggerated but Hartman’s description does focus on an important consequence of the Ford decision on personnel. The Nixon staff not only questioned Ford’s capabilities as dux but also even his right to govern. To them, his presidency was an outcome of a coup by liberals in Congress and the press. Their loyalty was so questionable that Ford’s allies believed the “little Praetorians,” as they called them, were communicating, if not working with, the deposed president. The two-staff problem in the Ford administration was not a new one in accidental presidencies but in this case it took on more dire dimensions. Ford had come close to declaring his presidency as a regency of Congress in his vice presidential confirmation hearings. His immediate presidential actions, however efficacious in the short term, could veer in this direction. Now, with the Nixon staff at his side, Ford risked the perception that the former president’s staff were acting as regents. At its most extreme, the Ford presidency itself could dissolve as an independent entity as Congress battled the remaining Nixon forces in the executive branch.

This problem of avoiding a lapse into one of two regencies while at the same time forming a competent minimalist presidency is brought to light two other fateful decisions by Ford. There was already a precedent favoring congressional regency in the selection of a vice president under the Twenty-Fifth Amendment. Nixon had not only been forced to consult with congressional leaders but also to offer a recommendation that was confirmable. In addition, Congress used the nomination to extract concessionary promises from the executive branch. Ford, even as accidental president, enjoyed a stronger position than Nixon did, but he still faced serious challenges both in terms of rex and dux. Thus Ford faced the same dilemma as Nixon. He could not avoid canvassing members of Congress and his own party. Consultation and confirmability were still major considerations.

Ford’s choice, Nelson Rockefeller, was not helpful to his presidency. The confirmation hearings lasted over two months. The nominee was forced to testify seventeen times. At one point, Ford doubted Rockefeller would be confirmed. By the time he was, the administration had moved in directions that limited the new vice president’s contributions. Ford dumped Rockefeller from the ticket when he ran for election in his own right in 1976. In addition, there were other liabilities. Rockefeller was a better-known national figure than Ford. The much-publicized “new vice presidency” in which Rockefeller would be placed in charge of the Domestic Council, a Nixon

innovation, could be perceived as a sign of weakness by Ford thus creating the possibility of yet another regency, this time in the vice presidency. Also, while no other figure in the Republican Party had the stature of Rockefeller, "there was no one who could rattle the cages of the Right."²² The nomination suggested a left turn on Ford's part, which made the Reagan challenge more plausible than if Ford had nominated a more centrist figure (as he eventually did with his choice of Dole in 1976) or even if he nominated Reagan himself.²³

There were, however, good reasons for Ford's selection. First, Rockefeller had no association with Nixon. Other leading candidates did. Bush remained high on the list until reports emerged suggesting a possible connection to a Nixon slush fund. Even Elliot Richardson, fired in the Saturday night massacre, had been a Nixon apparatchik. So too was Rumsfeld. Indeed, it was widely known that Rockefeller campaigned for the vice presidential nomination that went to Ford. The selection of Rockefeller could reduce the twin threats of regency in the congressional and the executive branches. Second, Rockefeller's long career in government service could help establish Ford's effort to show that he could be a competent manager as president. Third, Ford believed the Republican Party in the Northeast had never recovered from the Goldwater debacle in 1964. Rockefeller's help in this region could help elect Ford in 1976. Fourth, if Ford won in 1976, Rockefeller would probably be too old to run for the presidency in 1980. The nomination thus assured younger presidential hopefuls in the party that avenues would still be open to them. Fifth, if Ford decided to move toward an independent strategy, Rockefeller's chair of the Domestic Council would be an ideal fountain of policy innovation that could arrest a congressional regency. Rockefeller, in fact, produced several new programs, including a comprehensive energy package.

Little more than a week after he assumed office, Ford announced his intention to develop a clemency program for draft resisters. About 1 percent of eligible men failed to register for service during the Vietnam War and another 1 per cent refused induction. Many fled to Canada. When Nixon received a memo from his staff reviewing the history of presidential policies toward draft resisters in 1972, he angrily rejected the precedents of Lincoln and Truman outlined in the report and scrawled "Never, Never" on the margin. Ford supported the president's position when he was in Congress. Now, however, he announced the "Vietnam Era Reconciliation Program" and appointed Charles Goodell, a Republican congressman who had been black-listed by Nixon for his criticism of the war, as head of the program.

The program was controversial and difficult to administer but thousands of applicants were processed and most received either pardons or alternate service. Ford's initiative neatly fit with his own version of a minimalist strategy. Ford, though not a Lincoln, also was not a Nixon. He was, in fact, the person who could heal the wounds inflicted by the past president.

On September 8, 1974 however, Ford made a decision that rocked his presidency and that is widely regarded as responsible for his failure to win reelection. He announced on television that he had pardoned Nixon for all crimes he "committed or may have committed or taken part in" while president. Ford's approval rating fell twenty-one points in a week. His press secretary and longtime friend and supporter, J. H. ter Horst, resigned. Connections with Nixon, which Ford had made such an effort to dispel, immediately reappeared. Many congressmen openly accused the president of making the deal while Nixon was still in the White House to assume the presidency.

No less than twenty resolutions and bills were introduced in the House of Representatives. William L. Hungate, chair of a subcommittee on criminal justice, took two of the privileged resolutions introduced by Representative Bella Abzug and sent them to the president along with a request to answer questions about the pardon. Initially, Ford ignored the request. He signed a letter, written by Philip Buchen, stating that he had already answered questions about the pardon. The response, which included a copy of the proclamation and press transcripts, was attached. When another of Ford's aides, John Marsh, became aware of the angry response in the House, he encouraged Hungate to send another letter. Again, Buchen composed a reply. This one was even more provocative than the first. To questions like, "Had Ford and Haig discussed the pardon before Nixon resigned," he simply wrote, "No." When Marsh told Buchen that the draft could not be sent because Haig and Ford had discussed a pardon, Buchen's first response was to resign.²⁴

It is under these circumstances that Ford offered to appear before the Hungate Committee. Undoubtedly, Ford himself was convinced of his innocence. There was now also the question of a possible resignation and the beginnings of a paper trail about the Haig-Ford August 1 meeting. Ford could refuse to permit his staff to testify and/or rely on the accuracy of Haig's testimony. He had already decided to appoint Haig commander of NATO rather than deal with confirmation hearings. The whole scenario began to look a great deal like another Watergate. The Abzug resolutions, in fact, hinted at possible obstruction of justice charges, should a pardon deal have been arranged.

To quell these accusations, President Ford took unprecedented action. He appeared before the House Judiciary Subcommittee on October 17. The decision was a momentous one for Ford since inconsistent or vague testimony could have effectively ended his presidency and conceivably provided the basis for impeachment. In truth, Ford generally received a sympathetic audience. He still had friends in the House, including many Democrats. Carl Albert, for example, was convinced of Ford's innocence. "I knew the man. I knew it was not in Jerry Ford to make a deal with Nixon."²⁵ Hungate and Rodino were equally supportive in private. Many House members were genuinely concerned about the prospect of a severely damaged accidental presidency as well as the prospect of yet another crisis. The thought of a President Rockefeller (unelected) and a new vice president (unelected) must have been chilling.

Ford began the hearings with a statement that for the first time gave a full account of the August 1 meeting with Haig. He was less forthcoming about a question about negotiations for a pardon after he became president. He stated before the committee that "the pardon under consideration was, not, so far as I was concerned, a matter of negotiation."²⁶ However Ford might characterize the discussions, they included conditions and proposal on both sides. The president angrily denied Representative Elizabeth Holtzman's characterization of the pardon as one that raised "very dark suspicions." He angrily interrupted her comments to say "there was no deal, period, under no circumstances."²⁷ This exchange was to become the highlight of the hearings. The confrontation between a distrustful Congress and a resolute and open president was all Ford could have hoped for. He stated that after the hearing, he felt "an unbelievable lifting of a burden." The questions about the pardon of course did not disappear. In 1976 Peter Rodino, chair of the House Judiciary Committee, ordered his staff to prepare a report about the accuracy of Ford's statements. The report included recommendations for new hearings and was especially interested in testimony by Alexander Haig.²⁸

More recent evaluations of the pardon are quite similar to Ford's own initial arguments, both in terms of principle and political considerations. Ford was given the John F. Kennedy Profiles in Courage Award in 2001.²⁹ Nixon had suffered enough; it was essential that the national agenda focus on issues other than Watergate; a subsequent trial would damage the Republican Party even more; if a pardon was to be issued, an earlier date was better than a later one. These arguments, however, need to consider the circumstances of the pardon itself. Certainly if Ford had dismissed the Praetorian Guard when he

assumed office, questions of collusion would have been less prominent. Haig and others were in direct contact with the former president. Ford himself regarded his decision as one that was consistent with his healing project, but as long as he was surrounded by the Nixon apparatus an alternate interpretation was readily available. Ford was acting at the behest of a bureaucratic Nixon regency. The pardon itself was poorly negotiated. Perhaps in his haste to bring the issue to a swift conclusion, Ford was unable to negotiate terms more in his favor.³⁰ A successful demand for a confession and a statement of contrition would certainly have made the case for the healing theme more persuasive. Nixon's final press release was somewhat less combative than earlier drafts, but the asymmetrical relationship between the terms of the Reconciliation program and the pardon was obvious. Ford dismissed Haig shortly after issuing the pardon. Had he reversed the order and waited until after the midterm elections, Democratic majorities in Congress may have been somewhat smaller and Ford would certainly have faced a less resentful surviving Republican Party.

Ford's three momentous decisions (retaining Nixon's staff and cabinet, nominating Rockefeller, and issuing the pardon), all made in the first month of his accidental presidency, collapsed into each other and thus limiting his ability to carry out either a minimal or independent strategy. Had he made three different decisions, his options might have remained more open. A new staff and cabinet did risk delay and even the perception of incompetence but coupled with a nomination for vice president of a centrist with wide congressional support as Nixon had done and a refusal to grant a pardon would have dramatically set Ford on a course that distinguished him from his predecessor. One can see the positive outcomes of this approach in the reactions to the symbolic measures Ford undertook to move from an imperial to an "open" presidency in his first days in office. Even retention of the staff and a Ford-like vice president would have been an improvement. Finally, it should be noted that for all of Ford's problems with the Praetorian Guard and the Rockefeller nomination, his approval ratings remained quite high until the pardon.

As it turned out, Ford to his surprise discovered that any implementation of an independent strategy was no longer available after September 8. The huge Democratic congressional majorities left Ford with the last option of dux for accidental presidents, the veto. He used the veto sixty-six times. While his vetoes were sustained on all but twelve occasions, Ford was unable to successfully offer any agenda of his own. The Reagan challenge, aided in part by the Rockefeller nomination itself, made the new vice president a clear liability. Ford could

not implement any of Rockefeller's suggestions, nor did he wish to since he was forced to solidify his political base on the right.

The minimalist strategy was thus the only option left. While Coolidge's political situation was less complicated, he too had little success with Congress as an accidental president. The persona of Silent Cal did have its own liabilities but they were for the most part limited. The theme of a no-nonsense minimalist executive became a basis for both his legitimacy and competence. In Ford's case, however, the negative aspects of an approach of simplicity became more prominent and threatened to become the principle feature of his persona. In 1975, the president slipped and fell as he climbed down the stairs from an airplane. Press coverage of the incident was widespread. Later Ford fell while skiing and cut his head swimming laps. Despite his best efforts to minimize these occurrences and highlight his physical fitness compared to other presidents, Ford became the accidental president who was accident prone. His physical missteps were presented as emblematic of his political missteps. The Johnson joke about Ford was repeated. A Ford joke book added new entries. One CBS correspondent noted his falls were "almost symbolic" of his administration. The White House staff attempted to deal with the problem head on with a guest appearance by his press secretary, Ron Nessen, on *Saturday Night Live*. Most significantly, his advisors suggested he cease emphasizing his hominess and find different expressions from ones such as "I'm a Ford, not a Lincoln."³¹

Heroic achievement can erase or at least immunize a president against ridicule. Ford, however, had few opportunities, and if he had, they would require strategy other than the caretaker one. When North Vietnamese troops marched into Saigon in April 1975 as U.S. personnel and their South Vietnamese supporters struggled to escape on waiting planes, Ford had little choice but to minimize the event. He left for a vacation in Palm Springs and briefly noted, "The evacuation has been completed.... This action closes a chapter in the American experience." He closed by urging Americans to "avoid recriminations." When a month later Cambodian forces captured an unarmed American merchant ship, the *Mayaguez*, Ford took a high-risk decision to send U.S. marines on a rescue mission and ordered the bombing of Cambodia. The crew was soon released, possibly as a result of the diplomatic efforts of China, and Ford's poll ratings went up temporarily. Ford attempted to portray the incident as evidence of America's continued power despite the outcome of the war in Vietnam and thus showcase his leadership in a crisis. The event, however, was too insignificant, especially compared to the images of the fight in Saigon, to have more than a fleeting impact.

Even the attempt to find an appropriate way to celebrate Ford's first year as president proved difficult. A party followed by a banquet was planned, and a proclamation, signed by all those present on August 9, was to be given to the president. As difficulties kept arising, such as who should be invited and what exactly was being celebrated, the president ended up commemorating the event by dining alone with the vice president and his family. Even this minimal affair was portrayed more as a act of gesture of friendship to the beleaguered Rockefeller.³²

In part because of their vulnerability in terms of *rex* and *dux*, accidental presidents often face challenges within their own party. No strategy seems to be able to inoculate an accidental president from opportunists. Ford was in a better position near the end of his term than Arthur and Fillmore, but he still faced the possibility of being forced into an LBJ-style withdrawal. Moreover, Ford was the first accidental president to face opposition in the context of a widespread primary system.

Both the president and his challenger hoped to force their opponent to withdraw after a few early defeats. Ford was the first to demand an end to the contest. After winning narrowly in New Hampshire, Ford decisively won victories in Florida and Illinois and suggested Reagan quit. After Reagan won in North Carolina, both sides were forced into a primary version of the battles of the old convention system, a strategy of attrition. Reagan won four straight primaries and pulled ahead in the delegate count. Ford was forced to seek the support of individual stray delegates.

After North Carolina, Reagan refocused his campaign on criticism of the president himself. In New Hampshire, Reagan was placed on the defensive in explaining the viability of his plan to transfer \$90 million in federal programs to the states. Ford was in a perfect position to display his minimalist strategy. He might not be as flashy as his competitor, but he was reliable. Reagan began to speak of the Ford-Kissinger foreign policy that gave Americans the Helsinki Agreement, one of the few initiatives the president has undertaken. Now, according to Reagan, he was prepared to negotiate away the Panama Canal. Reagan promised to send Kissinger packing and install a new secretary of state. These charges not only reawakened the excitement of the Goldwater insurgency among rank-and-file Republicans but also connected Ford to Nixon (as least in foreign policy), and highlighted Ford's incompetence since he was unable to prevent America slip to the status of a "second-rate power." Ford held on and eventually won the nomination on the first ballot, but just

barely. Forced to accept the Reaganite foreign policy platform and an implicit veto of his vice presidential selection, Ford waited angrily in his hotel suite as a pro-Reagan floor demonstration delayed delivery of his acceptance address until nearly 11 p.m.

During the campaign, both Carter and Ford portrayed themselves as honest men who could restore American confidence. Ford charged that Carter was really under the control of liberals in his party, and Carter picked up Reagan's charge that under Ford "Mr. Kissinger has been the president of this country." Probably no other candidate in the Democratic primaries could have been a more effectively challenger to Ford. Jerry Brown, who mounted a late strong challenge to Carter, did represent a more insurgent perspective but his California base would not have been enough to counterbalance Carter's strength in the South. Henry Jackson could have presented the public with a Reagan-style foreign policy challenge to Ford but would have also spit the Democratic Party. Udall and Church represented more conventional liberal views, more popular before Nixon's creation of a new Republican majority.

Carter on the other hand offered a new perspective that was in many ways an exact replica of Ford's own strategy since he took office in 1974. His repeated campaign promise never to lie to the American people was both an anti-Nixon trope and a suggestion of a return to a period when reform as well as trust was possible. The Nixon presidency showed that if a person "separates himself from you," his administration can do great harm. Comments such as these and, of course, the general Carter promise to "restore the country to what has been lost" suggested a return to the 1960s. Even of Carter's "two basic questions" in his campaign tract, the first one "Why Not the Best?" encapsulated a restoration of reform while the second, "Can our government be honest, decent, open, fair, and compassionate?" translated what was axiomatic in the early 1960s and under attack after Watergate. The second question, "Can our government be competent?" was more clearly an issue that had arisen independently in the 1970s brought on by stagflation and the war in Vietnam. Both questions leaned upon, though did not actually state, the central question of the 1970s: Was America in a period of irreversible decline? Carter's queries were designed to acknowledge this troubling thought but he phrased them in a way that concluded with a personalization of the issue: Carter was trustworthy and competent.

One can appreciate the innovativeness of Carter by reviewing briefly Norman Mailer's reaction to the Carter campaign. Shortly after his nomination, the *New York Times* had sent Mailer to Plains, Georgia, to

interview the candidate. Mailer's skepticism faded almost immediately as he surveyed the town. He was enthralled by Plains. For Mailer, the town represented a kind of utopian pre-1960s sensibility: "It had the sweet deep green of an old-fashioned town that America had all but lost to the Interstates and the ranch houses, the mobile homes and the condominiums, the neon strips of hotted-up truck stops and the static pall of shopping centers." Plains seemed to Mailer to have combined the "mysterious gentility of American life" with the ugliness of segregation removed. He visited a Bible class attended by Carter and was engrossed by a farmer's comments on King James: "He spoke in a wispy Georgia snuffle, very hard to hear ... his piety being as close to him as the body of one young beloved clasping the body of another thorough the night."³³ Though Carter was a wealthy man, it was the "detailed husbandry" of his farm that fascinated Mailer. For Mailer, Carter was certainly a reincarnation of the Jeffersonian ideal: "the esthetic [of farm life] is found in each act; each detail lives inside the detail that brought it forth." It was, Mailer observed incidentally, much like the life of a writer. As to Carter himself, his religious beliefs, both their substance and the public profession of them, enraptured Mailer most of all. He asked whether the candidate believed in reincarnation, in karma, and in drugs as an enhancer of religious experience. Carter answered "no" to each but noted that he had some knowledge of drugs since his sons had experimented with marijuana and he himself had done work at rehabilitation centers. He explained that he was not running for president to judge the American people and that he did not even care if people said "fuck." His aim was not to be a religious leader of the American people but one who would attempt to bring back the human factor into economy and government.

All of these themes—religiosity, competence, trustworthiness, solidity—were ones that Ford had emphasized and so successfully embodied before the pardon. Neither man had firm support in his party. For some Republicans Ford was not far enough to the right; for some Democrats Carter was not far enough to the left. But these doubts actually emphasized both as men of personal integrity. The difference, of course, was that Carter was the "nice guy" campaigning as an outsider with no ties to Washington. After the Democratic convention, he led in the polls by over thirty percentage points.

The president's campaign strategists considered various options to narrow this huge lead. In one, Ford would run as Harry Truman, another accidental president, who was behind in the polls. The problem with the "Giv'em hell, Harry" approach is that not only was Ford

not a particularly effective campaigner but also that such aggressiveness might erode his great strength, the nice guy image. Another was to run a “no-campaign campaign.” The Rose Garden strategy could emphasize Ford’s competence so crucial for his minimalist approach but some aides felt that by focusing on the presidency Ford would be setting himself up as even more of an insider. In addition, they thought that this strategy had not worked especially well against Reagan. In the end, the Rose Garden strategy was judged to be the best bet for Ford. Bob Dole, the vice presidential candidate, was given the task of personally attacking Carter and the Democrats. Ford did not stick to the “no-campaign campaign” strategy after September and his vice president’s behavior reminded some Americans as uncomfortably close to Nixon’s. Yet Ford closed the gap. By the time of the third debate in late October, Carter’s lead was only six points.

The election result was nearly a draw. With very low voter turnout, Carter won with 49.9 percent of the vote and barely enough electoral votes (297) to avoid sending the decision to the House of Representatives. A change of 8,000 votes in Hawaii and Ohio would have reelected Ford.

III

It is difficult to say that Ford’s version of a minimalist strategy failed since he came so close to winning the 1976 election. It is sometimes argued that given the political climate of the 1970s, even the most modest assertions of leadership were likely to be treated skeptically.³⁴ Yet a minimalist strategy should have played well in this environment. In fact, the primary reason for Carter’s success in 1976 was his own promise to return to issues of competency in federal policy. Nevertheless, the issue of Ford’s competency was raised so often and so repeatedly that questions about its implementation or even its general utility in this particular case are unavoidable. Even as late as the second debate with Carter in October, 1976, Ford’s competence was once again questioned. His poorly worded response to a question about Soviet domination of Eastern Europe, as well as his refusal to clarify the statement, was the immediate focus of the media, who were used to relating stories about the president’s gaffes. That Carter was able to say matter-of-factly that the sitting president lacked “common sense and knowledge” about foreign affairs and that Mondale could joke that Ford would not have passed third grade, given his comment, tells much about the fragility of Ford’s minimalist strategy.³⁵

Perhaps Ford's failure to construct a more successful version can be traced to the fact that as a result of several crucial decisions, his administration careened from the threat of one form of regency to another. Partly because of his testimony at his vice presidential nomination hearings and partly as a consequence of decisions that expanded Democratic majorities in the 1974 elections, Ford, at points, was nearly reduced to the status of those nineteenth-century presidents who were forced to accept congressional domination. While he could still employ the veto after 1974, he could not prevent Congress from making Bush forswear any vice presidential ambitions before he would be confirmed as CIA Director. Nor could he do anything other than accept and implement the recommendations of the Church Committee. As a result of his refusal to remove the Praetorian Guard, Ford left himself open to the charge that the Nixon apparatus were still governing after the August resignation. While a Rockefeller regency never materialized (largely as a result of the actions of the congressional one), to the Republican right the threat was enough to transfer their loyalties to Reagan.

Any sustained effort to avoid these three regencies, however, would have probably required an independent strategy. We have seen in Tyler's, Johnson's and Fillmore's cases, how high a risk this strategy poses. Ford did seem on occasion disposed to undertake such risks, but the minimalist alternative seemed viable right up to November 2, 1976.

Chapter Eleven

Conclusion: Refounding Succession

It is possible to offer a number of generalizations about these accidental presidents relevant to political succession. Overall, in their attempts to govern in both capacities of rex and dux, these accidental presidents found themselves characterized either as usurpers or as under the power of regents. These twin threats of usurpation or regency, of course, are dangers that elected successors face as well. This is particularly the case with presidents who promote ambitious agendas. Jackson, Lincoln, FDR, Nixon, and George W. Bush have all been charged with seizing power illegitimately. Others have been perceived as so completely under the thrall of cabinet members (Washington, Eisenhower), Congress (Madison), sectional interests (Pierce), and advisors (McKinley) that they perform only in the role of rex. Some, such as Washington and Bush, have been alternately accused of both. Particular sequences in presidential administrations, such as the last years of a second term seem to naturally suggest regency.

Without the election principle to cushion them against criticism, accidental presidents, however, risk these challenges more frequently, more quickly, and intensely. Five accidental presidents have actually been accused of complicity in the death or resignation of their predecessor. Governor Morris sardonically remarked at the Constitutional Convention that the vice president would be “the first heir apparent that ever loved his father.”¹ Vice presidents are perceived as figures who have the means, motive, and opportunity to succeed to the highest office extraconstitutionally. We have noted that in democratic political systems, chief executives regularly slay their predecessors symbolically through electoral victories. In the case of irregular succession, this symbolism is pushed toward actuality. In some instances, such as in Arthur’s succession, the accidental president is seen as in some ways responsible for the death of his predecessor. In others such as Ford’s, he is seen as too closely involved in a conflict of interest. One House member openly spoke before the president of “very dangerous suspicions” that “a deal” was proffered and accepted.² In others, there is a whispering campaign and open suspicion about the vice president’s role in the circumstances surrounding a president’s death (Andrew Johnson, Fillmore, and LBJ).

In the context of these “suspicions,” the first response of accidental presidents to news of the departure of their predecessor is universally one of shock, sadness, and grim acceptance of the burdens of office. This reaction, however heartfelt, is the initial step in the construction of rex and dux. It is the counterpart to the announcement of electoral victory and is thus a sanctioning of his new authority. While much like the reactions of presidents who govern after contested or very close elections, the displays of emotion by accidental presidents, however, only delay questions of usurpation or regency.

The strategies devised by accidental presidents to authorize their status as rex and to establish their capacity as dux are designed to overcome or at least allay these dual tendencies. Often, either through poor implementation or the nature of the strategy itself, they do not succeed. Each of these strategies is also fraught with difficulties and intricacies. The chart below (table 11.1) suggests how each strategy is intended to overcome the absence of the election principle as the warrant for the exercise of rex/dux.

The homage version requires obeisance to the departed president but also partial or eventual equality. Dux is submerged in the imitation of the predecessor’s agenda and rex is asserted as a simple transposition of the departed leader. President Lyndon Johnson, who applied this strategy more directly and strongly than any other president, still believed he would never be recognized for his own abilities until he was elected directly, and by a large margin too. Even when this wish was granted, he still continued to be compared to his predecessor. Perhaps the emergence of what he called the “Bobby problem,” the persistent set of challenges to his capacity and authority to truly imitate his predecessor, was the result of his own attempts to transcend homage. The very act of homage with its subversive agenda of transcendence seems to provide opportunities for rivals who claim to better represent the spirit of the departed leader. Thus Arthur had his “Blaine problem” and Truman his “Wallace problem.” In many ways, Johnson accentuated the problem of perceived betrayal entailed in the transition from homage to independence by believing that he was threatened less by his position as accidental president than by a

Table 11.1 Strategies of Accidental Presidents

	<i>Dux (leadership)</i>	<i>Relationship to Predecessor</i>	<i>Rex (legitimacy)</i>
Homage	Submerged	Imitation	Transposition
Independent	Assertive	Autonomy	Performance
Minimalist	Caretaker	Neutrality	Competence

dynastical challenge to his authority. Any accidental president who selects the homage strategy should be prepared for these kinds of challenges. When he succeeded by election in 1964, however, Johnson became convinced that it was he who was the object of usurpation.

Timing too is crucial to the homage approach. Arthur's delay probably hurt his chances of success. Part of Arthur's problem also was his inability to conceive of any distinct agenda to eventually replace his homage. He did abandon his earlier persona of a Conkling bagman but, despite occasional flashes of independence he seemed unable to develop a post-homage visage. Factional rivals filled the political vacuum. LBJ's Great Society programs were the kind of well-crafted transpositions designed to reverse homage, a strategy Arthur could never quite design. Truman, whose immediate homage approach LBJ followed, benefited from new items on the political agenda requiring independent action.

Thus it is possible to conclude that homage is more likely to be successful if employed sooner rather than later, with attention to challengers, and supplemented with a distinctly independent approach. None of these tactics, however, is sufficient for success. LBJ was bedeviled by homage competitors and Truman still needed a particularly partisan Congress and an inept campaign on the part of his opposition to succeed.

The independent approach is in general the highest risk of all strategies since it reverses the possession of *rex/dux*. Its employment requires an aggressive establishment of *dux*, often at the cost of repudiating the elected predecessor, as part of the claim to *rex*. "I can lead," the accidental president says in effect, "so therefore I am entitled to legitimacy." The strategy not only requires a new agenda but also a new party realignment. Each accidental president who adopted this approach pursued this project. Tyler attempted to create a new state's rights party; Fillmore accepted the nomination of the Know-Nothing Party; Johnson promoted a postwar version of the Union Party; Theodore Roosevelt, while able to win a first elected term as leader of the Republican Party with a reform agenda, was forced to create the Progressive Party in 1912.

Since the independent strategy departs the most from the election principle, it is perhaps fitting that it be the most difficult of options for accidental presidents. Whatever the ulterior motives of accidental presidents, both the homage and caretaker versions recognize the primacy of former presidents. Hence, the charge of usurpation is readily available to critics. The reliance on executive authority so common in this approach only fuels this accusation. Two of the four accidental

presidents who adopted this strategy faced the threat of impeachment (Tyler and Johnson) and another was continually charged with abuse of executive power (TR). If haste is good counsel in the case of homage, perhaps delay is appropriate for those who select independence.

Those who select a minimalist strategy avoid these hazards. As caretakers, they delay their unveiling of dux until they satisfy the election principle. But by risking the capacity to exercise any leadership, they risk turning their administration over to a regent. One way to avoid this tendency is to construct a persona that enhances competency. Coolidge's persona as a man who epitomized New England values and Ford's who epitomized Midwestern ones not only distinguished both from their predecessors but suggested their reliability and fitness. While these may not be heroic personas, they are ones from which dux might be constructed. Yet reliability can also denote stolidity. Accidental presidents who adopt this strategy also assume some risks.

It is also worth noting that accidental presidents are not usually free to adopt any strategy of their choice or even one that might make the most their own talents or risk-taking proclivities. Homage strategies, for instance, are available only to successors of popular presidents. It would be difficult, for example, to imagine President Ford adopting such an approach. In fact, although there are certainly questions about implementation and some cases appear stronger than others, it is possible to contend that the actual strategies adopted by accidental presidents thus far are the ones that do appear most likely to succeed. For instance, President Tyler's options were quite limited. A homage strategy violated his political beliefs and, he could argue, his role on the ticket in 1840. A minimalist strategy in this case would have entailed handing leadership to Clay rather than establishing his own competency.

Despite these severe restrictions on the available options and the risk involved in each, accidental presidents have an arena to display their own creativity in the effort to establish rex and dux. Theodore Roosevelt's rhetorical rearrangement of his relationship to the McKinley assassination, Coolidge's construction of the "Silent Cal" persona, Lyndon Johnson's swift and systematic use of homage for his political agenda, are all examples of the inventiveness available to accidental presidents. That, despite many different instances of creativity, accidental presidents still fail in various degrees to fulfill the roles of rex and dux is a valuable aspect of a theory of democratic succession as the imagination of political leaders should always be tethered to election.

In fact, accidental presidents, with few exceptions, appear to have made the very most of their tenuous political situations. This in itself is surprising since the majority of these figures were not highly

regarded by their contemporaries nor by current students of the presidency. In many cases, the failures of these accidental presidents are traced to personality flaws. Tyler is portrayed as obstinate, Fillmore as lacking imagination, Andrew Johnson as short tempered. Yet Tyler's stubbornness was an antidote to the very likely scenario of a Clay regency. Relying upon the authority of the office itself was a wager that certainly risked ideological consistency and while it was a bet that he lost, it represented an attempt to construct *rex* and *dux*. As the first accidental president, Tyler needed to establish his authority in the most trying of circumstances. By tying his position to his republican forebears generally, rather than to party, he found a small but conceivable exit from his likely role as "acting president." Fillmore relied on one of his few assets by masterminding the compromise of 1850. His legislative expertise isolated the supporters of his predecessor, contained the influence of Clay, and brought Webster on his side. The cost, of course, was great, not the least of which was the rapid demise of the Whig Party and the road to civil war. But the point in the context of the politics of accidental presidency was not that the compromise was not the "final solution" but that it was conceived—and executed—at all. It would be impossible not to minimize the failure of Andrew Johnson's accidental presidency in terms of its effect on him, the presidency, and the nation. Nevertheless, the attempt to forge a conservative electoral coalition with racial animosity as the national glue and the decision to "go public" were, moral objections aside, strategies successfully employed by later elected presidents.

It is important to note, however, that the nine accidental presidents we have examined do not exhaust the list of possible accidental presidents. There are no less than fifteen other cases of "near" accidental presidents (see table 11.2).

Some of these cases are improbable or relatively unlikely. Ronald Reagan was not in danger of impeachment in part because of the Nixon case. LBJ's and George H. W. Bush's conditions were quickly stabilized. Other instances of presidential death were not as remote. Wilson's and Eisenhower's conditions were quite serious. A Burr presidency or the capture of Madison in the War of 1812 was unlikely but conceivable. Any assassination attempt must be taken seriously.

The six instances listed above suggest a number of different possible scenarios. Three cases of near accidental presidencies do suggest a major crisis of presidential succession. Jefferson hinted at the possibility of a constitutional convention should the deadlock continue past the date of the inaugural. Burr as president would have complicated the crisis even more since the vice-presidency would have been

Table 11.2 Near Accidental Presidents

<i>Vice President</i>	<i>Year</i>	<i>President</i>	<i>Possible Cause</i>
Aaron Burr	1801	Thomas Jefferson	Electoral deadlock
Eldredge Gerry	1814	James Madison	Possible abduction by British
Martin van Buren	1835	Andrew Jackson	Assassination attempt
William P. Magnum	1844	John Tyler	Accident
Benjamin Wade	1868	Andrew Johnson	Impeachment conviction
Adlai Stevenson	1893	Grover Cleveland	Death (cancer)
Thomas R. Marshall	1918	Woodrow Wilson	Death (stroke)
John N. Garner	1933	Franklin D. Roosevelt	Assassination attempt
Alban W. Barkley	1950	Harry S. Truman	Assassination attempt
Richard Nixon	1955 1957	Dwight Eisenhower	Death (heart attack; stroke)
Hubert Humphrey	1965	Lyndon B. Johnson	Death (heart attack)
Nelson Rockefeller	1975	Gerald Ford	Assassination attempts
George H. W. Bush	1981	Ronald Reagan	Assassination attempt; Impeachment conviction
Daniel Quayle	1986	George H. W. Bush	Death (complication from Graves' disease)
Albert Gore	1998	Bill Clinton	Impeachment conviction
Richard Cheney	2001	George W. Bush	Assassination attempt

vacant. If he kept his promise to Jefferson not to accept the position, the line of succession would have led to the Senate. In any case, Burr's refusal to become involved in political intrigues, as well as Hamilton's eventual support of Jefferson, defused the crisis that was soon resolved constitutionally by the passage of the Twelfth Amendment. Madison's capture by British forces, and even possibly his death during the invasion would have made Eldredge Gerry the first accidental president under extreme circumstances. Gerry's death a few months later would have created an even more severe crisis. The possibility of Nance Garner succeeding to the presidency in 1933 before the inauguration would also have been unprecedented. The nation survived the assassination of a president during the Civil War but this case would have been more like one in which the president was killed in 1861 instead of 1865. Garner's support of New Deal programs ranged from tepid to hostile. He is generally regarded as very limited Southern politician who never even won statewide office and is known now primarily for his comment that the vice-presidency was not worth a bucket of warm spit. On the other hand, "Cactus Jack" had thirty years experience in

politics including two as majority leader of the House and was a major competitor to FDR at the 1932 Democratic Presidential Convention. That Garner could have followed a path as president similar to LBJ's requires a stretch of imagination although one that is not inconceivable.³ If the 9/11 attack included the assassination of a president, Dick Cheney would have become an accidental president with an enormous initial level of public support. The vice president's own views on terrorism have been heavily influenced by the events of 9/11 and therefore one would expect a military policy perhaps even more aggressive than Bush's.⁴

It is difficult to predict the strategies of these other near accidental presidents since, as we have seen, choices are so dependent on penchant for risk and particular political circumstances. It is likely that Van Buren, Richard Nixon, and Dan Quayle would have pursued a homage strategy. Wade and Magnum may have attempted to revert to the policies that were expected of Tyler and Andrew Johnson, Marshall, and Barkley may have selected a minimalist strategy, given the remaining time left in their terms. The same might be said for Rockefeller except that his own strong policy commitments and hostility to some of Ford's advisors would seem to push him toward an independent strategy. Humphrey was deeply committed to the Great Society and was a cold war liberal but his prosecution of the conflict in Vietnam might have been different. Certainly if Reagan or Clinton had been convicted of impeachable offences, the homage strategy would not have been available to his successors. All these predictions are of course highly speculative. The list of near accidental presidents, however, does lead to one firm conclusion: *Irregular succession can occur at any moment.*

II

In general, while accidental presidents certainly confront special obstacles in their construction of *rex* and *dux*, their task is not an impossible one. None of the strategies commonly pursued is assured of success nor are even the guidelines we have discussed in each certain to achieve their goals. Of course, elected presidents too fail. They are often unable to neither follow a consistent strategy nor implement it effectively and to accurately calculate the costs of their actions. The most important question is whether the tasks placed before accidental presidents are too difficult or too easy to justify their role in terms of irregular succession. Are the instances of failure so high, the requirements for success so high-risk ones, the demands for building the conditions for

governance too severe to justify current arrangements? Or do the imitative rituals and strategies available to accidental presidents afford them too many opportunities in the absence of direct election?

One way to answer this question is to examine other constitutional arrangements for succession. As we have noted, democratic theorists recommend election as a superior mode of succession for a variety of reasons. The election principle assures consideration of a wide range of possible successors. It is a swift, decisive, and peaceful mode of succession. It provides a clear warrant for governance. Thus all the difficulties described by de Jouvenal in reestablishing *rex* and *dux* are resolved. We also noted that these virtues are often not achieved in practice but that democratic regimes have devised ways for successors to repair these defects. Irregular succession is certainly a major instance in which the election principle is challenged. Either the principle is postponed or abandoned or it is satisfied under difficult conditions.

Are there other constitutional arrangements that might achieve better results than those of the nine accidental presidents we have reviewed? In the following list, some recommendations elevate the election principle. Others detach the election principle from some of its attributes by attempting to improve the quality of vice presidents. Here are some options:

1. Abolish the vice presidency and create provisions for immediate elections upon the death or resignation of a president
2. Institute vice presidential primaries after the nomination of presidential candidates
3. Institute vice presidential primaries simultaneously with presidential primaries
4. Permit voters to select two candidates in presidential primaries with the second place winner to be designated as vice president
5. Allow presidential contenders to choose their nominees for vice president when they announce their candidacies
6. Let the runner-up at the party convention become the vice presidential nominee
7. Make vice presidential selection at an "open" party convention, perhaps from a list of three to four nominations by the presidential nominee.
8. Offer separate choices for voters for president and vice president in the general election
9. Fill a vice presidential vacancy through a special national election
10. Allow the president to select his/her vice president after his/her election with congressional confirmation

11. Enhance vice presidential responsibilities through provision of a vote in the Senate and/or a cabinet position
12. Have a provision for multiple vice presidents

The first proposal, offered by Arthur Schlesinger, Jr., in 1976, attempts to restore the election principle to cases of irregular succession that he believes was intended by the founders. Schlesinger is particularly concerned that the Twenty-Fifth Amendment, by providing for both the constitutional authority of accidental presidents and by delineating a procedure for congressional approval of a vice presidential replacement, dangerously ignores the primacy of the election principle. He cites John Pastore's lament in 1973 as excusable hyperbole: "For the first time in the history of this great nation, the President and Vice President will both be appointed—not elected by the people and responsive to any mandate from the citizens. The Nation will no longer be democratically governed." While Schlesinger is willing to entertain the codicil of providing for an acting president, should a vacancy occur in the last year of a term, he believes the stress of a national election within ninety days is preferable to enduring "a Vice President who was never voted for that office, who became Vice President for reasons other than his presidential qualifications, and who may very well have been badly damaged by his vice presidential experience."⁵

Certainly, this proposal satisfies the election principle as the primary standard for succession in a way that current constitutional arrangements do not. The problems faced so regularly by accidental presidents in terms of *rex* and *dux* would be resolved. So different are the conditions for succession that it is in fact difficult to imagine many of the nine accidental presidents winning election under these terms. The only remaining element of vice presidential functions is the figure who performs a caretaker role between the death or resignation of a president and the election of a new one. Schlesinger proposes the secretary of state for this position (or the secretary of treasury if the former is not constitutionally qualified).

There are two concerns about this option. While Schlesinger dismisses reservations about a special election under these circumstances as "undue protectiveness," given especially the successfully held elections of 1864 and 1944 under other conditions of stress, it is legitimate to raise questions about the public's capacity for deliberation immediately after the death of a president. After the Nixon resignation, Max Lerner, for example, presented the case for delaying the election principle:

The death, resignation or impeachment of a President is bound to be a scarring event or part of a scarring process. It is a tense, even a tragic,

moment. It isn't a good time to hold a presidential convention and election campaign, with all their polarizing impact. It is best at that moment to have someone ready and able to act, who has been chosen for the succession and whom people have come to accept in that role.⁶

Direct criticism of the policies of an assassinated leader too would appear to be unseemly. Presumably too the newly elected president would enjoy no interregnum for recruitment leaving him/her with some of the same problems faced, under the current system, by accidental presidents who generally must rely on the staffs of their predecessors. Even perfect elections are a shock to the political system and one after an assassination or resignation would double the stress.

The role of the caretaker too, though brief, could present difficulties. Should the secretary of state as acting president be eligible as a candidate for election?⁷ If he or she is not (which itself would seem to raise other constitutional issues), then the capacity for duce would be greatly reduced. It is difficult to imagine any policy decision, let alone initiative before the election. Certainly lame-duck presidents experience these kinds of restrictions too but this would appear to be an extreme case since the caretaker has not even a small reservoir of past electoral victory to drain. Should the caretaker announce his candidacy, he/she would have a clear advantage both because of the brevity of the campaign and the sympathy extended to a member of a departed leader's cabinet. It is possible of course that the position of secretary of state would change as well. A public—and Congress—who know this cabinet member may be the favored figure in a case of irregular succession, might expect an occupant with electoral as well as a foreign policy experience. Such a change is not necessarily an unwelcome one. Early secretaries of state were favored candidates for regular succession and it is not inconceivable that a talent pool with both kinds of backgrounds would be available, especially once the nature of the office as a route for irregular succession became well known. The problem in this option is that the secretary of state starts to look like the old vice president and proposal 10 begins to merge with 9.

Proposals 2 through 4 attempt to introduce the election principle directly to the vice presidency in terms of regular succession, presumably to enhance an accidental president's capabilities.⁸ To the extent to which the premise in democratic theory that an elected officeholder, all things being equal, is likely to better meet the quality principle than one chosen by other means of selection, these proposals also enhance another standard. One consequence of these options is the

very likely decline of the importance of party conventions. It is important to note, however, that while originally conventions themselves were recommended as a better implementation of the election principle than the congressional caucus, they are not sacrosanct. Presidential selection via primaries is, for the most part, seen as a better way to meet the election principle.⁹ On the other hand, any of these options is likely to trigger the end of the convention, except perhaps as a media event or simply a formal authorization procedure. In rare cases, the convention might exercise its previous decision-making role in instances in which primary competition fails to produce enough delegate strength for nomination. This role might be retained for the party convention if the two-thirds rule for nomination was reinstated. But while super majority thresholds are utilized in democratic theory, they are not usually justified to protect an institution with a contested claim to the election principle.

An important objection to these procedures involves the question of the compatibility between the separately elected presidential and vice presidential nominees. Neither personal nor ideological compatibility is essential in principle. Presidential nominees have frequently selected vice presidents with neither attribute. In fact, all the accidental presidents we have reviewed have not fully shared personal or ideological affinity with their predecessors. Nevertheless, electability is an important consideration and it is possible a presidential nominee might find that he is burdened with a candidate who lowers his electoral chances. Moreover, to the extent that these proposals do not address or exacerbate ideological distance between a president and vice president, they do not represent an improvement over present methods of selection. It is possible that in proposal 2 vice-presidential aspirants themselves might attempt to find a *via media* to this problem by campaigning both on the electoral advantages they bring to the ticket and their ability to accommodate to the nominee's positions. Voters too perform this role both in 2 and in 4 options. Option 3 can be judged as inconsistent with the quality principle since it requires an early decision of the part of candidates as to which office they will seek, thus reducing the talent pool. One can make the argument, however, that simultaneous elections might elevate the office in a way that current practice and options 2 and 4 do not. Younger politicians might actively seek the office as their first choice.

Proposal 5 has advantages and disadvantages similar to proposal 3. An early designation of a vice president may reduce the talent pool since some possible candidates may decline because they feel they have a reasonable chance of winning the higher office. But it does attempt

to accommodate the election principle by forming a common slate early in the primary process and may provide younger figures in the party with national visibility. Proposal 6 also attempts to acknowledge the election principle at the convention stage. Occasionally victorious presidential nominee have employed this strategy on their own as JFK did with Lyndon Johnson in 1960. This option forces the winner to acknowledge his greatest competitor, who may or may not be an asset to the ticket, in the national election. In terms of the succession issue, the vice president would have more authority via the election principle as the second choice of the members of his party. On the other hand, a clear runner-up is not always available. In the 1976 primaries, Jerry Brown, George Wallace, and Steward Udall were all close seconds. Many primaries also are not contested or only weakly so especially in the cases where elected presidents are attempting to succeed.

Variants of the "open" convention alternative were practiced in the nineteenth century and in 1956 Adlai Stevenson left the choice of vice president to the delegates. Separate selection by convention comes closer to meeting the election principle than current arrangements and election from a list still provides for a presidential nominee to enjoy some influence. Critics contend that the practice could have a divisive impact since party divisions just settled would resurface again.¹⁰ Under this system too since vice presidents would presumably owe less to the president, there is the possibility of a dual, or at least a one and a half presidency. It is quite common for vice presidents to represent different party faction and/or regions but under this reform they would have more direct authorization to do so.

Proposal (8) is one of the most intriguing avenues of reform since, in effect, it returns in part to pre-Twelfth Amendment mode of election. It is certainly possible that the quality of vice presidents might rise because each party would have an incentive to select a vice presidential candidate with credentials to compete with his/her counterpart. Vice presidential debates also represent an attempt to improve the quality of candidates. In the context of separate ballots, debates would not only increase the visibility of the office but also allow voters to choose a vice president independent of their choice for president. Certainly, ideological and regional balance would continue to be a consideration but each would be submitted separately to the voters. Even if most voters cast their ballots on party lines, even a small portion of split tickets would probably be enough of an incentive for presidential candidates to select attractive figures. Presumably in terms of both regular and irregular succession, the capacities of a vice president to exercise both *rex* and *dux* effectively would be enhanced

since he/she would benefit from both the election and quality principles.

Problems could occur, however, with performance considerations. A vice president from a party different from that of the president would probably function as a built-in critic within the executive branch with warring staffs as foot soldiers. Even a vice president from the same party would have a much greater claim to power sharing and be less reliant upon the president's largesse in sharing responsibilities. A dual presidency could develop. The problem of an overeager successor, even in terms of irregular succession, could also emerge. The impact on the party system could be significant as well.

A variant of this option, offered by Senator John Pastore, provides for a national election when a vacancy occurs in the vice presidency. Either because of vice presidential death or resignation or irregular succession, the office has been vacant for thirty-seven years since the adoption of the constitution. While the Twenty-Fifth Amendment resolved this issue through presidential nomination and congressional confirmation, this plan uses popular election to meet the fundamental democratic principle of legitimacy. Like proposal 8, however, the option could have major consequences for the party system and succession in general. Unless some arrangement is specified to restrict candidates to ones from the same party of a president (which is not formally required under the Twenty-Fifth Amendment), it is quite possible that an election would produce a president and vice president from two different parties. A new accidental president would certainly be expected to offer some kind of endorsement and would be faced with an electoral repudiation of his leadership as dux almost immediately. Since the new vice president would be elected directly and the sitting accidental president indirectly, his status as rex would stand below his putative second in command.

Another proposal attempts to expand the mode of vice presidential selection under the Twenty-Fifth Amendment to regular succession. Allan Sindler's proposal for presidential appointment of vice presidents with congressional confirmation *after* election is designed to enhance the quality of vice presidents but it might affect the legitimacy of accidental presidents.¹¹ One concern with this proposal is that congressional oversight is not likely to be as thorough as in the cases of Ford and Rockefeller cited by Sindler, since the hearings would be undertaken in the immediate aftermath of a presidential victory. In contested elections, hearings might exacerbate problems of legitimacy. In cases in which party control is in hands different from those of the new president, the selection may be delayed and the president's choices

limited. Not only might a president's capacity in terms of *dux* be limited but also the vice president's status as successor might veer to regency as in the Ford presidency. None of these scenarios may be in themselves negative. A pause after an election could help maintain a healthy balance between the executive and legislative branches or even provide incentives for party control. An accidental presidency with some tendencies toward a congressional regency could also be a desirable feature. The main point, however, is that a postelection congressional confirmation of a vice president provides no assurance that the quality principle would necessarily be enhanced. Different considerations may just be more prominent.

Another way to promote the quality principle is to focus on vice presidential responsibilities, which have been a source of humor ever since Sherman's comment at the constitutional convention. A Senate vote was suggested by Theodore Roosevelt who also recommended the change to provide a "national conscience on Capitol Hill."¹² Part of TR's reasoning was based on the power of the Speaker who is third in line of irregular succession. Since the Speaker has a direct role in legislation, why not the second? Lyndon Johnson attempted to find a role along these lines when he proposed a seat in the Democratic Party Senate Caucus. There are two possible objections to this proposal that proceed from different directions. In one, the plan enhances too greatly the authority of the executive branch in promoting legislation that in contemporary practice already includes the presidential advantages in relation to the media in general and his/her ability to "go public." In another, the option moves toward a dual presidency with the possibility of a vice president forming his own coalitions with the legislature at the expense of the president's. One can certainly imagine some of FDR's vice presidents moving in this direction, not to say TR himself.

A cabinet position for a vice president also attempts to enhance the quality principle. Recent vice presidents have assumed more duties and the brief consideration of a Reagan/Ford ticket in 1980 would have given an even more formal aspect to vice presidential responsibilities. A major cabinet post as an electoral prize might also extend the election principle into the cabinet. There are drawbacks, of course, to this proposal. Cabinet expertise is not necessarily the kind of experience that improves the performance of a successor. Presidents might find removal or demotion to a lesser cabinet position of a vice president/secretary of state or treasury a politically difficult enterprise.

The institution of multiple vice-presidencies, a feature of some multiparty systems, is one way to increase quality by increasing the

recruitment pool and, at the same time, perhaps increasing party unity without specifying particular duties.¹³ A second, or third, vice president might provide the chief executive with a floating talent pool and the nation with a deep reservoir for meeting the requirements of both regular and irregular succession. On the other hand, the succession problems in the Ottoman Empire, discussed earlier, in which bands of young brothers vie for power does not evoke pleasant scenarios.

III

All these proposals are promising as possible solutions to the problem of irregular succession and it is not surprising each has liabilities. On the basis of our review of accidental presidencies, one can conclude, however, that current constitutional arrangements seem to be within the range of acceptability in terms of a democratic theory of succession. Other options therefore must convincingly establish their capacity to significantly resolve succession problems, especially given the uncertainties entailed in altering constitutional practice.

A case can be made that current constitutional arrangements strike an appropriate balance between the dual acknowledgments that election is the central mechanism of legitimacy for a democratic theory of succession and that a modest departure is justifiable in the light of the requirements of peaceful, swift, and decisive transition. In other words, legitimacy and leadership (*rex* and *dux*) should be difficult but not unattainable, much as is the case with those who win close or contested elections. This equilibrium is illustrated by both the use of transition rituals and governance strategies of accidental presidents. Though not directly elected, these new presidents seek to mimic ceremonies that supplement victorious candidacies. These efforts do help establish the new occupant as *rex* but they do not have the same potency as those performed by their predecessors. The strategies selected by accidental presidents are also attempts to establish authority. Both the homage and caretaker versions recognize the primacy of former presidents. As we have noted, an independent strategy that emphasizes autonomous leadership has produced the most notable failures.

Nevertheless, while supporting current arrangements, it is important to note this equilibrium is not fixed forever. The balance between the resiliency and fragility of rituals and strategies in cases of irregular succession could deteriorate and might evolve into

different forms. In one, the actions of accidental presidents are transformed into spectacles in which manipulative aspects are so observable that they lose their capacity to generate assent except in an ersatz way. The signifiers of each ritual become detached from the functions that they were intended to signify, and the rituals lose their capacity to persuade citizens. Succession rituals become a series of gestures in themselves, much as in a professional wrestling match.¹⁴ Since we have argued that many elections are imperfect, the transformation of the succession rituals into spectacles encourages citizen passivity and undermines presidential accountability to the extent that the process may also bleed even into perfect ones. A pessimistic interpretation would picture accidental presidents employing mixtures of homage, caretaker, and independent strategies, changing from one to another depending upon immediate political circumstances since it is only the performative aspect that is conveyed to voters.

Another scenario is the most distressing. Since succession rituals and strategies function as responses to an imperfect world, they reinforce governance in democratic regimes. What, however, if the rituals become capable of an infinite elasticity that permits any talented political team to readily structure an accidental presidency? It is, in fact, the grinding selection of governance strategies with all their risks that helps assure their potential legitimacy. Should these aspects be eliminated and means to *rex/dux* be assured, then irregular succession in extreme cases becomes more certain than in an electoral contest. The distinctive nature of democratic succession is dissolved and democratic regimes revert to the Hobbesian scenario as described by de Jouvenal.

It should be noted that if either of these scenarios develops, the options we have just reviewed would also need revision. The possibility of the emergence of either of these tendencies suggests that the contribution to succession by democratic theory needs to be continuously scrutinized so that democratic regimes retain rituals that are capable of adjustment as well as maintenance of a distinction between legitimacy and illegitimacy. One of the most frequently noted general virtues of democracies is their adaptability to new circumstances. Changes in the conditions for succession clearly require constant vigilance.

Notes

Chapter One Succession and Democratic Theory

1. Bertrand de Jouvenal, *Sovereignty* (Chicago: University of Chicago Press, 1957), pp. 98–99.
2. C. H. Dood, “Political Succession in the Ottoman Empire and Modern Turkey,” in Peter Calvert, ed., *The Process of Political Succession* (London: Macmillan, 1987), p. 82.
3. Robbins Burling, *The Passage of Power: Studies in Political Succession* (New York: Academic Press, 1974), p. 214.
4. See, for example: Peter Calvert, “The Theory of Political Succession” in Calvert, ed., *The Process of Political Succession*, pp. 245–65; Robert Dahl, *Democracy and Its Critics* (New Haven, CT: Yale University Press, 1989); Michael Saward, *Democracy* (London: Polity Press, 2003); Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (London: Allen and Unwin, 1943).
5. For a review of this phenomenon in theory and a critique of practice, see Richard A. Brody, *Assessing the President* (Stanford, CA: Stanford University Press, 1991), pp. 27–44.
6. Philip Abbott, Marjorie Sarbaugh-Thompson, and Lyke Thompson, “The Social Construction of a Legitimate Presidency,” *Studies in American Political Development* (Fall 2002), pp. 208–230.
7. Martin Van Buren, *Inquiry into the Origin and Cause of Political Parties in the United States* (New York, 1876), p. 290.
8. Sergio Bertelli, *The King’s Body* (University Park, PA: Pennsylvania State University Press, 2001), pp. 214–30.
9. James E. Campbell divides presidential elections into four categories (near dead heats, close contests, moderate competitive elections, and landslides). One-third of the elections constitute landslides. *The American Campaign: US Presidential Elections and the National Vote* (College Station, TX: Texas A&M University Press, 2000), pp. 163–85.
10. Robert Dahl, *Democracy and Its Critics* (New Haven, Ct: Yale University Press, 1989), pp. 119–31. The inclusion problem, of course, is coterminous for the entire history of presidential elections with respect to African Americans and was prominent in the 2000 election recount.
11. Calvert, “The Theory of Political Succession,” p. 246.
12. Juan J. Linz argues parliamentary systems are noticeably superior to presidential ones in this regard. “Presidential or Parliamentary

- Democracy: Does It Make a Difference?" in Juan J. Linz and Arturo Valenzuela, eds., *The Failure of Presidential Democracy* (Baltimore, MD: Johns Hopkins University Press, 1994), pp. 3–87.
13. Arthur M. Schlesinger, Jr., "On Presidential Succession." *Political Science Quarterly* 89 (1974), pp. 475–505.
 14. Hugh Williamson of North Carolina explicitly made this point. Max Farrand, ed., *The Records of the Constitutional Convention* (New Haven, CT: Yale University Press, 1966), 2:537. Joel K. Goldstein, however, contends that there was no compelling reason for the creation of the office on these terms. *The Modern Vice Presidency* (Princeton, NJ: Princeton University Press, 1982), p. 5.
 15. Morris suggested the chief justice of the Supreme Court, a frequently mentioned member of the Executive Council, be the designated successor. Farrand, *The Records of the Constitutional Convention*, p. 427.
 16. Farrand, *The Records of the Constitutional Convention*, p. 427.
 17. *Ibid.*, p. 537.
 18. See Ruth C. Silva, *Presidential Succession* (New York: Greenwood Press, 1968), p. 13.
 19. "Federalist No. 68" in Edward Mead Earle, ed., *The Federalist* (New York: Modern Library, 1937), p. 445.
 20. *The Debate on the Constitution* (New York: Modern Library, 1993), pp. 347, 359.
 21. Richard P. McCormick reviews these "uncertain rules for a hazardous game" in *The Presidential Game: The Origin of Presidential Politics* (New York: Oxford University Press, 1882).
 22. Henry Adams, ed., *The Writings of Albert Gallatin* (Philadelphia, 1879), 1:51.
 23. Donald Lutz, Philip Abbott, Barbara Allen, and Russell Hansen "The Electoral College in Historical and Philosophical Perspective" in Paul D. Schumaker and Burdett A. Loomis, eds., *Choosing a President: The Electoral College and Beyond* (New York: Chatham House, 2002), pp. 35–40.
 24. Jody C. Baumgartner, *The American Vice President Reconsidered* (Westport, CT: Praeger, 2006), pp. 14–16.
 25. Hearings on Presidential Inability and Vacancies in the Office of Vice President before the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary, 88th Cong., 1st sess., pp. 19, 240.
 26. *Congressional Record* 111, April 1, 1965, p. 7960.
 27. See chapter 10. For a general appraisal, see John D. Feerick, *The Twenty-Fifth Amendment* (New York: Fordham University Press, 1992), pp. 193–239.
 28. Although the period is relatively limited, the Twentieth Amendment would seem to aid vice presidents since they can be constitutionally assured of a vacancy.

29. Vance R. Kincaide, Jr. reviews these cases in *Heirs Apparent: Solving the Vice presidential Dilemma* (Westport, CT: Praeger, 2000).
30. On the gift relationship between president and vice president, see, Marie D. Natoli, *American Prince, American Pauper* (Westport, CT: Greenwood Press, 1985), pp. 102–22. Richard Neustadt characterizes the value of the vice president to the president in recent years as one emanating from a relationship of once equal political strength and current reliable dependence. “Vice Presidents as National Leaders: Reflections, Past, Present and Future” in Timothy Walch, ed., *At the President’s Side: The Vice Presidency in the Twentieth Century* (Columbia, MO: University of Missouri Press, 1997), p. 185.
31. Albert Eisele, *Almost to the Presidency* (Minnesota: Piper, 1972), p. 372.
32. Theodore Roosevelt failed to obtain renomination for a second elected term in 1912 and ran for president on a third-party ticket. Ford received his party’s nomination but lost the election in 1976.
33. Presidential rankings of Tyler, Fillmore, Andrew Johnson, and Coolidge show very little volatility across the Schlesinger, Maranelli, *Chicago Tribune*, Murray, Federalist Society, and Siena Research Institute polls while Truman’s does. James P. Pfiffner, “Ranking the Presidents: Continuity and Volatility,” *White House Studies* 3 (Winter 2003), pp. 23–36.
34. James David Barber, *The Presidential Character* (Englewood Cliffs, NJ: Prentice-Hall, 1972), p. 9.
35. Steven J. Rubenzer and Thomas R. Faschingbauer, *Personality, Character, and Leadership in the White House* (Potomac books: Washington, DC, 2004), pp. 22, 25.
36. Stephen Skowronek, *The Politics Presidents Make* (Cambridge: Harvard University Press, 1993), pp. 47–48.
37. *Ibid.*, pp. 229, 259. For Skowronek, TR is also a difficult case since his policies bore some resemblance to reconstructive politics and his campaign for the presidency in 1912 promised major departures.
38. For problems with classification models of the presidency, see Philip Abbott, “Borges’ Encyclopedia and Classification in Presidential Studies,” *Presidential Studies Quarterly* (December 2004), pp. 709–31.

Chapter Two John Tyler

1. John Quincy Adams, *Memoirs of John Quincy Adams* (New York: Harper and Brothers, 1843), 10:463.
2. See Ruth C. Silva, *Presidential Succession* (New York: Greenwood Press, 1968), p. 27; Akhil Reed Amer, *America’s Constitution: A Biography* (New York: Random House, 2005), p. 448.
3. Edward P. Crapol, *John Tyler: The Accidental President* (Chapel Hill, NC: University of North Carolina Press, 2006), p. 278.

4. Wilfred E. Brinkley, *President and Congress* (New York: Knopf, 1947), p. 99.
5. Richard M. Pious, "John Tyler" in James M. McPherson, ed., *To the Best of My Ability": The American Presidents* (New York: Dorling Kindersley, 2000), p. 82.
6. Dan Monroe, *The Republican Vision of John Tyler* (College Station, TX: Texas A&M University, 2003), p. 63.
7. So too did Whigs subsequently claim, on the basis of Tyler's response, that he was obligated to support a recharter. Monroe, *The Republican Vision of John Tyler*, p. 80.
8. "Inaugural Address" in John D. Richardson, ed., *Messages and Papers of the Presidents* (Washington, DC: Government Printing Office, 1897), 4:37.
9. *Ibid.*, p. 39.
10. For narratives of Tyler's first months as the first accidental president, see Robert J. Morgan, *A Whig Embattled: The Presidency under John Tyler* (Lincoln, NB: University of Nebraska Press, 1954), pp. 1–21; Monroe, *The Republican Vision of John Tyler*, pp. 78–86.
11. Jeffrey Tulis, *The Rhetorical Presidency* (Princeton, NJ: Princeton University Press, 1987).
12. Michael F. Holt, *The Rise and Fall of the Whig Party* (New York: Oxford University Press, 1999), p. 142.
13. Monroe, *The Republican Vision of John Tyler*, p. 137.
14. Holt, *The Rise and Fall of the Whig Party*, p. 148.
15. "Second Annual Message" in Richardson, ed., *Messages and Papers of the Presidents*, vol. 4, p. 194.
16. "Special Message" in Richardson, ed., *Messages and Papers of the Presidents*, 4:318–19.
17. Justin H. Smith, *The Annexation of Texas* (New York: AMS Press, 1971), p. 189.
18. "To the Senate of the United States" in Richardson, ed., *Messages and Papers of the President*, 4:308.
19. James David Barber, *The Presidential Character* (Englewood Cliffs, NJ: Prentice-Hall, 1985), p. 9.
20. Holt, *The Rise and Fall of the Whig Party*, p. 128.
21. Monroe, *The Republican Vision of John Tyler*, p. 112. Morgan's characterization of Tyler as "Jacksonian Whig" (*Whig Embattled: The Presidency under John Tyler*) may be closer to the mark but overlooks the enormous contradictions in this position.
22. Crapol, *John Tyler: The Accidental President*, p. 282.
23. "To the House of Representatives of the United States" in Richardson, ed., *Messages and Papers of the President*, 4:68–69.

Chapter Three Millard Fillmore

1. Michael F. Holt, *The Rise and Fall of the Whig Party* (New York: Oxford University Press, 1999), p. 523.

2. Ibid., p. 524.
3. Ibid., p. 522; Jean Harvey Baker, "Millard Fillmore" in James M. McPherson, *To the Best of My Ability* (New York: Dorling, Kinderley, 200), p. 102.
4. John C. Waugh, *On the Brink of Civil War: The Compromise of 1850 and How It Changed the Course of American History* (Wilmington, DE: Scholarly Resources, 2003), pp. 168–69.
5. W. L. Barre, *The Life and Public Services of Millard Fillmore* (Buffalo: Wanzee, McKim, 1856), p. 124. Interestingly, the observer later questioned whether the young Fillmore had the "self confidence and assurance" to be a "political chieftain."
6. Holt, *The Rise and Fall of the Whig Party*, p. 522.
7. Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Hill and Wang, 1990), pp. 210–11.
8. In 1854, Fillmore announced that he decided to favor the compromise within two weeks after assuming the presidency. "Speech at Louisville," *Publications of the Buffalo Historical Society*, Frank H. Severance, ed. (Buffalo, NY: Buffalo Historical Society, 1907), 10:432.
9. See: Glenn A. Phelps's *George Washington and American Constitutionalism* (Lawrence, KS: University Press of Kansas, 1993).
10. Elber B. Smith contends that Fillmore's position in regard to the Compromise was not appreciably different from Taylor's and thus suggests that the new president was in fact employing some version of a homage strategy. Smith's conclusions, however, are largely based on Fillmore's Texas position and initial Southern skepticism about Fillmore's motives. Perhaps they are also derived from the similarity in their common republican-based governing personas. *The Presidencies of Zachary Taylor and Millard Fillmore* (Lawrence, KS: University Press of Kansas, 1988), pp. 168–69.
11. Robert J. Raybick argues that the motion was engineered by Fillmore. *Millard Fillmore: Biography of a President* (Buffalo, NY: Buffalo Historical Society, 1959), pp. 247–52. Holman Hamilton, however, is skeptical. *Prologue to Conflict: The Compromise of 1850* (Lexington, KY: University Press of Kentucky, 1964), p. 113.
12. Waugh, *On the Brink of Civil War*, p. 179.
13. Holt, *The Rise and Fall of the Whig Party*, p. 535.
14. Smith, *The Presidencies of Zachary Taylor and Millard Fillmore*, p. 195.
15. In Boston, Fillmore noted that while Washington's journey from Virginia to Massachusetts took eleven days, he had made the trip in as many hours. *Publications of the Buffalo Historical Society*, p. 424.
16. Richardson, *Messages and Papers of the Presidents*, 5:165–66.
17. Raybick, *Millard Fillmore: Biography of a President*, p. 253.
18. Holt, *The Rise and Fall of the Whig Party*, p. 596.
19. Waugh, *On the Brink of Civil War*, p. 183.
20. "Letter to Daniel Webster, October 23, 1850," *Publications of the Buffalo Historical Society*, p. 335.
21. Holt, *The Rise and Fall of the Whig Party*, p. 598.

22. Smith, *The Presidencies of Zachary Taylor and Millard Fillmore*, p. 242.
23. Raybick, *Millard Fillmore: Biography of a President*, p. 414.
24. Michael Holt, *Political Parties and American Political Development* (Baton Rouge, LA: Louisiana State University Press, 1992), p. 272.
25. *Ibid.*, p. 178.
26. Waugh, *On the Brink of Civil War*, pp. 190–91.

Chapter Four Andrew Johnson

1. William H. Rehenquist, *Grand Inquests* (New York: William Morrow, 1992), p. 22. See David Donald, “Why They Impeached Andrew Johnson,” *American Heritage* (December, 1956), 7:21–25 for a different assessment. It should also be noted that until the 1960s, Johnson’s general reputation was rather high first as a result of negative assessments of Reconstruction and then as negative reassessments of the Civil War in the 1930s. See as examples two popular accounts: Claude Bowers, *The Tragic Era: The Revolution after Lincoln* (Boston: Houghton Mifflin, 1929); George F. Milton, *The Age of Hate: Andrew Johnson and the Radicals* (New York: Coward-McCann, 1930). Bowers described Johnson as one “who fought the bravest battle ever waged by an Executive” against “brutal, hypocritical and corrupt” men.
2. Brooks D. Simpson, *The Reconstruction Presidents* (Lawrence, KS: University Press of Kansas, 1998), p. 69.
3. Howard P. Nash, Jr., *Andrew Johnson, Congress and Reconstruction* (Rutherford, NJ: Fairleigh Dickinson University Press, 1972), pp. 23–24.
4. John J. Craven, *Prison Life of Jefferson Davis* (New York, 1866), p. 261.
5. Hans L. Trefouse, *Andrew Johnson* (New York: Norton, 1989), pp. 35–50.
6. Trefouse, *Andrew Johnson*, p. 183.
7. See Stephen Howard Browse’s analysis: “Andrew Johnson and the Politics of Character” in Martin J. Medhurst, ed., *Before the Rhetorical Presidency* (College Station, TX: Texas A&M Press, 2008).
8. Trefose, *Andrew Johnson*, p. 215.
9. Carl Schurz to Charles Sumner, November 13, 1865 in Harold M. Hyman, ed., *The Radical Republicans and Reconstruction, 1861–1870* (Indianapolis, IN: Bobbs-Merrill, 1967), p. 294.
10. W. J. Cash, *The Mind of the South*, Paperback ed. (New York: Knopf, 1941).
11. LaWanda Cox and John H. Carr, *Politics, Principle and Prejudice, 1861–1866* (New York: Free Press, 1963), pp. 151–55.
12. Simpson, *The Reconstruction Presidents*, p. 86.
13. *The Papers of Andrew Johnson*, ed. LeRoy P. Graf and Ralph W. Haskins (Knoxville, TN: University of Tennessee Press, 1967), 9:466.
14. Simpson, *Reconstruction Presidents*, p. 92.

15. Andrew Sefton, *Andrew Johnson and the Uses of Constitutional Power* (Boston: Little, Brown, 1980), p. 125. Johnson's personal secretary shared this account with the press and bragged that the president upheld his honor in the face of a hostile "darkey delegation." Trefose, *Andrew Johnson*, p. 242.
16. P. Nash, Jr., *Andrew Johnson, Congress and Reconstruction*, p. 67.
17. *The Papers of Andrew Johnson*, ed. LeRoy P. Graf and Ralph W. Haskins et al. (Knoxville, TN: University of Tennessee Press, 1967).
18. Howard P. Nash, Jr., *Andrew Johnson, Congress and Reconstruction*, pp. 94–96.
19. *Ibid.*, p. 109.
20. *New York Herald Tribune*, February 23, 1866.
21. *New York Herald Tribune*, September 11, 1866; *New York Evening Post*, February 23, 1866.
22. *Nation* (3) 1866, p. 191.
23. Martin E. Mantell, *Johnson, Grant, and the Politics of Reconstruction* (New York: Columbia University Press, 1973), p. 68.

Chapter Five Theodore Roosevelt

1. Jeffrey Tulis in *The Rhetorical Presidency* (Princeton, NJ: Princeton University Press, 1987) discusses the novelty of Johnson's decision to "go public" and compares it to Roosevelt's.
2. Edmund Morris, *The Rise of Theodore Roosevelt* (New York: McCann and Geoghegan, 1979), pp. 12, 13, 20, 21; Stephen Gwynn, ed., *The Letters and Friendships of Sir Cecil Spring-Rice* (Boston: Houghton Mifflin, 1929), 1:437; Bernard de Voto, ed., *Mark Twain in Eruption* (New York: Harpers, 1940, p. 8; Theodore Roosevelt, "National Life and Character" in *American Ideals* (New York: Putnam's, 1897), 2:93.
3. H. W. Brands, T. R.: *The Last Romantic* (New York: Basic Books, 1997), p. 339.
4. *Ibid.*, p. 357.
5. Theodore Roosevelt, "National Life and Character" in *American Ideals*, (New York: Putnam's, 1897), 2:93.
6. *Ibid.*, p. 123.
7. *Gouverneur Morris, The Works of Theodore Roosevelt: National Edition* (New York: Scribner's Sons, 1926), 7:469.
8. Elting E. Morison and John Blum, eds., *The Letters of Theodore Roosevelt* (Cambridge: Harvard University Press, 1951–54), 1:102; Morgan, *The Rise of Theodore Roosevelt*, p. 333.
9. Morgan, *The Rise of Theodore Roosevelt*, p. 374; Thomas Hart Benton in *Works*, 7:5, 6, 232. Two years later in volume I of *The Winning of the West*, TR expanded his account of westward migration in terms of "race expansion." *The Winning of the West* (New York: Putnam's, 1889), 1:1–27.
10. Thomas Hart Benton in *Works*, 7:233.

11. Ibid., p. 204.
12. Ibid., p. 75–76.
13. Ibid., p. 79, 92.
14. Morison and Blum, eds., *Letters*, 2:1047.
15. Theodore Roosevelt, *The Autobiography of Theodore Roosevelt* (McLean, VA: Indypublis.com, 2002), p. 42.
16. Kathleen Dalton, *Theodore Roosevelt: A Strenuous Life* (New York: Knopf, 2002), p. 81.
17. Roosevelt, *Autobiography*, p. 63.
18. Ibid., pp. 60–61.
19. Paul Grondahl, *I Rose like a Rocket: The Political Education of Theodore Roosevelt* (New York: Free Press, 2004), p. 107.
20. Roosevelt, *Autobiography*, p. 63.
21. Grondahl, *I Rose like a Rocket*, p. 223.
22. Roosevelt, *Autobiography*, p. 140.
23. Grondahl, *I Rose like a Rocket*, p. 248.
24. Roosevelt, *Autobiography*, p. 228–29.
25. Brands, *TR: The Last Romantic*, p. 403.
26. Ibid.
27. Ibid., p. 410.
28. Theodore Roosevelt, *Theodore Roosevelt: Letters and Speeches* (New York: Library of America, 2004), p. 243.
29. Brands, *TR: The Last Romantic*, p. 421.
30. Roosevelt, *Letters and Speeches*, p. 224.
31. *Theodore Roosevelt: An Autobiography* (New York: Charles Scribner's Sons, 1929), p. 350.
32. Brands, *T.R.: The Last Romantic*, p. 417.
33. John Morton Blum, *The Republican Roosevelt* (New York: Atheneum, 1968), p. 52. For TR's views on Hanna's intentions as a candidate himself, see his letter to his son in January, 1904. *Theodore Roosevelt: Letters and Speeches*, pp. 307–8.
34. Theodore Roosevelt, "First Annual Message," in *Messages and Papers of the Presidents*, 14:6642–43.
35. Ibid., pp. 6641, 6642, 6645.
36. Harbaugh, *The Life and Times of Theodore Roosevelt* (New York: Collier, 1961) p. 172.
37. *Autobiography*, p. 468.
38. Ibid., p. 352.
39. Harbaugh, *The Life and Times of Theodore Roosevelt*, p. 179.
40. Ibid., pp. 372, 373; John Morton Blum places major blame on Taft and his advisors for antagonizing this spirited man. *The Republican President* (Cambridge: Harvard University Press, 1967), p. 145.
41. Harbaugh, *The Life and Times of Theodore Roosevelt*, p. 398.
42. At the close of his administration, TR compared America to the French Second Republic with "Bryanites" and "Debsites" cast in the role of radicals who, given the opportunity, would act like their alleged French

counterparts who “adopted every kind of impossible policy, including the famous national workshops for the unemployed.” He cast himself as the heroic alternative to a Louis Napoleon whose regime rested on “force, corruption, and repression.” Morison and Blum, *Letters of Theodore Roosevelt*, 6:954.

43. “Fifth Annual Message,” *Messages and Papers of the Presidents*, 14:6985–66.

Chapter Six Chester A. Arthur

1. *In Memoriam: Gems of Poetry and Song on James A. Garfield* (Columbus, OH: J. C. McClenhan, 1881), pp. 12–13, 79.
2. Thomas C. Reeves, *Gentleman Boss: The Life of Chester Alan Arthur* (New York: Knopf), pp. 245–46.
3. Tennyson was Garfield’s favorite author.
4. Justus D. Doenecke, *The Presidencies of James A. Garfield and Chester A. Arthur* (Lawrence, KS: University Press of Kansas, 1981), p. 54.
5. The comment was made by Senator James McDougall of California. Zachary Karabell, *Chester Alan Arthur* (New York: Henry Holt, 2004), p. 20.
6. On Conkling’s career, see David Jordan, *Roscoe Conkling of New York* (Ithaca, NY: Cornell University Press, 1971).
7. Karabell, *Chester Alan Arthur*, p. 20.
8. *Ibid.*, p. 20.
9. Reeves, *Gentleman Boss*, p. 319.
10. *Ibid.*, pp. 179–80.
11. Kenneth D. Ackerman, *Dark Horse* (New York: Carroll & Graf Publishers, 2003), p. 133.
12. Reeves, *Gentleman Boss*.
13. Ackerman, *Dark Horse*, pp. 407–8.
14. Allan Perkins, *Garfield* (Kent, OH: Kent State University Press, 1978), p. 250.
15. Reeves, *Gentleman Boss*, p. 255.
16. James C. Clark, *The Murder of James A. Garfield: The Last Days and the Trial and Execution of His Assassin* (Jefferson, NC: McFarland, 1993), p. 133.
17. John A. Garrity, *The New Commonwealth: 1877–1890* (New York: Harper and Row, 1968), p. 252.
18. Philip Abbott, *The Challenge of the American Presidency* (Chicago: Waveland Press), p. 66.
19. Reeves, *Gentleman Boss*, p. 271.
20. *Ibid.*, p. 320
21. “Second State of the Union Address,” December 4, 1882 in John D. Richardson, ed., *Messages and Papers of the Presidents*, vol. 8. (Washington, DC: Government Printing Office, 1897).

22. Doenecke notes Arthur's role as founder of the modern American navy. Doenecke, *The Presidencies of James A. Garfield and Chester A. Arthur*, p. 147.
23. Doenecke, *The Presidencies of James A. Garfield and Chester A. Arthur*, p. 135.
24. Karabell, *Chester Alan Arthur*, p. 131.
25. James Bryce, *The American Commonwealth* (London: Macmillan, 1891), 2:131–34.

Chapter Seven Harry S. Truman

1. Harry S. Truman, *Memoirs by Harry S. Truman: Year of Decisions* (Garden City, NY: Doubleday, 1955), p. 19.
2. John Morton Blum, ed. *The Price of Vision: The Diary of Henry A. Wallace, 1942–1946* (Boston: Houghton Mifflin, 1973), p. 448. Truman's reciprocated this distrust. He told Maury Maverick, the problem with "the so-called FDR people" was that they all wanted to lead because they started at the top and "never polled a precinct or became elected in their lives...at least they're great on ballyhoo." Robert H. Ferrell, *Harry S. Truman: A Life* (Columbia, MO: University of Missouri Press, 1994), p. 186.
3. Henry A Wallace, "The Challenge of 1947." *New Republic* (January 6, 1947), p. 23.
4. "Report from Britain," *New Republic* (April 28, 1947), p. 45; also see Wallace's review of Scandinavian politics: "Scandinavia in Two Worlds," *New Republic* (May 26, 1947), pp. 12, 13–44.
5. William E. Leuchtenburg, *In the Shadow of FDR* (Ithaca, NY: Cornell University Press, 1983), p. 15.
6. On FDR's populist turn, see Philip Abbott, *The Exemplary Presidency: FDR and the American Political Tradition* (Amherst, MA: University of Massachusetts Press, 1990), pp. 110–31.
7. Robert H. Ferrell, *Truman and Pendergast* (Columbia, MO: University of Missouri Press, 1999), p. 19.
8. Merle Miller, *Plain Speaking: An Oral Biography of Harry S. Truman* (New York: Putnam's, 1973), pp. 196, 384.
9. William E. Pemberton, *Harry S. Truman: Fair Dealer and Cold Warrior* (Boston: Twayne Publishers, 1986), p. 27.
10. Richard Lawrence Miller, *Truman: The Rise to Power* (New York: McGraw Hill, 1986), pp. 282–83.
11. *Ibid.*, pp. 349–50.
12. Alonzo L. Hamby, *Man of the People: A Life of Harry S. Truman* (New York: Oxford University Press, 1995), p. 249.
13. *Ibid.*, p. 260.
14. Robert H. Ferrell argues that Truman played his cards quite well. Knowing that FDR disliked ambitious politicians, he always feigned

- reluctance in seeking the office. *Choosing Truman: The Democratic Convention of 1944* (Columbia, MO: University of Missouri Press, 1994), pp. 93–95.
15. Miller, *Plain Speaking*, pp. 196–97.
 16. *Ibid.*, pp. 206, 209.
 17. *Ibid.*, p. 209.
 18. Address before a Joint Session of the Congress, April 16, 1945, Harry S. Truman Presidential Library (HSTPL).
 19. Miller, *Plain Speaking*, p. 249.
 20. Roy Jenkins offers an astute analysis of Truman's view of FDR. *Truman* (New York: Harper and Row, 1986), pp. 67–68.
 21. Hamby, *Man of the People: A Life of Harry S. Truman*, p. 295.
 22. Leuchtenburg, *In the Shadow of FDR*, pp. 11–12.
 23. Truman, *Memoirs*, p. 482. Rosenman's recollection matches the president's. Oral History, Judge Samuel I. Rosenman, Harry S. Truman Presidential Library, p. 58.
 24. Donald R. McCoy, *The Presidency of Harry S. Truman* (Lawrence, KS: University Press of Kansas, 1984), p. 48.
 25. Truman, *Memoirs*, pp. 482–83.
 26. Robert J. Donovan, *Conflict and Crisis: The Presidency of Harry S. Truman, 1945–1948* (New York: Norton, 1977), p. 115.
 27. "Candidate Truman's Magic Brew," *Saturday Evening Post*, December 31, 1949, p. 12.
 28. Alexis de Tocqueville, *Democracy in America*, J. P. Mayer, ed. (Garden City, NY: Doubleday, 1969), pp. 531–32.
 29. In his classic work, Louis Hartz contends that New Deal programs were fundamentally liberal ones although they might have appeared to both supporters and opponents to be social democratic. In *The Liberal Tradition in America* (New York: Harcourt, Brace 1955). Allan Brinkley contends that the New Deal reached its disintegrating point as early as 1937. See also his *The End of Reform: New Deal Liberalism in Recession and War* (New York: Vintage, 1995), pp. 270–71. For a different view that largely reiterates Wallace's critique, see Jonathan Bell, *The Liberal State on Trial: The Cold War and American Politics in the Truman Years* (New York: Columbia University Press, 2004), pp. 272–73.
 30. McCoy, *The Presidency of Harry S. Truman*, p. 51.
 31. Notes, Speech File, October 14, 1945, HSTPL.
 32. Jenkins, *Truman*, p. 85.
 33. Draft, Railway Strike Speech, Clark Clifford Papers, HSTPL Although Robert J. Donovan regards the draft as "one of the most astonishing documents in the history of the presidency," he concludes that Truman had no intention of delivering it. *Conflict and Crisis*, p. 212. Jenkins agrees. (*Truman*, pp. 86–87). Clifford was a bit less certain. Clark Clifford, *Counsel to the President* (New York: Random House, 1991), p. 89.
 34. Harold L. Ickes, *Diaries of Harold L. Ickes* (Weidenfeld and Nicolson, 1955), p. 204.

35. Hamby, *Man of the People*, p. 42.
36. *Chicago Tribune*, June 11, 1946.
37. "The Twilight of the Thirties" (1939) and "The Unfuture of Utopia" (1949) in Philip Rahv, ed., *Literature and the Sixth Sense* (Boston: Houghton Mifflin, 1970), pp. 324, 332.
38. Eugene Lyons, *The Red Decade: The Stalinist Penetration of America* (New York, 1941), p. 129.
39. Address to Congress, March 12, 1947, HSTPL.
40. Margaret Truman, *Harry S. Truman* (New York: William Morrow, 1973), p. 330.
41. Later, however, scholars have cited the approach as evidence of Truman's provincialism. See, for example, Arnold A. Offner, *Another Such Victory: President Truman and the Cold War, 1945–1953* (Stanford, CA: Stanford University Press, 2002), p. 470.
42. Donovan, *Conflict and Crisis*, p. 33.
43. Ickes to Truman, March 17, 1948, HSTPL.
44. *New York Times*, March 18, 1948.
45. See Ken Hechler's memoir for the background of the Hoover references. *Working with Truman: A Personal Memoir of the White House Years* (New York: Putnam's, 1982), pp. 99–100.
46. *HST: Memories of the Truman Years*, ed. Steve Neal (Carbondale, IL: Southern Illinois Press, 2003), pp. 212–15; Hechler, *Working with Truman*, pp. 103–4.

Chapter Eight Lyndon Baines Johnson

1. Lyndon B. Johnson, *The Vantage Point: Perspectives of the Presidency, 1963–1969*. (New York: Holt, Rinehart and Winston, 1971), p. 19.
2. For a sample, see Busby to LBJ, December 30, 1963; Goldman to LBJ, December 4, 1963; Panzer to Jacobson, November 26, 1966, Wallace H. Coulter Foundation (WHCF), Lyndon Baines Johnson Presidential Library (LBJPL).
3. See, for example, Irving Bernstein, *Guns for Butter: The Presidency of Lyndon Johnson* (New York: Oxford University Press, 1995); Brian VanDeMark, *Into the Quagmire: Lyndon Johnson and the Escalation of the Vietnam War* (New York: Oxford University Press, 1995).
4. Doris Kearns, *Lyndon Johnson and the American Dream* (New York: Harper and Row, 1976), pp. 252–53.
5. *Ibid.*, p. 172.
6. Robert Dallek, *Lyndon B. Johnson: Portrait of a President* (New York: Oxford University Press, 2004), p. 37.
7. Robert A. Caro extensively reviews Johnson's homage strategies in the Senate. *Master of the Senate* (New York: Knopf, 2002).

8. For Johnson's wartime shift, see Robert Dallek, *Lone Star Rising: Lyndon Johnson and His Times 1908–1960* (New York: Oxford University Press, 1991), pp. 253–54.
9. Randall B. Woods, *LBJ: Architect of American Ambition* (New York: Free Press, 2006), p. 326.
10. Ibid.
11. Paul R. Henggeler, *In His Steps: Lyndon Johnson and the Kennedy Mystique* (Chicago: Ivan R. Dee, 1991), p. 29.
12. On JFK's disdain for the local politician in his state, see Kenneth P. O'Donnell, "*Johnny, We Hardly Knew Ye*": *Memories of John F. Kennedy* (Boston: Little, Brown, 1972), pp. 59–60.
13. Merle Miller, *Lyndon: An Oral Biography* (New York: Putnam, 1980), p. 256.
14. Arthur Schlesinger, Jr., *Robert Kennedy and His Times* (Boston: Houghton Mifflin, 1978), p. 48.
15. See Katherine Graham, Oral History, p. 16. LBJPL.
16. Henggeler, *In His Steps: Lyndon Johnson and the Kennedy Mystique*, p. 48.
17. Woods, *LBJ*, p. 361.
18. Ralph G. Martin, *Henry and Clare* (New York: Putnam, 1991), p. 362.
19. Woods, *LBJ*, pp. 372–73.
20. D. H. Hardeman, Oral History, LBJPL.
21. Merle Miller, *Lyndon: An Oral Biography* (New York: Putnam's, 1960), p. 273.
22. Arthur Schlesinger, Jr., *A Thousand Days: John F. Kennedy in the White House* (Houghton Mifflin, 1965), p. 704.
23. Robert Dallek, *Flawed Giant: Lyndon Johnson and His Times* (New York: Oxford University Press, 1998), p. 21.
24. Ben Bradlee, *Conversations with Kennedy* (New York: Norton, 1975), p. 226.
25. Jeff Shesol aptly notes that the LBJ-RFK feud defined the political careers of both men in *Mutual Contempt: Lyndon Johnson, Robert Kennedy, and the Feud That Define a Decade* (New York: Norton, 1997), p. 8.
26. Busby to LBJ, November, 23, 1963, LBJPL.
27. Busby to LBJ, November, 24, 1963, LBJPL.
28. "Troika Meeting with President Johnson," November 25, 1963, LBJPL.
29. The President's Address to the Nation, Thanksgiving Day, November 28, 1963, LBJPL.
30. Jacqueline Kennedy to LBJ, May 5, 1965; January 8, 1967, LBJPL.
31. Schlesinger, *Robert Kennedy and His Times*, p. 628.
32. Ibid, p. 627.
33. Eric Goldman, *The Tragedy of Lyndon Johnson* (New York: Knopf, 1969), p. 93.
34. Shesol, *Mutual Contempt*, pp. 203–4.

35. George Reedy, *Lyndon B. Johnson: A Memoir* (New York: Andrews and McMeel, 1982), p. 55.
36. O'Brien Oral History; O'Donnell OH, LBJ Library. Also see, Patrick Anderson, *The Presidents' Men* (Garden City, NY: Doubleday, 1968), p. 299.
37. Cater to LBJ, December 9, 1964, WHCF, LBJL.
38. Horace Busby to LBJ, December 30, 1963, LBJPL.
39. Fred Panzer to Jake Jacobson, November 26, 1966, LBJPL.
40. William E. Leuchtenburg, *In the Shadow of FDR* (Ithaca, NY: Cornell University Press, 1983), p. 63.
41. "Civil Rights Activities during the First Hundred Days," April 15, 1964, LBJPL.
42. Goldman, *The Tragedy of Lyndon Johnson*, p. 334.
43. *Public Papers of the Presidents: Lyndon Baines Johnson, 1963–1964* (Washington, DC: US Printing Office, 1965), pp. 704–7.
44. *Public Papers of the Presidents: Lyndon Baines Johnson, 1965* (Washington DC; U.S. Printing Office, 1966), pp. 281–87.
45. *Ibid.*, pp. 635–40.
46. Johnson prepared a statement on the events immediately after the assassination as did all others in Dallas, including Lady Bird.
47. *Washington Post*, January 24, 1967.
48. This and other anecdotes were reported to Bill Moyers for the president. Hayes Redmon to Moyers, January 11, 1967, LBJPL.
49. Jacobson prepared detailed alternate narratives of the Manchester book and suggested White House responses to contested points. Jacobson, for example, noted the Tyler precedent, in regard to the question of time and place of Johnson's oath. Jacobson to Valenti, May 10, 1965, WHCF, LBJPL.
50. Max Holland, *The Kennedy Assassination Tapes* (New York: Knopf, 2004), pp. 2987–98.
51. See, for example, *New York Daily News*, May 26, 1967; *Detroit Free Press*, May 30, 1967.
52. John P. Roche, Oral History, LBJPL.
53. Goodwin, *Lyndon Johnson and the American Dream*, pp. 251–52.
54. Richard Reeves, *President Kennedy* (New York: Simon and Schuster, 1993).
55. Goodwin makes this point. *Lyndon Johnson and the American Dream*, p. 293.
56. *Ibid.*, p. 333.
57. *Ibid.*, p. 343.
58. Henggeler, *In His Steps: Lyndon Johnson and the Kennedy Mystique*, p. 209.
59. Horace Busby, *The Thirty-First of March* (New York: Farrar, Straus and Giroux, 2005), pp. 194, 196.
60. Vaughn Davis Bornet, *The Presidency of Lyndon B. Johnson* (Lawrence, KS: University Press of Kansas, 1983), p. 303. Also see Dallek, *Flawed Giant*, p. 528. Dallek suggests that LBJ anticipated a draft at the convention (p. 572).

61. Goldman, *The Tragedy of Lyndon Johnson*, p. 92.
62. Kenneth O'Reilly, *Nixon's Piano: Presidents and Racial Politics from Washington to Clinton* (New York: Free Press, 1995), p. 256.
63. Goodwin, *Lyndon Johnson and the American Dream*, p. 305.

Chapter Nine Calvin Coolidge

1. Michael P. Riccards, *The Ferocious Engine of Democracy* (New York: Madison Books, 1995), 2:102.
2. Robert Sobel, *Coolidge: An American Enigma* (Washington, DC: Regnery, 1998), p. 234.
3. Robert K. Murray, *The Harding Era* (Minneapolis, MN: University of Minnesota Press).
4. Robert H. Ferrell, *The Presidency of Calvin Coolidge* (Lawrence, KS: University Press of Kansas, 1998), p. 18.
5. Calvin Coolidge, *Have Faith in Massachusetts* (New York: Houghton Mifflin, 1919), p. 80.
6. *Nation*, August 15, 1923, p. 153.
7. Sobel, *Calvin Coolidge*, p. 133. Coolidge's biographers offer differing assessments of the future president's role in the strike. Claude M. Fuess offers a sympathetic account. *Calvin Coolidge: The Man from Vermont* (Boston: Little Brown, 1940) while Donald McCoy is more critical. McCoy concludes: "He who had been the last in acting had become the first in receiving credit." *Calvin Coolidge: The Quiet President* (New York: Macmillan, 1967), p. 94. Thomas B. Silver vigorously defends Coolidge and compares his action to Lincoln's during the Fort Sumter crisis. *Coolidge and the Historians* (Durham, NC: Carolina Academic Press, 1982), p. 57.
8. Calvin Coolidge, *The Autobiography of Calvin Coolidge* (New York: Cosmopolitan Book Corporation, 1931), p. 147.
9. Ferrell, *The Presidency of Calvin Coolidge*, p. 40.
10. Coolidge, *The Autobiography of Calvin Coolidge*, pp. 176–77.
11. Sobel, *Coolidge: An American Enigma*, p. 260.
12. Ferrell, *The Presidency of Calvin Coolidge*, p. 52.
13. Thomas Stokes, *Chip Off My Shoulder* (Princeton, NJ: Princeton University Press, 1940), p. 139.
14. For a descriptions of Coolidge's press conferences, see Jule Abels, *In the Time of Silent Cal* (New York: G. P. Putnam's, 1969), pp. 45–46; Arthur F. Finer, *A Rhetorical Study of the Speaking of Calvin Coolidge* (Lewiston, NY: Edwin Mellen Press, 1990), pp. 91–100.
15. John L. Blair, "Coolidge the Image Maker: The President and the Press, 1923–1929," *New England Quarterly* 43 (December, 1973), p. 504.
16. *New Republic* 44 (October 10, 1927), p. 16.
17. James E. Watson, *As I Knew Them* (Indianapolis, IN: Bobbs-Merrill, 1936), p. 239.

18. Elmer E. Cornwell, Jr., "Coolidge and Presidential Leadership," *Public Opinion Quarterly* 21 (Summer 1957), p. 267.
19. *Ibid.*, p. 269.
20. Daniel J. Lear, "Coolidge, Hays, and 1920s Movies: Some Aspects of Image and Reality" in John Earl Haynes, ed., *Calvin Coolidge and the Coolidge Era* (Washington, DC: Library of Congress, 1998), p. 101.
21. On Coolidge jokes, see especially, Abels, *In the Time of Silent Cal*, pp. 9–46.
22. Paul Johnson explores Coolidge's minimalist approach to governing in general. "Calvin Coolidge and the Last Acadia" in John Earl Haynes, ed., *Calvin Coolidge and the Coolidge Era* (Washington, DC: Library of Congress, 1998), pp. 1–13.
23. Ferrell, *The Presidency of Calvin Coolidge*, pp. 115–16.
24. See David J. Goldberg, *Discontented America: The United States in the 1920s* (Baltimore: Johns Hopkins University Press, 1999).
25. W. B. Riley, "The Faith of the Fundamentalists," *Current History* 26 (June 1927), p. 438.
26. Coolidge, *The Autobiography of Calvin Coolidge*, p. 204.
27. Edward Elwell Whiting, *President Coolidge: A Contemporary Estimate* (Boston: Atlantic Monthly Press, 1923), p. 200.
28. Walter Lippman, *Men of Destiny* (1927) (New Brunswick, NJ: Transaction Publishers, 2003), pp. 11, 16–17.
29. Stephen Skowronek, *The Politics Presidents Make* (Cambridge: Harvard University Press, 1993), p. 47.
30. Skowronek does note the absence of any draft Coolidge movement in the party after the statement thus suggesting that he shared a fate similar to that of Theodore Roosevelt, Truman, and LBJ.

Chapter Ten Gerald Ford

1. For press reactions, see Mark Rozell, *The Press and the Ford Presidency* (Ann Arbor, MI: University of Michigan Press, 1992); John Robert Greene, *The Presidency of Gerald R. Ford* (Lawrence, KS: University Press of Kansas, 1995), pp. 31–32.
2. Despite the objections of his staff, Ford insisted on presenting his amnesty program to the VFW rather than to a student group. For an inside account see Robert T. Hartmann, *Palace Politics* (New York: McGraw-Hill, 1980), pp. 209–15.
3. Hartmann, *Palace Politics*, p. 5.
4. Gerald Ford, *A Time to Heal* (New York: Harper and Row, 1976), p. 94.
5. "Remarks upon Taking the Oath of Office as vice president," Gerald R. Ford Presidential Library (GFPL).
6. Ford, *A Time to Heal*, p. 112.
7. Stephen E. Ambrose reviews Nixon's options in "The Nixon-Ford Relationship," in Bernard J. Firestone and Alexj Uginsky, eds., *Gerald R.*

Ford and the Politics of Post-Watergate America (Westport: CT: Greenwood Press, 1993), pp. 18–19.

8. James Cannon, *Time and Chance* (New York: HarperCollins, 1994), p. 205.
9. Ford, *A Time to Heal*, p. 122.
10. Seymour M. Hersh, "The Pardon," *Atlantic Monthly* (August 1983), p. 56.
11. Ford, *A Time to Heal*, p. 120.
12. *Ibid.*, p. 122.
13. "Transition Team Report," Gerald Ford Presidential Library, pp. 16–17.
14. Hartmann, *Palace Politics*, p. 131.
15. Ford, *A Time to Heal*, p. 6.
16. Stanley Kutler, among others, has concluded "no deal" was made although the meeting helped to reassure Nixon's expectation that a pardon was inevitable. *The Wars of Watergate* (New York: Knopf, 1990), p. 409. For Haig's account, see: *Inner Circles* (New York: Warner, 1992), pp. 481–83. Haig insists that Nixon had no knowledge of the options he presented to Ford.
17. "Remarks on Taking the Oath of Office as President," GFPL.
18. Ford, *A Time to Heal*, p. 126.
19. *Time Magazine*, September 2, 1973.
20. Ford, *A Time to Heal*, p. 148; Philip Buchen, A. James Reichley Transcripts, GFPL.
21. *Ibid.*, pp. 126, 148.
22. Greene, *The Presidency of Gerald Ford*, pp. 30–31.
23. Reagan rejected a vice presidential offer in 1976 but may have been more amenable in 1974.
24. Cannon, *Time and Chance*, p. 388.
25. *Ibid.*, p. 389.
26. "Statement by the President," October 17, 1974, p. 8, GFPL.
27. "Appearance by the President before the Subcommittee on Criminal Justice," October 17, 1974, p. 35, GFPL.
28. The effort to reopen the investigation failed by a 4–3 with two Democrats voting in the negative.
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31. Rozell, *The Press and the Ford Presidency*, pp. 195–98; Mieczkowski, *Gerald Ford and the Challenges of the 1970s*, pp. 48–49.
32. Buchen to James E. Brown, June 11, 1975; President Ford's Day 1975: A Proclamation; Buchen to Warren Rustand, July 14, 1975; Buchen to Ford, July 23, 1975; *Washington Post*, August 10, 1975.
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Chapter Eleven Conclusion: Refounding Succession

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9. See James W. Davis, *Presidential Primaries: The Road to the White House* (New York: Crowell, 1967). This general endorsement, however, needs to be considered in terms of a myriad of questions concerning sequencing of primaries, their form, turnout, and campaign financing. See these samples, from a very large, continuous body of literature: Austin Ranney, "Turnout and Representation in Presidential Primaries," *American Political Science Review* 66 (1972), pp. 21–37; James I. Langle, *Representation and Presidential Primaries* (Westport, CT: Greenwood Press, 1981); Nelson Polsby, "The Reform of Presidential Selection and Democratic Theory," *PS* 164 (Autumn 1983), pp. 695–68; Karen Kaufman, James G. Gimbel and Adam F. Hoffman, "A Promise Fulfilled? Open Primaries and Representation," *Journal of Politics* 65 (May, 2003), pp. 457–76.
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